



NIRB File Nos.: 05AN011, 06AN026

CWS File Nos.: NUN-SCI-08-04, NUN-SCI-11-05,
NUN-SCI-12-06, & NUN-SCI-12-02
KIA File Nos.: K VX09N08, K VX11N01

May 21, 2013

The Honourable Peter Kent
Minister of Environment, Government of Canada
c/o Jason Akearok, Habitat Biologist
Canadian Wildlife Service
Qimugjuk Building
P.O. Box 1870
Iqaluit, NU X0A 0H0

Sent via email: jason.akearok@ec.gc.ca

Re: Application Exempt from the Requirement for Screening Pursuant to Section 12.4.3 of the NLCA: Carleton University – Environment Canada’s “Breeding Biology of the Shorebirds of East Bay” project, Kivalliq Region

Dear Jason Akearok:

On April 24, 2013 the Nunavut Impact Review Board (NIRB or Board) received an application from the Canadian Wildlife Service (CWS) for an amendment and extension to CWS Scientific Permit to Take, Salvage or Disturb Migratory Birds No.: NUN-SCI-12-06 for Carleton University’s (the Proponent) “Breeding Biology of the Shorebirds of East Bay” project proposal. On May 1, 2013 the NIRB received a new Scientific Permit application from CWS for activities in support of the above mentioned project, the activities proposed in the application were determined to be an amendment rather than a new application as the Proponent indicated a new shorebird species would be included in the sampling program. On May 13, 2013 the NIRB received correspondence from the Nunavut Planning Commission indicating that the proposed amendment did not change the scope of the originally submitted project proposal and that the amendment conformed to the requirements of the Keewatin Regional Land Use Plan.

Please be advised that the original project proposal (NIRB File No.: 06AN026) was received by the NIRB from the Kivalliq Inuit Association (KIA) on March 16, 2006 and was screened by the Board in accordance with Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA). On April 27, 2006, the NIRB issued the enclosed NLCA 12.4.4(a) screening decision to the Minister of Environment, Government of Canada which indicated that the proposed project could proceed subject to the NIRB’s recommended project-specific terms and conditions.

Additional authorization and extension requests associated with the “Breeding Biology of the Shorebirds of East Bay” project have also been reviewed by the NIRB following screening of the original project proposal (NIRB File No. 06AN026). Please be advised that the Proponent further applied for a CWS Bird Sanctuary Permit which was screened by the NIRB in 2005 pursuant to Part 4, Article 12 of the NLCA. On February 28, 2005 the NIRB issued the enclosed NLCA 12.4.4(a) screening decision to the Minister of Environment, Government of Canada which indicated that the proposed project could proceed subject to the NIRB’s recommended project-specific terms and conditions (NIRB File No.: 05AN011, CWS File No.: NUN-SCI-08-04). The Proponent has previously applied for amendments and extensions to the CWS Bird Sanctuary Permit in conjunction with work permitted by the Scientific Permit to Take Salvage or Disturb Migratory Birds (CWS File No.: NUN-SCI-11-05) as was associated with the abovementioned project. In the instance of each request (as related to both of the NIRB Files 06AN026 and 05AN011), the NIRB confirmed that the applications were exempt from the requirement for further screening pursuant to Section 12.4.3 of the NLCA and the activities therein remained subject to the terms and conditions recommended in the original February 28, 2005 and April 27, 2006 Screening Decision Reports. A summary of the additional applications associated with NIRB File No. 05AN011 and 06AN026 is presented in Table 1.

Table 1: Additional applications associated with NIRB File Nos. 05AN011 and 06AN026

Authorization	Application			NIRB Decision	
	Date Received by NIRB	Type	Reason for Application	Date Issued	Type
Bird Sanctuary Permit (NIRB File 05AN011)	April 25, 2008	Renewal	Continue research activities	June 9, 2008	Reissued February 28, 2005 SDR
Scientific Permit to Take, Salvage or Disturb Migratory Birds (NIRB File 06AN026)	March 29, 2009	Renewal	Continue research activities	April 23, 2009	Reissued April 27, 2006 SDR
Bird Sanctuary Permit (NIRB File 05AN011) & Scientific Permit to Take, Salvage or Disturb Migratory Birds (NIRB File 06AN026)	May 24, 2011	Extension to Bird Sanctuary Permit and Amendment to Scientific Permit to Take, Salvage or Disturb Migratory Birds	Continue research activities	May 26, 2011	Reissued April 27, 2006 SDR
Scientific Permit to Take, Salvage or Disturb Migratory Birds (NIRB File 06AN026)	March 13, 2012	Amendment	Continue research activities	March 22, 2012	Reissued April 27, 2006 SDR
Scientific Permit	May 28, 2012	Amendment	Continue	June 12,	Reissued

to Take, Salvage or Disturb Migratory Birds (NIRB File 06AN026)	and June 1, 2012		research activities	2012	February 28, 2005 and April 27, 2006 SDRs
Scientific Permit to Take, Salvage or Disturb Migratory Birds (NIRB File 06AN026)	January 24, 2013	Amendment	Continue research activities	February 27, 2013	Reissued February 28, 2005 and April 27, 2006 SDRs

Notes: NIRB= Nunavut Impact Review Board; SDR= Screening Decision Report

The current CWS amendment applications, the original NIRB Screening Decision Report (NIRB File No. 06AN026) and related file information are available from the NIRB's ftp site at the following link:

<http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2006/06AN026-CWS%20-%20Paul%20Smith/>.

