



**SCREENING DECISION REPORT
NIRB FILE No.: 25EN077**

NPC File No.: 150931

March 19, 2026

Following the Nunavut Impact Review Board’s (NIRB or Board) assessment of all materials provided, the NIRB is recommending that a review of Aston Bay Holdings’ “Aston Bay Property or Storm 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(s) accepts this Screening Decision Report.

OUTLINE OF SCREENING DECISION REPORT

REGULATORY FRAMEWORK.....	2
PROJECT OVERVIEW & THE NIRB ASSESSMENT PROCESS.....	2
ASSESSMENT OF THE PROJECT PROPOSAL IN ACCORDANCE WITH PART 3 OF NUPPAA.....	9
VIEWS OF THE BOARD	12
RECOMMENDED PROJECT-SPECIFIC TERMS AND CONDITIONS	17
MONITORING AND REPORTING REQUIREMENTS.....	23
OTHER NIRB CONCERNS AND RECOMMENDATIONS	24
CONCLUSION	27
<u>TABLES</u>	
TABLE 1: NIRB’S ASSESSMENT PROCESS.....	2
TABLE 2: COMMENTS RECEIVED	4
TABLE 3: SUMMARY OF THE BOARD’S ASSESSMENT OF FACTORS S. 90 NUPPAA	9
<u>APPENDICES</u>	
APPENDIX A: SPECIES AT RISK IN NUNAVUT	28
APPENDIX B: ARCHAEOLOGICAL AND PALAEOLOGICAL RESOURCES TERMS AND CONDITIONS FOR LAND USE PERMIT HOLDERS.....	30

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 17, 2025, the NIRB received a referral to screen Aston Bay Holdings’ “Aston Bay Property or Storm Project” proposal from the Nunavut Planning Commission (Commission), with an accompanying positive conformity determination with the North Baffin Regional 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.

- Project Name: Aston Bay Property or Storm Project
- NIRB File No.: 25EN077
- NIRB Application No.: 150931

Table 1: NIRB’s Assessment Process

Date	Stage
October 17, 2025	Receipt of project proposal and positive conformity determination (North Baffin Regional Land Use Plan)
October 20, 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 27, 2025	Receipt of online application from Proponent
December 18, 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>
January 9, 2026	Proponent responded to information request(s) and provided additional information
January 9, 2026	Scoping pursuant to s. 86(1) of the <i>NuPPAA</i>
January 13, 2026	Public engagement and comment request (which included draft terms and conditions) was issued in English with translations provided once available
February 3, 2026	Receipt of public comments
February 6, 2026	Proponent provided with an opportunity to address comments/concerns raised by public
February 10, 2026	Proponent responded to comments/concerns raised by public

Date	Stage
February 20, 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 Northern and Arctic Affairs
March 19, 2026	Issuance of Screening Decision Report

1. Project Scope

Location	Qikiqtani (North Baffin) region, 112 kilometres (km) south of Resolute Bay
Objective	The Proponent intends to renew and amend the associated water licence and land use permit to support increased activities at the site
Timeline	90 days over period: July 2026 to September 2031

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

- General exploration activities:
 - Geological mapping
 - Prospecting
 - Geochemical sampling
 - Airborne and ground geophysical surveys
 - Diamond drilling and reverse circulation drilling
- Equipment required to support drilling, camp operations, and exploration activities, including:
 - Dual chamber-controlled air incinerator
 - Diamond drills
 - Drill water pump
 - Reverse circulation drill
 - Drill generator
 - All-terrain vehicles
 - Snowmobiles
 - Skid steer
 - Diesel generators
 - Gas generator
 - Water pump
- Use of fixed wing aircraft and helicopters to transport equipment and personnel to and from camp;
- Operation of airstrip;
- Helicopter-supported drill moves and daily personnel transport
- Expansion of existing Storm Camp to support up to 65 personnel (additional structures within existing footprint);
- Increase of the main fuel cache from 80,000 litres (L) to 148,625 L;
- Use and development of a temporary marine landing / staging area for sealift operations;
- Water sourced from Aston River during summer operations;
- Water sourced from a lake north of camp during spring when the river is frozen

- Disposal of grey water from camp and drilling activities into excavated sumps or natural depressions;
- Hazardous waste to be properly stored, sealed, labeled, documented and backhauled from site for proper disposal in a licensed disposal facility; and
- Non-combustible wastes will be backhauled on an ongoing basis throughout the program and upon seasonal shutdown.

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 February 3, 2026, the NIRB received comments from the following interested parties:

Table 2: Comments Received

Commenting Party	NIRB Doc ID No.
Kitikmeot Inuit Association	359314
Qikiqtani Inuit Association	359326
Government of Nunavut	359329
Crown – Indigenous Relations and Northern Affairs Canada	359322
Environment and Climate Change Canada	359328
Transport Canada	359238

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 “Aston Bay Property or Storm Project” proposal:

Qikiqtani Inuit Association

- Recommended the following plans be updated or clarification provided:

- Streamflow measurements in Aston River be conducted to ensure that proposed withdrawal rates would remain within the approved limits.
- How the DFO Protocol for Winter Water Withdrawal from Ice-covered Waterbodies in the Northwest Territories and Nunavut (DFO 2010) will be followed and documented.
- Greywater treatment as described in Waste Management Plan section 4.2.1.
- Update the Identification of Environmental Impacts table and associated application accordingly to impacts to aquatic species, including habitat and migration/spawning from water withdrawals associated with camp, staging areas and mineral exploration.
- How sump volumes would be determined.
- How the stop-work protocol is designed.
- Wildlife log to be used and provided.
- Pre-disturbance bird nest surveys be conducted prior disturbance as per the *Migratory Birds Convention Act (1994)* and associated protocols followed.
- Update documents to state that the project is in Nesting Zone N10 and not Nesting Zone C8.
- Update plans to include discussions with Government of Nunavut Wildlife Division to acquire the locations of any known denning sites for Species at Risk (polar bears and wolverines) and incorporate into drill sites and flight paths planning.

