

From: [Zack F.](#)
To: [Keith Morrison](#); [Cassel Kapolak](#); [nirb.info](#)
Cc: [Leila Cai](#)
Subject: [EXTERNAL] Fwd: App#126011 Visiting the Spicer Islands of Foxe Basin NIRB File 24YN056
Date: December 9, 2024 6:22:01 AM

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Good morning,

I realized I forgot to “reply all,” so I am forwarding my email to the addresses that had been CC’ed.

All the best,
Zachary Frohman

----- Forwarded message -----

From: **Zack F.** <zackfrohman@gmail.com>
Date: Sun, Dec 8, 2024 at 7:53 PM
Subject: Re: App#126011 Visiting the Spicer Islands of Foxe Basin NIRB File 24YN056
To: Leila Cai <lcai@nirb.ca>

Hi Leila,

Thank you for reaching out about my project proposal and explaining which permits are exempt from NIRB screening. Please see below for my answers to your questions and let me know if further information or clarification is needed.

1. What is the full duration for the carrying out of activities in the Nunavut Settlement Area, including sailing the entire route for tourist activities? Please identify if the sailing route is outside the Nunavut Settlement Area.

The full duration of activities in the Nunavut Settlement Area is August 15 to December 15 in 2025. This includes sailing and all activities mentioned in the project form. My expectation is that I will leave the Nunavut Settlement Area several weeks before December 15, but I have set that as the end date to account for potential delays due to weather or mechanical issues with my boat. I intend to arrive at the Spicer Islands around September 15.

As for the sailing route that is outside the Nunavut Settlement Area, I will first sail northward up the east coast of the United States. I will then enter Canadian waters off the coast of Nova Scotia, and pass Newfoundland Island either through the Gulf of St. Lawrence or the Atlantic Ocean to the east (weather-dependent). After that, I will sail the Labrador Sea and enter the Hudson Strait.

I intend to briefly visit Akpatok Island in Ungava Bay. I am currently working with the Nunavik Marine Region Planning Commission (NMRPC) to ensure I have the necessary permits. I often see Akpatok Island listed as being part of Nunavut, but the Nunavut Planning Commission confirmed for me that it is outside the borders of the Nunavut Settlement Area.

That is why I have not included it in this project form. After Akpatok Island, I would continue sailing the Hudson Strait. All other parts of the intended sailing route that take place within Canadian waters are included in the project map in my NIRB proposal. The return route is simply the reverse.

2. Where will the sampling of rocks and sediments be conducted? For example, will sediments be taken from inland lakes or offshore?

Rocks will be sampled on land. Due to the lack of detailed mapping available for these islands, it is difficult to predict in advance exactly where the rocks will be sampled from. However, if this is required, I can definitely try to narrow down a few potential locations. No rocks or sediments will be collected within 300 meters of the nesting sites of migratory birds. Rock samples will also only be collected at least 100 meters inland to minimize erosion risks. Sediments may be taken from inland lakes and close offshore (within approximately 15 meters of the shore). It will depend on which locations have the easiest sediment to collect as I will not be bringing advanced equipment due to storage constraints, and also a desire to minimize effects on the environment.

3. What is sediment for the purpose of this application? What tools will be used for taking sediment samples? Typical sediment sampling tools, like Ekman Dredge or Bottom Dredge, are not identified in the equipment list.

For the purpose of this application, “sediment” means any solid, fragmented, loose material of primarily geological origin that has been deposited by water, ice, or another physical force. Although sediment can (in general) refer to objects as large as boulders, for the purpose of this application I am specifically referring to material that is less than approximately 25 mm in diameter.

Dredges are typical practice in sediment collection, but I intentionally left it off the equipment list as I will not be bringing one due to storage space constraints. I will be using simple hand tools such as small stainless steel scoops, spades, and shovels, along with sterile containers for storage.

4. Does photographing and filming use unmanned drones? If answer is affirmative, Is it used in wildlife observation and/or recording artifacts of archaeological interest? Please describe the equipment that will be used, flight altitude, wildlife considerations including migratory birds.

Yes, unmanned drones will be used. They will primarily be used to film the surface geology and landscapes of the islands. However, they will also be used for observing wildlife when it is possible to do so without disturbing the wildlife. The drones will not be used to record archaeological artifacts.

The equipment used will be drones weighing less than 250 grams. Specifically, it will be the “DJI Mini 4 Pro” or a similar drone. Only 1 drone would be flown at a time. Maximum flight altitude would not exceed 400 feet (~122 meters). If Canadian drone regulations are updated between now and the time of my project, I will of course follow the new altitude restrictions.

