



NIRB File No.: 09AN001
INAC File No.: N2008X0040

February 26, 2010

Thomas Alikatuktuk
President
Qikiqtani Inuit Association
c/o Stephen Bathory
Director of Lands and Resources

Via E-mail: landsdirector@qia.ca

Re: Application exempt from NIRB Screening pursuant to Section 12.4.3 of the NLCA: Biogenie S.R.D.C. Inc.'s "CAT-Train Mobilization to FOX-3, Dewar Lakes" project

Dear Stephen Bathory:

On February 23, 2010 the Nunavut Impact Review Board (NIRB) received Biogenie S.R.D.C. Inc.'s (Biogenie) "CAT-Train Mobilization to FOX-3, Dewar Lakes" project proposal from the Qikiqtani Inuit Association (QIA). The application is for a QIA Land Use License for access to Inuit Owned Lands associated with the project.

Please be advised that the original project proposal (NIRB File 09AN001) was received by the NIRB from Indian and Northern Affairs Canada (INAC) on January 6, 2009, and from the QIA on January 28, 2009 respectively. The proposal was screened in accordance with Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA) and on February 18, 2009 the NIRB issued a 12.4.4(a) screening decision to INAC and QIA indicating the proposed project could proceed subject to NIRB's recommended project-specific terms and conditions.

On February 17, 2010 the Nunavut Impact Review Board (NIRB) received an amendment application from INAC for Biogenie's Land Use Permit (INAC File No.: 2008X0040). After a thorough assessment of the project proposal it was determined that the application was exempt from further screening as per Section 12.4.3 of the NLCA, and the NIRB reissued the original February 18, 2009 Screening Decision to INAC on February 23, 2010.

Original Application

This project involves transport of equipment, camp, and supplies which had been sea-lifted previously from Longstaff Bluff (FOX-2) to Dewar Lakes (FOX-3) via an overland route

(approximately 185 km) during the winter. The project was planned to be undertaken from 2009 to 2011.

The original project components/activities included:

- Transport of more than 85 sleigh loads of fuel and supplies over approximately 185 km to reach FOX-3 from FOX-2;
- Fuel and supplies would be placed on sleighs and transported using track tractors and bulldozers over frozen waterways and areas with ample snow cover;
- It is expected that 250,000 litres of jet fuel would be transported by the CAT-Train. In addition, approximately 4,000 litres of gasoline stored in 205-litre sealed drums would also be used;
- Two temporary survival shelters consisting of a 20-foot and a 40-foot shipping container would be placed at two high points along the trail and would serve also as relay points for radio communications;
- A 25-man crew would be necessary for the CAT-train, with a back-up crew to replace the original team after 3 weeks;
- Anticipated that 8 weeks of intense activities would be necessary to conduct scouting and marking of the route, ice profiling, and transportation of the material and equipment; and
- Approximately 20 Inuit workers would be hired as scouts, wildlife monitors, heavy equipment operators and labourers.

Current Application

In the current application from the QIA, Biogenie is proposing to undertake the same activities included in the original application as listed above, with one additional activity:

- Transport of CEPA soil excavated in the Fox 3 project from Dewar Lakes site, to the Fox 2 Longstaff Bluff Site, located on the edge of Foxe Basin, where it can be subsequently loaded onto sea-lifts and transported south for disposal.

The current QIA Land Use License application, the original NIRB screening file and recent INAC amendment application are available from the NIRB's ftp site at the following link:

http://ftp.nirb.ca/SCREENINGS/COMPLETED_SCREENINGS/ARCHIVE/2009_SCREENINGS/09AN001-Biogenie/

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, the NIRB is of the understanding that the application received from QIA 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 February 18, 2009 Screening Decision Report (attached).

If you have any questions or concerns, feel free to contact the NIRB's Technical Advisor, Li Wan at (867) 983-4606 or lwan@nirb.ca.

