Indian and Northern Affairs Canada

Affaires indiennes et du Nord Canada

Exploration and Mining on Crown Lands in Nunavut Guidebook

Canada

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AS POLICIES AND PROCEDURES CAN BE DEVELOPED AND IMPROVED OVER TIME, IT IS IMPORTANT THAT EACH RESPONSIBLE GROUP OR AGENCY BE APPROACHED FOR QUESTIONS RELATING TO THEIR OWN PROCESSES.

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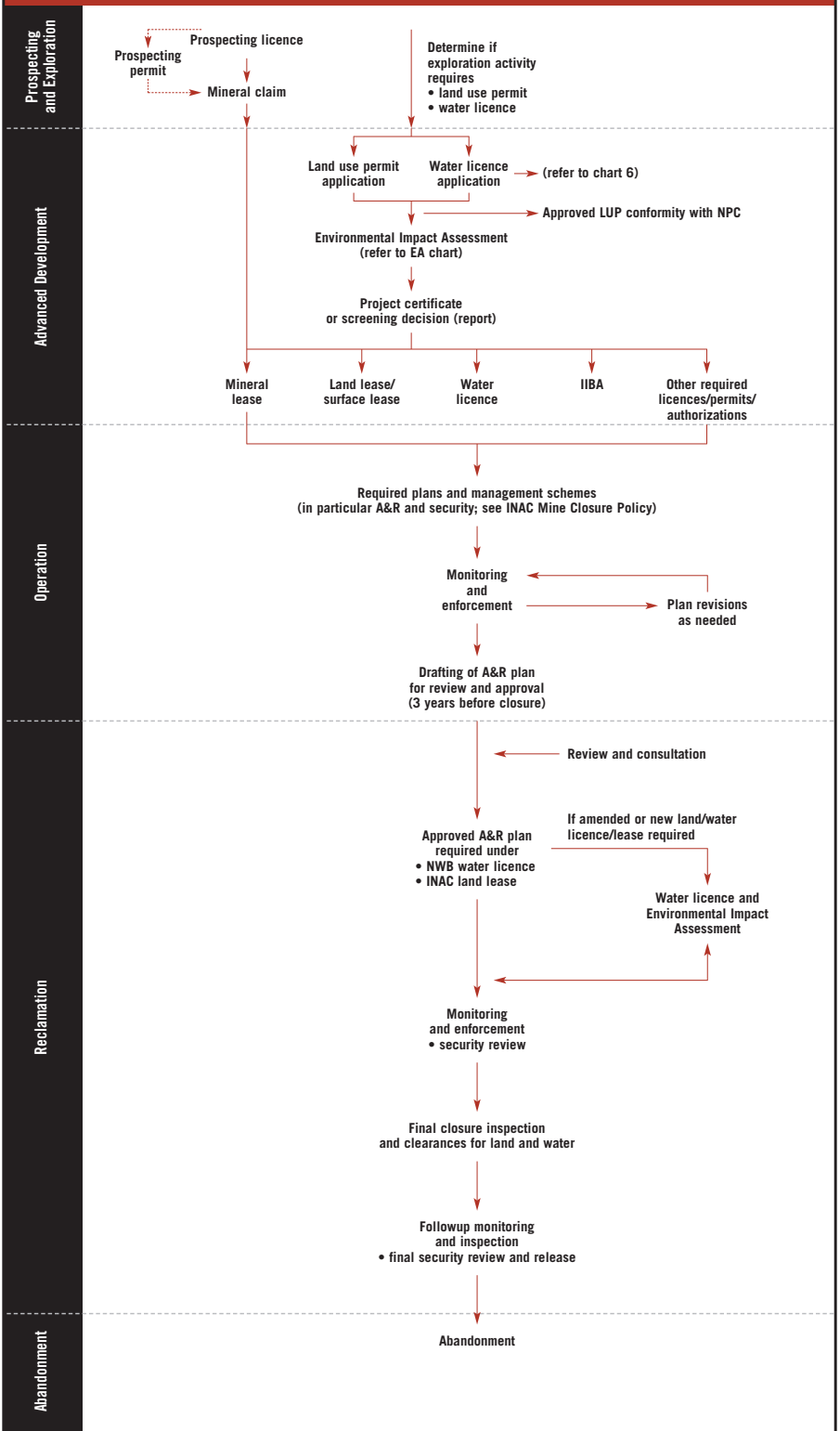


INTRODUCTION

All levels of government and the people of Nunavut recognize the wealth creation and benefits that exploration and mining can bring to the territory. The regulations and procedures are designed to encourage orderly and timely development of the yet untapped mineral resources of Nunavut in a manner that will benefit the people and minimize potential impacts on the environment.

This guide is intended to help the mineral industry navigate the regulatory requirements of mineral exploration, development and mining in Nunavut. Although these requirements can appear to be a daunting task, the guide provides an overview to the general process of mineral development on Crown lands.

At present, the regulatory process in Nunavut is co-managed by the Government of Canada (GoC), Nunavut Tunngavik Incorporated (NTI), Regional Inuit Associations (RIAs), the Government of Nunavut (GN) and Institutions of Public Government (IPGs). Each has specific mandates and responsibilities; however, there is some overlap.

It is important to note that communication and consultation with communities are the cornerstones of sustainable development in Nunavut. Several regulatory processes incorporate consultation.

This guide identifies the key players and relevant legislation for mineral development activities on Crown land.

... AN OVERVIEW OF ROLES

The territory of Nunavut was created on April 1, 1999 through the Nunavut Land Claim Agreement (NLCA). Nunavut is made up of three regions; Kitikmeot, Kivalliq and Qikiqtani (or Baffin). This new territory is vast, occupying more than one fifth of Canada and containing more than two thirds of Canada's shoreline. The 1.9 million square kilometres of land in Nunavut, can be classified as either: Crown land, Inuit Owned Land (IOL) surface land, IOL surface/subsurface lands or Commissioners land.

Crown Lands

Indian and Northern Affairs Canada (INAC) administers Crown land through the Territorial Lands Act (TLA) which provides for the disposition, use and protection of territorial lands. The TLA and its regulations govern the administration and disposition of mineral rights, and access to these rights.

The Canada Mining Regulations (CMR) regulate subsurface mineral exploration.

The Territorial Land Use Regulations (TLUR) regulate surface activities related to mineral exploration and mining. There are other regulations that fall under the TLA including the Territorial Land Regulations (TLR), Territorial Coal Regulations (TCR), the Territorial Dredging Regulations (TDR), and the Territorial Quarrying Regulations (TQR).

For more information on Crown lands, please contact the Lands Administration Unit of INAC. Contact information can be found in Tab 11.

Inuit Owned Lands

The NLCA has delegated the responsibility of land and resource management on IOL to NTI. NTI has further designated some of its responsibilities for surface management to the three RIAs. The RIAs are the:

- Kitikmeot Inuit Association;
- Kivalliq Inuit Association; and
- Qikiqtani Inuit Association.

NTI manages subsurface resources by entering into exploration agreements or by signing mineral production leases with the project proponents. The RIAs manage IOL surface rights in accordance with NTI's procedures and policies.

For more information on IOL, contact the RIA in your area of interest. See Tab 11 for contact information.

Cliffs & Glaciers in the North Baffin region.

Commissioner's And Municipal Lands

The *Commissioner's Land Act* (CLA), administered by the Department of Community and Government Services (CGSNU) of the GN, governs all access and disposition of surface rights on Commissioner's lands.

The administration of the built-up area within incorporated communities rests with the municipal corporation, as per Article 14 of the NLCA. Municipal corporations hold free simple title to most legally surveyed developed lots within municipal boundaries.

Subsurface rights on Commissioner's lands are administered by INAC.

… INSTITUTES OF PUBLIC GOVERNMENT

Five IPGs were created through the NLCA. These are:

Nunavut Planning Commission (NPC);
Nunavut Water Board (NWB);
Nunavut Impact Review Board (NIRB);
Nunavut Surface Rights Tribunal (NSRT); and
Nunavut Wildlife Management Board (NWMB).

The IPGs are described further in Tab 8. There are several organizations with a role in resource management. See Tab 11 for contact information of these organizations.

… FRESH WATER MANAGEMENT

Under Article 13 of the NLCA and *Nunavut Waters and Nunavut Surface Right Tribunal Act* (NW&NSRTA), the NWB is responsible for issuing water licences that allows the use of water and deposit of waste into water. Under the NW&NSRTA, INAC participates as an intervener in the licencing process and, once issued, enforcing the terms and conditions of the NWB water licences.

The NWB, through the water licencing process, may identify additional legislation and regulations governing waters that may be applicable.

Contact information for the NWB and for other federal departments can be found in Tab 11.

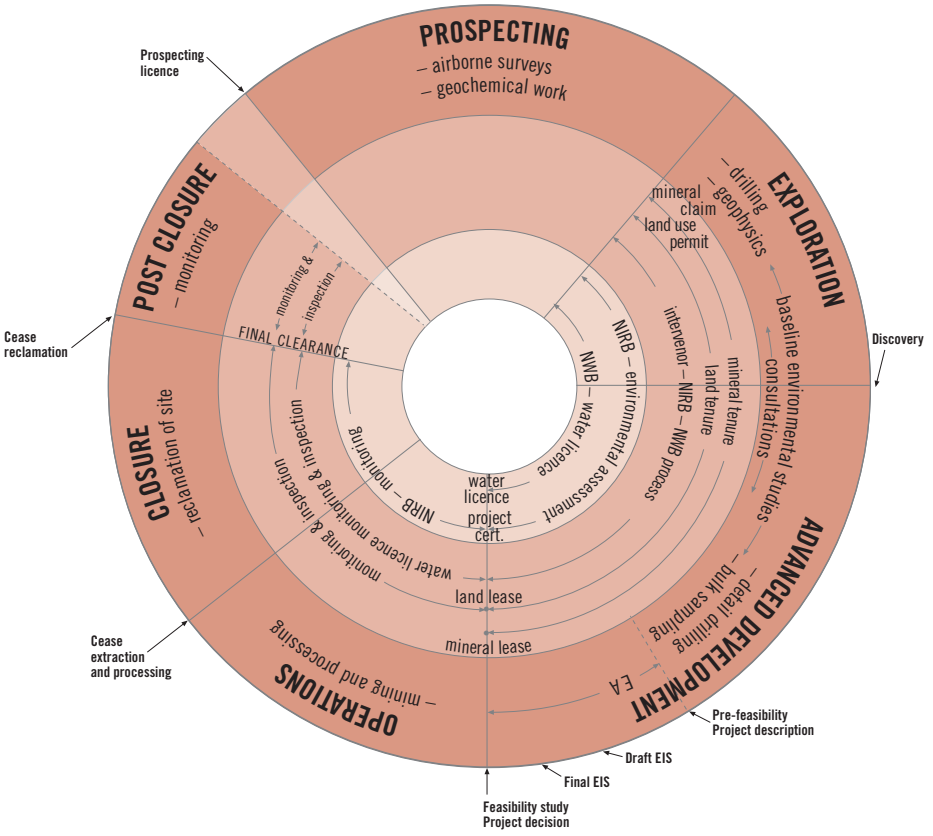
… ENVIRONMENTAL ASSESSMENT PROCESS

INAC is also an intervener in the environmental assessment processes in Nunavut. As an intervener, the department has responsibilities for providing advice to NIRB about the environmental and social effects of projects proposed for development within Nunavut as well as effects crossing jurisdictional boundaries. Article 12 of the NLCA sets out the environmental assessment process for Nunavut. It establishes NIRB to conduct screenings and reviews.

Federal authorities are also subject to ensuring the requirements of the *Canadian Environmental Assessment Act* (CEAA) are met.

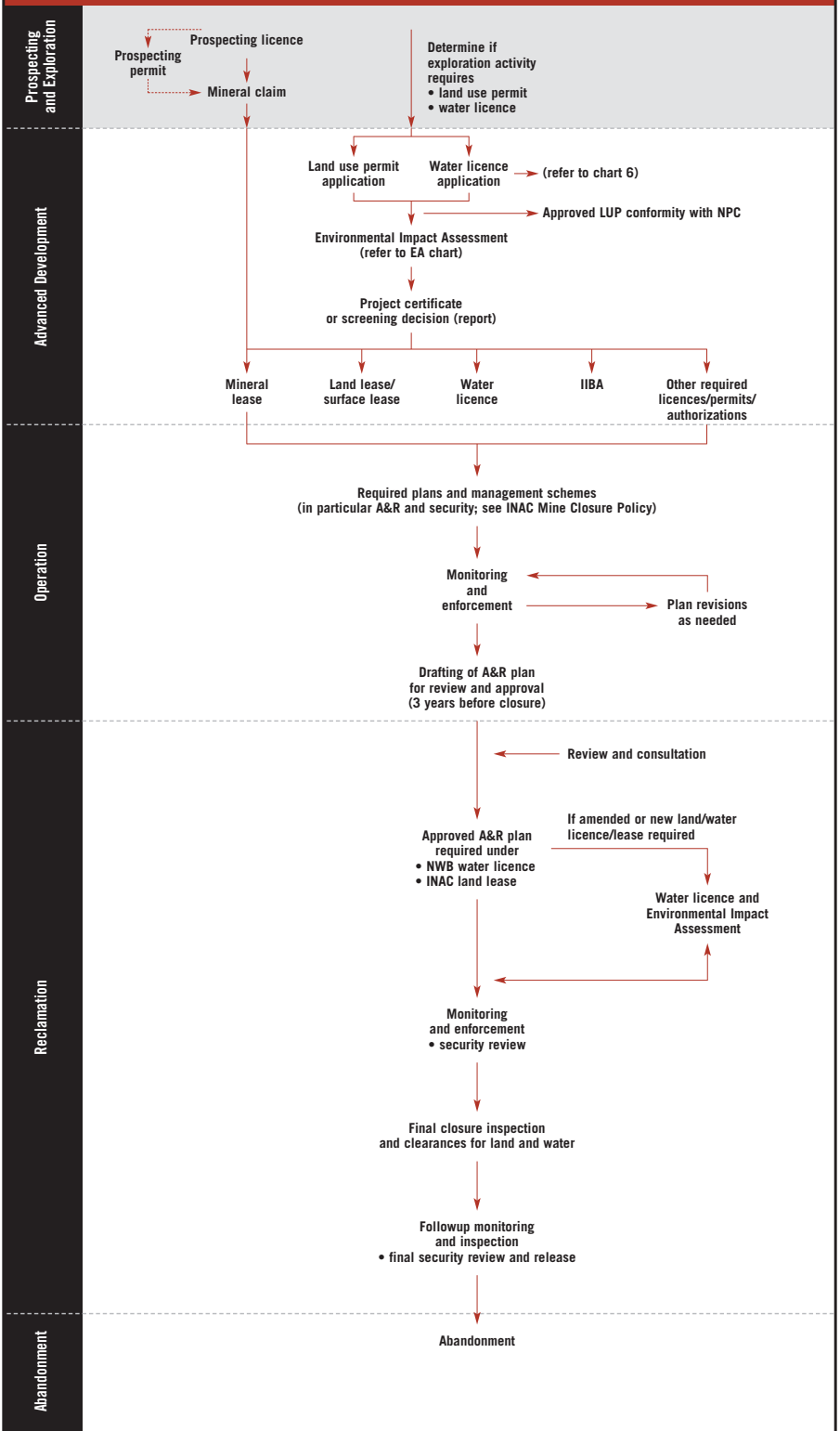
Contact information for NIRB, federal departments routinely involved in federal coordination procedures, and several other organizations with a role in resource management and impact assessment, can be found in Tab 11.

Mineral Development



2a Mineral Tenure on Crown Lands

The Mining Process in Nunavut



SUMMARY OF MINERAL TENURE ON CROWN LANDS

Type of Tenure	Application Procedure	Size	Work Requirements/Fees	Duration/Notes
Prospecting Licence	apply with INAC's Mining Recorder's office	n/a	$5—individual $50—company	Licence expires on March 31, regardless of application date. Individuals must be over the age of 18. Companies must be in good standing with Nunavut Legal Registries.
Prospecting Permit	'Paper' application during December for upcoming year	**Varies from:** 8,319 ha to 29,000 ha (20,557 to 71,661 acres) Size depends upon the specific one-quarter of a 1:50,000 scale map sheet being permitted.	Fee and first year's work requirement as deposit; deposit refundable upon completion of work requirement. **Work Requirement:** 1st period - $0.10/acre 2nd period - $0.20/acre 3rd period - $0.40/acre Please refer to CMR for fee schedule for application, renewal and filing fees	Areas south of 68°N, each work period is one year long for a total of three years. Areas north of 68°N, each of the first two work periods is two years long with the third work period one year long for a total of five years. Excess work may be credited against future years' work requirements.
Recorded Claim	Physical ground staking required	**Varies from:** 20.9 ha to 1,045 ha (51.65 to 2,582.5 acres) No limit to number of claims that may be staked.	**Work requirements as follows:** Initial period - $4/acre Subsequent periods - $2/acre Excess work credits may be applied to future requirements. Maximum grouping of 2,090.2 ha (5,165 acres), claims must be contiguous. Please refer to CMR for fee schedule for application, renewal and filing fees and definition of work requirements	Claims may be held for a maximum of ten years at which time they must be taken to lease. Determine if land is surface IOL, surface subsurface IOL or Crown lands.
Mineral Lease	Physical perimeter survey required upon completion of work requirements.	**Variable:** Claims may be taken to mineral lease upon: - 10th year of recorded claim or - value of ores removed exceeds $100,000 per annum or - representation work exceeds $24.71/ha ($10/acre) or - claim to be brought into production	**No work requirement** Rental of $1/acre for first term increasing to $2/acre for subsequent renewals Please refer to CMRs for fee schedule for applications and renewals	Leases granted for 21 year terms. May be renewed for further 21 year periods. Lease grants right to prospect, develop, extract or sell minerals from lease area, subject to other requirements of federal or territorial legislation.

Mineral Tenure on Crown Lands

The Canada Mining Regulations (CMR), administered by Indian and Northern Affairs Canada (INAC), provide for exclusive exploration rights in the form of prospecting permits, mineral claims and mineral leases. Mineral claims and leases also include the mineral rights.

... LICENCE TO PROSPECT

A licence to prospect is required for general prospecting and before acquiring any permits, leases or claims. At present these licences cost five dollars for an individual and fifty dollars for a company. Without a licence to prospect, one cannot hold a permit , claim or lease.

On Crown lands, a licence to prospect is required to:

- Prospect
- Record a mineral claim;
- Apply for a prospecting permit;
- File for representation work credits (for a claim or claim groups); or
- Acquire a mineral lease

Any person 18 years of age and over can apply for a licence to prospect, as can any company registered with the Registrar of Corporations in accordance with the *Business Corporations Act* (BCANU) which is administered by the Department of Justice (DOJNU). No person can hold more than one licence at any time, and a duplicate licence will only be issued after the original licence has been reported lost or accidentally destroyed. Licences are subject to renewal on March 31st of every year.

Acts and Regulations:

Application	CMR:	Sections 7 to 10
Fees	CMR:	Schedule I
Registration of Corporation	BCANU	

Departments and Boards:

DOJNU
INAC: Mining Recorder's Office

... PROSPECTING PERMITS

Prospecting permits provide exclusive exploration rights within assigned boundaries, but do not include mineral rights or surface rights (see Tab 2b).

Permit areas vary from 8,319 hectares (20,557 acres) to 29,000 hectares (71,661 acres); each area is one quarter of a mineral claim staking sheet (1:50,000 scale map based on the National Topographic System).

Applications for prospecting permits must be submitted between December 1 and December 31. Applications are reviewed in the order in which they are received, and all the prospecting permits issued are effective as of the following February 1. Each permit is valid for three years for areas south of 68°N and five years for areas north of 68°N.

Each application must include details of the proposed exploratory work, along with an application fee and a deposit equal to the amount required to be spent on exploratory work for the first work period. When an application is rejected, both the fee and deposit are refunded. If the application is withdrawn and it would have been approved, only the deposit is refunded. All prospecting permits are subject to any rights previously acquired, or applied for, by any person in the area to which the permit applies.

Active prospecting permits may be transferred to another individual or company holding a valid licence to prospect.

Helicopters are essential to mining and exploration in Nunavut.

A permit holder with a valid prospecting permit may, at the end of the first or second work period, relinquish the rights under the permit. Failure to make the required expenditures may result in the permit being cancelled and any unrefunded work deposits forfeited.

Acts and Regulations:

Permit Areas	CMR: Sections 29(1), (2), Schedule V
Permit Application	CMR: Sections 29(3) to 29(14), Schedule III
Fees	CMR: Schedule I

Departments and Boards:

INAC: Mining Recorder's Office

Exploratory Work Requirements for Prospecting Permits

All required exploratory (exploration) work on prospecting permits is divided into three work periods. For areas south of 68°N, each work period is one year, for a total of three years. For areas north of 68°N, each of the first two work periods is two years with the third work period one year, for a total of five years.

After the first period is completed, a sufficient amount of exploration work must be completed and approved to be able to apply the work to subsequent period deposits. If this is not completed before January 31, a deposit in the amount of the work requirement may be submitted. Deposits given at the beginning of work periods will be refunded if sufficient work is completed.

An assessment report providing details of all exploration work performed and a statement of expenditures must be submitted to the Mining Recorder within 60 days after the end of the permit work period to be able to receive a refund of previously submitted deposits. The Engineer of Mines reviews the content of the report and approves the work expenditures. All work reports remain confidential for three years after the expiry of the permit or three years after the surrendering of the permit.

On application, no more than four prospecting permit areas within a radius of 32.2 kilometres (20 miles) can be grouped together for applying exploration work credits.

After the required amount of exploration work has been completed and approved, the permit holder can stake claims within the permit areas. The staked areas no longer form part of the permit areas. Work done to the permit areas may be transferred to the claims staked within the permit area provided they were staked during the life of the permit.

Once a permit has expired, the holder of the expired permit may not stake a claim, or require a permit, within the permit area for a minimum of one year after the date of expiry.

Acts and Regulations:

Work Report/Work Credits	CMR:	Section 31
Grouping of Permits	CMR:	Schedule V, Section 32
Permit Deposits	CMR:	Section 35
Stake Claims (within permits)	CMR:	Sections 33 and 34

Department:

INAC: Mining Recorder's Office
Mineral Resources

... MINERAL CLAIMS

The holder of a recorded claim has the exclusive right to prospect and develop any mineral discoveries within the staked area, however the claim does not give the holder any surface rights (see Tab 2b).

Mineral claims may be held for up to 10 years from the dated it was first recorded, if all the required representation work has been completed.

The holder of a claim cannot remove, sell or dispose of any minerals or ores in excess of a gross value of $100,000 per annum unless the claim has been taken to lease.

Staking a Claim

Claims range in size from 20.9 hectares (51.65 acres) to 1,045 hectares (2,582.5 acres). They must be as nearly as possible rectangular unless they adjoin lands where staking is prohibited. No "L," "U" or donut shaped claims are allowable.

Before staking, determine if there are IOL surface lands or areas in which the minerals are withdrawn such as IOL subsurface lands. If there are IOL surface lands, a surface access permit must be obtained from the applicable RIA.

