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NUNAVUT IMALIRIYIN KATIMAYINGI
NUNAVUT WATER BOARD
OFFICE DES EAUX DU NUNAVUT

June 16, 2009

Natalie Plato, Director, Contaminated Sites
Indian & Northern Affairs Canada
PO Box 2200
Iqaluit NU X0A 0H0
E-mail: platon@inac.gc.ca

Dear Ms. Plato,

**Re: Type B Water Licence Application - Bear Island Mid-Canada Line Radar Station
Remediation Project (1BR-BEA)**

As noted in your letter of November 10, 2008, and the application for a Type B water licence for the Bear Island Mid-Canada Line Radar Station (Application), Bear Island is located within Nunavut but is not part of the Nunavut Settlement Area.

Accordingly, the Nunavut Water Board (Board or NWB) understands that the Application may be subject to the *Agreement Between Nunavik Inuit and Her Majesty the Queen in Right of Canada Concerning Nunavik Inuit Land Claims* (NILCA). Accordingly, on May 7, 2009 the Board wrote to Makivik Corporation requesting confirmation by May 21, 2009 that pursuant to Section 6.5.10 of the NILCA, the project proposal had been reviewed by the Nunavut Marine Region Planning Commission to determine whether the project proposal is in conformity with an approved land use plan, or confirmation that the project proposal falls outside the boundaries of an approved land use plan. Further, to fulfill the NWB's obligation pursuant to Section 7.10.1 of the NILCA, the Board also requested written confirmation that the Nunavut Marine Region Impact Review Board screening, and review if required, pursuant to Article 7 of the NILCA has been completed, or confirmation that the Application is exempt from screening.

In the absence of a reply to the Board's initial correspondence, on May 26, 2009 the Board sent a follow up request to Makivik Corporation. As of the date of this letter, the Board has not received a reply. Furthermore, the Board understands that if the NILCA does not apply to Application, the *Canadian Environmental Assessment Act* applies pursuant to Section 12.12.7 of the *Nunavut Land Claims Agreement*.

Accordingly, to assist the Board with the processing of the Application, the Board requests written confirmation from INAC, as the applicant, that all known land use planning conformity and development impact assessment requirements relevant to the Application have been met. Upon receipt of this confirmation, the Board will proceed with completing the approval process for this Application.

Please contact the undersigned at dionne@nunavutwaterboard.org if you would like to discuss this matter further.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Filiatrault', written in a cursive style.

Dionne Filiatrault, P. Eng.
Executive Director
Nunavut Water Board

cc. Pita Aatami, President, Makivik Corporation