



**SCREENING DECISION REPORT
NIRB FILE NO.: 09RN066**

NIRB File No.: 09RN066
INAC LUP No.: N2009F0015

February 11, 2010

Honourable Chuck Strahl
Minister of Indian and Northern Affairs Canada
Indian and Northern Affairs Canada
Gatineau, QC

Via email: Strahl.C@parl.gc.ca

Re: Screening Decision for Sabina Gold & Silver Corp.'s Amendment request with INAC for its "Winter Roads" project proposal – Additional Terms and Conditions, 09RN066

Dear Honourable Chuck Strahl:

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 Sabina Gold & Silver Corp.'s request to Indian and Northern Affairs Canada (INAC) for an amendment to the Land Use Permit (LUP No. N2009F0015) for its "Winter Roads" project.

After a thorough assessment of the project proposal, the amendment 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 November 30, 2009 Screening Decision, NIRB file No.: 09RN066 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 File No. **09RN066** in a Screening Decision issued to the Minister of INAC on November 30, 2009. The Screening Decision is available from NIRB's ftp site at the following link
<http://ftp.nirb.ca/SCREENINGS/COMPLETED%20SCREENINGS/>:

General

1. Sabina Gold and Silver Corporation (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 the NIRB (NIRB Part 1 Form, October 16, 2009; NIRB PSIR Form, October 19, 2009; Non-Technical Summary, October 16, 2009; Spill Contingency Plan, October 19, 2009; Abandonment and Restoration Plan, October 19, 2009; Covering Email to the NIRB, October 19, 2009) and to Indian and Northern Affairs Canada (Land Use Permit Application Form, October 16, 2009).
4. The Proponent shall operate the site in accordance with all applicable Acts, Regulations and Guidelines.

Water

5. 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.

Waste

6. The Proponent shall backhaul all solid wastes to a previously permitted camp for proper disposal in accordance with any licences or permits in place at those facilities.
7. The Proponent shall keep all garbage and debris in bags placed in a covered metal container or equivalent until disposed of. All wastes shall be kept inaccessible to wildlife at all times.
8. The Proponent shall ensure that the appropriate transportation of dangerous goods (TDG) documentation accompany all potential hazardous samples that are transported off site.

Fuel and Chemical Storage

9. 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.
10. The Proponent shall store all fuel and chemicals in such a manner that they are inaccessible to wildlife.
11. The Proponent shall use secondary containment or a surface liner (drip pans, fold-a-tanks, etc) at all refuelling stations. The Proponent shall ensure that the vehicles transporting equipment and materials along the winter road routes are equipped with appropriate spill kits.
12. The Proponent shall remove and treat hydrocarbon contaminated soils on site or transport them to an approved disposal site.
13. The Proponent shall ensure that all on site 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

14. The Proponent shall ensure that there is no damage to wildlife habitat in conducting this operation.
15. 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.
16. The Proponent shall restrict aircraft/helicopter activity related to the project to a minimum altitude of 610 metres above ground level unless there is a specific requirement for low-level flying, which does not disturb wildlife and migratory birds.
17. The Proponent shall ensure that aircraft maintain a vertical distance of 1000 metres and a horizontal distance of 1500 metres from any observed groups (colonies) of migratory birds.
18. The Proponent shall ensure that aircraft/helicopter do not, unless for emergency, touch-down in areas where wildlife are present.
19. The Proponent shall not disturb or destroy the nests or eggs of any birds. If nests are encountered and/or identified, the Proponent shall take precaution to avoid further interaction and or disturbance.
20. The Proponent shall cease activities that may interfere with migration or calving of caribou or muskox, until the caribou or muskox have passed or left the area.
21. The Proponent shall not block or cause any diversion to caribou migration, and shall cease activities likely to interfere with migration such as the movement of equipment or personnel until such time as the caribou have passed.
22. The Proponent shall take all possible measures to avoid wildlife encounters. Any problem wildlife should be reported immediately to the Government of Nunavut, Department of Environment.
23. The Proponent shall ensure all project staff are trained in appropriate bear/carnivore detection and deterrent techniques.

