



## SCREENING DECISION REPORT NIRB FILE No.: 24TN051

NPC File No.: 150564

**March 27, 2025**

Following the Nunavut Impact Review Board's (NIRB or Board) assessment of all materials provided, the NIRB is recommending that a review of Foundation Statsraad Lehmkuhl's "Norwegian Tall Ship Through Northwest Passage and the Nunavut Region in 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.

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## 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 November 7, 2024, the NIRB received a referral to screen Foundation Statsraad Lehmkuhl's "Norwegian Tall Ship Through Northwest Passage and the Nunavut Region in 2025" project proposal from the Nunavut Planning Commission (Commission), with an accompanying positive conformity determination with the North Baffin Regional Land Use Plan. 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/126009](http://www.nirb.ca/project/126009).

- Project Name: Norwegian Tall Ship Through Northwest Passage and the Nunavut Region in 2025
- NIRB File No.: 24TN051
- Application No.: 126009

**Table 1: NIRB's Assessment Process**

Date	Stage
November 7, 2024	Receipt of project proposal and positive conformity determination (North Baffin Regional Land Use Plan) from the Commission
November 12, 2024	Pursuant to s. 144(1) of the <i>NuPPAA</i> requested an application on Public Registry and provide information
January 8, 2025	Receipt of a complete online application from Proponent
January 8, 2025	Scoping pursuant to s. 86(1) of the <i>NuPPAA</i>
January 8, 2025	NIRB conducted an inclusion or exclusion of scope
January 20, 2025	Translated public engagement and comment request was issued to the following communities: Pond Inlet, Resolute Bay, Gjoa Haven, and Cambridge Bay.
February 10, 2025	Receipt of public comments
February 21, 2025	Pursuant to Article 12 s 12.4.5 of the <i>Nunavut Agreement</i> and s. 92(3) of the <i>NuPPAA</i> , a ministerial extension requested due to provide the Proponent an opportunity to respond to comments from the Minister of Crown-Indigenous Relations and Northern Affairs seeking an extension to the 45-day timeline for the provision of the Board's Report
February 26, 2025	Proponent Response to Comments

Date	Stage
March 27, 2025	Issuance of Screening Decision Report

## 1. Project Scope

<b>Project:</b>	Norwegian Tall Ship Through Northwest Passage and the Nunavut Region in 2025
<b>Region:</b>	Kitikmeot and Qikiqtani
<b>Location:</b>	Pond Inlet, Resolute Bay, Gjoa Haven, and Cambridge Bay
<b>Summary of Project Description:</b>	The Proponent intends to conduct research about the ocean, share knowledge about the crucial role of the ocean, and identify the challenges that local Arctic people face as a result of the climate-driven changes.
<b>Project Proposed Timeline:</b>	August to September 2025

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

- Sail through the Northwest Passage on a tall ship with planned stops in:
  - Pond Inlet,
  - Resolute Bay,
  - Gjoa Haven, and
  - Cambridge Bay.
- Change crew members in Cambridge Bay,
- Refuel in community(ies),
- Use sensors mounted on the ship to measure the following parameters:
  - Occurrence of marine mammals,
  - Ocean currents,
  - Weather patterns,
  - Ocean temperature, and
  - Ocean light conditions.
- Use the vessel flow through system to collect water samples continuously,
- Collect samples from the seafloor using box corers,
- Use Niskin bottles, towed nets, and fishing rods to collect water and organism samples such as fish and microorganisms, at certain stations along the voyage, and
- Conduct interviews with some local community members.

## 2. 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 will proceed with screening the project based on the scope as described above.

## 3. Public Comments and Concerns

Notices regarding the NIRB's screening of this project proposal were distributed to community organizations (Table 1) as well as to relevant federal and territorial government agencies, Inuit

organizations, and other parties requesting they 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 February 10, 2025, the NIRB received comments from the following interested parties:

**Table 2: Comments Received**

<b>Commenting Party</b>	<b>NIRB Doc ID No.</b>
Government of Nunavut (GN)	353176
Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC)	353245
Fisheries and Oceans Canada (DFO)	353176
Transport Canada (TC)	353121

***a. Summary of Comments and Concerns Received***

The following provides a summary of the comments and concerns received by the NIRB in relation to Norwegian Tall Ship Through Northwest Passage and the Nunavut Region in 2025:

**GN**

- GN has reviewed the project proposal and had no comments or concerns.

