



Athabasca Denesuline Né Né Land Corporation

Athabasca Denesuline Né Né Land Corporation
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TO Nunavut Impact Review Board; Kelly Gillard; Tundra Kuliktana

via email: info@nirb.ca; kgillard@nirb.ca; tkuliktana@nirb.ca

**RE: Comment on Nunavut Impact Review Board Screening of the Atha Energy Corp
Thelon Property Proposal in the Kivalliq Region. NIRB # 24EN052**

Dear Nunavut Impact Review Board Members.

The Athabasca Denesuline NéNé Land Corporation (ADNLC) represents the three Denesuline First Nations of Fond-du-Lac, Black Lake, and Hatchet Lake. While our communities are located in Northern Saskatchewan, our traditional territories, the lands where we have fished, trapped, lived, harvested, foraged, and carried out our way of life for thousands of years and continue to do so today, extend into what is today known as Nunavut and Northwest Territories.

The Athabasca Denesuline are caribou people; for millennia we have lived with and relied upon the barren-ground caribou for our food security, clothing, tools, medicines, traditions, art, ceremony, and as the foundation of our way of life and culture. The Beverly and Qamanirjuaq herds are critically important to our communities, especially since we have lost the Bathurst Caribou herd which used to migrate to our communities and no longer does as a result of cumulative impacts to their range and the severe decline of that population. We must do everything possible to avoid this happening to the Beverly and Qamanirjuaq herds. The increasing and cumulative pressures on their ranges are deeply concerning to our communities.

Chief Joseph Custer Reserve # 201

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As caribou people who have a many generations-long relationship with the Beverly and Qamanirjuaq Caribou, we are concerned about the potential impacts of this exploration and any future development that may result from it. We are deeply troubled by the lack of detail present in this proposal, lack of transparency around community engagement, and we require much more information from Atha Energy Corp in order to properly assess the proposed activities and the impacts they may have on caribou, caribou habitat, and caribou communities. This proposal at a minimum should provide the necessary background and population status information for any herds that the project may overlap or impact, as well as clearly marked maps showing how the project acres overlap with other values on the landscape, clearly defined mitigation measures for caribou protections, and more detail on potential impacts to habitats, communities, and cumulative effects.

In particular, we recommend that ATHA provide much clearer and transparently presented information on the following:

- Maps that include the project area and the Thelon Wildlife Sanctuary as well as the NPC data including Caribou Values, any other values on the landscape, any Limited Use Areas, as well as any maps with any publicly available Community Knowledge and Inuit Qaujimajatuqangit /Indigenous Knowledge marking important areas that fall within the project area or may be impacted by project activities so **that we can clearly and easily see what values the proposed activities may impact**. We request that these maps be provided for our review before any permits are given or work begins.
- The Wildlife Management Plan does not include any information about which caribou herds the proposed activities of this project may impact. While it is briefly mentioned in the Application for Screening Proposal document, given the importance and vulnerability of these caribou herds, more detail should be provided in the Wildlife Management Plan to clearly outline how these activities may impact caribou, caribou values, caribou habitat, and the communities who depend upon caribou. We also need to clearly see in maps any known freshwater crossings, migration routes, and other caribou values (calving, post-calving) that the proposed work may overlap.
- Important community areas should also be considered and mitigated for/ avoided as directed by the communities as this work is planned and we do not see evidence of Atha Energy Corp considering that in the planning or proposal here.
- This proposal does not include any information from local communities that may provide insight into particularly important locations that should be avoided or provided higher protections. Did Atha Energy Corp consult with local HTO's or other land users to determine these critically important locations in addition to the habitat and caribou values available as part of the Recommended Land Use Plan?
- What guidelines will be followed to ensure that community activities on the land will not be disturbed? Again, where is the evidence of communications and consultation with community members who may be on the land throughout the proposed activities?

