



**SCREENING DECISION REPORT  
NIRB FILE No.: 25EN075**

NPC File No.: 150930

March 25, 2026

Following the Nunavut Impact Review Board’s (NIRB or Board) assessment of all materials provided, the NIRB is recommending that a review of Somerset Minerals Ltd.’s “Coppermine Project” 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**

<b>REGULATORY FRAMEWORK.....</b>	<b>2</b>
<b>PROJECT OVERVIEW &amp; THE NIRB ASSESSMENT PROCESS.....</b>	<b>2</b>
<b>ASSESSMENT OF THE PROJECT PROPOSAL IN ACCORDANCE WITH PART 3 OF NUPPAA.....</b>	<b>9</b>
<b>VIEWS OF THE BOARD .....</b>	<b>13</b>
<b>RECOMMENDED PROJECT-SPECIFIC TERMS AND CONDITIONS .....</b>	<b>19</b>
<b>MONITORING AND REPORTING REQUIREMENTS.....</b>	<b>25</b>
<b>OTHER NIRB CONCERNS AND RECOMMENDATIONS.....</b>	<b>27</b>
<b>CONCLUSION .....</b>	<b>30</b>
<b>TABLE 1: NIRB’S ASSESSMENT PROCESS.....</b>	<b>2</b>
<b>TABLE 2: COMMENTS RECEIVED .....</b>	<b>4</b>
<b>TABLE 3: SUMMARY OF THE BOARD’S ASSESSMENT OF FACTORS S. 90 NUPPAA .....</b>	<b>9</b>
<b>TABLE 4: PAST, PRESENT, AND REASONABLY FORESEEABLE PROJECTS CONSIDERED.....</b>	<b>12</b>
 <b>APPENDICES</b>	
APPENDIX A: SPECIES AT RISK IN NUNAVUT .....	31
APPENDIX B: ARCHAEOLOGICAL AND PALAEOLOGICAL RESOURCES TERMS AND CONDITIONS FOR LAND USE PERMIT HOLDERS.....	33

## 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 October 8, 2025, the NIRB received a referral to screen Somerset Minerals Ltd.’s “Coppermine Project” project proposal (NIRB File No: 25EN075) 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/126241](http://www.nirb.ca/project/126241).

- Project Name: Coppermine Project
- NIRB File No.: 25EN075
- NIRB Application No.: 126241

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

Date	Stage
October 8, 2025	Receipt of project proposal and referral from the Commission
October 8, 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
October 23, 2025	Receipt of online application from Proponent
December 15 and 17, 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>
December 17, 2025	Proponent responded to information request(s) and provided additional information
December 18, 2025	Scoping pursuant to s. 86(1) of the <i>NuPPAA</i>
January 8, 2026	Public engagement and comment request was issued in English with translations provided once available
January 29, 2026	Receipt of public comments
February 5, 2026	Proponent responded to comments/concerns raised by public
February 4, 2026	Pursuant to Article 12 s 12.4.5 of the <i>Nunavut Agreement</i> and s. 92(3) 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 Crown-Indigenous Relations and Northern Affairs Canada

Date	Stage
March 25, 2026	Issuance of Screening Decision Report

## 1. Project Scope

<b>Location</b>	Kitikmeot region, 60km southwest of Kugluktuk on Crown and Inuit Owned Land. Two temporary camps to be built over 60 km away from each other.
<b>Objective</b>	The Proponent intends to increase exploration of copper within their claims boundary, build two temporary camps, and use a winter trail from Kugluktuk.
<b>Timeline</b>	December 30, 2025, to October 25, 2031 (Construction and operation)

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

- Construct two temporary camps and fuel caches over 60km away from each other. Up to approximately 49 personnel may be onsite at any given time across the two camps
- Primary access and mobilization for all activities by helicopter/fixed-wing aircraft or temporary winter trail (snowmobile, snowcat, or ATVs).
- Use of satellite imagery and aerial photography to identify optimal winter trail path. No use of gravel, grading, or fill, to be 3 to 5m wide.
- Geological mapping and prospecting by collecting rock, soil, and/or till.
- Core logging and cutting, chip sampling, sieving, x-ray fluorescence analysis, and magnetic analysis.
- Geophysical Surveys which may include seismic, magnetic, gravimetric, electromagnetic, and other methods as required. As well as aerial photography and remote sensing.
- Use of reverse circulation and diamond drills. Exact locations would be results-driven, and only on land.
- Use of heavy equipment, including generators (diesel), a dual-chamber incinerator, frost fighter heaters, inflatable boats, Chieftain or equivalent units, low-pressure transport trailers/sleds, water trucks, skid steers, dozers, loaders, Hägglunds, service trucks, and a grader.
- Fuel would be stored and handled using approved containment measures, and spill prevention procedures will always be in place.
- Greywater and drilling overburden contained in sumps. All other wastes backhauled to approved facilities in Kugluktuk, Yellowknife, or Alberta.
- All temporary camps, access routes, drill sites, sumps, and associated disturbances would be progressively reclaimed and fully remediate upon demobilization.

## 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 will proceed 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 January 29, 2026, the NIRB received comments from the following interested parties:

**Table 2: Comments Received**

<b>Commenting Party</b>	<b>NIRB Doc ID No.</b>
Kitikmeot Inuit Association (KIA)	359257
Government of Nunavut (GN)	359276
Crown-Indigenous and Northern Affairs Canada (CIRNAC)	359255
Transport Canada (TC)	359224

***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 Coppermine Project proposal:

**KIA**

- Encourages all involved to remain mindful of local wildlife sensitivity periods, including caribou migrating and calving during the months of May to July.
- Closely monitor wildlife to ensure safety within the campsite, highly recommends a bear monitor during all phases of the project.
- Encourages “leave-no-trace” principles and store food, waste, and other potential wildlife attractants in secure, sealed, animal resistant containers.
- Storage, transportation, and handling of all fuel and fuel waste should be done with proper care, and within secondary containment.
- Water usage should be properly managed throughout operations.
- Encourages continued communication with the Kugluktuk Hunter and Trappers Organization, especially regarding land use, trail making, wildlife observations, or sensitive cultural areas of importance.
- Encourages hiring local Inuit Beneficiaries to help support the project.

