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SCREENING DECISION**Date: July 27, 2001**

Mr. Thomas Kudloo
Chairperson, Nunavut Water Board
Gjoa Haven, NU

Dear Mr. Kudloo:

RE: Screening Decision of the Nunavut Impact Review Board (NIRB) on Application:
NIRB 01WN082 NWB2NAD
Mining Exploration and Campsite Nadluardjuk Lake

Authority:

Section 12.4.4 of the Nunavut Land Claim Agreement 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.

Primary Objectives:

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 NIRB 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.

The decision of the Board in this case 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;

Reasons for Decision:

NIRB's decision is based on specific considerations that reflect the primary objectives of the Land Claims Agreement. Our considerations in making this decision included:

- storage and disposal of chemicals, fuel, garbage, sewage, and gray water, and impact of these on the ecosystem;
- the impact of noise from helicopter and exploration activities and their disturbance to wildlife and traditional users of area;
- the impact of campsite and equipment on terrain;
- the impact of exploration activities on archaeological sites or cultural landmarks in the area; and
- clean up/restoration of the camp site upon abandonment.

Terms and Conditions:

That the terms and conditions attached to this screening report will apply.

Fuel Storage

1. The Licensee shall ensure that fuel storage containers are not located within thirty-one (31) metres of the ordinary high water mark of any body of water.
2. The Licensee shall ensure that any chemicals, fuels or wastes associated with the project do not spread to the surrounding lands or enter into any water body.
3. The Licensee shall construct an impermeable dyke around each stationary fuel container or group of stationary fuel containers where one container has the capacity exceeding 4,000 litres.
4. The Licensee shall take all reasonable precautions to prevent the possibility of migration of spilled petroleum fuel or chemicals over the ground surface.
5. The Licensee shall have one extra fuel storage container on site equal to, or greater than, the size of the largest fuel container.
6. The Licensee shall examine all fuel and chemical storage containers daily for leaks. All leaks should be prepared immediately.
7. The Licensee shall seal all container outlets except the outlet currently in use.
8. The Licensee shall mark all fuel containers with the Licensee's name.
9. The Licensee shall have an approved emergency response and spill contingency plans in place prior to the commencement of the operation.
10. The Licensee shall immediately report all spills of petroleum and hazardous chemicals to the twenty four (24) hour spill report line at (867) 920-8130.

Water

11. The Licensee shall ensure that all water intake hoses are equipped with a screen with an appropriate mesh size to ensure that there is no entrapment of fish.

Waste Disposal

12. The Licensee shall not discharge or deposit any refuse substances or other waste materials in any body of water, or on the banks thereof, which will impair the quality of the waters of the natural environment.
13. The Licensee shall not locate any sumps or areas designated for waste disposal within thirty-one (31) metres of the ordinary high water mark of any body of water, and be sufficiently bermed or otherwise contained to ensure that these substances do not enter a waterway unless otherwise authorized.
14. The Licensee shall backfill and recontour all sumps to match the natural environment prior to the expiry date of the license.
15. The Lessee shall not bury any metal wastes.
16. The Licensee shall incinerate all combustible and food wastes daily
17. The Licensee shall keep all garbage and debris in a covered metal container until disposed of.
18. The Licensee shall ensure that all wastes generated through the course of the operation are backhauled and disposed of in an approved dumpsite.

Wildlife

19. The Licensee shall ensure that there is no damage to wildlife habitat in conducting this operation.
20. The Licensee shall not feed wildlife.
21. The Licensee shall not hunt or fish, unless the appropriate permits and licenses are acquired from a GN Renewable Resources Officer.
22. The Licensee shall not locate any operation so as to block or cause substantial diversion to migration of caribou.
23. The Licensee shall cease activities that may interfere with migration or calving, such as airborne geophysics surveys or movement of equipment, drilling activities until the caribou and their calves have vacated the area.
24. The Licensee shall ensure that aircraft pilots adhere to recommended flight altitudes of greater than 300 m above ground level as to not disturb wildlife.
25. The Licensee shall ensure compliance with Section 36 of the Fisheries Act which requires that no person shall deposit or permit the deposit of a deleterious substance on any type in water frequented by fish or in any place under any conditions where the deleterious substance may enter such a water body.
26. The harmful alteration, disruption or destruction of fish habitat is prohibited under Section 35 of the Fisheries Act. No construction or disturbance of any stream/lake bed or banks of any definable watercourse is permitted unless authorized by DFO.

Attachments

27. The Licensee shall refer to the attached Department of Sustainable Development comments and recommendations and the Fisheries and Oceans letter of advice addressed to the Permittee.

Environmental

28. The Licensee shall ensure that the land use area is kept clean and tidy at all times.
29. The Licensee shall prepare the site in such a manner as to prevent rutting of the ground surface.
30. The Licensee shall be required to undertake any corrective measures in the event of any damage to the land or water as a result of the Licensee's operation.
31. The Licensee shall suspend overland travel of equipment or vehicles if rutting occurs.

