



Indian and Northern
Affairs Canada

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et du Nord Canada

www.inac.gc.ca

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Land Administration
P.O. Box 100
Iqaluit, NU X0A 0H0
Phone: 867-975-4275
Fax: 867-975-4286

Your file - Votre référence

Our file - Notre référence

April 12, 2010

Comaplex Minerals Corp.
Suite 901, 1015 4th St. SW
Calgary, AB
T2R 1J4

Dear Sandy Barham:

Re: Land Use Permit #N2010C0002
Type of Operation: Mining Exploration
Location: Meliadine River, Kivalliq, NU, NTS 055K

Enclosed is your copy of Land Use permit number N2010C0002 authorizing your project as described in your application dated January 17, 2010, received by this office January 22, 2010.

Your application has received a wide distribution to other Federal departments, Government of the Nunavut departments, communities in the area of your operation and concerned Inuit groups. In distributing your application the Nunavut Impact Review Board (NIRB) sought comments from these various agencies based on their area of expertise that will help ensure minimum negative impact on the environment. The issuance of this permit indicates that as a result of the NIRB environmental screening process it was decided that the potentially adverse environmental effects that may be caused by your proposal are mitigable with known technology and are not significant. The terms and conditions in the permit will, in our opinion, provide the necessary protection to the environment.

The Nunavut Impact Review Board has also recommended the following:

1. Comaplex Minerals Corp. (the Proponent) shall maintain a copy of the Project Terms and Conditions at the site of operation at all times.
2. The Proponent shall forward copies of all permits obtained and required for this project to the Nunavut Impact Review Board (NIRB) prior to the commencement of the project.

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3. The Proponent shall operate in accordance with all commitments stated in correspondence provided to NIRB (Drilling Environmental Management System-Meliadine West Gold Project, August 2007) and (KIA, GN-CGS, DFO).
4. The Proponent shall submit to the NIRB, Indian and Northern Affairs Canada (INAC), Kivalliq Inuit Association (KIA), and the Government of Nunavut Department of Environment (GN-DoE): Wildlife Mitigation, Spill Contingency and Abandonment and Reclamation plans prior to the commencement of the 2010 field season.
5. The Proponent shall not extract water from any fish-bearing water body unless the water intake hose is equipped with a screen of appropriate mesh size to ensure that there is no entrapment of fish. Small lakes or streams shall not be used for water withdrawal.
6. The Proponent shall ensure that all on site personnel are properly trained in fuel and hazardous waste handling procedures as well as spill response procedures.
7. The Proponent shall not use water, including constructing or disturbing any stream, lakebed or the banks of any definable water course unless approved by the Nunavut Water Board.
8. The Proponent shall ensure that all drill areas are constructed to facilitate minimizing the environmental footprint of the project area. Drill areas should be kept orderly with garbage removed daily to an approved disposal site.
9. The Proponent should, to the extent possible, hire local people and to consult with local residents regarding their activities in the region.
10. Any activity related to this application, and outside the original scope of the project as described in the application, will be considered a new project and should be submitted to the NIRB for screening.
11. The Proponent shall maintain a record of wildlife observations while operating within the project area. The reports should include locations (i.e., latitude and longitude), species, number of animals, a description of the animal activity, and a description of the gender and age of animals if possible. Prior to conducting project activities, the Proponent should map the location of any sensitive wildlife sites such as denning sites, calving areas, caribou crossing sites, and raptor nests in the project area, and identify the timing of critical life history events (i.e., calving, mating, denning and nesting). Additionally, the Proponent should indicate potential impacts from the project, and ensure that operational activities are managed and modified to avoid impacts on wildlife and sensitive sites.
A copy of this wildlife record or report should be submitted annually at the end of the operational season to Government of Nunavut contacts.

