SCREENING DECISION REPORT
NIRB FILE No.: 25XN022

Commission File No.: 150591

March 26, 2026

Following the Nunavut Impact Review Board's (NIRB or Board) assessment of all materials provided, the NIRB is recommending that a review of Kitikmeot Corporation's "Cambridge Bay Solar and Storage" 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 accepts this Screening Decision Report.

OUTLINE OF SCREENING DECISION REPORT

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 April 4, 2025, the NIRB received a referral to screen Kitikmeot Corporation's "Cambridge Bay Solar and Storage" project proposal (NIRB File No: 25XN022) from the Nunavut Planning Commission (Commission), which noted that the project proposal is outside the area of an applicable 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/126182.

- Project Name: Cambridge Bay Solar and Storage
- NIRB File No.: 25XN022
- NIRB Application No.: 126182

Table 1: NIRB's Assessment Process

Date	Stage
April 4, 2025	Receipt of project proposal from the Commission
April 4, 2025	Pursuant to s. 144(1) of the *NuPPAA* requested an application on Public Registry and provide information
June 27, 2025	Receipt of online application from Proponent
July 10, 2025	Scoping pursuant to s. 86(1) of the *NuPPAA*
July 16, 2025	Public engagement and comment request was issued in English and translations were issued once available
August 6, 2025	Receipt of public comments
August 28, 2025	Proponent provided with an opportunity to address comments/concerns raised by public
October 31, 2025	Proponent responded to comments/concerns raised by public
August 28, 2025	Pursuant to Article 12, Section 12.4.5 of the *Nunavut Agreement* and s. 92(4) of the *NuPPAA*, an extension to the 45-day timeline for the provision of the Board's Report was requested from the Minister of Community Services
March 26, 2026	Issuance of Screening Decision Report

1. **Project Scope**

Location	Kitikmeot region, within Municipal Boundaries of Cambridge Bay
Objective	The Proponent plans to develop, build, and operate a 3000 kilowatt (kW) solar and battery energy storage system in Cambridge Bay that would be connected under Qulliq Energy Corporation's Independent Power Producer program.
Project Proposed Timeline	Construction phase from June 2026 to September 2027 Operations phase from October 2027 to October 2057 Decommissioning phase from October 2057 to October 2058

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

- Project transportation types:
  - Air – Contractors to fly in and out of Cambridge Bay; some minor project components may be shipped by air;
  - Water – Large majority of all construction materials and specialized equipment to be shipped in and out by sealift;
  - Land – Equipment to be moved from the barge landing site to the project area;
- Use of flatbed trucks with a telescopic crane to transport equipment to the project site;
- Daily transport of personnel to the project site by pickup trucks;
- Use of a diesel generator for on-site power needs during construction;
- Use of a pile driver to install the piles;
- Use of an excavator to carry out civil earthworks needed to create the pad foundations for the batteries and e-houses;
- Use of two (2) gravel trucks to haul gravel granular materials from existing quarries to project site;
- Use of diesel fuel (approximately 100 gallons in two 50-gallon containers) for on-site generator to supply power during construction;
- Install 70 cubic meters of lithium iron phosphate batteries for solar energy storage and electricity grid stabilization;
- Install solar array including 7,700 ground-mounted solar panels;
- Install e-building to house controls and monitor equipment;
- Install a four (4) kilometre long combination of underground high voltage cables and overhead power lines to link the project site to the community grid;
- Waste management:
  - Combustible waste generated such as pallets and cardboard to be disposed of in an approved facility or may be made available to the public;
  - Non-combustible waste to be disposed of at an approved facility or shipped out by sealift; and
  - Blackwater waste to be properly disposed of at the local sewage lagoon.
- Use of fuel sourced from the community fuel facility;
- Hiring of local community members in the construction of the facility and maintenance of the systems; and
- Use of local accommodations and facilities.

2. Inclusion or Exclusion to Scoping List

The Proponent has indicated that an access road with a crossing for a char-bearing river would need to be developed to reach the project site before the construction of the solar array facilities can be commenced. The Proponent indicated that a separate application would be submitted for assessment and permitting process. As such, the NIRB notes that the development of an access road to the project site is excluded from the scope of the project and not included in this assessment.

