



SCREENING DECISION REPORT NIRB FILE No.: 24XN043

Commission File No.: 150499

Related to Commission File Nos: 148206 and 149221

NWB Water Licence: 3BM-RES202

November 28, 2025

Following the Nunavut Impact Review Board's (NIRB or Board) assessment of all materials provided, the NIRB is recommending that a review of Government of Nunavut's "Renewal and Amendment of the Municipality of Resolute Bay Solid Waste Facility Water License #3BM-RES 2025" is not required pursuant to Article 12, Section 12.4.4(a) of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and s. 92(1)(a) of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*).

Subject to the Proponent's compliance with the terms and conditions as set out in below, issued in accordance with s. 92(2)(a) of *NuPPAA*, the NIRB is of the view that the project proposal is not likely to cause significant public concerns, and it is unlikely to result in significant adverse environmental and social impacts. The NIRB therefore recommends that the responsible Minister(s) accepts this Screening Decision Report.

OUTLINE OF SCREENING DECISION REPORT

REGULATORY FRAMEWORK.....	2
PROJECT OVERVIEW & THE NIRB ASSESSMENT PROCESS.....	2
ASSESSMENT OF THE PROJECT PROPOSAL IN ACCORDANCE WITH PART 3 OF <i>NUPPAA</i>.....	8
VIEWS OF THE BOARD	10
RECOMMENDED PROJECT-SPECIFIC TERMS AND CONDITIONS	16
MONITORING AND REPORTING REQUIREMENTS.....	20
OTHER NIRB CONCERNS AND RECOMMENDATIONS.....	22
CONCLUSION	24
<u>TABLES</u>	
TABLE 1: NIRB'S ASSESSMENT PROCESS.....	2
TABLE 2: COMMENTS RECEIVED	4
TABLE 3: SUMMARY OF THE BOARD'S ASSESSMENT OF FACTORS S. 90 <i>NuPPAA</i>	8

APPENDICES

APPENDIX A: SPECIES AT RISK IN NUNAVUT	25
APPENDIX B: ARCHAEOLOGICAL AND PALAEOLOGICAL RESOURCES TERMS AND CONDITIONS FOR LAND USE PERMIT HOLDERS	27

REGULATORY FRAMEWORK

The primary objectives of the NIRB are set out in Article 12, Section 12.2.5 of the *Nunavut Agreement* and are confirmed by s. 23 of the *NuPPAA*. The purpose of screening is provided for under Article 12, Section 12.4.1 of the *Nunavut Agreement* and s. 88 of the *NuPPAA*.

As set out under Article 12, Section 12.4.4 of the *Nunavut Agreement* and s. 92(1) of the *NuPPAA*, upon conclusion of the screening process, the Board must provide its written report the Minister indicating one of three options:

- (a) a review of the project is not required;
- (b) a review of the project is required; or
- (c) the project should be modified or abandoned.

PROJECT OVERVIEW & THE NIRB ASSESSMENT PROCESS

On August 15, 2024 the NIRB received a referral to screen Government of Nunavut's "Renewal and Amendment of the Municipality of Resolute Bay Solid Waste Facility Water License #3BM-RES 2025" project proposal (NIRB File No.: 24XN043) from the Nunavut Planning Commission (Commission), with an accompanying positive conformity determination with the North Baffin Regional Land Use Plan. The Commission noted that the project proposal is a significant modification to a previous conformity determination issued in 2019 because of the construction of a solid waste disposal facility at a new location and required screening by the NIRB.

All documents received and pertaining to this project proposal can be accessed from the NIRB's Public Registry by using any of the following search criteria or www.nirb.ca/project/125993:

- Project Name: Renewal and Amendment of the Municipality of Resolute Bay Solid Waste Facility Water License #3BM-RES 2025
- NIRB File No.: 24XN043
- NIRB Application No.: 125993

1. Screening Process Timelines

The following key stages were completed for the screening process:

Table 1: NIRB's Assessment Process

Date	Stage
August 15, 2024	Receipt of project proposal and positive conformity determination (North Baffin Regional Land Use Plan) from the Commission.
August 16, October 2, and October 18, 2024	Pursuant to s. 144(1) of the <i>NuPPAA</i> the NIRB requested the Proponent complete an online application to address information required for Screening
November 19, 2024	Proponent requested suspension of assessment of activities

Date	Stage
November 29, 2024	NIRB suspended the assessment of the proposed project pursuant to s. 143(2) of the <i>NuPPAA</i>
April 4, 2025	Receipt of online application from Proponent
April 29 and July 7, 2025	Request(s) to Proponent for additional information in order to carry out screening pursuant to s. s. 144(1) of the <i>NuPPAA</i>
July 3 and August 28, 2025	Proponent responded to information request(s) and provided additional information
September 2, 2025	Scoping pursuant to s. 86(1) of the <i>NuPPAA</i>
October 7, 2025	Pursuant to Article 12, Section 12.4.5 of the <i>Nunavut Agreement</i> and s. 92(4) of the <i>NuPPAA</i> , an extension to the 45-day timeline for the provision of the Board's Report was requested from the Minister of Northern and Arctic Affairs
October 10, 2025	Translated public engagement and comment request was issued to the community of Resolute Bay
October 31, 2025	Receipt of public comments
November 4, 2025	Proponent provided with an opportunity to address comments/concerns raised by public
November 19, 2025	Proponent responded to comments/concerns raised by public
November 28, 2025	Issuance of Screening Decision Report

2. Project Scope

Project:	Renewal and Amendment of the Municipality of Resolute Bay Solid Waste Facility Water License #3BM-RES 2025
Location:	Qikiqtani region, approximately 10 kilometres west of the community of Resolute Bay.
Summary of Project Description:	The Proponent intends to construct a new solid waste facility and a new access road to reach the facility. The old solid waste facility will be closed with most wastes removed to the new facility.
Project Proposed Timeline:	<u>2026 to 2027</u> : construction of new solid waste facility and access road <u>2027 to 2048</u> : operation and maintenance of new facility and access road <u>2027</u> : closure of existing facility

As required under s. 86(1) of the *NuPPAA*, the Board accepts the scope of the project as set out by Government of Nunavut in the proposal. The scope of the project proposal includes the following undertakings, works, or activities:

- Construction of a new solid waste facility on the northwest side of the municipality, with improved lighting, proper water migration and containment fencing of the facility to restrict unauthorized access;
- Closure of existing solid waste facility following the new facility is operational with wastes consolidated and transported to the new facility;
- Development of an access road to reach the facility;

- Use of heavy equipment for the construction of the waste facility (loaders, bulldozer, excavator, vibratory roller, trucks);
- Use of granular material from the existing municipality quarry for construction and access road maintenance activities;
- Use of incinerator for onsite combustible waste burning;
- Removal of hazardous wastes to an approved facility for disposal;
- Disposal of non-combustible wastes in community landfill;
- Use of up to 10,000 litres of fuel for heavy equipment refuelling sourced from the community fuel facility;
- Use of water as authorized under the existing water license (Nunavut Water Licence 3BM-RES202);
- Daily transport of personnel to the site by pickup; and,
- Use of local facilities and accommodations.

3. Inclusion or Exclusion to 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 proceeded with screening the project based on the scope as described above.

4. Public Comments and Concerns

As outlined in Table 1 above, notices regarding the NIRB's screening of this project proposal were distributed to community organizations as well as to relevant federal and territorial government agencies, Inuit organizations and other parties with a request for interested parties to provide the Board with any comments or concerns 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.

