

## **SCREENING DECISION**

**Date: May 31, 2001**

Hon. David Anderson  
Minister of Environment  
Ottawa, Ontario

Dear Minister:

**RE: Screening Decision of the Nunavut Impact Review Board (NIRB) on Application:  
NIRB 01YN053 CWS  
Biological Studiess on Thick-billed Murres & Glaucous Gulls**

### **Authority:**

Section 12.4.4 of the Nunavut Land Claim Agreement states:

Upon receipt of a project proposal, NIRB shall screen the proposal and indicate to the Minister in writing that:

- 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;
- b) the proposal requires review under Part 5 or 6; NIRB shall identify particular issues or concerns which should be considered in such a review;
- c) the proposal is insufficiently developed to permit proper screening, and should be returned to the proponent for clarification; or
- d) the potential adverse impacts of the proposal are so unacceptable that it should be modified or abandoned.

### **Primary Objectives:**

The primary objectives of the Nunavut Land Claims Agreement are set out in section 12.2.5 of the Land Claims Agreement. This section reads:

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.

The decision of the Board in this case 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;

### **Reasons for Decision:**

NIRB's decision is based on specific considerations that reflect the primary objectives of the Nunavut Land Claims Agreement. Our considerations in making this decision included:

- storage and disposal of equipment, fuel, garbage, sewage, and grey water, and impact of these on the ecosystem;
- impact and disturbance to wildlife;
- impact and disturbance to nesting birds;
- impact and disturbance to archaeological sites;
- clean up/restoration of the camp site upon abandonment; and
- community concerns

### **Terms and Conditions:**

- That the terms and conditions attached to this screening report will apply.

### **Fuel Storage**

1. 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.
2. The Permittee shall have a spill clean up kit located on site including equipment such as absorbent pads, shovels etc.
3. 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**

4. The Permittee shall not discharge or deposit any refuse substances or other waste materials in any body of water, which will impair the quality of the waters of the natural environment.
5. The Permittee shall incinerate all combustible and food wastes to eliminate the potential for wildlife problems created by the attraction of wildlife to garbage.
6. The Permittee shall ensure that all wastes generated through the course of the operation are backhauled and disposed of in an approved dumpsite.

### **Wildlife**

7. The Permittee shall not feed wildlife.
8. 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.
9. The proponent shall not hunt or fish, unless the appropriate permits and licenses are acquired from a Renewable Resources Officer.
10. 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 renewable resource officer.

### **Environmental**

11. The Permittee shall use the existing cabin 5km west of Cape Pembroke.

12. The Permittee shall ensure that the land use area is kept clean and tidy at all times.
13. The Permittee shall be required to undertake any corrective measures in the event of any damage to the land as a result of the Permittee's operation.
14. The Permittee shall undertake only the research activities specified in their permit application.

#### **Archaeological Sites**

15. The Permittee shall follow all terms and conditions for the protection and restoration of archaeological resources as outlined by the Department of Culture, Language, Elders and Youths (CLEY) in the attached letter.

#### **Reclamation**

16. The Permittee shall remove all equipment, including garbage and fuel, from the site upon abandonment.

#### **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 that the results of the research be presented to the community in the community's preferred language.
3. The proponent is advised to contact the local RCMP to make sure all licenses and certificates are current and in compliance with the new gun regulations in Nunavut.
4. Proponents are strongly urged to negotiate in advance the amount to be compensated in the event that a defense kill of a polar bear occurs.
5. Any amendment requests deemed by NIRB to be outside the original scope of the project will be considered a new project.

#### **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 \_\_\_\_\_ at Whale Cove, NU

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Elizabeth Copland, A/Chairperson

Attachment: NIRB Screening Form  
c.c. CWS, Iqaluit, Nunavut