



SCREENING DECISION REPORT NIRB FILE NO.: 08EN024

INAC File No: N2008C0010
NWB File No.2BE-BUG-0712/GA/B1

April 30, 2008

Honourable Chuck Strahl
Minister of Indian & Northern Affairs Canada
Gatineau, QC

Via Email: Strahl.C@parl.gc.ca

Re: Screening Decision for UR-Energy Inc.'s "Nowlewe Lake / BUGS Uranium Exploration" Project Proposal

Dear Honourable Minister:

The primary objectives of the Nunavut Land Claims Agreement are set out in section 12.2.5 of the Land Claims Agreement. This section reads:

In carrying out its functions, the primary objectives of the Nunavut Impact Review Board (NIRB or Board) shall be at all times to protect and promote the existing and future well-being of the residents and communities of the Nunavut Settlement Area, and to protect the ecosystemic integrity of the Nunavut Settlement Area. NIRB shall take into account the well-being of the residents of Canada outside the Nunavut Settlement Area.

Section 12.4.4 of the Nunavut Land Claim Agreement (NLCA) states:

Upon receipt of a project proposal, NIRB shall screen the proposal and indicate to the Minister in writing that:

- a) the proposal may be processed without a review under Part 5 or 6; NIRB may recommend specific terms and conditions to be attached to any approval, reflecting the primary objectives set out in Section 12.2.5;
- b) the proposal requires review under Part 5 or 6; NIRB shall identify particular issues or concerns which should be considered in such a review;
- c) the proposal is insufficiently developed to permit proper screening, and should be returned to the proponent for clarification; or
- d) the potential adverse impacts of the proposal are so unacceptable that it should be modified or abandoned.

NIRB Assessment and Decision

After a thorough assessment of all material provided to the Board (please see Procedural History and Project Activities in **Appendix A**), in accordance with the principles identified within Section 12.4.2 of the NLCA, the decision of the Board as per Section 12.4.4 of the NLCA is:

12.4.4 (a): the proposal may be processed without a review under Part 5 or 6; NIRB may recommend specific terms and conditions to be attached to any approval, reflecting the primary objectives set out in Section 12.2.5.

Recommended Terms and Conditions, pursuant to Section 12.4.4(a) of the NLCA

The Board is recommending the following or similar project-specific terms and conditions be imposed upon the Proponent through all relevant legislation:

General

1. UR-Energy Inc. (the Proponent) shall maintain a copy of the Screening Decision issued by the Nunavut Impact Review Board (NIRB or Board) at the site of operation at all times and shall ensure that all employees/contractors associated with the project are aware of the terms and conditions contained therein.
2. The Proponent shall forward copies of all permits required for this project to the NIRB prior to the commencement of the project.
3. The NIRB shall be notified of any changes in operating plans or conditions associated with this project prior to any such change.
4. The Proponent shall operate the project in accordance with commitments stated in all documentation provided to the NIRB and in compliance with all applicable Acts, Regulations and Guidelines.
5. The Proponent shall submit to the NIRB, Indian and Northern Affairs Canada (INAC), Environment Canada (EC), Beverly and Qamanirjuaq Caribou Management Board (BQCMB), and the Government of Nunavut – Department of Environment (GN-DoE), the following information prior to commencement of project activities:
 - a. The make and model of the incinerator the Proponent proposes to use.
 - b. The planned flight timing, location and schedules of airborne surveys.
6. The Proponent shall submit a comprehensive annual report to the NIRB, INAC, GN-DoE and Environment Canada (EC) by January 31st of each year of project activities. The report must contain, but not be limited to, the following information:
 - a. A summary of activities undertaken for the reporting year, including local hires and initiatives;
 - b. A work plan for the following year, including any progressive reclamation work to be undertaken;
 - c. A wildlife monitoring report with a “Wildlife Log” with records and maps of wildlife observations and critical habitats including:
 - Location (i.e., latitude and longitude);
 - Species;
 - Number of animals;
 - Description of the gender and age (young present?) of animals if possible;
 - Description of the animal activity (behaviour prior to encounter and response to human presence);
 - Observations and locations of denning, calving areas, caribou crossings, raptor nests;
 - Timing of critical life history events observed such calving, mating, denning, nesting;