On or before October 31, 2025 the NIRB received comments from the following interested parties:

Table 2: Comments Received

Commenting Party	NIRB Doc ID No.
Crown-Indigenous Relations and Northern Affairs Canada	357816
Environment and Canada Climate Change	357814
Transport Canada	357815

a. Summary of Comments and Concerns Received

The following provides a summary of the comments and concerns received by the NIRB in relation to “Renewal and Amendment of the Municipality of Resolute Bay Solid Waste Facility Water License #3BM-RES 2025”:

Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)

- Noted that the Environmental Emergency Contingency Plan did not describe whether site-specific conditions were used to inform the proposed mitigation measures. Recommended the Proponent:
 - Develop and implement a spill contingency plan that addresses fuel storage and transfer areas for the new facility and include:
 - Provide site-specific details, such as spill pathways, containment, and response procedures;
 - Store fuel and petroleum products with adequate secondary containment and maintain required setbacks from waterbodies; and,
 - Ensure all personnel are trained in spill response and that spill kits are available at all fuel handling locations.
- Concerned that the wastes (greywater and sewage) generated from personal during the construction period could result in localized contamination of soil and surface water. Recommended the Proponent consider:
 - Clarify whether a temporary camp/galley will be established or whether existing community accommodations will be used; and
 - Describe measures to collect, store, and dispose of any greywater and sewage in a manner that minimizes impacts to land and water.
- Noted that climate projections suggest warming that could affect containment performance over the facility’s lifespan due to fractured bedrock and variable overburden. Recommended the Proponent:
 - Evaluate leachate management under normal and extreme climate conditions;
 - Incorporate climate change considerations into design and monitoring programs; and,
 - Establish adaptive measures to address potential changes in permafrost or drainage.
- CIRNAC noted that it is unclear whether the secondary containment for the proposed sea-can storage holding hazardous wastes is adequate for preventing spills and recommended the Proponent clarify whether the secondary containment provides sufficient capacity for potential spills.
- Limited information provided on ash disposal protocols or management from the use of an incinerator through the Polar Continental Shelf Program. CIRNAC recommended the Proponent:
 - Establish protocols for ash characterization and disposal to prevent leachate contamination; and
 - Clarify roles and responsibilities for incinerator operation and ash management and reporting ash management practices, including quantities and disposal locations.
- Recommended continued consultation with the community of Resolute Bay and other relevant organizations is encouraged.

Environment and Canada Climate Change (ECCC)

- The Proponent has not provided a detailed layout of its components and key questions remain about how the Project will ensure that environmental receptors are protected from accidents or malfunctions associated with the facility's operation.
- Noted insufficient information on the proposed solid waste facility's mitigation and design specifications, making it difficult to confirm that potential impacts would be adequately mitigated. Information such as the following are lacking:
 - Detailed layout of the components of the new solid waste facility to ensure environmental receptors are protected from accidents or malfunctions.
 - Information on potential monitoring wells and monitoring programs to detect any potential leachate seepage.
 - Planned specifications for various divertible waste areas or the leachate ponds including the use of geomembrane liners.
 - Minimizing precipitation infiltration such as stormwater management, snow clear and daily cover.
 - Lack of information on the mitigation measures such as secondary containment and spill kits for the 10,000 litre diesel storage container.
- Concerned that the proximity of Site A to Allen Bay and Parry Channel may be affected by leachate seepage or the release of hazardous materials, potentially resulting in adverse effects on fish, fish habitat and surface water quality.
- Information not provided on how the recommendations from the 2021 Solid Waste Management Planning Study would be integrated into the Project design.
- Recommended the Proponent provide detailed information on the design and mitigation measures for the proposed solid waste facility to address the concerns raised, including the following:
 - Provide a detailed layout of the solid waste facility, including the location and design specifications of leachate ponds and divertible waste areas;
 - Describe how leachate will be contained and managed, including, if appropriate, the use of geomembrane liners, stormwater management, snow clearing, and daily cover to prevent infiltration and reduce leachate generation;
 - Include plans for monitoring programs to detect potential seepage;
 - Identify mitigation measures associated with on-site fuel storage, including the use of secondary containment, designated refueling areas, spill trays and spill response kits; and
 - Clarify how recommendations and conceptual design elements from the 2021 Solid Waste Management Planning Study will be incorporated into the Project design.

Transport Canada (TC)

- No concerns or comments to provide regarding the project proposal.

5. Comments and Concerns with respect to Inuit Qaujimaningit, Indigenous and Community Knowledge

No concerns or comments were received with respect to Inuit Qaujimaningit, Indigenous and Community Knowledge in relation to this project proposal. However, Inuit Qaujimaningit and Indigenous and community knowledge is incorporated into the terms and conditions recommended

below based on information collected from prior and similar projects, data collected and mapped by the Commission, and other available sources.

6. Proponent's Response to Public Comments and Concerns

Due to the comments, and questions received from parties, the NIRB provided an opportunity for the Proponent to respond. The following is a summary of the Proponent's response to concerns:

- In response to concerns regarding insufficient information on the proposed solid waste facility's mitigation and design specifications, the Proponent noted that the document titled *"Resolute Bay Solid Waste Site Business Case for Facility Upgrades, May 2025"* provide detailed drawings of the proposed facility.
- The Proponent noted that information on potential monitoring wells and monitoring programs to detect any potential leachate seepage would be established upon the detailed design and Quality Assurance and Quality Control plan approval.
- In response to the planned specifications for various divertible waste areas, the Proponent noted that new Solid Waste Site will have ditching around the perimeter of the site to prevent water from entering the facility. Most storage areas will have berms surrounding 3/4 of the perimeter for water management, while the Municipal Waste cell will be fully encapsulated with a lined berm with grading that directs any water that exits to be collected in a lined leachate pond.
- The Proponent indicated that the proposed design Dillon Consulting Ltd. has ditching surrounding the perimeter of the site, and on either side of the access road leading to the site to prevent stormwater from entering the facility. Snow clearing costs have been added to the operation and maintenance cost for snow management in the facility to reduce water in the site when the snow melts. These measures should address concerns to minimize precipitation infiltration such as stormwater management, snow clear and daily cover.
- In response to concerns regarding lack of information on the mitigation measures such as secondary containment and spill kits for the 10,000 litre diesel storage container, the Proponent indicated that the municipality has spill kits in the hamlet garage in the event that a spill occurs. The diesel storage container will be double walled; drip pans and other sources of containment will be used when refueling equipment; and the storage tank would be placed in a contained area to prevent the spread of hazardous liquid.
- In response to concern that the proximity of Site A to Allen Bay and Parry Channel may be affected by release of hazardous materials, the Proponent noted that the *"Solid Waste Management For Northern and Remote Communities Planning and Technical Guidance Document, March 2017"* requires that setback distances from marine environments be a minimum of 100 metres (m) away from the shoreline. The applied setback distance for Site A is approximately 500 m, ditching will be surrounding the facility and leachate pond to mitigate seepage into the marine environment.
- In response to concern that the containment performance of the proposed landfill design for Site A did not consider normal and extreme climate projections, the Proponent referred the commenter to *"Resolute Bay Solid Waste Site Business Case For Facility Upgrades, May 2025"* which has climate change considerations for both normal and extreme events.
- In response to concerns that information was not provided on how the recommendations from the 2021 Solid Waste Management Planning Study would be integrated into the Project design, the Proponent noted that 2021 Solid Waste Management Planning Study was used as a background document for the 2025 Business case for facility upgrades.

- The Proponent noted that the Environmental Emergency Contingency Plan has considered the site specific conditions while developing the plan with the locations of the spill kits and the local contacts of responsible parties. The Proponent also noted that this plan will be updated upon design and commissioning of the new facility to ensure the manual is accurate to the new Solid Waste Disposal Facility (SWDF).
- In response to concerns that the wastes (greywater and sewage) generated from personal during the construction period was not considered, the Proponent noted that the cost analysis in the “*Resolute Bay Solid Waste Site Business Case for Facility Upgrades, May 2025*” has included that the setup and use of a camp is required. The generated greywater and sewage from the estimated 730 person days during construction from the camp will utilize the sewage lagoon in Resolute Bay to properly dispose of the generated wastewater.
- The Proponent noted that, in response to the uncertainty whether or not the secondary containment for the proposed sea-can storage holding hazardous wastes would be adequate for preventing spills, the hazardous wastes would be stored in a sea-can on a flat area graded to direct run-off to the stormwater management pond and referred the commenter to “*Solid Waste Management For Northern and Remote Communities Planning and Technical Guidance Document, March 2017*”.
- In response to the comment on limited information provided on ash disposal protocols or management from the use of an incinerator through the Polar Continental Shelf Program; the Proponent noted that the proposed design for the new SWDF for Resolute Bay has been designed to fulfill a 20 year lifespan without the use of incineration. If incineration for waste management is desired a pilot study on incineration will need to be conducted to determine best practices with the focus on organic waste and animal carcasses.