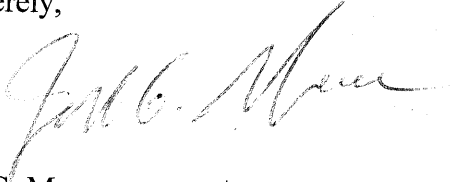
12. The Proponent review the bear/carnivore detection and deterrent techniques outlined in "Safety in Grizzly and Black Bear Country" which can be down-loaded from this link: <http://www.nwtwildlife.com/Publications/safetyinbearcountry/safety.htm>. Note that some recommendations in this manual are also relevant to polar bears. There is a DVD about polar bears and safety available from Nunavut Parks at the following link <http://www.nunavutparks.com/english/visitor-information/suggested-resources.html> and a "Safety in Polar Bear Country" pamphlet from Parks Canada at the following link <http://www.pc.gc.ca/pn-np/nu/auyuittuq/pdf/PolarBearEnglish2007final.pdf>.
13. Any problem wildlife or any interaction with carnivores should be reported immediately to the local Government of Nunavut, Department of Environment Conservation Office.
14. The Proponent is also advised that the following legislation may apply to the project:
 - a. The *Canadian Environmental Protection Act* (<http://laws.justice.gc.ca/en/C-15.31/>) lists calcium chloride (CaCl) as a toxic substance. The Proponent should assess alternatives (including biodegradable and non-toxic) to drill additives prior to the use of CaCl and try to avoid the use of CaCl.
 - b. The *Fisheries Act* (<http://laws.justice.gc.ca/en/showtdm/cs/F-14///en>).
 - c. The *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (<http://www.canlii.org/ca/sta/n-28.8/whole.html>).
 - d. The *Migratory Birds Convention Act and Migratory Birds Regulations* (<http://laws.justice.gc.ca/en/showtdm/cs/M-7.01>).
 - e. The *Species at Risk Act* (<http://laws.justice.gc.ca/en/showtdm/cs/S-15.3>). Attached in **Appendix B** is a list of Species at Risk in Nunavut.
 - f. The *Nunavut Wildlife Act* which contains provisions to protect and conserve wildlife and wildlife habitat, including specific protection measures for wildlife habitat and species at risk.
 - g. The *Nunavut Act* (<http://laws.justice.gc.ca/en/showtdm/cs/N-28.6>). The Proponent must comply with the proposed terms and conditions listed in the attached **Appendix C**.
 - h. The *Transportation of Dangerous Goods Regulations, Transportation of Dangerous Goods Act* (<http://www.tc.gc.ca/tdg/menu.htm>), and the *Environmental Protection Act* (<http://laws.justice.gc.ca/en/C-15.31/text.html>) The Proponent must ensure that proper shipping documents accompany all movements of dangerous goods. The Proponent must register with the GN-DOE Manager of Pollution Control and Air Quality at 867-975-7748.
 - i. The *Aeronautics Act* (<http://laws.justice.gc.ca/en/A-2/>).
 - j. The *Navigable Waters Protection Act (NWPA)* (<http://laws.justice.gc.ca/en/N-22/index.html>).

k. *The Territorial Parks Act* (<http://www.canlii.org/en/nu/laws/stat/rsnwt-nu-1988-c-t-4/latest/rsnwt-nu-1988-c-t-4.html>).

l. *The Municipal Lands Administration Policy* (<http://cgs.gov.nu.ca/en/policies>).

Please ensure that you adhere to the operating conditions, along with the Archaeological Palaeontological terms and conditions, annexed to your permit. Should you have any questions regarding any conditions of this permit, please contact Jeff G. Mercer at (867)975-4283 or email Jeff.Mercer@inac.gc.ca.

Sincerely,



Jeff G. Mercer
Land Administration Specialist

cc: Manager, Field Operations
RMO - Kivalliq
NIRB
NPC

CIDMS # 395736



LAND USE PERMIT
NORTHERN AFFAIRS PROGRAM

PERMIS D'UTILISATION DES TERRES
PROGRAMME DES AFFAIRES DU NORD

Permit Class - Permis Catégorie

A

Permit No - NE de permis

N2010C0002

Subject to the Territorial Land Use Regulations and the terms and conditions in this permit, authority is hereby granted to:

Sous réserve du Règlement sur l'utilisation des terres territoriales et des conditions de ce permis:

COMAPLEX MINERALS CORP.

