

After a thorough assessment of the project proposal, the current 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 April 1, 2004 Screening Decision, NIRB file No.: 04EN022 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 **04EN022** in a Screening Decision Report dated April 1, 2004:

Water

1. The Permittee shall ensure that all water intake hoses are equipped with a screen with an appropriate mesh size to ensure that there is no entrapment of fish.

Fuel and Chemical Storage

2. The Permittee shall ensure that fuel storage containers are not located within thirty (30) metres of the ordinary high water mark of any body of water.
3. The Permittee shall ensure that any chemicals, fuels or wastes associated with the project do not spread to the surrounding lands or enter into any water body.
4. Fuel storage shall either be equipped with secondary containment and other hazardous materials should be located in such a manner as to prevent their release into the environment.
5. The Permittee shall take all reasonable precautions to prevent the possibility of migration of spilled petroleum fuel or chemicals over the ground surface.
6. The Permittee shall examine all fuel and chemical storage containers daily for leaks. All leaks should be prepared immediately.
7. The Permittee shall seal all container outlets except the outlet currently in use.
8. The Permittee shall mark all fuel containers with the Permittee's name.
9. The Permittee shall dispose of all combustible waste petroleum products by incineration and removal from the site.
10. The Permittee shall ensure all activities, including maintenance procedures and refueling, should be controlled to prevent the entry of petroleum products or other deleterious substances into the water.
11. The Permittee shall have an approved emergency response and spill contingency plans in place prior to the commencement of the operation.
12. The Permittee shall immediately report all spills of petroleum and hazardous chemicals to the twenty-four (24) hour spill report line at (867) 920-8130.

Waste Disposal

13. The Permittee shall not discharge or deposit any refuse substances or other waste materials in any body of water, or on the banks thereof, which will impair the quality of the waters of the natural environment.
14. The Permittee, prior to the discharge of fluids from any sump, shall carry out an analysis of the fluid in a manner prescribed by the NWB.
15. The Permittee shall treat greywater and sewage according to the terms and conditions outlined in the NWB approval.
16. The Permittee shall backfill and recontour all sumps to match the natural environment prior to the expiry date of the license.
17. The Permittee shall incinerate all combustible and food wastes daily.
18. The Permittee shall keep all garbage and debris in a covered metal container until disposed of.
19. The Permittee shall ensure that all wastes generated through the course of the operation are backhauled and disposed of in an approved dumpsite.
20. The Permittee shall deposit all scrap metal, discarded machinery and parts, barrels and kegs, at an approved disposal site.

Wildlife

21. The Permittee shall ensure that there is no damage to wildlife habitat in conducting this operation.
22. The Permittee shall not feed wildlife.
23. The Permittee shall use the latest bear detection and deterrent techniques to minimize man-bear interactions and shall report any Man-Bear Interactions to the nearest Wildlife Officer.
24. The Permittee shall ensure that the drill sites avoid known environmentally sensitive areas (denning, nesting etc.) by a minimum of 250 metres.
25. The Permittee shall not locate any operation so as to block or cause substantial diversion to migration of caribou.
26. The Permittee shall cease activities that may interfere with migration or calving, such as airborne geophysics surveys or movement of equipment, drilling activities until the caribou and their calves have vacated the area.
27. The Permittee shall not conduct any activity associated with the land use operation during critical periods of wildlife cycles (eg. caribou migration, calving, fish spawning or raptor nesting).
28. The Permittee shall ensure that there is no hunting by employees of the company or any contractors hired.
29. The Permittee shall ensure that aircraft pilots adhere to recommended flight altitudes of greater than 300 m above ground level as to not disturb wildlife. Raptor nesting sites and concentrations of nesting or molting waterfowl should be avoided by aircraft at all times.
30. The Permittee shall ensure compliance with Section 36 of the Fisheries Act which requires that no person shall deposit or permit the deposit of a deleterious substance on any type in

water frequented by fish or in any place under any conditions where the deleterious substance may enter such a water body.

31. The harmful alteration, disruption or destruction of fish habitat is prohibited under Section 35 of the Fisheries Act. No construction or disturbance of any stream/lake bed or on the banks of any definable watercourse is permitted unless authorized by DFO.

Environmental

32. The Permittee shall ensure that the land use area is kept clean and tidy at all times.
33. The Permittee shall prepare the site in such a manner as to prevent rutting of the ground surface.
34. The Permittee shall not do anything that will cause erosion of the banks of any body of water on or adjacent to the land and shall provide necessary controls to prevent such erosion.
35. The Permittee shall be required to undertake any corrective measures in the event of any damage to the land or water as a result of the Permittee's operation.
36. The Permittee shall not remove any material from below the ordinary high water mark of any waterbody.
37. The Permittee shall adopt such measures as required to control erosion by surface disturbance. Sediment and erosion control measures should be implemented prior to, and maintained during the work to prevent sediment entry into the water during a spring thaw.
38. The Permittee 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.
39. The Permittee shall suspend overland travel of equipment or vehicles if rutting occurs.

Structure & Storage Facilities

40. The Permittee shall not erect structures or store material on the surface ice of lakes or streams.
41. The Permittee shall locate all structures and storage facilities on gravel, sand or other durable land.

