

Fosheim Peninsular Filming Project

IOL Parcels: GF-05, GF-04, PI-42, PI-44, PI-45

Permittee: Silverback Films Ltd.

Terms and Conditions

1. Nunavut Tunngavik has designated the Qikiqtani Inuit Association as the designated Inuit organization (DIO) to hold title to the surface of Inuit Owned Lands in the North Baffin, South Baffin and Sanikiluaq land use regions pursuant to the Nunavut Land Claims Agreement.
2. The Permittee acknowledges that this is a revocable non-exclusive and non-transferable authorization and not an easement, lease or other interest in land.
3. The Permittee agrees and acknowledges that the Qikiqtani Inuit Association and Nunavut Tunngavik Incorporated shall not be liable for any loss or damage to the Permittee, or its agents, employees, contractors, Permittees or invitees arising from or occasioned by this authorization or the Permittee's entry and actions on the Lands.
4. The Permittee shall indemnify and save the Qikiqtani Inuit Association and Nunavut Tunngavik Incorporated harmless from and against all manner of suit or action, cause of action, claim, demand, damage, cost, expense or liability for death, personal injury, economic loss, property damage, fines or compliance with permits approvals, certificates, Permits or orders of any authority of competent jurisdiction arising from or occasioned by any act or omission of the Permittee, its agents, employees, contractors, Permittees or invitees (including without limitation discharge of contaminants) on or in respect of the Lands, including without limitation any liability arising from breach by the Permittee of any municipal, territorial or federal statute regulation or by-law in force in Nunavut in respect of land utilization, health and safety, transportation of dangerous goods, or environmental protection.
5. The Permittee shall observe, perform and abide by the General Minimum Standards annexed as Schedule 1 hereto, or by any standards established from time to time in addition thereto or in substitution therefor by the Qikiqtani Inuit Association.
6. The Permittee shall be liable for any damage to the Lands occasioned by its entry and activities on the Lands.
7. The Permittee represents and warrants that it is and shall remain in compliance with all federal, territorial and municipal statutes, regulations and by-laws in respect of its entry and actions on the Lands.
8. The Qikiqtani Inuit Association may revoke this authorization at any time for breach of any term or condition of the authorization.



9. The Permittee shall pay any reasonable costs of inspection the Qikiqtani Inuit Association deems necessary to monitor compliance with the terms and conditions of this authorization or the general minimum standards.
10. This authorization and the right of entry to the Lands are subject to the Nunavut Land Claims Agreement and to all applicable laws in force in Nunavut.

SCHEDULE 1 - GENERAL MINIMUM STANDARDS

These standards are in addition to and not in substitution for any applicable laws or regulations in force in Nunavut and nothing herein shall be construed so as to require or authorize the contravention of any such law or regulation, including without limitation, the Nunavut Waters Act and Nunavut Surface Rights Tribunal Act, the Fisheries Act, and the Area Development Act, or any regulations made thereunder.

GENERAL

1. The Permittee shall not conduct this land use operation on any lands not designated in the authorization, unless authorized in writing by the Qikiqtani Inuit Association.
2. The Permittee shall provide a copy of this authorization to the Nunavut Impact Review Board (NIRB) prior to the commencement of the project.
3. The Permittee shall contact the Qikiqtani Inuit Association at least 48 hours prior to commencement of any land use activity.
4. The Permittee shall not use any equipment except of the type, size and number, and shall conduct operations with the crew and methods listed in the accepted application for this authorization.
5. The Permittee shall have readily available this authorization and conditions during the course of land use operations.
6. At the completion of this land use operation and before the expiry of the authorization, the Permittee shall remove all equipment and materials.
7. The Permittee shall submit a final annual reports in text and map form by December 31 2026 showing:
 - All lands occupied and used during this land use operation, including details on all activities conducted on the lands
 - Before and after digital photographs of land use sites
 - If applicable, aircraft flight paths, number of flights (include dates/time), and flight elevation.
 - Wildlife sightings including copies of all wildlife logs
 - Inuit land use encountered during operations
 - Land use conflicts encountered during operations
8. The Permittee shall ensure ground travel routes maximize the use of gravel, sand or other durable land.
9. The Permittee shall not burn any combustible garbage and debris.
10. All operations shall be carried out so as to minimize surface disturbance. The Permittee shall avoid disturbance on slopes prone to natural erosion, and alternative locations shall be utilized.

11. The Permittee shall keep all combustible and non-combustible garbage and debris in suitable containers until disposed of at an approved municipal waste facility.
12. The Permittee shall keep sites clean of garbage and debris at all times.
13. 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.
14. All disturbed areas must be restored to as stable or pre-disturbed state as practical.