**CIRNAC**

- Recommended the Proponent to consult with interested parties, which include:
  - Municipalities,
  - Hunters and Trappers Associations of:
    - Pond Inlet,
    - Resolute Bay,
    - Gjoa Haven,
    - Cambridge Bay,
  - Qikiqtaaluk Wildlife Board,
  - Kitikmeot Regional Wildlife Board,
  - Any other relevant organizations.
- As part of any consultation activities, several issues should be considered, including, but not limited to:
  - Incorporation of Inuit Qaujimajatuqangit into project activities,
  - Mitigation measures designed to prevent disturbance to wildlife and the environment;

- The experience of community members who participate in traditional harvesting activities within or in close proximity to the planned voyage routes;
- Mitigation measures designed to prevent disturbance to sites with cultural, archeological, and/or environmental significance;
- Training and employment opportunities for Inuit and community members;
- Procurement opportunities for local and Inuit-owned businesses; and
- Regular updates on the status of project activities.
- Recommended that the Proponent adhere to applicable regulatory requirements and accepted practices to prevent and/or mitigate any potential disturbances to wildlife (including marine wildlife) that may result from project activities.

### **Fisheries and Oceans Canada (DFO)**

- DFO stated that the Proponent did not confirm under Regulatory Authority if the project has applied for Licence to Fish for Scientific Purposes (LFSP) and Animal Use Protocol (AUP) for the project.
- DFO noted that a number of aquatic species listed in the *Species at Risk Act* (SARA) as either Endangered/Threatened, Special Concern, or Species Considered for Addition in their comment submission for the Proponent's consideration. For the full listing, use the Document ID number given in the table above to review DFO's comment.
- Recommended the Proponent review the Guidelines for a LFSP Application and send it to Arctic Region Permitting, using an address provided in the application. And stated that the following acts need to be followed for the project proposal.
  - *Fisheries Act*
  - *Marine Mammals Regulations:*
  - *Species at Risk Act:*
  - *Aquatic Invasive Species Regulations:*
  - *Marine Protected Areas*
- DFO recommended that Parks Canada be consulted regarding the proposal
- DFO also listed some other Measures that may be useful for the project"
  - Consult with local communities to avoid known marine mammal aggregation areas
  - Consider integrating the following tools when planning the voyage:
    - Inuvialuit Settlement Region (ISR) Cruise Ship Management Plan 2022-2025
    - NOTMAR Annual Edition 2024 June 2024 Amendments
    - Latest Beaufort Sea Beluga Management Plan on FJMC website
    - Latest Recommendations listed on the DFO's website
- Fisheries and Oceans Canada provided a number of emergency contact information for reporting abuse or harassment (fisheries violation) and marine pollution for integration into plans and noted that additional information on marine mammals is available on DFO's website.
- It is the Proponent's *Duty to Notify* DFO if they have caused, or are about to cause, the death of fish (including marine mammals) by means other than fishing and/or the harmful alteration, disruption or destruction of fish habitat.

### **TC**

- Vessels sailing through Canadian Arctic are required to comply with the Acts and Regulations that Transport Canada administers, which are:
  - *Canada Shipping Act, 2021 (CSA),*

- *Arctic Waters Pollution Prevention Act (AWPPA),*
  - *Arctic Shipping Safety and Pollution Prevention Regulations (ASSPPR),*
  - *Marine Liability Act,*
  - *Marine Transportation Security Act,*
  - International Ship and Port Facility Security (ISPS) Code through the Marine Transportation Security Regulations (MTSRs),
  - Northern Canada Vessel Traffic Services Zone Regulations
  - The Polar Code,
  - *Voyage Planning for Vessels Intending to Navigate in Canada's Northern Waters,*
  - Marine Protected Areas
- Mariners should be mindful and respectful of the agreement that is in place between the Mittimatalik/Pond Inlet Hunter and Trapper Organization and the Association of Arctic Expedition Cruise Operators (AECO) regarding the voluntary compliance for the interim protection of Narwhal in Eclipse Sound. As per this agreement, AECO vessels would not be transiting through Eclipse Sound but navigate to and from Pond Inlet through the Pond Inlet Strait.
  - Cruise ships would be subject to discharge requirements that would be outlined in an upcoming Ship Safety Bulletin (SSB).