Permittee - Détenteur de permis

To proceed with the land use operation described in the application of:

Est autorisé à entreprendre les travaux d'exploitation des terres décrits dans la demande de permis du:

Signature Bruce Sandy Barham	Date April 12, 2010
Type of Land Use Operation - Genre de travaux d'exploitation des terres Mining Exploration	
Location - Emplacement Meliadine River, Kivalliq, NU NTS 055K	

This permit may be assigned, extended, discontinued, suspended or cancelled pursuant to the Territorial Land Use Regulations.

Ce permis peut faire l'objet d'une cession, d'une prolongation d'une cessation d'une suspension ou d'une annulation, en vertu du Règlement sur l'utilisation des terres territoriales.

Dated at
Date à **Iqaluit**

Engineer
Ingénieur

This
Ce **12th** Day of **April**, **2010**
jour de

Commencement Date
Date du début des travaux **April 12, 2010**

Expiry Date
Date d'achèvement **April 11, 2012**

NOTE

IT IS A CONDITION OF THIS PERMIT THAT THE PERMITTEE COMPLY WITH ANY OTHER APPLICABLE ACT, REGULATION, ORDINANCE BY - LAW OR ORDER. DEFAULT HEREOF MAY RESULT IN SUSPENSION OR CANCELLATION OF THIS PERMIT.

REMARQUE

LE DÉTENTEUR DU PRÉSENT PERMIS DOIT SE CONFORMER À TOUT AUTRE RÈGLEMENT, LOI, DÉCRET RÈGLEMENT MUNICIPAL OU ARRÊTÉ APPLICABLE. LE MANQUEMENT À CETTE OBLIGATION POURRAIT DONNER LIEU À LA SUSPENSION OU À L'ANNULATION DU PERMIS.

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**CONDITIONS ANNEXED TO AND FORMING PART
OF LAND USE PERMIT NUMBER N2010C0002**

31 (1) (a) - Location and Area

1.	The Permittee shall not conduct this land use operation on any lands not designated in the accepted application, unless otherwise authorized in writing by the Engineer.	PLANS
2.	<p>a) The Permittee shall offset vehicle travel in areas without a snow covered surface.</p> <p>b) The Permittee shall confine the line to a maximum width of 10 metres unless otherwise authorized in writing by a Land Use Inspector.</p>	OFFSET VEHICLE TRAVEL
3.	The Permittee shall remove from Territorial Lands, all scrap metal, discarded machinery and parts, barrels and kegs, buildings and building material.	REMOVE WASTE MATERIAL
4.	The Permittee shall not conduct any mechanized clearing or construct an adit or drillsite within thirty-one (31) metres of the normal high water mark of a water body.	MECHANIZED CLEARING AND LOCATION OF ADITS & DRILLSITES

31 (1) (b) - Time

5.	The Permittee's Field Supervisor shall contact or meet with a Land Use Inspector at the Rankin Inlet office of the Department of Indian Affairs and Northern Development, phone number (867)645-2831, at least 48 hours prior to the commencement of this land use operation.	CONTACT INSPECTOR
6.	<p>The Permittee shall advise a Land Use Inspector at least 10 days prior to the completion of the land use operation of ;</p> <p>a) his plan for removal or storage of equipment and materials, and</p> <p>b) when final clean-up and restoration of the lands used will be completed.</p>	REPORTS BEFORE REMOVAL
7.	The Permittee shall complete all clean-up and restoration of the lands used prior to the expiry date of this permit.	CLEAN-UP
8.	The Permittee shall remove all garbage, fuel and equipment upon abandonment.	CLEAN-UP
9.	The Engineer reserves the right to impose closure to any area to the Permittee in periods when dangers to natural resources are severe.	CLOSURE

31 (1) (c) - Equipment

10.	The Permittee shall not use any equipment except of the type, size and number that is listed in the accepted application, unless otherwise authorized in writing by the Land Use Inspector.	ONLY APPROVED EQUIPMENT
11.	The Permittee shall keep all garbage and debris in a covered metal container until disposed of. All waste shall be kept inaccessible to wildlife at all times.	GARBAGE CONTAINERS
12.	The Permittee shall ensure that an adequate supply of spill kits, shovels, barrels, sorbents, and pumps is maintained on-site at the camp, the main fuel cache, and at drill sites.	FUEL STORAGE EQUIPMENT
13.	The Permittee shall have all equipment inspected for leaks or cracks prior to moving between drill locations and any problems encountered must be addressed immediately.	INSPECTION OF EQUIPMENT

