



SCREENING DECISION REPORT NIRB FILE No.: 24EN052

NPC File No.: 150551

June 18, 2025

After completing a review of all the information and comments received to date, and taking into account the Board's assessment of the significance¹ of the potential adverse ecosystemic and socio-economic impacts of Atha Energy Corporation's (ATHA or Proponent) "Thelon Property" project proposal (project proposal), it is the opinion of the Board that due to the potential for unacceptable adverse effects of the project proposal as currently scoped by the Proponent, **should be modified or abandoned** as set out in Article 12, Section 12.4.4(d) of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and s. 91 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*).

The NIRB therefore recommends that the responsible Minister(s) accept this Screening Decision Report prepared by the Board for the responsible Minister(s) as required under s. 92(1)(c) of *NuPPAA*.

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¹ Significance was assessed by the Board with regard to the factors outlined in section 90 of the *NuPPAA*.

The primary objectives of the NIRB are set out in Article 12, Section 12.2.5 of the *Nunavut Agreement* and are confirmed by s. 23 of the *NuPPAA*:

Nunavut Agreement, Article 12, Section 12.2.5: In carrying out its functions, the primary objectives of NIRB shall be at all times to protect and promote the existing and future well-being of the residents and communities of the Nunavut Settlement Area, and to protect the ecosystemic integrity of the Nunavut Settlement Area. NIRB shall take into account the well-being of the residents of Canada outside the Nunavut Settlement Area.

The purpose of screening is provided for under Article 12, Section 12.4.1 of the *Nunavut Agreement* and s. 88 of the *NuPPAA* which states:

NuPPAA, s. 88: The purpose of screening a project is to determine whether the project has the potential to result in significant ecosystemic or socio-economic impacts and, accordingly, whether it requires a review by the Board...

To determine whether a review of a project is required, the NIRB is guided by the considerations as set out under Article 12, Section 12.4.2(a) and (b) of the *Nunavut Agreement* and s. 89(1) of *NuPPAA* which states:

NuPPAA, s. 89(1): The Board must be guided by the following considerations when it is called on to determine, on the completion of a screening, whether a review of the project is required:

- (a) a review is required if, in the Board's opinion,
 - i. the project may have significant adverse ecosystemic or socio-economic impacts or significant adverse impacts on wildlife habitat or Inuit harvest activities,
 - ii. the project will cause significant public concern, or
 - iii. the project involves technological innovations, the effects of which are unknown; and
- (b) a review is not required if, in the Board's opinion,
 - i. the project is unlikely to cause significant public concern, and
 - ii. its adverse ecosystemic and socioeconomic impacts are unlikely to be significant, or are highly predictable and can be adequately mitigated by known technologies.

As noted under Article 12, Section 12.4.2(c) of the *Nunavut Agreement* and s. 89(2) of the *NuPPAA* that the considerations set out in s.89(1)(a) prevail over the considerations set out in s. 89(1)(b) of the *NuPPAA*.

Pursuant to Article 12, Section 12.4.4(d) and s. 91 of the *NuPPAA*, (excerpt provided below) if the Board concludes that a project proposal has the potential to result in unacceptable adverse ecosystemic or socio-economic impacts the outcome of the Board's screening may be that the

project proposal cannot proceed and is returned to the proponent to be modified or abandoned, as follows:

NuPPAA, s. 91 The Board must make a determination that a project should be modified or abandoned if the Board is of the opinion that the project has the potential to result in unacceptable adverse ecosystemic or socio-economic impacts.

As set out under Article 12, Section 12.4.4 of the *Nunavut Agreement* and s. 92(1) of the *NuPPAA*, upon conclusion of the screening process, the Board must provide its written report the Minister.

The contents of the NIRB's report are specified under *NuPPAA*:

NuPPAA, s. 92(1): The Board must submit a written report to the responsible Minister containing a description of the project that specifies its scope and indicating that:

- (a) a review of the project is not required;
- (b) a review of the project is required; or
- (c) the project should be modified or abandoned.

Where the NIRB determines that a project may be carried out without a review, the NIRB has the discretion to recommend specific terms and conditions to be attached to any approval of the project proposal pursuant to paragraph 92(2)(a) of *NuPPAA* as follows:

NuPPAA, s. 92(2) In its report, the Board may also

- (a) recommend specific terms and conditions to apply in respect of a project that it determines may be carried out without a review.

PROJECT REFERRAL

On November 13, 2024, the NIRB received a referral to screen ATHA's "Thelon Property" project proposal (the project proposal) from the Nunavut Planning Commission (Commission), with an accompanying positive conformity determination with the Keewatin Regional Land Use Plan.

Pursuant to Article 12, Sections 12.4.1 and 12.4.4 of the *Nunavut Agreement* and s. 87 of the *NuPPAA*, the NIRB commenced screening this project proposal and assigned it file number **24EN052**.

PROJECT OVERVIEW & THE NIRB ASSESSMENT PROCESS

1. Screening Process Timelines

The following key stages were completed for the screening process:

Date	Stage
November 13, 2024	Receipt of project proposal and positive conformity determination (Keewatin Regional Land Use Plan) from the Commission.

Date	Stage
November 28, 2024	Receipt of online application from Proponent
November 28, 2024	Scoping pursuant to s. 86(1) of the <i>NuPPAA</i>
January 10, 2025	Public engagement and comment request
January 17, 2025	Ministerial extension requested from the Minister of Crown-Indigenous Relations and Northern Affairs
January 31, 2025	Receipt of public comments
February 12, 2025	Proponent provided with an opportunity to address comments/concerns raised by public
February 25, 2025	Proponent responded to comments/concerns raised by public
June 18, 2025	Issuance of Screening Decision Report

2. Project Scope

All documents received and pertaining to this project proposal can be accessed from the NIRB's online public registry at www.nirb.ca/project/126012.

Project:	Thelon Property				
Region:	Kivalliq				
Location:	Thelon Property				
Closest Community:	Baker Lake	Distance (approximate)	65 kilometres (km)	Direction	West
Summary of Project Description:	The Proponent intends to conduct a series of mineral exploration activities, including airborne and ground geophysical surveys, geological mapping and prospecting, geochemical sampling (rock, soil, and till), trenching and drilling (diamond and reverse circulation).				
Project Proposed Timeline:	Period of construction: from Feb 26, 2025 to Mar 5, 2025 Period of operation: from Feb 26, 2025 to Sep 27, 2025 Period of closure: from Sep 21, 2025 to Sep 27, 2025				

As required under s. 86(1) of the *NuPPAA*, the Board accepts the scope of the project as set out by ATHA Energy Corporation (ATHA or Proponent) in the project proposal. The scope of the project proposal includes the following undertakings, works, or activities:

ATHA Energy Corporation is proposing the establishment of temporary camps, fuel caches, and the use of water and disposal of waste associated with camp operations and exploration drilling.