## **1. 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.

## **2. Proponent's Response to Public Comments and Concerns**

On February 26, 2025, the Proponent responded to comments and the following is a summary:

### **CIRNAC**

- The Proponent secured funding to hire 16 Indigenous students from Inuit Nunangat
  - Two (2) elders from Inuit communities,
  - Two (2) Sami elders, and
  - Two (2) mentors from the Indigenous People's Secretariat of the Arctic Council to join their voyage.
- Hunters and Trappers Associations (HTAs) were contacted about the approved voyage, but they were not provided with the project details.
- The Proponent did not seek consultation with the HTAs, however, the Proponent is working on the following solutions:
  - Visit Cambridge Bay in April or May 2025, to consult with the community members, seek input from the community members and modify the Project based on feedback,
  - With respect to procurement, the Proponent would invite Cambridge Bay community members to an Open Ship, and offer some food to the visitors that was purchased from local people/businesses,

- Develop a co-ownership with the Sami people to strengthen the Indigenous perspective,
- Hire a community liaison with Inuit or Sami background to strengthen Indigenous perspective on the Project,
- Develop a Data Management Plan which is based on indigenous research ethics and in following Roadmap to decolonial Arctic research,
- The Proponent would provide regular updates about these processes,
- Regarding the mitigation measures, the Proponent stated that they are always on the lookout for wildlife during their voyage, which includes sea awareness cameras and planned low average speed or rerouting when the Ship encounters aquatic animals.
- The Inuvialuit Settlement Region and their management plan would be taken into consideration when planning the voyage.
- A letter sent to the Memorial University about inviting students to be part of the One Ocean course was included in the response to CIRNAC comments.

## DFO

- Submitted an email with the DFO application for the expedition
- The Proponent appreciated the feedback.
- The Proponent is aware of the Canada's Acts and Regulations regarding marine safety and environmental protection matters and would comply with them, which include:
  - Marine protected areas,
  - Fisheries Act,
  - Marine mammal regulations including stopping or rerouting and keeping as much distance as possible whenever mammals are sighted, and
  - Aquatic Invasive Species regulations.
- The Proponent does not need to apply for permits with Parks Canada.

## TC

- The Proponent appreciates the feedback received.
- The Proponent stated that Canada's Acts and Regulations are considered when planning the voyage,
- The Proponent stated that they have been working closely with their flag state and would adhere to the regulations
- The Proponent stated that they applied for and would receive polar certificate after a physical audit was conducted in April of 2025
- The Proponent has arranged a meeting with the TC to ensure all the measures are taken into account before they enter the Canadian waters.

The Proponent also included a copy of the letters to the NIRB it sent in January 2025 to the following organizations:

- Taloyoak Hunters and Trappers Organization
- Kitikmeot Regional Wildlife Board
- Gjoa Haven Hunters and Trappers Organization
- Kugluktuk Hunters and Trappers Organization
- Tuktoyaktuk Hunters and Trappers Organization



- Resolute Bay Hunters and Trappers Organization
- Cambridge Bay/Ekaluktutiak Hunters and Trappers Organization