Prior to staking, all companies or individuals should refer to relevant maps available in the Mining Recorder's Office, Nunavut, to determine Withdrawn Areas or potential areas of withdrawal.

The CMR provides step-by-step instructions on the specific requirements and procedures for locating and staking mineral claims. It is recommended that these instructions be reviewed prior to staking claims.

Acts and Regulations:

Claim Size	CMR: Sections 12 and 13
Locating Claims/Claim Posts	CMR: Sections 14 to 23

Departments and Boards:

INAC: Mining Recorder's Office

Recording a Claim

Each claim must be submitted for recording at the Mining Recorder's Office within 60 days after the first day of staking. The application to record a mineral claim must be submitted with a fee and a sketch map showing the position of the claim relative to the surrounding topographical features and adjoining claims. Claims are recorded as of the date of receipt of the completed application, which becomes the anniversary date of the claim.

A mineral claim in good standing can be surrendered at any time to relocate the same claim within the boundaries of the original claim. This may be used to re-establish the boundaries of the claim due to missing posts.

Acts and Regulations:

Recording Claims	CMR:	Sections 17, 24 to 25

Departments and Boards:
INAC: Mining Recorder's Office

Representation Work

To keep the claim in good standing, work to the value of $4.00/acre for the first two years and $2.00/acre for subsequent years must be submitted. A statement of representation work, an assessment report and fees must be submitted within 30 days of the anniversary date of the claim, or within 60 days from the date on a lapsing notice. An extension of time to perform representation work due to illness or other reasons may be granted. For an extension other than illness, a deposit equivalent to the representation work deferred is required, and must be made within 30 days of the anniversary date of the claim or within the 60 days given by a lapsing notice.

No representation work is required on a recorded claim after an application is filed for a mineral lease by the holder of the claim.

Grouping Claims

On application, adjacent and contiguous claims can be grouped to a maximum of 2,090.2 hectares (5,165 acres). Work performed in one claim area can be applied to any or all of the other areas within the group.

Acts and Regulations:

Representation Work	CMR:	Sections 38 to 42, Schedule II
Grouping	CMR:	Section 37
Extension of Time	CMR:	Section 44
Reduced Area Claim	CMR:	Section 43
Certificate of Work	CMR:	Section 41(5)
Sixty Day Notice	CMR:	Section 45

Departments and Boards:
INAC: Mining Recorder's Office
Mineral Resources

Transfer/Lapsing of Mineral Claims

Mineral claims or any interests therein on Crown lands may be transferred to another individual or company holding a licence to prospect provided all the required fees have been paid. The transfer is subject to all liens or encumbrances registered at the time of the transfer.

If a claim holder fails to file the required representation work, or to apply for an extension or a mineral lease within the required time, the Mining Recorder sends a lapsing notice 30 days after the anniversary date of the claim and the claim will lapse automatically if the required remedy is not made within 60 days.

Acts and Regulations:

Lapsing/Surrender	CMR:	Sections 45, 49 to 51
Transfers	CMR:	Sections 62 to 64
Cancellation	CMR:	Section 28
Licence to Prospect	CMR:	Sections 7 to 10

Departments and Boards:

INAC: Mining Recorder's Office
Mineral Resources

... MINERAL LEASES

Claims cannot be taken past the 10th year unless a lease is applied for. The lease allows the holder to prospect, develop, extract or sell minerals from the land within the lease area. A mineral lease does not convey any surface rights. An application for a mineral lease may be made at any time, with a fee and the first year's annual rental if:

a. the value of ores removed exceeds $100,000 in a year;
b. representation work has been submitted and recorded to a total value of at least $24.71 per hectare ($10 per acre) or more, excluding part of the cost of $2 or more per acre on surveys as approved by the Surveyor General, or expenditures on the construction of roads and airstrips giving access to the claim; or if the claim is going to be brought into production;
c. a legal perimeter survey has been recorded; and
d. the title of the claim is not under dispute.

Mineral leases are issued for a 21-year period and may be renewed for additional 21-year periods, as long as all required rents are paid. Annual rents are one dollar per acre [$1.00/acre] for the first 21-year lease period and two dollars per acre [$2.00/acre] for subsequent renewal periods of 21 years.

There is no requirement under the CMR to report any work done on a mineral lease. Rent payable on a mineral lease may be reduced up to 50 percent by filing representation work.

Acts and Regulations:

Application/Renewal/Terms		
	CMR:	Sections 27(2), 58 to 59 and 61
Annual Rent/Fees	CMR:	Section 60, Schedule I
Prior Leases	CMR:	Sections 86 to 87
Surveys	CMR:	Sections 54 to 57
Rents	CMR:	Section 60
Reporting of Work	CMR:	Schedule II

Department:

INAC: Mining Recorder's Office
Mineral Resources

Transfer/Lapsing/Cancellation/Surrendering of Mineral Leases

Mineral leases may be transferred to another individual or company holding a licence to prospect, provided all the required fees, rents and royalties have been paid. The transfer is subject to all liens or encumbrances registered at the time of the transfer.

Mineral lease holders may surrender a lease at any time during the term of the lease. A mineral lease may be cancelled if the rent is not paid within the 60-day rental notice period. A lease will lapse if no renewal action has been taken within the 60-day period.

Acts and Regulations:

Lease Cancellation/ Surrendering	CMR:	Section 59
Transfer	CMR:	Sections 62 to 64
Licence to Prospect	CMR:	Sections 7 to 10
Lapsing/Surrender	CMR:	Sections 45, 49 to 51
Right to Removal of Property	CMR:	Section 61

Departments and Boards:

INAC: Mining Recorder's Office

... DISPUTES AND PROCEDURES

The CMR provides resolution mechanisms for disputes on mineral rights and access on occupied Crown lands. In claim boundary dispute cases, a notice of dispute can be filed within 60 days from the date of staking the claim. An additional filing period of up to one year may be fixed by the Mining Recorder, on request from the party disputing the claim.

For disputes regarding access on occupied lands, the Mining Recorder tries to settle the dispute within 30 days after a notice of dispute is filed. In the event the Mining Recorder is unable to effect a settlement, the Supervising Mining Recorder may notify the parties to arbitrate. Each arbitration board consists of an arbitrator named by each party with a third member selected by these two arbitrators.

Any decisions made may be appealed to the Minister of INAC, who then makes a final decision after allowing the claimant 30 days to provide any additional information.

Acts and Regulations:

Access Disputes	CMR:	Sections 70 to 72
Mineral Rights Disputes	CMR:	Sections 28, 52 and 53, 56 and 57
Review by Minister of INAC	CMR:	Section 84

Departments and Boards:

INAC: Mining Recorder's Office
Mineral Resources, Ottawa

... TYPES OF EXPLORATION

The various types of exploration on mineral tenure can include the following:

- Airborne Geophysics
- Prospecting and Reconnaissance Geology
- Line Cutting
- Geological mapping
- Geochemical surveys
- Ground geophysical surveys
- Mechanical and Hand Trenching and Stripping
- Drilling

If any of these costs are to be applied to mineral claims, leases or permits for the purpose of representation work, a valid prospector's licence is required by the claim holder. For more details on these types of exploration and the manner of reporting theses costs see Schedule II of the CMR. INAC's Engineer of Mines may authorize the delivery of all, or a representative portion of, diamond drill cores or samples of cuttings to a core library. In accordance with the CMR, the Engineer may determine the amount of work credits to be given to compensate for the cost of transporting the cores.

Various Land Use permits and other authorities may be needed, please see Tab 2b and Tab 2c for key activities related to prospecting and exploration activities.

2b Surface Tenure on Crown Lands

PERMITTING REQUIRED MINING LIFE STAGES

Mining Life-stage	Sub-surface Tenure	Surface Tenure	Environmental/Societal	Water	Commentary
Prospecting	Permit	Class A or Class B Land Use Permit as per TLUR	None required Initial contact with local communities, development of communication channels.	None required	Class A and Class B land use permits depend upon type and level of exploration work.
Exploration	Claim	Class A Security deposit may be required. Permit will specify terms and conditions, including site abandonment and reclamation plans.	None required It is strongly recommended that companies start baseline studies and examine impacts on local environment. In accordance with the intent of the Global Mining Initiative and sustainable development, preliminary communication with local communities is recommended.	Water licence is required from Nunavut Water Board. As exploration advances, especially drilling, an amendment licence may be required. Drill muds should be permanently confined.	Land use permit and water licence are required for drilling. Inspection by INAC is required after completion of a drill program; if a site is in good standing a letter of clearance will then be issued. Note: any drilling in post-Precambian rocks (deeper than 150 metres) requires a separate authority from INAC's Engineer of Mines.
Advanced Exploration/ Development	Claim / Lease	Class A / Lease Security deposit may be required. Permit will specify terms and conditions including site abandonment and reclamation.	None required, as above any advanced exploration program should accelerate baseline studies and advance communication channels between the company and potentially affected communities. Development will require environmental impact assessment, and possibly an Inuit Impact and Benefits Agreement.	Note conditions above, as exploration advances, licence needs to be issued if daily water use is required for project or if wastes will be deposited, either directly or indirectly into any body of water.	Although no specific environmental permit is required, companies are required to conform to regulations regarding site disturbance, access road construction (must be specified in Land Use Permit), sewage disposal, and storage of deleterious elements (fuel, explosives, etc). Land Use Permit is good for two years, with possible one year extension, Permit applications should provide details of the intended work program.

Production	Lease	Lease Surface lease is required for long-term use such as buildings, ports or airstrips. Surface leases give the holder exclusive right to the land.	Full environmental impact assessment is required. In accordance with sustainable development initiatives, environmental assessment is generally required under both the Nunavut Land Claims Agreement and the Canadian Environmental Assessment Act. Where overlap occurs, the Nunavut Impact Review Board and responsible federal departments will harmonize the permitting process. The responsible authorities recommend and will attempt to ensure that environmental assessment is conducted as early as possible in the life-stage of the project.	Water licences are issued by NWB in accordance with NW&NSRTA. Two types of licences, A & B, are available and both require Ministerial approval. Expect public hearings if project will affect any local community.	As expected, permitting for production is detailed and will require detailed submissions of specific information. In most cases, public hearings are required to determine impact and affects on local communities. In many cases, an IIBA is required before any production begins on Inuit Owned Lands. Project proponents are strongly encouraged to develop communication and hold public consultations with local communities as early as possible in the mining process. In all cases, specific reporting and monitoring requirements are required under the permitting process. Wherever possible, proactive steps should be undertaken to mitigate impacts of the mineral operation.
Closure, Reclamation and Monitoring	Lease	Surface lease	As part of feasibility study, final reclamation is planned when ore is exhausted or no longer economical to mine. A monitoring program is set up for each project, in accordance with legislation and the original closure plan in the feasibility study. Abandonment and restoration should be considered in a progressive and phased-in manner so that abandonment is the final stage of an on-going process and not a major new undertaking at the end of the mine life-cycle. Company should issue final closure document three years prior to expected closure. Monitoring program should measure effectiveness of restoration program and, if so required, allow corrections of any deficiencies detected. Plans/programs should be progressive and proactive.	Abandonment and restoration are an integral part and required condition of a water permit. Most pertinent to successful closure is mitigating waste and tailings impacts to minimize long-term effects on the environment. Most important is to prevent any toxic leachate from entering territorial waters. Application for the cancellation of a water licence must be made prior to final closure. Acts require that the impact of effluent on the environment be closely monitored. Closure or extended stoppage of commercial production, may require closure or intended closure within a specific time.	Certified final plan must be submitted to Land Use Engineer of INAC at least 60 days before completion of reclamation. In addition to environmental considerations, all openings and workings should be filled where appropriate and made safe for final abandonment. To the extent possible, the operator of a mine should return the surface area to its original condition. Upon final closure, release of any financial assurance requirement will be completed. The financial assurance is determined prior to beginning production and a water licence/land use permit/surface lease being issued. Upon items in abandonment and restoration plan being addressed satisfactorily, a letter of clearance will be issued and the mine closed.

Surface Tenure on Crown Lands

Once you have acquired subsurface tenure you will want to explore your claims. This may require surface tenure based on the threshold of your exploration program. The following chapter will introduce what you need to know in order to facilitate a successful exploration program however, it is paramount that all applicants become familiar with applicable legislation.

The Territorial Land Use Regulations (TLUR), administered by Indian and Northern Affairs Canada (INAC), allow the Minister through delegation to authorize land use on Crown land. The Regulations establish basic levels of activity upon which a land use permit is required.

... LAND USE PERMITS

The TLUR, allows for two classes of land use permit: Class A and Class B. The class depends on the level of activities detailed under Section 8 and 9 briefly explained below:

Class A Permit (Section 8) is required for:

1. Use of more than 150 kg of explosives within 30 days.
2. Use of vehicles that exceed 10 tons (10 160 kg).
3. Use of power driven machinery for drilling exceeding 2.5 tons (2540 kg).
4. A campsite used for more that 400 man days.
5. Fuel Storage greater than 80 000 litres (17 598 gal) or a single container over 4000 litres (880 gal).
6. Self propelled machinery for moving the earth.
7. Stationary power machinery for prospecting, moving earth or clearing land.
8. Creating a line, trail or right of way exceeding 1.5 metres wide and 4 ha in area.

Class B Permit (Section 9) is required for:

1. Use of more than 50 kg of explosives but less than 150 kg within 30 days.
2. Use of vehicles that exceed 5 tons (5 080 kg) but less than 10 tons (10 160 kg).
3. Use of power driven machinery that exerts over 35 kpa of pressure on the ground.
4. A campsite used for more that 100 man days but less than 400 man days.

5. Fuel Storage greater than 4 000 litres (880 gal) but less than 80 000 Litres (17 598 gal) or a single container over 2000 litres (440 gal) but less than 4000 litres (880 gal).
6. Creating a line, trail or right of way exceeding 1.5 metres wide and 4 ha in area.

*** Man day as defined by the regulations is in respect to the use of a campsite and means the use of that campsite by one person for 24 hours. It is calculated as the number of people times the duration of stay (i.e. 12 people for 10 ten days = 120 man days)***

INAC encourages all applicants to conduct community consultations with appropriate community councils and Inuit groups located in the general area of any proposed activities, prior to submission of applications. This ensures that communities are informed on what operations are being conducted in their traditional use areas. The feedback and/or results of any consultation efforts conducted as part of the application process by the proponent should be included in the submission as part of the application. This information, although not a requirement of the TLUR, will be information that is helpful in the environmental and public screening of the application.

Any holder of a licence to prospect [Tab 2a], a prospecting permit or a mineral rights holder, all issued and recorded under the authority of the CMR, or any other person contracted by a rights holder to carry out a land use operation, is eligible to apply for a land use permit. Applications must have an original signature and be submitted in duplicate along with the appropriate application and land use fees. Application forms can be found at: **http://www.ainc-inac.gc.ca/nu/nunavut/lan/appfor_e.html.**

All applications must be completed. If not, they may result in refusal or delay in the application screening process. Section 22(2) of the TLUR outlines the requirements that must be met in an application for Land Use. A complete description and summary of the land use operation is required. All activities must be described, so as to provide a complete summary of operation, including: purpose and nature of all undertakings, project location and locations of any existing or proposed infrastructure, schedule of activities and the area(s) to be used during each phase of the operation.

In order to clarify the proposed Land Use, indicate the latitude and longitude of a sole point operations or of each camp site if more than one. If the operation is of a lineal nature, indicate the start point, minimum latitude and longitude and the end point, maximum latitude and longitude. Indicate the map sheet numbers and Quad numbers if applicable. Every application requires clear maps of suitable scale, preferably at 1:50,000 or 1:250,000 that outline the program as well as sketches for programs involving a large amount of detail.

Land Use Fees are payable on actual land used to complete the land use operation including existing lines, cleared areas, campsite, access routes, drill sites, etc. as follows:

Application Fee

Class A or B Permit	$150.00
Land Use Fees	
- lands proposed to be used On the preliminary plan is less than or equal to 2 hectares	$ 50.00
- where lands proposed to be Used on the preliminary plan exceeds 2 hectares	$ 50.00
Cost for each hectare or portion of a hectare in excess of 2 hectares:	$ 50.00
Assignment of a land use permit	$ 50.00
Copies of documents	$ l.00 per page

Land Use fees are payable at the time of application based on the estimated number of hectares required for your land use operation. Any adjustment of fees for actual hectares used for your operation will be adjusted when you submit your final plan and verification by inspection is completed.

When a completed land use permit application is received the screening process begins. If the applicant is interested in an area within an approved land use plan, the Land Use Engineer forwards the application to the Nunavut Planning Commission (NPC), an Institution of Public Government (IPG), for a conformity check. The NPC conformity check requires seven to 10 days. The NPC informs the INAC Land Use Engineer of its decision and, if the project conforms, INAC accepts the application. If the project does not conform, it is returned to the applicant.

A typical tent camp in Nunavut, designed to stand up to the harsh conditions.

Class B land use permit applications are exempt from the Nunavut Impact Review Board (NIRB) environmental assessment process. [Schedule 1 of Article 12 of the Nunavut Land Claims Agreement (NLCA)]. They are screened through INAC's Land Advisory Committee (LAC), and the screening process can take up to 42 days before a decision is made.

Class A land use permit applications are screened by the NIRB. Although applications will be screened by the NIRB, the application acceptance and issuance processes remains with INAC at the Nunavut Regional Office. In order to provide NIRB with enough time to conduct an environmental screening, section 25(1)(b)

of the TLUR is invoked. This allows 42 days to screen for the purpose of further environmental studies on applications. If a water licence is also required, the land use permit application may be reviewed simultaneously with the water licence application presented to the Nunavut Water Board (NWB).

For all applications INAC's Resource Management Officer (inspector) reviews the application and provides comments to the Land Use Engineer. In reviewing the application, the Resource Management Officer (RMO) may suggest an alternate manner of land use to minimize or control the disturbance. They also provide terms and conditions to apply to the permit once issued. For Class A permits, the conditions stipulated on the NIRB's screening decision and recommendations from the inspector may be considered together by the Land Use Engineer in determining the terms and conditions necessary for a land use permit to be issued.

For Class B permits the RMO and LAC comments are compiled and considered by the Land Use Engineer in determining the terms and conditions necessary for a land use permit to be issued.

These terms and conditions specify the location and the area of land that can be used. They also set standards for the operation, including site abandonment and reclamation. They may specify the management, transportation and disposition of waste from an operation.

In addition, to ensure compliance, the Land Use Engineer may include a condition for security not exceeding $100,000 to be deposited with the Minister of INAC. However, when situations warrant and on written request from the permit holder, these terms and conditions may be modified by the Land Use Engineer.

A final plan drawn to scale must be filed within 60 days of the completion of a land use operation or on the expiry of the land use permit, to determine the acreage of land used and the land use fee. A letter of clearance is issued after a last inspection conducted by the RMO and if the Land Use Engineer is satisfied that all the terms and conditions, as specified on the permit, have been met. Within 30 days after the issuance of the letter of clearance, the Land Use Engineer determines the amount of land use fee, payable or refundable.

A land use operation can be suspended at any time if the permit holder does not comply with the terms and conditions of the permit and fails to correct any fault after being notified by the inspector or the Land Use Engineer. The Land Use Engineer can cancel a land use permit if there is no attempt to correct the fault after the permit has been suspended. However, a permit holder, or an applicant for a permit, has the right to appeal to the Minister of INAC within 30 days after a decision, direction or order has been made by the Land Use Engineer or an inspector.

No permit holder is allowed to conduct a land use operation close to a known or suspected archaeological site, burial ground or below the normal high water mark

of a stream in proximity to the operation. A supervisors certificate issued by the Workers Compensation Board of NWT and Nunavut (WCBNU) under the authority of the Mine Health and Safety Regulations (MH&SRNU) may be required if any work must be supervised.

All land use permits are issued for a maximum term of two years. Written requests for extensions are subject to review and approval and may be granted for up to one year.

Acts and Regulations:

Supervisor Certification	MH&SRNU:	Part VI
Land Use Permit:		
Class A and Class B	TLUR:	Sections 8 and 9
Eligibility	TLUR:	Section 21
Preliminary Plan	TLUR:	Sections 22 to 23
Final Plan	TLUR:	Section 33
Land Use Fees	TLUR:	Section 34
Inspection	TLUR:	Section 23, 38 to 40
Terms and Conditions	TLUR:	Sections 31
Security Deposit	TLUR:	Section 36
Progress Reports	TLUR:	Sections 32
Suspension/Cancellation	TLUR:	Sections 41 to 44
Appeals	TLUR:	Section 45
Letter of Clearance	TLUR:	Section 37
Prohibitions	TLUR:	Sections 10, 13 and 16
Required Scale	TLUR:	Sections 7 to 10
Notice of Abandonment	CMR:	Section 74
Land Use Planning	NLCA:	Article 11 (Parts 3 and 5)
Licence to Prospect	CMR:	Sections 7 to 10
Environmental Assessment	NLCA:	Article 12 (Parts 3 to 6)
Water Management	NLCA:	Article 13 (Parts 4 to 7)

Departments and Boards:

INAC: Mining Recorder's Office
Mineral Resources
Land Administration
IPGs(NPC, NIRB, NWB)
WCBNU

The following highlights specific components of mineral development projects and the land tenure permits that may be required during prospecting and exploration. There may be other activities that are not discussed in the following that may require land use permits. Contact the federal department that is responsible for the activity you are conducting. See Tab 11 for contact information.

... FIELD CAMPS

Field camps are centres of operations from which exploration activities are conducted. Depending on the type and level of operations, field camps may vary in size and differ in the type of equipment used and the amount of fuel consumed.

Permits Required

Field camps which require any use of mechanical equipment and supervision of work must be operated under the supervision of a person holding at least a valid supervisor's certificate issued by the Chief Inspector of the WCBNU in accordance with the MH&SRNU.

According to the TLUR, either a Class A or Class B land use permit may be required.

A licence to prospect issued under the authority of the Canada Mining Regulations (CMR), and administered by INAC, is also required if the cost of work is to be filed as work credits on Crown lands.

A water licence [Tab 7] issued by the NWB, under the authority of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NW&NSRTA) is required for use of water other than for domestic or emergency purposes, or within national parks and waste into water.

Acts and Regulations:

Supervisor's Certificate	MH&SRNU:	Part VII
Licence to Prospect	CMR:	Sections 7 to 10
Land Use Permit	TLUR:	Sections 8 to 10
Land Use Permit (Trail, Right-of-Way)	TLUR:	Sections 8 to 10, 14
Water Licence		
Requirements	NW&NSRTA:	Section 48
Conditions of Issuance	NW&NSRTA:	Sections 56 to 61
Terms and Conditions	NW&NSRTA:	Sections 70 to 75
Security Deposit	NW&NSRTA:	Section 76

Departments and Boards:

INAC: Mining Recorder's Office
WCBNU

Site Access and Preparation

Under the TLUR, unless specifically authorized in the land use permit, no new road, trail or right-of- way wider than 10 metres (33 feet), required for site access, can be cleared. A road, trail, line or right of way greater than 1.5 m in width also requires a land use permit. All debris and leaners should be removed on land as well as in water. Any possible erosion as a result of the clearing should be avoided at all cost.

