



NIRB File No.: 05YN073

May 20, 2009

Honourable Jim Prentice  
Minister of Environment  
c/o: Siu-Ling Han  
Head, Eastern Arctic Unit  
Canadian Wildlife Service  
Iqaluit, NU

Via email: [Siu-Ling.Han@ec.gc.ca](mailto:Siu-Ling.Han@ec.gc.ca)

**Re: Application Exempt from Screening under Section 12.4.3: Jim Leafloor's Arctic Goose Banding project**

Dear Siu Ling Han:

On March 30, 2009 the Nunavut Impact Review Board (NIRB) received an application from Canadian Wildlife Service (CWS) for Jim Leafloor's Arctic Goose Banding project proposal. The application is for a renewal to the Proponent's CWS Sanctuary Access Permit.

Please be advised that the original project proposal (NIRB File No.: 05YN073) was received by the NIRB from Canadian Wildlife Service (CWS), and received a positive Nunavut Planning Commission (NPC) conformity determination to the North Baffin Regional Land Use Plan (NBRLUP) on May 10, 2005. The proposal was screened in accordance with Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA). On June 7, 2005 the NIRB issued a 12.4.4(a) screening decision to the Minister of Environment allowing the proposed project to proceed subject to project-specific recommended terms and conditions.

The CWS application, the original NIRB screening file and Screening Decision, 05YN073 are available from the NIRB's ftp site at the following link:

[ftp://ftp.nirb.ca/SCREENINGS/COMPLETED%20SCREENINGS/ARCHIVE/2005\\_SCREENINGS/05YN073-Dale%20Casewell/1-SCREENING/](ftp://ftp.nirb.ca/SCREENINGS/COMPLETED%20SCREENINGS/ARCHIVE/2005_SCREENINGS/05YN073-Dale%20Casewell/1-SCREENING/)

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, the NIRB is of the understanding that the application received from CWS does not change the general scope of the original project activities.

Therefore, this application is exempted from screening as per Section 12.4.3 of the NLCA and the activities therein remain subject to the terms and conditions recommended in the original June 7, 2005 Screening Decision Report (attached).

If you have any questions or concerns, feel free to contact NIRB's Technical Advisor, Tara Arko, at (867) 983-4600 or [info@nirb.ca](mailto:info@nirb.ca).

Best regards,

A handwritten signature in black ink, appearing to read 'Stephanie Autut', with a stylized, cursive script.

Stephanie Autut  
Executive Director

cc: Mark Mallory, CWS  
Phyllis Beaulieu, NWB  
Jim Leafloor

Attachment: NIRB Screening Report Decision, File No.: 05YN073 (June 7, 2005)

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 Land Claims Agreement. Our considerations in making this decision included:

- Storage and disposal of fuel, garbage, sewage, and grey water, and impact of these on the ecosystem
- Clean up/restoration of the sites
- The impact and disturbance to nesting birds
- Impact and disturbance of wildlife
- Impact and disturbance to archaeological sites

### **Waste**

1. The Permittee shall incinerate all combustible garbage and debris to eliminate the potential for wildlife problems created by the attraction of wildlife to garbage.
2. The Permittee shall keep all ashes and non-combustible garbage in a covered metal container until disposed of to prevent attraction by wildlife and shall disposed of them in an approved community dump site.
3. The Permittee shall ensure that no substances, including any chemicals, fuels or wastes associated with the project are deposited into any other water body.
4. The Permittee shall not locate any sump within thirty (30) metres of the normal high water mark of any water body. All sumps shall be backfilled following and contoured to match the local landscape following the completion of each field season.
5. The Permittee shall remove all scrap metal, discarded machinery and parts, barrels, kegs, buildings and building materials that are no longer required at the site.
6. The Permittee shall ensure that the land use area is kept clean and tidy at all times.

### **Fuel Use and Storage**

1. The Permittee shall ensure that all fuel caches be located a minimum of thirty (30) metres from the normal high water mark of any water body.
2. The Permittee shall have one extra fuel storage container on site equal to, or greater than the size of the largest fuel container.
3. The Permittee shall use drip pans when refueling equipment on-site.
4. The Permittee shall report **all** spills of fuel, or other deleterious materials immediately to the 24 hour Spill Line at (867) 920-8130.

### **Wildlife**

1. The Permittee shall restrict aircraft activity related to the project to a minimum altitude of 300m above ground level unless there is a specific requirement for low-level flying, which does not disturb wildlife.

2. The Permittee shall ensure that aircraft/helicopter do not, unless for emergency, touch-down in areas where wildlife are present.
3. Raptor nesting sites and concentrations of nesting or molting waterfowl should be avoided by aircraft/helicopter at all times.
4. The Permittee shall ensure that there is no damage to wildlife habitat in conducting this operation.
5. The Permittee shall ensure that there is minimal disturbance to any nesting birds and wildlife in the area. Harassment of wildlife is prohibited. This includes persistently worrying or chasing animals, or disturbing large groups of animals.
6. The Permittee shall maintain a reasonable distance so as not to disturb colonies of migratory birds.
7. The Permittee shall avoid raptor nesting sites and contact the Regional Biologist (867-857-2828) to identify areas which should be avoided.
8. The Permittee shall cease activities that may interfere with migration or calving of caribou or muskox, until the caribou or muskox have passed or left the area.
9. The Permittee shall not conduct any activity associated with the land use operation if critical periods of wildlife cycles are observed (eg. caribou migration, calving, fish spawning or raptor nesting). The Permittee shall note that the caribou calving season occurs between May 15<sup>th</sup> and July 15<sup>th</sup>.
10. The Permittee shall take the utmost precautions to avoid Bear interactions/conflicts with consideration for the "Safety in Bear Country Manual" and should contact the regional Wildlife Officer in order to receive a briefing on proper procedures to avoid bear encounters, proper procedures should a bear be encountered, and proper procedures to follow should any kind of an incident related to such an encounter occur.
11. The harmful alteration, disruption or destruction of fish habitat is prohibited under the *Fisheries Act*. No construction or disturbance of any stream/lake bed or banks of any definable watercourse is permitted unless authorized by DFO.
12. The Permittee shall prevent the release of sediment into waterbodies during research activity.
13. The Permittee shall not hunt or fish, unless the appropriate permits and licenses are acquired from GN Renewable Resources Officer.

## **Camp**

1. The Permittee shall ensure that all camps are located on gravel, sand or other durable land.
2. The Permittee shall not erect camps or store material on the surface ice of lakes or streams.
3. The Permittee shall maintain clean camp standards. Deliberate feeding of any wildlife is absolutely prohibited.

4. The proponent should consider the use of electric fencing within the camp design, especially around sleeping quarters. Bear deterrents (cracker shells, thunder flashes and rubber bullets) should be on site.

### **Archaeological**

1. The Permittee shall ensure that any archaeological or palaeontological sites encountered are not disturbed.
2. The Permittee should be aware of the law regarding disturbance of archaeological and palaeontological sites and the removal of artifacts found. If a site is found it should remain undisturbed and its location should be reported to the Government of Nunavut Department of Culture, Language, Elders and Youth. See attached letter.

### **Restoration**

1. The Permittee shall remove all garbage, fuel and equipment upon abandonment.
2. The Permittee shall complete all clean-up and restoration of the lands used prior to the expiry date of the permit.

### **Recommendations**

1. NIRB would like to encourage the Permittee to hire local people and to consult with local residents regarding their activities in the region.
2. NIRB would like the Permittee to submit the results of their research to the Board once it is complete.

### **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 Cambridge Bay, NU

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Albert Ehaloak, A/Chairperson