## GN

### Department of Environment, regarding spill response

- Requests that the Proponent:
  - Provide the full address of the owner, or person in charge, management or control, and consider having a local or domestic contact available to ensure timely spill response
  - Provide the storage capacity for the fuel storage areas
  - Incorporate the requirements for reporting a spill including the information needed when reporting a spill
  - Include the requirement for reviewing the spill plan annually
  - List Appendix A (spill tracker) and B (MSDS sheets) in the table of contents of the Spill and Fuel Management Plan, and provide the MSDS for Appendix B
- Recommends that the Proponent:
  - Consider developing a checklist/documentation to verify that daily inspections are carried out and that if issues are identified, they are corrected
  - List the quantities of spill cleanup materials and identify who will conduct an inventory of the response and clean-up equipment, and who will be responsible for replenishing spill kit materials after a spill occurs
  - Provide a version number and date on the Spill Tracker Form to ensure the correct version is used for all aspects of the project

### Department of Environment, regarding the Wildlife Management Plan

- Requests that the Proponent:
  - Describe what the terms “pause” and “operational shutdowns,” including whether staff and/or equipment will remain on site, and what activities will be ceased.
  - Describe the term “low-impact survey work,” including the methods, timing, frequency, and duration of anticipated aircraft or ground activity and the rationale used to determine the level of impact.
  - Clearly specify the avoidance, minimization, and mitigation measures that will be implemented, including the: best management practices that will be followed (including specific references); monitoring methods that will be used to detect caribou presence near the camp and work areas, particularly during migration; decision making process and thresholds for pausing operations; and, specific mitigation actions and thresholds for caribou and other wildlife

### Department of Culture and Heritage

- Notes that the majority of the lands in the proposed footprint do not appear to have been subject to archaeological assessment conducted under a permit issued by the Department of Culture and Heritage
- Notes that archaeological sites have been previously recorded within the broader regional landscape and that the absence of recorded sites within specific portions of the proposed footprint does not preclude the presence of undocumented archaeological resources.
- Considers that there are reasonable grounds to believe that there could be sites of archaeological significance on the lands affected by the project.
- Notes that proposed project activities include activities that involve ground disturbance, which constitute potential impacts to archaeological resources

- Recommends that NIRB include project-specific terms and conditions in the Screening Decision Report to ensure compliance with the Nunavut Act and the Nunavut Archaeological and Palaeontological Site Regulations.
- States that all archaeological and palaeontological sites in Nunavut are protected by law. It is illegal to search for, survey, excavate, alter, or otherwise disturb any archaeological or palaeontological site without a valid permit issued by the Government of Nunavut.

## CIRNAC

- Demonstrate that secondary containment systems for bulk, multi-drum fuel storage are sized sufficiently and are managed to maintain effective containment capacity under site specific conditions.
- Include the SDS for all fuels and hazardous materials referenced in the Fuel Management Plan to support effective spill response and emergency management.
- Demonstrate that drilling materials proposed for on-site disposition are evaluated for acid rock drainage and/or metal leaching potential, and that results are used to inform disposition decisions.
- Clarify the criteria used to determine whether drilling materials are suitable for on-site placement, including conditions under which alternative management of off-site disposal would be implemented.
- Describe how drilling materials stored in the field for extended periods will be managed and monitored to prevent uncontrolled release prior to final disposition.
- Consider including procedures for managing and containing any unexpected groundwater or artesian flows in regulatory applications, to ensure appropriate management and minimize environmental risks during drilling operations.
- Recommends continuing its efforts to engage with interested parties, including the Hamlet of Kugluktuk, Kugluktuk Hunter and Trappers Organization, the Kitikmeot Inuit Association, and any other relevant organizations or individuals. Consultation activities should include, but are not limited to:
  - Incorporation of Inuit Qaujimagatuqangit, Indigenous Knowledge, and Community Knowledge, in addition to scientific ways of knowing
  - Mitigation measures to prevent disturbance to wildlife, the environment, cultural or archaeological sites, and places of environmental significance
  - The experience of community members who participate in traditional harvesting activities within or near the project area
  - Training and employment opportunities for Inuit and community members
  - Procurement opportunities for local and Inuit-owned business
  - Regular updates on the status of project activities

## TC

- Advises the use of the Navigation Protection Program (NPP) Project Review Tool to self assess if any approval is required under the Canadian Navigable Waters Act.

## 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:

## Response to KIA

- During calving and post-calving times within calving grounds, only low-impact survey work will occur, and will shut down if more than 50 animals are within 1 km, or if any pregnant cows or cows with calves are within 1 km. Otherwise, shutdowns or pauses will be based on distance and group size thresholds. The Wildlife Management Plan was updated to reflect changes.
- Will maintain daily wildlife scans, pilot spot reports, and a wildlife log. Will have a dedicated wildlife aware lead who carries deterrents and will advise to pause or shut down work based on wildlife in the area. When camp and activities increase, pending staff availability, will schedule a dedicated wildlife monitor for bear season.
- Acknowledges “leave-no-trace” is already in the management plans
- Confirms fuel storage, handling, and spill readiness plans.
- Confirms water use operating procedures.
- Continue to keep regular communication with the community and Hunter and Trappers Organization before mobilization and during the season. Share intended field activity sites and schedule. And will incorporate local observations of wildlife to inform siting and daily planning.
- Confirms continues prioritization of hiring Inuit Beneficiaries, coordinate training and onboarding with local service providers so that roles are accessible to residents. Will report on hires and hours as part of seasonal close-out.

## Response to GN

### Regarding spill response

- Confirms that the Spill and Fuel Management plan was updated to address each item raised by the GN to align with the Environmental Protection Act.
  - Added address of the owner and party responsible for management and control.
  - Provided storage capacity of fuel storage area and secondary containment systems.
  - Updated spill reporting procedures.
  - Annual review of the Spill Plan.
  - Addition of the requested appendices.
- Developed a standardized Daily Fuel Storage & Spill Kit Inspection Checklist. Including spill kit inventory replenishment procedures.
- Updated Spill Tracker to include version control.

