

Notes:

The abbreviations “the NIRB” and “the Board” are used interchangeably throughout this document with reference to the Nunavut Impact Review Board.

The NIRB also uses the following legislation and abbreviations throughout this document *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and Part 3 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*).

Disclaimers:

This Guide is provided as a convenient reference for project Proponents to explain the NIRB’s impact assessment processes in a plain language format. However, parties reviewing this Guide are reminded that the legal responsibilities of all participants in the NIRB’s processes are as established under the *Nunavut Agreement* and the *Nunavut Planning and Project Assessment Act*, other applicable legislation and any relevant project-specific direction issued by any authorities with jurisdiction over that project. All parties are independently responsible for ensuring they comply with the applicable legal responsibilities imposed under these provisions. To the extent that this Guide or any steps outlined within it are inconsistent or in conflict with the applicable legal requirements, the obligations as set out in the *Nunavut Agreement* and the *Nunavut Planning and Project Assessment Act*, other relevant legislation and project-specific guidance govern.

Any descriptions of the responsibilities of the parties contained in this Guide are of a general nature only and are not offered or intended as a substitute for legal or other professional advice or the specific direction in any given case of the NIRB or relevant authorities with jurisdiction over a project. The NIRB also reserves the right to depart from the general processes outlined in this Guide if the specific circumstances of a given impact assessment process require such changes.

If you have any comments, recommendations, or suggestions for this or any other guide, please email info@nirb.ca with your suggestion as updates will be completed regularly.

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1 HOW TO USE THIS GUIDE

1.1 Introduction

This Guide is intended to be used by all Proponents, as a general reference regardless of the nature and type of project proposal. The Guide outlines the general regulatory requirements and processes associated with project assessments conducted by the Nunavut Impact Review Board (NIRB or Board) under the provisions of Article 12 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and Part 3 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*) including the screening process, the environmental review process and any project monitoring that may be required.

This Guide is intended to be **a single general reference for Proponents** as they proceed through the project assessment process and is organized by process stage, from project inception through to eventual project monitoring. While the focus of this Guide is on the respective roles and responsibility of Proponents and the NIRB, this Guide also contains some limited discussion on the role of Regulatory Authorities (as defined under the *NuPPAA*), Authorizing Agencies, Intervenors, community members, Elders, and general members of the public. The Board has also developed stand alone Guides for *Authorizing Agencies* and *Intervenors* that are issued under separate cover as part of this series of Technical Guides.

*Proponents are advised that this Guide is intended as a general reference only, and the Board may, in any given case, diverge from the general processes described in the Guide to better reflect project-specific circumstances.*¹

Proponent as set out in the *NuPPAA*, means a person or entity, including a federal, provincial or territorial minister, department or agency, a municipality or a designated Inuit organization, that proposes the carrying out of a project.

¹ Note that the NIRB will provide sufficient notification and justification of its course of action, should it diverge from established and published processes.

1.2 Frequently Asked Questions

➤ **Where does the NIRB get its mandate and its authority?**

The NIRB is a resource co-management institution of public government established in accordance with Articles 10 and 12 of the *Nunavut Agreement* with its authority defined in the *NuPPAA*. For further information see [Section 2.1](#).

➤ **What does the NIRB do?**

The NIRB is the sole permanent body in Nunavut charged with conducting impact assessment in the Nunavut Settlement Area. For further details see [Section 2.2](#).

➤ **How is the NIRB constituted?**

As set out in the *Nunavut Agreement*, the NIRB is a board composed of eight (8) members and one (1) chairperson. The members are appointed as follows:

- Four (4) members nominated by the Designated Inuit Organization and appointed by the federal Minister responsible for Northern Affairs;
- Two (2) members appointed by one or more Ministers of the Government of Canada;
- Two (2) members appointed by one or more Ministers of the Territorial Government; at least one of whom shall be appointed by the Minister responsible for Renewable Resources; and,
- From those appointed members, the Federal Minister responsible for Northern Affairs will, in consultation with the Territorial Government, appoint a chairperson.

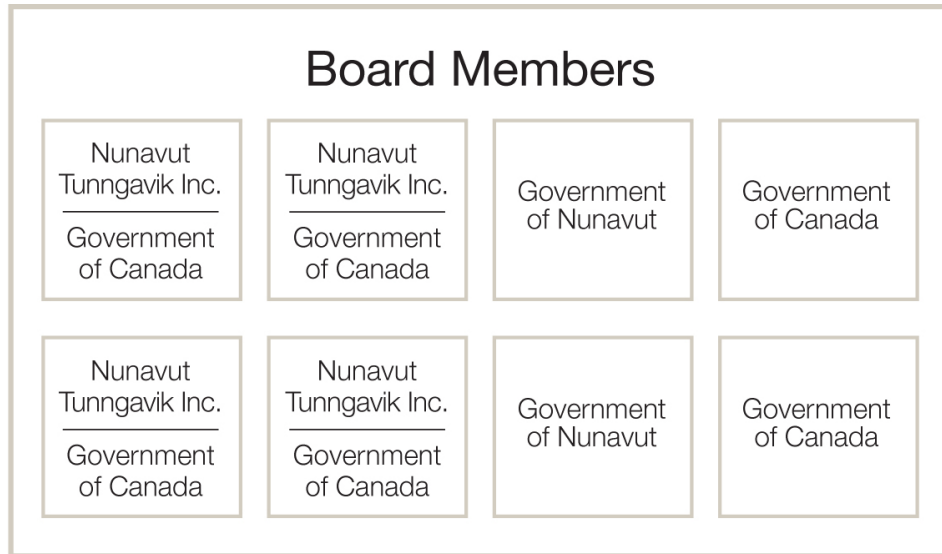


Figure 1: Board Composition

➤ **How and why is the NIRB’s process different from Impact Assessment Act²?**

In 2008, Article 12 of the *Nunavut Agreement* was formally amended to remove the application of the Impact Assessment Act (IAA) in the Nunavut Settlement Area. This eliminated potential for duplication in the impact assessment process applicable within the Nunavut Settlement Area and leaves the NIRB the sole agency responsible for conducting impact assessment in Nunavut.

The NIRB’s impact assessment process is very similar to that under the Impact Assessment Agency with differences in process steps. Further, the NIRB reports its findings from the impact assessment to the final decision-making authority, known as the responsible Minister(s) while under IAA the findings are reported to the Minister of Environment.

➤ **Where is the NIRB located?**

The NIRB’s main office is located in Cambridge Bay in the Kitikmeot region of Nunavut. The Board’s staff is based out of the Cambridge Bay with a small office in Arviat. Board members may be located throughout Nunavut and elsewhere in Canada.

² Formerly Canadian Environmental Assessment Act

➤ **How do I contact the NIRB?**

The NIRB is available during regular business hours (Mountain Time), via telephone at (867) 983-4600, toll-free at 1-866-233-3033, or via email at info@nirb.ca.

➤ **How long does the NIRB process take?**

Certain aspects of the NIRB's Screening and Review processes have specific timelines set out within *NuPPAA*; however various factors can change the time required for processes to be completed. The NIRB endeavours to adhere as closely to its legislated timelines as possible.

NuPPAA requires that the NIRB's Screening report be rendered within 45 days of receipt of a referral from the Nunavut Planning Commission (the Commission) and/or the Parks Canada Agency or any other federal or territorial authority (referred to as *Responsible Authority*), or from the NIRB's receipt of additional information required to proceed with the assessment.

Table 1 outlines the Minister's decision-making timeline once the NIRB has made its screening determination regarding a project proposal.

Table 1: Timeline for Minister Response

| Board Determination | Timelines for Minister Response (days) |
|---|--|
| Finds a review of the project is not required | 15 days to agree or reject the Board's determination, which may be extended by up to 120 days if necessary |
| Finds a review of the project is required | 90 days to agree or reject the Board's determination, which may be extended by up to 90 days |
| Finds the project should be modified or abandoned | 150 days to agree or reject the determination |

The review process is set out within the NIRB's own guidance and process documents, and no formalized timelines are provided for by the legislation except for the requirement that at the end of the review process, the NIRB

is to issue a written report of its findings to the responsible Minister(s) within 45 days (i.e., within 45 days of the close of the public record).

Review processes take anywhere between 250-400 days, largely dependent upon the time required for a proponent to make submissions and respond to various comments and information requests. More information is available within [Section 5.4](#).

Monitoring will be conducted throughout the life of a project should a project be approved by the NIRB and commences once the Minister(s) accept the Board's recommendation to approve the project proposal. More information is available within [Section 8](#) of this Guide.

➤ **How can I make submissions to the NIRB for my project?**

Submissions can be provided electronically by registering an account with the NIRB's online public registry at www.nirb.ca.

[Appendix A](#) of this guide contains the User's Guide for the NIRB's on-line system.

Note: If you intend to submit a project proposal as a Proponent, selecting this option when registering will allow for completion of the NIRB's online application form and submission of any supporting documents or files. All files must be provided in electronic form and are subject to size limitations as referenced throughout this Guide and per the NIRB's instruction, recognizing bandwidth limitations in Nunavut.³

➤ **How do I know if my project proposal needs to be reviewed by the Nunavut Planning Commission?**

With the coming into force of the *NuPPAA*, all proposals for projects within Nunavut are subject to review by the Commission. For further information on submission requirements and the Commission's role, contact their office at (867) 979-3444 or online at www.nunavut.ca.

The only time that the Commission is not involved in the assessment process is when a project is to be carried out solely within a park (National Parks, National Marine Conservation Areas and Territorial Parks). For more detailed information see [Section 2.7](#).

³ The preferred document size is between 10-15 GB

➤ **When should public consultations begin?**

When considering a proposed project and prior to submitting a project proposal to the Nunavut Planning Commission it is recommended that the Proponent begin consultations as soon as possible with individual members of an affected community, as well as organized community interest groups. The NIRB recommends that consultation occur throughout the life of the project, including, but not limited to:

- a. Project proposal development
- b. Impact assessment process (screening process and/or review process)
- c. Licensing/Permitting process
- d. Project development
- e. Closure
- f. Post-closure

➤ **How do I get added to a distribution list for NIRB projects?**

The notifications issued by the NIRB are managed exclusively through our online system at www.nirb.ca, which requires Proponents and parties who would like to receive notifications for that project to register an account and sign up to follow the project of interest to them.

1. Ensure you are a registered user
2. Sign into your account
3. **UPDATE YOUR PROFILE** Once signed in your MY ACCOUNT page will show up
4. **Click the My Profile Tab and update Notification Settings** -You may choose to receive notifications by Region and/or Project Type.

Signing up for notifications **does not** add you to the distribution list. This is a **ONE TIME** notification for any NEW projects the NIRB receives and has started screening. Once you receive that notification you must manually find the projects in the PUBLIC REGISTRY and choose to follow the project in order to receive further communications regarding the file (i.e., be added to the distribution list). Projects you follow will be assigned to your user profile under the tab “Projects I Follow”.

1. Sign into your account
2. SEARCH the PUBLIC REGISTRY

- Click “PUBLIC REGISTRY” button
- **Search Projects** – Enter the NIRB file or application number you are searching for
- **Open File** – Click on the File number and a project dashboard page for the file will open
- **Click “Follow this Project”** (blue button).

You will now be added to the NIRB distribution list for this project and will be receiving NIRB generated e-mails regarding the project. If you don't see the button you are not logged into your account.

You can choose to “unfollow” the project at any time by signing into your MY ACCOUNT page, search the Projects I follow tab and click the “Stop following this Project” button. This will take you off the distribution list.

For general assistance or to report a problem, please contact the NIRB at info@nirb.ca or call us toll-free at 1-866-233-3033.

➤ **What do I do if I want to change or modify my project?**

If you have a project that was screened and issued a screening decision report and are wanting to add (or subtract) some additional activities to that project, the first point of contact would be the Regulatory Authorities for the original project in order to determine the significance of the modification. In some cases, Regulatory Authorities can modify the licence or permit without an assessment and notify the NIRB that the modification was made. If the Regulatory Authority feels that the change or modification to the scope is significant, the Proponent would need to contact the Nunavut Planning Commission to determine next steps. For further information see [Section 3.4](#).

If your project has a project certificate, the process is similar to that described above and it is even more important to let the NIRB know of the proposed changes to scope and subsequent changes to monitoring (if required) so that it can be included as part of the post environmental assessment monitoring program. The NIRB has developed some guidance for the process for seeking approval for modifications to previously approved projects and details are found in [Section 9](#).

If the Regulatory Authority does not consider the modification to be significant, they can process the modification through licencing with a notification to the NIRB of the changes.

➤ **Why is Monitoring important?**

Monitoring is important to assess if the project is performing as predicted and evaluate the effectiveness of the mitigation measures proposed during the environmental assessment. Monitoring involves collecting data and tracking changes over time against measurable indicators. Monitoring also assists in identifying any issues before they have an adverse effect so a response plan can be developed and/or adaptive management actions can be taken. For more information regarding monitoring, see [Section 8](#).

➤ **What is a post environmental assessment monitoring program?**

A post-environmental assessment monitoring program (PEAMP) is developed by the Proponent throughout the review stage based on commitments made within the Impact Statement or amended Impact Statement and at the Hearing that the NIRB conducts.

Once approved through the issuance of a project certificate, a PEAMP is designed to work as an instrument of the Proponent's overall monitoring efforts of the project and should provide the NIRB with information respecting the activities relating to a project, its impacts and the implementation of any mitigative measures. The PEAMP results are presented as a summary for parties in the Proponent's annual report. A PEAMP should:

- a) **measure** the ecosystemic and socio-economic environments of a project;
- b) **assess** whether the project is in compliance with the prescribed project terms and conditions;
- c) **share** information with regulatory authorities to support enforcement of land, water or resource use approvals and agreements; and
- d) **assess** the accuracy of the predictions contained in the impact statement.

The PEAMP must utilize, to the extent possible, the monitoring plans and programs as described in the FIS or amended IS, during the hearing and through the project certificate as well as all monitoring plans and/or reporting required by relevant Regulatory Authorities. Where applicable, any additional monitoring programs and plans developed by the Proponent should be incorporated within the PEAMP. Further, it is the Proponent's obligation to ensure that the NIRB always has a complete up to date set of

monitoring and mitigation plans for the project's entire life cycle. For more information on monitoring see [Section 8](#).

2 IMPACT ASSESSMENT OF PROJECT PROPOSALS UNDER THE *NUNAVUT AGREEMENT* AND THE *NuPPAA*

2.1 Introduction

The NIRB was established under Article 10 of the *Nunavut Agreement* on July 9, 1996. The NIRB is an institution of public government (IPG) responsible for the impact assessment of Project Proposals in the Nunavut Settlement Area. The NIRB's specific mandate, authority, and details regarding the NIRB's impact assessment processes are set out in Article 12 of the *Nunavut Agreement* and Part 3 of the *NuPPAA*.

Nunavut is unique amongst Canadian jurisdictions in that the ***Nunavut Agreement and the NuPPAA establishes an integrated resource management system for wildlife management, land use planning, impact assessment, water licensing and dispute resolution*** overseen by five (5) independent IPGs (see [Figure 2](#)).

- Nunavut Wildlife Management Board (NWMB),
- Nunavut Planning Commission (the Commission),
- Nunavut Impact Review Board (NIRB),
- Nunavut Water Board (NWB), and
- Nunavut Surface Rights Tribunal (NSRT).

Through the *Nunavut Agreement*, the Commission and the NIRB play an important role in reviewing project proposals before the licences, permits, and approvals can be granted by Authorizing Agencies. The *Nunavut Agreement* directs the IPGs to fulfill their functions in a manner that is cooperative, integrated, and avoids duplication, an approach which is further supported by the *NuPPAA* and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* which also govern these organizations.

Reflecting this, the IPGs regularly work together on general and project-specific initiatives to coordinate processes and activities with the objective of fostering an integrated, effective, and timely regulatory system. In conjunction with the release of the updated technical guides, the NIRB and NWB released the Guide to the Detailed Coordinated Process Framework which demonstrates this principle.

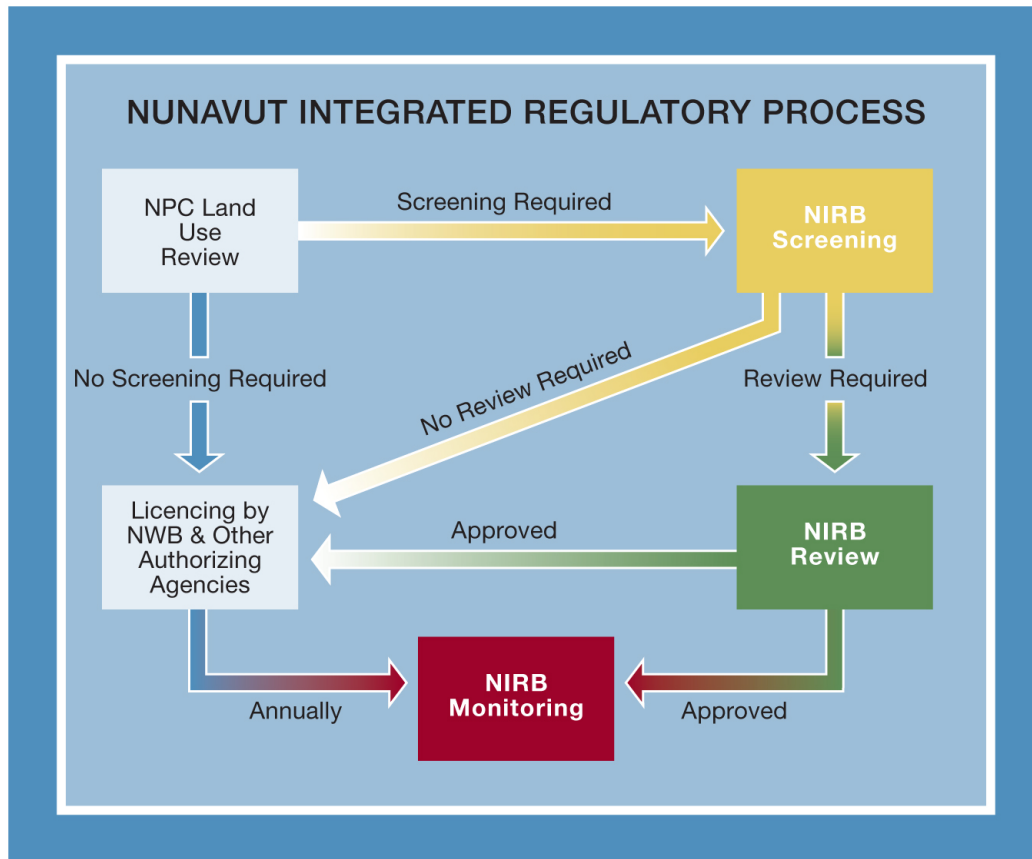


Figure 2: Overview of Nunavut’s Integrated Regulatory Framework

2.2 What are the functions of the NIRB?

In accordance with Article 12 of the *Nunavut Agreement* and Part 1 of the *NuPPAA*, the primary functions of the NIRB are: to protect the ecosystemic integrity of the Nunavut Settlement Area (NSA), and to protect and promote the existing and future well-being of residents and communities of the NSA while also taking into account the well-being of residents of Canada outside the NSA.

The NIRB assesses project proposals to determine whether they have potential to adversely impact the ecosystem, communities, or residents of the NSA, and determines whether or not they should be approved to proceed. The NIRB’s impact assessment processes are designed to:

- a) Screen project proposals in order to determine whether or not a review is required;
- b) Gauge and define the extent the regional impacts of a project;

- c) Review the ecosystemic and socio-economic impacts of project proposals;
- d) Determine, on the basis of its review, whether proposed projects should proceed and, if so, under what terms and conditions, and then report its determination to the Minister; and,
- e) Monitor projects in accordance with the provisions of Article 12, Part 7 of the *Nunavut Agreement*.

In carrying out its functions, the NIRB is directed to act fairly and in a manner that protects and promotes the existing and future well-being of the residents of Nunavut specifically, and Canada in general, and also in a manner that protects the ecosystemic integrity of the NSA. The NIRB's impact assessment processes are designed to create opportunities for meaningful public engagement, and to allow for consideration of Inuit Qaujimaningit, Inuit Qaujimajatuqangit, as well as traditional and local knowledge.

The NIRB maintains an online public registry that is accessible to the public (www.nirb.ca); by registering for an account, anyone can sign up to follow the NIRB's assessments and to receive updates and notifications from the NIRB as they are issued. A public commenting tool at the website also allows for registered parties to submit an online comment form related to an assessment, or to upload their own comment submissions.

Proponents are required to register online accounts to submit their applications for screening and to upload various submissions, annual reports and other required information. Further information can be found at www.nirb.ca including the other plain language public guides in this series and additional resources related to the NIRB's processes.

2.3 What is the geographic extent of NIRB's authority?

The NIRB's authority applies to both land and marine areas within the NSA and to the Outer Land Fast Ice Zone (as defined in the *Nunavut Agreement*) and as described in the *NuPPAA* (Figure 3). The Board's authority also extends to certain projects with potential transboundary impacts. The NIRB may, upon request by Government or with the consent of Government upon request by a Designated Inuit Organization, review a project proposal located outside of the NSA if that project proposal may have significant adverse ecosystemic or socio-economic effects within the NSA like the NIRB's July 2019 completion of the Strategic Environmental Assessment of the potential for oil and gas development in Baffin Bay and Davis Strait.



Figure 3: the Nunavut Settlement Area including the Outer Land Fast Ice

2.4 What types of works, undertakings or activities are subject to the impact assessment process?

The impact assessment requirements under Article 12 of the *Nunavut Agreement* apply to all **project proposals** as defined below, with the exception of those that relate to transboundary impacts and are dealt with under Section 12.11.1 of the *Nunavut Agreement*:

Project Proposal means a physical work that a proponent proposes to construct, operate, modify, decommission, abandon or otherwise carry out, or a physical activity that a proponent proposes to undertake or otherwise carry out, such work or activity being within the Nunavut Settlement Area, except as provided in Section 12.11.1 but does not include the construction, operation or maintenance of a building or the provision of a service, within a municipality, that does not have ecosystemic impacts outside the municipality and does not involve the deposit of waste by a municipality, the bulk storage of fuel, the production of nuclear or hydro-electric power or any industrial activity.

Further, as described more fully under Part 3 of the *NuPPAA*, the proponent of a **project** intended to be carried out in whole or in part in the NSA including the Outer Land Fast Ice Zone is required to submit a project proposal to the Nunavut Planning Commission.

Project means the carrying out, including the construction, operation, modification, decommissioning or abandonment, of a physical work or the undertaking or carrying out of a physical activity that involves the use of land, waters or other resources. It does not include

(a) the undertaking or carrying out of a work or activity if its adverse ecosystemic impacts are manifestly insignificant, taking into account in particular the factors set out in paragraphs 90(a) to (i) of the *NuPPAA* [factors to assess significance];

(b) the undertaking or carrying out of a work or activity that is part of a class of works or activities prescribed by regulation; or

(c) the construction, operation or maintenance of a building or the provision of a service, within a municipality, that does not have ecosystemic impacts outside the municipality and does not involve the deposit of waste by a municipality, the bulk storage of fuel, the production of nuclear or hydro-electric power or any industrial activities.

The *NuPPAA* prohibits the carrying out of a project unless various requirements have been met, including that the NIRB's assessment of the project proposal has been completed.

2.5 What are the initial submission requirements for projects subject to the *NuPPAA*?

If the Proponent's works, activities or undertakings meet the definition of **project** as set out in the *NuPPAA*, the Proponent must submit a project proposal to the Nunavut Planning Commission (the Commission). The project proposal must contain a description of the project and must meet the specific form and content requirements for project proposals that are set out in the by-laws and rules of the Commission. Proponents are encouraged to visit the Commission's website at www.nunavut.ca for additional information regarding the Commission's requirements and approved land use plans and review the draft project description rules.⁴

If the project is to be located partly or in whole within a park (National Parks, National Marine Conservation Areas and Territorial Parks) that has been established and administered by the Parks Canada Agency or the Government of Nunavut; or a historic place that is designated under the *Historic Sites and Monuments Act* and administered by the Parks Canada Agency; the Proponent must also submit a project proposal to the Parks Canada Agency or any other federal or territorial authority having management and control of the park and it is the Proponent's responsibility to identify what the application requirements are to ensure the appropriate information and time is accounted for.⁵

⁴ <https://www.nunavut.ca/news/2019/community-engagement-visits-kitikmeot>

⁵ Some Regulatory Authorities have timelines for when projects need to be applied for in order to be approved for licencing.

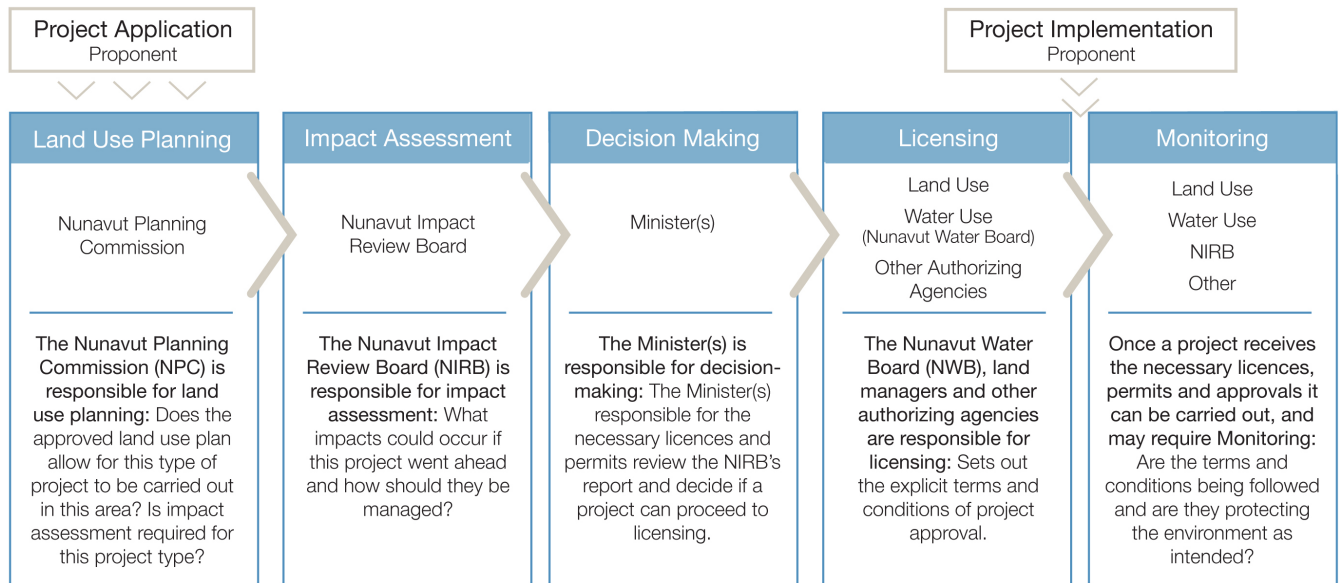


Figure 4: Project Application Process in Nunavut

2.6 What is the role of land use planning in the impact assessment process?

Under the *NuPPAA*, once the Commission receives a project proposal, the Commission must determine, within 45 days of receipt of the project proposal, whether the project conforms with the applicable land use plan (i.e., conformity determination) and must verify whether the project is exempt from the requirement for screening. At present there are two (2) approved land use plans in Nunavut:

- the North Baffin Regional Land Use Plan
- the Keewatin Regional Land Use Plan

If the Commission determines that the project proposal is in conformity with the approved land use plan, a variance has been approved, **or** there is currently no approved land use plan in place, the Commission must verify whether the project proposal is exempt from the requirement for screening, as outlined in detail in [Part 4](#) of this Guide.

If the project is **NOT** exempt from the requirement for screening, or if the Commission verifies that the project is exempt from the requirement for screening **BUT** the Commission has concerns in respect of any cumulative ecosystemic or socio-economic impacts that could result from that project proposal when viewed in relation to other projects that have been carried out, are being carried out or will

be carried out in the near future, the Commission will forward the project proposal and the Commission's positive conformity determination to the NIRB for screening.

If Commission determines that a project proposal does not require screening, Commission will notify the Proponent within its decision that the assessment of the project has been completed and that the Proponent may carry out the project and obtain any licence, permit or other authorization that it may require to conduct the project. Authorizing Agencies are also informed by the Commission on its decision regarding the assessment of the project.

***Notes:** 1) *The Board is not authorized to screen a project if the Nunavut Planning Commission has determined that a project is not in conformity with the applicable land use plan and no minor variance or ministerial exemption has been granted.*

2) *As established under the NuPPAA, if the project is to be carried **out wholly outside** of a park or historic place designated under the Historic Sites and Monuments Act, the NIRB's screening commences only when the NIRB receives a referral from the Nunavut Planning Commission, the project proposal and associated conformity determination (if applicable).*

NIRB Screening Assessment—Project Proposal in the Designated Area

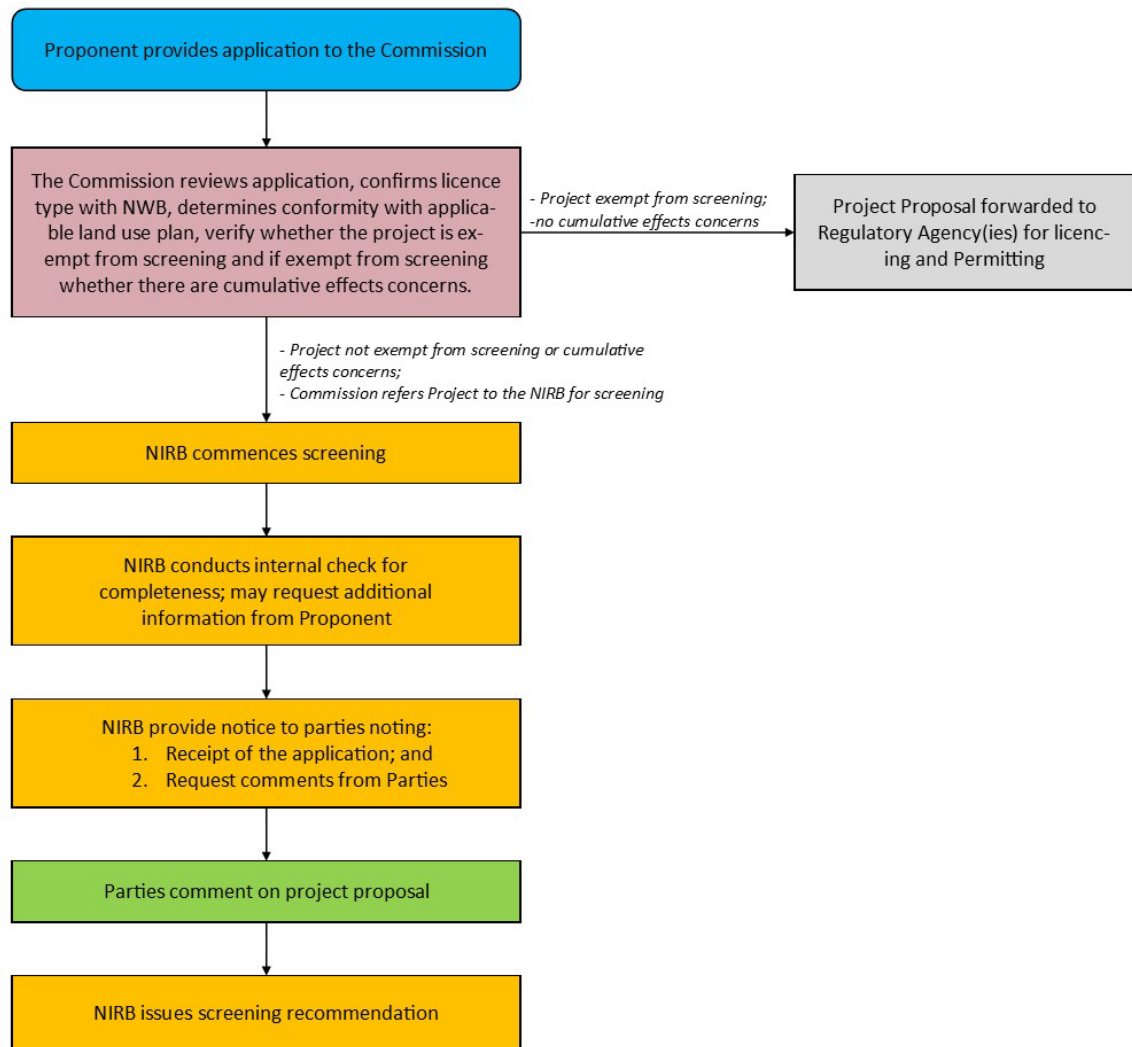


Figure 5: NIRB Process when Project Proposal in the Designated Area

2.7 What is the role of Parks and Conservation Areas in the impact assessment process?

Under the *NuPPAA*, the only time that the Commission is not involved in the assessment process is when a project is to be carried out wholly within a park (National Parks, National Marine Conservation Areas and Territorial Parks) that has been established and administered by the Parks Canada Agency or the

Government of Nunavut or a historic place that is designated under the *Historic Sites and Monuments Act* and administered by the Parks Canada Agency (e.g., the Wrecks of *HMS Erebus* and *HMS Terror* National Historic Site of Canada, Quttinirpaaq National Park, Ukkusiksalik National Park, and Sirmilik National Park).

Once the Parks Canada Agency or any other federal or territorial authority (referred to as Responsible Authority) having management and control of the park receives a project proposal, the Responsible Authority must determine, within 45 days of receipt of the proposal whether the project conforms with the requirements set out by or under any law for which it has responsibility and must verify whether the project is exempt from the requirement for screening.

If the Responsible Authority determines that the project proposal is in conformity with the requirements, the Responsible Authority must verify whether the project is exempt from the requirement for screening, as outlined in detail in [Part 4](#) of this Guide. If the project is **NOT** exempt from the requirement for screening, or if the Responsible Authority verifies that the project is exempt from the requirement for screening **BUT** has concerns in respect of any cumulative ecosystemic or socio-economic impacts that could result from that project when viewed in relation to other projects that have been carried out, are being or will be carried out in the future, the Responsible Authority will forward the project proposal to the NIRB for screening.

2.7.1 What happens if the project takes place partly within a Park/Historic Site AND partly outside a Park/Historic Site?

In the case that the project is proposed to be carried out partly within a park and/or historic place (*designated under the Historic Sites and Monuments Act*) and partly outside a park and/or historic place, the NIRB screening can only commence once a referral from both the Commission and Parks Canada is received. Please note that the NIRB would continue to screen the whole project proposals even if a referral is only received from one of the Responsible Authorities and the other Responsible Authority deems that the activities under their responsibility does not require screening by the NIRB.

***Notes:** 1) *The Board is not authorized to screen a project if the Responsible Authority has determined that the project is not in conformity with any applicable requirements set out by or under any law for which it has responsibility.*

2) As established under the NuPPAA, if the project is to be carried **out completely outside** of a park or historic place designated under the Historic Sites and Monuments Act, the NIRB's screening commences only when the NIRB receives a referral from the Nunavut Planning Commission, the project proposal and associated conformity determination (if applicable).

3) As established under the NuPPAA, if the project is to be carried **out partly outside** of a park or historic place designated under the Historic Sites and Monuments Act, the NIRB's screening commences only when the NIRB receives a referral from the Nunavut Planning Commission, the project proposal and associated conformity determination (if applicable) **AND** when the NIRB receives a referral from the Responsible Authority.

4) As established under the NuPPAA, if the project is to be carried **in whole within** of a park or historic place designated under the Historic Sites and Monuments Act, the NIRB's screening commences only when the NIRB receives a referral from the Responsible Authority.

NIRB Screening Assessment—Project Proposal Project Proposal partly within and partly outside a Park or Historical Site

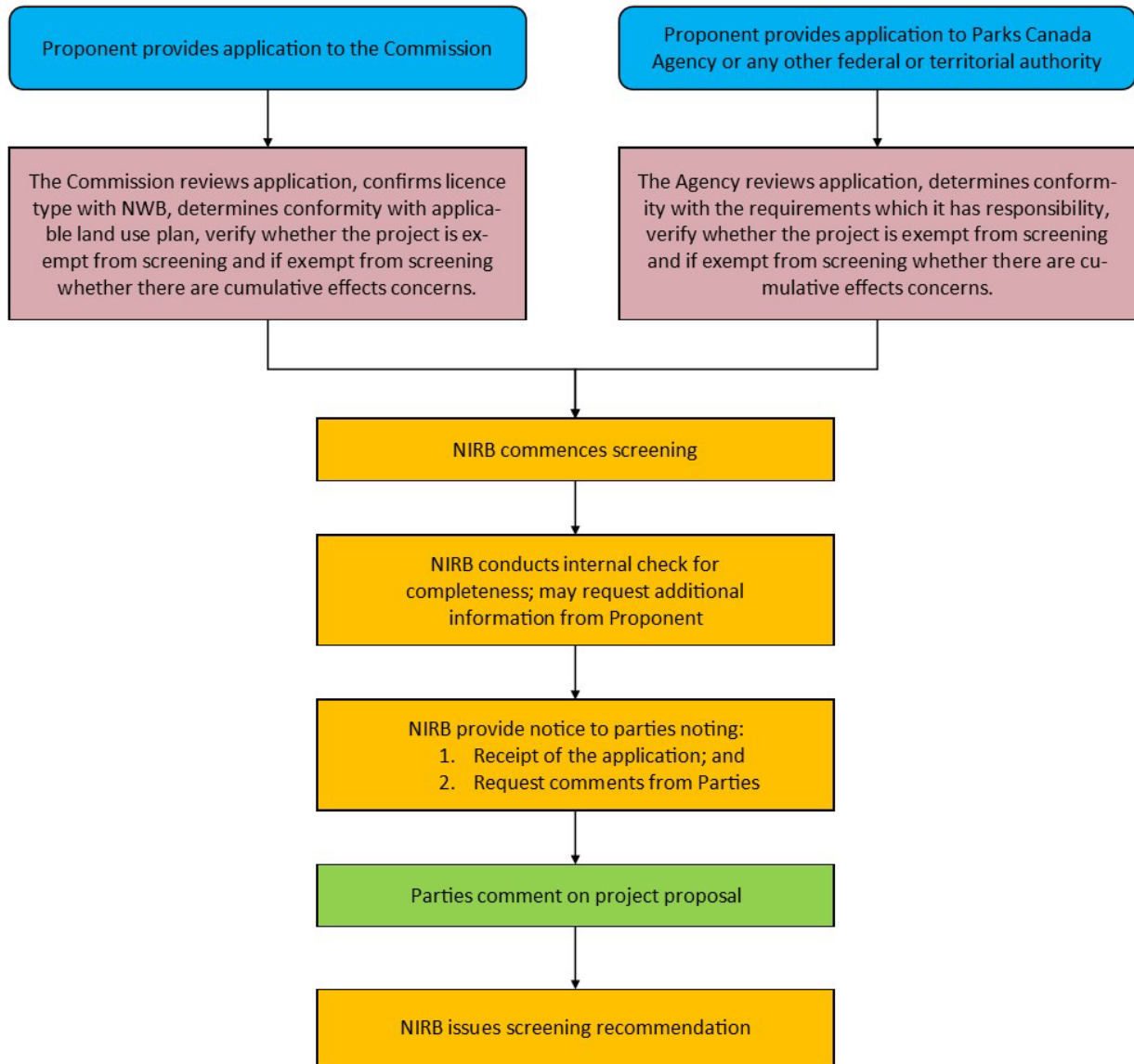


Figure 6: NIRB Process when Project Proposal partly within and Partly outside a Park or Historical Site

2.8 What is the role of Authorizing Agencies in the NIRB's processes?

As only one (1) part of Nunavut's integrated regulatory process, the NIRB's impact assessment process supports and informs the regulatory decision-making processes of all other Authorizing Agencies who are responsible for issuing the authorizations (i.e., letters, permits, licences, approvals, leases, certificates, or other written and/or verbal communication) that are required for a project or a component of a project proposal to proceed.