- All potential impacts to wildlife from project activities;
 - All actions / mitigation taken to reduce adverse impacts to wildlife; and
 - An analysis of the effectiveness of mitigation measures implemented with regards to wildlife based on the results of the “Wildlife Log”.
- d. A discussion regarding the steps taken (including any baseline work conducted) by the Proponent to thoroughly identify, analyze and manage the environmental impacts and cumulative effects from the project activities, particularly in respect to barren ground caribou;
 - e. Site photos;
 - f. Efforts made to achieve compliance with the *Canadian Wide Standards for Dioxins and Furans*, and the *Canadian Wide Standards for Mercury*; and
 - g. A summary of how the Proponent has complied with the NIRB terms and conditions contained within this Screening Decision, and the terms and conditions associated with all authorizations for the project.

Fuel Storage and Spill Contingency Plan

7. The Proponent shall use self-supporting insta berms at barreled fuel catch locations, and drip pans or other similar preventative measures when refueling equipments at the project site.
8. The Proponent shall immediately report any spill of fuel or hazardous materials, adjacent to or into a water body, regardless of quantity, to the NWT/NU 24-hour Spill Line (867) 920-8130.
9. The Proponent shall remove and treat hydrocarbon contaminated soils on site, or transport and treat contaminated soils at an approved disposal site.

Waste Management:

10. The Proponent shall ensure camp sewage is directed to a properly constructed sump instead of relying on a natural depression, unless the depression is situated in such a manner as to ensure sewage does not leach into any surrounding water body.
11. The Proponent shall incinerate all combustible and food wastes daily in an appropriate device to ensure the complete combustion of wastes. A dual chamber, forced-air incinerator is recommended.
12. The Proponent shall ensure that the disposal of combustible camp wastes comply with the *Canada-Wide Standards for Dioxins and Furans*, and the *Canada-Wide Standards for Mercury emissions*, Efforts made to achieve compliance shall be reported as part of the annual report.
13. The Proponent shall ensure that no waste oil will be incinerated on site. All waste oil will be transported off site and disposed of in an approved facility. A waste manifest must accompany the shipment of all waste oil products and all parties must register at GN-DoE with Robert Eno at reno@gov.nu.ca or (867) 975-7748.

Wildlife

14. The Proponent shall ensure that there is no damage to wildlife habitat as a result of project activities.
15. The Proponent shall ensure that there is no hunting or fishing by employees of the company, or any hired contractors, unless the proper Nunavut authorizations have been obtained.
16. The Proponent shall ensure that unless there is a specific requirement for low level flights, aircraft maintain a minimum altitude of 610 meters above ground level in places where there are occurrences of wildlife. In areas where there are observed large concentrations of birds, flight level is restricted to 1,000 meters vertical distance and 1,500 meters horizontal distance from the birds. It is recommended aircraft avoid critical and sensitive wildlife areas at all times by choosing alternate flight corridors
17. The Proponent is required to implement the following mitigation measurements regarding caribou:

- During the period of May 15 to July 15, when caribou are observed calving in the project area the Proponent shall suspend all operations, particularly overflights by aircraft of less than 610 m above ground, and the use of snowmobiles and ATV's (all-terrain vehicles) outside the immediate vicinity of the camp. Furthermore, following July 15, when caribou with new calves are observed in the area, all project activities shall be suspended.
 - Flights of less than 610 m above ground should be avoided when caribou are in sight of the project area.
 - During caribou migration, the proponent shall not locate or operate so as to block or cause diversion to migrating caribou. The Proponent shall cease activities that may interfere with migration such as airborne geophysics surveys or movement of equipment or personnel, until the caribou have passed.
 - Between May 15 and September 1, the Proponent shall not construct any camp, cache any fuel, conduct drilling operations, operate ground, air or water based mobile equipment, including geophysics surveys, within 10 km of caribou crossings.
18. The Proponent shall not disturb nesting raptors from April 15 to September 1, keeping at least 1.5 km away from known nest sites when in transit by aircraft and avoiding approaching nests closely while on foot.
 19. The Proponent should be aware that the proposed area for the project is near the Thelon Wildlife Sanctuary, which is located 120 km to the north of the project area. Therefore, the proponent should avoid aircraft disturbance when conduct airborne geophysical works. This includes ensuring no low-level flights over this area during the project operation.
 20. The Proponent should follow procedures outlined in the "Safety in Bear Country Manual", and should contact the Regional Biologist or the Wildlife Manager indicated below for information and advice on measures which should be taken to minimize the possibility of bear-human conflicts. GN wildlife contact: Manager: Dan Shewchuk, (867) 857-2828, dshewchuk@gov.nu.ca . Biologist (Kivalliq Region): Mitch Campbell, (867) 857-2828, mcampbell@gov.nu.ca