Government of Nunavut

- Recommends the following:
 - With respect to their Spill Plan, the GN requests more in-detail information regarding address of owner, person in charge, site map of location of the facility, responsibilities for undertaking review of spill plan annually, and inventory and replenishing of cleanup equipment.
 - Updating the Environmental Management Plan so that all activities are suspended when any caribou are within 10km if the project activities.
- Notes the following:
 - Notes that all heritage sites (archeological and paleontological) in Nunavut are protected by law. The Proponent must understand that it is their responsibility to ensure that no heritage sites are disturbed during the course of project activities.
 - If archeological and/or paleontological materials or features are encounters, all activities shall cease immediately within the 50-metre buffer area. The shite shall be documents and reported to Culture and Heritage (CH), and work shall not resume within the buffer area until direction is provided by CH.

Crown – Indigenous Relations and Northern Affairs Canada

- Recommends the following:
 - The Proponent considers identifying specific spill response measures for saline drilling additives (e.g., CaCl₂), given their potential to alter soil chemistry.
 - Considers completing terrain sensitivity and ground-ice assessments to validate the closure and reclamation documentation in the regulatory process.
 - Estimating expected annual waste volumes of each waste stream (e.g., ash, sump sludge, and hazardous solids) over the project life;

- Confirming how incinerator residues and ash would be managed and documented prior to removal from site; and
- Verifying waste disposal areas prior to closure to confirm that no residual contamination remains.
- Defining measurable closure success criteria (e.g., infrastructure) to support closer plans in the regulatory phases.
- Continue its efforts to engage with potentially interested parties regarding its project proposal.

Environment and Climate Change Canada

- Recommends that the Proponent:
 - Discuss pathways of effects to water quality from development of a marine laydown area.
 - Outline mitigation measures and update management plans that would be implemented to prevent effects to aquatic life during construction and operation of the marine laydown area.
 - Take extra precautions around Important Bird Areas (IBA), particularly during the periods of high use for staging in spring and fall, as well as during the late summer moult.
 - Identify adverse effects of the Project on the species at risk likely to be affected and their critical habitat.
 - Recommends that the Proponent avoid habitat disturbance during the general nesting period, which extends from late May to mid August for this region.
 - Mitigation and monitoring measures be consistent with applicable species at risk Recovery Strategies and Action Plans or Management Plans.
 - At minimum, monitoring should include recording timing and location of observed species at risk, their behaviour when encountered, and actions taken by the Proponent to avoid disturbance to the species, its habitat, and/or its residence.
 - The Proponent submit monitoring reports to the appropriate regulators and organizations with management responsibility for that species.
 - Must consider options such as avoiding, adapting, rescheduling or relocating activities. If a nest containing a migratory bird or egg is discovered/disturbed, the Proponent **must**:
 - Halt all disruptive activities in the nesting area until nesting is complete and the young have fledged; and
 - Establish a protective buffer zone around the nests.
 - Ensure their employees and contractors are made aware of plans and commitments related to storing, handling and transportation of petroleum products and other hazardous substances and take all necessary precautions to prevent spills.
 - Incorporate into existing emergency response plans:
 - Steps to protect wildlife (including migratory birds) in the event of a pollution incident and keep wildlife out of contaminated areas;
 - Equipment and resources available for incident response; and
 - Measures to take if wildlife does come into contact with the spill.
 - Notify ECCC's Canadian Wildlife Service for instances involving:

- Interactions and incidents involving the potential disturbance of individuals of nests and any mortality events of these species.

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

Kitikmeot Inuit Association comment

- That crew should observe wildlife carefully and avoid causing undue disturbance, or to approach animals.
- Adherence to “leave-no-trace” principles and recommends that all food, waste and other potential wildlife attractants be securely stored in sealed, animal resistant containers to minimize the risk of wildlife interactions.
- Engagement with the Kitikmeot’s closest regional Hunters and Trappers Association, which would be *Taloyoak Umarulirringut Association* for safety and planning purposes.
- According to Inuit Qaujimajatuqangit from the Board, this area is known as an Important Caribou Habitat.

5. 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 CIRNAC

- The Proponent has revised the Spill Prevention Plan to include all recommendations made by CIRNAC.
- No new access trails, land clearing, or excavation are planned as part of the exploration program. Drill pads are temporary and constructed with minimal surface disturbance, and activities are confined within existing operational boundaries
- Waste volumes for each waste stream (e.g., incinerator ash, sump residues, hazardous solids) are low and consistent with short-duration exploration activities. Waste logs and backhaul flight records are maintained to document waste handling and removal.
- Would be following typical closure criteria which include but are not limited to; absence of visible waste, debris, or infrastructure; absence of hydrocarbon staining or odour, and stable ground surface conditions with no evidence of erosion, excessive settlement, or ponded water.
- Virtual and in-person engagement on the Project has been conducted with the Mayor and Council of Resolute Bay, the Hunters and Trappers Association, and community members.

Response to ECCC

- Potential pathways for effects to water quality are limited to indirect pathways, such as minor sediment disturbance from temporary shoreline equipment movement and the potential for accidental spills during material handling; however, as no in-water works are proposed and shoreline disturbance will be minimal and short-term, these pathways are expected to be localized and negligible.
- Acknowledged the ecological importance of the Creswell Bay Important Bird Area and the Creswell Marine and Terrestrial Key Habitats, including their role in supporting migratory birds, moulting waterfowl, and staging geese during spring, summer and fall periods.

- The Proponent has updated the EMP in accordance with all ECCC’s recommendations.
- Mitigation measures to avoid negative impacts on migratory birds are outlined in section 2.4.1 of the Environmental Management Plan.
- The Spill Prevention and Response Plan provide clear, enforceable requirements for the storage, handling, transfer, and use of fuels and other hazardous substances to minimize the risk of contamination of surface water, groundwater, and terrestrial environments, and to prevent potential effects on migratory birds and other wildlife.
- All spills in or near water bodies are required to be reports to the NU Spill Report Line who provide the necessary contacts and instructions for further action.
- The Proponent noted that they have updated their management plan to include notifying any incidents involving migratory birds to the Canadian Wildlife Services.

