



NIRB File No.: 21YN037
NPC File No.: 149359

July 27, 2021

Amanda Dumond
PO Box 309
Kugluktuk, NU X0B 0E0

Sent via email: kugluktuk@krwb.ca

Re: Notice of Screening for Kugluktuk Angoniatic Association's "Char Habitat Restoration" Project Proposal

Dear Amanda Dumond:

On July 2, 2021, the Nunavut Impact Review Board (NIRB) received a referral to screen Kugluktuk Angoniatic Association's "Char Habitat Restoration" project proposal from the Nunavut Planning Commission (Commission), which noted that the project proposal is outside the area of an applicable regional land use plan. Pursuant to Article 12, Sections 12.4.1 and 12.4.4 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and s. 87 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*), the NIRB has commenced screening this project proposal and has assigned it file number **21YN037** - please reference this file number in all future related correspondence.

INFORMATION REQUEST

On July 2, 2021, the NIRB requested that the Proponent complete the online application form through the NIRB's public registry system and ensure, pursuant to s. 144(1) of the *NuPPAA*, that sufficient information is provided to determine the scope of the project activities being proposed and commence screening.

Following a preliminary completeness check of the proposal as submitted on July 16, 2021 by the Proponent, the NIRB determined that the proposal did not contain the necessary information for the NIRB to carry out its screening and on July 16, 2021, requested that the Proponent provide the Board with the additional information in order to carry out the screening of the project proposal. On July 26, 2021, the NIRB received the required information and commenced the screening pursuant to Part 3 of the *NuPPAA*.

PROJECT OVERVIEW

Project Scope:

All documents received and pertaining to this project proposal can be accessed from the NIRB’s online public registry at www.nirb.ca/project/125626.

Project:	Char Habitat Restoration				
Region:	Kitikmeot				
Location:	Richardson Islands and Read Island				
Closest Community:	Kugluktuk	Distance (approximate)	160 kilometres (km)	Direction	North
Summary of Project Description:	The Proponent intends to restore stream channels at two (2) locations selected by the community to facilitate the fall migration of Arctic Char and reduce the number of stranded fish. The two locations are Nakyoktok River (Richardson Islands) and Kimikyok River (Read Island). The objective is to create channels that are deep enough to allow adult fish to pass easily upstream using the natural environment and the use of hand tools and manual labor. Water samples and fish samples may be collected with the collaboration between Kugluktuk Hunters and Trappers Organization, Fisheries and Oceans Canada, and the University of Waterloo.				
Project Proposed Timeline:	July 26, 2021 to September 24, 2022				

According to the project proposal, the scope of the project includes the following undertakings, works or activities:

- Temporary 10-person camp with the use of canvas tents at each site;
- Use of a charter aircraft to transport equipment and supplies;
- Use of four (4) boats to transport personnel and equipment to restoration sites;
- Use of two (2) ATVs to transport equipment around sites and to winch boulders out of the stream channels;
- Use of a Generator to power emergency communication equipment;
- Use of up to 150 gallons of gasoline in thirty (30) 5-gallon jerry cans for fuel for boats, ATVs, and generator;
- Use of white gas for Coleman stoves and lanterns;
- Use of up to 55 pounds of non-explosive boulder breaker (Dexpan) for cracking boulders;
- Water for camp use to be collected by jugs from streams;
- Waste management:
 - Food particles will be filtered out and grey water will be poured into a shallow pit 50 meters away from camp;
 - Human waste will be contained, transported back to Kugluktuk, and disposed in approved facilities;
 - Combustible waste will be contained and brought back to Kugluktuk and disposed in approved facilities;

- Water and Fish samples may be collected opportunistically to support the larger research project funded by Fisheries and Oceans Canada Coastal Restoration Fund.

Inclusion or Exclusion of Scoping List

At this time, 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.

REQUEST FOR COMMENTS

All documents received can be accessed from the NIRB's online public registry at www.nirb.ca/project/125626 and include:

- *Commission Referral and Application*
- *Non-Technical Summary in English and Inuinnaqtun*
- *NIRB Application*

The NIRB will copy you on screening process related correspondence and upload related documents to the NIRB's online registry for public access. The NIRB may request additional information at any time during the process.