31 (1) (e) - Type, Location, Capacity and Operation of Facilities

14.	The Permittee shall not locate any sump within 31 metres of the normal high water mark of any water body. Sumps and areas designated for waste disposal shall be sufficiently bermed or otherwise contained to ensure that substances do not enter a waterway unless otherwise authorized.	SUMPS FROM WATER
15.	The Permittee shall ensure that all sump/depression capacities are sufficient to accommodate the volume of waste water and any fines that are produced. The sumps shall only be used for inert drilling fluids, and not any other materials or substances.	SUMP CAPACITY
16.	The Permittee shall backfill and restore all sumps prior to the expiry date of this permit and ensure that they match the natural environment prior to the end of the project.	BACKFILL SUMPS
17.	The Permittee shall backfill all sumps in such a manner that drill waste is maintained below the 1.2 metre freeboard.	BACKFILL SUMPS HOW
18.	The Permittee shall: a) place all excavated material over the sump area. b) overlap the replaced material a minimum of two (2) metres beyond the edges of the existing sump wall.	BACKFILL SUMP OVERLAP
19.	The Permittee shall ensure that the land use area is kept clean and tidy at all times.	CLEAN WORK AREA

31 (1) (f) - Control or Prevention of Flooding, Erosion and Subsidence of Land

20.	(a) The Permittee shall, where flowing water from bore holes is encountered, plug, the bore hole in such a manner as to permanently prevent any further outflow of water. (b) The artesian occurrence shall be reported to the Engineer within forty-eight (48) hours.	PLUG ARTESIAN WELLS
21.	The Permittee shall implement suitable erosion and sediment suppression measures on disturbed areas before, during and after construction until vegetation or other appropriate measures are established in order to prevent sediment from entering any waterbody	EROSION CONTROL
22.	The Permittee shall prepare the site in such a manner as to prevent rutting of the ground surface.	PREVENTION OF RUTTING
23.	The Permittee shall not move any equipment or vehicles unless the ground surface is in a state capable of fully supporting the equipment or vehicles without rutting or gouging.	VEHICLE MOVEMENT FREEZE-UP
24.	The Permittee shall suspend overland travel of equipment or vehicles if rutting occurs.	SUSPEND OVERLAND TRAVEL

31 (1) (g) - Use, Storage, Handling and Disposal of Chemical or Toxic Material

25.	The Permittee shall not use the following materials during the drilling operation without the prior written approval of the Engineer. Chlorinated phenols (Dowicide B, etc.) Compounds composed primarily of heavy metals Asbestos	PROHIBITED CHEMICALS
26.	The Permittee shall not place any hazardous materials within thirty-one (31) metres of the normal high water mark of any water body and in such a manner as to prevent their release into the environment.	HAZARDOUS MATERIALS BY WATER BODY
27.	The Permittee shall store all chemicals in such a manner that they are inaccessible to wildlife.	CHEMICAL CONTAINMENT
28.	The Permittee shall deposit all drill waste containing poisonous or persistent chemical additives into a sump.	DRILL WASTE DISPOSAL
29.	The Permittee shall deposit all drill waste into a sump.	DRILL WASTE
30.	The Permittee shall not allow any drilling waste to spread to the surrounding lands.	DRILL WASTE CONTAINMENT
31.	The Permittee shall remove all non-combustible garbage and debris from the land use area to a disposal site approved in writing by a Land Use Inspector.	REMOVE GARBAGE
32.	The Permittee shall remove all garbage and debris from the area of the land use operation to a disposal site approved in writing by a Land Use Inspector.	REMOVE GARBAGE

33.	The Permittee shall dispose of all combustible waste petroleum products by removal of all such materials off site.	WASTE PETROLEUM DISPOSAL
34.	The Permittee shall dispose of all toxic or persistent substances in a manner as approved in writing by the Engineer.	WASTE CHEMICAL DISPOSAL
35.	The Proponent shall ensure all waste oil and hazardous materials will be transported off site and disposed of at an approved facility. A waste manifest must accompany the shipment of all waste oil and the proponent must register with the Government of Nunavut – Department of Environment. Contact the Manager of Pollution Control and Air Quality at (867) 975-7748 to obtain a manifest if hazardous waste is generated during project activities.	WASTE OIL AND HAZARDOUS MATERIALS
36.	The Permittee shall report all spills immediately in accordance with instructions contained in "Spill Report" form NWT 1752(05/93). Twenty four (24) hour spill report line (867)920-8130.	REPORT CHEMICAL AND PETROLEUM SPILLS

