



NIRB File No.: 08YN017
NWB File No.: 3BC-ASM1010
CWS File No.: NUN-SCI-10-01

June 9, 2011

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

Via email: jason.akearok@ec.gc.ca

Re: Application exempt from Screening pursuant to Section 12.4.3 of the NLCA: Jennie Rausch's "Arctic Shorebird Monitoring Program" project

Dear Jason Akearok:

On May 5, 2011 the Nunavut Impact Review Board (NIRB or Board) received an application from the Canadian Wildlife Service (CWS) for a new National Wildlife Area entry permit as well as an amendment to CWS Wildlife Permit NUN-SCI-10-01 for Jennie Rausch's "Arctic Shorebird Monitoring Program" project proposal.

Please be advised that the original project proposal (NIRB File No.: 08YN017) was received by the NIRB from the 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 indicating the proposed project could proceed subject to NIRB's recommended project-specific terms and conditions.

On April 23, 2010 the NIRB received an application from CWS for an amendment to the scientific permit for this project which would allow for the take, salvage, disturb or display of migratory birds. After a thorough assessment of the amendment request, the NIRB determined that the application was exempt from further screening as per Section 12.4.3 of the NLCA, and reissued the enclosed screening decision report on May 27, 2010.

The current CWS application, the original NIRB Screening Decision Report (08YN017) and related file information are available from the NIRB's ftp site at the following link: <http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2008/>.

PREVIOUSLY-SCREENED PROJECT PROPOSAL:

As originally screened by the NIRB (File No. 08YN017), the “Arctic Shorebird Monitoring Program” project was located within the Kivalliq region, around the communities of Baker Lake and Arviat with survey activities entering into the McConnel River Bird Sanctuary near Arviat. The Proponent indicated that it intended to conduct ground and aerial surveys to get more accurate population counts of migratory shorebirds.

The activities/components associated with this proposal included:

- 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 Baker Lake and Arviat;
- 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.

As the project activities moved to the Kitikmeot region, the NIRB reviewed the following amended project activities/components:

- 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;
- Removal of all combustible and non-combustible wastes.

Jennie Rausch’s monitoring project has been part of a long term North American monitoring initiative of migratory birds supported through the Polar Continental Shelf Program and Environment Canada. To date, the Proponent has completed monitoring in 3 of 13 Canadian Arctic PRISM (Program for Regional and International Shorebird Monitoring) regions.

CURRENT APPLICATION:

Jennie Rausch is applying for a new National Wildlife Area entry permit as well as to amend the existing CWS scientific research license for this project to include the following additional components/activities:

- New study areas within the Kitikmeot and North Baffin regions on and around Bathurst Island, Prince of Wales Island, and Cornwallis Island especially near Resolute Bay;
- Multi-year access to Polar Bear Pass National Wildlife Area ;
- Constriction of a temporary camp to support activities on the Prince of Wales Island from June 15-30, 2011;

- New Type B NWB Water License for camp water requirements.

On May 27, 2011 NIRB distributed the current amendment request to a regional distribution list, requesting submission of any comments or concerns related to the application by June 7, 2011. On or before June 7, 2011 comments were received from:

- Government of Nunavut – Culture, Language, Elders & Youth
- Government of Nunavut – Department of Environment
- Fisheries and Oceans Canada

The following is a summary of comments and concerns received:

- Recommend that the project proposal be processed without a review under Part 5 or 6 provided the Proponent avoid known archaeological sites in the area, and follow the Site Protection and Restoration guidelines if an archaeological or paleontological site is encountered;
- Support the project and have no concerns provided the Proponent follow the guidelines in their current licenses;
- To prevent and minimize project related impacts on wildlife, it is important that the proponent is aware of the types of wildlife species, their distribution and their abundance in the project area, prior to the start of the project. The proponent is asked to create and maintain a ‘wildlife log’ for submission to a Regional Wildlife Biologist at the end of each field season.
- Recommend appropriate mitigation measures be adhered to avoid disturbance to caribou and muskoxen calving, post-calving and migration, as well as to prevent human-carnivore conflicts and aircraft disturbances.
- Recommend measures for fuel storage and spill prevention/contingency be put in place.

All comment submissions can be accessed from NIRB’s online registry here:

<http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2008/08YN017-Vicky%20Johnston/02-DISTRIBUTION/COMMENTS/>

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.”

After completing a review of the information provided in support of the current application as well as the comments received from interested parties, 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 screening as per Section 12.4.3 of the NLCA and the activities therein remain subject to the

terms and conditions recommended in the original April 2, 2008 Screening Decision Report (enclosed).

If you have any questions or concerns, please contact Tara Arko, Assistant Technical Advisor, at 867-983-4611 or tarko@nirb.ca.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stephanie Autut', with a stylized, cursive script.

Stephanie Autut
Executive Director

cc: Jennie Rausch, CWS at jennie.rausch@ec.gc.ca
Phyllis Beaulieu, NWB
Robert St. Eloi, QIA
Stanley Anablak, KitIA

Enclosed: NIRB Screening Decision Report, File No.: 08YN017 (April 2, 2008)