### Regarding the Wildlife Management Plan

- Confirms that the Wildlife Management Plan were updated to address the recommendations from the GN.
  - Clarifies when work pauses or stops.
  - How caribou will be detected and monitored.
  - Which aircraft practices apply by season (distance and group size thresholds)
- Helicopter activity limited to essential crew changes and commit to flying 610 m AGL during calving.
- Commits to re-siting pads, caches, and laydowns where feasible to avoid obvious travel lines before resorting to shutdown.
- Records and reporting are consolidated, sightings and decisions are logged, incidents are reported to the Conservation Officers and HTOs.

## Regarding Culture and Heritage

- Describe proposed activities as not needing a full-scale Archaeological Impact Assessment.
- Confirms compliant procedures to project specific proposed terms and conditions.
- Hire a qualified Nunavut Archaeologist prepare a desktop Archaeological Overview Assessment (AOA) immediately to develop and maintain a sensitivity map, using GN records and terrain indicators, to help steer site selection to avoid sensitive landforms at the planning stage for avoidance buffers, and decision tree for field checks.
  - if the AOA indicates any proposed ground disturbance with moderate/high potential and cannot be re-sited, would retain the Archaeologist to conduct focused field verification and mitigation for the affected footprint.
  - Would implement the Archaeologist's recommendation where a conflict is confirmed.
- Locate activities for low-sensitivity polygons wherever possible and pre-identify any planned, repeated helicopter pads and place them in low-sensitivity polygons.
- Confirms that siting activities to be outside areas of high potential for archaeological significance with 50 m buffers around known or suspected heritage sites, implement the chance-find stop-work/report protocol, brief all crews at mobilization. As well as no off-strip fixed-wing on unprepared terrain and single-use helicopter landings only where no ground disturbance occurs.
- Have an Archaeologist on standby to complete field verification and mitigation where the AOA indicates unavoidable sensitivity, prior to disturbance.
- Treat the AOA as a living constraint layer for annual and in-season refinements, apply the same procedures to any newly proposed footprint prior to disturbance.

## Response to CIRNAC

- Updated Spill and Fuel Management Plan, to describe secondary containment systems, fuel storage practices, and fuel volumes on site.
- Confirms drilling plans including hole distribution and actual volume of cuttings produced.
- Discusses mineralization, copper grades, sulphur content, acid rock drainage, and acid runoff. As well as previous geological and geochemical investigations in the area.
- Confirms field storage of drilling materials.
- Does not anticipate groundwater or artesian flow but describes prevention methods and their approach if it occurs. As well as post activity site rehabilitation practices.
- Confirms regular communication and engagement with potentially interested parties. Recognizes the importance of Inuit Qaujimagatuqangit, Indigenous knowledge, and community knowledge alongside with scientific information. As well as notes previous employment opportunities, and plans to continue to consider local and Inuit where practicable.

## Response to TC

- Submitted response from the Navigation Protection Program (NPP) Project Review Tool.

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.	<ul style="list-style-type: none"> <li>▪ Although the project is located within a large regional claim area (approximately 1,665 km<sup>2</sup>), the physical footprint of project activities is expected to be small, localized, and temporary. Disturbance would be limited to discrete drill sites, two temporary exploration camps, seasonal winter access routes, and minor ancillary areas such as sumps and fuel caches. No permanent infrastructure, all-weather roads, or long-term land conversion is proposed, and all disturbed areas will be progressively reclaimed.</li> <li>▪ The project occurs within the broader ranges of far-ranging wildlife species, including migratory and non-migratory birds, arctic fox, muskox, barren-ground caribou, polar bear, grizzly bear, wolf, and wolverine. However, impacts to wildlife habitat are expected to be spatially limited and primarily associated with short-term sensory disturbance (e.g., noise, human presence, aircraft activity), rather than habitat loss or fragmentation.</li> </ul>
The ecosystemic sensitivity of that area.	<ul style="list-style-type: none"> <li>▪ The project footprint is located within key caribou calving and post-calving habitat areas and migration routes for the Blue Nose East Caribou Herd calving and post-calving grounds overlap part of the footprint. Which are sensitive during their calving and post-calving period, from May 28<sup>th</sup> to July 1<sup>st</sup>.</li> </ul>
The historical, cultural and archaeological significance of that area.	<ul style="list-style-type: none"> <li>▪ The project is located in an area that is culturally important to the people of Kugluktuk and the surrounding region. The proponent has acknowledged the cultural and environmental value of the area and has committed to working with local communities and regulators to minimize disturbance.</li> <li>▪ However, the materials provided do not identify any known or mapped archaeological or heritage sites within the proposed project footprint. Project activities are temporary, highly localized, and involve minimal ground disturbance, which further reduces</li> </ul>

Factor	Comment
	the likelihood of affecting unknown cultural or archaeological resources. Appropriate procedures for managing potential chance finds would further mitigate this risk.
The size of the human and the animal populations likely to be affected by the impacts.	<ul style="list-style-type: none"> <li>▪ The proposed project is unlikely to result in impacts to local human and animal populations. Any potential interactions with humans or animals would be limited to small numbers of individuals in the immediate vicinity of sampling sites, would be temporary and incidental, and are not expected to result in population-level effects.</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>▪ Impacts associated with the proposed activities are localized, temporary, and low in magnitude,</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>▪ Table 4 is a list of past, present and reasonably foreseeable projects.</li> <li>▪ The NIRB notes that this project is located between 24EN047, 25EA086 and 26EN002.</li> <li>▪ As set out in the Board Views section, the Board has developed terms and conditions along with mitigation measures designed to limit the potential for the proposed project, when combined with the projects listed in Table 4, to result in significant cumulative effects in the region.</li> </ul>
Any other factor that the Board considers relevant to the assessment of the significance of impacts.	<ul style="list-style-type: none"> <li>▪ No other relevant factors were identified; however, see below for Regulatory Requirements mandating mitigation and/or reporting.</li> </ul>

