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**SCREENING DECISION REPORT  
NIRB FILE NO.: 09UN052**

March 22, 2011

Honourable Peter Kent  
Minister of Environment  
Government of Canada  
10 Wellington St., 28<sup>th</sup> Floor  
Gatineau, QC K1A 0H3

Via email: [kentp@parl.gc.ca](mailto:kentp@parl.gc.ca)

**Re: Screening Decision for Public Works and Government Services Canada's Disposal At Sea Permit request with Environment Canada for the "Disposal at Sea of Dredged Sediments, Pangnirtung Fjord" Project Proposal, Additional Application Terms and Conditions, NIRB File No. 09UN052**

Dear Honourable Minister:

The primary objectives of the Nunavut Impact Review Board (NIRB) are set out in section 12.2.5 of the Nunavut Land Claims Agreement (NLCA) as follows:

*In carrying out its functions, the primary objectives of NIRB shall be at all times to protect and promote the existing and future well-being of the residents and communities of the Nunavut Settlement Area, and to protect the ecosystemic integrity of the Nunavut Settlement Area. NIRB shall take into account the well-being of the residents of Canada outside the Nunavut Settlement Area.*

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.*

The NIRB has completed a review of Public Works and Government Services Canada's request to Environment Canada for Disposal At Sea Permit for the "Disposal at Sea of Dredged

Sediments, Pangnirtung Fjord” project proposal. The NIRB recognizes that this application is directly associated with the previously-screened<sup>1</sup> Fisheries and Oceans Canada’s (DFO) “Pangnirtung Small Craft Harbour Development” project proposal (NIRB File No. 09UN052).

After a thorough assessment of the project proposal, the application information and the comments received (please see *Procedural History* and *Project Activities* in **Appendix A**, in accordance with Section 12.4.3 of the NLCA, the Board has determined that this request will result in a change to the original scope of the project. Therefore, the NIRB is re-issuing the recommended project-specific terms and conditions contained in the July 24, 2009 Screening Decision, NIRB file No. 09UN052 in addition to new terms and conditions which are designed to mitigate any potential impacts to the environment as per Section 12.4.4(a) of the NLCA.

#### ***PREVIOUSLY APPROVED PROJECT-SPECIFIC TERMS AND CONDITIONS***

The following terms and conditions were previously approved by the NIRB for **09UN052** in a Screening Decision Report dated July 24, 2009 which is available from NIRB’s ftp site using the following link <ftp://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/> :

#### **General**

1. Fisheries and Oceans Canada (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 authorizations (licenses, permits, letters of approval, etc.) 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 Summary Application Form (submitted June 22, 2009)
  - b. NIRB Part 2 Project Specific Information Requirements Form (submitted June 22, 2009)
4. The Proponent shall operate the site in accordance with all applicable Acts, Regulations and Guidelines.

#### **Water**

5. The Proponent shall not extract water from any fish-bearing waterbody unless the water intake hose is equipped with a screen of appropriate mesh size to ensure that there is no entrapment of fish. Small lakes or streams shall not be used for water withdrawal.
6. The Proponent shall not use freshwater, 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 ensure no waste construction materials enter the water or are left on the ice.

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<sup>1</sup> Note: a clarification on the scope of this previously-screened file has been provided in Appendix A

8. The Proponent shall ensure only clean materials, free of fine particulates, are used for in-water works associated with this project.

### **Waste**

9. The Proponent shall keep all garbage and debris properly contained and inaccessible to wildlife until disposed of. All wastes must be disposed of in an approved waste management facility.

### **Fuel and Chemical Storage**

10. The Proponent shall submit a comprehensive Spill Contingency Plan to NIRB prior to the commencement of the project. Copies of this plan must be readily available on site, and all project personnel, contractors and sub-contractors must be made familiar with the appropriate response procedures in the event of a spill.
11. The Proponent shall locate all fuel and other hazardous materials a minimum of thirty-one (31) metres away from the high water mark of any water body and in such a manner as to prevent their release into the environment.
12. The Proponent shall store all fuel and chemicals in such a manner that they are inaccessible to wildlife.
13. The Proponent shall use secondary containment or a surface liner (drip pans, fold-a-tanks, etc.) at all fuel-transfer and refueling stations.
14. The Proponent shall ensure that an adequate supply of spill kits, shovels, barrels, sorbents and pumps are maintained on site at all times.
15. The Proponent shall ensure that all on site personnel are properly trained in fuel and hazardous waste handling procedures and 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**

16. 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.