A water licence [Tab 7] issued by the NWB, under the authority of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NW&NSRTA) is required for use of water other than for domestic or emergency purposes, or within national parks.

Acts and Regulations:

Land Use Permit		
(Trail, Right-of-Way)	TLUR:	Sections 8 to 10, 14
Water Licence		
Requirements	NW&NSRTA:	Section 48
Conditions of Issuance	NW&NSRTA:	Sections 56 to 61
Terms and Conditions	NW&NSRTA:	Sections 70 to 75
Security Deposit	NW&NSRTA:	Section 76

Departments and Boards:

INAC: Land Administration
NWB

... DRILLING

Permits and Reporting Requirements

Under the CMR, a licence to prospect is required if the cost of work is to be filed toward exploration or representation work credits. According to the TLUR, either a Class A or Class B land use permit will be required if applicable thresholds are met. The class of land use is dependent upon the types of power-driven machinery to be used, the number of people-days planned and the capacity of fuel storage.

An application fee and a land use fee, together with a preliminary plan showing the location and size of the proposed land use, are required before a permit is issued. A final plan, filed within 60 days of the end of the project, is required for calculating land use fees payable or refundable. After inspections and once the Land Use Engineer of INAC is satisfied that all terms and conditions have been met, a letter of clearance is issued.

Drilling for core samples is an essential part of exploration.

For Crown lands, any drilling in post-Precambrian sedimentary rocks with a projected total depth in excess of 152.4 metres (500 feet) requires a drilling authority from INAC's Engineer of Mines. If no hydrocarbons are encountered, a second hole may be drilled within 1.61 kilometres (one mile) of the first under the same drilling authority, provided all the terms of the drilling authority have been fulfilled.

INAC's Engineer of Mines must be notified before any drilling program begins on post-Precambrian sedimentary rocks. The person carrying out

the drilling program must also submit a diamond drilling report to the Engineer of Mines at the end of each month showing the number of holes and the total distance drilled. A notice of abandonment has to be filed at least 10 days before the end of the project. An inspection is conducted to ensure compliance with the requirements in respect of abandonment.

Acts and Regulations:

Land Use Permit, Class	TLUR: Sections 8 to 10
Preliminary and Final Plans	TLUR: Sections 22, 33 and 35
Land Use Fees	TLUR: Section 34
Drilling Authority/	
Work Reporting and Credits	CMR: Section 74, Schedule II
Diamond Drilling Report	CMR: Schedule II, Sections 3 to 5
Licence to Prospect	CMR: Sections 7 to 10
Letter of Clearance	TLUR: Section 37

Departments and Boards:

INAC: Mining Recorder's Office
Mineral Resources
Land Administration

… CORE STORAGE

The terms and conditions of a land use permit, issued under the TLUR, set the standards for core storage in claim areas or in prospecting permit areas. INAC's Engineer of Mines may authorize the delivery of all, or a representative portion of, diamond drill core or samples of cuttings to a core library. In accordance with the CMR, the Engineer may determine the amount of work credits to be given to compensate for the cost of transporting the cores.

Under the TLUR, at the end of a drilling operation, with notification to and permission from the Land Use Engineer of INAC, buildings, machinery, equipment, materials and fuel drums may be stored on site for later use. The proponent will be required to request a storage authorization to store equipment. The exception has been for drill core storage, it is considered best practices to have core left on site.

Acts and Regulations:

Core Credits	CMR: Schedule II–Section 3(2)
Core Removal	TLUR: Section 19
Land Use Permit	TLUR: Sections 8 to 10

Departments and Boards:

NAC: Mining Recorder's Office
Mineral Resources

... SITE RESTORATION

After a land use operation, every permit holder must restore the permit area, as nearly as possible, to the condition before the operation began. Apart from rock trenching, all excavation areas are to be levelled and compacted. All channels and stream beds should be restored to their original alignment and cross section. All garbage, waste and debris is to be removed, buried or burned, and all sanitary sewage disposed of in accordance with public health ordinances of the Government of Nunavut (GN). Unless there is written approval from INAC's Land Use Engineer, all buildings, machinery, equipment, materials and fuel drums must be removed after the land use operation. Unless specified in the land use permit, a permit holder may leave drill core at a drill site without the approval of the Land Use Engineer. A supervisor's certificate issued by the WCBNU under the authority of MH&SRNU may be required if any work is supervised.

Acts and Regulations:

Site Restoration	TLUR:	Sections 12 to 13, 17 to19
Land Use Permit	TLUR:	Sections 8 to 10
Supervisor's Certificate	MH&SRNU:	Part VII

Departments and Boards:

INAC: Land Administration
WCBNU

Land Leases and Land Use Permits

A mineral lease issued under the authority of the CMR is required for underground and open pit production operations. A mineral lease provides the right to mine the minerals but it does not give any right to use the surface land.

Building access trails or other mine-related facilities requires either a land use permit or a surface lease. If the use is anticipated to be longer than two to three years, a lease is the recommended option. Assessment and approval are also required by the IPGs before a surface lease and land use permit are issued by INAC. Entering occupied Crown lands or private holdings also requires consent from the owner or an order from an arbitrator where applicable.

Heavy earth-moving equipment in use at an open-pit minesite.

Surface leases issued under the authority of the Territorial Land Regulations (TLR) are required for long-term uses such as airstrips and buildings. They give exclusive rights to use the surface and usually have terms and conditions setting standards for operations.

There is a fee for every surface lease application or for its renewal. Surface leases are issued for a term of not more than 30 years and may be renewed on

application for another maximum term of 30 years. The annual rent payable cannot be less than 10 percent of the appraised value of the land and must be at least $150 per annum. All surface leases must be approved by INAC's Lands Administration Manager to be binding on the Crown.

Land use permits are issued under the authority of the TLUR for a term of two years and are for specific purposes, such as developing a quarry or building an access trail, a stream crossing or an ocean port. They also have specific terms and conditions for the construction or operation and must be obtained before operations begin.

Unlike surface leases, land use permits do not give exclusive use of the surface land. There is a land use fee charged according to the total number of hectares (acres) of land used.

Acts and Regulations:

Surface Lease:	
Canada Mining Regulations	(CMR): Section 27(3)
Application	TLR: Sections 4 and 5
Fees	TLR: Schedule
Term/Rent	TLR: Sections 10 and 11
Terms and Conditions	TLR: Section 12
Cancellation/Expiration/ Assignment	TLR: Sections 13 and 14
Land Use Permit	
Prohibitions	TLUR: Sections 8 to 10
Terms and Conditions	TLUR: Section 31
Land Use Fee	TLUR: Section 34
Security Deposit	TLUR: Section 36
Suspension/Cancellation/ Assignment	TLUR: Sections 41 to 44

Departments and Boards:

INAC: Mining Recorder's Office
Lands Administration

... SPECIAL CATEGORIES

Pits and Quarries

The development of a mine site and related infrastructure may require aggregates or other construction materials which are subject to other legislation and operating conditions. Industrial minerals and building stones such as construction stone, carving stone, limestone, soapstone, marble, gypsum, shale, clay, sand, gravel, volcanic ash, earth, ochre, marl or peat are specifically excluded from the CMR

and are not contained in a mineral grant. These materials are regulated on Crown lands by the Territorial Quarrying Regulations (TQR) pursuant to the *Territorial Lands Act* (TLA).

The NLCA stipulates that Government shall notify the Designated Inuit Organization (DIO) of the discovery of carving stone on Crown lands. The DIO shall, respecting third party rights, have the right to obtain an exclusive quarry lease to significant deposits of carving stone or to obtain title to the land containing the carving stone in exchange for other Inuit Owned Land (IOL).

The extraction and use of these quarrying or granular materials on Crown lands requires either a permit or a lease (all applications must be accompanied by a fee payment) and are subject to the payment of royalties. Quarrying on commissioner's or municipal lands is administered under the Commissioner's Land Regulations (CLR) of the *Commissioner's Land Act* (CLA), administered by ED&TNU, though approval from the local municipality is required if the materials are to be extracted from within its boundaries. Those substances on IOL are granted to the DIO throughout their settlement region and are administered by the regional corporations.

On Crown lands, approval from the responsible IPG and a land use permit issued under the authority of the TLUR and quarry permit under the TQR, are required for accessing the materials and carrying out the operation.

Acts and Regulations:

Mineral Definition	CMR:	Section 2
Pit Mining and Quarrying Crown Lands:		
Staking/Leases	TQR:	Sections 4 to 9, 13
Permits	TQR:	Sections 12 to 13
Fees/Royalties	TQR:	Schedules I to II
Commissioner's Lands:		
Permits/Leases	CLR:	Sections 22 to 26, 31 to 34
Deposits/Fees/ Royalties	CLR:	Schedules
Land Use Permit	TLUR:	Sections 8 to 10

Departments and Boards:

ED&TNU
INAC: Mining Recorder's Office
Land Administration

Airborne Surveys

There are no specific licences or permits required for regional surveys on Crown lands. However, a licence to prospect is required if the cost of the survey is to be put toward work credits. Prior to starting an airborne survey, the company should

mitigate any impact on the local community and ensure that the survey does not have an adverse impact on a seasonal event, specifically hunting. Under the Canada Mining Regulations (CMR), administered by INAC, this work can be filed as representation work. The Engineer of Mines reviews the technical content of the assessment report.

Acts and Regulations:

Report/Work Requirements	CMR:	Schedule II–6(1) to 6(2), 7(2)(c)
Licence to Prospect	CMR:	Sections 7 to 10
Representation Work	CMR:	Sections 38 to 42, Schedule II

Departments and Boards:

INAC: Mining Recorder's Office
Mineral Resources

2C Other Applicable Legislation and Regulations for exploration

Other Applicable Legislation and Regulations for Exploration

... LABOUR

The Labour Standards Act (LSANU), administered by the Department of Justice (DOJNU) of the Government of Nunavut (GN), prescribes the rights and responsibilities of both non-governmental employers and employees. Under the authority of this Act, an inspector and a labour standards officer may be appointed to investigate complaints, and a labour standards board may be established to handle all appeals on decisions or orders issued by the labour standards officer. All decisions of this board are considered final.

The *Fair Practices Act* of the GN applies to all cases involving discrimination or unfair practice. Fair practices officers, appointed under the authority of this Act, investigate complaints and assist the parties to settle through negotiations. They may issue notices or hold hearings in the course of settling a dispute. Any order issued by a fair practices officer can be entered as a judgment in the Supreme Court.

Acts and Regulations:

Labour Standards Act		
Hours of Work	LSANU:	Sections 4 to 11
Minimum Wages	LSANU:	Sections 12 to14
Termination of Employment	LSANU:	Sections 14.01 to 14.10
Annual Vacations	LSANU:	Sections 15 to 21
General Holidays	LSANU:	Sections 22 to 29
Pregnancy and Parental Leave	LSANU:	Sections 30 to 39
Labour Standards Officer	LSANU:	Section 40
Inspection	LSANU:	Sections 41 to 43
Labour Standards Board	LSANU:	Sections 44 and 45
Fair Practices Act		
Prohibitions Fair Practices Act:		Sections 3 to 6
Complaints Fair Practices Act:		Sections 7 and 8
Offence and Punishment		
Fair Practices Act :		Sections 10 to 13

Departments and Boards:

DOJNU

… MEDICAL CARE AND SANITATION

The *Public Health Act* (PHANU) of the GN sets standards for medical and surgical care. It includes the type and amount of medicines, first aid equipment and supplies required for field camps. This Act also outlines hospital care standards for field camps with more than 10 employees. It specifies the required number of hospital beds and the travel distance to suitable facilities.

The Camp Sanitation Regulations (CSRNU) of the GN, administered by the Department of Health and Social Services (H&SSNU), establish minimum sanitation standards for mining camp facilities. This legislation deals with sanitation in sleeping and dining quarters and kitchen facilities, including water supplies, ventilation, food preparation, drainage, heating and lighting. It also provides for inspection of the facilities by health officers who have the authority under this Act to order a facility closed if the requirements are not met.

Any land use permit [Tab 2b] or surface leases [Tab 2a] for activities on Crown lands may also incorporate the sanitation standards and other requirements established in territorial legislation as terms and conditions in the permit or lease.

Acts and Regulations:

Medical Care, Requirement	PHANU:	Sections 15 to 18
Camp Sanitation	CSRNU	
Land Use Permit	TLUR:	Sections 8 to 10
Surface Lease	CMR:	Section 27(3)

Departments and Boards:

H&SSNU
INAC: Land Administration

… SPILL AND LEAKAGE REPORTING PROCEDURES

Unless exempted by the Chief Environmental Protection Officer, the Spill Contingency Planning and Reporting Regulations (SCP&RRNU), administered by the Department of Environment (DOENU) of the GN, require that a spill contingency plan be filed when the capacity of potential contaminants stored, either above or below ground, exceeds certain limits. Among other requirements, this contingency plan must include a description of the storage facility, the type and amount of contaminants normally stored, and steps to be taken, including clean-up procedures, in the event of a spill. Under the regulations, the contingency plan must be filed and approved before any of the facilities can be used.

A 24-hour spill report line, operated jointly by the governments of Nunavut and the Northwest Territories, is available for areas in both territories. The number is (867) 920- 8130 and collect calls are accepted. In the event of a spill over a specified amount, a spill report must be filed. The report must identify the person

in charge, include the type and quantity of material spilled and the action already taken to contain, recover and clean up the site.

Acts and Regulations:

Contaminants and Quantity	SCP&RRNU:	Schedules
Spill Contingency Plan	SCP&RRNU:	Section 4
Spill Report Line	SCP&RRNU:	Section 10
Spill Report	SCP&RRNU:	Section 11

Departments and Boards:

DOENU

… TRANSPORTATION OF DANGEROUS GOODS

Explosives and fuels are considered dangerous goods, as defined by both the federal *Transportation of Dangerous Goods Act* (TDGA), the Transportation of Dangerous Goods Regulations (TDGR), the territorial *Transportation of Dangerous Goods Act* (TDGANU) and the territorial Transportation of Dangerous Goods Regulations (TDGRNU). The disposal and transportation of toxic waste is regulated by the *Canadian Environmental Protection Act* (CEPA) administered by Environment Canada (EC).

The safety inspectors of the Department of Community and Government Services (CGSNU) of the GN inspect all dangerous goods transported by road. Inspectors from Transport Canada (TC) inspect all transportation of dangerous goods by air and sea. Regardless of the mode of transportation, an emergency response assistance plan must be filed and approved by TC before the actual operation. This plan should outline implementation plans in the event of a discharge of the dangerous goods from containers, packaging or vehicles.

If a discharge occurs, either the owner or the person in charge, liable for any loss or damages to the public or the environment, must report the incident to an inspector and immediately execute the emergency plan. For the interest of the public, the Minister of CGSNU may issue a directive to cease any activity or to perform any activity in a particular manner. The person receiving the directive has 60 days to appeal to the Supreme Court of Nunavut.

In general, any spills during a fuel transfer must be cleaned up immediately. Any release of a toxic substance must be reported to an inspector, as designated under CEPA.

Acts and Regulations:

Emergency Plan/Insurance	TDGA:	Sections: 7
	TDGANU:	Sections 15 and 16
Inspection/Arrest/Appeals	TDGA:	Sections: 15 to 38
	TDGANU:	Sections 17 to 38
Environmental Emergencies	CEPA:	Part 8

Departments and Boards:

CGSNU
EC
TC

Uranium and Thorium

The CMR do not require specific permits or licences to mine uranium or thorium contained within a mineral grant. However, they do state that the regulations are subject to any act governing radioactive materials. Given public interest and concern with respect to uranium mining, in addition to the mandatory public consultations and reviews by IPGs, rigorous reviews under Article 12, Part 5 of the NLCA or a panel review under CEAA will likely be required to determine the human and environmental implications [Tab 6] before any approvals by IPGs, including any land use permits, surface leases or water licences [Tab 7] are granted.

The *Nuclear Safety and Control Act* (NS&CA) provides the authority for the formation of the Canadian Nuclear Safety Commission (CNSC) which has replaced the former Atomic Energy Control Board (AECB). This Commission's role is to ensure the proper removal, processing and management of all radioactive materials and wastes with an emphasis on the protection of the health and safety of miners and the public in general.

In accordance with the provisions of the General Nuclear Safety and Control Regulations (NS&CR), the CNSC issues, renews, amends, suspends and replaces licences for all stages of uranium mining except exploration. The AECB Cost Recovery Fees Regulations, 1966 (CRFR) stipulate the costs for all licences.

As stipulated in the Uranium Mines and Mills Regulations (UM&MR), an application for operating a uranium mine must include a detailed description of the surrounding topographical areas, the physical composition of the mine, the mill and other buildings, and ways in which the proposed plans, operations, schedules, activities, emergency rescue procedures and waste management programs

comply with the provisions in the Radiation Protection Regulations (RPR) and the Nuclear Security Regulations (NSR).

More specific details may be required for other licences (e.g., the licence to prepare a site for and construct a uranium mine, the licence to operate and the licence to decommission a uranium mining operation). The NS&CA has additional requirements on the licence for the abandonment of a uranium mining operation.

The Packaging and Transport of Nuclear Substances Regulations (P&TNSR) govern the packaging and transportation of nuclear substances, including the design, production, use and maintenance of packaging, preparation and handling, storage during transport and unloading of packages at the final destination.

The *Nuclear Energy Act* (NEA) provides authority for the collection of royalties from producing uranium mines. In any event, Canadians must own or control at least 51 percent of an individual uranium property when it comes into production.

There is significant public concern with respect to radioactive material. Proponents are advised to consult with all regulatory agencies and IPGs before commencing mineral exploration or development activities related to uranium and related substances.

Heavy excavation at a gold mine.

Acts and Regulations:

Canadian Nuclear Safety Commission		
Objectives/Powers	NS&CA:	Sections 9, 20 and 21
Uranium Mining Licences		
Exemption	NS&CR:	Section 10
Requirement	NS&CR:	Sections 3
Renewal/Amendment/Revocation/ Replacement	NS&CR:	Sections 5 to 8
Preparing Site for Construction	UM&MR:	Sections 3 to 5
Operation	UM&MR:	Sections 3, 4 and 6
Decommissioning	UM&MR:	Sections 3, 4 and 7
Abandonment	UM&MR:	Section 8
	NS&CR:	Section 4
Licence Fees	CRFR:	Schedule - Part I: No. 3
Licensees Obligations	UM&MR:	Sections 4, 9 to 15
Code of Practice	NS&CR:	Section 12 to 18
Record Keeping/ Inspection	NS&CR:	Sections 27 to 35
	UM&MR:	Section 16
Radiation Protection Program	RPR:	Sections 4 to 11
Exposure Limits	RPR:	Sections 12 to 14
Nuclear Materials/ Storage	NSR:	Sections 7 to 13
Security	NSR:	Sections 14 to 36
Packaging/Transportation, Nuclear Materials	P&TNSR:	Sections 3 to 23
Royalties	CMR:	Sections 64 to 68
	NEA:	Section 10
Land Use Permits	TLUR:	Sections 8 to 10
Surface Lease	CMR:	Section 27(3)

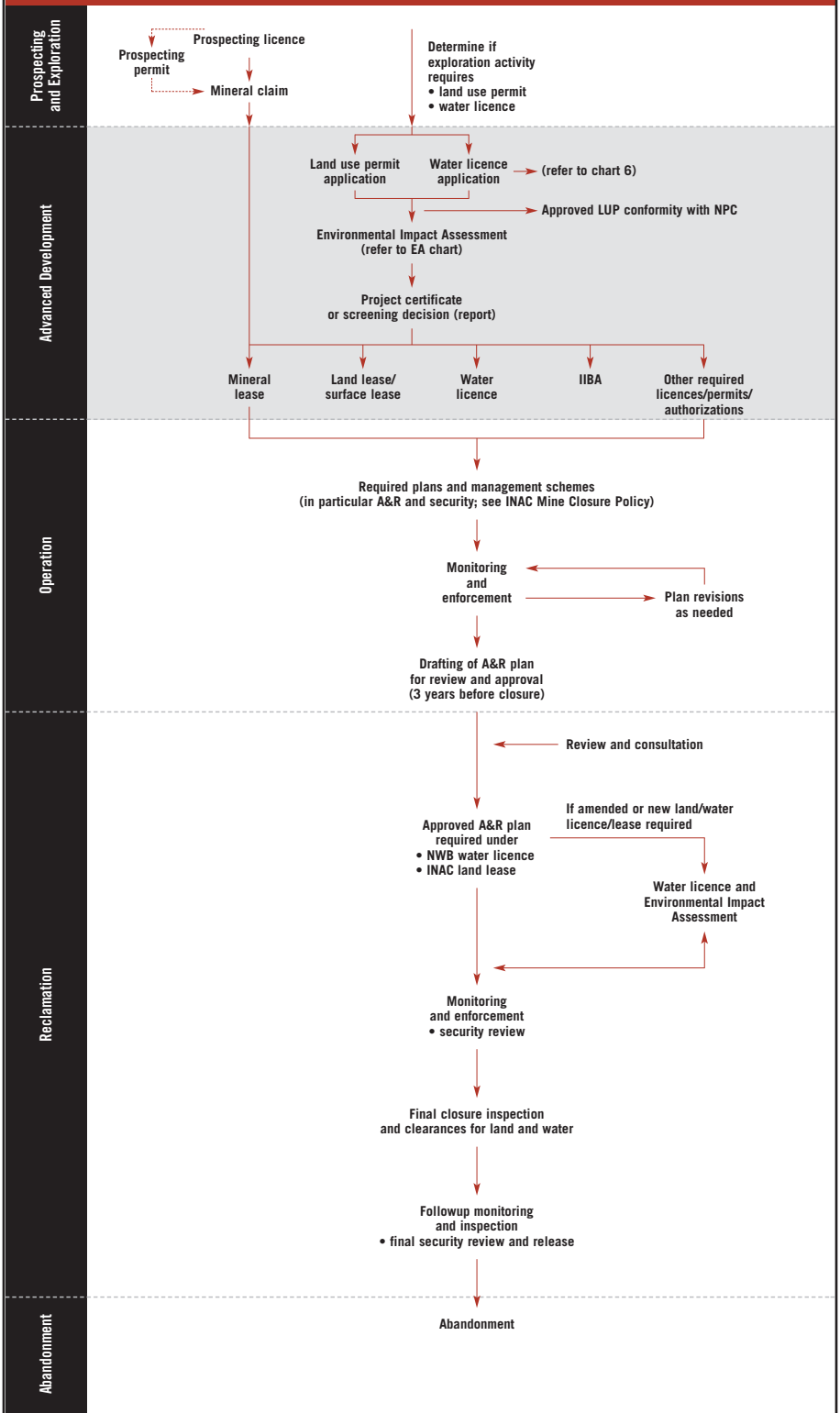
Departments and Boards:

CNSC

INAC: Mining Recorder's Office
Mineral Resources
Land Administration
Mineral Resources, Ottawa

3 Advanced Exploration and Development

The Mining Process in Nunavut



Advanced Exploration and Development

At this stage of the mineral development process, positive exploration results generally indicate that exploration activity and expenditures will accelerate. Activity shifts towards the delineation of an economically viable mineral deposit and determining if a production decision is warranted.