The *NuPPAA* defines **Regulatory Authority** as follows:

Regulatory Authority means a minister — other than for the purposes of s 197 of the *NuPPAA*—a department or agency, a municipality or any other public body responsible for issuing a licence, permit or other authorization required by or under any other Act of Parliament or a territorial law for a project to proceed.

Although not defined within the *NuPPAA* or the *Nunavut Agreement*, the NIRB has developed a working definition of **Authorizing Agencies** that is *broader* than the definition of Regulatory Authority used under the *NuPPAA* and expressly recognizes the role of Designated Inuit Organizations (e.g., Kitikmeot Inuit Association, Kivalliq Inuit Association, and Qikiqtani Inuit Association) who may exercise authority with respect to projects as landowners, permit issuers, and negotiators of Inuit Impact Benefit Agreements (IIBAs).

Authorizing Agency means any government agency, Designated Inuit Organization or any other body that has the authority to issue a permit, lease, licence or grant approval to a Proponent to conduct some physical work or physical activity in relation to a project proposal and includes Regulatory Authorities as defined under the *NuPPAA*.

As outlined in Article 12, Part 10, Section 12.10.1 of the *Nunavut Agreement* and s. 75 of the *NuPPAA*, until the assessment of a project has been completed (screened and if a review or reconsideration is required the completion of the review or reconsideration and issuance of a NIRB project certificate or updated project certificate), Regulatory Authorities are **NOT** authorized to issue a licence, permit or other authorization in respect of a project.

Although the NIRB cooperates and coordinates with the Authorizing Agencies exercising jurisdiction over a project proposal, the **onus is on the Proponent to properly identify the requirements of Authorizing Agencies and to obtain all the authorizations** that may be required to carry out the project proposal once the required NIRB assessment is completed.

Proponents are reminded that a project proposal may require more than one (1) authorization based on the various land and water (marine and/or freshwater) jurisdictional responsibilities. Prior to submitting their project proposal to the Commission, the Parks Canada Agency, or any other federal or territorial authority (referred to as Responsible Authority), Proponents should consult with all relevant Authorizing Agencies about their project proposal to ensure that they are able to compile all the required information about the complete scope of the project proposal to facilitate the Commission (and/or Responsible Authority) and NIRB processes as neither are an expert regarding what permitting level information is required to undertake various projects in Nunavut.

Providing a complete listing of all authorizations required in order to complete the project helps to ensure that the scope of items considered by the NIRB, the Commission, and the responsible Minister(s) is accurate, and the need to revisit the scope of the project proposal prior to the NIRB initiating the screening of the project proposal is avoided. For example, a mineral exploration project proposal may require the following authorizations from various Authorizing Agencies:

1. A land use authorization from a Designated Inuit Organization (DIO) and/or Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) depending on whether the project proposal is located on Inuit Owned Land (IOL) or Crown Land. If the project proposal is located within a municipal boundary, a land use authorization from the Government of Nunavut - Community and Government Services may be required.
2. A water licence from the Nunavut Water Board (NWB) depending on freshwater requirements for drilling and/or camp use.
3. A Right-Of-Way authorization if a road or trail is included in the project proposal.
4. A quarry permit if source material is required to build a road or other infrastructure.
5. An archaeological permit from the Government of Nunavut-Department of Culture and Heritage if the Proponent is conducting archaeological or

palaeontological research or there is potential for the project to result in disturbance to archaeological or paleontological sites.

6. Other authorizations from regulatory agencies such as Government of Nunavut – Department of Environment, Environment and Climate Change Canada, Fisheries and Oceans Canada, Natural Resources Canada, Transport Canada etc. depending on the scope of activities included in the project proposal.

2.9 Where do I get guidance regarding the NIRB’s specific information requirements applicable to submitting a project proposal?

In addition to the guidance regarding the form and content of the project proposal that the Commission requires to be filed, the NIRB may require additional detail as outlined in [Part 3](#) of this Guide.

The NIRB’s online application was developed to provide Proponents with general guidance as to the information necessary for the NIRB to complete the screening of projects. However, recognizing that project may vary considerably in terms of scale, scope, stage of development and regulatory requirements, the NIRB and/or Board may require a Proponent to submit additional project-specific information beyond that required by the NIRB online application form.

***Note:** *Submission of incomplete or inadequate information hampers the NIRB’s timely completion of the screening process. If Proponents have any questions about the general or any project-specific information requirements, they are encouraged to contact the NIRB staff prior to submitting a project description and associated information to the Nunavut Planning Commission.*

2.10 What happens when the NIRB receives a referral for screening for a project proposal?

When the NIRB receives a referral for screening for a project proposal from the Commission and/or a Responsible Authority, the NIRB will acknowledge receipt of the project proposal and referral and assign a file number to the project. This marks the commencement of the NIRB’s screening process and its associated timeline. If not already done so, Proponents will be directed to complete the NIRB’s online application form to provide the information required to facilitate the

screening process and the NIRB's 45 day timeline does not start until a complete application is received.

***Notes:** 1) *Those interested in submitting applications for the NIRB's consideration are invited to visit www.nirb.ca and register an account as a Proponent.*

2) *Should a project be of a type not exempt from the requirement for screening, Proponents must complete the online application form following submission of the project information to the Nunavut Planning Commission and/or Responsible Authority. The NIRB's information requirements are generally more detailed than the Nunavut Planning Commission's and/or Responsible Authority's requirements, and as the NIRB's screening process includes a public commenting period, it requires that materials be provided in English, French, Inuktitut, and/or Inuinnaqtun.*

As specified under the *NuPPAA*, the NIRB will issue its determination in relation to the screening *within 45 days of the commencement of screening unless:*

- The NIRB makes a written request (on the basis of issues such as extensions to comment periods, complexity or extent of comments received, etc.) and the relevant Minister(s) approves an extension to the 45-day period; or
- There is a legal requirement for an Authorizing Agency to make a decision within a certain time period that is less than 45 days so that the NIRB needs to complete the screening within a shorter time period in order for the Authorizing Agency to make a decision within the applicable time period.

At any time through the screening process, the NIRB may formally request that the Proponent provide additional information considered to be necessary by the Board to carry out its screening or determine the scope of the project at the commencement of screening (i.e., the NIRB issues an Information Request or an Inclusion of Scope), the Board's timeline to complete the screening is suspended and the timeline is reset and starts over on the day on which the Board receives the requested information from the Proponent (s. 92(3) of the *NuPPAA*).

3 SCREENING OF PROJECT PROPOSALS

3.1 What information is required by the NIRB to screen a project proposal?

Proponents should note that the general information required by the NIRB to complete a project screening is set out on the NIRB's online public registry system under the Project Application Form that can be accessed at www.nirb.ca and instructions on how to complete an application are in Appendix A.

As noted previously, depending upon the specific project, the NIRB may require additional information to supplement the general information required in the NIRB's online application in order to **understand the project proposal as a whole** in order to make an informed decision. Proponents are advised to submit all information to the NIRB as soon as possible to facilitate completion of the NIRB's screening process in a timely manner.

***Note:** *It is the Proponent's responsibility to meet all applicable translation requirements and provide translations with their application materials. Proponents are advised to ensure that they factor the time required to meet the translation requirements into their submission timelines.*

The NIRB and the Commission have aligned their online applications so information entered to the Commission's application will be carried over to the NIRB's application where applicable and additional information is required. As such, the level of detail that should be supplied with a project proposal to enable the NIRB to screen the project may vary (depending on the stage of project development, scope, size, cost, and duration). In general it is expected that project proposals screened by the NIRB must contain the following general information to understand the proposed project :

- a. Proponent information;
- b. Project proposal description including purpose, scope, timing, authorizations, and alternatives;
- c. Description of the existing environment (biophysical and socio-economic);

- d. Description of public participation completed to inform development of the project (informing, consulting, participation):
 - i. A description of all previous public participation activities;
 - ii. A description of planned public participation activities; and
 - iii. A summary of questions that have been raised by the public, as well as issues and concerns that have been identified by the public, to date;
- e. Identification of potential environmental and socio-economic effects;
- f. Identification of potential cumulative effects;
- g. Identification of mitigation measures and potential residual impacts;
- h. Non-technical summary description of the proposed project in English and in the applicable languages of all potentially-affected communities: Inuktitut (Kivalliq, North/South Baffin, Eastern Kitikmeot), Inuinnaqtun (Cambridge Bay, Kugluktuk, Bay Chimo, and Bathurst Inlet) and French (City of Iqaluit);
- i. A map of the project which is included in the mapping portion of the application identifying the local scale and any major components for the project (i.e., roads, camps) and include the requested electronic files;
- j. The applications and associated supporting information for all licences, permits or other types of formal authorizations from the Federal or Territorial Government or a Designated Inuit Organization may be required by a Proponent in order to carry out a project; and
- k. Identify if the application is for a new project proposal or an amendment of a previously screened project and if previously screened include the NIRB File No. See [Section 3.4](#) for further information.

***Note:** *In screening a project and making a decision, the NIRB uses Inuit Qaujimaningit, Inuit Qaujimajatuqangit, traditional knowledge, local knowledge, and recognized scientific methods. Accordingly, the Proponent **must** state whether Inuit Qaujimaningit, Inuit Qaujimajatuqangit, traditional knowledge, local knowledge, or by recognized scientific methods was gathered; what knowledge was gained; and how this was applied to the project proposal. This includes community concerns and what mitigation measures were incorporated into the project proposal to address those concerns. See [Section 10 Public Consultation](#) for further information.*

The non-technical summary should use plain language and should be able to address the following points:

- who,
- what,
- why,
- where and
- when for the proposed project.

The project summary is intended to provide members of the public with enough information to understand what is being proposed and determine whether they might wish to further review the full project application and any supporting information. Specifically, the Proponent must state:

- Whether, and what, questions or concerns pertaining to the collection and use of Inuit Qaujimaningit, Inuit Qaujimajatuqangit or other traditional knowledge have been raised by the public in any public participation activities (item d. above).
- Whether, and how, Inuit Qaujimaningit, Inuit Qaujimajatuqangit or other traditional knowledge was used to identify potential environmental and socio-economic effects (item e. above), cumulative effects (f. above), and mitigation measures and potential residual impacts (item g. above).

3.2 When Should a Proponent be conducting Public Consultation for a Project Proposal?

Project proposals submitted to the NIRB for screening should contain a description of the public consultation program/strategy the Proponent has conducted or intends to conduct. For more information on public consultation, please see [Section 10](#).

If following screening, the NIRB recommends that a project proposal be approved to proceed without a review, the screening decision may contain various terms and conditions the NIRB recommends be attached to licences or permits necessary for the project activities to proceed. The terms and conditions may include recommendations regarding public consultation. For example, the NIRB may recommend that the Proponent continue with or begin consulting with the potentially affected communities about the project proposal or activities.

The NIRB may further recommend that the Proponent consult with potentially affected communities and key organizations for the purpose of actively soliciting

community knowledge, Inuit Qaujimaningit, Inuit Qaujimajatuqangit, and other traditional knowledge to ensure that appropriate opportunities have been created to gather and document this information at the appropriate times. The NIRB may also ask for this information to be included into an annual report submitted to NIRB.

3.3 What is the NIRB’s process for screening a project proposal?

[Figure 7](#) provides an overview of the NIRB’s screening process for a project proposal that has been submitted by a Proponent for assessment.

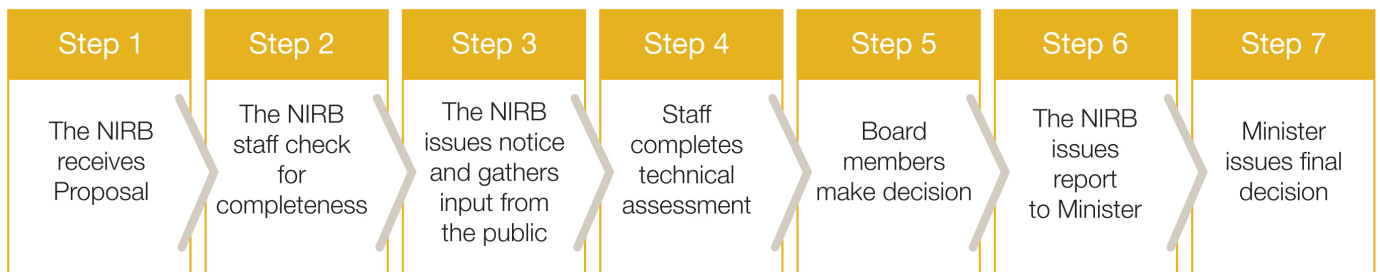


Figure 7: NIRB Screening Process Overview

3.3.1 Check For Completeness

After receipt of the project proposal, NIRB staff assess the application based on the criteria listed in [section 3.1](#). Where deficiencies in the project proposal and associated information are present, the NIRB staff will correspond with the Proponent and the Authorizing Agencies to resolve these deficiencies before proceeding with the screening process.

If the NIRB requests that the Proponent provide additional information considered by the Board to be necessary to carry out its screening, the Board’s timeline to complete the screening is **suspended and the timeline is reset** and starts again on the day on which the Board receives the requested information from the Proponent (s. 92(3) of the *NuPPAA*).

Once the NIRB has concluded that a project proposal is complete and all required information has been submitted, information and correspondence related to the project proposal will be uploaded to NIRB’s registry under screenings under the file number given by the NIRB. A notice will go to the registered users notifying them that a new project proposal has been received.

Registered Users must review the email and chose to follow the project to receive other correspondence from the NIRB related to that file. This is the only way to receive notices as the NIRB maintains limited distribution lists to use for communities, Hunters and Trappers Organizations, Hamlets etc. but it is the user's responsibility to have an account and maintain the individuals distribution lists to ensure receipt of information.

Anyone can sign up for an account on the NIRB's website (www.nirb.ca) and select which project types or specific projects they would like to receive notifications for the project proposal.

3.3.2 Determining the Scope of the Project

As required under the *NuPPAA*, when a project proposal is received by the Board, the NIRB must determine the scope of the project. The starting point is the project as scoped by the Proponent, but the Board must ensure that the scope includes not only the works or activities included in the project proposal, but also any other works or activities that are sufficiently related to the project to form part of it. Conversely, the scope of the project must NOT include any works or activities that are considered by the Board to be insufficiently related to the project to form part of the project proposal to be screened by the Board.

If when reviewing the project scope as set out in the project proposal the Board identifies works or activities that should be included or excluded in the scope, the Board must first consult with the Proponent and take into account any comments provided by the Proponent on this point when developing the appropriate scope for the project.

After this consultation, if the Board determines that additional works or activities should be added to the project scope, the Board cannot proceed to screen the project with the modified scope until the Commission and the relevant federal and/or territorial Ministers have reconsidered the exercise of their duties and functions with respect to the modified scope of the project proposal (s. 86(3) of the *NuPPAA*).

***Note:** *this is an important step in the NIRB process and the scope may be refined through the NIRB's screening and/or review process; however, the scope included in the NIRB's decision document (Screening Decision Report or Hearing Report) is considered the final version.*

3.3.3 Notice of Screening and Comment Distribution Request

A notice of screening and comment request regarding the assessment of the project proposal will be distributed to representatives from communities, Co-Management Boards, Designated Inuit Organizations, Federal and Territorial Government Departments, and other Authorizing Agencies, Hunters and Trappers Organizations or Association, Community Councils, relevant Wildlife Management Boards as well as other agencies or individuals that the Board feels are appropriate, and individuals signed up to follow the project. Figure 8 describes the organizations that comment on projects being assessed by the NIRB.

Translations of documents into Inuktitut or Inuinnaqtun are distributed as soon as they are available.

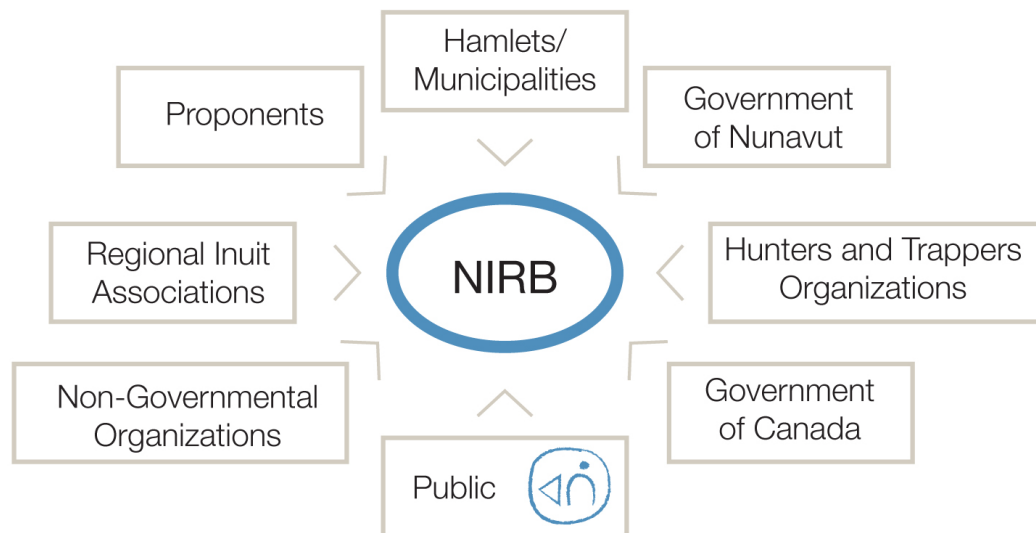


Figure 8: Organizations that Submit Comments for NIRB Impact Assessment

Members of the distribution list, which includes the Proponents, are generally asked to comment on the project proposal from the perspective of:

- their knowledge of the area;
- respective expertise; and
- mandate.

Comments may include, but are not limited to:

- a. a general indication regarding support for, or against, the project proposal;
- b. a summary of the commenter's understanding of the project proposal;
- c. a summary of regulatory role and/or mandate;
- d. identification of the commenter's jurisdiction with respect to authorizations for the project proposal;
- e. requests for additional information required by the party to complete the screening;
- f. identifying any particular areas of concern associated with potential project impacts; and
- g. any recommended terms and conditions, including monitoring and mitigation, that may be necessary if the project proceeds.

Depending on the project proposal, the NIRB may also request that additional specific comments on issues of interest be provided by specific parties. Typically, the comment period is set at three (3) weeks which represents a substantial portion of the 45-day screening timeline. The NIRB may modify the comment period to reflect the specific circumstances of any given project proposal, for example commenting periods for low-impact project types may be shortened to 10 days.

****Note:*** Proponents should be aware that due to the express requirement that the NIRB will complete its screening within the 45 day (or shorter) timeline required by the Nunavut Agreement (12.4.5) and the NuPPAA (92 (4)), the NIRB considers extension requests to screening comment periods only if substantive justification is provided to support the request prior to the end of the comment period. The responsible Minister is required to provide confirmation of any such extension in writing to the NIRB and Proponent.

The NIRB reviews comment submissions and determines on a case-by-case basis whether additional information is required either from commenting parties to clarify their positions or questions, or from the Proponent in response to comments received. If the NIRB determines that additional information is required from Parties, or an opportunity for the Proponent to provide a response to comments is warranted, it will provide notice to the distribution list and set an additional timeline for response(s). This request may require the addition of extra time beyond the 45

day timeline and the NIRB would request additional time from the Minister(s) (See [Section 2.1](#)).

3.3.4 Screening Assessment

Once the public commenting period has closed and the NIRB determines that all requested and required information has been received in order to make a fair and informed decision, the Board determines if the project has the potential to result in significant ecosystemic or socioeconomic impacts and accordingly, whether it requires review by the Board or by a federal environmental assessment panel, as the case may be [under either Part 5 or 6 of Article 12 of the *Nunavut Agreement* and ss. 99-133 of the *NuPPAA*].

Once the public commenting period has closed and all requested and required information has been received, the NIRB considers the following:

- a. the completeness of the project proposal;
- b. further information requests from the distribution list;
- c. comments from the public commenting period;
- d. ecosystemic impacts and specific environmental impacts;
- e. socioeconomic impacts;
- f. whether impacts can be mitigated with terms and conditions; and
- g. monitoring requirements.

Further, as outlined in s. 90 of the *NuPPAA*, when conducting the screening of a project proposal, the Board is required to take into account the following factors:

- a. the size of the geographic area, including the size of wildlife habitats, likely to be affected by the impacts;
- b. the ecosystemic sensitivity of that area;
- c. the historical, cultural, and archaeological significance of that area;
- d. the size of the human and the animal populations likely to be affected by the impacts;
- e. the nature, magnitude, and complexity of the impacts;
- f. the probability of the impacts occurring;
- g. the frequency and duration of the impacts;
- h. the reversibility or irreversibility of the impacts;

- i. 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; and
- j. any other factor that the Board considers relevant to the assessment of the significance of impacts.

3.3.5 Determination and Recommendation

Once the NIRB has completed the above, the Board must submit a written report to the responsible Minister(s) specifying the scope of the project and the Board’s determination as to whether or not a review of the project is required or whether the project should be modified or abandoned.

The Board’s Screening Decision Report (SDR) to the responsible Minister(s) includes: the scope of the project as decided by the Board; the summary of comments; and any other required discussion.

A copy of the SDR is also provided to the Proponent and further, the NIRB notifies relevant Authorizing Agencies through a notice of release, and all notifications are uploaded to the NIRB’s public registry. Translations are made available to the public as they are completed.

As per *NuPPAA* s 92(1), the NIRB can make one (1) of three (3) determinations regarding its assessment of project proposals:

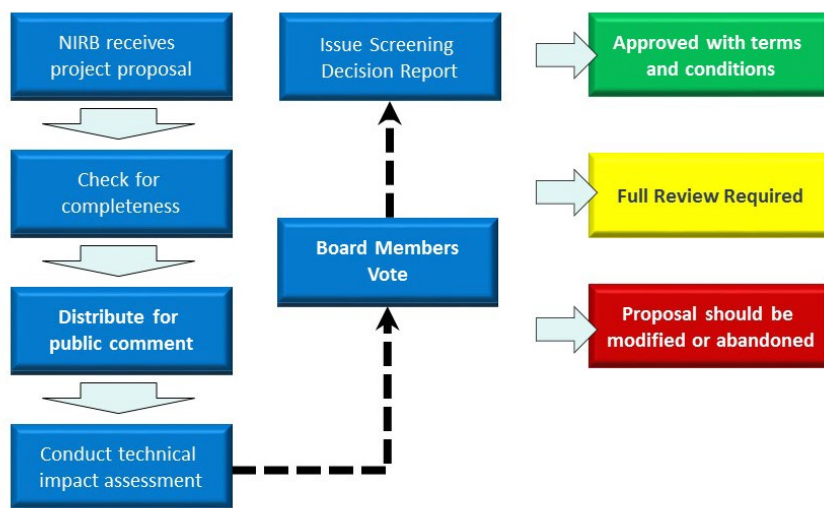


Figure 9: NIRB Screening Process and Possible Determinations

3.3.5.1 Option One – A Review is Not Required

The NIRB may determine that **a review of the project proposal is not required** when, in its judgment, **the project is unlikely to cause significant public concern and the project’s adverse ecosystemic and socio-economic impacts are unlikely to be significant** (when assessed in accordance with the factors for determining significance as set out in s. 90 of the *NuPPAA*), or **the project is of a type where the potential adverse impacts are highly predictable and can be mitigated with known technologies**.

If the NIRB indicates that no review is required, the NIRB may still recommend that specific terms and conditions (reflecting the primary objectives set out in the *Nunavut Agreement NuPPAA s. 92.(2) (a)*) be attached to any subsequent authorizations for the project as detailed in the SDR. As part of the screening decision, the NIRB could include monitoring requirements (e.g., submission of annual reports, required updates to plans etc.) on a project by project basis.

In fulfilling this role, the NIRB must ensure that the terms and conditions recommended by the Board *do not* contravene any standards established by any federal or territorial environmental or socio-economic laws of general application. In addition, the NIRB in designing any project specific monitoring program must ensure that the program avoids duplication and facilitates coordination of monitoring activities.

Once accepted by the Minister, the NIRB will monitor for those items and any other commitments made by the Proponent on an annual basis and review submitted materials such as an annual report for completeness and ensure the items NIRB requested have been included. If a Proponent does not submit the requested information, the NIRB could require it as part of the information needed prior to any assessment of subsequent applications. For more information regarding the NIRB’s monitoring programs see [Section 8](#).

3.3.5.2 Option Two – A Review is Required

The NIRB may determine that **a review is required** when in its judgment:

- a. The project may have significant adverse ecosystemic or socio-economic impacts;
- b. The project may have significant adverse impacts on wildlife habitat or Inuit harvest activities;
- c. The project will cause significant public concern; or

- d. The project involves technological innovations, the effects of which are unknown.

Where the NIRB determines that a review is required, in the Screening Decision Report the NIRB shall identify any particular issues or concerns that should, in the Board's view, be considered in the subsequent review of the project proposal as per *NuPPAA* s. 92.(2) (b) in addition to providing information regarding the nature and extent of the regional impacts of a project that must be taken into account when determining whether a project is in the regional interest (*NuPPAA* s. 92,(2)(c)).

3.3.5.3 Option Three – Proposal Modified or Abandoned.

In cases where the Board is of the opinion that the project has **the potential to result in unacceptable adverse ecosystemic or socio-economic impacts**, the NIRB will recommend to the Minister that the proposal be returned to the Proponent and that the project should be modified or abandoned and provide information regarding the nature and extent of the regional impacts of a project that must be taken into account when determining whether a project is in the regional interest (*NuPPAA* s. 92,(2)(c)).

3.3.6 Minister's Decision

Although the NIRB makes its determination and associated recommendations regarding if and how a project should be allowed to proceed; the decision to accept, vary or reject the Board's recommendations rests with the Minister(s) responsible for issuing the authorizations associated with the project. The timeline the Minister(s) has to make its determination is found in Table 1.

Where multiple Federal Departments are involved, the Ministers may designate a single Minister to whom the NIRB makes recommendations and who will, after consultation with the other Ministers who also have decision making responsibilities, decide how to respond to the NIRB's recommendation. In most cases, the Minister of Intergovernmental Affairs, Northern Affairs and Internal Trade will act in this capacity.

In cases where the Board determines and the Minister agrees that a public review is necessary, the Minister has the authority to send project proposals either to the NIRB for a review under Article 12, Part 5 of the *Nunavut Agreement* and ss. 99-114 of the *NuPPAA* or to a Federal Environmental Assessment Panel for a review under Article 12, Part 6 of the *Nunavut Agreement* and ss. 115-133 of the *NuPPAA*.

3.4 When does a previously screened project proposal require re-screening?

Proponents may file applications with the Authorizing Agencies for new authorizations, extensions, renewals, or amendments to existing authorizations after the NIRB has concluded its screening of the original project proposal. It is the responsibility of the Proponent and the Authorizing Agency(ies) to consider whether the new application constitutes a significant modification to the previously screened project and guidance is provided in the following text on determining significance. If it is determined that there is a significant modification, then a new project proposal will need to be submitted to the Commission and referred to the NIRB for a new assessment.

As set out in Article 12, Section 12.4.3 of the *Nunavut Agreement* and s. 145 of the *NuPPAA*:

Nunavut Agreement, Article 12, Section 12.4.3: 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 proposal; or*
- (b) its inclusion would significantly modify the project.*

NuPPAA s. 145: If the carrying out of a work or activity is a project within the meaning of subsection 2(1) and modifies a project that has been approved under this Part, that work or activity is, despite paragraphs 74(a) and (b), not subject to an assessment under this Part unless that work or activity is a significant modification to the original project.

Therefore, for projects that have previously been screened by the NIRB, if the new application is described by at least one (1) of the following statements, the application may be exempt from the requirement for a NIRB screening. However, it is advisable that the Proponent confirm with the Commission whether an assessment would be required under the *NuPPAA* and only apply if the original project was screened by the NIRB.

- a. **the same project activities are being continued** as proposed in the original project proposal;

- b. the activities will be taking place in the **same area** as specified in the original project proposal;
- c. there have been **no substantial changes** to the environment or cumulative effects in the area of the project activities since the project proposal was screened;
- d. **no new or updated** approved Land Use Plans have become applicable to the area of the project activities since the original project proposal was screened; and
- e. there are **no significant changes** to the components, activities or project proposed in the application from those included in the original project proposal.

Note: if a new screening is required, the NIRB assessment process must be completed before Authorizing Agencies can issue the subsequent authorizations, extensions or renewals of an existing project authorization.

In making the assessment as to whether a new project proposal must be submitted, if the entire project scope was known and described in the original project proposal and the activities proposed in a subsequent application have already been assessed by the NIRB during the original screening, the subsequent application likely does not require a new NIRB screening.

As set out in Article 12, Section 12.4.3 of the *Nunavut Agreement* and s. 145 of the *NuPPAA*:

Nunavut Agreement, Article 12, Section 12.4.3: 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 proposal; or*
- (b) *its inclusion would significantly modify the project.*

NuPPAA s. 145: If the carrying out of a work or activity is a project within the meaning of subsection 2(1) and modifies a project that has been approved under this Part, that work or activity is, despite paragraphs 74(a) and (b), not subject to an assessment under this Part unless that work or activity is a significant modification to the original project.

4 PROJECT PROPOSALS EXEMPT FROM SCREENING

4.1 Activities Exempt Under Article 12, Schedule 12-1, Items 1-6 of the *Nunavut Agreement* and s. 78(2) of the *NuPPAA*

As stated in [Section 2.6](#), Article 12, Schedule 12-1 of the *Nunavut Agreement* and s. 78(2) *NuPPAA*, when the Commission reviews a project proposal, the Commission must, before forwarding the project proposal to the NIRB, verify whether the project proposal is exempt from the requirement for NIRB screening and the same responsibility applies to the Parks Canada Agency or any other federal or territorial authority (referred to as Responsible Authority) under s. 166(2) of the *NuPPAA* when the Responsible Authority reviews a project proposal.

Under Schedule 12-1 of the *Nunavut Agreement*, the following categories of activities are exempt; however, it is important to know that exemptions are interpreted strictly, and the NIRB and the Commission considers that the items set out in points 1 through 7 detailed below **should be read and interpreted together, not as stand-alone items**. This means that a project proposal needs to be included under the exemption in each Item of Schedule 12-1 before the project proposal should be considered to be exempted from the NIRB screening process.

1. Land use activities not requiring a permit or authorization from the Government of Canada or Territorial Government.
2. Land use activities requiring only a Class B permit under the Territorial Land Use Regulations, C.R.C., c. 1524.⁶
3. All construction, operation and maintenance of all buildings and services within an established municipality, **except for** the bulk storage of fuel, power generation with nuclear fuels, or hydro power and any industrial activity (see Note below for further details on these types of activities).
4. All hotels, motels or tourist facilities **of 20 beds or less** outside the boundaries of a municipality.

⁶ The full text of the Regulations is available from the Department of Justice website: <http://laws-lois.justice.gc.ca/eng/regulations/>.

5. Water uses that **do not** require a public hearing under Article 13, Section 13.7.3 of the Nunavut Agreement (the Water Application Approval section).⁷
6. Prospecting, staking or locating a mineral claim **unless** it requires more than a Class B permit mentioned in item 2.

***Note:** Interpretation of the following terms are as agreed on by the NIRB and the Government of Nunavut-Community & Government Services, solely in the context of determining whether these activities within a municipality are exempt from the requirement for screening:

Bulk Fuel Storage means the storage of fuel for resupply or resale but does not include individual residential or commercial users storing less than 80,000 litres.

Industrial Activity means activities whose aim is the manufacture, assembly or processing of goods or commodities or the exploitation of natural resources.

This definition includes the following activities:

- *land farms;*
- *manufacturing plants (steel, metal or chemical); recycling depots;*
- *hazardous waste or chemical storage or use;*
- *quarries (where the initial development or the expansion of an existing quarry and the closure, abandonment or reclamation of the quarry were not included as part of the initial screening);*
- *explosives storage;*
- *tanneries;*
- *meat and fish production facilities (establishment or change in operation); and*
- *exploration, bulk sampling, mining and all associated mining activities.*

This definition excludes the following activities:

- *all institutional activities;*
- *the following commercial activities:*
 - *building supply centre;*
 - *animal hospital;*
 - *custom workshop;*

⁷ Under the *Nunavut Waters and Surface Rights Tribunal Act*, S.C. 2002, c. 10 and relevant regulations, certain classes or types of water applications may not require a public hearing. The full text of the Act and any applicable regulations is available from the Department of Justice website: <http://laws-lois.justice.gc.ca/eng/>.

- *construction equipment yard;*
- *heavy equipment sales and rentals;*
- *automotive commercial garage;*
- *extraction from existing quarries; and*
- *home occupations (any occupation, trade, profession, personal service, day care or craft carried on by an occupant of a residential building as a use secondary to the residential use of the building).*

For example, if a project proposal involves a land use activity that does not require a permit or authorization from the Government of Canada or Territorial Government under Item 1 of Schedule 12-1, but the project proposal requires a water licence that necessitates a public hearing the project proposal would not be exempt from screening because the activity **does not** fit within the category of exemptions set out in Item 5 of Schedule 12-1.

4.2 Activities Exempt Under Article 12, Schedule 12-1, Item 7 of the Nunavut Agreement or Schedule 3 of NuPPAA

Under Article 12, Schedule 12-1(7) of the *Nunavut Agreement*, the NIRB has the authority to enter into agreements with the appropriate Minister to identify other categories of activities or projects that may be exempted from the requirement to undergo screening by the NIRB. Such additional exemption agreements have been developed when requested by Authorizing Agencies to address activities requiring government approvals which typically have potential adverse impacts that would be well understood, short and may be of low magnitude, reversible, and mitigable with due care.

***Note:** *Recognizing the significant role of the Nunavut Planning Commission in verifying exemptions and referring non-exempt project proposals to the NIRB for screening, the NIRB consults with the Commission throughout the process. The same applies to Responsible Authorities.*

If an Authorizing Agency requests the NIRB consider entering into this type of exemption agreement, and would consult with Proponents, Authorizing Agencies and the Public. For the specific steps the NIRB would take in order to develop an exemption agreement, please consult the Authorizing Agencies Guide in this series.

4.3 Classes of Works and Activities Exempt from Screening under Schedule 3 of the *NuPPAA*

Under s. 230 of the *NuPPAA* once the Board has provided the prescribed notifications and consultation regarding an agreement under Schedule 12-1 Item 7 of the *Nunavut Agreement*, the Board submits the Exemption List to the Minister of Intergovernmental Affairs, Northern Affairs and Internal Trade for inclusion on Schedule 3 of the *NuPPAA*. Upon receipt from the Board, the Minister must add to Schedule 3 to identify that the classes of works and activities under the *Nunavut Agreement* have been expressly designated as exempt from NIRB screening.

Currently the NIRB has agreements with the Government of Nunavut (GN) – Department of Culture and Heritage, GN – Department of Environment, and Parks Canada. Copies of the exemption agreements can be found at www.nirb.ca.

4.4 Emergency Situations

Pursuant to Article 12, Sections 12.12.3 of the *Nunavut Agreement* and s. 152 of the *NuPPAA* project proposals may be exempt from screening due to emergency situations.

Should an emergency exist, the Proponent shall inform the NIRB of its request for Ministerial approval under section 152 (1) of *NuPPAA*.

152(1) This Part does not apply in respect of any project that is carried out in response to

- (a) a national emergency for which special temporary measures are taken under the Emergencies Act,*
- (b) an emergency if federal or territorial minister who is authorized under any other Act of Parliament or any territorial law to declare a state of emergency, to take measures to prevent an emergency or to remedy or minimize its effects is of the opinion that an emergency exists or*
- (c) an emergency if the federal Minister certifies that an emergency exists and that it is in the interest of ensuring the health or safety of an individual or the general public, or of protecting property or the environment that the project be carried out without delay.*

4.4.1 What information is required?

The NIRB requires a general understanding of the situation and project proposal, specifically.

1. Project Description: state the purpose and need, scope, timing, authorizations required, and alternatives considered. Any public participation, consultation done, and letters of support should be provided. The description should encompass all phases of the project and identify predicted adverse environmental and socio-economic effects.
2. Map of location of activities.
3. Copies of letters, permits or licenses associated with the application to the Minister, their declaration, and other authorizations to proceed with works.

As soon as practicable after the undertaking of the project the NIRB requires the submission of a written report in accordance with s. 152(2) of *NuPPAA*.

152(2) As soon as practicable after undertaking a project referred to in subsection (1), the person or entity carrying it out must submit a written report to the Commission, the Board and the federal Minister describing:

(a) all of the works or activities that have been undertaken or carried out in response to the emergency referred to in paragraph (1) (a), (b) or (c) as the case may be, and

(b) any further works or activities required after the end of that emergency to complete the project or maintain a work referred to in paragraph (a)

After receiving and reviewing the Proponent's Final Report and other associated materials for the emergency undertaking, the NIRB may prepare and submit a written report to the federal Minister under s.152(4) of *NuPPAA*. This report may include terms and conditions that NIRB recommends such as requiring the establishment of a monitoring program to monitor the project's ecosystemic and socio-economic impacts.

152 (4) After receiving a report under subsection (2) the Board may submit a written report to the federal Minister with terms and conditions that it recommends, with reasons, should apply in respect of the project or any portion of it.

4.4.2 Responsible Minister(s) Response

After receiving NIRB's report the federal Minister may impose these and other terms and conditions for carrying out of the works and activities (s. 152 (6) of *NuPPAA*), in which case s. 135 of *NuPPAA* would apply.

152(6) After receiving the report under subsection (2) and reports under subsection (3) and (4) the federal Minister may impose terms and conditions on the carrying out of the works or activities referred to in paragraph 2(b), in which case s.135 applies.

135 – Monitoring Programs

(1) The responsible Minister may, in establishing terms and conditions that are to apply in respect of a project, require the establishment of a monitoring program of the project's ecosystemic and socio-economic impacts.

(2) The Government of Canada, The Government of Nunavut, the Board and the proponent must each carry out any responsibilities assigned to them under the monitoring program.

