



NIRB File No.: 08YN017

Associated NIRB File No.: 05AN070

CWS File Nos.: NUN-NWA-11-03, NWT-MBS-09-03

June 20, 2013

The Honourable Peter Kent
Minister of Environment
Government of Canada
c/o Jason Akearok, Habitat Biologist
Canadian Wildlife Service
Iqaluit, NU

Sent via email: jason.akearok@ec.gc.ca

Re: Application Exempt from the Requirement for Screening pursuant to Section 12.4.3 of the NLCA: Canadian Wildlife Service - Jennie Rausch's "Arctic Shorebird Monitoring Program" project proposal, Kitikmeot, Kivalliq, Qikiqtani Regions

Dear Jason Akearok:

On May 7, 2013 the Nunavut Impact Review Board (NIRB or Board) received an application for a Scientific Permit to take, salvage, disturb or display migratory birds and for a National Wildlife Area Entry permit from the Canadian Wildlife Service (CWS) for Canadian Wildlife Service - Jennie Rausch's (the Proponent) "Arctic Shorebird Monitoring Program" project. On April 24, 2013, the NIRB received a positive conformity determination (Keewatin Regional Land Use Plan) from the Nunavut Planning Commission (NPC) for the current applications associated with this file.¹

The original project proposal (NIRB File No.: 08YN017) was received by the NIRB from CWS on February 19, 2008 and was screened by the Board in accordance with Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA). On April 2, 2008 the NIRB issued the enclosed NLCA 12.4.4(a) screening decision to the Minister of Environment, Government of Canada which indicated that the proposed project could proceed subject to the NIRB's recommended project-specific terms and conditions.

The "Arctic Shorebird Monitoring Program" project is closely associated with the previously screened Canadian Wildlife Service - Vicky Johnston's "CWS Ground Surveys of Breeding Shorebirds in Queen Maud Migratory Bird Sanctuary" project (NIRB File No.: 05AN070), which was also screened by the Board in accordance with Part 4, Article 12 of the NLCA. On

¹ On May 11, 2011 the NIRB received a positive conformity determination (North Baffin Regional Land Use Plan) from the NPC for the original applications associated with this file.

June 5, 2005 the Board issued the enclosed NLCA 12.4.4(a) screening decision for NIRB File No. 05AN070 to the Minister of Environment, Government of Canada which indicated that the proposed project could proceed subject to the NIRB's recommended project-specific terms and conditions.

On April 23, 2010 the NIRB received a new application from CWS for a Scientific Permit to take, salvage, disturb or display migratory birds and to include an additional project location for the above-mentioned projects. After a thorough assessment of the activities proposed as part of the new permit application, the NIRB determined that the application was exempt from the requirement for further screening pursuant to Section 12.4.3 of the NLCA, and reissued the enclosed screening decision reports (NIRB File Nos. 05AN070 and 08YN017) on May 27, 2010.

On May 5, 2011 the NIRB received an application from the CWS for a National Wildlife Area (NWA) entry permit for the "Arctic Shorebird Monitoring Program" project (NIRB File No. 08YN017). After a thorough assessment of the activities proposed as part of the new permit application, the NIRB determined that the application was exempt from the requirement for further screening pursuant to Section 12.4.3 of the NLCA, and reissued the enclosed screening decision report (NIRB File No. 08YN017) on June 9, 2011.

The current CWS application, the original NIRB Screening Decision Reports (File Nos. 05AN070 and 08YN017) and related file information are available from the NIRB's online public registry at the following locations:

File No.: 05AN070

<http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2005/05AN070-Vicky%20Johnston/03-DECISION/>

File No. 08YN017

<http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2008/08YN017-Vicky%20Johnston/03-DECISION/>

PREVIOUSLY-SCREENED PROJECT PROPOSAL:

As previously screened by the NIRB (File No. 08YN017), the "Arctic Shorebird Monitoring Program" project was originally conducted within the Kivalliq region, near the communities of Arviat and Baker Lake. The objective of the proposed project was to monitor several species of shorebirds that breed in the Arctic to obtain better estimates for their population size. The project was to be carried out in the summer season and was planned as a long-term, multi-year project designed to help fully understand the trend in arctic shorebird population sizes and the cause of a historic decrease in arctic shorebird populations.

