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SCREENING DECISION

Date: October 7, 2002

Mr. Thomas Kudloo
Chairperson, Nunavut Water Board
Gjoa Haven, NT

Dear Mr. Kudloo:

RE: Screening Decision of the Nunavut Impact Review Board (NIRB) on Application:
NIRB 02MC117 NWB NWB1NAN9702
Closure and Reclamation (A&R) Plan for Nanisivik Mine

Authority:

Section 12.4.4 of the Nunavut Land Claim Agreement states:

Upon receipt of a project proposal, NIRB shall screen the proposal and indicate to the Minister in writing that:

a) the proposal may be processed without a review under Part 5 or 6; NIRB may recommend specific terms and conditions to be attached to any approval, reflecting the primary objectives set out in Section 12.2.5;
b) the proposal requires review under Part 5 or 6; NIRB shall identify particular issues or concerns which should be considered in such a review;
c) the proposal is insufficiently developed to permit proper screening, and should be returned to the proponent for clarification; or
d) the potential adverse impacts of the proposal are so unacceptable that it should be modified or abandoned.

Primary Objectives:

The primary objectives of the Nunavut Land Claims Agreement are set out in section 12.2.5 of the Land Claims Agreement. This section reads:

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 decision of the Board in this case is 12.4.4 (a) the proposal may be processed without a review under Part 5 or 6; NIRB may recommend specific terms and conditions to be attached to any approval, reflecting the primary objectives set out in Section 12.2.5;

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Nunavut Impact Review Board File # Nanisivik 02MC117

NUNAVUT IMPACT REVIEW BOARD

FINAL TERMS AND CONDITIONS

Pursuant to Article 12 of the Nunavut Land Claims Agreement

For

The Closure and Reclamation Plan for Nanisivik Mine

Date of Decision: September 30, 2002

Background for Decision

For the last 25 years, the Nanisivik Zinc Mine has had a pervasive impact on the lives of the local population. Primarily, the mine has impacted the local economy, the social development of area residents and the surrounding natural environment. The impact of the Nanisivik Zinc Mine on the area residents has been detailed in a report entitled The Nanisivik Legacy in Arctic Bay: A Socio-Economic Impact Study (the "Study").[1] The study examines both positive and negative impacts through personal interviews with many individuals affected by the Mine. The resulting remarks and observations deal principally with the impacts of wages, employment creation, socialization and alcohol upon the family, the household and traditional economies, local business, infrastructure and services.

Nanisivik's Positive Legacy

The Nanisivik mine contributed substantially to the local economy by providing dependable, stable employment to many area residents. In the study, local Elders recalled the initial impacts of mining operations upon the community. One Elder recollected:

> "When Arctic Bay was starting to form, people were hungry most of the time. I left Arctic Bay to go to Pond Inlet in the 1960's. After I returned in 1982, I saw that people were less hungry. People who worked at Nanisivik could buy gasoline and snow machines. They could hunt more caribou and that would be shared with the whole community."

Residents generally acknowledge the important income contribution that Nanisivik provided to the household economies of Arctic Bay, a contribution that enhanced the traditional economy and community practices. The study indicates that Nanisivik income was often spent on the equipment and supplies necessary for participation in the hunting economy. Better-quality hunting equipment resulted in a more efficient hunt, often with increased yields. Mine income was used to purchase snowmobiles and snow-clearing equipment, which greatly assisted daily activities in the community. Wage employment also meant there was more money to spread around to assist immediate family members and relatives. As such, social networks of sharing were maintained and even strengthened.

Local residents have benefited from skills taught at the Nanisivik School. These abilities have enabled individuals to effectively manage local hamlet positions and small businesses. Correspondingly, this benefit has had a positive impact upon the development of local services and community infrastructure.

The closure of the Nanisivik mine will have a range of impacts on the community of Arctic Bay. The major short-term impact will be, of course, the loss of jobs and income. This loss affects not only those who were employed at the mine, but also those whose

[1] Brubacher,2002. The excerpts used in this document are taken from the Report's Executive Summary pp. i – vii, which was included in the Government of Nunavut Submission to NIRB, dated August 26, 2002.

businesses depended on the increased role of money in the economy and the greater demand for goods and services.

The study concludes that many individuals who lose Nanisivik income will be unable to replace it with other sources of earned income. This will result in far reaching economic impacts for individuals, families and the local community.

Socio-Economic Impacts

As mentioned above, many important changes resulted from the increased role of money in the local economy. Some families acknowledged in the study that, while they once lived off the land, they now rely almost exclusively on money to live. However, the changes introduced by the mine impacted not only the local economy, but also the local culture.

