



**SCREENING DECISION REPORT  
NIRB FILE No.: 25YN043**

NPC File No.: 150704

**September 2, 2025**

Following the Nunavut Impact Review Board’s (NIRB or Board) assessment of all materials provided, the NIRB is recommending that a review of Fisheries and Oceans Canada’s “Monitoring the movement, habitat use, and overall health and function of Arctic fishes across freshwater and marine ecosystems in the Cambridge Bay area” 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**

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## REGULATORY FRAMEWORK

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

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

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

## PROJECT OVERVIEW & THE NIRB ASSESSMENT PROCESS

On May 05, 2025, the NIRB received a referral to screen Fisheries and Oceans Canada’s “Monitoring the movement, habitat use, and overall health and function of Arctic fishes across freshwater and marine ecosystems in the Cambridge Bay area” project proposal (NIRB File No: 25YN043) 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/126201](http://www.nirb.ca/project/126201).

- Project Name: Monitoring the movement, habitat use, and overall health and function of Arctic fishes across freshwater and marine ecosystems in the Cambridge Bay area
- NIRB File No.: 25YN043
- NIRB Application No.: 126201

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

Date	Stage
May 5, 2025	Receipt of project proposal and referral from the Commission
May 5, 2025	Pursuant to s. 144(1) of the <i>NuPPAA</i> the NIRB requested the Proponent complete an online application to address information required for Screening
June 18, 2025	Receipt of online application from Proponent
June 30, 2025	Request(s) to Proponent for additional information in order to carry out screening pursuant to s. s. 144(1) of the <i>NuPPAA</i>
July 7, 2025, and July 09, 2025	Proponent responded to information request(s) and provided additional information
July 14, 2025	Scoping pursuant to s. 86(1) of the <i>NuPPAA</i>
July 25, 2025	Public engagement and comment request was issued in English and translations were issued once available
August 13, 2025	Receipt of public comments
August 28, 2025	Pursuant to Article 12, Section 12.4.5 of the <i>Nunavut Agreement</i> and s. 92(4) of the <i>NuPPAA</i> , an extension to the 45-day timeline for the provision of the Board’s Report was requested from the Minister of Fisheries

<b>Date</b>	<b>Stage</b>
September 2, 2025	Issuance of Screening Decision Report

## 1. Project Scope

<b>Project</b>	Monitoring the movement, habitat use, and overall health and function of Arctic fishes across freshwater and marine ecosystems in the Cambridge Bay area
<b>Location</b>	Kitikmeot region, <ul style="list-style-type: none"> <li>▪ Waters near Cambridge Bay, including Wellington Bay and Ferguson Lake (0-60 kilometres (km) from Cambridge Bay)</li> <li>▪ Jayko River commercial fishery study site (approximately 100 km northeast of Cambridge Bay)</li> </ul>
<b>Objective</b>	The Proponent intends to conduct comprehensive research on Arctic fish, including studies in ecotoxicology, physiology, acoustic tracking, and habitat use.
<b>Timeline</b>	March 2025 to May 2035 ( <i>multi-year and multi-seasonal</i> )

As required under s. 86(1) of the *NuPPAA*, the Board accepted the scope of the project as set out by Fisheries and Oceans Canada in the proposal. The scope of the project proposal includes the following undertakings, works, or activities:

- **Transportation**
  - Using up to seven (7) all-terrain vehicles and one (1) rental pickup truck for moving personnel, and equipment, between sampling locations and the hamlet.
  - Using four (4) snowmobiles for transportation during winter months to the sampling locations.
  - Using local boats, contracted through the Ekaluktutiak Hunters and Trappers Organization, to access receiver locations.
  - Using existing trails maintained by local municipalities to access sampling locations.
- **Fuel Usage**
  - Using 300 liters of gasoline for refueling equipment with a total summer use of 1000 liters of gasoline for ATVs, snowmachines, rented local boats, and small generators.
- **Sampling, Monitoring, and Data Collection**
  - Using up to eight (8) trail cameras deployed on wooden tripods to monitor the study area.
  - Deploying forty (40) VR2-AR receivers and six (6) VR2-Tx receivers in freshwater and marine environments to track fish movements.
  - Implanting sixty (60) acoustic tags of varying dimensions in fish species (such as Arctic char, Lake trout, Cod, and Sculpin) for tracking via acoustic receivers.
  - Attaching eight (8) Aquatic Passive Contaminant Samplers to a subset of the deployed receiver moorings.
  - Using stainless steel, glass, and/or polyethylene water bottles to collect water samples (40 liters/year).
  - Using whirl-pak bags and/or stainless steel/glass jars to collect sediment samples (20 liters/year).