Response to the Government of Nunavut

- The Proponent noted that they have updated the Spill Plan to include all requests from the Government of Nunavut.
- An archeological review has been completed for the Project through a combination of desktop and field-based studies undertaken by qualified professional archeologists. Noted that a desktop archeological study completed in 2024.

Response to Kitikmeot Inuit Association

- All personnel will continue to be mindful of the wildlife in the area. Crews will observe wildlife carefully and avoid approaching or causing undue disturbance to animals.
- Will make every effort to adhere to the principle to minimize the risk of wildlife interactions.
- Will use best efforts to conduct a combination of in-person consultation visits and virtual meetings, typically in advance of exploration activities, to provide updates on proposed programs and to address any concerns.

Response to Qikiqtani Inuit Association

- Water use for the camp is minimal and well below the maximum of 10m³/day authorized under the current water licence and represents a small proportion of flow in the Aston River.
- The following best practices will be followed: installing intake screens to prevent fish entrainment; measuring ice thickness and lake depth at the intake location to ensure withdrawals occur at least 2m below the bottom of the ice, as required by DFO.
- Greywater will be managed through a passive physical treatment, consisting of containment, settling, and controlled infiltration within a dedicated, excavated greywater sump.
- Adaptive management measures will be implemented if unexpected low-flow conditions or environmental concerns arise, including adjusting withdrawal rates or temporarily suspending withdrawals, as appropriate.
- Natural depression sump sizing is determined based on anticipated daily drilling water use, site-specific topography, and prevailing weather conditions to ensure adequate capacity and account for operational variability, precipitation events, and short-term increases in water use.

- Are committed to adhering to all applicable regulator requirements and accepted best practices to prevent, mitigate, and manage any potential impacts of activities conducted at the Storm Project.
- The EMP has been revised to clarify the scope and intent of the wildlife observations recorded in the Wildlife Log. Accordingly, the Wildlife Record Log will focus on recording observations of aquatic mammals and larger, less common terrestrial animals and birds, as well as all species listed under the Species at Risk Act or assessed by COSEWIC.
- The Proponent has updated their protocols to include a pre-disturbance sweep within 100m radius of the drill site to check for nests prior to ground disturbance.
- Noted that all corrections have been made to N10 and the nesting timeframe has been updated to late May to mid-August.
- The EMP has been updated to include the wording provided by QIA; that prior to commencement of field work, the GN Wildlife Division will be contacted to acquire locations of any known denning sites.

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

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

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

Factor	Comment
The size of the geographic area, including the size of wildlife habitats, likely to be affected by the impacts.	<p>The physical footprint of the proposed project components is 5,793km² on Somerset Island, and 115km South of the community of Resolute Bay.</p> <p>As the Proponent has identified, the proposed project would take place within Spring calving grounds of Peary caribou, as well as the calving area for beluga whales. The southeastern area of Somerset Island is used by migratory and non-migratory birds for breeding and nesting.</p>
The ecosystemic sensitivity of that area.	<p>The region’s low ecological resilience to disturbance, slow vegetation recovery rates, and the presence of critical wildlife corridors and breeding grounds heighten its sensitivity. Seasonal activities such as caribou calving and bird nesting make the ecosystem particularly vulnerable during specific time windows.</p> <p>Due to these factors, even small disturbances may result in disproportionate ecological effects. These conditions support the application of the precautionary principle, as well as the use of mitigation measures, monitoring, and</p>

Factor	Comment
	adaptive management to reduce the potential for cumulative environmental effects.
The historical, cultural and archaeological significance of that area.	One set of tent rings and cultural remains are known in the broader region, approximately 37km North of the Property. Based on information provided by the Proponent, no specific areas of historical, cultural or archaeological significance have been identified within footprint of the proposed project.
The size of the human and the animal populations likely to be affected by the impacts.	<p>Due to the distance to the nearest community (over 100km), the proposed project is unlikely to result in impacts to local human populations.</p> <p>However, the proposed project is within the habitat of many terrestrial animals, marine mammals and migratory and non-migratory birds, including areas that may be used seasonally for calving and nesting.</p> <p>Given these population sizes and seasonal use patterns, impacts are considered localized and temporary. but their significance to wildlife warrants. However, the ecological importance of these species and habitats supports the implementation of mitigation measures and monitoring, consistent with the application of the precautionary principle in the Board’s assessment of the potential for effects.</p>
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.	<p>The Storm Project’s impacts are primarily related to localized habitat disturbance, noise, dust emissions, and potential spills of hazardous materials such as fuel. These impacts are expected to occur within a relatively small project footprint, although indirect effects like noise could extend for beyond the immediate project area.</p> <p>The impacts may be complex due to the ecological sensitivity of caribou migration corridors and aquatic systems downstream. The probability of impacts occurring would increase in the absence of mitigation measures, especially during critical wildlife periods, but would be significantly reduced through the implementation of appropriate mitigation and monitoring. measures. Potential impacts are expected to be intermittent, corresponding mainly to exploration activities (e.g., drilling seasons). With proper reclamation and contingency measures, most impacts are expected to be reversible over the medium term,</p>

Factor	Comment
	<p>although some habitat alteration (e.g., vegetation clearing) may take longer to fully recover.</p> <p>While the project has the potential to result in adverse environmental effects, the proponent's commitment to enforceable mitigation measures, ongoing monitoring, and adaptive management supports a conclusion that the impacts are manageable if the proponent's binding commitments are implemented and enforced and the activities are carried out in accordance with the terms and conditions.</p>
<p>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.</p>	<p>The Board recognizes an extensive number of past, ongoing, and reasonably foreseeable projects may occur within the project's zone of influence. The Board has recommended mitigation measures designed to prevent, manage and monitor the potential for cumulative effects associated with this proposal.</p>
<p>Any other factor that the Board considers relevant to the assessment of the significance of impacts.</p>	<p>No other relevant factors were identified; however, see below for Regulatory Requirements mandating mitigation and/or reporting.</p>