Nanisivik's policy regarding alcohol is identified by the study as having perhaps the most significant socio-economic impact on the local community. Numerous comments were made regarding the effects of easily accessible alcohol upon individuals and the community. The study notes that the general perception held by local residents is that alcohol was the fuel that drove many of the negative social impacts. One resident remarked "It [alcohol abuse] was disrespect for the social structure of Arctic Bay, for the bonds of marriage between people. Alcohol was the driving force for all this." While the study recognizes that the effects of alcohol upon the community cannot be wholly attributed to Nanisivik, the mine's lenient policy regarding alcohol stood in opposition to traditional norms, and made control of this substance extremely difficult, if not impossible, for the community of Arctic Bay.

The study's conclusion, which effectively summarizes the socio-economic impacts of the mine upon the community, states:[2]

> "Nanisivik has made limited contributions to Arctic Bay's development capacity. Some of the income earned at the mine has contributed to involvement in the traditional economy and has helped to maintain, and possibly strengthen, social networks of sharing. Some individuals have benefited from attendance at the Nanisivik school where they learned skills that have helped them to function well within local hamlet jobs.
>
> Children of parents who worked at the mine benefited from increased family income and from seeing their parents productively engaged in work. The nature of these positive impacts on the later outcome of children is not well known, however. The potential concern that children of workers may be less exposed to traditional skills was not supported by community interviews.
>
> Indirect negative effects on individual well-being are also acknowledged. These arise particularly as a side-effect of alcohol abuse and misuse that is widely

[2] Brubacher, supra p. vii.

attributed to Nanisivik's lax alcohol policy. Those affected through alcohol related domestic violence include people who had a connection to the mine as well as those who had no connection. This latter group did not share in the benefits of increased household income, only in the negative impacts.

The long term well-being of some children has also been affected by the Nanisivik alcohol effect. Exposure to domestic violence and Foetal Alcohol Syndrome are known to have significant impacts on future outcome. Little is known about the details of these sorts of indirect impacts in Arctic Bay however, as no monitoring was undertaken.

Overall, the Nanisivik experience has not provided a dramatic enhancement of Arctic Bay's capacity to achieve its development goals. The rationale for creating the Nanisivik town site was made using arguments that this would contribute to development in the area. Opportunities to play this development role, however, seem not to have attracted the focussed attention needed to capitalize on them.

The mine could have had a greater positive influence if a consistent focus on its role in local development capacity building had been maintained by public sector parties, alongside the private sector function of running a profitable mine."

Environmental Impacts

Not only have the impacts of the Nanisivik mine forever changed the local economy and social structure of both Nanisivik and Arctic Bay, the region's ecosystem has also been forever changed and this greatly troubled the community. In the community's eye, the natural resources relied upon for their daily needs, indeed their very survival, could have been severely impacted by mining operations.

The Mayor of Arctic Bay and representatives of the Elders, Women and Youth, the local Hunting and Trapping Organization, and the Arctic Bay Council expressed their concerns regarding the effect of the mine on the environment in a letter to NIRB.[3] The letter states:

> "In the middle of June 1974, two Inuit men from our community were invited to a party. One of those men was Issiah Attagutsiak. He was my uncle. The other was Levi Kudlook. He was the mayor.
>
> Neither of them could read or understand English. They thought they were going to a dance and to have some food. When they got to the party they were asked to sign a paper agreeing to something. They did not know what they were agreeing to.

[3] Letter dated 26/08/02 to Stephanie Briscoe, Executive Director of NIRB; from Joanasie Akumalik, Mayor of Arctic Bay; Muckpar Akumalik, Elder's Representative; Pauloosie Kaujak, Arctic Bay Council Representative; Oavavaug Issugangituq, HTO Representative; Rhoda Tunraq, Women's Representative; and Jean Klgutlkakjuk, Youth Representative.

The document they were agreeing to was signed by the Minister of Indian Affairs and Northern Development at that time and the President of Mineral Resources International Limited. It created a mine called Nanisivik Mines Ltd. The document they agreed to is called the Strathcona Agreement.

That Minister is now the Prime Minister of Canada – the right Hon. Jean Chretien. They were told at the time that the agreement they agreed to at that long ago party, would be translated into Inuktitut and provided to them.

Nobody in our community has ever seen a translated copy of the Strathcona Agreement.

Today 28 years later we are talking about the closure of the same mine...