For projects in the North, a number of unique factors need to be examined. These include, but are not limited to: how practical it is, whether it is technically, environmentally, and commercially feasible to operate a mining development under permafrost conditions, the nature of the bedrock, the economics of accessing energy sources, the accessibility of smelting and refining facilities, marketing of sale products, the cost of developing infrastructure, environmental impact and decommissioning costs, and the availability of skilled and unskilled labour, as well as the type of heavy equipment required. All these factors bear heavily on any decision to enter into a full-scale mining operation.

In addition to the scientific, technical and economic factors mentioned above, a feasibility study incorporates the applicable social, cultural and aesthetic values and traditional knowledge (Inuit Qaujimajatuqangit). The impacts of the development on the biological and social environments need to be thoroughly examined as community support is vital for the long-term viability of the project.

The Nunavut Land Claims Agreement (NLCA) stipulates that an Inuit Impact and Benefits Agreement (IIBA) must be signed with Nunavut Tunngavik Incorporated (NTI) before production begins on any major development project on Inuit Owned Lands (IOL). Project proponents are encouraged to conduct their own public consultations early in their project planning, before submitting their applications to Institutions of Public Government (IPGs) and issuing authorities for approvals, permits and licences. That way, when the time comes to negotiate an IIBA, the companies have a good understanding of regional interests and local concerns. It is important that a proponent realize that each region may have concerns specific to that region.

As part of the global movement towards sustainable development in the mineral industry, examining the impact of the various life-stages of a mining project (exploration, development, production, closure/reclamation) on the local and regional communities is a vital component of all mineral development. It is recommended that all companies prepare an internal sustainable development plan that details and develops communication at the early stages of the mining project. This communication will aid the community in understanding the life-

stages of the mining project. In addition, the communication will allow the communities to develop a clear understanding of the long-term benefits as well as the impacts of the mining project.

Companies are encouraged that prior to entering the environmental assessment process they should request a Mineral Development Advisory Group (MDAG). MDAG is an informal group of representatives of government departments, respective regional Inuit Associations (RIAs) and IPGs, usually brought together at the request of the company. Indian and Northern Affairs Canada (INAC) has coordinated several of these MDAGs. This group helps to facilitate and focus the company's information-gathering efforts, especially in the environmental assessment and regulatory processes, and provides available baseline data, technical information and knowledge. However, the MDAG is not part of, or a substitute for, any approval or regulatory process. It cannot guarantee any outcome for the company, however it is recommended that proponents take advantage of this opportunity.

Acts and Regulations:
IIBA NLCA: Article 26

Department and Boards:
Various Federal Departments
Various Territorial Government Departments
NTI and RIAs
IPGs
Community Organizations

... ADVANCED EXPLORATION

The primary objective of advanced exploration and development is to identify the size, grade and physical characteristics of a mineral occurrence and to assess the economic and technical feasibility of developing the mineral deposit into a producing mine.

Advanced exploration and development may include such techniques as drilling, trenching, and driving shafts, adits and declines. It may also include open pit mining methods and bulk sampling.

Bulk Sampling

Large samples of mineralized material involving hundreds to thousands of ton are called bulk samples. These are selected as representative of the potential mineral deposit being sampled. Bulk samples are an integral part of advanced exploration and potential development studies. They are used to test and analyze the metallurgical characteristics to determine whether the substance in question can feasibly be recovered from the mineral deposit. Positive results from a bulk sampling program can lead to further investigation including a feasibility study.

Permits Required

Under the Canada Mining Regulations (CMR), a licence to prospect is required to file representation work for a mineral claim or groups of mineral claims. The holder of a recorded claim cannot remove mineral ores in excess of a gross value of $100,000 per year unless a mineral lease has been applied for and granted by the Minister of INAC.

According to the Territorial Land Use Regulations (TLUR), a land use permit [Tab 2b] is required for relatively large-scale operations, including the use of heavy equipment, explosives and considerable fuel storage, which will substantially disturb the land surface.

A water licence issued by the Nunavut Water Board (NWB) [Tab 7] under the authority of the *Nunavut Water and Nunavut Surface Rights Tribunal Act* (NW&NSRTA) is necessary for any project requiring daily use of water and when wastes are deposited directly or indirectly into any natural body of water.

Under the NLCA the application for a land use permit or water licence may involve an environmental assessment [Tab 6] by government departments and NIRB, which may refer the application to public consultations with affected communities.

If any field camps are to be set up, they must comply with all the relevant legislation.

A technician analyses core samples.

With regard to any use of explosives, the federal *Explosives Act* (EXA) and Explosives Regulations (EXR), administered by Natural Resources Canada (NRCan) and the territorial *Explosives Use Act* (EUANU) and Explosives Use Regulations (EURNU), administered by the Workers' Compensation Board of Northwest Territories and Nunavut (WCBNU), govern the permit process and the use of explosives outside mine sites.

Either Transport Canada (TC) or the Department of Economic Development and Transportation (ED&TNU) of the Government of Nunavut (GN) handles the transportation of those explosives in accordance with the federal *Transportation of Dangerous Goods Act* (TDGA) or the territorial *Transportation of Dangerous Goods Act* (TDGANU) and the regulations made under those two acts. The Mine Health and Safety Regulations (MH&SRNU), administered by the WCBNU, govern the permitting and certification process for storage, transportation and handling of explosives on mine sites.

Acts and Regulations:

Licence to prospect	CMR:	Sections 7 to 10
Work Credits	CMR:	Sections 31, 38, Schedule II
Land Use Permits	TLUR:	Sections 8 to10
EA Process	NLCA:	Article 12 (parts 3 to 6)
	CEAA	
Mine Design and Plans	MH&SRNU	Sections 1.03 to 1.34, 1.113–1.125
Explosives Use	EXA:	Sections 7 & 9
	EXR:	Part V & VI
	EUANU:	Sections 2 to 12
	EURNU:	Sections 2 to 28,
	TDGANU:	Sections 15 &16
	TDGA:	Sections 7& 14
	MH&SRNU:	Part XIV
Water Licence:		
Requirements	NW&NSRTA:	Section 48
Conditions of Issuance	NW&NSRTA:	Sections 56 to 61
Terms and Conditions	NW&NSRTA:	Sections 70 to 75
Security Deposit:	NW&NSRTA:	Section 76

Departments and Boards:

ED&TNU
EC
INAC: Mining Recorder's Office
Land Administration
Water Management
IPGs (NPC, NIRB, NWB)
NRCan
TC
WCBNU

Reporting Requirements

The CMR governs work credits and reporting requirements for all subsurface work. Comprehensive reports are required and must contain maps showing the dimensions of the excavations, the nature of material excavated, locations of the samples and assay results with respect to geographic features, claim boundaries and posts.

To determine land use fees in accordance with the TLUR, a final plan must be submitted to the Land Use Engineer of INAC either within 60 days before the completion of the operation and abandonment of all activities, or on expiry of the land use permit, whichever occurs first. The plan must detail all types of land use

during the operation. The Land Use Engineer then determines the land use fee based on the actual area used. A letter of clearance is issued after the inspectors are satisfied that all terms and conditions have been met.

Acts and Regulations:

Subsurface Reporting:	CMR:	Schedule II
Land Use Permit Reporting, Surface Work	TLUR:	Sections 8 to 10
Final Plan/Security Deposit	TLUR:	Sections 32 to 36
Letter of Clearance	TLUR:	Section 37

Departments and Boards:

INAC: Mining Recorder's Office
Mineral Resources
Land Administration

… FEASIBILITY STUDY – MOVING FORWARD

Feasibility studies are detailed economic, technical, legal and environmental investigations built on the information and knowledge from previous exploration and development work on the mineral deposit in question. These economic and operational investigations also consider existing land claim agreements and socio-economic and infrastructure information to provide an overall assessment of the long-term viability of the development project. This understanding is important before any substantial commitment of resources takes place or equity capital is raised.

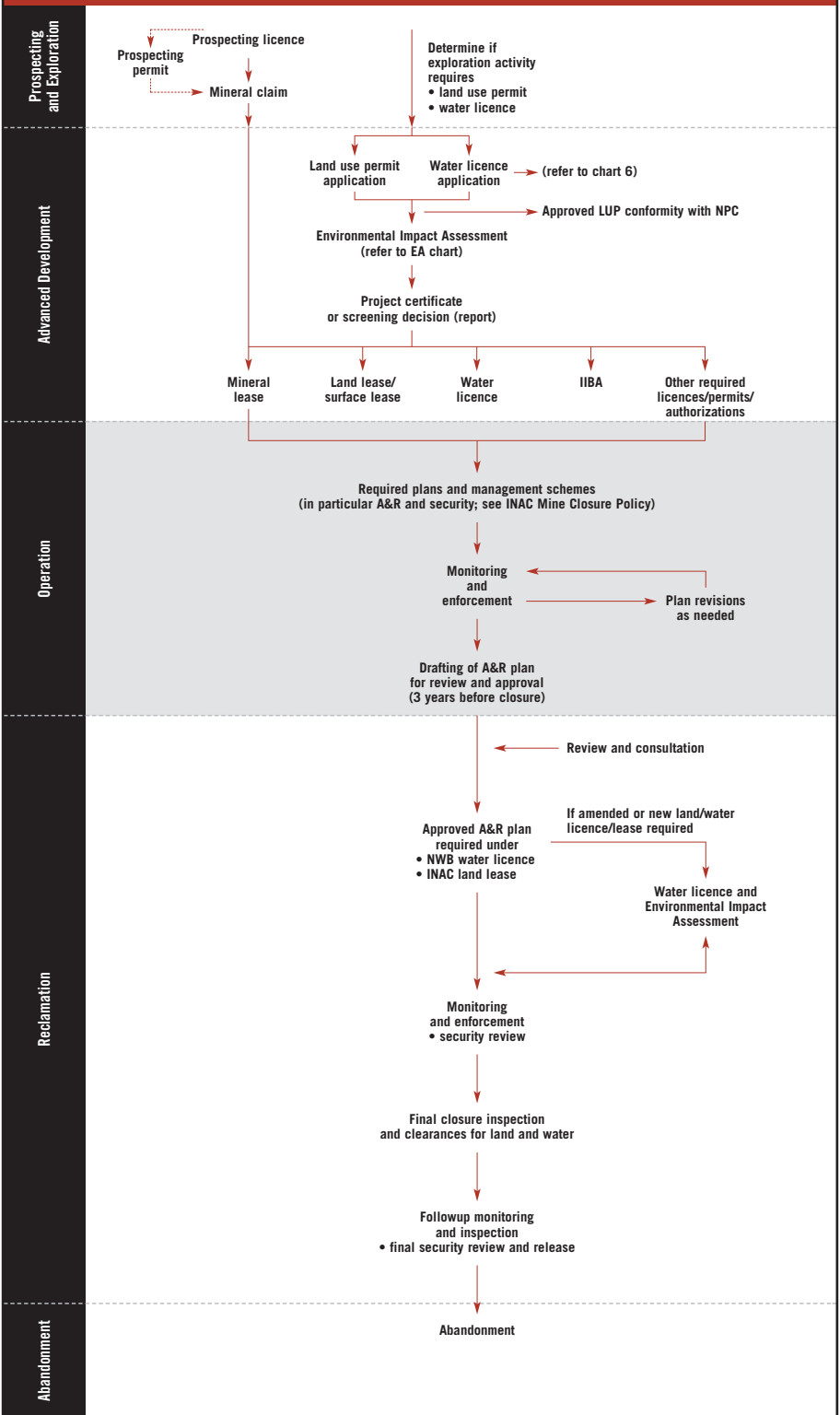
Positive feasibility studies can lead to project proposals, which often include a project description, resource requirements and long- and short-term benefit projections. All feasibility studies will examine potential profitability under various scenarios and examine the sensitivity of that potential profitability based upon changing criteria, including commodity price, cost of capital and technical risk. Positive feasibility studies also can initiate the environmental assessment and regulatory process. Please see Tabs 2, 5, 6 for more information.

Departments and Boards:

Consultation, Process INAC: Various sectors

4 Production and Construction

The Mining Process in Nunavut



Production and Construction

... Underground and Open Pit Mining

Underground mining is the extraction of mineral-bearing ores and the related rocks through a system of works located at least three metres (10 feet) beneath the surface of the earth. It is done through underground excavations to extract ores through shafts, tunnels, adits or declines.

Open pit mining consists of the removal and deposition of overburden material (including ice, vegetation, topsoil, till and drift) to expose the veins or lobes of the ore body or bodies to the surface, for the subsequent extraction of ore and waste rock. Usually, heavy equipment extracts and hauls the mineral-bearing rocks to a nearby treatment facility which may include a mill, concentrator or a heap leach pad.

For the purpose of this chapter, open pit mining does not include the quarrying and removal of limestone, granite, slate, marble, gypsum, marl, gravel, loam, sand, clay, volcanic ash or stone, for which a lease for Crown lands from Indian and Northern Affairs Canada (INAC), or a quarry permit for Commissioner's land, from the Department of Community Government & Services (CGSNU) of the Government of Nunavut (GN), must be obtained. The Territorial Quarrying Regulations (TQR) govern the extraction of the above-noted materials on Crown lands.

... Underground and Open Pit Development

Mine development depends on the presence of ore, defined as mineralization of sufficient grade and tonnage to sustain commercial mining operations under current economic conditions. Mining may be completed via surface operations (open pit) or subsurface operations (underground). It is common over the life of a mining project to have both operations at a single site.

The actual operation of a producing mine requires considerable planning. Mine site development includes the underground mine itself as well as roads, railways, runways and other mine-related infrastructure. This infrastructure may include surface plants, mill works, concentrators, waste disposal areas, heap leach facilities and living accommodations.

Any surface work requires permits and licences. Most of these permits and licences are either governed by the federal Territorial Land Use Regulations (TLUR) and Territorial Lands Regulations (TLR) administered by INAC, or by territorial legislation administered by the Workers' Compensation Board of the Northwest

Territories and Nunavut (WCBNU), the Department of Environment (DOENU), the Department of Health and Social Services (H&SSNU) or CGSNU. All the legislation sets standards for safe and sustainable resource development practices.

All legislated authorities issue their permits or licences after a Project Certificate has been issued by the Nunavut Impact Review Board (NIRB). (Tab 6)

Royalties

Annual royalties must be paid to Her Majesty on a percentage of the value of the output of each mine situated on mineral leases issued under the Canada Mining Regulations (CMR). The value of the output for royalty purposes is normally the market value of the minerals produced by the mine less deductions and allowances provided for in the regulations.

Acts and Regulations:

Royalties	CMR:	Sections 64 to 69

Departments and Boards:

INAC: Mineral Resources, Ottawa

... PERMITTING REQUIREMENTS

Every type of mining requires permitting. There will be various permits and regulations depending on the type of mining you are doing. In this section, the most common mine site components that require permits are addressed. These include:

- Uses of Explosives and other dangerous goods
- Mine Site Health and Safety
- Access
- Waste Management

Permits are also required when dealing with land and mineral tenure and water usage. Land and Mineral Tenure are addressed in Tab 2, while water licencing is addressed in Tab 7.

Use of Explosives

The use and transportation of explosives in and around mine sites is regulated by the *Mine Health and Safety Act* (MH&SANU), the Mine Health and Safety Regulations (MH&SRNU), the *Explosives Use Act* (EUANU) and the Explosives Use Regulations (EURNU), all of which are administered by the WCBNU of GN.

Outside the mine sites, the federal *Explosives Act* (EXA) and Explosives Regulations (EXR), both administered by Natural Resources Canada (NRCan), apply to the manufacture, storage, importation and sale of explosives. Some aspects of transportation, particularly the packaging of explosives, are also governed by the EXR.

The transportation of explosives by road outside mine sites is the responsibility of the GN and is governed by the territorial *Transportation of Dangerous Goods Act* (TDGANU) and Transportation of Dangerous Goods Regulations (TDGRNU), both of which are administered by the CGSNU. The transportation of explosives by air and sea is governed by the federal *Transportation of Dangerous Goods Act*, 1992 (TDGA) and Transportation of Dangerous Goods Regulations (TDGR), both of which are administered by Transport Canada (TC).

Permits Required In and About Mine Sites

An explosives magazine permit is required from the Chief Inspector of Mines of the WCBNU for any storage of explosives in surface magazines. For short-term storage, where a magazine permit is not required, the explosives vendor should supply an explosives purchase and possession permit.

A permit is required from the Chief Inspector of Mines of the WCBNU for any underground storage of detonators or for more than 300 kilograms (661.38 pounds) of explosives. These explosives and detonators are only to be stored in magazines, day benches or suitable shift boxes for underground use. For either type of underground storage, a plan must be submitted with the permit application showing the location of the storage and indicating the construction materials of the magazines or day benches.

An open pit at the Lupin Gold Mine.

Under the EUANU, only the holder of an explosives permit issued by the WCBNU can handle explosives. Under the MH&SANU, a blasting certificate from the Chief Inspector of Mines is required before conducting any blasting operations in or about a mine site.

A specific written authorization from the manager of the mining operation is required for any explosives or detonators to be removed from a mine site. In the event of a careless act involving explosives or detonators, the manager is required to make a verbal report followed by a written report within 24 hours of the incident to the Chief Inspector of Mines of the WCBNU.

The MH&SRNU outlines the procedures for transportation, both surface and subsurface, of explosives and detonators at mine sites. They also outline the procedures for loading and priming for different types of blasting under various conditions.

Acts and Regulations:

Explosives Permit	EUANU:	Sections 2 to 9
All other Explosives Guidelines	MH&SRNU	Part XIV

Departments and Boards:

WCBNU

Other Permits Required Outside the Minesite

Under the federal EXA and EXR, both administered by NRCan, licences are required for the manufacture, magazine storage and sale of explosives outside mine sites. Certificates are also required for certain manufacturing operations, such as the blending of components of an authorized explosive (ammonium nitrate and fuel oil), at or near the place of use, such as open pit mines.

Permits are also required for importing and transporting certain types of explosives in excess of 2,000 kilograms (4,409.2 pounds); transportation must be carried out in a manner authorized by either the federal TDGA and TDGR or the territorial TDGANU and TDGRNU.

The transportation of explosives by road may be subject to inspection by territorial safety inspectors under the authority of the territorial TDGANU. However, the proper packaging of explosives for transportation is governed by both the federal EXR and specifications from the Explosives Regulatory Division of NRCan based on the United Nations Recommendations on the Transport of Dangerous Goods. The design registration and approval of the packaging needs to be obtained from TC. Under the federal TDGA, an emergency response assistance plan must be approved by TC, outlining implementation plans in the event of a discharge of dangerous goods from containers, packaging or vehicles before any transportation begins. TC inspects all transportation of explosives by air and sea.

The EURNU elaborate on the proper way to handle explosives outside a mine site.

Under the TLUR administered INAC, the amount of explosives to be used at any given time determines the class of land use permit [Tab 2b] required.

Acts and Regulations:

Certificates/Permits/ Licences	EXA:	Sections 7 and 9
Inspection	EXA:	Section 14
Packing for Transportation	EXR:	Part V and VI
Accident Inquiry	EXA:	Section 15
Report of Accident/ Offence and Punishment	EUANU:	Sections 10 to 12
Dangerous Goods/ Transportation/Emergency Plans/Financial Responsibility	TDGANU:	Sections 15 to 16
	TDGA:	Sections 7 and 14
Explosives Handling	EURNU:	Sections 3 to 27
Land Use Permit	TLUR:	Sections 8 to 10

Departments and Boards:

- CGSNU
- INAC: Land Administration
- NRCan
- TC
- WCBNU

... COMPLIANCE

Both federal and territorial legislation on explosives provide for the appointment of inspectors to ensure compliance, not only with legislation, but also with the terms and conditions attached to permits, licences and certificates that have been issued. Either the federal or territorial Minister responsible may direct an inquiry to be made whenever an accident caused by explosives occurs.

Acts and Regulations:

Inspection	EXA:	Section 14
	EUANU:	Section 11
	TDGANU:	Sections 17 to 29
Accident Inquiries	EXA:	Section 15
	EUANU:	Section 10
	TDGANU:	Section 31
Offences	EXA:	Sections 16 to 27
	EUANU:	Section 12
	TDGANU:	Sections 30 to 38
Appointment of Inspectors	EXA:	Section 13

Departments and Boards:

- CGSNU
- NRCan
- WCBNU

Water Licences

A water licence [Tab 7] issued by the Nunavut Water Board (NWB), under the authority of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NW&NSRTA) is required for any daily use of inland waters and any deposit of waste into natural water bodies. See Tab 7 for more information on this process.

Access

The TLUR and the TLR set standards for building access roads, trails and other facilities related to mine site preparation. Water licences [Tab 7] issued by the NWB, under the authority of the (NW&NSRTA), set standards for water use, including stream crossings, water quality protection and the deposit of waste.

In addition, environmental assessment [Tab 6] under the authority of the Nunavut Land Claims Agreement (NLCA) and/or the *Canadian Environmental Assessment Act* (CEAA), any of the Institutions of Public Government (IPGs) and the responsible authorities, or GN's DOENU under the authority of the *Wildlife Act* (WANU), may post conditions for wildlife management and ecosystem protection with specific land use standards and concerns. These conditions or standards and criteria are stipulated in the project certificate.

Land use permits [Tab 2], issued under the authority of the TLUR, may set terms and conditions for transporting equipment and workers on land. Some transportation facilities, such as airstrips and ocean harbours, are subject to federal legislation that sets standards for the construction, operation and maintenance of the facilities.

Acts and Regulations:

Land Use Permit		
Prohibitions	TLUR:	Sections 8 to 10
Fees	TLUR:	Section 34
Security Deposit	TLUR:	Sections 36
Discontinuance of Use	TLUR:	Section 43
Environmental Assessment	NLCA:	Article 12
	CEAA:	Sections 14 to 58
Water Licence	NW&NSRTA:	Sections 11 to 13
Terms and Conditions	NW&NSRTA:	Sections 70 to 75
Wildlife Protection	WANU:	Section 38

Departments and Boards:

DOENU
INAC: Mining Recorder's Office
Land Administration
Environment
IPGs

... WASTE MANAGEMENT AND WASTE DISPOSAL

Waste management can be a major part of mining, especially during the production phase. Based on information in the application, the required standards for the operation are often included as terms and conditions before the IPGs will grant approvals and the land use permit [Tab 2b] or the surface lease and water licence [Tab 7] are issued. Under the NW&NSRTA and TLUR, inspections are mandatory before a letter of clearance is issued.

It is very important that all measures be taken to avoid any introduction of deleterious substances into waterways. Both the *Fisheries Act* (FA), administered by Fisheries and Oceans Canada (DFO) and Environment Canada (EC), and the *Arctic Waters Pollution Prevention Act* (AWPPA), administered by INAC, define "deleterious substance" and "waste" as any substance that, if added to any water, would degrade or alter the quality of that water to an extent that is detrimental to its use by man or by any animal, fish or plant that is useful to man. The Metal Mining Effluent Regulations (MMER) of the FA, administered by EC, set allowable limits in effluent at final discharge points in mines for each of the deleterious substances named.

