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5021 - 49th Street
PO Box 1680
Yellowknife, NT
Canada X1A 2N4

Bus: (867) 920-2216
Fax: (867) 920-2278

Date: April 4, 2011
Job Number: 123510486
To: Brian Aglukark
Company: Nunavut Planning Commission
Phone: (867) 983 - 4525
Fax: (867) 857 - 2243

From: Carey Sibbald
Phone: (867) 920 - 2216
of Pages: 6

Re: NWB 8BW-REP Repulse Bay Access Road & Borrow Sources Conformity Determination

Dear Mr. Aglukarak,

Following this cover sheet, please find a copy of the signed Application to Determine Conformity with the Keewatin Regional Land Use Plan for the construction and operation of an access road and borrow sources at Repulse Bay, NU.

Should you require any further information, please do not hesitate to contact myself or Nick Lawson.

Sincerely,

Carey Sibbald, B.Sc., EPT
Environmental Biologist

☐ Urgent☒ Review☐ Comment☐ Reply

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Application # NWB 8BW REP Repulse Bay Access Road/Borrow Source Mar 2011

NUNAVUT PLANNING COMMISSION
APPLICATION TO DETERMINE CONFORMITY
WITH THE KEEWATIN 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:** s2.4.9: 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:** s2.4.9: 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:** s2.4.15 and Appendix 2, 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. **Old Site Restoration and Clean Up:** s2.4.10: The applicant undertakes to clean up the site and restore the site to its original condition to the greatest extent possible, including any work required due to the applicant's action prior to this application.

Yes

No

7. **Caribou Protection Measures:** s2.4.6 and Appendix 3: Will the applicant comply with the Caribou Protection Measures outlined in section 2.4.6 and in Appendix 3?

Yes

No

ARCHEOLOGY

9. **Reporting of Archaeological Sites: s4.4.3 and Appendix 3, s2 and s8:** Will the applicant immediately report the discovery of all suspected archaeological sites to the Department of Culture, Language, Elders and Youth (GN)?

☒ Yes

No

PARTICULAR AREAS

18. **Municipal Lands: s1.4.3:** Is the project located, in whole or in part, within municipal boundaries?

☒ Yes

No

PARTICULAR ACTIVITIES

23. **Code of Good Conduct for Land Users: Appendix 2:** The applicant undertakes to adhere to the Code of Good Conduct at all times.

☒ Yes

No

I, Nick Lawson (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: April 1, 2011 Signature of Applicant: 

**Keewatin Regional Land Use Plan
Appendix G
Code of Good Conduct for Land Users**

1. The landscape of each camp and other land use sites will be restored to its original condition to the greatest degree possible. Water quality will be preserved, and no substances that will impair water quality will be dumped in water bodies. When possible and feasible, old sites will be restored to the natural state.
2. All land users shall assist communities and government(s) in identifying and protecting archaeological sites and carving-stone sites, as required by law.
3. Generally, low-level flights by aircraft at less than 300 metres should not occur where they will disturb wildlife or people. If such flights are necessary, they should only take place after consultation with the appropriate communities. All land users are responsible for reporting to the land managers any illegal or questionable low-level flight.
4. All activities on the land will be conducted in such a fashion that the renewable resources of the area in question are conserved.
5. Whenever practicable, and consistent with sound procurement management, land users will follow the practice of local purchase of supplies and services.
6. Land users will establish working relationships with local communities and respect traditional users of the land.
7. During the caribou calving, post-calving and migrating seasons, land use activities should be restricted to avoid disturbing caribou, in general, and activities will be governed more specifically by caribou protection measures such as those contained in Appendix H.
8. Artifacts must be left where they are found. All land users are responsible for reporting to the location of, or any removal or disturbance of, artifacts to CLEY.
9. The mining industry is encouraged to assist in identifying local carving-stone deposits and report any discoveries to KIA. Industry is also encouraged to identify and report old waste sites that need to be cleaned up.
10. All land users shall obey the laws of general application applying to land use.

Keewatin Regional Land Use Plan
Appendix H
DIAND Caribou Protection Measures

1. (a) The Permittee shall not, without approval, conduct any activity between May 15 and July 15 within the Caribou Protection Areas depicted on the map certified by the Engineer as the "Caribou Protection Map" and annexed to this Land Use Permit.
(b) A Permittee may, upon approval by the Land Use Inspector, operate within the said Caribou Protection Areas beyond the May 15 deadline set out in 1 (a), provided that, when monitoring information indicates that caribou cows are approaching the area of operation, the Permittee will implement 1 (c).
(c) On cessation of activities pursuant to 1 (a) or 1 (b), the Permittee will remove from the zone all personnel who are not required for the maintenance and protection of the camp facilities and equipment, unless otherwise directed by the Land Use Inspector.
(d) The Permittee may commence or resume activities prior to July 15 within those parts of the Caribou Protection Areas released by the Land Use Inspector for the reason that caribou cows are not expected to use those parts for calving or post-calving (note 1).
2. (a) In the event that caribou cows calve outside of the Caribou Protection Areas, the Permittee shall suspend operations within the area(s) occupied by cows and/or calves between May 15 and July 15.
(b) In the event that caribou cows and calves are present, the permittee shall suspend:
 - (i) blasting;
 - (ii) overflights by aircraft at any altitude of less than 300 meters above ground level; and
 - (iii) the use of snowmobiles and ATVs (all-terrain vehicles) outside the immediate vicinity of the camp.
3. (a) During migration of caribou, the Permittee shall not locate any operation so as to block or cause substantial diversion to migration.
(b) The Permittee shall cease activities that may interfere with migration, such as airborne geophysics surveys or movement of equipment, until the migrating caribou have passed.
4. (a) The Permittee shall not, between May 15 and September 1, construct any camp, cache any fuel, or conduct any blasting within 10 kilometres of any "Designated Crossing" as outlined on the map certified by the Engineer as the "Caribou Protection Map" and annexed to this Land Use Permit.
(b) The Permittee shall not, between May 15 and September 1, conduct any diamond drilling operation within 5 kilometres of any "Designated Crossing" as outlined on the map certified by the Engineer as the "Caribou Protection Map" and annexed to this Land Use Permit.

KIA Sample Land Use Plan Caribou and Muskox Protection Conditions

35. The Permittee is given permission to conduct the approved land use operations between May 15 and July 15, provided that when caribou and muskox cows are approaching the area of operation, the Permittee shall cease blasting, overflights by aircraft at any altitude less than 300 meters above ground level, and the use of snowmobiles and ATVs (all-terrain vehicles) outside the immediate vicinity of the camp. Other activities shall also be suspended if the caribou approach the immediate vicinity of the specific operation and the monitoring work (described in another clause) indicates that there is stress on the animals.
36. During the presence of caribou and muskox within sight and sound of camp, all personnel will remain quietly in camp.
37. The Permittee may resume activities prior to July 15 if the caribou and muskox cows have ceased to use the area for calving and post-calving.
39. The Permittee shall not locate any operation so as to block or cause substantial diversion to migration of caribou.
40. The Permittee shall cease activities that may interfere with migration or calving, such as airborne geophysics surveys or movement of equipment, until the migrating caribou have passed.
41. The Permittee shall not conduct any operation within 5 km of any "Designated Crossing" as outlined on the map annexed to this Land Use Permit.

From KIA Land Use Permit BHP 197C141