- Taking Physiological Measurements to evaluate the impact of temperature and oxygen changes on fish health.
- Using Environmental DNA (eDNA) methods to analyze seasonal and spatial variations in fish distribution and abundance.
- **Accommodation**
  - Using the Canadian High Arctic Research Station (CHARS).
  - Setting up a small, 4-person temporary camp in the Greiner watershed at Inuhuktok, including one wall tent and four personal tents. Total of 80-person camp days per year.
  - Using water for drinking and cooking directly from the lake.
- **Waste Management**
  - Storing of greywater and disposing of in the municipal wastewater system through CHARS.
  - Disposal of camp waste in the local dump.
  - Burying human waste at least 100 metres from any water sources or bringing it back to the community for disposal in winter.

## 2. Inclusion or Exclusion to Scoping List

The NIRB has identified no additional works or activities in relation to the project proposal. As a result, the NIRB proceeded with screening the project based on the scope as described above.

## 3. Public Comments and Concerns

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

- Whether the project proposal is likely to arouse significant public concern; and if so, why;
- Whether the project proposal is likely to cause significant adverse eco-systemic or socio-economic effects; and if so, why;
- Whether the project proposal is likely to cause significant adverse impacts on wildlife habitat or Inuit harvest activities; and if so, why;
- Whether the project proposal is of a type where the potential adverse effects are highly predictable and mitigable with known technology, (and providing any recommended mitigation measures); and
- Any matter of importance to the Party related to the project proposal.

On or before August 13, 2025, the NIRB received comments from the following interested parties:

**Table 2: Comments Received**

Commenting Party	NIRB Doc ID No.
Government of Nunavut	357087
Crown-Indigenous Relations and Northern Affairs	357073
Fisheries and Oceans Canada	356899
Transport Canada	357010

**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 “Monitoring the movement, habitat use, and overall health and function of Arctic fishes across freshwater and marine ecosystems in the Cambridge Bay area” project proposal:

**Government of Nunavut**

- Did not have any comments or concerns regarding the Project proposal at this time.

**Crown-Indigenous Relations and Northern Affairs**

- Did not have any comments or concerns regarding the Project proposal at this time.

**Fisheries and Oceans Canada (DFO)**

- Noted the Proponent is responsible for reviewing and adhering to DFO’s protective measures for fish and fish habitat and standard codes of practice, and must notify DFO if they cause or are about to cause the death of fish by means other than fishing or the harmful alteration, disruption, or destruction of fish habitat.

**Transport Canada (TC)**

- Noted that the proposed project is subject to the Canadian Navigable Waters Act (CNWA), as it involves work in scheduled navigable waters such as Wellington Bay. Activities like deploying acoustic receivers or passive samplers may require CNWA approval unless they meet the criteria outlined in the Minor Works Order. The Proponent is advised to use Transport Canada’s online Project Review Tool to determine applicable requirements.

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

No concerns or comments were received with respect to Inuit Qaujimaningit or Indigenous and Community knowledge in relation to the proposed project. However, Inuit Qaujimaningit and Indigenous and community knowledge is incorporated into the terms and conditions recommended below based on information collected from prior and similar projects, data collected and mapped by the Commission, and other available sources.

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

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

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

<b>Factor</b>	<b>Comment</b>
The size of the geographic area, including the size of wildlife habitats, likely to be affected by the impacts.	▪ The physical footprint of the proposed project is estimated at approximately 75 square kilometres, defined by the geographic spread of sampling activities

