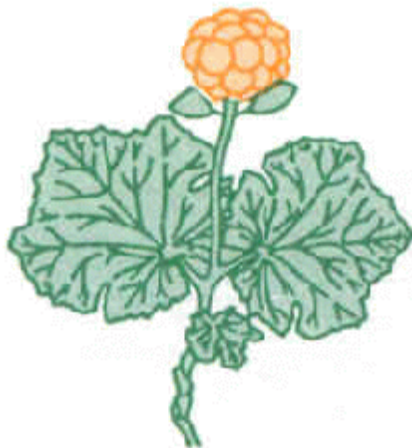


ENVIRONMENTAL IMPACT SCREENING COMMITTEE

OPERATING GUIDELINES

AND

PROCEDURES



**Inuvik, Northwest Territories, Canada
November 2004**

ACKNOWLEDGMENTS

The Environmental Impact Screening Committee (EISC) gratefully acknowledges those individuals, governments and industry representatives who provided comments and suggestions on the Committee's original *Operating Guidelines and Procedures*. The EISC believes this document should be dynamic and evolve within the limits of the *Inuvialuit Final Agreement* to better serve Inuvialuit and developers. To that end, additional comments on the current version of the EISC *Operating Guidelines and Procedures* are always welcome.



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ACRONYMS

CWS	Canadian Wildlife Service
DFO	Department of Fisheries and Oceans
DIAND	Department of Indian Affairs and Northern Development
DOE	Department of Environment
DRWED	Department of Resources, Wildlife and Economic Development
EIRB	Environmental Impact Review Board
EISC	Environmental Impact Screening Committee
FJMC	Fisheries Joint Management Committee
GNWT	Government of the Northwest Territories
HTC	Hunters and Trappers Committee
IFA	<i>Inuvialuit Final Agreement</i>
IGC	Inuvialuit Game Council
ILA	Inuvialuit Land Administration
ILAC	Inuvialuit Land Administration Commission
IRC	Inuvialuit Regional Corporation
ISR	Inuvialuit Settlement Region
TLA	<i>Territorial Lands Act</i>
WMAC (NS)	Wildlife Management Advisory Council (North Slope)
WMAC (NWT)	Wildlife Management Advisory Council (Northwest Territories)
YTG	Yukon Territorial Government



1.0 Purpose of this Document

The purpose of the *Operating Guidelines and Procedures* is to provide information and guidance to developers, government authorities, the Inuvialuit community, and other organizations regarding the structure, procedures and information requirements of the Environmental Impact Screening Committee (EISC).

The *Operating Guidelines and Procedures* is not intended to be a legal interpretation of the pertinent provisions of the *Inuvialuit Final Agreement* (IFA), nor does it limit the powers of the EISC to establish and adopt by-laws and rules for its own internal management and procedures [IFA Subsection 11(14)]. The *Operating Guidelines and Procedures* should be used in conjunction with the IFA.

Submissions to the EISC and information requests should be directed to the EISC Secretary at the address below:

*Secretary
Environmental Impact Screening Committee
Joint Secretariat - Inuvialuit Renewable Resource Committees
Inuvialuit Corporate Centre, 107 Mackenzie Road, Room 301
P.O. Box 2120
Inuvik, Northwest Territories, Canada
X0E 0T0*

Telephone: (867) 777-2828

Fax: (867) 777-2610

Email: eisc@jointsec.nt.ca



1.1 Authority

The IFA and its enabling legislation the *Western Arctic (Inuvialuit) Claims Settlement Act*, S.C. 1984, c. 24, require the screening of developments of consequence to the Inuvialuit Settlement Region (ISR) (Figure 1) that are likely to have a negative impact on the environment, or on present or future wildlife harvesting. It provides for the establishment of the EISC to carry out the preliminary environmental screening of onshore developments. In a letter dated 10 April 1987, the Inuvialuit Game Council (IGC) gave formal notice that under Paragraph 11(1)(c) all developments in the offshore within the ISR were also to be submitted for screening. In the Yukon North Slope all developments shall be screened [IFA Subsection 12(3)]. The IFA also provides for the establishment of an Environmental Impact Review Board (EIRB) to carry out more in-depth public reviews of developments referred to it by the EISC. The Settlement Act applies in the event of a conflict or inconsistency between either the Settlement Legislation or the Inuvialuit Final Agreement and the provisions of any other federal, territorial, provincial or municipal law, by-law or regulation [IFA Subsection 3(3)].