Camp

32. The Licensee shall not erect structures or store material on the surface ice of lakes or streams.
33. The Licensee shall locate all structures and storage facilities on gravel, sand or other durable land.

Archaeological Sites

34. The Licensee shall follow all terms and conditions for the protection and restoration of archaeological resources as outlined by the Department of Culture, Language, Elders and Youths (CLEY) in attached letter.

Reclamation

35. The Licensee shall remove all scrap metal, discarded machinery and parts, barrels and kegs, buildings and building material upon abandonment.
36. The Licensee shall complete all clean-up and restoration of the lands used prior to the expiry date of the permit.

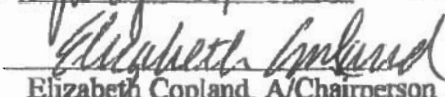
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2001-Jul-27 11:45am From-NUNAVUT IMPACT REVIEW BOARDFAX:867 896 960
+8679832584PAGE 1
T-451 P.003/004 F-364**Other Recommendations**

1. NIRB would like to encourage the proponent to hire local people and services, to the extent possible.
2. NIRB advises proponents to consult with local residents regarding their activities in the region.
3. The proponent should establish a log for wildlife and archaeological sightings and instruct personnel in its use. All information regarding wildlife should be reported to Brent Patterson 8670982-7244. All information regarding archaeological sites should be sent to Doug Stenton, Culture Language Elders and Youth (867-975-5500). As well as all information being passed on to the closest communities.
4. Any amendment requests deemed by NIRB to be outside the original scope of the project will be considered a new project.

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 July 27/01 at Whale Cove, NU


Elizabeth Copland, A/Chairperson

2. Authorizing Agencies

Authorizing Agency(ies): Kivalliq I.A., Kitikmeot I.A., QIA, NWB, NWMB, DIAND, DFO, DOE, NRL, RWED, Other: _____

Authorizing Agency Contact Person: Rita Becker
(office where project file is located, contact person, number)

Land Status: Inuit Owned ☒ Crown ☒ Commissioner's _____ Marine Areas _____

Type of Application: water licence
(e.g. water licence, land use permit, quarry permit, research permit, lease, reserve)

Type of Approval being sought: new
(e.g. new, renewal, amendment, cancellation)

Other required approvals, permits or licences: land use permit
(e.g. water licence, land use permit, quarry permit, lease, reserve)

Present Authorizations (active): NWMB/COO/20
(file number)

Previous Authorizations (inactive/expired): _____
(file number)

3. Project Location

Kivalliq _____ Kitikmeot _____ Baffin ☒

Land Use Planning Region: South Baffin
(e.g. West Kitikmeot, North Baffin, South Baffin, Kivalliq)

Geographic Place Name: Noelwardjok lake
(nearest place name or geographic feature)

Local/Traditional Name: _____

National Topographic Sheet (NTS) Number: 37A/D 27B/C Scale: _____

Latitude/Longitude: 66° 65' N, 78° 20' W
(degrees, minutes seconds)

Drainage Region and Watershed: _____
(nearest creek, river or lake system)

Nearest Settlement: Pangnirtung

Adjacent Settlement/Out-post camps: _____

Special Designation: No
(Yes/No - e.g. Heritage River, Wildlife Reserve, Park)

Does the project have Nunavut transboundary implications? Yes _____ No ☒

If yes, what additional procedures/contacts are needed? _____

4. Project Description and Assessment

Physical Work, Activity(ies): Camp, reconnaissance mapping
 (drilling, construction, camp, research, water works, installation, modification, maintenance)

Multiple Activities: Yes ☒ No ☐

Project Category Code: Point ☐ Multiple Points ☐ Linear ☐ Area ☒

Phase of Project: operations
 (exploration, bulk sampling, development, operations, decommissioning, abandonment restoration)

Project Description Summary (non-technical)

(duration of project, size of project, number of personnel on site, related physical activities, machinery used, fuels and chemical use and storage, associated infrastructure, methods of transportation, amount and source of resources needed eg. Gravel)

Attach Project Overview (English and Inuktitut)

Alternatives Considered:

(list all alternatives to the project and/or components of the project to avoid unnecessary amendments, (e.g. alternatives to location of ice road or camp logistics))

5. The Proponent's Public Consultation Process**Description of Proponent's Public Consultation Process**

Did proponent make use of traditional knowledge? Yes ☐ No ☐

Was information available in the community's preferred language? Yes ☐ No ☐

In NIRB's opinion, was the proponent's public consultation adequate? Yes ☐ No ☐

If no, explain why the proponent's consultation program was found deficient.