5 THE NIRB REVIEW PROCESS

**Note: Although this Guide provides an overview of the NIRB’s general approach to conducting a review, the NIRB retains flexibility in terms of its process and soliciting the information the NIRB considers necessary to conduct a fulsome review in any given case, including the ability to add, remove, or modify steps in the review process as may be necessary in order to ensure a thorough, inclusive, efficient and timely review. The review process may also be modified as required to coordinate the NIRB review with other regulatory partners such as the Nunavut Planning Commission, the Nunavut Water Board, etc.*

5.1 Introduction

As stated at the beginning of this Guide, there are two (2) types of environmental review contemplated in Article 12 of the *Nunavut Agreement*, a Part 5 Review that is conducted by the NIRB in accordance with ss. 99-114 of the *NuPPAA* and a Part 6 Panel Review conducted by a Federal Environment Assessment Review Panel, as appointed by the Federal Minister of the Environment conducted under ss. 115-132 of the *NuPPAA*.⁸

To date, the NIRB has yet to participate in a Federal Panel Review. As such, the focus of this section of the Guide is to provide Proponents with a general understanding of the NIRB’s approach to conducting a NIRB Review under Article 12, Part 5 of the *Nunavut Agreement* and ss. 99-114 of the *NuPPAA*.

5.2 When should the Proponent be Consulting During a NIRB’s Review?

Following a NIRB screening, if the NIRB indicates to the Minister that a project proposal requires review, there are additional public consultation requirements for the Proponent to meet in the impact assessment process (see the detailed review of this process in [Part 5](#) of this Guide). The requirement for the Proponent to conduct public consultation related to the project proposal is specifically included

⁸ The section only speaks to a NIRB review and not NIRB reconsiderations even though they are similar. Please refer to [Section 9](#) for details on a NIRB reconsideration.

in the Guidelines issued to the Proponent to guide the Proponent's development of the Impact Statement (IS), and public consultation requirements are also included as one of the NIRB's Minimum IS Requirements.

Recognizing that sometimes the guidelines for preparing the IS issued on a project-by-project basis may further add or modify the general public consultation requirements, Proponents should be aware of the general requirements regarding public consultation to be followed in the preparation of an Impact Statement. These include but are not limited to:

1. A description of public consultations/ public consultation program undertaken to gather relevant information, including relevant documentation. This includes records of dates and location of meetings, the names of participating individuals and/or organizations (e.g., minutes);
2. A description of the results of the consultation process as it pertains to the following:
 - a. Identification of patterns of land and resource use;
 - b. Identification Valued Ecosystem Components (VECs) and Valued Socioeconomic Components (VSECs);
 - c. Determination of the criteria for evaluating the significance of potential impacts to VECs and VSECs;
 - d. Determination of mitigation measures;
 - e. Formulation of compensation packages; and
 - f. Identification and implementation of monitoring measures.
3. A demonstration of clear linkages between the results of the consultation process and how the consultation process has influenced project proposal decisions, such as project design, mitigation measures and/or monitoring;
4. A description of any issues raised during consultations and any resolutions to those issues; and
5. A description of the proposed communication program/strategy for the life of the project and/or a public involvement plan that will be implemented should the project receive approval.

***Note:** Proponents are advised that it is important to demonstrate that any information requested in the NIRB IS Guidelines regarding public consultation has been integrated into the Impact Statement in a clear and systematic manner.

5.3 What are the typical components of a NIRB review?

After the screening process is complete and it has been determined by the NIRB that a project requires review and the responsible Minister(s) has determined that a project requires review under Part 5 of Article 12 of the *Nunavut Agreement* and s 99 and 101 the *NuPPAA*.

[Figure 10](#) generally illustrates the NIRB's general steps for conduct a review once the Minister(s) referral has been received. The Minister(s) referral could include information regarding Intervenor funding being available for that review. For further information regarding intervenor funding, please refer to the Intervenor Guide in this series.

Notifications regarding the receipt of the Minister(s) referral to the NIRB and the commencement of a review for the project would be sent ONLY to those on the distribution list that had been established during the screening process (See [Section 3.3.3](#)).

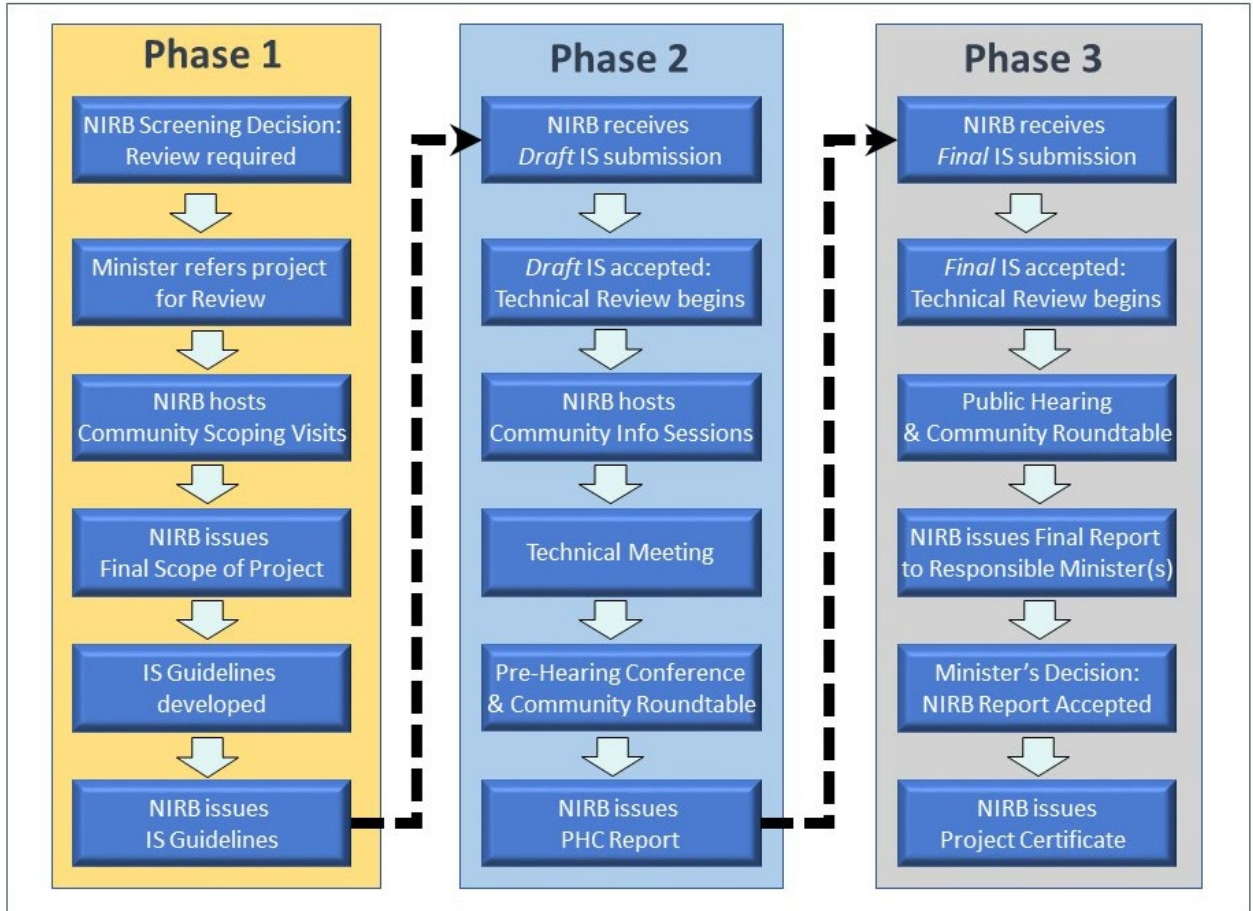


Figure 10: NIRB Review Process Overview

5.3.1 Phase 1 of a NIRB Review

Phase 1 – Review Process

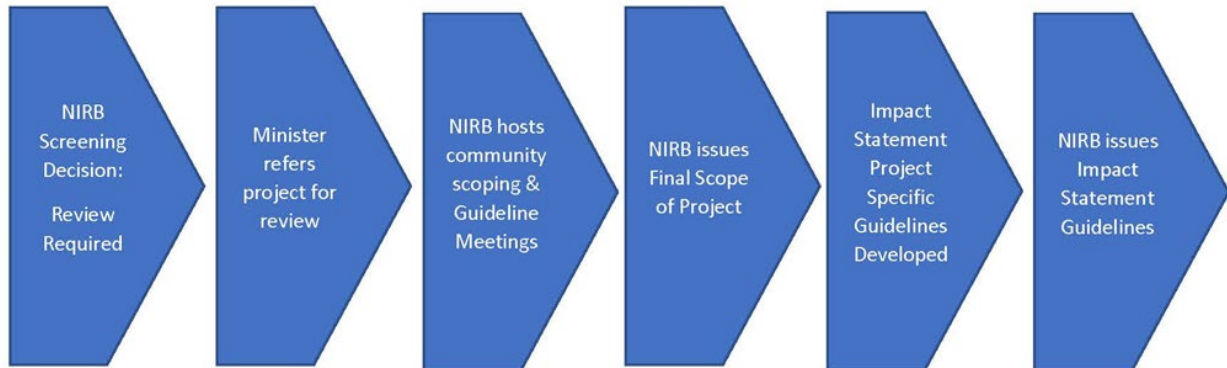


Figure 11: NIRB Review Process Phase 1

5.3.1.1 Scoping and Guideline Development

The first step in the NIRB’s review process is to establish the scope of the project and the analysis of the potential impacts associated with development of the project. This step typically happens in conjunction with the development of impact statement guidelines and further develops the scope identified during the screening step.⁹

Scoping is a process that identifies significant issues requiring study and analyse in the impact assessment process. **Scoping identifies the components of the biophysical and/or socio-economic environment that may be impacted by the project and for which there is public concern.** Scoping usually includes a meeting with the Proponent, Authorizing Agencies, members of affected communities and the public in general and is facilitated by the NIRB.

The NIRB will solicit input from the Proponent and interested parties (e.g., Federal and Territorial Government departments, Designated Inuit Organizations, and members of the public) and evaluate all information it considers appropriate in order to determine:

- a. Which components of the project to include in the review;

⁹ The NIRB is currently developing a standardized Impact Assessment Guidelines which has completed the draft stage. Once finalized the NIRB would only be developing project specific portions of the guidelines during its consultation at this time.

- b. The temporal and spatial boundaries of the project;
- c. The issues and concerns to be considered in the review; and
- d. Any other requirements for the assessment of the project proposal.

During scoping the NIRB also consults with the public and interested parties to identify Valued Ecosystem Components (VECs) and Valued Socio-Economic Components (VSECs) that should be addressed by the Proponent's Impact Statement. The NIRB also develops a public participation and awareness program in which the community's participation in the review process, among other items, is discussed and incorporated into the review planning process.

As set out in s. 99 of the *NuPPAA*, when reviewing a project, the NIRB must include in the project scope those activities and undertakings that are considered by the Board to be sufficiently related to the project to form part of it and must exclude from the scope any work or activity that is insufficiently related to the project to form part of it.

In the event the scope of the project differs from the scope as proposed by the Proponent, the Board is required to consult with the Proponent regarding the changes to the project scope and must consider the comments of the Proponent in making any inclusion or exclusion. If the Board adds to the project scope, the Board must NOT proceed with the review until the Nunavut Planning Commission and/or Responsible Authority and the relevant federal and territorial Ministers have had the opportunity to perform their duties and functions in relation to the revised project scope.

When developing project-specific impact statement guidelines, the NIRB is required to circulate a *draft* version of the Guidelines in French, English, Inuktitut, and/or Inuinnaqtun to the Proponent, Authorizing Agencies, and other interested parties and members of the public, requesting recommendations and guidance that reflect the parties' specific concerns and areas of knowledge and expertise (s. 101(4) of the *NuPPAA*).

Note: As per s. 12.2.23(h) of the Nunavut Agreement and s. 101(4) of NuPPAA the NIRB can establish standard guidelines for the preparation of an Impact Statement (Standard IS Guidelines). Standard IS Guidelines are currently under development by the NIRB.

The NIRB then considers the comments received and integrates any recommendations the Board considers appropriate into the Final Guidelines for the IS. The Final IS Guidelines are issued to the Proponent, released to the distribution list and are posted on the NIRB public registry.

5.3.1.2 Preparation of an Impact Statement

An Impact Statement (IS) is a tool used by the NIRB to evaluate the potential environmental and socio-economic impacts of a project proposal and to ensure the integrated planning of development proposals. Proponents **must** prepare a detailed document that:

1. Identifies, predicts, evaluates, and communicates information about the impacts of a project on human health and the well-being of the ecosystem and socio-economics.
2. Details the identification and development of mitigation measures, which are measures designed to control, reduce, or eliminate potentially adverse impacts of an activity or project and enhance positive impacts.

Describes monitoring and reporting methods to verify the accuracy of impact predictions.

Note: As per s. 12.5.2 of the Nunavut Agreement and s. 101(2) of the NuPPAA, where the project proposal submitted by a proponent for screening address the requirements of an impact statement and is deemed by the NIRB, the Board may accept the submission as an impact statement without developing project-specific guidelines. Further, the requirement for 'Draft' and 'Final' Impact Statement submissions are set at the NIRB's discretion.

Once the Proponent receives the Final IS Guidelines it is the **responsibility of the Proponent** to prepare the IS in accordance with the Guidelines. Typically, the Proponent prepares two (2) forms of IS, an initial Draft IS (DIS), and following information requests, consultation, technical review, and commenting on the DIS, a Final IS (FIS).

The Proponent may choose to only prepare the IS in final form, or alternatively provide an original project proposal for screening that is *sufficiently detailed* to contain the information required for an IS (s. 101(2) of the NuPPAA). In such circumstances, the Board may modify the process and timelines to conduct a review on the basis of the Proponent's submission of the FIS only, or may accept the original project proposal as a DIS.

In any case, the NIRB requires the Proponent's IS submission to **identify, predict, evaluate, and communicate information about the ecosystemic and socio-economic impacts of a project proposal**, and also to **identify mitigation measures** which are designed to control, reduce or eliminate potentially adverse impacts of an activity or project or enhance the potentially positive impacts of an activity or project.

***Note:** For more detailed information concerning the preparation of an IS, see 11 *Preparing an Impact Statement*.

For the purposes of this Guide, the process outlined in the text that follows *assumes* that the Proponent has chosen to prepare both a DIS and a FIS. Once the Proponent has prepared the DIS, the Proponent is **responsible** for providing the NIRB with an electronic copy of the DIS for the purposes of the NIRB conducting its guideline conformity review.

5.3.2 Phase 2 of a NIRB Review

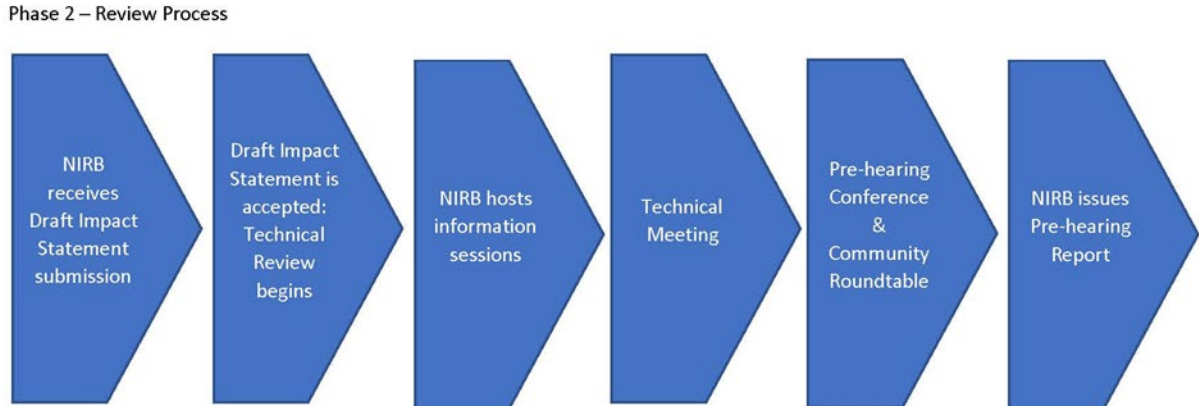


Figure 12: NIRB Review Process Phase 2

5.3.2.1 NIRB Guideline Conformity Review of DIS

Once the NIRB receives an electronic copy of the DIS, the NIRB will conduct an internal conformity review of the material to determine whether the DIS conforms to the Final IS Guidelines. The NIRB's guideline conformity review is a presence or absence analysis focused solely on identifying if any of the information

requested in the Final IS Guidelines were omitted from the DIS and whether the NIRB's Minimum IS Requirements¹⁰ have been met. The conformity review is not intended to evaluate the quality of the information presented, although the NIRB may point out areas of the DIS where there are significant deficiencies.

If the NIRB identifies significant information gaps, a change of scope, or otherwise determines that the DIS does not conform to the IS information requirements, the NIRB will advise the Proponent and the parties. The Proponent is then responsible for submitting the supplementary information required to conform and the Proponent may, depending upon the nature and extent of the non-conformity, be required to revise and resubmit the DIS. Until the NIRB indicates that the DIS conforms with the IS information requirements, no formal technical review of the DIS will proceed.

When the NIRB indicates that the DIS conforms to the requirements, the Proponent will be instructed to provide electronic and/or hard copies to interested parties and to submit any additional outstanding information. Once parties have received copies of the DIS the NIRB will initiate the technical review of the DIS.

5.3.2.2 Technical Review of the DIS

A technical review is a more detailed review of the DIS than the guideline conformity review, and the focus is an analysis of the quality of the information presented by the Proponent which starts with an Information Request stage where Authorizing Agencies, members of the public, and other interested parties comment on gaps in the information and then once a response from the Proponent is received moves to Technical Comments.

Information Requests (IRs)

During the preliminary phase of the DIS technical review the NIRB will invite parties to submit Information Requests (IRs) to the Proponent and/or to other parties. **The purpose of IRs is to identify information gaps that prevent the requesting party from being able to complete their substantive and qualitative technical review of the DIS.** If there is information that a reviewer requires in order to be able to embark on their technical review, it should be identified at the IR stage. At this time, the Proponent may also choose to submit IRs to the parties. The process for submitting and receiving IRs is generally as follows:

1. Parties submit their IRs to the NIRB within the time period specified;

¹⁰ For a listing of these requirements see [Part 11](#) of this Guide entitled, "Preparing an Impact Statement".

2. The IRs must contain the following information:
 - a. To whom the IR is directed;
 - b. Identification of the issue;
 - c. The concern associated with the issue; and
 - d. A clear rationale of the issue's importance to the environmental assessment of the project.
3. Depending on the IRs received, the NIRB may review the IRs to identify whether or not the information requested is appropriately categorized as an IR (more substantive technical review comments are generally deferred to discussion in the context of the parties' technical review and any resulting technical meeting) and whether or not it is reasonable to request that this information be supplied at this stage in the review. On this basis, the NIRB may provide direction to the party to whom the IR is directed as to whether that party must respond at this stage in the review. Regardless of whether the Board directs a given party to respond to a given IR at this stage in the process, the Board does forward all IRs provided to the relevant party and they can choose to reply to the IRs received, regardless of whether the NIRB directs them to respond at this stage in the review or not;
4. The NIRB may set a timeframe for parties to respond, and allows flexibility for the Proponent's own responses to IRs; and
5. The NIRB will post all responses received on the NIRB public registry and will notify the distribution list.

Technical Comments

Following the receipt of the Proponent's response to IRs, the NIRB requests Authorizing Agencies, members of the public, and other interested parties to provide technical comments in a specific format and provides a timeline for their submission.

In general, the NIRB expects parties to provide the following:

1. Determination as to whether the party agrees/disagrees with the conclusions in the DIS regarding the alternatives assessment, environmental impacts, proposed mitigation, significance of impacts, and monitoring measures – including the reasons supporting the determination;
2. Determination of whether or not the conclusions drawn in the DIS are supported by the analysis – and reasons to support the determination;

3. Determination of whether appropriate methodology was utilised in the DIS to develop conclusions – and reasons to support the determination, along with any proposed alternative methodologies which may be more appropriate (if applicable);
4. Assessment of the quality and presentation of the information in the DIS;
5. Any comments regarding additional information which would be useful in assessing impacts – and reasons to support any comments made; and,
6. Any recommendations for further data collection, analysis, monitoring programs, etc. that may be considered to be required to ensure that effects are minimized

Following receipt of the technical comments, the Proponent may be provided an opportunity to prepare a brief response to the submissions in advance of a Technical Meeting. Although the NIRB anticipates that all parties will attend the Technical Meeting to discuss positions and develop solutions related to technical comments and issues, the Proponent, Authorizing Agencies, and Intervenors are generally encouraged to work together throughout the assessment to dialogue and attempt to resolve technical issues to the extent practicable outside of formal NIRB events, bringing potential resolutions and outstanding items to events such as the Technical Meeting for discussion by all parties.

****Note:** During the technical review stage of the DIS, the NIRB may, as part of the public participation program established for a particular project, facilitate community information meetings and/or open house sessions within communities potentially affected by the proposed Project. The information session meetings are designed to advise community members about the NIRB's process steps, highlight that the DIS has been accepted, and encourage continued public participation throughout the NIRB's Review process. Authorizing Agencies and the Proponent are often invited to attend the information sessions as observers.*

5.3.2.3 Technical Meeting

The NIRB may hold a technical meeting involving discussions on technical matters related to the DIS. The NIRB staff facilitates the Technical Meeting, which is kept as informal as possible and the focus is to **resolve outstanding technical issues** prior to the pre-hearing conference (PHC). Technical meetings are generally held in the community most likely to be affected by the proposed project and are open

to the public if they wish to attend and usually take place over the course of a few days, depending on the scope of the project and concerns submitted by parties.

As the focus is on open discussions leading to the resolution of technical issues, the NIRB Board Members are not present during technical meetings. Breakout sessions may be used during technical meetings and each break out group (e.g., engineering, wildlife, or socio-economics issues) and would be facilitated by the NIRB's staff.

During the technical meeting it is the **Proponent's responsibility** to compile a list of commitments made by the Proponent and the parties and/or Regulatory Authorities at the meeting. The list of commitments is then carried forward to the PHC for incorporation into the Board's PHC decision.

The Technical Meeting is the primary means of:

- resolving and streamlining technical issues that could remain outstanding going into the Final IS and Final Hearing, and
- developing a meaningful list of commitments from all the parties to govern the review going forward and actively exchanging information and ideas.

Authorizing Agencies, in their capacity as public authorities and future regulators of the activities and undertakings being reviewed, play an essential and critical role at this stage of the Review. As a great deal of facilitated discussion takes place during these meetings there is truly **no substitute for in person attendance** by the relevant technical personnel of an Authorizing Agency. While the Board recognizes that various financial and human resource constraints may limit the ability of Authorizing Agencies to participate fully in this way, the NIRB strongly encourages Authorizing Agencies to take the necessary steps to ensure that their preparation, attendance, and full participation in the NIRB's Technical Meetings yields the benefits of streamlined technical review of the FIS and informed licensing in the event the project is approved to proceed to the licensing stage following the completion of the NIRB's assessment.

***Note:** *If, following technical review, the quality of the information and analyses contained in the DIS is considered to only require minor additions and modifications, the Board may elect to accept the DIS as the FIS, in which case the NIRB may exercise its discretion to eliminate or collapse some of the steps that would otherwise be associated with the preparation and submission of the FIS.*

5.3.2.4 Pre-Hearing Conference

During the pre-hearing conference (PHC) the Proponent, parties, Community Representatives and/or members of the public would assess whether, recognizing the information and documentation about the project proposal received by the Board to date, the project proposal can move forward into the Final Hearing stage. The PHC also provides an opportunity for the Proponent, Authorizing Agencies and parties to provide the Board with confirmation regarding the issues that were resolved during the technical meeting, and to identify those issues that remain outstanding as the Chairperson and/or their appointee is in attendance. The PHC may also provide an opportunity for the public to ask questions and provide comments to the Board regarding the project proposal.

Additionally, at the PHC discussions regarding procedural matters related to the next steps in the NIRB review occur such as:

- a. Final Hearing logistics - such as the form of the Final Hearing, and where possible, the date(s), time(s), venue(s) for the Final Hearing (although this may not be confirmed until the FIS has been submitted and the NIRB deems the FIS to be in compliance);
- b. Confirmation of the participation and attendance of representatives from the Proponent, Authorizing Agencies, registered intervenors, communities and other interested parties at the Final Hearing;
- c. Setting a timetable for the exchange of documents, providing outstanding information requests and filing evidence prior to the Final Hearing, including timelines for final written submissions;
- d. Identifying whether there will need to be specific deviations from the NIRB's Rules of Procedure;
- e. (if applicable) terms of reference for a site visit; and
- f. Any other matters that may aid in the simplification of the Final Hearing.

Following the PHC, the Board issues a PHC decision which typically includes:

1. direction to the Proponent regarding issues that need to be addressed going forward,
2. outlines the procedures for the review of the FIS, and
3. provides procedural information regarding the Final Hearing.

5.3.3 Phase 3 of a NIRB Review

Phase 3 – Review Process



Figure 13: NIRB Review Phase 3

5.3.3.1 Preparation and Submission of the Final Impact Statement by the Proponent

It is the responsibility of the Proponent to prepare the FIS in accordance with the IS Guidelines and the PHC decision which also includes the list of commitments formulated at the Technical Meeting and approved by the Board. The FIS is expected to be a more fulsome report addressing issues that either the Board identified or the Proponent committed to working on during the Technical Meeting and/or PHC and provide detailed plans/programs for the monitoring and mitigation and specifically address thresholds and how the precautionary principle has been applied and how the project would be monitored, if approved.

5.3.3.2 NIRB FIS Compliance Review

Following receipt of an electronic copy of the FIS submission, the NIRB will conduct an internal review of the material to determine whether the FIS complies with the IS Guidelines, the direction provided by the Board in its PHC decision, and is consistent with the list of commitments. Like the DIS conformity review, the FIS compliance review is a presence or absence analysis and is not intended to evaluate the quality of the information presented, although the NIRB may point out any significant deficiencies that are encountered. If the NIRB determines that the FIS does not comply with the requirements, the Proponent is notified and will be required to submit supplementary information. If the FIS is found to be significantly non-compliant with the PHC decision, it may be returned to the Proponent for revision and resubmission.

When the NIRB indicates that the FIS complies with the requirements and the parties have received their copies of the FIS (electronic or hard copy), the NIRB will initiate the technical review of the FIS.

5.3.3.3 Technical Review of the FIS

Like the DIS technical review, the FIS technical review is a detailed analysis of the FIS and as long as there have not been any substantive changes in scope between the DIS and the FIS, the focus of the technical review is on the quality of the new and/or revised information presented by the Proponent and reconsideration of the information previously submitted in the DIS and the overall project in light of any updated or additional information provided in the FIS.

Depending upon the nature and extent of information that remained outstanding at this stage, the NIRB may facilitate a second round of IRs at the beginning of the FIS technical review phase as discussed in [Section 5.3.2.2](#).

When the NIRB announces a Hearing, it also sends out a request for Intervenor applications for any party who would like to participate in any proceedings before the NIRB. In general, Intervenor Status is automatically granted to Designated Inuit Organizations and Authorizing Agencies; however, non-governmental organizations such as local and regional hunters' and trappers' organizations/association would be required to apply.

Although the NIRB may advise interested parties of additional requirements to be included in the technical review phase of the FIS, in general the NIRB expects the technical review comments of interested parties and/or final written submissions received before the hearing to consist of the following:

- a. Determination of whether parties agree/disagree with the conclusions regarding the alternatives assessment, environmental impacts, proposed mitigation, significance of impacts, and monitoring measures – and all evidence supporting the parties' position;
- b. Determination of whether or not conclusions in the FIS are supported by the analysis – and all evidence supporting the parties' position;
- c. Determination of whether appropriate methodology was utilised to develop conclusions – and all evidence supporting the parties' position;
- d. An assessment of the quality of the information presented; and
- e. Determination regarding the appropriateness of proposed monitoring measures – and evidence to support the determination, along with any

proposed alternative monitoring measures which may be more appropriate (if applicable).

The NIRB typically requests the Proponent to respond to the final written submissions prior to the hearing in a timely fashion in order to facilitate discussions of outstanding issues.

5.3.3.4 Final Hearing

A Final Hearing provides a public forum for the discussion of proposed projects. Interested parties, such as Authorizing Agencies (including Designated Inuit Organizations), registered Intervenors, and members of the public affected by a proposed project are given the chance to provide the Board Members with their comments and concerns, regarding the proposed project as well as to present information directly to the Board. The Final Hearing also permits the opinions of Elders and community members to be heard, and this allows for Inuit oral communication to be included in the NIRB's decision-making.

During the Hearing, the Proponent is expected to respond to issues and concerns raised by parties in final written submissions and during parties' presentations of evidence to the Board at the Hearing. Through dialogue during the Hearing, the Proponent and parties may come to agreement on the resolution of outstanding items and these discussions may be captured and tracked in a commitment list. These commitments by the Proponent to address specific concerns or issues, are considered by the Board when determining whether or not the project should be allowed to proceed. The listing of commitments may later form a part of the NIRB's Project Certificate and post environmental assessment monitoring program, in the case that project approval is recommended and granted by the Board and Minister.

The NIRB expects Proponents and parties to be working together throughout the Review process to ensure that as many issues as possible are resolved or near resolution by the hearing. However, if parties cannot resolve outstanding items at the closing of the record for the hearing, the Board is prepared to consider motions to leave the record open, and following deliberation on the motion, will provide parties with direction on process steps and timelines to complete closing of the record.

For a detailed summary of the general procedures followed by the NIRB in respect of hearings, refer to the separate document entitled *NIRB: Rules of Procedure* (Sept 2009).¹¹ However, participants should keep in mind that the Board does

¹¹ The Board is currently working on an updated version of NIRB: Rules of Procedure.

have the power to modify or deviate from these general rules when the requirements of procedural fairness in any given case necessitate such changes.

***Note:** *Based on the nature of the project and range of impacts, the NIRB may choose to conduct the Final Hearing as a written hearing, oral hearing, or in such other form as the NIRB deems appropriate. The Board generally communicates its choice of the type and location of the Final Hearing in the Board's Public Notice of Hearing which is issued at least 60 days prior to the Final Hearing.*

5.3.4 Factors Taken into Account During the Board's Review of a Project

As outlined in Article 12, Section 12.5.5 of the *Nunavut Agreement* and s. 103 of the *NuPPAA*, when conducting the review of a project, the Board is required to take into account the following factors:

- (a) the purpose of the project and the need for the project;
- (b) whether, and to what extent, the project would protect and enhance the existing and future well-being of the residents and communities of the designated area, taking into account the interests of other Canadians;
- (c) whether the project reflects the priorities and values of the residents of the designated area;
- (d) the anticipated effects of the environment on the project, including effects associated with natural phenomena, such as meteorological and seismological activity, and climate change;
- (e) the anticipated ecosystemic and socioeconomic impacts of the project, including those arising from the effects referred to in paragraph (d);
- (f) the cumulative ecosystemic and socioeconomic 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;
- (g) whether the impacts referred to in paragraphs (e) and (f) would unduly prejudice the ecosystemic integrity of the designated area;
- (h) the measures, including those proposed by the proponent, that should be taken to:

- (i) avoid and mitigate adverse ecosystemic and socio-economic impacts, including contingency plans,
 - (ii) optimize the benefits of the project, with specific consideration given to expressed community and regional preferences in regard to benefits,
 - (iii) compensate persons whose interests are adversely affected by the project, and
 - (iv) restore ecosystemic integrity after the permanent closure of the project;
- (i) the significance of the impacts referred to in paragraphs (e) and (f), taking into account the measures referred to in paragraph (h);
 - (j) the capacity of renewable resources that are likely to be significantly affected by the project to meet the existing and future needs of the residents of the designated area;
 - (k) any monitoring program of the project's ecosystemic and socio-economic impacts that should be established, including one proposed by the proponent;
 - (l) the interests in land and waters that the proponent has acquired or seeks to acquire;
 - (m) the options for carrying out the project that are technically and economically feasible and the anticipated ecosystemic and socio-economic impacts of such options;
 - (n) the posting of performance bonds;
 - (o) the particular issues or concerns identified under subsection 96(1) of the NuPPAA [issues identified by the Minister when sending the proposal to the Board for review]; and
 - (p) any other matter within the Board's jurisdiction that, in its opinion, should be considered.

In addition, the Board is required to take into account any traditional or community knowledge provided to the NIRB.

5.3.5 Submission of the NIRB's Final Hearing Report to the Responsible Minister(s)

Within 45 days after the Final Hearing and/or the close of the Final Hearing record, the NIRB must issue a report on the project proposal to the relevant and responsible Minister(s) (in all cases, this includes copy to the Minister of Intergovernmental Affairs, Northern Affairs and Internal Trade). The report is also provided to the Proponent, parties, project distribution list, and the public as it contains a description of the project with the finalized scope, the Board's assessment of the project and its impacts and based on this assessment, the Board's recommendation regarding whether or not the project should proceed.

Where the NIRB concludes that the project should proceed, the Board's report also contains recommended terms and conditions considered by the NIRB to be required to protect and promote the existing and future well-being of the residents and communities of the Nunavut Settlement Area, specifically and Canada, in general and to protect the ecosystemic integrity of the Nunavut Settlement Area and commitments made by the Proponent.

In developing project certificate terms and conditions, **the goals of the NIRB are to:**

- provide the **basis for inspection and surveillance** to ensure that the project is implemented as it was proposed, reflecting both the project scope as assessed in the NIRB's impact assessment, and the specific mitigation measures as may be proposed in the Impact Statement, as may be included in any listing of the Proponent's commitments, and as ultimately, would be contained in the project certificate;
- provide a **mechanism for overall compliance and effects monitoring** to ensure impacts remain within predicted levels;
- support **adaptive management** by requiring that unanticipated effects or changes to the magnitude of predicted impacts be identified and that mitigation measures and regulatory instruments be adapted to address unanticipated effects or changes to predicted impacts; and
- adopt **audit and process evaluation measures** to examine and transparently report on the accuracy of predictions, the success or failure of mitigation measures and overall levels of environmental and socio-economic performance of the project and effectiveness of the impact

assessment and regulatory processes in supporting environmental performance.

Wherever possible, the NIRB has used the following format for the proposed project-specific terms and conditions to provide clear direction on the intended application, objectives, and reporting requirements:

Category: Identifies the relevant environmental component or project activity to which the term and condition applies. Wherever possible categories have been labelled to directly associate back to the Final Impact Statement and Impact Statement Guidelines prepared for the Project.

Responsible Parties: Identifies the proposed parties responsible for implementation of the term and condition. While this is generally the Proponent, at times other agencies have been implicated as appropriate.

Project Phase: Identifies the phase(s) of Project development to which the term and condition is applicable. Project phase may include any one (1) or more of the following:

- *Pre-Construction* - includes site preparation and staging of materials and equipment in advance of construction
- *Construction*
- *Operations*
- *Temporary Closure /Care and Maintenance*
- *Closure and Post-Closure* - includes abandonment, decommissioning, and reclamation

Objective: Provides a short description of the impact or effect being mitigated, or issue the term and conditions is meant to address. Where relevant, expectations have been provided regarding the timing for when terms and conditions will be deemed to be satisfied (i.e., sunset clause), and who has discretion for determining they are satisfied.

Term or Condition: Provides specific direction on the required action or follow up. In most instances the NIRB has endeavoured to use generalized wording to allow for maximum flexibility in achieving the stated objective, however, more explicit direction has been provided where deemed necessary.

Reporting Requirements: Sets out any specific reporting parameters required to measure achievement of objectives or to demonstrate compliance, as well as the required frequency of reporting. Consideration will be given to coordination of Project Certificate reporting requirements with reporting requirements as established by other regulatory instruments associated with the Project.

Table 2: Example of format used for proposed NIRB Project Certificate terms and conditions

| | |
|-------------------------|----|
| Term and Condition No. | 1. |
| | |
| Category: | |
| Responsible Parties: | |
| Project Phase: | |
| Objective: | |
| Term or Condition: | |
| Reporting Requirements: | |

5.3.6 Responsible Minister’s Decision

Although the NIRB makes recommendations in its report on the Final Hearing as to whether a project should proceed, the responsible Minister(s) makes the final decision. Where the Minister(s) determines that the report is deficient with respect to ecosystemic and socio-economic issues, the Minister may within 90 days after receiving the Board’s report advise the Board of the deficiency and may refer the report back to the NIRB for further review or public hearings. Within 45 days after additional review or hearings are conducted, the NIRB is required to submit another report to the Minister, which shall be accepted or rejected in keeping with the same options as set out below.

Under **s. 105 of the NuPPAA**, if the Board determines that a project should proceed, the Minister must, within 150 days after receiving the Board's report take one of the following courses of action:

Option One: Accept the Board's determination that the project should proceed, including accepting all of the recommended terms and conditions.

Option Two: Reject the Board's determination that a project should proceed on the basis that the proposal is not in the national or regional interest.

Option Three: Accept the Board's determination that a project should proceed but reject the recommended terms and conditions on the grounds that:

- a. one or more of the terms and conditions are more onerous than necessary or conversely that one or more of the terms and conditions are insufficient to mitigate to an acceptable level for the ecosystemic and socio-economic impacts; or
- b. the terms and conditions are so onerous that they would undermine the viability of a project that is in the national or regional interest.

In the situation with respect to **Option Three** above, the NIRB must, within 30 days after the Minister's decision, reconsider the terms and conditions in light of reasons put forth by the Minister for rejecting the recommended terms and conditions and must make any changes the Board considers appropriate and submit a revised report to the Minister containing the recommended terms and conditions applicable to the Project.

In the cases of option one and option three, once the project is determined to proceed, the NIRB would continue to issuing a project certificate ([Section 6](#)) and monitoring ([Section 8](#)) for the project.

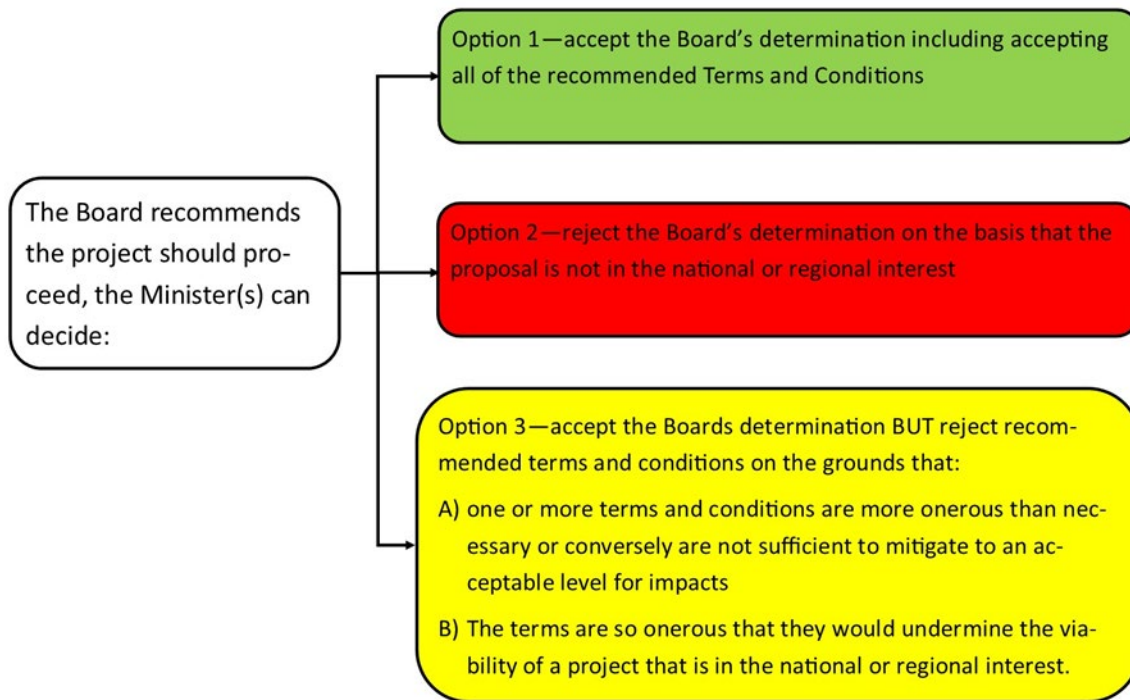


Figure 14: Minister’s Decision as per s. 105 of the NUPPAA

Under **s. 106 of the NuPPAA**, if the Board determines that a project should NOT proceed, the Minister must, within 150 days after receiving the Board’s report take one of the following courses of action:

Option One: Accept the Board’s determination that the project should not proceed.