ASSESSMENT OF THE PROJECT PROPOSAL IN ACCORDANCE WITH PART 3 OF *NUPPAA*

In determining whether a review of the project is required, the Board considered whether the project proposal had potential to result in significant ecosystemic or socio-economic impacts. Table 3 provides the Board’s assessment of the factors that are relevant to the determination of significant impacts with respect to this project proposal. The Board took particular care to consider Inuit Qaujimaningit, Indigenous and Community Knowledge in carrying out its assessment and determination of the significance of impacts.

Table 3: Summary of the Board’s Assessment of Factors s. 90 *NuPPAA*

Factor	Comment
The size of the geographic area, including the size of wildlife habitats, likely to be affected by the impacts.	▪ The physical footprint of the proposed project components is located approximately 10 kilometres west of the community of Resolute Bay. ▪ The proposed project would take place within habitats of far-ranging wildlife species such as migratory and non-migratory birds, terrestrial mammals (such as wolverine, Arctic fox, Arctic hare, caribou muskox), and Species at Risk (such as Polar Bear, Ivory gull, Ross’ gull and red knot).
The ecosystemic sensitivity of that area.	▪ No specific areas of ecosystemic sensitivity have been identified by the Proponent within the physical footprint of the proposed project.

Factor	Comment
The historical, cultural and archaeological significance of that area.	The Proponent noted that the site is located a suitable distance from any known traditional or recreational use areas and no specific areas of historical, cultural and archaeological significance have been identified by the Proponent within the physical footprint of the proposed project.
The size of the human and the animal populations likely to be affected by the impacts.	The proposed project would occur near the community of Resolute Bay; as such the residents of the hamlet and local wildlife populations may be affected by project impacts.
The nature, magnitude and complexity of the impacts; the probability of the impacts occurring; the frequency and duration of the impacts; and the reversibility or irreversibility of the impacts.	- A zone of influence of up to 30 km from the most potentially-disruptive project activities was selected for the NIRB's assessment. - With adherence to the relevant regulatory requirements and application of the mitigation measures recommended by the NIRB, no significant residual effects are expected to occur.
The cumulative impacts that could result from the impacts of the project combined with those of any other project that has been carried out, is being carried out or is likely to be carried out.	The mitigation measures recommended by the NIRB have been designed with consideration for the potential for cumulative effects to result from the impacts of the project combined with other past, present and reasonably foreseeable projects.
Any other factor that the Board considers relevant to the assessment of the significance of impacts.	- Although no public concerns were raised during the public commenting period, the NIRB notes that the close proximity of the proposed activities to the community of Resolute Bay and that the areas outside the community may be used by residents for recreational/traditional pursuits could potentially contribute to public concern developing. - No other relevant factors were identified; however, see below for Regulatory Requirements mandating mitigation and/or reporting.

Regulatory Requirements

The Proponent is also advised that the following legislation may apply to the Project:

Acts and Regulations

1. The *Fisheries Act* (<http://laws-lois.justice.gc.ca/eng/acts/F-14/index.html>).
2. The *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (<http://laws-lois.justice.gc.ca/eng/acts/n-28.8/>).
3. The *Migratory Birds Convention Act* (<http://laws-lois.justice.gc.ca/eng/acts/M-7.01/>), the *Migratory Birds Regulations* (https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._1035/index.html) and the *Migratory Bird*

Sanctuary Regulations (https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._1036/index.html).

4. The *Species at Risk Act* (<https://laws-lois.justice.gc.ca/eng/acts/s-15.3/>). Attached in **Appendix A** is a list of Species at Risk in Nunavut.
5. The *Wildlife Act (Nunavut)* and its corresponding regulations (<http://www.canlii.org/en/nu/laws/stat/snu-2003-c-26/latest/snu-2003-c-26.html>).
6. The *Nunavut Act* (<http://laws-lois.justice.gc.ca/eng/acts/N-28.6/>). The Proponent must comply with the proposed terms and conditions listed in the attached **Appendix B**.
7. The *Transportation of Dangerous Goods Act* (<http://laws-lois.justice.gc.ca/eng/acts/t-19.01/>) and the *Transportation of Dangerous Goods Regulations* (<https://tc.canada.ca/en/corporate-services/acts-regulations/list-regulations/transportation-dangerous-goods-regulations>).
8. The *Canadian Environmental Protection Act* (<http://laws-lois.justice.gc.ca/eng/acts/C-15.31/>).
9. The incineration of combustible wastes shall comply with the *Canadian Wide Standards for Dioxins and Furans* (https://ccme.ca/en/res/df_incnrt_n_pp_signedstd_en.pdf), and the *Canadian Wide Standards for Mercury* (https://ccme.ca/en/res/cws_mercury_emissions_e.pdf).

Other Applicable Guidelines

10. Solid Waste Management for Northern and Remote Communities (Environment and Climate Change Canada, 2017) (<https://www.canada.ca/en/environment-climate-change/services/managing-reducing-waste/municipal-solid/environment/northern-remote-communities.html>).
11. The Guidance Document for Canadian Jurisdictions on Open-Air Burning (<https://ccme.ca/en/res/guidancedocumentonopenairburning-e.pdf>).
12. Environmental Guideline for the Burning and Incineration of Solid Waste, Government of Nunavut, Revised January 2012 (<https://assembly.nu.ca/library/GNedocs/2012/001321-e.pdf>).
13. Environmental Guidelines for the Management of Contaminated Sites, Department of the Environment, Government of Nunavut, Revised December 2014 (https://www.gov.nu.ca/sites/default/files/publications/2022-01/contaminated_sites_remediation_2014.pdf).
14. Environmental Guidelines for the General Management of Special and Hazardous Waste, Government of Nunavut, Revised October 2024 (<https://www.gov.nu.ca/sites/default/files/publications/2024-05/Hazardous%20Waste%202023-03.pdf>).

VIEWS OF THE BOARD

In considering the above factors, the Board has identified the following and respectfully provides its views regarding whether or not the proposed project has the potential to result in significant

impacts. The NIRB has also proposed terms and conditions that would mitigate the potential adverse impacts identified.

