



## APPENDICES

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## REGULATORY FRAMEWORK

The primary objectives of the NIRB are set out in Article 12, Section 12.2.5 of the *Nunavut Agreement* and are confirmed by s. 23 of the *NuPPAA*. The purpose of screening is provided for under Article 12, Section 12.4.1 of the *Nunavut Agreement* and s. 88 of the *NuPPAA*.

As set out under Article 12, Section 12.4.4 of the *Nunavut Agreement* and s. 92(1) of the *NuPPAA*, upon conclusion of the screening process, the Board must provide its written report the Minister indicating one of three options:

- (a) a review of the project is not required;
- (b) a review of the project is required; or
- (c) the project should be modified or abandoned.

## PROJECT OVERVIEW & THE NIRB ASSESSMENT PROCESS

On December 16, 2024, the NIRB received a referral to screen Government of Nunavut – Department of Community Services’ “Resolute Bay Community Harbour Project” project proposal (NIRB File No.: 24XN058) from the Nunavut Planning Commission (Commission), with an accompanying positive conformity determination with the North Baffin Regional Land Use Plan.

All documents received and pertaining to this project proposal can be accessed from the NIRB’s Public Registry by using any of the following search criteria or [www.nirb.ca/project/126136](http://www.nirb.ca/project/126136).

- Project Name: Resolute Bay Community Harbour Project
- NIRB File No.: 24XN058
- NIRB Application No.: 126136

### 1. Screening Process Timelines

The following key stages were completed for the screening process:

**Table 1: NIRB’s Assessment Process**

Date	Stage
December 16, 2024	Receipt of project proposal and positive conformity determination (North Baffin Regional Land Use Plan) from the Commission
December 16, 2024	Pursuant to s. 144(1) of the <i>NuPPAA</i> , the NIRB requested an application on Public Registry and provide information
January 14, 2025	Requested again for the information in order to carry out screening pursuant to s. s. 144(1) of the <i>NuPPAA</i>
January 24, 2025	Proponent requested an extension to provide the information in support of the application

Date	Stage
April 4, 2025	Receipt of online application from Proponent
April 4, 2025	Scoping pursuant to s. 86(1) of the <i>NuPPAA</i>
May 6, 2025	NIRB conducted an inclusion or exclusion of scope
May 6, 2025	Public engagement and comment request (which included terms and conditions) was issued in English and translations were issued later to the community of Resolute Bay.
May 27, 2025	Receipt of public comments
May 13, 2025	Pursuant to s. 92(4) of the <i>NuPPAA</i> , a ministerial extension requested due to limited capacity from the Minister of Northern and Arctic Affairs seeking an extension to the 45-day timeline for the provision of the Board's Report
June 18, 2025	Issuance of Screening Decision Report

## 2. Project Scope

<b>Project:</b>	Resolute Bay Community Harbour Project
<b>Location:</b>	Qikiqtani region, Municipal Boundaries of Resolute Bay
<b>Summary of Project Description:</b>	The Proponent intends to construct a community harbour and supporting infrastructure in the Hamlet of Resolute Bay. Components of the Project would include the construction of a new breakwater, boat launch ramp, laydown and storage area(s), small craft floats, and access roadways with slope protection; dredging of a harbour basin and entrance channel; install of area and navigational lighting; and development of a quarry and haul road.
<b>Project Proposed Timeline:</b>	<u>2026 to 2029</u> : construction of harbour and associated facilities during open-water season with work at quarry and other areas extending before and after the open-water season. <u>2030 to 2080</u> : operations of harbour and facilities.

As required under s. 86(1) of the *NuPPAA*, the Board accepts the scope of the project as set out by Government of Nunavut – Department of Community Services in the proposal. The scope of the project proposal includes the following undertakings, works, or activities:

- Construction of community harbour and offshore infrastructure with final footprint being approximately 30,000 square metres (m<sup>2</sup>) with seaward extent of 170 metres (m) from the shoreline. In-water harbour construction works to occur during open-water season:
  - Construction of a 320 m long breakwater from coarse run-of-quarry and rock armour to provide protection from winds and waves;
  - Dredging and removal of approximately 8,000 cubic metre (m<sup>3</sup>) sediment to create a 25 m wide harbour basin and entrance channel;
  - Construction of boat launch ramp(s);
  - Installation of small craft floating docks (by anchors and chain) to support mooring of up to 24 small craft vessels;
  - Installation of electrical infrastructure including harbour and navigational lighting;

- Improved shoreline by grading and levelling to create a driving surface;
- Development of supporting infrastructure:
  - Stockpile, laydown, aggregate production and storage areas near the harbour;
    - Dredged sediment to be repurposed as fill for laydown area
  - Access roads with slope protection;
  - Upgrades to an existing 2.5 kilometre (km) community road into a 4 km haul road for use between quarry site and proposed harbour:
    - Widening of surface to accommodate construction traffic;
    - Development of pull-outs;
    - Upgrades to collapsed and/or installation of additional culverts along the haul road;
  - Development of temporary site offices and garages to facilitate construction personnel and administrative duties;
- Development of one (1) quarry site, aggregate stockpile and laydown area with facilities transferred to Hamlet following completion of harbour facilities:
  - Selection of one (1) quarry site out of two (2) based on rock quality;
  - Use of two (2) to three (3) drills for quarrying purposes;
  - Use of explosives to develop the quarry;
  - Crushing and screening of blasted rock to produce various granular materials;
  - Stockpiling of aggregates until needed;
  - Use of approximately 115,000 m<sup>3</sup> (235,000 tonnes) of rock and granular materials of varied sizes for construction materials;
- Use of heavy equipment for transport of quarry materials and construction activities (loaders, grader, compactor, dozer, spud barge/derrick, rough terrain crane, rock crushers, excavators, trucks, telehandler);
- Use of one (1) to two (2) boats for in-water project activities;
- Daily transport of personnel to the project site by pickup and mini-bus;
- Daily refueling and servicing of major mobile equipment by fuel/service truck;
- Use of chemicals and hazardous materials, including oxyacetylene, paint, explosives, propane, lube and oils;
- Use of fuel sourced from the community fuel facility; if not sufficient, installation of temporary fuel storage facilities and/or additional fuel shipments by contractor;
- Daily usage of up to 5 m<sup>3</sup> of water from existing community water supply for project activities to suppress dust on roads, earthworks, cleaning of facilities and human consumption;
- Combustible and non-combustible wastes to be disposed at community landfill;
- Hazardous wastes to be transported south and disposed in accordance with regulations;
- Use of local accommodations and facilities;
- Potential development of construction camp by contractor for up to 30 personnel, if local accommodations not sufficient;
- Ongoing community consultations regarding the proposed project;
- Potential hiring of local community members in the construction of the facility and environmental monitoring;
- Operation of the facility to be coordinated with the community:
  - Annual inspection and maintenance of harbour components;
  - Spring clearing of culvert inlets and outlets of snow;

- Recovery of small craft floating docks prior to freeze-up and deployment for following ice breakup and clearing of the harbour;
- Periodic sounding surveys to confirm no accumulations of sediments or deposited boulders due to shifting ice; and
- Ongoing regular facility maintenance.

### 3. Inclusion or Exclusion to Scoping List

The NIRB has identified that the previously assessed environmental, geoscience, geophysics, and archaeological field programs to support the detailed design phase of the Community Harbour Facilities in Resolute Bay in relation will not be considered in the current assessment as the works and activities were previously assessed under NIRB File No. 24YN030 and continues to apply under the previous approvals that may be in force. This includes the second drilling program to be undertaken in 2025 to inform geotechnical requirements for the detailed design of the harbour facility. Further information on the activities previously approved can be accessed from the NIRB’s online public registry at [www.nirb.ca/project/125979](http://www.nirb.ca/project/125979).

### 4. Public Comments and Concerns

Notices regarding the NIRB’s screening of this project proposal were distributed to community organizations (Table 1) as well as to relevant federal and territorial government agencies, Inuit organizations and other parties requesting they provide the Board with any comments or concerns 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; and if so, why;
- Whether the project proposal is of a type where the potential adverse effects are highly predictable and mitigable with known technology, (and providing any recommended mitigation measures); and
- Any matter of importance to the Party related to the project proposal.

On or before May 27, 2025 the NIRB received comments from the following interested parties:

**Table 2: Comments Received**

Commenting Party	NIRB Doc ID No.
Fisheries and Oceans Canada	355429
Transport Canada	355466

#### *a. Summary of Comments and Concerns Received*

The following provides a summary of the comments and concerns received by the NIRB in relation to “Resolute Bay Community Harbour Project”:

### **Fisheries and Oceans Canada (DFO)**

- Concerns with respect to fish and their habitat, and recommended the Proponent review and implement any relevant Measures to protect fish and fish habitat.
- Noted that the Tallurutiup Imanga National Marine Conservation Area is an important designated area located in the Canadian Arctic, specifically in Lancaster Sound and its adjacent waterways.
- Recommended the Proponent complete and submit a request for review form as the proposal meets the criteria for a site specific review.
- Noted that in order to comply with the *Fisheries Act*, the Proponent should follow DFO's protective measures for fish and fish habitat and standard codes of practice.
- Noted that it is the Proponent's *Duty to Notify* DFO if they have cause, or are about to cause, the death of fish by means other than fishing and/or the harmful alteration, disruption or destruction of fish habitat.

