



**NIRB File No.: 09DN024**  
**AANDC File No.: N2009X0007**

April 10, 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  
PO Box 100  
Iqaluit, NU X0A 0H0

Via email: [Jeff.Mercer@aandc.gc.ca](mailto:Jeff.Mercer@aandc.gc.ca) and [landsmining@aandc.gc.ca](mailto:landsmining@aandc.gc.ca)

**Re: Application Exempt from the Requirement for Screening pursuant to Section 12.4.3 of the NLCA: Defence Construction Canada's "PIN-3 Lady Franklin Point Long Range Radar Reconstruction" project**

Dear Jeff Mercer:

On March 30, 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 N2009X0007 for Defence Construction Canada's (DCC) "PIN-3 Lady Franklin Point Long Range Radar Reconstruction" project proposal. The NIRB did not require a conformity determination from the Nunavut Planning Commission for this file, as the proposed project is located within a region that does not currently have an approved land use plan in place.

Please be advised that the original project proposal (NIRB File No.: 09DN024) was received by the NIRB from Indian and Northern Affairs Canada (INAC; now AANDC) on March 27, 2009 and was screened by the Board in accordance with Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA). On May 11, 2009 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.

On May 13, 2011 the NIRB received an application from INAC for an extension to the Land Use Permit (No. N2009X0007) for the above mentioned project. After a thorough assessment of the extension request, the NIRB determined that the application was exempt from the requirement for further screening pursuant to Section 12.4.3 of the NLCA, and reissued the enclosed screening decision report on May 16, 2011.

The current AANDC application, the original NIRB Screening Decision Report (NIRB File No. 09DN024) and related file information are available from the NIRB's ftp site at the following

link: <http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2009/09DN024-DCC%20-%20PIN%203-Lady%20Franklin%20Point/>.

#### PREVIOUSLY-SCREENED PROJECT PROPOSAL:

As previously screened by the NIRB (File No. 09DN024), the “PIN-3 Lady Franklin Point Long Range Radar Reconstruction” project was located within the Kitikmeot region at the pre-existing PIN-3 Long Range Radar Station, approximately 115 kilometres (km) northeast of Kugluktuk. The Proponent previously indicated that it intended to rebuild fire damaged structures and to update site equipment in order to meet current codes.

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

- Repair pre-existing structures;
- Remove and replace out-dated vehicle refuelling station;
- Construct new cribbing for existing double-walled fuel storage tanks to be relocated;
- Connect above ground lines and above ground cabling for power and communications equipment;
- Reconstruct and furnish:
  - new radar tower,
  - communications shelter,
  - accommodation and utility building trains,
  - two independent power plants,
  - associated infrastructure;
- Approximately same layout as previous structures constructed in the 1950’s and 1980’s
- Transportation support including:
  - minimum 1 barge (from Hay River) of large equipment and building materials using existing beaching area;
  - movement of workers via aircraft and small equipment using existing airstrip;
  - All-Terrain Vehicle (ATV) site travel;
- Construction of temporary camp (sleeping quarters, kitchen area, common room area, incinerator, generator, sewage disposal system, and water treatment and supply system from local supply lake) to accommodate approximately 30 workers.

DCC requested the 2011 extension in order to support project activities in the event that the construction phase was not initiated until 2014.

#### CURRENT APPLICATION:

DCC is proposing to extend their current Land Use Permit N2009X0007 as the project currently remains in the design phase, with planned construction to begin in 2014.

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 May 11, 2009 Screening Decision Report (enclosed).

If you have any questions or concerns, please contact Tara Arko, Technical Advisor, at 867-983-4611 or [tarko@nirb.ca](mailto:tarko@nirb.ca).

Sincerely,

A handwritten signature in black ink, reading "Ryan Barry", followed by a horizontal line extending to the right.

Ryan Barry  
Executive Director

cc: Tamara Van Dyck, Defence Construction Canada  
Tracey McCaie, Aboriginal Affairs and Northern Development Canada  
Phyllis Beaulieu, Nunavut Water Board

Enclosed: NIRB Screening Decision Report, File No.: 09DN024 (May 11, 2009)