Ecosystem, wildlife habitat and Inuit harvesting activities:

Valued Component	Migratory and non-migratory birds, terrestrial wildlife and Species at Risk
Potential effects:	Potential adverse effects to migratory and non-migratory birds, Species at Risk (such as Polar Bear, Ivory gull, Ross' gull and red knot), terrestrial wildlife (such as wolverine, Arctic fox, Arctic hare, caribou muskox), and their migratory routes from noise and visual disturbance generated from the development of the new solid waste facility, including the use of the local quarry site, development of an access road, transportation of aggregate by truck, use of heavy equipment, the daily transportation of personnel, and the removal of the hazardous wastes during the closure of the existing solid waste facility.
Nature of Impacts:	The potential for impacts are considered to be likely and intensive during the open-water season as the construction activities would coincide with the nesting and breeding season for migratory and non-migratory birds. The project area is within the range of bird species that are afforded protection, including American pipit, horned lark and snow buntings. However, the proximity to existing municipal infrastructure reduces the possibility of additional impacts to wildlife. The potential for impacts are considered to be limited and temporary, and any resulting impacts would be expected to be reversible once the construction activities are complete. However, once the new solid waste facility is established and in operation, and the existing solid waste facility is closed, the amount of traffic in the area would increase into the foreseeable future that may cause increased noise to migratory and non-migratory birds, Species at Risk and terrestrial wildlife. As such, the potential for cumulative impacts is considered to be likely and intensive during the operation of the new solid waste facility.
Mitigating Factors:	The Board is recommending terms and conditions to minimize and mitigate potential adverse impacts, including cumulative impacts to terrestrial wildlife, Species at Risk and migratory birds.
Proposed Terms and Conditions:	Waste Management – 9 Fuel and Chemical Storage – 11 and 18 Noise – 22 Wildlife (General) – 24 through 27 Migratory Birds and Raptors Disturbance – 28 through 31 Caribou and Muskoxen Disturbance– 32 through 36 Road and Ground Disturbance – 38

Valued Component	Surface water quality, freshwater and aquatics, and fish and fish habitat.
Potential effects:	Potential adverse impacts to freshwater quantity and quality, and fish and fish habitat are likely from potential spills during the construction

	activities and the removal of hazardous wastes, and from dust associated with the construction activities including the use of the local quarry site, development of an access road, transportation of aggregate by truck, use of heavy equipment, the construction of the new solid waste facility, closure of the existing solid waste facility, and daily transportation of personnel.
Nature of Impacts:	The potential for impacts is applicable to the area within the project activities and some activities such as the development of a construction camp and from the development and use of a quarry. The potential for impacts are considered to be limited and temporary and any resulting impacts would be expected to be reversible once the construction activities are complete.
Mitigating Factors:	The Proponent noted that the development of the proposed facility to rectify numerous deficiencies noted at the existing solid waste facility to create a safer facility for the community and for the environment. The Board is recommending the Proponent follow regulatory authorities' guidance and engage community members to avoid, reduce, and off-set the harm to freshwater fish and fish habitat.
Proposed Terms and Conditions:	Water Courses/Water Bodies – 6 through 8 Waste Management – 9 Fuel and Chemical Storage – 11, 12, 15 through 19 Air Quality – 20 Road and Ground Disturbance – 39 through 41 Aggregate Removal within Existing and New Quarries – 42 through 44 Land Use and Restoration of Disturbed Areas – 48 through 51

Valued Component	Land, terrestrial vegetation and ground stability
Potential effects:	Potential adverse impacts to the ground stability, vegetation quality, and terrain due to development of the new solid waste facility and closure of the existing solid waste facility, potential spills during the construction activities and the removal of hazardous wastes, and dust associated with the use of the local quarry site, development of an access road, transportation of aggregate by truck, and daily transportation of personnel.
Nature of Impacts:	The potential for impacts is considered to be limited and temporary if regulations and best practices for construction activities are followed. The potential for impacts due to other activities is considered to be minimal due to the localized nature of the construction and operational activities.
Mitigating Factors:	The Board is recommending terms and conditions to ensure that project activities do not negatively affect land, terrestrial vegetation, and ground stability.
Proposed Terms and Conditions:	Water courses/water bodies – 7 Waste Management – 9 Fuel and Chemical Storage – 11, 13, through 17 and 19 Air Quality – 20

	Landfill Operations – 23 Wildlife (General) – 24 Road and Ground Disturbance – 37 and 38 Aggregate Removal within Existing and New Quarries – 45 and 46 Land Use and Restoration of Disturbed Areas – 47 through 51
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Valued Component	Air quality
Potential effects:	Potential adverse effects to air quality from emissions and dust during the construction activities of the proposed solid waste facility including the use of a quarry site, development of an access road and laydown areas, transportation of aggregate by truck, daily transportation of personnel, development of a construction camp. In addition, potential adverse effects to air quality during the operation phase from the incineration activities of combustible wastes.
Nature of Impacts:	The potential for adverse impacts are considered to be likely as the construction activities would increase emissions from the use of additional diesel- and gas-powered vehicles, and increase in dust from blasting and crushing at the quarry site, transportation of the aggregate and stockpile wind erosion. The proposed project activities are likely to induce human health issues, such as respiratory conditions in vulnerable demographics including young children and the elderly. The potential for impacts are considered to be limited and temporary and any resulting impacts would be expected to be reversible once construction activities are complete. However, once the new solid waste facility is established and in operation, the amount of traffic in the area and the incineration of combustible wastes would increase into the foreseeable future that may cause increased adverse effects to air quality from emissions. As such, the potential for cumulative impacts is considered to be likely and intensive during the operation of the solid waste facility.
Mitigating Factors:	The Board is recommending terms and conditions to mitigate the potential project impacts to air quality, including cumulative impacts.
Proposed Terms and Conditions:	Waste Management – 10 Air Quality – 20 and 21

Valued Component	Public access and traditional land use activities
Potential effects:	Potential adverse impacts to access to the public and traditional land use activities due to construction activities and increase traffic within the community to the new proposed solid waste facility.
Nature of Impacts:	The potential for impacts are considered to be intensive but temporary and any resulting impacts would be expected to be reversible once the construction activities are complete. No specific concerns or impacts to public and traditional land use activities in the area have been identified.
Mitigating Factors:	The Board also is recommending terms and conditions to ensure project activities are informed by available Inuit Qaujimaningit and that project activities do not interfere with access to Inuit wildlife harvesting or

	traditional land use activities. Further, it is recommended that the Proponent engage with local residents, if possible and practical, regarding planned activities in the area.
Proposed Terms and Conditions:	Waste Management – 9 Fuel and Chemical Storage – 18 Noise – 22 Wildlife-General – 24 and 25 Caribou and Muskoxen Disturbance – 32 through 36 Land Use and Restoration of Disturbed Areas – 47 and 48 Public Consultation – 54 Traditional Harvesting & Public and Traditional Land Use – 55

Socio-economic effects on northerners:

Valued Component	Historical, cultural and archeological sites
Potential effects:	The Proponent noted that the new solid waste facility site is located a suitable distance from any known traditional or recreational use areas and no specific areas of historical, cultural and archaeological significance have been identified by the Proponent within the physical footprint of the proposed project.
Nature of Impacts:	The potential for impacts are considered minimal due to the location of the proposed new solid waste facility.
Mitigating Factors:	The Board is recommending terms and conditions to ensure project activities are informed by available Inuit Qaujimaningit and in compliance with regulations to protect historical, cultural and archeological resources. Further, the Board is recommending the Proponent contact the Culture and Heritage Department for guidance on how to protect documented and undocumented archaeological features.
Proposed Terms and Conditions:	Heritage Sites – 52 and 53 Public Consultation – 54

Valued Component	Local employment, contracting and economic opportunities
Potential effects:	Potential positive impacts as the proposed project is likely to bring about positive impacts on local employment and generate economic opportunities for the community of Resolute Bay. The Proponent noted the use of local accommodation services, training and hiring of local labour for the operations of the new solid waste facility. There is also the potential for expenditures in local businesses, and for non-local workers purchasing arts and crafts from local artisans.
Nature of Impacts:	Positive economic benefits in relation to the operation of the solid waste facility as local employment may occur as the Hamlet of Repulse Bay would be responsible for the maintenance and operations of the facility.
Mitigating Factors:	The Board is recommending terms and conditions to ensure the Proponent continues to inform the community of the proposed construction activities, provides training and employment opportunities

	to the residents of the community and offer procurement to local businesses.
Proposed Terms and Conditions:	Public Consultation – 54 Local Hiring and Services – 56

Significant public concern:

Valued Component	Public Concerns
Potential effects:	No significant public concern was expressed during the public commenting period for this file; however, there is potential adverse effects to Inuit harvesting, terrestrial wildlife and habitat due the proposed construction activities. However, it is noted that there is potential positive effects to the community, including health and safety, from the development of a suitable waste facility that would be in-line with regulatory compliance.
Nature of Impacts:	Each of the potential concerns were discussed in previous sections and the potential for impacts is considered to be minimal as long as the Proponent follow the recommended terms and conditions.
Mitigating Factors:	The Proponent noted that the proposed new solid waste facility would rectify the numerous deficiencies noted at the existing solid waste facility. The new solid waste facility would bring waste management in Resolute Bay in line with best practices and create a safer facility for the community and for the environment. The new facility would allow for the consolidation of the existing sites into one fully functioning waste management facility. The Board is recommending terms and conditions to ensure that to the Proponent continues to inform the community of the proposed construction activities, to the extent possible hire locally and access local services where possible, and to ensure planned activities in the area utilizes available Inuit Qaujimaningit.
Proposed Terms and Conditions:	Public Consultation – 54 Local Hiring and Services – 56

Technological innovations for which the effects are unknown:

- No specific issues have been identified associated with this project proposal.