Option Two: Reject the determination that a project should not proceed on the grounds that the project should have been approved due to its importance to the national or regional interest. In this situation, the Minister will refer the report back to the NIRB to determine appropriate terms and conditions

In the situation with respect to **Option Two**, the NIRB must, within 30 days after the Minister’s decision, submit a revised report to the Minister containing terms and conditions that it recommends should apply to the Project.

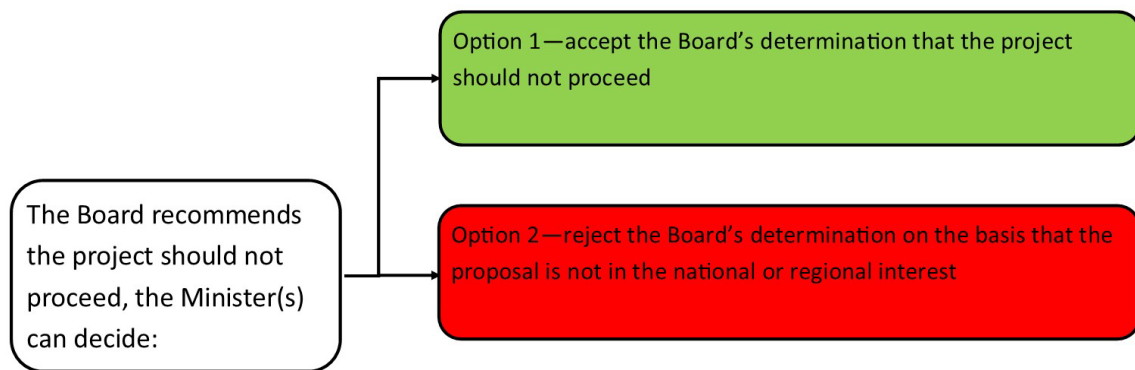


Figure 15: Minister’s Decision as per s. 106 of the NUPPAA

5.4 What is the approximate timeline of a NIRB review?

The timelines as described below do not include additional time that may be added to the timeline to reflect deadlines occurring on weekends, statutory holidays or holiday breaks such as Christmas and Easter, nor do these timelines include the periods required by the Proponent for the preparation and submission of the DIS, preparation of formal responses and the preparation and submission of the FIS and the other projects being considered by the NIRB. In general, the NIRB review timeline is as follows:

***Note:** *The timelines associated with any given review may change based on project-specific circumstances and are subject to modification by the NIRB.*

The processes set out within the NIRB’s guides should not be inferred to be applicable to reviews by federal environmental assessment panels under the Nunavut Agreement/NuPPAA, as such panels have authority to establish the respective process requirements under the Nunavut Agreement/NuPPAA.

Table 3: NIRB Review Process General Timelines

| | |
|---|----------------|
| 1. Scoping completed and IS Guidelines issued to Proponent | 90 days |
| 2. Draft IS conformity review, acceptance, and IRs forwarded to Proponent | 48 days |
| 3. Draft IS technical review, Technical Meeting and PHC, and PHC decision issued | 110 days |
| 4. Final IS compliance review, technical review, Final Hearing, and Final Hearing report issued | 125 days |
| 5. Total time for NIRB Review: | 283 - 400 days |

Each of the numbered items above coincides with a Phase of the NIRB's Review and the timeline for each phase is described below. However, if the Proponent applies to have its project proposal accepted as a *Draft* IS, the timelines could be modified by the NIRB as the need for the IS guidelines would not be required if the Board is of the opinion that the information contained in the description.

A conformity review of that submission may result in a negative decision, and the Proponent may be required to complete extensive revisions to the submission and a second conformity review are required before continuing with the technical review period.

Likewise, Proponents should be aware that an application to accept a project proposal as a *Draft* IS may be rejected, making scoping and guideline development mandatory. The time required for submission of an adequate IR response is primarily Proponent-driven. However, under some circumstances, the NIRB may exercise its discretion and establish an acceptable timeline for the Proponent's response.

Once the NIRB has completed its portion of each of the phases as outlined in Tables 4, and 5, the Proponent would be developing either the draft or final IS based on NIRB's materials on its own timetable, making the time between sections of the Review completely Proponent-driven. [Part 11](#) provides additional details on how to write an Impact Statement.

Table 4: NIRB Review Timelines Phase 1

| | Approx. time to complete (days) |
|--|------------------------------------|
| <p>Direction received from Minister to review the project proposal NIRB Review commences, notice issued to distribution list.</p> <p>Procedures for scoping and impact statement (IS) guideline development outlined</p> | |
| <p><i>Draft</i> scope and <i>Draft</i> IS guidelines released for comment.</p> <p>Dates for community scoping and IS Guidelines sessions announced</p> | 21 days |
| <p>Community sessions to collect oral and written comments for scoping and IS Guidelines</p> | 14-21 days |
| <p>Comments received from parties on <i>Draft</i> Scope and <i>Draft</i> IS guidelines</p> | 21-45 days |
| <p>Final Scope released, and <i>revised Draft</i> IS Guidelines released for comment</p> | 7-10 days |
| <p>Comments received from Parties on <i>revised Draft</i> IS Guidelines</p> | 21 days |
| <p>IS Guidelines Workshop</p> | 1-2 days |
| <p>Final IS Guidelines released</p> | 10-14 days |

Table 5: NIRB Review Timelines Phase 2

| | Approx. time to complete (days) |
|--|------------------------------------|
| Proponent submits a Draft IS to the NIRB | |
| NIRB determines if the document conforms to the IS Guidelines. If yes, the NIRB requests information requests (IRs) from parties | 15 days |
| Parties prepares IRs and submits them to the NIRB who then review them and send IRs to the proponent | 14-30 days |
| Proponent submits IR Response Package and technical review of the Draft IS begins. | 14-21 days |
| Technical Comments Requested Tentative dates for Technical Meeting and Pre-Hearing Conference (PHC) and Community Round Table announced | 2-5 days |
| The NIRB receives Technical Review comments from Parties and forwards them to the Proponent | 60 days |
| The Proponent responds to Technical Comments | 14-21 days |
| Technical Meeting is held | 1-2 days |
| PHC and Community Round Table is held | 2-4 days |
| Board issues PHC decision on direction for submission of <i>Final</i> IS which includes any administrative matters. | 30 days |

Table 6: NIRB Review Timelines Phase 3

| | Approx. time to complete (days) |
|---|------------------------------------|
| Proponent submits a Final IS submission Concordance review is conducted with the PHC decision | |
| The NIRB issues concordance determination and announces the Final Hearing and Community Round Table Requests Final Written Submissions | 15 days |
| The NIRB receives Final Written Submissions from parties and forwards to the Proponent | 60 days |
| The Proponent submits the Response to Final Written Submissions | 10 days |
| Final Hearing and Community Round Table | 5-14 days |
| Final Hearing Report Issued | 45 days |

6 EXCEPTIONS FROM THE REVIEW PROCESS

6.1 Introduction

A note about Exemptions from Screening versus Exceptions from Review:

As set out in [Part 4](#) of this Guide some types of project proposals are exempt from the *Nunavut Agreement* requirement for screening by the NIRB and as a result the NIRB does not consider or conduct any impact assessment of such activities. In contrast, this Part of the Guide discusses activities that may be excepted from the NIRB review process; however, the NIRB cannot process the exception until after the Minister(s) referral for a Review has been received.

****Note:** There are no exceptions from project certificate reconsiderations and/or Amendments, ONLY from NIRB Reviews.*

Under the exceptions from review provisions of the *Nunavut Agreement*, **the NIRB still assesses the potential ecosystemic and socio-economic impacts that may be associated with these activities and may provide recommendations regarding appropriate mitigation measures and other factors to the agencies responsible for authorizing the activities to proceed** (this is similar to the NIRB's screening decisions). In addition, for those exploration and development activities the NIRB excepts from review, the Board may also prescribe mitigation measures and other recommendations that need to be incorporated into any subsequent approvals (e.g., NIRB project certificate) for the related project under review.

As provided below, Article 12, Section 12.10.1 of the *Nunavut Agreement* and s. 75 *NuPPAA* establish that, during the review process, no licence or approval that would be required in order to allow a proposed project to proceed (e.g., water licences, authorizations under the Federal Fisheries Act, land lease agreements with land owners, etc.) shall be issued by a Regulatory Authority in respect of the project until after the required review has been completed and a NIRB project certificate has been issued.

Nunavut Agreement, Article 12, Section 12.10.1: No licence or approval that would be required in order to allow a proposed project to proceed shall be issued in respect of a project that is to be screened by NIRB until the screening has been completed and, if a review pursuant to Part 5 or 6 is to be conducted, until after that review has been completed and a NIRB project certificate has been issued by NIRB pursuant to these provisions.

NuPPAA s. 75(1): A regulatory authority is not authorized to issue a licence, permit or other authorization in respect of a project if...

(b) the assessment of the project under this Part has not been completed;

However, this general prohibition is modified by sections 12.10.2 and 13.5.5 of the *Nunavut Agreement* and ss. 154 and 155 of the *NuPPAA*. These sections allow for approvals or licences to be issued prior to the completion of a review under specific circumstances:

Exceptions

Nunavut Agreement, Article 12, Section 12.10.2: Notwithstanding section 12.10.1, where a project proposal has been referred for review pursuant to Part 5 or 6, approvals or licences for exploration or development activities related to that project may be issued if:

(a) the activity falls within Schedule 12-1; or

(b) the activity can, in the judgement of NIRB, proceed without such a review.

Nunavut Agreement, Article 13, Section 13.5.5: Notwithstanding Section 12.10.1, the NWB [Nunavut Water Board] shall not be precluded from issuing interim, short-term approvals for water uses related to exploration or developmental work for a proposal under development impact review.

Under these sections of the *Nunavut Agreement* and ss. 154 and 155 of the *NuPPAA*, when a project proposal is undergoing a NIRB Review approvals or licences for exploration or development activities related to that project may be issued if:

- a. The activity falls within a list of project types normally exempt from the requirement for screening (the *Nunavut Agreement* Schedule 12-1 or Schedule 3 of *NuPPAA*);¹² or
- b. If in the judgment of the NIRB the activity may proceed without such a review.

***Note:** *The NIRB has the sole discretion to determine whether, in the circumstances of a given review and exception application, the proposed activities fit within the criteria of Article 12, Section 12.10.2(b) of the Nunavut Agreement and s. 155(1) of the NuPPAA and can be assessed separately from the NIRB review as a result. However, when the NIRB receives an application from the proponent to except exploration or development activities from review, the Board typically solicits comments on the application from all participants, including Intervenors and members of the public.*

6.2 In what circumstances may the NIRB consider an exception from review to be appropriate?

There are limited circumstances where the NIRB may determine that exploration and/or development activities can be allowed to proceed while a related project is undergoing review. Although the NIRB will consider each application on its merits, in general, where permits, licences or approvals are required under the following **circumstances** may necessitate an exception from Review being considered:

- a. **to facilitate scientific research** and/or the collection of data to support the review of a project proposal;
- b. **to allow for continued exploration and/or bulk sampling programs** while a related project is undergoing review; and/or

¹² The exemptions from screening under Schedule 12-1 are discussed in [Part 4](#) of this Guide.

- c. **to facilitate the limited transport and storage of equipment and materials** related to a project undergoing review, in recognition of the seasonal constraints imposed by the arctic conditions of the Nunavut Settlement Area.

Therefore, the NIRB may consider the following types of activities as exception from a Review:

- a. Research carried out within the defined project area and/or research with the primary purpose of supporting the ongoing review of the related project;
- b. The extension, renewal, or minor amendment of previously approved exploration and/or activities associated with the project undergoing review;
- c. Transport of fuel, equipment, and materials associated with the related project undergoing review, including the related construction and operation of winter roads/trails, temporary airstrips, and temporary onshore offloading facilities; and/or
- d. Short term storage of fuel, equipment and materials associated with the related project undergoing review, including establishment of storage facilities and related use of existing or new quarry and borrow sources.

Any activity which is included as a **significant component** of the related project under review **should not** be included in an exception application. In addition, the Board **does not** consider it appropriate to include activities involving the construction of significant project components of the related project undergoing review in an application for exception from review and these construction activities should not be included in an exception application.

Examples of exceptions from NIRB reviews include:

- Baffinland Iron Mines Corporation's Mary River Review (NIRB File No. 08MN053);
- Agnico Eagle Mines Ltd.'s Meliadine Gold Mine (NIRB File No. 11MN034);
- TMAC Resources Inc.'s original Phase 2 Hope Bay Belt Review (NIRB File No. 12MN001);
- Sabina Gold and Silver Corp.'s Back River Review (NIRB File No. 12MN036); and
- Agnico Eagle Mines Limited's Whale Tail Pit Review (NIRB File No. 16MN056).

6.3 What considerations are relevant to the NIRB's assessment of an exception application?

Although the NIRB considers each application under Article 12, Section 12.10.2(b) of the *Nunavut Agreement* and ss. 154 or 155 of the *NuPPAA* on its own merits, in general, the NIRB considers the following:

1. Exceptions from review **cannot be granted** where the exception would impede the NIRB from carrying out its broader environmental assessment functions to:
 - a. **review** the ecosystemic and socio-economic impacts of proposed projects;
 - b. **gauge and define** the extent of the regional impacts of proposed projects; and
 - c. **determine**, on the basis of its review, whether project proposals should proceed, and if so, under what terms and conditions.
2. Exploration and/or development activities which have been **explicitly included within the scope of a Minister's referral** for review may not be allowed to proceed as exceptions to a review by the NIRB.
3. The final determination of whether a project can proceed after a NIRB Review is within the discretion of the responsible Government Minister(s). Consequently, the ability of the NIRB to consider certain activities independently of a related review through Article 12, Section 12.10.2(b) of the *Nunavut Agreement* and ss. 154 or 155 of the *NuPPAA* **cannot fetter, or be seen to fetter, the Minister's ultimate decision-making authority** with respect to whether the related project undergoing review may proceed after the NIRB review is completed.
4. A determination by the NIRB to allow specific exploration and/or development activities to proceed **independently of the review** of a related project under Article 12, Section 12.10.2(b) of the *Nunavut Agreement* and ss. 154 or 155 of the *NuPPAA* do not affect the requirement for the Proponent to obtain any licences, permits or approvals from authorizing agencies required to undertake the activities.
5. The NIRB's consideration of an application for exception and resulting determination is in no way an indication of the likely outcome of the review process associated with the related project undergoing review. The NIRB's **consideration of an application for exception does not affect the Board or**

Federal Panel's ultimate determination regarding whether the project under review should proceed, nor the issuance of a NIRB project certificate following the final decision of the Minister.

6. Proponents are cautioned that if the NIRB grants an exception under these provisions of the *Nunavut Agreement* and the *NuPPAA*, and a Proponent undertakes activities in advance of the completion of the review of the related project, in the event that the related project does not proceed, the **Proponent may be required to take the steps reasonably necessary to remove all materials, infrastructure, etc.** associated with the exploration and/or development activities that proceeded in advance of the review of the related project, and may also be required to restore the environment to a pre-disturbed state.

6.4 What additional factors may be considered in the NIRB's consideration of an exception application?

In assessing whether the activities included within the scope of an application for an exception should be authorized **independently** of the related project undergoing review, the NIRB may also consider the following factors:

1. Rationale, objective, and implications of the proposed activities on the feasibility of the related project undergoing review;
2. The permanence of proposed structures;
3. Alternative uses of proposed structures or materials if the related project under review was not to be approved;
4. Significance of potential ecosystemic and socio-economic impacts;
5. Public concern; and
6. Posting of security/performance bonds.

6.5 What information must be included in an exception application?

To be considered for exception from review under Article 12, Section 12.10.2(b) of the *Nunavut Agreement* and ss. 154 or 155 of the *NuPPAA*, an application must contain:

1. A detailed listing and description of each of the exploration and/or development activities for which an exception is being sought, including:

- a. A description of the objectives of the exploration and/or development activities and rationale for authorization to be granted independently from the related project under review;
 - b. A description of the volumes of fuel and materials to be shipped and stored at sites in support of the exploration and/or development activities specifically;
 - c. An implementation schedule for the exploration and/or development activities;
 - d. An impact assessment for each exploration and/or development activity, with supporting information to facilitate an understanding of potential impacts associated with the specific exploration or development activities;
 - e. Detailed site plans showing the nature and location of the proposed exploration and/or development activities for each area potentially affected by the activities at both the local and regional level, where applicable, and at a mapping scale of 1:50,000 or higher; and
 - f. Supporting engineering plans, reports, and/or engineering drawings for each exploration and/or development activity. The supporting engineering drawing must clearly show the relationship between the exploration and/or development activities and components that will be included in the related project proposal.
2. A description of the analyses of alternatives to and alternative means of carrying out the proposed exploration and/or development activities, including linkages to the alternative analyses conducted in support of the related project proposal and which addresses:
 - a. An assessment of the alternative means to carry out the proposed exploration and/or development activities, including discussion of the “no go” alternative, associated risks and resultant risk mitigation in the event the related project proposal does not proceed;
 - b. Identification of preferred exploration and/or development activity options, technical details to support the preferred options and measures to mitigate impacts and risks; and
 - c. A list of the preferred means to carry out the exploration and/or development activities by area, based on the alternative analyses. For each preferred means, the Proponent should describe the relationship between the proposed exploration and/or development activities and the

proposed activities in the construction phase of the related project proposal.

3. Classification of the lifecycle of each exploration and/or development activity included in the exception application. For example:
 - a. **Temporary** – components would be used during exploration and development only and would be decommissioned and remediated at the completion of exploration and/or development activities.
 - b. **Semi-permanent** – components would be used during exploration and/or development and also during the construction phase for the related project but would be decommissioned and remediated during the construction or operation phase of the related project.
 - c. **Permanent** – components would be used during exploration and/or development, construction of the related project and also during operation of the related project and would be decommissioned and remediated during the final closure and reclamation phase of the related project.
4. A detailed account of any impacts to the environment which may result from the exploration and/or development activities and whether such damage can be effectively prevented, mitigated or reversed, including:
 - a. Detailed management and monitoring plans to mitigate potential impacts to the environment associated with the exploration and/or development activities;
 - b. Where the Proponent has already provided the NIRB with various management and monitoring plans associated with a related project under review, the NIRB requires, at a minimum, that such plans are updated to specifically highlight the risks and mitigation measures that are unique to the proposed activities and re-submitted in support of the application; and
 - c. A remediation plan which reflects the timing and lifecycle of the exploration and/or development activities. This plan should address a “no-go” alternative and include the associated mitigation or remediation measures that must be taken if the related project does not proceed.
5. Where the application includes more than one (1) exploration or development activity, the project Proponent should clearly state whether it is asking the NIRB to grant an exception from review for all of the activities in the application in

- their entirety, or whether the individual activities may be considered as exceptions from review independently of each other. If the project Proponent wishes the NIRB to consider the application for partial consideration of exploration or development activities as exceptions from the review, the project Proponent must also include in the application:
- a. a section that specifically identifies and groups together those activities/project components that must be authorized prior to conclusion of the review of the related project to make them technically and practically feasible; and
 - b. a clear outline regarding how the timeline of the related project under review would be impacted if specific activities/project components were not granted an exception under Article 12, Section 12.10.2(b) of the *Nunavut Agreement* and ss. 154 or 155 of the *NuPPAA*.
6. Evidence that adequate public consultation in relation to the specific exploration and/or development activities has been undertaken. This consultation may be, but is not required to be, conducted in conjunction with public consultation activities associated with the related project under review. The Proponent must discuss how public concerns and local knowledge have been incorporated into the planning process for the exploration and/or development activities.
 7. A discussion of whether the activities proposed under the application for an exception meet the definition of “Major Development Project” under Article 26, Section 26.1.1(b) of the *Nunavut Agreement*, and, if so, whether the provisions of an Inuit Impact Benefit Agreement (IIBA) under Article 26, Section 26.2.1 of the *Nunavut Agreement* will be concluded before the work commences, or alternatively confirmation that the Designated Inuit Organization and the Proponent have agreed that an IIBA is not required pursuant to Article 26, Section 26.11.1 of the *Nunavut Agreement* or that the Minister has been requested to exercise his authority to authorize the activities to proceed in advance of the IIBA being finalized pursuant to Article 26, Section 26.11.3 of the *Nunavut Agreement*.
 8. A list of all regulatory requirements such as licences, permits, approvals, agreements or land leases required to authorize the exploration and/or development activities included in the exception application.

6.6 What is the NIRB's process for considering an exception application?

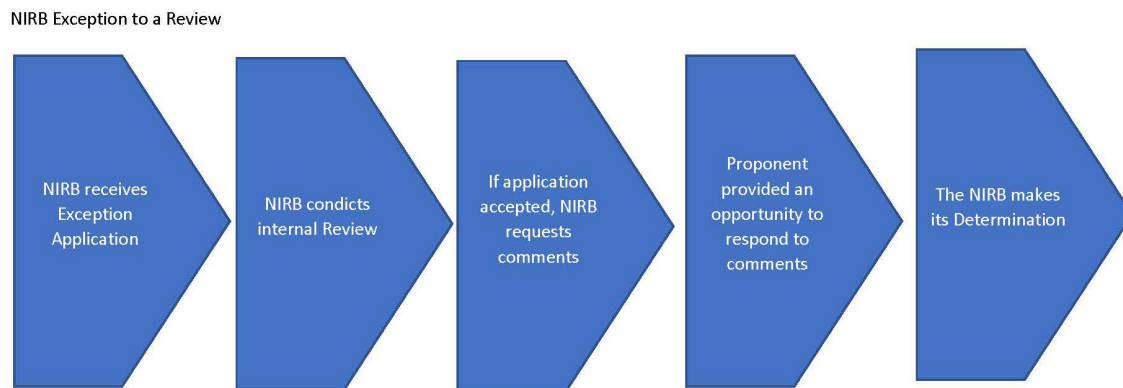


Figure 16: NIRB's Process for the Consideration of an Exception

6.6.1 Receipt of Application, Initial Review, and Request for Comment

Generally, an application for exception is submitted by the Proponent to Authorizing Agencies (who may refer it to the NIRB) and/or directly to the NIRB. A copy of the application must be forwarded to the Nunavut Planning Commission (the Commission) for confirmation that the activities included in the application for exception under Article 12, Section 12.10.2(b) of the *Nunavut Agreement* and ss. 154 or 155 of the *NuPPAA* are included in the Commission's conformity determination of the related project under review, or alternatively identifying that a new conformity determination is required to be conducted for the proposed activities.

Upon receipt of an exception application, the NIRB will conduct a concordance review against the information requirements identified previously in this section. If deficiencies are noted or additional clarification is required, the NIRB will advise the Proponent and await the receipt of the required information.

If based on activities described in the exception application the NIRB determines it is inappropriate to consider the type of activities as exceptions, the Board will reject the application and advise the Proponent accordingly.

If the exception application is accepted by the NIRB and is considered to be complete, the Board posts notice of the application and invites relevant federal and territorial government departments, Designated Inuit Organizations, community

organizations, individuals following the project, and members of the public potentially affected by the proposed exploration and/or development activities to provide comments in respect of the application within a specified time.

6.6.2 Comments Provided

Upon receipt of comments regarding the application from Authorizing Agencies, other interested parties, and members of the public potentially affected by the proposed exploration and/or development activities, the NIRB reviews the comments received and determines whether a further response from the Proponent is warranted or whether the comments are such that the Proponent should be given the opportunity to consider amending the exception application.

If the NIRB determines that no further response from the Proponent is required, the Board will then make a determination on the application.

6.6.3 Opportunity to Respond to Comments and Amend the Application

If however the NIRB determines the Proponent should provide a response to comments, the NIRB advises the Proponent and establishes a time period for receipt of the Proponent's response. At this time, the NIRB may also invite the project Proponent to amend its application in response to comments received (including but not limited to amendments required to address significant public concern relating to specific exploration and/or development activities).

6.6.4 The NIRB's Determination

Following the receipt and review of all necessary information, the NIRB will make its determination. The NIRB may make one of the following decisions:

6.6.4.1 Grant the Exception

If the NIRB determines that it is appropriate all exploration and/or development activities proposed in the application may be granted an exception from review under Article 12, Section 12.10.2(b) of the *Nunavut Agreement* and s. 155(1)(b) of the *NuPPAA* the activities excepted from review may proceed independently of the ongoing NIRB review of the related project.

In the NIRB's determination, the Board may offer recommendations to Authorizing Agencies regarding terms and conditions that the NIRB considers appropriate to mitigate the effects of these activities and may also suggest monitoring in addition to what the Proponent has already committed too. Once the activities have been

determined to be acceptable exceptions from the NIRB review, the Proponent may engage the applicable licensing and permitting agencies with jurisdiction over the licence/permit/authorization(s) required to carry out the excepted activities.

6.6.4.2 *Reject the Application in its Entirety*

If the NIRB determines that the exploration and/or development activities included in the exception application cannot be permitted to proceed independently of the ongoing review of the related project, the proposed activities included in the application can *only* be approved by licensing authorities after the NIRB review process has been completed and a project certificate has been issued.

6.6.4.3 *Partially Grant the Exception*

The NIRB may identify that **only specified exploration and/or development activities** included in the exception application **may proceed independently of the ongoing NIRB review** of the related project and the Board may make recommendations to Authorization Agencies regarding terms and conditions that the NIRB considers appropriate to mitigate the effects of these activities and may also suggest monitoring in addition to what the Proponent has already committed to. The applicable Authorizing Agencies with jurisdiction over the licence/permit/authorization(s) required to carry out the activities may proceed to process the applications for those specified exploration and/or development activities.

For activities that the NIRB determines should not be exceptions from review, **those activities cannot be approved by the responsible Authorizing Agencies until after the NIRB review process has been completed and a project certificate has been issued.**

7 NIRB PROJECT CERTIFICATES

7.1 Regulators' Meeting/Project Certificate Workshop

If the NIRB recommends that the project be allowed to proceed through either a review or a reconsideration and **the Board's determination is subsequently accepted by the responsible Minister(s)**, the NIRB will convene a meeting with the Proponent and the Authorizing Agencies for the project. As noted under the *Nunavut Agreement* and the *NuPPAA*, the terms and conditions in a NIRB Project Certificate are to be incorporated into relevant permits, certificates, licences or other government approvals that the Proponent may require.

Note: *The Minister(s) may also vary (s. 112(6)(b)) or add terms and conditions (s. 112(7) of the NuPPAA) to a Project Certificate.*

However, this does not preclude any Regulatory Authority from **reviewing a project and imposing additional or more stringent terms and conditions, or from refusing to issue a licence or approval** that would be required in order to allow a project to proceed.

Proponents are also reminded that under ss. 74(g) and s. 219 of the *NuPPAA*, in carrying out the project, **Proponents must comply with the terms and conditions in a Project Certificate issued under that Act and failing to do so is an offence under the NuPPAA.**

7.2 Issuance of a Project Certificate

Where it has been determined that a project should proceed, and the Minister accepts the Final and/or Public Hearing Report, the NIRB must within **30 days of the Minister's decision** (*NuPPAA* s.111.(1)), finalize and/or amend the project certificate to contain the terms and conditions recommended by the Board which have been accepted or varied by the Minister(s), unless the Minister(s) is of the opinion that more time is required and up to 45 additional days could be granted (*NuPPAA* s. 111.(5)). Therefore, the exact wording of any of the terms and condition **cannot** be modified during the workshop and will not be discussed. The NIRB may make modifications to all other components of the table surrounding the

term and condition (Category, Responsible Parties, Project Phase, Objective, and Reporting Requirements) and will discuss that modification at the workshop.

Within those 30 days, the NIRB circulates a draft project certificate (or draft amended project certificate) and facilitates a Project Certificate Workshop to discuss how project-specific terms and conditions can be implemented by providing clarification and commentary to the Proponent and Authorizing Agencies for those terms and conditions that may be ambiguous or are otherwise unclear.

It should be noted that, for some of the recommended terms and conditions, a **Commentary** section may be added following the specific term and condition as an aid to interpretation during the workshop to record the common understanding and interpretation. **Any commentary included by the Board is non-binding and is intended as an aid to interpretation.**

The Board also provides guidance on general regulatory and administrative responsibilities for both the NIRB and the Proponent as part of the draft project certificate or draft amended project certificate.

It is important for both the NIRB, the Proponent, and Regulatory Authorities to be aware of the part that each play in monitoring of a project.

NIRB Monitoring Responsibilities

1. The NIRB will appoint a Monitoring Officer(s) as required to monitor the Project in accordance with the purpose of a monitoring program as set out in section 12.7.2 of the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada (Nunavut Agreement)*, for the full life of the Project, including closure and reclamation. Subject to direction from the NIRB, the responsibilities of the NIRB Monitoring Officer(s) will include:
 - a. Providing direction to the Proponent, the Project's advisory groups, regulatory agencies, and the Regional Socio-Economic Monitoring Committee to supply NIRB with reports and information respecting the Project's operations, impacts, and the implementation of mitigative measures;
 - b. Conducting a periodic evaluation of the monitoring program for the Project;
 - c. Compiling a report on the adequacy of the monitoring program and on the ecosystemic and socio-economic impacts of the Project; and
 - d. Where appropriate, recommending to the NIRB reconsideration of Project Certificate Terms and Conditions in accordance with section 12.8.2 of the Nunavut Agreement.

2. The NIRB will report annually (in English, Inuinnaqtun, and Inuktitut) on the results of its Monitoring Program for the Project.
3. The NIRB will schedule periodic updates regarding its Monitoring Program for the communities most affected by the Project.
4. The NIRB Monitoring Officer(s) will schedule periodic site inspections at the Project, coordinating with other regulatory agencies to the extent possible.

General Regulatory Requirements

5. The Proponent must obtain all required federal and territorial permits and other approvals, and shall comply with the requirements of such regulatory instruments.
6. The Proponent shall take prompt and appropriate action to remedy any occasion of non-compliance with environmental laws and regulations and/or regulatory instruments, and shall report any non-compliance as required by law immediately. A description of all instances of non-compliance and associated follow up is to be reported annually to the NIRB.
7. The Proponent shall meet with respective licensing authorities prior to the commencement of construction to discuss the posting of adequate performance bonding. Licensing authorities are encouraged to take every measure to require that sufficient security is posted before construction begins.

Monitoring Records

8. All monitoring information collected pursuant to the Project Certificate and various regulatory requirements for the Project shall, if appropriate, given the type of monitoring conducted, contain the following information:
 - a. The name of the person(s) who performed the sampling or took the measurements including any relevant accreditations;
 - b. The date, time and place of sampling or measurement, and weather conditions;
 - c. The date of analysis;
 - d. The name of the person(s) who performed the analysis including any relevant accreditations;
 - e. A description of the analytical methods or techniques used; and
 - f. A discussion of the results of any analysis.
9. The Proponent shall make significant monitoring results and/or summaries of significant results available in English, Inuinnaqtun, and Inuktitut, to the extent feasible.

10. The Proponent shall keep and maintain the records, including results, of all Project-related monitoring data and analysis for the life of the Project, including closure and post-closure monitoring.
11. The Proponent shall maintain the Final Environmental Impact Statement, Final Environmental Impact Statement Addendum, and the environmental monitoring programs developed for the Project, with predictions updated as new baseline data is collected. If the results of monitoring programs necessitate updates to effects predictions, the Proponent shall update the associated management programs and plans as required to address or reflect the updated assessment of effects.
12. The Proponent shall establish a publicly accessible Project-specific web portal or web page to make available in a central location all significant non-confidential monitoring and reporting information submitted to Regulatory Authorities pursuant to the Project Certificate and other territorial or federal permits issued for the Project. For clarity, posting on the Project-specific site does not replace any reporting obligation of the Proponent pursuant to the Project Certificate or any territorial or federal permit.

On-going Engagement in Project Monitoring, Modelling, Management, and Reporting

13. The Proponent is encouraged to provide on-going opportunities for consultation and comment on any substantive revisions to the Project-specific monitoring program, modelling, studies, management plans, management measures, and reporting under the Project Certificate.
14. To the extent feasible, the NIRB will provide an opportunity for comment on any substantive revisions to the Project-specific monitoring, modelling, studies, management plans, management measures, and reporting provided by the Proponent under the Project Certificate.

7.3 Changes to a Project Certificate

Under Article 12, Section 12.8.2 of the *Nunavut Agreement* and s. 112 of the *NuPPAA*, any time after the issuance of a project certificate, the NIRB may reconsider the terms and conditions contained in the NIRB project certificate. The reconsideration of a project certificate may be initiated independently by the Board on its own initiative, upon application by a Designated Inuit Organization, the Proponent, or other interested parties or by the Minister under Article 12, Section 12.8.3 of the *Nunavut Agreement* and s. 112(2) of the *NuPPAA*.

In order to proceed with a review of the project certificate it must be established that:

- a. The terms and conditions contained in the project certificate are **not achieving their purpose**;
- b. The circumstances relating to the project or the effect of the terms and conditions are **significantly different** from those anticipated at the time the project certificate was issued; or
- c. There are technological developments or new information which provide a **more efficient method** of accomplishing the purpose of the terms and conditions.

For further details on the NIRB's reconsideration process of a project certificate, please see [Section 9](#).

8 PROJECT MONITORING

8.1 Introduction

The NIRB has the authority to establish project-specific monitoring programs as the result of a screening, review, or reconsideration of a project proposal. Terms and conditions contained in the NIRB's screening decision report or a project certificate (as well as Nunavut Water Licences) may provide for the establishment of a monitoring program for that project which may specify responsibilities for the Proponent, the NIRB, or Authorizing Agencies.

Project monitoring under Article 12, Part 7 of the *Nunavut Agreement* and s. 135 of the *NuPPAA* are an important tool for **checking the accuracy of predictions** made during an impact assessment and **determining the effectiveness of measures taken to mitigate** any potential adverse environmental or socio-economic effects, for either an original project or an amended project.

There are two (2) types of monitoring activities facilitated through the establishment of NIRB monitoring programs:

- **Effects monitoring:** the process of measuring and interpreting changes to environmental and socio-economic parameters to identify relevant project effects, the NIRB utilizes results from the effects monitoring undertaken by proponents and authorizing agencies to assess the accuracy of impact predictions contained in the project impact statements; and
- **Compliance monitoring:** the process of determining whether and to what extent the land or resource use in question is carried out according to regulatory requirements, including the terms and conditions contained in the NIRB project certificates and/or screening decisions.

While the Proponent has developed the initial project specific monitoring programs through draft programs and plans as well as commitments made throughout the screening, review or reconsideration process, the NIRB builds upon this framework for project specific monitoring programs. **The actual monitoring for project effects and the demonstration of compliance with regulatory requirements** (which includes the NIRB Project Certificate) **is primarily the Proponent's responsibility**, though *both* effects and compliance monitoring may be considered shared responsibilities between the Proponent and various Authorizing Agencies with specific jurisdiction or expertise in areas relevant to a particular project. The

relationship between the Proponent and various Regulatory Authorities is initially established through the Project Certificate Workshop and refined throughout the life of the approved project.

Note: *The NIRB's monitoring efforts and programs are designed to be coordinated with those of other regulators and must be non-duplicative, while ensuring pertinent information is provided on the public record and that interested parties are provided with opportunity to comment and provide advice accordingly.*

8.2 What is the purpose of a project-specific monitoring program?

The goal of the monitoring program is to also provide the NIRB with feedback throughout the life of the project or the post-environmental assessment monitoring in order to ensure that the predictions made in the Impact Statement related to cumulative and residual effects were correct and that proposed mitigation and monitoring strategy was enough. If predictions were not correct, or mitigation and monitoring is not enough that identification of issues is made early enough that actions can be taken to correct or adjust items so impacts to both the ecosystemic or socio-economic environments are limited.

As set out in Article 12, Section 12.7.2 of the *Nunavut Agreement* and also described in s. 135(3) of the *NuPPAA*, **the purpose of a monitoring program** is to:

- a. **measure** the ecosystemic and socio-economic environments of a project;
- b. **assess** whether the project is in compliance with the prescribed project terms and conditions;
- c. **share** information with regulatory authorities to support enforcement of land, water or resource use approvals and agreements; and
- d. **assess** the accuracy of the predictions contained in the impact statement.

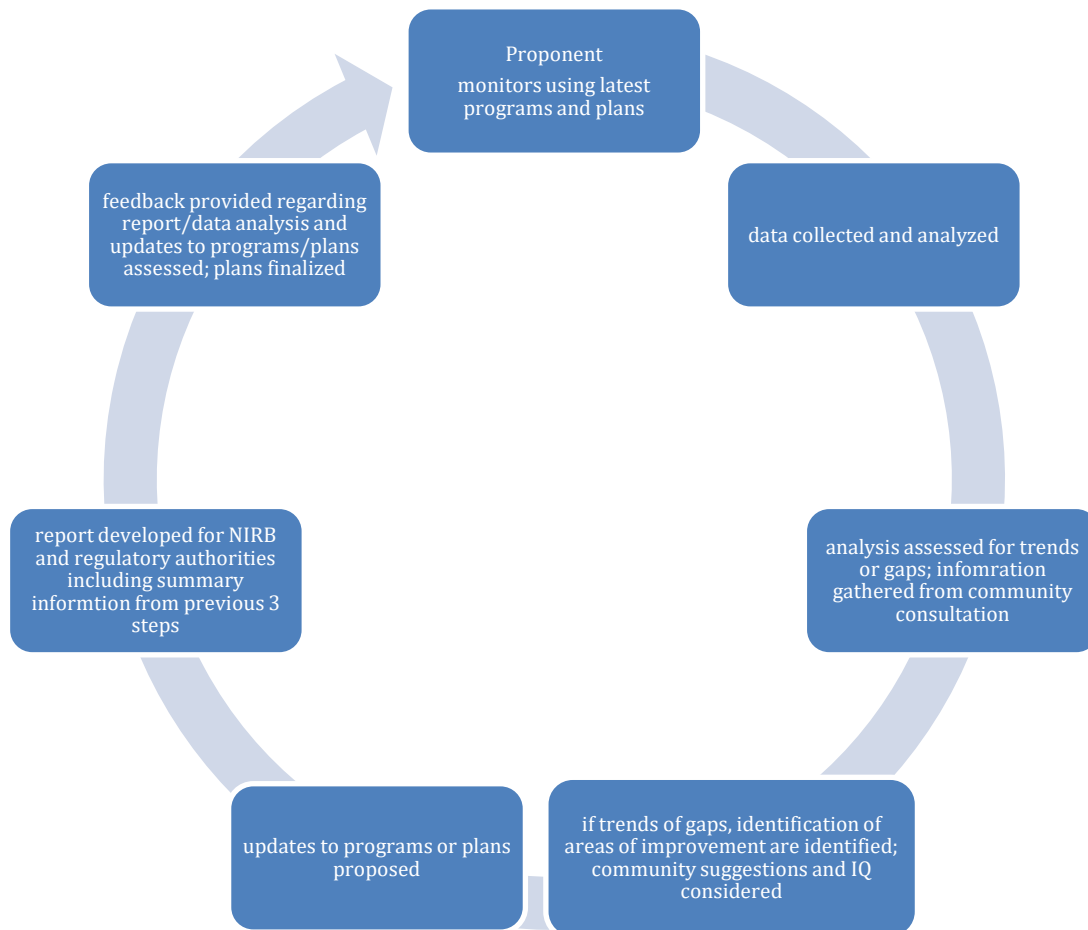


Figure 17: Project Specific Monitoring Program

8.3 What can a project-specific monitoring program include?

Article 12, Section 12.7.3 of the *Nunavut Agreement* and s. 135(4) of the *NuPPAA* states that a project-specific monitoring program may include the requirement that:

- a. Regulatory Authorities and the Proponent provide the Board with information respecting the activities relating to a Project, its impacts, and the implementation of any mitigative measures (Proponent’s annual report and parties comment submissions);
- b. the Board carries out periodic evaluations of the program (site visit and analysis of Proponent’s annual report and parties comment submissions); and
- c. the Board produce a report of the adequacy of the program, based on the information obtained under paragraph (b), and on the ecosystemic and socio-economic impacts of the project (the Board’s annual report).