The FA prohibits any undertakings which may harm, disrupt or destroy fish habitats in inland and territorial waters. The MMER require, among others, the owner or operator of a mine to conduct environmental effects monitoring studies of the potential effects of effluent on the fish population.

Under the authority of the Environmental Protection Act (EPANU), the territorial Minister of the DOENU may direct an inquiry to investigate an improper discharge of contaminant.

The AWPPA, with its regulations, the *Arctic Waters Pollution Prevention Regulations* (AWPPR), forbids any direct deposit of waste in Arctic waters, through shipping and transportation, or anywhere else on the mainland under such conditions that the wastes may enter Arctic waters. Plans and specifications relating to the work are usually required in advance to minimize deleterious effects to Arctic water. The AWPPR sets limits on liability and, under the authority of the AWPPA, the owner of a project on any land adjacent to Arctic waters may be asked to provide evidence of financial responsibility.

Prospecting equipment and transportation at a Baffin Island minesite

The WCBNU requires a generic plan showing mine dumps. In general, before the final closure or temporary abandonment of an operation, all scrap materials, including garbage, waste and debris, must be removed, burned or buried.

All drill cuttings must be confined and drill holes properly plugged and fenced. Proper handling procedures are especially important for wastes containing

radioactive substances, which must be buried and the excavation site refilled. All surfaces must be recontoured, stabilized and revegetated. They must be restored as closely as possible to their original condition and graded for proper drainage. In addition, all tools and equipment must be removed within a specific time.

The Canadian Nuclear Safety Commission (CNSC) is responsible for administering the *Nuclear Safety and Control Act* (NS&CA) and the regulations made under this act. The Uranium Mines and Mills Regulations (UM&MR) lay out the limits for collecting, processing and disposing of wastes that are produced as a result of the licensed activity at a uranium mine or mill. The Radiation Protection Regulations (RPR) set the limits for radiation doses.

The MMER administered by EC also set limits for the monitoring of Radium 226 outside of a uranium mine.

Acts and Regulations:

Mine Dumps	MH&SRNU:	Sections 1.148 to 1.156
Land Use Permit:		
Prohibitions	TLUR:	Sections 8 to 10
Terms and Conditions	TLUR:	Section 31
Preliminary/Final Plans	TLUR:	Sections 22 and 33
Letter of Clearance	TLUR:	Section 37
Plans and Specifications	AWPPA:	Section 10
Financial Responsibility	AWPPA:	Section 6 to 8
Liability	AWPPR:	Section 8(e)
Investigation	EPANU:	Section 2.4
Deleterious Substance	FA:	Section 36
Waste Deposit	AWPPA:	Section 4
Effluent Monitoring	MMER:	Section 6 to 39, Schedules
Water Licence		
Deposit of Waste	NW&NSRTA:	Section 12
Conditions of Deposit	NW&NSRTA:	Section 71 to 73
Security Deposit	NW&NSRTA:	Section 76
Uranium Licences		
Conditions	UM&MR:	Sections 3 to 8
Radiation Dose Limits	RPR:	Sections 12 to 17

Departments and Boards:

CNSC
DFO
DOENU
EC
INAC: Land Administration
Water Management
NWB
WCBNU

Tailings

Federal mining legislation does not provide for tailings management. However, all issuing and approving authorities include tailings management under the terms and conditions of their approvals.

It is the project operator's responsibility to see that wastes are treated to meet the terms and conditions of the issuing or approving authorities as well as the standards set by the relevant legislation.

On a case-by-case basis, INAC and the NWB may require specific measures to avoid any introduction of deleterious substances into waterways. This may include the creation of tailings ponds or tailings impoundment areas, to protect the watersheds around the mine site. Special use of water may even be authorized for transporting or depositing tailings.

Often, on a case-by-case basis, the materials in tailings dictate their specific management, including tailings stability and revegetation of the area.

Under the MMER administered by DFO, an emergency response plan is required of every owner or operator of a mine that describes measures to be taken in the event of a deleterious substance deposited out of the normal course of events or to mitigate the effects of such deposit. That plan must be updated annually.

Acts and Regulations:

Toxic Substance	Canadian Environmental Protection Act (CEPA):	Part 5, Schedules
Land Use Permit	TLUR:	Sections 10, 18
Land Lease	TLR:	Section 12
Water Licence	NW&NSRTA:	Sections 12, 71 to 74
Emergency Response Plan	MMER:	Sections 30 and 31

Departments and Boards:

DFO
EC
INAC: Land Administration
Water Management
NWB

Deleterious Substances

The MMER further defines deleterious substances to include arsenic, copper, cyanide, lead, nickel, zinc and total suspended matter or radium 226. They set the allowable concentrations of deleterious substances in effluent in final discharge points of a mine. It is the responsibility of the project operators to maintain facilities for sampling and analyzing effluents. The owner or operator is to report on the frequency of the deposits and the analytical testing methods for the concentration of deleterious substances in the effluent.

As part of a monitoring program, a monthly report must be submitted to the Regional Director of the Environmental Protection Service of EC. This report must describe the type of sampling, methods of analysis, analyses and measurements. EC may request further details regarding water use and treatment methods.

Acts and Regulations:

Deleterious Substance	MMER:	Section 3
Authority to Deposit	MMER:	Sections 4 and 5
Fish Habitat Protection	FA:	Sections 35 to 42
Waste Deposit/Prohibition	AWPPA:	Section 4
Effluent/Concentration Tests/ Monitoring Conditions/Reporting	MMER:	Sections 6 to 39, Schedules
Waste, Prohibitions	CEPA:	Parts 5 and 7, Schedules 1, 5 and 6
Land Use Permit	TLUR:	Sections 8 to 10, 17
Water Licence	NW&NSRTA:	Sections 72 and 73

Departments and Boards:

DFO
EC
INAC: Land Administration
Water Management
NWB

Toxic Waste

CEPA defines any substance as toxic if, upon entering the environment in a specific quantity, concentration or under certain conditions, it is capable of constituting a danger to human life or health, or causing immediate or long-term harmful effects on the environment and its biological diversity.

CEPA, administered by EC, governs the disposal and transportation of toxic wastes, which include (but are not limited to) mercury, asbestos or substances which contain high-level radioactive materials. These toxic wastes are normally not permitted to be transported or exported except for the purpose of destroying them. Notification must be given to the Minister of EC before transporting such restricted substances.

Any person who is 18 years and older and is aware of any incident in which toxic wastes are discharged into the environment, can within 60 days of the occurrence, request that the Minister of EC commence an investigation of the incident. Failing a satisfactory answer from the Minister, this person has the right to apply to any court of jurisdiction for an environmental protection action to obtain an injunction against the continued discharge of the toxic wastes.

Acts and Regulations:

Toxic Waste Definition	CEPA:	Schedule I
Virtual Elimination/ Level of Quantification	CEPA:	Section 64
Movement	CEPA:	Sections 65 and 65.1
Reporting/Remedial Measures	CEPA:	Part 7 (Division 8)
	CEPA:	Sections 16 to 41, 212 to 215

Departments and Boards:

EC

Contaminated Soil

Contaminated soil must be disposed of and contained in designated and approved disposal areas that are properly prepared and solidly engineered. Every effort must be made to prevent any migration of soil contaminants to another medium outside the tailings areas (e.g., air and especially water). Soil that has been contaminated as a result of a spillage must be handled in accordance with specified procedures set out in a spill contingency plan.

Any economical remediation techniques may be used outside the containment areas as long as the treated soil complies with the Canadian soil quality guidelines of the Canadian Council of Ministers of the Environment (CCME), which are established for the protection of ecological receptors or human health associated with the identified land use.

In addition, on a case-by-case basis, authorities, including the NWB, stipulate terms and conditions on the permits and licences before granting their approval. In accordance with the *Environmental Protection Act* (EPANU), the Minister of the DOENU may direct an inquiry where a discharge of a contaminant has resulted in injury or damages to property or the environment.

Acts and Regulations:

Terms and Conditions		
Land Use Permit	TLUR:	Sections 10 and 31
Water Licence	NW&NSRTA:	Sections 11, 12, 72, 73 and 75
Waste Seepage	AWPPA:	Section 4(1)
Inquiry	EPANU:	Section 2.4

Departments and Boards:

DFO
DOENU
EC
INAC: Land Administration
Water Management
NWB

Waste Rock Piles

All waste rock piles must be stabilized and recontoured. The surface land authorities, including the IPGs and water use authorities, approve and provide standards proposed by a company for managing the waste rock piles and stipulate terms and conditions on the granting of approvals, permits and leases on a case-by-case basis. Under the TLUR, a letter of clearance will be issued if all the conditions on the permit have been met.

Acts and Regulations:

Restoration, Terms and Conditions	TLUR:	Sections 18 and 31
Letter of Clearance	TLUR:	Section 37

Departments and Boards:
INAC: Land Administration
IPGs (NWB, NIRB)

De-watering, Pumping and Mine Drainage

The MH&SR set standards for pumping out and de-watering mine works. In general, any mine workings should be kept free from water flow or water accumulation. All mine workings require a drainage system with a pumping system capable of pumping water to the surface for disposal.

Acts and Regulations:

Water and Drainage	MH&SRNU:	Sections 1.79 to1.112
Water Licence Waste	NW&NSRTA:	Sections 12, 72 and 73

Departments and Boards:
NWB
WCBNU

Aerial view of a washplant, dryer, clean coal silo, and reject pile

Sewage

Until it is repealed and replaced by a regulation specific to Nunavut, the Northwest Territories Waters Regulations (NWTWR) will continue to apply in Nunavut. These regulations provide for licencing requirements for camp sewage management and waste deposits. The MH&SANU and MH&SRNU govern appropriate sewage treatment and disposal at the mine works. This treatment and disposal is also reflected in the regulation of public health and work conditions addressed in other territorial legislation.

The water licence [Tab 7] sets the conditions for treating sewage to avoid the introduction of deleterious substances into territorial waters. Conditions for disposing of waste and sewage are also specified in land use permits [Tab 2b] and surface land leases [Tab 2a] for activities on Crown lands.

Acts and Regulations:

Water and Drainage, Mine Sites Sewage	MH&SRNU:	Sections 1.79 to 1.88
	TLUR	Sections 10 and 17
	NW&NSRTA:	Sections 173 and 174
	NWTWR:	Section 5
Water Licence	NW&NSRTA:	Sections 12, 72 and 73

Department and Boards:

INAC: Land Administration
Water Management
NWB
WCBNU

... HEALTH AND SAFETY

Health and safety on mine sites are Territorial Government responsibilities. These areas are mostly governed by the *Mine Health and Safety Act* (MH&SANU) and the *Public Health Act* (PHANU) administered by the WCBNU and H&SSNU respectively.

Before any operation begins under the authority of the MH&SANU of the GN, the WCBNU requires the submission of plans, including mine design, plans for the underground mine, surface facilities, general ventilation, safety and mine rescue plans, and emergency rescue procedures. Some of these plans must be updated annually.

Permits are required for operating hoists, elevators, shafts and diesel- operated engines. Under CEPA, administered by EC, all engines, including diesel engines must also pass national emission standards. A diesel permit must be obtained from the WCBNU for each engine.

According to the MH&SANU, the Mine Health and Safety Regulations (MH&SRNU), the EUANU and the EURNU, all administered by the WCBNU, the federal EXA and the EXR, both administered by NRCan, permits are also required for general handling, magazine storage, blasting and short-term possession of explosives.

According to the TDGANU and the TDGRNU, both administered by CGSNU, and the federal TDGA and the TDGR, both administered by TC, either a permit or a licence is required for the transportation of explosives, by land, air and sea, and both on and outside of mine sites.

The packaging, storage, transportation and unloading of radioactive substances require special licences and are governed by the CNSC under the authority of the Packaging and Transport of Nuclear Substances Regulations (P&TNSR).

A land use permit issued under the authority of the TLUR, may stipulate terms and conditions for fuel storage on Crown lands. The MH&SRNU set standards for the storage, transportation and use of fuel at mine sites. The Propane Cylinder Storage Regulations (PCSRNU) specify measures to be taken for securing and disposing of propane cylinders.

Acts and Regulations:

Land Use Permit	TLUR:	Sections 8 to 10
Mine Plans	MH&SRNU:	Sections 1.113 to 1.125
Emission Standards	CEPA:	Part 7
Explosives, Handling	MH&SRNU:	Parts XIV
	EXR:	Parts V and VI and VIII
	TDGANU:	Sections 15 to16
	TDGA:	Sections 7 and 14
Uranium, Transporting	P&TNSR:	Sections 3 to 23
Propane	PCSRNU:	Sections 1 to 4

Departments and Boards:

CGSNU
CNSC
EC
H&SSNU
INAC: Land Administration
IPGs
NRCan
TC
WCBNU

Mine Site Health and Safety

Public safety, public convenience, mine safety and miners' health are territorial responsibilities. The standards are primarily governed by the *Workers' Compensation Act* (WCANU), the MH&SANU, the PHANU and all the regulations made under these acts.

The legislation is either administered by the WCBNU or H&SSNU. The goals are to ensure a healthy work environment and mine sites that are free from accidents or loss of life.

Mine Design and Ground Stability

Ground stability for surface and subsurface facilities is extremely important in mining operations and must be covered adequately in the mine design. Under the MH&SRNU, a mine design must be prepared and sealed by a professional engineer who is certified under the Engineers, *Geologists and Geophysicists Act*

(EG&GANU), which is administered by the DOJNU. This mine design must also be approved by the Chief Inspector of Mines before any operations can begin.

The MH&SRNU also set standards for safe building construction including mandatory installation of handrails, guardrails, guards and protective devices on machinery. Mine inspectors, under the authority of the MH&SANU, can order appropriate steps be taken, which may include filling in and fencing mine openings.

The MH&SRNU require the manager or the owner of the mine to make available, at all times, an accurate survey and an updated surface and underground mine plan for workers and inspectors. An updated copy of the mine plan must be submitted to the Chief Inspector each year.

Acts and Regulations:

Mine Design	MH&SRNU:	Sections 1.03 to 1.43
Ventilation/Drainage	MH&SRNU:	Sections 1.44 to 1.112
Mine Survey/Mine Plan	MH&SRNU:	Sections 1.113 to 1.125
Surface Stability	MH&SRNU:	Sections 1.126 to 1.161
Professional Qualifications	EG&GANU	

Departments and Boards:

DOJNU
WCBNU

Plant or Mill Operation

The MH&SANU defines the roles, duties and responsibilities of various officials at mining facilities. The MH&SRNU elaborate on the rights and responsibilities of inspectors both in general inspections and in investigating accidents resulting in injuries, death or property damage.

The MH&SANU and MH&SRNU have provisions for mine workers to refuse work in the face of dangerous situations. They also require the formation of a health and safety committee to ensure a safe work environment.

Acts and Regulations:

Duties and Responsibilities	MH&SANU:	Sections 2 to 10
Refuse Work/ Proper Conduct	MH&SANU:	Sections 18 to 20
	MH&SRNU:	Part IV
Health and Safety Committees	MH&SANU:	Sections 11 to13
	MH&SRNU:	Part III
Investigation/Inspection/ Offences	MH&SANU:	Sections 21 to 44

Departments and Boards:

WCBNU

Plant Equipment

The MH&SRNU provide standards for safe operation of plant equipment in developments and on mine sites. They ensure that mine managers establish procedures for the safe operation, maintenance, inspection and testing of all mechanical, electrical and mobile equipment or systems.

Regular inspections, weekly, monthly and bi-annually, should be conducted to ensure the safe operation and handling of all equipment and materials on the mine site. Log books must be maintained to track all examinations, tests, repairs, adjustments and operations.

It is the manager's responsibility to ensure that only qualified personnel are allowed to operate equipment.

Acts and Regulations:

Manager Responsibility	MH&SANU:	Section 10
Equipment/Mobile and Stationary	MH&SRNU:	Part X
Hoists and Shafts	MH&SRNU:	Part XI

Departments and Boards:

WCBNU

Mine Rescue

Under the MH&SRNU, mine rescue plans must be in place before any facilities begin to operate. Refuge stations must be established, equipped, operated and maintained at such places and in such a manner as directed by the Chief Inspector of Mines.

The MH&SRNU set the requirement for a certain number of employees to be trained in mine rescue and for setting up mine rescue teams. All accidents of a serious nature must be reported to the Chief Inspector of Mines without delay.

Acts and Regulations:

Mine Rescue Plan/ Refuge Stations	MH&SRNU:	Part VIII
Reporting Accidents	MH&SRNU:	Part XVI

Departments and Boards:

WCBNU

Emergency Procedures

It is the manager's responsibility to ensure that all personnel in subsurface workings are trained in survival rescue procedures. This may include a vulnerability assessment of possible major hazards; an inventory identification, including the location of all internal and external rescue resources; and the allocation of

responsibilities in the event of an emergency. Annual retraining on the use of self-rescue apparatus may be necessary.

Acts and Regulations:

Rescue Procedures	MH&SRNU:	Part VIII (Division 3)

Departments and Boards:

WCBNU

First Aid and Medical Facilities

Depending on the number of employees and the travelling time to fixed medical facilities, the MH&SRNU stipulate different requirements, including the types and amount of equipment to be placed in first aid stations. Land use permits [Tab 2b] issued under the authority of the TLUR, administered by INAC, may also specify some of these requirements for different activities on Crown lands.

The *Emergency Medical Aid Act* (EMAANU), administered by the CGSNU provides protection for medical practitioners, registered nurses and other personnel who may provide emergency first aid assistance voluntarily to victims in areas where there are no proper medical facilities.

Acts and Regulations:

First Aid Service/Kits	MH&SRNU: Schedules	Part 8 (Division 4),
Practitioner Protection	EMAANU	
Land Use Permit	TLUR:	Sections 8 to 10

Departments and Boards:

CGSNU
INAC: Land Administration
WCBNU

Fire Prevention

Fire prevention, fire investigation and reporting fire and injuries during industrial activities are all responsibilities of the GN.

The *Fire Prevention Act* (FPANU) and the Fire Prevention Regulations (FPRNU) administered by DOJNU, cover fire prevention measures for both surface and subsurface mining operations. They set standards and criteria for the installation, use and maintenance of equipment required to reduce the risks of fire. Review of construction or repair plans and periodic inspection by the fire marshal or authorized delegates are required to ensure proper maintenance of equipment and that precautions are taken against fire and the spread of fire.

The MH&SRNU require mine managers to conduct annual fire risk assessments and regular inspections of fire fighting equipment. There must be an emergency warning system in place for safe evacuation in the event of a fire.

It is the responsibility of the owner or the managers to have an emergency procedure in place to reduce the risk of fire and ensure personal safety in the event of a fire.

A permit from the Chief Inspector of Mines is required for any storage on mine sites of more than 1,000 litres (220 gallons) of combustible liquid or a petroleum product. The application for such a permit must include details on the construction of storage facilities and on the storage area. A written notification to the Chief Inspector of Mines is required for any construction of underground fuelling stations.

Acts and Regulations:

Fire Marshall Investigations, Injuries and Reporting of Fires/	FPANU:	Sections 3 to 4
Fire Hazards	FPANU:	Sections 6 to 22
Fire Protection	MH&SRNU:	Part XII

Departments and Boards:

DOJNU
WCBNU

… LABOUR

The *Labour Standards Act* (LSANU) elaborates on the minimum working conditions and benefits for all non-government employees.

The Fair Practice Act stipulates rules and punishment for discrimination and unfair practice in the work force. Both the LSANU and the *Fair Practice Act* are administered by DOJNU.

The WCANU stipulates compensation and penalties for unsafe labour practices. The MH&SANU elaborates on the power of the Chief Inspector of Mines in cases of proven discrimination against employees on mine sites.

In the event of an accident involving a fatality, a report must be filed orally to an inspector within 24 hours, followed by a written report within 72 hours. All work-related injuries must be reported to the WCBNU within three days of the accident.

Acts and Regulations:

Minimum Working Conditions and Benefits	LSANU:	Parts I to V
Hours of Work	MH&SRNU:	Parts II and IV
Prohibitions	*Fair Practice Act*	

Departments and Boards:

DOJNU
WCBNU

... SANITATION

The Camp Sanitation Regulations (CSRNU) administered by the H&SSNU establish minimum sanitation standards for mining camp facilities. Under this legislation, health officers have the authority to close facilities if requirements are not met.

The PHANU provides guidelines on the medical care of mining camp employees.

Land use permits [Tab 2b] or surface leases [Tab 2a] issued for activities on Crown lands may also contain sanitation standards and other requirements established under territorial legislation.

Acts and Regulations:

Camp Sanitation/ Work Environment	CSRNU MH&SRNU:	 Sections 9.12 to 9.13, 9.57
Medical Care	PHANU:	Sections: 14 to 18
Land Use Permit	TLUR:	Sections 8 to 10
Surface Lease	CMR:	Section 27(3)

Departments and Boards:

H&SSNU
INAC: Land Administration
WCBNU

... VENTILATION AND AIR QUALITY

Under the MH&SRNU, ventilation in mining facilities must be sufficient to maintain a specified level of air quality. An up-to date general plan showing all workings, ventilation and infrastructure must be available at all times.

The MH&SRNU set the air quality standard for auxiliary ventilation and unventilated workings. In setting the allowable limits of combustible and airborne dusts, the type and amount of equipment used in the workings are also taken into consideration.

The MH&SRNU also lay out procedures in the event that flammable or toxic gas is encountered in underground workings and provide minimum standards for battery-charging stations.

Acts and Regulations:

Air Quality/Ventilation	MH&SRNU:	Sections 1.44 to 1.69
Confined Spaces	MH&SRNU:	Sections 8.27 to 8.30
Toxic or Flammable Gas	MH&SRNU:	Sections 1.70 to 1.71
Battery Charging Stations	MH&SRNU:	Sections 1.72 to 1.78
Plans	MH&SRNU:	Sections 1.113 to 1.125

Departments and Boards:

WCBNU

... NOISE ABATEMENT AND VISIBILITY

Under the MH&SRNU, managers must take reasonable measures to ensure noise levels at work sites do not exceed the maximum occupational exposure limits. Managers must ensure all possible noise abatement procedures are implemented and all employees are fitted with proper hearing protective devices.

All work areas must have the appropriate level of illumination. Workers must be provided with, and wear, protective equipment as set out in the MH&SRNU.

Acts and Regulations:

Noise Hazards/ Audiometric Test	MH&SRNU:	Sections 9.19 to 9.26
Noise Exposure	MH&SRNU:	Schedule 5
Illumination	MH&SRNU:	Sections 9.42 to 9.56

Departments and Boards:

WCBNU

... EXPOSURE MONITORING AND PROTECTIVE EQUIPMENT

The MH&SRNU require all managers to conduct an annual hazard analysis. They are required to develop and implement effective housekeeping programs for the proper storage and control of hazardous materials to ensure a hazard-free work environment.

