

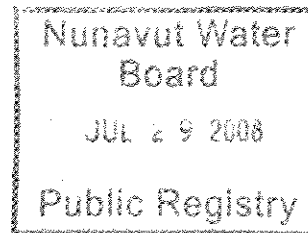
July 27, 2008

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Indian and Northern Affairs Canada
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Dear Mr. Holwell, Ms. Payette, Ms. Beaulieu, Ms. Wilman,

Re: NWB 3BC-TER Tern Island Project – Environment Canada

The NPC has completed its review of the above noted project proposal. It conforms to the North Baffin Regional Land Use Plan (NBRLUP), subject to the attached.

By this letter and additional enclosures, the NPC is forwarding the project proposal with this determination to NIRB for screening.

The applicant has undertaken to comply with the attached requirements. The authorizing agencies to which this letter is addressed are responsible under the *Nunavut Land Claims Agreement* to implement any of the attached requirements by incorporating the requirements directly, or otherwise ensuring that they must be met, in the terms and conditions of any authorizations issued.

My office would be pleased to discuss with these agencies how best to implement these requirements and to review any draft authorizations that the agencies wish to provide for that purpose.

And, this conformity determination applies only to the above noted applications as submitted. Therefore, the proponent must ensure other applications for a permit under this project proposal not listed above are forwarded to NPC for a conformity determination against the NBRLUP, and notify the NPC immediately if any material to the project proposal is changed before authorizations are issued.

Yours truly,



Bobby Suluk
Regional Planning Co-ordinator, NPC

Cc: Mr. Mark Mallory, Environment Canada

Application # NWB 3BC-TER Tern Island Project - Environment Canada

NUNAVUT PLANNING COMMISSION
APPLICATION TO DETERMINE CONFORMITY
WITH THE NORTH BAFFIN REGIONAL LAND USE PLAN

All applicants for a project proposal shall comply with the requirements listed below. The relevant sections of the plan are noted in each requirement.

GENERAL

2. **Environmental Protection:** s3.3.11.8: The applicant undertakes to prevent any new occurrences of pollution, garbage and contamination at the site of the development.

Yes

No

3. **Removal of Fuel Drums:** s3.3.11.8: The applicant undertakes to remove all drums safely from the site and dispose of the drums in a safe manner.

Yes

No

4. **New Site Restoration and Clean Up:** s3.3.11.1 and Appendix C, s1: The applicant undertakes to clean up the site and restore the site to its natural condition to the greatest extent possible.

Yes

No

5. **Low-Level Air Flights:** Appendix C, s3: Will the applicant avoid all low-level flights?

Yes

No

- i. If not, explain why such flights are or may be absolutely necessary.

- ii. If such flights are or may be absolutely necessary, will they avoid disturbance to people and wildlife?

Yes

No

- iii. If not, explain why it is not possible to avoid such disturbance.

9. Polar Bear Denning Areas and Walrus Haul-outs: s3.3.1.6:

Will the applicant keep its activities away from any polar bear denning area or walrus haul-out?

Yes

No

NONE THERE

HERITAGE RESOURCES

10. Reporting of Archaeological Sites: s3.3.2.3 and Appendix C, s2 and s8: Will the applicant immediately report the discovery of

SCIENTIFIC RESEARCH

17. Scientific Research: s3.3.7.3: Does the project proposal involve scientific research?

☒ Yes☐ No

If yes, will the applicant integrate all available and relevant local and traditional knowledge when conducting its research?

☒ Yes☐ No

HAVE UNDERTAKEN
ALREADY

18. Consultation with Nunavut Research Institute: s3.3.7.6: Has the applicant consulted with the Nunavut Research Institute about research topics that would benefit or interest local residents?

☒ Yes☐ No

- i. Describe the results of your consultation.

ONGOING DIALOGUE WITH NRI
FOR 9 YEARS.

- ii. If no, explain why.

19. Local Services and Local Employment: s3.3.7.4: Will the applicant rely on local services and employment where possible?

☒ Yes☐ No

- i. Describe the services retained and the people to be employed.

ONLY IF LIABILITY ISSUES PERMIT

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ii. If no, explain why it is not possible.

20. Communication on Scientific Research: s3.2.8 and s3.3.7.5:

The applicant will, at minimum, translate a summary of its work into Inuktitut and communicate with communities using language that is clear and non-technical. The results of all scientific research shall be made available to the affected communities as soon as possible.

☒ Yes

☐ No

22. Code of Good Conduct for Land Users: Appendix C: The applicant undertakes to adhere to the code of Good Conduct at all times.

☒ Yes

☐ No

I, MARK WALLACE (name of applicant), certify that the information I have given in this application is true and correct and hereby make the above undertakings which form part of my application for a project proposal within the meaning of the Nunavut Land Claims Agreement.

Date: 25 JULY 08

Signature of Applicant: Mark Wallace