



**NIRB File No.: 23YN045**  
NPC File No.: 150141

July 24, 2023

Victoria Burdett Coutts  
Dynamic Ocean Consulting  
1490 Union Street  
Port Moody, BC V3H 3X5

Sent via email: [victoria@dynamicocean.ca](mailto:victoria@dynamicocean.ca)

**Re: Notice of Screening for Dynamic Ocean Consulting's "Kinngait Field Program" project proposal**

Dear Victoria Burdett Coutts:

On July 13, 2023, the Nunavut Impact Review Board (NIRB) received a referral to screen Dynamic Ocean Consulting's (DOC) "Kinngait Field Program" project proposal from the Nunavut Planning Commission (Commission), which noted that the project proposal is outside the area of an applicable regional land use plan. On July 18, 2023, the NIRB received the complete application from the Proponent.

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 s. 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 and has assigned it file number **23YN045** - please reference this file number in all future related correspondence.

#### PROJECT OVERVIEW

##### ***Project Scope:***

<b>Project:</b>	Kinngait Field Program
<b>Region:</b>	Qikiqtani (South Baffin)
<b>Location:</b>	Within the municipal boundaries of the community of Kinngait
<b>Summary of Project Description:</b>	The Proponent intends to undertake a test pit program which will dig up to nine (9) pits to understand ground conditions within the Kinngait foreshore area.
<b>Project Proposed Timeline:</b>	August to October 2023

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

- Use of an excavator to dig up to nine (9) pits;
  - 1 metre (m) by 3 m and 4 m deep;
- Hiring and training of local residents for field assistant positions; and
- Accommodations within the community and use of facilities and services.

### ***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 can be accessed from the NIRB's online public registry at [www.nirb.ca/project/125840](http://www.nirb.ca/project/125840) and include:

- *Commission Conformity Determination*
- *Commission Application*
- *NIRB Application*
- *Hamlet of Kinngait Letter of Support*
- *HTO Letter of Support*
- *Kinngait Field Program*

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 Dynamic Ocean Consultation's project proposal with this letter, and we invite interested parties to comment directly to the NIRB by **August 3, 2023**.

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 A](#)).

## CONTACT INFORMATION

Please send your comments to the NIRB via email at [info@nirb.ca](mailto: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/125840](http://www.nirb.ca/project/125840).

If you have any questions or require clarification, feel free to contact the undersigned at (867) 983-4622 or [motokiak@nirb.ca](mailto:motokiak@nirb.ca).

Sincerely,



Mia Otokiak  
Technical Advisor I  
Nunavut Impact Review Board

Attachments: Appendix A: *Proposed* Project Specific Terms and Conditions

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

cc: Distribution List  
Conor Goddard, Qikiqtani Inuit Association  
Joel Fortier, Qikiqtani Inuit Association  
Jared Ottenhof, Qikiqtani Inuit Association  
Caroline Whittle, Government of Nunavut – Department of Culture and Heritage  
Tracey McCaie, Crown – Indigenous Relations and Northern Affairs Canada  
Alasdair Beattie, Fisheries and Oceans Canada

## Appendix A: *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. Dynamic Ocean Consulting (the Proponent) shall maintain a copy of the Project Terms and Conditions at the site of operation at all times and make it accessible to enforcement officers upon request.
2. The Proponent shall operate in accordance with all commitments stated in correspondence provided to the Nunavut Planning Commission (NPC File No.: 150141) and the NIRB (Online Application Form, July 13, 2023). This information should be accessible to enforcement officers upon request.
3. The Proponent shall operate the site in accordance with all applicable Acts, Regulations and Guidelines.
4. The Proponent shall ensure that it meets the standards and/or limits as set out in the authorizing agencies' permits or licences as required for this project.
5. The Proponent shall ensure that all personnel, staff and contractors are adequately trained prior to commencement of all project activities, and shall be made aware of all operational plans, management plans, guidelines and Proponent commitments relating to the project.

