



NIRB File No.: 12DA002
AANDC File No.: N2011X0030

February 19, 2014

The Honourable Bernard Valcourt
Minister of Aboriginal Affairs and Northern Development
c/o Jeff Mercer
Manager Land Administration
Aboriginal Affairs and Northern Development Canada
P.O. Box 100
Iqaluit, NU X0A 0H0

Sent 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: Biogenie's "FOX-3, Dewar Lakes-Site Demobilization" project, Qikiqtani (North and South Baffin) Region

Dear Jeff Mercer:

On February 10, 2014 the Nunavut Impact Review Board (NIRB or Board) received an application from Aboriginal Affairs and Northern Development Canada (AANDC) for an extension to the AANDC Land Use Permit (No. N2011X0030) associated with Biogenie's "FOX-3, Dewar Lakes-Site Demobilization" project proposal.

Please be advised that the original project proposal (NIRB File No. 12DA002) was received by the NIRB from AANDC on January 4, 2012 and was screened by the Board in accordance with Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA). On February 27, 2012 the NIRB issued the enclosed NLCA 12.4.4(a) screening decision to the Minister of Aboriginal Affairs and Northern Development which indicated that the proposed project could proceed subject to the NIRB's recommended project-specific terms and conditions.

The current AANDC application, the original NIRB Screening Decision Report (File No. 12DA002) and related file information are available from the NIRB's online public registry at the following location:

<http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2012/12DA002-Biogenie-FOX-3%20Dewar%20Lakes%20Site%20Demobilization/>.

PREVIOUSLY-SCREENED PROJECT PROPOSAL:

As previously screened by the NIRB (File No. 12DA002), the “FOX-3, Dewar Lakes-Site Demobilization” project was located within the Qikiqtaaluk region (North and South Baffin), approximately 300 kilometres (km) west of Qikiqtarjuaq. The Proponent indicated that it intended to demobilize its equipment and camp from FOX-3 Dewar Lakes DEW Line Site to a staging area and hand intended to complete its remediation during the 2012 season.

The activities and components associated with the previously screened proposal included:

- Transportation of a 25-man crew between FOX-3 Dewar Lakes site and Kangok Fjord by air via a twin otter aircraft equipped with skis and by land using snowmobiles;
- Installation of a temporary camp and seasonal clearing of the airstrip in Kangok Fjord;
- Use of existing camp at FOX-3 Dewar Lakes site by crew;
- Installation of one (1) temporary survival trailer halfway between FOX-3 Dewar Lakes site and Kangok Fjord to serve as a relay point for radio communications;
- Use of snowmobiles to evaluate and validate an overland route between the DEW Line site and Kangok Fjord for the transportation of demobilized material, and for scouting and communication;
- Transportation of the demobilized equipment, camp, and containerized contaminated soils via sleighs using tractors and bulldozers via a 100 km overland route from the FOX-3 Dewar Lakes site to Kangok Fjord;
- Storage of demobilized material at a staging area in Kangok Fjord until backhaul by sealift to an approved disposal site in the South;
- Storage and use of 200,000 litres (L) of diesel fuel and 4,000 L of gasoline for the project; and
- Disposal of wastes generated during the proposed project at approved sites, with garbage to be incinerated at the FOX-3 site in Dewar Lakes and sewage and grey water to be containerized and sent south for disposal.

CURRENT APPLICATION:

Biogenie is currently requesting an extension to its land use permit for one additional year to conduct previously permitted activities, specifically to demobilize remediation equipment via sealift to southern sites.

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 February 27, 2012 Screening Decision Report (enclosed).

If you have any questions or require additional clarification, please contact Kelli Gillard, Technical Advisor, at (867) 983-4619 or kgillard@nirb.ca.

Sincerely,

A handwritten signature in black ink that reads "Ryan Barry". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Ryan Barry
Executive Director
Nunavut Impact Review Board

cc: Nancy Davis, Biogenie
Phyllis Beaulieu, Nunavut Water Board
Bernie MacIsaac, Qikiqtani Inuit Association
Tracey McCaie, Aboriginal Affairs and Northern Development Canada

Enclosure: NIRB Screening Decision Report, File No.: 12DA002 (February 27, 2012)