#### 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. 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***

<b>Factor</b>	<b>Comment</b>
The size of the geographic area, including the size of wildlife habitats, likely to be affected by the impacts.	<ul style="list-style-type: none"> <li>▪ The physical footprint of the proposed project components is sailing within the Northwest Passage within Nunavut Settlement Area,</li> <li>▪ The proposed project would take place within habitats of far-ranging wildlife species such as migratory and non-migratory birds and aquatic species and Species at Risk such as Polar Bears.</li> </ul>
The ecosystemic sensitivity of that area.	<ul style="list-style-type: none"> <li>▪ The proponent would be transiting the Tallurutiup Imanga Marine Protected area and passing by several Bird Sanctuaries in their passage.</li> <li>▪ No specific areas of ecosystemic sensitivity have been identified by the Proponent within the physical footprint of the proposed project.</li> </ul>
The historical, cultural and archaeological significance of that area.	<ul style="list-style-type: none"> <li>▪ No specific areas of historical, cultural and archaeological significance have been identified by the Proponent within the physical footprint of the proposed project.</li> </ul>
The size of the human and the animal populations likely to be affected by the impacts.	<ul style="list-style-type: none"> <li>▪ The proposed project is unlikely to result in impacts to local human and animal populations.</li> </ul>
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.	<ul style="list-style-type: none"> <li>▪ A zone of influence of up to 100 km from the most potentially-disruptive project activities was selected for the NIRB's assessment.</li> <li>▪ 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.</li> </ul>
The cumulative impacts that could result from the impacts of the project combined with those of any other project that has	<ul style="list-style-type: none"> <li>▪ Table 4 is a list of past, present and reasonably foreseeable projects. The Board recommended terms and conditions along with mitigation measures designed with consideration for the</li> </ul>



Factor	Comment
been carried out, is being carried out or is likely to be carried out.	potential for cumulative effects in the Board Views section.
Any other factor that the Board considers relevant to the assessment of the significance of impacts.	<ul style="list-style-type: none"> <li>No other relevant factors were identified; however, see below for Regulatory Requirements mandating mitigation and/or reporting.</li> </ul>

## Regulatory Requirements

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

### Acts and Regulations

1. The *Nunavut Act* (<http://laws-lois.justice.gc.ca/eng/acts/N-28.6/>).
2. The *Migratory Birds Convention Act* and *Migratory Birds Regulations* (<http://laws-lois.justice.gc.ca/eng/acts/M-7.01/>).
3. The *Species at Risk Act* (<http://laws-lois.justice.gc.ca/eng/acts/S-15.3/index.html>). Attached in **Appendix A** is a list of Species at Risk in Nunavut.
4. 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>).
5. The *Wildlife Area Regulations* under the *Canada Wildlife Act* ([https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,\\_c.\\_1609/FullText.html](https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._1609/FullText.html)).
6. The *Canada National Marine Conservation Areas Act* (<https://laws-lois.justice.gc.ca/eng/acts/C-7.3/FullText.html>).
7. The *Wildlife Area Regulations* under the *Canada Wildlife Act* ([https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,\\_c.\\_1609/FullText.html](https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._1609/FullText.html)).
8. The *Canadian Navigable Waters Act* (<https://laws.justice.gc.ca/eng/acts/N-22/>).
9. The *Guidance Document for Passenger Vessels Operating in the Canadian Arctic* (<https://www.tc.gc.ca/eng/marinesafety/tp-tp13670-menu-2315.htm>).
10. The *Canada National Parks Act* (<http://laws-lois.justice.gc.ca/eng/acts/n-14.01/>).

### Other Applicable Guidelines

The *Guidance Document for Passenger Vessels Operating in the Canadian Arctic* (<https://www.tc.gc.ca/eng/marinesafety/tp-tp13670-menu-2315.htm>).

**Table 4: Past, Present, and Reasonably Foreseeable Projects Considered**

<b>NIRB Project Number</b>	<b>Project Title</b>	<b>Project Type</b>
<b><i>Proposed Developments – undergoing assessment</i></b>		
22TN039	MS Greg Mortimer Arctic Cruises 2022	Tourism
12AN032	Le Boreal Cruise	Tourism
13AN028	Tourism Cruise – Kangerlussuaq, Greenland to Anadyr, Russia	Tourism
06AN041	Cruise Ship Visitor Experience at Qausuittuq National Park	Tourism
<b><i>Present Projects – approved or in operation</i></b>		
08MN053	Baffinland Iron Mines Corporation’s Mary River Project	Mine
24YN040	Inuit Qaujisarnirmut Pilirijjutit on Arctic Shipping Risks in Inuit Nunangat	Research (seasonal)
23YN068	Mary River Mine Fugitive Dust Research: Bridging Western Science, Industry Monitoring and Inuit Qaujimajatuqangit	Research
23UN047	Establishment of Tallurutiup Imanga National Marine Conservation Area	
24VN053	Qikiqtait Marine Protected Area	
<b><i>Past Projects</i></b>		
24TN011	Arctic Kingdom Floe Edge Safari	Research
24YN031	ISOLATED: Impact of Stability on Plasticity and Adaptation Potential of Diatoms	Research