Administrative Conditions:

To encourage compliance with applicable regulatory requirements and assist the Board and responsible authorities with compliance and effects monitoring for project activities, the following project-specific terms and conditions have been recommended: 1-5.

In considering the above factors and subject to the Proponent's compliance with regulatory requirements and the terms and conditions necessary to mitigate against the potential adverse environmental and social effects, the Board is of the view that the proposed project is unlikely to cause significant public concern and its adverse ecosystemic and socioeconomic impacts are

unlikely to be significant, or are highly predictable and can be adequately mitigated by known technologies.

RECOMMENDED PROJECT-SPECIFIC TERMS AND CONDITIONS

The Board is recommending the following specific terms and conditions to apply in respect of the project:

General

1. Government of Nunavut (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.: 150499), to the Nunavut Water Board (NWB File No.: 3BM-RES202) and the NIRB (Online Application Form, April 8, 2025; Additional Information, July 3, 2025 and August 28, 2025). 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 no disturbance of the stream bed, lakebed or the banks of any definable watercourse be permitted, except where deemed necessary for maintaining project-specific operational commitments or approved by a responsible authority in cases of spill management.
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.

10. The Proponent shall incinerate all combustible wastes as needed and dispose of as required by the appropriate authorizing agencies. All non-combustible wastes from the project site shall be removed to an approved facility for disposal.

Fuel and Chemical Storage

11. 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.
12. 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.
13. All chemical storage containers must be clearly marked with the Proponent's name for ease of identification.
14. Hazardous material storage areas should be clearly marked with signs or flagging to avoid accidental breaks and punctures, and to ensure areas remain visible during the winter months.
15. The Proponent shall routinely inspect and document the conditions of hazardous material storage containers and containment areas as required by the appropriate authorizing agencies.
16. The Proponent shall have a Spill Contingency Plan in place at all fuel 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.
17. 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).
18. 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.
19. 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.

Air Quality

20. The Proponent shall take appropriate dust suppression measures in conducting all activities for this Project including using approved dust suppression additives and techniques as necessary to maintain ambient air quality.
21. The Proponent shall eliminate unnecessary idling to reduce greenhouse gas emissions as much as possible.

Noise

22. All construction and road vehicles must be fitted with standard and well-maintained noise suppression devices.

Landfill Operations

23. The Proponent shall dispose of non-hazardous materials only at the landfill and shall limit this disposal to those materials listed as acceptable for disposal. Hazardous materials, materials listed as unacceptable for disposal at the landfill, or materials that contain asbestos, fluorescent tubes or ozone depleting substances are not to be disposed of in the landfill and must be disposed of at an authorized facility.

Wildlife – General

24. 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.
25. 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.
26. The Proponent shall not hunt or fish, unless proper Nunavut authorizations have been acquired.
27. The Proponent shall ensure that all wildlife have the right-of-way on any roads or trails. Vehicles are required to slow down or stop and wait to permit the free and unrestricted movement of wildlife across roads or trails at any location.

Migratory Birds and Raptors Disturbance

28. 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*.
29. 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.
30. 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.
31. 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.

Caribou and Muskoxen Disturbance

32. The Proponent shall avoid interfering with any paths or crossings known to be frequented by caribou during periods of migration as identified by current land use plans in place and/or by Inuit Qaujimaningit.

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.

33. The Proponent shall not locate any operation or undertake activities that could block or cause any diversion to migration of caribou or muskoxen.
34. The Proponent shall immediately cease activities likely to interfere with the migration or calving of caribou or muskoxen until such time as the caribou or muskox have passed.
35. Should pregnant caribou cows, cows with young calves, or groups of 50 or more caribou be observed within one (1) kilometer of project operations at any time, the Proponent shall suspend all operations in the vicinity, until caribou are no longer in the immediate area.
36. During the period of April 14 to June 1 when muskoxen are present, the Proponent shall not approach muskoxen closer than one (1) kilometer.

Road and Ground Disturbance

37. 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.
38. The Proponent shall ensure snowbank heights along the road/trail are managed to allow wildlife visibility and passage. Further, the Proponent shall ensure breaks are created along snowbanks along the road/trail at regular intervals to allow wildlife passage.
39. The Proponent shall not move any equipment or vehicles without prior testing the thickness of the ice to ensure the lake, river or stream is in a state capable of fully supporting the equipment or vehicles.
40. The Proponent shall ensure that stream crossings and/or temporary crossings constructed from ice and snow, which may cause jams, flooding or impede fish passage and or water flow, are removed or notched prior to spring break-up.
41. The Proponent shall ensure sufficient thickness of snow and ice is present on the winter road to prevent unnecessary erosion of the underlying ground surface and impact on underneath vegetation.

Aggregate Removal within Existing and New Quarries

42. The Proponent shall not remove any material from below the ordinary highwater mark of any lake or stream and shall maintain an undisturbed buffer zone as required by the appropriate authorizing agencies between quarry site and any high water mark of any water body to ensure erosion control.
43. The Proponent shall install silt fences/curtains down stream of any quarry activities.
44. The Proponent shall ensure there is no obstruction of natural drainage, flooding or channel diversion from quarry/pit access, stockpiles, or other structures or facilities.
45. The Proponent shall locate screening and crushing equipment on stable ground, at a location with ready access to stockpiles.
46. The Proponent shall clearly stake and flag pit and quarry boundaries, so they remain visible to other land users.

Land Use and Restoration of Disturbed Areas

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

48. The Proponent shall ensure that the land use area is kept clean and tidy at all times.
49. The Proponent shall avoid disturbance on slopes prone to natural erosion, and alternative locations shall be utilized.
50. The Proponent shall remove all garbage, fuel and equipment at the end of each field season and/or upon completion of work and/or upon abandonment.
51. 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.

Heritage Sites

52. 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.
53. 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

54. 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.
55. The Proponent shall ensure that project activities do not interfere with Inuit wildlife harvesting or traditional land use activities.
56. The Proponent should, to the extent possible, hire local people and access local services where possible.

