



NIRB File No.: 17YN067
NPC File No.: 148610

August 4, 2017

Nick Lawson
Nunami Stantec Ltd.
P.O. Box 1777
Yellowknife, NT X1A 2P4

Sent via email: nick.lawson@stantec.com

Re: Notice of Screening for Nunami Stantec Ltd.'s "2017/18 Research Program for the Grays Bay Road and Port Project" Proposal

Dear Nick Lawson:

On July 17, 2017 the Nunavut Impact Review Board (NIRB or Board) received a referral to screen Nunami Stantec Ltd.'s (Nunami Stantec) "2017/18 Research Program for the Grays Bay Road and Port project" proposal from the Nunavut Planning Commission (NPC or Commission), which noted that the project proposal is outside the area of an applicable regional land use plan. Pursuant to Article 12, Sections 12.4.1 and 12.4.4 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada* (Nunavut Agreement) and section 87 of the *Nunavut Planning and Project Assessment Act* (NuPPAA), the NIRB has commenced screening this project proposal and has assigned it file number **17YN067** - please reference this file number in all future related correspondence.

INFORMATION REQUEST

Following a preliminary completeness check, the NIRB determined that the proposal as submitted did not contain the necessary information for the NIRB to carry out its screening. Pursuant to subsection 144(1) of the NuPPAA, on July 17, 2017 the NIRB requested that the additional information from Nunami Stantec be provided to the Board. The NIRB followed up with the Proponent on July 31, 2017 noting that the NIRB required additional information in order to carry out the screening of the project proposal. On July 31, 2017 the NIRB received the requested additional information and commenced the screening pursuant to Part 3 of the NuPPAA.

Project Scope:

The proposed “2017/18 Research Program for the Grays Bay Road and Port project” project is located within the Kitikmeot region, with the Grays Bay Port approximately 190 kilometres (km) southeast of Kugluktuk and 250 km southwest of Cambridge Bay. The Proponent intends to conduct baseline studies and collect information in support of advancing the design of the Grays Bay Road and Port project and assess the effects of the project on the biophysical and socio-economic environment. The program is proposed to take place from September 2017 to March 2018.

According to the project proposal, the scope of the project includes the following undertakings, works or activities:

- Use of motor vessel (MV) *Martin Bergmann* for approximately six (6) days for the following :
 - As accommodations for personnel and one (1) Inuit assistants;
 - Conduct research within the Grays Bay area:
 - Conduct marine mammal and seabird survey;
 - Collect zooplankton, benthic and sediment samples for further analysis;
 - Water and fuel for the marine survey would be sourced from Cambridge Bay and all combustible and non-combustible wastes would be stored and taken back for appropriate disposal;
- Based out of Kugluktuk or the Lupin Mine Camp, personnel and a locally hired wildlife monitor to undertake studies for approximately five (5) days:
 - Use of helicopter to conduct studies along the proposed Grays Bay port site and proposed alignment of the road to the Jericho Mine site as follows;
 - Assessment of topography, water crossings, and fish habitat;
 - Assessment and collection of samples for soils and fish;
 - Installation of approximately 20 wildlife observation cameras which would be removed in the spring of 2018;
 - Installation and removal of noise monitoring equipment and weather station in order to collect noise data for approximately four (4) days;
 - Water and fuel for terrestrial surveys to be sourced from point of origin and all combustible and non-combustible wastes to be stored and taken back for appropriate disposal;
- Meetings with Inuit participants in Kugluktuk, Cambridge Bay, and Gjoa Haven to verify previously collected Inuit Qaujimagatuqangit; and
- Two (2) workshops with knowledge holders regarding potential risks to caribou and possible mitigations.

At this time, the NIRB has identified no additional works or activities in relation to the project proposal. However, the NIRB notes that the project is related to the “Grays Bay Road and Port” project proposal (NIRB File No. 17XN011), but is not integrally linked and as a result, the NIRB will proceed with screening the project based on the scope as described above.

REQUEST FOR COMMENTS

All documents received and pertaining to this project proposal can be obtained from the NIRB's online public registry at www.nirb.ca by using any of the following search criteria:

- Project Name: 2017/18 Research Program for the Grays Bay Road and Port Project
- NIRB File No.: 17YN067
- Application No.: 125168

The documents received include:

- *NPC Application and Referral*
- *NIRB's Online Application Form*
- *Non-technical Project Proposal summary in English, Inuinnaqtun, and Inuktitut*
- *Project and Research Description*
- *Potential Environmental Effects Summary*
- *Fisheries and Oceans Scientific Licence Applications*
- *Government of Nunavut Wildlife Research Permit Application*
- *Kitikmeot Inuit Association Application for Access to Inuit Owned Land*
- *Kugluktuk Hunters and Trappers Organization (HTO) support letter*
- *Ekaluktutiak HTO support letter*
- *Gjoa Haven HTO support letter*

The NIRB will copy you on screening process related correspondence and upload related documents to the NIRB's online registry for public access. The NIRB may request additional information at any time during the process.

The NIRB is copying parties and municipalities potentially affected by Nunami Stantec's project proposal with this letter, and we invite interested parties to comment directly to the NIRB by **August 14, 2017**.

The NIRB would like parties to provide comments regarding:

- Whether the project proposal is likely to arouse significant public concern; and if so, why;
- Whether the project proposal is likely to cause significant adverse eco-systemic or socio-economic effects; and if so, why;
- Whether the project proposal is likely to cause significant adverse impacts on wildlife habitat or Inuit harvest activities; if so, why;
- Whether the project proposal is 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.

Please note that *proposed* project-specific terms and conditions, should the project proceed, have been attached for consideration and comment (**Appendix A**).

