

REGULATORY HISTORY: LUPIN MINE WINTER ACCESS

The Tibbitt to Contwoyto Winter Road (TCWR) have been in seasonal operation since 1969. Below is a recent regulatory history associated with the TCWR in Nunavut, indicating that the winter road to Lupin, as described in the application to the NPC #148975, has been referred to the Nunavut Impact Review Board (NIRB) multiple times in the past and the NIRB has indicated that the proposal may proceed without a Part 5 or 6 review. Attached are the supporting Screening Decision Reports from the NIRB, provided for reference.

NIRB File # 00RN085 RTL Robinson Enterprises Ltd

RTL applied for a Crown Land Use Permit (LUP) for a term of 2 years, December 1999 to April 2001, to construct the TCWR. Indian and Northern Affairs Canada (INAC) referred the application to the NIRB for screening. The NIRB received the referral on February 24, 2000. In their decision, the NIRB states:

The decision of the Board in this case is 12.4.4 (a): (a) the proposal may be processed without a review under Part 5 or 6; NIRB may recommend specific terms and conditions to be attached to any approval. Reflecting the primary objectives set out in Section 12.2.5;

Reasons for Decision:

NIRB's decision is based on specific considerations that reflect the primary objectives of the Land Claims Agreement. Our considerations in making this decision included:

- the movement of vehicles and equipment, and their impact on wildlife;*
- the movement of vehicles and equipment and their impact on the terrain;*
- impact to archaeological and cultural landmarks;*
- storage and disposal of fuel, garbage, and sewage; and*
- clean up and restoration upon abandonment.*

NIRB File# 02RN037 Echo Bay Mines Ltd., BHP Diamonds Inc., Diavik Diamond Mines Inc.

Joint applicants applied to INAC for a 30 year renewal of the Licence of Occupation for the TCWR on November 5, 2001. This was referred to the NIRB for screening. In their decision, the NIRB states:

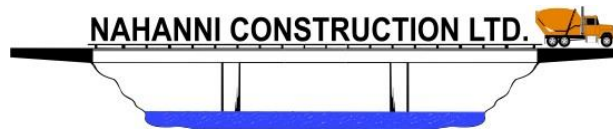
The decision of the Board in this case is 12.4.4 (a) the proposal may be processed without a review under Part 5 or 6; NIRB may recommend specific terms and conditions to be attached to any approval. Reflecting the primary objectives set out in Section 12.2.5;

NIRB File # 04RN111 Deton'Cho/RTL Corporation

Deton'Cho and RTL applied for a LUP from INAC for a period of 2 years, 2011-2013. INAC referred the matter to the NIRB for screening on January 11, 2011. In their decision, the NIRB states:

The decision of the Board in this case is 12.4.4 (a) the proposal may be processed without a review under Part 5 or 6; NIRB may recommend specific terms and conditions to be attached to any approval, reflecting the primary objectives set out in Section 12.2.5;

Reasons for Decision:



*NIRB's decision is based on specific considerations that reflect the primary objectives of the Land Claims Agreement. Our considerations in making this decision included:
the movement of vehicles and equipment, and their impact on wildlife;
the movement of vehicles and equipment and their impact on the terrain;
storage and disposal of fuel, garbage, and sewage; and
clean up and restoration upon abandonment.*