



NIRB File No.: 21YN032

NPC File No.: 149484

July 2, 2021

Eleanor McEwan
Fisheries and Oceans Canada
501 University Crescent
Winnipeg Manitoba R3T 2N6 Canada

Sent via email: eleanor.mcewan@dfo-mpo.gc.ca

Re: Additional Information Required: Information Request # 1 for Fisheries and Oceans Canada's "Clyde River Small Craft Harbour Development" Project Proposal

Dear Eleanor McEwan:

On June 22, 2021 the Nunavut Impact Review Board (NIRB or Board) received a referral to screen Fisheries and Oceans Canada's (DFO) "Clyde River Small Craft Harbour Development" project proposal from the Nunavut Planning Commission (Commission), with an accompanying positive conformity determination with the North Baffin Regional Land Use Plan. The NPC noted that the previous conformity determination issued on June 3, 2019 for the activities associated with the current proposal continues to apply and has determined that the project proposal is a significant modification to the project because of the inclusion of the construction of the new marine infrastructure facilities.

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. While related to previously assessed activities, the current proposal involves activities that are sufficiently distinct that the NIRB views this project proposal as a new project and has assigned this proposal with NIRB file number **21YN032**. Please reference this file number in all future related correspondence.

On June 22, 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 to commence screening.

To date, the NIRB has not received your project proposal and request that the information be submitted in order for the NIRB to carry out its screening. According to s. 144(1) of the *NuPPAA*,

the NIRB is requesting submission of the information as outlined in Appendix A of this correspondence by **July 16, 2021**.

The documents and materials received to date by the NIRB in support of this project proposal include:

- *NPC Application*
- *NPC Conformity Determination*
- *NPC Questionnaire*

Please be advised that pursuant to s. 92(3)(b) of the *NuPPAA*, the 45-day timeline for the Board to provide a screening decision stopped on August 16, 2021. This 45-day timeline will start again on the date the NIRB receives the requested additional information. If the Proponent fails to submit the requested additional information, the Board may suspend or terminate the assessment activities of the proposed project pursuant to the relevant provisions under s. 144 of the *NuPPAA*. Therefore, it is in DFO's best interest to cure the identified information deficiencies in a timely manner. If DFO determines that the time required to supply the required information is significantly greater than two (2) weeks, the Board requests written notification and an anticipated date for submission be provided as soon as possible.

Additionally, please be aware that the NIRB and the Nunavut Water Board (NWB) are required to coordinate their processes¹ for projects that require a water licence, especially municipal undertakings in order ensure the timely review and processing of the application. In undertaking a coordinated NIRB-NWB process, the Proponent must provide information through the assessment to satisfy both the impact assessment requirements as well as the water licensing process; furthermore, where information to satisfy each process is similar, coordination of the timing or contents of applications may be considered when information is being submitted to both organizations. However, the Proponent has the option to request or opt out of a coordinated process at any time. Should you wish to opt out during the initial submission of this application or discontinue the coordinated process, you may do so in writing to both the NIRB and the NWB.

Please submit all forthcoming project proposal information through the NIRB's online public registry at www.nirb.ca. For additional instructions regarding the new project application portal, please contact NIRB administration at info@nirb.ca or at 1-866-233-3033.

If you have any questions or require additional clarification, please contact the undersigned directly at 1-866-233-3033 or info@nirb.ca.

¹ As per Sections 13.5.2 and 13.6.1 of the *Nunavut Agreement*, s. 193 of *NuPPAA*, and s. 37 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*.

Sincerely,



Peter Norman Evalik
Environmental Administrator
Nunavut Impact Review Board

Attachment: Appendix A: Information Request # 1

**Appendix A: Information Request # 1
for Fisheries and Oceans Canada's (DFO) "Clyde River Small Craft Harbour
Development"
pursuant to s. 144(1) of the *Nunavut Planning and Project Assessment Act*
NIRB File No. 21YN032**

1. TOPIC/ISSUE: NIRB's Online Application Form

REFERENCE: *Proponent's Guide*²: Appendix A: Online Application System – Proponent User's Guide

RATIONALE: The NIRB requires the Proponent to complete the online application form in order to determine the scope of the project activities being proposed and to ensure sufficient information has been provided to commence screening. The NIRB will no longer accept applications or supporting documents via e-mail or regular mail.

REQUEST: Complete the NIRB's online application form at www.nirb.ca, pursuant to the NIRB's project application requirements.

The Proponent is recommended to review the Help Boxes associated with the NIRB's online application form when completing the application.

2. TOPIC/ISSUE: Project Map

REFERENCE: *Proponent's Guide*²: Appendix A: Online Application System – Proponent User's Guide

RATIONALE: The NIRB requires a map of the project proposal and related activities to assist in the assessment of the project.

REQUEST: Complete the NIRB's online map in the application form at www.nirb.ca as well as provide the latitude and longitude of the locations as listed within the application form. The map should include where applicable the following items:

- Location(s) of any existing or proposed infrastructure(s) including but not limited to:
 - a. Camp location(s) (temporary and/or permanent) and camp facilities,
 - b. Road(s),
 - c. Bridges, etc.;
- Location(s) of all proposed activity(ies) including but not limited to:
 - a. Fuel storage sites,
 - b. Research sites (specific locations identified within the broader geometry),
 - c. Drill locations,
 - d. Tourism expedition visits,
 - e. Use of vessel equipment;
- Project site in proximity to territorial and/or national parks; and
- Project site in proximity to sensitive wildlife and wildlife habitat (e.g., migratory bird sanctuary).

² <http://www.nirb.ca/guides>

3. **TOPIC/ISSUE: Non-technical Project Proposal Summary in English, and Inuktitut**

REFERENCE: *Proponent's Guide*²: Appendix A: Online Application System – Proponent User's Guide

RATIONALE: The NIRB requires that a non-technical summary be submitted by proponents in order to assist parties to understand and provide comments on project proposals. Translated copies of the non-technical summaries are required to be inserted into the text boxes provided in order to assist unilingual community organizations and members to provide comments on project proposals.

REQUEST: Submit via the online application text boxes a non-technical description of the project proposal in English and in the regional languages, which include Inuktitut (Kivalliq, North/South Baffin, Eastern Kitikmeot).

The summary should use plain language only and address the following points in < 5,000 characters:

- **Who:** Company, individual or entity proposing the project.
- **What:** The type of undertaking being proposed and how it would be carried out. It may be helpful to describe the scale of the project, number of people involved, permanence of any facilities constructed, and methods of transport.
- **Why:** The objective of and need for the project, potential long term implications.
- **Where:** general location of proposed activities in relation to closest communities, protected areas.
- **When:** timeframe of proposed activities (fixed period, seasonal, multi-year).

Please keep in mind that the project summary is intended to provide members of the public with sufficient information to understand what is being proposed and determine whether they might wish to further review the full project application and supporting information.

4. **TOPIC/ISSUE: Supplemental supporting documentation**

REFERENCE: Requirement of documentation to complete screening assessment

RATIONALE: To properly scope and assess proposed projects, the NIRB requires proponents to provide specific information on proposed activities, associated components, and proposed mitigation and monitoring measures related to the proposal.

REQUEST: Provide supplemental information regarding the following:

- Summary of current and future consultation plans;
- Flight plans (e.g., duration, location, and altitudes) including any planned aerial surveys, if appropriate;
- Research methodologies to be employed;
- Mitigation plans that include the identification of potential impacts and proposed mitigation measures;
- A discussion on waste management and spill contingency plans; and
- Images of your project location if available.