However, Article 12 Sections 12.7.4 and 12.7.5 of the *Nunavut Agreement* and s. 135(6) of the *NuPPAA* prohibit the NIRB from undertaking monitoring and data

collection responsibilities already assigned to government agencies and departments. Consequently, the NIRB is required to design project-specific monitoring programs so that projected monitoring activities are coordinated but are not duplicated and this is taken into consideration as terms and conditions are being developed in the hearing report and the NIRB provides further clarification on monitoring activities in a project certificate's Appendix A (or Appendix D in older project certificates) depending on the timing of when the project certificate was developed and/or amended.

8.4 What are the specific requirements related to monitoring programs established as a result of terms and conditions in a project certificate or terms and conditions in a screening decision report?

The following subsections outline the requirements for those monitoring programs established in accordance with terms and conditions of a project certificate (Article 12, Section 12.7.1(a) of the *Nunavut Agreement* and s. 135 of the *NuPPAA*) and the requirements for those monitoring programs established in accordance with terms and conditions provided in a screening decision report (Article 12, Section 12.7.1(b) of the *Nunavut Agreement* and s. 135 of the *NuPPAA*).

The *NuPPAA* includes prohibitions for failure to comply with its requirements, including the terms and conditions of NIRB Project Certificates.

8.4.1 What is the Role of the NIRB and the Monitoring Officer?

As defined in [Section 7](#), project certificates including amended project certificates issued by the NIRB require the NIRB to appoint a Monitoring Officer for the duration of the project and the role of the NIRB Monitoring Officer(s) for the project is set out in the project certificate. Often the specific requirements of the monitoring program beyond the program developed through the review or reconsideration process cannot be set out until after all regulatory authorizations have been issued and the monitoring requirements of those authorizations have been established. Reflecting this timing, the NIRB's goal is to set out the specific requirements of the monitoring program in appendix to the project certificate that is issued within six (6) months from the date the last of the project's regulatory authorizations is issued.

The NIRB ensures that information obtained through the project-specific monitoring program is available to the public through proponent submissions and proponent-maintained information sites which are expected to keep all the reports and documents that a Proponent submits to all Regulatory Authorities for its

project. This information may be used by agencies to enforce terms and conditions of land or resource use approvals.

Although the NIRB may require parties to meet additional responsibilities under the project-specific monitoring program, the following section lists the general monitoring program responsibilities imposed on the Proponent, the NIRB, and Authorizing Agencies.

8.4.1.1 The Responsibilities of the Proponent Related to the Monitoring Program

1. Ensure that a comprehensive post-environmental assessment monitoring program (PEAMP) is developed for the project, in accordance with commitments made in the Final Impact Statement (FIS), the Final Hearing or subsequent amendment processes. This program may include the development of certain plans in accordance with the project certificate.
2. Provide an annual report to the NIRB by a designated date of each year once pre-construction of the project commences until the post-closure phase including care and maintenance phases. The annual report generally includes:
 - a. A summary of evidence indicating how the Proponent has carried out the project in relation to the terms and conditions contained within the project certificate (in table format cross referencing the project certificate);
 - b. A summary of the results from the PEAMP including the comparison of results collected, analysis outcomes, and any changes to monitoring that were identified through the year;
 - c. Compliance status with all authorizations and applicable regulations and guidelines associated with the project from both the Proponent and the Regulatory Authorities;
 - d. Identification of all authorizations obtained to date for the project, including any requested renewals, updates, amendments, or extensions to existing authorizations;
 - e. A summary of activities undertaken for the year, including any progressive reclamation work undertaken, and a work plan for the activities occurring in the following year – site photos should be provided where relevant;
 - f. A summary of community consultations undertaken, issues identified where issues have been addressed in modifications to monitoring programs and clear identification of where both input from communities

and Inuit Qaujimajatuqangit was incorporated into project planning, programs, and plans; and

g. A summary of site-visits by inspectors with results and any follow-up actions.

3. Any other project certificate-specific requirements.

8.4.1.2 The Responsibilities of the NIRB Monitoring Officer(s) Related to the Monitoring Program

1. Advise the Proponent of the obligation to prepare and submit an annual report, due by a specified date each calendar year.

2. Obtain, compile, and review information collected and submitted by the Proponent and applicable Authorizing Agencies.

3. Ensure Regulatory Authorities have forwarded NIRB copies of all authorizations obtained and required for the project

4. Report annually to the Board with respect to the Monitoring Program.

5. Provide recommendations to the Board on any follow-up action required related to the Monitoring Program.

6. Ensure that any recommendations made by the Board regarding the Monitoring Program are provided to the Proponent in a timely fashion.

7. Any other project certificate-specific requirements.

8.4.1.3 The Responsibility of Authorizing Agencies Related to the Monitoring Program

1. Provide the NIRB with copies of all licences, permits, or authorizations issued for the project which incorporate terms and conditions specific to the Authorizing Agencies mandate.

2. Provide any compliance monitoring reports to the NIRB's Monitoring Officer by a specified date each year. Any compliance monitoring report must contain, but is not limited to, the following information:

a. Whether any inspections have been conducted and the results of those inspections; and

b. Whether the Proponent is in compliance with any authorizations that have been issued.

3. Any other project certificate-specific requirements such as information related to project certificate terms and conditions that have been adopted into licences or permits.

8.4.2 What are the Proponent's responsibilities for Public Consultation During Monitoring

It is also important to conduct public consultations during Monitoring as communities want to hear regularly about how the project is proceeding. The screening and review of a project are the shorter processes of developing projects than the life of a project. The Public may want to discuss items such as potential changes that would assist in a Proponent working for the betterment of the project and the community(ies) impacted or assist in identifying change to the environment like climate change or education programs and opportunities.

The NIRB regularly conducts community consultation for projects with project certificates and uses the opportunity to discuss with communities the successes or challenges of the project as it progresses through the life cycle.

9 Reconsideration of the Terms and Conditions in a Project Certificate

9.1 Introduction

Under Article 12, Section 12.8.2 of the *Nunavut Agreement* and s. 112 of the *NuPPAA*, any time after the issuance of a project certificate, the NIRB may reconsider the terms and conditions contained in the NIRB project certificate. The reconsideration of a project certificate may be initiated independently by the Board on its own initiative, upon application by a Designated Inuit Organization, the Proponent, or other interested parties or by the Minister under Article 12, Section 12.8.3 of the *Nunavut Agreement* and s. 112(2) of the *NuPPAA*.

In order to proceed with a reconsideration of the project certificate it must be established that:

- a. The terms and conditions contained in the project certificate are **not achieving their purpose**;
- b. The circumstances relating to the project or the effect of the terms and conditions are **significantly different** from those anticipated at the time the project certificate was issued; or
- c. There are technological developments or new information which provide a **more efficient method** of accomplishing the purpose of the terms and conditions.

As illustrated in Figure 18 *Approaches to Assessment of Proposed Amendments to Approved Projects*, when the NIRB receives notification of proposed amendments to a previously-assessed project, there are a number of factors considered by the Board in order to determine whether the requested modification constitutes a significant modification that requires a NIRB assessment.



April 6, 2018

Nunavut Impact Review Board Guidance: Approaches to Assessment of Proposed Amendments to Approved Projects

| | | |
|--|---|--|
| Manifestly Insignificant: No submissions to NPC/NIRB Required | Proposed amendment does not meet the definition of project under the <i>Nunavut Planning and Project Assessment Act (NuPPAA)</i> and is not required to be submitted to the NPC or NIRB. | E.g. Routine maintenance or replacement of storage buildings at an approved mine site. |
| Non-significant Amendment: NIRB Assessment Not Required | Minor project amendment proposed and additional authorizations or amendments to authorizations are below the threshold for NIRB Screening and/or reconsideration of Project Certificate terms and conditions. Submission to NPC only required. | E.g. Archaeological field program for an approved mining development. |
| Non-significant Amendment: Screening Not Required; Implications for NIRB Monitoring Program | Proposed amendment not a significant modification to original project, however, changes may have implications for the NIRB's monitoring program and required reporting. NIRB may invite comments to confirm whether reconsideration of Project Certificate terms and conditions necessary. | E.g. Crown Pillar Recovery amendment to the Doris North Project (NIRB File No. 05MN047) |
| Significant Amendment: Screening of Independent Project Proposal Required | Proposed amendment is a significant modification to the original project <u>but</u> the proposed modification is not integrally linked to the original project as assessed by the NIRB, and should be assessed as an independent project proposal. | E.g. Whale Tail Pit Project Proposal (NIRB File No. 16MN056). Many screening files annually. |
| Significant Amendment: PC Reconsideration Required | Proposed project amendment is significant <u>and</u> is integrally linked to original project as assessed by the NIRB; assessment of the proposed modification as an independent project proposal is inappropriate; modification assessed via a reconsideration of the Project Certificate. | E.g. Mary River Phase 2 Proposal (NIRB File No. 08MN053) |
| Significant Amendment: Deemed Unacceptable by NPC | Proposed amendment is a significant modification to the original project and the NPC determines that the modification is <u>not</u> in conformity with an approved land use plan. Proposal will not be forwarded to the NIRB for further assessment until land use planning requirements are met. | E.g. amendment to Mary River Phase 2 Proposal (NIRB File No. 08MN053) proposing winter shipping and ice-breaking |

Figure 18: Approaches to Assessment of Proposed Amendment to Approved Projects

9.2 Reconsideration Referral

If the NIRB decides an assessment is required, it also determines the scope and process of the subsequent assessment. However, by the time a modification proposal is reviewed by the NIRB, the Nunavut Planning Commission (the Commission) will have already made the determination that the modification proposal constitutes a significant modification and will have referred the modification proposal to the NIRB for assessment on that basis. In some cases, the NIRB may also have been consulted by the Commission leading up to the Commission's significance determination.

In general, the NIRB has the jurisdiction under s. 146 of the *NuPPAA* to consider on its own, whether a modification proposal constitutes a significant modification, recognizing the "one window approach" and the integrated regulatory process established under Articles 10-13 of the *Nunavut Agreement* and under the *NuPPAA*, the Board expects that generally the NIRB will rely on the Commission's finding that a modification proposal constitutes a significant modification.

The Board expects it will only be in very rare instances when the NIRB, upon consideration of the potential impacts of a modification proposal, would differ from the Commission's view that the modification proposal constitutes a significant modification.

9.3 NIRB Reconsideration Process

In the Board's view, conducting the assessment of a proposed modification as a separate screening may be appropriate in circumstances where the modification proposal is sufficiently separate and distinct from the original previously assessed project and may be considered as a separate but related project. Examples of this approach include the NIRB's assessment of the mining of a new deposit proposed in Agnico Eagle's Whale Tail Pit Project (NIRB File No.: 16MN056) and also the proposed mining of a new deposit proposed in TMAC's Phase 2 Hope Bay Belt Project (NIRB File No.: 12MN001).

In contrast, where a modification proposal is considered to be within the scope of the assessment of the original project or is integrally-linked to the original project, and is not sufficient in scope to be assessed as a stand alone project, the NIRB has clearly rejected the notion that the only mechanism for assessing such

modification proposals is for the Board to conduct a separate screening.¹³ As illustrated in several reconsiderations of project certificate terms and conditions conducted by the NIRB to date under Article 12, Section 12.8.2 of the *Nunavut Agreement*,¹⁴ the Board's reconsideration must necessarily include an assessment of the potential for the proposed modification to result in changes to the ecosystemic and socioeconomic effects previously assessed for the original project, and the assessment required by the NIRB during a reconsideration is no less rigorous than a screening (and in some cases, even a full impact review).

While the NIRB does have considerable discretion as to the precise process for conducting a reconsideration of project certificate terms and conditions under Section 12.8.2 of the *Nunavut Agreement* and s. 112 of *NuPPAA*, the NIRB's primary objectives apply to reconsiderations generally dictate that the NIRB conduct an assessment of the modification proposal with as much rigor as a NIRB screening and sometimes even a review. The flexibility and discretion granted to the NIRB to determine the appropriate process for the assessment of modification proposals through reconsideration of project certificate terms and conditions reflects that the scale and scope of the changes requested may vary considerably as previously approved projects are developed, operated, decommissioned, and reclaimed.

For example, when the Board receives such a reconsideration request, the Board may provide notice of the request to the Authorizing Agencies, other interested parties and the public and may invite these parties to provide comment regarding the request on topics such as the following:

¹³ See for example the NIRB's correspondence to the Nunavut Planning Commission issued February 12, 2013 in relation to the NIRB's reconsideration of the Baffinland Iron Mines Corp.'s Mary River Project triggered by the submission of a modification request described as the Mary River Early Revenue Phase Project, NIRB File: 08MN053.

¹⁴ See for example the NIRB's February 11, 2013 correspondence to the Minister outlining this approach to Section 12.8.2 in advance of the Board's reconsideration of the Mary River Project Certificate No. 005, NIRB File: 08MN053, which stated:

The changes in the initial stages of project development to the project schedule and to specific activities under the Early Revenue Phase are integrally linked to the Mary River Project as approved under Project Certificate No. 005. Reflecting this linkage, the Board has determined that any potential ecosystemic and socioeconomic effects associated with the changes to the project as proposed in the Early Revenue Phase are best addressed under the existing Project Certificate No. 005. In making this determination, the Board has decided that the Early Revenue Phase does not constitute a distinct, stand alone project that should be subject to a screening and review process separately from the Project as approved under Project Certificate No. 005.

1. Whether the request meets the requirement for reconsideration set out in Article 12, Section 12.8.2 (a), (b), or (c) and s. 112(1)(a)-(c) of the *NuPPAA*;
2. Whether, reflecting the scope of the request to reconsider, the parties have identified any specific terms and conditions within the existing project certificate that should be reconsidered;
3. Whether any such reconsideration is likely to arouse significant public concern, and if so, describing the basis for that concern; and
4. Identifying any matter of importance to the commenting parties related to the request to reconsider the terms and conditions of the existing project certificate.

If the Board invites comment on the reconsideration request, the Board may then consider the request and the comments received in order to determine whether to grant the reconsideration request.

Once it is established that the NIRB will conduct a reconsideration, the NIRB may chose a reconsideration through written assessment like Agnico Eagle Mines Limited's "In-Pit Tailings Disposal Modification" and Baffinland Iron Mines Corp.'s "Production Increase".

1. Requesting parties opinion on the significance of the modification
2. The NIRB notifies the Minister(s) of the reconsideration if determined to be significant and accepted;
3. Request for comments of the Impact Statement addendum;
4. Conduct a technical meeting via teleconference;
5. Intervenors file final written submissions;
6. Proponent response to final written submissions; and
7. The NIRB issues a reconsideration report and recommendations under s. 112(5) of the *NuPPAA*.

However, if the request for initiation of a reconsideration is received from a party other than the Minister(s) or by the NIRB, and if, in the Board's opinion, the reconsideration requires additional assessment of the potential ecosystemic and socio-economic effects beyond the impact assessment completed during the original review, the Board may adapt the steps the Board considers necessary from the NIRB's existing review processes to yield sufficient information to complete the additional impact assessment and support an appropriate level of

public engagement, including the solicitation of public comment and potentially the coordination of community consultations.

Examples of this type of reconsideration are:

1. Agnico Eagle Mines Limited's reconsideration for public access to the all-weather road and the Vault Pit expansion associated with the Meadowbank Gold Mine Project (NIRB File No. 03MN107);
2. TMAC Resources Inc.'s amendment to the Doris North Project (NIRB File No. 05MN047); and
3. Baffinland Iron Mines Corp.'s Early Revenue Phase and Phase 2 Development for the Mary River Project (NIRB File No. 08MN053)

9.4 Submission of the NIRB's Public Hearing Report to the Minister

In both of these styles of reconsideration, the Board submits a report for the Minister(s) consideration summarizing the outcome of the NIRB's reconsideration, and if applicable, any recommendations in relation to amendments and additions to the terms and conditions of the existing project certificate within 45 days of completing the chosen steps. The public hearing report has the same considerations as the final hearing report described in [Sections 5.3.4](#) and [5.3.5](#).

9.5 Minister(s) Decision

The Minister(s) has the same options for making a decision during a review as for a reconsideration (see [Section 5.3.6](#)) and has 90 days and can take an additional 90 days if more time is required.

10 THE PUBLIC CONSULTATION REQUIREMENTS OF PROPONENTS DURING ALL OF THE NIRB'S PROCESSES

10.1 Introduction

The NIRB operates under the principle that public participation is an important element of an open and balanced impact assessment process. Effective public participation strengthens the quality of the NIRB's processes and helps to avoid potential misunderstandings and conflict. The NIRB has an obligation to create opportunities for the active and informed participation of the public at every stage of the impact assessment process.

Article 12, Section 12.2.27 of the *Nunavut Agreement* and s. 102(2) of *NuPPAA*, outline the NIRB's specific obligation to inform the public for the specific purpose of encouraging participation in NIRB hearings:

Nunavut Agreement, Article 12, Section 12.2.7: All necessary steps shall be taken by way of notice, dissemination of information, and scheduling and location of hearings to provide and promote public awareness of and participation at hearings.

NuPPAA s. 102(2): The Board must take all necessary steps to promote public awareness of and participation in any public hearing to be held in respect of a project, including through the choice of the date, time and place of the hearing, notice given in relation to them and measures taken to disseminate any relevant information.

Beyond fostering involvement in NIRB hearings, the NIRB's awareness program is **designed to enable the public to become knowledgeable** about the NIRB's impact assessment processes and specific project proposals, and **to provide opportunities and forums for the public to participate** in the NIRB's processes from screening to monitoring.

Informed awareness of and active participation by the public in the NIRB's impact assessment processes is one (1) way of ensuring that local knowledge, traditional knowledge, Inuit Qaujimajatuqangit, and Inuit Qaujimaningit are taken into account when the NIRB assesses the impacts of a project. For these reasons, **the NIRB encourages the public to provide local knowledge, traditional knowledge,**

Inuit Qaujimajatuqangit, and Inuit Qaujimaningit at all relevant stages of the NIRB's processes (screenings, reviews and reconsiderations, and monitoring).

Well-planned and appropriate consultation and/or engagement should create an open, honest, and transparent process that includes the public in decisions about project activities whether proposed or contained within a project certificate. It is intended to assist both the communities and the Proponent to understand what effects a project will have on potentially affected communities. It also helps to avoid potential misunderstandings and conflict with the public, which could potentially affect the timeframe for the development of the project.

****Note:** The participation of community organizations and members, including Elders, in all stages of project activities can ensure that local knowledge, Inuit Qaujimajatuqangit and Inuit Qaujimaningit are considered by a Proponent. However, it is important to note that public consultation efforts do not replace the design of appropriate studies and information-gathering sessions geared towards local knowledge Inuit Qaujimajatuqangit and Inuit Qaujimaningit, nor does it replace the input gathered by the NIRB during public hearings.*

10.2 What is the NIRB's role with respect to public consultation?

10.2.1 NIRB's Public Registry

The NIRB ensures transparent, timely, and relevant information is made available to the public through its public registry system, which can be accessed at the Cambridge Bay office or online via the NIRB's website www.nirb.ca. Information available through the public registry includes:

- general public guides providing an overview of the NIRB and explaining the NIRB's impact assessment and monitoring processes;
- information about all project proposals actively undergoing screening, review and/or reconsideration, and monitoring;
- archival information regarding completed screenings, reviews, reconsiderations, and monitoring information;
- all project certificates issued by the NIRB;
- relevant correspondence or documentation associated with these projects/processes;

- all Board determinations, including screening decision reports, pre-hearing conference decision reports, final and public hearing reports and project certificate reconsideration decisions; and
- a calendar of events that provides the schedule for active comment periods, meetings, hearings and other Board events.

***Note:** *Proponents and all participants providing documentation to the NIRB are advised that unless the Board receives and grants a request for confidentiality for information supplied, all information provided to the NIRB will be posted to the NIRB's public registry and may be circulated to the relevant distribution lists.*

10.2.2 Information Dissemination

The first step towards active participation in the NIRB's processes is effective public awareness of the projects undergoing screening, review, reconsideration, and monitoring. In order to meet its obligation under the *Nunavut Agreement* and the *NuPPAA*, the NIRB circulates information, holds information sessions, and encourages the public to provide their comments and actively participate at the various points in its process. This includes inviting public comment, in-person meetings associated with NIRB reviews which include scoping and guideline meetings, technical meetings, pre-hearing conferences, and of course public hearings, along with information sessions for monitoring. Throughout the NIRB processes, information is made available to the public through various media forms such as: newsletters, posters, Facebook, and radio announcements.

When a project is undergoing a NIRB review or reconsideration, the NIRB staff facilitate information sessions for the public in the affected communities to ensure they are aware of the NIRB review process, the project undergoing the review, and any relevant documentation relating to the project. The NIRB also encourages the public to access the NIRB's internet-based public registry page for the proposed project, contact local organizations, or contact the NIRB office should they have further questions arising from the information sessions.

Following the information sessions, the NIRB will prepare a report that summarizes the comments and/or themes discussed by the public at the meetings. In addition, the report will outline the dates, times and locations of the information sessions, and the methods of advertising, and the circulation of information.

***Note:** *Public engagement can be encouraged by ensuring the public has continued access to information about the review using project-specific or regional distribution lists. Interested parties and any member of the public can create an account with the NIRB's online registry and sign up for notifications for projects of interest. Anyone wishing to provide comments relating to a project can provide their comments in oral, electronic, or hard copy formats to the NIRB office, and all comments received are considered as part of the review process.*

It is the NIRB's goal to encourage public participation in all stages of the screening and review process and typically, public comment is specifically invited at the following points during the review:

- a. Scoping process;
- b. Guideline development;
- c. Review of the Impact Statement (IS) and Supplementary Information;
- d. Preparation of information requests and technical review comments;
- e. Pre-hearing Conferences; and
- f. Public Hearings.

10.2.3 NIRB Hearings

In order to encourage participation at the Final or Public Hearing, the NIRB publishes notice of the hearing details in regional newspapers at least 60 days prior to the hearing date. In addition, the NIRB typically requests the posting of notices and posters in the communities affected by the project at local companies, Designated Inuit Organizations, and Hamlet offices. The NIRB also issues local television and radio announcements as well as Facebook notifications in the two (2) weeks leading up to the Hearing. Hearings provide a forum for parties, intervenors, and the public to make comments and present information to the NIRB regarding the project. They also provide a critical opportunity for the Board to give due regard and weight to the tradition of Inuit oral communication and decision making through the active participation of Elders and community members.

The NIRB will make every effort to ensure that all affected communities are represented at the hearings, including respecting, within reasonable limits, the timing of community events, and times when community members traditionally travel on the land, conduct harvesting activities, or participate in celebrations. The NIRB will also ensure that simultaneous interpretation of hearing proceedings is

available for Inuktitut, Inuinnaqtun, French, and other languages depending on requests and requirements of where a meeting is hosted.

10.3 What is the Proponent's role with respect to public consultation during NIRB processes?

The NIRB requires that the Proponent engage affected communities about projects and activities in a way that informs them, consults with them, and enables them to participate to some degree in the development of the project. **Effective consultation is not simply one-way communication of a Proponent's plans for the project, and should demonstrate that the Proponent has not only asked for input from the communities but also links the input received with tangible effects on the project,** the Proponent's Impact Statement (IS), approach to mitigation, etc. The NIRB encourages Proponents to consider the following features in the development of effective public consultation associated with impact assessment processes that will be discussed in every application that is submitted to the NIRB for a screening or a review and/or reconsideration:

- a. Identify all affected communities;
- b. Identify and consult with the appropriate individuals within these communities;
- c. Facilitate general public meetings;
- d. Incorporate appropriate timing and notice for consultations;
- e. Establish the frequency of consultations;
- f. Recognize the importance of the cross-cultural setting and local languages;
- g. Ensure appropriate information dissemination during consultations;
- h. Develop appropriate methods to inform consultation participants regarding how information was collected or will be used;
- i. Ensure that collection and use of information from consultation participants is appropriate;
- j. Develop mechanisms and strategies to effectively manage consultation results and incorporate this information into the project; and
- k. Outline the proposed communication program/strategies.

Proper consideration of these features should assist the Proponent with developing an effective public consultation program to meet the NIRB requirements.

***Note:** *The NIRB recognizes that the nature and extent of consultations conducted by the Proponent will be dependent upon the scope, size, and location of the project proposal.*

10.4 What principles should guide the Proponent in carrying out public consultation?

In the NIRB's view, the following principles underlie the concept of effective and appropriate consultation in the Board's processes:

1. **Consultation should be part of an ongoing relationship** between the Proponent of a project proposal and the communities that will be potentially affected by the proposed project, where mutual trust and understanding builds over time through a continuing process of discussions, decisions, and follow-through. Importantly, consultation generally takes place before a project proposal is developed and decisions are made regarding the project.
2. **Consultation is a two-way communication process**, in which all parties listen and contribute views, information and ideas. The Proponent should communicate back to participants to confirm understanding of the information and to indicate any resulting effects of shared views, information and ideas.
3. **Consultation leads to action.** It is an opportunity for genuine and respectful listening. This does not necessarily mean that every suggestion made in a consultation is implemented, but that input will always be taken into account.

10.5 Who should be engaged through the consultation process?

10.5.1 The General Public

The NIRB places a considerable amount of importance on the involvement of the general public and potentially affected communities. The term "public" which is

used by the NIRB is an inclusive term that consists of interested parties, and the general public. For the NIRB's review purposes, the *general* public consists of:

- Citizens of Nunavut, either individuals or organized community interest groups; and
- Citizens of Canada, living outside of Nunavut, concerned about a project.

The NIRB involves different interested parties in the review process on a project-by-project basis. Parties can include: Authorizing Agencies and other local, territorial and federal Government agencies and departments, Designated Inuit Organizations, community organizations, and public interest groups.

In addition, members of the public may request to be formally recognized as an Intervenor, bringing forth any comments through submissions to the Board, being able to ask questions of the Proponent, the Authorizing Agencies, and other Intervenor and making themselves available to answer questions following their submissions. If any member of the public wishes to be recognized as a formal Intervenor at a hearing, they are expected to make a request to the Board for Intervenor status as set out in the NIRB's Notice of Public Hearing. To receive notification regarding Hearings and request for Intervenor status, please follow the instructions found within [Section 1.2](#).

10.5.2 Affected Communities

The general parameters the NIRB uses to determine which communities could potentially be affected by a project proposal include, but are not limited, to those within:

- Ecosystemic boundaries; and
- Socio-economic influenced areas.

Ecosystemic boundaries can include watersheds, airsheds, and wildlife migration routes within the project area. Socio-economic influenced areas can include any areas that may be drawn upon for employment initiatives, business opportunities, project supplies, or harvesting areas.

The Proponent may be required to consult with any potentially affected person in potentially affected communities, which includes individual members of an affected community, as well as organized community groups or public interest groups in that community. In each community there are a number of individuals, community groups or public interest groups who may have relevant community knowledge

related to the proposed project and, as such, may be contribute to the Proponent's knowledge in their respective area(s) of expertise.

The following non-exhaustive list is provided to give Proponents some initial direction regarding the types of common Nunavut community groups and affiliates that should typically be considered in a consultation program. However, Proponents are cautioned that each community varies and the individuals and groups that should be consulted in a given community must adequately reflect the circumstances of each community. Typically, Proponents conducting consultation in Nunavut communities consult with:

- | | |
|---|---|
| a. Regional Inuit Association (RIA) Community Liaison Officer | j. Elementary School Principal |
| b. Regional Inuit Association Community Lands and Resource Committee (CLARC) or equivalent group in the relevant region | k. High School Principal |
| c. Community Beneficiary Committees (CBC) | l. Arctic College Dean |
| d. Hamlet Council | m. Hamlet Economic Development Officer (EDO) |
| e. Hunters and Trappers Organization (HTO) or Hunters and Trappers Associations (HTA) | n. Local Development Corporation |
| f. Wildlife Officer | o. Hamlet Senior Administrative Officer (SAO) |
| g. Women's Group | p. Interagency Committee |
| h. Youth Group | q. Housing Association |
| i. Elders Committee | r. Royal Canadian Mounted Police (RCMP) |
| | s. Member of the Legislative Assembly (MLA) |
| | t. Health Centre |

***Note:** *When it comes to consultation there is no “one size fits all” solution and there are many different techniques and strategies to ensure maximum participation in the public consultation process. In the NIRB’s experience, most Proponents have found the key to be taking a proactive approach to the consultation process to*

facilitate early identification of the individuals and groups affected by the project, identification of any potential conflicts and working with individuals and groups to resolve conflicts in a timely fashion.

Proponents have also found that it is important to present information in an acceptable manner with a focus on the recognition of the cross-cultural setting in Nunavut. Proponents are well advised to recognize the history and economy of the community, as well as past community knowledge related to development and the NIRB process.

10.6 What is the role of formal intervenors and interested parties in the review process?

As noted previously, if any member of the public wishes to be granted formal intervenor status at a NIRB hearing, the requirements to apply for this status are typically set out by the Board in its Public Notice of the Hearing, but anyone interested in applying to be granted intervenor status is encouraged to contact the Board to discuss the roles, responsibilities and timelines that may be associated with such an intervention. Interested parties and formal intervenors have the opportunity to actively participate in the review process in the following ways:

- a. Monitoring the public registry and accessing project-specific information;
- b. Providing project-specific comments or correspondence to the NIRB;
- c. Preparing and presenting formal submissions at a hearing; and
- d. Questioning other participants and being questioned at a hearing.

Further details regarding the roles, opportunities for participation and responsibilities of intervenors in the NIRB process are outlined in a separate *Intervenor's Guide to the NIRB*.

11 PREPARING AN IMPACT STATEMENT

11.1 Introduction

[Part 5](#) of this Guide describes the Review process in general, and states that an Impact Statement (IS) is a tool used by the NIRB to evaluate the potential environmental and socio-economic impacts of a project proposal and to ensure the integrated planning of development proposals. The Proponent of a project proposal prepares this in-depth document that identifies, predicts, evaluates, and communicates information about the impacts of a development proposal on human health and the well-being of the ecosystem prior to major decisions and commitments being made.

An IS also includes the identification and development of mitigation measures, which are measures designed to control, reduce, or eliminate potentially adverse impacts of an activity or project and enhance positive impacts. Further, an IS also contains monitoring and reporting methods to verify the accuracy of impact predictions.

11.2 What are the requirements that Proponents should consider in the preparation of an IS?

As generally stated under [Part 5](#) of this Guide, in situations where the NIRB is conducting a NIRB review under Article 12, Part 5 of the *Nunavut Agreement* and ss. 99-114 of the *NuPPAA*, the Board will issue impact statement (IS) Guidelines to a Proponent to assist in the preparation of the IS and the NIRB is currently developing standardized IS Guidelines.

As outlined in the *NuPPAA* s. 101(3), the IS Guidelines must specify which of the following types of information the Proponent is required to include in the IS:

- (a) a description of the project, the purpose of, and need for, the project;
- (b) the anticipated effects of the environment on the project, including effects associated with natural phenomena, such as meteorological and seismological activity, and climate change;
- (c) the anticipated ecosystemic and socioeconomic impacts of the project, including those arising from the effects referred to in paragraph (b);

- (d) the measures proposed by the proponent to
 - (i) avoid and mitigate adverse ecosystemic and socio-economic impacts, including contingency plans,
 - (ii) optimize the benefits of the project, with specific consideration given to expressed community and regional preferences in regard to benefits,
 - (iii) compensate persons whose interests are adversely affected by the project, and
 - (iv) restore ecosystemic integrity after the permanent closure of the project.
- (e) any monitoring program of the project's ecosystemic and socio-economic impacts that the proponent proposes to establish;
- (f) the interests in land and waters that the proponent has acquired or seeks to acquire;
- (g) options for carrying out the project that are technically and economically feasible and the anticipated ecosystemic and socioeconomic impacts of those options; and
- (h) any other type of information relating to a matter within the Board's jurisdiction that the Board considers relevant in the circumstances.

In addition to the requirements set out in the IS Guidelines, Proponents must also comply with a set of general requirements in the preparation of the IS. These general requirements are also binding upon the Proponent and include:

11.2.1 Minimum IS Requirements

Article 12, Section 12.5.2 of the *Nunavut Agreement* and s. 101(3) of the *NuPPAA* sets out the information that must be included in an IS and authorizes the NIRB to require the inclusion of "any other matters that NIRB considers relevant." Accordingly, the NIRB has developed the following minimum required elements for an EIS to guide project Proponents in the preparation of an IS to be submitted as part of a NIRB review:

1. **Statement of Consultation Principles and Practices:** The NIRB expects the Proponent to engage in meaningful and well-planned pre-project consultations with potentially affected local persons and communities. The Proponent is

- expected to make information about its project proposal accessible and available to the persons and communities potentially affected by the proposal, and to collect comments with a view to incorporate or resolve any differences. Discussions should include, but not be limited to: land uses, policies, resource uses, archaeological areas, infrastructure, and terrain sensitivities. Inuit cultural concerns and/or knowledge (e.g., Inuit Qaujimagatuqangit) must be highlighted throughout the document and outline how the information that was assembled was incorporated into project planning, development, or monitoring. Further, all comments received by the Proponent from the public must be summarized, documented, and presented in the IS through incorporation into the development of the project.
2. **Definition of Project:** A definition of the project must include a discussion of any connected and/or down-the-road related projects (e.g., phased development in the reasonably foreseeable future) in order to reveal the primary purpose and better understand complex or multi-staged related proposals.
 3. **Statement of Project's Purpose:** An IS must contain a statement explaining the need for, and the purpose of the project. Where further economic development is needed for a given area, the Board expects the deficiencies in the economic status quo to be stated.
 4. **Anticipated Impacts Analysis:** A comprehensive impact assessment must be carried out which includes, but is not limited to, environmental and socio-economic effects that are likely to result from the project in combination with other projects or activities that have been, or will be, carried out. Anticipated impacts include short and long-term, direct and indirect, positive and negative, cumulative, and cultural impacts. This element of the IS must include a mitigation analysis that explains how the impacts could be avoided, minimized, cured, eliminated, or compensated. The anticipated impact analysis and assessment **must** give consideration to the concepts of the precautionary principle and sustainable development; this should be reflected throughout IS materials.
 5. **Cumulative Effects Analysis (CEA):** Cumulative effects must be analyzed for NIRB reviews. A project proposal causes a cumulative effect if, when the potential impacts associated with the project proposal, when added to other projects in the region, or projects reasonably foreseeable in the region, will cause an additive effect. A comprehensive examination of all cumulative effects must be included in an IS.

6. **Significant Effects Analysis:** The Board must be advised of the significant impacts of the project. This should be based upon:
 - a. the project setting, taking into account the location's unique ecosystemic characteristics, and
 - b. the severity of the impacts, taking into account public health, land use plans, protected areas, habitat, or species, public concern, etc.

Ultimately, the Board makes an assessment regarding which effects are significant, taking into account the factors for determining significance set out in s. 103(1) of *the NuPPAA*, and the Board's findings are included in the NIRB's report to the Minister.

7. **Project Alternatives:** This requirement includes, but goes well beyond, alternative means of carrying out the project that might be economically and technically feasible and the environmental effects of those alternative means. This assessment must include the "no-go" or "no-build" alternative, as well as the "preferred" alternative. The "no-go" alternative is not only a potentially stand-alone option, it also serves as a baseline for comparison with other development alternatives that might reasonably be proposed in the circumstances. Any alternatives that are proposed in an IS that are not fully assessed along with the preferred option are not considered as assessed by the NIRB during the review.
8. **Sustainability Analysis:** The IS must contain an analysis of the ability of renewable resources affected by the project to sustain current and future generations in Nunavut and Canada.
9. **Monitoring or Post-Project Analysis (PPA):** The purposes of a PPA are to:
 - a. measure the ecosystemic and socio-economic environments of a project;
 - b. assess whether the project is in compliance with the prescribed project terms and conditions;
 - c. share information with regulatory authorities to support enforcement of land, water or resource use approvals and agreements; and
 - d. assess the accuracy of the predictions contained in the impact statement.

10. **Trans-Boundary Impact Analysis:** Where relevant, an IS must include an assessment of all significant adverse ecosystemic or socio-economic trans-boundary effects.
11. **Any Other Matter Deemed Necessary:** The NIRB will always review each project proposal on a case-by-case basis including instructions from the Minister and may add other requirements as considered necessary.

11.2.2 General Principles

To achieve the purpose of Article 12 of the *Nunavut Agreement* and Part 3 of the *NuPPAA* and specifically fulfill the requirements of Article 12, Section 12.5.2 of the *Nunavut Agreement* and s. 101(3) of the *NuPPAA*, a Proponent must consider the following when preparing an IS:

- a. The IS shall flow logically and be written in plain language which includes glossaries, diagrams, charts, tables, photographs, and drawings to enhance understanding of the project.
- b. Impacts shall be discussed in proportion to their significance.
- c. The IS Main Document (e.g., Volume 1) is the Proponent's summary of all of its analysis and conclusions. This document shall be concise and no longer than 150 pages. The IS main document shall reference supporting documentation where additional information and baseline data can be found.
- d. The IS shall contain a concordance table directing reviewers to the location (document, section, and page number) where specific information addressing the guidelines and NIRB's minimum IS requirements can be found.
- e. The IS shall state how the alternatives that were considered by the Proponent and the Proponent's selection of preferred alternatives further the objectives of Article 12 of the *Nunavut Agreement* and other applicable environmental laws and policies.
- f. The range of alternatives discussed in the IS shall fall within NIRB's mandate and encompass options considered by the ultimate decision-making agency.
- g. Neither Proponents nor Governments shall take actions, such as committing resources or making provisioning decisions that would preempt the selection of alternatives before the analysis of alternatives is

complete and a final decision has been made regarding the preferred alternative.