FUEL AND CHEMICAL STORAGE

15. All petroleum containers shall be marked with the Permittee's name.
16. The Permittee shall locate all fuel and other hazardous materials a minimum of thirty-one (31) meters away from the high water mark of any water body and in such a manner as to prevent their release into the environment.
17. The Permittee shall ensure that refueling of all equipment occur a minimum of thirty-one (31) meters away from the high water mark of any water body.
18. The Permittee shall store all fuel and chemicals in such a manner that they are inaccessible to wildlife.
19. The Permittee shall use adequate secondary containment or a surface liner (e.g. self-supporting insta-berms and fold-a-tanks), when storing all fuel and chemicals at all locations.
20. The Permittee shall use drip pans or other equivalent devices when refueling equipment on site. Appropriate spill response equipment and clean-up materials (e.g. shovels, pumps, barrels, drip pans, and absorbents) must be readily available during any transfer of fuel.
21. The Permittee shall remove any hydrocarbon-contaminated soils, snow, and ice from site and shall transport them to an approved disposal site for treatment.
22. The Permittee shall ensure that personnel are properly trained in fuel and hazardous waste handling procedures, as well as spill response procedures. The Permittee shall report all spills immediately in accordance with instructions contained in "Spill Report, NWT 1086(10/79)". The Telephone number for the 24-hour spill line is (867) 920-8130 or spills@gov.nt.ca. The Permittee shall also report all spills immediately to Qikiqtani Inuit Association at (867) 975-8430 or jfortier@qia.ca.

WATER USE

23. The Permittee shall not extract water from any fish-bearing water body unless the water intake hose is equipped with a screen of appropriate mesh size to ensure that there is no entrapment of fish.
24. The Permittee shall not deposit any deleterious substance into any water body.
25. The Permittee shall not cause any obstruction of any stream.



INUIT LAND USE and WILDLIFE HARVESTING

26. The Permittee shall avoid disruption of Inuit land use and harvesting activity and shall avoid areas where such activity is taking place.
27. The Permittee shall immediately report any conflict with Inuit land use and harvesting activity to the Land Administrator -Qikiqtani Inuit Association at (867) 975-8430 or jfortier@qia.ca

WILDLIFE

28. The Permittee shall ensure that there is no damage to wildlife habitat in conducting this operation.
29. The Permittee shall not harass wildlife. This includes persistently worrying or chasing animals, or disturbing large groups of animals.
30. The Permittee shall ensure that all project personnel are aware of the measures to protect wildlife and provided training/advice on how to implement measures.
- ~~31. The Permittee shall avoid areas with the presence of caribou, musk oxen, polar bear, and large groups of animals.~~
32. The Permittee shall not block or cause any diversion to caribou, musk oxen, polar bear movement, and large groups of animals and shall cease activities likely to interfere with such movement until such a time the caribou, musk oxen, polar bear, and large groups of animals have passed or left the area.
- ~~33. If caribou, musk oxen, polar bear, and large groups of animals are observed within 1 km of project activities, the Permittee shall suspend operations in the vicinity, including low level over flights and the use of all terrain vehicles and snowmobiles until the caribou, musk oxen, polar bear, and large groups of animals are no longer in the immediate area.~~
34. The Permittee shall report any MAN-BEAR interactions to the nearest Government of Nunavut Conservation Officer. In Resolute Bay contact (867) 899-8819 or in Iqaluit contact (867) 975-7900.

AIRCRAFT FLIGHT RESTRICTIONS

35. The Permittee shall restrict aircraft/helicopter activity related to the project to a minimum altitude of 610 metres above ground level unless there is a specific requirement for low-level flying, which does not disturb wildlife.
36. The Permittee shall ensure that aircraft/helicopter do not, unless for emergency, touch-down in areas where wildlife are present.



ARCHAEOLOGICAL SITES

37. All archaeological sites and burial grounds are to be avoided and should a site be encountered, it is to be flagged, protected from disturbance, and reported immediately to the Qikiqtani Inuit Association (QIA), Inuit Heritage Trust (IHT), and the Department of Culture and Heritage of the Government of Nunavut.

QIA- (867) 975-8430 or jfortier@qia.ca.

IHT- (867) 979-0731 or heritage@iht.ca

Department of Culture and Heritage - Territorial Chief Archaeologist at (867) 934-2040 or sleblanc1@gov.nu.ca

I, James Curtis Hayward (James Curtis Hayward, Name Printed), the applicant, confirm that I have read, understood and agree to the above terms and conditions.

Signed



Date

2nd April 2024