MONITORING AND REPORTING REQUIREMENTS

In addition, the Board is recommending the following:

Annual Report

1. The Proponent shall submit a comprehensive annual report with copies provided to the Nunavut Impact Review Board, Crown-Indigenous and Northern Affairs Canada, and Environment and Climate Change Canada by March 31st of each year of permitted activities beginning March 31, 2026. The annual report must contain at least the following information:
 - a) A summary of construction activities undertaken for the year, including:
 - A description of local hires, contracting opportunities and initiatives;
 - Site photos;

- A work plan for the following year, including any progressive reclamation work undertaken;
 - A summary of the assessment conducted of the acid rock drainage and metal leaching (ARD/ML) potential of rock cuts, quarries, embankment, armouring, or any other materials with acid-generating potential. The summary should include a discussion on the contingencies that would be used if ARD rock is identified;
 - A discussion of issues related to wildlife and environmental monitoring, including the number of cease-work orders required as a result of proximity to caribou, terrestrial and marine wildlife;
 - An analysis of the effectiveness of mitigation measures for wildlife;
 - Summary of any heritage sites encountered, any follow-up action or reporting required as a result and how project activities were modified to mitigate impacts on the heritage sites;
- b) Once construction is complete, a summary of operation activities undertaken for the year, including:
- A description of local hires, contracting opportunities and initiatives;
 - Site photos;
 - A discussion on the risks associated with the increase of marine traffic including the associated impacts observed with respect to marine wildlife and traditional activities;
 - An analysis of the effectiveness of mitigation measures for wildlife;
- c) A summary of community consultations undertaken throughout the year, providing copy of materials presented to community members, a description of issues and concerns raised, discussions with community members and advice offered to the company as well as any follow-up actions that were required or taken to resolve any concerns expressed about the project proposal;
- d) Summary of its knowledge of Inuit land use in/near the project area and explain how project activities were modified to mitigate impacts on Inuit land use; and,
- e) A summary of how the Proponent has complied with conditions contained within this Screening Decision, and all conditions as required by other authorizations associated with the project proposal.

Spill Contingency Plan

2. The Proponent shall update its Spill Contingency Plan with copies provided to the Nunavut Impact Review Board, Crown-Indigenous and Northern Affairs Canada, and Environment and Climate Change Canada by March 31, 2026. The plan must contain at least the following information:
 - a) Develop and implement a spill contingency plan that addresses fuel storage and transfer areas for the new facility;

- b) Include site-specific details, such as spill pathways, containment, and response procedures;
- c) Include how fuel and petroleum products are stored with adequate secondary containment and the required setbacks from waterbodies; and,
- d) Provide a summary of training provided to all personnel in spill response.
- e) Include locations of all spill kits at all fuel handling locations.

OTHER NIRB CONCERNS AND RECOMMENDATIONS

In addition to the project-specific terms and conditions, the Board is recommending the following:

Change in Project Scope

1. Responsible authorities or Proponent shall notify the Nunavut Planning Commission and/or Parks Canada as appropriate, and the NIRB of any changes in operating plans or conditions, including phase advancement, associated with this project prior to any such change.

Copy of licences, etc. to the Board and Commission

2. The NIRB respectfully requests that responsible authorities submit a copy of each licence, permit or other authorization issued for the Project to the NIRB to assist in enabling possible project monitoring that may be required. Please forward a copy of the licences, permits and/or other authorizations to the NIRB directly at info@nirb.ca or upload a copy to the NIRB's online registry at www.nirb.ca.

Use of Inuit Qaujimaningit

3. The Proponent is encouraged to work with local communities and knowledge holders to inform project design, to carry out the project, and to confirm or validate the perspectives represented in publications, and reports produced as part of the project. Care should be taken to ensure that Inuit Qaujimaningit and local knowledge collected for the project is used with permission and is accurately represented.

Bear and Carnivore Safety

4. The Proponent should review the Government of Nunavut's booklet on "*Bear Safety: Reducing Bear-People Conflicts in Nunavut*" (https://www.gov.nu.ca/sites/default/files/publications/2022-01/bear_safety_-_reducing_bear-people_conflicts_in_nunavut_0.pdf) for information on reducing conflicts with bears. Further information on bear/carnivore detection and deterrent techniques can be found in the "*Safety in Grizzly and Black Bear Country*" pamphlet (https://www.gov.nt.ca/ecc/sites/ecc/files/resources/2025_bear_brochure_en_0.pdf).
5. Information on polar bear and grizzly bear safety resources can be obtained in reviewing the "*Safety in Polar Bear Country*" (https://www.gov.nt.ca/ecc/sites/ecc/files/resources/128-polar_bear_brochure_2024_en_web_0.pdf) or in reviewing Parks Canada's website on bear safety (<https://parks.canada.ca/lhn-nhs/nu/epaveswrecks/securite-safety/ours-bears>). Additional safety resources are available from the *Bear Safety Society* including videos on polar bear and grizzly bear safety in English, Inuktitut, and French.

6. Any problem wildlife or any interaction with carnivores should be reported immediately to the local Government of Nunavut, Department of Environment Conservation Office (Conservation Officer of Resolute Bay, phone: 867- 252-3879).

Species at Risk

7. The Proponent review Environment and Climate Change Canada's "Environment Assessment Best Practice Guide for Wildlife at Risk in Canada", available at: http://www.sararegistry.gc.ca/virtual_sara/files/policies/EA%20Best%20Practices%202004.pdf. The guide provides information to the Proponent on what is required when Wildlife at Risk, including *Species at Risk*, are encountered or affected by the project.

Migratory Birds

8. The Proponent review Canadian Wildlife Services' "Key migratory bird terrestrial habitat sites in the Northwest Territories and Nunavut", available at: <http://publications.gc.ca/site/eng/317630/publication.html> and "Key marine habitat sites for migratory birds in Nunavut and the Northwest Territories", available at: <http://publications.gc.ca/site/eng/392824/publication.html>. The guide provides information to the Proponent on key terrestrial and marine habitat areas that are essential to the welfare of various migratory bird species in Canada.
9. For further information on how to protect migratory birds, their nests and eggs when planning or carrying out project activities, consult Environment and Climate Change Canada's Incidental Take web page and the fact sheet "Planning Ahead to Reduce the Risk of Detrimental Effects to Migratory Birds, and their Nests and Eggs" available at: http://publications.gc.ca/collections/collection_2013/ec/CW66-324-2013-eng.pdf.

Heritage Resources

10. During the assessment, the NIRB has identified that no archaeology surveys have been conducted in the proposed project areas and that potential for the presence of archaeological resources is likely, therefore the Proponent shall contact the Department of Culture and Heritage to initiate a field archaeology assessment program prior to undertaking any land disturbance activities.

Incineration of Wastes

11. The Proponent review Environment and Climate Change Canada's "Technical Document for Batch Waste Incineration", available at: https://publications.gc.ca/collections/collection_2010/ec/En14-17-1-2010-eng.pdf. The technical document provides information on appropriate incineration technologies, best management and operational practices, monitoring and reporting.

Transport of Dangerous Goods and Waste Management

12. Environment and Climate Change Canada recommends that all hazardous wastes, including waste oil, receive proper treatment and disposal at an approved facility.
13. The Proponent shall ensure that proper shipping documents (waste manifests, transportation of dangerous goods, etc.) accompany all movements of dangerous goods. Further, the Proponent shall ensure that the shipment of all dangerous goods is registered with the Government of Nunavut Department of Environment, Department of Environment Manager.

14. The Proponent shall provide an authorization or letter of conformation of disposal be obtained from the owner/operator of the landfill to be used for disposal of project-related wastes.

The foregoing constitutes the Board’s screening decision with respect to the Government of Nunavut’s “Renewal and Amendment of the Municipality of Resolute Bay Solid Waste Facility Water License #3BM-RES 2025”. The NIRB remains available for consultation with the Minister regarding this report as necessary.

Amr Elshik

Attachments: Appendix A: Species at Risk in Nunavut
Appendix B: Archaeological and Palaeontological Resources Terms and Conditions for Land Use Permit Holders

APPENDIX A: SPECIES AT RISK IN NUNAVUT

Due to the requirements of Section 79(2) of the *Species at Risk Act*, S.C. 2002, c. 29 (*SARA*), and the potential for project-specific adverse effects on listed wildlife species and its critical habitat, measures should be taken as appropriate to avoid or lessen those effects, and the effects need to be monitored. Project effects could include species disturbance, attraction to operations and destruction of habitat. This section applies to all species listed on Schedule 1 of *SARA*, as listed in the table below, or have been assessed by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC), which may be encountered in the project area. This list may not include all species identified as at risk by the Territorial Government. The following points provide clarification on the applicability of the species outlined in the table.

