



NIRB File No.: 23YN025

NPC File No.: 150122

Related to NPC File No.: 149937

July 24, 2023

Valerie Wynja
Environment and Climate Change Canada
1125 Colonel By Drive, NWRC, Raven Road
Ottawa, ON K1S 5B6

Sent via email: Valerie.wynja@ec.gc.ca

Re: Notice of Screening for Environment and Climate Change Canada's "OPP 2.0 Baseline Shoreline Mapping" project proposal

Dear Valerie Wynja:

On July 20, 2023, the Nunavut Impact Review Board (NIRB) received a referral to screen Environment and Climate Change Canada's (ECCC) "OPP 2.0 Baseline Shoreline Mapping" 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. The NPC noted that the previous conformity determination issued on May 9, 2023, 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. On July 20, 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 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 **23YN025**, 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](#).

PROJECT OVERVIEW

Project Scope:

The following table provides a summary of the *original* project as previously screened by the NIRB (File No. 23YN025):

Original Project:	OPP 2.0 Baseline Shoreline Mapping
Region:	The project as previously approved was located within the Kitikmeot and Qikiqtani (North Baffin) regions.
Location:	Southern coastline of Lancaster Sound and coastline around Gjoa Haven and Taloyoak
Summary of Project Description:	The Project as originally screened included collecting information to help emergency responders plan and prepare for potential marine pollution incidents. A complete description of the scope of activities previously approved has been included within Appendix A .
Original Project Timeline:	August to September 2023

The following table provides a summary of the current *amended* project as proposed by ECCC:

Amended Project:	OPP 2.0 Baseline Shoreline Mapping
Region:	Kitikmeot Region
Location:	Within 60 kilometres (km) of the community of Cambridge Bay and surrounding areas.
Summary of Project Description:	The Proponent intends to amend the scope of previously approved activities to move project activities to the area surrounding Cambridge Bay.
Project Proposed Timeline:	August 2023

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

- Use of a helicopter to conduct low-altitude surveys at study sites;
- Temporary fuel caches to support refueling during helicopter surveys;
- Use of video camera and camera to capture videos and pictures of shorelines;
- Use of two (2) drones to collect high resolution imagery; and
- Surveys based out of Cambridge Bay.

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/125841 and include:

- *Commission Conformity Determination*
- *Commission Application & Questionnaire*
- *NIRB Application*
- *ECCC Mapping Overview*
- *Equipment Set Up*
- *Map of ECCC Shoreline Mapping Study Area*

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 ECCC'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 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/125841.

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

Sincerely,



Mia Otokiak
Technical Advisor I
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 Inuinnaqtun)
Comment Forms (English, and Inuinnaqtun)

cc: Distribution List
Wynter Kuliktana, Kitikmeot Inuit Association
Tannis Bolt, Kitikmeot Inuit Association
Michele LeBlanc-Havard, Government of Nunavut – Department of Environment
Mosha Cote, Nunavut Research Institute
Tracey McCaie, Crown – Indigenous Relations and Northern Affairs Canada
Lisa Pirie-Dominix, Canadian Wildlife Services

APPENDIX A: PREVIOUSLY-SCREENED PROJECT PROPOSALS

The original project proposal (NIRB File No.: 23YN035), was received by the Nunavut Impact Review Board (NIRB or Board) from the Nunavut Planning Commission on May 9, 2023. On May 9, 2023, the NIRB received a positive conformity determination from the Nunavut Planning Commission, with an accompanying positive conformity determination with the North Baffin Regional Land Use Plan.

The Environment and Climate Change Canada's (Proponent) original "OPP 2.0 Baseline Shoreline Mapping" project was located in the Qikiqtani (North Baffin) region, within the Southern coastline of Lancaster Sound. The Proponent intended to collect information to help emergency responders plan and prepare for potential marine pollution incidents. The program was proposed to take place from August to September 2023.

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

- Use of a helicopter to conduct low-altitude surveys at study sites;
 - Flying over Bylot Island and Prince Leopold Migratory Bird Sanctuaries to capture geotagged videos and photos.
- Two temporary fuel caches to support refueling during helicopter surveys;
- Use of video camera and camera to capture videos and pictures of shorelines;
- Use of two (2) drones to collect high resolution imagery; and
- First set of surveys based out of Gjoa Haven and second set based off of a Canadian Coast Guard vessel.

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. Environment and Climate Change Canada (the Proponent) shall always maintain a copy of the Project Terms and Conditions at the site of operation 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.: 150122) and the NIRB (Online Application Form, July 20, 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.

Waste Management

6. 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 always avoid release into the environment and access to wildlife until disposed of appropriately or at an approved facility.

Fuel and Chemical Storage

7. The Proponent shall locate all fuel and other hazardous materials a minimum distance away from the high-water mark of any water body and environmentally sensitive areas as required by the appropriate authorizing agencies. The materials shall be stored in such a manner as to prevent their release into the environment.
8. The Proponent shall use adequate secondary containment or a surface liner (e.g., self-supporting insta-berms and fold-a-tanks) when storing barreled fuel and chemicals at all locations.
9. The Proponent shall ensure that re-fuelling of all equipment occurs a minimum distance away from the high-water mark of any water body as required by the appropriate authorizing agencies.
10. The Proponent shall have a Spill Contingency Plan in place at all fuel storage or transfer locations and shall ensure that appropriate spill response equipment and clean-up materials (e.g., shovels, pumps, barrels, drip pans, and absorbents) are readily available.

11. The Proponent shall follow the authorizing agencies' direction for management and removal of hazardous materials and wastes (e.g., contaminated soils, sediment and waste oil).
12. The Proponent shall ensure that wildlife deterrent systems are utilized at the time of a spill incident in order to avoid wildlife (terrestrial or marine) and migratory birds from being contaminated.
13. The Proponent shall ensure that all spills of fuel or other deleterious materials of 100 litres or more must be reported immediately to the 24-hour Spill Line at (867) 920-8130.

Wildlife – General

14. 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.
15. 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.
16. The Proponent shall not hunt or fish, unless proper Nunavut authorizations have been acquired.

Migratory Birds and Raptors Disturbance

17. 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*.
18. 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 zone¹ appropriate for the species and the surrounding habitat.
19. 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.
20. 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.

Aircraft Flight Restrictions

21. The Proponent shall not alter flight paths to approach wildlife and avoid flying directly over animals.

¹ 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.

22. The Proponent shall plan flight paths that minimize flights over known habitat likely to have birds or concentrations of wildlife. Aircraft should always avoid critical and sensitive wildlife areas by choosing alternate flight corridors.
23. The Proponent shall restrict aircraft/helicopter activity related to the project to a minimum flight altitude of 610 metres (2,100 ft) above ground level except during landing, take-off or if there is a specific requirement for low-level flying, which does not disturb wildlife or migratory birds.
24. The Proponent shall avoid known concentrations of birds (e.g., bird colonies, moulting areas) by a lateral distance of 1.5 kilometre. If avoidance is not possible maintain a minimum flight altitude of 1,100 metres (3,500 feet) over these areas.
25. The Proponent shall ensure that aircraft/helicopter do not, unless for emergency, touch-down in areas where wildlife are present.

Heritage Sites

26. 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.
27. 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.
28. 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

29. 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.
30. The Proponent shall ensure that project activities do not interfere with Inuit wildlife harvesting or traditional land use activities.
31. The Proponent should, to the extent possible, hire local people and access local services where possible.