- Construction and operation of a temporary 40-person exploration camp, including:
 - use of generators for primary and back up power;
 - use of submersible electric pumps and gas intake pumps for camp water;
 - use of a wateraax fire pump and hose, a dedicated fire system;
 - use of diesel stoves for heating and an oil drip stove for heating and cold weather start up;
 - use of snowmobiles with a sled to supply movement and camp servicing;
 - use of ATVs with a trailer for camp servicing; and

- use of a bulldozer, skid steer and a loader for camp servicing;
- Airborne and ground-based geophysical surveys, prospecting, sampling and geological mapping, and trenching and drilling involving:
 - use of two (2) helicopters to transport equipment and personnel;
 - use of three (3) heli-portable drills for drilling core
- Use of two (2) core saw with ventilation for cutting core;
- Use of several snowcats and challengers and delta for winter overland equipment and fuel haul;
- Storage in the project area for:
 - Up to 143,500 litres of Av gas;
 - Up to 143,500 litres of diesel fuel;
 - Up to 20,500 litres of gasoline;
 - Up to 4,000 pounds of propane;
 - For equipment usage the project site would store and use up to:
 - 24 litres of motor oil
 - 100 gallons of lubricant
 - 20 litres of engine coolant
 - 12 litres of diesel fuel treatment
 - For drill use up to
 - 250 gallons of linseed oil
 - 100 gallons of hydraulic fluid;
 - 37,500 pounds of calcium chloride
 - 750 gallons of drilling mud
- Up to 299m³ of water for camp and drillholes;
- Combustible waste would be incinerated and backhauled to an approved facility for disposal including human waste;
- Greywater would be deposited into sumps in order to percolate into overburden at a minimum distance of 31m from any water sources;
- Drilling greywater and non-mineralized cuttings would be deposited into sumps which would allow greywater to percolate into overburden; and
- Any hazardous wastes would be removed from the property and would be transported in accordance with the Transportation of Dangerous Goods.

3. Inclusion or Exclusion to Scoping List

The NIRB has identified no additional works or activities in relation to the project proposal. As a result, the NIRB proceeded with screening the project proposal based on the scope as described above.

4. Public Comments and Concerns

Notice regarding the NIRB's screening of this project proposal was distributed on January 10, 2025 to community organizations in Baker Lake as well as to relevant federal and territorial government agencies, Inuit organizations and other parties. The NIRB requested that interested parties review the proposal and the NIRB's proposed project-specific terms and conditions, and provide the Board with any comments or concerns by **January 31, 2025** regarding:

- Whether the project proposal is likely to arouse significant public concern; and if so, why;
- Whether the project proposal is likely to cause significant adverse eco-systemic or socio-economic effects; and if so, why;
- Whether the project proposal is likely to cause significant adverse impacts on wildlife habitat or Inuit harvest activities; and if so, why;
- Whether the project proposal is of a type where the potential adverse effects are highly predictable and mitigable with known technology, (and providing any recommended mitigation measures); and
- Any matter of importance to the Party related to the project proposal.

On or before January 31, 2025 the NIRB received comments from the following interested parties:

- **Kivalliq Inuit Association (KIA)**
- **Government of Nunavut (GN)**
- **Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)**
- **Environment and Climate Change Canada (ECCC)**
- **Transport Canada (TC)**
- **Beverly and Qamanirjuaq Caribou Management Board (BQCMB)**
- **Sayisi Dene First Nation and Northlands Denesuline First Nation, AKA Ghotelnene K'odtineh Dene (GKD)**
- **Athabasca Denesulne Ne Ne Land Corporation**
- **Community Member of Baker Lake**
- **Anne Andreassen**
- **Paula Hughson**

a. Summary of Comments and Concerns Provided by Interested Parties during the comment period of this file

The following is a *summary* of the comments and concerns received during the public comment period for this file:

KIA:

- KIA supports the project proposal, pending KIA Land Use License application review.
- Requested information including:
 - A map showing the route(s) to be used for overland hauling, proposed airborne surveys including caribou crossings and calving grounds;
 - A list of all materials and the amounts of each to be hauled including a list of amounts of dangerous good to be transported. Further, please confirm TDG certification of contractor and proper spill response kits and equipment;
 - A schedule for the proposed airborne surveys that is compliant with the KIA's Mobile Conservation Measures Guidelines;
 - A map(s) showing the location of the proposed diamond drill holes before the end of 2025 calendar year along with drill hole closure and reclamation practices; and
 - the Proponent provide a permission letter from the community of Baker Lake to store these materials and barrels prior to the shipping of these materials to an approved disposal facility.

- KIA stated that the Proponent is required to submit an annual report to KIA on the proposed project and requested that the Proponent include a list of topics.

GN:

The GN is recommending that the Proponent provide a table summarizing the caribou group-size thresholds and distance buffers that would be used to trigger work stoppages during each of the sensitive seasons in which the proposed activities may interact with caribou (i.e., migratory, calving, and post calving seasons).

CIRNAC:

CIRNAC recommended the Proponent:

- Update applicable management plans to clearly describe the potential impacts of drilling on groundwater and proposal mitigation measures, including how it intends to manage any artesian flows that may be encountered during drilling;
- Update the Waste Management Plan to reflect the accurate classification of wastes;
- Improve the ability to find and access information in the Spill Contingency Plan;
- Prioritize the employment, training and contracting of local Inuit and Inuit firms when implementing project activities
- Consultation with Interested parties;
- Design Management Practices to Prevent Disturbances to Wildlife including maintaining open communication with representatives of the Baker Lake Hunters and Trappers Organization, the Kivalliq Inuit Association, the Kivalliq Wildlife Board, the Hamlet of Baker Lake, and Government of Nunavut's Department of Environment.
- Efforts should be made to develop an acceptable approach for the operation of a helicopter to prevent any negative impacts to caribou and muskoxen from sensory disturbances (visual and sound); and
- Adhere to applicable regulatory requirements and accepted practices to prevent and/or mitigate any potential disturbances to wildlife that may result from project activities.

ECCC:

ECCC recommended the Proponent to provide additional information regarding:

- Disposal of Radioactive Wastes;
- Secondary Containment – Berms, size, and remote caches;
- Vehicle and Equipment Leaks; and
- Hydrocarbon Clean-up.

TC:

TC has reviewed the project proposal and notes that the project includes water withdrawal from unnamed lakes and the possible transport of hazardous materials (dangerous goods) by helicopter. Given this, TC is bringing the following information about the *Canadian Navigable Waters Act* (CNWA) and the transportation of dangerous goods that are particularly relevant for this project to the attention of the Board and the proponent:

- Notes works, such as water intakes for water withdrawals, in navigable waterways are subject to the CNWA. To determine the applicability of the CNWA to the project:
 - The proponent would need to complete self-assessments of the navigability of all waterways where water intakes would be placed.

- <https://npp-submissions-demandes-ppn.tc.canada.ca/projectreview-outildexamenduprojet>
- If a waterway is navigable, the water intake used for water withdrawal may be a “minor work” under the CNWA.
 - <https://laws-lois.justice.gc.ca/eng/regulations/sor-2021-170/index.html>
- For any water intake in a navigable waterway that is a minor work, the proponent would need to file a “notification of a minor work” on the Navigation Protection Program’s External Submission Site.
 - <https://npp-submissions-demandes-ppn.tc.canada.ca/auth/login-connexion?ret=/&GoCTemplateCulture=en-CA>
- If the proponent cannot install the water intake as a minor work, they have two options under the CNWA:
 - Voluntarily apply to the Minister of Transportation for approval of the works (please note there are fees for the review of applications); or
 - Seek authorization for the works using the public resolution process set out in the CNWA
- Notes that the shipper preparing the dangerous shipment for air transportation via helicopter must have International Civil Aviation Organization (ICAO) training for dangerous goods. The shipper must meet the requirements set out in Part 12 of the Transportation of Dangerous Goods Regulations, which includes the ICAO training requirements.