## Regulatory Requirements

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

### Acts and Regulations

1. The *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (<http://laws-lois.justice.gc.ca/eng/acts/n-28.8/>).
2. 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)).
3. 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.
4. The *Wildlife Act (Nunavut)* and its corresponding regulations (<http://www.canlii.org/en/nu/laws/stat/snu-2003-c-26/latest/snu-2003-c-26.html>).
5. The *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**.
6. The *Wildlife Area Regulations* under the *Canada Wildlife Act* ([https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,\\_c.\\_1609/FullText.html](https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._1609/FullText.html)).
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/>). The Proponent is advised that the *Canadian Environmental Protection Act* lists calcium chloride (CaCl) as a toxic substance. The Proponent should assess alternatives to the use of CaCl as a drill additive, including biodegradable and non-toxic additives.
9. The incineration of combustible camp wastes shall comply with the *Canadian Wide Standards for Dioxins and Furans* ([https://www.ccme.ca/en/resources/air/dioxins\\_furans.html](https://www.ccme.ca/en/resources/air/dioxins_furans.html)), and the *Canadian Wide Standards for Mercury* (<https://www.ccme.ca/en/resources/air/mercury.html>).
10. The *Aeronautics Act* (<http://laws-lois.justice.gc.ca/eng/acts/A-2/>) and the *Canadian Aviation Regulations* (<https://www.tc.gc.ca/eng/acts-regulations/regulations-sor96-433.html>).
11. 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>).

### Other Applicable Guidelines

12. Fisheries and Oceans Canada Protocol for Winter Water Withdrawal from Ice-covered Waterbodies in the Northwest Territories and Nunavut (<http://registry.mvlwb.ca/Documents/W2010C0005/W2010C0005%20->

[%20Land%20Use%20Permit%20Application%20-%20DFO%20Water%20Withdrawal%20Protocol%20-%20Aug%2025\\_10.pdf](#)

13. Solid Waste Management for Northern and Remote Communities (Environment and Climate Change Canada, 2017) (<https://www.canada.ca/en/environment-climate-change/services/managing-reducing-waste/municipal-solid/environment/northern-remote-communities.html>).
14. Environmental Guideline for the Burning and Incineration of Solid Waste, Government of Nunavut, Revised January 2012 ([https://www.gov.nu.ca/sites/default/files/guideline\\_burning\\_and\\_incineration\\_of\\_solid\\_waste\\_2012.pdf](https://www.gov.nu.ca/sites/default/files/guideline_burning_and_incineration_of_solid_waste_2012.pdf)).
15. Environmental Guidelines for the Management of Contaminated Sites, Department of the Environment, Government of Nunavut, Revised December 2014 ([https://www.gov.nu.ca/sites/default/files/contaminated\\_sites\\_remediation\\_2014.pdf](https://www.gov.nu.ca/sites/default/files/contaminated_sites_remediation_2014.pdf)).
16. Environmental Guidelines for the Management of Hazardous Waste, Government of Nunavut, Revised October 2010 ([https://www.gov.nu.ca/sites/default/files/Guideline%20-%20General%20Management%20of%20Hazardous%20Waste%20-%28revised%20Oct%202010%29\\_0.pdf](https://www.gov.nu.ca/sites/default/files/Guideline%20-%20General%20Management%20of%20Hazardous%20Waste%20-%28revised%20Oct%202010%29_0.pdf)).

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

<b>NIRB Project Number</b>	<b>Project Title</b>	<b>Project Type</b>
<b><i>Proposed Developments – undergoing assessment</i></b>		
25KN089	Speers Lake Bundle Remediation	Remediation
19EA019	Blue Star Gold Corp.	Exploration
25EA086	Coppermine River Drilling Program	Exploration
26EN002	Hornby Basin Project	Exploration
24EN047	Rae Copper Exploration Project	Exploration
24XN038	Grays Bay Road and Port	Infrastructure
<b><i>Present Projects – approved or in operation</i></b>		
25TN071	Adventure Canada 2026 Expeditions – Ocean Victory	Tourism
24KN042	Bernard Harbour PIN-C Contaminated Site Remediation Project	Remediation
24YN049	Field Research Program for the Grays Bay Road and Port Project	Research
25EN034	Izok Corridor Project	Exploration
21QN011	Kugluktuk Quarry Sites (Lot 572 and South of Airport)	Quarry
18YN023	Movement and habitat use of anadromous Arctic Char ( <i>Salvelinus alpinus</i> ) and Dolly Varden ( <i>Salvelinus malma</i> ) near Kugluktuk, Nunavut	Research
<b><i>Past Projects</i></b>		
21YN021	Coastal hazard assessment in Kugluktuk and Grise Fiord (Ajuittuq), Nunavut	Research
23EN073	Epworth	Exploration

<b>NIRB Project Number</b>	<b>Project Title</b>	<b>Project Type</b>
23YN002	Sampling treeline trees to develop a temperature reconstruction using quantitative wood anatomy	Research
23EN001	The Muskox Nickel Property	Exploration