### **Transport Canada (TC):**

- Noted no concerns with the proposed project but notes the project is subject to acts and regulations administered by Transport Canada, including:
  - *Canadian Navigable Waters Act (CNWA)*
  - *Canada Shipping Act, 2001*
  - *Marine Liability Act*
  - *Arctic Waters Pollution Prevention Act*
  - *Arctic Shipping Safety and Pollution Prevention Regulations*
  - *Marine Transportation Security Act*
- Noted that the works and activities would require approval under the CNWA and recommended the Proponent submit its application for approval through TC's Navigation Protection Program.
- Recommended the Proponent consult the Canadian Coast Guard and Canadian Hydrographic Services to ensure the following:
  - Impacts on navigational aids, if any, are identified.
  - The new facility included on the appropriate chart(s).
  - Advice marine traffic of the work being undertaken.
- Recommended consulting with the shipping industry, particularly community resupply companies, about the proposed project.

## **5. Comments and Concerns with respect to Inuit Qaujimaningit, Indigenous and Community Knowledge**

No concerns or comments were received with respect to Inuit Qaujimaningit, Indigenous and Community Knowledge in relation to this project proposal.

### ASSESSMENT OF THE PROJECT PROPOSAL IN ACCORDANCE WITH PART 3 OF *NUPPAA*

In determining whether a review of the project is required, the Board considered whether the project proposal had potential to result in significant ecosystemic or socio-economic impacts. Table 3. The Board took particular care to consider Inuit Qaujimaningit, Indigenous and

Community Knowledge in carrying out its assessment and determination of the significance of impacts.

The following is a summary of the Board’s assessment of the factors that are relevant to the determination of significant impacts with respect of this project proposal:

**Table 3: Summary of the Board’s Assessment of Factors s. 90 NuPPAA**

Factor	Comment
The size of the geographic area, including the size of wildlife habitats, likely to be affected by the impacts.	<ul style="list-style-type: none"> <li>▪ The physical footprint of the proposed project is located within the community of Resolute Bay and consist of the construction of a community harbour and offshore infrastructure (approximately 30,000 square metres) with infill of the seabed with aggregate materials. Additional components include the development of a quarry, a haul road, laydown areas and a potential construction camp.</li> <li>▪ The proposed project would take place within the habitat of fish and marine mammals (such as Arctic char, sculpin, bearded seal, ringed seal, narwhal and bowhead and beluga whale), and seasonal foraging grounds for far ranging species such as migratory and non-migratory birds, terrestrial mammals including wolverine, Arctic fox, Arctic hare, and Species at Risk such as Polar Bear, buff-breasted sandpiper, red knot, and red-necked phalarope.</li> </ul>
The ecosystemic sensitivity of that area.	<ul style="list-style-type: none"> <li>▪ No specific areas of ecosystemic sensitivity have been identified by the Proponent within the physical footprint of the proposed project.</li> </ul>
The historical, cultural and archaeological significance of that area.	<ul style="list-style-type: none"> <li>▪ The Proponent noted that five (5) sites of significance were recorded in a 2019 survey while four (4) new sites were documented in 2024 in the areas for portions of the small craft harbour and access roads. The Proponent noted that no archaeological or palaeontological sites were identified within the proposed northern quarry study area; however, the alternative southern quarry area contains five (5) sites that would require mitigation.</li> </ul>
The size of the human and the animal populations likely to be affected by the impacts.	<ul style="list-style-type: none"> <li>▪ The proposed project would occur in and around the community of Resolute Bay; as such the residents of the hamlet and local wildlife populations may be affected by project impacts.</li> </ul>
The nature, magnitude and complexity of the impacts; the probability of the impacts occurring; the frequency and	<ul style="list-style-type: none"> <li>▪ A zone of influence of up to 30 km from the most potentially-disruptive project activities was selected for the NIRB’s assessment.</li> </ul>

Factor	Comment
duration of the impacts; and the reversibility or irreversibility of the impacts.	<ul style="list-style-type: none"> <li>▪ With adherence to the relevant regulatory requirements and application of the mitigation measures recommended by the NIRB, no significant residual effects are expected to occur.</li> </ul>
The cumulative impacts that could result from the impacts of the project combined with those of any other project that has been carried out, is being carried out or is likely to be carried out.	<ul style="list-style-type: none"> <li>▪ Table 4 is a list of past, present and reasonably foreseeable projects. The Board notes that the potential for cumulative impacts to human population and terrestrial wildlife resulting from noise activities in the area from transportation of personnel and development activities has been identified and considered in development of the recommended mitigation measures set out below.</li> </ul>
Any other factor that the Board considers relevant to the assessment of the significance of impacts.	<ul style="list-style-type: none"> <li>▪ Public support for the proposed project was provided by several organizations from the community of Resolute Bay and the NIRB has considered these comments in the assessment of the significance of impacts in relation to the proposal.</li> <li>▪ No other relevant factors were identified; however, see below for Regulatory Requirements mandating mitigation and/or reporting.</li> </ul>

## Regulatory Requirements

The Proponent is also advised that the following legislation may apply to the Project:

### Acts and Regulations

1. The *Fisheries Act* (<http://laws-lois.justice.gc.ca/eng/acts/F-14/index.html>).
2. The *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (<http://laws-lois.justice.gc.ca/eng/acts/n-28.8/>).
3. The *Migratory Birds Convention Act* (<http://laws-lois.justice.gc.ca/eng/acts/M-7.01/>), the *Migratory Birds Regulations* ([https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,\\_c.\\_1035/index.html](https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._1035/index.html)) and the *Migratory Bird Sanctuary Regulations* ([https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,\\_c.\\_1036/index.html](https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._1036/index.html)).
4. The *Species at Risk Act* (<https://laws-lois.justice.gc.ca/eng/acts/s-15.3/>). Attached in **Appendix A** is a list of Species at Risk in Nunavut.
5. The *Wildlife Act (Nunavut)* and its corresponding regulations (<http://www.canlii.org/en/nu/laws/stat/snu-2003-c-26/latest/snu-2003-c-26.html>).
6. The *Nunavut Act* (<http://laws-lois.justice.gc.ca/eng/acts/N-28.6/>). The Proponent must comply with the proposed terms and conditions listed in the attached **Appendix B**.

7. The *Transportation of Dangerous Goods Act* (<http://laws-lois.justice.gc.ca/eng/acts/t-19.01/>) and the *Transportation of Dangerous Goods Regulations* (<http://www.tc.gc.ca/eng/tdg/clear-tofc-211.htm>).
8. The *Canadian Environmental Protection Act* (<http://laws-lois.justice.gc.ca/eng/acts/C-15.31/>).
9. The *Storage Tank System for Petroleum Products and Allied Petroleum Products Regulations* (<http://laws-lois.justice.gc.ca/eng/regulations/SOR-2008-197/FullText.html>). The Proponent must identify their tank system to Environment and Climate Change Canada and installation of new systems must comply with the regulations' design requirements.
10. The *Arctic Waters Pollution Prevention Act* (<http://laws-lois.justice.gc.ca/eng/acts/A-12/>) and the *Arctic Shipping Safety and Pollution Prevention Regulations* (<https://laws-lois.justice.gc.ca/eng/regulations/SOR-2017-286/index.html>).
11. The *Marine Liability Act* (<http://laws-lois.justice.gc.ca/eng/acts/M-0.7/>).
12. The *Canadian Navigable Waters Act* (<https://laws.justice.gc.ca/eng/acts/N-22/>).
13. The *Territorial Quarrying Regulations* (<http://www.canlii.org/en/ca/laws/regu/crc-c-1527/latest/crc-c-1527.html>) or equivalent.
14. The *Explosives Act* (<https://laws-lois.justice.gc.ca/eng/acts/e-17/>) and *Explosives Regulations* (<https://laws-lois.justice.gc.ca/eng/regulations/SOR-2013-211/index.html>).

#### **Other Applicable Guidelines**

15. The *Guidelines for the use of Explosives in or near Canadian Fisheries Waters* (<http://publications.gc.ca/site/eng/82558/publication.html>).
16. The *Northern Land Use Guidelines, Volume 07: Pits and Quarries* (<http://publications.gc.ca/site/eng/360991/publication.html>).

