



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

April 17, 2012

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

Via email: jeff.mercer@aandc.gc.ca and landsmining@aandc.gc.ca

Re: Application Exempt from the Requirement for Screening pursuant to Section 12.4.3 of the NLCA: Defense Construction Canada's "FOX-3, Dewar Lakes DEW Line Site Remediation" project

Dear Jeff Mercer:

On March 22, 2012, the Nunavut Impact Review Board (NIRB or Board) received an application from Aboriginal Affairs and Northern Development Canada (AANDC) for an extension to Land Use Permit No. N2007X0038 for Defense Construction Canada's (the Proponent) "FOX-3, Dewar Lakes DEW Line Site Remediation" project (the Project).

Please be advised that the original project proposal (NIRB File No.: 07DN069) was received by the NIRB from Indian and Northern Affairs Canada (INAC; now AANDC) on October 31, 2007, and was screened by the Board in accordance with Article 12, Part 4 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 which indicated that the proposed project could proceed subject to the NIRB's recommended project-specific terms and conditions.

Additional authorization and extension requests for the AANDC Land Use Permit (No. N2007X0038) associated with this project have also been reviewed by the NIRB following screening of the original project proposal. In each instance, the NIRB confirmed that the applications were exempt from the requirement for further screening pursuant to Section 12.4.3 of the NLCA and that the activities therein remained subject to the terms and conditions recommended in the original December 7, 2007 Screening Decision Report.

Authorization	Application			Correspondence Issued by NIRB
	Date Received by NIRB	Type	Reason for Application	
Quarry Permit	January 6, 2009	New application	Support the project	January 12, 2009
Land Use Permit	October 30, 2009	Extension	Continue remediation	November 6, 2009
Land Use Permit	October 14, 2010	Extension	Continue remediation	October 25, 2010
Quarry Permit	January 17, 2011	New application	Support the project	January 19, 2011

The current AANDC application, the original NIRB Screening Decision Report (File No. 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), Defence Construction Canada's "FOX-3, Dewar Lakes DEW Line Site Remediation" project was located within the Qikiqtani region, approximately 300 km West of Qikiqtarjuaq. The Proponent indicated that it intended to conduct remediation activities 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 applying for an extension to its AANDC Land Use Permit (No. N2007X0038) to support ongoing clean-up and remediation associated with the Project.

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 in support of the current application, 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 the requirement for screening pursuant to 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 require clarification, please contact Kofi Boa-Antwi, Technical Advisor, at (867) 983-4606 or kboa-antwi@nirb.ca.

Sincerely,



Ryan Barry
Executive Director
Nunavut Impact Review Board

cc: Eva Schultz, AECOM (Eva.Schulz@aecom.com)
Tamara Van Dyck, DCC (tamara.vandyck@dcc-cdc.gc.ca)
Phyllis Beaulieu, NWB (licensing@nunavutwaterboard.org)
Tracey McCaie, AANDC (tracey.mccaie@aandc.gc.ca)

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