



NIRB File No.: 23TN032
NPC File No.: 150026

August 23, 2023

Kate Smith
F.K. Warren Ltd.
2000 Barrington St. Suite 1212
Halifax, Nova Scotia B3J 3K1

Sent via email: ops@fkwarren.ca

Re: Notice of Screening for F.K. Warren Ltd.'s "Ocean Nova 2023 – Arctic Cruises" project proposal

Dear Kate Smith:

On May 24, 2023, the Nunavut Impact Review Board (NIRB) received a referral to screen F.K. Warren Ltd.'s "Ocean Nova 2023 – Arctic Cruises" project proposal from the Nunavut Planning Commission (Commission), with an accompanying positive conformity determination with the North Baffin Regional Land Use Plan. On August 22, 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 **23TN032**.

PROJECT OVERVIEW

Project Scope:

All documents received and pertaining to this project proposal can be accessed from the NIRB's online public registry at www.nirb.ca/project/125855.

Project:	Ocean Nova 2023 – Arctic Cruises
Region:	Qikiqtani (North and South Baffin)
Location:	Within the Northwest Passage, stopping in Pond Inlet, Iqaluit, and Qikiqtarjuaq.
Summary of Project Description:	The Proponent intends to conduct tourism activities involving wildlife sightseeing, zodiac cruises and visits to communities.

Project Timeline:	Proposed	September 2023
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According to the project proposal, the scope of the project includes the following undertakings, works or activities:

- Operation of cruise vessel *Ocean Nova*;
- Use of up to 8 zodiacs to facilitate shore landings and sightseeing excursions;
- Scenic cruising and shore landings;
 - Landings in Pond Inlet, Qikiqtarjuaq, and Iqaluit and then zodiac cruise around Lady Franklin Island.
- Storage and use of fuel for vessel and zodiac operations;
- Generation of combustible wastes, and non-combustible wastes with disposal/recycling at a certified reception port; and
- Generation of sewage and grey water with treatment on board, disposal as per Canadian legislation.

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/125855 and include:

- *Commission Conformity Determination and Application*
- *NPC Questionnaire*
- *NIRB Application*
- *Table of Schedule*

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 F.K. Warren Ltd.'s project proposal with this letter, and we invite interested parties to comment directly to the NIRB by **September 5, 2022**.

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, 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/125855.

If you have any questions or require clarification, feel free to contact the undersigned at (867) 983-4617 or kmorrison@nirb.ca.

Sincerely,



Keith Morrison
Manager, Impact Assessment
Nunavut Impact Review Board

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

Enclosures (2): Public Notice of Screening (English)
Comment Forms (English)

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
Michele LeBlanc Havard, Government of Nunavut, Department of Environment
Dianne Lapierre, Government of Nunavut, Department of Economic Development & Transportation
Lisa Pirie-Dominix, Canadian Wildlife Services

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. F.K Warren Ltd (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.: 150026), and the NIRB (Online Application Form, August 22, 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 licenses 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 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

7. 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.

Fuel and Chemical Storage

8. 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.
9. 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

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 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.
14. 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.

Land Use and Restoration of Disturbed Areas

15. The Proponent shall use existing trails where possible during project activities on the land.

Marine-Based Activities

16. The Proponent shall, where practicable, coordinate with other vessels to minimize simultaneous vessel traffic in critical wildlife habitat areas allowing the wildlife to continue to use the habitat undisturbed (e.g. Navy Board Inlet, Lancaster Sound, Milne Inlet, Bellot Strait).
17. The Proponent shall ensure that noise be kept to a minimum and shall refrain from making sharp or loud noises, blowing horns or whistles and shall maintain constant engine noise levels.
18. The Proponent shall not visit cliffs used by nesting and breeding birds during the late afternoon or early evening hours during the months of August and September.
19. The Proponent shall anchor large vessels, such as cruise ships at least 500 metres away from seabird and sea duck breeding colonies except Ivory gull breeding sites which requires a setback distance of 2,000 metres. Further, the Proponent shall ensure small launch vessels (e.g., zodiacs, kayaks) maintain a distance of 100 metres from the seabird colonies.
20. The Proponent shall not attempt to intersect or interfere with the movements of marine mammals. This includes ensuring that there are no wake zones within 250 metres and a minimum of 100 metre no go zone around marine mammals. Strategic positioning of vessels ahead of the path being traveled by mobile mammals and waiting for the mammals to pass is also prohibited.
21. When marine mammals appear to be trapped or disturbed by vessel movements, the Proponent shall implement appropriate measures to mitigate disturbance, including stoppage of movement until wildlife have moved away from the immediate area.
22. The Proponent shall maintain a distance of 100 metres if a Polar Bear is encountered on land or ice while conducting activities from a zodiac or other small craft; all interaction with Polar Bears should be avoided if possible.
23. The Proponent shall maintain a distance of 500 metres of a walrus haul out while conducting activities from a zodiac or other small craft.
24. The Proponent shall suspend all project activities should any dead fish or wildlife (both marine and terrestrial), or any injured wildlife be observed during any works or activities in and around the marine waters. Activities may only be resumed on the recommendation of the authorizing agencies.
25. The Proponent shall report all incidents, injuries or sightings of marine mammals to the appropriate authorizing agencies.

Vessel Craft-based Tourism

26. The Proponent shall ensure that all passengers (clients and staff) are aware of the Proponent's responsibilities and requirements regarding wildlife and wildlife habitat protection. This

should include pre-landing briefings on wildlife sensitivities and potential hazards, proper wildlife viewing techniques and safety practices. The Proponent shall monitor to ensure all clients and staff are compliant.

27. While on the cruise ship, vessel or small craft, the Proponent shall limit viewing time of each concentration of marine mammals and avoid loud noises and rapid movement in order to minimize disturbance.
28. The Proponent is strongly advised to provide sufficient advance notice communities where a landing is planned as part of project activities.

Heritage Sites

29. 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.
30. 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.

Other

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