Drilling and Disposal of Related Radioactive Substances

21. The Canadian Environmental Protection Act lists calcium chloride (CaCl) as a toxic substance. The Proponent shall therefore ensure that if CaCl is used as a drill additive, all sumps containing CaCl are properly constructed and located in such a manner to ensure that the contents will not enter any water body.
22. The Proponent shall ensure that all drill holes are sealed by cementing (grouting) the upper 30 meters of the bedrock or the entire depth of the holes; whichever is less. Drill holes that encounter uranium mineralization with a content greater than 1.0 % over a length of one (1) metre with a metre-percent concentration greater than 5 % should be sealed by cementing over the entire mineralization zone; this should be at least ten (10) metres above and below each mineralization zone.
23. The Proponent shall ensure that drill cuttings with a uranium concentration greater than 0.05% should be disposed of down the drill hole and the hole subsequently sealed.
24. The Proponent shall ensure that core storage shacks/tents are well ventilated and remain open when employees or contractors are working within. Core storage areas should be located at least 100 metres from the high water mark of all water bodies. Gamma radiation levels of a long-term core storage area should not be greater than 1.0 µSv, and should never exceed 2.5 µSv. Instruments that measure radiation in counts per second should be converted to µS.
25. The Proponent is advised that if artesian flow is encountered, drill holes must be immediately plugged and permanently sealed.

Physical Environment

26. The Proponent shall ensure that all camps are located on gravel, sand or other durable land.
27. The Proponent shall not move any equipment or vehicles unless the ground surface is in a state capable of fully supporting the equipment or vehicles without rutting or gouging. The Proponent shall suspend overland travel of equipment or vehicles if rutting occurs.
28. The Proponent shall ensure that the land use area is kept clean and tidy at all times.

Others

29. The Proponent shall adhere to conditions stated in attached **Appendix C: Archaeological and Palaeontological Resources – Terms and Conditions for Land Use Permit Holders.**

OTHER NIRB CONCERNS AND RECOMMENDATIONS

As project activities would be taking place in the range (pre and post calving migration) of the Beverly and Ahiak caribou herds, and also in close proximity to the Nunavut / NWT Boundary, the following are recommended:

Indian and Northern Affairs Canada (INAC)

- INAC impose strict mitigation measures, conditions and monitoring requirements, pursuant to the Federal Land Use Permit, which require UR-Energy Inc. to respect the ecosystem in the project area. These mitigation measures, conditions and monitoring requirements should be in regard to:
 - Wildlife and habitats protection.
 - Routings, timing and locations of airborne geophysics.
 - Use, storage, handling and disposal of chemicals or toxic materials.
 - Petroleum fuel storage.
 - Matters not consistent with the Regulations.
- INAC should consider the importance of conducting regular land use inspections, pursuant to the authority of the Federal Land Use Permit, while the project is in operation. The inspections should be focused on ensuring the Proponent is in compliance with the DIAND Caribou Protection Measures and the conditions imposed through the Federal Land Use Permit.