2.0 Scope and Mandate of the EISC

In general terms, the EISC has the legal obligation to screen all proposed developments inside the ISR which may negatively impact the environment and/or Inuvialuit wildlife harvesting. Similar responsibility exists for developments occurring outside the ISR, as described in Section 2.3. Some examples of development categories which must be screened include scientific research conducted or funded by government agencies, research specifically related to a development project; camps and fuel caches requiring land use permits; commercial tourism proposals; granting of water rights in association with exploration or development activity; water withdrawals; industrial waste disposal; hydrocarbon, mineral and aggregate exploration and extraction; commercial harvesting of plant resources; commercial transportation developments (air, land, water); and scheduled military activities.

The IFA stipulates that "no licence or approval shall be issued that would have the effect of permitting any proposed development to proceed unless the provisions of [the Environmental Impact Screening and Review Process] have been complied with" [IFA Subsection 11(36)]. Regulators, developers and operators are compelled by the Settlement Act and the IFA to comply with provisions of the EISC and, if necessary, the EIRB processes prior to commencement of any onshore or offshore development.

Under its mandate, the EISC is required to determine whether a given development proposal may result in a significant negative environmental impact and, if so, whether further review by the EIRB, or an equivalent government body is required. Some criteria used by the EISC to identify significant environmental impacts are listed in Appendix B.

It is the basic premise of the EISC that all proposed developments for the ISR, both onshore and offshore, are likely to have *some* negative effect on the environment and so are potentially subject to screening. However, it follows that not all developments are likely to have a *significant* negative impact. The EISC has determined that certain classes of developments may be exempt from screening (Appendix C). Developers are advised to consult with the EISC, observing the protocol described in Section 6.0, to determine whether their development qualifies for exemption.

Sections from the IFA defining the terms "developer", "development" and "developments subject to screening" are set out in Appendix D.

2.1 External Request For Screening

Requests for environmental impact screening of specific developments by the EISC may come from the Inuvialuit, in effect "...the Inuvialuit Regional Corporation (IRC), the Inuvialuit Land Corporation, the Inuvialuit Development Corporation, the Inuvialuit Investment Corporation, the Inuvialuit community corporations and any other corporations or trusts or organizations controlled by the Inuvialuit..." [IFA Section 2 and Paragraph 11(1)(c)], including the Inuvialuit Game Council (IGC) and the Hunters and Trappers Committees (HTC). The Dene/Metis may also request screening of a particular development, subject to IFA Paragraph 11(1)(d) and Subsection 11(11).



Where requests for environmental impact screening of developments are made to the EISC under these subsections, it will be the responsibility of the EISC to advise the developer that screening of the proposal has been requested, and of the information requirements of the EISC.

2.2 Inuvialuit Private Lands

Within the ISR the Inuvialuit have exclusive ownership of surface and subsurface rights to certain lands [IFA Paragraph 7(1)(a)], and surface ownership only in other areas [IFA Paragraph 7(1)(b)] (Figure 1).

Unlike Crown lands within the ISR, these Inuvialuit Private Lands are administered by the Inuvialuit Land Administration (ILA) and are subject to the current ILA Policy and Procedures. These procedures include an ILA screening and permitting process to deal with proposed developments solely affecting Inuvialuit Private Lands.

