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CANADIAN WILDLIFE SERVICE - PERMIT
PERMIS - SERVICE CANADIEN DE LA FAUNE

ENVIRONMENT CANADA PERMIT

Migratory Bird – Sanctuary
Permit for

NUN-MBS-15-10
Permit no.

Nunavut
province(s), territories

9 and 10
Issued under section

Name and address

Migratory Bird Sanctuary Regulations

Bill Davis
Quark Expeditions
112 Merton Street, 4th floor
Toronto, Ontario
M4S 2Z8

Permittee

Date of issue: June 25, 2015

Date of expiry: September 15, 2015

Period of validity: August 15 - September 15, 2015

Mia Pelletier

For the minister

1. The Permittee is authorized to enter the following Migratory Bird Sanctuaries with the *M/V Sea Explorer*¹ and the *MV Sea Adventurer*² cruise vessels:

- Prince Leopold Island Migratory Bird Sanctuary
- Ahlak Queen Maud Gulf Migratory Bird Sanctuary
- Bylot Island Migratory Bird Sanctuary

2. (i) The Permittee shall comply with the marine setback recommendations submitted to the Nunavut Land Use Plan (NLUP) by Environment Canada, including maintaining a minimum 500 m setback distance for cruise ships from seabird colonies when birds are present.

¹ Vessel owned by Adventure Partners, brokered by SunStone Ship Management Co./FleetPro; vessel captained by Idar Pederson.

² Vessel owned by Adventure Partners, brokered by SunStone Ship Management Co./FleetPro; vessel captained by Peter Gluschke.

(ii) The Permittee shall follow Environment Canada's *Guidelines to Avoid Disturbance to Seabird and Waterbird Colonies in Canada*, as follows:

- Only approach sea-level seabird or waterbird colonies as close as 300 m in smaller vessels (zodiacs, kayaks, canoes) or as close as 100 m in small vessels for cliff-nesting seabirds.
- Travel at steady speeds when close to seabird colonies, moving parallel to the shore rather than approaching the colony directly.
- Avoid sharp or loud noises (e.g. sounding the ship's horn) while within the Sanctuaries.
- Do not pursue seabirds or waterbirds swimming on the water surface, and avoid concentrations of these birds on the water.

3. The Permittee shall ensure that cruise ship staff and passengers do not remove anything (ecological or otherwise) from the Migratory Bird Sanctuaries should they go ashore.

GENERAL CONDITIONS

1. The permit is not valid unless signed by the Permittee (holder) or authorized representative, in the space designated as "Permittee".
2. By signing this document you bind yourself to respect all terms and conditions of this permit.
3. The Permittee must comply with all other applicable Canadian laws and regulations.
4. Copy of signed permit must be carried by Nominees and Permittee when conducting this work and will be presented if asked by Police or Game Officer.
5. The Permittee shall display a copy of this permit in a conspicuous place when conducting permitted activities within the Migratory Bird Sanctuaries.
6. The conditions of this permit apply to all employees, agents, contractors, volunteers, and visitors of the Permittee.
7. The Permittee shall ensure that a copy of this Permit, operating conditions and definitions is provided, understood and adhered to by all contractors and sub-contractors prior to the start-up of the permitted activity
8. Additional restrictions may be required and may be added to this permit by the Minister if it is deemed necessary to ensure compliance with the Migratory Birds Convention Act and the Migratory Bird Sanctuary Regulations.
9. Issuance of this permit does not supersede the necessity or legal requirement to acquire any other pertinent Territorial or Municipal license and or permit which may otherwise be applicable. This permit is not transferable to any other person(s) or organization(s) and is not valid if altered in any way.
10. Only activities described in this permit are authorized. If the Permittee proposes to conduct activities not described in this authorization, they must contact CWS.
11. The Permittee is authorized to possess firearms in the Prince Leopold Island, the Ahlak Queen Maud Gulf and the Bylot Island Migratory Bird Sanctuaries for protection from dangerous wildlife only.
12. This permit may be revoked at any time at the discretion of the Minister.
13. **Conditions set by the Nunavut Impact Review Board (NIRB #05AN089) are considered to be a part of the conditions of this permit.**

14. The Permittee shall review the recommendations set out by the Area Co-management Committees for the permitted Migratory Bird Sanctuaries, and is invited to follow these recommendations (Appendix).

SPECIAL CONDITIONS

1. OPERATIONS – PROTECTION OF TERRESTRIAL HABITAT

1. The Permittee shall not move any equipment or vehicles unless the ground is in a state capable of fully supporting the equipment or vehicles without rutting or gouging.