The environmental effects of the mine and shipping of ore have contaminated the ocean and affected migration of marine animals. You have to understand that the ocean is like a farm to us, but instead of growing food on the farm like a farmer grows wheat or potatoes, our food grows in this farm. Our food from the ocean includes Narwhal, seals, walrus and fish. Our people depend on these food sources. The mine made us more dependent on money and on store bought food. But now the mine is closing. We cannot go back to using our "farm" again. The farm is contaminated.

The wildlife on the land and the animals in the sea are different now because of the activity of this mine...

How the environmental cleanup work is done will impact us for a very long time. It will impact my children and my children's children long into the future...many generations. Please understand you have a responsibility to make very wise decisions about the future of my children and my children's children. If you make the wrong decisions many of you will not be impacted. We will."

Reasons for Decision

This Nunavut Impact Review Board ("NIRB") decision is based on socio-economic and ecosystem considerations that reflect the primary objectives of the Nunavut Land Claims Agreement ("NLCA"). Section 12.2.5 of the NLCA establishes these objectives:

> 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 residents of Canada outside the Nunavut Settlement Area.

Specific considerations in making this decision for the Nanisivik Mine Closure and Reclamation Plan included, but were not limited to:

- The impacts of activities on the environment;
- The impacts of activities on fisheries and wildlife;
- The impacts of activities in marine environment (sea water and organisms);
- The impacts to water quality, aquatic habitat and fish populations;
- The impacts on the ecosystem from storage and disposal of chemicals, fuels, hazardous materials, and waste;
- The impacts of tailings disposals, mined areas, piping facilities and dykes;
- The impact of activities on archaeological sites or cultural landmarks in the area;
- The socio-economic impacts of the closure of the mine in the community of Arctic Bay;
- The concerns of the community of Arctic Bay; and
- The impacts of prolonged negotiation with government regarding the remaining infrastructure.

Pursuant to Section 12.4.4(a) of the Nunavut Land Claims Agreement, the Nunavut Impact Review Board hereby issues these Final Terms and Conditions to CanZinco Limited for the Closure and Reclamation of the Nanisivik Mine.[4]

TERMS AND CONDITIONS

I. Reclamation Conditions

The Permittee shall ensure that the Closure and Reclamation Plan ("the Plan") conform to the principles set forth in the Department of Indian Affairs and Northern Development's ("DIAND") "*Mine Site Reclamation Policy for Nunavut*"(2002), as well as any other DIAND directives/procedures directly related to land matters concerning the Nanisivik Mine. Specifically, CanZinco should return the mine site and affected areas to viable and, wherever practicable, self-sustaining ecosystems that are compatible with a healthy environment and human activities.

II. Specific Terms and Conditions

Environment:

1. The Permittee, within their approved Plan, shall prevent degradation of the environment and enhance natural recovery in areas affected by the Mine.
2. The Permittee shall establish and maintain reporting procedures on the implementation and effectiveness of the Plan to NIRB, DIAND, the Nunavut Water Board ("NWB"), Government of Nunavut ("GN") and local communities.
3. The Permittee shall, as soon as it is practicable and consistent with the decision of the appropriate Regulatory Authority[5], submit to the appropriate regulatory agency a cost estimate for all aspects of the mine and its infrastructure for the entire reclamation and closure periods, including an implementation schedule.
4. The Permittee shall submit the results, analysis and recommendations of the Phase II Environmental Site Assessment and Ecological and Human Health

[4] The Board calls this decision "final" subject to two important conditions. First, the appropriate Minister can decide notwithstanding, to send the matter to a public review (Article 12.4.6). Second, it is open to the Board to amend these Terms and Conditions once the final studies have been submitted.

[5] The term **"Regulatory Authority"** in this decision includes, but is not limited to the Nunavut Water Board (NWB), Government of Nunavut (GN), Department of Indian Affairs and Northern Development (DIAND), Department of Fisheries and Oceans (DFO), and other federal and territorial inspectors with inherent jurisdiction over the mine.

Risk Assessment to NIRB, Regulatory Authorities, the Community of Arctic Bay, the Arctic Bay HTO and Executive Summaries in Inuktitut.

