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By Licensing Administrator at 12:41 pm, Apr 26, 2011



NIRB File No.: EX128

NWB File No.: 3AM-ARV1015

April 20, 2011

Ed Murphy
Senior Administrative Officer
Hamlet of Arviat
P.O Box 150
Arviat, NU X0C 0E0

Via email: arviatsao@qiniq.com

Re: Application Exempt from Screening pursuant to NLCA Schedule 12-1(3): Hamlet of Arviat's "Emergency Water Supply" project

Dear Ed Murphy:

On April 20, 2011 the Nunavut Impact Review Board (NIRB) received a project description directly from the Hamlet of Arviat (the Proponent) for its "Emergency Water Supply" project proposal. Please be advised that, as presented by the Proponent, this project proposal appears to be exempt from the requirement for screening as per Schedule 12-1(3) of the Nunavut Land Claims Agreement (NLCA), *Types of Project Proposals Exempt from Screening*:

Schedule 12-1(3):

"All construction, operation and maintenance of all buildings and services within an established municipality, except for bulk storage of fuel, power generation with nuclear fuels, or hydro power and any industrial activity"

The NIRB notes that Section 1.4.1 of the project description submitted by the Proponent describes the NIRB as having "traditionally not regulated projects having to do with the marine environment". Please be advised that this statement is inaccurate, as the provisions of Article 12 of the Nunavut Land Claims Agreement apply to both land and marine areas within the Nunavut Settlement Area¹. Should it be determined by the Nunavut Water Board that a hearing is required for water uses associated with this proposal, or if a permit or authorization from the Government of Canada or the Government of Nunavut is required to carry out this project, this project proposal may not be exempt from the requirement for screening by the NIRB. Potential authorizing agencies have been copied with this correspondence to assist with their review of this project proposal.

¹ NLCA Section 12.12.1

If you have any questions or require further clarification, please contact me directly at rbarry@nirb.ca or (867) 983-4608.

Sincerely,

A handwritten signature in black ink that reads "Ryan Barry". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ryan Barry
Director, Technical Services
Nunavut Impact Review Board

cc: Brian Aglukark, Nunavut Planning Commission (aglukark@nunavut.ca)
Phyllis Beaulieu, Nunavut Water Board (licensing@nunavutwaterboard.org)
Derrick Moggy, Fisheries and Oceans Canada (derrick.moggy@dfo-mpo.gc.ca)
Carey Ogilvie, Environment Canada (carey.ogilvie@ec.gc.ca)
Mike McKernan, Nunami-Stantec (mike.mckernan@stantec.com)
Joe Savikataaq Jr., Hamlet of Arviat (hamlet_of_arv@qiniq.com)