2. OPERATIONS – WILDLIFE DISTURBANCE AND INTERACTION

1. The Permittee shall not feed wildlife or attempt to attract wildlife.

3. FUEL STORAGE AND HANDLING

1. The Permittee shall not allow oil, oil wastes or any other substance harmful to migratory birds to be deposited in waters or other areas frequented by migratory birds, or in a place from which the substances may enter waters frequented by migratory birds.
2. The Permittee shall report the location and quantity of all caches of fuel and other substances to the Manager within ten days after the cache is established.
3. The Permittee shall not place any petroleum fuel storage containers in such a manner that it may enter any waterbody.
4. The Permittee shall examine all fuel storage containers for leaks a minimum of once every day and repair all leaks immediately.
5. The Permittee shall permanently mark all fuel containers, including 205 L drums, with the Permittee's name.

4. GARBAGE AND WASTE WATER HANDLING AND REMOVAL

1. The Permittee shall ensure that all domestic garbage and other wildlife attractants are inaccessible to wildlife at all times.
2. The Permittee shall regularly collect all waste, debris and domestic garbage and dispose of it using appropriate technology and accepted practices.
3. All authorized camping must be 'no trace' and all garbage and debris must be removed from the Sanctuaries.

5. CLEAN-UP AND RESTORATION

1. Regardless of the expiry date of the permit, the Permittee will be responsible for the cost of the clean up or restoration of habitat.
2. The Permittee shall restore the surface of all altered habitat to a condition as close as possible to its natural state and to the satisfaction of the Minister, in writing.
3. The Permittee shall be responsible for the full cost of remediation of all altered habitat to its natural state and to the satisfaction of the Minister, in writing.

6. REPORTING

The Permittee shall submit a report to the Canadian Wildlife Service and the Wildlife Enforcement Division at CWSPermittingNunavut@ec.gc.ca by December 31 of each permitting year. The report shall include the date and duration of the Permittee's visit to each Migratory Bird Sanctuary and a summary of activities within the Sanctuaries. Additional details that may be included in the report include:

- i. The number and species of wildlife observed while in the Sanctuaries.
- ii. A description of travel routes (or GPS tracks) of routes taken within the Sanctuaries.
- iii. If archaeological sites were discovered within a Sanctuary, a photograph of the archeological site(s) and the GPS location of the site(s).
- iv. Information requested by the Area Co-Management Committees for the Migratory Bird Sanctuaries (see Appendix).

7. NOTIFICATION OF ENTRY

Command of the vessel is to notify the Canadian Wildlife Service and Wildlife Enforcement Division 72 hours and 48 hours prior to entering the Prince Leopold Island, the Bylot Island and the Ahlak Queen Maud Gulf Migratory Bird Sanctuaries. Contact Quentin Deering at (867)-669-4761 (Quentin.Deering@ec.gc.ca) or Steve Allan at (867) 669-4788 (Steve.Allan@ec.gc.ca).

DEFINITIONS

Manager: Manager, Northern Conservation Section, Canadian Wildlife Service, Environment Canada or his/her designate.

Minister: The Minister of the Environment.

Permittee: The party to whom a CWS Sanctuary Permit is issued for conducting activities in a migratory bird sanctuary.

Waterbody: Any river, stream, creek, lake, or pond.

Camp: A collection of accommodations, maintenance, transportation, and storage facilities located either permanently or temporarily at a site.

Sub-permit holder and/or nominees: David "Dutch" Willmott (*MV Sea Adventurer* Expedition Leader) and Solan Jensen (*MV Sea Explorer* Expedition Leader).

I declare that I have read and understand this Permit, including all the conditions attached.

Signature of Permittee

June 29/15 Toronto

Date and Location of Signing

APPENDIX – ACMC RECOMMENDATIONS

**Sulukvakt Area Co-management Committee (S-ACMC) Recommendations
for the Prince Leopold Island MBS:**

- The S-ACMC recommends that an Inuit guide is hired for visits to the MBS; a local guide from Resolute Bay is preferable. The Hamlet of Resolute Bay can provide a list of suggested guides.
- In addition to adhering to the setback distances for seabirds, the S-ACMC asks that permit holders adhere to the Fisheries and Oceans *Marine Wildlife Guidelines for Boaters, Paddlers and Viewers* when viewing marine mammals, including maintaining a 100m distance from whales at all times, and that ship noise is kept to a minimum (i.e. refrain from sounding the ships horn) while within the MBS.
- The S-ACMC requests that passengers going ashore within the MBS are accompanied by a guide at all times to minimize the amount of activity/disturbance occurring on shore.
- The S-ACMC requests that ships are put into neutral if they happen upon any marine mammals until the animal has moved on.
- The S-ACMC is interested in activities that occur within the Prince Leopold Island MBS and requests a copy of your annual permit report.
- The S-ACMC requests a list of wildlife sightings (along with geographical coordinates, if available) from your visit to Prince Leopold Island MBS to assist in management planning activities for this area.
- The S-ACMC recommends that cruise ships contact the Hunters and Trappers Organization in Resolute Bay to advise them of your upcoming visit if you haven't already been in contact.