**Table 4: Past, Present, and Reasonably Foreseeable Projects Considered**

<b>NIRB Project Number</b>	<b>Project Title</b>	<b>Project Type</b>
<b><i>Proposed Developments – undergoing assessment</i></b>		
25YN016	Resolute Bay Geothermal Potential	Research
<b><i>Present Projects – approved or in operation</i></b>		
17QN032	Resolute Bay 2017 Quarry Administration Agreement	Pits and Quarries
19WN050	Renewal and Amendment of the Resolute Bay Utilidor System Water Licence #3 BM-RUT 1520 Type A for Ten (10) yrs. term	Infrastructure
22YN043	Multidisciplinary Observatory for Arctic Climate Change and Extreme Events Monitoring (MOACC)	Research
23YN008	Permafrost Pathways Monitoring Network	Research
23YN033	Resolute Bay, Nunavut MET Tower	Research
24YN030	Grise Fiord and Resolute Bay Field Program	Research

<b>NIRB Project Number</b>	<b>Project Title</b>	<b>Project Type</b>
24YN044	Inuit Qaujisarnirmut Pilirijjutit on Arctic Shipping Risks in Inuit Nunangat	Research
24TN051	One Ocean Expedition - Norwegian tall ship through Northwest Passage and the Nunavut region in 2025	Tourism
25YN003	IceBird Winter 2025	Research
<b><i>Past Projects</i></b>		
16QN064	Resolute Bay 2016 Quarry Administration Agreement	Pits and Quarries
19YN031	Fisheries and Oceans Canada - Small Craft Harbour - Four Harbour Feasibility Study Field Program	Research
23YN005	Helicopter-based radar survey of Devon Ice Cap	Research
23YN006	Geothermal Energy Potential at Cambridge Bay and Resolute Bay	Research
23YN026	Identifying Putative Microbial Drivers of Methane Flux on Earth and Mars	Research
23TN028	Fridtjof Nansen - 2023 Northwest Passage	Tourism

#### VIEWS OF THE BOARD

In considering the above factors, the Board has identified the following and respectfully provides its views regarding whether or not the proposed project has the potential to result in significant impacts. The NIRB has also proposed terms and conditions that would mitigate the potential adverse impacts identified.

#### **Ecosystem, wildlife habitat and Inuit harvesting activities:**

<b>Valued Component</b>	Migratory and non-migratory birds, terrestrial wildlife and Species at Risk
<b>Potential effects:</b>	Potential adverse effects to migratory birds and non-migratory birds, terrestrial wildlife (such as Arctic hare, Arctic fox, and wolverine), Species at Risk (such as Polar Bear, buff-breasted sandpiper, red knot, and red-necked phalarope), and their migratory routes from noise and visual disturbance generated from the construction activities of the proposed project including the development and use of a quarry site, development of a haul road and laydown areas, transportation of aggregate by truck, the construction of the community harbour and offshore infrastructure, and the daily transportation of personnel.
<b>Nature of Impacts:</b>	The potential for impacts are considered to be likely and intensive during the summer months as the construction activities would coincide with the nesting and breeding season for migratory and non-migratory birds. The project area is within the range of bird species that are afforded protection, including Arctic terns, brants, glaucous gulls, parasitic jaegers, snow buntings, snow geese, snowy owl, red-throated loon and Baird's sandpiper. However, the proximity to existing infrastructure also

	reduces the possibility of additional impacts to wildlife. The potential for impacts are considered to be limited and temporary, and any resulting impacts would be expected to be reversible once the construction activities are complete.
<b>Mitigating Factors:</b>	<p>The Proponent committed to implement measures to mitigate potential negative impacts to wildlife, including but not limited to educating personnel on wildlife procedures, storing and disposing of all wildlife attractants appropriately, ensure wildlife are not chased or harassed and given the right-of-way, and conduct a pre-construction wildlife sweep prior to start of construction.</p> <p>The Board also recommends terms and conditions such as seasonal restrictions which are expected to mitigate potential adverse impacts to terrestrial wildlife and migratory birds.</p>
<b>Proposed Terms and Conditions:</b>	<p>Waste Management – 9  Fuel and Chemical Storage – 11 and 19  Noise – 23  Wildlife (General) – 24 through 27  Migratory Birds and Raptors Disturbance – 28 through 30  Caribou Disturbance– 31 through 34  Road and Ground Disturbance – 36  Marine-Based Activities – 50 and 51</p>

<b>Valued Component</b>	Marine waters, marine mammals and marine habitat
<b>Potential effects:</b>	Potential adverse impacts to marine mammals and marine habitat (e.g., fish and benthic populations) and key critical habitat (calving, post-calving areas, and migratory pathways) resulting from increased noise and/or physical disturbance associated with the construction of the community harbour and offshore infrastructure. Cumulative effects on marine wildlife and marine habitat could occur if multiple activities are encountered in the same area
<b>Nature of Impacts:</b>	The potential for impacts is applicable to the area within the harbour of Resolute Bay and the depositing of aggregate materials directly into the marine environment is very likely to permanently remove habitat or seasonal foraging grounds for marine wildlife (such as fish, crustaceans, bearded seal, ringed seal, Arctic char, and sculpin), within the project footprint. This potential negative impact is irreversible and permanent. Since construction is scheduled to be completed during the open water season, the project activities are likely to degrade water quality, consequently reducing or degrading the suitability of habitat by marine aquatics, especially bottom feeders, to a greater geographic extend outside of the project area. These potential impacts are negative but short-term and reversible once construction of the community harbour is complete. However, the establishment of a boat launch ramp and the installation of small craft floating docks would increase the boating use of the area, resulting in increased vessel traffic into the foreseeable

	future that may cause increased noise and substrate disturbance to marine mammals and their habitat in the long run.
<b>Mitigating Factors:</b>	<p>The Proponent noted that it will develop an Offset Plan if DFO determines that a <i>Fisheries Act</i> Authorization is required to offset the loss of seabed due to the construction. Further, the Proponent committed to implementing measures that would minimize impacts to marine wildlife and habitat such as implementing a turbidity monitoring program, hiring Marine Mammal Observers, and using turbidity curtains and other means for in-water works.</p> <p>The Board is recommending terms and conditions to ensure the project activities minimize adverse impacts to marine wildlife and their habitat.</p>
<b>Proposed Terms and Conditions:</b>	<p>Water courses/Water bodies – 7 and 8  Waste Management – 9  Fuel and Chemical Storage – 11 through 13, 17 and 19  Wildlife-General – 24 through 26  Migratory Birds and Raptors Disturbance – 30  Marine-Based Activities – 50 through 54</p>

<b>Valued Component</b>	Surface water quality, freshwater and aquatics, and fish and fish habitat
<b>Potential effects:</b>	Potential adverse impacts to freshwater quantity and quality, and fish and fish habitat are likely from the dust associated from the construction activities being proposed project including the development and use of a quarry site, development of a haul road and laydown areas, transportation of aggregate by truck, storage at the laydown areas, daily transportation of personnel, potential development of a construction camp, temporary storage fuel facility.
<b>Nature of Impacts:</b>	The potential impacts are considered to be limited and temporary and any resulting impacts would be expected to be reversible once the construction activities are complete.
<b>Mitigating Factors:</b>	<p>The Proponent proposes to use water from the existing community water supply to suppress dust on roads and earthworks. The Proponent also committed to implement appropriate Sediment and Erosion Control measures to ensure land-based activities do not result in sediment or other substances entering the aquatic environment. If necessary, the Proponent noted that equipment such turbidity curtains would be installed.</p> <p>The Board recommends that the Proponent follows regulatory authorities' guidance and engage community members to avoid, reduce, and off-set the harm to freshwater fish and fish habitat, including in the selection of the quarry site.</p>
<b>Proposed Terms and Conditions:</b>	<p>Water Courses/Water Bodies – 6 through 8  Waste Management – 9  Fuel and Chemical Storage – 11 through 13, 17 and 20</p>

	Aggregate Removal within Existing and New Quarries – 37 through 39 Land Use and Restoration of Disturbed Areas – 45 Camps – 49
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<b>Valued Component</b>	Land, terrestrial vegetation and ground stability
<b>Potential effects:</b>	Potential adverse impacts to the ground stability, vegetation quality, and terrain due to the construction activities of the proposed project including the development and use of a quarry site, development of a haul road and laydown areas, transportation of aggregate by truck, storage at the laydown areas, daily transportation of personnel, potential development of a construction camp, temporary storage fuel facility, the construction of the community harbour and offshore infrastructure, and any potential spills.
<b>Nature of Impacts:</b>	The potential for impacts is considered to be limited and temporary if regulations and best practices for construction activities are followed. The potential for impacts due to other activities is considered to be minimal due to the localized nature of the construction and operational activities.
<b>Mitigating Factors:</b>	The Proponent proposes to use water from the existing community water supply to suppress dust on roads and earthworks. The Proponent noted that the contractor would be responsible for the development and implementation of a Spill Response Plan that will minimize potential effects to terrestrial vegetation.  The Board is recommending terms and conditions to ensure that project activities do not negatively affect land, terrestrial vegetation, and ground stability.
<b>Proposed Terms and Conditions:</b>	Waste Management – 9 and 10 Fuel and Chemical Storage – 11 through 13, 15 through 18, and 20 Wildlife (General) – 24 Road and Ground Disturbance – 35 and 36 Aggregate Removal within Existing and New Quarries – 38 through 40 Land Use and Restoration of Disturbed Areas – 43 through 47 Camps – 48 and 49