Drones would not be flown within 300 meters of migratory bird nesting sites or large groups of migratory birds. This policy of 300 meters of distance will also be followed for any other wildlife that I encounter, including but not limited to: polar bears, Arctic foxes, walruses, and seals.

5. Will there be deposition of waste, including wastewater? If so, please describe method of treatment or containment, location and what kind of waste. The Proponent must contact the Nunavut Water Board to determine if a licence is required for the deposit of waste.

There will not be any waste disposed of on the 3 islands in the project form. As for any marine waste resulting from sailing (specifically: food waste, gray water, and sewage), I will be following Canada's regulations on marine waste and pollution. No garbage, plastic, fuel, or oil will be discharged into the ocean or any other location.

6. Has the proponent engaged meaningfully with potentially affected communities? Please provide records of engagement, summaries of identified or resolved issues, and plans for future engagement.

I have not yet engaged with communities in the Nunavut Settlement Area. There are no communities on the 3 islands listed in my project form. The nearest community, Sanirajak, is almost 100 kilometers from the closest point. I will be contacting the Hunters and Trappers Organization (HTO) in Sanirajak to ask if residents will be hunting on the Spicer Islands in 2025. If they are, I will ask the HTO how I can ensure that I do not disrupt those activities. I will be contacting Kimmirut and Kinngait, along with Sanirajak, to request permission to briefly visit. My contact at the Nunavut Planning Commission has provided contact information for these 3 communities. I do not foresee any significant potential negative impacts to these 3 communities from my planned activities, but there may be a slight positive economic impact from my visit.

All the best,
Zachary Frohman

On Fri, Dec 6, 2024 at 12:31 PM Leila Cai <lcai@nirb.ca> wrote:

Good Day Zachary Michael Frohman,

Your project proposal No. 126011 has been received by the Nunavut Impact Review Board (NIRB or Board) through the Public Registry System.

Procedural clarification

Upon initial review of the application, the Board provides procedural clarity regarding the work or activity that was identified in the application:

- Any activity within the meaning of the **Wildlife Observation Licence** issued by the Government of Nunavut Department of Environment under the Wildlife Act, S.Nu. 2003, c.26 is **exempt from screening by the Board** under the [Exemption Agreement pursuant to Schedule 12-1 \(Item 7\) of the Nunavut Land Claims Agreement](#) and under Schedule 3 (Item 4) of the *Nunavut Planning and Project Assessment Act (NuPPAA)*.
- Any activity within the meaning of the **Class 1 Permit** issued by the Government of Nunavut **Department of Culture and Heritage** is **exempt from screening by the**

Board under the [Exemption Agreement pursuant to Schedule 12-1 \(Item 7\) of the Nunavut Land Claims Agreement](#) and under Schedule 3 (Item 3) of the *NuPPAA*.

Acknowledging the Commission's conformity determination regarding the proposed project, the following work or activities is not exempt from screening in accordance with s.78(2) of the *NuPPAA*:


- use of water or deposit of waste without a licence requiring approval from the Nunavut Water Board. Pending further information on the proposed project, exemption may apply pursuant to Schedule 12-1 (Item 5) of the *Nunavut Land Claims Agreement*.
- proposed scientific research activities requiring authorization from the Nunavut Research Institute.

In the case where the project is not exempt from screening under s.85 of *NuPPAA*, the Board seeks clarity on project works and activities for this application to move forward, such information is necessary to determine the completeness of the application.

Completeness check of the application as submitted to date

Please provide answers to the following questions to your best knowledge.

1. What is the full duration for the carrying out of activities in the Nunavut Settlement Area, including sailing the entire route for tourist activities? Please identify if the sailing route is outside the Nunavut Settlement Area.
2. Where will the sampling of rocks and sediments be conducted? For example, will sediments be taken from inland lakes or offshore?
3. What is *sediment* for the purpose of this application? What tools will be used for taking sediment samples? Typical sediment sampling tools, like Ekman Dredge or Bottom Dredge, are not identified in the equipment list.
4. Does photographing and filming use unmanned drones? If answer is affirmative,
 - a. Is it used in wildlife observation and/or recording artifacts of archaeological interest?
 - b. Please describe the equipment that will be used, flight altitude, wildlife considerations including migratory birds.
5. Will there be deposition of waste, including wastewater? If so, please describe method of treatment or containment, location and what kind of waste. The Proponent must contact the Nunavut Water Board to determine if a licence is required for the deposit of waste.
6. Has the proponent engaged meaningfully with potentially affected communities? Please provide records of engagement, summaries of identified or resolved issues, and plans for future engagement.

 Book time to meet with me