Best regards,



Ryan Barry
Director, Technical Services

For:

Stephanie Autut
Executive Director

cc: Nancy Davis, Biogenie SRDC Inc. (ndavis@biogenie-env.com)
Spencer Dewar, Indian and Northern Affairs Canada (Spencer.Dewar@inac-ainc.gc.ca)
Phyllis Beaulieu, Nunavut Water Board (licensing@nunavutwaterboard.org)

Attachment: NIRB Screening Decision Report, File No.: 09AN001 (February 18, 2009)

NIRB ASSESSMENT AND DECISION

After a thorough assessment of all material provided to the Board (please see *Procedural History* and *Project Activities* in **Appendix A**), in accordance with the principles identified within Section 12.4.2 of the NLCA, the decision of the Board as per Section 12.4.4 of the NLCA is:

12.4.4 (a): the proposal may be processed without a review under Part 5 or 6; NIRB may recommend specific terms and conditions to be attached to any approval, reflecting the primary objectives set out in Section 12.2.5.

RECOMMENDED PROJECT-SPECIFIC TERMS AND CONDITIONS (pursuant to Section 12.4.4(a) of the NLCA)

The Board is recommending the following or similar project-specific terms and conditions be imposed upon the Proponent through all relevant legislation:

General

1. Biogenie S.R.D.C. Inc. (the Proponent) shall maintain a copy of the Project Terms and Conditions at the site of operation at all times.
2. The Proponent shall forward copies of all permits obtained and required for this project to the Nunavut Impact Review Board (NIRB) prior to the commencement of the project.
3. The Proponent shall operate in accordance with all commitments stated in correspondence provided to NIRB, including:
 - a. NIRB Part 1 Form and NIRB Part 2 PSIR Form (received January 22, 2009);
 - b. Indian and Northern Affairs Canada Application for Land Use Permit (received January 06, 2009); and
 - c. Qikiqtani Inuit Association Application for Access to Inuit Owned Lands (received January 28, 2009).
4. The Proponent shall operate the site in accordance with all applicable Acts, Regulations and Guidelines.
5. The Proponent shall restrict access to the winter trail to project personnel only.

Water and Waste Management

6. The Proponent shall not use water, including constructing or disturbing any stream, lakebed or the banks of any definable water course unless approved by the Nunavut Water Board.
7. The Proponent shall keep all garbage and debris in bags placed in a covered metal container or equivalent until disposed of. All wastes should be kept inaccessible to wildlife at all times.

Fuel and Chemical Storage

8. The Proponent shall store all fuel and chemicals in such a manner that they are inaccessible to wildlife.
9. The Proponent shall use secondary containment or a surface liner (drip pans, fold-a-tanks, etc) at all refuelling stations.
10. The Proponent shall ensure sufficient response equipment for the safe removal of fuel from an overturned vehicle is transported in the CAT-Train. Vehicles should carry at least 10 square metres

(10 m²) of polyethylene (for lining a trench or depression), a spark-proof shovel and oil absorbent blankets or squares.

11. The Proponent shall ensure that all personnel are properly trained in fuel and hazardous waste handling procedures as well as spill response procedures. All spills of fuel or other deleterious materials of any amount must be reported immediately to the 24 hour Spill Line at (867) 920-8130

Wildlife

12. The Proponent shall ensure that there is no damage to wildlife habitat in conducting this operation.
13. The Proponent shall not harass wildlife. This includes persistently worrying or chasing animals, or disturbing large groups of animals. The Proponent shall not hunt or fish, unless proper Nunavut authorizations have been acquired.
14. The Proponent shall ensure that project aircraft do not, unless for emergency, touch-down in areas where wildlife are present.
15. The Proponent shall not disturb or destroy the nests or eggs of any birds. If active nests of any birds are discovered (i.e. with eggs or young), the Proponent shall avoid these areas until nesting is complete and the young have left the nest.
16. The Proponent shall ensure project activities do not interfere with caribou calving or post-calving along the winter trail. If caribou are observed calving on or near the winter trail, or if there are caribou with calves present, the Proponent shall suspend all travel in these areas.
17. The Proponent shall not block or cause any diversion to caribou migration, and shall cease activities likely to interfere with migration until such time as the caribou have passed or left the area.
18. The Proponent shall ensure all project staff are trained in appropriate bear/carnivore detection and deterrent techniques.

Physical Environment

19. The Proponent shall not move any equipment or vehicles unless the ground surface is in a state capable of fully supporting the equipment or vehicles without rutting or gouging.
20. The Proponent shall implement suitable erosion and sediment suppression measures on disturbed areas before, during and after construction until vegetation or other appropriate measures are established in order to prevent sediment from entering any waterbody.
21. The Proponent shall ensure that the land use area is kept clean and tidy at all times.