Decisions about land use on Inuvialuit Private Lands are made by the Inuvialuit Land Administration Commission (ILAC) and administered by the ILA. The Inuvialuit can request that development proposals on Inuvialuit Private Lands be screened by the EISC (See Subsection 2.1 above). For information on Inuvialuit Private Lands, contact:

*Land Administrator
Inuvialuit Land Administration
P.O. Box 290
Tuktoyaktuk, Northwest Territories, Canada
X0E 1C0*

*Telephone: (867) 977-7100
Fax: (867) 977-7101*

Developers are also advised that certain lands within the ISR are subject to overlap agreements with the Gwich'in and so are subject to Gwich'in administration. For information on Gwich'in lands, contact:

*Land Manager
Gwich'in Land Administration
P.O. Box 1509
Inuvik, Northwest Territories, Canada
X0E 0T0*

*Telephone: (867) 777-4869
Fax: (867) 777-4538
Email: land-manager@inuvik.net*



2.3 Developments with Trans-Boundary Effects in the Inuvialuit Settlement Region

Since developments occurring outside of the ISR may have negative trans-boundary effects on the ISR, developers of such developments are legally bound to comply with the screening process [IFA Subsection 13(7)]. Developments requiring screening by the EISC are those which require federal, territorial or provincial permits and which may exceed established federal and territorial standards for air and water quality or which, in the opinion of the Canadian Wildlife Service (CWS) or their territorial or provincial counterparts, may result in a negative impact on migratory species occurring in the ISR.

2.4 IRC/DIAND Agreement

By virtue of an agreement between the IRC and the Department of Indian Affairs and Northern Development (DIAND) (Appendix E) the EISC has been given responsibility for conducting an annual review of mineral activities occurring in the ISR.

3.0 Structure of the EISC

The EISC is made up of seven permanent members. Canada and the Inuvialuit each appoint three permanent members (Appendix F). Of the three permanent members appointed by Canada, the Government of the Northwest Territories (GNWT) and the Yukon Territorial Government (YTG) each designate one. [IFA Subsection 11(5)] A Chair is appointed by Canada, with the consent of the Inuvialuit. [IFA Subsection 11(6)] The EISC is neither a government nor an Inuvialuit organization, but must remain independent and non-partisan to be effective.

Additional panel members may be designated from time to time where an organization recognized for an adjacent comprehensive land claims settlement considers that a development being screened is capable of having a negative environmental impact to the detriment of native persons using or occupying the ISR and the organization represents those native persons. [IFA Subsection 11(11)] This right is conditional on like representation being available to the Inuvialuit on panels dealing with adjacent land areas used or occupied by the Inuvialuit. [IFA Subsection 11(12)]

4.0 Project Descriptions for Screening

4.1 Consultation

A well established system of co-management of resources is in place throughout the ISR (Appendices F and G). The communities, HTC's, co-management bodies, and government agencies are key elements of this system. Initial contact with the groups noted below prior to development of the project description would be prudent.



1. Community Consultation

An exact copy of the project description submitted to the EISC must be sent by the developer to the affected HTC(s). If a HTC requires additional time to examine a project description sent to them by a developer, they may ask the EISC to delay the screening of any project description until the next regular meeting of the EISC. Except under extraordinary circumstances, the EISC will not screen project descriptions until after community consultation has been done and the results are made available to the EISC for examination.

2. Government Consultation

The developer is responsible for contacting relevant government agencies to obtain current information relevant to his development, e.g., the GNWT Department of Resources, Wildlife, and Economic Development; the YTG Department of Environment (DOE); the CWS; the Department of Fisheries and Oceans (DFO), and Parks Canada.

4.2 Submission of a Project Description for Screening

1. Materials provided by a developer, either as part of a project description or as part of a presentation, will become a component of the meeting file and will therefore be accessible to the public.

Any supplemental information provided to the EISC pertinent to a development being screened will be recorded in the Minutes and become part of the public record. This includes a list of any bulky documents eventually returned to the developer.