31 (1) (h) - Wildlife and Fisheries Habitat

37.	The Permittee shall not damage wildlife habitat in conducting this land use operation.	HABITAT DAMAGE
38.	The Permittee shall construct and maintain all structures placed in streams frequented by fish, in such a manner that will not obstruct passage of fish.	FREE FISH MOVEMENT
39.	The Permittee shall not harass wildlife. This includes persistently worrying or chasing animals, or disturbing large groups of animals. The Proponent shall not hunt or fish, unless proper Nunavut authorizations have been acquired.	TREATMENT OF WILDLIFE
40.	The Permittee shall ensure that unless there is a specific requirement for low level flights, aircraft maintain a minimum altitude of 650 meters above ground level in areas with large concentrations of birds. In areas where there are observed nesting raptors or large concentrations of birds (e.g., during migration, moulting, or nesting colonies), flight level is to be restricted to 1,100 meters vertical distance and 1,500 meters horizontal distance from the birds. It is recommended aircraft avoid critical and sensitive wildlife areas at all times by choosing alternate flight corridors.	LOW LEVEL FLIGHT RESTRICTIONS
41.	The Permittee shall ensure that aircraft/helicopter do not, unless for emergency, touch-down in areas where wildlife are present.	AIRCRAFT LANDING AREA
42.	The Permittee shall cease activities that may interfere with migration or calving of caribou or muskox, until the caribou or muskox have passed or left the area.	WILDLIFE SENSITIVITIES

43.	The Permittee shall take all possible measures to avoid wildlife encounters. Any problem wildlife should be reported immediately to the Government of Nunavut, Department of Environment.	WILDLIFE ENCOUNTERS
44.	The Permittee shall not feed wildlife.	NO FEEDING WILDLIFE

31 (1) (k) - Petroleum Fuel Storage

45.	The Permittee shall report in writing to a Land Use Inspector the location and quantity of all petroleum fuel caches within ten (10) days after the establishment.	REPORT FUEL LOCATION
46.	The Permittee shall not place any petroleum fuel storage containers within thirty-one (31) metres of the normal high water mark of any water body and in such a manner as to prevent their release into the environment.	FUEL BY WATER BODY
47.	The Permittee shall locate mobile fuel facilities on land when stationary for any period of time exceeding twelve (12) hours.	FUEL ON LAND
48.	The Permittee shall not allow petroleum products to spread to surrounding lands or into water bodies.	FUEL CONTAINMENT
49.	The Permittee shall store all fuel in such a manner that they are inaccessible to wildlife.	FUEL CONTAINMENT
50.	The Permittee shall have one extra fuel storage container on site equal to, or greater than, the size of the largest fuel container.	FUEL EXTRA CONTAINER
51.	<p>The Permittee shall:</p> <p>a) examine all fuel and chemical storage containers for leaks immediately upon delivery and a minimum of once every 7 days thereafter.</p> <p>(b) repair all leaks immediately.</p>	CHECK FOR LEAKS
52.	The Permittee shall use secondary containment or a surface liner (drip pans, fold-a-tanks, etc) at all refuelling stations. The Proponent shall ensure that appropriate spill kits are located at every fuel cache.	SECONDARY CONTAINMENT
53.	The Permittee shall mark all stationary petroleum products storage facilities with flags, posts or similar devices so that they are at all times plainly visible to local vehicle travel.	MARK FUEL LOCATION
54.	The Permittee shall mark all fuel containers with the Permittee's name.	MARK CONTAINERS