- Schedule 1 is the official legal list of Species at Risk for *SARA*. *SARA* applies to all species on Schedule 1. The term “listed” species refers to species on Schedule 1.
- Schedule 2 and 3 of *SARA* identify species that were designated at risk by the COSEWIC prior to October 1999 and must be reassessed using revised criteria before they can be considered for addition to Schedule 1.
- Some species identified at risk by COSEWIC are “pending” addition to Schedule 1 of *SARA*. These species are under consideration for addition to Schedule 1, subject to further consultation or assessment.

If species at risk are encountered or affected, the primary mitigation measure should be avoidance. The Proponent should avoid contact with or disturbance to each species, its habitat and/or its residence. All direct, indirect, and cumulative effects should be considered. Refer to species status reports and other information on the Species at Risk Registry at <http://www.sararegistry.gc.ca> for information on specific species.

Monitoring should be undertaken by the Proponent to determine the effectiveness of mitigation and/or identify where further mitigation is required. As a minimum, this monitoring should include recording the locations and dates of any observations of Species at Risk, behaviour or actions taken by the animals when project activities were encountered, and any actions taken by the proponent to avoid contact or disturbance to the species, its habitat, and/or its residence. This information should be submitted to the appropriate regulators and organizations with management responsibility for that species, as requested.

For species primarily managed by the Territorial Government, the Territorial Government should be consulted to identify other appropriate mitigation and/or monitoring measures to minimize effects to these species from the project.

Mitigation and monitoring measures must be undertaken in a way that is consistent with applicable recovery strategies and action/management plans.

Schedules of *SARA* are amended on a regular basis, so it is important to check the *SARA* registry (www.sararegistry.gc.ca) to get the current status of a species.

Updated: September 2024

Terrestrial Species at Risk ²	COSEWIC Designation	Schedule of SARA	Government Organization with Primary Management Responsibility ³
Buff-breasted Sandpiper	Special Concern	Schedule 1	Environment and Climate Change Canada (ECCC)
Common Nighthawk	Threatened	Schedule 1	ECCC
Eskimo Curlew	Endangered	Schedule 1	ECCC
Harlequin Duck	Special Concern	Schedule 1	ECCC
Harris's Sparrow	Special Concern	Schedule 1	ECCC
Horned Grebe	Special Concern	Schedule 1	ECCC
Ivory Gull	Endangered	Schedule 1	ECCC
Olive-sided Flycatcher	Threatened	Schedule 1	ECCC
Peregrine Falcon	Special Concern	Schedule 1	ECCC
Red Knot Islandica Subspecies	Special Concern	Schedule 1	ECCC
Red-necked Phalarope	Special Concern	Schedule 1	ECCC
Ross's Gull	Threatened	Schedule 1	ECCC
Rusty Blackbird	Special Concern	Schedule 1	ECCC
Short-eared Owl	Special Concern	Schedule 1	ECCC
Porsild's Bryum	Threatened	Schedule 1	Government of Nunavut (GN)
Transverse Lady Beetle	Special Concern	No Schedule	GN
Caribou (Dolphin and Union Population)	Endangered	Schedule 1	GN
Caribou (Barren-ground Population)	Threatened	No Schedule	GN
Caribou (Torngat Mountains Population)	Endangered	No Schedule	GN
Grizzly Bear (Western Population)	Special Concern	Schedule 1	ECCC
Peary Caribou	Endangered	Schedule 1	GN
Polar Bear	Special Concern	Schedule 1	ECCC
Wolverine	Special Concern	Schedule 1	GN
Atlantic Walrus (High Arctic Population)	Special Concern	No Schedule	Fisheries and Oceans Canada (DFO)
Atlantic Walrus (Central/Low Arctic Population)	Special Concern	No Schedule	DFO
Beluga Whale (Cumberland Sound Population)	Threatened	Schedule 1	DFO
Beluga Whale (Eastern Hudson Bay Population)	Endangered	No Schedule	DFO
Beluga Whale (Eastern High Arctic-Baffin Bay Population)	Special Concern	No Schedule	DFO
Beluga Whale (Western Hudson Bay Population)	Special Concern	No Schedule	DFO
Atlantic Cod (Arctic Lakes Population)	Special Concern	No Schedule	DFO
Fourhorn Sculpin (Freshwater Form)	Data Deficient	Schedule 3	DFO
Lumpfish	Threatened	No Schedule	DFO
Thorny Skate	Special Concern	No Schedule	DFO

² The Department of Fisheries and Oceans has responsibility for aquatic species.

³ Environment and Climate Change Canada (ECCC) has a national role to play in the conservation and recovery of Species at Risk in Canada, as well as responsibility for management of birds described in the Migratory Birds Convention Act (MBCA). Day-to-day management of terrestrial species not covered in the MBCA is the responsibility of the Territorial Government. Populations that exist in National Parks are also managed under the authority of the Parks Canada Agency.

APPENDIX B: ARCHAEOLOGICAL AND PALAEOONTOLOGICAL RESOURCES TERMS AND CONDITIONS FOR LAND USE PERMIT HOLDERS



INTRODUCTION

The Department of Culture and Heritage (CH) routinely reviews land use applications sent to the Nunavut Water Board, Nunavut Impact Review Board and the Indigenous and Northern Affairs Canada. These terms and conditions provide general direction to the permittee/proponent regarding the appropriate actions to be taken to ensure the permittee/proponent carries out its role in the protection of Nunavut's archaeological and palaeontological resources.

TERMS AND CONDITIONS

- 1) The permittee/proponent shall have a professional archaeologist and/or palaeontologist perform the following **Functions** associated with the **Types of Development** listed below or similar development activities:

	Types of Development (See Guidelines below)	Function (See Guidelines below)
a)	Large scale prospecting	Archaeological/Palaeontological Overview Assessment
b)	Diamond drilling for exploration or geotechnical purpose or planning of linear disturbances	Archaeological/Palaeontological Overview Assessment and/or Inventory and Documentation and/or Mitigation
c)	Construction of linear disturbances, Extractive disturbances, Impounding disturbances and other land disturbance activities	Archaeological/Palaeontological Overview Assessment and/or Inventory and Documentation and/or Mitigation

Note that the above-mentioned functions require either a Nunavut Archaeologist Permit or a Nunavut Palaeontologist Permit. CH is authorized by way of the *Nunavut and Archaeological and Palaeontological Site Regulations*⁴ to issue such permits.

⁴ P.C. 2001-1111 14 June, 2001

- 2) The permittee/proponent shall not operate any vehicle over a known or suspected archaeological or palaeontological site.
- 3) The permittee/proponent shall not remove, disturb, or displace any archaeological artifact or site, or any fossil or palaeontological site.
- 4) The permittee/proponent shall immediately contact CH at (867) 934-2046 or (867) 975-5500 should an archaeological site or specimen, or a palaeontological site or fossil, be encountered or disturbed by any land use activity.
- 5) The permittee/proponent 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 CH.
- 6) The permittee/proponent shall follow the direction of CH in restoring disturbed archaeological or palaeontological sites to an acceptable condition. If these conditions are attached to either a Class A or B Permit under the Territorial Lands Act Indigenous and Northern Affairs Canada directions will also be followed.
- 7) The permittee/proponent shall provide all information requested by CH concerning all archaeological sites or artifacts and all palaeontological sites and fossils encountered in the course of any land use activity.
- 8) The permittee/proponent shall make best efforts to ensure that all persons working under its authority are aware of these conditions concerning archaeological sites and artifacts and palaeontological sites and fossils.
- 9) If a list of recorded archaeological and/or palaeontological sites is provided to the permittee/proponent by CH as part of the review of the land use application the permittee/proponent shall avoid the archaeological and/or palaeontological sites listed.
- 10) Should a list of recorded sites be provided to the permittee/proponent, the information is provided solely for the purpose of the proponent's land use activities as described in the land use application, and must otherwise be treated confidentially by the proponent.