6. Description of the Environment

Description of Biophysical Environment

Description of Socio-Economic and Cultural Environment

The west coast of Baffin Island provided the Inuit residents in the past with caribou and walrus.

7. NIRB's Consultation Process

Date application referred for comments:

July 12, 2001
(yyyy-mm-dd)

yy-mm-dd

Deadline for comments:

July 16, 2001
(yyyy-mm-dd)

~~yyyy-mm-dd~~

Distribution List:

Contact Person:

Date comments received:

NUNAVUT:

☐ NTI
☐ QIA
☐ Kivalliq I.A.
☐ Kitikmeot I.A.
☐ NPC
☐ NWB
☐ NWMB
☐ RWO
☐ Inuit Heritage Trust
☒ Hamlet *Brought*
☐ Hamlet
☐ HTO
☐ HTO

QIA

Kivalliq I.A.

Kitikmeot I.A.

NPC

NWB

NWMB

RWO

Inuit Heritage Trust

✓ Hamlet Broughton Lookie Tramsie

Hamlet

HTO

НТО

July 13 W

FEDERAL:

DIAND-Nunavut

✓ DIAND-Water

DFO

DOE

Natural Resources

CCG

Sandwich

Friday 16/10/11

GOVERNMENT OF NUNAVUT:

DSD

CG&T

HSS

CLEY

Other?

TRANSBOUNDARY PARTIES

OTHER PARTIES

Identification of Project Activities and Environmental Effects

Identify all activities of the project under screening and their potential adverse environmental effects.

Project Activities

(✓ check all the items appropriate to this project)

- ☐ access road
 - ☐ winter
 - ☐ construction
 - ☐ abandonment/removal
 - ☐ modification e.g., widening
- ☒ tug/machine, aircraft or vessel movement
- ☒ blasting
- ☒ burning
- ☒ burning
- ☐ channeling
- ☐ construction
 - ☐ building
 - ☐ shed/warehouse
 - ☐ landing strip
- ☐ cut and fill
- ☐ removal of vegetation
- ☐ dams and impoundments
 - ☐ construction
 - ☐ abandonment/removal
 - ☐ modification
- ☐ ditch construction
- ☐ drainage alteration
- ☐ drilling other than geoscientific
- ☐ ecological surveys
- ☐ excavation
- ☐ explosive storage
- ☒ fuel storage
- ☒ garbage
 - ☐ disposal of hazardous waste
 - ☒ disposal of sewage or grey water
 - ☒ disposal of solid waste
- ☐ geoscientific sampling
 - ☐ trenching
 - ☐ diamond drill
 - ☐ borehole core sampling
 - ☐ bulk soil sampling
- ☐ quarry
- ☐ hydrological testing
- ☐ river/stream/lake crossing/badging
- ☐ site restoration
 - ☐ fertilization
 - ☐ grubbing
 - ☐ planting/seeding
 - ☐ scarification
 - ☐ spraying
 - ☐ recontouring
- ☐ soil testing
- ☐ topsoil, overburden or soil
 - ☐ fill
 - ☐ disposal
 - ☐ removal
 - ☐ storage
- ☐ tunnelling/underground
- ☒ other, explain camp
- ☐ possibility for accidents or malfunctions. Describe.

effects of environment on project (e.g., flooding).
Describe.

Project Effects

(✓ check all the items appropriate to this project)

Directly-related Socio-Economic & Cultural Effects:

1. ☐ impact on hunting / trapping / fishing
2. ☐ impact on
 - ☐ women
 - ☐ men
 - ☐ children
 - ☐ elders
3. ☐ impact to traditional use or traditional use area
4. ☐ impact to outfitters
5. ☐ impact on recreational use
6. ☐ impact on family structure
7. ☐ impact to community health
8. ☐ change in community economics
9. ☐ change in community housing or infrastructure
10. ☐ impact to industry
11. ☐ change in regional transportation
12. ☐ impact to archaeological or cultural landmarks
13. ☐ impact on beauty of the landscape
14. ☐ other, explain _____

Biophysical Environment Effects

15. ☐ deposit into surface or ground water
16. ☐ deposit to marine environment
17. ☐ change in surface or ground water flow
18. ☐ change in water temperature
19. ☐ change in drainage pattern
20. ☐ change in air quality
21. ☐ change in air flow
22. ☐ micro-climate change
23. ☐ ice fog
24. ☒ change in ambient noise level
25. ☒ deposit onto ground surface
26. ☐ change in slope stability
27. ☐ change in soil structure
28. ☐ alteration of permafrost regime
29. ☐ destabilization/erosion
30. ☐ soil compaction
31. ☐ change in access to renewable resources
32. ☐ depletion of non-renewable resource
33. ☐ removal of rare/endangered plant species
34. ☐ introduction of species
35. ☐ toxin/heavy metal accumulation
36. ☐ removal of rare/endangered wildlife species
37. ☐ change in wildlife health
38. ☒ impact to large mammals
39. ☒ impact to small mammals
40. ☐ impact to fish
41. ☐ impact to birds
42. ☐ impact to other wildlife
43. ☐ impact in a calving, nesting, staging or spawning area
44. ☐ removal of wildlife buffer zone
45. ☐ change in wildlife habitat/ecosystem
46. ☐ other, explain _____

9. **Cumulative Effects: Identification of Other Resources Used in Area.** Identify past, current and future (pending applications) physical works and activities in the area (for the proponent, other proponents and nearby communities) and their potential adverse environmental effects.