Physical Environment

24. The Proponent shall not move any equipment or vehicles without prior testing the thickness of the ice to ensure the lake is in a state capable of fully supporting the equipment or vehicles.
25. The Proponent shall ensure that stream crossings are located to minimize approach grades. Bank disturbance is to be avoided, and mechanized clearing should not be done immediately adjacent to any watercourse.

26. 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.
27. The Proponent shall suspend overland travel of equipment or vehicles if rutting occurs. Likewise, upon spring break up; or at such a time as the shorelines of frozen water bodies begin to thaw, the Proponent shall suspend all travel over water bodies if disturbance to the banks or shorelines of any definable water body occurs.
28. The Proponent shall ensure that the land use area is kept clean and tidy at all times.

Restoration

29. The Proponent shall remove all garbage, fuel and equipment upon abandonment.
30. The Proponent shall complete all clean-up and restoration of the lands used prior to the end of each field season.

Archaeological and Historical Sites

31. The Proponent shall commission a survey of archaeological resources along the proposed road route(s) and any alternative route(s) prior to the construction or use of such road routes.
32. The Proponent shall avoid all known archaeological sites within the project area.

Other

33. The Proponent should, to the extent possible, hire local people and consult with local residents regarding their activities in the region.
34. 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.

***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:

1. The Proponent shall not utilise water for the purposes of constructing or maintaining winter roads or an ice airstrip without prior authorization from the Nunavut Water Board.
2. The Proponent shall submit an updated Spill Contingency Plan (Plan) to the NIRB within 30 days of the Board's decision. The updated Plan shall at a minimum:
 - a. Include measures for spill contingency relating to the D'Arcy Lake ice airstrip. Section "1.0 Introduction" of the current Spill Contingency Plan indicates that the plan "was prepared to outline response measures for activities associated with the construction, operation and closure of the winter road. The existing camps operate under their own Spill Contingency Plans." The airstrip **must** be addressed by the updated Plan.
 - b. Address the refuelling of aircraft at D'Arcy Lake, including how fuel transfer will be undertaken and a description of the minimum secondary containment measures to be employed during refuelling.
 - c. Provide an update to Section "5.2 Spill Response Procedure," where the listing of measures under (Item 4) "Ice" appears to be incomplete.

- d. Include an upgrade to the Proponent's requirement for 3 spill response kits as found in Section "5.5 Disposal" (Item 9) to a total of 4, with the additional kit being located at the D'Arcy Lake airstrip.
3. The Proponent shall not store chemicals, fuel, or other materials on the surface of frozen lakes or streams, except for that which is intended for **immediate use**.

MONITORING AND REPORTING REQUIREMENTS

In addition, the Board is recommending the following:

1. The Proponent shall submit a comprehensive annual report with copies provided to the NIRB and to the Government of Nunavut, Culture Language Elders and Youth by June 30th of each year of permitted activities. The annual report must contain, but not limited to, the following information:
 - a. A summary of activities undertaken for the year, including: a map showing the location of all winter road routes built and/or utilised; photographs of the winter routes and the ice airstrip; a detailed summary of any consultations undertaken with Elders or other individuals regarding archaeological resources within the project area; results of archaeological reconnaissance completed during snow free periods; and a description of local hires and initiatives.

OTHER NIRB CONCERNS AND RECOMMENDATIONS

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

1. 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>.
2. The Proponent 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 appropriate Government of Nunavut contacts.

The Board is currently also recommending the following:

General

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

Indian and Northern Affairs Canada

1. INAC should also consider the importance of conducting regular Land Use Inspections, pursuant to the authority of the Federal Land Use Permit, while the project is in operation. The Land Use Inspections should be focused on ensuring the Proponent is in compliance with the conditions imposed through the Federal Land Use Permit.

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 *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>).

In addition, the Proponent is also advised that the following legislation may apply to the project:

1. The *Aeronautics Act* (<http://laws.justice.gc.ca/en/A-2/>).

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 11, 2010 at Sanikiluaq, NU.



Lucassie Arragutainaq, Chairperson

Appendices: 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

Appendix A

Procedural History and Project Activities

Procedural History

On January 11, 2010 the Nunavut Impact Review Board (NIRB or Board) received an application from Indian and Northern Affairs Canada (INAC) for an amendment to Sabina Gold & Silver Corp.'s (Sabina) "Winter Roads" project. As the "Winter Roads" project is located in the Kitikmeot Region which does not have an approved Land Use Plan in place, no conformity determination was required from the Nunavut Planning Commission for this file.