Beverly and Qamanirjuaq Caribou Management Board (BOCMB)

- The mandate is to safeguard the Beverly and Qamanirjuaq caribou herds, primarily in the interests of Indigenous peoples from Nunavut, the Northwest Territories, Saskatchewan and Manitoba who have traditionally relied upon these herds, and to advise governments and caribou range communities on conservation and management of the herds and their ranges.
- Identified significant concerns regarding the potential adverse effects of the proposed project on the Beverly and Qamanirjuaq caribou herds, particularly as the proposed location overlaps with an area well-documented through years of telemetry data as a critical spring migration corridor leading to Beverly and Qamanirjuaq calving grounds which is also supported through Inuit Qaujimagatuqangit.
- Also concerned with the proposed project’s overlap and/or proximity with post-calving areas for both herds which are also well documented through telemetry data.
- Stated that mineral exploration and development could open the door to irreversible changes in this area, disrupting critical caribou habitat and accelerating the decline of an already vulnerable herd. Given that the cultural and sustenance importance of caribou for Indigenous peoples, it is critical to take a precautionary approach to any mineral exploration or commercial development in this area.
- Discussed concerns regarding the following topics:
 - Potential Disturbance to Caribou Migration and Calving grounds

- Impact on Indigenous Harvesting
- Absence of Engagement with Indigenous Communities
- History of Concern [uranium exploration and potential mining activities on wildlife and the environment]
- Cumulative Effects
- Inconsistent and Insufficient Caribou Protection Measures
- Group size Thresholds and Work Stoppage Protocols
- Wildlife Monitoring
- Recommended that:
 - the Proponent refrain from all exploration activities in the proposed area during the entire Qamanirjuaq caribou herd spring migration periods
 - Proponent be required to provide detailed mitigation and monitoring plans that address critical concerns regarding the potential impacts of the project proposal
 - Meaningful consultation with local communities and Inuit organizations must occur prior to exploration activities commencing
 - Engagement occurs with Qamanirjuaq caribou range communities who may be impacted by the potential effects on herds migration and calving caribou
 - Location data should be provided where airborne surveys would take place
 - Standardized buffer distances should be established
 - All plans and the application should align with the most stringent mitigation measures currently in place to ensure consistent and enforceable protection
 - Independent monitoring should be conducted to ensure adherence to mitigation measures, with clear consequences for non-compliance.

b. Public Comments and Concerns with respect to Inuit Qaujimaningit, Indigenous and Community Knowledge

The following is a summary of the concerns or comments received with respect to Inuit Qaujimaningit, Indigenous and Community knowledge with respect to the project proposal:

Ghotelnene K’odtineh Dene (GKD):

GKD stated that the existence, culture, way of life and rights of our people are deeply connected to the caribou and its habitat – any harm to the caribou (Beverly/Qamanirjuaq herd) is a harm to the Dene.

- GKD stated that ATHA’s Thelon Property Project may result in significant adverse impacts on the ecosystem, wildlife, wildlife habitat, and harvesting activities of GKD and other Indigenous peoples, as well as other potential socio-economic effects on GKD.
- GKD has concerns related to the proposed activities, particularly on the potential impacts to caribou and their habitat and the need for greater assessment of the cumulative impacts to wildlife and wildlife habitat, particularly caribou, from this project proposal.

Athabasca Denesulne Ne Ne Land Corporation

- Stated that the Athabasca Denesulne are caribou people and have lived with and relied upon the Barren-ground caribou as the foundation of our way of life and culture.
- Stated that the loss of the Bathurst Caribou herd no longer migrates to the communities of Fond-du-Lac, Black Lake and Hatchet Lake which has made the Beverly and Qamanirjuaq herds critically important to the communities. Further recommends that the disturbance to the Beverly and Qamanirjuaq herds be avoided to reduce cumulative impacts to the herds ranges or cause a severe decline of the populations.
- Noted that the Beverly Caribou is listed as a high vulnerability status by the Beverly and Qamanirjuaq Caribou Management Board
- Stated that it is top priority to ensure that these caribou and their habitat and migration routes are given the respect and protection that they need including the calving and post-calving grounds and fresh water crossings.
- Are concerned about the potential impacts of this exploration and any future development that may result from it.
- Are troubled by the lack of detail present in the proposal, lack of transparency around community engagement and requested information from ATHA to properly assess the project proposal as it related to caribou, caribou habitat, and caribou communities.
- noted that the ATHA 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
- noted the project proposal does not provide enough information to demonstrate that the proponent has considered and prepared for the 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.
- Requested information regarding the 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 proposals 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 and included a list of specific requests.
- Requested that all information be provided to Athabasca Dene for review before any permits are granted for this work and that ATHA consult with all potentially impacted communities.
- Also asked that ATHA regularly communicate with the Athabasca Dene 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.

Anne Andreassen:

- Does not support the project proposal
- Stated that:
 - the community [Baker Lake] needs an in-person meeting about this proposal.
 - The Thelon River is a Canadian Heritage River and needs to be protected for future generations. The caribou used to migrate across the Thelon, but due to exploration the caribou have not crossed in large numbers since 2009. The Thelon Wildlife

Sanctuary is also protected. There should be extensive consultations with a variety of stakeholders.

- Has concerns about the project proposal including:
 - Water Quality
 - Terrain
 - Air Quality
 - Wildlife and their habitat
 - Marine mammals and their habitat
 - Traditional uses of land
 - Inuit harvesting activities
 - Local development in the area
 - Tourism in the area
 - Human health issues
 - Fish and their habitat.
- Recommended the Proponent review the following acts, regulations and reports:
 - *Thelon Game Sanctuary Management Plan*;
 - *Department of Sustainable Development Parks and Tourism Division, Thelon Heritage River: Ten-Year Review*;
 - *Government of the Northwest Territories Parks Act*; and
 - *World Wildlife Fund (WWF) Report 2017*.

Paula Hughson:

- Does not support the project proposal
- Requested moratorium on uranium and a vote for federal Crown Lands and Inuit Owned Lands.
- Stated that while some may not access areas as much as they would like due to lack of knowledge or transportation that does not diminish their connection to place and consider future generations accessibility and need to keep it healthy
- Concerns regarding consultation at the Local Community Level
 - Questioned when elected and nominated officials discussed with communities and/or constituents if they supported the project proposal and that many are not Inuit or people who grew up in Nunavut their whole lives and understand the local communities
 - Noted a lack of transparency and/or accountability in various levels of government and Authorizing Agencies for those who make important decisions.
 - Noted that NuPPAA and the way engagement is conducted with communities is very colonial and legal in nature when the land is more than rocks and minerals to those who live here and have ancestral ties to the land and not just the post-colonial communities
 - Stated that agreements are signed to trade for access and jobs are promised but those who signed these agreements have yet to come to the community level and learn if the community agrees or not with these activities on our land.
 - Engagement at local levels is left to hamlets which is outside of their jurisdiction and hunters and trappers organizations have no support to understand the applications and the potential environmental, social or other unknown or known

impacts. Communities are also at a disadvantage to professional knowledge about scientific data and Inuit elders and knowledgeable community members seem to an afterthought even though the intent of the *Nunavut Agreement* says otherwise.

- Indicated concerns regarding the project proposal including:
 - Wildlife
 - Caribou
 - Muskox
 - Birds
 - Fish
 - Vegetation
 - Freshwater
 - Fresh air
 - Cultural homelands
 - Inuit spiritual places
 - Inuit cultural landscapes
 - Archeological sites
 - Burial sites.
- Observed that the Critical Mineral Strategy was not discussed with Nunavut or the local level where impacts would be felt the most.
 - The system is geared to industry and not the local land users whether it be Inuit, wildlife including cultural, spiritual or other lenses that the landscape is seen by Inuit besides rocks and minerals.
- Discussed concerns about the education system in Nunavut and promises of jobs when there are a high number of high school graduates that try to apply for post-secondary education to learn they are not up at the level with southern graduates. However, many do not graduate grade 12. Made recommendations regarding Nunavut's education system and areas where improvements could be made
- Expressed concerns with uranium industry and mining project life cycles noting concerns with monitoring of these types of projects and the lack of information available in the Arctic.

