



NIRB File No.: 09AN034

NPC File No.: 149031

Related to NPC File No.: 148140, 148468 & 148678

February 26, 2019

Nansen Weber
Canadian Arctic Holidays Ltd.
P.O. Box 1252 STN MAIN
Yellowknife, NT X1A 2N9

Sent via email: nansen@arcticwatch.ca.

Re: Notice of Screening for Canadian Arctic Holiday's "Prince Leopold Island Migratory Bird Sanctuary Permit & Nirjutigarvik NWA Wildlife Viewing Permit" Project Proposal

Dear Nansen Weber:

On January 29, 2019 the Nunavut Impact Review Board (NIRB or Board) received a referral to screen Canadian Arctic Holidays Ltd.'s "Prince Leopold Island Migratory Bird Sanctuary Permit & Nirjutarvik NWA Wildlife Viewing Permit" project proposal from the Nunavut Planning Commission (NPC or Commission), with an accompanying positive conformity determination with the North Baffin Regional Land Use Plan. The NPC noted that the previous conformity determinations issued on March 24, 2009, September 3, 2015, February 15, 2017, and January 11, 2018 for the activities associated with the current proposal continues to apply and has determined that the project proposal is a significant modification to the project because it includes a new location near Grise Fiord not included in the previously reviewed proposals.

Pursuant to Article 12, Sections 12.4.1 and 12.4.4 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and section 87 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*), the NIRB has commenced screening this project proposal. Due to the proposal containing activities that are sufficiently related to previously assessed activities under NIRB file number **09AN034**, the NIRB views this project proposal as an amendment to the previously screened project and has assigned this proposal with this previous file number. Please reference this file number in all future related correspondence. A summary of the previously screened project activities can be found in **Appendix A**.

INFORMATION REQUEST

On January 29, 2019 the NIRB requested that the Proponent complete the online application form through the NIRB's public registry system and ensure, pursuant to s. 144(1) of the *NuPPAA*, that the information provided be sufficient to determine the scope of the project activities being proposed and that sufficient information has been provided to commence screening. On February 7, 2019 and February 21, 2019, the NIRB followed up with the Proponent requesting they complete the online application, and on February 25, 2019 the NIRB received the required additional information and commenced the screening pursuant to Part 3 of the *NuPPAA*.

PROJECT OVERVIEW

Project Scope:

The "Tourism & Wildlife Observation on Somerset Island and Prince Leopold Island Bird Sanctuary" project activities as previously screened by the NIRB (File No. 09AN034) included the utilization of Canadian Arctic Holidays' Arctic Watch Lodge where groups of twelve (12) tourists visited Prince Leopold Island Bird Sanctuary (4-5 trips per season) and conducted daily trips around Somerset Island for picnicking and wildlife viewing. A complete description of the scope of activities previously approved has been included within **Appendix A**.

Canadian Arctic Holidays Ltd. is currently proposing the "Prince Leopold Island Migratory Bird Sanctuary Permit & Nirjutiqarvik NWA Wildlife viewing permit" project which would involve tourism activities as previously approved. The Proponent intends to amend the scope of activities to include visits to the Nirjutiqarvik NWA approximately 110 kilometres (km) southeast from Grise Fiord in the Qikiqtani (North Baffin) Region. The program is proposed to take place in August 2019.

According to the current project proposal, the scope of the amended project includes the following additional undertakings, works or activities:

- Use of Twin-Otter to transport up to twelve (12) passengers and staff to visit and observe birds and wildlife on Prince Leopold Island Migratory Bird Sanctuary and Nirjutiqarvik NWA; and
- Generation of waste and sewage removed to appropriate facilities.

Inclusion or Exclusion of Scoping List

At this time, the NIRB has identified no additional works or activities in relation to the project proposal. As a result, the NIRB will proceed with screening the project based on the scope as described above.

REQUEST FOR COMMENTS

All documents received and pertaining to this project proposal can be accessed from the NIRB's online public registry at www.nirb.ca/project/125443.

The documents received include:

- *NPC Screening Referral and Conformity Determination*
- *NPC Application and Conformity Questionnaire*

- *NIRB's Online Application Form*
- *Non-technical Project Proposal summary in English and Inuktitut*
- *Maps noting project sites*
- *Supplemental information*

The NIRB will copy you on screening process related correspondence and upload related documents to the NIRB's online registry for public access. The NIRB may request additional information at any time during the process.

The NIRB is copying parties and municipalities potentially affected by Canadian Arctic Holidays Ltd. project proposal with this letter, and we invite interested parties to comment directly to the NIRB by **March 7, 2019**.

