



NIRB File No.: 23UN006
 NPC File No.: 149970

May 26, 2023

Adam Riley
 Private
 16178 Apple Lane
 Fayetteville, AR 72704 US

Sent via email: adamgeorgeriley@gmail.com

Re: Notice of Screening for Adam Riley’s “Over the Top: The Northwest Passage Expedition” project proposal

Dear Adam Riley:

On February 24, 2023, the Nunavut Impact Review Board (NIRB) received a referral to screen Adam Riley’s “Over the Top: The Northwest Passage Expedition” project proposal from the Nunavut Planning Commission (Commission), with an accompanying positive conformity determination with the North Baffin Regional Land Use Plan. On May 15, 2023, the NIRB received the complete application from the Proponent.

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 **23UN006** - please reference this file number in all future related correspondence.

PROJECT OVERVIEW

Project Scope:

Project:	Over the Top: The Northwest Passage Expedition
Region:	Kitikmeot and Qikiqtani Regions
Location:	Sailing through the Northwest Passage, starting from Paulatuk, NWT, through Cambridge Bay and ending in Pond Inlet.
Summary of Project Description:	The Proponent intends to document the whole trip for the purpose of making a small, independent documentary on the Northwest Passage and the threats to the delicate ecosystem of the Arctic.

Project Proposed Timeline:	June 2023 to September 2023
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According to the project proposal, the scope of the project includes the following undertakings, works or activities:

- Use of two (2) 19-foot rowboats to sail through the Northwest Passage;
- Occasional use of tent, when unable to sleep in boats;
 - Use of a bear fence;
 - Carrying of shotgun, bear spray and noise makers for safety;
 - Use of a small camping stove;
 - Use and storage of small amount of fuel for camping stove; and
 - All trash to be packed out and brought for the duration of the journey.
- Will be boating along the southern coast of Bylot Island at the end of the sail.

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/125808 and include:

- *Commission Conformity Determination*
- *Commission Application & Questionnaire*
- *NIRB Application*
- *Project Summary in English and Inuktitut*
- *NWA and MBS Permit*
- *Wildlife Observation 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 Adam Riley’s project proposal with this letter, and we invite interested parties to comment directly to the NIRB by **June 5, 2023**.

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/125808.

If you have any questions or require clarification, feel free to contact the undersigned at (867) 983-4622 or motokiak@nirb.ca.

Sincerely,



Mia Otokiak
Technical Advisor I
Nunavut Impact Review Board

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

Enclosures (6): Public Notice of Screening (English, Inuktitut and Inuinnaqtun)
Comment Forms (English, Inuktitut and Inuinnaqtun)

cc: Distribution List
Wynter Kuliktana, Kitikmeot Inuit Association
Tannis Bolt, Kitikmeot Inuit Association
Stephen Williamson Bathory, Qikiqtani Inuit Association
Joel Fortier, Qikiqtani Inuit Association
Jared Ottenhof, Qikiqtani Inuit Association
Michele LeBlanc Havard, Government of Nunavut – Department of Environment
Mosha Cote, Nunavut Research Institute
Lisa Pirie-Dominix, Canadian Wildlife Services
Jane Chisholm, Parks 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. Adam Riley (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.: 149970) and the NIRB (Online Application Form, May 15, 2023). 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.

Waste Management

6. 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.

Wildlife – General

7. 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.
8. 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.
9. The Proponent shall not hunt or fish, unless proper Nunavut authorizations have been acquired.

Migratory Birds and Raptors Disturbance

10. 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*.

11. 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.
12. 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.
13. 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.

Land Use and Restoration of Disturbed Areas

14. The Proponent shall use existing trails where possible during project activities on the land.
15. The Proponent shall ensure that the land use area is kept clean and tidy at all times.
16. 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.
17. The Proponent shall ensure that all disturbed areas are restored to a stable or pre-disturbed state using Best Available Technology Economically Achievable (BATEA) upon completion of work and/or abandonment.

Camps

18. 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.

Heritage Sites

19. 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.
20. The Proponent shall ensure that all clients and staff are aware of the Proponent's responsibilities and requirements regarding archaeological or palaeontological sites that are encountered during land-based activities. This should include briefings explaining the prohibitions regarding removal of artifacts, and defacing or writing on rocks and infrastructure.
21. 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.

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.

Other

22. 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.
23. The Proponent shall ensure that project activities do not interfere with Inuit wildlife harvesting or traditional land use activities.
24. The Proponent should, to the extent possible, hire local people and access local services where possible.