



Pitquhiliqiyikkut

Department of Culture, Language,
Elders and Youth

Ministère de la Culture, de la Langue,
des Aînés et de la Jeunesse

May 2, 2006

Phyllis Beaulieu
Manager of Licensing
Nunavut Water Board
P.O. Box 119
Gjoa Haven, NU X0B 1J0

**Re: Nunavut Water Board License 2BE-NCB North Central Baffin Project
(Jeremy Howe, BHP Billiton Diamonds Inc.)**

Due Date: May 10, 2006

Dear Ms. Beaulieu:

At your request, the Department of Culture and Heritage, Government of Nunavut, has reviewed the above-noted application. Our recommendations follow.

We recommend approval of the above-cited application, on the condition that the proponent's activities avoid the known archaeological sites listed in Attachment #1. The information contained in Attachment #1 is provided solely for the purpose of the proponent's land use activities as described in the land use application, and must otherwise be treated confidentially by the proponent.

The attached conditions specify plans and methods of site protection and restoration to be followed by the permittee if an archaeological site is encountered or disturbed in the course of the land use activity.

Sincerely,

Julie Ross
for Douglas Stenton
Director, Culture and Heritage
Department of Culture, Language, Elders and Youth

Encl.



ARCHAEOLOGICAL AND PALAEOONTOLOGICAL RESOURCES TERMS AND CONDITIONS FOR LAND USE PERMIT HOLDERS

BACKGROUND

Archaeology

As stated in Article 33 of the Nunavut Land Claims Agreement:

The archaeological record of the Inuit of Nunavut is a record of Inuit use and occupancy of lands and resources through time. The evidence associated with their use and occupancy represents a cultural, historical and ethnographic heritage of Inuit society and, as such, Government recognizes that Inuit have a special relationship with such evidence, which shall be expressed in terms of special rights and responsibilities. [33.2.1]

The archaeological record of Nunavut is of spiritual, cultural, religious and educational importance to Inuit. Accordingly, the identification, protection and conservation of archaeological sites and specimens and the interpretation of the archaeological record is of primary importance to Inuit and their involvement is both desirable and necessary. [33.2.2]

In recognition of the cultural, spiritual and religious importance of certain areas in Nunavut to Inuit, Inuit have special rights and interests in these areas as defined by Article 33 of the Nunavut Land Claims Agreement. [33.2.5]

Palaeontology

Under the Nunavut Act¹, the federal government can make regulations for the protection, care and preservation of palaeontological sites and specimens in Nunavut. Under the *Nunavut Archaeological and Palaeontological Sites Regulations*², it is illegal to alter or disturb any palaeontological site in Nunavut unless permission is first granted through the permitting process.

Definitions

As defined in the *Nunavut Archaeological and Palaeontological Sites Regulations*, the following definitions apply:

“archaeological site” means a place where an archaeological artifact is found.

¹ s. 51(1)

² P.C. 2001-1111 14 June, 2001

“archaeological artifact” means any tangible evidence of human activity that is more than 50 years old and in respect of which an unbroken chain of possession or regular pattern of usage cannot be demonstrated, and includes a Denesuline archaeological specimen referred to in section 40.4.9 of the Nunavut Land Claims Agreement.

“palaeontological site” means a site where a fossil is found.

“fossil” includes:

- (a) natural casts
- (b) preserved tracks, coprolites and plant remains; and
- (c) the preserved shells and exoskeletons of invertebrates and the eggs, teeth and bones of vertebrates.

Terms and Conditions

- 1) The permittee shall not operate any vehicle over a known or suspected archaeological or palaeontological site.
- 2) The permittee shall not remove, disturb, or displace any archaeological artifact or site, or any fossil or palaeontological site.
- 3) The permittee shall immediately contact the Department of Culture, Language, Elders and Youth (867) 934-2046 or (867) 975-5500 or 1 (866) 934-2035 should an archaeological site or specimen, or a palaeontological site or fossil be encountered or disturbed by any land use activity.
- 4) The permittee shall immediately cease any activity that disturbs an archaeological or palaeontological site encountered during the course of a land use operation, until permitted to proceed with the authorization of the Department of Culture, Language, Elders and Youth, Government of Nunavut.
- 5) The permittee shall follow the direction of the Department of Culture, Language, Elders and Youth and DIAND in restoring disturbed archaeological or palaeontological sites to an acceptable condition.
- 6) The permittee shall provide all information requested by the Department of Culture, Language, Elders and Youth concerning all archaeological sites or artifacts and all palaeontological sites and fossils encountered in the course of any land use activity.
- 7) The permittee shall make best efforts to ensure that all persons working under authority of the permit are aware of these conditions concerning archaeological sites and artifacts, and palaeontological sites and fossils.
- 8) The permittee shall avoid the known archaeological and/or palaeontological sites listed in Attachment 1.