Regulatory Requirements

The Proponent is also advised that the following legislation may apply to the Project:
Acts and Regulations

1. The *Fisheries Act* (<http://laws-lois.justice.gc.ca/eng/acts/F-14/index.html>).
2. The *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (<http://laws-lois.justice.gc.ca/eng/acts/n-28.8/>).
3. The *Migratory Birds Convention Act* (<http://laws-lois.justice.gc.ca/eng/acts/M-7.01/>), the *Migratory Birds Regulations* (https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._1035/index.html) and the *Migratory Bird Sanctuary Regulations* (https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._1036/index.html).
4. The *Species at Risk Act* (<https://laws-lois.justice.gc.ca/eng/acts/s-15.3/>). Attached in Appendix A is a list of Species at Risk in Nunavut.
5. The *Wildlife Act (Nunavut)* and its corresponding regulations (<http://www.canlii.org/en/nu/laws/stat/snu-2003-c-26/latest/snu-2003-c-26.html>).
6. The *Nunavut Act* (<http://laws-lois.justice.gc.ca/eng/acts/N-28.6/>). The Proponent must comply with the proposed terms and conditions listed in the attached **Appendix B**.
7. The *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.
8. 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), and the *Canadian Wide Standards for Mercury* (<https://www.ccme.ca/en/resources/air/mercury.html>).

Other Applicable Guidelines

1. 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)
2. 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).

VIEWS OF THE BOARD

In considering the above factors, the Board has identified the following and respectfully provides its views regarding whether or not the proposed project has the potential to result in significant impacts. The NIRB has also proposed terms and conditions that would mitigate the potential adverse impacts identified.

Ecosystem, wildlife habitat and Inuit harvesting activities:

Valued Component	Migratory and non-migratory birds, terrestrial wildlife and Species at Risk
Potential effects:	Potential adverse effects to migratory and non-migratory birds, terrestrial wildlife, and Species at Risk (such as Polar Bears, Peary caribou, Buff Breasted Sandpiper, red-necked phalarope, short-eared owl, and Ross’s Gull), and their migratory routes from noise and visual disturbance generated from the exploration activities of the proposed project including expansion of the existing camp, transportation of personnel and equipment to exploration targets via helicopter and/or fixed-wing aircraft, increase of fuel use and storage, and construction of a temporary marine laydown area.
Nature of Impacts:	The project area occurs within the home ranges and habitat used by terrestrial wildlife and migratory birds. The potential for impacts is considered to be limited and temporary, and any resulting impacts would be expected to be reversible and temporary only once the exploration activities are complete.
Mitigating Factors:	The Proponent proposes to minimize impacts to wildlife by following its updated Wildlife Management Plan which outlines mitigation methods to prevent or reduce impacts to caribou, other wildlife and the terrestrial environment during project activities. In addition, the Proponent committed to train personnel on wildlife-human

	<p>interaction/encounters and conduct pre-drilling reconnaissance site visits to identify sensitive wildlife habitat prior to exploration activities.</p> <p>The Proponent must also follow the <i>Migratory Bird Convention Act</i> as well as the <i>Migratory Birds Regulations</i>.</p> <p>The Board is recommending seasonal restrictions which are expected to mitigate potential adverse impacts to terrestrial wildlife and migratory birds in addition to regulations.</p>
Proposed Terms and Conditions:	<p>Waste Management – 10 and 11</p> <p>Fuel and Chemical Storage – 12 through 20</p> <p>Wildlife-General – 24 through 26</p> <p>Migratory Birds and Raptors Disturbance – 27 and 28</p> <p>Aircraft Flight Restrictions – 29 through 34</p> <p>Caribou and Muskoxen Disturbance – 35 through 41</p> <p>Drilling General – 43 through 45</p> <p>Drilling on Land – 46 through 50</p>

Valued Component	Marine waters, marine mammals and marine habitat
Potential effects:	Potential adverse impacts to marine mammals and marine habitat (e.g., fish and benthic populations) and key critical habitat (calving, post-calving areas, and migratory pathways for beluga whales) resulting from increased noise and/or physical disturbance associated with the construction and use of a temporary marine landing / staging area for sealift operations. Cumulative effects on marine wildlife and marine habitat could occur if multiple activities are encountered in the same area.
Nature of Impacts:	The potential for impacts is applicable to the area within Aston Bay and the depositing of aggregate materials directly into the marine environment is very likely to permanently remove habitat or seasonal foraging grounds for marine wildlife (such as fish, crustaceans, ringed seal, and Arctic char), within the project footprint. These potential impacts are negative but short-term, reversible, and infrequent.
Mitigating Factors:	<p>The Proponent proposes to mitigate the identified potential impacts to marine waters and aquatics with mitigation measures identified in their Environmental Management Plan. The Proponent also noted that it will consult with DFO on the proposal to minimize impacts to the marine environment.</p> <p>The Board is recommending terms and conditions to ensure the project activities do not negatively affect marine wildlife and their habitat.</p>
Proposed Terms and Conditions:	Marine-Based Activities – 58 through 61