Government of Nunavut – Department of Environment (GN-DoE)

- The GN-DoE should conduct a review of “wildlife log” results following submission of the required annual report by March 31, annually. GN-DoE should report its findings to NIRB and INAC regarding the possible impacts of the project on the Beverly and Ahiak caribou herds, as well as any recommendations regarding mitigation measures to minimize the associated impacts.
- Territorial and federal government agencies in Nunavut should work together with Regional Inuit Associations, co-management boards and industry to develop an action plan to identify and mitigate potential cumulative effects of human land use activities, including mineral exploration, on barren-ground caribou. This assessment of cumulative effects should occur at a regional scale (i.e., larger than individual project areas).

Regulatory Requirements

The Proponent is also advised that the following legislation may apply to the project:

1. Section 36(3) of the *Fisheries Act* (<http://laws.justice.gc.ca/en/showtdm/cs/F-14///en>) which states that no person shall deposit or permit the deposit of a deleterious substance in any type in water frequented by fish or in any place under any conditions where the deleterious substance may enter such a water body.
2. The Proponent shall ensure compliance with the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* which states that “no person shall use, or permit the use of, waters in Nunavut except in accordance with the conditions of a licence,” and “no person shall deposit or permit the deposit of waste (a) in waters in Nunavut; or (b) in any other place in Nunavut under conditions in which the waste, or any other waste that results from the deposit of that waste, may enter waters in Nunavut” (<http://www.canlii.org/ca/sta/n-28.8/whole.html>).
3. The *Migratory Birds Convention Act* and *Migratory Birds Regulations* which state that no person disturb or destroy the nests or eggs of migratory birds, and that no person shall deposit or permit to be deposited oil, oil wastes or any other substance harmful to migratory birds in any waters or any area frequented by migratory birds (<http://laws.justice.gc.ca/en/showtdm/cs/M-7.01>)
4. *The Species at Risk Act* (<http://laws.justice.gc.ca/en/showtdm/cs/S-15.3>). Attached in **Appendix B** is a list of Species at Risk in Nunavut. The Proponent should consult the Species at Risk Public Registry (<http://www.sararegistry.gc.ca/>) to identify any Species at Risk within the project location. Further, the Proponent shall develop monitoring plans for each relevant Species at Risk in accordance with any applicable status reports, recovery strategies, action plans, and management plans posted on the Species at Risk Public Registry and in consultation with the Government Organization with Primary Management Responsibility. Monitoring plans should record the locations and frequency of observing species of special concern and note any actions taken to avoid contact or cause disturbance to the species, its residence, or its critical habitat.
5. The *Nunavut Act* (<http://laws.justice.gc.ca/en/showtdm/cs/N-28.6>) which requires that no person alter or disturb any archaeological or palaeontological sites in Nunavut unless permission is first granted through the permitting process. If any archaeological or palaeontological sites are found they should remain undisturbed and their location should be reported to the Government of Nunavut Department of Culture, Language, Elders and Youth. The Proponent must comply with the proposed terms and conditions listed in the attached **Appendix C**.
6. The *Transportation of Dangerous Goods Regulations*, *Transportation of Dangerous Goods Act* (<http://www.tc.gc.ca/tdg/menu.htm>), and the *Environmental Protection Act* (<http://laws.justice.gc.ca/en/C-15.31/text.html>) which present the requirements for the handling, storing, managing and transportation of dangerous goods, including hazardous wastes, fuel and contaminated material. The Proponent must ensure that proper shipping documents accompany all movements of dangerous goods. The Proponent must register with GN-DOE by contacting Robert Eno at 867-975-7748 or reno@gov.nu.ca.

The Proponent will also be advised that all releases of harmful substances are immediately reportable where the release:

- a. Is near or into a water body;
- b. Is near or into a designated sensitive environment or sensitive wildlife habitat;
- c. Poses an imminent threat to human health or safety; or
- d. Poses an imminent threat to a listed species at risk or its critical habitat

Validity of Land Claims Agreement

Section 2.12.2

Where there is any inconsistency or conflict between any federal, territorial and local government laws, and the Agreement, the Agreement shall prevail to the extent of the inconsistency or conflict.

Dated April 30, 2008 at Sanikiluaq, NU.