<b>Valued Component</b>	Air quality
<b>Potential effects:</b>	Potential adverse effects to air quality from emissions and dust during the construction activities of the proposed project including the development and use of a quarry site, development of a haul road and laydown areas, transportation of aggregate by truck, storage at the laydown areas, daily transportation of personnel, potential development of a construction camp, temporary storage fuel facility, and the construction of the community harbour and offshore infrastructure.
<b>Nature of Impacts:</b>	The potential for adverse impacts are considered to be likely as the construction activities would increase emissions from the use of additional diesel- and gas-powered vehicles, and increase in dust from

	<p>blasting and crushing at the quarry site, transportation of the aggregate and stockpile wind erosion. The proposed project activities are likely to induce human health issues, such as respiratory conditions in vulnerable demographics including young children and the elderly.</p> <p>The potential for impacts are considered to be limited and temporary and any resulting impacts would be expected to be reversible once construction is complete.</p>
<b>Mitigating Factors:</b>	The Proponent has committed to implement measures that are designed to mitigate the potential negative impacts to air quality, including the use of approved dust suppressants, and inspection and maintenance of construction equipment and vehicles.
<b>Proposed Terms and Conditions:</b>	Air Quality – 21 and 22

<b>Valued Component</b>	Public access and traditional land use activities
<b>Potential effects:</b>	<p>Potential adverse impacts to access to the public and traditional land use activities due to construction activities and development of the quarry site and haul road.</p> <p>However, the proposed project could also be considered as community-beneficial for community members involved in recreational use fisheries operations as the proposed community harbour facility would support safe access to the land and sea.</p>
<b>Nature of Impacts:</b>	<p>The potential for adverse impacts are considered to be likely as the timing of the construction activities would coincide with community members potentially wanting to use the area for access to public and traditional land activities and may impede access to boaters. Further, the noise from the construction activities may temporarily change distribution of harvested terrestrial or marine species through avoidance and may affect personal enjoyment of the land. The potential for impacts are considered to be intensive but temporary and any resulting impacts would be expected to be reversible.</p> <p>However, as noted above, the development of the community harbour facility would serve small boat users with the objective of improving access and safety for existing and future users in support of community fish and marine mammal harvesting.</p> <p>No specific concerns or impacts to public and traditional land use activities in the area have been identified; however, community support letters<sup>1</sup> were provided as part of the project proposal which noted the need for the infrastructure to improve access to traditional activities.</p>
<b>Mitigating Factors:</b>	The Proponent has committed to working with the Hamlet of Resolute Bay to implement measures to reduce and mitigate potential negative

<sup>1</sup> Resolute Bay Hunters and Trappers Association (NIRB Doc Id #: 353929); and Hamlet of Resolute Bay (NIRB Doc Id #: 353930);

	<p>impacts from noise on community members and traditional activities. The Proponent has also committed to implement measures to mitigate potential negative impacts on Inuit harvesting.</p> <p>The Board also is recommending terms and conditions to ensure project activities are informed by available Inuit Qaujimaningit and that project activities do not interfere with access to Inuit wildlife harvesting or traditional land use activities. Further, it is recommended that the Proponent engage with local residents, if possible and practical, regarding planned activities in the area.</p>
<b>Proposed Terms and Conditions:</b>	<p>Waste Management – 9</p> <p>Fuel and Chemical Storage – 19</p> <p>Wildlife-General – 24</p> <p>Caribou Disturbance – 31 through 33</p> <p>Aggregate Removal within Existing and New Quarries – 41 and 42</p> <p>Land Use and Restoration of Disturbed Areas – 43 through 46</p> <p>Marine-Based Activities – 50 and 53</p> <p>Public Consultation – 57</p> <p>Traditional Harvesting &amp; Public and Traditional Land Use – 58</p>

**Socio-economic effects on northerners:**

<b>Valued Component</b>	Historical, cultural and archeological sites
<b>Potential effects:</b>	<p>Potential adverse impacts to historical, cultural and archeological sites in or near the project area as the Proponent noted that five (5) sites of significance were recorded in a 2019 survey while four (4) new sites were documented in 2024 in the areas for portions of the small craft harbour and access roads. The Proponent also noted that no archaeological or palaeontological sites were identified within the proposed northern quarry study area; however, the alternative southern quarry area contains five (5) sites that would require mitigation.</p>
<b>Nature of Impacts:</b>	<p>The potential for negative impacts is applicable to the area of the southern quarry, if it is to be developed by the Proponent; otherwise, the Project activities are not likely to have adverse impacts on historical, cultural and archeological sites.</p>
<b>Mitigating Factors:</b>	<p>The Proponent noted that if the southern quarry site is used, archaeological buffers may need to be implemented and that permitting would be required from the Culture and Heritage Department. The Proponent indicated that there would be no other impacts to archaeological or culturally significant sites from the construction and operation of the community harbour facilities.</p> <p>The Board is recommending terms and conditions to ensure project activities are informed by available Inuit Qaujimaningit and in compliance with regulations to protect historical, cultural and archeological resources.</p>

<b>Proposed Terms and Conditions:</b>	Heritage Sites – 55 and 56 Public Consultation – 57
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<b>Valued Component</b>	Local employment, contracting and economic opportunities
<b>Potential effects:</b>	<p>Potential positive impacts as the proposed project is likely to bring about positive impacts on local employment and generate economic opportunities for the community of Resolute Bay. The Proponent noted the use of local accommodation services, training and hiring of local labour, expenditures in local business, and the potential of non-local workers purchasing arts and crafts from local artisans.</p> <p>The project proposed could also be considered beneficial to the community and community members as the community harbour facility may be used by other industries such as cruise ship tenders.</p>
<b>Nature of Impacts:</b>	<p>Positive economic benefits in relation to the construction of the project are likely but short-term for the duration of the construction phase. Further, additional local employment may occur during the operations of the facility as the Hamlet of Resolute Bay would be responsible for the maintenance and operations of the facility. The completion of the project will improve local infrastructure and is likely to induce future economic opportunities, including small scale fisheries operations and other recreational activities.</p> <p>Public comments noted that the development of the infrastructure is an important project for the community as it the community harbour would help to address the marine infrastructure deficit in the community, including providing safety and efficiency for boating.</p>
<b>Mitigating Factors:</b>	The Board recommends terms and conditions to ensure the Proponent continues to inform the community of the proposed construction activities, provides training and employment opportunities to the residents of the community and offer procurement to local businesses.
<b>Proposed Terms and Conditions:</b>	Public Consultation – 57 Local Hiring and Services – 59

**Significant public concern:**

<b>Valued Component</b>	Public Concerns/Public support
<b>Potential effects:</b>	No significant public concern was expressed during the public commenting period for this file; however, there is potential adverse effects to Inuit harvesting, marine mammals and habitat, and terrestrial wildlife.
<b>Nature of Impacts:</b>	Each of the potential concerns were discussed in previous sections and the potential for impacts is considered to be minimal as long as the Proponent follow the recommended terms and conditions.
<b>Mitigating Factors:</b>	The Board recommends terms and conditions to ensure that to the Proponent continues to inform the community of the proposed construction activities, to the extent possible hire locally and access local

	services where possible, and to ensure planned activities in the area utilizes available Inuit Qaujimaningit.
<b>Proposed Terms and Conditions:</b>	Public Consultation – 57 Local Hiring and Services – 59

**Technological innovations for which the effects are unknown:**

- No specific issues have been identified associated with this project proposal.]

**Administrative Conditions:**

To encourage compliance with applicable regulatory requirements and assist the Board and responsible authorities with compliance and effects monitoring for project activities, the following project-specific terms and conditions have been recommended: 1-5.

In considering the above factors and subject to the Proponent’s compliance with regulatory requirements and the terms and conditions necessary to mitigate against the potential adverse environmental and social effects, the Board is of the view that the proposed project is unlikely to cause significant public concern and its adverse ecosystemic and socioeconomic impacts are unlikely to be significant, or are highly predictable and can be adequately mitigated by known technologies.

**RECOMMENDED PROJECT-SPECIFIC TERMS AND CONDITIONS**

The Board is recommending the following specific terms and conditions to apply in respect of the project:

**General**

1. Government of Nunavut – Department of Community Services (the Proponent) shall maintain a copy of the Project Terms and Conditions at the site of operation at all times and make it accessible to enforcement officers upon request.
2. The Proponent shall operate in accordance with all commitments stated in correspondence provided to the Nunavut Planning Commission (NPC File No.: 150555), and the NIRB (Online Application Form, April 4, 2025). This information should be accessible to enforcement officers upon request.
3. The Proponent shall operate the site in accordance with all applicable Acts, Regulations and Guidelines.
4. The Proponent shall ensure that it meets the standards and/or limits as set out in the authorizing agencies’ permits or licences as required for this project.
5. The Proponent shall ensure that all personnel, staff and contractors are adequately trained prior to commencement of all project activities, and shall be made aware of all operational plans, management plans, guidelines and Proponent commitments relating to the project.