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 August 6, 2025, the NIRB received comments from the following interested parties:

Table 2: Comments Received

Commenting Party	NIRB Doc ID No.
Government of Nunavut	357220
Crown-Indigenous Relations and Northern Affairs Canada	356969
Environment and Climate Change Canada	356958
Transport Canada	356927

a. Summary of Comments and Concerns Received

The following provides a summary of the comments and concerns received by the NIRB in relation to the "Cambridge Bay Solar and Storage Project":

Government of Nunavut (GN)

- The GN has reviewed the proposed project and related documents and has no comments or concerns to raise with the Board at this time.

Crown-Indigenous Relations and Northern Affairs (CIRNAC)

Recommends:

- Storing diesel in secondary containment
- Refuelling on impermeable surfaces with spill trays and absorbents
- Maintaining spill-response equipment and conducting drills

- Keeping hazardous materials at least 31 m from high-water marks
- Implementing daily inspections
- An emergency response plan specific to the BESS
- Automated fire-suppression systems in the enclosures
- Training for local emergency responders
- Clear work boundaries to prevent tundra damage
- Installing erosion/sediment controls before disturbance
- Diverting clean runoff around disturbed areas
- Immediate stabilization and revegetation of exposed soils
- Regular monitoring of ground temperatures and active layer thickness
- Applying corrective measures as needed
- Performing heavy ground-disturbing work in colder periods where feasible
- Minimizing summer traffic off stabilized surfaces
- Recommends continued consultation with Hamlet, HTOs, heritage organizations, and other interested parties.

Environment and Climate Change Canada (ECCC)

- Acknowledge potential effects on marine water quality and apply erosion/sediment controls accordingly.
- Extract and analyze fresh rock samples to evaluate ARD/ML potential.
- Place spill kits wherever spills could occur.
- Expand training to include fueling and hazardous material handling.
- Use drip trays, absorbent mats, and automatic shutoff nozzles.
- Keep fueling/storage at least 31 m from high-water mark.
- Develop a spill contingency plan and waste management plan.
- Include BESS-specific emergency procedures within the project's Emergency Response Plan.
- Confirm whether pallets are untreated; if treated, use proper incineration or recycling.
- Provide details on how all project components would withstand extreme cold.
- Ensure externally sourced equipment meets Tier 4 emission standards.
- Identify species at risk in the area.
- Describe adverse effects and required mitigation.
- Ensure measures align with recovery strategies and action plans.
- Implement monitoring and report findings.
- Identify potential effects on listed species and critical habitat.
- Emphasize avoidance as the primary mitigation.
- Record wildlife observations and behaviours.
- Provide monitoring reports to responsible regulators.
- Avoid destructive or disruptive activities during nesting season.
- Follow ECCC's migratory bird protection guidelines.
- Avoid brushing during the nesting window.
- If nests are found, halt activities, establish protective buffers, and resume only after fledging.
- Avoid high bird-density areas.
- Use markings, scare devices, or angle adjustments.
- Implement adaptive monitoring to confirm whether birds are being affected.

Transport Canada (TC)

- Noted that TC is responsible for reviewing construction plans for aviation impacts and would determine if an obstacle needs to be marked and/or lit.
- Noted that an Airport Zoning Regulations assessment may also preclude building if an obstruction is assessed to be unsafe.
- Noted that the Proponent has submitted an Aeronautical Assessment Form to TC and confirms that the form was received and is complete.

b. Comments and Concerns with respect to Inuit Qaujimaningit, Traditional, and Community Knowledge

No concerns or comments were received with respect to Inuit Qaujimaningit or traditional and community knowledge in relation to the proposed project. However, Inuit Qaujimaningit and traditional 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.