Restoration

22. At the end of each field season, the Proponent shall take steps to stabilize and re-vegetate any disturbed areas with native seed mixes.
23. The Proponent shall complete all clean-up and restoration of the lands used prior to the end of each field season.

Other

24. The Proponent should, to the extent possible, hire local people and to consult with local residents regarding their activities in the region.
25. Any activity related to this application, and outside the original scope of the project as described in the application, will be considered a new project and should be submitted to the NIRB for screening.

Monitoring and Reporting Requirements

In addition, the Board is recommending the following:

1. The Proponent shall maintain a record of wildlife observations while operating within the project area. The reports should include locations (i.e., latitude and longitude), species, number of animals, a description of the animal activity, and a description of the gender and age of animals if possible. Prior to conducting project activities, the Proponent should map the location of any sensitive wildlife sites such as denning sites, calving areas, caribou crossing sites, and raptor nests in the project area, and identify the timing of critical life history events (i.e., calving, mating, denning and nesting). Additionally, the Proponent should indicate potential impacts from the project, and ensure that operational activities are managed and modified to avoid impacts on wildlife and sensitive sites.

A copy of this wildlife record or report should be submitted annually at the end of the operational season to the following Government of Nunavut contacts:

- a. Seeglook Akeegok – Qikiqtani Regional Manager, Wildlife (867) 975-7800, sakeegok@gov.nu.ca
- b. Debbie Jenkins – Biologist, Qikiqtani Region (867) 899-8876, pondbiologist@qiniq.com

Other NIRB Concerns and Recommendations

In addition to the project-specific terms and conditions, the Board is recommending the following:

1. It is recommended that the Proponent review the bear/carnivore detection and deterrent techniques outlined in “Safety in Grizzly and Black Bear Country” which can be down-loaded from this link: <http://www.nwtwildlife.com/Publications/safetyinbearcountry/safety.htm>. Note that some recommendations in this manual are also relevant to polar bears. Also, there is a DVD about polar bears and safety available from Parks Canada at the following link <http://www.nunavutparks.com/english/visitor-information/suggested-resources.html>.

Regulatory Requirements

The Proponent is also advised that the following legislation may apply to the project:

1. The *Fisheries Act* (<http://laws.justice.gc.ca/en/showtdm/cs/F-14///en>).
2. The *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (<http://www.canlii.org/ca/sta/n-28.8/whole.html>).
3. The *Migratory Birds Convention Act* and *Migratory Birds Regulations* (<http://laws.justice.gc.ca/en/showtdm/cs/M-7.01>).
4. The *Species at Risk Act* (<http://laws.justice.gc.ca/en/showtdm/cs/S-15.3>). Attached in **Appendix B** is a list of Species at Risk in Nunavut.
5. The *Nunavut Wildlife Act* which contains provisions to protect and conserve wildlife and wildlife habitat, including specific protection measures for wildlife habitat and species at risk.
6. The *Nunavut Act* (<http://laws.justice.gc.ca/en/showtdm/cs/N-28.6>). The Proponent must comply with the proposed terms and conditions listed in the attached **Appendix C**.

7. The *Transportation of Dangerous Goods Regulations*, *Transportation of Dangerous Goods Act* (<http://www.tc.gc.ca/tdg/menu.htm>), and the *Environmental Protection Act* (<http://laws.justice.gc.ca/en/C-15.31/text.html>) The Proponent must ensure that proper shipping documents accompany all movements of dangerous goods. The Proponent must register with the GN-DOE Manager of Pollution Control and Air Quality at 867-975-7748.
8. The *Navigable Waters Protection Act (NWPA)* (<http://laws.justice.gc.ca/en/N-22/index.html>).

Validity of Land Claims Agreement

Section 2.12.2

Where there is any inconsistency or conflict between any federal, territorial and local government laws, and the Agreement, the Agreement shall prevail to the extent of the inconsistency or conflict.

Dated February 18th, 2009 at Sanikiluaq, NU.