Factor	Comment
	<p>across key sites including waters near Cambridge Bay, and the Jayko River study site.</p> <ul style="list-style-type: none"> <li>▪ The proposed project would take place within habitats of far-ranging wildlife species such as migratory and non-migratory birds, Arctic fox, Arctic hare, caribou, muskox, grizzly bears and Species at Risk such as Polar Bears.</li> </ul>
The ecosystemic sensitivity of that area.	<ul style="list-style-type: none"> <li>▪ No specific areas of ecosystemic sensitivity have been identified by the Proponent within the physical footprint of the proposed project.</li> </ul>
The historical, cultural and archaeological significance of that area.	<ul style="list-style-type: none"> <li>▪ No specific areas of historical, cultural and archaeological significance have been identified by the Proponent within the physical footprint of the proposed project.</li> <li>▪ However, the sampling locations are areas of local cultural importance for subsistence and economic harvesting of fish species, primarily Arctic char.</li> </ul>
The size of the human and the animal populations likely to be affected by the impacts.	<ul style="list-style-type: none"> <li>▪ The proposed project would occur in and around the community of Cambridge Bay and in areas of local cultural importance, as such there is the potential for human populations and traditional land-use activities to be affected. No specific animal populations have been identified as likely to be affected by potential project impacts.</li> </ul>
The nature, magnitude and complexity of the impacts; the probability of the impacts occurring; the frequency and duration of the impacts; and the reversibility or irreversibility of the impacts.	<ul style="list-style-type: none"> <li>▪ A zone of influence of up to 10 km from the most potentially-disruptive project activities was selected for the NIRB's assessment.</li> <li>▪ With adherence to the relevant regulatory requirements and application of the mitigation measures recommended by the NIRB, no significant residual effects are expected to occur.</li> </ul>
The cumulative impacts that could result from the impacts of the project combined with those of any other project that has been carried out, is being carried out or is likely to be carried out.	<ul style="list-style-type: none"> <li>▪ The mitigation measures recommended by the NIRB have been designed with consideration for the potential for cumulative effects to result from the impacts of the project combined with other past, present and reasonably foreseeable projects.</li> <li>▪ Although no public concerns were raised during the public commenting period, the NIRB notes that the close proximity of the proposed activities to the community of Cambridge Bay and that the areas outside the community may be used by residents for recreational/traditional pursuits could potentially contribute to public concern developing.</li> </ul>

Factor	Comment
Any other factor that the Board considers relevant to the assessment of the significance of impacts.	<ul style="list-style-type: none"> <li>▪ No other relevant factors were identified; however, see below for Regulatory Requirements mandating mitigation and/or reporting.</li> </ul>

## Regulatory Requirements

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

### Acts and Regulations

1. The *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](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](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/>).
9. The *Arctic Waters Pollution Prevention Act* (<http://laws-lois.justice.gc.ca/eng/acts/A-12/>) and the *Arctic Shipping Safety and Pollution Prevention Regulations* (<https://laws-lois.justice.gc.ca/eng/regulations/SOR-2017-286/index.html>).
10. The *Canadian Navigable Waters Act* (<https://laws.justice.gc.ca/eng/acts/N-22/>).

### 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:**

<b>Valued Component</b>	Migratory and non-migratory birds, terrestrial wildlife and Species at Risk
<b>Potential effects:</b>	Potential adverse effects to migratory and non-migratory birds, Species at Risk (such as Polar Bears), terrestrial wildlife (such as caribou, muskox, foxes, wolverine) and their migratory routes from noise and visual disturbance generated from the transportation of personnel and equipment via all-terrain vehicles (ATV), snowmobiles and boats to research sites, the establishment of a temporary camp, associated camp activities and research activities, and the installation of data collection equipment.
<b>Nature of Impacts:</b>	The potential for impact(s) is considered to be limited due to the infrequent and seasonal nature of project activities near the Cambridge Bay area. Equipment such as acoustic receivers and telemetry tags will be deployed for multi-year monitoring from March 2025 to May 2035, with research personnel conducting field visits during summer months. These activities may cause short-term disturbance to migratory and non-migratory birds, terrestrial wildlife, and species at risk with home ranges in the area. However, any resulting impacts are expected to be temporary and reversible, with no long-term disruption to habitat or population health.
<b>Mitigating Factors:</b>	The Board is recommending terms and conditions to minimize and mitigate potential adverse impacts to terrestrial wildlife and migratory birds.
<b>Proposed Terms and Conditions:</b>	Waste Management – 8 and 9 Fuel and Chemical Storage – 10 through 15 Wildlife General – 17 through 20 Migratory Birds and Raptors Disturbance – 21 through 24 Caribou and Muskoxen Disturbance – 25 through 27