Past File History

The original application for the project (NIRB File No.: 09RN066) was received from INAC on October 19, 2009. The project proposal was screened in accordance with Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA) and on November 30, 2009 the NIRB issued a 12.4.4 (a) screening decision to the Minister of INAC recommending the proposed winter road activities be allowed to proceed subject to project-specific terms and conditions (November 30, 2009 Screening Decision Report).

Current File History

Sabina's current application is for an amendment to its existing INAC Land Use Permit (LUP No. N2009F0015) to allow for the construction of an ice airstrip at D'Arcy Lake with the capacity to land Hercules type aircraft. The current proposal would also include a 2 kilometre winter road corridor between D'Arcy Lake and the previously permitted winter road connecting the Hackett River to the George Lake camps (09RN066).

The NIRB determined that this request would result in a change to the original scope of the project and therefore distributed the project proposal to community organizations in Kugluktuk and Cambridge Bay as well as to relevant federal and territorial government agencies, and Inuit organizations. The NIRB requested that interested parties review the proposal and the NIRB's previously recommended terms and conditions and provide the Board with any comments or concerns by February 1, 2010 regarding:

- Whether the amended activities are likely to arouse significant public concern; and if so, why;
- Whether the amended activities are likely to cause significant adverse eco-systemic and socio-economic effects; and if so, why;
- Whether the amended activities are 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 1, 2010, the NIRB received comments from the following interested parties:

- Environment Canada (EC)

All comments provided to the NIRB regarding this project proposal can be accessed from the NIRB's ftp site, at the following location:

<http://ftp.nirb.ca/SCREENINGS/COMPLETED%20SCREENINGS/>

Project Activities

This project is located approximately 100 kilometres south of the nearest community of Kingaok (Bathurst Inlet) in the West Kitikmeot region of Nunavut. The Proponent intends to construct an ice airstrip approximately 5,400 feet (1645 m) in length on D'Arcy Lake and which is capable of landing Hercules type aircraft for a total of approximately 50 flights during a 60 day period in the spring of 2010 (between the months of March and May). The Proponent also intends to construct an additional winter road corridor of approximately 2 kilometres in length and that would link the existing and previously permitted Hackett River-George Lake camp winter road with the D'Arcy Lake airstrip.

The original application that was screened in accordance with Part 4, Article 12 of the NLCA, included the following project components/activities:

- Construction of winter road route between the George Lake and Goose Lake camps (per file 04RN015);
- Construction of winter road route between the George Lake and Hackett River camps (approximately 60 metres in length);
- Finalized route selection to be based upon environmental conditions, determined via helicopter and/or snow machine reconnaissance trips;
- Temporary survival tents (1-2) to be established along the winter road routes, for the duration of permitted activities only;
- Redistribution of current inventory of equipment and materials (including chemicals) via Cat-haul transportation between the George Lake, Goose Lake, and Hackett River camps;
- Fuel and supplies delivered daily to personnel along the routes, with removal of waste material to camp as required;
- Clean-up of the routes in preparation for closure; and
- Abandonment and restoration of road routes upon completion of transportation activities.

Sabina is proposing to amend their LUP to include the following additional components and activities to further assist in the annual re-supply of the Hackett River camp and Wishbone exploration project:

- Construction and operation of an ice airstrip at D'Arcy Lake including:
 - Use of Hercules aircraft at airstrip
 - Airstrip operation for up to sixty days between February 20 and May 31, 2010
- Construction and use of a winter road route (approximately 2 kilometres in length) between the D'Arcy Lake and the previously permitted winter road between Hackett River and George Lake camps (INAC LUP No. 2009F0015)

The proposed activities are to occur over the period of February through May 2010.

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: August 4, 2009

| Species at Risk | COSEWIC Designation | Schedule of SARA | Government Organization with Lead Management Responsibility ¹ |
|--|---------------------|--|--|
| 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 |

¹ 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 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.

Definitions

¹ s. 51(1)

² 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.