31 (1) (m) - Matters Not Inconsistent with the Regulations

55.	The Permittee shall remove and treat hydrocarbon contaminated soils on site or transport them to an approved disposal site.	HYDROCARBON CONTAMINANT
56.	The Permittee shall display a copy of this permit in a conspicuous place in each campsite established to carry out this land use operation.	DISPLAY PERMIT
57.	The Permittee shall keep on hand, at all times during this land use operation, a copy of the Land Use Permit.	COPY OF PERMIT
58.	<p><u>Part 1</u> - In this Permit:</p> <p>"sump" means a man-made pit, trench hollow or cavity in the earth's surface used for the purpose of depositing waste material therein.</p> <p>"drill waste" means all materials or chemicals, solid or liquid, associated with the drilling of bore holes and includes bore hole cuttings.</p> <p>"dogleg" means clearing a line, trail or right-of-way that is curved sufficiently so that no part of the clearing beyond the curve is visible when approached from either direction.</p>	
59.	The Permittee shall submit to the Engineer a contingency plan, for chemical and petroleum spills, for use during the construction and operation of the winter road.	CONTINGENCY PLAN
60.	The Permittee shall conduct leach and acid generation tests on the ore and waste rock, in a manner approved by the Engineer. The leachate shall be analysed for content of heavy metals and all test results shall be submitted to the Engineer.	LEACHATE TEST
61.	<p>a) During migration of caribou, the Permittee shall not locate any operation so as to block or cause substantial diversion of migration.</p> <p>b) The Permittee shall cease activities that may interfere with migration, such as airborne geophysics surveys or movement of equipment, until the migrating caribou have passed</p>	CARIBOU PROTECTION MIGRATION
62.	The Permittee shall abide by and comply with all applicable lawful rules, acts, regulations, and by-laws of Canada, Nunavut, any Municipal or regulatory body or authority having jurisdiction, the Nunavut Land Claim Agreement, and all other agreements, permits, licenses, and other instruments whatsoever related to the project.	ADHERENCE TO LAWFUL RULES, ACTS, REGS & BYLAWS

Caribou Protection Measures (Qamanirjuaq and Beverly Herds) 1988

- 1.1 The Permittee shall not, without approval, conduct any activity between May 15 and July 15 within the Caribou Protection Areas depicted on the map certified by the Engineer as the "Caribou Protection Map" annexed to this Land Use Permit.
- 1.2 A Permittee may, upon approval by the Land Use Inspector, operate within the said Caribou Protection Areas beyond May 15 deadline set out in 1.1, provided that when monitoring information indicates that caribou cows are approaching the area of operation, the Permittee will implement 1.3.
- 1.3 On cessation of activities pursuant to 1.1 or 1.2, the Permittee will remove all personnel from the zone who are not required for the maintenance and protection of the camp facilities and equipment unless otherwise directed by the Land Use Inspector.
- 1.4 The Permittee may commence or resume activities prior to July 15 within those parts of the Caribou Protection Areas released by the Land Use Inspector for the reason that caribou cows are not expected to use those parts for calving or post-calving.
- 2.1 In the event that caribou cows calve outside of the Caribou Protection Areas, the Permittee shall suspend operations within the area(s) occupied by cows and/or calves between May 15 and July 15.
- 2.2 In the event that caribou cows and calves are present the Permittee shall suspend:
 - a) blasting,
 - b) overflights by aircraft at any altitude of less than 300 metres above ground level, and
 - c) the use of snowmobiles and ATV's (all terrain vehicles) outside of the immediate vicinity of the camp.

CARIBOU
PROTECTION
AREAS

CARIBOU
PROTECTION
GENERAL

- 3.1 During migration of caribou, the Permittee shall not locate any operation so as to block or cause substantial diversion to migration.

**CARIBOU
PROTECTION
MIGRATION**

- 3.2 The Permittee shall cease activities that may interfere with migration, such as airborne geophysics surveys or movement of equipment, until the migrating caribou have passed.