Other Resource Uses

(✓ check all the items appropriate to this project)

- ☐ harvesting
 - ☐ marine mammals
 - ☐ land mammals
 - ☐ fur bearers
 - ☐ birds
 - ☐ shellfish
 - ☐ plants
 - ☐ berries
 - ☐ fish
- ☐ mining
 - ☐ exploration
 - ☐ open pits
 - ☐ underground
 - ☐ off-shore
- ☐ mineral processing
- ☐ industry _____ (type)
- ☐ quarries
 - ☐ carving stone
 - ☐ aggregate
- ☐ transportation/communications
 - ☐ airport / landing strip
 - ☐ roads/access routes
 - ☐ shipping
 - ☐ channels/canal
 - ☐ telephone lines, satellite dishes, cables
 - ☐ beacons
- ☐ waste disposal (solid, liquid or gas?)
- ☐ energy project
 - ☐ hydro
 - ☐ pipeline
 - ☐ transmission line
- ☐ other water licenses, permits, leases
- ☒ lands
 - ☒ Inuit owned
 - ☐ -surface rights
 - ☐ -sub-surface rights
 - ☒ Crown
 - ☐ Commissioner's
 - ☐ Marine Areas
- ☐ other private lands held under tenure
- ☒ heritage sites or archaeological sites
- ☐ recreation (eg. cabins, tent frames)
- ☐ tourism
- ☐ municipal (construction)
 - ☐ commercial
 - ☐ built structures
 - ☐ infrastructure
- ☐ agriculture
- ☐ forestry
- ☐ other, explain _____

Effects from Other Resource Uses

(✓ check all the items appropriate to the scope of this project)

Directly-related Socio-Economic & Cultural Effects:

1. ☐ impact to hunting / trapping / fishing
2. ☐ impact on _____ women
 - ☐ men
 - ☐ children
 - ☐ elders
3. ☐ impact to traditional use or traditional use area
4. ☐ impact to outfitters
5. ☐ impact on recreational use
6. ☐ impact on family structure
7. ☐ impact to community health
8. ☐ change in community economics
9. ☐ change in community housing or infrastructure
10. ☐ impact to industry
11. ☐ change in regional transportation
12. ☐ impact to archaeological or cultural landmarks
13. ☐ impact on beauty of the landscape
14. ☐ other, explain _____

Biophysical Environment Effects

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39. ☐ impact to small mammals
40. ☐ impact to fish
41. ☐ impact to birds
42. ☐ impact to other wildlife
43. ☐ impact in a calving, nesting, staging or spawning area
44. ☐ removal of wildlife buffer zone
45. ☐ change in wildlife habitat/ecosystem
46. ☐ other _____

10. Cumulative Environmental Effects

Based on a comparison of effects identified in #8 and #9.

Matching Number(s)	Description of Cumulative Environmental Effects

☒ Will the project make large demands on non-renewable energy sources?☐ Will the project encourage further developments within the current project or other developments (other similar projects, energy development, generation, petroleum development and extraction, the building of additional roads): *possibly*☒ Will the project encourage a "boom-bust" economy over an economy of permanence?☒ Will the project encourage more wildlife harvesting on account of better access for hunters and fishers?☒ Will the project have an effect on the water quality of the watershed?☒ Will the project have a significant effect on existing land uses?**11. Mitigation Measures**

For each environmental effect identified in #8, #9 and #10, describe the required mitigation measures.

Number(s) (as identified in #8, #9 & #10)	Description of Mitigation Measures

See Screening Decision Report.

12. Significance

After taking into account the mitigation measures identified in #11, are any of the residual, adverse environmental effects significant?

☐ Yes ☒ No

If yes, identify which ones, and proceed to #13; if no proceed to #14.

Number(s) _____

13. Likelihood of Occurrence

Of the significant, residual, adverse environmental effects identified in #12, are any likely to occur?

☐ Yes ☒ No

Number(s) _____

14. Information Sources

What sources of information were used in the screening process?