Lucassie Arragutainaq, Chair

APPENDIX A

Procedural History and Project Activities

Procedural History

On February 29, 2008 the Nunavut Impact Review Board (NIRB or Board) received a positive conformity determination (Keewatin Land Use Plan) for UR-Energy Inc.'s *Nowleye Lake / BUGS Uranium Exploration* project proposal from the Nunavut Planning Commission. On March 13, 2008 the NIRB received a Class A Land Use Permit Application from Indian and Northern Affairs Canada (INAC) for the proposed project.

The NIRB has assigned this project proposal file number **08EN024**. After a preliminary-completeness check, NIRB acknowledged the receipt of the application on March 17, 2008 and requested UR-Energy Inc. provide additional information in order to conduct a Part 4 Screening. NIRB received requested information from UR-Energy Inc. on March 27, 2008.

On March 27, 2008 this project proposal was distributed to the following parties as well as interested Federal and Territorial agencies for commenting:

- the communities of Arviat, Whale Cove and Baker Lake;
- interested Federal and Territorial Agencies and Inuit Organizations; and
- The Athabasca Denesuline, Ferguson Lake Natives, World Wildlife Fund Canada, and Mackenzie Valley Environmental Impact Review Board.

On or before April 17, 2008 the NIRB received comments from the following parties:

- Environment Canada (EC)
- Government of Nunavut, Department of Environment (GN-DoE)
- Beverly and Qamanirjuaq Caribou Management Board (BQCMB)

All comments provided to NIRB regarding this project proposal can be viewed on NIRB's ftp-site, at the following location:

[http://ftp.nirb.ca/-/SCREENINGS/COMPLETED_SCREENINGS/2008_SCREENINGS/08EN024-UR Energy Inc/](http://ftp.nirb.ca/-/SCREENINGS/COMPLETED_SCREENINGS/2008_SCREENINGS/08EN024-UR_Energy_Inc/)

Project Activities

The proposed project is located on crown land in the Nowleye Lake area of the Kivalliq Region approximately 370 km south of Baker Lake, 400 km west of Arviat and 390 km north of Stony Rapids, Saskatchewan. The Thelon Wildlife Sanctuary is located 120 km to the north of the project area. UR-Energy Inc. intends to conduct exploration activities for uranium and thorium on their BUG property. The proposed exploration activities are expected to be carried out between May and September in 2008 and 2009.

The proposed project activities include:

- Camp construction (10-14 people)
- Diamond drilling (10 – 15 holes per year; 100-200 metres in depth)

- Prospecting, mapping
- Geophysical surveys (ground and airborne)
- Radon surveys
- Collection of surface rock samples
- Fuel transport and temporary storage
- Transportation (fixed wing and helicopter)
- Water use
- Storage of chemicals and hazardous materials
- Production and disposal of associated waste

APPENDIX B

Species at Risk in Nunavut

This list includes species listed on one of the Schedules of SARA (*Species at Risk Act*) and under consideration for listing on Schedule 1 of SARA. These species have been designated as at risk by COSEWIC (Committee on the Status of Endangered Wildlife in Canada). This list may not include all species identified as at risk by the Territorial Government.

- Schedule 1 is the official legal list of Species at Risk for SARA. SARA applies to all species on Schedule 1. The term “listed” species refers to species on Schedule 1.
- Schedule 2 and 3 of SARA identify species that were designated at risk by the COSEWIC prior to October 1999 and must be reassessed using revised criteria before they can be considered for addition to Schedule 1.
- Some species identified at risk by COSEWIC are “pending” addition to Schedule 1 of SARA. These species are under consideration for addition to Schedule 1, subject to further consultation or assessment.

Schedules of SARA are amended on a regular basis so it is important to periodically check the SARA registry (www.sararegistry.gc.ca) to get the current status of a species.