9) The permittee shall have an archaeologist or palaeontologist perform the following functions, as required by the Department of Culture, Language, Elders and Youth:

- a) survey
- b) inventory and documentation of the archaeological or palaeontological resources of the land use area
- c) assessment of potential for damage to archaeological or palaeontological sites
- d) mitigation
- e) marking boundaries of archaeological or palaeontological sites
- f) site restoration

The Department of Culture, Language, Elders and Youth shall authorize by way of a Nunavut Archaeologist Permit or a Nunavut Palaeontologist Permit, all procedures subsumed under the above operations.

Borden No.	NkFt-1	Class.	undetermined
Latitude	69 44 05 N		
Longitude	078 23 37 W	Borden No.	NgFv-1
Map No.	37C	Latitude	69 05 42 N
Class.	prehistoric; indigenous historic	Longitude	079 07 04 W
		Map No.	37C/4
		Class.	prehistoric
Borden No.	NIFu-1	Borden No.	NgFv-4
Latitude	69 53 18 N	Latitude	69 06 05 N
Longitude	078 48 07 W	Longitude	079 07 19 W
Map No.	37C	Map No.	37C/4
Class.	prehistoric; indigenous historic; contemporary	Class.	prehistoric
Borden No.	NfFj-1	Borden No.	NgFv-5
Latitude	68 55 46 N	Latitude	69 06 07 N
Longitude	075 15 49 W	Longitude	079 07 24 W
Map No.	37A	Map No.	37C/4
Class.	contemporary	Class.	prehistoric
Borden No.	NfFj-2	Borden No.	NgFv-6
Latitude	68 54 20 N	Latitude	69 06 06 N
Longitude	075 02 30 W	Longitude	079 07 24 W
Map No.	37A	Map No.	37C/4
Class.	prehistoric	Class.	prehistoric
Borden No.	NgFi-1	Borden No.	NgFv-7
Latitude	69 05 40 N	Latitude	69 06 04 N
Longitude	074 49 30 W	Longitude	079 07 21 W
Map No.	37D	Map No.	37C/4
Class.	undetermined	Class.	prehistoric
Borden No.	NkFn-1	Borden No.	NgFv-8
Latitude	69 42 30 N	Latitude	69 06 03 N
Longitude	076 35 00 W	Longitude	079 07 24 W
Map No.	37C	Map No.	37C/4
Class.	undetermined	Class.	prehistoric
Borden No.	NkFn-2	Borden No.	NgFv-9
Latitude	69 42 00 N	Latitude	69 06 02 N
Longitude	076 31 00 W	Longitude	079 07 20 W
Map No.	37C	Map No.	37C/4
Class.	undetermined	Class.	prehistoric
Borden No.	NiFI-1	Borden No.	NgFv-10
Latitude	69 22 20 N	Latitude	69 06 09 N
Longitude	075 57 00 W	Longitude	079 07 28 W
Map No.	37D	Map No.	37C/4
Class.	indigenous historic; contemporary	Class.	prehistoric; indigenous historic
Borden No.	NkFo-1	Borden No.	NgFv-11
Latitude	69 45 35 N	Latitude	69 04 29 N
Longitude	077 00 30 W	Longitude	079 08 16 W
Map No.	37C	Map No.	37C/4
		Class.	prehistoric