This project is also related to the Canadian Wildlife Service - Vicky Johnston's "CWS Ground Surveys of Breeding Shorebirds in Queen Maud Migratory Bird Sanctuary" project (NIRB File No.: 05AN070). The proposal was screened in accordance with Part 4, Article 12 of the NLCA and on June 7, 2005, the Board issued a NLCA 12.4.4(a) screening decision to the Minister of

Environment, Government of Canada which indicated that the project could proceed subject to the NIRB's recommended project-specific terms and conditions.

The specific locations of the project(s) as assessed in previous years and the proposed activities/components associated with each are summarized in Table 1:

Table 1: Project History

Year and File No.	Locations (incl. surrounding areas)	Activities/Components
2005 (05AN070)	Queen Maud Migratory Bird Sanctuary, Kitikmeot Region	<ul style="list-style-type: none"> ▪ Transport of 10 people by Twin Otter to the Queen Maud Migratory Bird Sanctuary ▪ Helicopter transport of ground crews to temporary camp sites ▪ Ground surveying for shorebirds ▪ Daily helicopter transport to survey sites
2008 (08YN017)	Baker Lake and Arviat, Kivalliq Region	<ul style="list-style-type: none"> ▪ Ground surveying for shorebirds involving 12 hectare walkabouts; ▪ Aerial surveying for shorebirds within a 200 km radius of both Baker Lake and Arviat; ▪ Two field crews (two people each) to overnight in each location; ▪ Daily transportation of field crew by helicopter from Baker Lake and Arviat to study area; ▪ On-site transportation via ATV and by foot; ▪ Field activity to take place June 9-19 near Arviat, and June 19-30 near Baker Lake; and ▪ Production and burial of human wastes in the field.
2010 (05AN070, 08YN017)	Victoria Island and King William Island, Kitikmeot Region	<ul style="list-style-type: none"> ▪ Three (3) year period of authorization (June 1 – August 15 each year); ▪ Two (2) temporary camps for use by 6 people each (12 people total) for 12 days; ▪ Two (2) temporary camps for use by 3 people each (6 people total) for 34 days; ▪ Aerial and ground surveys throughout the Nunavut portion of Victoria Island, King William Island and surrounding areas; ▪ Transport of personnel and equipment by Twin Otter and helicopter; ▪ Temporary fuel caching with portable berms; and ▪ Removal of all combustible and non-combustible wastes.
2011	Bathurst Island, Prince	<ul style="list-style-type: none"> ▪ Study areas proposed within the Kitikmeot and

(08YN017)	of Wales Island, Cornwallis Island near Resolute Bay, Polar Bear Pass National Wildlife Area, North Baffin Region	<p>North Baffin regions on and around Bathurst Island, Prince of Wales Island, and Cornwallis Island near Resolute Bay;</p> <ul style="list-style-type: none"> ▪ Multi-year access to Polar Bear Pass National Wildlife Area; ▪ Construction of a temporary camp to support activities on the Prince of Wales Island from June 15-30, 2011; and ▪ New Type B NWB Water License for camp water requirements.
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CURRENT APPLICATION:

The CWS (Jennie Rausch) is proposing to amend the “Arctic Shorebird Monitoring Program” project to continue with multi-year research throughout the Nunavut Settlement Area on the trend of declining populations of arctic shorebirds and to determine the cause of this decline. The Proponent intends to have surveyed nearly all of the communities and protected areas in Nunavut by the expected project completion date in the year 2020. The proposed project consists of the following:

- New application(s) for a CWS Bird Sanctuary Permit - three (3) year period of authorization (May 15 – August 31 each year);
- New application(s) for a CWS National Wildlife Area Permit - three (3) year period of authorization (May 15 – August 31 each year);
- Aerial and ground surveys throughout the following locations and/or surrounding areas:
 - Communities:
 - Arviat;
 - Baker Lake;
 - Bathurst Inlet;
 - Chesterfield Inlet;
 - Clyde River;
 - Grise Fiord;
 - Hall Beach;
 - Igloolik;
 - Iqaluit;
 - Kugaaruk;
 - Kugluktuk;
 - Pangnirtung;
 - Pond Inlet;
 - Qikiqtarjuaq;
 - Repulse Bay; and
 - Resolute Bay.
 - National Wildlife Areas:
 - Akpait National Wildlife Area;

- Ninginganiq National Wildlife Area;
- Nirjutiqqavvik National Wildlife Area;
- Polar Bear Pass National Wildlife Area; and
- Qaulluit National Wildlife Area.

- Migratory Bird Sanctuaries:
 - Bylot Island Migratory Bird Sanctuary;
 - Dewey Soper Migratory Bird Sanctuary;
 - East Bay Migratory Bird Sanctuary;
 - Harry Gibbons Migratory Bird Sanctuary;
 - McConnell River Migratory Bird Sanctuary;
 - Prince Leopold Island Migratory Bird Sanctuary;
 - Queen Maud Gulf Migratory Bird Sanctuary; and
 - Seymour Island Migratory Bird Sanctuary.

- National Parks:
 - Auyuittuq National Park;
 - Sirmilik National Park; and
 - Ukkusiksalik National Park.

- Wildlife Sanctuary:
 - Thelon Wildlife Sanctuary.

- Temporary camp to consist of:
 - Two (2) large tents (10'x12') for kitchen and storage;
 - One (1) personal sleeping tent for each person in camp (10 in total);
 - Power sources will be propane for cooking and small solar panels to re-charge scientific equipment.
- Transport of personnel and equipment by Twin Otter and helicopter;
- Temporary fuel caching to utilize portable berms; and
- Removal of all combustible and non-combustible wastes.

Please note that Section 12.4.3 of the NLCA states that:

“Any application for a component or activity of a project proposal that has been permitted to proceed in accordance with these provisions shall be exempt from the requirement for screening by NIRB unless:

(a) such component or activity was not part of the original project proposal; or

(b) its inclusion would significantly modify the project.”

On May 29, 2013 the NIRB distributed the current amendment request to its regional distribution lists, requesting submission of any comments or concerns related to the application by June 12, 2013.

The NIRB did not receive any comments prior to June 12, 2013. However, following the close of the commenting period, the Board received comments from the following parties:

- Arviat Hunters and Trappers Organization – stated support of the proposed project; and
- Aqigiq Hunters and Trappers Organization – requests the Proponent to take care and not disturb the land and respect the wildlife as well as keep the Hunters and Trappers Organizations up-to-date on activities.

After completing a review of the information provided in support of the current application as well as the comments received, the NIRB is of the understanding that the proposed amendment does not change the general scope of the original project activities, and the exceptions noted in NLCA 12.4.3(a) and (b) do not apply. Therefore, this application is exempt from the requirement for screening pursuant to Section 12.4.3 of the NLCA and the activities therein remain subject to the terms and conditions recommended in the original June 5, 2005 and April 2, 2008 Screening Decision Reports (enclosed).

If you have any questions or require additional clarification, please contact Jaswir Dhillon, Technical Advisor, at 867-983-4609 or jdhillon@nirb.ca.

Sincerely,



Ryan Barry
Executive Director
Nunavut Impact Review Board

cc: Jennie Rausch, Canadian Wildlife Service
Phyllis Beaulieu, Nunavut Water Board
Geoff Clarke, Kitikmeot Inuit Association
Luis Manzo, Kivalliq Inuit Association
Bernie MacIsaac, Qikiqtani Inuit Association

Enclosure: NIRB Screening Decision Report, File No.: 05AN070 (June 5, 2005)
NIRB Screening Decision Report, File No.: 08YN017 (April 2, 2008)