#### IEWS 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:**

<b>Valued Component</b>	Migratory/non-migratory birds and Species at Risk
<b>Potential effects:</b>	Potential adverse effects to migratory and non-migratory birds, and their migratory routes and Species at Risk such as Polar Bears and Ivory Gull from noise and visual disturbance generated from the tall ship sailing along its route and conducting its research.
<b>Nature of Impacts:</b>	The potential for impacts is considered to be limited due to infrequent and temporary activities and any resulting impacts would be expected to be reversible.
<b>Mitigating Factors:</b>	<ul style="list-style-type: none"> <li>Proponent proposes to ensure sailing with minimal impact to wildlife. Birds not sampled.</li> <li>Recommended terms and conditions would also mitigate impacts from the proposed project</li> </ul>

<b>Proposed Terms and Conditions:</b>	Water courses/Water bodies – 6 Wildlife General – 10 and 11 Migratory Birds and Raptors Disturbance – 12 and 13 Marine-Based Activities – 14 and 23
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<b>Valued Component</b>	Marine mammals and marine habitat
<b>Potential effects:</b>	Potential adverse impacts to marine mammals from increased noise and/or physical disturbance associated with vessel operation and research. May be cumulative effects on marine wildlife and marine habitat if multiple vessels are encountered in the same area.
<b>Nature of Impacts:</b>	The potential for impacts is considered to be limited due to infrequent and temporary activities and any resulting impacts would be expected to be reversible.
<b>Mitigating Factors:</b>	<ul style="list-style-type: none"> <li>Measures should be taken to avoid encounters with other vessels where possible, avoid marine wildlife calving areas and migration corridors, watch for marine wildlife and pass at a permitted distance. Marine mammals are not being sampled.</li> <li>DFO licencing applied for</li> <li>Recommended terms and conditions would also mitigate impacts from the proposed project</li> </ul>
<b>Proposed Terms and Conditions:</b>	Water Courses/Water bodies- 6 Waste Management – 7 Fuel and Chemical Storage – 8 and 9 Wildlife – General – 10 and 11 Marine-based activities – 14 through 23

<b>Valued Component</b>	Fish and benthic populations and habitat including marine water quality
<b>Potential effects:</b>	Potential adverse impacts to fish and benthic populations resulting from increased noise and/or physical disturbance associated with vessel operation and research.
<b>Nature of Impacts:</b>	The potential for impacts is considered to be limited due to infrequent and temporary activities and any resulting impacts would be expected to be reversible.
<b>Mitigating Factors:</b>	<ul style="list-style-type: none"> <li>Properly store fuel and other materials on the vessel, dispose of waste at appropriate locations, communicate with communities on the route, minimal disturbance sampling. Information regarding fish and water sampled for research would be made available to the public through published documents.</li> <li>Applied to DFO for licencing</li> <li>Recommended terms and conditions would also mitigate impacts from the proposed project</li> </ul>
<b>Proposed Terms and Conditions:</b>	Water Courses/Water bodies- 6 Waste Management – 7 Fuel and Chemical Storage – 8 and 9 Wildlife – General – 10 and 11

	Marine-based activities – 14 through 23
<b>Valued Component</b>	Traditional land use activities
<b>Potential effects:</b>	Potential adverse impacts to the public and traditional land-use activities resulting from proposed vessel movement, as well as from planned community discussion.
<b>Nature of Impacts:</b>	Due to the proposed project's visiting the communities of Pond Inlet, Gjoa Haven, Resolute Bay, and Cambridge Bay, there is the potential for adverse impacts to result from proposed project components overlapping with traditional land use areas.
<b>Mitigating Factors:</b>	<ul style="list-style-type: none"> <li>Recommended terms and conditions would also mitigate impacts from the proposed project.</li> <li>Proponent has reached out to communities and local Hunters and Trappers Organizations in January that may potentially be impacted.</li> </ul>
<b>Proposed Terms and Conditions:</b>	Other – 24 through 26

