



NIRB File No.: 07DN027
NWB File No.: 1BR-LOR0813
GN-CGS LUP No.: 701-LUP-B10-001

May 25, 2011

Honourable Lorne Kusugak
Minister of Community & Government Services
Government of Nunavut
c/o Ken Wasylyshen
Regional Lands Administrator
Government of Nunavut, Community & Government Services
Cape Dorset, NU

Via email: kwasylyshen@gov.nu.ca

Re: Application exempt from screening pursuant to Section 12.4.3 of the NLCA: Indian and Northern Affairs Canada's "Cape Christian Site Remediation" project

Dear Ken Wasylyshen:

On May 18, 2011 the Nunavut Impact Review Board (NIRB or Board) received a renewal application from the Government of Nunavut – Community & Government Services (GN-CGS) for a land use permit (GN-CGS 701-LUP-B10-001) pertaining to Indian and Northern Affairs Canada's (INAC) "Cape Christian Site Remediation" project proposal.

Please be advised that the original project proposal (NIRB File No.: 07DN027) was received by the NIRB from the GN-CGS on April 16, 2007 and was screened by the Board in accordance with Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA). On June 7, 2007 the NIRB issued the enclosed NLCA 12.4.4(a) screening decision to the Minister of GN-CGS indicating the proposed project could proceed subject to the NIRB's recommended project-specific terms and conditions.

Additional authorization and extension requests have also been reviewed by the NIRB for the following GN-CGS land use permits: 701-LUP-B07-001 (expired July 3, 2008), 701-LUP-B09-001 (expired March 3, 2010), and 701-LUP-B10-0001 (expired May 9, 2011). In each of these instances the NIRB confirmed that the applications were exempt from 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 June 7, 2007 Screening Decision Report (enclosed).

The current GN-CGS application, the original NIRB Screening Decision Report (07DN027) and related file information are available from the NIRB's ftp site at the following link: <http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2007/07DN027-INAC%20-%20Cape%20Christian/>.

PREVIOUSLY-SCREENED PROJECT PROPOSAL:

As previously screened by the NIRB (File No. 07DN027), the "Cape Christian Site Remediation" project was located within the Qikiqtaaluk region, approximately 16 kilometres (km) from Clyde River. The Proponent indicated that it intended to remediate the former US Coast Guard LORAN Station at Cape Christian.

The activities associated with this proposal included:

- Mobilization of equipment, materials and personnel to Clyde River and Cape Christian;
- Enhancement of site access routes – from Clyde River to Cape Christian;
- River / stream / lake crossing or work / bridge;
- Camp set up and operation;
- Sewage or grey water disposal via sump;
- Solid waste disposal;
- Hazardous material removal;
- Temporary storage on site for hazardous materials, equipment and fuels;
- Building and infrastructure demolition;
- Debris consolidation and disposal;
- Excavation and relocation of PHC contaminated soils to the land farm cell;
- Excavation and removal of metals and PCB contaminated soils from site;
- Quarrying of gravel and overburden materials;
- Landfill construction and closure;
- Land farm cell construction and decommissioning;
- Site grading;
- Site roads improvement;
- Airstrip improvement (if required);
- Sealift landing site (if required);
- Demobilization of equipment, materials/wastes and personnel; and
- Site monitoring (post remediation).

The activities associated with the additional quarry permit applications included:

- Additions of 4 borrow sites.

Authorization – GN-CGS	Previous Additional Applications			Correspondence Issued by NIRB
	Date Received by NIRB	Type	Reason for Application	
Quarry Permit	April 16, 2008	Re-issue	Unable to mobilize in 2007	May 6, 2008
Land Use Permit	February 26, 2009	Extension	Continue remediation	March 2, 2009
Quarry Permit	August 3, 2009	Add 3 sites	Continue remediation	August 18, 2009
Land Use Permit	July 29, 2010	Add 1 site	Continue remediation	August 17, 2010

CURRENT APPLICATION:

INAC is proposing to renew its GN-CGS land use permit to complete a final inspection of the Cape Christian site. According to INAC, the project engineer was unable to inspect the site prior to the period of snow cover in order to verify that all works were completed to the required standard. The proposed activity to occur under this land use permit renewal is a single site visit by the project engineer during the snow-free period to inspect the site and confirm that the remediation activities are complete.

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 renewal 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 June 7, 2007 Screening Decision Report (enclosed).

If you have any questions or concerns, please contact Tara Arko, Assistant Technical Advisor, at 867-983-4611 or tarko@nirb.ca.

Sincerely,



Stephanie Autut
Executive Director

cc: Dele Morakinyo, INAC (Dele.Morakinyo@inac-ainc.gc.ca)
Phyllis Beaulieu, NWB (licensing@nunavutwaterboard.org)

Enclosed: NIRB Screening Decision Report, File No.: 07DN027 (June 7, 2007)