2. Eleven copies of the project description, as per the recommended format (See Subsection 4.4 below), must be submitted to the EISC Secretary at the address indicated in Section 1.0. Unbound copies are preferred. If the document is large, additional copies may be required. The date of receipt of mailed or couriered submissions will be the effective date to initiate the screening process. Faxed or emailed submissions are not acceptable.

Single copies of scientific papers, diagrams, maps, or other items, may be provided as reference material for the EISC. If requested in the cover letter, these materials will be returned to the developer after use.

3. It is the responsibility of the developer to prepare the project description in the format described in Subsection 4.4, and to ensure that the complete submission (including a cover letter and eleven copies) reaches the Secretary at least 30 days before the next scheduled EISC meeting in order to be considered at that meeting. Waivers of this requirement may only be made by resolution of the EISC.



4. Screening typically occurs in 50 days or less of receipt of a properly completed project description.

4.3 Presentations

A developer may wish to supplement a project description with a presentation to the EISC (See also Subsection 8.1). It may be beneficial if the proposal is controversial, or the development is so complex that it is necessary to be present to answer any questions that may arise.

A formal request to make a presentation to the EISC should be included in the cover letter attached to the project description. Every consideration will be given to requests to address the EISC, however, the Chair of the EISC reserves the right to deny any request to make a presentation, or to limit the time made available for that purpose. The Secretary will contact the developer to confirm placement of the presentation on the agenda, and the proposed time, date and location.

4.4 The Project Description

A cover letter which requests screening by the EISC, and provides a contact address and telephone number for the company and/or individual responsible for submission of the project description, must be included.

Developers are encouraged to contact the Secretariat for advice on project descriptions.

The project description should be concise, designed for a non-technical audience, and include the number headings and information described below. In the case of specified information which is not applicable to the proposed development, the project description shall contain a clear statement to that effect. Documents should have numbered pages and an executive summary. Lengthy document must include a table of contents. Project descriptions not in the proper format are subject to return and possible delays.

1. Title

A project description must clearly be labeled as such and be assigned a brief title. The title should inform the reader of the nature of the proposal. The title will be used in all subsequent correspondence.

2. Contact Name and Address

Include the name of the developer (company or individual) and a contact name, address, telephone number, fax number and, if possible, an email address. All correspondence and inquiries will be directed to the contact person.



3. Regulatory Approvals

Provide a list of all approvals, licenses and permits that are required from regulatory agencies, government departments, or private landowners in order to proceed with the development.

The name, address, telephone number and fax number of the specific individual within each agency to which application for permits or approvals has or will be made must be provided.

This information is essential so that all regulatory officials can be contacted when the decision of the EISC is made and provides a reference for other interested parties.

4. Location

Small scale and large scale maps showing the proposed site(s) involved in the development are essential. In addition to the main development area of concern, camp components, fuel storage, and flight corridors should be indicated on the map. Archaeological sites should not be indicated on maps. It is suggested that the developer uses 1:250 000 maps to indicate the general location and 1:50 000 maps to indicate the precise location. In some cases aerial photographs or additional plates may be suitable.

Any maps submitted must display a title, a scale, a drafting date, a north arrow, elevations, and, where applicable, bathymetric information. Latitude and longitude or grid reference points should be inserted in the margin. Symbols used on the map must be explained in a key or legend.

Developers should identify the land status of the proposed site, i.e., Crown land, over-lapping private aboriginal lands. In the text, developers should indicate whether the areas identified on the map(s) are precise or are approximations. If areas are precise, co-ordinates should be provided.

For those proposals in which the developer has the capacity, we suggest that the geographic data also be provided in a digital form. Suggested geo-referenced data formats include: AutoCAD DXF, ESRI shapefiles, Arc Interchange (.E00) Files, or mid-mif. The provision of metadata is also required - with the minimum being the projection information and required values. The preferred file format is shapefile - decimal degrees (NAD83).