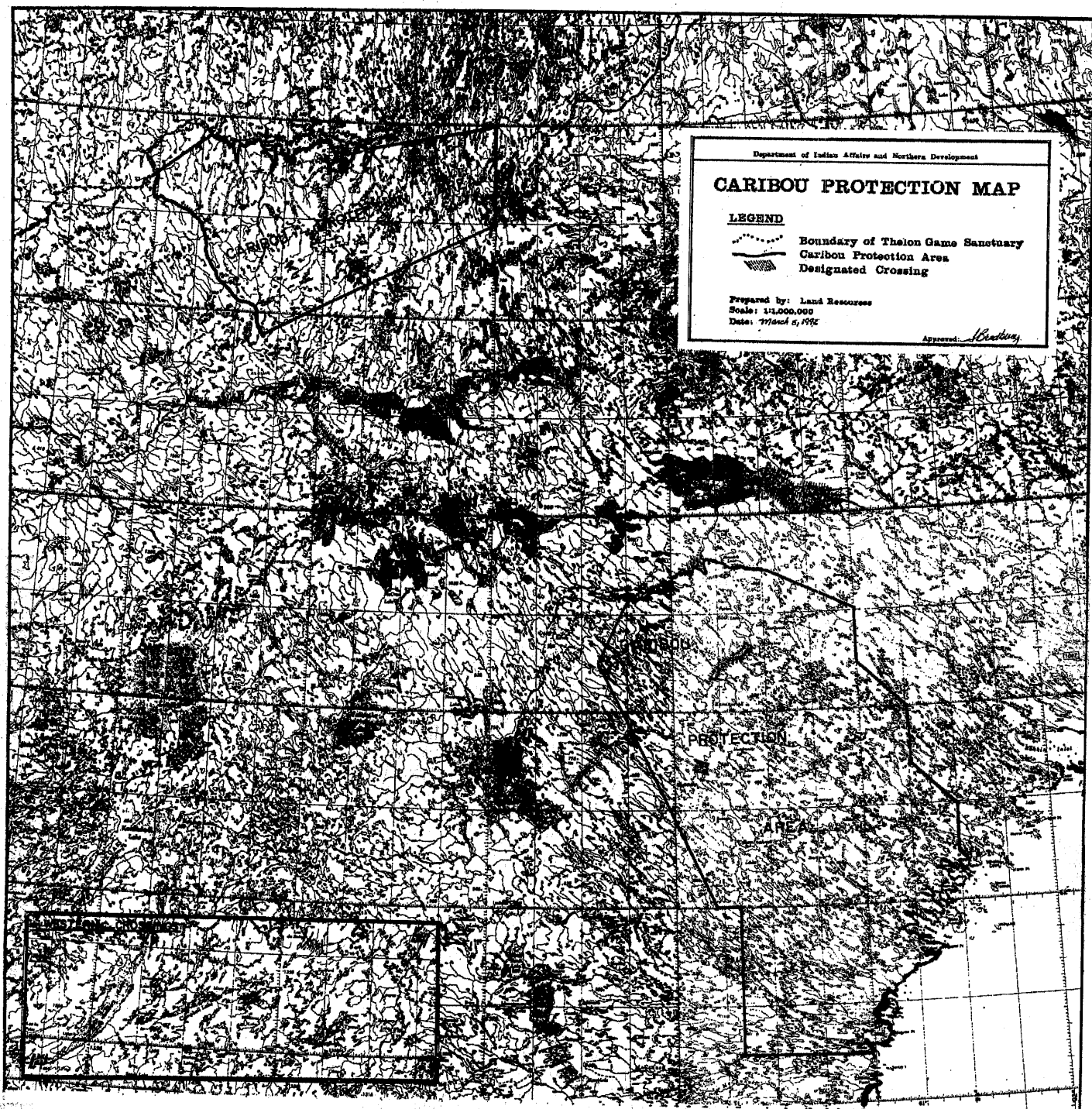
- 4.1 The Permittee shall not, between May 15 and September 1, construct any camp, cache any fuel or conduct any blasting within 10 km of any "Designated Crossing" as outlined on the map certified by the Engineer as the "Caribou Protection Map" and annexed to this Land Use Permit.

**CARIBOU
CROSSING**

- 4.2 The Permittee shall not, between May 15 and September 1, conduct any diamond drilling operation within 5 km of any "Designated Crossing" as outlined on the map certified by the Engineer as the "Caribou Protection Map" and annexed to this Land Use Permit.

NOTE:

1. The Land Use Inspector's decision will be based on the existing caribou information.
2. Concentrations of caribou should be avoided by low level aircraft at all times.





