

SCREENING DECISION

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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.

Drill Sites

1. The Licensee shall not conduct any land based drilling within thirty-one (31) metres of the normal high water mark of a water body.
2. The Licensee shall not use drilling muds or additives in connection with drill holes unless they are recirculated or contained such that they do not enter the water, or are certified to be non-toxic.
3. The Licensee shall ensure that any drill cuttings and waste water that cannot be re-circulated be disposed of in a properly constructed sump or an appropriate natural depression that does not drain into a waterbody.
4. The Licensee shall ensure that drilling wastes do not enter any water body. The use of biodegradable, salt free drill additives is encouraged over non-biodegradable types.
5. The Licensee shall ensure that the release of total suspended solids in the receiving environment shall be in compliance with *Guidelines for Total Suspended Solids* contained in the *Canadian Council of Ministers for the Environment's (CCME) Canadian Water Quality Guidelines, Chapter 3 - Freshwater Aquatic Life* (i.e. 10mg/L for lakes with background level under 100mg/L, or 10% for those above 100mg/L).
6. The Licensee shall ensure that the sump/depression capacity is sufficient to accommodate the volume of waste water and any fines that are produced so that there will be no additional impacts.
7. The Licensee shall not locate any sump within thirty-one (31) metres of the normal high water mark of any water body.
8. The Licensee shall ensure that disturbance of vegetation from deposit of drill fluids/cuttings is restricted to the area of the sump and the ground prepared for revegetation upon abandonment.
9. The Licensee shall, where flowing water from bore holes is encountered, plug the bore hole in such a manner as to permanently prevent any further outflow of water. The

occurrence shall be reported to the Nunavut Water Board and Land Use Inspector within 48 hours.

Fuel Storage

10. 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.
11. 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.
12. 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.
13. The Licensee shall take all reasonable precautions to prevent the possibility of migration of spilled petroleum fuel or chemicals over the ground surface.
14. The Licensee shall examine all fuel and chemical storage containers daily for leaks. All leaks should be prepared immediately.
15. The Licensee shall seal all container outlets except the outlet currently in use. The Licensee shall mark all fuel containers with the Licensee's name.
16. The Licensee shall have an approved emergency response and spill contingency plans in place prior to the commencement of the operation.
17. 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

18. 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

19. 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.
20. 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.
21. The Licensee shall backfill and recontour all sumps to match the natural environment prior to the expiry date of the license.
22. The Lessee shall not bury any metal wastes.
23. The Licensee shall incinerate all combustible and food wastes daily.
24. The Licensee shall keep all garbage and debris in a covered metal container until disposed of.
25. The Licensee shall ensure that all wastes generated through the course of the operation are backhauled and disposed of in an approved dumpsite.

Wildlife

26. The Licensee shall ensure that there is no damage to wildlife habitat in conducting this operation.
27. The Licensee shall not hunt or fish, unless the appropriate permits and licenses are acquired from a GN Renewable Resources Officer.
28. The Licensee shall not locate any operation so as to block or cause substantial diversion to migration of caribou.
29. 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.
30. 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.
31. 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.
32. 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.

Environmental

33. The Licensee shall ensure that the land use area is kept clean and tidy at all times.
34. The Licensee shall prepare the site in such a manner as to prevent rutting of the ground surface.
35. 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.
36. The Licensee shall suspend overland travel of equipment or vehicles if rutting occurs.

Camp

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

Archaeological Sites

39. 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.

JAN-09-02 WED 01:07 PM CHIE. CLERK NUNAVUT

2002-Jan-08 02:34pm From-NUNAVUT IMPACT REVIEW BOARD

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+8679832594

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Reclamation

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

Other Recommendations

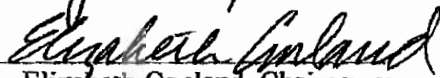
1. NIRB would like to encourage the proponent to hire local people and services, to the extent possible.
2. NIRB advises proponents to consult with local residents regarding their activities in the region.
3. The proponent should establish a log for wildlife and archaeological sightings and instruct 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 Jan. 09/02 at Arviat, NU


Elizabeth Copland, Chairperson



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NUNAVUT IMPACT REVIEW BOARD SCREENING FORM

1. General File Information on Screening

NIRB #: 01ER101
(yy-xxx)

Authorizing Agency #(s): NW32NAD0101
 permit or licence #

Project Title: Exploratory Drilling at Nadlucjuk Lake
Title of Project

Proponent: BHP Billiton Diamonds Inc.
Company/Applicant

Proponent's Address: 1400-1111 West Georgia St.
Vancouver, BC
V6E 4M3
Full Address

Contractor: Jeremy Howe
Company / persons doing the work if different from the proponent
Phone: (604) 632-1450 FAX: (604) 683-4125
address and contact numbers

