



NIRB File Nos.: 06AN026 and 05AN011

CWS File Nos.: NUN-SCI-11-05, NUN-MBS-11-05, NUN-SCI-12-06,
NUN-SCI-12-02, NUN-SCI-12-07 & NUN-SCI-13-03
KIA File Nos.: K VX09N08, K VX11N01, K VX14N01
NWB File Nos.: 8WLC-AIL1415, 3BC-EAS1214

May 12, 2014

The Honourable Leona Aglukkaq
Minister of Environment, Government of Canada
c/o Jason Akearok, Habitat Biologist
Canadian Wildlife Services
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: Canadian Wildlife Services' "Breeding Biology of the Birds of South Hampton, Coats Island and Baffin Island" project, Kivalliq and Baffin Regions

Dear Jason Akearok:

On April 1, 2014 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-13-03 as well as a combined extension request to CWS application for a Bird Sanctuary Permit (No. NUN-SCI-11-05) and Scientific Permit to Take Salvage or Disturb Migratory Birds (No. NUN-MBS-11-05). On April 4, 2014 the NIRB received an additional application from CWS for an amendment to CWS permit number NUN-SCI-11-05. The NIRB notes that all three of these applications are related to the Canadian Wildlife Service's "Breeding Biology of the Birds of South Hampton, Coats Island and Baffin Island" project proposal.

The NIRB received the original project proposal (NIRB File No.: 06AN026) from the Kivalliq Inuit Association (KIA) on March 16, 2006. The proposal was screened by the Board in accordance with Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA) and 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 original proposal (initially called 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).

The NIRB notes that the Proponent had previously applied for a CWS Bird Sanctuary Permit which was screened by the NIRB in 2005 pursuant to Part 4, Article 12 of the NLCA (File No.: 05AN011). 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 (CWS File No.: NUN-SCI-08-04). The NIRB has determined that the CWS Migratory Bird Sanctuary Permit associated with File No. 05AN011 is related to the current file activities being considered as part of NIRB File No 06AN026, therefore File No. 05AN011 has also been included within the project history and discussion below.

The Proponent has previously applied for amendments and extensions to the CWS Bird Sanctuary Permit (CWS File No.: NUN-SCI-11-05) associated with the above mentioned project. In the instance of each request (as related to 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 Nos. 05AN011 and 06AN026 is presented in Table 1.

Table 1: Additional applications associated with NIRB File Nos. 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 26, 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 to Take, Salvage or Disturb Migratory Birds (NIRB File 06AN026)	May 28, 2012 and June 1, 2012	Amendment	Continue research activities	June 12, 2012	Reissued 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
Scientific Permit to Take, Salvage or Disturb Migratory Birds (NIRB File 06AN026)	April 24, 2013	Amendment	Add additional species to be sampled	May 21, 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 online public registry 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 online public registry 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;
- Collect 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.

In 2013, the Proponent proposed to amend and extend its 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.

CURRENT APPLICATIONS:

The following activities have been proposed within current CWS applications as associated with the NIRB's File Nos. 05AN011 and 06AN026:

CWS Permit No. NUN-SCI-13-03

Bird Research on Coats Island - Amendment Application by Christine Eberl for Dr. Paul Smith

- Change the lead scientist from Grant Gilchrist to Dr. Paul Smith;
- Study the impact of various bird species on others, positive and negative impacts; and
- Research completed on additional species (golden plover, sanderling, pectorial sandpiper, red knot, sabine's gull and arctic tern) for this permit.

CWS Permit Nos. NUN-SCI-11-05 and NUN-MBS-11-05

Bird Research in East Bay Bird Sanctuary – Amendment Application by Christine Eberl for Dr. Paul Smith

- Include the study the impact of geese on other wetland birds through various surveys such as nest densities, assessment of habitat and predator impacts.

CWS Permit No. NUN-SCI-11-05

Bird Studies in East Bay Bird Sanctuary, Cape Dorset, Iqaluit and Kimmirut – Amendment Application by Grant Gilchrist and Michael Janssen

- Inclusion of additional bird species (snow buntings, Herring Gulls) to be studied.

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, the NIRB is of the understanding that the proposed amendments do 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, these applications are 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 Kelli Gillard, Technical Advisor, at (867) 983-4619 or kgillard@nirb.ca.

Sincerely,

A handwritten signature in black ink that reads "Ryan Barry". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ryan Barry
Executive Director
Nunavut Impact Review Board

cc: Dr. Paul Smith, Environment Canada, National Wildlife Research Centre
Christine Eberl, Environment Canada, National Wildlife Research Centre
Grant Gilchrist, Environment Canada
Michael Janssen, Environment Canada
Phyllis Beaulieu, Nunavut Water Board
Luis Manzo, Kivalliq Inuit Association
Tracey McCaie, Aboriginal Affairs and Northern Development Canada

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