5. Proponent's Response to Public Comments and Concerns

On February 11, 2025, the NIRB provided an opportunity for the Proponent to respond to the concerns raised during the public commenting period. The following is a summary of the Proponent's response to concerns as received on February 25, 2025:

- Water sources for camps not identified yet. Once camp and drill sites are identified submissions would be made to CIRNAC, NWB and KIA as appropriate for approval. ATHA would ensure that water intake source locations and activities comply with the *Canadian Navigable Waters Act* and associated Regulations and order
- Any dangerous shipment for transportation, including air, would meet all requirements in the Transportation of Dangerous Goods Regulations and Shippers would either meet or exceed the requirement for International Civil Aviation Organization training for dangerous goods.

- Submitted an amended Waste Management Plan which more clearly defines non-hazardous and hazardous waste including details regarding radioactive materials. Further, the plan was updated to accurately reflect the naturally occurring radioactive materials and changed to the standard resource terminology.
- Submitted an amended version of the Spill Contingency Plan to adhere to section 3.9 of the *Environmental Code of Practice for Aboveground and Underground Storage Tank Systems Containing Petroleum and Allied Petroleum Products*. Removed ambiguity around the size of all secondary containment and removed the section regarding spills on muskeg.
- Has conducted virtual and in-person engagement regarding the proposed project with the Baker Lake Hunters and Trappers Organization, Mayor and Council of Baker Lake, the Baker Lake KIA Community Land and Resource Committee, the Arviat Hunters and Trappers Organization and the members of the Arviat Hamlet Council.
- Welcomed the input and collaboration from all interested stakeholders to develop successful disturbance mitigation strategies in the Wildlife Management Plan.
- Noted that engagement has occurred within the communities of Baker Lake and Arviat and would expand to other interested parties and public as the project advances and work activities become more involved and ATHA welcomes discussions and recommendations regarding wildlife, environmental, traditional use and socio-economic disturbance mitigation measures from all who wish to participate, including the Ghotelnene K'odtineh Dene.
- The western edge of the project has a small overlap with the Thelon Game Sanctuary which is a residual effect related to the staking using the Nunavut Map Section system.
- Acknowledged and appreciated the importance of the Beverly and Qamanirjuaq caribou herds and takes the mitigation of negative impacts to wildlife, habitat, environment, harvesting activities and socio-economic sustainability seriously in Nunavut and outside of Nunavut.
- Updated the Wildlife Management Plan to reflect the commitment of adhering to the KIA Mobile Conservation Measures Guidelines on IOL and Crown Land.
- Appreciates and recognizes the concerns voiced by Paula Hughson both project specific and the criticisms of the overall system. Hopes the disturbance mitigation measures and engagement strategy outlined helps to address concerns raised, especially regarding community engagement
- Values consultation and engagement with all parties who may be affected by any of the mineral exploration projects they operate and strive to engage in a way that ensures meaningful and informed dialogue with all potentially affected parties. This project remains in the earliest stage of exploration, and engagement would be significantly important as the project progresses and included Table 1: 2024 Thelon Project Community Engagement Summary.
- Acknowledged cumulative effects due to the increased human presence and other projects in the vicinity of the Project undertaking mineral exploration e and has begun collaborating with other companies in the area to proactively minimize cumulative effects
- Understood and respected longstanding concerns of the local communities regarding potential impacts of uranium exploration on wildlife and the environment.

- ATHA has contacted Government of Nunavut's Wildlife Research Section Regional Biologist for the Kivalliq Region for the most up to date caribou telemetry data for the Beverly and Qamanirjuaq caribou herds

6. Time of Report Extension

As a result of the time due to limited public engagement outreach during the Christmas and New Year holiday period, the NIRB was not able to provide its screening decision report to the responsible Minister within 45 days as required by Article 12, Section 12.4.5 of the *Nunavut Agreement* and s. 92(3) of the *NuPPAA*. Therefore, on January 10, 2025 the NIRB wrote to the Minister of Crown-Indigenous Relations and Northern Affairs, Government of Canada, seeking an extension to the 45-day timeline for the provision of the Board's Report.

Subsequently, it came to the Board's attention that there were unintended distribution issues with the project proposal through the NIRB's distribution system that necessitated the Board extending comment periods for parties and the public to ensure that interested parties and members of the public had notice of the Board's screening, were able to access the project proposal documentation and were able to participate in the Board's screening by submitting their comments for the file. Due to the volume of comments ultimately received, the Board's decision-making associated with the screening also involved an in-person meeting during the Board's quarterly Board Meeting on May 28, 2025.

REGULATORY REQUIREMENTS

The Proponent would require the following authorizations for this project proposal:

- Type "B" Water Licence – Nunavut Water Board (not yet applied for)
- Type A Land Use Permit – Crown Indigenous and Northern Affairs Canada (not yet applied for)
- KIA Class 1 Licence - Kivalliq Inuit Association (active #: KVL124B01)

The NIRB has provided a list below of the specific Acts, Regulations, Guidelines and other regulatory requirements that may be applicable to the project proposal. but this list should not be considered as a complete list, and the Proponent is responsible to ensure that it follows all Acts and Regulations that may be applicable to the project proposal.

1. The *Fisheries Act* (<http://laws-lois.justice.gc.ca/eng/acts/F-14/index.html>).
2. The *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (<http://laws-lois.justice.gc.ca/eng/acts/n-28.8/>).
3. The *Migratory Birds Convention Act* (<http://laws-lois.justice.gc.ca/eng/acts/M-7.01/>), the *Migratory Birds Regulations* (https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._1035/index.html) and the *Migratory Bird Sanctuary Regulations* (https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._1036/index.html).
4. The *Species at Risk Act* (<https://laws-lois.justice.gc.ca/eng/acts/s-15.3/>).

5. The *Wildlife Act (Nunavut)* and its corresponding regulations (<http://www.canlii.org/en/nu/laws/stat/snu-2003-c-26/latest/snu-2003-c-26.html>).
6. The *Nunavut Act* (<http://laws-lois.justice.gc.ca/eng/acts/N-28.6/>).
7. The *Wildlife Area Regulations* under the *Canada Wildlife Act* (https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._1609/FullText.html).
8. The *Transportation of Dangerous Goods Act* (<http://laws-lois.justice.gc.ca/eng/acts/t-19.01/>) and the *Transportation of Dangerous Goods Regulations* (<http://www.tc.gc.ca/eng/tdg/clear-tofc-211.htm>).
9. The *Canadian Environmental Protection Act* (<http://laws-lois.justice.gc.ca/eng/acts/C-15.31/>).
10. The Proponent is advised that the *Canadian Environmental Protection Act* lists calcium chloride (CaCl) as a toxic substance. The Proponent should assess alternatives to the use of CaCl as a drill additive, including biodegradable and non-toxic additives.
11. The *Storage Tank System for Petroleum Products and Allied Petroleum Products Regulations* (<http://laws-lois.justice.gc.ca/eng/regulations/SOR-2008-197/FullText.html>). The Proponent must identify their tank system to Environment and Climate Change Canada and installation of new systems must comply with the regulations' design requirements.
12. The incineration of combustible camp wastes shall comply with the *Canadian Wide Standards for Dioxins and Furans* (https://www.ccme.ca/en/resources/air/dioxins_furans.html), and the *Canadian Wide Standards for Mercury* (<https://www.ccme.ca/en/resources/air/mercury.html>).
13. The *Aeronautics Act* (<http://laws-lois.justice.gc.ca/eng/acts/A-2/>) and the *Canadian Aviation Regulations* (<https://www.tc.gc.ca/eng/acts-regulations/regulations-sor96-433.html>).
14. The *Canadian Navigable Waters Act* (<https://laws.justice.gc.ca/eng/acts/N-22/>).

