



NIRB File No.: 22YN019
NPC File No.: 149725

May 17, 2022

Annie Mercier
OSC – Memorial University
0 Marine Lab Rd
St. Johns NL A1C 5S7 Canada

Sent via email: amercier@mun.ca

Re: Notice of Screening for Memorial University’s “Community-based Study of Under-ice Benthic Assemblages in the Arctic (BenthArctic)” Project Proposal

Dear Annie Mercier:

On April 12, 2022 the Nunavut Impact Review Board (NIRB or Board) received a referral to screen OSC – Memorial University’s “Community-based Study of Under-ice Benthic Assemblages in the Arctic (BenthArctic)” project proposal from the Nunavut Planning Commission (Commission), with an accompanying positive conformity determination with the North Baffin 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 **22YN019** - please reference this file number in all future related correspondence.

INFORMATION REQUEST

On April 12, 2022, 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.

Following a preliminary completeness check of the proposal as submitted on May 2, 2022 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 May 4, 2022 requested that the Proponent provide the Board with the additional information in order to carry out the screening of the project proposal. On May 5, 2022 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/125691.

Project:	Community-based Study of Under-ice Benthic Assemblages in the Arctic (BenthArctic)				
Region:	Qikiqtani				
Location:	Marine areas surrounding Grise Fiord and Sanikiluaq				
Closest Community:	Grise Fiord and Sanikiluaq	Distance (approximate)	Within 30 kilometres (km)	Direction	N/A
Summary of Project Description:	The Proponent intends to conduct research on marine benthic resources.				
Project Proposed Timeline:	Summer/fall of 2022 and the winter/spring of 2023				

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

- Work with local partners to access to research areas through boat, skidoo, and all-terrain vehicle (ATV);
- Use of remote operated vehicle (ROV) to collect video footage, and small marine biological, water and sediment samples;
- Opportunistic collection of samples from fishing by-catches (sediment and benthic organisms) from community members;
- Use of accommodations and facilities in Grise Fiord and Sanikiluaq.

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/125691 and include:

- *Commission Conformity Determination*
- *Commission Application*
- *NIRB's Online Application*
- *Fishing License*

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 Memorial University's project proposal with this letter, and we invite interested parties to comment directly to the NIRB by **May 27, 2022**.

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/125691.

If you have any questions or require clarification, feel free to contact the undersigned at 867-983-4612 or ekoide@nirb.ca.

Sincerely,



Emily Koide
Technical Advisor I
Nunavut Impact Review Board

Attachments: Appendix A: Proposed Project Specific Terms and Conditions

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

cc: Distribution List
Stephen Williamson Bathory, Qikiqtani Inuit Association
Jared Ottenhof, Qikiqtani Inuit Association

Joel Fortier, Qikiqtani Inuit Association
Agnes Simonfalvy, Government of Nunavut
Mosha Cote, Nunavut Research Institute
Tracey McCaie, Crown – Indigenous Relations and Northern Affairs Canada
Alasdair Beattie, 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. Memorial University (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.: 149725), and the NIRB (Online Application Form, May 5, 2022. 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.
7. 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).

Fuel and Chemical Storage

8. The Proponent shall ensure that re-fuelling of all land-based equipment occurs a minimum distance away from the high-water mark of any water body as required by the appropriate authorizing agencies.
9. All fuel and chemical storage containers must be clearly marked with the Proponent's name for ease of identification.
10. 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.
11. 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.

Wildlife – General

12. 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.
13. 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.
14. The Proponent shall not hunt or fish, unless proper Nunavut authorizations have been acquired.
15. The Proponent shall ensure that all wildlife have the right-of-way on any roads or trails. Vehicles are required to slow down or stop and wait to permit the free and unrestricted movement of wildlife across roads or trails at any location.

Migratory Birds and Raptors Disturbance

16. 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*.
17. The Proponent shall avoid the seaward site of seabird colonies and areas used by flocks of migrating waterfowl, a minimum distance away on the recommendation of the appropriate authorizing agencies.
18. 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.

Marine-Based Activities

19. The Proponent shall ensure that noise be kept to a minimum and shall refrain from making sharp or loud noises, blowing horns or whistles and shall maintain constant engine noise levels.
20. The Proponent shall not visit cliffs used by nesting and breeding birds during the late afternoon or early evening hours during the months of August and September.
21. The Proponent shall not attempt to intersect or interfere with the movements of marine mammals. This includes ensuring that there are no wake zones within 250 metres and a minimum of 100 metre no go zone around marine mammals. Strategic positioning of vessels ahead of the path being traveled by mobile mammals and waiting for the mammals to pass is also prohibited.
22. The Proponent shall maintain a distance of 100 metres if a Polar Bear is encountered on land or ice while conducting activities from a zodiac or other small craft; all interaction with Polar Bears should be avoided if possible.
23. The Proponent shall maintain a distance of 500 metres of a walrus haul out while conducting activities from a zodiac or other small craft.

24. The Proponent shall implement measures designed to minimize disturbance to seabed sediments and benthic communities and marine wildlife when carrying out project activities within the marine environment.

Other

25. The Proponent should engage with local residents regarding planned activities in the area and should solicit available Inuit Qaujimaningit and information regarding current recreational and traditional usage of the project area which may inform project activities. Posting of translated public notices and direct engagement with potentially interested groups and individuals prior to undertaking project activities is strongly encouraged.
26. The Proponent shall ensure that project activities do not interfere with Inuit wildlife harvesting or traditional land use activities.
27. The Proponent should, to the extent possible, hire local people and access local services where possible.