5. Development Summary

This section will provide a general overview of the proposal outlining its infrastructure, personnel (company staff, contractors, subcontractors), activities (including off-site activities related to the development), timing, location, purpose, scoping, waste disposal (garbage, sewage, vegetation, overburden), equipment, and fuel (type, containment, method of transfer) [IFA Subsection 11(16)(b)]. Developers are expected to use forward long-term planning and avoid a piece-meal approach. All components of a development must be discussed including transportation, staging, exploration, monitoring plans, reclamation, restoration, abandonment,



and decommissioning. If the development is a multi-year development, sufficient detail must be provided for each year's activity, in order for the development to be screened.

The EISC expects the developer to include a statement committing the developer to implement the development as described (See Subsection 4.6 regarding changes to project descriptions).

6. Development Timetable

Include a description of development phases and/or elements as scheduled, and a timetable for implementation providing key dates within which these phases or elements will take place. The timetable should clearly indicate whether the development is a multi-year development (See Subsection 4.5) and, if so, the activities which will occur in those years. Where appropriate, a graphic timetable should be included. Factors which may affect the timing, such as weather, may be outlined here.

7. New Technology

If conventional or standard techniques are not being employed, this should be pointed out. Explain any new technology or innovative procedures involved.

8. Alternatives

Developers should consider alternatives where they are a factor. The logical process by which the preferred activity and each component of the development was selected, and alternative activities were rejected, should be explained [IFA Subsection 11(16)(d)].

9. Traditional and Other Land Uses

Developers should make reference to the relevant Inuvialuit community conservation plan(s) and the Inuvialuit Harvest Study for the area in which they are working to identify local hunting and harvesting activities, and sensitive areas, species, and times (Appendix H). Identify the management category where this is identified in the community conservation plan. The community conservation plans are available on the Internet at www.jointsecretariat.ca or on CD or in hard copy format from the Joint Secretariat. Further information on access to these plans can be obtained through the EISC Secretary.

10. Community Consultation

In keeping with the intent of the IFA, the EISC considers the local HTC's as the focal point of Inuvialuit community consultation in the settlement region and a key element of regional co-management in the ISR.

Developers must confer with, at the very least, those HTC's whose members may be affected by the proposal. Depending on the size of the development, the developer should also consider



consulting with a wider audience including the general public, Elders Committees, Hamlet Councils, and Inuvialuit Community Corporations.

Developers are also advised to contact the regulatory agencies to determine what other organizations should be consulted.

Developers must summarize community consultation conducted during the planning phase of the development and list the concerns expressed by the organizations or individuals contacted. Modifications to the development proposal made in response to public concerns or suggestions should be highlighted.

The provisions of the IFA Section 13 are intended to prevent loss or damage to wildlife and its habitat, and to avoid disruption of wildlife harvesting activities caused by development. If damage does occur, it provides for restoration of wildlife and its habitat, as well as compensation to the Inuvialuit for lost harvesting opportunities.

11. Environmental Overview

Describe, in summary form, the biophysical resources which may be affected or of significant importance in the development area. This could include climate, oceanography, hydrology, permafrost, soils, plants and animals (including consideration of biodiversity and species with special conservation status). Include a checklist of activities and areas of overlap, e.g., development activities in a known fish over-wintering area or caribou calving area.

12. Proposed Mitigation And Anticipated Environmental Impacts

Provide a description of mitigation measures that will be undertaken to reduce, control, or eliminate potential negative environmental impacts, including consideration of, for example:

- fish and wildlife habitat, distribution, movement, and abundance
- subsistence harvesting
- areas of special conservation value, e.g., Parks, sanctuaries
- plant distribution and abundance
- sites of cultural importance
- air and water quality relative to established territorial and federal standards
- potential effects of the environment on the development, e.g., storm surges, un-seasonal weather

Examples of mitigation methods include pollution control technology, waste management systems, emergency response plans, site layout, operation timing, control of construction site work practices, and maintenance of environmentally acceptable minimum flight altitudes (Appendix I). Describe how the company will ensure that mitigation has been implemented.