#### 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>	Caribou, Caribou Calving and Post-Calving Habitat, and Caribou Migration Corridors
<b>Potential effects:</b>	Potential adverse effects to caribou and caribou habitat particularly calving, post-calving and migration areas of the Blue Nose East Caribou Herds from disturbance and disruption of movement from project-related noise, including the development and operations of the winter trail, the temporary camp sites, drilling, exploration and air/ground transportation activities. Project activities would occur during times when the caribou are the most sensitive to noise disturbance (May 28 <sup>th</sup> to July 1 <sup>st</sup> ). Further, there is potential for cumulative effects on disturbance to the caribou from other projects in the area.
<b>Nature of Impacts:</b>	Potential long-term adverse effects are possible from increased stress to caribou in key habitat areas on an already vulnerable population. If the mitigation measures proposed by the Proponent and the terms and conditions recommended by the NIRB are adhered to, the potential adverse effects to caribou and caribou habitat are considered to be of low magnitude, short-term and reversible upon cessation of activities.
<b>Mitigating Factors:</b>	<p>The Proponent has committed to executing its work in a way that minimizes the adverse effects of caribou and has developed and updated a <i>Wildlife Management Plan</i>. In addition to the Proponent's proposed mitigation measures, it is expected that the terms and conditions including measures such as requiring the Proponent to cease activities that may interfere with the migration or calving of caribou until the caribou have left the area would mitigate any potential adverse impacts to caribou in the direct project area and areas adjacent to the proposed project.</p> <p>Due to the concerns of cumulative effects on caribou in the area, proposed monitoring requirements are proposed in an annual report to be submitted to the NIRB. Caribou observations shall include locations,</p>

	species, number of animals, animal activity, as well as age and gender where possible.
<b>Proposed Terms and Conditions:</b>	Wildlife General – 25 through 30 Aircraft Flight Restrictions – 33 through 35 and 37 Caribou and Muskox – 39 through 44 Road and Ground Disturbance – 45 and 46

<b>Valued Component</b>	Terrestrial wildlife such as migratory and non-migratory birds, arctic fox, muskox, caribou, polar bear, grizzly bear, wolf, wolverine.
<b>Potential effects:</b>	Potential adverse effects to terrestrial wildlife, migratory and non-migratory birds, due to increased noise generated from project activities, including the development and operations of the winter trail, the camp sites, exploration and air/land transportation activities.
<b>Nature of Impacts:</b>	The potential adverse effects of the proposed project activities to terrestrial wildlife and birds are considered to be of low magnitude, of short duration, and reversible.
<b>Mitigating Factors:</b>	Mitigation measures include the proponent's updated <i>Wildlife Management Plan</i> , commitment to seasonal restrictions during sensitive periods (e.g., caribou calving and post-calving from May 28 to July 1), aircraft operating practices to minimize disturbance, flexible siting of activities, and progressive reclamation. All personnel would be trained in wildlife interaction protocols to reduce the risk of disturbance and encounters.  Due to the concerns of cumulative effects on terrestrial wildlife in the area, proposed monitoring requirements have been proposed to be included in an annual report to be submitted to the NIRB. Including a discussion of issues related to wildlife and environmental monitoring, the number of cease work orders, and a brief summary of the <i>Wildlife Management Plan</i> results. A wildlife log shall be included in an annual report.
<b>Proposed Terms and Conditions:</b>	Waste Management – 10 and 11 Fuel and Chemical Storage – 13 and 15 through 21 Wildlife General – 25 through 30 Migratory Birds and Raptors Disturbance – 31 and 32 Aircraft Flight Restrictions – 33 through 38 Caribou and Muskox – 39 through 44 Road and Ground Disturbance – 45 and 46

<b>Valued Component</b>	Surface water quality, fish and fish habitat
<b>Potential effects:</b>	The Project may result in temporary changes to surface water quality associated with water withdrawal for drilling and camp use. Localized increases in turbidity may occur near water withdrawal or discharge points. There is a low risk of accidental fuel or chemical spills. Temporary disturbance to fish and fish habitat may occur due to nearby

	human activity, aircraft noise, and water use, resulting in minor and localized changes to aquatic conditions near active work areas.
<b>Nature of Impacts:</b>	Potential impacts are expected to be localized and spatially limited, temporary and intermittent, and low in magnitude. Effects would be primarily indirect and operational in nature, related to noise, human presence, and water use. No in-water construction or permanent alteration of watercourses is proposed, and there would be no permanent barriers, channel modifications, or habitat conversion. Any effects are expected to be reversible with appropriate management and reclamation.
<b>Mitigating Factors:</b>	The Proponent has stated that water use would be regulated under Nunavut Water Board licensing requirements, and water recycling during drilling will be implemented to reduce withdrawals. Activities would be seasonally timed and flexibly sited to avoid sensitive areas. Secondary containment would be used for fuels and hazardous materials, supported by spill prevention and response procedures. Wastewater and greywater would be managed in accordance with approved waste management practices. No permanent infrastructure would be located in or near waterbodies, and disturbed areas will be progressively reclaimed in compliance with applicable federal and territorial water and environmental regulations.
<b>Proposed Terms and Conditions:</b>	Water courses/Water bodies – 6 through 9 Fuel and Chemical Storage – 12 through 19, and 21 Road and Ground Disturbance – 47 through 50 Drilling General – 51 through 53 Drilling on Land – 54 through 58 Drilling on Ice – 59 and 60 Camps – 67

<b>Valued Component</b>	Terrestrial vegetation, land, soil quality, terrain stability and permafrost
<b>Potential effects:</b>	Potential adverse effects to ground stability, vegetation health, soil quality, terrain, and permafrost from the establishment and operation of the camps; the storage, transportation, and use of fuel; exploration drilling activities; and the seasonal development and use of the winter trail.
<b>Nature of Impacts:</b>	Potential impacts are expected to be localized, low in magnitude, temporary, and reversible. Disturbance would be limited to the immediate footprint of camps, drill sites, and access routes, and would primarily involve minor surface compression and vegetation disturbance rather than large-scale terrain alteration or long-term permafrost degradation. No permanent land conversion or structural ground disturbance is proposed.
<b>Mitigating Factors:</b>	Mitigation measures from the Proponent include the use of low-impact drilling platforms (timbers and coco matting), avoidance of grading or permanent ground disturbance, secondary containment for fuels, spill prevention and response procedures, flexible siting of camps and drill

	pads, and progressive reclamation of disturbed areas. All temporary features would be removed following use.
<b>Proposed Terms and Conditions:</b>	Waste Management – 10 and 11 Fuel and Chemical Storage – 13 and 15 through 21 Wildlife – General – 25 Road and Ground Disturbance – 45 and 46 Drilling – General – 51 and 53 Drilling on Land – 54 through 56 and 58 Land Use and Restoration of Disturbed Areas – 61 through 65 Camps – 66 and 67