<b>Valued Component</b>	Marine mammals and marine aquatics
<b>Potential effects:</b>	Potential adverse effects to marine mammals and aquatics - including wildlife and fish, and their habitat from transportation, equipment deployment, and sampling. Use of motorized boats to access mooring sites may cause noise and/or physical disturbance and pose potential collision risk to marine mammals during deployment and retrieval of acoustic receivers. Although the receivers operate at 69 kHz, a frequency outside the range typically used by marine mammals for navigation, and do not emit radio or magnetic signals, the presence of equipment in the water column could still cause minor sensory or spatial disruption. Fish species such as Arctic char, lake trout, cod, and sculpins may experience short-term stress from acoustic tagging, physiological testing, and contaminant sampling. Trail camera deployment, and sediment/water sampling may also contribute to localized environmental effects. Cumulative effects on marine wildlife and

	marine habitat could occur if multiple vessels are encountered in the same area.
<b>Nature of Impacts:</b>	The potential of impacts is applicable to small areas, is expected to be low and reversible due to the seasonal nature of fieldwork (May and August), minimal in-water activity, and use of standard, non-invasive methods. Receivers are suspended at depths outside typical marine mammal migration zones. However, as noted cumulative effects on marine wildlife and marine habitat could occur if multiple vessels are encountered in the same area.
<b>Mitigating Factors:</b>	<p>The Proponent proposes to use local boats operated through the Ekaluktutiak Hunters and Trappers Organization (EHTO), with experienced community members navigating established routes and avoiding sensitive marine areas. The Proponent proposes to deploy equipment with minimal seabed disturbance and to follow ethical protocols for fish handling to reduce stress and injury. The Proponent also proposes to avoid sensitive spawning and overwintering habitats during fieldwork and to use low-impact techniques for water and sediment sampling to minimize environmental disruption.</p> <p>Measures should be taken to avoid encounters with other vessels, where possible, to minimize adverse impacts to the marine wildlife, particularly in critical habitat, calving areas, and narrow migration corridors. The Board is recommending terms and conditions to ensure the project activities do not negatively affect marine wildlife and habitat.</p>
<b>Proposed Terms and Conditions:</b>	<p>Water courses/ Water bodies – 6 and 7  Waste Management – 8 and 9  Fuel and Chemical Storage – 10 through 15  Wildlife General – 17 through 20  Marine-Based Activities – 37 through 43</p>

<b>Valued Component</b>	Surface water quality, fish and fish habitat, soil and vegetation
<b>Potential effects:</b>	Potential adverse impacts to the aquatic environment, the land and vegetation from the use of ATVs and snowmobiles to access research sites, the establishment of a temporary camp, re-fuelling activities, equipment movement, sampling, and human waste disposal..
<b>Nature of Impacts:</b>	The potential of impacts are applicable to the areas being researched, and is expected to be low in magnitude, infrequent in occurrence and reversible in nature.
<b>Mitigating Factors:</b>	The Proponent proposes to concentrate activities along existing trails and previously used sites to minimize disturbance to soil and vegetation. Human waste, estimated at approximately 4 L/day, is proposed to be buried at least 100 meters from any water source or returned to the community for disposal during winter months. Sampling methods will be low-impact, and all waste will be removed or disposed of through approved facilities to protect soil and water quality.

	The Board is recommending terms and conditions to ensure the proposed project activities do not negatively affect the land, terrestrial vegetation, ground stability, and the aquatic environment.
<b>Proposed Terms and Conditions:</b>	Water courses/Waterbodies – 6 and 7 Waste Management – 8 and 9 Fuel and Chemical Storage – 10 through 15 Road and Ground Disturbance – 28 through 30 Land Use and Restoration of Disturbed Areas – 31 through 34 Camps – 35 and 36

<b>Valued Component</b>	Air quality
<b>Potential effects:</b>	Potential adverse impacts to air quality due to fuel combustion from transportation and equipment use. This includes emissions from ATVs, snowmobiles, pickup truck, local boats, and small generators. Further dust created along gravel roads and trails from the use of the ATVs to access research sites could also contribute to adverse impacts to air quality.
<b>Nature of Impacts:</b>	The potential for air quality impacts is expected to be low and short-term, occurring primarily during brief field seasons in May and August, and any resulting impacts would be expected to be reversible once the research activities are complete. Emissions will be intermittent and dispersed across remote sampling areas, with limited cumulative effect.
<b>Mitigating Factors:</b>	The Board is recommending a term and condition to mitigate the potential project impact on air quality.
<b>Proposed Terms and Conditions:</b>	Air Quality – 16

<b>Valued Component</b>	Public and traditional land use activities
<b>Potential effects:</b>	No specific concerns or impacts to public and traditional land use activities in the area have been identified, however, 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.
<b>Nature of Impacts:</b>	The potential for impacts is expected to be low and short-term, occurring primarily during brief field seasons in May and August. Most activities are concentrated near existing trails and water routes, with limited disruption to traditional practices.
<b>Mitigating Factors:</b>	Proponent proposes to coordinate closely with the EHTO to align project activities with community land use. Local experts will be hired to support logistics and ensure culturally sensitive practices. Existing trails and water routes will be used to avoid creating new disturbances, and camps will be set up away from high-use areas and are small and temporary. Community outreach and engagement will be ongoing to ensure transparency and responsiveness to local concerns.