Valued Component	Surface water quality, freshwater and aquatics, and fish and fish habitat
Potential effects:	Potential adverse impacts to freshwater quantity and quality, and to fish and fish habitat, may occur as a result of exploration activities These activities including the expansion of the existing camp, withdrawal of

	water for drilling activities and domestic use, dust from the use of helicopter, fixed-wing aircraft and all-terrain vehicles, incineration of materials, and storage of fuel and chemicals.
Nature of Impacts:	The potential impacts are considered to be limited and temporary and any resulting potential adverse effects would be expected to be low in magnitude, and reversible in nature.
Mitigating Factors:	<p>The Proponent proposes to use minimal amount of water in the drilling activities, plugging artesian wells to reduce impacts to water quality, and use sumps for depositing settled fines a minimum 30 metres from surface waterbodies for the deposition of settled fines. Further, the Proponent committed to follow its Spill Contingency Plan in the event of any spills.</p> <p>The Board recommends that the Proponent follows regulatory authorities' guidance and engage community members to avoid or reduce, and off set the harm to freshwater fish and fish habitat, including in the selection of exploration sites and sumps. In addition, the Board is recommending terms and conditions which are expected to mitigate potential adverse impacts to the aquatic environment.</p>
Proposed Terms and Conditions:	<p>Water Courses/Water Bodies – 6 through 9 Waste Management – 10 and 11 Fuel and Chemical Storage – 12 through 20 Air Quality – 21 and 22 Ground Disturbance – 42 Drilling-General – 43 through 45 Drilling on Land – 46 through 50 Land Use and Restoration of Disturbed Areas – 51 through 55 Camps – 56 and 57</p>

Valued Component	Land, terrestrial vegetation and ground stability
Potential effects:	Potential adverse impacts to the ground stability, vegetation quality, and terrain may occur as a result of the expansion of the existing camp, exploration drilling activities, transportation of personnel, storage of fuel and chemicals, and incineration of materials.
Nature of Impacts:	The potential for impacts is considered to be limited and temporary, particularly where applicable regulations and best practices for exploration activities are followed.
Mitigating Factors:	<p>The Proponent proposes to implement field protocols to ensure there is no spillage and using closed systems on drill water return. Further, drilling would be completed from a constructed temporary plank floor to prevent compaction and disturbance of vegetation. The Proponent also committed to follow its Spill Contingency Plan in the event of any spills.</p> <p>The Board is recommending terms and conditions to ensure that project activities do not negatively affect land, terrestrial vegetation, and ground stability.</p>

Proposed Terms and Conditions:	Water Courses/Water Bodies – 6 through 9 Waste Management – 10 and 11 Fuel and Chemical Storage – 12 through 20 Air Quality – 21 and 22 Ground Disturbance – 42 Drilling-General – 43 through 45 Drilling on Land – 46 through 50 Land Use and Restoration of Disturbed Areas – 51 through 55 Camps – 56 and 57
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Valued Component	Noise
Potential effects:	Increase in noise due to heavy equipment use, daily use of generators, aircraft flights, and general exploration activities.
Nature of Impacts:	The potential for impacts is considered to be limited and temporary, particularly where applicable regulations and best practices for exploration activities are followed.
Mitigating Factors:	Noise generated in association with camp areas, drilling locations, and helicopter use would be localized, discontinuous, and short term in nature, ensure equipment is appropriately maintained, and minimizing idling and flights.
Proposed Terms and Conditions:	Noise – 23

Valued Component	Air quality
Potential effects:	Potential adverse effects to air quality may occur from emissions and dust due to incineration activities of materials, and transportation of personnel to and from exploration sites.
Nature of Impacts:	Potential impacts to air quality may occur during project activities due to emissions from incineration and dust generated by the use of vehicles for camp activities and aircraft for transportation between sites. The potential for impacts is considered to be limited and temporary and any resulting impacts would be expected to be reversible once the exploration activities are complete.
Mitigating Factors:	The Board is recommending terms and conditions to ensure the project activities do not negatively affect air quality.
Proposed Terms and Conditions:	Waste Management – 10 and 11 Air Quality – 21 and 22

Valued Component	Wildlife harvesting and traditional land use activities.
Potential effects:	Potential adverse to traditional land use pursuits in the area from caribou migration disruptions and other wildlife disturbances from increased noise associated with the operational and drilling activities at the proposed exploration site, the transportation of personnel and equipment to and from the drill locations, the expansion of the existing camp, and the mineral exploration activities.

	The Proponent is proposing to work in an area in proximity to caribou calving, post calving and caribou migration routes and the potential 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.
Nature of Impacts:	Although the proposed project would include temporary and intermittent activities that would have limited potential for direct interaction 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.
Mitigating Factors:	The Proponent has committed to executing its work in a way that minimizes the negative effects to wildlife and has developed a <i>Wildlife Management Plan</i> and has committed to cease exploration activities during the Peary caribou calving and post calving periods. 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.
Proposed Terms and Conditions:	Wildlife General – 24 through 26 Migratory Birds and Raptors Disturbance – 27 and 28 Aircraft Flight Restrictions – 29 through 34 Caribou and MuskoX Disturbance – 35 through 41 Other - 65

Socio-economic effects on northerners:

Valued Component	Historical and archaeological sites.
Potential effects:	Archaeological and cultural historic sites may be disturbed by ground-disturbing activities associated with the Project, including the expansion of the existing camp and drill sites.
Nature of Impacts:	Potential impacts would occur through direct disturbance of archaeological or historical resources within the project footprint if such resources are present.
Mitigating Factors:	The Proponent has conducted both desktop and field-based archeological studies to identify known archaeological resources in the project area. The Proponent will contact the Government of Nunavut – Department of Culture and Heritage if any new archeological sites are encountered, and follow any direction provided.
Proposed Terms and Conditions:	Heritage Sites – 65 through 67

Valued Component	Employment and economic opportunities
Potential effects:	Potential positive impacts as the proposed project would continue to provide employment and training for personnel from local communities.