Reclamation

42. The Permittee shall remove all scrap metal, discarded machinery and parts, barrels and kegs, buildings and building material upon abandonment.
43. The Permittee shall complete all clean-up and restoration of the lands used prior to the expiry date of the permit.
44. The Permittee shall plug or cap all bore holes and cut off any drill casings that remain above ground to ground level upon abandonment of the operation.

Other Recommendations

1. NIRB would like to encourage the proponent to hire local people and services, to the extent possible.

2. NIRB strongly advises proponents to consult with local residents regarding their activities in the region, and do community consultation on the project to keep the communities informed.
3. Any amendment requests deemed by NIRB to be outside the original scope of the project will be considered a new project.
4. The Environmental Protection Branch (DOE), Department of Fisheries and Oceans (DFO), and Nunavut Impact Review Board (NIRB) should be advised of any material changes to plans or operating conditions associated with the project.

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:

Caribou

1. During the period of May 15 to July 15 when caribou are observed within 1 km of project operations, the Proponent shall suspend all operations, including low-level over flights, blasting, and use of snow mobiles and all terrain vehicles outside the immediate vicinity of the camps. Following July 15, if caribou cows or calves are observed within 1 km of project operations, the Proponent shall also suspend all operations in the vicinity, including low-level over flights, blasting, and use of snow mobiles and all terrain vehicles, until caribou are no longer in the immediate area.

Stripping and Trenching

2. The Proponent shall ensure that all overburden/vegetation generated during trenching is stockpiled using proper erosion prevention measures, and filled back upon reclamation/re-contouring when trenching/sample excavation operation is completed.
3. The Proponent shall employ proper erosion prevention measures (i.e., berms, silt fence) in the trenching area during the project operation.
4. The Proponent shall not conduct any trenching activities within thirty-one (31) metres from the high water mark of any water body.

Land Base Drilling

5. The Proponent shall use non-toxic and biodegradable additives during drilling operation.
6. The Proponent shall not conduct any land based drilling or mechanized clearing within thirty-one (31) metres of the normal high water mark of a water body.
7. The Proponent shall ensure that all drill areas are constructed to facilitate minimizing the environmental footprint of the project area. Drill areas should be kept orderly with garbage removed daily to an approved disposal site.
8. The Proponent shall ensure that all sump/depression capacities are of sufficient capacity to prevent waste water and any fines produced from entering the surrounding lands or water

bodies. Sumps shall only be used for inert drilling fluids, and not any other materials or substances.

Drilling on Ice

9. If drilling is conducted on lake ice, the Proponent shall ensure that any return water is non-toxic, and will not result in an increase in total suspended solids in the immediate receiving waters above the Canadian Council of Ministers for the Environment (CCME) Guidelines for the Protection of Freshwater Aquatic Life (i.e. 10 mg/L for lakes with background levels under 100 mg/L, or 10% for those above 100 mg/L).
10. The Proponent shall ensure that drill muds and additives are not used in connection with holes drilled through lake ice unless they are re-circulated or contained such that they do not enter the water, or demonstrated to be non-toxic.
11. The Proponent shall ensure that all drill cuttings are removed from ice surfaces daily.

MONITORING AND REPORTING REQUIREMENTS

The Board is recommending the following requirements be applied to this authorization:

1. The Proponent shall submit an annual report with copies provided to the NIRB, Indian and Northern Affairs Canada (INAC), the Government of Nunavut, Department of Environment (GN-DoE), and the Qikiqtani Inuit Association (QIA) by March 31 each year that the project is in operation. The report must contain, at a minimum, the following information,
 - a. A summary of activities undertaken for the year, including the amount of drilling;
 - b. A work plan for the following year;
 - c. A summary of wildlife mitigation and monitoring (see Item 2 for details);
 - d. The number of take-offs & landings from an airstrip with approved flight path with date and location;
 - e. The number of helicopter touch-downs on the land with date and location (provide unless confidential);
 - f. Site photos;
 - g. Progressive reclamation work undertaken; and
 - h. A summary of how the proponent has complied with all project terms and conditions and how the terms and conditions are achieving their purpose.
2. In the required annual report, the Proponent should also include the following wildlife information:
 - a. Record of wildlife observations while operating within the project area. The record 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.
 - b. Map the location of any sensitive wildlife sites such as denning sites, calving areas, caribou crossing sites, and raptor nests in the project area, prior to conducting the project activities.
 - c. The timing of critical life history events (i.e., calving, mating, denning and nesting) within the project area.
 - d. Potential impacts from the project undertakings identified by the previous operations.

- e. Mitigation measures implemented (including but not limited to the provisions listed as Terms and Condition in the *Previous Approved and New Recommended Project-Specific Terms and Conditions*) in the reporting year.
- f. Effectiveness analysis of the mitigation measures, and supplemental measures planned for the following year.

OTHER NIRB CONCERNS AND RECOMMENDATIONS

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

The Qikiqtani Inuit Association (QIA) impose environmental protection measures through the issuance of an Inuit Owned Lands License, related to:

- a. General Standards;
- b. Fuel and Chemical Storage;
- c. Camp sites;
- d. Fisheries;
- e. Ground Disturbance; and
- f. Wildlife.