<b>Proposed Terms and Conditions:</b>	Waste Management – 8 and 9 Land Use and Restoration of Disturbed Areas – 31 through 34 Public Engagement – 46 Inuit Harvesting and Traditional Land Use – 47
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**Socio-economic effects on northerners:**

<b>Valued Component</b>	Historical, Cultural and Archaeological Sites
<b>Potential effects:</b>	No historical sites were identified by the Proponent within the physical footprint of the proposed project.
<b>Nature of Impacts:</b>	The potential for impacts is considered minimal due to the nature of the activities.
<b>Mitigating Factors:</b>	The Proponent is required to contact the Culture and Heritage Department when encountering any historical sites. The Board is also recommending terms and conditions to ensure that project activities do not negatively affect historical or heritage sites.
<b>Proposed Terms and Conditions:</b>	Heritage Sites – 44 and 45

<b>Valued Component</b>	Economic impact, local business, employment and hiring
<b>Potential effects:</b>	Potential positive impacts to the community of Cambridge Bay through local hiring, service contracts, and use of community infrastructure. Transportation, accommodation, and logistical support will require local resources, potentially benefiting businesses and individuals in Cambridge Bay.
<b>Nature of Impacts:</b>	The potential for economic benefits is expected to be moderate and seasonal, concentrated during field seasons in May and August. The project will generate short-term employment opportunities and service contracts, particularly through collaboration with the EHTO.
<b>Mitigating Factors:</b>	Proponent proposes to prioritize local hiring and procurement, working directly with EHTO to contract boats, guides, and logistical support. Community outreach and collaboration will ensure transparent communication about opportunities.  The Board is recommending the Proponent continues to inform the communities of the research activities and ensure potential local hiring opportunities.
<b>Proposed Terms and Conditions:</b>	Public Engagement – 46 Local Hiring and Access Local Services – 48

**Significant public concern:**

<b>Valued Component</b>	Public concern
<b>Potential effects:</b>	No significant public concern was expressed during the public commenting period for this file; however, there is potential adverse effects to Inuit harvesting and marine wildlife.

<b>Nature of Impacts:</b>	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.
<b>Mitigating Factors:</b>	The Board is recommending terms and conditions to ensure that to the extent possible, the Proponent hire locally and access local services where possible, and to ensure planned activities in the area utilizes available Inuit Qaujimaningit.  The Board also notes that the research findings will be shared with the community to support sustainable fish harvesting.
<b>Proposed Terms and Conditions:</b>	Public Engagement – 46 Inuit Harvesting and Traditional Land Use – 47

**Technological innovations for which the effects are unknown:**

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

**Administrative Conditions:**

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

In considering the above factors and subject to the Proponent’s compliance with regulatory requirements and the terms and conditions necessary to mitigate against the potential adverse environmental and social effects, the Board is of the view that the proposed project is unlikely to cause significant public concern and its adverse ecosystemic and socioeconomic impacts are unlikely to be significant, or are highly predictable and can be adequately mitigated by known technologies.

**RECOMMENDED PROJECT-SPECIFIC TERMS AND CONDITIONS**

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

**General**

1. Fisheries and Oceans Canada (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.:150704) and the NIRB (Online Application Form, June 18, 2025; Revised Application, July 09, 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 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**

8. 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.
9. 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**

10. The Proponent shall locate all fuel and other hazardous materials a minimum distance away from the high-water mark of any water body and environmentally sensitive areas as required by the appropriate authorizing agencies. The materials shall be stored in such a manner as to prevent their release into the environment.
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. All fuel and chemical storage containers must be clearly marked with the Proponent's name for ease of identification.
13. 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.
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.

## **Air Quality**

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

## **Wildlife – General**

17. 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.

18. 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.

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

20. 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**

21. 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*.