4. 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 storage of diesel fuel and refueling activities, the Proponent agrees with and will implement the recommendation.
- In response to concerns regarding developing an emergency response plan specific to battery storage, installing fire suppression systems, training local emergency response teams, and establishing robust emergency response protocols, the Proponent noted that specific instructions for the Battery Energy Storage System will be incorporated into the Project's Emergency Response Plan once developed.
- In response to concerns regarding erosion and habitat restoration, the Proponent noted that they have extensive erosion control and sediment prevention plans.
- In response to concerns regarding permafrost protection, the Proponent noted that they applied to and received funding from the Climate Preparedness in the North Program (CCPN). Under the CCPN funding, permafrost monitoring stations are installed to collect pre-construction baseline data and to monitor potential permafrost degradation associated with the installation and operation of the solar infrastructure, if any.
- In response to concerns regarding continuing consultation with interested parties, the Proponent notes that their project team remains highly committed to practicing participatory decision-making with the community.
- In response to concerns regarding potential effects to marine water quality, the Proponent noted that they have revised their report to acknowledge the potential effect on marine water quality and the corresponding control measures to prevent it.
- In response to a request for the Proponent to extract and analyze fresh quarry rock samples for assessment of ARD/ML potential, the Proponent noted that a change order has been issues by the engineering firm conducting the Phase 1 Environmental Site Assessment.

- In response to concerns regarding implementing mitigation measures for the construction phase of the project, the Proponent acknowledges and agrees with the recommendations.
- In response to concerns regarding incorporating information on BESS into the emergency response plan, the Proponent noted that they agree with the recommendations and that the Response Plan will also include procedures to address potential battery fires or explosions.
- In response to a request that the Proponent verify whether the pallets are made of untreated wood. If that is the case, then indicate a suitable method of disposal in an incinerator, the Proponent acknowledges that all chemically treated wooden pallets cannot be burned.
- In response to concerns regarding resiliency of the Project components and what, if any measures have been put into place for periods when temperatures dip to less than -40C, the Proponent noted that the batteries and sensitive components, including inverters, will be housed in e-houses (modified sea cans) equipped with auxiliary power systems to support heating, cooling, lighting, controls and fire suppression, as required.
- In response to a recommendation that any equipment sources externally be equipped with engines meeting Tier 4 emission requirements, the Proponent acknowledges the recommendation and notes that consideration will be given to sourcing external equipment with engines meeting Tier 4 emission requirements.
- In response to a recommendation that the Proponent consult the Government of Nunavut to identify appropriate mitigation and/or monitoring measures to avoid project effects to species, the Proponent noted that they have issued a Request for Proposal to engage an external firm to collect and evaluate information required to understand the potential effects of the proposed project activities on species at risk and to develop appropriate recommendations.
- In response to a recommendation that the Proponent carry out all phases of the project in a manner that reduced risks to migratory birds and to avoid harming, killing or disturbing migratory birds, the Proponent noted that a local firm with extensive knowledge of the sire conditions and migratory bird populations in the area will be retained to support the Project.
- In response to concerns regarding avoiding vegetation brushing and habitat disturbance during the general nesting period (late May to mid-August), the Proponent noted that vegetation brushing and other habitat-disturbing activities will be scheduled to avoid the general nesting period (late May to mid-August) to the extent possible.
- In response to recommendations that mitigations be implemented to reduce migratory bird attraction, the Proponent noted that they have done extensive consultation with the community and HTA, as well as visits to the site at various times of years and understand the area to be a low-use site for birds, and for wildlife in general.