Proposed Dates of Activity: Start Date 2002/07 End Date 2002/09
(yyyy-mm-dd) (yyyy-mm-dd)

EA Starting Date: 2001/12/04
Date application accepted (yyyy-mm-dd)

Date Application Referred for Comments: 2001/12/04
(yyyy-mm-dd)

Deadline for Comments: 2002/01/02
(yyyy-mm-dd)

NIRB's EA Indication: 12.4.4 (C)

Date of Indication: January 9, 2002
(yy-mm-dd)

Project Cancelled: Yes, Give Reason_____

Comments:

(October 1998 version) Nunavut Impact Review Board Screening Form

2. Authorizing AgenciesAuthorizing Agency(ies): Kivalliq I.A., Kitikmeot I.A., QIA, NWB, NWMB, DIAND, DFO, DOE, NRI, 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: renewal
(e.g. new, renewal, amendment, cancellation)Other required approvals, permits or licences: _____
(e.g. water licence, land use permit, quarry permit, lease, reserve)Present Authorizations (active): _____
(file number)Previous Authorizations (inactive/expired): NWB2NAD0101
(file number)**3. Project Location**Kivalliq _____ Kitikmeot _____ Baffin ☒Land Use Planning Region: West Central Baffin Island
(e.g. West Kitikmeot, North Baffin, South Baffin, Kivalliq)Geographic Place Name: Nadluarjuk Lake
(nearest place name or geographic feature)

Local/Traditional Name: _____

National Topographic Sheet (NTS) Number: 37A Scale: 1:250,000Latitude/Longitude: Long 73.21286 W Lat: 68.61978 N
(degrees, minutes seconds)Drainage Region and Watershed: _____
(nearest creek, river or lake system)Nearest Settlement: Clyde River, Nunavut

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): diamond drilling
(drilling, construction, camp, research, water works, installation, modification, maintenance)

Multiple Activities: Yes ☒ No ☐

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

Phase of Project: exploration
(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

Please see attached map. "Area of Interest".

Foley and Airforce Island provides good hunting habitat and in the past were regularly hunted by the Igloolik residents. Polar bear hunting usually occurs around Nauyas Bay.

This area is being used every winter by Chyde River
hunt for hunting wolves and caribou. Lake Gilliam
is a particularly good wolf hunting area.

This area was also formerly important to the Igloodik hunters. The camps at Inukisulik and Nadluarjuk Lakes and Longstaff Bluff are situated at major caribou crossings. Arctic char fishing was important in many of the major lakes.

7. NIRB's Consultation Process

Date application referred for comments:

2001/12/04

(yyyy-mm-dd)

Deadline for comments:

2001/01/02

(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
☐ Hamlet
☐ HTO
☐ HTO

FEDERAL:

☐ DIAND-Nunavut
☐ DIAND-Water
☐ DFO
☐ DOE
☐ Natural Resources
☒ CCG

Rick McLeanJan 2/02**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
- ☒ automobile, 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
- ☐ over stream/lake crossing/bridging
- ☐ 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.

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

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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 the 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

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
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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 _____

10. Cumulative Environmental Effects

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

Matching Number/s	Description of Cumulative Environmental Effects

no Will the project make large demands on non-renewable energy sources?no 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)?no Will the project encourage a "boom-bust" economy over an economy of permanence?no Will the project encourage more wildlife harvesting on account of better access for hunters and fishers?no Will the project have an effect on the water quality of the watershed?no 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
Terms and conditions

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 one(s), 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 ~~APENIRB~~
- ☒ 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)

Project should have little impact.

Prepared By:

Gladys Tordella
Screening

Date:

Jan 3/02
(yyyy-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.

JAN-09-02 WED 01:07 PM CHIEF JORONER NUNAVUT

FAX: 867 896 9601

PAGE 2

2002-Jan-08 02:34pm From-NUNAVUT IMPACT REVIEW BOARD

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T-112 P.004/004 F-600

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 Date: Jan 09/02
(NIRB Decision Maker) (YYYY-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?



Fisheries and Oceans
Canada

Pêches et Océans
Canada

Coast Guard

Garde côtière

Central & Arctic Region

Région du Centre et de l'Arctique

201 N. Front Street, Suite 703
Sarnia, Ontario
N7T 8B1

Your file Votre référence

Our file Notre référence
1675-9-9

December 6, 2001


Gladys Joudrey
Nunavut Impact Review Board
PO Box 2379
Cambridge Bay, NT X0E 0C0

Dear Madam:

Thank you for your submission with regard to NIRB # 01ER101, Exploratory Drilling at Nadluarjuk Lake by BHP Billiton Diamonds Inc, Nunavut.