**Water courses/Water bodies (including fresh and marine waters)**

6. The Proponent shall ensure that no disturbance of the stream bed, lakebed or the banks of any definable watercourse be permitted, except where deemed necessary for maintaining

project-specific operational commitments or approved by a responsible authority in cases of spill management.

7. The Proponent shall implement erosion and sediment suppression measures on all areas during all project activities in order to prevent sediment or fugitive dust from entering any water body or surrounding environment. Erosion prevention measures may include berms or silt fences.
8. The Proponent shall not deposit, nor permit the deposit of any fuel, chemicals, wastes (including wastewater) or sediment into any water body. The Proponent should have in place an Emergency Spill Response Plan that is approved by the appropriate authorizing agency(ies).

### **Waste Management**

9. The Proponent shall manage all hazardous and non-hazardous waste including food, domestic wastes, debris and petroleum-based chemicals (e.g., greases, gasoline, glycol-based antifreeze) in such a manner to avoid release into the environment and access to wildlife at all times until disposed of appropriately or at an approved facility.
10. The Proponent shall dispose of all combustible wastes as required by the appropriate authorizing agencies. All non-combustible wastes from the project site shall be removed to an approved facility for disposal.

### **Fuel and Chemical Storage**

11. The Proponent shall locate all fuel and other hazardous materials a minimum distance away from the high-water mark of any water body and environmentally sensitive areas as required by the appropriate authorizing agencies. The materials shall be stored in such a manner as to prevent their release into the environment.
12. The Proponent shall use adequate secondary containment or a surface liner (e.g., self-supporting insta-berms and fold-a-tanks) when storing barreled fuel and chemicals at all locations.
13. The Proponent shall ensure that re-fuelling of all equipment occurs a minimum distance away from the high-water mark of any water body as required by the appropriate authorizing agencies.
14. Fuel and hazardous material storage areas should be clearly marked with signs or flagging to avoid accidental breaks and punctures, and to ensure areas remain visible during the winter months.
15. All fuel and chemical storage containers must be clearly marked with the Proponent's name for ease of identification.
16. The Proponent shall routinely inspect and document the conditions of fuel and hazardous material storage containers and containment areas as required by the appropriate authorizing agencies. Fuel containment areas shall be kept clear of debris, water and snow to facilitate inspections for leaks.

17. The Proponent shall have a Spill Contingency Plan in place at all fuel storage or transfer locations and shall ensure that appropriate spill response equipment and clean-up materials (e.g., shovels, pumps, barrels, drip pans, and absorbents) are readily available.
18. The Proponent shall follow the authorizing agencies' direction for management and removal of hazardous materials and wastes (e.g., contaminated soils, sediment and waste oil).
19. The Proponent shall ensure that wildlife deterrent systems are utilized at the time of a spill incident in order to avoid wildlife (terrestrial or marine) and migratory birds from being contaminated.
20. The Proponent shall ensure that all spills of fuel or other deleterious materials of 100 litres or more must be reported immediately to the 24-hour Spill Line at (867) 920-8130.

### **Air Quality**

21. The Proponent shall take appropriate dust suppression measures in conducting all activities for this Project including using approved dust suppression additives and techniques as necessary to maintain ambient air quality.
22. The Proponent shall eliminate unnecessary idling to reduce greenhouse gas emissions as much as possible.

### **Noise**

23. All construction and road vehicles must be fitted with standard and well-maintained noise suppression devices.

### **Wildlife – General**

24. The Proponent shall not substantially alter or damage or destroy any wildlife habitat in conducting this operation unless otherwise authorized by the appropriate authorizing agencies.
25. The Proponent shall not chase, weary, harass or molest wildlife. This includes persistently circling, chasing, hovering over, pursuing or in any other way harass wildlife, or disturbing large groups of animals.
26. The Proponent shall not hunt or fish, unless proper Nunavut authorizations have been acquired.
27. The Proponent shall ensure that all wildlife have the right-of-way on any roads or trails. Vehicles are required to slow down or stop and wait to permit the free and unrestricted movement of wildlife across roads or trails at any location.

### **Migratory Birds and Raptors Disturbance**

28. The Proponent shall carry out all phases of the project in a manner that protects migratory birds and avoids harming, killing or disturbing migratory birds or destroying, disturbing or taking their nests or eggs. In this regard, the Proponent shall take into account Environment and Climate Change Canada's *Avoidance Guidelines*. The Proponent's actions in applying the *Avoidance Guidelines* shall be in compliance with the *Migratory Birds Convention Act, 1994* and with the *Species at Risk Act*.

29. The Proponent shall not disturb or destroy the nests or eggs of any birds. If active nests of any birds are discovered or located (i.e., with eggs or young), the Proponent shall avoid these areas until nesting is complete and the young have naturally left the vicinity of the nest by establishing a protection buffer zone<sup>2</sup> appropriate for the species and the surrounding habitat.
30. The Proponent shall not pursue seabirds or waterbirds swimming on the water surface and shall avoid concentrations of these birds if encountered on the water.

### **Caribou Disturbance**

31. The Proponent shall avoid interfering with any paths or crossings known to be frequented by caribou during periods of migration as identified by current land use plans in place and/or by Inuit Qaujimaningit.
32. The Proponent shall not locate any operation or undertake activities that could block or cause any diversion to migration of caribou.
33. The Proponent shall immediately cease activities likely to interfere with the migration or calving of caribou until such time as the caribou have passed.
34. The Proponent shall not construct or operate any camp, or cache any fuel within ten (10) kilometres of any designated caribou water crossings.

### **Road and Ground Disturbance**

35. The Proponent shall not move any equipment or vehicles unless the ground surface is in a state capable of fully supporting the equipment or vehicles without rutting or gouging. Overland travel of equipment or vehicles must be suspended if rutting occurs.
36. The Proponent shall ensure snowbank heights along the road/trail are managed to allow wildlife visibility and passage. Further, the Proponent shall ensure breaks are created along snowbanks along the road/trail at regular intervals to allow wildlife passage.

### **Aggregate Removal within Existing and New Quarries**

37. The Proponent shall not remove any material from below the ordinary highwater mark of any lake or stream and shall maintain an undisturbed buffer zone as required by the appropriate authorizing agencies between quarry site and any high water mark of any water body to ensure erosion control.
38. The Proponent shall install silt fences/curtains down stream of any quarry activities.
39. The Proponent shall ensure there is no obstruction of natural drainage, flooding or channel diversion from quarry/pit access, stockpiles, or other structures or facilities.
40. The Proponent shall locate screening and crushing equipment on stable ground, at a location with ready access to stockpiles.
41. The Proponent shall clearly stake and flag pit and quarry boundaries, so they remain visible to other land users.

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<sup>2</sup> Recommended setback distances to define buffer zones have been established by Environment and Climate Change Canada for different bird groups nesting in tundra habitat and can be found at [www.ec.gc.ca/paom-itmb](http://www.ec.gc.ca/paom-itmb).

42. The Proponent shall locate quarry/pit facilities so as to avoid all recreational sites and public use areas, and to protect unique geographical features and natural aesthetics.

### **Land Use and Restoration of Disturbed Areas**

43. The Proponent shall use existing trails where possible during project activities on the land.
44. The Proponent shall ensure that the land use area is kept clean and tidy at all times.
45. The Proponent shall avoid disturbance on slopes prone to natural erosion, and alternative locations shall be utilized.
46. The Proponent shall remove all garbage, fuel and equipment at the end of each field season and/or upon completion of work and/or upon abandonment.
47. The Proponent shall ensure that all disturbed areas are restored to a stable or pre-disturbed state using Best Available Technology Economically Achievable (BATEA) upon completion of work and/or abandonment.

### **Camps**

48. The Proponent shall ensure that all camps are located durable surfaces, such as gravel or sand that is consolidated and can withstand repeated, heavy use. Measures shall be put in place to prevent erosion, trail formation and damage to the ground.
49. The Proponent shall not erect camps or store materials on the surface ice of lakes or streams, except that which is for immediate use.

### **Marine-Based Activities**

50. The Proponent shall ensure that noise be kept to a minimum and shall refrain from making sharp or loud noises, blowing horns or whistles and shall maintain constant engine noise levels.
51. The Proponent shall suspend all project activities should any dead fish or wildlife (both marine and terrestrial), or any injured wildlife be observed during any works or activities in and around the marine waters. Activities may only be resumed on the recommendation of the authorizing agencies.
52. The Proponent shall report all incidents, injuries or sightings of marine mammals to the appropriate authorizing agencies.
53. The Proponent shall implement measures designed to minimize disturbance to seabed sediments and benthic communities and marine wildlife when carrying out project activities within the marine environment.
54. Construction shall be carried out during periods when wind, wave and tidal conditions minimize the dispersion of silt and sediment from the work site.