The NIRB would like parties to provide comments regarding:

- Whether the project proposal is likely to arouse significant public concern; and if so, why;
- Whether the project proposal is likely to cause significant adverse eco-systemic or socio-economic effects; and if so, why;
- Whether the project proposal is likely to cause significant adverse impacts on wildlife habitat or Inuit harvest activities; and if so, why;
- Whether the project proposal is of a type where the potential adverse effects are highly predictable and mitigable with known technology, (and providing any recommended mitigation measures); and
- Any matter of importance to the Party related to the project proposal.

Please note that *proposed* project-specific terms and conditions, should the project proceed, have been attached for consideration and comment (**Appendix B**).

CONTACT INFORMATION

Please send your comments to the NIRB via email at info@nirb.ca, via fax at (867) 983-2594 or via the individual project dashboard for this assessment on the NIRB's online public registry at www.nirb.ca/project/125443.

If you have any questions or require clarification, feel free to contact the undersigned at (867) 983-5627 or at tmaksagak@nirb.ca.

Sincerely,



Talia Maksagak
Junior Technical Advisor
Nunavut Impact Review Board

Attachments: Appendix A: Previously-Screened Project Proposals
Appendix B: *Proposed* Project Specific Terms and Conditions

Enclosures (4): Public Notice of Screening (English and Inuktitut)
Comment Forms (English and Inuktitut)

cc: Distribution List
Sean Joseph, Qikiqtani Inuit Association
Jared Ottenhof, Qikiqtani Inuit Association
Joel Fortier, Qikiqtani Inuit Association
Lisa Pirie-Dominix, Canadian Wildlife Service

APPENDIX A: PREVIOUSLY-SCREENED PROJECT PROPOSALS

The original project proposal (NIRB File No.: 09AN034), was received by the Nunavut Impact Review Board (NIRB or Board) from NPC on March 24, 2009. On May 4, 2009 the NIRB received a positive conformity determination with the North Baffin Regional Land Use Plan from the Nunavut Planning Commission (NPC) for this file. The project proposal was screened by the Board in accordance with Part 4, Article 12 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and On June 2, 2009 the NIRB issued a *Nunavut Agreement* 12.4.4(a) screening decision to the Minister of Environment which indicated that the proposed project could proceed subject to the NIRB's recommended project-specific terms and conditions.

The Canadian Arctic Holidays' (Proponent) original "Tourism & Wildlife Observation at Somerset Island and Prince Leopold Island Bird Sanctuary" project was located in the North Baffin region, approximately 150 kilometres (km) southeast from Resolute Bay. The Proponent indicated that it intended to the utilization of Canadian Arctic Holidays' Arctic Watch Lodge located on Crown land at Cunningham Inlet on Somerset Island (Land Lease No. 05F802001). This season, Canadian Arctic Holidays will host two groups of twelve (12). The lodge has a limit of 22 guests per week, which equates into a maximum seasonal usage of 110 people over the course of the summer season. The program was proposed to take place from June 30 to August 20, 2009.

According to the previously screened project proposal, the scope of the project included the following undertakings, works or activities:

Tourists will stay at the Arctic Watch Lodge, and travel via guide-driven Mercedes Unimog (former military off road vehicle) and raft once per week, to gain access to picnicking and wildlife viewing areas (located on Inuit Owned Land) on Somerset Island. The proposal also involves transporting tourists via Twin Otter aircraft to Prince Leopold Island Bird Sanctuary where the groups will walk around and view wildlife for day trips of 4-5 hours, returning to the Arctic Watch Lodge via Twin Otter aircraft each day. The Proponent plans to remove all wastes from Prince Leopold Island to the Arctic Watch Lodge for treatment or disposal. The proponent estimates a total of 4 or 5 trips to Prince Leopold Island Bird Sanctuary during the proposed term of authorization, and daily trips around Somerset Island for picnicking and wildlife viewing.

Additional authorization and amendment requests associated with the "Tourism & Wildlife Observation at Somerset Island and Prince Leopold Island Bird Sanctuary" project have also been reviewed by the NIRB following screening of the original project proposal (File No. 09AN034). In each instance, the NIRB re-issued the original terms and conditions recommended in the original September 9, 2013 Screening Decision Report and issued additional terms and conditions associated with the Project as per p. 92(2)(a) of the *NuPPAA*. The following is a summary of the previously screened project activities as received by the NIRB:

- 1) The scope of the activities and components associated with the May 27, 2013 amendment application included:
 - Hosting groups of tourists at the Lodge (maximum 24 people on-site, including staff);
 - Use of aircraft to transport tourists and personnel to site from Yellowknife;

- Use of an airstrip for access to site;
- Storage of approximately 10,000 litres of various fuels for aircraft and camp use;
- Use of 10 all-terrain vehicles as the main transportation on site (transporting tourists);
- Use of 2 trucks to transport materials to and from the airstrip to the Lodge; and
- Use of a bull dozer for runway maintenance.