Nature of Impacts:	Positive economic benefits as employment provides jobs, employment benefits and income to individuals and families in communities and contributes to the local economy.
Mitigating Factors:	The Board recommends terms and conditions to ensure the Proponent continues to inform the community of the proposed exploration activities, provides training and employment opportunities to the residents of local communities.
Proposed Terms and Conditions:	Other - 67

Significant public concern:

Valued Component	Public Concerns
Potential effects:	No significant public concern was expressed during the public commenting period for this file.
Nature of Impacts:	The potential for impacts is considered to be minimal as long as the Proponent follows the recommended terms and conditions.
Mitigating Factors:	The Board is recommending terms and conditions to ensure that to the extent possible, the Proponent hire locally and access local services where possible, and to ensure planned activities in the area utilizes available Inuit Qaujimaningit.
Proposed Terms and Conditions:	Other – 65 and 67

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. Aston Bay Holdings (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.: 150931 and the NIRB (Online Application Form, January 9, 2026). This information should be accessible to enforcement officers upon request.
3. The Proponent shall operate the site in accordance with all applicable Acts, Regulations and Guidelines.
4. The Proponent shall ensure that it meets the standards and/or limits as set out in the authorizing agencies' permits or licences as required for this project.
5. The Proponent shall ensure that all personnel, staff and contractors are adequately trained prior to commencement of all project activities, and shall be made aware of all operational plans, management plans, guidelines and Proponent commitments relating to the project.

Water courses/Water bodies (including fresh waters)

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 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

21. 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.
22. The Proponent shall eliminate unnecessary idling to reduce greenhouse gas emissions as much as possible.

Noise

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

Wildlife General

24. 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.
25. 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.
26. The Proponent shall not hunt or fish, unless proper Nunavut authorizations have been acquired.

Migratory Birds and Raptors Disturbance

27. 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*.
28. 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 zone¹ appropriate for the species and the surrounding habitat.

Aircraft Flight Restrictions

29. The Proponent shall not alter flight paths to approach wildlife and avoid flying directly over animals.
30. 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.
31. 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.
32. 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.
33. The Proponent shall ensure that aircraft/helicopter do not, unless for emergency, touch-down in areas where wildlife are present.
34. 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.

¹ Recommended setback distances to define buffer zones have been established by Environment and Climate Change Canada for different bird groups nesting in tundra habitat and can be found at www.ec.gc.ca/paom-itmb.

Caribou and Muskoxen Disturbance

35. The Proponent shall implement mobile caribou conservation measures and immediately cease activities that may interfere with the migration or calving of caribou or muskox, until the caribou or muskox have passed.
36. 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.
37. The Proponent shall not locate any operation or undertake activities that could block or cause any diversion to migration of caribou or muskoxen.
38. 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.
39. 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.
40. The Proponent shall not construct or operate any camp, cache any fuel or conduct blasting within ten (10) kilometres, or conduct any drilling operation within five (5) kilometres of any designated caribou water crossings.
41. 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.

Ground Disturbance

42. The Proponent shall not move any equipment or vehicles unless the ground surface is in a state capable of fully supporting the equipment or vehicles without rutting or gouging. Overland travel of equipment or vehicles must be suspended if rutting occurs.

Drilling General

43. The Proponent shall ensure that all drill areas are constructed to facilitate minimizing the environmental footprint of the project area.
44. 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.
45. The Proponent shall ensure that all drill areas are constructed to facilitate minimizing the environmental footprint of the project area.

Drilling on Land

46. 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
47. If an artesian flow is encountered, the Proponent shall ensure the drill hole is immediately plugged and permanently sealed.
48. 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.
49. 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.
50. 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.

Land Use and Restoration of Disturbed Areas

51. The Proponent shall ensure that the land use area is kept clean and tidy at all times.
52. The Proponent shall avoid disturbance on slopes prone to natural erosion, and alternative locations shall be utilized.
53. 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
54. 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.
55. The Proponent shall ensure that all camps are located on durable surfaces, such as gravel or sand that is consolidated and that can withstand repeated, heavy use. Measures shall be put in place to prevent erosion, trail formation and damage to the ground.

Camps

56. 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.
57. The Proponent shall not erect camps or store materials on the surface ice of lakes or streams, except that which is for immediate use

Marine-Based Activities

58. The Proponent shall suspend all project activities should any dead fish or wildlife (both marine and terrestrial), or any injured wildlife be observed during any works or activities in and around the marine waters. Activities may only be resumed on the recommendation of the authorizing agencies.
59. The Proponent shall report all incidents, injuries or sightings of marine mammals to the appropriate authorizing agencies.

60. The Proponent shall implement measures designed to minimize disturbance to seabed sediments and benthic communities and marine wildlife when carrying out project activities within the marine environment.

61. Construction shall be carried out during periods when wind, wave and tidal conditions minimize the dispersion of silt and sediment from the work site.

62.

Heritage Sites

62. 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.

63. 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.

64. 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

65. The Proponent should consult with local residents regarding their activities in the area and solicit available Inuit Qaujimaningit and information that can inform project activities.

66. The Proponent shall ensure that project activities do not interfere with Inuit wildlife harvesting or traditional land use activities

67. 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, and other agencies that requested the report, by March 31st of each year of permitted activities beginning March 31, 2027. The annual report must contain at least the following information:
 - a. A summary of activities undertaken for the year, including:
 1. a map showing the approximate location of drill sites;
 2. a map showing the location of the fuel cache;
 3. a description of local hires, contracting opportunities and initiatives;
 4. flight altitudes, frequency of flights and anticipated flight routes;
 5. 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 EWMP 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.