Indicate whether these mitigation measures are proven or experimental. Predict the likely impacts of development of the environment and prepare a summary table of potential impacts,



proposed mitigation and anticipated residual impacts. List any references, research initiatives or baseline data collection which would support any statements regarding impact or performance.

Indicate how the development activities will comply with regulatory guidelines or requirements. Describe any follow-up or monitoring plans that will be put into place.

13. Cumulative Effects

Developers are expected to identify and assess the cumulative effects of the proposed development and other activities in the area. Depending on the development, the assessment of cumulative effects may be qualitative rather than quantitative.

14. Emergency Response Plans

Indicate what emergency response plans and contingency plans are in place (and available) to address, for example, spills, blowouts, fire, erosion, storm surges, permafrost degradation, problem wildlife, migratory wildlife, or accidents and malfunctions. Include a protocol for avoiding traditional or cultural activities.

15. Cleanup, Reclamation, Disposal, And/Or Decommissioning Plan

Specify plans for cleanup, reclamation, disposal and/or decommissioning of the site, equipment, and/or structures upon development completion.

A decommissioning plan is mandatory for all developments involving facilities construction.

16. Other Environmental Assessment

"For the purposes of paragraph 17(a), the Screening Committee shall take into account any prior governmental development or environmental impact review process that, in its opinion, adequately encompassed the assessment and review function." [IFA Subsections 11(18)]

Describe any environmental impact reviews, screening procedures, or assessments that are relevant to the development or any of its elements and/or phases. This includes previous, currently active, or impending government assessments, e.g., under the *Canadian Environmental Assessment Act*. Relevant recommendations made by any previous review should be referenced. The developer should state whether the findings of the previous assessment and the recommendations are still valid.



4.5 Multi-Year Developments

Multi-year developments may not be subject to further screening after the initial decision is reached provided the following criteria are met.

- a. The developer confirms that the development will be implemented as described.
- b. The developer annually informs the EISC of his/her activities by way of a brief (1-2 pages), non-technical development progress report that emphasizes the environmental aspects of the project.
- c. There are no changes to the proposed development (e.g., location, duration, timing, nature, cumulative impact).
- d. The appropriate HTC is annually informed of the developer's activities or research findings in a manner suitable for a non-technical audience.
- e. The Inuvialuit do not request further screening [IFA Paragraph 11(1)(c)].
- f. No regulatory infraction occurs.

Criteria for determining which developments are exempted under this provision are listed in Appendix C (paragraph 6).

4.6 Changes To Project Descriptions

The EISC must be kept informed by the developer of all changes made to developments that are about to be screened.

Permitting agencies issuing extensions or amendments to existing permits are expected to notify the EISC prior to such issuance because amended developments may be subject to re-screening (See Appendix C, 2.0).

If development plans are modified, the developer is required to submit a new project description clearly identifying the amendments proposed. Examples of changes are any changes which will require issuance of additional permits, and/or potentially exceed established territorial or federal air and water quality standards; encroach into lands with a higher protective management category (See Inuvialuit community conservation plans, Appendix H); alter the completion date of the development by more than two weeks; or a previously unplanned operation in areas and at times coincident with key seasonal wildlife functions or wildlife harvesting.

5.0 Environmental Impact Screening Process

An EISC process flowchart is presented in Figure 2, details are provided below.