- ☐ local knowledge
- ☐ traditional ecological knowledge
- ☒ land use plans (and draft land use plans)
- ☒ authorizing agencies' data
- ☒ departmental or agency opinions
- ☒ maps
- ☐ photos
- ☐ reports (scientific, economic, social, or anthropological, archival or historical information)
- ☐ Nunavut Environmental Database (NED)
- ☐ personal communications
- ☒ Project Registry (NPC)
- ☐ previous similar projects
- ☐ service organizations
- ☐ media monitoring
- ☐ experts
- ☐ other _____

For information sources identified above, provide contact person and/or information location (for future follow-up): _____

15. Staff Recommendations

Staff Recommendations: (include rationale)

Should have little impact we screened
the DIAND land use permit for this
under Eskombridge.

Prepared By: Stephen J. J. J. J. Date: July 19, 2001
Screeners (yyy-mm-dd)

16. NIRB'S Principles

- ☐ The project has significant adverse effects on the ecosystem, wildlife habitat or Inuit harvesting activities.
- ☐ The project may have significant adverse socio-economic effects on northerners.
- ☐ The project will cause significant public concern.
- ☐ The project involves technological innovations for which the effects are unknown.
- ☒ The project **does not** have significant effects or concerns.

17. Indication to the Minister (12.4.4)

N.B. Transfer this information to Box 1: "EA Indication" and "Date of Indication".

- ☒ 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.

18. Terms and Conditions

If the determination is 12.4.4 (a), NIRB's terms and conditions include those listed in the Screening Decision Report.

Specific Terms and Conditions to note include:

19. Authorization

Approved By:

Elizabeth Leland
(NIRB Decision Maker)

Date:

July 27/01
(yy/mm-dd)

20. Follow-up / Monitoring

Minister's Determination

Minister agreed with NIRB's indication.
Action? _____

Minister varied NIRB's indication.
Action? _____

Minister rejected NIRB's indication
Action? _____

If applicable,

Is a follow-up/monitoring program required? If yes, give details.

Has screening report information been added to NIRB's GIS/Calyx system?

COMMENT FORM FOR NIRB SCREENINGS

The Nunavut Impact Review Board has a mandate to protect the integrity of the ecosystem for the existing and future residents of Nunavut. In order to assess the environmental and socio-economic impacts of the project proposals, NIRB would like to hear your concerns, comments and suggestions about the following project application:

Project Title: <u>Prospecting Camp</u>	
Proponent: <u>BHP Diamond Inc.</u>	
Location: <u>Nadluardjuk Lake, Nunavut</u>	
Comments Due By: <u>July 16, 2001</u>	NIRB #: <u>01WN082</u>
Indicate your concerns about the project proposal below:	
<input type="checkbox"/> no concerns	<input type="checkbox"/> traditional uses of land
<input type="checkbox"/> water quality	<input type="checkbox"/> Inuit harvesting activities
<input type="checkbox"/> terrain	<input type="checkbox"/> community involvement and consultation
<input type="checkbox"/> air quality	<input type="checkbox"/> local development in the area
<input type="checkbox"/> <u>wildlife and their habitat</u>	<input type="checkbox"/> tourism in the area
<input type="checkbox"/> marine mammals and their habitat	<input type="checkbox"/> human health issues
<input type="checkbox"/> birds and their habitat	<input type="checkbox"/> other: _____
<input type="checkbox"/> fish and their habitat	
<input type="checkbox"/> heritage resources in area	
Please describe the concerns indicated above:	
<u>This is a Caribou calving area. Caribou are migrating through here and there is concern this work will scare them away. (helicopters)</u>	
Do you have any suggestions or recommendations for this application?	
<u>→ Have a community resident on site to monitor Caribou movements.</u>	
<u>→ Inuit involvement in project</u>	
Do you support the project proposal? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Any additional comments?	
<u>If you have inuit involved in this project</u>	
Name of person commenting: <u>Municipality</u>	of <u>Qikigianujuk</u>
Position: <u>Mayor</u>	Name Organization: <u>Lootie Toomasie</u>
Signature: <u>[Signature]</u>	Date: <u>7/13/01</u>

COMMENT FORM FOR NIRB SCREENINGS

The Nunavut Impact Review Board has a mandate to protect the integrity of the ecosystem for the existing and future residents of Nunavut. In order to assess the environmental and socio-economic impacts of the project proposals, NIRB would like to hear your concerns, comments and suggestions about the following project application:

Project Title: Prospecting Camp
Proponent: BHP Diamond Inc.
Location: Nadluardjuk Lake, Nunavut
Comments Due By: July 16, 2001 **NIRB #:** 01WN082

Indicate your concerns about the project proposal below:

<input checked="" type="checkbox"/> no concerns	traditional uses of land
<input type="checkbox"/> water quality	Inuit harvesting activities
<input type="checkbox"/> terrain	community involvement and consultation
<input type="checkbox"/> air quality	local development in the area
<input type="checkbox"/> wildlife and their habitat	tourism in the area
<input type="checkbox"/> marine mammals and their habitat	human health issues
<input type="checkbox"/> birds and their habitat	other: _____
<input type="checkbox"/> fish and their habitat	_____
<input type="checkbox"/> heritage resources in area	_____

Please describe the concerns indicated above:

Do you have any suggestions or recommendations for this application?