Borden No.	NgFv-12	Latitude	69 05 26 N
Latitude	69 04 39 N	Longitude	079 05 44 W
Longitude	079 08 41 W	Map No.	37C/4
Map No.	37C/4	Class.	prehistoric
Class.	prehistoric	Borden No.	NgFv-22
Borden No.	NgFv-13	Latitude	69 05 36 N
Latitude	69 04 32 N	Longitude	079 05 20 W
Longitude	079 09 02 W	Map No.	37C/4
Map No.	37C/4	Class.	prehistoric
Class.	prehistoric	Borden No.	NgFv-23
Borden No.	NgFv-14	Latitude	69 05 31 N
Latitude	69 04 23 N	Longitude	079 04 54 W
Longitude	079 09 18 W	Map No.	37C/4
Map No.	37C/4	Class.	prehistoric
Class.	prehistoric	Borden No.	NgFv-24
Borden No.	NgFv-15	Latitude	69 05 44 N
Latitude	69 05 26 N	Longitude	079 03 03 W
Longitude	079 07 06 W	Map No.	37C/4
Map No.	37C/4	Class.	prehistoric
Class.	prehistoric	Borden No.	NgFv-25
Borden No.	NgFv-16	Latitude	69 06 38 N
Latitude	69 06 06 N	Longitude	079 01 29 W
Longitude	079 07 35 W	Map No.	37C/4
Map No.	37C/4	Class.	prehistoric
Class.	prehistoric	Borden No.	NgFv-26
Borden No.	NgFv-17	Latitude	69 06 48 N
Latitude	69 03 02 N	Longitude	079 00 04 W
Longitude	079 12 49 W	Map No.	37C/4
Map No.	37C/4	Class.	prehistoric
Class.	prehistoric	Borden No.	NgFu-1
Borden No.	NgFv-18	Latitude	69 06 26 N
Latitude	69 00 45 N	Longitude	078 59 40 W
Longitude	079 13 32 W	Map No.	37C/3
Map No.	37C/4	Class.	prehistoric
Class.	prehistoric	Borden No.	NgFv-27
Borden No.	NgFv-19	Latitude	69 05 40 N
Latitude	69 05 22 N	Longitude	079 04 26 W
Longitude	079 05 35 W	Map No.	37C/4
Map No.	37C/4	Class.	prehistoric
Class.	prehistoric	Borden No.	NgFv-28
Borden No.	NgFv-20	Latitude	69 05 40 N
Latitude	69 05 27 N	Longitude	079 04 21 W
Longitude	079 05 56 W	Map No.	37C/4
Map No.	37C/4	Class.	prehistoric
Class.	indigenous historic	Borden No.	NgFv-29
Borden No.	NgFv-21	Latitude	69 02 22 N
		Longitude	079 03 05 W

Map No. Class.	37C/4 prehistoric	Borden No. Latitude Longitude Map No. Class.	NgFu-5 69 02 44 N 078 45 19 W 37C/3 prehistoric
Borden No. Latitude Longitude Map No. Class.	NgFv-30 69 06 28 N 079 02 15 W 37C/4 prehistoric	Borden No. Latitude Longitude Map No. Class.	NgFu-6 69 00 13 N 078 45 24 W 37C/3 prehistoric
Borden No. Latitude Longitude Map No. Class.	NgFv-31 69 06 51 N 079 01 25 W 37C/4 prehistoric	Borden No. Latitude Longitude Map No. Class.	NgFu-7 69 00 01 N 078 45 36 W 37C/3 prehistoric
Borden No. Latitude Longitude Map No. Class.	NgFv-32 69 06 52 N 079 00 54 W 37C/4 prehistoric	Borden No. Latitude Longitude Map No. Class.	NfFu-1 68 59 49 N 078 45 38 W 37B/14 prehistoric
Borden No. Latitude Longitude Map No. Class.	NgFv-33 69 06 52 N 079 00 17 W 37C/4 prehistoric	Borden No. Latitude Longitude Map No. Class.	NgFv-36 69 06 57 N 079 01 23 W 37C/4 undetermined
Borden No. Latitude Longitude Map No. Class.	NgFu-2 69 06 24 N 078 56 01 W 37C/3 prehistoric	Borden No. Latitude Longitude Map No. Class.	NgFv-37 69 07 06 N 079 00 29 W 37C/4 prehistoric; indigenous historic
Borden No. Latitude Longitude Map No. Class.	NgFu-3 69 08 14 N 078 54 11 W 37C/3 undetermined	Borden No. Latitude Longitude Map No. Class.	NgFu-8 69 08 17 N 078 54 01 W 37C/3 prehistoric; indigenous historic
Borden No. Latitude Longitude Map No. Class.	NgFv-34 69 06 01 N 079 02 51 W 37C/4 prehistoric	Borden No. Latitude Longitude Map No. Class.	NgFu-9 69 09 29 N 078 50 21 W 37C/3 prehistoric
Borden No. Latitude Longitude Map No. Class.	NgFv-35 69 05 22 N 079 06 07 W 37C/4 prehistoric	Borden No. Latitude Longitude Map No. Class.	NhFu-1 69 10 05 N 078 51 00 W 37C/3 prehistoric
Borden No. Latitude Longitude Map No. Class.	NgFu-4 69 03 01 N 078 55 59 W 37C/3 prehistoric		

Borden No.	NhFu-2
Latitude	69 10 07 N
Longitude	078 50 59 W
Map No.	37C/3
Class.	prehistoric
Borden No.	NgFu-10
Latitude	69 09 43 N
Longitude	078 50 15 W
Map No.	37C/3
Class.	prehistoric
Borden No.	NgFu-11
Latitude	69 09 44 N
Longitude	078 50 13 W
Map No.	37C/3
Class.	prehistoric
Borden No.	NgFu-12
Latitude	69 09 55 N
Longitude	078 50 22 W
Map No.	37C/3
Class.	prehistoric; indigenous historic
Borden No.	NhFu-3
Latitude	69 10 08 N
Longitude	078 50 27 W
Map No.	37C/3
Class.	prehistoric