



NIRB File No.: 05AN089

Previous CWS File Nos.: NUN-MBS-08-03, NUN-NWA-08-02

Previous PC File Nos.: QNP-2008-C25108

DFO File No.: NU-07-0045

May 29, 2014

Bill Davis
VP Operations
Quark Expeditions
1019 Boston Post Road
Darien CT 06820 USA

Sent via email: bill.davis@quarkexpeditions.com

Re: Application Acknowledgement & Comment Request for Quark Expeditions' Amendment Request with the Canadian Wildlife Service for "Quark Canadian Arctic 2014"

Dear Bill Davis:

On April 3, 2014 the Nunavut Impact Review Board (NIRB or Board) received an application from the Canadian Wildlife Service (CWS) for a new Bird Sanctuary Permit for Quark Expeditions' (Quark) "Quark Canadian Arctic 2014"¹ project. On April 17 and May 27, 2014 the NIRB received positive conformity determinations (North Baffin and Keewatin Regional Land Use Plans, respectively) from the Nunavut Planning Commission (NPC) for this file.

Please be advised that the original project proposal for a National Wildlife Area access permit (NIRB File No.: 05AN089) was received by the NIRB from the CWS on May 30, 2005. The proposal was screened in accordance with Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA). On July 6, 2005 the NIRB issued a 12.4.4(a) screening decision to the Minister of Environment, Government of Canada, indicating the proposed project could proceed subject to NIRB's recommended project-specific terms and conditions. Project components and activities included the following:

- Cruise ship activities for approximately 200 passengers, staff and crew throughout the Qikiqtani region using the "Kapitan Khlebnikov" ice class vessel;
- Visits to the communities of Resolute Bay and Grise Fiord as well as Cape Hay and the Coburg Island (Nirjutiqavvik) National Wildlife Area reserve;

¹ Previous project titles associated with NIRB File No. 05AN089 include: "Tourism Visitation", "Quark Expedition", "Ellesmere Island Greenland", and "2010 Cruise Ship Access to Quttinirpaaq National Park".

- Use of six (6) Zodiac vessels (small boats with a capacity of 10-12 people) to view birds in waters near the Bylot Island Migratory Bird Sanctuary and the Prince Leopold Island Migratory Bird Sanctuary;
 - Anchoring of the cruise vessel 1 kilometre off shore when Zodiac vessels in use; and
- No landings proposed at bird sanctuaries.

On April 25, 2008 the NIRB received an application from the CWS for an amendment and renewal to Quark Expeditions' National Wildlife Area permit for an additional three years and to include a CWS Bird Sanctuary permit. On June 20, 2008 the NIRB also received an application from Parks Canada (PC) for a Business license, Guide permits and an Aircraft Access permit for Quttinirpaaq National Park for this project proposal, which included cruise ship activities for both Quark (NIRB File No.: 05AN089) and Zegrahms Expeditions' (Zegrahms) (NIRB File No.: 05AN090) proposals. As both Quark and Zegrahms were proposing project activities to be undertaken simultaneously on the same ship, as two expeditions on one arctic voyage, the NIRB consolidated both projects and screened the amendment and renewal under the NIRB File No. 05AN089. After distributing the applications for comments, on July 18, 2008 the NIRB issued a 12.4.4(a) screening decision to the Minister of Environment, Government of Canada, allowing the proposed project to proceed subject to additional recommended project-specific terms and conditions. Additional project components and activities included the following:

- Alternating use of Zodiac vessels and two helicopters to transport passengers and staff from ship to shore;
- Tours within Quttinirpaaq National Park:
 - Tanquary Fiord tour: enter the park via Tanquary Fiord, transport to shore by zodiac for visits to archaeological sites;
 - Arctic Adventure tour: enter the park via Lady Franklin Bay, access Fort Conger site for day trip via helicopter;
- Additional ship landings at Iqaluit, Eureka, Pond Inlet, Clyde River, Qikiqtarjuaq and Pangnirtung; and
- Additional archaeological landings at Beechy Island, Kekerton, Pim Island, Skraeling Island, and Dundas Harbour.

Currently Proposed Amendment to Project Activities

Within the current CWS application for a Bird Sanctuary Permit, Quark is proposing to continue with the previously assessed cruise activities for one year, with cruise activities proposed to take place between August 3 and September 14, 2014, as well as to include the following additional components and activities:

- Operation of four cruise itineraries with additional stops including Kimmirut, Cape Dorset, Igloolik, Monumental Island and the Frobisher Bay Expedition Stop as well as the following community and islands in the Kivalliq region: Coral Harbour, Coats Island, Marble Island and Walrus Island.

The NIRB has determined that this request may result in a change to the original scope of the project.

The CWS application and the original NIRB screening file (File No. 05AN089), are available from the NIRB's online public registry at the following link:

<http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2005/05AN089-Quark%20Expeditions/>.

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.”*

The NIRB is of the opinion that the current request to amend project activities is not likely to *significantly* change the general scope of the original project activities. Therefore the NIRB is *proposing* to re-issue the same terms and conditions as those in the attached July 18, 2008 Screening Decision, along with any new terms and conditions the NIRB considers appropriate. The NIRB is copying parties and municipalities potentially affected by this project and we invite interested persons to comment directly to the NIRB by **June 9, 2014**.

The NIRB would like Parties to provide comments regarding:

- Whether the inclusion of the additionally proposed component(s) and/or activity(ies) would significantly modify the project;
- Any additional mitigation measures that are appropriate; and
- Any other matter of importance to the Party related to the project proposal.

Please send your comments directly to the NIRB at info@nirb.ca or via fax to **(867) 983-2594**.

If you have any questions or require clarification, please contact the undersigned at (867) 983-4606 or hiasmussen@nirb.ca.

Sincerely,



Heather Rasmussen
Technical Advisor
Nunavut Impact Review Board

cc: Distribution List
Alex McNeil, Quark Expeditions
Luis Manzo, Kivalliq Inuit Association
Bernie MacIsaac, Qikiqtani Inuit Association
Jason Akearok, Canadian Wildlife Service
Jane Chisholm, Parks Canada

Enclosures (2): Comment Forms (English and Inuktitut)
NIRB Screening Decision Report, File No.: 05AN089 (July 18, 2008)