- h. The IS shall serve as the means of assessing the environmental and socio-economic impact of project proposals, rather than justifying decisions already made.

11.2.3 Formatting

Proponents should use a format for the IS which will encourage good analysis and a clear, concise presentation of the project proposal, including any alternatives considered. The following standard format for the IS must be followed unless the NIRB issues additional or different format guidelines in individual cases:

- a. One-page project description for ease of reference;
- b. Plain language summary (translated into regional language(s));
- c. Executive summary (translated into regional language(s));
- d. Table of Contents;
- e. Concordance table which lists each of the guideline requirements and the corresponding location where that requirement is addressed within the IS;
- f. Purpose of, and need for the project;
- g. Detailed project description including potential future development;
- h. Alternatives considered in the development of the project proposal;
- i. Discussion of the public consultation initiatives with the communities potentially affected by the project activity. Provide the results of the public consultation, as well as evidence that community concerns were addressed in the planning of the project activities (See [Section 10](#) for further information);
- j. A baseline of the existing environmental and socioeconomic information which is a reflection of the environment in the region and which is based upon proper studies;
- k. Anticipated ecosystemic and socio-economic impacts of the project proposal, including its impacts on the valued ecosystem components (VEC) and valued socio-economic components (VSEC) of the members

of the public potentially affected by the project (and as identified by public consultation processes);

- l. Anticipated effects of the environment on the project;
- m. Anticipated cumulative effect of the project on the region;
- n. Steps which the Proponent proposes to take to avoid and mitigate adverse impacts, including any contingency plans (spills, fires, floods, etc.) and adaptive management;
- o. Statement of residual impacts and significance;
- p. Steps which the Proponent intends to undertake in order to restore the area affected by the project activities during operation and upon project closure and abandonment;
- q. Steps which the Proponent proposes to take to optimize benefits of the project, with specific consideration being given to expressed community and regional interests;
- r. The monitoring program that the Proponent proposes to establish with respect to monitoring the ecosystemic and socio-economic impacts of the project;
- s. The interests in lands and waters which the Proponent has secured, or seeks to secure;
- t. List of permits, licences and authorizations required to undertake the project proposal;
- u. List of consultants or individuals who assisted in preparation of the IS;
- v. List of agencies, organizations, and persons to whom copies of the IS will be sent;
- w. Index; and
- x. Supporting documentation and appendices.

11.3 What is the process for filing an IS with the NIRB?

11.4 Submission of a DRAFT IS

Typically the filing of a Draft IS (DIS) with the NIRB will be followed by a guideline conformity review by the NIRB; information requests by the NIRB and parties; and technical review of the DIS by the NIRB, Authorizing Agencies, interested parties, and the public. The Proponent is responsible for providing additional information and revising the Draft IS to address any deficiencies, issues and/or concerns that arise during the conformity review, as a result of information requests or during technical review. The NIRB will decide whether the Proponent has sufficiently addressed any identified shortcomings and incorporated those comments which, in the judgment of the NIRB, should be reflected in the Final IS.

11.5 Submission of a FINAL IS

The filing of the Final IS (FIS) with the NIRB is similar to the submission of a draft IS and will be followed by: a compliance review by the NIRB; public notice of the submission of the FIS; and a request to the Proponent to distribute the FIS to all parties for review. In addition to fulfilling the general requirements listed above, the FIS must identify and incorporate parties' comments regarding preferred alternatives which, in the judgment of the NIRB, should be reflected in the FIS.

***Note:** *Once an Impact Statement is completed in either draft or final form it is the responsibility of the Proponent to circulate the IS (in either electronic or hard copy) to all parties who have indicated they require a copy.*

12 SUBMISSION OF ELECTRONIC DOCUMENTATION

12.1 Introduction

As noted throughout this Guide, in order to facilitate making key project and regulatory information available to the public the NIRB publishes this information on its electronic registry, which is accessible from the NIRB's website at www.nirb.ca.

12.2 What are the NIRB's requirements for submission of electronic documentation?

***Note:** *The NIRB has developed a new online public registry system that allows for direct upload of project proposal supporting information and online completion of NIRB information forms and public comment forms. Project proponents continue to be responsible for supplying the NIRB with hardcopies of information as required.*

Proponents are also encouraged to use the Online Application System through their user accounts for more efficient submissions. In order to assist with the filing of project documentation on the NIRB's public registry, where it cannot be uploaded directly to the online registry, project information must be submitted electronically on CD/DVD or external drive in a format that is compatible with the NIRB guidelines listed below. This includes historic information that is required to be converted by the Proponent from hard copy to PDF format.

12.2.1 Requirements Applicable to Electronic Documentation

***Note:** *Given the sheer volume of documentation provided to the NIRB and posted on the NIRB's registry, the Board is not responsible for downloading material from a Proponent's FTP site and requires the electronic copies of information to be provided to the NIRB.*

1. All documentation for inclusion on the NIRB registry must be uploaded directly or submitted either on CD/DVD, or external drive or through the NIRB's online application system.

2. All electronic documentation must be formatted in Portable Document Format (PDF) – with the latest version of Adobe being acceptable format.
3. All PDF files must have the security features set to “no security”.
4. It is recommended that all individual PDF files and the files are subject to size limitations such as 10-25 MB recognizing bandwidth limitations in Nunavut.
5. When assigning filenames common sense should prevail. All file names should be descriptive enough to accurately indicate the contents, preferably with no spaces. Dashes (-), and underscores (_) may be utilized, but slashes (/) or (\) may not.
6. Whenever you submit a digital document to the NIRB, it would be helpful to have it named in the following manner:

YYMMDD-FILE NUMBER-zzzzz-WJJL.xxx

YY=Year MM=Month DD=Day

FILE NUMBER as assigned by the NIRB.

zzzzz = a descriptive name of the document (concise length of title) to identify its contents without having to open the file.

WJJ = a descriptive acronym to identify the writer or reviewer of the document.

L = Language (E = English, F = French, S = Syllabics, I – Inuinnaqtun, M = multiple).

xxx = file extension (.pdf is usually expected here).

12.2.2 Text, Tables, Pictures, Figures, Maps, and Drawings

When submitting large documents (i.e., applications and appendices) include the tables, pictures, figures, maps, and drawings in the correct locations throughout the document as these would appear in the hard copy. If the table of contents lists tables, pictures, figures, maps and drawings as separate documents, then include them as separate files.

***Note:** *Inclusion of the report's Table of Contents is vital and should be a separate document (e.g., toc.pdf).*

Submitting a Table of Contents as a separate file enables the Technical Services Department to provide linkages to individual PDF files contained in applications and supporting materials.

Proponents should also ensure that an electronic copy of files accompanies the formal submission of hard copy documentation.

12.3 What if I need further assistance meeting these requirements?

Proponents are reminded that the NIRB's central focus in specifying requirements for submission of documentation is to provide ease of access to the NIRB site, ease of printing, and ease of formatting for upload to and access from the NIRB's registry, but that these requirements will change over time to reflect limits and changes to technology. As a result, Proponents are encouraged to seek specific clarification and information on the requirements applicable to the NIRB's handling of their documentation, from the NIRB's Technical Services Department at info@nirb.ca.

Appendix A: Online Application System – Proponent User’s Guide

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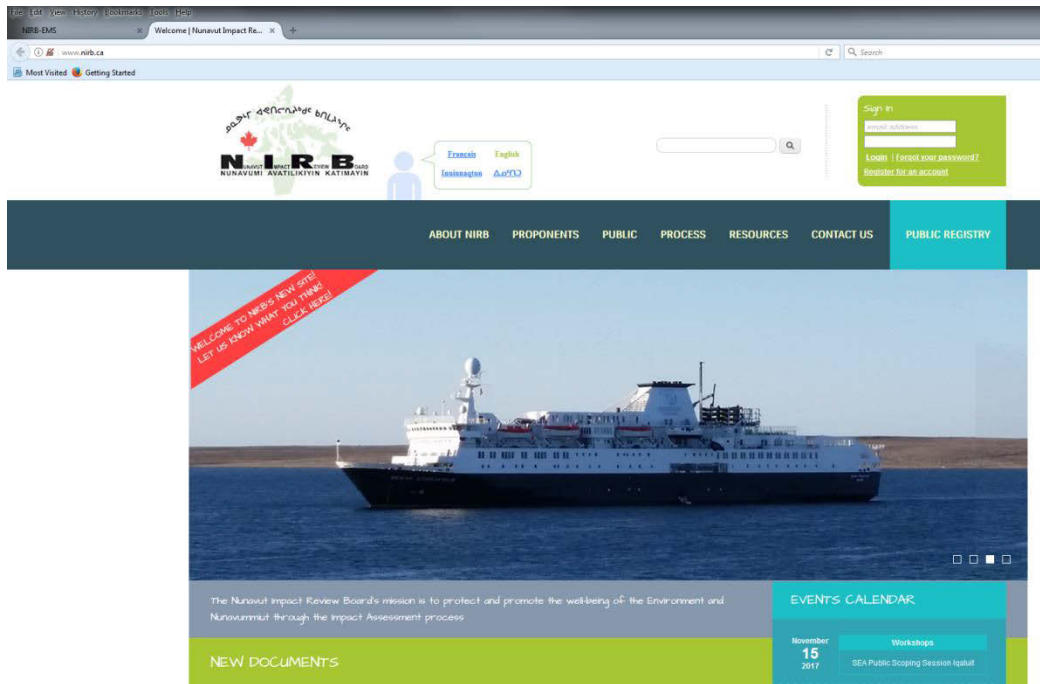
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NIRB Online Application

The following User Guide will assist proponents in the successful operation of the NIRB's online application and public registry. The application opens in a standard web browser such as Microsoft Explorer, Mozilla Firefox or Google Chrome.

The Proponent portal and NIRB public registry can be found by accessing the NIRB website at:

www.nirb.ca



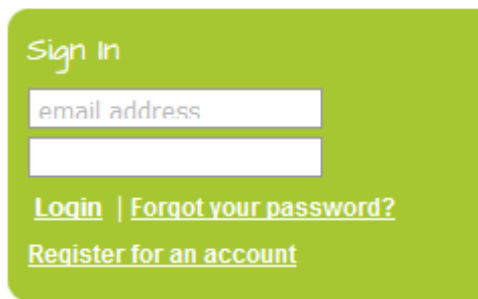
Registering for an Account

The Proponent Portal is located on the www.nirb.ca website. Proponents must register for an account to be able to open and submit a project application.

Stakeholders and/or members of the general public must also register an account in order to submit comments or to “follow a project” which will add them to the distribution list for that project.

Register an Account

On the www.nirb.ca homepage, click the Register hyperlink in the top right hand-side of the page.



Several fields must be filled in to create an account. Fields marked with an asterisk (*) are mandatory fields. Mandatory fields include Name, Phone Number, Email, Address, City, Territory/Province/State, Postal Code and Country.

Register

Fields marked * are mandatory.

Status

- I will be submitting a Project Proposal (will require approval by NIRB).
- I belong to a government organization or a NIRB agency.

IMPORTANT Do not check the box unless you will be submitting a Project Proposal.

Salutation

Name *

Phone Number *

Fax

E-mail *

Website URL

Password *

Password strength: _____

Confirm password *

Company

Address *

City *

Territory / Province / State *

Postal Code *

Country *

I'm not a robot



Privacy - Terms


Submit

On the Create Account page, the check box "I will be submitting a Project Proposal" should only be checked if you are a proponent and plan on submitting a Project Proposal.

Status

- I will be submitting a Project Proposal (will require approval by NIRB).

Once complete, check the "I'm not a robot" button. Complete the reCaptcha.

I'm not a robot 
reCAPTCHA
Privacy - Terms

Once complete click the 'Submit' button to create your account.

Submit

Upon pressing the submit button, you will receive a pop-up dialog if you have indicated that you will be submitting a Project Proposal, click OK to continue or Cancel to abort.

You have indicated that you will be submitting a Project Proposal.
Is this correct?

PROPONENTS: Account status will be pending until the NIRB Administrator updates their account to Active status.

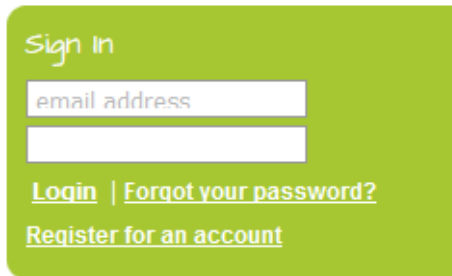
IMPORTANT: Proponents will be able to log into the NIRB portal at this stage. However, they will not be able to create a project application until NIRB staff approve their account and update to Active status. On your My Account page you will receive a notice to this affect:

Your account is pending approval.
You cannot create Project Proposals until this occurs.

Sign In

Once your account is created, you can sign into the portal at any time using the Sign in box at the top right of the page.

Use your email address and password chosen when your account was registered.



Sign In

email address

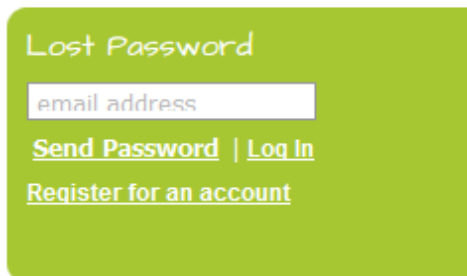
[Login](#) | [Forgot your password?](#)

[Register for an account](#)

Forgot your Password?

If you misplaced your password information, you can retrieve your password by pressing the Forgot Password button.

Once pressed you will be required to enter your email address into the Email Address text box and press the Send Password button.



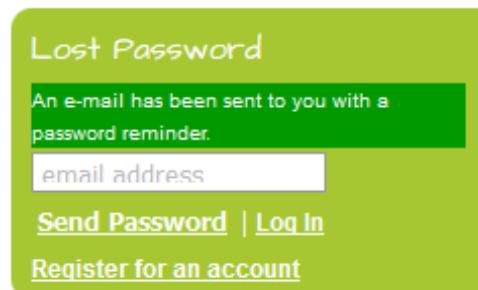
Lost Password

email address

[Send Password](#) | [Log In](#)

[Register for an account](#)

You will receive a message indicating your password has been sent to the email address provided. You will then receive an email from the NIRB Enterprise Management System with your password information.



Lost Password

An e-mail has been sent to you with a password reminder.

email address

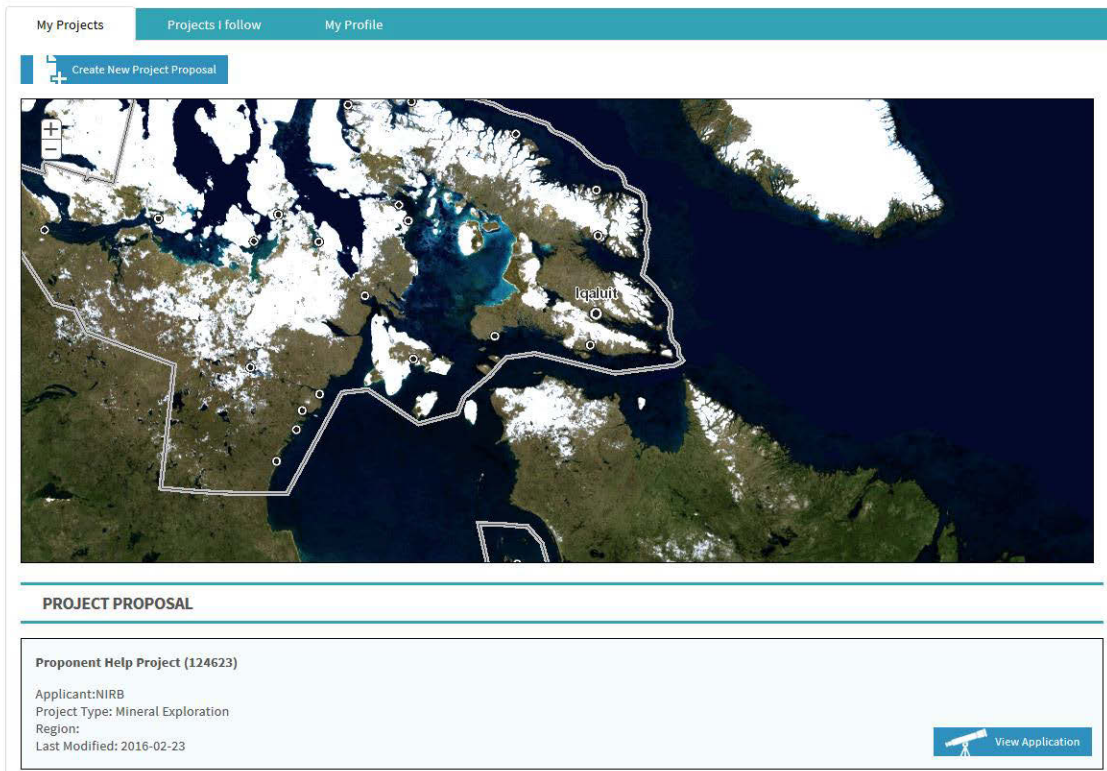
[Send Password](#) | [Log In](#)

[Register for an account](#)

My Account Page

Once signed in, you will be redirected to the My Account page. If you registered an account as a potential proponent who will submit projects, the page will consist of three main tabs; My Projects, Projects I Follow and My Profile. Project applications that you have submitted will be listed at the bottom of the My Projects tab.

My Account



The screenshot displays the 'My Account' interface. At the top, there are three tabs: 'My Projects', 'Projects I follow', and 'My Profile'. Below the tabs is a 'Create New Project Proposal' button. The main area features a satellite map of Nunavut, Canada, with several white circular markers indicating project locations. Below the map, a 'PROJECT PROPOSAL' card is visible, containing the following information:

- Proponent Help Project (124623)
- Applicant: NIRB
- Project Type: Mineral Exploration
- Region:
- Last Modified: 2016-02-23

A 'View Application' button with a magnifying glass icon is located in the bottom right corner of the proposal card.

A stakeholder or member of the general public will have two main tabs, namely Projects I follow and My Profile.

My Profile

The My Profile tab allows you to update your profile information you set when registering your account. You may update any of your account information in the text boxes provide and click the Update My Profile button.

My Account

My Projects Projects I follow **My Profile**

| | | | | | |
|--------------|--|------------------------------|--|--------------|----------------------|
| Name | <input type="text" value="NIRB Administrators"/> | Address | <input type="text" value="P.O. Box 1360"/> | New Password | <input type="text"/> |
| Company | <input type="text" value="NIRB"/> | City | <input type="text" value="Cambridge Bay"/> | Confirm | <input type="text"/> |
| Phone Number | <input type="text" value="8679834600"/> | Territory / Province / State | <input type="text" value="NU"/> | | |
| Fax | <input type="text"/> | Postal Code | <input type="text" value="X0B 0C0"/> | | |
| Email | <input type="text" value="emsnirb@nirb.ca"/> | Country | <input type="text" value="Canada"/> | | |
| Website | <input type="text"/> | | | | |

Notification Settings

These notification parameters are global. You will receive notifications for all projects that match your selected criteria..

Project Type

| | | | | |
|--|--|---|--|---|
| <input type="checkbox"/> Access | <input type="checkbox"/> Defence | <input type="checkbox"/> Mine Development | <input type="checkbox"/> Oil and Natural Gas Exploration | <input type="checkbox"/> Site Cleanup/Remediation |
| <input type="checkbox"/> Access Road | <input type="checkbox"/> Fuel | <input type="checkbox"/> Mineral Exploration | <input type="checkbox"/> Pits and Quarries | <input type="checkbox"/> Space |
| <input type="checkbox"/> All-Weather Road / Access Trail | <input type="checkbox"/> Ice Drilling | <input type="checkbox"/> Municipal and Industrial Development | <input type="checkbox"/> Power Plant | <input type="checkbox"/> Tourism |
| <input type="checkbox"/> Camp | <input type="checkbox"/> Infrastructure | <input type="checkbox"/> National Park | <input type="checkbox"/> Remediation | <input type="checkbox"/> Water |
| <input type="checkbox"/> Coastal Infrastructure | <input type="checkbox"/> Lease | <input type="checkbox"/> Oil and Natural Gas Development | <input type="checkbox"/> Scientific Research | <input type="checkbox"/> Winter Road / Winter Trail |
| | <input type="checkbox"/> Marine Based Activities | | | <input type="checkbox"/> Other |

Region

- Transboundary
- Kitikmeot
- Kivalliq
- North Baffin
- South Baffin

In the My Profile page, you can also set notification settings.

Notification Settings

Notification settings are global system parameters. You can receive notifications for all projects that match your selected criteria found on the My Profile tab.

You may receive notifications by Region and/or Project Type. For notifications by region, use the check boxes to select regions you would like to receive notifications for projects. Use the Check Mark button to select all or the X button to deselect all.

Region

- Transboundary
- Kitikmeot
- Kivalliq
- North Baffin
- South Baffin

For notifications by Project Type, use the check boxes to select one or more Project Types you would like to receive notifications for projects. Use the Check Mark button to select all or the X button to deselect

all. The All categories check box can also be used to select all Project Types (which overrides any current selection).

| Project Type | Project Type | Project Type | Project Type | Project Type |
|--|--|---|--|---|
| <input type="checkbox"/> Access | <input type="checkbox"/> Defence | <input type="checkbox"/> Mine Development | <input type="checkbox"/> Oil and Natural Gas Exploration | <input type="checkbox"/> Site Cleanup/Remediation |
| <input type="checkbox"/> Access Road | <input type="checkbox"/> Fuel | <input type="checkbox"/> Mineral Exploration | <input type="checkbox"/> Pits and Quarries | <input type="checkbox"/> Space |
| <input type="checkbox"/> All-Weather Road / Access Trail | <input type="checkbox"/> Ice Drilling | <input type="checkbox"/> Municipal and Industrial Development | <input type="checkbox"/> Power Plant | <input type="checkbox"/> Tourism |
| <input type="checkbox"/> Camp | <input type="checkbox"/> Infrastructure | <input type="checkbox"/> National Park | <input type="checkbox"/> Remediation | <input type="checkbox"/> Water |
| <input type="checkbox"/> Coastal Infrastructure | <input type="checkbox"/> Lease | <input type="checkbox"/> Oil and Natural Gas Development | <input type="checkbox"/> Scientific Research | <input type="checkbox"/> Winter Road / Winter Trail |
| | <input type="checkbox"/> Marine Based Activities | | | <input type="checkbox"/> Other |

Once complete, press the Update Notification Settings button to update your profile and/or notification settings.

IMPORTANT: You will receive email notifications for any projects matching your settings. **Notifications are not the same as projects you follow.** This is a ONE TIME notification for any NEW projects the NIRB receives and has started screening. It will notify you the project has been started. You must manually find the projects in the Public Registry and follow the project in order to receive further communications regarding the file. Projects you follow will be assigned to your user profile.

My Projects

The default landing page in My Account is My Projects. Upon first entering the system, you will only see the Create New Project Proposal button. If you have been here before and submitted a project proposal, your previously entered project proposal(s) will be listed.

Projects I Follow

Upon first entering the system, you will have not searched the public registry to assign projects to your account that you would like to follow.

My Account



You will be required to visit the Public Registry to search for Projects you would like to follow by clicking the Public Registry hyperlink.

[PUBLIC REGISTRY](#)

If you have been here before and added projects you would like to follow, you will see a listing of all projects that you are currently following.

To add projects to your account that you would like to follow, click the Public Registry hyperlink.

You will now be redirected to the Search Public Registry page. You can search for projects using a keyword search, several advanced searches, or by using the map to search a spatial extent.

SEARCH the PUBLIC REGISTRY

Keyword Search

Search Projects Search Documents

Advanced Search

Project Location

- | | |
|--|---------------------------------------|
| <input type="checkbox"/> Transboundary | <input type="checkbox"/> Kitikmeot |
| <input type="checkbox"/> Kivalliq | <input type="checkbox"/> North Baffin |
| <input type="checkbox"/> South Baffin | |

Project Type

- | | |
|--|---|
| <input type="checkbox"/> Access | <input type="checkbox"/> Access Road |
| <input type="checkbox"/> All-Weather Road / Access Trail | <input type="checkbox"/> Camp |
| <input type="checkbox"/> Coastal Infrastructure | <input type="checkbox"/> Defence |
| <input type="checkbox"/> Fuel | <input type="checkbox"/> Ice Drilling |
| <input type="checkbox"/> Infrastructure | <input type="checkbox"/> Lease |
| <input type="checkbox"/> Marine Based Activities | <input type="checkbox"/> Mine Development |
| <input type="checkbox"/> Mineral Exploration | <input type="checkbox"/> Municipal and Industrial Development |
| <input type="checkbox"/> National Park | <input type="checkbox"/> Oil and Natural Gas Development |
| <input type="checkbox"/> Oil and Natural Gas Exploration | <input type="checkbox"/> Other |
| <input type="checkbox"/> Pits and Quarries | <input type="checkbox"/> Power Plant |
| <input type="checkbox"/> Remediation | <input type="checkbox"/> Scientific Research |
| <input type="checkbox"/> Site Cleanup/Remediation | <input type="checkbox"/> Space |
| <input type="checkbox"/> Tourism | <input type="checkbox"/> Water |
| <input type="checkbox"/> Winter Road / Winter Trail | |

Assessment Status

- | | |
|--|---|
| <input type="checkbox"/> Active Screening | <input type="checkbox"/> Active Review |
| <input type="checkbox"/> Active Monitoring | <input type="checkbox"/> Completed Screening |
| <input type="checkbox"/> Completed Review | <input type="checkbox"/> Completed Monitoring |
| <input type="checkbox"/> Exempt from Screening | <input type="checkbox"/> Inactive |
| <input type="checkbox"/> Cancelled Screening | <input type="checkbox"/> Active S.E.A. |
| <input type="checkbox"/> Completed S.E.A. | |

Select All

Deselect All



Are you a registered user?

We want your feedback. As a registered user you can share your ideas and opinions with us. It's quick and easy. Just click the button below.



Register an Account



Contact NIRB

Map Search

Set Search Area



If you do not wish to search the public registry, simply click the My Account hyperlink (top right of page) to return to the My Account page.

Welcome, NIRB Administrators

[My Account](#)

[Log Out](#)

Public Registry Search

Keyword Search

Keyword Search

Search Projects Search Documents

You can use the Keyword Search text box to input text and search either project or documents. To search Projects, make sure the Search Projects radio button (default) is selected and then press the Submit button. Likewise, to search documents, make sure the Search Documents radio button is selected.

IMPORTANT: When using keywords ensure there is a comma (,) and no space between the keywords.

Advanced Search

The Advance Search allows the user to select any number of categories. Use the Check Mark to select all document types for each main grouping of documents. Use the X (cancel) button to unselect all.

Advanced Search

Project Location



| | |
|--|---------------------------------------|
| <input type="checkbox"/> Transboundary | <input type="checkbox"/> Kitikmeot |
| <input type="checkbox"/> Kivalliq | <input type="checkbox"/> North Baffin |
| <input type="checkbox"/> South Baffin | |

Project Type

| | |
|--|---|
| <input type="checkbox"/> Access | <input type="checkbox"/> Access Road |
| <input type="checkbox"/> All-Weather Road / Access Trail | <input type="checkbox"/> Camp |
| <input type="checkbox"/> Coastal Infrastructure | <input type="checkbox"/> Defence |
| <input type="checkbox"/> Fuel | <input type="checkbox"/> Ice Drilling |
| <input type="checkbox"/> Infrastructure | <input type="checkbox"/> Lease |
| <input type="checkbox"/> Marine Based Activities | <input type="checkbox"/> Mine Development |
| <input type="checkbox"/> Mineral Exploration | <input type="checkbox"/> Municipal and Industrial Development |
| <input type="checkbox"/> National Park | <input type="checkbox"/> Oil and Natural Gas Development |
| <input type="checkbox"/> Oil and Natural Gas Exploration | <input type="checkbox"/> Other |
| <input type="checkbox"/> Pits and Quarries | <input type="checkbox"/> Power Plant |
| <input type="checkbox"/> Remediation | <input type="checkbox"/> Scientific Research |
| <input type="checkbox"/> Site Cleanup/Remediation | <input type="checkbox"/> Space |
| <input type="checkbox"/> Tourism | <input type="checkbox"/> Water |
| <input type="checkbox"/> Winter Road / Winter Trail | |

Assessment Status

| | |
|--|---|
| <input type="checkbox"/> Active Screening | <input type="checkbox"/> Active Review |
| <input type="checkbox"/> Active Monitoring | <input type="checkbox"/> Completed Screening |
| <input type="checkbox"/> Completed Review | <input type="checkbox"/> Completed Monitoring |
| <input type="checkbox"/> Exempt from Screening | <input type="checkbox"/> Inactive |
| <input type="checkbox"/> Cancelled Screening | <input type="checkbox"/> Active S.E.A. |
| <input type="checkbox"/> Completed S.E.A. | |

Select All Deselect All  Reset  Search

Advanced Search – Project Location

If you would like to search by project location, you can use the advanced search tools to search by Transboundary, Kitikmeot, Kivalliq, North Baffin or South Baffin.

Advanced Search

Project Location

| | |
|--|---------------------------------------|
| <input type="checkbox"/> Transboundary | <input type="checkbox"/> Kitikmeot |
| <input type="checkbox"/> Kivalliq | <input type="checkbox"/> North Baffin |
| <input type="checkbox"/> South Baffin | |

Advanced Search – Project Type

If you prefer to search by project type, you can use the advanced search tools to search by project types.

Project Type

Access Access Road

All-Weather Road / Access Trail Camp

Coastal Infrastructure Defence

Fuel Ice Drilling

Infrastructure Lease

Marine Based Activities Mine Development

Mineral Exploration Municipal and Industrial Development

National Park Oil and Natural Gas Development

Oil and Natural Gas Exploration Other

Pits and Quarries Power Plant

Remediation Scientific Research

Site Cleanup/Remediation Space

Tourism Water

Winter Road / Winter Trail

Advanced Search – Assessment Status

Assessment Status

Active Screening Active Review

Active Monitoring Completed Screening

Completed Review Completed Monitoring

Exempt from Screening Inactive

Cancelled Screening Active S.E.A.

Completed S.E.A.

If you prefer to search by assessment status, use the advanced search tools to search by assessment status.


Map based Spatial Search



You may also use the map to search for a given spatial extent. Any projects located within the current map extent will be found in the search results. Click the Search within selected map extent to search for projects on the map within the current extent. To change your map extent, use the zoom in or zoom out tools to define a zoom level, and use your left mouse button to pan around the map.

To draw a search extent, click the Set Search Area button. Use the left mouse button to identify more than 2 locations to create a polygon to search within. Single click the left mouse button to create your locations, and double-click the left mouse button to finish (close the polygon).

IMPORTANT – The search tools can also be used together to bundle a search request. For example, you may choose to select a project location and an assessment status to search for projects, or a project type.

Once the  Search button has been pressed, a listing of projects will appear that matched your search criteria. Projects found during a search are categorized by project location, project type, assessment status, and identified on the map. The following example shows the search results from a polygon map based search.

Project Location

- Transboundary (4)
- North Baffin (253)
- Kivalliq (7)
- Kittikmeot (9)
- South Baffin (17)

Project Type

- Camp (6)
- Research (178)
- Exploration (20)
- Tourism (7)
- Other (6)
- Quarry (17)
- Road/Trail (7)
- Access (14)
- Mine (5)
- Lease (4)
- Defence (11)
- Remediation (3)
- Infrastructure (1)

Assessment Status

- Active Screening (1)
- Completed Screening (277)
- Active Review (1)

[Search again](#)



| |
|--|
| <p>124533 [15CC008] - VOTING TEST 2 - February 25</p> <p>Applicant: Cesare Tatarelli</p> <p>Project Type: Camp</p> <p>Region(s): Transboundary</p> <p>Last Modified: 2015-02-25</p> |
| <p>124049 [10YN002] - Jones Sound Helicopter Airborne Magnetic Surveying</p> <p>Applicant: Geological Survey of Canada, Dr. Gordon Oakley</p> <p>Project Type: Research</p> <p>Region(s): North Baffin</p> <p>Last Modified: 2010-03-25</p> |
| <p>124270 [97M03N011] - Mineral Exploration - S.I. A. Bay Area</p> <p>Applicant: Cominco Ltd.</p> <p>Project Type: Exploration</p> <p>Region(s): North Baffin</p> <p>Last Modified: 1997-03-25</p> |
| <p>124296 [97Y01R012] - Campsite for Goose Research</p> <p>Applicant: Environment Canada</p> <p>Project Type: Research</p> <p>Region(s): North Baffin</p> <p>Last Modified: 1997-03-25</p> |
| <p>124271 [97M04N013] - Mineral Exploration - E. Bathurst Island</p> <p>Applicant: Cominco Ltd.</p> <p>Project Type: Exploration</p> <p>Region(s): Kivalliq</p> <p>Last Modified: 1997-03-27</p> |

Prev **1** 2 3 4 5 6 7 8 9 10 - 27 28 Next Display per page: 5

Projects are also listed in order underneath the map window. Your search may have found several projects but the default search results view only shows 5 results per page. To change the number of

results per page from the search, use the Display per page combo box to identify an appropriate number.

125226 [17YN074] - Connecting Snow Melt to River Discharge in the Kitikmeot Region and Northwest Territories

Applicant: Kristina Brown
Project Type: Scientific Research
Region: Kitikmeot
Last Modified: 2018-01-09

125170 [15YN037] - HMS Erebus wreck site archaeological investigation

Applicant: Ryan Harris
Project Type: Scientific Research
Region: Kitikmeot
Last Modified: 2017-08-31

125167 [17UN066] - Order in Council- Adding Location of the wreck of HMS Terror to the Wrecks of HMS Erebus and HMS Terror National Historic Site

Applicant: Allison Stoddart
Project Type: Other
Region: Kitikmeot
Last Modified: 2017-09-05

125166 [15YN037] - Visitor experience at the Erebus Wreck Site

Applicant: Munju Ravindra
Project Type: Tourism
Region: Kitikmeot
Last Modified: 2017-09-11

125165 [16YN054] - 2017 Baseline Monitoring of Marine Productivity and Oceanography Spanning the Northwest Passage Using Ships of Opportunity

Applicant: Jonathan Fisher
Project Type: Scientific Research
Region: Transboundary,Kitikmeot,North Baffin
Last Modified: 2017-08-16

Display per page: 5 ▼

Click on the project you were searching for and the Project Dashboard appears.

Project Dashboard

The Project Dashboard contains all the information, documents and notifications uploaded for an individual project including its status and the assessment phase it is in.

[Back to Registry](#) [Comment Form](#) [Follow this Project](#) [Contact NIRB](#)

Project Dashboard

STATUS: COMPLETED SCREENING

NIRB File No: 17EN059
Application No.: 125155
Project Type: Mineral Exploration
Project Name: Arcadia Bay Project

Completed Screening

Screening Decision Issued → File Closed
2017-09-19

Summary | Documents (37) | Notifications | Upload Additional Documents

Applicant
Transition Metals Corp.
Thomas Hart
410 Falconbridge Road, Unit 5
Sudbury, Ontario P3A 4S4 Canada
thart@transitionmetalscorp.com

Primary Contact
Transition Metals Corp.
Thomas Hart
410 Falconbridge Road, Unit 5
Sudbury, Ontario P3A 4S4 Canada
705-669-1777
Fax:
thart@transitionmetalscorp.com

Regulatory Authorities
[Kitikmeot Inuit Association](#)
[Nunavut Water Board](#)

External Links

Project Summary [Inuktitut](#) [English](#) [Français](#)

The Arcadia Bay Property (the "Property"), owned and operated by Transition Metals Corporation ("Transition") and NRC ("Nunavut Resources Corporation"), is located within Inuit Owned Land ("IOL") parcel CO-31, along the shore of Arcadia Bay, south of the Coronation Gulf. The Property is located within the 1:50,000 National Topographic System ("NTS") mapsheet 78M/11 and is centred at approximately 67° 42' 21.6" N and 111° 23' 13.2" W or, using the Universal Transverse Mercator ("UTM") conformal projection, 483608 E/7510147 N, North American Datum ("nad") 83 zone 12. The land parcel is approximately 7.5 km north-south by 4.5 km east-west covering 2,898 hectares.

This Project Proposal is being submitted in order to amend the Kitikmeot Inuit Association ("KIA") License KTL113B001 and to apply for a new Nunavut Water Board ("NWB") water licence, which will allow for drilling and the use of a temporary camp on the Property. The

Assessment Phase / Activity

SCREENING

Application screening started 2017-07-04

Commenting period 2017-07-25

Opportunity to Respond 2017-08-09

Extension to Screening Deadline requested 2017-08-02

Board voting 2017-09-14

Region

Kitikmeot

Project Images

No images

Click the "Follow this Project" button to follow the Project.



Once a project is followed, it will appear in MY ACCOUNT under the tab "Projects I Follow". You are then automatically added to the distribution list for this file and will receive ALL e-mail notifications from the NIRB regarding this project.

To "unfollow" a project you must go into My Account under the Projects I Follow tab and choose "stop following this project".

Creating a New Project Proposal (Online Application Form)

To create a new project proposal, in the My Projects tab of the My Account page, click the Create New Project Proposal button.



You will now be redirected to the Project Application Form. The Project Application Form has various main tabs on the side of the page including Applicant, Project Map, Activities, Community Involvement, Authorizations, Details, Material Use, Water Use, Waste, Additional Information and Impacts. There is also a Tab to attach Documents and Images.

Your project application may take several sessions to fill in the appropriate data required to process and validate your application. At each step (or Tab), **always ensure to click the Save Application button on a frequent basis to ensure all of your steps completed are saved at each stage.**



After saving you are able to close the application at any time and come back to complete the application at a later date. To close the application, click the Return to Portal button on the upper right hand side of the page.



Applicant Tab

In the Applicant tab, the user will be required to enter several pieces of information about the project including the Name of the Project, NPC Application ID, Project Type(s), and Applicant information.

The NIRB Project Proponent portal includes, at various stages, numerous hints or help files to assist the user.



Click the question mark button (?) to see the pertinent hint.

Name of the Project

A screenshot of a web form titled "Name of the Project". At the top right of the title bar is a question mark icon. Below the title is a text input field containing "Proponent Help Project". Underneath are two questions: "Has this project or any components of this project been previously screened or reviewed by NIRB?" with radio buttons for "No" (selected) and "Yes"; and "If this project has been screened by NPC please provide NPC application ID." followed by an empty text input field.

You will be required to give your project a name. Use the text box provided to fill in the project name. You will also notice two radio buttons (Yes / No).

Has this project or any components of this project been previously screened or reviewed by NIRB?

No Yes

If your project or any components of the project you are submitting has previously been screened or reviewed by the NIRB, select the Yes radio button. If this project is new and it or any project components have not been previously screened or reviewed by NIRB, select the No radio button.