### **Water courses/Water bodies (including fresh and marine waters)**

6. The Proponent shall ensure that water extraction from any fish-bearing waterbody is done with appropriate care and caution.
7. The Proponent shall implement erosion and sediment suppression measures on all areas during all project activities in order to prevent sediment or fugitive dust from entering any water body or surrounding environment. Erosion prevention measures may include berms or silt fences.
8. The Proponent shall not deposit, nor permit the deposit of any fuel, chemicals, wastes (including wastewater) or sediment into any water body. The Proponent should have in place an Emergency Spill Response Plan that is approved by the appropriate authorizing agency(ies).

### **Waste Management**

9. The Proponent shall manage all hazardous and non-hazardous waste including food, domestic wastes, debris and petroleum-based chemicals (e.g., greases, gasoline, glycol-based antifreeze) in such a manner to avoid release into the environment and access to wildlife at all times until disposed of appropriately or at an approved facility.

## **Wildlife – General**

10. The Proponent shall not substantially alter or damage or destroy any wildlife habitat in conducting this operation unless otherwise authorized by the appropriate authorizing agencies.
11. The Proponent shall not chase, weary, harass or molest wildlife. This includes persistently circling, chasing, hovering over, pursuing or in any other way harass wildlife, or disturbing large groups of animals.
12. The Proponent shall not hunt or fish, unless proper Nunavut authorizations have been acquired.

## **Migratory Birds and Raptors Disturbance**

13. The Proponent shall carry out all phases of the project in a manner that protects migratory birds and avoids harming, killing or disturbing migratory birds or destroying, disturbing or taking their nests or eggs. In this regard, the Proponent shall take into account Environment and Climate Change Canada's *Avoidance Guidelines*. The Proponent's actions in applying the *Avoidance Guidelines* shall be in compliance with the *Migratory Birds Convention Act, 1994* and with the *Species at Risk Act*.
14. The Proponent shall not disturb or destroy the nests or eggs of any birds. If active nests of any birds are discovered or located (i.e., with eggs or young), the Proponent shall avoid these areas until nesting is complete and the young have naturally left the vicinity of the nest by establishing a protection buffer zone<sup>1</sup> appropriate for the species and the surrounding habitat.
15. The Proponent shall avoid the seaward site of seabird colonies and areas used by flocks of migrating waterfowl, a minimum distance away on the recommendation of the appropriate authorizing agencies.
16. The Proponent shall not pursue seabirds or waterbirds swimming on the water surface and shall avoid concentrations of these birds if encountered on the water.

## **Road and Ground Disturbance**

17. The Proponent 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. Overland travel of equipment or vehicles must be suspended if rutting occurs.

## **Land Use and Restoration of Disturbed Areas**

18. The Proponent shall ensure that the land use area is kept clean and tidy at all times.
19. The Proponent shall remove all garbage, fuel and equipment upon completion of work.
20. The Proponent shall ensure that all disturbed areas are restored to a stable or pre-disturbed state using Best Available Technology Economically Achievable (BATEA) upon completion of work and/or abandonment.

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<sup>1</sup> Recommended setback distances to define buffer zones have been established by Environment and Climate Change Canada for different bird groups nesting in tundra habitat and can be found at [www.ec.gc.ca/paom-itmb](http://www.ec.gc.ca/paom-itmb).

## **Heritage Sites**

21. The Proponent shall ensure that archaeological and paleontological sites are not purposely or inadvertently disturbed by clients or staff as a result of project activities.
22. The Proponent shall ensure that all clients and staff are aware of the Proponent's responsibilities and requirements regarding archaeological or palaeontological sites that are encountered during land-based activities. This should include briefings explaining the prohibitions regarding removal of artifacts, and defacing or writing on rocks and infrastructure.
23. No activities shall be conducted in the vicinity (50 metres buffer zone) of any archaeological/historical sites. If archaeological sites or features are encountered, activities shall immediately be interrupted and moved away from this location. Each site encountered needs to be recorded and reported to the Government of Nunavut-Department of Culture and Heritage.

## **Other**

24. The Proponent should engage with local residents regarding planned activities in the area and should solicit available Inuit Qaujimaningit and information regarding current recreational and traditional usage of the project area which may inform project activities. Posting of translated public notices and direct engagement with potentially interested groups and individuals prior to undertaking project activities is strongly encouraged.
25. The Proponent shall ensure that project activities do not interfere with Inuit wildlife harvesting or traditional land use activities.
26. The Proponent should, to the extent possible, hire local people and access local services where possible.