



NIRB File No.: 03UN114

July 21, 2010

Honourable Minister Daniel Shewchuk
Minister Responsible for Nunavut Arctic College
c/o Mosha Cote – Manager, Research Liaison
Nunavut Research Institute
Iqaluit, NU

Via email: mosha.cote@arcticcollege.ca

Re: Application exempt from Screening pursuant to Section 12.4.3 of the NLCA: Rescan Environmental Services Ltd.’s “BIPR - 2010 Summer Field Work” project

Dear Mosha Cote:

On June 17, 2010 the Nunavut Impact Review Board (NIRB or Board) received an application from the Nunavut Research Institute (NRI) for a Scientific Research Licence for Rescan Environmental Services Ltd.’s “BIPR - 2010 Summer Field Work” project proposal.

Please be advised that the original project proposal was received by the NIRB from NRI on May 30, 2007 and was screened by the Board in accordance with Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA). As the proposed research project was in support of the Bathurst Inlet Port and Road project proposal which was undergoing a review under Part 5 of Article 12 of the NLCA, the NIRB was also required to make a determination under Section 12.10.2, which states as follows:

“Notwithstanding Section 12.10.1, where a project proposal has been referred for Review pursuant to Part 5 or 6, approvals or licenses for exploration or development activities related to that project proposal may be issued if:

- (a) the activity falls within Schedule 12-1; or*
- (b) the activity can, in the judgment of NIRB, proceed without such a Review.”*

On July 12, 2007 the NIRB issued the enclosed Exception Decision Report to the territorial Minister of Education indicating the proposed project could proceed subject to NIRB’s recommended project-specific terms and conditions.

The current NRI application, the original NIRB Screening Decision Report (Original NIRB File 03UN114) and related file information are available from the NIRB’s ftp site at the following link: http://ftp.nirb.ca/REVIEWS/CURRENT_REVIEWS/03UN114-BIPR_PROJECT/02-REVIEW/16-12.10.2%20EXCEPTIONS/

PREVIOUSLY-SCREENED PROJECT PROPOSAL

As previously screened by the NIRB under File No. 03UN114, Rescan Environmental Services Ltd.'s "BIPR - 2010 Summer Field Work" project was located within the Kitikmeot region. The Proponent indicated that it intended to provide additional baseline characterization in the project area to support the Environmental Impact Statement required for the review of the project pursuant to Part 5, Article 12 of the NLCA. Data collected in 2007 was also to be used to help plan future project infrastructure. The proposed work was to be completed between June 12, 2007 and September 15, 2007.

The activities/components associated with this proposal included:

- Characterizing the water and sediment quality of the area in the proposed road;
- Characterizing mineral content of vegetation;
- Re-commissioning a meteorology station in order to characterize the local climate;
- Assessing the potential for metal leaching or acid rock drainage along the proposed road; and
- Marine habitat assessment at the proposed port site.

CURRENT APPLICATION

Rescan Environmental Services Ltd. has applied to the Nunavut Research Institute for a Scientific Research Licence to fill data gaps and information requests for the purpose of completing the Final Environmental Impact Statement required as part of the NIRB Part 5 Review process. Researchers would be based out of the camp at the decommissioned Lupin gold mine with all wastes collected and discharged in accordance with current licences and permits.

Proposed project activities in the current application include the following:

- Installation of four (4) hydrology stations at key freshwater stream locations;
- Installation of a tidal gauge in Bathurst Inlet near the proposed port site;
- Servicing of the current meteorological station at the proposed port site;
- Collection of freshwater, vegetation, soil and esker sediment samples;
- Sampling of fish in freshwater streams along the proposed road alignment (sampling methods would include gillnets, minnow traps, electrofisher, crab traps, long line and/or beach seine);
- Sampling of shellfish from three (3) locations within Bathurst Inlet; and
- Daily transport of research personnel via helicopter and boat.

Please note that Section 12.4.3 of the NLCA states that:

"Any application for a component or activity of a project proposal that has been permitted to proceed in accordance with these provisions shall be exempt from the requirement for screening by NIRB unless:

- (a) such component or activity was not part of the original project proposal; or*
- (b) its inclusion would significantly modify the project."*

After completing a review of the information provided in support of the current application, the NIRB is of the understanding that the proposed amendment does not change the general scope of

the original project activities, and the exceptions noted in NLCA 12.4.3(a) and (b) do not apply. Therefore, this application is exempt from screening as per Section 12.4.3 of the NLCA and the activities therein remain subject to the terms and conditions recommended in the original July 12, 2007 Exception Decision Report (enclosed).

If you have any questions or concerns, please contact Kelli Gillard, Technical Advisor, at (867) 983-4619 or kgillard@nirb.ca.

Best regards,



Ryan Barry
Director, Technical Services

For:

Stephanie Autut
Executive Director

cc: Francois Landry, Rescan (flandry@rescan.com)
Phyllis Beaulieu, NWB (licensing@nunavutwaterboard.org)
Gary Cooper, DFO (gary.cooper@dfo-mpo.gc.ca)

Enclosed: NIRB Exception Decision Report, File No.: NIRB File 03UN114 (July 12, 2007)