### **Heritage Sites**

55. The Proponent shall ensure that archaeological and paleontological sites are not purposely or inadvertently disturbed by clients or staff as a result of project activities.
56. The Proponent shall ensure that all clients and staff are aware of the Proponent's responsibilities and requirements regarding archaeological or palaeontological sites that are

encountered during land-based activities. This should include briefings explaining the prohibitions regarding removal of artifacts, and defacing or writing on rocks and infrastructure.

### **Other**

57. The Proponent should engage with local residents regarding planned activities in the area and should solicit available Inuit Qaujimaningit and information regarding current recreational and traditional usage of the project area which may inform project activities. Posting of translated public notices and direct engagement with potentially interested groups and individuals prior to undertaking project activities is strongly encouraged.
58. The Proponent shall ensure that project activities do not interfere with Inuit wildlife harvesting or traditional land use activities.
59. The Proponent should, to the extent possible, hire local people and access local services where possible.

## MONITORING AND REPORTING REQUIREMENTS

In addition, the Board is recommending the following:

### **Spill Contingency Plan**

1. The Proponent shall ensure its Spill Contingency Plan include the up to date emergency contact numbers for the Government of Nunavut-Department of Environment, Manager of Environmental Protection (867-975-7748) and Environment and Climate Change Canada, Enforcement Branch (867-975-4644).
2. The Proponent shall implement the recommendations found in the 2003 CCME Guidance Document PN 1326 entitled “*Environmental Code of Practice for Above Ground and Underground Storage Tank Systems containing Petroleum Product and Allied Petroleum Products*”.

## OTHER NIRB CONCERNS AND RECOMMENDATIONS

In addition to the project-specific terms and conditions, the Board is recommending the following:

### **Change in Project Scope**

1. Responsible authorities or Proponent shall notify the Nunavut Planning Commission and/or Parks Canada as appropriate, and the NIRB of any changes in operating plans or conditions, including phase advancement, associated with this project prior to any such change.

### **Copy of licences, etc. to the Board and Commission**

2. The NIRB respectfully requests that responsible authorities submit a copy of each licence, permit or other authorization issued for the Project to the NIRB to assist in enabling possible project monitoring that may be required. Please forward a copy of the licences, permits and/or other authorizations to the NIRB directly at [info@nirb.ca](mailto:info@nirb.ca) or upload a copy to the NIRB’s online registry at [www.nirb.ca](http://www.nirb.ca).

### **Use of Inuit Qaujimaningit**

3. The Proponent is encouraged to work with local communities and knowledge holders to inform project design, to carry out the project, and to confirm or validate the perspectives represented in publications, and reports produced as part of the project. Care should be taken to ensure that Inuit Qaujimaningit and local knowledge collected for the project is used with permission and is accurately represented.

### **Bear and Carnivore Safety**

4. The Proponent should review the Government of Nunavut's booklet on Bear Safety, which can be downloaded from this link: [http://gov.nu.ca/sites/default/files/bear\\_safety\\_-\\_reducing\\_bear-people\\_conflicts\\_in\\_nunavut.pdf](http://gov.nu.ca/sites/default/files/bear_safety_-_reducing_bear-people_conflicts_in_nunavut.pdf). Further information on bear/carnivore detection and deterrent techniques can be found in the "Safety in Grizzly and Black Bear Country" pamphlet, which can be downloaded from this link: [https://www.enr.gov.nt.ca/sites/enr/files/resources/safety\\_in\\_grizzly\\_and\\_black\\_bear\\_country\\_english.pdf](https://www.enr.gov.nt.ca/sites/enr/files/resources/safety_in_grizzly_and_black_bear_country_english.pdf).
5. There are polar bear and grizzly bear safety resources available from the Bear Smart Society with videos on polar bear safety available in English, French and Inuktitut at <http://www.bearsmart.com/play/safety-in-polar-bear-country/>. Information can also be obtained from Parks Canada's website on bear safety at the following link: <http://www.pc.gc.ca/eng/pn-np/nu/quttinirpaaq/visit/visit6/d.aspx> or in reviewing the "Safety in Polar Bear Country" pamphlet, which can be downloaded from the following link: [http://www.pc.gc.ca/eng/pn-np/nu/quttinirpaaq/visit/visit6/~media/pn-np/nu/auyuittuq/pdf/shared/PolarBearSafety\\_English.ashx](http://www.pc.gc.ca/eng/pn-np/nu/quttinirpaaq/visit/visit6/~media/pn-np/nu/auyuittuq/pdf/shared/PolarBearSafety_English.ashx).
6. Any problem wildlife or any interaction with carnivores should be reported immediately to the local Government of Nunavut, Department of Environment Conservation Office (Conservation Officer of Resolute Bay, phone: (867) 252-3879).

### **Species at Risk**

7. The Proponent review Environment and Climate Change Canada's "Environment Assessment Best Practice Guide for Wildlife at Risk in Canada", available at the following link: [http://www.sararegistry.gc.ca/virtual\\_sara/files/policies/EA%20Best%20Practices%202004.pdf](http://www.sararegistry.gc.ca/virtual_sara/files/policies/EA%20Best%20Practices%202004.pdf). The guide provides information to the Proponent on what is required when Wildlife at Risk, including *Species at Risk*, are encountered or affected by the project.

### **Migratory Birds**

8. The Proponent review Canadian Wildlife Services' "Key migratory bird terrestrial habitat sites in the Northwest Territories and Nunavut", available at the following link: <http://publications.gc.ca/site/eng/317630/publication.html> and "Key marine habitat sites for migratory birds in Nunavut and the Northwest Territories", available at the following link: <http://publications.gc.ca/site/eng/392824/publication.html>. The guide provides information to the Proponent on key terrestrial and marine habitat areas that are essential to the welfare of various migratory bird species in Canada.

9. For further information on how to protect migratory birds, their nests and eggs when planning or carrying out project activities, consult Environment and Climate Change Canada's Incidental Take web page and the fact sheet "Planning Ahead to Reduce the Risk of Detrimental Effects to Migratory Birds, and their Nests and Eggs" available at: [http://publications.gc.ca/collections/collection\\_2013/ec/CW66-324-2013-eng.pdf](http://publications.gc.ca/collections/collection_2013/ec/CW66-324-2013-eng.pdf).

### **Heritage Resources**

10. During the assessment, the NIRB has identified that no archaeology surveys have been conducted in the proposed project areas and that potential for the presence of archaeological resources is likely, therefore the Proponent shall contact the Department of Culture and Heritage to initiate a field archaeology assessment program prior to undertaking any land disturbance activities.

### **Transport of Dangerous Goods and Waste Management**

11. Environment and Climate Change Canada recommends that all hazardous wastes, including waste oil, receive proper treatment and disposal at an approved facility.
12. The Proponent shall ensure that proper shipping documents (waste manifests, transportation of dangerous goods, etc.) accompany all movements of dangerous goods. Further, the Proponent shall ensure that the shipment of all dangerous goods is registered with the Government of Nunavut Department of Environment, Department of Environment Manager. Contact the Manager (867) 975-7748 to obtain a manifest if dangerous goods including hazardous wastes will be transported.
13. The Proponent shall provide an authorization or letter of conformation of disposal be obtained from the owner/operator of the landfill to be used for disposal of project-related wastes.

### **Crown Indigenous and Northern Affairs Canada**

14. Crown Indigenous and Northern Affairs Canada (CIRNAC) impose mitigation measures, conditions and monitoring requirements pursuant to the Federal Land Use Permit, which require the Proponent to respect the sensitivities and importance of the area. These mitigation measures, conditions and monitoring requirements should be in regard to the location and area; type, location, capacity and operation of facilities; use, storage, handling and disposal of chemical or toxic material; wildlife and fisheries habitat; and petroleum fuel storage.
15. CIRNAC consider the importance of conducting regular Land Use Inspections, pursuant to the authority of the Federal Land Use Permit, while the project is in operation. The Land Use Inspections should be focused on ensuring the Proponent is in compliance with the conditions imposed through the Federal Land Use Permit.

### **Nunavut Water Board**

16. The Nunavut Water Board impose mitigation measures, conditions and monitoring requirements pursuant to the Water Licence, which require the Proponent to respect the sensitivities and importance of water in the area. These mitigation measures, conditions and monitoring requirements should be in regard to use of water, snow and ice; waste disposal;

access infrastructure and operation for camps; drilling operations; spill contingency planning; abandonment and restoration planning; and monitoring programs.

**Crown Indigenous and Northern Affairs Canada – Water Resources Division**

17. CIRNAC – Water Resources Division should consider the importance of conducting regular inspections, pursuant to the authority of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, while the project is in operation. Inspectors should focus on ensuring the Proponent is in compliance with the conditions imposed through the Water Licence.

CONCLUSION

The foregoing constitutes the Board’s screening decision with respect to the Government of Nunavut – Department of Community Services’ “Resolute Bay Community Harbour Project”. The NIRB remains available for consultation with the Minister regarding this report as necessary.

