

NIRB File No.: EX168

Associated NIRB File No.: 06EN003 AANDC File No.: N2013U0006

April 8, 2013

Christopher Tickner Senior Planner Nunavut Planning Commission P.O. Box 2101 Cambridge Bay, NU X0B 0C0

Sent via email: ctickner@nunavut.ca

Re: <u>Application exempt from Screening pursuant to NLCA Schedule 12-1: Mega</u> Uranium Ltd.'s "Thelon" project proposal

Dear Christopher Tickner:

On April 3, 2013 the Nunavut Impact Review Board (NIRB or Board) received a positive conformity determination (Keewatin Regional Land Use Plan) from the Nunavut Planning Commission for an Aboriginal Affairs and Northern Development Canada (AANDC) Class B Land Use Permit (No. N2013U0006) application associated with Mega Uranium Ltd.'s "Thelon" project proposal. Please be advised that this project proposal is exempt from the requirement for screening pursuant to item 2 of Schedule 12-1 of the Nunavut Land Claims Agreement (NLCA), Types of Project Proposals Exempt from Screening:

"Land use activities requiring only a Class B permit under the Territorial Land Use Regulations (SOR/77-210 4 March 1977)"

Although it appears that this application is exempt from the requirement for screening as per Schedule 12-1(2), the NIRB recognizes that Section 12.3.3 of the NLCA permits the NPC to forward such proposals to the NIRB for screening under specific circumstances:

"Notwithstanding Section 12.3.2, the NPC may refer a project proposal within Schedule 12-1 to NIRB for screening, where the NPC has concerns respecting the cumulative impact of that project proposal in relation to other development activities in the region"

It is the NIRB's understanding that the NPC has not developed formal cumulative effects referral criteria to date and, as such, has not yet implemented this specific provision of the NLCA. The NIRB respectfully requests confirmation from NPC regarding whether or not the NPC has

concerns about the cumulative impact of this project proposal in relation to other development activities in the region – and therefore is referring the project proposal to the NIRB for screening as per NLCA s.12.3.3.

Should the NPC confirm that this project proposal is exempt from the requirement for Screening by the NIRB, authorizations associated with this proposal may be processed by AANDC. Recognizing that this application appears to be associated with a project proposal which has previously been screened by the NIRB (NIRB File No. 06EN003), the enclosed NIRB Screening Decision Report may contain recommendations which are relevant to AANDC's consideration of Mega Uranium's application.

If you have any questions or require additional clarification, please contact the undersigned directly at tarko@nirb.ca or 867-983-4611.

Best regards,

Tara Arko

Technical Advisor, A/Manager, Technical Administration

Nunavut Impact Review Board

cc: Michael Downes, Mega Uranium Ltd.

Tracey McCaie, Aboriginal Affairs and Northern Development Canada

Phyllis Beaulieu, Nunavut Water Board

Enclosed: NIRB Screening Decision Report for File No. 06EN003 (March 9, 2006)