



Pitquhiliqiyikkut

Department of Culture, Language,
Elders and Youth

Ministère de la Culture, de la Langue,
des Aînés et de la Jeunesse

August 25, 2008

Richard Dwyer
Licensing Trainee
Nunavut Water Board
P.O. Box 119
Gjoa Haven, NU X0B 1J0

Re: Nunavut Water Board License 3BC-DIG---- Digges Island Project

(Anthony Gaston, Environment Canada)

Due Date: August 29, 2008

Dear Mr. Dwyer:

At your request, the Department of Culture, Language Elders and Youth (CLEY), Government of Nunavut, has reviewed the above-noted application. Our recommendations are limited to CLEY's mandate and 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,

Julie Ross
for Douglas Stenton
Director, Culture and Heritage
Department of Culture, Language, Elders and Youth

Encl.



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) 934-2046 or (867) 975-5500 or 1 (866) 934-2035 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.

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.

Borden No. KIFq-1
 Latitude 63 58 25 N
 Longitude 077 36 55 W
 Map No. 35N 35M
 Class. Undetermined

Borden No. KIFq-2
 Latitude 63 59 40 N
 Longitude 077 34 19 W
 Map No. 35N 35M
 Class. undetermined

Borden No. KIFq-3
 Latitude 63 59 27 N
 Longitude 077 32 39 W
 Map No. 35N 35M
 Class. undetermined

Borden No. KIFr-1
 Latitude 63 55 52 N
 Longitude 077 42 51 W
 Map No. 35N 35M
 Class. undetermined

Borden No. KIFr-2
 Latitude 63 57 01 N
 Longitude 077 55 05 W
 Map No. 35N 35M
 Class. undetermined

Borden No. KIFr-3
 Latitude 63 57 48 N
 Longitude 077 56 55 W
 Map No. 35N 35M
 Class. undetermined

Borden No. LaFq-1
 Latitude 64 01 10 N
 Longitude 077 35 30 W
 Map No. 36C 36D 35N 35M
 Class. indigenous historic

Borden No. LaFq-2
 Latitude 64 01 45 N
 Longitude 077 34 30 W
 Map No. 36C 36D 35N 35M
 Class. undetermined

Borden No. LaFr-1
 Latitude 64 01 00 N
 Longitude 077 45 40 W
 Map No. 36C 36D 35N 35M
 Class. prehistoric

Borden No. LaFr-2
 Latitude 64 00 25 N
 Longitude 077 49 00 W
 Map No. 36C 36D 35N 35M
 Class. prehistoric

Borden No. KdFr-1
 Latitude 62 33 42 N
 Longitude 077 51 10 W
 Map No. 35K/12
 Class. prehistoric

Borden No. KdFr-2
 Latitude 62 33 54 N
 Longitude 077 51 28 W
 Map No. 35 K/12
 Class. prehistoric;indigenous historic

Borden No. KdFr-3
 Latitude 62 32 31 N
 Longitude 077 55 56 W
 Map No. 35 K/12
 Class. prehistoric

Borden No. KdFr-4
 Latitude 62 33 03 N
 Longitude 077 58 32 W
 Map No. 35 K/12
 Class. prehistoric

Borden No. KdFr-5
 Latitude 62 33 25 N
 Longitude 077 49 05 W
 Map No. 35 K/12
 Class. prehistoric