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- Maps showing where exploration camps will be erected and locations and at what times of year activities will take place would be needed to properly review how these activities might impact caribou in different locations at different times of year.
- The trigger distances and herd sizes that are listed in section 3.2.2, specifically “ATHA commits to ceasing operations while fifty or more caribou are within 2 km.” are different than the trigger distances and herd size thresholds outlined in the attached appendices from CIRNAC and KIVIA. Further, **having different caribou protection measures detailed in paragraph form in different parts of the document is confusing and doesn’t provide a clear picture of exactly what guidelines the company will follow.** Rather than having this confusing text spread out over different locations in the wildlife plan, **we request a table that clearly identifies exactly what caribou mitigation and protection measures will be followed and at what times of year** including for different locations and values (e.g. freshwater crossing, migrating caribou, known migration route, calving caribou, post-calving caribou, summer forage area, ...etc).
- We recommend that ATHA commit to provide regular updates to any potentially impacted communities regarding their mitigation activities and if and when decision points are made regarding critical habitat or caribou values (calving, post-calving, crossings, migrations)
- ATHA’s conclusion that activities are predicted to have no to very little effect on habitat/vegetation and soil are not backed up with any information and the lack of detail in this section is troubling. We have all seen how exploration activities have the potential to leave lasting scars on the landscape and should not be taken lightly, particularly in the context of cumulative impacts. Exploration and drilling activities have the potential to introduce invasive species yet there is no mention of invasive species mitigation planning; permafrost melt and soil compaction can have long term impacts of vegetation productivity and therefore has the potential to have long-term impacts to habitat; drill sites and trenches have the potential to lead to long-term disturbance and a complete change in the ecosystem and yet no detailed information is provided on methods for reclamation or any short or long-term follow up plans to monitor the success or failure of reclamation efforts, and how failure of reclamation efforts will be identified and addressed.
- In the mention of the cumulative effects at the end of the Proposal ATHA states that they are aware of the potential for cumulative impacts and will collaborate with other companies and work with communities to address these. This is a vague statement that does not give us a clear picture of how potential cumulative effects have been assessed, or would be assessed or mitigated for. We request that ATHA provide a detailed analysis of cumulative impacts and how they intend to mitigate or minimize them. For example, what other projects in the area are already creating challenges or having impacts to the different herds? What future projects or activities, including future development that may come from this exploration work, may contribute to cumulative effects and how would they affect caribou, habitat, movement, and communities? How has climate change been

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considered in this proposal? How does Atha Energy Corp propose to address these cumulative effects?

- Finally, we would like to see a written log of all engagement and communication with potentially impacted communities to date, including how Atha is ensuring that they are listening to communities concerns and responding to them, as well as plans for ongoing communication and transparency.

Athabasca Denesųliné communities have already felt the loss of the Bathurst Caribou and the decline of the Beverly Caribou herd as their numbers have been decreasing and they no longer come as reliably into our territories. The Beverly Caribou are listed as a high vulnerability status by the Beverly and Qamanirjuaq Caribou Management Board. The fact that this information is not included in the project materials is concerning as it signals to us that ATHA is not taking the vulnerability of caribou and potential impacts of this project into account.

For the Athabasca Denesųliné communities, it is a top priority to ensure that these caribou and their habitat and migration routes are given the respect and protection that they need in order for their numbers to rebuild once again. Of critical importance is the protection of the calving and post-calving grounds, the fresh-water crossings, and the migrations routes. Atha Energy Corp needs to listen to communities and work closely with communities to ensure that exploration activities do not disturb the caribou, important lands and habitats, or communities. There is no evidence.

This project proposal does not provide enough information to demonstrate that Atha Energy Corp has seriously considered and prepared for potential short and long-term impacts to caribou and the communities that rely on caribou or that ATHA has done any meaningful engagement or consultation with potentially impacted communities and land users. We request that this information be provided for our review before any permits are granted for this work and that ATHA consult with all potentially impacted communities. We also ask that ATHA regularly communicate with us as well as any other potentially impacted communities to provide updates on the progress of planning, work activities, decision points, and caribou in and around the work areas.

Sincerely,



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CC:

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