Lucassie Arragutainaq, A/Chair

Appendix A Procedural History and Project Activities

Procedural History

On January 6, 2008 the Nunavut Impact Review Board (NIRB or Board) received Biogenie S.R.D.C. Inc.'s (Biogenie) "CAT-Train Mobilization to FOX-3, Dewar Lakes" project proposal from Indian and Northern Affairs Canada (INAC). On January 28, 2009 NIRB received an application for access to Inuit Owned Lands from the Qikiqtani Inuit Association (QIA) for this project proposal. NIRB has assigned this project proposal file number **09AN001**.

Upon a preliminary completeness check, the Board determined that Biogenie's project proposal did not contain sufficient information for NIRB to conduct an environmental screening. Therefore, on January 13, 2009 NIRB requested additional project-specific information be submitted by January 26, 2009. On January 22, 2009 the NIRB received the requested information from Biogenie and commenced screening this project proposal.

On January 28, 2009 this application was distributed to the communities of Clyde River, Hall Beach and Igloolik, as well as to interested Federal and Territorial Agencies, and Inuit Organizations. NIRB requested that interested Parties review the application and provide NIRB with comments by February 13, 2009 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 and socio-economic effects; and if so, why;
- Whether the project is of a type where the potential adverse effects are highly predictable and mitigable with known technology, (please provide any recommended mitigation measures); and
- Any matter of importance to the Party related to the project proposal.

On or before February 13, 2009 NIRB received comments from the following interested Parties (see Comments and Concerns):

- Transport Canada (TC)
- Environment Canada (EC)
- Government of Nunavut – Department of Environment (GN-DoE)
- Ittaq Heritage and Research Centre

All comments provided to NIRB regarding this project proposal can be viewed on NIRB's ftp-site, at the following location: <http://ftp.nirb.ca/SCREENINGS/COMPLETED%20SCREENINGS/>

Project location:

Over the past fifty years, facilities at Longstaff Bluff, Dewar Lakes (FOX-3) and Nadluardjuk Lake (Fox 2) have been used as DEW Line sites and North Warning Systems. The proposed CAT-train route will traverse from Longstaff Bluff to Dewar Lakes from west to east, south of the Barnes ice cap. There are no known protected areas along the route.

The closest communities to the proposed project are:

- **Clyde River** located approximately 230 km east of Dewar Lakes;
- **Hall Beach** located approximately 245 km west of Longstaff Bluff; and
- **Igloolik** located approximately 265 km west of Longstaff Bluff.

Project components/activities:

The proposed project involves transport of equipment, camp, and supplies from Longstaff Bluff (FOX-2) to Dewar Lakes (FOX-3) via an overland route (approximately 185 km) during the winter. Supplies were previously sea-lifted to Longstaff Bluff (Fox-2) in the Fall of 2008. Mobilization would take place from March to May 2009 and the demobilization would take place from March to May 2011.

The project components/activities include:

- Transport of more than 85 sleigh loads of fuel and supplies over approximately 185 km to reach FOX-3 from FOX-2;
- Fuel and supplies would be placed on sleighs and transported using track tractors and bulldozers over frozen waterways and areas with ample snow cover;
- It is expected that 250,000 litres of jet fuel would be transported by the CAT-Train. In addition, approximately 4,000 litres of gasoline stored in 205-litre sealed drums would also be used;
- Two temporary survival shelters consisting of a 20-foot and a 40-foot shipping container would be placed at two high points along the trail and would serve also as relay points for radio communications.
- A 25-man crew would be necessary for the CAT-train, with a back-up crew to replace the original team after 3 weeks;
- Anticipated that 8 weeks of intense activities would be necessary to conduct scouting and marking of the route, ice profiling, and transportation of the material and equipment; and

Approximately 20 Inuit workers would be hired as scouts, wildlife monitors, heavy equipment operators and labourers

Appendix B SPECIES AT RISK IN NUNAVUT

This list includes species listed on one of the Schedules of SARA (*Species at Risk Act*) and under consideration for listing on Schedule 1 of SARA. These species have been designated as at risk by COSEWIC (Committee on the Status of Endangered Wildlife in Canada). This list may not include all species identified as at risk by the Territorial Government.

- Schedule 1 is the official legal list of Species at Risk for SARA. SARA applies to all species on Schedule 1. The term “listed” species refers to species on Schedule 1.
- Schedule 2 and 3 of SARA identify species that were designated at risk by the COSEWIC prior to October 1999 and must be reassessed using revised criteria before they can be considered for addition to Schedule 1.
- Some species identified at risk by COSEWIC are “pending” addition to Schedule 1 of SARA. These species are under consideration for addition to Schedule 1, subject to further consultation or assessment.