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*

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 within the municipal boundaries of Cambridge Bay. ▪ The proposed project would take place within the range of wildlife species such as migratory and non-migratory birds, Arctic fox, Arctic hare, caribou, muskox, and Species at Risk such wolverine. Due to the proximity to the community of Cambridge Bay, the likelihood of the proposed project to directly impact wildlife is considered low.
The ecosystemic sensitivity of that area.	▪ Vegetation consists of typical low tundra shrub and graminoid communities, with no sensitive plant assemblages. While the broader region supports diverse wildlife, the selected site is not known to support significant or sensitive wildlife use. The only sensitivity identified relates to permafrost stability.
The historical, cultural and archaeological significance of that area.	▪ Although Cambridge Bay and the larger surrounding region hold deep Inuit cultural, historical, and archaeological significance, the specific project area has low archaeological and cultural sensitivity. Detailed archaeological fieldwork identified six (6) small archaeological sites in the broader study area, but none fall within the project footprint or are expected to be impacted. No concerns related to traditional land use, cultural sites, or heritage resources were identified.
The size of the human and the animal populations likely to be affected by the impacts.	▪ The project does not directly affect any residences or community facilities. Indirect effects (entirely beneficial) are limited to the Hamlet of Cambridge Bay, with a population of approximately **1,760 people** and **700 households** connected to the grid. ▪ Wildlife use of the site is expected to be minimal. Only **occasional individual animals** may pass near the area, and **no population-level impacts** are expected for regional species such as caribou, muskox, migratory birds, or Arctic fox.
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.	▪ The project's impacts are low in nature and magnitude, low in complexity, and largely limited to short-term construction activities. Construction-related disturbances (noise, dust, traffic, soil disturbance) would be intermittent and short-lived, while operational impacts are expected to be minimal. Most effects are fully reversible, with only minor

Factor	Comment
	long-term ground alterations associated with foundations and the transmission line. ▪ The limited presence of sensitive ecological, cultural, or human receptors within the project footprint further reduces the potential for significant impacts.
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 cumulative impacts associated with the Cambridge Bay Solar and Storage Project are expected to be **low**. Although the proposed project is within the municipal boundaries of Cambridge Bay, there is a possibility for terrestrial wildlife such as Arctic fox, Arctic hare and migratory and non migratory birds to pass through the area, but the cumulative impacts are considered to be low. When considered together with past and existing activities, such as the community's municipal infrastructure, legacy DEW Line development, local research activities, and minor road use, the project adds only a small and localized disturbance. No other industrial or large-scale developments are occurring or anticipated in the immediate vicinity, and therefore no overlapping or interacting are expected. ▪ With committed mitigation measures and avoidance of archaeological and ecological features, the project does not contribute meaningfully to cumulative environmental or cultural pressures. Overall, no significant adverse cumulative effects are anticipated.
Any other factor that the Board considers relevant to the assessment of the significance of impacts.	▪ Given the project's municipal location, community engagement, manageable impact pathways, avoidance of sensitive features, expected air-quality benefits, and full decommissioning capability, no additional factors are identified that would elevate the significance of potential impacts. The project is not expected to result in significant adverse effects. The project is expected to result in improved air quality through the use of solar-generated energy over the life of the project in the community of Cambridge Bay. It is estimated that solar generated electricity would reduce approximately 1.2 million litres of diesel fuel per year.

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* (http://www.tc.gc.ca/eng/tdg/clear-tofc-211.htm).
8. The *Canadian Environmental Protection Act* (http://laws-lois.justice.gc.ca/eng/acts/C-15.31/).

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, terrestrial wildlife (such as Arctic hare, caribou, muskox, and their migratory routes), including potential disturbance to movement patterns, may occur from noise and visual disturbance generated from the transportation of personnel and equipment to the proposed site, and construction and use of underground high voltage cables and overhead power lines.

Nature of Impacts:	The potential for impacts is applicable to an area near the Old Town of Cambridge Bay and just south of the Long-Range Navigation (LORAN) tower site and are expected to be low due to the infrequent and temporary nature of project activities, including during sensitive wildlife periods. Project activities, such as transport of personnel and construction activities, could potentially disturb wildlife and migratory birds with home range sizes habituated to the project area; however, any resulting impacts would be expected to be reversible and temporary only.
Mitigating Factors:	The Proponent has committed to minimizing disturbance to wildlife during site establishment and construction activities. The Proponent would manage all hazardous and non-hazardous waste in a manner that prevents environmental release and reduces risks to wildlife. The Board is recommending terms and conditions to minimize and mitigate potential adverse impacts to terrestrial wildlife and migratory birds
Proposed Terms and Conditions:	Waste Management – 9 and 10 Fuel and Chemical Storage – 11 through 15 Disposal of Non-Hazardous Materials - 16 Wildlife General – 20 through 23 Migratory Birds and Raptors Disturbance – 24 through 27 Caribou and Muskoxen Disturbance – 28 through 32