Other Applicable Guidelines

1. Fisheries and Oceans Canada Protocol for Winter Water Withdrawal from Ice-covered Waterbodies in the Northwest Territories and Nunavut (http://registry.mvlwb.ca/Documents/W2010C0005/W2010C0005%20-%20Land%20Use%20Permit%20Application%20-%20DFO%20Water%20Withdrawal%20Protocol%20-%20Aug%2025_10.pdf
2. The *Federal Guidelines for Landfarming Petroleum Hydrocarbon Contaminated Soils* (Science Applications International Corporation Canada, March 2006). https://www.canada.ca/content/dam/eccc/migration/fcs-scf/B15E990A-C0A8-4780-9124-07650F3A68EA/Landfarming_en.pdf
3. Solid Waste Management for Northern and Remote Communities (Environment and Climate Change Canada, 2017) (<https://www.canada.ca/en/environment-climate-change/services/managing-reducing-waste/municipal-solid/environment/northern-remote-communities.html>).
4. The Canadian Guidelines for the Management of Naturally Occurring Radioactive Materials <https://www.canada.ca/en/health-canada/services/publications/health-risks-safety/canadian-guidelines-management-naturally-occurring-radioactive-materials.html>

5. The Guidance Document for Canadian Jurisdictions on Open-Air Burning”http://www.ccme.ca/files/Resources/air/wood_burning/pn_1548_CCME%20Guidance%20Document%20on%20Open%20Air%20Burning%20FINAL.pdf).
6. Environmental Guideline for the Burning and Incineration of Solid Waste, Government of Nunavut, Revised January 2012 (https://www.gov.nu.ca/sites/default/files/guideline_-_burning_and_incineration_of_solid_waste_2012.pdf).
7. Environmental Guidelines for the Management of Hazardous Waste, Government of Nunavut, Revised October 2010 (https://www.gov.nu.ca/sites/default/files/Guideline%20-%20General%20Management%20of%20Hazardous%20Waste%20%28revised%20Oct%202010%29_0.pdf).

ASSESSMENT OF THE PROJECT PROPOSAL IN ACCORDANCE WITH PART 3 OF *NuPPAA*

During the Board’s screening, the Board was guided by the following objectives and considerations pursuant to s. 91 of the *NuPPAA* and drew conclusions as to whether or not:

1. The project has the potential to result in unacceptable adverse eco-systemic and socio-economic effects.
2. The project has the potential to result in unacceptable impacts on wildlife habitat or Inuit harvest activities.
3. The project will cause significant public concern.
4. Any other relevant considerations that may result in unacceptable adverse eco-systemic and socio-economic effects including technological effects of which are unknown, e.g. permanent and irreversible impacts.

After a thorough assessment of all materials provided to the NIRB for this file, it is the opinion of the Board that due to the potential for unacceptable adverse ecosystemic and/or socio-economic impacts **this project proposal should be modified or abandoned pursuant to Article 12, Section 12.4.4 (d) of the *Nunavut Agreement* and s. 91(1)(c) of the *NuPPAA* to address the potential for significant ecosystemic and socio-economic impacts as identified by commenters and the Board and discussed in the following sections.**

The Board’s assessment included consideration of the following general items including the factors as outlined within s. 90 of the *NuPPAA*:

1. *The size of the geographic area, including the size of wildlife habitats, likely to be affected by the impacts.*

The proposed exploration project would occur within two (2) geographic areas comprised of 705 mineral claims which overlap both Crown and Inuit Owned Land. The largest area is 48 kilometres west of Baker Lake and approximately 796 square kilometres in size. The second area is 65 kilometres southwest of Baker Lake and about 184 square kilometres. The Proponent has yet to identify where the arial transects, camps, fuel caches and drills would be located, but

the physical footprint of the proposed project components is located within the regionally-extensive migration of the Beverly, Wager Bay, Lorillard, Eastern Kitikmeot, and Qamanirjuaq caribou herd.

The area is also known to be within habitats of far-ranging wildlife species such as, wolves, grizzly bears, muskoxen, Arctic fox, ermines and ground squirrels. The proposed project area also contains a huge diversity of migratory and non-migratory birds such as songbirds (sparrows, lapland longspurs, snow buntings), shorebirds (plovers, sandpipers, cranes), waterfowl (ducks, geese), ground-dwelling birds (ptarmigan, grouse), and raptors (eagles, falcons).

2. The ecosystemic sensitivity of that area.

The proposed project would occur adjacent to the Thelon Game Sanctuary and no work would be done within the Sanctuary. Many commenting parties like the BQCMB confirmed that the Beverly and Qamanirjuaq caribou herds are known to migrate through the proposed project area and it is adjacent to important areas in the caribou lifecycles including calving and post-calving areas.

Important wildlife habitats identified within, or adjacent to, the proposed project area include:

- Caribou habitats (summer and winter core ranges);
- Fish and fish habitats (including Arctic Char);
- Bird nesting grounds; and
- General wildlife habitats.

3. The historical, cultural and archaeological significance of that area.

The Proponent did not indicate areas of historical, cultural and archaeological significance within its application; however, ATHA indicated that if approved prior to any ground disturbance, an archeological desktop study would be completed to identify any known archeological sites and any areas of high potential for discovery of previously unknown sites. If there are known archeological/paleontological sites identified in the project area where work would be conducted, nothing would be removed, disturbed or displaced. If an archaeological/paleontological site was discovered, work would immediately cease in the GN-Culture and Heritage, CIRNAC and KIA would be informed.

This area has been identified by Baker Lake community members and the BQCMB, Athabasca Dene and the GKD as having value and priority for:

- i. Caribou;
- ii. Fish and fish habitat;
- iii. General wildlife; and
- iv. Traditional hunting, fishing, harvesting and traditional land use.

4. *The size of the human and the animal populations likely to be affected by the impacts.*

The proposed project would occur approximately 48 km northeast and 65 kilometres southwest of Baker Lake. Caribou habitats, fish habitats, and bird nesting grounds identified within, and adjacent to, the proposed project area and these may be impacted by exploration activities. Additionally, intermittent helicopter, snow machine, and cat-train transportation originating from Baker Lake could contribute to increased human and wildlife noise disturbances in the area. Impacts to the valued ecosystemic components noted above are identified for their potential to also affect traditional land use activities, Inuit harvesting, and the cultural identity of the region.

5. *The nature, magnitude and complexity of the impacts; the probability of the impacts occurring; the frequency and duration of the impacts; and the reversibility or irreversibility of the impacts.*

As the proposed “Thelon Property” proposal is a uranium exploration project, the nature of potential impacts is considered to be well known. The probability for the impacts to occur is considered to be high, while the frequency of impacts is considered to be intermittent and limited to operational periods. With due care and adherence to all applicable licensing, permitting, regulations and best practices, impacts to the biophysical environment could be reversible and mitigable.

6. *The cumulative impacts that could result from the impacts of the project combined with those of any other project that has been carried out, is being carried out or is likely to be carried out.*

The Thelon Basin and surrounding area has been explored since the 1960s for a variety of commodities including gold, silver, and uranium.