You will also be asked if this project has been reviewed by the Nunavut Planning Commission (NPC) and asked to provide an application ID number.

NOTE: future versions of application will allow all common field information to be transferred from NPC application directly into NIRB application.

Project Type

Project Type
?

Select main project type:

Mineral Exploration

If your project includes sub-projects of one of the following types, please select all that apply:

| | | | |
|---|--|---|---|
| <input type="checkbox"/> Access <input type="checkbox"/> Coastal Infrastructure <input type="checkbox"/> Infrastructure <input type="checkbox"/> Mineral Exploration <input type="checkbox"/> Oil and Natural Gas Exploration <input type="checkbox"/> Scientific Research <input type="checkbox"/> Water | <input checked="" type="checkbox"/> Access Road <input type="checkbox"/> Defence <input type="checkbox"/> Lease <input type="checkbox"/> Municipal and Industrial Development <input type="checkbox"/> Pits and Quarries <input type="checkbox"/> Site Cleanup/Remediation <input type="checkbox"/> Winter Road / Winter Trail | <input type="checkbox"/> All-Weather Road / Access Trail <input type="checkbox"/> Fuel <input type="checkbox"/> Marine Based Activities <input type="checkbox"/> National Park <input type="checkbox"/> Power Plant <input type="checkbox"/> Space | <input type="checkbox"/> Camp <input type="checkbox"/> Ice Drilling <input type="checkbox"/> Mine Development <input type="checkbox"/> Oil and Natural Gas Development <input type="checkbox"/> Remediation <input type="checkbox"/> Tourism |
|---|--|---|---|

You must identify a Project Type that your project will be classified as. Use the Select applicable project type combo box to select the most appropriate project type. Project types are a pre-defined list that **NIRB staff maintains. The current project types available for selection include:**

NIRB staff maintains. The current project types available for selection include:

| Project Types | Definition |
|---------------------------------|--|
| Access | entering or transiting through an area or tract of land with required permission (e.g. access to a Migratory Bird Sanctuary, Inuit Owned Land or Crown Land) |
| Access Road | the planning, design, construction and maintenance of a road, permanent or temporary, that affords access into and out of an area |
| All-Weather Road / Access Trail | the planning, design, construction and maintenance of a permanent road that affords access into and out of an area |
| Camp | Establishment of temporary or semi-permanent accommodations and associated structures outside an established municipality |
| Coastal Infrastructure | Construction, operation, significant expansion, decommissioning or removal of structures |

| | |
|--------------------------------------|---|
| | along a coastline such as docks, warfs, dykes, jetty, marine port. |
| Defence | Construction, operation, significant expansion, decommissioning or removal of infrastructure associated with national defence or the undertaking of military defence activities. |
| Fuel | Use, transport or storage of fuel, including but not limited to oil, gas, wood, or coal. |
| Ice Drilling | to bore holes for exploration or geotechnical purposes through frozen surface water features |
| Infrastructure | Construction, operation, significant expansion, decommissioning or removal of a fixed facility, such as a building, communications antenna, airport, railway, pipeline or power transmission line. |
| Lease | a legal contract with the land owner granting the use and occupation of the property for a specified period of time |
| Marine Based Activities | any activities that will occur in an ocean or salt water environment, including vessel use and disposal at sea |
| Mine Development | Any work or undertaking in which materials or ore containing minerals are removed from bedrock by any method, and is most often is associated with mills, concentrators, machinery, plant and buildings below or above ground belonging to or used in connection with the mine |
| Mineral Exploration | prospecting, sampling, mapping, drilling and other work involved in searching for or locating a mineral or petroleum resource |
| Municipal and Industrial Development | Activities located within a municipal boundary related to the manufacture, assembly, or processing of goods and commodities; as well as the exploitation of natural resources on municipal lands; or operations involving hazardous materials. Specific developments related to these activities would include: landfarm establishment and operation, sewage lagoon, landfill, manufacturing plant, recycle depot, hazardous waste or chemical storage, bulk fuel storage >80,000 litres, establishment of new quarries, explosives storage, tanneries, meat and fish production facilities, exploration, bulk sampling, mining and all associated mining activities. |
| National Park | an area that may be considered as, or has been formally and fully dedicated to, a National Park or National Marine Park under the <i>National Parks Act</i> or a National Park Reserve, with respect to the provision of Part 4 of Article 8 of the <i>NLCA</i> |
| Oil and Natural Gas Development | Construction, operation, significant expansion, decommissioning or removal of oil and gas activities including well development. |
| Oil and Natural Gas Exploration | The search for rock formations associated with oil or natural gas deposits and involves geological and geophysical prospecting and/or exploratory drilling and seismic surveys. |
| Pits and Quarries | Initial development or significant expansion of a site where stone, rock and construction materials are extracted. |
| Power Plant | Construction, operation, significant expansion, decommissioning or removal of infrastructure and equipment associated with the generation of electrical energy |
| Scientific Research | Undertaking of physical scientific research requiring government authorization or approval |

| | |
|---------------------------|---|
| Site Clean Up/Remediation | The storage, removal, reduction, or neutralization of substances, wastes or hazardous materials at a site so as to prevent or minimize any adverse effects on the environment and public safety. |
| Space | Aeronautic and space programs (e.g. launch of satellites) |
| Tourism | activities associated with the travel to, or access of, communities, cultural or environmental features, for the purposes of educational, recreational, sporting or leisure (e.g., cruise ship expeditions) |
| Water | Use of water, or the deposit of wastes. |
| Winter Road/ Winter Trail | Construction, operation, significant expansion, decommissioning or removal of a road or trail, either temporary (e.g. seasonal winter roads/trails) or permanent (e.g. all-season road) in nature |
| Other | Any other type of project not listed. |

Applicant

Applicant
?

Name:

Company:

Phone Number:

Fax Number:

Email:

Web Site:

Address:

City: **Territory / Province / State:**

Postal Code:

Country:

Filed by another party on behalf of the applicant

Applicant information is pre-populated in the application based on your account profile information. Because this information comes directly from the information you provided during registration, you will not be able to change the information unless you update your profile page.

If you are filing the application on behalf of the applicant, check the Filed by another party on behalf of the applicant check box. A new section for the Primary contact information will appear and should be filled in by the applicant.

Representative / Consultant Details ?

Contact information is taken from the NIRB Web Portal user profile. If you need to update any of the fields, please edit your NIRB user profile and then reload this application form.

| | |
|---|---|
| <p>Name: <input type="text" value="NIRB Administrators"/></p> <p>Company: <input type="text" value="NIRB"/></p> <p>Phone Number: <input type="text" value="8679834600"/></p> <p>Fax Number: <input type="text"/></p> <p>Email: <input type="text" value="emsnirb@nirb.ca"/></p> <p>Web Site: <input type="text"/></p> | <p>Address: <input type="text" value="P.O. Box 1360"/></p> <p>City: <input type="text" value="Cambridge Bay"/> Territory / Province / State: <input type="text" value="NU"/></p> <p>Postal Code: <input type="text" value="X0B 0C0"/></p> <p>Country: <input type="text" value="Canada"/></p> |
|---|---|

You are applying on behalf of the applicant. Please note that the applicant must have an active account registered at NIRB. To continue, please locate this account by providing email address under which this account was registered :

APPLICANT'S EMAIL ADDRESS:

Applicant ?

| | |
|---|---|
| <p>Name: <input type="text"/></p> <p>Company: <input type="text"/></p> <p>Phone Number: <input type="text"/></p> <p>Fax Number: <input type="text"/></p> <p>Email: <input type="text"/></p> <p>Web Site: <input type="text"/></p> | <p>Address: <input type="text"/></p> <p>City: <input type="text"/> Territory / Province / State: <input type="text"/></p> <p>Postal Code: <input type="text"/></p> <p>Country: <input type="text"/></p> |
|---|---|

Filed by another party on behalf of the applicant

Project Map Tab

The Project Map tab will allow you to add spatial data associated with your project. Spatial information can be added in several ways. You are able to add points to the map by adding coordinates, adding a rectangular area by coordinates, adding geometry by drawing on the map, and import existing spatial information in KML or shapefile format.

IMPORTANT: Project spatial information is directly linked to project Activities (for example, the project geometry of a polygon might represent the spatial location of an open pit mine, or, a line may represent a railway).

The map should include where applicable the following items:

- Location(s) of any existing or proposed infrastructure(s) including but not limited to:
 - a. Camp location(s) (temporary and/or permanent) and camp facilities,
 - b. Road(s),
 - c. Bridges, etc.;
- Location(s) of all proposed activity(ies) including but not limited to:
 - a. Fuel storage sites,
 - b. Research sites, and/or

- c. Drill locations;
- Project site in proximity to territorial and/or national parks; and
- Project site in proximity to sensitive wildlife and wildlife habitat (e.g., migratory bird sanctuary).

Add New Map Point by Coordinates

Add New Map Point by Coordinates?

Enter latitude and longitude in decimal degrees:

Lat: Lon:

Limits - Latitude: 54. to 84., Longitude: -150. to 0.

Add Point

You can add a point on the map by adding coordinates. Each coordinate pair (latitude and longitude) must be in decimal degrees. Allowed coordinate value ranges for latitude are from 54 to 84 degrees north and from 150 to 0 degrees east.

Once you have typed the latitude and longitude coordinates in the Lat and Lon text boxes, click the Add Point button.

IMPORTANT: Nunavut is West of Greenwich and north of the equator, therefore, all longitude values will be negative (for example -78.34 Degrees West) and all latitude values will be positive (for example 62.45 Degrees North)


Add Geometry by Freehand Drawing on the Map

Add Geometry by Freehand Drawing on the Map?

Activate map tools to draw point, line or polygon:

Start Drawing

Cancel Drawing



Users can also add geometry (spatial data) for projects on the map by activating map tools to draw points, lines or polygons. To begin drawing, click the Start Drawing button.

Drawing Points



To draw a point on the map, use the draw point on map tool.

To draw a point on the map, use the left mouse button to enter the point on the map. When drawing, you will notice the map latitude and longitude of the mouse cursor is shown on the map for your convenience.

Drawing Lines



To draw a line on the map, use the draw line on map tool.

To draw a line, you must enter (by using the left-mouse button) a minimum of two separate locations to draw a line.

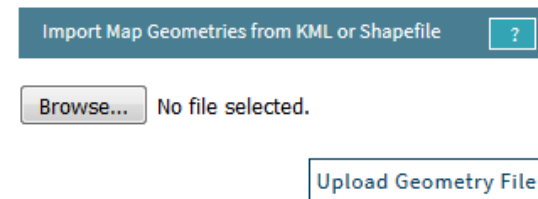
Drawing Polygons



To draw a polygon on the map, use the draw polygon on map tool.

To draw a polygon, you must enter (by using the left-mouse button) a minimum of three separate locations to draw the polygon.

Import Map Geometries from KML or Shapefile



You can upload geometry in the following formats:

1. **ESRI Shapefile** in the form of a zipped archive containing several individual files (.shp, .dbf, .prj, .shx).
2. **Google KML file** (.KMZ is not supported).

You may also import existing spatial data in KML or shapefile format to the project map. Prior to importing ESRI shapefiles, you must ensure that the shapefile is zipped with all pertinent files (Shapefiles include a group of files consisting of .shp, .dbf, .prj, .shx) and these files must be zipped in order to successfully import into the system. Please also note, KMZ files will not be imported, you must ensure the spatial data is in KML format.

Click the Browse button and a file upload dialog (standard Microsoft Windows dialog) will open allowing you to search your computer for the zipped shapefile or KML file.

IMPORTANT: After adding each geometry (from any method above), get into the habit of using the Save Application Button to ensure your information is being saved.

Listing of Added Project Geometries

| List of Project Locations ? | | |
|---|-----------------|--|
| <p>Discuss the history of the site if it has been used for any project activities in the past. Indicate if there are any known archaeological or paleontological historical sites in the area</p> | | |
| ID | Geometry (Size) | Location Descripton (You must specify a Location Descripton - Not more that 200 characters) |
| 6595 | point (0 kB) | <input type="text" value="CHARS site"/> X |

After adding spatial data (by coordinates, rectangle, drawing or importing spatial data) you will refer to the List of added project geometries panel. In this panel, for each geometry type added, **you must give a Location name to the spatial data.**

To delete a previously added geometry, use the red **X** button to delete the geometry. You will receive a user confirmation box that asks you to confirm that you wish to delete the geometry.

Are you sure you want to remove this record?

Prevent this page from creating additional dialogs

You will not be able to undo the action once the OK button is pressed.

IMPORTANT: All geometries will be linked to project Activities (in the Activities tab) and thus deleting a geometry will affect information in the project Activities tab.

Affected Regions (based on project location)

Use the region check boxes to indicate where there project is located. The following regions are available for selection:

Affected Regions (based on project location)

North Baffin
 Kitikmeot

South Baffin
 Kivalliq

Transboundary

| Region | Definition |
|-----------|--|
| Kitikmeot | An administrative region of Nunavut which consists of the southern and eastern parts of Victoria Island with the |

| | |
|----------------------------|---|
| | adjacent part of the mainland as far as the Boothia Peninsula, together with the King William Island and the southern portion of Prince of Wales Island. |
| Kivalliq | An administrative region of Nunavut which consists of the portion of the mainland to the west of Hudson Bay together with Southampton Island and Coats Island. |
| North Baffin (Qikiqtaaluk) | An administrative region of Nunavut which consists of the eastern part of Melville Island, to the northern most part of Ellesmere Island, east to the Outer Land Fast Ice Zone, and south to the Clyde River area. |
| South Baffin (Qikiqtaaluk) | An administrative region of Nunavut which consists of a boundary line starting at south-western base of the Barnes Ice Cap, encompassing the Foxe Basin, south to Resolution Island, and east to Akpait National Wildlife Area. |
| Transboundary | Regions adjacent to Nunavut and namely those organizations part of Article 40 of the NLCA including the Inuit of Northern Quebec (Nunavik), Denesuline Indian Bands (northern Manitoba), and Denesuline Indian Bands (northern Saskatchewan), |

Activities Tab

The Activities tab allows you to add project activities and community involvement & regional benefits.

Project Activities

To add project activities, fill in the Add New Activity panel on the right hand side of the application.

Add a New Activity

Location
Geometries must be named on the Projects Map for them to display in this list.

Select Geometry

Activities

Select Activity

Land Status

Select Land Status

Site History

Site archeological / paleontological value

Proximity to nearest communities and protected areas

Text fields are limited to 500 characters

To add a new activity, you must assign the activity to a project geometry added in the Project Map tab, select an activity, a land status and add site history, site archaeological / paleontological value and proximity to the nearest community(ies) and protected areas.

Geometry Name

Geometry Name

Select geometry

You must assign a project activity to a geometry you previously added. To select a geometry, use the Geometry Name combo box to select the appropriate geometry layer. The combo box contents are pre-populated with the name of the geometry previously added on the Project Map tab.

Activities

Activities

Select activity

Assign an activity using the Activities combo box. The Activities combo box is populated with an activities list maintained and updated by NIRB staff. The current available activities are as follows:

| Activity | Definition |
|------------------------------|--|
| Access Road | the planning, design, construction and maintenance of a road, permanent or temporary, that affords access into and out of an area |
| Advanced Mineral Exploration | the stage of project development where the drill program is defining the in ground values in terms of size, grade and physical characteristics of a mineral occurrence and to assess the economic and technical feasibility of developing the mineral deposit into a producing mine (i.e. pre-feasibility) |

| | |
|--------------------------------------|---|
| Aerial Surveys | to chart or map an area from the air using various equipment |
| Airstrip use or construction | an area of land or frozen surface water feature that is used as a runway for airplanes to take off and land; could be constructed of gravel or ice and may or may not be temporary in nature |
| Artificial accretion | to add land to the shores of a water body by depositing sediment |
| Baseline data | to collect measurements and information at a location to be used as a basis for comparison for future studies |
| Camp | a place with temporary structures to house or accommodate humans, which may also include other support structures and equipment |
| Dredging | an excavation activity or operation carried out in freshwater or sea water to removed sediment to clean, deepen or widen an area |
| Drilling | the act or process of making a circular hole with a drill; the operation of tunneling or stoping, whether with a compressed-air rock drill, a jackhammer, or a drifter; use of a compressed-air rock drill to prepare rock for blasting; the operation of making deep holes with a drill for prospecting, exploration, or valuation |
| Equipment installation | something that is put together and made ready for use |
| Fuel and chemical storage | The installation and operation of fuel and chemical storage systems underground and above ground. |
| Harbour infrastructure | the installation of breakwaters, sea walls or jetty's or other facilities for the use and protection of ships, boats and barges |
| Harvesting Activities | includes hunting, trapping, fishing, netting, eggng, picking, collecting, gathering, spearing, killing, capturing or taking by any means |
| Landfarm | An area used for reclamation of soils contaminated by petroleum wastes and/or oily sludge through biological methods. Contaminated soils must not contain heavy metals, which must be disposed of at an approved facility. |
| Landfill | an engineered waste management facility at which waste is disposed of by placing it on or in land in a manner that minimized adverse human health and environmental effects |
| Marine Based Activities | any activities that will occur in an ocean or salt water environment, including vessel use and disposal at sea |
| Mine Development / Bulk Sampling | The process of constructing infrastructure to facilitate the and removal of large quantities of mineralized rock to test the quality and marketability of a mineral resource; may include crushing/milling on small scale |
| Mineral Exploration | activities include prospecting, rock sampling, mapping, geophysical surveys, geochemical surveys, stripping and trenching, drilling, sampling and assaying |
| Municipal and Industrial Development | Activities located within a municipal boundary related to the manufacture, assembly, or processing of goods and commodities; as well as the exploitation of natural resources on municipal lands; or operations involving hazardous materials. Specific developments related to these activities |

| | |
|---|--|
| | would include: landfarm establishment and operation, sewage lagoon, landfill, manufacturing plant, recycle depot, hazardous waste or chemical storage, bulk fuel storage >80,000 litres, establishment of new quarries, explosives storage, tanneries, meat and fish production facilities, exploration, bulk sampling, mining and all associated mining activities. |
| Offshore Infrastructure (port, break water, dock) | activities that involve the construction of drill platforms, artificial island, floating drillship and other structures that are constructed in a water body |
| Oil and Natural Gas Exploration / Activities | geological and geophysical programs, drilling programs, and seismic programs |
| Other | any other type of activity not listed |
| Quarry / Borrow pit | the excavation or digging at a site where stone, rock, gravel or sand are extracted to be used as fill elsewhere |
| Researching | the gathering of data, information and facts for the advancement of knowledge about an area |
| Sampling sites | locations where a small portion of the environment, such as water, soil, sludge, emulsion, air, biota, or mineral, is collected to be taken to a lab for analysis to learn something about the physical and/or chemical composition of that environment |
| Scientific / International Polar Year Research | information or data that is gathered by testing, observations and experiments in designated areas within a limited time |
| Seismic Lines | the exploration for economic deposits using seismic techniques, usually involving controlled explosions, to map subsurface structures either on land or in water |
| Site Cleanup/remediation | The removal, reduction, or neutralization of substances, wastes or hazardous material from a site so as to prevent or minimize any adverse effects on the environment and public safety |
| Staging Areas | an area where materials are stored, assembled, or readied for transit to a new field of operations |
| Tourism Activities | tourist travel and the services connected with it |
| Waste Disposal | activities associated with the proper disposition of discarded or discharged material in accordance with local environmental guidelines or laws |

Land Status

Land Status

The Land Status combo box requires the user to select the known land status of the parcel of land where the activity will take place. The list of land status and their definitions are as follows:

| Land Status | Definition |
|-------------|--|
| Crown | Land owned by all Canadians that is administered and regulated by the federal government. In Nunavut, Indigenous and Northern Affairs Canada (INAC) is responsible for the |

| | |
|-------------------------------|--|
| | majority of Crown land |
| Commissioners | Lands controlled, managed and administered by the Government of Nunavut |
| Municipal | Lands within a municipal boundary |
| Inuit Owned Surface Lands | Parcels of Inuit Owned Land where the Inuit hold surface title only; the Crown retains mineral rights to these lands. These lands are administered by the Regional Inuit Associations in the Kitikmeot, Kivalliq and Qikiqtani |
| Inuit Owned Sub-Surface Lands | Parcels of land where the Inuit hold fee simple title including surface and mineral rights. These lands are vested in Nunavut Tunngavik Incorporated (NTI) |

Site History

Site History

If there is known site history information, use the Site History text box to add site history information about the site where the activity is taking place.

Site Archaeological / Paleontological Value

Site archaeological / palaeontological value

If there is known site archaeological / paleontological value at the activity site, use the Site archaeological / paleontological value text box to add information about the site.

Proximity to the Nearest Community (ies) and Protected Areas

Proximity to the nearest communities and any protected areas

If the site is close to a community (or communities) or close to known protected areas, use the Proximity to the nearest communities and any protected areas text box to record this information about the site.

Once complete, press the Add Activity button. Should you wish to cancel the new activity, press the Cancel button.

Add Activity

Cancel

Once an activity is saved, the activity appears in the project activity listing.

Activities

| Describe Project Activities | |
|--|---|
| Location | CHARS site X |
| Activity Type | Mine Development/Bulk Sampling |
| Land Status | Crown |
| Site History | na |
| Site archeological or paleontological value | na |
| Proximity to the nearest communities and any protected areas | na |

The record can be deleted by clicking the red X. If you choose to delete the activity, you will receive a user confirmation prompt. To proceed with deleting the record, click the OK button. To abort, click the Cancel button.

Are you sure you want to remove this record?

Prevent this page from creating additional dialogs

OK

Cancel

IMPORTANT: Text fields are limited to 500 characters


Community Involvement & Regional Benefits Tab

Please describe any consultation with interested Parties which has occurred regarding the development of the project proposal. As supporting documentation please provide a summary of public involvement measures, a summary of concerns expressed, and strategies employed to address any concerns. Describe how traditional knowledge was obtained, and how it has been integrated into the project. Discuss future consultation plans.

Please attach any documents to a record in the Community Involvement & Regional Benefits listing by going to the **Attach Documents and Images Tab**.

Add Community Record

Community

Select Community 


Contact Name (up to 300 characters)

Organization (up to 300 characters)

Date Contacted (YYYY-MM-DD)

Community

Community

Select Community 

Use the Community combo box to select the community of the person or organization that was involved or benefited from the activity. The Community combo box is a listing of all Nunavut communities.

Contact Name

Contact Name (up to 300 characters)

Use the Name text box to add a name of the person that was involved with or benefited from the activity.

Organization

Organization (up to 300 characters)

Use the Organization text box to add a name of the organization that was involved with or benefited from the activity.

Date Contacted

Date Contacted (YYYY-MM-DD)

Use the Date Contacted calendar tool to select a date that the person or community organization was contacted.

To add the record to the Community Involvement and Regional Benefits database, click the Add Record button. Should you wish to cancel the community record, click the Cancel button.

Once a record is saved, the record appears in the Community Involvement & Regional Benefits listing.

Community Involvement

| Community Involvement and Regional Benefits | |
|---|----------------------------------|
| Cambridge Bay | <input type="button" value="X"/> |
| Contact Name | HTO |
| Organization | HTO |
| Date Contacted | 13 February 2017 |

The record can be deleted by clicking the red X. If you choose to delete the activity, you will receive a user confirmation prompt. To proceed with deleting the record, click the OK button. To abort, click the Cancel button.

Are you sure you want to remove this record?

Prevent this page from creating additional dialogs

Authorizations Tab

Proponents are required to have a thorough idea of what authorizations they are required to receive for a given project. On the Authorizations tab, you must indicate and record what authorizations are associated with the project proposal. To add authorizations, use the Add Authorization panel to select the pertinent information regarding an authorization.

Add Authorization

Authorization Status

Regulatory Authority

Authorization Description

**Text fields are limited to 500 characters
 Dates must be entered in YYYY-MM-DD format**

Date Issued (YYYY-MM-DD, if available)

Expiry Date (YYYY-MM-DD, if available)

Authorization Status

Use the Authorization Status combo box to select the status of the authorization.

Authorization Status

The available choices are as follows:

| Authorization Status | Definition |
|---------------------------|--|
| Active | The authorization is active |
| Applied, Decision Pending | The authorization has been applied for but is pending decision |
| Not Yet Applied | The authorization has not been applied for |

Regulatory Authority

Regulatory Authority

Use the Regulatory Authority combo box to select the agencies that will ultimately issue (or has issued) the authorization. The available choices are as follows:

| Agency Name | Agency Description |
|-------------|---|
| AANDC | Aboriginal Affairs and Northern Development Canada |
| CG&S | Government of Nunavut Community Government & Services |
| GN-CLEY | Government of Nunavut Department of Culture, Language, Elders and Youth |
| CLS | Canadian Launch Safety |
| CWS | Canadian Wildlife Services |
| DFO | Department of Fisheries and Oceans Canada |
| DND | Department of National Defense |
| EC | Environment Canada |
| GN-CGS | Government of Nunavut, Community and Government |

| | |
|--------|--|
| | Services |
| GN-DOE | Government of Nunavut, Department of Environment |
| GN-EDT | Government of Nunavut, Department of Economic Development & Transportation |
| GN-NRI | Government of Nunavut, Nunavut Research Institute |
| GN-QEC | Government of Nunavut, Qulliq Energy Corporation |
| IC | Industry Canada |
| KitIA | Kitikmeot Inuit Association |
| KivIA | Kivalliq Inuit Association |
| NRCAN | Natural Resources Canada |
| NRI | Nunavut Research Institute |
| NWB | Nunavut Water Board |
| PC | Parks Canada |
| QIA | Qikiqtani Inuit Association |
| TC | Transport Canada |
| Other | Other |

Authorization Description

Authorization Description

A description of the authorization can be added to the authorization by using the Authorization Description text box. Text fields are limited to 500 characters.

Date Issued

Date Issued (YYYY-MM-DD, if available)

Enter the date that the authorization was granted by the Regulatory Authority if applicable. Dates must be entered in YYYY-MM-DD format.

Expiry Date

Expiry Date (YYYY-MM-DD, if available)

If an authorization has been issued and an expiry date is applicable.

Once complete, use the Add Authorization button to add the authorization to your application.

Add Authorization

Cancel

Once an authorization is added to the application, you are also able to add documents to the authorization by going to the **Attach Documents and Images Tab**.

Records can be edited and deleted using the same procedures in previous tabs (edit button and **x** respectively).

Details Tab

Projects will contain various details including personnel expected on the project, project timing and project descriptions. The Details tab will allow you to fill in some of this pertinent information.

Mode of Transportation

Use the check boxes to indicate which modes of transportation (one or more) that will be used. When a checkbox is selected, a description text box appears to the right and you are required to provide a brief description including:

- how the project site will be accessed and how supplies will be brought to site
- provide a description of the type of airstrip (new/existing), (ice-strip/all-weather)
- Describe expected flight altitudes, frequency of flights and anticipated flight routes
- In the *Project Map Tab* map access route(s), airstrips, docks, jetties, ports etc.

Mode of Transportation (up to 500 characters)

Air

Water

Land

Personnel

| Personnel | | ? |
|---------------------------------|--------------------------------|---|
| Total No. of personnel on site: | <input type="text" value="0"/> | |
| Total No. of days on-site: | <input type="text" value="0"/> | |
| Total No. of Person days: | <input type="text" value="0"/> | |

Fill in the total number of personnel on site and the total number of days on-site using the text boxes provided, however, these must be entered using whole numbers (no decimal points are allowed). Once the total number of personnel on-site and the total number of days on-site are entered, the application will add the total number of person days automatically.

Accommodation

Use the check boxes to indicate which types of accommodation (one or more) that will be used.

| Accommodation | | ? |
|---|---|------------------------------------|
| <input type="checkbox"/> Temporary Camp | <input type="checkbox"/> Permanent Camp | <input type="checkbox"/> Community |
| Other, specify: | <input type="text"/> | |

Project Schedule

| Project Schedule | | ? |
|--|----------------------------|--------------------------|
| Please enter all dates in format YYYY-MM-DD, example 2017-05-31 | | |
| Construction Phase (if applicable) | From: <input type="text"/> | To: <input type="text"/> |
| Operations Phase* * mandatory | From: <input type="text"/> | To: <input type="text"/> |
| Closure Phase (if applicable) | From: <input type="text"/> | To: <input type="text"/> |
| Post-closure Phase (if applicable) | From: <input type="text"/> | To: <input type="text"/> |

Enter proposed lengths of each of the phases of the project as applicable. Note that a period of operation (from / to) is mandatory and must be added in the Project Schedule section to indicate the project lifespan information.

Non-technical Project Proposal Description

| Non-Technical Project Proposal Description (up to 5000 characters) ? | |
|--|--|
| <p>Provide a short description in English (not more than 5000 char.) You can also attach a detailed document in the Documents tab.</p> <div style="border: 1px solid #ccc; height: 80px;"></div> | <p>Provide a short description in Inuktitut (not more than 5000 char.) You can also attach a detailed document in the Documents tab.</p> <div style="border: 1px solid #ccc; height: 80px;"></div> |
| <p>Provide a short description in French (not more than 5000 char.) You can also attach a detailed document in the Documents tab.</p> <div style="border: 1px solid #ccc; height: 80px;"></div> | <p>Provide a short description in Inuinnaqtun (not more than 5000 char.) You can also attach a detailed document in the Documents tab.</p> <div style="border: 1px solid #ccc; height: 80px;"></div> |

A non-technical summary description of the proposed project in English and in the applicable languages of all potentially-affected communities: Inuktitut (Kivalliq, North/South Baffin, Eastern Kitikmeot), Inuinnaqtun (Cambridge Bay, Kugluktuk, Bay Chimo and Bathurst Inlet) and French (City of Iqaluit) is required.

The summary should use plain language only and address the following points in < 5,000 characters

- **Who:** Company, individual or entity proposing the project
- **What:** The type of undertaking being proposed and how it would be carried out. It may be helpful to describe the scale of the project, number of people involved, permanence of any facilities constructed, and methods of transport.
- **Why:** The objective of and need for the project, potential long term implications.
- **Where:** general location of proposed activities in relation to closest communities, protected areas.
- **When:** timeframe of proposed activities (fixed period, seasonal, multi-year).

Please keep in mind that the project summary is intended to provide members of the public with sufficient information to understand what is being proposed and determine whether they might wish to further review the full project application and supporting information.

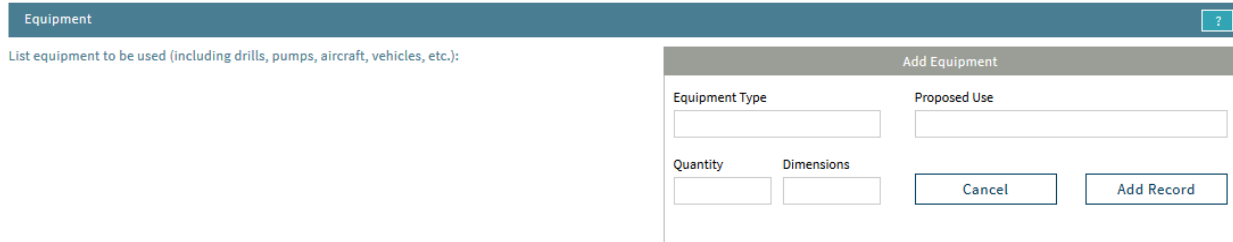
IMPORTANT: The summary text boxes must be completed with text. This text is what populates the project dashboard pages that the public is able to view.

If you wish to upload the document to the application go to the **Attach Documents and Images Tab**.

Material Use Tab

The Material Use tab requires the user to fill in a listing of equipment, fuel usage, hazardous materials and chemicals usage.

Equipment



The screenshot shows a software interface for the 'Equipment' tab. At the top, there is a header bar with the word 'Equipment' and a help icon. Below the header, a subtitle reads 'List equipment to be used (including drills, pumps, aircraft, vehicles, etc.):'. To the right, an 'Add Equipment' panel is open. This panel contains four text input fields: 'Equipment Type', 'Proposed Use', 'Quantity', and 'Dimensions'. At the bottom of the panel are two buttons: 'Cancel' and 'Add Record'.

Use the Add Equipment panel to add Equipment Type, Quantity, Dimensions and Proposed Use. All data entry is within the text boxes required.


Equipment Type



The 'Equipment Type' input field is a rectangular text box with a light blue border and a light blue background. The label 'Equipment Type' is positioned above the box.

The equipment type to be used at the project site. Example: John Deer 36D Excavator.

Quantity



The 'Quantity' input field is a small rectangular text box with a light blue border and a light blue background. The label 'Quantity' is positioned above the box.

The quantity of the equipment type.

Dimensions



The 'Dimensions' input field is a rectangular text box with a light blue border and a light blue background. The label 'Dimensions' is positioned above the box.

The dimensions of the equipment type, length X width X height.

Proposed Use



The 'Proposed Use' input field is a long rectangular text box with a light blue border and a light blue background. The label 'Proposed Use' is positioned above the box.

The proposed use of the equipment type.

Click the Add Record button once complete.



The 'Add Record' button is a rectangular button with a blue border and a light blue background. The text 'Add Record' is centered on the button.

The Add Equipment panel should be updated with all equipment required for your project. A listing of equipment used will be updated as new equipment is added.

Fuel Use

Use the Add Fuel Use panel to add Fuel Type, Proposed Use, Number of Containers, Container Capacity and Units of Measure. All data entry is within the text boxes and combo boxes required.

IMPORTANT: Enter additional fuel usage details in the *Additional Details Tab* or attach a supporting document where applicable to

- Describe any secondary containment measures to be employed, including the type of material or system used. If no secondary containment is to be employed, please provide justification
- Describe the method of fuel transfer and the method of refueling.
- Describe spill control measures in place.

Please refer to Environment Canada’s fuel storage tank system regulations (Storage Tank System for Petroleum and Allied Petroleum Products) website at <http://www.ec.gc.ca/st-rs/> for details on fuel storage requirements.

Fuel Type

Use the Fuel Type combo box to select the fuel type. The following choices are available

| Fuel Type | Description |
|---------------|---|
| Diesel | In general, any liquid fuel used in diesel engines |
| Gasoline | A transparent, petroleum derived liquid used primarily as a fuel in internal combustion engines |
| Aviation Fuel | Specialized type of petroleum based fuel used to power aircraft (generally of higher quality than fuels used in less critical applications) |

| | |
|---------|--|
| Propane | Three-carbon alkane normally a gas, but compressible to a transportable liquid |
| Other | N/A |

Proposed Use

Proposed Use

Enter the details of the proposed use for the fuel. For example, fuel for John Deer 36D Excavators.

Number of Containers

Number of Containers

Use the Number of Containers text box to indicate how many containers of a given fuel will be on-site.

Container Capacity

Container Capacity

Use the Container Capacity text box to indicate the capacity of the fuel containers.

Units of Measure

Units of Measure

Use the Units of Measure combo box to select the units of measure for the fuel type. Available choices are Liter, Cubic meter and gallon.

Click the Add Record button once complete.

The Add Fuel Use panel should be updated for all fuel usage for your project. A listing of fuel usage will be updated as new records are added.

Records can be deleted using the Delete buttons on the right side of the detailed fuel material use table.

Hazardous Materials and Chemicals Use

Add Hazardous Materials and Chemicals Use

| | | | |
|---------------------------------------|----------------------|---|---|
| Hazardous Material or Chemical | | Proposed Use | |
| <input type="text"/> | | <input type="text"/> | |
| No of Containers | Capacity | Units of Measure | |
| <input type="text"/> | <input type="text"/> | Select UOM <input type="button" value="v"/> | |
| | | <input type="button" value="Cancel"/> | <input type="button" value="Add Record"/> |

Use the Add Hazardous Materials and Chemicals Use panel to add Hazardous Material or Chemicals, Proposed Use, Number of Containers, Container Capacity and Units of Measure.

Hazardous Material or Chemical

Hazardous Material or Chemical

Use the Hazardous Material or Chemical text box to name the hazardous material or chemical that will be on-site.

Proposed Use

Proposed Use

Indicate the proposed use of the hazardous material or chemical.

Number of Containers

Number of Containers

Indicate the number of containers of the hazardous material or chemical.

Container Capacity

Container Capacity

Indicate the container capacity of the hazardous material or chemical.

Units of Measure

Units of Measure

Select UOM



Select the units of measure of the container housing the hazardous material or chemical. The choices are liters or gallons.

Click the Add Record button once complete.

Add Record

The Hazardous Materials and Chemicals Use panel should be updated for all hazardous materials and/or chemicals used for your project. A listing of these materials will be updated as new records are added.

Water Use Tab

The Water Use tab requires the user to fill in a listing of how they intend to use water and the amount of water required.

Water Use

Water Use ?

To obtain water for camp/municipal purposes

To obtain water for industrial purposes

To cross a watercourse

To alter the flow of or store water

To divert a water course

Water Retrieval ?

Daily amount (m³)

Proposed water retrieval methods (up to 200 characters)

Proposed water retrieval location (up to 200 characters)

if you applied for a water License with the Nunavut Water Board, please provide details in the Authorizations section of this application.

Water Retrieval

Use the Water Retrieval panel to indicate:

- the estimated rate of water consumption (m³/day) of water used at the project site(s);
- the proposed water retrieval methods including and the proposed methods employed to prevent fish entrapment; and
- the water retrieval locations.

Water Retrieval ?

| | | |
|--------------------------------|---|--|
| Daily amount (m ³) | Proposed water retrieval methods (up to 200 characters) | Proposed water retrieval location (up to 200 characters) |
| 0 | | |

if you applied for a water License with the Nunavut Water Board, please provide details in the Authorizations section of this application.

IMPORTANT: If you applied for a water license with the Nunavut Water Board (NWB), please provide details in the Authorization section of the application you are working on.

Waste Tab

Waste is associated to project activities. For each project activity listed in the Project Map and Activities tabs, add a waste management record to indicate the types of waste associated for each activity.

Describe how waste will be managed. If relevant, provide detail regarding location of sumps, including capacity of sumps and monitoring. If applicable, discuss how surface water and underground water will be managed and monitored.

If the project proposal includes a landfill or landfarm, indicate the locations on the Project Map, provide the conceptual design parameters, and discuss waste management and contact-water management procedures.

Add Waste Management Record

Project Activity

Select Activity ▼

Type of Waste

Select Waste Type ▼

If "Other" waste type, specify:

Projected amount

Method of Disposal

Additional Treatment Procedures

Add Record

Cancel

Activities

Project Activity

Select Activity ▼

Use the Project Activity combo box to select the activity for the waste management record. The list of project activities are based on the activities added in the Activities tab.

Type of Waste

Type of Waste

Select Waste Type ▼

Use the Waster Type combo box to select the waste type. The following choices are available:

| Waste Type Name | Description |
|--------------------|--|
| Combustible wastes | garbage or waste material that can be burnt easily (e.g. paper, food scraps, and wood) |
| Greywater | waste water generated from kitchen or washing facilities |
| Hazardous waste | A waste that contains any substance (solid, liquid or gaseous) that is |

| | |
|---|---|
| | harmful or potentially harmful to life or the environment. |
| Non-combustible wastes | waste material that cannot or should not be burnt (e.g. metal, ceramic, and glass) |
| Overburden (organic soil, waste material, tailings) | The material that is above an area of economic interest that must be removed (i.e. rock, soil). It may be stored and used for other purposes such as restoration of the site after. |
| Sewage (human waste) | liquid and solid waste produced by the human body |
| Other | wastes not falling within the other definitions |

If “Other” is selected, an additional text box appears. Please indicate the other type of waste in the text box provided.

