



NIRB File No.: 07DN069  
INAC File No.: N2007X0038

October 25, 2010

Honourable John Duncan  
Minister of Indian and Northern Affairs Canada  
c/o Jeff Mercer, Manager Land Administration  
Iqaluit, NU

Via e-mail: [Jeff.Mercer@inac-ainc.gc.ca](mailto:Jeff.Mercer@inac-ainc.gc.ca) and [landsmine@ainc-inac.gc.ca](mailto:landsmine@ainc-inac.gc.ca)

**Re: Application exempt from Screening pursuant to Section 12.4.3 of the NLCA: Defence Construction Canada's "FOX-3, Dewar Lakes DEW Line Site Remediation" Project**

Dear Mr. Mercer:

On October 14, 2010 the Nunavut Impact Review Board (NIRB or Board) was forwarded an application from Indian and Northern Affairs Canada (INAC) for an extension to Land Use Permit #N2007X0038 for Defence Construction Canada's "FOX-3, Dewar Lakes DEW Line Site Remediation" project.

Please be advised that the original project proposal (NIRB File No.: 07DN069) was received by the NIRB from INAC on October 31, 2007 and was screened in accordance with Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA). On December 7, 2007 the NIRB issued the enclosed NLCA 12.4.4(a) screening decision to the Minister of INAC indicating the proposed project could proceed subject to the NIRB's recommended project-specific terms and conditions.

Previously, on October 30, 2009 the NIRB received an extension request from INAC for the noted project. Following a thorough assessment of the request, the NIRB determined that the application was exempt from further screening as per Section 12.4.3 of the NLCA, and reissued the enclosed screening decision report on November 6, 2009.

The current and previous INAC extension applications, the original NIRB Screening Decision Report (07DN069) and related file information are available from the NIRB's ftp site at the following link:

<http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2007/07DN069-DCC-FOX%203/>

#### PREVIOUSLY-SCREENED PROJECT PROPOSAL:

As previously screened by the NIRB (File No. 07DN069), the “FOX-3, Dewar Lakes DEW Line Site Remediation” project was located on Baffin Island, and the nearest community is Qikiqtarjuaq approximately 300 km to the east. The Proponent indicated that it intended to conduct the site cleanup operation each year during the summer field season (June to October) from 2008 to 2011.

The activities/components associated with this proposal included:

- Construction and operation of a temporary camp
- Demolition of existing facilities
- Remediation of the existing landfills
- Construction of new landfills
- Excavation of contaminated soils
- Removal of surface debris around the site
- Development of borrow areas
- Land farming operation
- Grading and restoration of the site

#### CURRENT APPLICATION:

Defence Construction Canada is proposing to extend its Land Use Permit N2007X0038 for a period of one year.

Please note that Section 12.4.3 of the NLCA states that:

*“Any application for a component or activity of a project proposal that has been permitted to proceed in accordance with these provisions shall be exempt from the requirement for screening by NIRB unless:*

*(a) such component or activity was not part of the original project proposal; or*

*(b) its inclusion would significantly modify the project.”*

After completing a review of the information provided, the NIRB is of the understanding that the proposed extension does not change the general scope of the original project activities, and the exceptions noted in NLCA 12.4.3(a) and (b) do not apply. Therefore, this application is exempt from screening as per Section 12.4.3 of the NLCA and the activities therein remain subject to the terms and conditions recommended in the original December 7, 2007 Screening Decision Report (enclosed).

If you have any questions or concerns, please contact Li Wan, Technical Advisor, at (867) 983-4606 or [liwan@nirb.ca](mailto:liwan@nirb.ca).

Sincerely,



Stephanie Autut  
Executive Director

cc: Eva Schulz, AECOM Canada Ltd. ([Eva.Schulz@aecom.com](mailto:Eva.Schulz@aecom.com))  
Steve Poaps, DCC ([Steven.Poaps@dcc-cdc.gc.ca](mailto:Steven.Poaps@dcc-cdc.gc.ca))

Enclosed: NIRB Screening Decision Report, File No.: 07DN069 (December 7, 2007)