Dated \_\_\_\_\_ June 18, 2025 \_\_\_\_\_ at Iqaluit, NU.



Albert Ehloak, *Acting* Chairperson

Attachments: Appendix A: Species at Risk in Nunavut  
Appendix B: Archaeological and Palaeontological Resources Terms and Conditions for Land Use Permit Holders

## APPENDIX A: SPECIES AT RISK IN NUNAVUT

Due to the requirements of Section 79(2) of the *Species at Risk Act*, S.C. 2002, c. 29 (*SARA*), and the potential for project-specific adverse effects on listed wildlife species and its critical habitat, measures should be taken as appropriate to avoid or lessen those effects, and the effects need to be monitored. Project effects could include species disturbance, attraction to operations and destruction of habitat. This section applies to all species listed on Schedule 1 of *SARA*, as listed in the table below, or have been assessed by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC), which may be encountered in the project area. This list may not include all species identified as at risk by the Territorial Government. The following points provide clarification on the applicability of the species outlined in the table.

- Schedule 1 is the official legal list of Species at Risk for *SARA*. *SARA* applies to all species on Schedule 1. The term “listed” species refers to species on Schedule 1.
- Schedule 2 and 3 of *SARA* identify species that were designated at risk by the COSEWIC prior to October 1999 and must be reassessed using revised criteria before they can be considered for addition to Schedule 1.
- Some species identified at risk by COSEWIC are “pending” addition to Schedule 1 of *SARA*. These species are under consideration for addition to Schedule 1, subject to further consultation or assessment.

If species at risk are encountered or affected, the primary mitigation measure should be avoidance. The Proponent should avoid contact with or disturbance to each species, its habitat and/or its residence. All direct, indirect, and cumulative effects should be considered. Refer to species status reports and other information on the Species at Risk Registry at <http://www.sararegistry.gc.ca> for information on specific species.

Monitoring should be undertaken by the Proponent to determine the effectiveness of mitigation and/or identify where further mitigation is required. As a minimum, this monitoring should include recording the locations and dates of any observations of Species at Risk, behaviour or actions taken by the animals when project activities were encountered, and any actions taken by the proponent to avoid contact or disturbance to the species, its habitat, and/or its residence. This information should be submitted to the appropriate regulators and organizations with management responsibility for that species, as requested.

For species primarily managed by the Territorial Government, the Territorial Government should be consulted to identify other appropriate mitigation and/or monitoring measures to minimize effects to these species from the project.

Mitigation and monitoring measures must be undertaken in a way that is consistent with applicable recovery strategies and action/management plans.

Schedules of *SARA* are amended on a regular basis, so it is important to check the *SARA* registry ([www.sararegistry.gc.ca](http://www.sararegistry.gc.ca)) to get the current status of a species.

Updated: September 2024

<b>Terrestrial Species at Risk<sup>3</sup></b>	<b>COSEWIC Designation</b>	<b>Schedule of SARA</b>	<b>Government Organization with Primary Management Responsibility<sup>4</sup></b>
Buff-breasted Sandpiper	Special Concern	Schedule 1	Environment and Climate Change Canada (ECCC)
Common Nighthawk	Threatened	Schedule 1	ECCC
Eskimo Curlew	Endangered	Schedule 1	ECCC
Harlequin Duck	Special Concern	Schedule 1	ECCC
Harris's Sparrow	Special Concern	Schedule 1	ECCC
Horned Grebe	Special Concern	Schedule 1	ECCC
Ivory Gull	Endangered	Schedule 1	ECCC
Olive-sided Flycatcher	Threatened	Schedule 1	ECCC
Peregrine Falcon	Special Concern	Schedule 1	ECCC
Red Knot Islandica Subspecies	Special Concern	Schedule 1	ECCC
Red-necked Phalarope	Special Concern	Schedule 1	ECCC
Ross's Gull	Threatened	Schedule 1	ECCC
Rusty Blackbird	Special Concern	Schedule 1	ECCC
Short-eared Owl	Special Concern	Schedule 1	ECCC
Porsild's Bryum	Threatened	Schedule 1	Government of Nunavut (GN)
Transverse Lady Beetle	Special Concern	No Schedule	GN
Caribou (Dolphin and Union Population)	Endangered	Schedule 1	GN
Caribou (Barren-ground Population)	Threatened	No Schedule	GN
Caribou (Torngat Mountains Population)	Endangered	No Schedule	GN
Grizzly Bear (Western Population)	Special Concern	Schedule 1	ECCC
Peary Caribou	Endangered	Schedule 1	GN
Polar Bear	Special Concern	Schedule 1	ECCC
Wolverine	Special Concern	Schedule 1	GN
Atlantic Walrus (High Arctic Population)	Special Concern	No Schedule	Fisheries and Oceans Canada (DFO)
Atlantic Walrus (Central/Low Arctic Population)	Special Concern	No Schedule	DFO
Beluga Whale (Cumberland Sound Population)	Threatened	Schedule 1	DFO
Beluga Whale (Eastern Hudson Bay Population)	Endangered	No Schedule	DFO
Beluga Whale (Eastern High Arctic-Baffin Bay Population)	Special Concern	No Schedule	DFO
Beluga Whale (Western Hudson Bay Population)	Special Concern	No Schedule	DFO
Atlantic Cod (Arctic Lakes Population)	Special Concern	No Schedule	DFO
Fourhorn Sculpin (Freshwater Form)	Data Deficient	Schedule 3	DFO
Lumpfish	Threatened	No Schedule	DFO
Thorny Skate	Special Concern	No Schedule	DFO

<sup>3</sup> The Department of Fisheries and Oceans has responsibility for aquatic species.

<sup>4</sup> Environment and Climate Change Canada (ECCC) has a national role to play in the conservation and recovery of Species at Risk in Canada, as well as responsibility for management of birds described in the Migratory Birds Convention Act (MBCA). Day-to-day management of terrestrial species not covered in the MBCA is the responsibility of the Territorial Government. Populations that exist in National Parks are also managed under the authority of the Parks Canada Agency.

**APPENDIX B: ARCHAEOLOGICAL AND PALAEOLOGICAL RESOURCES TERMS AND  
CONDITIONS FOR LAND USE PERMIT HOLDERS**



**INTRODUCTION**

The Department of Culture and Heritage (CH) routinely reviews land use applications sent to the Nunavut Water Board, Nunavut Impact Review Board and the Indigenous and Northern Affairs Canada. These terms and conditions provide general direction to the permittee/proponent regarding the appropriate actions to be taken to ensure the permittee/proponent carries out its role in the protection of Nunavut’s archaeological and palaeontological resources.

**TERMS AND CONDITIONS**

- 1) The permittee/proponent shall have a professional archaeologist and/or palaeontologist perform the following **Functions** associated with the **Types of Development** listed below or similar development activities:

	<b>Types of Development</b> (See Guidelines below)	<b>Function</b> (See Guidelines below)
a)	Large scale prospecting	Archaeological/Palaeontological Overview Assessment
b)	Diamond drilling for exploration or geotechnical purpose or planning of linear disturbances	Archaeological/Palaeontological Overview Assessment and/or Inventory and Documentation and/or Mitigation
c)	Construction of linear disturbances, Extractive disturbances, Impounding disturbances and other land disturbance activities	Archaeological/Palaeontological Overview Assessment and/or Inventory and Documentation and/or Mitigation

Note that the above-mentioned functions require either a Nunavut Archaeologist Permit or a Nunavut Palaeontologist Permit. CH is authorized by way of the *Nunavut and Archaeological and Palaeontological Site Regulations*<sup>5</sup> to issue such permits.

<sup>5</sup> P.C. 2001-1111 14 June, 2001

- 2) The permittee/proponent shall not operate any vehicle over a known or suspected archaeological or palaeontological site.
- 3) The permittee/proponent shall not remove, disturb, or displace any archaeological artifact or site, or any fossil or palaeontological site.
- 4) The permittee/proponent shall immediately contact CH at (867) 934-2046 or (867) 975-5500 should an archaeological site or specimen, or a palaeontological site or fossil, be encountered or disturbed by any land use activity.
- 5) The permittee/proponent shall immediately cease any activity that disturbs an archaeological or palaeontological site encountered during the course of a land use operation until permitted to proceed with the authorization of CH.
- 6) The permittee/proponent shall follow the direction of CH in restoring disturbed archaeological or palaeontological sites to an acceptable condition. If these conditions are attached to either a Class A or B Permit under the Territorial Lands Act Indigenous and Northern Affairs Canada directions will also be followed.
- 7) The permittee/proponent shall provide all information requested by CH concerning all archaeological sites or artifacts and all palaeontological sites and fossils encountered in the course of any land use activity.
- 8) The permittee/proponent shall make best efforts to ensure that all persons working under its authority are aware of these conditions concerning archaeological sites and artifacts and palaeontological sites and fossils.
- 9) If a list of recorded archaeological and/or palaeontological sites is provided to the permittee/proponent by CH as part of the review of the land use application the permittee/proponent shall avoid the archaeological and/or palaeontological sites listed.
- 10) Should a list of recorded sites be provided to the permittee/proponent, the information is provided solely for the purpose of the proponent's land use activities as described in the land use application, and must otherwise be treated confidentially by the proponent.