Fisheries and Wildlife:

5. The Permittee shall ensure compliance with Section 36 of the *Fisheries Act*, which requires that no person shall deposit or permit the deposit of a deleterious substance of any type in water frequented by fish or in any such place under any conditions where the deleterious substance may enter such a water body.
6. The harmful alteration, disruption or destruction of fish habitats is prohibited under Section 35 of the *Fisheries Act*. No construction or disturbance of any stream, lakebed or bank of any definable watercourse is permitted unless formally authorized by the Department of Fisheries and Oceans ("DFO").
7. The Permittee shall not obstruct the movement of fish and shall preserve their natural environment.
8. The Permittee shall ensure that there is no damage to wildlife habitat, and in particular, denning areas.
9. The Permittee shall use the latest bear detection and deterrent techniques to minimize human-bear interactions. The Permittee is strongly urged to contact the Department of Sustainable Development ("DSD") wildlife officers for literature and training regarding safety in polar bear country.
10. The Permittee shall cease activities that may interfere with caribou migration or calving, including movement of equipment or other air activities, until the migrating caribou and calves have vacated the area.
11. Subject to the rights of Inuit, the Permittee shall ensure that employees of the company and hired contractors do not engage in any hunting activities.

Marine Environment:

12. The Permittee shall conduct a monitoring program on the integrity of the marine ecosystem.
13. The Permittee, in consultation with the Arctic Bay HTO, DFO, Environment Canada, DSD, Northern Environment Contaminants Committee and the Nunavut Marine Council, shall develop terms of reference for a monitoring program on the marine environment.
14. The Permittee shall submit to NIRB the terms of reference for the marine monitoring program as outlined in Term and Condition #13. The terms of reference shall be implemented as and when approved by Regulatory Authorities.
15. The Permittee shall undertake actions to preserve the health, quantity and quality of the marine environment. The Permittee shall undertake any remediation as required by DFO or Environment Canada to address potential contamination of the marine environment of the dock and loading facilities.

Fresh Water:

16. The Permittee shall not discharge or deposit any refuse, substances or other waste materials in any body of water, or on the banks thereof, which will impair the quality of the waters of the natural environment.
17. The Permittee shall establish a monitoring program to assure and preserve the fresh water quality during reclamation and following the mine closure, as outlined in the NWB water licence and the approved Plan.
18. The Permittee shall take the necessary measures to prevent ponding in any reclaimed areas.

Chemicals, Fuel and Hazardous Materials:

19. The Permittee shall not place any petroleum fuel storage or chemical containers within thirty (30) metres of the ordinary high water mark of any water body.
20. The Permittee shall take all reasonable precautions to prevent the possibility of migration of spilled petroleum fuel or chemicals over the ground surface.
21. The Permittee shall examine any fuel and chemical storage containers for leaks. All leaks shall be repaired immediately.
22. The Permittee shall ensure that any chemicals, fuels or wastes associated with the project do not spread to the surrounding lands or enter into any water body.
23. The Permittee shall handle, store, dispose and keep records of all hazardous and toxic chemicals in accordance with the *Environmental Protection Act* ("EPA"), the GN or other Regulatory Authorities.
24. The Permittee shall take the necessary measures to remove, neutralize or destroy the chemicals and hazardous materials, so as to prevent contamination or environmental disasters.
25. The Permittee shall ensure the proper management and storage of the mine's PCB's and their disposal to a legally authorized disposal site for PCB's in conformity with the "*Environmental Guideline for Waste Management of Hazardous Waste*" (Government of NWT), in order to reduce the risk to the environment and the residents of Arctic Bay.
26. The Permittee shall ensure that a Phase II Environmental Site Assessment be conducted. Results of the assessment shall be submitted to NIRB and Regulatory Authorities for their consideration, including a Phase III or subsequent assessment, if necessary, and prior to submission of subsequent and final phases.
27. The Permittee shall remediate all fuel containment infrastructure as proposed in the approved Plan, unless the remediation is transferred to a third party who accepts any liability.

Land:

28. The Permittee shall ensure that the land use area remain clean and tidy at all times, subject to the requirements of federal and territorial inspectors or officials.
29. The Permittee shall plug or cap all bore holes and cut any drill casing that remains above ground, to ground level upon abandonment.
30. The Permittee shall not do anything that will cause erosion of the banks of any body of water on or adjacent to the land, and shall provide the necessary controls to prevent such erosion.
31. The Permittee shall be required to undertake any corrective measures in the event of any damage to the land not contemplated by the Plan.
32. The Permittee shall prevent degradation and enhance natural recovery in mining areas.
33. The Permittee shall return the site to pre-mine site conditions to the best extent possible, consistent with best technology and the decisions of Regulatory Authorities.

