

NIRB File No.: 04WN116 INAC File No.: N2003E0032

January 19, 2011

Honourable Minister 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: <u>Jeff.Mercer@inac-ainc.gc.ca</u>; <u>landsmining@inac-ainc.gc.ca</u>

Re: Application exempt from Screening pursuant to Section 12.4.3 of the NLCA: the Hamlet of Arviat's "All Season Road from Arviat to Maguse Lake" project

Dear Jeff Mercer:

On January 11, 2010 the Nunavut Impact Review Board (NIRB or Board) received an application from Indian and Northern Affairs Canada (INAC) for an extension to INAC Land Use Permit N2003E0032 for the Hamlet of Arviat's "All Season Road from Arviat to Maguse Lake" project proposal.

Please be advised that the original project proposal (NIRB File No.: 04WN116) was received by the NIRB from INAC on June 18, 2003 and was screened by the Board in accordance with Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA). On January 17, 2005 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.

On April 20, 2009 and March 18, 2010 the NIRB received separate land use permit extension requests from INAC for the above mentioned project. Upon completing an assessment of the extension requests, the NIRB determined that the applications were exempt from further screening as per Section 12.4.3 of the NLCA, and accordingly re-issued the enclosed screening decision report on May 20, 2009 and April 8, 2010.

All information pertaining to this project proposal, including the current and previous extension applications from INAC and the original NIRB screening files (NIRB File No.: 04WN116) is available from the NIRB's ftp site at the following link:

http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2004/04WN116-Hamlet%20of%20Arviat/

## PREVIOUSLY-SCREENED PROJECT PROPOSAL:

As previously screened by the NIRB (File No.: 04WN116), the Hamlet of Arviat's "All Season Road from Arviat to Maguse Lake" project was located outside of the municipal boundary of Arviat, within the Kivalliq region. The Proponent intended to extend the existing all weather from the municipal boundary to Maguse Lake to facilitate the land use activities of local residents.

The activities/components associated with this proposal included:

- Construction of a 5 metre wide all-weather road, approximately 11 miles, including construction of a new bridge over a creek and upgrade of an existing bridge;
- Use of heavy equipment for construction by two operators;
- Use of temporary shelter in case the time was not sufficient for construction crew to return back to the community;
- Disposal of construction waste by hauling back to the dump site in the community; and
- Refuelling within the community.

## **CURRENT APPLICATION:**

The Hamlet of Arviat is proposing to extend its current Land Use Permit N2003E0032 associated with the project to allow them to complete the road construction activities.

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 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 January 17, 2005 Screening Decision Report (enclosed).

If you have any questions or require clarification, please contact Li Wan, Technical Advisor, at (867) 983-4606 or lwan@nirb.ca.

Sincerely,

Stephanie Autut Executive Director

cc: Jerry Panegoniak, Hamlet of Arviat (<u>arviatlands@qiniq.com</u>)

Enclosed: NIRB Screening Decision Report, File No.: 04WN116 (January 17, 2005)

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