As illustrated in the attached project location report cumulative map, since 2006 the NIRB has assessed 10 various project components in the proposed project area. Most of the files are not currently operational, but the proposed project could contribute cumulatively to impacts in the area.

The potential for cumulative impacts to caribou habitats, fish habitats, general wildlife, traditional land use activities, Inuit harvesting, and overall environmental integrity resulting from exploration activities (noise and presence of people and equipment), and the transportation of equipment, fuel, and personnel to the proposed project area has been identified and considered in the development of the NIRB’s recommendations.

Further, the Proponent has indicated that there are several other exploration projects in the area and committed to working cooperatively with other exploration companies, whenever feasible, to share infrastructure, combine overland hauls to minimize trips, and share overland haul routes as much as possible

7. *Any other factors that the Board considers relevant to the assessment of the significance of impacts.*

The proposed project is a uranium project with some concerns coming from the public and they noted that they do not support the proposed project. Concerns were raised regarding the regulatory system in Nunavut and the accountability and transparency of decision making by the Institutions of Public Government, federal and territorial governments (including representatives in local or federal parliament) and hamlets. Comments were provided, indicating that hamlets, hunters and trappers organizations and other local commenting organizations and/or the public need support to understand applications such as these and to assist in formulating their review of the potential environmental, social or other unknown or known impacts associated with the project. Further, commenters noted that the federal *Critical Mineral Strategy* and general support for this type of exploration activity was not discussed with Nunavut or communities where impacts would be felt the most.

Comments also identified concerns with monitoring the uranium industry and mining project projects throughout their life cycle due to a number of gaps in knowledge about the Arctic.

VIEWS OF THE BOARD

In considering the factors as set out above in the screening of the project proposal, the Board had identified a number of issues below and provides the following summary of the ‘Board views’ regarding whether or not the proposed project has the potential to result in significant impacts.

Ecosystem, wildlife habitat and Inuit harvesting activities:

Issue 1: Potential negative impacts to caribou and caribou habitats (Beverly, Wager Bay, Lorillard, Eastern Kitikmeot and the Qamanirjuaq caribou herds) from uranium exploration activities and transportation of personnel and equipment to proposed project sites by helicopter, snow machine, ATV, and cat-train.

Board views: As discussed above in the assessment of factors relevant to this project proposal as currently scoped, the potential for impacts was assessed for an approximate combined exploration area of 980 square kilometers which exploration would include, helicopter flights, a winter trail, drilling, a 40-person camp, and fuel caches in addition to zones of influence surrounding areas of project activities and components. The proposed timing of the potential impacts is considered to be intermittent, but consistent during periods of operation, based on the proposal of both winter and summer operations. Most commenting parties identified that the Qamanirjuaq herd caribou occur within this area during July and August migration as well as calving and post-calving areas, as confirmed by GN and BQCMB caribou data. The harvesting of caribou was identified as a valued traditional land use activity and impacts to caribou and caribou habitats could in turn have significant impacts on cultural practices and the cultural identity of the area.

In addition, as previously discussed, the proposed activities may have the potential to contribute cumulatively to impacts on caribou and caribou habitats with other projects

that have taken place and are taking place, and the project could induce additional exploration activities in the region.

The Proponent submitted a Wildlife Management Plan (November 28, 2024) that acknowledged the presence of the Qamanirjuaq herd in the project area and the potential for wildlife attraction, habitat disturbances, and unintentional disturbances from the proposed project. Within this original plan, caribou mitigation measures were outlined. In its response to comments received, the Proponent submitted a revised Wildlife Management Plan (February 25, 2025) and noted its intention to further develop the Plan during community engagement sessions to address community concerns related to caribou and other wildlife. Additionally, the Proponent has committed to adhering to the KIA's Mobile Conservation Measures Guidelines and engage with impacted groups both in and outside of Nunavut.

Noted Indigenous Knowledge or Inuit Qaujimaningit: The KIA, GKD, Athabasca Denesulne Ne Land Corporation, and Baker Lake community members stated that caribou are known to migrate through this area going to and from calving and post calving areas and further noted the cultural and historical importance of hunting and traditional land use activities.

Board Recommendation: It is recommended that the Proponent further develop its Wildlife Management Plan in consultation with local communities to address concerns that are unaddressed and unidentified in the existing proposal regarding the Project's potential impacts to caribou and caribou habitats in the proposed project area.

Issue 2: Potential negative impacts to fish, birds, denning animals, and their respective habitats, from diamond exploration activities and transportation of personnel and equipment to project sites by helicopter, snow machine, and cat-train.

Board views: As discussed above in the assessment of factors relevant to this project proposal, the potential for impacts is applicable to a 980 km² exploration area with advanced exploration activities proposed in addition to zones of influence surrounding areas of project activities and components. The timing of the potential impacts is considered to be intermittent, but consistent during periods of operation, based on the proposal of both winter and summer operations. The Baker Lake community members noted that the proposed project area is important for many species including fish and fish habitat as well as important areas for migratory birds. Residual impacts, and cumulative impacts, from the proposed project on fish, birds, and wildlife, and their respective habitats, could in-turn impact traditional land use activities, Inuit harvesting, and the overall environmental integrity of the area.

The Proponent submitted a Wildlife Management Plan (November 28, 2024) that acknowledged the potential for wildlife attraction, habitat disturbance, and unintentional disturbance from the proposed project. Within this original plan, drilling operation measures, wildlife habitat avoidance and deterrence measures, as well as minimum flight altitude and drilling boundary measures were provided to mitigate potential project impacts on wildlife. In its response to comments received, the Proponent submitted a

revised Plan (February 25, 2025) and noted its intention to further develop the Wildlife Management Plan during its community engagement sessions to address community concerns related to wildlife.

Noted Indigenous Knowledge or Inuit Qaujimaningit: Community concerns noted that fish, bird, and wildlife habitat occurs within the proposed project area and contribute significantly to the cultural identity of the region.

Board Recommendation: It is recommended that the Proponent further develop its Wildlife Management Plan in consultation with local communities to address concerns that are unaddressed in the project proposal before the NIRB regarding the Project's potential impacts on fish, birds, and their respective habitats in the proposed project area and also provides a discussion of specific mitigation measures that may be required to mitigate such impacts.

Issue 3: Potential negative impacts to soil, surface, and groundwater quality from transportation activities, exploration activities, and the storage and use of fuel and chemicals.

Board views: The potential for impacts is applicable to the spatial boundaries of proposed exploration area (980 km²), transportation routes, and storage areas. The probability of impacts occurring is considered to be low, with potential adverse effects anticipated to be low in magnitude, infrequent in occurrence, and reversible with due care. However, should impacts occur, the potential for impacts to contribute cumulatively other activities in the area is considered to be high.

Being unable to ascertain the degree of potential impacts to the surrounding area, the Board has concerns for any adverse impacts arising from this project proposal contributing cumulatively with adverse impacts to the surrounding area from the former exploration camps and/or projects as well as future projects. Engagement with community members and site investigations may be necessary to identify sources and degree of existing contamination in the vicinity of the proposed camp area and other drill or proposed project activities.

The Proponent provided a Spill Contingency Plan (November 28, 2024), an Abandonment and Restoration Plan (November 28, 2024), and provided mitigation and management measures for the protection of the local area including: progressive, seasonal, and final abandonment and restoration measures, exploration operational measures, fuel and chemical storage procedures, spill response measures, spill equipment requirements, and overall handling procedures for the management of fuel and chemicals (see Proponent Commitments). Parties requested the Spill Contingency Plan be updated and ATHA provided an updated plan February 28, 2025.

The Proponent would require a water license from the Nunavut Water Board (see Regulatory Requirements).