The information will be reviewed by this office and our response will be forwarded to DFO Fish Habitat in Iqaluit. They in turn will prepare a Departmental response encompassing both the Navigable Waters Protection Act and the Fisheries Act.

Yours truly,


Rick Mclean
A/Superintendent
Navigable Waters Protection

BP/kab

cc: FHM



Canada

Jan-08-2002 13:02 From-

T-759 P.002/010 F-327



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Department of
Culture, Language, Elders & Youth

Pithohilikioni

Ministère du gouvernement
Culture Langues, Aînés et Jeunesse

January 9, 2002

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

**Re: Land Use Application NIRB 01ER101 Exploratory Drilling at Nadluarjuk Lake
(BHP Billiton Diamonds Inc.)**

Due Date: **January 2, 2002**

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, as the proponent's proposed activities do not constitute a threat to known archaeological resources.

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

Jan-08-2002 13:04 From-

T-753 P.008/010 F-327



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) 934-2033 or (867) 975-5500 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.

Jan-08-2002 13:04 From-

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.

JAN-10-02 16:00 From:ENV CAN Iqaluit NUNAVUT

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T-021 P.02/03 Job-782

Environment
CanadaEnvironnement
Canada

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

January 10, 2002

Our file: 4705-037

Rita Becker
Licensing Administrator
Nunavut Water Board
P.O. Box 110
Gjoa Haven, NU. X0B 1J0

Gladys Joudrey
Environmental Assessment Officer
Nunavut Impact Review Board
P.O. Box 2370
Cambridge Bay, NU. X0E 0C0

Fax: (867) 983-2504

Re: Comments on Application for Water License NWB2NAD0101 - NIRB01ER101 - BHP Diamonds Inc. - Exploratory Drilling and Campsite Nadlaurjuk, Baffin, NU.

On behalf of Environment Canada (EC), I have reviewed the above noted water license NWB2NAD0101- NIRB01ER101. The following recommendations have been made in regards to Environment Canada mandated responsibilities for the enforcement of the *Canadian Environmental Protection Act (CEPA)*, section 36 of the *Fisheries Act*, the *Canadian Wildlife Act*, and the *Migratory Birds Convention Act*.

BHP Diamonds Inc. have proposed to construct a 25 person camp near Nadlaurjuk Lake. The camp will serve as the base in order to carry out the drilling and air-borne geo-physical program. over a 3 month period beginning July, 2002 and completing September, 2002. All exploration activities will have helicopter support however all-terrain vehicles will also be used.

Comments and Recommendations

The proponent neglected to:

- include the estimated volume of proposed sump for camp and drilling activities;
- include locations for all fuel caches in relation to water for aircraft, and camps uses.

The *Canadian Environmental Protection Act* is in the final stages of the assessment of CaCl as a toxic substance. It is recommended during on land based drilling, that sump closure measures include documentation of effects on vegetation for holes which used CaCl as an additive. The proponent must ensure that such sumps are a sufficient distance from water to avoid runoff into streams or lakes.

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.
- EC encourages proponents, when storing barrelled 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.



JAN-10-02 16:01 From:ENV CAN Iqaluit NUNAVUT

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T-021 P.03/03 Job-782

- 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) 975-4639 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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Fax: (867) 983-2594

Phone: (867) 983-2593


Date: Jan 12/02

To: Rita Beches

Fax #:

From: _____ Stephanie Briscoe
Executive Director
e-mail: sbriscoe@polarnet.ca

Linda Burles
Executive Secretary
e-mail: lburles@polarnet.ca

 Gladys Joudrey
Environmental Assess. Officer
e-mail: gladys@polarnet.ca

Jorgen Komak
Environmental Technologist
jorgenk@polarnet.ca

Vacant Senior Researcher/Trainer

David Sateana
Environmental Assess. Officer II
D.Sateana@polarnet.ca

_____ Millie Evalik
Finance/Administrative Officer
e-mail: evihoak@polarnet.ca

Josie Tucktoo-Lacasse
Interpreter/Translator
 e-mail: josietl@polarnet.ca

Vacant Public Relations Officer

Total # of Pages including this page: 26

☐ Urgent ☐ Reply ASAP ☐ Please Comment ☐ Please Review ☒ For Your Info

Comments:

Hi Rita,
Brian from NPC was going to send comments, but I wanted to send you this as I am going to Iraq. Please get him to send you the comments.

The document(s) accompanying this transmission contain(s) information intended for a specific individual and purpose. The information is private and legally protected by law. If you are the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reference to the contents of this telecopied information is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original to us by regular mail.

Thanks
Woddy

sent Brian
e-mail Feb 18/02
asking about this
hito
Response Feb 26/02
saying no
review
needed