Appendix B

Proposed Project Specific Terms and Conditions

The following is a list of project-specific terms and conditions which, should the project proceed, may be recommended to be attached to any approval.

General

1. Canadian Arctic Holiday's Ltd. (the Proponent) shall maintain a copy of the Project Terms and Conditions at the site of operation at all times.
2. The Proponent shall operate in accordance with all commitments stated in correspondence provided to the Nunavut Planning Commission (NPC File No.: January 29, 2019), and the NIRB (Online Application Form, February 25, 2019).
3. The Proponent shall operate the site in accordance with all applicable Acts, Regulations and Guidelines.
4. 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.

Waste Disposal

5. The Proponent shall keep all garbage and debris in bags placed in a covered metal container or equivalent until disposed of at an approved facility. All such wastes shall be kept inaccessible to wildlife at all times.
6. The Proponent shall ensure that no waste oil/grease is incinerated on site.

Fuel and Chemical Storage

7. The Proponent shall ensure that all personnel are properly trained in fuel and hazardous waste handling procedures, as well as spill response procedures. All spills of fuel or other deleterious materials of any amount must be reported immediately to the 24 hour Spill Line at (867) 920-8130.

Wildlife - General

8. The Proponent shall ensure that there is no damage to wildlife habitat in conducting this operation.
9. The Proponent shall not harass wildlife. This includes persistently circling, chasing, hovering over pursuing or in any other way harass wildlife, or disturbing large groups of animals.
10. The Proponent shall not hunt or fish, unless proper Nunavut authorizations have been acquired.
11. The Proponent shall ensure that all project personnel are made aware of the measures to protect wildlife and are provided with training and/or advice on how to implement these measures.

Migratory Birds and Raptors Disturbance

12. The Proponent shall not disturb or destroy the nests or eggs of any birds. If nests are encountered and/or identified, the Proponent shall take precaution to avoid further interaction and or disturbance (e.g., a 100 metres buffer around the nests). If active nests of any birds are discovered (i.e., with eggs or young), the Proponent shall avoid these areas until nesting is complete and the young have left the nest.

13. The Proponent shall minimize activities during periods when birds are particularly sensitive to disturbance such as migration, nesting and moulting.
14. The Proponent shall avoid the seaward site of seabird colonies and areas used by flocks of migrating waterfowl by three (3) kilometres.
15. The Proponent shall ensure its aircraft avoid excessive hovering or circling over areas where bird presence is likely.

Aircraft Flight Restrictions

16. The Proponent shall not alter flight paths to approach wildlife, and avoid flying directly over animals.
17. The Proponent shall restrict aircraft/helicopter activity related to the project to a minimum flight altitude of 610 metres above ground level unless except during landing, take-off or if there is a specific requirement for low-level flying, which does not disturb wildlife or migratory birds.
18. The Proponent shall ensure that aircraft maintain a vertical distance of 1000 metres and a horizontal distance of 1500 metres from any observed groups (colonies) of migratory birds. Aircraft should avoid critical and sensitive wildlife areas at all times by choosing alternate flight corridors.
19. The Proponent shall ensure that aircraft/helicopter do not, unless for emergency, touch-down in areas where wildlife are present.
20. The Proponent shall advise all pilots of relevant flight restrictions and enforce their application over the project area, including flight paths to/from the project area.

Caribou and Muskoxen Disturbance

21. The Proponent shall cease activities that may interfere with the migration or calving of caribou or muskox, until the caribou or muskox have passed or left the area.
22. The Proponent shall not block or cause any diversion to caribou migration, and shall cease activities likely to interfere with migration such as movement of equipment or personnel until such time as the caribou have passed.

Restoration of Disturbed Areas

23. The Proponent shall remove all garbage, fuel and equipment upon abandonment.
24. The Proponent shall ensure that all disturbed areas are restored to a stable or pre-disturbed state as practical as possible upon completion of field work.

Other

25. The Proponent should consult with local residents regarding their activities in the area and solicit available Inuit Qaujimaningit and information that can inform project activities.
26. The Proponent shall ensure that project activities do not interfere with Inuit wildlife harvesting or traditional land use activities.
27. The Proponent should, to the extent possible, hire local people and access local services where possible.