Operational plans should protect workers and limit the amount of adverse exposure to deleterious elements in their work environment. Any exposure of workers to toxic or radioactive minerals must be monitored and recorded.

Acts and Regulations:

Hazard Analysis/Control	MH&SRNU:	Sections 9.02 to 9.18
Inhalation/Non-Inhalation Exposure	MH&SRNU:	Sections 9.27 to 9.42
Radiation Hazard	MH&SRNU:	Sections 9.76 to 9.96
Protective Equipment	MH&SRNU:	Sections 9.16 to 9.18

Departments and Boards:

WCBNU

... TRAINING

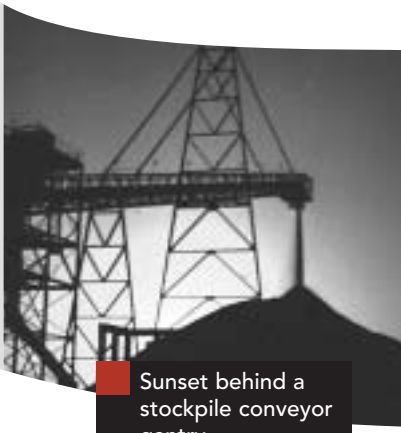
Under both the MH&SRNU and the Spill Contingency Planning and Reporting Regulations (SCP&RRNU), administered by the WCBNU and the DOENU respectively, mining employees must be trained on emergency rescues, implementing spill contingency plans and the operation, maintenance and testing of mining equipment. This training should be updated as required.

Acts and Regulations:

Employee Training	MH&SRNU:	Sections 1.20, 1.22 to 1.23, Part VI
Spill Contingency Plan/ Training	SCP&RRNU:	Sections 3 to 13

Departments and Boards:

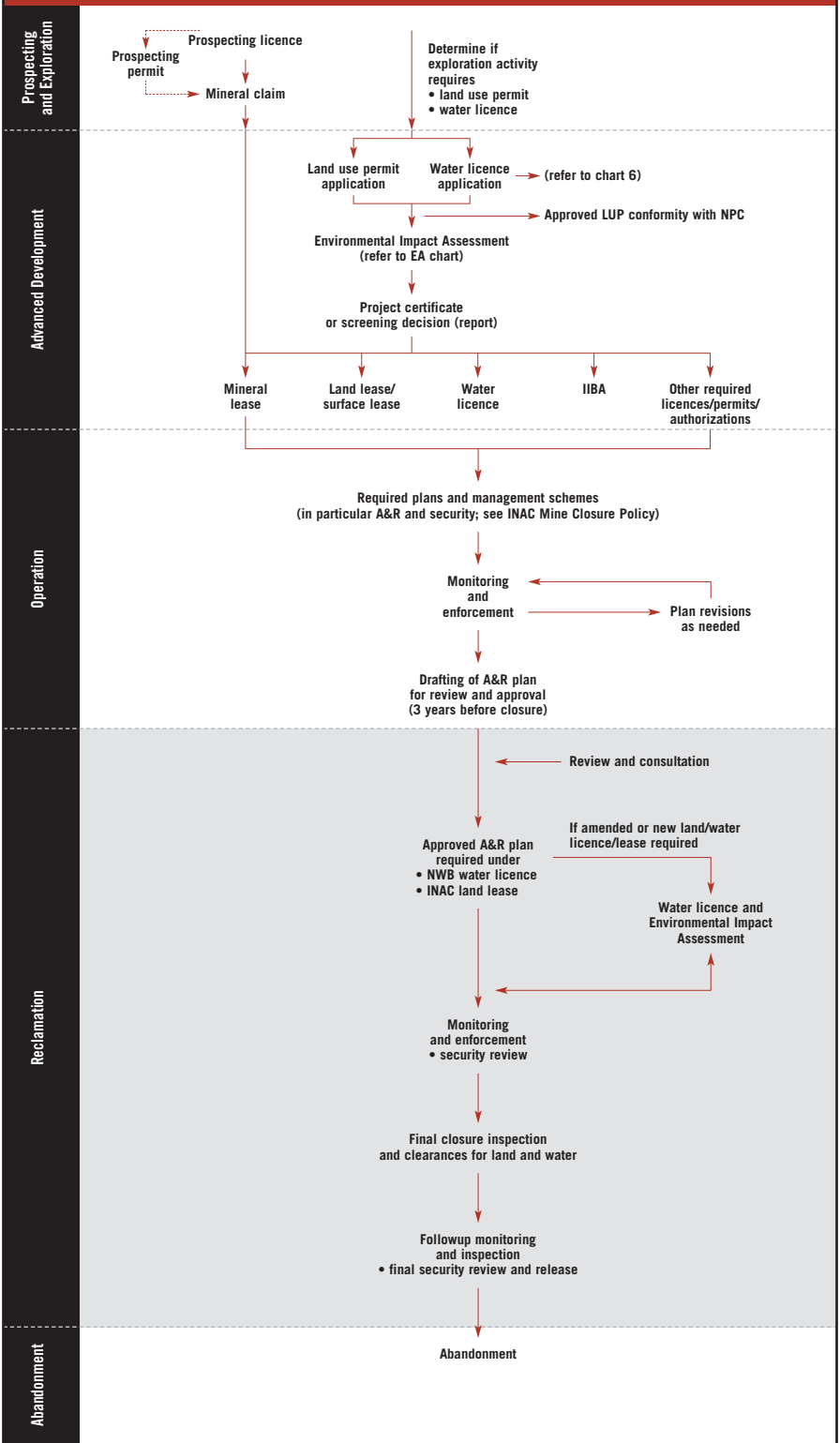
DOENU
WCBNU



Sunset behind a stockpile conveyor gantry

5 Mine Closure, Reclamation and Monitoring

The Mining Process in Nunavut



Mine Closure, Reclamation and Monitoring

... MINE CLOSURE

A mining operation may be temporarily shut down due to economic or operational requirements. A final abandonment of the mine works may occur when the ore reserves have been mined out or are no longer economically feasible to mine. On any type of closure, it is pertinent that wastes and tailings be managed to minimize the need for long-term maintenance and monitoring.

The prevention of allowing toxic leachate into territorial waters has become a primary concern of waste management, especially after mine closures. The *Canadian Environmental Protection Act* (CEPA), administered by Environment Canada (EC), has identified a list of substances considered toxic if released into the environment under certain quantities and in certain conditions. There are also guidelines and standards developed under CEPA for the treatment, storage and release of those toxic substances into the environment. Issuing authorities often incorporate these standards into the terms and conditions before granting their approvals.

A monitoring program is set up for each project. This program usually includes conditions stipulated on land use permits issued under the authority of the Territorial Land Use Regulations (TLUR), land leases issued under the authority of the Territorial Lands Regulations (TLR), mineral leases issued under the Canada Mining Regulations (CMR), water licences issued under the authority of the *Nunavut Water and Nunavut Surface Rights Tribunal Act* (NW&NSRTA) and project certificates issued by the Nunavut Impact Review Board (NIRB).

On a case by case basis, this monitoring program is usually coordinated by the authority most involved with the project, with all other authorities sharing monitoring responsibilities. Inspections by Indian and Northern Affairs Canada (INAC) may occur at any time during the operation and after closure.

Acts and Regulations:

Land Use Tenure		
Issuance Conditions	TLUR:	Sections 31, 32
Final Plan	TLUR:	Section 33
Security Deposit	TLUR:	Section 36
Land Lease	TLR:	Sections 10, 12 and 14
Water Licence		
Issuance Conditions	NW&NSRTA:	Sections 70 to 75
Security Deposit	NW&NSRTA:	Section 76
Toxic Substances	CEPA:	Part 5

Departments and Boards:

EC
INAC: Land Administration
Water Management
NWB

... RECLAMATION, CLOSURE AND SECURITY

The Mine Site Reclamation Policy for Nunavut applies to new and existing mines, whether operating or not, with clearly identified owners/operators. Mine site reclamation must reflect the collective desire and commitment to operate under the principles of sustainable development, including the "polluter pays" principle. Every new mining operation must be able to support the cost of reclamation and closure. Existing mining operations will also be held accountable for their reclamation and closure liabilities.

Wildlife can often be seen near camps in Nunavut.

Reclamation Planning

Every mine should have a mine closure and reclamation plan at all times which includes measures to be taken in the event of temporary closure. Mine closure and reclamation plans should be sufficiently flexible to allow adjustments as the life of the mine progresses, including the flexibility to adapt to new and improved technologies and methodologies, and allowing for progressive reclamation.

Following mine closure, mining companies or their future owners will continue to be responsible for the site, including the remediation of any additional environmental complications which may develop.

Financial Security

Financial security requirements related to reclamation and closure will be clearly set out in water licences, land leases and other regulatory instruments, though there may be circumstances where security requirements may be more appropriately dealt with through an agreement.

The total financial security for final reclamation required at any time during the life of the mine should be equal to the total outstanding reclamation liability for land and water combined. Estimates of reclamation costs, for the purposes of financial security, should be based on the cost of having the necessary reclamation work done by a third-party contractor if the operator defaults.

Financial security for new mines must be readily convertible to cash and submitted in a form approved by the Minister of INAC.

… ABANDONMENT AND RESTORATION PLAN

As previously explained, the Mine Site Reclamation Policy for Nunavut applies to new and existing mines, whether operating or not, with clearly identified owners/operators. Mine site reclamation must reflect the collective desire and commitment to operate under the principles of sustainable development, including the "polluter pays" principle. Every new mining operation must be able to support the cost of reclamation and closure.

An interim abandonment and restoration (A&R) plan must be submitted with applications for surface leases and may be required as a condition of water licences [Tab 7] so that abandonment and restoration can be planned and implemented into every phase of an operation. A final plan is required with the application for a land use permit [Tab 2b].

The Nunavut Water Board (NWB) encourages progressive restoration and abandonment and a phased-in approach so that the A&R plan is flexible enough to accommodate new studies and incorporate new technology. However, if the NWB is not satisfied that long-term degradation of the environment can be prevented with the present restoration technology, a water licence is not issued. Surface land authorities may also require a schedule for the submission of this A&R plan.

A well-designed A&R plan will identify options and comprehensively document and evaluate alternative strategies. It also indicates areas and facilities to be utilized during the operation (which also must be reclaimed at the end of the life of the project) including, but not limited to: water intake, storage and distribution facilities, roads, airstrips, buildings, tailings impoundment facilities, waste rock sites, areas where acid rock drainage has been identified or is likely to happen, petroleum and fuel storage sites, pipelines and electrical transmission lines, site drainage systems, granular material deposits and open pit areas.

Companies will, as a necessary part of their feasibility study, develop a closure plan that includes a comprehensive restoration plan and a vehicle to fund the closure. They are required to indicate any financial commitment to a proper restoration program in their A&R plan along with a detailed estimate of reclamation liability based on third-party contractor rates using the RECLAIM or equivalent model. This includes an estimate of the risk/hazard potential (e.g., any acid generation potential of the proposed tailings sites) to determine reclamation and re-vegetation for the disturbed areas, and the size of the financial commitment.

During the operation, project operators must provide the NWB with an annual update of the reclamation cost estimates. This may include cataloguing and mapping the disturbed areas, providing detailed plans for the restoration of the sites, and methods to minimize contaminant loadings and acid mine drainage. In general, project operators must prove that the proposed restoration treatments meet the standards set in the licence without long-term maintenance and monitoring. An assessment to determine the optimal abandoned condition and an estimate of the residual impacts which may persist after abandonment are also required.

When a project nears the final phase of the developmental operation, both the land use- and water licence-issuing authorities require project operators to provide a final A&R plan that includes a description of the proposed restoration activities. Detailed descriptions of each activity with their corresponding implementation plans and schedules may also be necessary.

In addition, issuing authorities will require the submission of a proposed monitoring program, and will require an indication from the project operators of a commitment to implement the monitoring program for a sufficient length of time after the termination of the operation. The issuing authorities usually look for this commitment approximately three years before the anticipated final abandonment or closure of the operation.

The monitoring program is used to measure the effectiveness of the restoration program. It is important to start the monitoring program as the restoration proceeds so any deficiencies that might lead to longer term monitoring requirements can be corrected.

Under the Uranium Mines and Mills Regulations (UM&MR) administered by the Canadian Nuclear Safety Commission (CNSC), a suspension, cessation or decommissioning licence is required for the final abandonment or temporary closure of uranium or thorium mines.

The Commissioner's Land Regulations (CLR) have provisions to govern the use of commissioner's lands. They also provide alternatives for their restoration. Similarly, there are municipal by-laws governing the use and restoration of municipal lands.

Acts and Regulations:

Land Use Permit		
Final Plan	TLUR:	Section 33
Land Lease	TLR:	Section 13
Mineral Lease CMR:		Section 60
Water Licence	NW&NSRTA:	Sections 11 and 12, 70 to 75
Uranium Licence		
Decommission/Abandon	UM&MR:	Sections 7 and 8
Commissioner's Land	CLR:	Section 12

Departments and Boards:

CGSNU
CNSC
INAC: Mining Recorder's Office
Mineral Resources
Land Administration
NWB

... FINAL PLAN

Under the TLUR, a certified final plan must be submitted to the Land Use Engineer of INAC at least 60 days before either the completion of a land use operation or the expiry of a land use permit [Tab 2b]. An extension for a maximum of 60 days may be granted on a written request with reasons from the permit holder.

The final plan is used to calculate the actual number of hectares (acres) used in the operation to determine the payable land use fees. Before a land use permit is issued, terms and conditions are set specifically addressing proposed reclamation measures in this final plan as well as a security deposit not exceeding $100,000, which may be required by the Land Use Engineer.

For final plans which do not meet the standard requirements as laid out in the TLUR, the Land Use Engineer sends a notice to the project operator who has three weeks after receipt of the notice to resubmit a plan complying with the standards.

Acts and Regulations:

Land Use Permit		
Prohibitions	TLUR:	Sections 8 to 10
Final Plan	TLUR:	Sections 33 and 35

Department and Boards:

INAC: Land Administration

... MINE ACCESS POINTS

To prevent inadvertent access, the Territorial Mine Health and Safety Regulations (MH&SRNU), administered by the Workers' Compensation Board of the Northwest Territories and Nunavut (WCBNU), require all mine openings to be secured at all times. Federal land use regulations, TLUR and TLR, also stress the importance of surface reclamation and stability. The Engineer of Mines of INAC may require all openings to be filled, fenced, kept stable or otherwise made safe on final abandonment or temporary closure of works. This is to secure public safety and to prevent any deposit of waste through ongoing seepage.

Any requirements for closing mine openings, stipulated on water licences issued by the NWB under the NW&NSRTA or terms and conditions on project certificates issued by the Institutions of Public Government (IPGs), are for the protection of fish habitat or watersheds, or the re-establishment of vegetation and wildlife habitat.

Acts and Regulations:

Mine Openings	MH&SRNU:	Section 17.03
Water Licence		
Water Use	NW&NSRTA:	Sections 11, 70 and 71
Waste Deposit, Condition	NW&NSRTA:	Sections 12, 72 to 75
Mineral Lease	CMR:	Section 60
Final Plan	TLUR:	Section 33
Land Lease	TLR:	Section 12

Departments and Boards:

INAC: Mineral Resources
Land Management
NWB
WCBNU

... REVEGETATION

Under the TLUR, the operator of a mine must return the surface of the mineral grant to as near its original state as possible.

In addition to the necessary recontouring and restabilization of bare ground, some cultivation and fertilization may be required. Revegetation plans will be reviewed and approved by the regulatory agencies during the review and approval of the abandonment and restoration plan.

Acts and Regulations:

Restoration	TLUR:	Section 18
Terms and Conditions	TLUR:	Section 31
Security Deposit	TLUR:	Section 36
Letter of Clearance	TLUR:	Section 37

Department and Boards:

INAC: Land Administration

… BUILDINGS, EQUIPMENT AND EXPLOSIVES

Under both the CMR and the TLR, on permanent abandonment, all buildings and equipment must be removed from the mine site within a specific time. Otherwise, INAC may dispose of the buildings or other personal property in a manner deemed possible or necessary.

After 180 days following the lapsing of the mineral claim, the CMR provides for the forfeiture of all buildings and equipment remaining unless an extension of up to one year has been granted on application.

Any unused explosives at the mine site must be removed or disposed of unless permission has been granted by the Chief Inspector of Mines of the WCBNU. The transportation of explosives, both surface and underground, should be executed carefully and in accordance with procedures as laid out in the relevant legislation [Tab 4].

Acts and Regulations:

Building Removal	TLR:	Section 13
	TLUR:	Section 19
Removal Personal Property	CMR:	Sections 50 and 61
Explosives Removal	MH&SRNU:	Sections 14.26 to 14.33

Departments and Boards:

INAC: Mining Recorder's Office
Land Administration
WCBNU

… PUBLIC NOTICE

There is no specific requirement under any legislation to notify the public respecting mine closures or the closure of any advanced exploration mining works. However, the NWB may make public, during hearings and consultations, certain facts of the abandonment as detailed in the A&R plan and other information or studies submitted with the application for the water licence [Tab 7].

Similarly, the surface land authority may require a notice of abandonment or closure from the project operator to be a part of the final plan. The environmental assessment authorities may require public notice on closure before they make decisions [Tab 6].

Acts and Regulations:
Final Plan TLUR: Sections 33 and 35

Departments and Boards:
INAC: Land Administration
Water Management
NWB

… CLOSURE REPORTING REQUIREMENTS

Application for the cancellation of a water licence [Tab 7] must be made before the final closure. This application must set out the reason for the cancellation and include a description of any mitigation measures taken, proposed to be taken or yet to be taken, before the actual abandonment of the undertaking. INAC will conduct a final inspection before any decision is made on the release of any portion of the security deposit.

For any forfeiture of surface land rights, a notice of discontinuance must be forwarded to INAC's Land Use Engineer at least 10 days before the closure or abandonment of a mining operation. After a final inspection, the Land Use Engineer, if satisfied that all terms and conditions have been met, issues a letter of clearance. Without this clearance, the rights holder continues to be liable for any obligations arising from the terms and conditions of the rights issued under the TLUR.

For the monitoring of impacts of effluent deposits on the environment, the Metal Mining Effluent Regulations (MMER) of the *Fisheries Act* (FA), administered by EC, also require the owner or operator of a mine to report the stoppage of commercial operation of the mine, or the closure or intended closure of the mine, to an authorization officer within a specific time.

Under the MH&SRNU, the holder of the surface rights is required to notify the Chief Inspector of Mines of the Government of Nunavut (GN) within 60 days and at least 30 days before the anticipated closure or abandonment. In addition, the owner of the operations must submit up-to-date plans to an inspector within one month prior to the day of closure. Updated operation and safety plans must be submitted before any work can resume.

Arts and Regulations:

Work Cessation	MH&SRNU:	Section 17.02
Notice of Discontinuance	TLUR:	Section 43
Recommencement	MH&SRNU:	Sections 17.01 to 17.02, 15.02
Letter of Clearance	TLUR:	Section 37
Water Licence Cancellation	NW&NSRTA:	Section 43
Security Deposit	TLUR:	Section 36
Mine Closure	MMER:	Sections 26 and 27, 32 and 33

Departments and Boards:

INAC: Land Administration
Water Management
EC
NWB
WCBNU

… INSPECTION REQUIREMENTS

Apart from inspections by INAC's Engineer of Mines or the Engineer's agent at any time during the operation of the works as authorized under the CMR, inspection of the surface land use site by INAC's Land Use Engineer is mandatory under the TLUR and the TLR to ensure adherence to permit or lease conditions. Commitment to monitoring proper site restoration is also required before a letter of clearance is issued.

Upon the cancellation of the water licence, an inspection by INAC is required before any release of the security deposit held by the Crown.

Though there are no specific closure inspection requirements under the MH&SRNU, the Chief Inspector of Mines may require specific closure measures for the protection of the public.

Acts and Regulations:

Inspection	CMR:	Sections 47 to 48
Cessation of Work	MH&SRNU:	Sections 17.02 to 17.03
Security/Water Licence	NW&NSRTA:	Section 17
	NWTWR:	Section 12
Land Use Permit	TLUR:	Sections 36 to 38
Letter of Clearance	TLUR:	Section 37

Departments and Boards:
INAC: Land Administration
Water Management
NWB
WCBNU

… RELEASE OF FINANCIAL ASSURANCE

Financial assurance is usually required before the issuance of a water licence [Tab 7], a land use permit is issued [Tab 2b] or a surface lease is granted.

Based on the A&R plan, the NWB, in consultation with INAC, considers the costs of closure, the restoration of the site and any ongoing monitoring costs or measures required to be taken after the closure. It then determines the amount of the security deposit required of the company. The ability and the past performance of the proponent company are also taken into consideration.

All items listed on an A&R plan must be addressed before a letter of clearance can be obtained and the security deposits returned on closure of the mine.

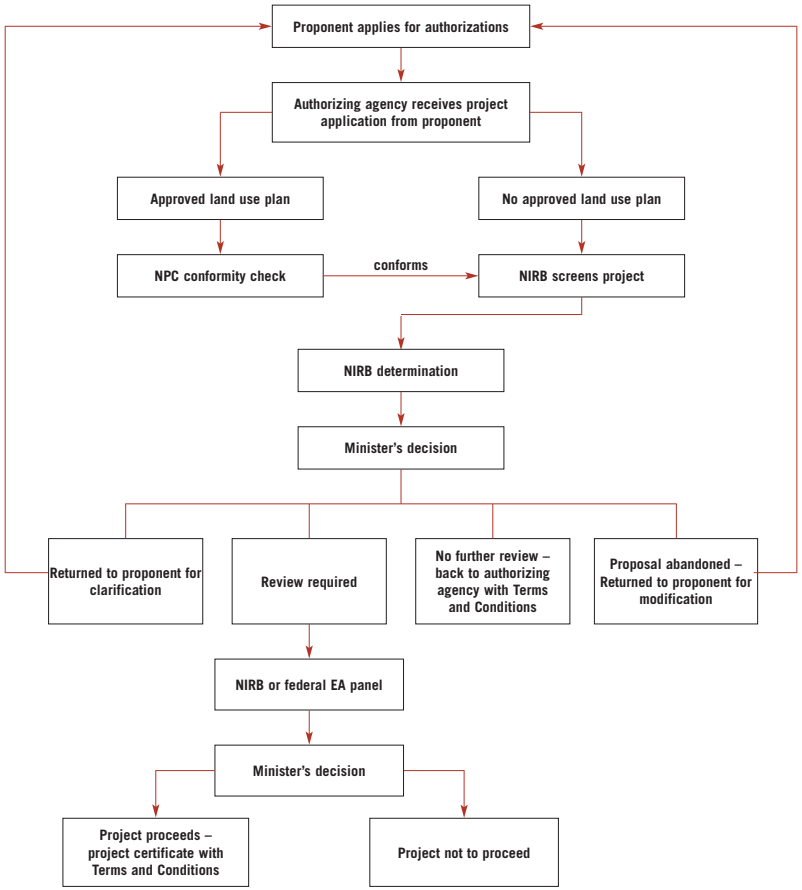
Acts and Regulations:

Water Licence		
Waste Deposit	NW&NSRTA:	Section 12
Security	NW&NSRTA:	Section 76
Land Use Permit	TLUR:	Sections 36 to 38

Departments and Boards:
INAC: Land Administration
Water Management: NWB

6 Environmental Assessment

Environmental Assessment Simplified Flowchart



Environmental Assessment

Environmental assessment (EA) and mitigation of impacts forms one of the most important attributes of resource management. Although environmental assessment is normally quantifiable the less-quantifiable socio-economic impacts are often equally, if not more important to the local communities.