Schedules of SARA are amended on a regular basis so it is important to periodically check the SARA registry (www.sararegistry.gc.ca) to get the current status of a species.

Updated: January 3, 2007

Species at Risk	COSEWIC Designation	Schedule of SARA	Government Organization with Lead Management Responsibility ¹
Eskimo Curlew	Endangered	Schedule 1	EC
Ivory Gull	Endangered ²	Schedule 1	EC
Peregrine Falcon (subspecies anatum)	Threatened	Schedule 1	Government of Nunavut
Ross's Gull	Threatened	Schedule 1	EC
Harlequin Duck (Eastern population)	Special Concern	Schedule 1	EC
Felt-leaf Willow	Special Concern	Schedule 1	Government of Nunavut
Peregrine Falcon (subspecies tundrius)	Special Concern	Schedule 3	Government of Nunavut
Short-eared Owl	Special Concern	Schedule 3	Government of Nunavut
Fourhorn Sculpin	Special Concern	Schedule 3	DFO
Peary Caribou	Endangered ³	Pending	Government of Nunavut
Beluga Whale (Eastern Hudson Bay population)	Endangered	Pending	DFO
Beluga Whale (Cumberland Sound population)	Threatened	Pending	DFO
Beluga Whale (Western Hudson Bay population)	Special Concern	Pending	DFO

Beluga Whale (Eastern High Arctic – Baffin Bay population)	Special Concern	Pending	DFO
Bowhead Whale (Hudson Bay-Foxe Basin population)	Threatened ⁴	Pending	DFO
Bowhead Whale (Davis Strait-Baffin Bay population)	Threatened ⁴	Pending	DFO
Porsild's Bryum	Threatened	Pending	Government of Nunavut
Atlantic Walrus	Special Concern	Pending	DFO
Narwhal	Special Concern	Pending	DFO
Rusty Blackbird	Special Concern	Pending	Government of Nunavut
Barren-ground Caribou (Dolphin and Union population)	Special Concern ³	Pending	Government of Nunavut
Grizzly Bear	Special Concern	Pending	Government of Nunavut
Polar Bear	Special Concern	Pending	Government of Nunavut
Wolverine (Western Population)	Special Concern	Pending	Government of Nunavut

¹ Environment Canada has a national role to play in the conservation and recovery of Species at Risk in Canada, as well as responsibility for management of birds described in the Migratory Birds Convention Act (MBCA). Day-to-day management of terrestrial species not covered in the MBCA is the responsibility of the Territorial Government. Populations that exist in National Parks are also managed under the authority of the Parks Canada Agency. EC = Environment Canada, DFO = Department of Fisheries and Oceans

² Designated as Endangered by COSEWIC in April 2006 and it is expected that the category of concern in SARA will also be changed from Special Concern to Endangered.

³ Peary Caribou was split into three separate populations in 1991: Banks Island (Endangered), High Arctic (Endangered) and Low Arctic (Threatened) populations. The Low Arctic population also included the Barren-ground Caribou - Dolphin and Union population. In May 2004 all three population designations were de-activated, and the Peary Caribou, Rangifer tarandus pearyi, was assessed separately from the Barren-ground Caribou (Dolphin and Union population), Rangifer tarandus groenlandicus. The subspecies pearyi is composed of a portion of the former "Low Arctic population" and all of the former "High Arctic" and "Banks Island" populations, and it was designated Endangered in May 2004. Although SARA lists Peary Caribou on Schedule 2 as three separate populations, the most current designation is the COSEWIC designation of the subspecies pearyi as Endangered.

⁴ The "Eastern and Western Arctic populations" of Bowhead Whale were given a single designation of Endangered in April 1980 by COSEWIC. These were split into two populations to allow separate designations in April 1986. The Eastern population was not re-evaluated in April 1986, but retained the Endangered status of the original "Eastern and Western Arctic populations". The Eastern Arctic population was further split into two populations (Hudson Bay-Foxe Basin population and Davis Strait-Baffin Bay population) in May 2005, and both these populations were designated as Threatened. Both these populations are under consideration for addition to Schedule 1. Although SARA lists the Eastern Arctic population as Endangered (Schedule 2), the most current designation is the COSEWIC designations of the Hudson Bay-Foxe Basin and Davis Strait-Baffin Bay populations as Threatened.