Waste:

34. The Permittee shall not discharge or deposit any waste into any body of water, or on the banks thereof, which will impair the quality of the waters or the natural environment.
35. Any areas designated for waste disposal shall not be located within thirty (30) metres of the ordinary high water mark of any body of water, unless otherwise authorized.
36. The Permittee shall dispose of all waste to approved disposal sites.
37. The Permittee shall deposit all non-contaminated scrap metal, discarded machinery and parts, barrels and kegs, at an approved disposal site or as otherwise approved by Regulatory Authorities.

Mined Areas:

38. Unless otherwise directed by Regulatory Authorities, the Permittee shall: (1) prevent access to portals following completion of final remediation activities, and (2) seal the mine entrances following completion of final remediation activities.
39. The Permittee shall remediate all mined areas to the specification of Regulatory Authorities.
40. The Permittee shall ensure that a Phase II Environmental Site Assessment be conducted on all impacted areas, including mined areas, areas used for waste rock storage, ore stockpiles, roadbeds and lay down. Results of the assessment and subsequent assessments, if necessary, shall be submitted to NIRB and Regulatory Authorities for their consideration.
41. The Permittee shall remediate all disturbed areas, such as waste rock storage areas, borrow areas, ore stockpiles, roadbeds and lay down areas, to the specification of Regulatory Authorities.

42. The Permittee shall conduct leach and acid generation tests on the ore and waste rock in a manner approved by Regulatory Authorities.
43. The Permittee shall ensure that sufficient non-acid generating cover material is available to conduct reclamation activities.

Piping Facilities and Dump Ponds:

44. The Permittee shall remove and remediate all piping facilities and dump ponds to the specification of Regulatory Authorities.
45. The Permittee shall remediate West Twin Lake Disposal Area and East Adit Treatment Facility to the specification of Regulatory Authorities.
46. The Permittee shall ensure that all tailing disposal activities are in conformity with the "*Guide to the Management of Tailings Facilities*" (The Mining Association of Canada, 1998, the MAC Environmental Policy).
47. The Permittee shall ensure the long-term care and maintenance, protection of public health and safety, as well as the minimization of adverse environmental impacts regarding the decommissioning and closure of tailings facilities.
48. The Permittee shall ensure that the decommission and closure of the tailings disposal area is carried out in such a manner that all remaining dykes and associated structures meet applicable Canadian Guidelines.
49. The Permittee shall establish an ongoing monitoring program as required by Regulatory Authorities.
50. The Permittee shall conduct an annual geotechnical inspection of earth structures, West Twin Spill Way, tailing cover, stability of rock and soil slopes and dyke infrastructure, and make improvements as requested by qualified Registered Geotechnical Engineers and Regulatory Authorities, as outlined in the approved Plan.
51. The Permittee shall take all necessary actions and measures to ensure that tailings are not dispersed, at any time, outside of the approved disposal area.
52. The Permittee shall undertake a hydrological assessment of the entire West Twin Lake Disposal Area.
53. The Permittee shall conduct a comprehensive risk assessment of the West Twin Lake Disposal Area and associated structures prior to closure.
54. The Permittee shall submit to the NWB and Regulatory Authorities, the final reclamation cover design and specifications and as-built drawings for the Tailing Disposal Area (Surface Cell Area), the Test Cell Tailings Disposal Area, and the Spillway, stamped by a qualified Engineer.
55. The Permittee shall implement a program for monitoring physical and environmental stability during and after the closure period of tailings facilities as described in the approved Plan.
56. The Permittee shall submit to Regulatory Authorities the design plan and specifications for the West Twin Dyke Spillway, stamped by the appropriate qualified Engineer, which ensures the necessary drainage channel to control seasonal runoff and storm events.
57. The Permittee shall meet the requirements of the Dam Safety Guidelines (Canadian Dam Association, January 1999).

58. The Permittee shall breech the East Adit Dyke and return the area to natural surface drainage patterns once reclamation activities in this area have satisfactorily addressed metal loading issues.
59. The Permittee shall ensure that the remaining structures and any contained materials should not erode or move from their intended location under any extreme events or perpetual destructive forces to which they are likely to be subjected, where such movement or erosion would endanger public health and safety, or the adjacent environment.
60. The Permittee shall ensure that the consequences of any ground or chemical instability and leaching of chemicals into the environment will not endanger public health, safety, and the environment.