Materials in support of the previously screened NIRB File No.: 05AN011 which included the CWS Migratory Bird Sanctuary Permit associated with the current file activities may be obtained from the NIRB's ftp site at the following link:

<http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2005/05AN011-CWS%20-%20Myra%20Robertson/>.

PREVIOUSLY-SCREENED PROJECT PROPOSAL:

As previously screened by the NIRB (File No.: 06AN026), the "Breeding Biology of the Shorebirds of East Bay" project was located within the Kivalliq region, near the municipality of Coral Harbour. The Proponent indicated that it intended to conduct studies of sea ducks, sea birds, and shorebirds to gather information on sources of the continued decline of these populations.

The activities/components associated with the original March 16, 2006 proposal included:

- Conduct shorebird surveys by helicopter;
- Capture and band shorebirds on foot and by all-terrain vehicle;
- Travel to and from sites on Southampton Island and Coats Island by Twin Otter aircraft;
- Use of existing cabin as temporary camp with supplementary tents as required.

The activities and components associated with the previous May 24, 2011 amendment and extension request included:

- Collect 1 egg from 15 different shorebird nests, all dead birds and un-hatched eggs as discovered, tissue samples consisting of blood, feathers, claw clippings and swabs from live birds to check for cholera, influenza, toxins, heavy metals and stable isotopes;
- Tag birds for identification and tracking of migratory routes;

- Use of boat to access additional coastline monitoring sites on Southampton Island and several small islands between Coral Harbour and Cape Dorset.

The activities and components associated with the previous March 13, 2012 amendment request included:

- Conduct nest surveys along the coastline at two sites (Cape Dorset and Frobisher Bay);
- Use of two boats (one at each site) to access and survey islands along the coastline for Eider nests;
- Use of canvas tents to house 8 people per crew as temporary camp locations during the surveys;
- Collection of bird carcasses for disease analysis.

The activities and components associated with the previous May 28, 2012/June 1, 2012 amendment request included:

- Band Glaucous Gulls for identification and tracking their migratory route;
- Use of firearms to euthanize Glaucous Gulls for the retrieval of geolocators;
- Collect 15 eggs from Thick-billed Murre nests for contaminant testing.

The activities and components associated with the previous January 24, 2013 amendment included:

- Use of firearms to collect Glaucous Gulls where live capture is unsuccessful; and
- Collect liver samples.

CURRENT APPLICATION:

The Proponent is proposing to amend and extend their Scientific Permit to Take, Salvage or Disturb Migratory Birds (NUN-SCI-12-02), to include the following additional components/activities:

- Increase personnel from eight (8) to sixteen (16), two crews working at separate sites; and,
- Band and attach geolocators on twenty (20) Semipalmated sandpipers and Dunlins.

Please note that Section 12.4.3 of the NLCA states that:

“Any application for a component or activity of a project proposal that has been permitted to proceed in accordance with these provisions shall be exempt from the requirement for screening by NIRB unless:

(a) such component or activity was not part of the original project proposal; or

(b) its inclusion would significantly modify the project.”

After completing a review of the information provided in support of the current applications to amend the Scientific Permit to Take, Salvage or Disturb Migratory Birds, the NIRB is of the understanding that the proposed amendment and extension does not change the general scope of

the original project activities, and the exceptions noted in NLCA 12.4.3 (a) and (b) do not apply. Therefore, this application is exempt from the requirement for screening pursuant to Section 12.4.3 of the NLCA and the activities therein remain subject to the terms and conditions recommended in the original April 27, 2006 (NIRB File No.: 06AN026) and the February 28, 2005 (NIRB File No.: 05AN011) Screening Decision Reports (enclosed).

If you have any questions or require additional clarification, please contact Tannis Bolt, Assistant Technical Advisor, at (867) 983-4603 or tbolt@nirb.ca.

Sincerely,



Ryan Barry
Executive Director
Nunavut Impact Review Board

cc: Amie Black, Environment Canada
Jonathan Verreault, Université du Québec à Montréal
Grant Gilchrist, Carleton University
Luis Manzo, Kivalliq Inuit Association
Jeff Mercer, Aboriginal Affairs and Northern Development Canada
Tracey McCaie, Aboriginal Affairs and Northern Development Canada
Phyllis Beaulieu, Nunavut Water Board
Louisa Kudluk, Aiviit Hunters and Trappers Organization

Enclosure (2): NIRB Screening Decision Report, File No.: 06AN026 (April 27, 2006)
NIRB Screening Decision Report, File No.: 05AN011 (February 28, 2005)