



NIRB File No.: 10DN057
INAC File No.: N2010X0024

April 20, 2011

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

Via email: Jeff.Mercer@inac-ainc.gc.ca and landsmine@inac-ainc.gc.ca

**Re: Application exempt from Screening pursuant to Section 12.4.3 of the NLCA:
Biogenie's "CAM-5, Mackar Inlet – Site Demobilization" project**

Dear Jeff Mercer:

On March 24, 2011 the Nunavut Impact Review Board (NIRB or Board) received an application from Indian and Northern Affairs Canada (INAC) for an amendment and extension to INAC Land Use Permit N2010X0024 for Biogenie's "CAM-5, Mackar Inlet – Site Demobilization" project proposal.

Please be advised that the original project proposal (NIRB File No.: 10DN057) was received by the NIRB from INAC on December 9, 2010 and was screened by the Board in accordance with Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA). On February 9, 2011 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 NIRB's recommended project-specific terms and conditions.

The current INAC application, the original NIRB Screening Decision Report (NIRB File No.: 10DN057) and related file information are available from the NIRB's ftp site at the following link: <http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2011/>.

PREVIOUSLY-SCREENED PROJECT PROPOSAL:

As previously screened by the NIRB (File No: 10DN057), the "CAM-5, Mackar Inlet – Site Demobilization" project was located within the Qikiqtaaluk region, approximately 220 kilometres (km) from Hall Beach. The Proponent indicated that it intended to demobilize equipment and the camp, as well as remove contaminated soils from the CAM-5 DEW Line site located at Mackar Inlet from March 2011 with an estimated completion date in May 2011.

The activities/components associated with this proposal included:

- Transport a 35-man crew between Hall Beach and Mackar Inlet via air using a twin otter aircraft equipped with skis and via land using snowmobiles;
- Install two (2) temporary survival trailers made of 20 foot shipping containers; one at a location 60 km east of CAM-5 DEW Line, and the other at a location 50 km west of CAM-F (Scarpa Lake) to serve as relay points for radio communications;
- Use snowmobiles to evaluate and validate an overland route between the DEW Line site in Mackar Inlet and Hall Beach for the transportation of demobilized material, and for scouting and communication;
- Place demobilized equipment, camp, and containerized contaminated soils on sleighs and transport them using track tractors and bulldozers via an overland route from Mackar Inlet to Hall Beach (approximately 220 km);
- Store demobilized material at a staging area in Hall Beach and sealifting them to an approved disposal site in the South;
- Utilize 200,000 litres (L) of diesel fuel and 4,000 L of gasoline from existing fuel storage at Hall Beach;
- No permanent structures would be erected on site for this proposed project as crew would be housed at an existing camp on CAM-5 site;
- Waste would be disposed of at approved sites; garbage would be incinerated at Hall Beach and the CAM-5 site in Mackar Inlet, sewage and grey water would be disposed of at approved locations including the sewage lagoon management system in Hall Beach.

CURRENT APPLICATION:

Biogenie is currently proposing to amend its INAC Land Use Permit N2010X0024 to include the following additional components/activities:

- Transport heavy equipment to Roche Bay for temporary storage, instead of Hall Beach as originally proposed, to reduce moving distance by approximately 40 kilometres and allow access to a deeper water port for sealift shipping;
- Create a new laydown area at Roche Bay for temporary storage of material;
- Continue to transport some items to Hall Beach including containerized contaminated soil;
- Extend the period of authorization until March 2013 to ensure that there is ample time to transport all materials.

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.”*

On April 6, 2011 NIRB distributed the current amendment and extension request to a regional distribution list, requesting submission of any comments or concerns related to the application by April 18, 2011.

The following comments were received from Transport Canada (TC), Environment Canada (EC), and Government of Nunavut – Department of Culture, Language, Elders and Youth (GN-CLEY) regarding the proposed amendment and extension:

- TC: no concerns
- EC: no concerns as long as original terms and conditions are followed by the Proponent
- GN-CLEY: recommend CLEY terms and conditions; see Screening Decision Report Appendix C dated February 9, 2011.

After completing a review of the information provided in support of the current application as well as the comments received from interested parties, the NIRB is of the understanding that the proposed amendment and 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 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 February 9, 2011 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: Nancy Davis, Project Manager at ndavis@biogenie-env.com
Nigel Qaumariaq, QIA at environment@qia.ca
Phyllis Beaulieu, NWB at licensing@nunautwaterboard.org

Enclosed: NIRB Screening Decision Report, File No.: 10DN057 (February 9, 2011)