

NOTICE OF INDICATION NIRB FILE NO.: 09EN067

INAC File No.: N2009C0014 QIA File No.: LUA-2009-016

February 22, 2010

Spencer Dewar Manager, Land Administration Indian and Northern Affairs Canada Iqaluit, NU

Via email: spencer.dewar@inac-ainc.gc.ca

Re: Notice of Indication for Weststar Resources Corporation's "Ellesmere Island Coal Project" Proposal

Dear Mr. Dewar:

Enclosed is the Nunavut Impact Review Board (NIRB) Screening Decision Report to the Honourable Chuck Strahl, Minister of Indian and Northern Affairs Canada (INAC) for Weststar Resources Corporation's "Ellesmere Island Coal Project" in the Qikiqtani Region (NIRB File No. 09EN067).

NIRB has assessed this Project Proposal for ecosystemic and socio-economic impacts taking into consideration the comments from relevant authorities and communities. Based on this assessment NIRB's indication to the Minister is in accordance with **12.4.4** (**d**) which states the following:

"the potential adverse impacts of the proposal are so unacceptable that it should be modified or abandoned."

The enclosed NIRB Screening Decision for NIRB File Number 09EN067, signed on February 22, 2010 by Lucassie Arragutainaq at Sanikiluaq has been issued to the Minister responsible for INAC. As such, pursuant to Section 12.4.9 of the NLCA, after consultation with NIRB the Minister shall:

(a) return the proposal to the proponent for modification and resubmission to NIRB to be dealt with in accordance with Section 12.4.4;

- (b) where it appears to be in the national or regional interest that a proposal be reviewed, refer the proposal for review as provided in Sub-sections 12.4.7(a) or (b) accompanied by written reasons for that decision; or
- (c) inform the proponent that the project should be abandoned.

Please do not hesitate to contact me directly via email at <u>rbarry@nirb.ca</u> or by phone at (867) 983-4608 should you have any questions or require additional clarification regarding this file.

Sincerely,

Ryan Barry

Director, Technical Services Nunavut Impact Review Board

cc: Dean Besserer, Weststar Resources Corporation (<u>dbesserer@apexgeoscience.com</u>)

Stephen Bathory, Qikiqtani Inuit Association (landsdirector@qia.ca)

Phyllis Beaulieu, Nunavut Water Board (licensing@nunavutwaterboard.org)

Christopher Aquire, Transport Canada (christopher.aguirre@tc.gc.ca)

Julie Ross, Government of Nunavut - Culture, Language, Elders and Youth (jross@gov.nu.ca)

Attachment: NIRB Screening Decision Report (NIRB File No.: 09EN067)