The NIRB is copying parties and municipalities potentially affected by Kugluktuk Angoniatic Association's project proposal with this letter, and we invite interested parties to comment directly to the NIRB by **August 6, 2021**.

The NIRB would like parties to provide comments 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.

Please note that *proposed* project-specific terms and conditions, should the project proceed, have been attached for consideration and comment ([Appendix A](#)).

CONTACT INFORMATION

Please send your comments to the NIRB via email at info@nirb.ca, via fax at (867) 983-2594 or via the individual project dashboard for this assessment on the NIRB's online public registry at www.nirb.ca/project/125626.

If you have any questions or require clarification, feel free to contact the undersigned at (867) 983-4616 or femingak@nirb.ca.

Sincerely,



Francis Emingak
Junior Technical Advisor
Nunavut Impact Review Board

Attachments: Appendix A: *Proposed* Project Specific Terms and Conditions

Enclosures (4): Public Notice of Screening (English and Inuinnaqtun)
Comment Forms (English and Inuinnaqtun)

cc: Distribution List
Richard Dwyer, Nunavut Water Board
Carson Gillis, Nunavut Tunngavik Inc.
Geoff Clark, Kitikmeot Inuit Association
Wynter Kuliktana, Kitikmeot Inuit Association
Alexander Stubbing, Government of Nunavut – Department of Environment
Drikus Gissing, Government of Nunavut – Department of Environment
Moshá Cote, Nunavut Research Institute
Tracey McCaie, Crown-Indigenous Relations and Northern Affairs Canada
Lisa Pirie-Dominix, Canadian Wildlife Service
Daniel Coombs, Fisheries and Oceans Canada
Veronique D'Amours Gauthier, Fisheries and Oceans Canada

Appendix A: Proposed Project Specific Terms and Conditions

The following is a list of project-specific terms and conditions which, should the project proceed, may be recommended to be attached to any approval.

General

1. Kugluktuk Angoniatit Association (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.: 149359), and the NIRB (Online Application Form, July 16, 2021; 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 and marine waters)

6. The Proponent shall ensure that water extraction from any fish-bearing waterbody is done with appropriate care and caution. Small lakes or streams should not be used for water withdrawal unless approved 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 other than those involved in project activities 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 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

9. 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.

Fuel and Chemical Storage

10. 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.
11. 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.
12. All fuel and chemical storage containers must be clearly marked with the Proponent's name for ease of identification.
13. 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.
14. 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).
15. The Proponent shall ensure that wildlife deterrent systems are utilized at the time of a spill incident in order to avoid wildlife (terrestrial or marine) and migratory birds from being contaminated.
16. 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.

Wildlife – General

17. 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.
18. 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.
19. The Proponent shall not hunt or fish, unless proper Nunavut authorizations have been acquired.

Migratory Birds and Raptors Disturbance

20. 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*.
21. 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.

22. The Proponent shall not pursue seabirds or waterbirds swimming on the water surface and shall avoid concentrations of these birds if encountered on the water.

Aircraft Flight Restrictions

23. The Proponent shall not alter flight paths to approach wildlife and avoid flying directly over animals.
24. 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.
25. 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.
26. The Proponent shall ensure that aircraft/helicopter do not, unless for emergency, touch-down in areas where wildlife are present.
27. 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.

Caribou and Muskoxen Disturbance

28. The Proponent shall avoid interfering with any paths or crossings known to be frequented by caribou during periods of migration as identified by current land use plans in place and/or by Inuit Qaujimaningit.
29. The Proponent shall not locate any operation or undertake activities that could block or cause any diversion to migration of caribou or muskoxen.
30. 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.

Land Use and Restoration of Disturbed Areas

31. The Proponent shall use existing trails where possible during project activities on the land.
32. The Proponent shall ensure that the land use area is kept clean and tidy at all times.
33. 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.

Camps

34. 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.

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.

Heritage Sites

35. 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.
36. 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

37. 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.
38. The Proponent shall ensure that project activities do not interfere with Inuit wildlife harvesting or traditional land use activities.
39. The Proponent should, to the extent possible, hire local people and access local services where possible.