



NIRB File No.: 17UN035

Associated NIRB File Nos.: 13XN019 & 15UN034

NPC File No.: 148489

June 13, 2017

To: The Honourable Carolyn Bennett
Minister of Indigenous and Northern Affairs
House of Commons
Ottawa, Ontario
K1A 0A6

The Honourable Catherine McKenna
Minister of Environment and Climate Change
House of Commons
Ottawa, Ontario
K1A 0A6

cc: Thomas Kabloona
Chairperson
Nunavut Water Board
P.O. Box 119
Gjoa Haven NU, X0B 1J0

Sent via email: minister@aadnc.gc.ca; carolyn.bennett@canada.ca; ec.ministre-minister.ec@canada.ca; catherine.mckenna@parl.gc.ca and Thomas.kabloona@nwb-oen.ca

Re: Screening Decision for Indigenous and Northern Affairs Canada's "Bathurst/High Arctic Remediation and Risk Management" Project Proposal, Qikiqtani Region

Dear Honourable Ministers:

On March 9, 2017 the Nunavut Impact Review Board (NIRB or Board) received a referral to screen Indigenous and Northern Affairs Canada's (INAC or Proponent) "Bathurst/High Arctic Remediation and Risk Management" project proposal from the Nunavut Planning Commission (NPC or Commission) with an accompanying positive conformity determination with the North Baffin Regional Land Use Plan. Pursuant to Article 12, Sections 12.4.1 and 12.4.4 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada* (Nunavut Agreement) and section 87 of the *Nunavut Planning and Project*

Assessment Act (NuPPAA), the NIRB commenced screening this project proposal and assigned it file number 17UN035.

Information Requests and Suspension of Assessment:

Following a preliminary completeness check, the NIRB determined that the proposal as submitted did not contain the necessary information for the NIRB to carry out its screening and on March 13, 2017 issued correspondence to INAC detailing the additional information required by March 27, 2017. On March 16, 2017 the NIRB received the requested additional information. After reviewing the additional information, the NIRB identified that components of the proposed project are proposed within the Qausuittuq National Park and pursuant to subsection 70(1) of the NuPPAA the NPC's conformity determination process does not apply for those portions of the project that occur in the National Park¹; therefore on March 30, 2017 the NIRB requested that the Proponent submit its project to Parks Canada pursuant to subsection 164(1) of the NuPPAA.

Referral from Parks Canada

On April 28, 2017 the NIRB received a referral from Parks Canada to screen the "Bathurst/High Arctic Remediation and Risk Management" project proposal pursuant to section 167 of the *Nunavut Planning and Project Assessment Act* (NuPPAA), and commenced screening the project.

Following the assessment of all material information provided, the NIRB is recommending that a review of Indigenous and Northern Affairs Canada's "Bathurst/High Arctic Remediation and Risk Management" project is not required pursuant to paragraph 92(1)(a) of the NuPPAA.

Pursuant to its discretion under paragraph 92(2)(a) of the NuPPAA, the NIRB has determined that specific terms and conditions are appropriate for this project.

Accordingly, the NIRB is issuing the attached Screening Decision Report dated June 13, 2017 to the responsible Minister(s). The Screening Decision Report provides, among other things, the regulatory framework, project overview and the NIRB's assessment process, factors relevant for the determining significance of impacts and recommended project-specific terms and conditions.

Please note that the project proposal will not be enclosed due to the size of the electronic document and the limited bandwidth. However, an electronic copy of the project proposal is accessible online from the NIRB's online public registry at www.nirb.ca by using any of the following search criteria:

- Project Name: Bathurst/High Arctic Remediation and Risk Management
- NIRB File No.: 17UN035
- Application No.: 125090

¹ Subsection 70(1) states: This Part and the broad planning policies, priorities and objectives, the specific planning objectives and any land use plan, established under this Part, do not apply in respect of a park that has been established or to a historic place that has been designated under the *Historic Sites and Monuments Act* and is administered by the Parks Canada Agency.

We look forward to receiving a response from the responsible Minister. If you have any questions or require clarification, please do not hesitate to contact the NIRB's Director, Technical Services, Tara Arko at (867) 983-4611 or tarko@nirb.ca.

Sincerely,

A handwritten signature in dark ink, appearing to read 'E. Copland', written in a cursive style.

Elizabeth Copland, Chairperson
Nunavut Impact Review Board

Enclosure: Screening Decision Report, NIRB File No.: 17UN035 (June 13, 2017)