Updated: January 3, 2007

Species at Risk	COSEWIC Designation	Schedule of SARA	Government Organization with Lead Management Responsibility ¹
Eskimo Curlew	Endangered	Schedule 1	EC
Ivory Gull	Endangered ²	Schedule 1	EC
Peregrine Falcon (subspecies anatum)	Threatened	Schedule 1	Government of Nunavut
Ross's Gull	Threatened	Schedule 1	EC
Harlequin Duck (Eastern population)	Special Concern	Schedule 1	EC
Felt-leaf Willow	Special Concern	Schedule 1	Government of Nunavut
Peregrine Falcon (subspecies tundrius)	Special Concern	Schedule 3	Government of Nunavut
Short-eared Owl	Special Concern	Schedule 3	Government of Nunavut
Fourhorn Sculpin	Special Concern	Schedule 3	DFO
Peary Caribou	Endangered ³	Pending	Government of Nunavut
Beluga Whale (Eastern Hudson Bay population)	Endangered	Pending	DFO
Beluga Whale (Cumberland Sound population)	Threatened	Pending	DFO
Beluga Whale (Western Hudson Bay)	Special Concern	Pending	DFO

population)			
Beluga Whale (Eastern High Arctic – Baffin Bay population)	Special Concern	Pending	DFO
Bowhead Whale (Hudson Bay-Foxe Basin population)	Threatened ⁴	Pending	DFO
Bowhead Whale (Davis Strait-Baffin Bay population)	Threatened ⁴	Pending	DFO
Porsild's Bryum	Threatened	Pending	Government of Nunavut
Atlantic Walrus	Special Concern	Pending	DFO
Narwhal	Special Concern	Pending	DFO
Rusty Blackbird	Special Concern	Pending	Government of Nunavut
Barren-ground Caribou (Dolphin and Union population)	Special Concern ³	Pending	Government of Nunavut
Grizzly Bear	Special Concern	Pending	Government of Nunavut
Polar Bear	Special Concern	Pending	Government of Nunavut
Wolverine (Western Population)	Special Concern	Pending	Government of Nunavut

¹ Environment Canada has a national role to play in the conservation and recovery of Species at Risk in Canada, as well as responsibility for management of birds described in the Migratory Birds Convention Act (MBCA). Day-to-day management of terrestrial species not covered in the MBCA is the responsibility of the Territorial Government. Populations that exist in National Parks are also managed under the authority of the Parks Canada Agency. EC = Environment Canada, DFO = Department of Fisheries and Oceans

² Designated as Endangered by COSEWIC in April 2006 and it is expected that the category of concern in SARA will also be changed from Special Concern to Endangered.

³ Peary Caribou was split into three separate populations in 1991: Banks Island (Endangered), High Arctic (Endangered) and Low Arctic (Threatened) populations. The Low Arctic population also included the Barren-ground Caribou - Dolphin and Union population. In May 2004 all three population designations were de-activated, and the Peary Caribou, *Rangifer tarandus pearyi*, was assessed separately from the Barren-ground Caribou (Dolphin and Union population), *Rangifer tarandus groenlandicus*. The subspecies *pearyi* is composed of a portion of the former "Low Arctic population" and all of the former "High Arctic" and "Banks Island" populations, and it was designated Endangered in May 2004. Although SARA lists Peary Caribou on Schedule 2 as three separate populations, the most current designation is the COSEWIC designation of the subspecies *pearyi* as Endangered.

⁴ The "Eastern and Western Arctic populations" of Bowhead Whale were given a single designation of Endangered in April 1980 by COSEWIC. These were split into two populations to allow separate designations in April 1986. The Eastern population was not re-evaluated in April 1986, but retained the Endangered status of the original "Eastern and Western Arctic populations". The Eastern Arctic population was further split into two populations (Hudson Bay-Foxe Basin population and Davis Strait-Baffin Bay population) in May 2005, and both these populations were designated as Threatened. Both these populations are under consideration for addition to Schedule 1. Although SARA lists the Eastern Arctic population as Endangered (Schedule 2), the most current designation is the COSEWIC designations of the Hudson Bay-Foxe Basin and Davis Strait-Baffin Bay populations as Threatened.

APPENDIX C

Government of Nunavut – Department of Culture, Language, Elders and Youth Standard Terms and Conditions



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 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.