**Ahiak Area Co-management Committee (A-ACMC) Recommendations
for the Ahiak Queen Maud Gulf MBS:**

- The A-ACMC is very concerned about potential oil spills and the effects this would have on birds, fish and other wildlife. The A-ACMC requests that the vessel provide a copy of their spill contingency plan to the Canadian Wildlife Service to keep on file.
- If the proponent has any environmental emergencies (e.g. spills of any environmentally harmful substances, fuel spills of any volume) they should be reported to the Northwest Territories and Nunavut Environmental Emergencies Notification System at 1-867-920-8130 (dial 00 first from a satellite phone). The proponent should ensure that crews have this telephone number with them during the expedition.
- It is the A-ACMC's understanding that no terrestrial landings will take place within the Ahiak Queen Maud Gulf Migratory Bird Sanctuary, as stated on the application.
- The A-ACMC recommends that the proponent contact the Hunters and Trappers Organizations in Cambridge Bay and Gjoa Haven if the proponent has not been in contact already, as these HTOs are in the nearest affected communities for the Ahiak Queen Maud Gulf Migratory Bird Sanctuary
- The A-ACMC would like to provide *Inuit Quajimajatuqangit* (traditional and/or local knowledge) on the area to the proponent. Although the A-ACMC does not know the exact route that the vessel will take, the proponent should be advised that the waters offshore of the Ahiak Migratory Bird Sanctuary are very shallow in recent years, especially around Flagstaff Island, the mouth of the Perry River, and Melbourne Island, and the A-ACMC asks that the proponent be very cautious if travelling near these areas.
- The A-ACMC requests a list of the wildlife sighting from the proponent's expedition within the MBS be provided to the A-ACMC to assist the ACMC in their management planning as part of their ecological resources data. This may be submitted as sighting with geographical coordinates in a table, or as ArcGIS compatible shapefiles along with the annual permitting report to CWSPermittingNunavut@ec.gc.ca.
- The A-ACMC requests that the proponent provide a copy of the annual permit report, in English, Inuktitut and Inuinnaqtun to CWSPermittingNunavut@ec.gc.ca, who will forward the reports to the A-ACMC.

- The A-ACMC notes that the permit application was not submitted in Inuinnaqtun, as required for permit applications for Ahiak Queen Maud Gulf Migratory Bird Sanctuary, and wishes to advise the proponent that the Inuinnaqtun version will be required for future applications.

**Asungasungaaq Area Co-management Committee (A-ACMC) Recommendations
for the Bylot Island MBS:**

- The A-ACMC recommends that an Inuit guide, preferably from the Pond Inlet area, is hired to work on the ship during the time of the visit to the Bylot Island MBS.
- The A-ACMC recommends that, in the event of a polar bear defense kill, the cruise ship leader immediately contact the local game officer and the Hunters and Trappers Association.
- In addition to adhering to the setback distances for seabirds, the A-ACMC requests that permit holders adhere to the Fisheries and Oceans *Marine Wildlife Guidelines for Boaters, Paddlers and Viewers* when viewing marine mammals, including maintaining a 100m distance from whales at all times, and that ship noise is kept to a minimum (i.e. refrain from sounding the ships horn) while within the MBS.
- **The A-ACMC requests that cruise ships avoid the following inlets during the summer months: Navy Board Inlet, Milne Inlet and Tremblay Inlet, as these areas are important Inuit summer hunting grounds. Ships are requested to travel around the east and north of Bylot Island when continuing onwards to other destinations.**
- The A-ACMC requests that ships are put into neutral if they happen upon any marine mammals until the animal has moved on.
- The A-ACMC is interested in activities that occur within the Bylot Island MBS and requests a copy of your annual permit report, in English and Inuktitut.
- The A-ACMC recommends that the Hunters and Trappers Association in Pond Inlet be contacted to advise them of your visit if you have not already been in contact.
- The A-ACMC requests a list of wildlife sightings (along with geographical coordinates, if available) from your visit to Bylot Island MBS. This may be submitted along with the annual permit report.