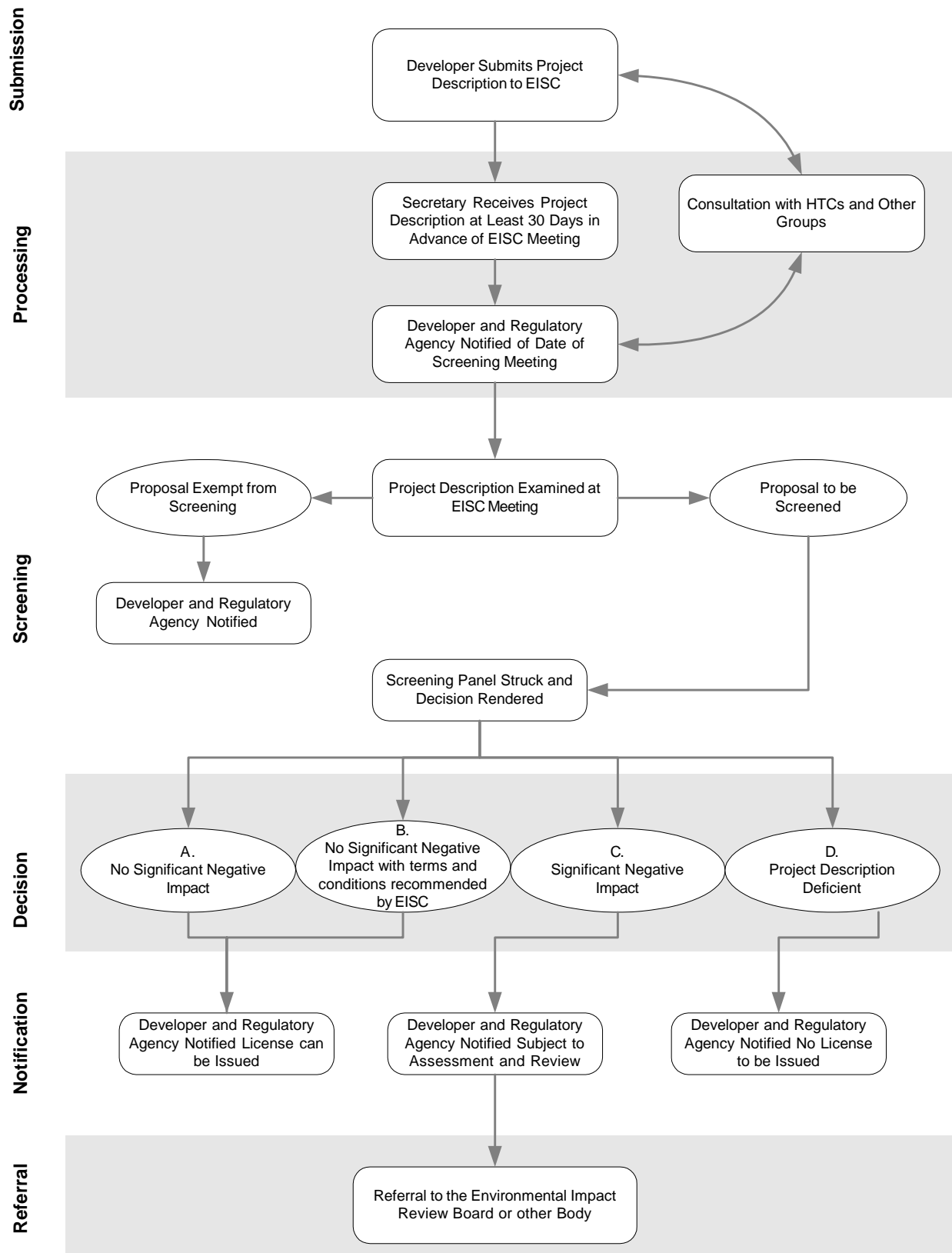


Figure 2 - Environmental Impact Screening Committee process flowchart.



