



## COMMENT FORM FOR NIRB SCREENINGS

The Nunavut Impact Review Board (NIRB) has a mandate to protect the integrity of the ecosystem for the existing and future residents of Nunavut. To assess the environmental and socio-economic impacts of the project proposal, NIRB would like to hear your concerns, comments and suggestions about the following project proposal application:

<b>Project Proposal Title:</b> Kugaaruk Sealift Improvement Project	
<b>Proponent:</b> Tetra Tech Inc.	
<b>Location:</b> Kitikmeot	
<b>Comments Due By:</b> January 24, 2025	<b>NIRB #:</b> 24XN057

**Indicate your concerns about the project proposal below:**

<input type="checkbox"/> no concerns	<input type="checkbox"/> traditional uses of land
<input type="checkbox"/> water quality	<input type="checkbox"/> Inuit harvesting activities
<input type="checkbox"/> terrain	<input type="checkbox"/> community involvement and consultation
<input type="checkbox"/> air quality	<input type="checkbox"/> local development in the area
<input type="checkbox"/> wildlife and their habitat	<input type="checkbox"/> tourism in the area
<input type="checkbox"/> marine mammals and their habitat	<input type="checkbox"/> human health issues
<input type="checkbox"/> birds and their habitat	X other: ___Need for an approval from Transport Canada ___
<input type="checkbox"/> fish and their habitat	_____
<input type="checkbox"/> heritage resources in area	_____

**Please describe the concerns indicated above:**

Transport Canada does not have concerns about the proposed project but does note the project is subject to acts and regulations administered by Transport Canada. Details for the most relevant acts and regulations are provided below for the information of the Board and the proponent.

Canadian Navigable Waters Act

Transport Canada notes that Kugaaruk Harbour is an extension of the Arctic Ocean. The Arctic Ocean is a scheduled navigable waterway listed in the *Canadian Navigable Waters Act* (CNWA). Given this, the work, being the expansion of the existing barge landing, will require an approval under the CNWA from Transport Canada.

Marine Safety and Security

Any vessel activity needed to support the project must comply with Canada's maritime laws. In the Arctic, the *Canada Shipping Act, 2001*, the *Marine Liability Act*, the *Arctic Waters Pollution Prevention Act*, Arctic Shipping Safety and Pollution Prevention Regulations, and the *Marine Transportation Security Act* combine to provide Canada's operational regulatory regime governing marine safety, security and environmental protection matters.

- The *Canada Shipping Act, 2001* (CSA) provides an overall regime to protect the safety and the environment for vessels operating in waters under Canadian jurisdiction. Its regulations include requirements for a vessel's construction, management of ballast water, pollution control, arrangements for emergency response, and crew qualifications. Pollution response and

prevention measures apply in respect of vessels in Canadian waters or waters in the exclusive economic zone of Canada.

- The *Arctic Waters Pollution Prevention Act* (AWPPA) provides enhanced environmental protection with respect to vessels operating in waters under Canadian jurisdiction north of 60° North latitude. Canada has developed new regulations, the Arctic Shipping Safety and Pollution Prevention Regulations (ASSPPR) that incorporate the Polar Code, with the addition of specific Canadian modifications designed to provide clarity on discharge requirements for the prevention of pollution by oil, by sewage, and by garbage from vessels, as well as the control of pollution by noxious liquid substances in bulk. Note that the AWPPA places a complete prohibition (zero discharge) of pollution from ships/vessels in “arctic waters”, as defined in the AWPPA, except where regulations authorize otherwise.
- The Arctic Shipping Safety and Pollution Prevention Regulations (ASSPPR) should be adhered to by vessels transiting in the Canadian Arctic.
- The *Marine Liability Act* sets out a regime that requires vessels operating waters under Canadian jurisdiction to carry insurance to pay for damages from oil spills.
- The *Marine Transportation Security Act* (MTSA) sets out a regime to protect and preserve the efficiency of Canada's marine transportation system against unlawful interference. The Department helps the industry achieve compliance with marine security legislation and regulations through awareness, certification, inspection, and enforcement, and helps ports, marine facilities and vessels implement the International Ship and Port Facility Security (ISPS) Code through the Marine Transportation Security Regulations (MTSRs).
  - Note: As the community re-supply is brought in by Canadian flagged vessels on a domestic voyage (between two points in Canada), this site does not currently fall under MTSA regulations. If that changes at some point, Transport Canada will assess any security issues and assist the operator to become compliant.

Transport Canada administers these acts and regulations and is responsible for monitoring compliance and enforcing their requirements. Vessels in the Canadian Arctic are required to comply with the above acts and regulations, as applicable.

### Do you have any suggestions or recommendations for this application?

#### Canadian Navigable Waters Act

The proponent can submit its application for approval through Transport Canada’s Navigation Protection Program external submission site: <https://npp-submissions-demandes-ppn.tc.canada.ca/auth/login-connexion?ret=/&GoCTemplateCulture=en-CA> . Transport Canada will review the application and details of the work and its potential impacts to navigation and, if acceptable, issue a CNWA approval with any needed terms and conditions.

#### Marine Safety and Security

The proponent should consult the Canadian Coast Guard and Canadian Hydrographic Services (CHS) to ensure the following:

- Impacts on Navigational aids, if any, are identified.
- The expanded facility is included on the appropriate chart, as applicable.
- Advising marine traffic of the work being undertaken.

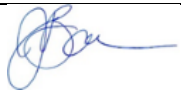


**Do you support the project proposal? Yes ☐ No ☐ Any additional comments?**

Transport Canada has no comments on whether NIRB should approve this project. However, Transport Canada is confident any impacts to navigation caused by the project will be mitigated by the proponent's adherence to the provisions of the *Canadian Navigable Waters Act* and any approval issued by the Department. The Marine Safety and Security acts and regulations detailed above combine to provide Canada's operational regulatory regime governing marine safety and environmental protection matters.

**Name of person commenting:** Jackie Barker **of** Winnipeg, MB

**Position:** Regional Environmental Advisor **Organization:** Transport Canada

**Signature:**  **Date:** January 21, 2025