Valued Component	Terrestrial vegetation, land, soil quality, terrain stability and permafrost
Potential effects:	Potential adverse effects to ground stability, vegetation health, soil quality, terrain, and permafrost may occur as a result of project construction and operation, including site preparation, use of quarry materials and the installation and operation of underground transmission lines.
Nature of Impacts:	The potential for adverse effects is limited to the project footprint, and the probability of long-term impacts are low. With proper remediation and site management, impacts are expected to be largely reversible.
Mitigating Factors:	The Proponent committed to restoring disturbed areas to a natural condition, including revegetation where feasible. The Board is recommending terms and conditions such as requiring the Proponent to employ mitigation measures related to the vegetation, soil, and permafrost, spill response, personnel training related to fuel and waste; use appropriate measures to prevent unplanned deposition of sediment and runoff. The Board is also recommending terms and conditions to ensure that the potential adverse effects are minimized should they be observed.
Proposed Terms and Conditions:	Water courses/Water bodies (including fresh and marine waters) – 6 through 8 Waste Management – 9 and 10 Fuel and Chemical Storage – 11 through 15

	Disposal of Non-Hazardous Materials – 16 Road and Ground Disturbance – 33 Drilling – General – 34 through 36 Drilling on Land – 37 through 40 Land Use and Restoration of Disturbed Areas – 41 through 44

Valued Component	Surface water quality, fish and fish habitat
Potential effects:	Potential adverse impacts to the aquatic environment from the construction and operation of the Solar and Storage project, including risks associated with runoff, sedimentation, and the use of quarry materials with potential Acid Rock Drainage (ARD) and metal leaching (ML) characteristics.
Nature of Impacts:	The potential impacts are limited to the project footprint. The probability and magnitude of impacts are considered low, with effects expected to be infrequent and largely reversible.
Mitigating Factors:	The Proponent noted that fuel would be stored in compliance with regulatory standards, using secondary containment systems and spill kits readily available at storage areas and personnel would be trained in spill response procedures and fueling activities would be monitored and recorded. Further, sediment control measures would be implemented to protect nearby waterbodies with construction activities timed and designed to reduce the potential for runoff or sedimentation. The Board is recommending terms and conditions to ensure the proposed project activities do not negatively affect the aquatic environment
Proposed Terms and Conditions:	Water courses/Water Bodies – 6 through 8 Waste Management – 9 and 10 Fuel and Chemical Storage – 11 through 15 Disposal of Non-Hazardous Materials – 16

Valued Component	Air quality
Potential effects:	Potential positive effects to air quality from the use of solar panels throughout the life of the project, replacing the use of diesel fuel.
Nature of Impacts:	The potential impacts are considered to be positive as the air quality would be cleaner using solar powered energy for the life of the project in the community of Cambridge Bay. It is estimated that solar generated electricity would reduce approximately 1.2 million litres of diesel fuel per year.
Mitigating Factors:	Construction-related environmental risks would be managed through measures such as proper fuel handling, waste management, spill response preparedness, and restoration of disturbed areas following construction.
Proposed Terms and Conditions:	Waste – 9 and 10 Fuel and Chemical Storage – 11 through 15

	Land Use and Restoration of Disturbed Areas – 41 through 44

Valued Component	Public and traditional land use activities
Potential effects:	No specific concerns or potential impacts to public and traditional land use activities in the area have been identified.
Nature of Impacts:	The potential for impacts is considered to be minimal due to the temporary and low-impact nature of the activities, and any resulting impacts would be expected to be reversible.
Mitigating Factors:	Although the area may be used for traditional activities, no concerns were received from the nearest communities on this aspect. The Board is recommending terms and conditions to ensure project activities are informed by available Inuit Qaujimaningit and that project activities do not interfere with Inuit wildlife harvesting or traditional land use activities which are expected to mitigate potential adverse impacts to the public and traditional land use activities.
Proposed Terms and Conditions:	Other – 47 and 48

Socio-economic effects on northerners:

Valued Component	Historical, archeological, and heritage sites
Potential effects:	During the archaeological study, six (6) sites were identified within the broader study area, including a grave/burial site, two camp sites and three food storage sites; however, the historical sites were identified to be outside the physical footprint of the proposed project.
Nature of Impacts:	The potential for impacts is considered minimal due to the nature of the proposed construction activities.
Mitigating Factors:	The Proponent is required to contact the Department of Culture and Heritage when encountering any new historical sites. Further, the Board is recommending terms and conditions to ensure that project activities are informed by available Inuit Qaujimaningit and that project activities do not negatively affect historical or heritage sites.
Proposed Terms and Conditions:	Heritage Sites – 45 and 46 Other - 47

Valued Component	Local hiring, contracting and economic impact
Potential effects:	Potential positive impacts as the proposed project are likely to bring about positive impacts on local employment and generate economic opportunities for the community of Cambridge Bay. The Proponent noted the use of local accommodation, hiring of local labour, and expenditures in local business. There is also the potential of non-local workers purchasing arts and crafts from local artisans.
Nature of Impacts:	Potential for impacts is considered to be positive if the Proponent adheres to its commitment to hiring locally to the extent possible but are considered short-term for the duration of the proposed activities.

Mitigating Factors:	The Proponent has committed to hiring local personnel to the extent possible during the approximately two-year construction period and is expected to generate both direct and indirect employment opportunities. The Board is recommending terms and conditions to ensure that the Proponent continues to inform the communities of the ongoing site activities and to ensure community members are aware of and best able to successfully connect with hiring opportunities.
Proposed Terms and Conditions:	Other - 49

Significant public concern:

Valued Component	Public Concern
Potential effects:	No significant public concerns have been identified associated with this project proposal during the NIRB's public comment period and in the proponent's submission of engagement record as provided to date; however, there is potential adverse effects to Inuit harvesting, and terrestrial wildlife
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 Board is recommending terms and conditions to ensure that the Proponent continues to inform the communities of the ongoing site activities and to ensure community members are aware of and best able to successfully connect with hiring opportunities.
Proposed Terms and Conditions:	Other – 47 through 49

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.

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

General

1. Kitikmeot Corporation (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.: 150591), and the NIRB (Online Application Form, June 27, 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 dispose of all combustible wastes 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 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.
12. 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.
13. 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).
14. 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.
15. 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.

Disposal of Non-Hazardous Materials

16. 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.

Air Quality

17. 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.
18. The Proponent shall eliminate unnecessary idling to reduce greenhouse gas emissions as much as possible.

Noise

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

Wildlife – General

20. 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.
21. 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.
22. The Proponent shall not hunt or fish, unless proper Nunavut authorizations have been acquired.

23. 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

24. 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*.

25. 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 zone[1] appropriate for the species and the surrounding habitat.

26. 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.

27. 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

28. 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.

29. The Proponent shall not locate any operation or undertake activities that could block or cause any diversion to migration of caribou or muskoxen.

30. 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.

31. 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, including low level overflights, drilling, blasting/trenching, and use of snowmobiles and all terrain vehicles outside the immediate vicinity of the camp, until caribou are no longer in the immediate area.

32. During the period of April 14 to June 1 when muskoxen are present, the Proponent shall not approach muskoxen closer than one (1) kilometer. This includes all operations, including low-level over flights, blasting, and use of snowmobiles and all-terrain vehicles outside the immediate vicinity of the camps.

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.

Road and Ground Disturbance

33. 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.

Drilling – General

34. The Proponent shall not allow any drilling wastes to spread to the surrounding lands or water bodies.
35. The Proponent shall ensure that that any deleterious substances (as defined in the *Fisheries Act*) resulting from its activities do not enter into any water bodies frequented by fish.
36. The Proponent shall ensure that all drill areas are constructed to facilitate minimizing the environmental footprint of the project area.