<b>Valued Component</b>	Air Quality
<b>Potential effects:</b>	Temporary localized emissions from generators, drilling equipment, aircraft, and support vehicles, as well as minor dust generation at camps and drill sites, and short-term emissions associated with the incineration of combustible wastes.
<b>Nature of Impacts:</b>	Potential impacts to air quality are expected to be localized, low in magnitude, intermittent, short-term, and reversible. Emissions would be limited to the immediate vicinity of active work areas, with a low probability of extending beyond the project footprint. No permanent emission sources are proposed.
<b>Mitigating Factors:</b>	Mitigation measures include proper equipment maintenance to minimize exhaust emissions, limited use of ground-based vehicles, appropriate fuel handling practices, compliance with applicable incineration standards, and the seasonal, temporary nature of activities.
<b>Proposed Terms and Conditions:</b>	Air Quality – 22 and 23 Noise – 24

<b>Valued Component</b>	Wildlife harvesting and traditional land use activities.
<b>Potential effects:</b>	Potential adverse effects to traditional land use pursuits in the area from caribou migration disruptions and other wildlife disturbances from increased noise associated with the operational activities at sites, the transportation of personnel and equipment to and from drill locations, the mineral exploration activities, and use of a winter trail. The Proponent is proposing to work in an area known for caribou calving, post-calving and migration routes and the potential for disruption may cause stress and avoidance of critical caribou habitat. As a result, local caribou populations may be reduced and subsequently the availability of caribou as country food. This area also contains local travel routes, outpost camps, and is known for traditional land use activities.
<b>Nature of Impacts:</b>	Although the proposed project would include temporary, localized, and reversible sensory disturbance only, and not directly interact with traditional land use activities, potential long-term impacts are possible from increased stress to wildlife (particularly to caribou) in key habitat areas. Unmitigated project impacts could affect the migratory patterns of the caribou herds and could result in indirect impacts on an already

	vulnerable population and subsequently on harvesting activities tied to these shared traditional resources in other areas.
<b>Mitigating Factors:</b>	<p>The Proponent has committed to executing its work in a way that minimizes the negative effects on wildlife and has an updated <i>Wildlife Management Plan</i>. The Board is also recommending terms and conditions that ensure that the affected communities and organizations are informed about the project proposal, and that project activities do not interfere with Inuit wildlife harvesting or traditional land use activities in the area. Terms and conditions associated with the protection of wildlife and wildlife habitat have also been recommended and are identified above.</p> <p>Due to the concerns of cumulative effects on wildlife harvesting and traditional land use in the area, proposed monitoring requirements have been proposed to be included in an annual report to be submitted to the NIRB. Included should be a work plan for the following year and a log of instances in which community residents occupy or transit through the project area for the purpose of traditional land use or harvesting. This log shall include the location and number of people encountered, activity being undertaken, date and time; and any mitigation measures or adaptive management undertaken to prevent disturbance.</p>
<b>Proposed Terms and Conditions:</b>	Other – 71 and 72

**Socio-economic effects on northerners:**

<b>Valued Component</b>	Historical, Cultural and Archeological Sites
<b>Potential effects:</b>	Potential for accidental disturbance of unknown or undocumented archaeological or cultural resources during camp setup, drilling activities, or equipment movement. Temporary and indirect effects on the use or perception of culturally important areas may also occur due to short-term human presence and noise.
<b>Nature of Impacts:</b>	Potential impacts are expected to be highly localized and high in magnitude. No known or documented archaeological or heritage sites have been identified within the project footprint, and no permanent land disturbance, excavation, or large-scale ground alteration is proposed.
<b>Mitigating Factors:</b>	Mitigation measures include creating an Archaeological Overview Assessment (AOA), keeping a small and dispersed project footprint, the temporary and seasonal nature of activities, avoidance of permanent ground disturbance, and progressive reclamation. If the AOA indicates any proposed ground disturbance with moderate/high potential and cannot be re-sited, a qualified Nunavut Archaeologist would conduct focused field verification and mitigations for the affected footprint. 50m buffers would be around known or suspected heritage sites. Treat the AOA as a living constraint layer for annual and in-season refinement. Implementation of a chance-find stop-work/report protocol if historical,

	<p>cultural, or archaeological sites are encountered and implementation of chance-find procedures with immediate notification of appropriate authorities if cultural or archaeological materials are encountered.</p> <p>Proposed monitoring requirements regarding heritage sites to be included in an annual report submitted to the NIRB as updates. This should include a 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 heritage sites.</p>
<b>Proposed Terms and Conditions:</b>	Heritage Sites – 68 through 70

<b>Valued Component</b>	Local hiring, contracting, and economic impact
<b>Potential effects:</b>	Potential short-term positive effects through local employment, contracting opportunities, and associated economic activity during exploration operations.
<b>Nature of Impacts:</b>	Positive effects are expected to be localized, temporary, and proportional to the scale and duration of the project. Given the seasonal and exploratory nature of the activities, long-term or transformative economic effects are not anticipated.
<b>Mitigating Factors:</b>	Enhancing factors include the proponent’s stated commitment to hiring locally where possible, provision of information to communities regarding project activities and employment opportunities, and coordination with local organizations to facilitate access to job opportunities.
<b>Proposed Terms and Conditions:</b>	Other – 73

**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. Somerset Minerals Ltd. (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. 150589), and the NIRB (Online Application Form, October 23, 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

6. The Proponent shall not extract water from any fish-bearing water body unless the water intake hose is equipped with a screen of appropriate mesh size to ensure that there is no entrapment of fish. Small lakes or streams should not be used for water withdrawal unless otherwise authorized by the appropriate authorizing agency.
7. 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.
8. 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.
9. 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

10. 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.

