



NIRB File No.: 04EN022

AANDC File No.: N2010C0012

NWB File No.: 2BE-NAD0813

Previous QIA File No.: Q07L3C03

August 9, 2013

The Honourable Bernard Valcourt
Minister of Aboriginal Affairs and Northern Development
c/o Jeff Mercer, Manager Land Administration
Aboriginal Affairs and Northern Development Canada
P.O. Box 100
Iqaluit, NU X0A 0H0

Sent via email: jeff.mercer@aandc.gc.ca; landsmining@aandc.gc.ca

Re: Application Exempt from the Requirement for Screening pursuant to Section 12.4.3 of the NLCA: Commander Resources Ltd.'s "Baffin Gold" project, Oikiqtani (South Baffin) Region

Dear Jeff Mercer:

On June 27, 2013 the Nunavut Impact Review Board (NIRB or Board) received an application from Aboriginal Affairs and Northern Development Canada (AANDC) for a new Land Use Permit (No.: N2010C0012) to replace the expired permit (No.: N2010C0012) associated with Commander Resources Ltd.'s "Baffin Gold" project. Please be advised that a conformity determination from the Nunavut Planning Commission was not required for this file, as the proposed project is located within a region that does not currently have an approved land use plan in place (South Baffin Region). Following an initial review of materials received from AANDC, the NIRB determined that it did not have sufficient information to assess the proposed project and on July 12, 2013 and July 27, 2013, requested that the Proponent provide additional details in support of its application on or before July 26, 2013. On August 7, 2013 the NIRB received the required information and continued its assessment of the proposal in accordance with Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA).

Please be advised that the original project proposal (NIRB File No.: 04EN022) was received by the NIRB from Indian and Northern Affairs Canada (INAC; now AANDC) on March 15, 2004 and was screened by the Board in accordance with Part 4, Article 12 of the NLCA. On April 1, 2004 the NIRB issued a NLCA 12.4.4(a) screening decision to the Minister of INAC which indicated that the proposed project could proceed subject to the NIRB's recommended project-specific terms and conditions.

Additional authorization and extension requests associated with the “Baffin Gold” project have also been reviewed by the NIRB following screening of the original project proposal (File No.: 04EN022); a summary of the additional applications associated with this file are presented in Table 1.

Table 1: Additional applications associated with NIRB File No. 04EN022

Authorization	Application			NIRB Decision	
	Date Received by NIRB	Type	Reason for Application	Date Issued	Type
AANDC Land Use Permit N2004C0004	April 27, 2008	1-year Extension	Continue exploration	May 1, 2008	NLCA 12.4.3 Exemption
AANDC Land Use Permit N2004C0004	March 11, 2009	1-year Extension	Continue exploration	March 17, 2009	NLCA 12.4.3 Exemption
QIA Land Use License Q07L3C03 and AANDC Land Use Permit N2010C0012	QIA-March 18, 2010; AANDC-March 25, 2010	New Land Use Licence and replace LUP	Continue exploration	April 30, 2010	SDR additional terms and conditions
AANDC Land Use Permit N2010C0012	April 25, 2012	1-year Extension	Continue exploration	August 2, 2012	NLCA 12.4.3 Exemption

Notes: AANDC = Aboriginal Affairs and Northern Development Canada; LUP = Land Use Permit; SDR = Screening Decision Report

The current AANDC application, the original NIRB Screening Decision Report (File No.: 04EN022) and related file information are available from the NIRB’s online public registry at the following location:

<http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2004/04EN022-Commander%20Resources/>.

PREVIOUSLY-SCREENED PROJECT PROPOSAL:

As previously screened by the NIRB (File No.: 04EN022), the “Baffin Gold” project was located within the Qikiqtani (South Baffin) region, on Baffin Island, approximately 250 kilometres southwest of the community of Clyde River. The gold exploration project began operations in April 2004 and involved ground geophysics, prospecting, rock sampling, geological mapping, and diamond drilling on both Crown and Inuit Owned Land (IOL).

The activities and components associated with the original proposal included:

- Operation of an existing camp at Dewar Lake (previously established by BHP);
- Fuel storage;
- Solid waste and waste water disposals;
- Airstrip use at FOX 3 DEW Line Station;
- Airborne and ground based magnetic and electromagnetic geophysical surveys;
- Diamond drilling;
- Trenching for rock sampling by hand-held, gas-powered rock saw.

Activities and components associated with the previous March 2010 applications to access Inuit Owned Land and to replace Land Use Permit No.: N2004C0004 with Land Use Permit No.: N2010C0012 included:

- Continue exploration activities annually from April into September each year from 2010 through to 2012, including:
 - Ground magnetic and electromagnetic surveys, prospecting, geological mapping;
 - Soil and sediment sampling;
 - Diamond drilling (both land based and on ice); and
 - Trenching and rock sampling by a hand-held, gas-powered rock saw.
- Refurbish existing Dewar Lake camp, situated on Crown Land;
- Establish new camp (including an ice strip) at Malrok Lake, situated on IOL;
- Continued use of airstrip at FOX 3 DEW Line Station;
- Fixed wing and helicopter aircraft use for mobilization of personal, drills and supplies;
- Snow mobile and other vehicle use; and
- Develop and utilize winter roads.

CURRENT APPLICATION:

Commander Resources Ltd. is proposing to replace its expired Land Use Permit No. N2010C0012 to continue with previously permitted exploration activities and to maintain the existing camp.

Please note that Section 12.4.3 of the NLCA states that:

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


(a) such component or activity was not part of the original project proposal; or

(b) its inclusion would significantly modify the project.”

After completing a review of the information provided in support of the current application, the NIRB is of the understanding that the application for a new Land Use Permit to replace the previously issued and expired permit does not change the general scope of the original project activities, and the exceptions noted in NLCA 12.4.3(a) and (b) do not apply. Therefore, this application is exempt from the requirement for screening pursuant to Section 12.4.3 of the NLCA and the activities therein remain subject to the terms and conditions recommended in the most recent April 30, 2010 Screening Decision Report (enclosed).

If you have any questions or require additional clarification, please contact Sophie Pohl, Assistant Technical Advisor, at (867) 983-4622 or spohl@nirb.ca.

Sincerely,

A handwritten signature in black ink that reads "Ryan Barry". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ryan Barry
Executive Director
Nunavut Impact Review Board

cc: Steve Potts, Commander Resources Ltd.
Tracey McCaie, Aboriginal Affairs and Northern Development Canada
Phyllis Beaulieu, Nunavut Water Board
Bernie MacIsaac, Qikiqtani Inuit Association

Enclosure: NIRB Screening Decision Report, File No.: 04EN022 (*April 30, 2010*)