### **Physical Environment**

17. 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.
18. The Proponent shall ensure construction materials used to build structures are not taken from the shoreline or below the high water level of any waterbody. Any boulders located within the footprint of any fixed wharf crib or pile should be relocated to a similar depth adjacent to the work site.
19. The Proponent shall ensure that an erosion control cloth or equivalent is placed between the rock and the back-fill material to contain sediments and help prevent undermining.

## **Other**

20. The Proponent should, to the extent possible, hire local people and to consult with local residents regarding their activities in the region.

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

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

## **General**

21. Public Works and Government Services Canada (the Proponent) shall maintain a copy of the Project Terms and Conditions at the site of operation at all times.
22. 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.
23. The Proponent shall operate in accordance with all commitments stated in correspondence provided to the NIRB, including:
  - a. NIRB Screening-level Environmental Assessment Disposal at Sea of Dredged Marine Sediments Pangnirtung Fjord, December 20, 2010.
  - b. Environment Canada Permit Application (Disposal at Sea), December 20, 2010.
24. The Proponent shall operate the site in accordance with all applicable Acts, Regulations and Guidelines.

## **Wildlife - General**

25. The Proponent shall ensure that there is no damage to wildlife habitat in conducting this operation.
26. The Proponent shall not hunt or fish, unless proper Nunavut authorizations have been acquired.
27. The Proponent shall employ Marine Mammal Observers onboard all vessels transporting fuel or materials for the Project. Where marine mammals are found to be in the vicinity of dredging activities, the following protocol shall be followed, subject to vessel and human safety considerations:
  - a. Wildlife will be given the right of way.
  - b. The vessel is to maintain a straight course and constant speed.
  - c. Where marine mammals appear to be trapped or disturbed by vessel movements, the vessel will stop until mammals have moved away from the area.
28. When approaching/departing concentrations of marine wildlife with a ship, the Proponent shall enforce a gradual reduction/increase in vessel speed to ensure minimum disturbance to wildlife.

29. The Proponent shall ensure that all project personnel are made aware of the measures to protect wildlife and are provided with training and/or advice on how to implement these measures.

### **Migratory Birds**

30. The Proponent shall not disturb concentrations of sea birds encountered during mating and/or moulting; concentrations of sea birds should be avoided where possible.

### **Ship-based Activities**

31. The Proponent shall not deposit, nor permit the deposit of any deleterious materials [i.e., fuel, chemicals or wastes (including waste water)] into any marine waters, and shall manage wastes on board the vessel prior to final disposal at approved port facilities.
32. The Proponent shall ensure that project activities do not interfere with Inuit wildlife harvesting or traditional activities.
33. The Proponent shall only operate when visibility is sufficient to allow the Marine Wildlife Observers to do their job effectively.
34. The Proponent shall suspend all project activities should any dead fish or wildlife, or any injured wildlife be observed in the wake of the vessel. Resumption of activities will be dependent on the results of discussions with Fisheries and Oceans Canada and Government of Nunavut – Department of Environment representatives, and the circumstances leading to the injuries or mortalities.

### **Other**

35. The Proponent should, to the extent possible, hire local people and to consult with local residents regarding their activities in the region.

## **MONITORING AND REPORTING REQUIREMENTS**

The Board is currently recommending the following:

### **Wildlife Log/Record of Observations**

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 in the project area, and identify the timing of critical life history events (i.e., calving, mating, 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 Government of Nunavut – Department of Environment.

## OTHER NIRB CONCERNS AND RECOMMENDATIONS

In addition to the project-specific terms and conditions, the Board has previously recommended the following:

1. Prior to issuance of any authorization or approval for ocean disposal of dredged sediments related to this project, Environment Canada shall forward the project proposal to NIRB in accordance with Section 12.4.1 of the NLCA.
2. All authorizing agencies shall notify the NIRB of any changes in operating plans or conditions associated with this project prior to any such change.
3. Any activity related to this project proposal, and outside the original scope of the project as described in the applications submitted to the NIRB, will be considered a new project and should be submitted to the NIRB for Screening.

The Board is currently also recommending the following:

### **Wildlife Safety**

1. The Proponent ensure that any problem wildlife is reported immediately to the local Government of Nunavut, Department of Environment Conservation Office in Pangnirtung.