ARCHAEOLOGICAL AND PALAEOONTOLOGICAL RESOURCES TERMS AND CONDITIONS FOR LAND USE PERMIT HOLDERS

BACKGROUND

Archaeology

As stated in Article 33 of the Nunavut Land Claims Agreement:

The archaeological record of the Inuit of Nunavut is a record of Inuit use and occupancy of lands and resources through time. The evidence associated with their use and occupancy represents a cultural, historical and ethnographic heritage of Inuit society and, as such, Government recognizes that Inuit have a special relationship with such evidence, which shall be expressed in terms of special rights and responsibilities. [33.2.1]

The archaeological record of Nunavut is of spiritual, cultural, religious and educational importance to Inuit. Accordingly, the identification, protection and conservation of archaeological sites and specimens and the interpretation of the archaeological record is of primary importance to Inuit and their involvement is both desirable and necessary. [33.2.2]

In recognition of the cultural, spiritual and religious importance of certain areas in Nunavut to Inuit, Inuit have special rights and interests in these areas as defined by Article 33 of the Nunavut Land Claims Agreement. [33.2.5]

Palaeontology

Under the Nunavut Act¹, the federal government can make regulations for the protection, care and preservation of palaeontological sites and specimens in Nunavut. Under the *Nunavut Archaeological and Palaeontological Sites Regulations*², it is illegal to alter or disturb any palaeontological site in Nunavut unless permission is first granted through the permitting process.

Definitions

As defined in the *Nunavut Archaeological and Palaeontological Sites Regulations*, the following definitions apply:

“archaeological site” means a place where an archaeological artifact is found.

¹ s. 51(1)

² P.C. 2001-1111 14 June, 2001

"archaeological artifact" means any tangible evidence of human activity that is more than 50 years old and in respect of which an unbroken chain of possession or regular pattern of usage cannot be demonstrated, and includes a Denesuline archaeological specimen referred to in section 40.4.9 of the Nunavut Land Claims Agreement.

"palaeontological site" means a site where a fossil is found.

"fossil" includes:

- (a) natural casts
- (b) preserved tracks, coprolites and plant remains; and
- (c) the preserved shells and exoskeletons of invertebrates and the eggs, teeth and bones of vertebrates.

Terms and Conditions

- 1) The permittee shall not operate any vehicle over a known or suspected archaeological or palaeontological site.
- 2) The permittee shall not remove, disturb, or displace any archaeological artifact or site, or any fossil or palaeontological site.
- 3) The permittee shall immediately contact the Department of Culture, Language, Elders and Youth (867) 934-2046 or (867) 975-5500 or 1 (866) 934-2035 should an archaeological site or specimen, or a palaeontological site or fossil be encountered or disturbed by any land use activity.
- 4) The permittee shall immediately cease any activity that disturbs an archaeological or palaeontological site encountered during the course of a land use operation, until permitted to proceed with the authorization of the Department of Culture, Language, Elders and Youth, Government of Nunavut.
- 5) The permittee shall follow the direction of the Department of Culture, Language, Elders and Youth and DIAND in restoring disturbed archaeological or palaeontological sites to an acceptable condition.
- 6) The permittee shall provide all information requested by the Department of Culture, Language, Elders and Youth concerning all archaeological sites or artifacts and all palaeontological sites and fossils encountered in the course of any land use activity.
- 7) The permittee shall make best efforts to ensure that all persons working under authority of the permit are aware of these conditions concerning archaeological sites and artifacts, and palaeontological sites and fossils.
- 8) The permittee shall avoid the known archaeological and/or palaeontological sites listed in Attachment 1.

9) The permittee shall have an archaeologist or palaeontologist perform the following functions, as required by the Department of Culture, Language, Elders and Youth:

- a) survey
- b) inventory and documentation of the archaeological or palaeontological resources of the land use area
- c) assessment of potential for damage to archaeological or palaeontological sites
- d) mitigation
- e) marking boundaries of archaeological or palaeontological sites
- f) site restoration

The Department of Culture, Language, Elders and Youth shall authorize by way of a Nunavut Archaeologist Permit or a Nunavut Palaeontologist Permit, all procedures subsumed under the above operations.