No, the Land Use Permit will address any potential concerns.

Do you support the project proposal? Yes ☒ No ☐ Any additional comments?

Name of person commenting: PAUL Smith of DIAMOND
Position: Mgr. Water Resources **Organization:** DIAMOND
Signature: Paul Smith **Date:** July 16, 2001

JUL-18-2001 WED 01:46 PM C

+ T-282 P.22/30 F-500
FAX NO. 86 79 8039 P. 02Fisheries
and OceansPêches
et OcéansFish Habitat Management
P.O. Box 358
Iqaluit, Nunavut
X0A 0H0

Your file: Votre référence

01WN082

Our file: Notre référence

NU00425

July 16th, 2001

Jeremy Howe
BHP Diamonds Inc.
1400-1111 West Georgia Street.
Vancouver, B.C.
V6E 4M3
Fax: (604) 683-4125**RE: NIRB File # 01WN082, Water Licence Application, Prospecting Camp, BHP
Diamonds Inc., Nadlurjuk Lake Area, Nunavut.**

Dear Mr. Howe:

This letter is to advise that The Department of Fisheries and Oceans, Fish Habitat Management (DFO-FHM) received your Water Licence Application for a Prospecting camp, in the Nadlurjuk Lake area, submitted on your behalf by Nunavut Impact Review Board. This work is to be conducted between July 1, 2001 and August 30, 2001. I have reviewed the plans for the proposed work.

Field operations in or near water may result in the harmful alteration, disruption or destruction of fish habitat, which is prohibited under Section 35 of the *Fisheries Act*. In addition to the measures set out in the project proposal, the following mitigation measures, if incorporated into the project, are intended to prevent any potentially harmful impacts to fish and fish habitat:

- All disturbed areas should be stabilized and re-vegetated as required, upon completion of work, and restored to a pre-disturbed state.
- If artesian flow is encountered, drill holes should be plugged and permanently sealed upon completion of the project.
- When using explosives, please follow the *Guidelines for the Use of Explosives In or Near Water* (DFO, 1998) available on request. If, for any reason these guidelines cannot be followed, please contact DFO, as an Authorization may be required.
- If the drilling requires water in sufficient volume that the source waterbody may be drawn down please submit details (volume required, size of waterbody, etc.) to DFO-FHM for review. DFO-FHM does not recommend the use of streams as a water source.

- All water intakes should be properly screened to prevent the entrainment of fish. Refer to the *Freshwater Intake End-of-Pipe Fish Screen Guideline* (DFO 1995), available on request.
- Winter lake/stream crossings should be located to minimize approach grades. Cutting or filling of crossing approaches below the normal high water mark will require prior review and approval by DFO-FHM.
- The use of material other than ice or snow to construct a temporary crossing over any ice-covered watercourse is prohibited by regulations under *Fisheries Act* unless authorized by a Fishery Officer.
- All winter crossings should be removed prior to spring breakup.
- No material should be left on the ice when there is the potential for that material to enter the water (i.e. spring break-up).

Depositing deleterious substances into fish bearing waters is prohibited as stated under Subsection 36(3) of the *Fisheries Act*. The following are additional measures to mitigate habitat disturbance or loss as well as the deposition of deleterious substances.

- Sediment and erosion control measures should be implemented prior to, and maintained during the work to prevent entry of sand or sediment into the water.
- All activities, including maintenance procedures and vehicular refuelling, should be controlled to prevent the entry of petroleum products, debris, slash, rubble, or other deleterious substances into the water.
- All wastes, drill cuttings, sewage containments and fuel caches should be located a minimum of thirty (30) metres from the normal high water mark of any water body, and be sufficiently bermed or otherwise contained to ensure that these substances do not enter any water body.
- Drill cuttings should be disposed of in a sump such that they do not enter any water body. The use of biodegradable, salt free drill additives is encouraged over non-biodegradable types.
- All spills of oil, fuel, or other deleterious material should be reported immediately to the 24-Hour Spill Line at (867) 920-8130.

If the proposed work is carried out as described in the plans provided to DFO-FHM and if the additional mitigation measures specified above are implemented, the proposed work will not be considered as contravening Subsection 35(1) of the *Fisheries Act* which reads:

"No person shall carry on any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat."

Therefore, an authorization under Subsection 35(2) of the *Fisheries Act* will not be necessary. If a harmful alteration, disruption or destruction of fish habitat and/or the deposition of deleterious substances into fish bearing waters occurs as a result of a change in the plans for the proposed works or failure to implement the additional

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mitigation measures specified above, prosecution under Subsection 35(1) and/or Subsection 36(3) of the *Fisheries Act* may be initiated.