## Legal Framework

As stated in Article 33 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)*:

*Where an application is made for a land use permit in the Nunavut Settlement Area, and there are reasonable grounds to believe that there could be sites of archaeological importance on the lands affected, no land use permit shall be issued without written consent of the Designated Agency. Such consent shall not be unreasonably withheld. [33.5.12]*

*Each land use permit referred to in Section 33.5.12 shall specify the plans and methods of archeological site protection and restoration to be followed by the permit holder, and any other conditions the Designated Agency may deem fit. [33.5.13]*

## Palaeontology and Archaeology

Under the *Nunavut Act*<sup>6</sup>, the federal government can make regulations for the protection, care and preservation of palaeontological and archaeological sites and specimens in Nunavut. Under the *Nunavut Archaeological and Palaeontological Sites Regulations*<sup>7</sup>, it is illegal to alter or disturb any palaeontological or archaeological site in Nunavut unless permission is first granted through the permitting process.

### Definitions

As defined in the *Nunavut Archaeological and Palaeontological Sites Regulations*, the following definitions apply:

*“archaeological site” means a place where an archaeological artifact is found.*

*“archaeological artifact” means any tangible evidence of human activity that is more than 50 years old and in respect of which an unbroken chain of possession or regular pattern of usage cannot be demonstrated, and includes a Denesuline archaeological specimen referred to in section 40.4.9 of the Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement).*

*“palaeontological site” means a site where a fossil is found.*

*“fossil” includes:*

*Fossil means the hardened or preserved remains or impression of previously living organisms or vegetation and includes:*

- (a) natural casts;*
- (b) preserved tracks, coprolites and plant remains; and*
- (c) the preserved shells and exoskeletons of invertebrates and the preserved eggs, teeth and bones of vertebrates.*

### *Guidelines for Developers for the Protection of Archaeological Resources in the Nunavut Territory*

(Note: Partial document only, complete document at: [www.ch.gov.nu.ca/en/Archaeology.aspx](http://www.ch.gov.nu.ca/en/Archaeology.aspx))

### Introduction

The following guidelines have been formulated to ensure that the impacts of proposed developments upon heritage resources are assessed and mitigated before ground surface altering activities occur. Heritage resources are defined as, but not limited to, archaeological and historical sites, burial grounds, palaeontological sites, historic buildings and cairns. Effective collaboration between the developer, the Department of Culture, and Heritage (CH), and the contract archaeologist(s) will ensure proper preservation of heritage resources in the Nunavut Territory. The roles of each are briefly described.

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<sup>6</sup> s. 51(1)

<sup>7</sup> P.C. 2001-1111 14 June, 2001

CH is the Nunavut Government agency which oversees the protection and management of heritage resources in Nunavut, in partnership with land claim authorities, regulatory agencies, and the federal government. Its role in mitigating impacts of developments on heritage resources is as follows: to identify the need for an impact assessment and make recommendations to the appropriate regulatory agency; set the terms of reference for the study depending upon the scope of the development; suggest the names of qualified individuals prepared to undertake the study to the developer; issue an archaeologist or palaeontologist permit authorizing field work; assess the completeness of the study and its recommendations; and ensure that the developer complies with the recommendations.

The primary regulatory agencies that CH provides information and assistance to are the Nunavut Impact Review Board, for development activities proposed for Inuit Owned Lands (as defined in Section 1.1.1 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)*), and the Indigenous and Northern Affairs Canada, for development activities proposed for federal Crown Lands.

A developer is the initiator of a land use activity. It is the obligation of the developer to ensure that a qualified archaeologist or palaeontologist is hired to perform the required study and that provisions of the contract with the archaeologist or palaeontologist allow permit requirements to be met; i.e. fieldwork, collections management, artifact and specimen conservation, and report preparation. On the recommendation of the contract archaeologist or palaeontologist in the field and the Government of Nunavut, the developer shall implement avoidance or mitigative measures to protect heritage resources or to salvage the information they contain through excavation, analysis, and report writing. The developer assumes all costs associated with the study in its entirety.

Through his or her active participation and supervision of the study, the contract archaeologist or palaeontologist is accountable for the quality of work undertaken and the quality of the report produced. Facilities to conduct fieldwork, analysis, and report preparation should be available to this individual through institutional, agency, or company affiliations. Responsibility for the curation of objects recovered during field work while under study and for documents generated in the course of the study as well as remittance of artifacts, specimens and documents to the repository specified on the permit accrue to the contract archaeologist or palaeontologist. This individual is also bound by the legal requirements of the *Nunavut Archaeological and Palaeontological Sites Regulations*.

### **Types of Development**

In general, those developments that cause concern for the safety of heritage resources will include one or more of the following kinds of surface disturbances. These categories, in combination, are comprehensive of the major kinds of developments commonly proposed in Nunavut. For any single development proposal, several kinds of these disturbances may be involved

- *Linear disturbances: including the construction of highways, roads, winter roads, transmission lines, and pipelines;*
- *Extractive disturbances: including mining, gravel removal, quarrying, and land filling;*

- *Impoundment disturbances: including dams, reservoirs, and tailings ponds;*
- *Intensive land use disturbances: including industrial, residential, commercial, recreational, and land reclamation work, and use of heritage resources as tourist developments.*
- *Mineral, oil and gas exploration: establishment of camps, temporary airstrips, access routes, well sites, or quarries all have potential for impacting heritage resources.*

### **Types of Studies Undertaken to Preserve Heritage Resources**

**Overview:** An overview study of heritage resources should be conducted at the same time as the development project is being designed or its feasibility addressed. They usually lack specificity with regard to the exact location(s) and form(s) of impact and involve limited, if any, field surveys. Their main aim is to accumulate, evaluate, and synthesize the existing knowledge of the heritage of the known area of impact. The overview study provides managers with baseline data from which recommendations for future research and forecasts of potential impacts can be made. A Class I Permit is required for this type of study if field surveys are undertaken.

**Reconnaissance:** This is done to provide a judgmental appraisal of a region sufficient to provide the developer, the consultant, and government managers with recommendations for further development planning. This study may be implemented as a preliminary step to inventory and assessment investigations except in cases where a reconnaissance may indicate a very low or negligible heritage resource potential. Alternately, in the case of small-scale or linear developments, an inventory study may be recommended and obviate the need for a reconnaissance.

The main goal of a reconnaissance study is to provide baseline data for the verification of the presence of potential heritage resources, the determination of impacts to these resources, the generation of terms of reference for further studies and, if required, the advancement of preliminary mitigative and compensatory plans. The results of reconnaissance studies are primarily useful for the selection of alternatives and secondarily as a means of identifying impacts that must be mitigated after the final siting and design of the development project. Depending on the scope of the study, a Class 1 or Class 2 Permit is required for this type of investigation.

**Inventory:** A resource inventory is generally conducted at that stage in a project's development at which the geographical area(s) likely to sustain direct, indirect, and perceived impacts can be well defined. This requires systematic and intensive fieldwork to ascertain the effects of all possible and alternate construction components on heritage resources. All heritage sites must be recorded on Government of Nunavut Site Survey forms. Sufficient information must be amassed from field, library and archival components of the study to generate a predictive model of the heritage resource base that will:

- allow the identification of research and conservation opportunities;
- enable the developer to make planning decisions and recognize their likely effects on the known or predicted resources; and

- make the developer aware of the expenditures, which may be required for subsequent studies and mitigation. A Class 1 or 2 permit is required.

**Assessment:** At this stage, sufficient information concerning the numbers and locations of heritage resources will be available, as well as data to predict the forms and magnitude of impacts. Assessments provide information on the size, volume, complexity and content of a heritage resource, which is used to rank the values of different sites or site types given current archaeological knowledge. As this information will shape subsequent mitigation program(s), great care is necessary during this phase.

**Mitigation:** This refers to the amelioration of adverse impacts to heritage resources and involves the avoidance of impact through the redesign or relocation of a development or its components; the protection of the resource by constructing physical facilities; or, the scientific investigation and recovery of information from the resource by excavation or other method. The type(s) of appropriate mitigative measures are dictated by their viability in the context of the development project. Mitigation strategies must be developed in consultation with, and approved by, the Department of Culture and Heritage. It is important to note that mitigation activities should be initiated as far in advance of the construction of the development as possible.

**Surveillance and monitoring:** These may be required as part of the mitigation program.

*Surveillance* may be conducted during the construction phase of a project to ensure that the developer has complied with the recommendations.

*Monitoring* involves identification and inspection of residual and long-term impacts of a development (i.e. shoreline stability of a reservoir); or the use of impacts to disclose the presence of heritage resources, for example, the uncovering of buried sites during the construction of a pipeline.