Legal Framework

As stated in Article 33 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)*:

Where an application is made for a land use permit in the Nunavut Settlement Area, and there are reasonable grounds to believe that there could be sites of archaeological importance on the lands affected, no land use permit shall be issued without written consent of the Designated Agency. Such consent shall not be unreasonably withheld. [33.5.12]

Each land use permit referred to in Section 33.5.12 shall specify the plans and methods of archeological site protection and restoration to be followed by the permit holder, and any other conditions the Designated Agency may deem fit. [33.5.13]

Palaeontology and Archaeology



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Page 28 of 32

Under the *Nunavut Act*⁵, the federal government can make regulations for the protection, care and preservation of palaeontological and archaeological sites and specimens in Nunavut. Under the *Nunavut Archaeological and Palaeontological Sites Regulations*⁶, it is illegal to alter or disturb any palaeontological or archaeological 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.

“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 Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement).

“palaeontological site” means a site where a fossil is found.

“fossil” includes:

Fossil means the hardened or preserved remains or impression of previously living organisms or vegetation and includes:

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

Guidelines for Developers for the Protection of Archaeological Resources in the Nunavut Territory

(Note: Partial document only, complete document at: www.ch.gov.nu.ca/en/Archaeology.aspx)

Introduction

The following guidelines have been formulated to ensure that the impacts of proposed developments upon heritage resources are assessed and mitigated before ground surface altering activities occur. Heritage resources are defined as, but not limited to, archaeological and historical sites, burial grounds, palaeontological sites, historic buildings and cairns. Effective collaboration between the developer, the Department of Culture, and Heritage (CH), and the contract archaeologist(s) will ensure proper preservation of heritage resources in the Nunavut Territory. The roles of each are briefly described.

CH is the Nunavut Government agency which oversees the protection and management of heritage resources in Nunavut, in partnership with land claim authorities, regulatory agencies, and

⁵ s. 51(1)

⁶ P.C. 2001-1111 14 June, 2001

the federal government. Its role in mitigating impacts of developments on heritage resources is as follows: to identify the need for an impact assessment and make recommendations to the appropriate regulatory agency; set the terms of reference for the study depending upon the scope of the development; suggest the names of qualified individuals prepared to undertake the study to the developer; issue an archaeologist or palaeontologist permit authorizing field work; assess the completeness of the study and its recommendations; and ensure that the developer complies with the recommendations.

The primary regulatory agencies that CH provides information and assistance to are the Nunavut Impact Review Board, for development activities proposed for Inuit Owned Lands (as defined in Section 1.1.1 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)*), and the Indigenous and Northern Affairs Canada, for development activities proposed for federal Crown Lands.

A developer is the initiator of a land use activity. It is the obligation of the developer to ensure that a qualified archaeologist or palaeontologist is hired to perform the required study and that provisions of the contract with the archaeologist or palaeontologist allow permit requirements to be met; i.e. fieldwork, collections management, artifact and specimen conservation, and report preparation. On the recommendation of the contract archaeologist or palaeontologist in the field and the Government of Nunavut, the developer shall implement avoidance or mitigative measures to protect heritage resources or to salvage the information they contain through excavation, analysis, and report writing. The developer assumes all costs associated with the study in its entirety.

Through his or her active participation and supervision of the study, the contract archaeologist or palaeontologist is accountable for the quality of work undertaken and the quality of the report produced. Facilities to conduct fieldwork, analysis, and report preparation should be available to this individual through institutional, agency, or company affiliations. Responsibility for the curation of objects recovered during field work while under study and for documents generated in the course of the study as well as remittance of artifacts, specimens and documents to the repository specified on the permit accrue to the contract archaeologist or palaeontologist. This individual is also bound by the legal requirements of the *Nunavut Archaeological and Palaeontological Sites Regulations*.

Types of Development

In general, those developments that cause concern for the safety of heritage resources will include one or more of the following kinds of surface disturbances. These categories, in combination, are comprehensive of the major kinds of developments commonly proposed in Nunavut. For any single development proposal, several kinds of these disturbances may be involved

- *Linear disturbances: including the construction of highways, roads, winter roads, transmission lines, and pipelines;*
- *Extractive disturbances: including mining, gravel removal, quarrying, and land filling;*
- *Impoundment disturbances: including dams, reservoirs, and tailings ponds;*

- *Intensive land use disturbances: including industrial, residential, commercial, recreational, and land reclamation work, and use of heritage resources as tourist developments.*
- *Mineral, oil and gas exploration: establishment of camps, temporary airstrips, access routes, well sites, or quarries all have potential for impacting heritage resources.*

Types of Studies Undertaken to Preserve Heritage Resources

Overview: An overview study of heritage resources should be conducted at the same time as the development project is being designed or its feasibility addressed. They usually lack specificity with regard to the exact location(s) and form(s) of impact and involve limited, if any, field surveys. Their main aim is to accumulate, evaluate, and synthesize the existing knowledge of the heritage of the known area of impact. The overview study provides managers with baseline data from which recommendations for future research and forecasts of potential impacts can be made. A Class I Permit is required for this type of study if field surveys are undertaken.

Reconnaissance: This is done to provide a judgmental appraisal of a region sufficient to provide the developer, the consultant, and government managers with recommendations for further development planning. This study may be implemented as a preliminary step to inventory and assessment investigations except in cases where a reconnaissance may indicate a very low or negligible heritage resource potential. Alternately, in the case of small-scale or linear developments, an inventory study may be recommended and obviate the need for a reconnaissance.

The main goal of a reconnaissance study is to provide baseline data for the verification of the presence of potential heritage resources, the determination of impacts to these resources, the generation of terms of reference for further studies and, if required, the advancement of preliminary mitigative and compensatory plans. The results of reconnaissance studies are primarily useful for the selection of alternatives and secondarily as a means of identifying impacts that must be mitigated after the final siting and design of the development project. Depending on the scope of the study, a Class 1 or Class 2 Permit is required for this type of investigation.

Inventory: A resource inventory is generally conducted at that stage in a project's development at which the geographical area(s) likely to sustain direct, indirect, and perceived impacts can be well defined. This requires systematic and intensive fieldwork to ascertain the effects of all possible and alternate construction components on heritage resources. All heritage sites must be recorded on Government of Nunavut Site Survey forms. Sufficient information must be amassed from field, library and archival components of the study to generate a predictive model of the heritage resource base that will:

- allow the identification of research and conservation opportunities;
- enable the developer to make planning decisions and recognize their likely effects on the known or predicted resources; and
- make the developer aware of the expenditures, which may be required for subsequent studies and mitigation. A Class 1 or 2 permit is required.

Assessment: At this stage, sufficient information concerning the numbers and locations of heritage resources will be available, as well as data to predict the forms and magnitude of impacts. Assessments provide information on the size, volume, complexity and content of a heritage resource, which is used to rank the values of different sites or site types given current archaeological knowledge. As this information will shape subsequent mitigation program(s), great care is necessary during this phase.

Mitigation: This refers to the amelioration of adverse impacts to heritage resources and involves the avoidance of impact through the redesign or relocation of a development or its components; the protection of the resource by constructing physical facilities; or, the scientific investigation and recovery of information from the resource by excavation or other method. The type(s) of appropriate mitigative measures are dictated by their viability in the context of the development project. Mitigation strategies must be developed in consultation with, and approved by, the Department of Culture and Heritage. It is important to note that mitigation activities should be initiated as far in advance of the construction of the development as possible.

Surveillance and monitoring: These may be required as part of the mitigation program.

Surveillance may be conducted during the construction phase of a project to ensure that the developer has complied with the recommendations.

Monitoring involves identification and inspection of residual and long-term impacts of a development (i.e. shoreline stability of a reservoir); or the use of impacts to disclose the presence of heritage resources, for example, the uncovering of buried sites during the construction of a pipeline.