Please note that this letter of advice does not release the proponent of the responsibility for obtaining any other permits that may be required and will apply for the proposed activities for the period of the Water Licence.

If you have any questions concerning the mitigation measures or should there be any changes to the proposed work, please contact me at (867) 979-8007 or Pete Cott at 669-4913 or by fax at (867) 979-8039.

Jordan DeGroot
Area Habitat Biologist
Fish Habitat Management
Department of Fisheries and Oceans- Eastern Arctic Area

c.c. Dionne Filiatrault - Nunavut Impact Review Board
Stephanie Briscoe - Nunavut Water Board
Winston Fillatre - A/C&P Supervisor/Fishery Officer



Environment
Canada

Environnement
Canada

Environmental Protection Branch
Qimugjuk Building, P.O. Box 1870
Iqaluit, NU X0A 0H0
Tel: (867) 975-4639
Fax: (867) 975-4645

July 18, 2001

Our file: 4703-001

Gladys Joudrey
Environmental Assessment Officer
Nunavut Impact Review Board
P.O. Box 2379
Cambridge Bay, NU X0E 0C0

Fax: (867) 983-2594

Rita Becker
Licensing Administrator
Nunavut Water Board
P.O. Box 119
Gjoa Haven, NU X0B 1J0

Fax: (867) 360-6369

Re: Comments on Application for Water License NIRB01WN082/NWB2NAD - BHP Diamonds Inc. and Falconbridge Limited - Mining Exploration and Campsite Nadlurdjuk and Dewar Lake, Baffin, NU.

On behalf of Environment Canada (EC), I have reviewed the above noted water license NIRB01WN082/NWB2NAD. The comments provided for the above water license have been made under Section 36 of the *Fisheries Act*, the *Canadian Environmental Protection Act (CEPA)* and the *Migratory Birds Convention Act (MBCA)*.

BHP Diamonds Inc. in collaboration with Falconbridge Limited have proposed to construct a 20 person camp near Nadlurdjuk Lake. The camp will serve as the base in order to carry out the reconnaissance prospecting and mapping over a 4 week period beginning July 5th and completing August 3rd, 2001. All exploration activities will have helicopter support however all-terrain vehicles will also be used.

Comments and Recommendations

The proponent neglected to:

- state that "all spills" are to be documented and reported to the NWT Spill line (867) 920-8130;
- provide a list of all hazardous materials that may be used during the program;
- provide a map indicating the location of camp in relation to water;
- include the estimated volume of proposed sump for camp activities;
- include locations for all fuel caches in relation to water for aircraft, and camps uses.

The following conditions should be applied throughout all phases of the project.

- The proponent shall ensure that any chemicals, fuel or wastes associated with the proposed project do not enter waters frequented by fish. All sumps, spill basins and fuel caches should be located in such a manner that the contents do not enter a waterbody.
- EC encourages proponents, when storing barreled fuel at a location, to use a secondary containment rather than relying on "natural depressions". Self supporting insta-berms are available from various suppliers within Canada.

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- No disturbance of the bed or banks of any definable watercourse is permitted. Special efforts must be made to avoid bed and bank disturbance during the spring.
- Ensure the treatment of hazardous and solid wastes at an appropriate disposal facility ie. Iqaluit or Rankin Inlet;
- Environment Canada recommends the use of an approved incinerator.

Please do not hesitate to contact me with any questions or comments with regards to the foregoing at (867) 975-4839 or by email at lawrence.ignace@ec.gc.ca.

Yours truly,



Lawrence Ignace
Environmental Assessment Specialist

cc: (Paula Pacholek, Northern Environmental Assessment Coordinator, Yellowknife)



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Department of
Culture, Language, Elders & Youth

Pithohilikioni

Ministère du gouvernement
Culture Langues, Aînés et Jeunesse

Culture and Heritage Division



May 28, 2001

Gladys Joudrey
Environmental Assessment Screener
Nunavut Impact Review Board
Box 2379
Cambridge Bay, NU X0E 0C0

Re: Land Use Application NIRB 01EN068; Mining Exploration and Campsite Nadluardjuk and Dewar Lakes (Falconbridge)

Due Date: June 7, 2001

Dear Ms. Joudrey:

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,

Leah Otak, Director
Culture and Heritage
Department of Culture, Language, Elders and Youth

Encl.

Attachment 1**BN: NdDv-1**

UB: ND

LB: dv

SN: 001

NAM: Dewar Lakes 1

RN: Thomson 90-17

PN: NWT 90-686

PRO: DEW Line Environmental Cleanup Study

LOC: On west side of north end of Dewar Lakes near mouth of river entering lake, 1.5 km south of south end of DEW line runway. Baffin Island.