Noted Indigenous Knowledge or Inuit Qaujimaningit: Community concerns regarding the potential for impacts to soil and water quality were noted during the commenting period.

Board Recommendation: It is recommended that the Proponent supplement its existing management plans with input generated from site investigations and community engagement sessions to address concerns related to water and soil quality, as well as the proposed location of the camp, drill locations, and winter trail.

Issue 4: Potential negative impacts to noise from transportation activities, and exploration activities.

Board views: The potential for impacts is applicable to the spatial boundaries of proposed exploration area (980 km²), transportation routes, and storage areas. The probability of impacts occurring is considered to be low, with potential adverse effects anticipated to be low in magnitude, infrequent in occurrence, and reversible with due care. However, should impacts occur, the potential for impacts to contribute cumulatively other activities in the area is considered to be high.

Being unable to ascertain the degree of potential impacts to the surrounding area, the Board has concerns for any adverse impacts arising from this project proposal contributing cumulatively with adverse impacts to the surrounding area from the former exploration camps and/or projects as well as future projects.

Noted Indigenous Knowledge or Inuit Qaujimaningit: Community concerns regarding the potential for impacts to noise were noted during the commenting period.

Board Recommendation: It is recommended that the Proponent supplement its existing management plans with input generated from community engagement sessions to address concerns related to noise, as well as the proposed location of the camp, drill locations, and winter trail.

Socio-economic effects on northerners:

Issue 5: Potential negative impacts to historical, cultural and archaeological sites in the proposed project area and due to project activities.

Board Views: The Proponent is proposing to work in an area of known historical and cultural significance as identified by the GN-Culture and Heritage and identified during community engagement.

The Proponent provided commitments in its original application (November 28, 2024) which contained measures to stop all work in areas containing known archaeological sites, procedures for recording sites encountered during project activities, and reporting commitments to the GN, CIRNAC, and the KIA. The Proponent acknowledged in its Application that unknown archaeological, cultural or historic sites may occur in the proposed project area, proposed drilling locations or along the proposed routes, and noted

that if a site was encountered, the trail would be re-routed and the site would be documented and reported (see Proponent Commitments).

Noted Indigenous Knowledge or Inuit Qaujimaningit: Community concerns identified the historical and cultural significance of the areas and lack of engagement with community members.

Board Recommendation: It is recommended that the Proponent conduct community engagement sessions to address issues that are unaddressed in the current project proposal related to potential impacts to areas identified as being historically and/or culturally significant. It is further recommended that the Proponent conduct an approved archaeological survey through a Nunavut Archaeology Permit in consultation with the GN – Department of Culture and Heritage and interested parties prior to any ground disturbance in areas proposed for testing, trenching, drilling, sampling, storage, transportation or vehicle movements and any laydown areas associated with the proposed activities. Findings from the archaeological surveys should be used for project planning purposes, including locating a suitable transportation corridor and to supplement existing management and mitigation plans. The Board recognizes that the proposed exploration activities may not be reconcilable with the cultural significance of the project area and therefore support from the local communities and regional Inuit organization should be clearly demonstrated in a modified project proposal.

Issue 6: Potential negative impacts to hunting areas and traditional land use areas from project activities due to project activities.

Board Views: The areas identified for exploration are known for hunting and traditional land use activities with areas identified as areas of significant cultural importance for traditional land use activities, Inuit harvesting, and community building; impacts to wildlife and the ecosystemic integrity of these areas would in turn affect the social and cultural activities practiced in the region.

As previously noted, the Proponent provided a Wildlife Management Plan (November 11, 2024, February 25, 2025), a Spill Contingency Plan (November 11, 2024, February 25, 2025), an Abandonment and Restoration Plan (November 11, 2024, February 25, 2025), which detail measures to be taken for the protection of wildlife, soil, and water within the project area.

Noted Indigenous Knowledge or Inuit Qaujimaningit: Community concerns identified the potential for negative impacts to hunting and traditional land use activities from the proposed project operations.

Board Recommendation: It is recommended that the Proponent conduct community engagement sessions to address issues related to the project's potential impacts on hunting areas and areas of traditional land use, and for impacts that are identified, that community consultations include a discussion of any mitigation measures that may be effective and would be considered acceptable to members of the community. Findings from the

consultation sessions should be used to amend existing management plans in consultation with the Baker Lake HTO and other parties as appropriate.

Issue 7: Potential positive impacts as the Proponent has committed to hiring local community members, as well as sourcing accommodations for project personnel and goods.

Board Views: It is noted that the Proponent would continue to hire local community members and purchase goods from local businesses to support project operations which would continue to benefit the local community overall.

Board Recommendation: It is recommended that the Proponent continue to include the potential sourcing of goods and services from local businesses in subsequent applications.

Significant public concern:

Issue 8: Significant public concern was expressed during the public commenting period for this file.

Board Views: As previously noted, significant public concern was expressed during the public commenting period for this file from the Beverly and Qamanirjuaq Caribou Management Board, Ghotelnene K'odtineh Dene, Athabasca Denesulne Ne Ne Land Corporation, and Baker Lake community members (see Interested Parties Comments and Concerns and Public Comments and Concerns with Respect to Inuit Qaujimaningit, Indigenous and Community Knowledge).

Public concerns identified through the commenting period, which took place from January 14 to January 31, 2025, and later submissions related to:

- The lack of community engagement and lack of incorporation of Inuit Qaujimaningit into the project proposal;
- The proposed project's spatial and temporal overlap with sensitive wildlife habitats including caribou, bird, and freshwater species and the potential overall impacts to wildlife caused by exploration operations;
- The potential impacts to the Thelon Game Sanctuary, traditional land use sites, and suspected archaeological sites;
- The potential impacts to traditional land use activities and traditional harvesting;
- The potential overall impacts to air quality, water quality, soil quality, wildlife, and heritage resources which resulted in a noted lack of support for the project proposal from the Beverly and Qamanirjuaq Caribou Management Board, Ghotelnene K'odtineh Dene, Athabasca Denesulne Ne Ne Land Corporation, and Baker Lake community members.

Board Recommendation: It was identified that Proponent's response to comments (submitted February 25, 2025) did not sufficiently address the concerns raised during the public commenting period and it is recommended that community engagement sessions take place to address community concerns related to the project proposal.

Technological innovations for which the effects are unknown:

- No specific issues have been identified associated with this project proposal.

SUMMARY OF BOARD RECOMMENDATIONS

As illustrated above, the Board is of the opinion that due the extensive geographical scope, extensive scope of activities and unrealistic temporal scope of the project proposal as assessed, and the resulting uncertainty of potential for negative impacts to the identified ecosystemic and socio-economic components, the Board has concluded that potential for negative ecosystemic and/or socio-economic impacts is unacceptable, and cannot be adequately addressed in the current project proposal. Accordingly, the Board **has concluded that the project proposal as currently proposed should be modified or abandoned.**

If the Proponent should choose to modify the proposed project, the Proponent is advised that in carrying out the assessment of a resubmitted and modified project proposal the Board must consider, and may rely on, any previous assessment carried out in relation to the original project proposal. As such, the Proponent is encouraged to incorporate the comments received, commitments made and improvements during the assessment of this project proposal in any future submissions. The Board also provides the following recommendations that should be considered by the Proponent prior to any subsequent resubmission of a modified project proposal:

Summary of Recommendations:

- It is recommended that the Proponent conduct community engagement sessions with concerned parties to provide more specific detail to all parties about the geographical extent, likely timelines and possible phases of proposed activities and to more specifically and comprehensively address the potential for negative ecosystemic and socio-economic impacts as identified by commenters and the Board and outlined above. After reviewing the project proposal, comments provided and the Proponent's response to comments received, it was apparent to the Board that a lack of consultation to date means that several concerns raised by commenters about the potential for negative ecosystemic and socio-economic effects remained unaddressed. The Board notes that for some impacts, such as potential for impacts on caribou, leaving such concerns unaddressed is not in keeping with the Board's approach to applying a highly protective version of the precautionary approach to the assessment of the potential for such impacts. With the application of this stringent version of the precautionary approach to the assessment of the potential for the project proposal to impact caribou, the uncertainty as to the likely geographical and temporal extent of project activities has meant that the Board has to assume the potential for the proposed activities to occur throughout the claim block area. This assumption has been a factor in the Board concluding that the project proposal as currently scoped poses the potential for significant negative effects on caribou and has limited the Board's ability to assess whether the measures being proposed to mitigate the potential for negative impacts on caribou would be effective.
- The Board has also identified that there is a gap in information provided to the Board about the Proponent's collection, consideration, application and verification of Inuit Qaujimaningit, Indigenous and Community knowledge in the development and

implementation of the project proposal. Accordingly, the Board recommends that when communicating the results of consultation sessions in subsequent submissions, the Proponent is advised to directly state which parties were consulted, what issues were discussed, identifying any Inuit Qaujimaningit, Indigenous and Community knowledge that was shared, identifying how it was incorporated into the design of the project proposal and/or any impact mitigation measures and specifically commenting on how issues and concerns expressed during consultations were addressed, and whether the issues were resolved or if they remained outstanding. Amendments to the project proposal, including amendments to mitigation and management plans, should be clearly illustrated in subsequent submissions to highlight where community consultation and Inuit Qaujimaningit, Indigenous or Community knowledge was considered and incorporated;

- It is recommended that the Proponent identify flight paths, drill areas, camp areas and access trails with a higher level of detail than currently provided, as it is difficult to fully assess impacts to the environment (including caribou) when more precise locations have not been provided and the geographic scope is described in only very general terms. With a lack of precision around the geographic scope of the project proposal, the Board has applied assumptions and the precautionary principle to the assessment. The overall activities listed, scale and scope, did not align with the reality of the time frame provided and therefore the Board is unable to gauge intensity of impacts as the timelines are not realistic for all activities referenced.
- On this basis, the Board recommends the Proponent work to more specifically identify areas that would not be included in the exploration program to establish a more focused and realistic geographical and temporal scope of the project as proposed. In the absence of clear information about the geographical scope of the project, the Board has assumed that the approximate 980 square kilometre area identified in the application could be used by the Proponent during the exploration program. In the absence of a realistic schedule for the activities, the Board considered the activities did not account for caribou mitigation and provide sufficient understanding intensity of activities, therefore the Board recommends any future applications provide a more realistic timeline for activities especially in relation to required mitigation.

CONCLUSION

The foregoing constitutes the Board's screening decision with respect to the Atha Energy Corporation's "Thelon Property". The NIRB remains available for consultation with the Minister regarding this report as necessary.

Dated June 18, 2025 at Iqaluit, NU.



Albert Ehloak, *Acting* Chairperson

Attachments: Appendix A: Proponent Commitments

APPENDIX A: PROPONENT COMMITMENTS

Within the various documents that comprise this project proposal, the Proponent has committed to the following:

- Related to potential impact of drilling to quantity and quality of groundwater ATHA committed to:
 - Using a centrifuge and recirculation system and any non-mineralized drill cuttings would be directed to a natural depression a minimum of 31 metres away
 - Mineralized drill cuttings would be disposed of down the drill hole and sealed by grouting the upper 30 metres of bedrock. If this was not possible then cuttings would be collected and stored in 205 L drums stored in a “mineralized drill cuttings storage area approved by CIRNAC, NWB, and KIA where appropriate.
 - Artesian water flows would be plugged as soon as detected and cemented to prevent continued flow
 - Nontoxic and bio-degradable drilling fluids would be used wherever possible.
 - All fuel and hazardous materials would be located on the proposed project area in “Arctic Insta-Berms” or similar products for secondary containment which would be monitored for water collection
- All hazardous materials would be:
 - used, stored or transferred a minimum distance of 31 metres from the ordinary high-water mark of any waterbody. Spill kits and firefighting equipment would be located near the area as well as at drill sites, remote fuel caches and in the helicopter.
 - Containers would be inspected before and after transfer and regularly during storage to identify any damage or wear to prevent leakage. Any damaged or compromised containers would either be used or transferred to another container.
 - All leaks or spills would be reported, contained and cleaned up as per the Spill Contingency Plan
- updating the Safety Data Sheets in the Spill Contingency Plan and included a table of contents in the SDS section to assist with locating the Safety Data Sheets more effectively.
- to conduct in-person engagement annual at a minimum and prior to the commencement of operations to discuss the project, concerns, proposed mitigation measures, traditional harvesting, areas of cultural significance, as well as to incorporate Inuit Qaujimaningit into project planning.
- Whenever possible goods and services would be sourced from local businesses
- Local community members would be hired for seasonal employment and assist with training opportunities whenever possible.
- Adhere to all applicable regulatory requirements and accepted best practices to prevent, mitigate and manage any potential environmental impact of activities conducted at the Thelon Project
- All vehicles and equipment on site would undergo regular inspections and maintenance and when not in use would be parked over a drip tray or absorbent pad to catch any drips or leaks
- No work would be done within the Thelon Game Sanctuary
- To provided requested information on winter over land hauling routes requested by the KIA, CIRNAC, NWB and KIA prior to commencement of this type of activity

- Any contractor used for over land hauling would act in compliance with all applicable legislation including the Transportation of Dangerous Goods Regulations
- Once locations and schedules of proposed airborne surveys are determined, the locations would be submitted to the KIA [if over Inuit Owned Land (IOL)] for approval. All airborne surveys, whether over Crown Land or IOL would be flown in accordance with the KIA Mobile Conservation Measures Guidelines including those related to Government of Nunavut designated calving grounds and freshwater crossings.
- Once locations of drillholes are identified, the locations would be submitted to CIRNAC, NWB and KIA (if on IOL) for approval prior to any disturbance
- Would submit annual reports on the project activities to CIRNAC, NWB, and KIA including, but not be limited to, wildlife logs, any caribou related information as per the KIA's Mobile Conservation Measures Guidelines, documentation related to drilling including the before, during, and after photographs of drill sites, any baseline water sampling data, and any ground-based archaeology survey data
- Would obtain a permission letter from the Municipality of Baker Lake to authorize backhaul and storage of empty fuel barrels and waste products before the shipping of these materials to an approved disposal facility.
- Committed to adhering to the KIA Mobile Conservation Measures Guidelines on IOL and Crown land, using monitoring caribou in the vicinity of land use activities to give early warnings for mitigation. This would be based on pre-assigned thresholds (numbers and proximity of caribou to activities combined with seasonal sensitivity and movement). The thresholds trigger tiered mitigation applied with increasing intensity as increasing numbers of caribou approach the project activities, to avoid or minimize any potential sensory disturbance to caribou
- To work cooperatively with other exploration companies, whenever feasible, to share infrastructure, combine overland hauls to minimize trips, and share overland haul routes as much as possible.
- Would communicate relevant wildlife sightings with companies operating nearby to minimize disturbance
- Wildlife monitors would work 12-hour day shifts at ATHA worksites, have full authority to make operational decisions based on wildlife sightings, and can report noncompliance directly to the KIA