11. The Proponent shall incinerate all combustible wastes as needed and dispose of 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**

12. 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.
13. The Proponent shall use adequate secondary containment or a surface liner (e.g., self-supporting insta-berms and fold-a-tanks) when storing barreled fuel and chemicals at all locations.
14. 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.
15. Fuel and hazardous material storage areas and fuel lines should be clearly marked with signs or flagging to avoid accidental breaks and punctures, and to ensure areas remain visible during the winter months.
16. All fuel and chemical storage containers must be clearly marked with the Proponent's name for ease of identification.
17. The Proponent shall routinely inspect and document the conditions of fuel and hazardous material storage containers and containment areas as required by the appropriate authorizing agencies. Fuel containment areas shall be kept clear of debris, water and snow to facilitate inspections for leaks.
18. 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.
19. 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).
20. 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.
21. 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**

22. 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.

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

### **Noise**

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

### **Wildlife – General**

25. 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.

26. 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.

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

28. 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.

29. The Proponent shall enforce safe speed limits for vehicles travelling along the road to ensure drivers have sufficient time to react in a safe manner if wildlife is encountered on or adjacent to the road or trail.

30. The Proponent shall ensure that drivers maintain spacing appropriate for driving and road conditions, and speed limits, to ensure drivers have time to safely react to any wildlife on the road.

### **Migratory Birds and Raptors Disturbance**

31. 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*.

32. 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.

### **Aircraft Flight Restrictions**

33. The Proponent shall not alter flight paths to approach wildlife and avoid flying directly over animals.

---

<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).

34. The Proponent shall plan flight paths that minimize flights over known habitat likely to have birds or concentrations of wildlife. Aircraft should avoid critical and sensitive wildlife areas at all times by choosing alternate flight corridors.
35. The Proponent shall restrict aircraft/helicopter activity related to the project to a minimum flight altitude of 610 metres (2,100 ft) above ground level except during landing, take-off or if there is a specific requirement for low-level flying, which does not disturb wildlife or migratory birds.
36. The Proponent shall avoid known concentrations of birds (e.g., bird colonies, moulting areas) by a lateral distance of 1.5 kilometre. If avoidance is not possible maintain a minimum flight altitude of 1,100 metres (3,500 feet) over these areas.
37. The Proponent shall ensure that aircraft/helicopter do not, unless for emergency, touch-down in areas where wildlife are present.
38. The Proponent shall advise all pilots of relevant flight restrictions and enforce their application over the project area, including flight paths to/from the project area.

### **Caribou and Muskoxen Disturbance**

39. 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.
40. The Proponent shall not locate any operation or undertake activities that could block or cause any diversion to migration of caribou or muskoxen.
41. 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.
42. During the period of May 15 to July 15, the Proponent shall suspend all operations and activities outside the immediate vicinity of the camps. Restricted activities include, but are not limited to, air and vehicle traffic, loud or repetitive noise or vibration disturbances, low-level over flights, blasting, and use of mobile equipment including snowmobiles and all terrain vehicles, and personnel walking within sight of the caribou group(s), until the caribou are no longer in the immediate area. Should the results of localized monitoring satisfy the land use inspector the project operations may resume without disturbing pregnant caribou cows or cows with young calves the suspension may be lifted for the periods specified.
43. 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.
44. 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.

## Road and Ground Disturbance

45. 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.
46. The Proponent shall ensure snowbank heights along the road/trail are managed to allow wildlife visibility and passage. Further, the Proponent shall ensure breaks are created along snowbanks along the road/trail at regular intervals to allow wildlife passage.
47. The Proponent shall select a winter route that maximizes the use of frozen water bodies.
48. 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.
49. The Proponent shall ensure that stream crossings and/or temporary crossings constructed from ice and snow, which may cause jams, flooding or impede fish passage and or water flow, are removed or notched prior to spring break-up.
50. The Proponent shall ensure sufficient thickness of snow and ice is present on the winter road/trail to prevent unnecessary erosion of the underlying ground surface and impact on underneath vegetation.

## Drilling – General

51. The Proponent shall not allow any drilling wastes to spread to the surrounding lands or water bodies.
52. 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.
53. The Proponent shall ensure that all drill areas are constructed to facilitate minimizing the environmental footprint of the project area.

## Drilling on Land

54. 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.
55. If an artesian flow is encountered, the Proponent shall ensure the drill hole is immediately plugged and permanently sealed.
56. 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.
57. 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.
58. The Proponent shall ensure all drill holes are backfilled or capped prior to the end of each field season. All sumps must be backfilled and restored to original or stable profile prior to the end of each field season.

## **Drilling on Ice**

59. The Proponent shall ensure that drill muds and additives are not used in connection with holes drilled through lake ice unless they are re-circulated or contained such that they do not enter the water body or are demonstrated to be non-toxic.
60. The Proponent shall ensure that all drill cuttings are removed from ice surfaces daily.

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

61. The Proponent shall use existing trails where possible during project activities on the land.
62. The Proponent shall ensure that the land use area is kept clean and tidy at all times.
63. The Proponent shall avoid disturbance on slopes prone to natural erosion, and alternative locations shall be utilized.
64. 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.
65. 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**

66. 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.
67. The Proponent shall not erect camps or store materials on the surface ice of lakes or streams, except that which is for immediate use.

## **Heritage Sites**

68. 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.
69. 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.
70. No activities shall be conducted in the vicinity (50 metres buffer zone) of any archaeological/historical sites. If archaeological sites or features are encountered, activities shall immediately be interrupted and moved away from this location. Each site encountered needs to be recorded and reported to the Government of Nunavut-Department of Culture and Heritage.

## **Other**

71. 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.

72. The Proponent shall ensure that project activities do not interfere with Inuit wildlife harvesting or traditional land use activities.
73. 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 31<sup>st</sup> 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 drill sites;
    - a map showing the location of the fuel cache;
    - a description of local hires, contracting opportunities and initiatives;
    - flight altitudes, frequency of flights and anticipated flight routes;
    - 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 log of instances in which community residents occupy or transit through the project area for the purpose of traditional land use or harvesting. This log should include the location and number of people encountered, activity being undertaken (e.g., berry picking, fishing, hunting, camping, etc.), date and time; and any mitigation measures or adaptive management undertaken to prevent disturbance;
  - e) 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;
  - f) A brief summary of the *Wildlife Management Plan* 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.
- g) An analysis of the effectiveness of mitigation measures for wildlife;
- h) 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;
- i) 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
- j) 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.