22. 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<sup>1</sup> appropriate for the species and the surrounding habitat.

23. 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.

24. 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**

25. 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.

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

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<sup>1</sup> 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](http://www.ec.gc.ca/paom-itmb).

27. 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.

### **Road and Ground Disturbance**

28. 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.

29. The Proponent shall select a winter route that maximizes the use of frozen water bodies.

30. The Proponent shall not move any equipment or vehicles without prior testing the thickness of the ice to ensure the lake, river or stream is in a state capable of fully supporting the equipment or vehicles.

### **Land Use and Restoration of Disturbed Areas**

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

32. The Proponent shall ensure that the land use area is kept clean and tidy at all times.

33. 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.

34. 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.

### **Camps**

35. The Proponent shall ensure that all camps are located durable surfaces, such as gravel or sand that is consolidated and can withstand repeated, heavy use. Measures shall be put in place to prevent erosion, trail formation and damage to the ground.

36. The Proponent shall not erect camps or store materials on the surface ice of lakes or streams, except that which is for immediate use.

### **Marine-Based Activities**

37. The Proponent shall ensure that noise be kept to a minimum and shall refrain from making sharp or loud noises, blowing horns or whistles and shall maintain constant engine noise levels.

38. The Proponent shall not visit cliffs used by nesting and breeding birds during the late afternoon or early evening hours during the months of August and September.

39. The Proponent shall not attempt to intersect or interfere with the movements of marine mammals. This includes ensuring that there are no wake zones within 250 metres and a minimum of 100 metre no go zone around marine mammals. Strategic positioning of vessels ahead of the path being traveled by mobile mammals and waiting for the mammals to pass is also prohibited.

40. When marine mammals appear to be trapped or disturbed by vessel movements, the Proponent shall implement appropriate measures to mitigate disturbance, including stoppage of movement until wildlife have moved away from the immediate area.

41. The Proponent shall maintain a distance of 100 metres if a Polar Bear is encountered on land or ice while conducting activities from a zodiac or other small craft; all interaction with Polar Bears should be avoided if possible.
42. The Proponent shall suspend all project activities should any dead fish or wildlife (both marine and terrestrial), or any injured wildlife be observed during any works or activities in and around the marine waters. Activities may only be resumed on the recommendation of the authorizing agencies.
43. The Proponent shall report all incidents, injuries or sightings of marine mammals to the appropriate authorizing agencies.

### **Heritage Sites**

44. 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.
45. 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**

46. 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.
47. The Proponent shall ensure that project activities do not interfere with Inuit wildlife harvesting or traditional land use activities.
48. The Proponent should, to the extent possible, hire local people and access local services where possible.

## OTHER NIRB CONCERNS AND RECOMMENDATIONS

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

### **Change in Project Scope**

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

### **Copy of licences, etc. to the Board and Commission**

2. The NIRB respectfully requests that responsible authorities submit a copy of each licence, permit or other authorization issued for the Project to the NIRB to assist in enabling possible project monitoring that may be required. Please forward a copy of the licences, permits

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

### **Use of Inuit Qaujimaningit**

3. The Proponent is encouraged to work with local communities and knowledge holders to inform project design, to carry out the project, and to confirm or validate the perspectives represented in publications and reports 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](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](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](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](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](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 Fisheries and Oceans Canada's "Monitoring the movement, habitat use, and overall health and function of Arctic fishes across freshwater and marine ecosystems in the Cambridge Bay area". The NIRB remains available for consultation with the Minister regarding this report as necessary.

Dated September 2, 2025 at Iqaluit, NU.



Albert Ehloak, *Acting* Chairperson

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

Updated: September 2024

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

<sup>2</sup> The Department of Fisheries and Oceans has responsibility for aquatic species.

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

**APPENDIX B: ARCHAEOLOGICAL AND PALAEOLOGICAL 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:

	<b>Types of Development</b> (See Guidelines below)	<b>Function</b> (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*<sup>4</sup> to issue such permits.

<sup>4</sup>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*<sup>5</sup>, 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*<sup>6</sup>, 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](http://www.ch.gov.nu.ca/en/Archaeology.aspx))

## Introduction

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

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

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<sup>5</sup> s. 51(1)

<sup>6</sup> P.C. 2001-1111 14 June, 2001

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

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

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

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

### **Types of Development**

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

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

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

### **Types of Studies Undertaken to Preserve Heritage Resources**

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

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

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

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

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

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

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

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

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

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