TER: NUNAVUT

DST: SOUTH BAFFIN

LAT: 683625

LNG: 0710901

UTM: 19WDG E1247 N1184

MR: 27B

AIR: A26569-35

EL: 180 m. ASL

CON: stable

SIZ: 3000 m. sq.

JUR: federal

OWN: Nunavut

TY: campsite

TYC: prehistoric;indigenous historic;historic

FE: tent ring;cache;hearth;outline (rectangular)

CU: Inuit

PER: ?;post-1955

RES: Thomson, J. Callum

OD: 1990

UPRE: ASC ARCHIVES Ms. 3310;ASC ARCHIVES Ms. 3264

RE: Locus 1 consists of 2 deeply vegetated tent rings with exterior hearths and caches on promontory overlooking lake. One contained burned caribou long bone fragments. Locus 2 may be early construction or survey camp location for DEW Line. Remains include rectangular hut outline and hold down rocks and a boulder jetty. Locus 3 is a single prehistoric tent ring topped by a more recent structure. It is 150 m north of L-1 and L-2.

ASC: 000040435

BN: NdDv-2

UB: ND

LB: dv

SN: 002

NAM: Dewar Lakes 2

RN: Thomson 90-18

PN: NWT 90-686

PRO: DEW Line Environmental Cleanup Study

LOC: 750 m northeast of north end of Dewar Lakes DEW Line base runway. Locus 1 on terrace above river. Locus 2 in valley to west of terrace, on top of esker. Baffin Island.

TER: NUNAVUT

DST: SOUTH BAFFIN

LAT: 683807

LNG: 0710658

UTM: 19WDG E1397 N1495

MR: 27B

AIR: A26569-35

EL: 190 m. ASL

CON: stable

Attachment 1

SIZ: 500 m. sq.
JUR: federal
OWN: Nunavut
TY: campsite (hunting, caribou)
TYC: prehistoric
FE: inuksuk;cache
CU: Inuit
RES: Thomson, J. Callum
OD: 1990
UPRE: ASC ARCHIVES Ms. 3310;ASC ARCHIVES Ms. 3264
RE: Consists of an inuksuk and one cache. Good caribou hunting location. Other features probably located between this point and the lake expansion, 2 km north and northward up the valley.
ASC: 000040436

BN: NdDv-3

UB: ND
LB: dv
SN: 003
NAM: Dewar Lakes 3
RN: Thomson 90-19
PN: NWT 90-686
PRO: DEW Line Environmental Cleanup Study
LOC: Ca. 1.5 km west of the Dewar Lakes airstrip on north side of road to top site, overlooking two small ponds to west, on small knoll. Baffin Island.
TER: NUNAVUT
DST: SOUTH BAFFIN
LAT: 683740
LNG: 0711008
UTM: 19WDG E1180 N1418
MR: 27B
AIR: A26569-35
EL: 250 m. ASL
CON: stable
SIZ: 400 m. sq.
JUR: federal
OWN: Nunavut
TY: burial
TYC: indigenous historic
FE: grave;cache
CU: Inuit
PER: A.D. 1962
RES: Thomson, J. Callum
OD: 1990
UPRE: ASC ARCHIVES Ms. 3310;ASC ARCHIVES Ms. 3264
RE: Site consists of a grave with marker and associated cache reported to be the burial place of an Inuit woman who died on a hunting trip (caribou) in 1962. Easily visible from the road and not in danger of disturbance from construction activities.
ASC: 000040437



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ARCHAEOLOGICAL RESOURCES: TERMS AND CONDITIONS

BACKGROUND

- I. 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.

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.

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 Claim Agreement.

- II. "Archaeological site" means a site or work within Nunavut of archaeological ethnographical or historical importance, interest or significance, or a place where an archaeological specimen is found, and includes explorer's cairns.

"Archaeological specimen" means an object or specimen found in an archaeological site of archaeological ethnographical or historical importance, interest or significance, or a place where an archaeological specimen is found, and includes explorer's documents.

- III. Any new Terms and Conditions raising issues found in ss. 10 and 16 of the Territorial Land Use Regulations should duplicate statutory sections, or be stricter, but not more lenient in terms of protection of archaeological resources.

- IV.
 1. The permittee shall not operate any vehicle over a known or suspected archaeological site.
 2. The permittee shall not remove, disturb or displace any archaeological specimen or site.
 3. The permittee shall contact the Department of Culture, Language, Elders and Youth (867-975-5500) and DIAND officials should an archaeological site or specimen be encountered or disturbed by any land use activity.
 4. The permittee shall immediately cease any activity which disturbs an archaeological or historical 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, Iqaluit.
 5. The permittee shall follow the direction of the Department of Culture, Language, Elders and Youth and DIAND in restoring disturbed archaeological sites to an acceptable condition.
 6. The permittee shall provide information to the Department of Culture, Language, Elders and Youth about each archaeological site or specimen encountered by any land use activity, by completing the attached form.