Projected Amount

Projected Amount

Use the Project Amount text box to indicate the projected amount of waste for each project activity.

Method of Disposal

Method of Disposal

Use the Method of Disposal text box to indicate the method of disposal for the waste.

Additional Treatment Procedures

Additional Treatment Procedures

List any additional treatment procedures using the Additional Treatment Procedures text box.

Once complete, click the Add Record button.

[Add Record](#)

The Waste Management panel should be updated for all types of waste for each activity. A listing of the waste management records will be updated as new records are added.

Additional Information Tab

Describe the existing environment, including physical, biological and socioeconomic aspects. Where appropriate, identify local study areas (LSA) and regional study areas (RSA).

Please note that the detail provided in the description of the existing environment should be appropriate for the type of project proposal and its scope.

Additional Information

| | |
|--|----------------------------------|
| Description of Existing Environment: Physical Environment ? | SECTION B3: Geosciences ? |
| Description of Existing Environment: Biological Environment ? | SECTION E1: Offshore Survey ? |
| Description of Existing Environment: Socioeconomic Environment ? | SECTION E2: Nearshore Survey ? |
| Identification of Impacts and Proposed Mitigation Measures ? | SECTION E3: Vessel Use ? |
| Cumulative Effects ? | SECTION G1: Well Authorization ? |
| Miscellaneous Information ? | SECTION G2: Onland Exploration ? |

Physical Environment

Please note that a description of the physical environment is intended to cover all components of a project, including roads/trails, marine routes, etc. that are in existence at present time.

- Proximity to protected areas, including:
 - i. designated environmental areas, including parks;
 - ii. heritage sites;
 - iii. sensitive areas, including all sensitive marine habitat areas;
 - iv. recreational areas;
 - v. sport and commercial fishing areas;
 - vi. breeding, spawning and nursery areas;
 - vii. known migration routes of terrestrial and marine species;
 - viii. marine resources;
 - ix. areas of natural beauty, cultural or historical history;
 - x. protected wildlife areas; and
 - xi. other protected areas.

- Eskers and other unique landscapes (e.g. sand hills, marshes, wetlands, floodplains).
- Evidence of ground, slope or rock instability, seismicity.
- Evidence of thermokarsts.
- Evidence of ice lenses.
- Surface and bedrock geology.
- Topography.
- Permafrost (e.g. stability, depth, thickness, continuity, taliks).
- Sediment and soil quality.
- Hydrology/ limnology (e.g. watershed boundaries, lakes, streams, sediment geochemistry, surface water flow, groundwater flow, flood zones).
- Tidal processes and bathymetry in the project area (if applicable).
- Water quality and quantity.
- Air quality.
- Climate conditions and predicted future climate trends.
- Noise levels.
- Other physical Valued Ecosystem Components (VEC) as determined through community consultation and/or literature review.

Biological Environment

- Vegetation (terrestrial as well as freshwater and marine where applicable).
- Wildlife, including habitat and migration patterns.
- Birds, including habitat and migration patterns.
- Species of concern as identified by federal or territorial agencies, including any wildlife species listed under the *Species at Risk Act (SARA)*, its critical habitat or the residences of individuals of the species.
- Aquatic (freshwater and marine) species, including habitat and migration/spawning patterns.
- Other biological Valued Ecosystem Components (VEC) as determined through community consultation and/or literature review.

Socio-Economic Environment

- Proximity to communities.
- Archaeological and culturally significant sites (e.g. pingos, soap stone quarries) in the project (Local Study Area) and adjacent area (Regional Study Area).
- Palaeontological component of surface and bedrock geology.
- Land and resource use in the area, including subsistence harvesting, tourism, trapping and guiding operations.
- Local and regional traffic patterns.
- Human Health, broadly defined as a complete state of wellbeing (including physical, social, psychological, and spiritual aspects).
- Other Valued Socioeconomic Components (VSEC) as determined through community consultation and/or literature review.

Identification of Impacts and Proposed Mitigation Measures

1. Please complete the Table in the Impact Tab – taking into consideration the components/activities and project phase(s) identified. Identify impacts as either positive (P), negative and mitigable (M), negative and non- mitigable (N), or unknown (U).
2. Discuss the impacts identified in the above table.
3. Discuss potential socioeconomic impacts, including human health.
4. Discuss potential for transboundary effects related to the project.
5. Identify any potentially adverse effects of the project proposal on species listed under the *Species at Risk Act (SARA)* and their critical habitats or residences, what measures will be taken to avoid or lessen those effects and how the effects will be monitored.
6. Discuss proposed measures to mitigate all identified negative impacts.

Cumulative Effects

A cumulative impact (or effect) can be defined as the impact on the environment that results from the incremental impact of the action when added to other past, present and reasonably foreseeable future actions. Cumulative impacts can also result from individually minor but collectively significant actions taking place over a period of time.

Discuss how the effects of this project interact with the effects of relevant past, present and reasonably foreseeable projects in a regional context.

Project Specific Information

IMPORTANT: The Project Specific Information boxes will be populated with required information depending on the type of project type and sub-types that have identified. Information you will be required to provide include the following (organized by activity type):

Project Type and Information Required

| Type of Project Proposal | Information Request |
|---------------------------------|--|
| All-Weather Road/Access Trail | Section A-1 and Section A-2 |
| Winter Road/Winter Trail | Section A-1 and Section A-3 |
| Mineral Exploration | Section B-1 through Section B-8 |
| Mine Development | Section B-1 through Section B-12 |
| Pits and Quarries | Section C |
| Coastal Infrastructure | Section D1-3, Section H1 and H2 |
| Site Cleanup/Remediation | Section F |
| Oil and Natural Gas Exploration | Section B3, Section E1-E3, Section F and Section G1-G3 |

| | |
|--------------------------------------|--|
| Oil and Natural Gas Development | Section B3, Section E1-E3, Section G1-G4 and Section H1-H2 |
| Marine Based Activities | Section H1-H2 |
| Municipal and Industrial Development | Section I |

SECTION A: Roads/Trails

Section A-1: Roads/Trails: Project Information

SECTION A: Roads/Trails: Project Information

1. Describe any field investigations and the results of field investigations used in selecting the proposed route (e.g. geotechnical, snow pack).
2. Provide a conceptual plan of the road, including example road cross-sections and water crossings.
3. Discuss the type and volume of traffic using the road/trail (i.e. type of vehicles and cargo and number of trips annually).
4. Discuss public access to the road.
5. Describe maintenance procedures.
6. Describe whether any portion of the road will be located outside of the Nunavut Settlement Area and whether any other regulatory requirements must be met (e.g. CEAA).

Section A-2: Roads/Trails: All-Weather Road/Access Trail

SECTION A: Roads/Trails: All-Weather Road/Access Trail

7. Discuss road design considerations for permafrost.
8. Describe the construction materials (type and sources for materials), and the acid rock drainage (ARD) and metal leaching characteristics of the construction materials.
9. Discuss construction techniques, including timing for construction activities.
10. Indicate on a map the locations of designated refueling areas, water crossings, culverts, and quarries/borrow sources.
11. Identify the proposed traffic speed and measures employed to ensure public safety.
12. Describe dust management procedures.

Section A-3: Roads/Trails: Winter Road/Access Trail

SECTION A: Roads/Trails: Winter Road/Access Trail

13. Describe the surface preparation, including the use of snow berms or compaction, and any flooding. If flooding is to be used, provide the location of the water source on a map.
14. Describe the operating time period.
15. Identify the proposed traffic speed and measures employed to ensure public safety.
16. Discuss whether the selected route traverses any fish-bearing water bodies.

SECTION B: Mineral Exploration

Section B-1: Mineral Exploration: Project Information

| SECTION B: Mineral Exploration: Project Information |
|---|
| |

1. Describe the type of mineral resource under exploration.

Section B-2: Mineral Exploration: Exploration Activity

| SECTION B: Mineral Exploration: Exploration Activity |
|--|
| |

2. Indicate the type of exploration activity:
 - Bulk Sampling (underground or other)
 - Stripping (mining shallow bedded mineral deposits in which the overlying material is stripped off, the mineral removed and the overburden replaced)
 - Trenching
 - Pitting
 - Delineation drilling
 - Preliminary Delineation drilling
 - Exploration drilling
 - Geophysical work (indicate ground and/or air)
 - Other
3. Describe the exploration activities associated with this project:
 - Satellite remote sensing
 - Aircraft remote sensing
 - Soil sampling
 - Sediment sampling
 - On land drilling (indicate drill type)
 - On ice drilling (indicate drill type)
 - Water based drilling (indicate drill type)
 - Overburden removal
 - Explosives transportation and storage
 - Work within navigable waters
 - On site sample processing
 - Off site sample processing
 - Waste rock storage

- Ore storage
- Tailings disposal
- Portal and underground ramp construction
- Landfilling
- Landfarming
- Other

Section B-3: Mineral Exploration: Geosciences

SECTION B: Mineral Exploration: Geosciences

?

4. Indicate the geophysical operation type:
 - a. Seismic (please complete Section E)
 - b. Magnetic
 - c. Gravimetric
 - d. Electromagnetic
 - e. Other (specify)
5. Indicate the geological operation type:
 - a. Geological Mapping
 - b. Aerial Photography
 - c. Geotechnical Survey
 - d. Ground Penetrating Survey
 - e. Other (specify)
6. Indicate on a map the boundary subject to air and/or ground geophysical work.
7. Provide flight altitudes and locations where flight altitudes will be below 610m.

Section B-4: Mineral Exploration: Drilling

SECTION B: Mineral Exploration: Drilling

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8. Provide the number of drill holes and depths (provide estimates and maximums where possible).
9. Discuss any drill additives to be used.
10. Describe method for dealing with drill cuttings.
11. Describe method for dealing with drill water.
12. Describe how drill equipment will be mobilized.
13. Describe how drill holes will be abandoned.
14. If project proposal involves uranium exploration drilling, discuss the potential for radiation exposure and radiation protection measures. Please refer to the Canadian Guidelines for Naturally Occurring Radioactive Materials for more information.

Section B-5: Mineral Exploration: Stripping / Trenching / Pit Excavation

SECTION B: Mineral Exploration: Stripping / Trenching / Pit Excavation



15. Discuss methods employed. (i.e. mechanical, manual, hydraulic, blasting, other).
16. Describe expected dimensions of excavation(s) including depth(s).
17. Indicate the locations on a map.
18. Discuss the expected volume material to be removed.
19. Discuss methods used to determine acid rock drainage (ARD) and metal leaching potential and results.

Section B-6: Mineral Exploration: Underground Activities

SECTION B: Mineral Exploration: Underground Activities



20. Describe underground access.
21. Describe underground workings and provide a conceptual plan.
22. Show location of underground workings on a map.
23. Describe ventilation system.
24. Describe the method for dealing with ground ice, groundwater and mine water when encountered.
25. Provide a Mine Rescue Plan.

Section B-7: Mineral Exploration: Waste Rock Storage and Tailings Disposal

SECTION B: Mineral Exploration: Waste Rock Storage and Tailings Disposal



26. Indicate on a map the location and conceptual design of waste rock storage piles and tailings disposal facility.
27. Discuss the anticipated volumes of waste rock and tailings.
28. Discuss methods used to determine acid rock drainage (ARD) and metal leaching (ML) potential and results.

Section B-8: Mineral Exploration: Stockpiles

SECTION B: Mineral Exploration: Stockpiles



29. Indicate on a map the location and conceptual design of all stockpiles.
30. Describe the types of material to be stockpiled. (i.e. ore, overburden).
31. Describe the anticipated volumes of each type of material to be stockpiled.
32. Describe any containment measures for stockpiled materials as well as treatment measures for runoff from the stockpile.

33. Discuss methods used to determine acid rock drainage (ARD) and metal leaching (ML) potential and results.

Section B-9: Mineral Exploration: Mine Development Activities

SECTION B: Mineral Exploration: Mine Development Activities

34. Indicate the type(s) of mine development activity(s):

- Underground
- Open Pit
- Strip Mining
- Other

35. Describe mine activities.

- Mining development plan and methods
- Site access
- Site infrastructure (e.g. airstrip, accommodations, offshore infrastructures, mill facilities, fuel storage facilities, site service roads)
- Milling process
- Water source(s) for domestic and industrial uses, required volumes, distribution and management.
- Solid waste, wastewater and sewage management
- Water treatment systems
- Hazardous waste management
- Ore stockpile management
- Tailings containment and management
- Waste rock management
- Site surface water management
- Mine water management
- Pitting and quarrying activities (please complete Section C)
- Explosive use, supply and storage (including on site manufacturing if required)
- Power generation, fuel requirements and storage
- Continuing exploration
- Other

36. Describe the explosive type(s), hazard class, volumes, uses, location of storage (show on map), and method of storage.

Section B-10: Mineral Exploration: Geology and Mineralogy

SECTION B: Mineral Exploration: Geology and Mineralogy

37. Describe the physical nature of the ore body, including known dimensions and approximate shape.
38. Describe the geology/ mineralogy of the ore deposit.
39. Describe the host rock in the general vicinity of the ore body.
40. Discuss the predicted rate of production.

41. Describe mine rock geochemical test programs which have been or will be performed on the ore, host rock, waste rock and tailings to determine acid generation and contaminant leaching potential. Outline methods and provide results if possible.

Section B-11: Mineral Exploration: Mine

SECTION B: Mineral Exploration: Mine

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42. Discuss the expected life of the mine.
43. Describe mine equipment to be used.
44. Does the project proposal involve lake and/or pit dewatering? If so, describe the activity as well as the construction of water retention facilities if necessary.
45. Discuss the possibility of operational changes occurring during the mine life with consideration for timing. (e.g. open pit to underground).
46. If project proposal involves uranium mining, consider the potential for radiation exposure and radiation protection measures. Particular attention should be paid to The Nuclear Safety and Control Act.

Section B-12: Mineral Exploration: Mill

SECTION B: Mineral Exploration: Mill

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47. If a mill will be operating on the property in conjunction with mining, indicate whether mine-water may be directed to the mill for reuse.
48. Describe the proposed capacity of the mill.
49. Describe the physical and chemical characteristics of mill waste as best as possible.

SECTION C: Pits and Quarries

Section C: Pits and Quarries: Project Information

SECTION C: Pits and Quarries: Project Information

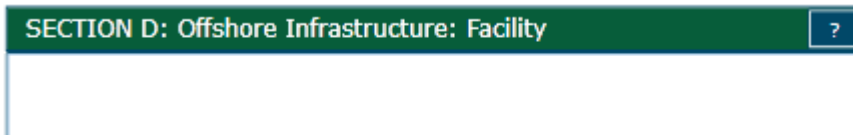
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1. Describe all activities included in this project.
 - Pitting
 - Quarrying
 - Overburden removal
 - Road use and/or construction (please complete Section A)
 - Explosives transportation and storage
 - Work within navigable waters
 - Blasting

- Stockpiling
 - Crushing
 - Washing
 - Other
2. Describe any field investigations and the results of field investigations used in determining new extraction sites.
 3. Identify any carving stone deposits.
 4. Provide a conceptual design including footprint.
 5. Describe the type and volume of material to be extracted.
 6. Describe the depth of overburden.
 7. Describe any existing and potential for thermokarst development and any thermokarst prevention measures.
 8. Describe any existing or potential for flooding and any flood control measures.
 9. Describe any existing or potential for erosion and any erosion control measures.
 10. Describe any existing or potential for sedimentation and any sedimentation control measures.
 11. Describe any existing or potential for slumping and any slump control measures.
 12. Describe the moisture content of the ground.
 13. Describe any evidence of ice lenses.
 14. If blasting, describe methods employed.
 15. Describe the explosive type(s), hazard class, volumes, uses, location of storage (show on map), and method of storage.
 16. Discuss methods used to determine acid rock drainage (ARD) and metal leaching (ML) potential and results.
 17. Discuss safety measures for the workforce and the public.

SECTION D: Offshore Infrastructure

SECTION D-1: Offshore Infrastructure: Facility



1. Describe any field investigations and the results of field investigations used in selecting the site (i.e. aerial surveys, bathymetric surveys, tidal processes, shoreline erosion processes, and geotechnical foundation conditions).
2. Provide a conceptual plan, profile description and drawing(s) indicating shoreline, facility footprint, tidal variations, required vessel draft, keel offset, deck height freeboard.
3. Discuss how anticipated loads on the seabed foundation and on the offloading platform will be incorporated into the design.
4. Describe how vessels will maneuver around the facility. (e.g. pull alongside or in front).
5. Discuss the anticipated life of the facility.
6. Describe whether part of the facility or project will be located outside of the Nunavut Settlement Area and whether any other regulatory requirements must be met (e.g. CEAA).

SECTION D-2: Offshore Infrastructure: Facility Construction

SECTION D: Offshore Infrastructure: Facility Construction

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7. Describe the types of material used for construction (i.e. granular or rock, steel piling or sheet piling, concrete). If material is granular, consider acid rock drainage potential, metal leaching potential, percentage of fines, size.
8. Describe dredging activities.
9. Indicate source of granular or rock material used in construction.
10. List quantities of the various types of material used in construction.
11. Describe construction method(s).
12. Indicate whether a site engineer will be on-site to inspect construction.
13. If proposed construction method involves dumping of fill into water, discuss measures for mitigating the release of suspended solids.

SECTION D-3: Offshore Infrastructure: Facility Operation

SECTION D: Offshore Infrastructure: Facility Operation

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14. Describe maintenance activities associated with the facility (e.g. dredging, maintenance to account for potential settlement of facility,).
15. Discuss whether the public will have access to the facility(s) and describe public safety measures.
16. Describe cargo and container handling, transfer and storage facilities.
17. Indicate whether fuel will be transferred from barges at this site and describe the method of that fuel transfer.
18. Discuss frequency of use.

SECTION D-4: Offshore Infrastructure: Vessel Use in Offshore infrastructure

SECTION D: Offshore Infrastructure: Vessel Use in Offshore Infras

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19. Please complete Section H.

SECTION E: Seismic Survey

Section E-1: Seismic Survey: Offshore Seismic Survey

SECTION E: Seismic Survey: Offshore Seismic Survey



1. Indicate whether the survey is 2D or 3D at each site.
2. Describe the type of equipment used, including:
 - Type and number of vessels including length, beam, draft, motors, accommodation capacity, operational speeds when towing and when not towing
 - Sound source (type and number of air guns)
 - Type and number of hydrophones
 - Number, length, and spacing of cables/ streamers
3. On a map, indicate the grid, number of lines and total distance covered by each line, the distance to nearby community/communities and sensitive areas (e.g., National Parks, National Wildlife Areas, Migratory Bird Sanctuaries, recognized breeding grounds or migratory routes).
4. Indicate the discharge volume of the air guns, the depth of air gun discharge, the noise levels of acoustic signal at various distances from the source (e.g., 500 metres, 1000 metres), and the frequency and duration of air gun operation at each site.
5. Discuss the potential for dielectric oil to be released from the streamer array, and describe proposed mitigation measures.
6. Indicate whether additional seismic operations are required for start-up of operations, equipment testing, repeat coverage of areas.
7. Indicate whether air gun procedures will include a “ramping up” period and, if so, the proposed rate of ramping up.
8. Indicate whether the measures described in the Statement of Canadian Practice for Mitigation of Noise in the Marine Environment will be adhered to for this project.
9. Describe whether any part of the project will be located outside of the Nunavut Settlement Area and whether any other regulatory requirements must be met (e.g. CEEA).

Section E-2: Seismic Survey: Nearshore/Onshore Seismic Survey

SECTION E: Seismic Survey: Nearshore/Onshore Seismic Survey



10. For each site, indicate whether nearshore and onshore surveys will be conducted during the ice season or once the ice has melted.
11. Describe how nearshore and onshore areas will be accessed.
12. Describe the survey methods to be used (e.g. explosive charge, vibration, air or water gun, other).
13. Describe equipment to be used.
14. If applicable, indicate number, depth and spacing of shot holes.
15. Describe explosive wastes including characteristics, quantities, treatment, storage, handling, transportation and disposal methods.

Section E-3: Seismic Survey: Vessel Use in Seismic Survey

SECTION E: Seismic Survey: Vessel Use in Seismic Survey



16. Please complete Section H.

SECTION F: Site Cleanup/Remediation: Project Information

Section F: Site Cleanup/Remediation: Project Information

SECTION F: Site Cleanup/Remediation: Project Information



1. Describe the location, content, and condition of any existing landfills and dumps (indicate locations on a map).
2. Identify salvageable equipment, infrastructure and/or supplies.
3. Provide a list of all contaminants to be cleaned up, anticipated volumes and a map delineating contaminated areas. This includes buildings, equipment, scrap metal and debris, and barrels as well as soil, water (surface and groundwater) and sediment.
4. Describe the degree of pollution/contamination, and list the contaminants and toxicity.
5. Describe technologies used for clean-up and/or disposal of contaminated materials. Include a list of all the physical, chemical and biological cleanup/ remediation methods, operational procedures, and the dosage/frequency of reagents and bacterial medium.
6. Identify and describe all materials to be disposed of off-site, including the proposed off site facilities, method of transport and containment measures.
7. Discuss the viability of landfarming, given site specific climate and geographic conditions.
8. Describe the explosive types, hazard classes, volumes, uses, location of storage (indicate on a map), and method of storage (if applicable).
9. If blasting, describe the methods employed.
10. Describe all methods of erosion control, dust suppression, and contouring and re-vegetation of lands.
11. Describe all activities included in this project.
 - Excavation (please complete Section B-5)
 - Road use and/or construction (please complete Section A)
 - Airstrip use and/or construction
 - Camp use and/or construction
 - Stockpiling of contaminated material
 - Pit and/or quarry (please complete Section C)
 - Work within navigable waters (please complete Section H)
 - Barrel crushing
 - Building Demolition
 - Other

SECTION G: Oil and Natural Gas Exploration/Activities

Section G-1: Oil and Natural Gas Exploration/Activities: Well Authorization

SECTION G: Oil and Natural Gas Exploration/Activities: Well Authorization



1. Identify the location(s) of the well centre(s) by latitude and longitude. Attach a map drawn to scale showing locations of existing and proposed wells.
2. Indicate if the site contains any known former well sites.
3. Include the following information for each well:
 - a. Well name
 - b. Surface location
 - c. Proposed bottom hole location
 - d. Ground elevation (in metres)
 - e. Spacing area (in units)
 - f. Identify the well type:
 - i. Production
 - ii. Injection
 - iii. Disposal
 - iv. Observation
 - v. Storage
 - vi. Experimental
 - vii. Other (specify)
 - g. Identify the well classification:
 - i. Exploratory wildcat
 - ii. Exploratory outpost
 - iii. Development
 - h. Drilling operation (deviation):
 - i. Vertical
 - ii. Directional
 - iii. Horizontal
 - iv. Slant

i. Objective Zones (copy chart style below)

| Objective Formation | Fluid (oil/gas/water) | Depth (mTVD) | Core (Y/N) |
|---------------------|-----------------------|--------------|------------|
| | | | |

- j. Proposed Total Depth in mTDV and mMD.
- k. Formation of Total Depth
- l. Sour well? (yes or no)
 - i. If Yes: Maximum H₂S concentration in mol/kmol

Emergency planning zone radius in km

- m. Blowout Prevention (Well Class I – VI)
- n. Deviation Surveys
 - i. Will be run at intervals less than 150m? (yes or no)
- o. Wireline logs
 - i. Will run logs in hole for surface casing? (yes or no)
 - ii. Will run a minimum of 2 porosity measuring logs? (yes or no)

Section G-2: Oil and Natural Gas Exploration/Activities: On-land Exploration

SECTION G: Oil and Natural Gas Exploration/Activities: On-Land Exploration



4. Indicate if the site contains any known:
 - a. Waste Dumps
 - b. Fuel and Chemical Storage Areas
 - c. Sump Areas
 - d. Waste Water Discharge Locations
5. Attach maps drawn to scale showing locations of existing and proposed items identified in (2) above, as well as all proposed:
 - a. Sumps
 - b. Water sources
 - c. Fuel and chemical storage facilities
 - d. Drilling mud storage areas
 - e. Transportation routes
6. If utilizing *fresh water*, estimate maximum drawdown and recharge capability of the river or lake from which water will be drawn.
7. Indicate if permafrost is expected to be encountered under:
 - a. Camp Facilities
 - b. Well Site
 - c. Access Routes
 - d. Sumps
 - e. Other: _____
8. Indicate any potential for encountering artesian aquifers or lost circulation within the surface hole (to casing depth).
9. Will drilling wastes contain detrimental substances (including, but not limited to, oil-based or invert mud and high salinity fluids)? If yes, indicate the substances and estimated volumes.
10. Indicate methods for disposal of drilling wastes:
 - a. Sump
 - b. Down Hole (requires NEB approval)
 - c. On-Site Treatment (provide plan)
 - d. Off-Site (give location and method of disposal)
11. If a sump is being used, attach the following information:
 - a. scale drawings and design of sumps
 - b. capacity in cubic metres

- c. berm erosion protection
 - d. soil permeability and type
 - e. recycling/reclaiming waters
 - f. surface drainage controls
 - g. abandonment procedures
12. Attach the proposed or existing contingency plan which describes the course of action, mitigative measures and equipment available for use in the event of system failures and spills of hazardous materials.
 13. Attach an outline of planned abandonment and restoration procedures.

Section G-3: Oil and Natural Gas Exploration/Activities: Offshore Exploration

SECTION G: Oil and Natural Gas Exploration/Activities: Off-Shore Exploration



14. Will drilling wastes contain detrimental substances (including, but not limited to, oil-based or invert mud and high salinity fluids)? If yes, indicate the substances and estimated volumes.
15. Attach the proposed or existing contingency plan which describes the course of action, mitigative measures and equipment available for use in the event of system failures and spills of hazardous materials.
16. Attach an outline of planned abandonment and restoration procedures.
17. Please complete Section H.

Section G-4: Oil and Natural Gas Exploration/Activities: Rig

SECTION G: Oil and Natural Gas Exploration/Activities: Rig



18. Type of Rig. Draw works, make and model.
19. Derrick/Mast make and model.
20. H.P. available to draw-works.

SECTION H: Marine Based Activities

Section H-1: Marine Based Activities: Vessel Use

SECTION H: Marine Based Activities: Vessel Use



1. Describe the purpose of vessel operations.
2. List classes and sizes of vessels to be used.
3. Indicate crew size.
4. Indicate operating schedule.
5. Provide a description of route to be traveled (include map).
6. Indicate whether the vessel will call at any ports. If so, where and why?

7. Describe wastes produced or carried onboard including the quantities, storage, treatment, handling and disposal methods for the following:
 - a. Ballast water
 - b. Bilge water
 - c. Deck drainage
 - d. Grey and black water
 - e. Solid waste
 - f. Waste oil
 - g. Hazardous or toxic waste
8. List all applicable regulations concerning management of wastes and discharges of materials into the marine environment
9. Provide detailed Waste Management, Emergency Response and Spill Contingency Plans
10. Does the vessel(s) possess an Arctic Pollution Prevention Certificate? If yes, indicate the date of issue and the name of the classification society.
11. Describe the source of fresh water and potable water
12. Indicate whether ice-breaking will be required, and if so, approximately where and when? Discuss any possible impacts to caribou migration, Inuit harvesting or travel routes, and outline proposed mitigation measures.
13. Indicate whether the operation will be conducted within the Outer Land Fast Ice Zone of the East Baffin Coast. For more information on the Outer Land Fast Ice Zone, please see the Nunavut Land Claims Agreement (NLCA), Articles 1 and 16.
14. Indicate whether Fisheries or Environmental Observers or any other *Qualified Marine Observer* will be onboard during the proposed project activities. If yes, describe their function and responsibilities.
15. Describe all proposed measures for reducing impacts to marine habitat and marine wildlife (including mammals, birds, reptiles, fish, and invertebrates).
16. Describe whether any part of the project will be located outside of the Nunavut Settlement Area and whether any other regulatory requirements must be met (e.g. CEAA).

Section H-2: Marine Based Activities: Disposal at Sea

SECTION H: Marine Based Activities: Disposal at Sea



17. Provide confirmation you have applied for a Disposal at Sea permit with Environment Canada.
18. Provide a justification for the disposal at sea.
19. Describe the substance to be disposed of, including chemical and physical properties.
20. Indicate the location where the disposal is to take place.
21. Describe the frequency of disposals (disposals per day/week or month).
22. Describe the route to be followed during disposal and indicate on a map.
23. Indicate any previous disposal methods and locations.
24. Provide an assessment of the potential effects of the disposal substance on living marine resources.
25. Provide an assessment of the potential of the disposal substance, once disposed of at sea, to cause long-term physical effects.
26. Describe all mitigation measures to be employed to minimize the environmental, health, navigational and aesthetic impacts during loading, transport and disposal.

Impacts Tab

Impacts

Environmental Impacts (tourism and research related projects) ?

Predicted environmental impacts of undertaking and proposed mitigation measures (up to 1500 characters).

Identification of Environmental Impacts ?

P = Positive
 NN = Negative / Non-mitigable
 NM = Negative / Mitigable
 UN = Unknown
 Leave blank all items not applicable to this project

Specify the environmental impacts for each of the project activities.

Camp Select Activity

Operation Phase

| PHYSICAL ? | | BIOLOGICAL ? | | SOCIO-ECONOMIC ? | |
|--|--|---|--|---|--|
| Designated environmental areas (Parks, Wildlife Protected areas, etc.) | - ▼ | Vegetation | - ▼ | Archeological and cultural histCommunity wellnesioric sites | - ▼ |
| Ground stability | - ▼ | Wildlife, including habitat and migration patterns | - ▼ | Employment | - ▼ |
| Permafrost | - ▼ | Birds, including habitat and migration patterns | - ▼ | Community wellness | - ▼ |
| Hydrology / limnology | - ▼ | Aquatic species, including habitat and migration / spawning | - ▼ | Community infrastructure | - ▼ |
| Water Quality | - ▼ | Wildlife protected areas | - ▼ | Human health | - ▼ |
| Climate Conditions | - ▼ | | | | |
| Eskers and other unique or fragile landscapes | - ▼ | | | | |
| Surface and bedrock geology | - ▼ | | | | |
| Sediment and soil quality | - ▼ | | | | |
| Tidal processes and bathymetry | - ▼ | | | | |
| Air quality | - ▼ | | | | |
| Noise levels | - ▼ | | | | |
| Other | - ▼ | | | | |

Environmental Impacts

Users can use the text box provided to indicate predicted environmental impacts of undertaking and proposed mitigation measures. Documents may also be uploaded to the document management system using the Attach Document and Images Tab button. The uploading of a document is not in lieu of using the text box to also indicate predicted environmental impacts. Users can use both methods to indicate predicted environmental impacts.

Impacts

Environmental Impacts (tourism and research related projects) ?

Predicted environmental impacts of undertaking and proposed mitigation measures (up to 1500 characters).

Identification of Environmental Impacts

Applicants must identify environmental impacts (Physical, Biological and Socio-economic) for each project activity and activity phase (Construction, Operation, Closure and Post Closure).

| | |
|----------------|---|
| Physical | <p>Physical Impacts are those impacts on the physical environment. Choices for physical impacts are (assess impact for all that apply)</p> <ul style="list-style-type: none"> • Designated environmental areas • Ground Stability • Permafrost • Hydrology / limnology • Water quality • Climate conditions • Eskers and other unique or fragile landscapes • Surface and bedrock geology • Sediment and soil quality • Tidal processes and bathymetry • Air quality • Noise levels |
| Biological | <p>Biological Impacts are those impacts on the biological environment. Choices for biological impacts are (assess impact for all that apply)</p> <ul style="list-style-type: none"> • Vegetation • Wildlife, including habitat and migration patterns • Birds, including habitat and migration patterns • Aquatic species, including habitat and migration / spawning • Wildlife protected areas |
| Socio-Economic | <p>Socio-economic Impacts are those impacts on the Nunavut communities and the Inuit beneficiaries of the region. Choices for socio-economic impacts are (assess impact for all that apply)</p> <ul style="list-style-type: none"> • Archaeological and cultural historic sites • Employment • Community wellness • Community infrastructure • Human health |

Select a project activity using the combo box. The activity listing is pre-populated based on project activities added in the Activities tab.

Once an activity phase is selected, several criteria appear for each of the main categories of Physical, Biological and Socio-Economic. For each criteria, select the expected environmental impact. Choices include the following:

| | |
|----------------------------|--|
| Positive | will the activity positively benefit the affected and surrounding area? |
| Negative and non-mitigable | will the activity negatively impair the affected and surrounding environment, without the ability to alleviate and reduce adverse effects? |
| Negative and mitigable | will the activity negatively impair the affected and surrounding environment, with the ability to alleviate and reduce adverse effects? |
| Unknown | the effects of the proposed activity are not yet known |

?
Identification of Environmental Impacts

P = Positive
 NN = Negative / Non-mitigable
 NM = Negative / Mitigable
 UN = Unknown
Leave blank all items not applicable to this project

Specify the environmental impacts for each of the project activities.

Camp Select Activity

Operation Phase

| PHYSICAL ? | BIOLOGICAL ? | SOCIO-ECONOMIC ? |
|--|--|--|
| Designated environmental areas (Parks, Wildlife Protected areas, etc.) | Vegetation | Archeological and cultural histCommunity wellnesioric sites |
| Ground stability | Wildlife, including habitat and migration patterns | Employment |
| Permafrost | Birds, including habitat and migration patterns | Community wellness |
| Hydrology / limnology | Aquatic species, including habitat and migration / spawning | Community infrastructure |
| Water Quality | Wildlife protected areas | Human health |
| Climate Conditions | | |
| Eschers and other unique or fragile landscapes | | |
| Surface and bedrock geology | | |
| Sediment and soil quality | | |
| Tidal processes and bathymetry | | |
| Air quality | | |
| Noise levels | | |
| Other | | |

Additional Documents and Images Tab

Where relevant, provide the following supporting documents:

- Public involvement measures, a summary of concerns expressed, and strategies employed to address any concerns or incorporate traditional knowledge.
- Abandonment and Decommissioning Plan
- Emergency Response Plan

- Comprehensive Spill Prevention/Plan (must consider hazardous waste and fuel handling, storage, disposal, spill prevention measures, staff training and emergency contacts)
- Waste Management Plan/Program
- Monitoring and Management Plans (e.g. water quality, air pollution, noise control and wildlife protection etc.)
- If project activities are located within Caribou Protection Areas or Schedule 1 Species at Risk known locations, please provide a Wildlife Mitigation and Monitoring Plan
- Remediation Plan including cleanup criteria and how the criteria were derived.
- Human Health Risk Assessment of the contaminants at the site.
- Existing site photos with descriptions

Uploading Documents

Choose Document Category and provide a short document description. Documents can be uploaded by using the Browse button and searching for the document on your computer.

Provide a document Description then brows your file and Upload document.

Attach Documents

Attach Documents to the Application
?

Document Category

Community involvement
▼

Document Description

No file selected.

When it is correctly attached it will show up on the left hand side in Application Form Attached documents

Application Form Attachments
?

Attached Documents

Community involvement
▼

Validating Your Application

When you have completed filling in your application and would like to submit to NIRB, click the Validate Application button.



Validate and Submit

If your application is incomplete, you will receive a Project Application Validation Report window that indicates what data is incomplete. In addition to the application errors, you may also receive warnings on this Validation Report.

Update the application with the required information and press the Validate Application button. If you have been successful in adding all required information in the project application, you will receive a Project Application Validation Report that indicates “No errors have been detected, you can submit your application to NIRB”.

To continue sending the application, click the Submit Application to NIRB button. A user confirmation is required to confirm that you would like to submit the application to be reviewed by the NIRB.

IMPORTANT: Once submitted, you will not be able to make changes to the application while it is being reviewed by NIRB, however, you will still be able to review the application in the portal.

NIRB staff are able to return the application if they notice any errors during their Completeness Check.

Completeness Check

NIRB will review your application for a completeness check. If your application requires further information, you will receive an email notification indicating this and you will be required to review the changes requested by NIRB and update your application. Once complete, re-validate your application.

Project Amendments

The proponent may amend their application online by either amending a previously submitted online application or by creating a new application (older legacy project).

Amendments are when the Nunavut Planning Commission (NPC) has determined that the proponent’s project proposal is a significant modification (i.e. it contains a component or activity that was not part of the original or previously amending proposal) and requires screening by the NIRB under section 12.4.3 of the Nunavut Agreement.

Previously submitted application online

- Sign into your account
- SEARCH the PUBLIC REGISTRY
 - Click “**PUBLIC REGISTRY**” button
 - Search Projects – Enter the NIRB file number for the amended project
 - Open File – Click on the File number and a project dashboard page for the file will open
- Click the Amend Application Button
 - The online application will appear and you may add the amended changes.

Fill out an online application

If an online application was not previously submitted through the NIRB's online system then a new online application form will need to be completed. NIRB staff will then attach this new application to the previous file number as an amendment.

Submitting Comments

Commenting Period

NIRB staff will, open a commenting period and for those stakeholders, general public, etc. who would like to comment on the project application.

TO SUBMIT COMMENTS

- Sign into your account
- SEARCH the PUBLIC REGISTRY
 - Click "**PUBLIC REGISTRY**" button
 - Search Projects – Enter the NIRB file number you are searching for
 - Open File – Click on the File number and a project dashboard page for the file will open
 - Click the "**Comment Form**" button



- Fill out Comment Form and press submit **OR** Upload a document

IMPORTANT: NIRB staff review and approve all comments and documents prior to them being available on the Public Registry.

Comment Form for NIRB Screenings

Fill out the form below or upload your comments.



The Nunavut Impact Review Board (NIRB) has a mandate to protect the integrity of the ecosystem for the existing and future residents of Nunavut. To assess the environmental and socio-economic impacts of the project proposal, NIRB would like to hear your concerns, comments and suggestions about the following project proposal application:

Indicate your concerns about the project proposal below:

- | | |
|---|---|
| <input type="checkbox"/> no concerns | <input type="checkbox"/> traditional uses of land |
| <input type="checkbox"/> water quality | <input type="checkbox"/> Inuit harvesting activities |
| <input type="checkbox"/> terrain | <input type="checkbox"/> community involvement and consultation |
| <input type="checkbox"/> air quality | <input type="checkbox"/> local development in the area |
| <input type="checkbox"/> wildlife and their habitat | <input type="checkbox"/> tourism in the area |
| <input type="checkbox"/> marine mammals and their habitat | <input type="checkbox"/> human health issues |
| <input type="checkbox"/> birds and their habitat | <input type="checkbox"/> fish and their habitat |
| <input type="checkbox"/> heritage resources in area | <input type="checkbox"/> other: |

If you selected 'other' please list your additional concerns here:

Please describe the concerns indicated above:

Do you have any suggestions or recommendations for this application?

Do you support the project proposal?

Yes No Any additional comments?