OTHER NIRB CONCERNS AND RECOMMENDATIONS

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

Change in Project Scope

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

Copy of licences, etc. to the Board and Commission

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

Use of Inuit Qaujimaningit

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

Bear and Carnivore Safety

4. The Proponent should review the Government of Nunavut's booklet on Bear Safety, which can be downloaded from this link: http://gov.nu.ca/sites/default/files/bear_safety_-_reducing_bear-people_conflicts_in_nunavut.pdf. Further information on bear/carnivore detection and deterrent techniques can be found in the "Safety in Grizzly and Black Bear Country" pamphlet, which can be downloaded from this link: https://www.enr.gov.nt.ca/sites/enr/files/resources/safety_in_grizzly_and_black_bear_country_english.pdf.
5. There are polar bear and grizzly bear safety resources available from the Bear Smart Society with videos on polar bear safety available in English, French and Inuktitut at <http://www.bearsmart.com/play/safety-in-polar-bear-country/>. Information can also be obtained from Parks Canada's website on bear safety at the following link: <http://www.pc.gc.ca/eng/pn-np/nu/quttinirpaaq/visit/visit6/d.aspx> or in reviewing the "Safety in Polar Bear Country" pamphlet, which can be downloaded from the following link: http://www.pc.gc.ca/eng/pn-np/nu/quttinirpaaq/visit/visit6/~/_media/pn-np/nu/auyuittuq/pdf/shared/PolarBearSafety_English.ashx.
6. Any problem wildlife or any interaction with carnivores should be reported immediately to the local Government of Nunavut, Department of Environment Conservation Office (Conservation Officer of Resolute Bay, phone: (867) 252-3879).

Species at Risk

4. The Proponent review Environment and Climate Change Canada's "Environment Assessment Best Practice Guide for Wildlife at Risk in Canada", available at the following link: http://www.sararegistry.gc.ca/virtual_sara/files/policies/EA%20Best%20Practices%202004.pdf. The guide provides information to the Proponent on what is required when Wildlife at Risk, including Species at Risk, are encountered or affected by the project.

5. 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&dn=F53EDE13-1>. The technical document provides information on appropriate incineration technologies, best management and operational practices, monitoring and reporting.

Migratory Birds

7. 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.
8. 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.

Incineration of Wastes

9. 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

6. Environment and Climate Change Canada recommend that all hazardous wastes, including waste oil, receive proper treatment and disposal at an approved facility.
7. 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.
8. 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

APPENDIX A: SPECIES AT RISK IN NUNAVUT

Due to the requirements of Section 79(2) of the *Species at Risk Act*, S.C. 2002, c. 29 (*SARA*), and the potential for project-specific adverse effects on listed wildlife species and its critical habitat, measures should be taken as appropriate to avoid or lessen those effects, and the effects need to be monitored. Project effects could include species disturbance, attraction to operations and destruction of habitat. This section applies to all species listed on Schedule 1 of *SARA*, as listed in the table below, or have been assessed by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC), which may be encountered in the project area. This list may not include all species identified as at risk by the Territorial Government. The following points provide clarification on the applicability of the species outlined in the table.

- Schedule 1 is the official legal list of Species at Risk for *SARA*. *SARA* applies to all species on Schedule 1. The term “listed” species refers to species on Schedule 1.
- Schedule 2 and 3 of *SARA* identify species that were designated at risk by the COSEWIC prior to October 1999 and must be reassessed using revised criteria before they can be considered for addition to Schedule 1.
- Some species identified at risk by COSEWIC are “pending” addition to Schedule 1 of *SARA*. These species are under consideration for addition to Schedule 1, subject to further consultation or assessment.

If species at risk are encountered or affected, the primary mitigation measure should be avoidance. The Proponent should avoid contact with or disturbance to each species, its habitat and/or its residence. All direct, indirect, and cumulative effects should be considered. Refer to species status reports and other information on the Species at Risk Registry at <http://www.sararegistry.gc.ca> for information on specific species.

Monitoring should be undertaken by the Proponent to determine the effectiveness of mitigation and/or identify where further mitigation is required. As a minimum, this monitoring should include recording the locations and dates of any observations of Species at Risk, behaviour or actions taken by the animals when project activities were encountered, and any actions taken by the proponent to avoid contact or disturbance to the species, its habitat, and/or its residence. This information should be submitted to the appropriate regulators and organizations with management responsibility for that species, as requested.

For species primarily managed by the Territorial Government, the Territorial Government should be consulted to identify other appropriate mitigation and/or monitoring measures to minimize effects to these species from the project.

Mitigation and monitoring measures must be undertaken in a way that is consistent with applicable recovery strategies and action/management plans.

Schedules of *SARA* are amended on a regular basis, so it is important to check the *SARA* registry (www.sararegistry.gc.ca) to get the current status of a species.

Updated: September 2024

Terrestrial Species at Risk²	COSEWIC Designation	Schedule of SARA	Government Organization with Primary Management Responsibility³
Buff-breasted Sandpiper	Special Concern	Schedule 1	Environment and Climate Change Canada (ECCC)
Common Nighthawk	Threatened	Schedule 1	ECCC
Eskimo Curlew	Endangered	Schedule 1	ECCC
Harlequin Duck	Special Concern	Schedule 1	ECCC
Harris's Sparrow	Special Concern	Schedule 1	ECCC
Horned Grebe	Special Concern	Schedule 1	ECCC
Ivory Gull	Endangered	Schedule 1	ECCC
Olive-sided Flycatcher	Threatened	Schedule 1	ECCC
Peregrine Falcon	Special Concern	Schedule 1	ECCC
Red Knot Islandica Subspecies	Special Concern	Schedule 1	ECCC
Red-necked Phalarope	Special Concern	Schedule 1	ECCC
Ross's Gull	Threatened	Schedule 1	ECCC
Rusty Blackbird	Special Concern	Schedule 1	ECCC
Short-eared Owl	Special Concern	Schedule 1	ECCC
Porsild's Bryum	Threatened	Schedule 1	Government of Nunavut (GN)
Transverse Lady Beetle	Special Concern	No Schedule	GN
Caribou (Dolphin and Union Population)	Endangered	Schedule 1	GN
Caribou (Barren-ground Population)	Threatened	No Schedule	GN
Caribou (Torngat Mountains Population)	Endangered	No Schedule	GN
Grizzly Bear (Western Population)	Special Concern	Schedule 1	ECCC
Peary Caribou	Endangered	Schedule 1	GN
Polar Bear	Special Concern	Schedule 1	ECCC
Wolverine	Special Concern	Schedule 1	GN
Atlantic Walrus (High Arctic Population)	Special Concern	No Schedule	Fisheries and Oceans Canada (DFO)
Atlantic Walrus (Central/Low Arctic Population)	Special Concern	No Schedule	DFO
Beluga Whale (Cumberland Sound Population)	Threatened	Schedule 1	DFO
Beluga Whale (Eastern Hudson Bay Population)	Endangered	No Schedule	DFO
Beluga Whale (Eastern High Arctic-Baffin Bay Population)	Special Concern	No Schedule	DFO
Beluga Whale (Western Hudson Bay Population)	Special Concern	No Schedule	DFO
Atlantic Cod (Arctic Lakes Population)	Special Concern	No Schedule	DFO
Fourhorn Sculpin (Freshwater Form)	Data Deficient	Schedule 3	DFO
Lumpfish	Threatened	No Schedule	DFO
Thorny Skate	Special Concern	No Schedule	DFO