The Board is currently also recommending 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>. Note that some recommendations in this manual are also relevant to polar bears. There is a DVD about polar bears and safety available from Nunavut Parks at the following link <http://www.nunavutparks.com/english/visitor-information/suggested-resources.html> and a “Safety in Polar Bear Country” pamphlet from Parks Canada at the following link <http://www.pc.gc.ca/pn-np/nu/auyuittuq/pdf/PolarBearEnglish2007final.pdf>.
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.

REGULATORY REQUIREMENTS

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

1. The Proponent is advised that the *Canadian Environmental Protection Act* (<http://laws.justice.gc.ca/en/C-15.31/>) lists calcium chloride (CaCl) as a toxic substance. The Proponent should assess alternatives (including biodegradable and non-toxic) to drill additives prior to the use of CaCl and try to avoid the use of CaCl.
2. The *Fisheries Act* (<http://laws.justice.gc.ca/en/showtdm/cs/F-14///en>).
3. The *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (<http://laws.justice.gc.ca/eng/N-28.8/index.html>).

4. The *Migratory Birds Convention Act* and *Migratory Birds Regulations* (<http://laws.justice.gc.ca/en/showtdm/cs/M-7.01>).
5. 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.
6. 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.
7. 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 attached **Appendix C**.
8. 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.
9. 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 April 26, 2010 at Sanikiluaq, NU.



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.

Appendix A

Procedural History and Project Activities

Procedural History

On March 18, 2010 the Nunavut Impact Review Board (NIRB or Board) received an Inuit Land Access Permit from the Qikiqtani Inuit Association (QIA) for Commander Resources Ltd.'s "Baffin Gold Project" project proposal. On March 25, 2010, a Land Use Permit application with Indian and Northern Affairs Canada (INAC) was also forwarded to the NIRB in support of this project proposal (INAC File No.: N2010C0012 to replace expiring Land Use Permit N2004C004).

Past File History

The original application for the noted project was received by the NIRB on March 15, 2004 from INAC and was screened in accordance with Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA). On April 1, 2004 the NIRB issued a 12.4.4(a) screening decision to the Minister of INAC allowing the proposed project to proceed subject to project-specific recommended terms and conditions.

INAC Land Use Permit N2004C004 was extended in 2007, 2008 and 2009 respectively. In each of those years upon receipt of applications from INAC to extend the land use permit, the NIRB confirmed that the proposed activities had previously been screened and were therefore exempt from further screening pursuant to Section 12.4.3 of the NLCA, and the terms and conditions contained within the previous screening decision still applied.

Current Application

Following a preliminary completeness check this project proposal was distributed to community organizations in Clyde River, relevant federal and territorial government agencies, as well as 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 April 5, 2010 (later extended to April 19, 2010). The NIRB requested that parties comment on the revised project proposal regarding:

- whether the proposed component or activity was a part of the original proposal;
- whether its inclusion would significantly modify the project;
- any additional mitigation measures that are appropriate; and
- any other matter of importance to the Party related to the project proposal.

On or before April 19, 2010 the NIRB received comments from the following interested parties (see Comments and Concerns section below):

- **Government of Nunavut – Culture Language Elders and Youth (GN-CLEY)**
- **Government of Nunavut - Department of Environment (GN-DoE)**
- **Environment Canada (EC)**

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 Activities

This project is located on both Crown Lands and Inuit Owned Lands (IOL), in the centre of Baffin Island. The nearest community is Clyde River located approximately 250 km northeast of the project area. The project is a continuation of mineral exploration for gold, involving ground geophysics, prospecting, rock sampling, geological mapping, and diamond drilling. The drilling activities will primarily be carried out on IOL with some activities occurring on Crown land. This project is proposed to take place annually from April 1, to September 15, 2010 through to 2012.

The project activities in the original application (*exempt from further screening*) included:

- Operation of an existing camp at Dewar Lake at Dewar Lakes (previously established by BHP);
- Fuel storage;
- Solid waste and waste water disposals;
- Airstrip use at Fox 3 Dew Line Station;
- Helicopter use for mobilization of personal, drills and supplies;
- Airborne and ground based magnetic and electromagnetic geophysical surveys;
- Diamond drilling; and
- Trenching for rock sampling by hand-held gas powered rock saw.

The activities/components in the current proposal include:

- Refurbishment of existing Dewar camp on Crown Lands;
- Establishment and operation of a new camp (including an ice strip) at Malrok Lake on IOL;
- Fuel storage;
- Solid waste and waste water disposals;
- Use of airstrip at Fox 3 Dew Line;
- Aircraft use (both fixed wing and helicopter) for mobilization of personal, drills and supplies;
- Winter road use;
- Ground magnetic and electromagnetic surveys, prospecting, geological mapping;
- Soil and sediment sampling;
- Diamond drilling (both land based and on ice);
- Trenching and rock sampling by hand-held gas powered rock saw; and
- Snow mobile and other vehicle use.

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.