Canada regards sustainable development as a prerequisite to future prosperity. It has committed to exercising leadership in sustainable development internationally while trying to ensure compatible economic development and environmental integrity at home.

Environmental assessment is a systematic process to identify, predict, evaluate and mitigate the potentially adverse environmental effects of proposed projects before any development decisions are made. It has become an essential tool for authorities issuing permits or licences in order to advance the principal of sustainable development while enhancing economic development.

... ENVIRONMENTAL ASSESSMENT IN NUNAVUT

Projects are subject to an environmental assessment under both the Nunavut Land Claims Agreement (NLCA) and, in some instances, under the *Canadian Environmental Assessment Act* (CEAA). The Nunavut Impact Review Board (NIRB) is responsible for conducting environmental assessments for the majority of projects in the Nunavut Settlement Area (NSA) in accordance with the NLCA, which applies to both the federal and territorial governments.

Under the CEAA, the responsible federal government departments or agencies must ensure the requirements of the Act are met through the assessment process. Operationally, the NIRB and the responsible federal departments or agencies try to harmonize the environmental assessment to ensure one process and one decision will meet the needs of both the NLCA and the CEAA.

Acts, Agreements and Regulations:

NIRB Authority	NLCA:	Article 12
Responsible Authorities	CEAA:	Section 5
EA Scope (CEAA)	CEAA:	Section 16

Departments and Boards:

Federal and territorial departments
Institutes of Public Government (IPGs)

... ENVIRONMENTAL ASSESSMENT UNDER THE NLCA

Trigger

Under the NLCA, the environmental assessment process is triggered when the NIRB receives a project proposal referred by either the Nunavut Planning Commission (NPC) or by an authority responsible for issuing the permit, licence or lease. For regions with approved land use plans, the issuing authority forwards any applications it has received to the NPC for conformity checks with existing land use plans. The NPC refers to the NIRB for screening those proposals which either conform to existing plans or have obtained a variance or an exemption. For regions without approved land use plans, the issuing authority forwards any applications it has received directly to NIRB for screening.

Screening

NIRB writes to the company when the screening begins under Article 12, Part 4 of the NLCA. The NIRB may consult with any party that has information relevant to the proposal. In reaching its determination, the NIRB considers whether the project has significant adverse ecosystem and socio-economic impacts and whether the project may cause significant public concerns in the NSA.

Once the screening is completed, the NIRB makes one of the following determinations in its screening report to the federal and/or territorial Minister responsible for authorizing the project.

(a) If the NIRB has determined that the project may proceed without a review, it may recommend terms and conditions to be attached to any authorization for the project. Unless the responsible Minister decides to refer the project for a review, the NIRB's recommendations may be incorporated as the terms and conditions on issuance of the approval.

(b) the NIRB has determined that a review is required, it may identify issues and concerns to be included in the review. The Minister will then determine, in accordance with Article 12 of the NLCA, whether to refer the proposal for review:

- a Part 5 review by NIRB; or
- a Part 6 review by a federal EA panel.

If the Minister determines that the proposal is not in the national or regional interest, the Minister will inform the company that the proposal should be abandoned or modified and resubmitted to the NIRB in accordance with Article 12.4.4 of the NLCA.

(c) The NIRB may determine that the proposal is not sufficiently developed to permit proper screening. In this case, the responsible Minister returns the proposal to the company for clarification and resubmission to the NIRB.

(d) The NIRB may also determine that the adverse impacts of a proposal are so unacceptable that the project should either be modified and resubmitted, or abandoned. The Minister then returns the proposal for modification and resubmission, recommends its abandonment or, if the project is deemed to be in the national or regional interest, refers the proposal and a written reason for this decision to the NIRB for review under Part 5 or Part 6 of Article 12 of the NLCA.

Agreements:

Screening	NLCA:	Article 12 (Part 4)
Conformity Checks	NLCA:	Article 11.5.10

Departments and Boards:

NPC
NIRB
NWB
Responsible federal and/or territorial Minister(s)

Part 5 Review under the NLCA

When a project is referred for a review under Part 5 of the NLCA, the NIRB determines the scope of the assessment. Unless sufficient details have been included in the project proposal, the NIRB designs guidelines for the company to prepare an environmental impact statement (EIS). The company is recommended to review the NLCA, which is available on the Nunavut Planning Commission (NPC) website.

On receipt of the EIS and other supplemental information, the NIRB initiates a technical review that may include public hearings.

On completion of the review process, the NIRB issues a report to the responsible Minister and the company which describes the findings of the review and recommends whether the project should or should not proceed.

When a project is to proceed, the NIRB issues a project certificate to the company that gives the terms and conditions of the approval. These terms and conditions are also incorporated into the authorizations for the project.

Agreement:

Part 5 Review	NLCA:	Article 12 (Part 5)

Departments/Board:

NIRB
Responsible federal and/or territorial Minister(s)

Part 6 Review under the NLCA

When a Part 6 review is required, the responsible Minister refers the proposal to the Minister of Environment Canada (EC) for a review by a federal environmental assessment panel. This panel conducts its review in accordance with Part 6 of Article 12 of the NLCA, and with other procedures, principles and practices that provide the same opportunity for an open and comprehensive public review, as provided in relevant federal legislation.

The Minister of EC appoints members to the panel with at least one quarter from a list of nominees from the Designated Inuit Organization (DIO) and at least one quarter from a list of nominees from the territorial government.

Once constituted, the panel asks the NIRB for input in developing guidelines for the company to follow in preparing an impact statement. The NIRB's concerns and comments on the company's statement are considered by the panel, as are comments from the public.

On completion of the review, the panel forwards a report to the Minister of EC and the responsible Minister(s) detailing its findings and recommendations. The Minister of EC makes the report public and forwards a copy to the NIRB for comments with respect to the NSA.

Once the NIRB comments, the responsible Minister(s) decides whether to accept or reject the panel's report and the proposal. If the project is to proceed, the Minister works with the NIRB to finalize the terms and conditions of the project approval.

NIRB issues a project certificate to the company, including any terms and conditions which have been accepted or varied by the responsible Minister(s). These terms and conditions are to be incorporated into the authorizations for the project.

Agreement:
Panel, Appointment NLCA: Article 12 (Part 6)

Departments and Boards:
EC
NIRB
Responsible federal and/or territorial Minister(s)

… ENVIRONMENTAL ASSESSMENT UNDER CEAA

Under the NLCA, the NIRB is responsible for conducting environmental assessments in Nunavut. However, where an environmental assessment has been triggered under CEAA, the Responsible Authorities (RAs) must ensure the requirements of CEAA are met. Some exceptions do apply, for instance

circumstances where project proposals are exempt from the NIRB screening (Schedule 12-1, NLCA) or the proposals are for proposed projects outside of the Nunavut Settlement Area (NSA). In these instances, the CEAA assessment process may still be triggered.

Generally, these requirements are met, and duplication avoided, through federal participation in the NIRB environmental assessment process.

Triggers and the Responsible Authorities

An environmental assessment under CEAA is triggered when a federal authority as defined in CEAA performs one or more of the following actions:

(a) proposes the project;
(b) provides financial assistance to the project;
(c) sells, leases or transfers control of land to enable a project to be carried out; or
(d) issues a permit, licence or other approval listed on the Law List Regulations in relation to a project.

Federal authorities with any of these responsibilities are referred to as RAs. Projects excluded from an environmental assessment are listed in the Exclusion List Regulations as are temporary measures in response to a national emergency.

Two prospectors examine surface conditons in Nunavut

Acts and Regulations:

Environmental Assessment		
Triggers	CEAA:	Section 5
Exclusions	Exclusion List Regulations:	Schedule 1 (Parts I, III, V and VI)
	CEAA:	Section 7
Law List Regulations		
Inclusion List Regulations		
Comprehensive Study List Regulations	CEAA:	Sections 5 and 11
Emergency		
Emergencies Act:	CEAA:	Section 3 Section 7(b) and (c)

Departments and Boards:

EC- CEA Agency
RAs

Responsibility of the Responsible Authorities (RAs)

The RAs are responsible for ensuring that an environmental assessment is conducted as early as practicable in the planning stages of the project and before any irrevocable decisions are made. The *Regulations respecting the Coordination by Federal Authorities of Environmental Assessment Procedures* and Requirements require RAs to co-ordinate their duties, responsibilities and functions.

During an environmental assessment, no power, duty or function conferred by any legislation is exercised or performed by any of the RAs unless the assessment process has been completed. During the assessment, all federal departments are obliged to provide, when requested, any information, specialist or expert advice with respect to the project.

The RAs consider the effects of the project, the significance of the effects, the likelihood they will occur, the mitigation measures, and any public comments received. They may decide to grant the approval, subject to project specific terms and conditions, provided the project is unlikely to cause significant adverse environmental effects.

The RAs must ensure all the proposed mitigation measures are implemented, a process that may determine the requirements of a follow-up program for the project. They are also responsible for maintaining an accessible public registry on every project consisting of any comments collected from public hearings as well as reports, records and documents relating to the operation of the project until the operation and follow-up program are complete.

Acts and Regulations:

CEAA: Federal Co-ordination Regulations Sections 11 and 12

Suspension of Power	CEAA:	Section 13
Decision of Responsible Authority	CEAA:	Sections 20(1), 23 and 27
Canadian Environmental Assessment Registry,	CEAA:	Section 55
Statistical Summary	CEAA:	Section 56

Departments and boards:

RAs
CEAA Agency

Responsibility of the Canadian Environmental Assessment Agency

The Canadian Environmental Assessment Agency provides advice on process matters to the RAs. In cases where the proposals have been referred to a Part 5 review under the NLCA, but are also included in the Comprehensive Study List

Regulations (CSLR) under the CEAA, the Agency will review a comprehensive study report submitted to the Minister of EC by the Minister of the RA. This report may be prepared by the RA, the proponent, or the NIRB.

For proposals that have been referred to a Part 6 review under the NLCA to be assessed by a federal environmental assessment panel, the Canadian Environmental Assessment Agency may manage and oversee the operation of this panel.

... MONITORING PROGRAM / SURVEILLANCE NETWORK PROGRAM

All terms and conditions within permits, licences and certificates form the baseline of a monitoring program. They help co-ordinate monitoring responsibilities among the company, the NIRB and the responsible Minister(s).

Monitoring programs measure the effects of the project and allows for the assessment of the accuracy of predictions contained in the project impact statements. This provides the information base necessary to determine and enforce compliance with the predetermined conditions associated with land and resource use approvals.

This monitoring program may oblige the company to submit periodic progress reports on the project's operations, including the implementation of any proposed mitigative measures and their impacts. Under the NLCA, the NIRB has the flexibility to change any of the terms and conditions in its project certificate, if it is apparent they are not achieving their intended purpose. The NIRB puts any proposed changes in a report to the responsible Minister who either accepts, rejects or varies the recommendations.

A project approved under the CEAA may also require a follow-up program. The RAs may design this program and arrange for its implementation. Comprehensive study assessments will require a follow up program.

Areas of special significance, like Wilberforce Falls, are described in regional land use plans.

Acts, Agreement and Regulations:

Monitoring Program	NLCA:	Article 12 (Part 7)
	CEAA:	Section 38
Nunavut Waters & Nunavut Surface Rights Tribunal Act (NW&NSRTA):		Section 70
Flexibility	NLCA:	Article 12 (Part 8)

Departments and Boards:

NIRB
NPC
NWB
Federal and territorial departments
RAs

… TRANSBOUNDARY IMPACTS AND JOINT REVIEWS

When it is likely that a project will have impacts outside the boundary of Nunavut, both the CEAA and the NLCA have provisions which allow the Minister of EC to consider transboundary impacts and joint reviews with other provinces, territories or countries.

Acts, Agreement and Regulations:

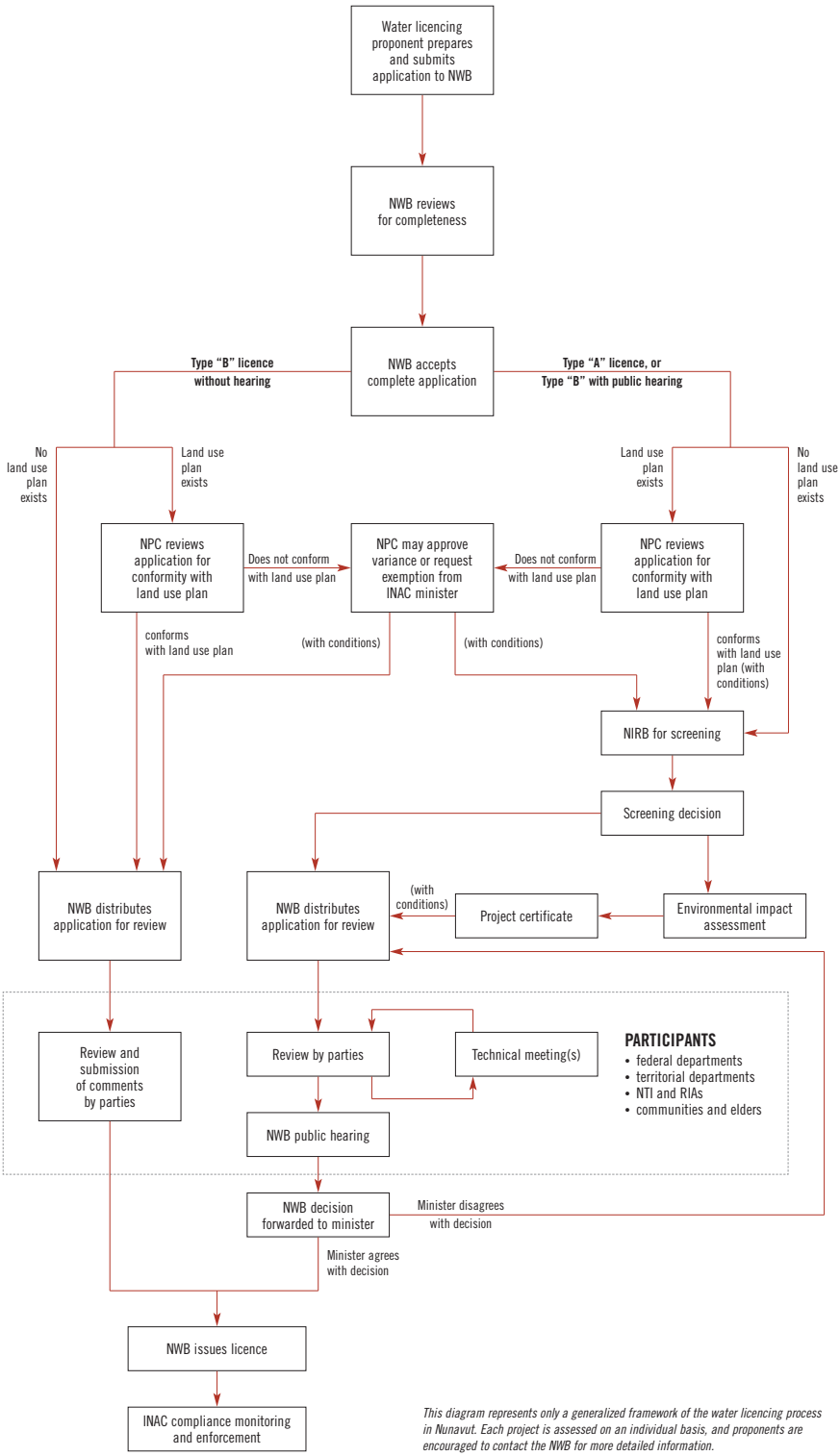
Joint Review	CEAA:	Section 40 and 41
	NLCA:	Article 12 (Part 11)
Transboundary Effects	CEAA:	Sections 46 to 54

Departments and Boards:

EC
NIRB

7 Water Licences

Nunavut Water Board Water Licence Process



This diagram represents only a generalized framework of the water licencing process in Nunavut. Each project is assessed on an individual basis, and proponents are encouraged to contact the NWB for more detailed information.

WATER LICENCES

... THE NUNAVUT WATER BOARD

Water use and waste deposit into water in Nunavut, both Crown Lands and Inuit Owned Lands (IOL), requires authorization from the Nunavut Water Board (NWB). The NWB was formed under the authorities of the Nunavut Land Claims Agreement (NLCA) and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NW&NSRTA). Water use and waste deposit that does not require NWB approval currently are domestic purposes, emergency situations, and in a national park.

In issuing water licences, the primary objective of the NWB is to conserve and utilize water in a manner that will provide optimum benefit to all residents of Nunavut and the rest of Canada. The licence holder, with permission to use the water, must comply with the terms and conditions stipulated on the licence, and with all relevant federal and territorial legislation. Inspection and monitoring of compliance with terms and conditions in the water licences are done regularly by Indian and Northern Affairs Canada (INAC).

The NWB is required to keep a register on all water licence applications together with all the documents and studies submitted. The content of this register must be made available to the public and copies of any documents must also be made available on payment of a prescribed fee.

In addition to its regulatory functions, the NWB contributes to the development of land use plans by providing recommendations, related to water issues, to the Nunavut Planning Commission (NPC). The NWB also co-operates with the Nunavut Impact Review Board (NIRB) to avoid unnecessary duplication in the review and processing of applications subject to environmental assessment [Tab 6]. The NWB may collaborate with any existing body exercising powers of water management for national parks or for any other place outside of Nunavut. It may, with the NPC, the NIRB and the Nunavut Wildlife Management Board (NWMB) as the Nunavut Marine Council, jointly or severally advise and make recommendations to governments on matters relating to marine areas.

Acts and Regulations:

Nunavut Water Board		
Administration	NW&NSRTA:	Sections 14 to 34
	NLCA:	Article 13 (Parts 2 and 3)
Outside Relationship	NW&NSRTA:	Sections 35 to 41
	NLCA:	Article 13 (Parts 4 to 6)

Departments and Boards:

INAC: Water Management
NWB

Application Requirements

In areas where a land use plan has been approved, all water licence applications are submitted from the NWB to the NPC for conformity determination. If the application conforms with the approved land use plan, or if a variance or exemption has been issued by the NPC, the application is then forwarded to the NIRB for environmental assessment, or returned to the NWB if the application is exempt from environmental assessment.

All water licence applications submitted to the NWB must be accompanied by:

- an application fee;
- a deposit on the first year's water use fee, if applicable; and
- a completed application form and supplementary questionnaire.

The applicant may also be required to submit additional information such as:

a) the project description;
b) anticipated qualitative and quantitative effects of the proposed water use on the water management area, including anticipated impacts on other water users in that area;
c) measures the company proposes to take to avoid and mitigate adverse impacts;
d) measures the company proposes to take to compensate interests adversely affected by the proposed water use;
e) the program the company proposes to establish for monitoring impacts of the water use;
f) interests in the lands and waters the company has secured or seeks to secure;
g) options for implementing the project; and
h) any other matters that the NWB considers relevant.

Acts and Regulations:
Requirements NW&NSRTA: Section 48

Departments and Boards:
NWB

Issuance Procedures

On receipt of a completed water licence application, the NWB shall provide a notice of the application to the council of each municipality affected and shall publish a notice of the application in a newspaper with general circulation in the affected area. If there is no such newspaper, the application will be publicized in any other manner the NWB considers appropriate. The notice of application must invite interested persons or parties to respond or make representations within a specified period. This notice must also advise of the consequences of any failure to respond or make representations to the notice.

Depending on the category of the water licence applied for, the number and nature of representations and responses received, the NWB decides whether any public hearings will be held and it may waive the requirement for a hearing if no public concerns are expressed. The NWB also decides if any further compensation agreements are to be concluded, any complaints to be investigated or any compensation to be considered.

In the event of public hearings, notices of the hearing will be published at least 60 days before the hearing, and information on the water licence application will also be made available to the public within a reasonable period of time before the hearing. The NWB decides on the location of, and the issues to be discussed in, the hearings. In making that decision, the NWB takes into consideration the communities within Nunavut most affected by the application at issue. During the hearings, the NWB has the power of a commissioner.

If no public hearing is required, the NWB will deal with the application summarily at least 30 days after the publication of the notice of the licence application. The NWB acts sooner under urgent circumstances (no less than 10 days after the publication of the application notices). However, for any emergency amendment of the water licence, only the consent of the Minister of INAC is required, and no publication is usually required.

The issuance, amendment, renewal and cancellation of Type A water licences and Type B water licences, with an associated public hearing, require the approval of the Minister of INAC. The Minister has 45 days to make a decision and, if the decision is not to approve, to give written reasons for the decision. The Minister

may extend the 45 days by another 45 consecutive days by notifying the NWB within the first 45 days. However, if no decision has been made within the 45 or 90 days, the Minister is deemed to have approved the issuance, amendment, renewal or cancellation of the water licence.

Acts and Regulations:

Public Hearings	NW&NSRTA: Sections 52 to 55(1),(2),(3)
	NW&NSRTA: Section 55(4), (5)
Ministerial Approval	NW&NSRTA: Section 56
Failure to Respond	NW&NSRTA: Sections 59 and 60(2)

Departments and Boards:

INAC: Water Management
NWB

Terms and Conditions

A water licence may be issued for a term of up to 25 years and can be renewed for a maximum term of another 25 years on application, either with or without changes to the existing conditions of the licence.

After hearing comments from interested parties, the NWB sets terms and conditions in the water licences. These terms and conditions are to ensure the integrity of the aquatic ecosystems and to harmonize the water users in the area so that no existing water users are inconvenienced. Conditions on the water licence may range from identifying the total permitted quantity of water usage, to outlining necessary modifications to existing operation plans, including maintenance, monitoring and use/discharge criteria, spill contingency plans and abandonment restoration plans.

The NWB has the authority to renew, cancel or approve any assignment on application, or to change the terms or conditions on the licence at any time during the operation, when it is deemed necessary in the interests of the public or other licence holders.

When the NWB issues a licence concerning waters to which the *Fisheries Act* (FA) applies, any conditions on the licence relating to any deposit of waste in these waters must be as stringent as the conditions prescribed by the FA or by any regulations made under the *Canada Water Act* (CWA). The FA is administered by both Environment Canada (EC) and Fisheries and Oceans Canada (DFO).

Acts and Regulations:

Licence Conditions	NW&NSRTA:	Sections 57 and 63, 70 to 75
Habitat Protection	FA:	Sections 34 to 42.1
	NW&NSRTA:	Section 73

Departments and Boards:

DFO
INAC: Water Management
EC
NWB

Security Deposit

The NWB may require an applicant, a licence holder or a prospective assignee to furnish and maintain a security deposit.

