



**NIRB File No.: 07DN066**  
**AANDC File No.: N2007X0035**

October 31, 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](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: Defense Construction Canada's "FOX-2, Longstaff Bluff DEW Line Site Clean-up" project**

Dear Jeff Mercer:

On October 25, 2012 the Nunavut Impact Review Board (NIRB or Board) received an application from Aboriginal Affairs and Northern Development Canada (AANDC) for an extension to the Land Use Permit (No. N2007X0035) for Defense Construction Canada's "FOX-2, Longstaff Bluff DEW Line Site Clean-up" project.

Please be advised that the original project proposal (NIRB File No.: 07DN066) was received by the NIRB from Indian and Northern Affairs Canada (INAC; now AANDC) on September 4, 2007 and was screened in accordance with Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA). On October 19, 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.

Additional authorization and extension requests associated with the "FOX-2, Longstaff Bluff DEW Line Site Clean-up" project have also been reviewed by the NIRB following screening of the original project proposal (File No. 07DN066). 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 the activities therein remained subject to the terms and conditions recommended in the original October 19, 2007 Screening Decision Report. A summary of the additional AANDC applications associated with NIRB File No. 07DN066 are presented in Table 1.

**Table 1: Additional AANDC applications associated with NIRB File No. 07DN066**

Authorization	Application			Correspondence Issued by NIRB
	Date Received by NIRB	Type	Reason for Application	
Quarry Permit	January 7, 2009	New permit	Required by the project	January 12, 2009
Land Use Permit	September 15, 2009	Extension	Continue remediation	September 22, 2009
Land Use Permit	September 22, 2010	Extension	Continue remediation	September 28, 2010
Quarry Permit	January 17, 2011	New Permit	Continue remediation	January 19, 2011
Land Use Permit	October 5, 2011	Extension	Continue remediation	October 7, 2011

The current AANDC application, the original NIRB Screening Decision Report (File No. 07DN066) and related file information are available from the NIRB's ftp site at the following link: <http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2007/07DN066-DCC%20-%20FOX-2/>.

**PREVIOUSLY-SCREENED PROJECT PROPOSAL:**

As previously screened by the NIRB (File No. 07DN066), Defence Construction Canada's "FOX-2, Longstaff Bluff DEW Line Site Clean-up" project was located within the Qikiqtani region, approximately 245 kilometres (km) to the East of the community of Hall Beach. The Proponent indicated that it intended to conduct remediation activities each year during the summer field season (June to October) from 2008 to 2012.

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

- Construction and operation of temporary and seasonal camp
- Demolition of existing facilities
- Remediation of the existing landfills
- Construction of two new landfills
- Excavation of contaminated soils
- Removal of surface debris around the site
- Land farming operation
- Grading and restoration of the site
- Return of the previous Quarry Permit and subsequent application for a new Quarry Permit

**CURRENT APPLICATION:**

Defence Construction Canada is proposing to extend its AANDC Land Use Permit (No. N2007X0035) in order to complete the clean-up and remediation of the Project. Application materials indicated that DCC anticipates the materials currently in the temporary PCB storage area will be removed in 2013.

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 as per Section 12.4.3 of the NLCA and the activities therein remain subject to the terms and conditions recommended in the original October 19, 2007 Screening Decision Report (enclosed).

If you have any questions or concerns, please contact Tannis Bolt, Assistant Technical Advisor, at (867) 983-4603 or [tbolt@nirb.ca](mailto:tbolt@nirb.ca).

Sincerely,

A handwritten signature in black ink that reads "Ryan Barry". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ryan Barry  
Executive Director  
Nunavut Impact Review Board

cc: Phyllis Beaulieu, Nunavut Water Board  
Eva Schultz, AECOM ([Eva.Schulz@aecom.com](mailto:Eva.Schulz@aecom.com))  
Bernie MacIsaac, Qikiqtani Inuit Association ([bmacisaac@qia.ca](mailto:bmacisaac@qia.ca))

Enclosed: NIRB Screening Decision Report, File No.: 07DN066 (October 19, 2007)