



NIRB File No. 09EN067

December 18, 2009

Distribution List

*Sent via email and/or fax*

**Re: NIRB Response to Parties' Request to Extend the Public Commenting Period for the Screening of Weststar Resources Corp.'s Ellesmere Island Coal Project Proposal**

Dear Parties:

Further to the Nunavut Impact Review Board's (NIRB or Board) letter of December 10, 2009, inviting interested parties to review Weststar Resources Corporation's "Ellesmere Island Coal" project proposal (Weststar) response submission and provide comments to the NIRB by December 16, 2009 the Board has received a request from the Government of Nunavut, Department of Environment (GN-DOE) to extend the deadline for comments to January 15, 2010. The GN-DOE request may be found at:

<http://ftp.nirb.ca/SCREENINGS/ACTIVE%20SCREENINGS/09EN067-Weststar%20Resources%20Corporation/1-SCREENING/02-DISTRIBUTION/CORRESPONDENCE/>

Given the number of issues addressed in Weststar's submission, the Board accepts that the six day review period was not sufficient for GN DOE to provide comments. Accordingly, and considering the upcoming holiday period, the Board is extending the deadline for comments to **January 15, 2010**. In formulating comments and recommendations to the Board, the NIRB asks that parties review their recommendations for consistency with the options available to the Board following a screening as set out in section 12.4.4 of the Nunavut Land Claims Agreement (NLCA).<sup>1</sup>

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<sup>1</sup> 12.4.4 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.

Further, in a letter dated October 26, 2009, the NIRB advised the Minister that a screening decision would not be made within the 45 day time period set out in section 12.4.5 of the NLCA, therefore additional time was required to screen the Weststar project proposal. At that time, the NIRB anticipated that the screening process would be completed by December 7, 2009. The Board is committed to ensuring that Weststar has a full and fair opportunity to respond to the parties comments prior to the Board making a screening decision. Accordingly, the NIRB will be advising the Minister that the anticipated completion date for the screening process is now February 15, 2010.

Please send any forthcoming comment submissions to [info@nirb.ca](mailto:info@nirb.ca) or via fax to (867) 983-2594, on or before **January 15, 2010**. If you have any questions or concerns, please contact me directly at (867) 983-4619 or [kgillard@nirb.ca](mailto:kgillard@nirb.ca).

Sincerely,

A handwritten signature in blue ink that reads "Kelli Gillard". The signature is fluid and cursive, with the first name "Kelli" and last name "Gillard" clearly distinguishable.

Kelli Gillard B.Sc., P.Ag.  
Technical Advisor

Cc: Chuck Strahl, Minister, Indian and Northern Affairs Canada