Archaeological:

61. The Permittee shall not conduct any operations within thirty (30) metres of a known or suspected archaeological site or burial ground. An archaeological site is defined as a site or work within the Nunavut Settlement Area of archaeological, ethnographical or historical importance, interest or significance, or, a place where an archaeological specimen is found, including explorer's cairns.
62. The Permittee shall not operate any vehicle over a known or suspected archaeological site.
63. The Permittee shall not remove or displace any object or artifact of archaeological or historical significance.
64. The Permittee shall contact the Department of Culture, Language, Elders and Youths ("CLEY") (867-975-5500) if any archaeological or historical site is disturbed by any activity or support activity.
65. The Permittee shall immediately cease any activity that disturbs an archaeological or historical site encountered during operation, until permitted to proceed with the authorization of the CLEY.
66. The Permittee shall follow the advisement of the CLEY in restoring disturbed archaeological sites to an acceptable condition. The Permittee shall assume the costs for this procedure.
67. The Permittee shall provide information to the CLEY about each archaeological or historical site encountered by any activity carried out under the Plan.
68. The Permittee shall ensure that all members of the Plan's operation are aware of the concerns regarding archaeological and historical resources.

Monitoring and Surveillance:

69. The Permittee shall develop a detailed monitoring and surveillance program to verify that closure activities are conducted as approved, and that their effectiveness is confirmed through a long term surveillance program that includes, but is not limited to, water quality, soil and thermal monitoring, as detailed in the approved Plan.

III. General Recommendations

NIRB recommends that the Permittee conduct the Plan in an efficient manner that follows the "*Guidelines for Abandonment and Restoration Planning for Mines in the Northwest Territories*" (September 1990).

NIRB recommends that the Permittee follow industry best management practices in reclaiming the site, to minimize the risk to workers and the residents of Arctic Bay.

NIRB recommends that the Permittee work closely with any applicable government agencies or Regulatory Authorities to address permits, requirements, concerns or implications in order to ensure a coordinated and community-oriented effort by all responsible agencies.

NIRB strongly recommends that the Permittee and all involved agencies make an effort in the form of agreements to attain the greatest socio-economic benefits for the community of Arctic Bay with the closure of the mine, including agreements concerning compensation.

NIRB recommends that the Permittee enhance communication between governments, employees and the public by advising and consulting with Nanisivik and Arctic Bay residents, especially Elders, regarding the design and future of Plan activities in the region, and by posting all notices in Nanisivik and Arctic Bay in both the English and Inuktitut language.

NIRB recommends that the Permittee make every effort to incorporate traditional knowledge in the design, implementation and monitoring of the Plan.

NIRB recommends that the Permittee make a commitment to consider the concerns of the residents and locals that relate to the marine environment.

NIRB recommends that the results of the GN study identifying both the socio-economic impacts of the mine closure and the alternative uses for some mine infrastructure, are evaluated by the Permittee and a report submitted to NIRB.

NIRB recommends that the GN ensure that no impact to freshwater occurs as a result of the discharge of raw sewage into Twin Lakes Creek.

NIRB recommends that the GN undertake, during the interim period and prior to implementation of any future use(s), to periodically monitor the water quality and deposit of waste in Twin Lakes Creek and resulting downstream freshwater impacts, in a manner appropriate for comparison with applicable guidelines for the discharge of wastewater in Nunavut. This information will be available upon request by any interested party and for use in government planning and licensing proceedings associated with any ongoing deposit of waste.

Validity of Land Claims Agreement

Section 2.12.2
Where there is any inconsistency or conflict between any federal, territorial and local government laws, and the Agreement, the Agreement shall prevail to the extent of the inconsistency or conflict.

Dated Oct 7, 2002 at Arviat, NU

Ryan St. John, Vice Chairperson

c.c. Minister Nault
Distribution List

Date: October 7, 2002
Project Name: Closure and Reclamation (A & R) Plan for Nanisivik Mine

Distribution List
# of Pages 10

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	Janice Traynor	867-975-4554	867-979-4560
DIAND- Water	Paul Smith	867-975-4550	867-975-4560
DFO	Jordan DeGroot	867-979-8007	867-979-8039
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CCG	Rick McLean	519-383-1862	519-383-1989
Sustainable Dev.	Paul Partridge	867-975-5911	867-975-5990
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CGT	Timoon Toonoo	867-897-3601	867-897-3633
CLEY	Dr. Douglas Stenton	867-975-5500	867-975-5504
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HTO	Chairperson	867-439-8483	867-439-8916
Mayor of Arctic Bay	Joanasie Akumalik		867-439-8767
Arctic Bay QIA			867-439-8916
Arctic Bay MLA	Rebecca Uqi Williams		867-975-5036

The Inuktitut translation of the Screening Decision will follow shortly.