### **Species at Risk**

2. The Proponent review Environment Canada's "Environmental Assessment Best Practice Guide for *Wildlife at Risk in Canada*", available at the following link: [http://www.cws-scf.ec.gc.ca/publications/eval/index\\_e.cfm](http://www.cws-scf.ec.gc.ca/publications/eval/index_e.cfm). The guide provides information to the Proponent on what is required when Wildlife at Risk, including *Species at Risk*, are encountered or affected by the project.

### **Change in Project Scope**

3. All Authorizing Agencies shall notify the NIRB of any changes in operating plans or conditions associated with this project prior to any such change.

## REGULATORY REQUIREMENTS

The Proponent has been previously 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 *Navigable Waters Protection Act (NWPA)* (<http://laws.justice.gc.ca/en/N-22/index.html>).
8. The *Canada Shipping Act* (<http://laws.justice.gc.ca/en/showtdm/cs/C-10.15>) which contains regulations regarding transfer of fuel and oil from vessels to shore-based fuel farms.
9. The *Arctic Waters Pollution Prevention Act* (<http://laws.justice.gc.ca/en/showtdm/cs/A-12>) which contains provisions related to the deposition of wastes in arctic waters.

## **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 March 14, 2011 at Sanikiluaq, NU.



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Lucassie Arragutainaq, Chairperson

Attachments: Appendix A: Procedural History and Project Activities  
Appendix B – Species at Risk in Nunavut  
Appendix C – Archaeological and Palaeontological Resources Terms and Conditions for Land Use  
Permit Holders

cc: The Honourable Gail Shea, Minister of Fisheries and Oceans Canada  
The Honourable Chuck Strahl, Minister of Transport, Infrastructure and Communities



## **Appendix A**

### **Procedural History and Project Activities**

#### ***Procedural History***

On December 20, 2010 the Nunavut Impact Review Board (NIRB or Board) received Public Works and Government Services Canada's (PWGSC) "Disposal at Sea Permit" project proposal from Environment Canada (EC) amending the previously applied for Fisheries and Ocean Canada's (DFO) "Pangnirtung Small Craft Harbour Development" project proposal (NIRB File No. 09UN052). On January 10, 2011 the NIRB requested an Inuktitut copy of the non-technical summary associated with this proposal, which was subsequently received on January 21, 2011.

#### ***Past File History***

The original application for the project (NIRB File No.: 09UN052) was received from DFO – Small Craft Harbours Branch on June 22, 2009. The project proposal was screened in accordance with Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA) and on July 24, 2009 the NIRB issued a 12.4.4 (a) screening decision to the Ministers of Fisheries and Oceans Canada, Minister of Transportation and Minister of Environment allowing the proposed Pangnirtung Small Craft Harbour Development activities to proceed subject to project-specific recommended terms and conditions (July 24, 2009 Screening Decision Report).

On August 11, 2009 the NIRB received an amendment from DFO for the above mentioned project. After a thorough assessment of the amendment request, the NIRB determined that the application was exempt from further screening as per Section 12.4.3 of the NLCA, and reissued the screening decision report (July 24, 2009).

On May 12, 2010 the NIRB received a second amendment request from DFO for the project and after thorough assessment of the request, the NIRB determine again that the application was exempt from further screening as per Section 12.4.3 of the NLCA and reissued the July 24, 2009 screening decision report.

#### ***Current File History***

The current project proposal by PWGSC is an amendment to the original project to allow for a Disposal At Sea Permit. As part of the July 24, 2009 screening decision, the NIRB recommended that prior to the issuance of any authorization or approval for ocean-disposal of dredged sediments related to this project, Environment Canada shall forward the project proposal to the NIRB in accordance with Section 12.4.1 of the NLCA. This activity was explicitly excluded from the previous NIRB screening as the option of ocean disposal was still under development and would be undertaken in year 2 or 3 only after all options to utilize the dredge spoil for construction of the harbour expansion had been exhausted.

On January 28, 2011 the project proposal was distributed to community organizations in Pangnirtung, as well as to relevant federal and territorial government agencies, and Inuit

organizations. The NIRB requested that interested parties review the proposal and provide the Board with any comments or concerns by February 17, 2011 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, (providing any recommended mitigation measures); and
- Any matter of importance to the Party related to the project proposal.