Drilling on Land

37. The Proponent shall not conduct any land-based drilling or mechanized clearing activities a minimum distance of the normal high-water mark of any water body as required by an authorizing agency.
38. If an artesian flow is encountered, the Proponent shall ensure the drill hole is immediately plugged and permanently sealed.
39. The Proponent shall ensure that all sump/depression capacities are sufficient to accommodate the volume of wastewater and any fines that are produced. The sumps shall only be used for inert drilling fluids, and not any other materials or substances.
40. The Proponent shall not locate any sumps within a minimum distance of the normal high-water mark of any water body as required by an authorizing agency.

Land Use and Restoration of Disturbed Areas

41. The Proponent shall use existing trails where possible during project activities on the land.
42. The Proponent shall ensure that the land use area is kept clean and tidy at all times.
43. 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.
44. 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

45. 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.
46. 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

47. 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.
48. The Proponent shall ensure that project activities do not interfere with Inuit wildlife harvesting or traditional land use activities.
49. 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, by March 31st of each year of permitted activities beginning March 31, 2027. The annual report must contain at least the following information:
   a) A summary of activities undertaken for the year, including:
      - a map showing the approximate location of installation sites;
      - a map showing the location of the fuel cache;
      - a description of local hires, contracting opportunities and initiatives;
      - site photos;

   b) A work plan for the following year, including any progressive reclamation work undertaken;

   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) 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 and any other wildlife;

   e) A brief summary of WMMP results as well as any mitigation actions that were undertaken. In addition, the Proponent shall maintain a record of wildlife observations while operating within the project area and include it as part of the summary report. The summary report based on wildlife observations should include the following:

      1. Locations (i.e., latitude and longitude), species, number of animals, a description of the animal activity, and a description of the gender and age of animals if possible.

2. Prior to conducting project activities, the Proponent should map the location of any sensitive wildlife sites such as denning sites, calving areas, caribou crossing sites, and raptor nests in the project area, and identify the timing of critical life history events (i.e., calving, mating, denning and nesting).
3. Additionally, the Proponent should indicate potential impacts from the project, and ensure that operational activities are managed and modified to avoid impacts on wildlife and sensitive sites.

f) An analysis of the effectiveness of mitigation measures for wildlife;

g) Summary of any heritage sites encountered during the exploration activities, any follow-up action or reporting required as a result and how project activities were modified to mitigate impacts on the heritage sites;

h) 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

i) 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.

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, which can be downloaded from this link: http://gov.nu.ca/sites/default/files/bear_safety_-_reducing_bear-people_conflicts_in_nunavut.pdf. Further information on bear/carnivore

detection and deterrent techniques can be found in the "*Safety in Grizzly and Black Bear Country*" pamphlet, which can be downloaded from this link: https://www.enr.gov.nt.ca/sites/enr/files/resources/safety_in_grizzly_and_black_bear_country_english.pdf.

5. There are polar bear and grizzly bear safety resources available from the Bear Smart Society with videos on polar bear safety available in English, French and Inuktitut at http://www.bearsmart.com/play/safety-in-polar-bear-country/. Information can also be obtained from Parks Canada's website on bear safety at the following link: http://www.pc.gc.ca/eng/pn-np/nu/quttinirpaaq/visit/visit6/d.aspx or in reviewing the "*Safety in Polar Bear Country*" pamphlet, which can be downloaded from the following link: http://www.pc.gc.ca/eng/pn-np/nu/quttinirpaaq/visit/visit6/~/media/pn-np/nu/auyuittuq/pdf/shared/PolarBearSafety_English.ashx.
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 Cambridge Bay, phone: 867-983-4164).

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 the following link: 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 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.
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.

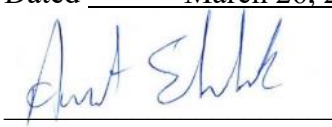
Heritage Resources

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.

CONCLUSION

The foregoing constitutes the Board's screening decision with respect to the screen Kitikmeot Corporation's "Cambridge Bay Solar and Storage". The NIRB remains available for consultation with the Minister regarding this report as necessary.

Dated March 26, 2026 at Iqaluit, NU.



Albert Ehaloak, *Acting* Chairperson

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 PALAEONTOLOGICAL 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
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.

[5] s. 51(1)
[6] P.C. 2001-1111 14 June, 2001

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 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.