The amount of the security deposit, including the form and nature, must be satisfactory to the Minister of INAC. This deposit may be in the form of promissory notes guaranteed by Canadian banks, certified cheques or irrevocable letters of credit from Canadian banks, approved performance bonds, cash or any other form satisfactory to the Minister.

The amount of the deposit is usually based on the Crown's liability should the licence holder abandon the operation at any point during the mine's life cycle. This deposit can be used by the Minister of INAC to fully or partially reimburse the Crown for reasonable costs incurred, or to fully or partially compensate persons who are entitled to be compensated but have not been successful in recovering the compensation through normal legal procedures.

The security deposit usually covers the period beginning on the effective date of the licence up to and including two years after the date the licence expires. Any unused amount is to be refunded to the licence holder after the completion of the operation.

All applicants should review the Mine Site Reclamation Policy for Nunavut released by INAC in July 2002 and available on INAC's website at www.ainc-inac.gc.ca. Or see Tab 11 for contact information.

Acts and Regulations:

Security Deposit	NW&NSRTA: Section 76

Departments and Boards:

INAC: Water Management
NWB

Compensation Agreement

Any person who has responded or made representation to the NWB regarding any notices of water licence applications, and is adversely affected by the licensed or unlicensed use of waters or deposit of waste, is entitled to be compensated by the licence holder or the person authorized by the licence holder, or to recover the compensation in any court of competent jurisdiction.

In deciding on the appropriateness of proposed compensation, the NWB considers such matters as: potential or proven loss; the extent of any adverse effects in terms of inconvenience or disturbance; and the overall effects on the quality and quantity of water affected.

The NWB will not issue a licence for the use of water or the deposit of waste that may substantially affect the quality, quantity or flow of water flowing on or through IOL unless the applicant has entered into an agreement with NTI or the Regional Inuit Association (RIA) to compensate for loss or damage caused by the change or, if no agreement has been reached, unless the NWB has made a determination of the appropriate compensation.

Acts and Regulations:

Compensation	NW&NSRTA: Sections 13, 58 to 61
Inuit Owned Lands	NW&NSRTA: Section 63 to 67
NUnavut Land Claims Agreement	Article 20, Inuit Water Rights

Departments and Boards:

NWB

Inspection and Monitoring

Under the NW&NSRTA, INAC has the responsibility to inspect, monitor, assess compliance and enforce legislation including the terms and conditions identified in a water licence issued by the NWB.

Inspection may occur at any time during and toward the end of the operation. In the interests of the public or other licence holders, an INAC inspector may direct the licence holder to carry out activities to mitigate or remedy any adverse environmental effects as a result of the operation. This may include stopping the operation or activity in question.

All licence holders are required to keep accurate and detailed records and to submit all account activities when requested by an inspector. Any inspector designated by the Minister of INAC may request the examination of the books, records or documents when deemed necessary.

Acts and Regulations:

Inspection	NW&NSRTA: Sections 85 to 89
Offences and Punishment	NW&NSRTA: Sections 90 to 94
Public Register	NW&NSRTA: Section 78

Departments and Boards:

INAC: Water Management
NWB

Appeal of Decisions

The NWB will provide written reasons for its decisions on licence applications to the applicant, and in some cases, to the affected RIA and to any person with a right to be compensated. The NWB also makes these written decisions available to the public.

Every NWB decision is final. However, an appeal of any decision from the NWB, on questions of law or jurisdiction can be made to the Federal Court, on leave being obtained from that Court. Application for appeal must be made within 45 days after the making of the decision, or within a time frame allowed by a judge of the Federal Court under special circumstances.

Acts and Regulations:

Decisions and Appeals	NW&NSRTA: Sections 79 to 81

Departments and Boards:

NWB

Transboundary Agreement

For any water bodies along Nunavut's border, the Minister of INAC may enter into a management agreement with other provinces or territories (Section 10, NW&NSRTA). The Section deals specifically with any waters partially situated in Nunavut and partially in a province or territory, or flowing between Nunavut and a province or territory.

In the interests of the public and with the payment of a fee or a deposit, the Minister of INAC may permit a licence applicant or a licence holder to expropriate the land (Section 77, NW&NSRTA). The application to expropriate under Section 77 would only be considered if it is in the public good to do so and if all reasonable efforts to acquire the land have been exhausted.

Acts and Regulations;

Management Agreement	NW&NSRTA: Section 10
Permission to Expropriate	NW&NSRTA: Section 77

Departments and Boards:

INAC: Water Management
NWB

8 How do the Institutions of Public Government Work?

How do the Institutions of Public Government Work?

The Institutions of Public Government (IPGs) consist of the:

i. Nunavut Planning Commission (NPC);
ii. Nunavut Water Board (NWB);
iii. Nunavut Impact Review Board (NIRB);
iv. Nunavut Surface Rights Tribunal (NSRT); and
v. Nunavut Wildlife Management Board (NWMB).

These five IPGs were created under the authority of the Nunavut Land Claims Agreement (NLCA) for the management of land and resources in the Nunavut Settlement Area (NSA). Each IPG has a distinct mandate and responsibilities and each has the authority under the NLCA to establish its own policies on internal management, and rules and procedures for conducting public consultations. Board members of the IPGs are nominated by federal and territorial governments, and the Designated Inuit Organizations (DIOs) in the ratios specified by the NLCA.

Despite different mandates, the IPGs place the highest priority on protecting and promoting the interests and well-being of residents of Nunavut while taking into account those of the rest of Canada.

The IPGs may conduct community consultations in carrying out their mandates. Traditional knowledge and scientific technology play an equally important role in these consultations. Often, companies with projects are encouraged to conduct their own consultations with community councils and local stakeholders before submitting a proposal. Early identification of key issues or public concerns helps to avoid later conflicts and to manage the process more efficiently.

Please see Tab 11 for contact information of the various IPGs.

... NUNAVUT PLANNING COMMISSION

The NPC develops broad planning policies for the NSA, and develops and administers land use plans to guide and direct short and long-term resource use and development in each region of the NSA.

In developing land use plans, the NPC draws on the knowledge of the other IPGs and conducts community consultations, taking into account the wide range of interests, values, priorities and aspirations. The final land use plan includes the social, cultural and economic needs of the communities as well as the needs of the environment and the ecosystems. The objective is to bring economic benefits to the communities while minimizing any long-term damage to ecosystems.

Because the cumulative impact of activities in a planning region is often a concern, the NPC checks to ensure proposed developments are of the appropriate type, design and location, and conform with approved land use plans. A project proponent can apply to the NPC for a variance or to the Minister of the issuing authority for an exemption from the approved land use plan. The Minister, on granting the exemption, informs the NPC and the public of the decision, gives the rationale for the decision and refers the proposal directly to the NIRB for screening. Similarly, the NPC, in granting a variance, writes to the responsible Minister regarding the decision, giving the rationale.

The NPC may refer those projects, which are exempted from screening, to the NIRB according to Schedule 1 of Article 12 of the NLCA, if there are concerns about the cumulative impacts of the proposed land use on the region.

On every proposed or operating project, the NPC maintains a central registry, which is accessible to the public and contains all the decisions made, plus relevant documents and comments from community consultations. Government, a Designated Inuit Organization or any person affected by a plan may propose, to the NPC, an amendment to the land use plan, and the NPC will decide if a review is appropriate.

In addition, with co-operation from the other IPGs, the NPC is in the process of co-ordinating internet access (the Public Land Use Application, Network Notification, and Environmental Reporter - PLANNER) for developers of land use plans, and the permit and environmental reporting processes by linking environmental and geographical databases and guiding users through the approval process with application forms generated on-line.

... THE NUNAVUT WATER BOARD

In accordance with the *Nunavut Waters and Nunavut Surface Rights Tribunal Act,* the NWB licences the use of water and the deposit of waste into inland waters in Nunavut. Companies or individuals cannot begin any operations until approval has been granted and a water licence issued. Project proponents are required to comply with the terms and conditions of their water licences, and with all the applicable provisions in relevant federal and territorial legislation.

When applying for a water licence, companies are required to pay an application fee ($30) and submit a complete project description to the NWB which then distributes the application to a list of stakeholders for consultations. For projects of a regional nature, the NWB requires the company to publish a notice in a newspaper of local circulation for communities that are closest to the project. For projects of a localized nature, a newspaper notice may not be required but the NWB will ensure that the notice of application is widely distributed to federal, territorial and local governments, Inuit organizations, the municipal council and community groups and organizations closest to or most affected by the project.

If any public hearings are to be conducted, the NWB decides on the location and the issues to be discussed. These are often determined through a pre-hearing or by the comments received from stakeholders.

During the application review process, the NWB asks for comments from all stakeholders. If a public hearing is held, the general public has a chance to be heard. The NWB also develops the terms and conditions to be included in the licence. Mining and advanced exploration activities generally require the posting of a security deposit. The NWB sets the amount of the security deposit and a schedule for payment. As the Crown holds the security against any liability, the form of security must be acceptable to the Minister of Indian and Northern Affairs Canada (INAC). Security can only be based on water-related liabilities, but in previous decisions, the NWB has taken a broad and holistic approach to the relationships and boundaries between water and land.

INAC has the responsibility to monitor and enforce terms and conditions within water licences.

The NWB keeps a public registry of all records of licence applications and decisions. Any documents kept in the register are available to the public on request.

... THE NUNAVUT IMPACT REVIEW BOARD

The NIRB has the responsibility to assess and monitor, on a site-specific and regional basis, the ecosystem and socio-economic impacts of project proposals. Its mandate, however, does not include establishing requirements for socio-economic benefits.

On receipt of a complete project application, the NIRB screens the impact potential of the project to determine if a more thorough review is necessary. The NIRB may decide that a further review is required under Part 5 or Part 6 of Article 12 of the NLCA. A report detailing the issues and concerns, and the rationale behind the decision, is sent to the responsible Minister who then makes a decision on the type of review to be conducted. Part 5 reviews are conducted by the NIRB, and Part 6 reviews are conducted, under the authority of the *Canadian Environmental Assessment Act*, by a federal environmental assessment panel reporting to the Minister of Environment Canada.

If the project has been approved following a screening under Part 4, the NIRB may recommend terms and conditions to be included in the authorizations for the project. Projects that may proceed following a Part 5 or Part 6 review are issued a project certificate stipulating terms and conditions, as accepted or varied by the relevant Minister. These terms and conditions are implemented by government departments and agencies in accordance with their authorities for granting approvals for the project.

As part of the NPC's central registry, a database of all project proposals, including those that have been exempted from screening, is maintained. This helps in assessing the cumulative effects in the region. All applications, documents, proposals, comments and feedback in this registry are accessible to the public on request.

... THE NUNAVUT SURFACE RIGHTS TRIBUNAL

The NSRT is an independent quasi-judicial body with a mandate to settle disputes, particularly disputes on access, on compensation for access, wildlife compensation claims and rights to carving stone or specified substances.

The disputing parties are encouraged to negotiate and try to settle before applying to the NSRT for assistance. On receipt of an application, the NSRT arranges a pre-hearing conference for the parties to submit documents, identify the issues and be briefed on the NSRT process.

In cases of access to lands or wildlife harvesting, the NSRT has the power to order a resolution. This can include the termination of any previous entry orders, or setting, and periodically reviewing the amount of compensation awarded. The NSRT may also determine the right to carving stone or specified substances, and whether any compensation is required.

Often incorporating both traditional and scientific knowledge, the NSRT makes decisions based on the evidence submitted. Any decisions are forwarded to the parties along with the rationale behind them. All decisions of the NSRT are final and binding, and subject only to judicial review on limited grounds. Any order issued by the NSRT is enforceable through a court of competent jurisdiction.

... THE NUNAVUT WILDLIFE MANAGEMENT BOARD

The NWMB is responsible for the well-being of a large population of wildlife. The Board has the mandate to protect habitats for this wildlife and to ensure the appropriate use of the wildlife in the NSA. The NWMB is the main instrument in managing wildlife and in regulating access to wildlife habitats. It operates under the principles of conservation, sustainability and ecosystem integrity.

The NWMB recognizes the role, power and knowledge of various sources of information and expertise. The NWMB also participates in research. It establishes and modifies wildlife harvesting quotas, approves plans for the management and protection of wildlife and wildlife habitats, and is responsible for the designation of endangered species. It also provides guidelines for big game qualifications.

9 Federal and Territorial Legislation and their Responsible Authorities

Federal and Territorial Legislation and their Responsible Authorities

LEGISLATION	RESPONSIBLE AUTHORITIES		
Acts (Regulations)	**Federal**	**Territorial**	**IPGs/DIO**
Arctic Waters Pollution Prevention Act (AWPPR)	INAC		
Business Corporations Act (Nunavut)		DOJNU	
Canadian Environmental Assessment Act			
(Comprehensive Study List Regulations)			
(Regulations Respecting the Coordination by Federal Authorities of Environmental Assessment Procedures and Requirements)			
(Exclusive List Regulations)			
(Inclusion List Regulations) [ILR]	INAC, NRCan,		
(Law List Regulations)	EC, DFO		
Canadian Environmental Protection Act	EC		
Commissioner's Land Act			
(Commissioner's Land Regulations)		CGSNU	
Canada National Parks Act (CNPA)			
(National Parks Wildlife Regulations)	PCH		
Canada Wildlife Act (CWA)			
(Wildlife Area Regulations) [WAR}	EC		
Engineers, Geologists and Geophysicists Act (Nunavut)		DOJNU	

LEGISLATION	RESPONSIBLE AUTHORITIES		
Acts (Regulations)	**Federal**	**Territorial**	**IPGs/DIO**
Emergency Medical Aid Act (Nunavut)		H&SSNU	
Environmental Protection Act (Nunavut)			
(Spill Contingency Planning and Reporting Regulations (Nunavut)		DOENU	
Explosives Use Act (Nunavut)			
(Explosive Use Regulations (Nunavut))		WCBNU	
Explosives Act			
(Explosives Regulations)	NRCan		
Fisheries Act			
(Metal Mining Effluent Regulations)			
(Northwest Territories Fisheries Regulations) [NWTFR]	DFO / EC		
Fire Prevention Act (Nunavut)			
(Fire Prevention Regulations (Nunavut))			
(Propane Cylinder Storage Regulations (Nunavut))		CGSNU	
Labour Standards Act (Nunavut)		DOJNU	
Migratory Birds Convention Act, 1994 (MBCA)			
(Migratory Birds Sanctuary)	EC		
Mine Health and Safety Act (Nunavut)			
(Mine Health and Safety Regulations (Nunavut))		WCBNU	
Nunavut Archaeological and Palaeontological Sites Regulations (Nunavut)		CLEYNU	
Nuclear Energy Act			
(AECB Cost Recovery Fees Regulations)	CNSC		

LEGISLATION	RESPONSIBLE AUTHORITIES		
Acts (Regulations)	**Federal**	**Territorial**	**IPGs/DIO**
Nuclear Safety and Control Act (Nuclear Safety and Control Regulations) (Nuclear Security Regulations) (Radiation Protection Regulations) (Uranium Mines and Mills Regulations) (Packaging and Transport of Nuclear Substances Regulations) (AECB Cost Recovery Fees Regulations)	CNSC		
Nunavut Waters and Nunavut Surface Rights Tribunal Act	INAC		
NWT Waters Regulations	NWT		
Public Health Act (Nunavut)			
Camp Sanitation Regulations (Nunavut)		H&SSNU	
Transportation of Dangerous Goods Act			
(Transportation of Dangerous Goods Regulations)	TC		
Transportation of Dangerous Goods Act (Nunavut)			
(Transportation of Dangerous Goods Regulations (Nunavut))		CG&SNU	
Territorial Lands Act			
(Canada Mining Regulations) (Territorial Dredging Regulations) (Territorial Lands Regulations) (Territorial Land Use Regulations) (Territorial Quarrying Regulations)	INAC		
Territorial Parks Act (Nunavut)			
(Territorial Parks Regulations (Nunavut)) [TPRNU]		DOENU	
Wildlife Act Nunavut			
(Wildlife Sanctuaries Regulations (Nunavut))		DOENU	

LEGISLATION	RESPONSIBLE AUTHORITIES		
Acts (Regulations)	**Federal**	**Territorial**	**IPGs/DIO**
Worker's Compensation Act (Nunavut) (Worker's Compensation Regulations (Nunavut)) [WCRNU] (Camp Sanitation Regulations (Nunavut)		WCBNU	
Others			
Mineral and Energy Resource Assessment	INAC, NRCan	DOENU	
Nunavut Land Claims Agreement	INAC	GN	IPGs, NTI
Personal Property Registry (PPR)		DOJNU	
Policies			
Mine Site Closure and Reclamation	INAC		

10 Acronyms

Acronyms

The following are acronyms used in this manual.

FEDERAL AND TERRITORIAL ACTS

AWPPA	*Arctic Waters Pollution Prevention Act*
BCANU	*Business Corporations Act (Nunavut)*
CEAA	*Canadian Environmental Assessment Act*
CEPA	*Canadian Environmental Protection Act, 1999*
CLA	*Commissioner's Land Act*
CNPA	*Canada National Parks Act*
CWA	*Canada Wildlife Act*
EG&GANU	*Engineers, Geologists and Geophysicists Act (Nunavut)*
EMAANU	*Emergency Medical Aid Act (Nunavut)*
EPANU	*Environmental Protection Act (Nunavut)*
EUANU	*Explosives Use Act (Nunavut)*
EXA	*Explosives Act*
FA	*Fisheries Act*
FPANU	*Fire Prevention Act (Nunavut)*
LSANU	*Labour Standards Act (Nunavut)*
MBCA	*Migratory Birds Convention Act, 1994*
MH&SANU	*Mine Health and Safety Act (Nunavut)*
NEA	*Nuclear Energy Act*
NS&CA	*Nuclear Safety and Control Act*
NW&NSRTA	*Nunavut Waters and Nunavut Surface Rights Tribunal Act*
PHANU	*Public Health Act (Nunavut)*
TDGA	*Transportation of Dangerous Goods Act, 1992*

TDGANU	*Transportation of Dangerous Goods Act (Nunavut)*
TLA	*Territorial Lands Act*
TPANU	*Territorial Parks Act (Nunavut)*
WANU	*Wildlife Act (Nunavut)*
WCANU	*Workers' Compensation Act (Nunavut)*

FEDERAL AND TERRITORIAL REGULATIONS

AWPPR	Arctic Waters Pollution Prevention Regulations
CFAEAP&R	Regulations Respecting the Coordination by Federal Authorities of Environmental Assessment Procedures and Requirements
CLR	Commissioner's Land Regulations
CMR	Canada Mining Regulations
CRFR	AECB Cost Recovery Fees Regulations, 1996
CSLR	Comprehensive Study List Regulations
CSLRNU	Comprehensive Study List Regulations (Nunavut)
CSRNU	Camp Sanitation Regulations (Nunavut)
ELR	Exclusion List Regulations
EURNU	Explosives Use Regulations (Nunavut)
EXR	Explosives Regulations
FPRNU	Fire Prevention Regulations (Nunavut)
ILR	Inclusion List Regulations
LLR	Law List Regulations
MBSR	Migratory Bird Sanctuary Regulations
MH&SRNU	Mine Health and Safety Regulations (Nunavut)
MMER	Metal Mining Effluent Regulations
NA&PSR	Nunavut Archaeological and Palaeontological Sites Regulations
NPWR	National Parks Wildlife Regulations
NS&CR	General Nuclear Safety and Control Regulations

NSR	Nuclear Security Regulations
NWTFR	Northwest Territories Fishery Regulations
NWTWR	Northwest Territories Waters Regulations
P&TNSR	Packaging and Transport of Nuclear Substances Regulations
PCSRNU	Propane Cylinder Storage Regulations (Nunavut)
RPR	Radiation Protection Regulations
SCP&RRNU	Spill Contingency Planning and Reporting Regulations (Nunavut)
TDGR	Transportation of Dangerous Goods Regulations
TDGRNU	Transportation of Dangerous Goods Regulations (Nunavut)
TDR	Territorial Dredging Regulations
TLR	Territorial Lands Regulations
TLUR	Territorial Land Use Regulations
TPRNU	Territorial Parks Regulations (Nunavut)
TQR	Territorial Quarrying Regulations
UM&MR	Uranium Mines and Mills Regulations
WAR	Wildlife Area Regulations
WCRNU	Workers' Compensation Regulations (Nunavut)
WSRNU	Wildlife Sanctuaries Regulations (Nunavut)

FEDERAL GOVERNMENT DEPARTMENTS AND AGENCIES

CNSC	Canadian Nuclear Safety Commission
DFO	Fisheries and Oceans Canada
DOJ	Department of Justice Canada
EC	Environment Canada
INAC	Indian and Northern Affairs Canada
NRCAN	Natural Resources Canada

PCH	Parks Canada Agency (Canadian Heritage)
TC	Transport Canada

TERRITORIAL GOVERNMENT DEPARTMENTS AND AGENCIES

CGSNU	Department of Community and Government Services
CLEYNU	Department of Culture, Language, Elders and Youth
DOJNU	Department of Justice
DOENU	Department of Environment
ED&TNU	Economic Development & Transportation
GN	Government of Nunavut
H&SSNU	Department of Health and Social Services
WCBNU	Workers' Compensation Board of the Northwest Territories and Nunavut

INSTITUTIONS OF PUBLIC GOVERNMENT

IPGs	Institutions of Public Government
NIRB	Nunavut Impact Review Board
NPC	Nunavut Planning Commission
NSRT	Nunavut Surface Rights Tribunal
NWB	Nunavut Water Board
NWMB	Nunavut Wildlife Management Board

INUIT ORGANIZATIONS

DIO	Designated Inuit Organizations
NTI	Nunavut Tunngavik Incorporated
RIA	Regional Inuit Association
RWO	Regional Wildlife Organization

OTHERS

A&R	Abandonment and Reclamation
CCME	Canadian Council of Ministers of the Environment
EA	Environmental Assessment
EIS	Environmental Impact Statement
HTO	Hunters and Trappers Organization
IIBA	Inuit Impact and Benefits Agreement
IOL	Inuit Owned Lands
LAC	Land Advisory Committee
MDAG	Mineral Development Advisory Group
MERA	Mineral and Energy Resource Assessment
NLCA	Nunavut Land Claims Agreement
NSA	Nunavut Settlement Area
PLA	Production Lease Area
PPR	Personal Property Registry
RA(s)	Responsible Authority(ies)
RMO	Resource Management Officer

11 List of Contacts

List of Contacts

FEDERAL DEPARTMENTS

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Natural Resources Canada
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Inspector of Explosives
Explosives Regulatory Division
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GOVERNMENT OF NUNAVUT

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Websites http://npc.nunavut.ca
http://planner.nunavut.ca
(The Planner Project)

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Fax: (867) 979-7785
Website: www.nwmb.com/

Nunavut Surface Rights Tribunal
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Fax (867) 645-4397
E-Mail: surface@arctic.ca
Website: www.nunanet.com/~nsrt

Nunavut Water Board
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Website: http://nwb.nunavut.ca

INUIT OWNED LANDS (IOL)

For Surface IOL:

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Kivalliq Inuit Association
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Notes

www.ainc-inac.gc.ca/nunavut