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

### **Change in Project Scope**

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

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

2. The NIRB respectfully requests that responsible authorities submit a copy of each licence, permit or other authorization issued for the Project to the NIRB to assist in enabling possible project monitoring that may be required. Please forward a copy of the licences, permits and/or other authorizations to the NIRB directly at [info@nirb.ca](mailto:info@nirb.ca) or upload a copy to the NIRB's online registry at [www.nirb.ca](http://www.nirb.ca).

### **Use of Inuit Qaujimaningit**

3. The Proponent is encouraged to work with local communities and knowledge holders to inform project design, to carry out the project, and to confirm or validate the perspectives represented in publications, and reports as part of the project. Care should be taken to ensure that Inuit Qaujimaningit and local knowledge collected for the project is used with permission and is accurately represented.

### **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 Kugluktuk, phone: (867) 982-7440).

## 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).

## Incineration of Wastes

10. The Proponent review Environment and Climate Change Canada's "Technical Document for Batch Waste Incineration", available at the following link: <http://www.ec.gc.ca/gdd-mw/default.asp?lang=En&n=F53EDE13-1>. The technical document provides information on appropriate incineration technologies, best management and operational practices, monitoring and reporting.

## Transport of Dangerous Goods and Waste Management

11. Environment and Climate Change Canada recommends that all hazardous wastes, including waste oil, receive proper treatment and disposal at an approved facility.
12. The Proponent shall ensure that proper shipping documents (waste manifests, transportation of dangerous goods, etc.) accompany all movements of dangerous goods. Further, the Proponent shall ensure that the shipment of all dangerous goods is registered with the Government of Nunavut Department of Environment, Department of Environment Manager. Contact the Manager (867) 975-7748 to obtain a manifest if dangerous goods including hazardous wastes will be transported.
13. The Proponent shall provide an authorization or letter of conformation of disposal be obtained from the owner/operator of the landfill to be used for disposal of project-related wastes.

### **Aircraft Identification**

14. The Proponent shall provide the community of Kugluktuk the planned helicopter activities, including photo(s) of the helicopter to be used, approximate flight paths, plans and times as available prior to commencement of activities to ensure community members are aware of the planned activities.

### **Caribou Management**

15. Territorial and federal government agencies in Nunavut should work together with Regional Inuit Associations, co-management boards and industry to develop an action plan to identify and mitigate potential cumulative effects of human land use activities, including mineral exploration, on barren-ground caribou. This assessment of cumulative effects should occur at a regional scale (i.e., larger than individual project areas).
16. As a result of expressed concerns regarding mineral exploration and the associated potential for cumulative effects on caribou and caribou habitat within the Kitikmeot region, the NPC, territorial and federal government agencies should work together with Regional Inuit Associations, co-management boards, the public, and industry to develop a plan that identifies appropriate land use in these areas prior to potential mineral exploration. The plan should identify and mitigate potential cumulative effects of human land use activities on barren-ground caribou on both localized and regional scales.
17. The NPC should be aware of the public concerns regarding a perceived lack of protection for caribou and caribou habitat within the Kitikmeot region of Nunavut. In developing a Nunavut-wide land use plan, the NPC may wish to consider formalized protection of important caribou habitat, and seasonal restrictions on potentially disruptive activities in these areas to minimize disturbance to caribou lifecycles and Inuit harvesting activities.

### **Crown Indigenous and Northern Affairs Canada**

18. Crown Indigenous and Northern Affairs Canada (CIRNAC) impose mitigation measures, conditions and monitoring requirements pursuant to the Federal Land Use Permit, which require the Proponent to respect the sensitivities and importance of the area. These mitigation measures, conditions and monitoring requirements should be in regard to the location and area; type, location, capacity and operation of facilities; use, storage, handling and disposal of chemical or toxic material; wildlife and fisheries habitat; and petroleum fuel storage.
19. CIRNAC consider the importance of conducting regular Land Use Inspections, pursuant to the authority of the Federal Land Use Permit, while the project is in operation. The Land Use Inspections should be focused on ensuring the Proponent is in compliance with the conditions imposed through the Federal Land Use Permit.
20. CIRNAC forward to the NIRB copies of any decisions by Inspectors which allow project activities to continue in areas of caribou presence between dates indicating work stoppages are necessary (exemptions from Caribou Protection Measures).

### **Kitikmeot Inuit Association**

21. The Kitikmeot Inuit Association impose strict mitigation measures and/or conditions upon the Proponent pursuant to the Inuit Owned Lands License in regard to fuel and chemical storage, drilling, water conditions, ground disturbance, and wildlife on Inuit Owned Lands.

### **Nunavut Water Board**

22. The Nunavut Water Board impose mitigation measures, conditions and monitoring requirements pursuant to the Water Licence, which require the Proponent to respect the sensitivities and importance of water in the area. These mitigation measures, conditions and monitoring requirements should be in regard to use of water, snow and ice; waste disposal; access infrastructure and operation for camps; drilling operations; spill contingency planning; abandonment and restoration planning; and monitoring programs.
23. In particular, mitigation measures, conditions and monitoring requirements should be considered for the use of water, snow and ice for the development and maintenance of the winter road/trail for this project.

### **Crown Indigenous and Northern Affairs Canada – Water Resources Division**

24. CIRNAC – Water Resources Division should consider the importance of conducting regular inspections, pursuant to the authority of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, while the project is in operation. Inspectors should focus on ensuring the Proponent is in compliance with the conditions imposed through the Water Licence.

## CONCLUSION

The foregoing constitutes the Board's screening decision with respect to the Somerset Mineral Ltd.'s "Coppermine Project". The NIRB remains available for consultation with the Minister regarding this report as necessary.

Dated March 25, 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](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.

---

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

<sup>6</sup> 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.