² The Department of Fisheries and Oceans has responsibility for aquatic species.

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

**APPENDIX B: ARCHAEOLOGICAL AND 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:

	Types of Development (See Guidelines below)	Function (See Guidelines below)
a)	Large scale prospecting	Archaeological/Palaeontological Overview Assessment
b)	Diamond drilling for exploration or geotechnical purpose or planning of linear disturbances	Archaeological/Palaeontological Overview Assessment and/or Inventory and Documentation and/or Mitigation
c)	Construction of linear disturbances, Extractive disturbances, Impounding disturbances and other land disturbance activities	Archaeological/Palaeontological Overview Assessment and/or Inventory and Documentation and/or Mitigation

Note that the above-mentioned functions require either a Nunavut Archaeologist Permit or a Nunavut Palaeontologist Permit. CH is authorized by way of the *Nunavut and Archaeological and Palaeontological Site Regulations*⁴ to issue such permits.

⁴P.C. 2001-1111 14 June, 2001

- 2) The permittee/proponent shall not operate any vehicle over a known or suspected archaeological or palaeontological site.
- 3) The permittee/proponent shall not remove, disturb, or displace any archaeological artifact or site, or any fossil or palaeontological site.
- 4) The permittee/proponent shall immediately contact CH at (867) 934-2046 or (867) 975-5500 should an archaeological site or specimen, or a palaeontological site or fossil, be encountered or disturbed by any land use activity.
- 5) The permittee/proponent shall immediately cease any activity that disturbs an archaeological or palaeontological site encountered during the course of a land use operation until permitted to proceed with the authorization of CH.
- 6) The permittee/proponent shall follow the direction of CH in restoring disturbed archaeological or palaeontological sites to an acceptable condition. If these conditions are attached to either a Class A or B Permit under the Territorial Lands Act Indigenous and Northern Affairs Canada directions will also be followed.
- 7) The permittee/proponent shall provide all information requested by CH concerning all archaeological sites or artifacts and all palaeontological sites and fossils encountered in the course of any land use activity.
- 8) The permittee/proponent shall make best efforts to ensure that all persons working under its authority are aware of these conditions concerning archaeological sites and artifacts and palaeontological sites and fossils.
- 9) If a list of recorded archaeological and/or palaeontological sites is provided to the permittee/proponent by CH as part of the review of the land use application the permittee/proponent shall avoid the archaeological and/or palaeontological sites listed.
- 10) Should a list of recorded sites be provided to the permittee/proponent, the information is provided solely for the purpose of the proponent's land use activities as described in the land use application, and must otherwise be treated confidentially by the proponent.

Legal Framework

As stated in Article 33 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)*:

Where an application is made for a land use permit in the Nunavut Settlement Area, and there are reasonable grounds to believe that there could be sites of archaeological importance on the lands affected, no land use permit shall be issued without written consent of the Designated Agency. Such consent shall not be unreasonably withheld. [33.5.12]

Each land use permit referred to in Section 33.5.12 shall specify the plans and methods of archeological site protection and restoration to be followed by the permit holder, and any other conditions the Designated Agency may deem fit. [33.5.13]

Palaeontology and Archaeology

Under the *Nunavut Act*⁵, the federal government can make regulations for the protection, care and preservation of palaeontological and archaeological sites and specimens in Nunavut. Under the *Nunavut Archaeological and Palaeontological Sites Regulations*⁶, it is illegal to alter or disturb any palaeontological or archaeological site in Nunavut unless permission is first granted through the permitting process.

Definitions

As defined in the *Nunavut Archaeological and Palaeontological Sites Regulations*, the following definitions apply:

“archaeological site” means a place where an archaeological artifact is found.

“archaeological artifact” means any tangible evidence of human activity that is more than 50 years old and in respect of which an unbroken chain of possession or regular pattern of usage cannot be demonstrated, and includes a Denesuline archaeological specimen referred to in section 40.4.9 of the Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement).

“palaeontological site” means a site where a fossil is found.

“fossil” includes:

Fossil means the hardened or preserved remains or impression of previously living organisms or vegetation and includes:

- (a) natural casts;*
- (b) preserved tracks, coprolites and plant remains; and*
- (c) the preserved shells and exoskeletons of invertebrates and the preserved eggs, teeth and bones of vertebrates.*

Guidelines for Developers for the Protection of Archaeological Resources in the Nunavut Territory

(Note: Partial document only, complete document at: www.ch.gov.nu.ca/en/Archaeology.aspx)

Introduction

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

⁵ s. 51(1)

⁶ P.C. 2001-1111 14 June, 2001

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

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

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

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

Types of Development

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

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

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

Types of Studies Undertaken to Preserve Heritage Resources

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

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

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

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

- allow the identification of research and conservation opportunities;
- enable the developer to make planning decisions and recognize their likely effects on the known or predicted resources; and

- make the developer aware of the expenditures, which may be required for subsequent studies and mitigation. A Class 1 or 2 permit is required.

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

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

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

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

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