Appendix C
Archaeological and Palaeontological Resources Terms and Conditions for Land Use Permit Holders



BACKGROUND: Archaeology

As stated in Article 33 of the Nunavut Land Claims Agreement:

The archaeological record of the Inuit of Nunavut is a record of Inuit use and occupancy of lands and resources through time. The evidence associated with their use and occupancy represents a cultural, historical and ethnographic heritage of Inuit society and, as such, Government recognizes that Inuit have a special relationship with such evidence, which shall be expressed in terms of special rights and responsibilities. [33.2.1]

The archaeological record of Nunavut is of spiritual, cultural, religious and educational importance to Inuit. Accordingly, the identification, protection and conservation of archaeological sites and specimens and the interpretation of the archaeological record is of primary importance to Inuit and their involvement is both desirable and necessary. [33.2.2]

In recognition of the cultural, spiritual and religious importance of certain areas in Nunavut to Inuit, Inuit have special rights and interests in these areas as defined by Article 33 of the Nunavut Land Claims Agreement. [33.2.5]

BACKGROUND: Palaeontology

Under the Nunavut Act¹, the federal Government can make regulations for the protection, care and preservation of palaeontological sites and specimens in Nunavut. Under the *Nunavut Archaeological and Palaeontological Sites Regulations*², it is illegal to alter or disturb any palaeontological site in Nunavut unless permission is first granted through the permitting process.

¹ s. 51(1)

² P.C. 2001-1111 14 June, 2001

Definitions

As defined in the *Nunavut Archaeological and Palaeontological Sites Regulations*, the following definitions apply:

“archaeological site” means a place where an archaeological artifact is found.

“archaeological artifact” means any tangible evidence of human activity that is more than 50 years old and in respect of which an unbroken chain of possession or regular pattern of usage cannot be demonstrated, and includes a Denesuline archaeological specimen referred to in section 40.4.9 of the Nunavut Land Claims Agreement.

“palaeontological site” means a site where a fossil is found.

“fossil” includes:

- (a) natural casts
- (b) preserved tracks, coprolites and plant remains; and
- (c) the preserved shells and exoskeletons of invertebrates and the eggs, teeth and bones of vertebrates.

Terms and Conditions

- 1) The permittee shall not operate any vehicle over a known or suspected archaeological or palaeontological site.
- 2) The permittee shall not remove, disturb, or displace any archaeological artifact or site, or any fossil or palaeontological site.
- 3) The permittee shall immediately contact the Department of Culture, Language, Elders and Youth (867) 934-2046 or (867) 975-5500 or 1 (866) 934-2035 should an archaeological site or specimen, or a palaeontological site or fossil be encountered or disturbed by any land use activity.
- 4) The permittee shall immediately cease any activity that disturbs an archaeological or palaeontological site encountered during the course of a land use operation, until permitted to proceed with the authorization of the Department of Culture, Language, Elders and Youth, Government of Nunavut.
- 5) The permittee shall follow the direction of the Department of Culture, Language, Elders and Youth and DIAND in restoring disturbed archaeological or palaeontological sites to an acceptable condition.
- 6) The permittee shall provide all information requested by the Department of Culture, Language, Elders and Youth concerning all archaeological sites or artifacts and all palaeontological sites and fossils encountered in the course of any land use activity.
- 7) The permittee shall make best efforts to ensure that all persons working under authority of the permit are aware of these conditions concerning archaeological sites and artifacts, and palaeontological sites and fossils.

- 8) The permittee shall avoid the known archaeological and/or palaeontological sites listed in Attachment 1.
- 9) The permittee shall have an archaeologist or palaeontologist perform the following functions, as required by the Department of Culture, Language, Elders and Youth:
 - a. survey
 - b. inventory and documentation of the archaeological or palaeontological resources of the land use area
 - c. assessment of potential for damage to archaeological or palaeontological sites
 - d. mitigation
 - e. marking boundaries of archaeological or palaeontological sites
 - f. site restoration

The Department of Culture, Language, Elders and Youth shall authorize by way of a Nunavut Archaeologist Permit or a Nunavut Palaeontologist Permit, all procedures subsumed under the above operations.