#### **Socio-economic effects on northerners:**

<b>Valued Component</b>	Employment, hiring and local businesses
<b>Potential effects:</b>	Potential positive impacts to the local community resulting from proposed interactions with community members and the potential for buying of local crafts.
<b>Nature of Impacts:</b>	The potential for socio-economic impacts could be positive as it may encourage local business and one proposed crew change is in Cambridge Bay and planned stops in Pond Inlet, Resolute Bay, Gjoa Haven.
<b>Mitigating Factors:</b>	Recommended terms and conditions would also mitigate impacts from the proposed project
<b>Proposed Terms and Conditions:</b>	Other – 26

#### **Significant public concern:**

<b>Valued Component</b>	Public concern
<b>Potential effects:</b>	No significant public concern was expressed during the public commenting period for this file; however, the Board is recommending terms and conditions to ensure to access local services where possible, and to ensure planned activities in the area utilizes available Inuit Qaujimaningit.
<b>Nature of Impacts:</b>	The potential for impacts is considered to be minimal as long as the Proponent follow the recommended terms and conditions.
<b>Mitigating Factors:</b>	<ul style="list-style-type: none"> <li>The Proponent would be publishing information collected to globally available databases within a year of collection. Research would be made available as it is published.</li> </ul>

	<ul style="list-style-type: none"> <li>• Following Recommended terms and conditions would also mitigate impacts from the proposed project.</li> </ul>
<b>Proposed Terms and Conditions:</b>	Other – 25 and 26

**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. Foundation Statsraad Lehmkuhl (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.:150564), and the NIRB (Online Application Form, January 8, 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 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 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.
11. The Proponent shall not hunt or fish, unless proper Nunavut authorizations have been acquired.

## **Migratory Birds and Raptors Disturbance**

12. 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.
13. 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.

## **Marine-Based Activities**

14. 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).
15. 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.
16. 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.
17. The Proponent shall anchor large vessels, such as cruise ships at least 500 metres away from seabird and seaduck 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.
18. 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.

19. 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.
20. 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.
21. The Proponent shall maintain a distance of 500 metres of a walrus haul out while conducting activities from a zodiac or other small craft.
22. 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.
23. The Proponent shall report all incidents, injuries or sightings of marine mammals to the appropriate authorizing agencies.

#### **Other**

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

#### **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](mailto:info@nirb.ca) or upload a copy to the NIRB's online registry at [www.nirb.ca](http://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 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.

### **Species at Risk**

4. The Proponent review Environment and Climate Change Canada's "Environment Assessment Best Practice Guide for Wildlife at Risk in Canada", available at the following link: [http://www.sararegistry.gc.ca/virtual\\_sara/files/policies/EA%20Best%20Practices%202004.pdf](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**

5. The Proponent review Canadian Wildlife Services' "Key migratory bird terrestrial habitat sites in the Northwest Territories and Nunavut", available at the following link: <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 the following link: <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.

## CONCLUSION

The foregoing constitutes the Board's screening decision with respect to the Foundation Statsraad Lehmkuhl's "Norwegian Tall Ship Through Northwest Passage and the Nunavut Region in 2025". The NIRB remains available for consultation with the Minister regarding this report as necessary.

Dated March 27, 2025 at Baker Lake, NU.



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Kaviq Kaluraq, Chairperson

Attachments: Appendix A: Species at Risk in Nunavut

## 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](http://www.sararegistry.gc.ca)) to get the current status of a species.

Updated: September 2024

<b>Terrestrial Species at Risk<sup>1</sup></b>	<b>COSEWIC Designation</b>	<b>Schedule of SARA</b>	<b>Government Organization with Primary Management Responsibility<sup>2</sup></b>
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

<sup>1</sup> The Department of Fisheries and Oceans has responsibility for aquatic species.

<sup>2</sup> 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.