CONTACT INFORMATION

Please send your comments to the NIRB via email at info@nirb.ca, via fax at (867) 983-2594 or via the individual project dashboard for this assessment on the NIRB's online public registry at www.nirb.ca by using any of the following search criteria:

- Project Name: 2017/18 Research Program for the Grays Bay Road and Port Project
- NIRB File No.: 17YN067
- Application No.: 125168

If you have any questions or require clarification, feel free to contact the undersigned at (867) 983-4619 or at kgillard@nirb.ca.

Sincerely,



Kelli Gillard B.Sc., P.Ag.
Manager, Project Monitoring
Nunavut Impact Review Board

cc: Distribution List
Karén Kharatyan, Nunavut Water Board
Geoff Clark, Kitikmeot Inuit Association
Wynter Kuliktana, Kitikmeot Inuit Association
Mosha Cote, Nunavut Research Institute
Georgina Williston, Environment and Climate Change Canada
Veronique D'Amours-Gauthier, Fisheries and Oceans Canada
Mark D'Aguiar, Fisheries and Oceans Canada
Tracey McCaie, Indigenous and Northern Affairs Canada
Charlotte Lamontagne, Indigenous and Northern Affairs Canada

Attachment: Appendix A: *Proposed* Project Specific Terms and Conditions

Enclosures (4): Public Notice of Screening (English and Inuinnaqtun)
Comment Forms (English and Inuinnaqtun)

Appendix A

Proposed Project Specific Terms and Conditions

The following is a list of project-specific terms and conditions which, should the project proceed, may be recommended to be attached to any approval.

General

1. Nunami Stantec Ltd. (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 Nunavut Planning Commission (Application to Determine Conformity, July 17, 2017), and the NIRB (Online Application Form, July 26, 2017; Information request regarding wildlife cameras, July 31, 2017).
4. The Proponent shall operate the site in accordance with all applicable Acts, Regulations and Guidelines.

Water Use

5. The Proponent shall ensure that water extraction from any fish-bearing waterbody is done with appropriate care and caution. Small lakes or streams should not be used for water withdrawal unless approved by the Nunavut Water Board.

Waste Disposal

6. The Proponent shall keep all garbage and debris in bags placed in a covered metal container or equivalent until disposed of at an approved facility. All such wastes shall be kept inaccessible to wildlife at all times.

Wildlife - General

7. The Proponent shall ensure that there is no damage to wildlife habitat in conducting this operation.
8. The Proponent shall not harass wildlife. This includes persistently circling, chasing, hovering over pursuing or in any other way harass wildlife, or disturbing large groups of animals.
9. The Proponent shall not hunt or fish, unless proper Nunavut authorizations have been acquired.
10. The Proponent shall ensure that all project personnel are made aware of the measures to protect wildlife and are provided with training and/or advice on how to implement these measures.

Migratory Birds and Raptors Disturbance

11. 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 (e.g., a 100 metres buffer around the nests). If active nests of any birds

are discovered (i.e., with eggs or young), the Proponent shall avoid these areas until nesting is complete and the young have left the nest.

12. The Proponent shall minimize activities during periods when birds are particularly sensitive to disturbance such as migration, nesting and moulting.
13. The Proponent shall avoid the seaward site of seabird colonies and areas used by flocks of migrating waterfowl by three (3) kilometres.
14. The Proponent shall ensure its aircraft avoid excessive hovering or circling over areas where bird presence is likely.

Aircraft Flight Restrictions

15. The Proponent shall not alter flight paths to approach wildlife, and avoid flying directly over animals.
16. The Proponent shall restrict aircraft/helicopter activity related to the project to a minimum flight altitude of 610 metres above ground level unless except during landing, take-off or if there is a specific requirement for low-level flying, which does not disturb wildlife or 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. Aircraft should avoid critical and sensitive wildlife areas at all times by choosing alternate flight corridors.
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 advise all pilots of relevant flight restrictions and enforce their application over the project area, including flight paths to/from the project area.

Caribou and Muskoxen Disturbance

20. The Proponent shall cease activities that may interfere with the 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 movement of equipment or personnel until such time as the caribou have passed.

Land Use

22. The Proponent shall ensure that the land use area is kept clean and tidy at all times.

Restoration of Disturbed Areas

23. The Proponent shall remove all garbage, fuel and equipment upon abandonment.
24. The Proponent shall ensure that all disturbed areas are restored to a stable or pre-disturbed state as practical as possible upon completion of field work.

Ship-based Activities

25. The Proponent shall not deposit, nor permit the deposit of any fuel, chemicals, wastes (including waste water) or sediment into any marine waters, and shall manage wastes on board the vessel prior to final disposal at approved port facilities.
26. The Proponent shall ensure that all 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.
27. The Proponent shall ensure that all project staff are aware of the Proponent's responsibilities and requirements regarding wildlife and wildlife habitat protection. This should include wildlife sensitivities and potential hazards, proper wildlife viewing techniques and safety practices.
28. The Proponent shall limit viewing time of each concentration of marine mammals to a maximum of thirty (30) minutes in order to minimize disturbance.
29. The Proponent shall not attempt to intersect or interfere with the movements of marine mammals. Strategic positioning of vessels ahead of the path being traveled by mobile whales and waiting for the whales to pass is also prohibited.
30. The Proponent shall maintain a distance of 100 metres if a Polar Bear is encountered on land or ice while conducting activities and all interaction with Polar Bear should be avoided if possible.

Other

31. The Proponent should consult with local residents regarding their activities in the area and solicit available Inuit Qaujimaningit and information that can inform project activities.
32. The Proponent shall ensure that project activities do not interfere with Inuit wildlife harvesting or traditional land use activities.
33. The Proponent should, to the extent possible, hire local people and access local services where possible.