On or before February 17, 2011, the NIRB received comments from the following interested parties (see Comments and Concerns section below):

- **Fisheries and Oceans Canada (DFO)**
- **Environment Canada (EC)**
- **Transport Canada (TC)**

On February 23, 2011 the NIRB provided an opportunity for PWGSC to respond to the concerns raised during the public commenting period. On March 2, 2011 the Proponent submitted its response to the NIRB, providing the clarifications requested.

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/>

### ***Previously Screened Project Activities***

As previously screened by the NIRB (File No. 09UN052), the DFO-Small Craft Harbours "Pangnirtung Small Craft Harbour Development" project was located within the South Baffin region, within the hamlet of Pangnirtung. The objective of the proposed construction was to upgrade the existing docking facility in Pangnirtung into a small craft harbour capable of accommodating larger vessels.

The activities/components associated with this proposal included:

- Dredging of marine area;
- Disposal of dredged sediments (potentially at sea, to be determined);
- Culvert installation on a freshwater stream;
- Temporary isolation/dewatering of tidal flats areas to permit in-water construction;
- Installation of floating docks\*;
- Construction of marshaling areas;
- Extension of existing breakwater;
- Construction of new breakwater; and,
- Use of existing fuelling infrastructure.

\*Note: this should have read “the installation of floating *and fixed docks*”, as both types were clearly included within the project applications and the scope of the previous assessment.

### ***Proposed Project Activities***

As stated in the original application, it was proposed that materials removed through dredging of the marine area would be used for backfilling the shoreline areas of the wharf and the breakwater where applicable. The material being dredged from the outer harbour has been characterised as unsuitable for use as construction materials, but meets the criteria for disposal at sea. The proposed disposal site is approximately 2 kilometres (km) northeast of the dredging location within Pangnirtung Fjord.

Work is proposed to take place over a 12 week period beginning around June 1, 2011 and ending by October 31, 2011 with the option of an additional year if weather and ice delays occur.

## 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](http://www.sararegistry.gc.ca)) to get the current status of a species.

Updated: August 4, 2009

Species at Risk	COSEWIC Designation	Schedule of SARA	Government Organization with Lead Management Responsibility <sup>1</sup>
Eskimo Curlew	Endangered	Schedule 1	EC
Ivory Gull	Endangered	Schedule 1	EC
Ross's Gull	Threatened	Schedule 1	EC
Harlequin Duck (Eastern population)	Special Concern	Schedule 1	EC
Rusty Blackbird	Special Concern	Schedule 1	Government of Nunavut
Felt-leaf Willow	Special Concern	Schedule 1	Government of Nunavut
Peregrine Falcon ( <i>anatum-tundrius</i> complex)	Special Concern	Schedule 1 ( <i>anatum</i> ) Schedule 3 ( <i>tundrius</i> )	Government of Nunavut
Short-eared Owl	Special Concern	Schedule 3	Government of Nunavut
Peary Caribou	Endangered	Pending	Government of Nunavut
Beluga Whale (Eastern Hudson Bay population)	Endangered	Pending	DFO
Red Knot ( <i>rufa</i> subspecies)	Endangered	Pending	EC

Beluga Whale (Cumberland Sound population)	Threatened	Pending	DFO
Atlantic Cod (Arctic population)	Special Concern	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 (Eastern Canada – West Greenland population)	Special Concern	Pending	DFO
Killer Whale (Northwest Atlantic / Eastern Arctic populations)	Special Concern	Pending	DFO
Porsild's Bryum	Threatened	Pending	Government of Nunavut
Atlantic Walrus	Special Concern	Pending	DFO
Narwhal	Special Concern	Pending	DFO
Red Knot ( <i>islandica</i> subspecies)	Special Concern	Pending	EC
Horned Grebe (Western population)	Special Concern	Pending	EC
Barren-ground Caribou (Dolphin and Union population)	Special Concern	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

<sup>1</sup> Environment Canada (EC) 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. The Department of Fisheries and Oceans (DFO) has responsibility for management of aquatic species.

**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 Act<sup>2</sup>, 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*<sup>3</sup>, it is illegal to alter or disturb any palaeontological site in Nunavut unless permission is first granted through the permitting process.

**Definitions**

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<sup>2</sup> s. 51(1)  
<sup>3</sup> P.C. 2001-1111 14 June, 2001

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.