5.1 Notification of Receipt of a Submission

A letter of notification will be sent to:

- a. the Developer (proponent).
- b. the government agencies and other regulatory organizations listed in the project description. [See Subsection 4.4(2)].
- c. Inuvialuit bodies (IRC, IGC, ILAC, HTC) which may have requested the screening and/or the Dene/Metis [where the Dene/Metis have made their request pursuant to IFA Paragraph 11(1)(d)].
- d. other organizations recognized as having an interest in the proceedings (e.g. Porcupine Caribou Management Board, Nunavut Tunngavik Inc., Gwich'in Tribal Council, etc.).

The notification letter will acknowledge receipt of the submission and indicate the next available screening date and location.

5.2 Request for Comments

The appropriate Inuvialuit agencies, co-management organizations, and regulatory agencies will receive notification of submissions to be screened and of the next EISC meeting date.

The EISC will confirm that the affected HTCs are considering the same project description as the EISC and will on request, provide the HTC with a copy of the same project description as is being reviewed by the EISC.

5.3 Responsibilities

1. Developer

It is the developer's responsibility to send a copy of the project description and covering letter to the EISC, the relevant HTC(s), and the regulatory agency.

The developer is expected to implement the development as described in the project description.

Developers are expected to comply with the information requirements outlined in this document.

Preliminary inquiries through the EISC Secretary in Inuvik are welcome. Early consultation on content and format may avert the possibility of having to re-do and re-submit a project description.



2. Hunters and Trappers Committee

HTCs and others are advised to transmit concerns on project descriptions directly to the EISC well prior to the next EISC meeting. Should an HTC request a delay of the screening of any proposal, a written list of the specific concerns expressed by the HTC members must be sent by the HTC to the Secretary in advance of the next EISC meeting.

3. Environment Impact Screening Committee

It is the responsibility of the EISC to render expeditiously a decision once the information requirements are met by the developer (See also Section 10).

The decision will be communicated in writing to the developer, and to the governmental authority or authorities competent to authorize the development.

The EISC may return any submission that does not comply with the *Operating Guidelines and Procedures*. Deficiencies and suggestions for improvement will be listed. These comments are intended to enable the developer to submit an acceptable project description (See Subsection 4.4).

4. Regulatory Agencies:

No licence or approval shall be issued that would have the effect of permitting any proposed development to proceed unless the provisions of this section [i.e. the Environmental Impact Screening and Review Process] have been complied with. [IFA Subsection 11(36)]

It is the responsibility of regulatory agencies to ensure that the EISC process requirements have been satisfied before issuing any permits or approvals.

Through the permitting process, regulatory agencies have the responsibility to ensure that the developer, or its agent(s), adheres to the methods, techniques, timing, equipment, and geographical areas in the permit issued.

6.0 Exemptions From Screening

The EISC may exempt some developments from screening. Development activities normally exempt from screening are described in Appendix C. Developers are advised to follow the protocol noted below to determine whether their development qualifies for exemption.

- a. The developer initially discusses with the Secretary whether the development may be exempt from screening.
- b. The developer forwards a brief description of the development to the Secretary, clearly stating why he believes the development should be exempt from screening.



- c. The developer will receive written verification stating whether his development is exempt from screening.

Submissions that would normally be exempt from screening are placed on the agenda as information items.

The EISC reserves the right to screen the submission if it deems it necessary. The EISC will notify the developer and permitting agencies whether a submission is screenable or exempt.

7.0 MEETINGS

The EISC is not a full-time standing body. Only its Secretary is available for day-to-day business. Meetings are held approximately every five to six weeks, according to the By-laws of the EISC. A tentative meeting schedule is available from the Secretary. The date and location of a meeting is confirmed at the previous meeting. Meetings are normally held at Inuvik, Northwest Territories.

8.0 Briefs and Presentations

In advance of striking a screening panel (See Subsection 9.1) briefs and presentations may be made to the EISC as a whole.

Individuals, government agencies, and other organizations may ask to address regular meetings of the EISC on specific development proposals or other topics of mutual interest. The process of hearing presentations and comments will be equally fair to the developer and the other commentators. The evaluation of proposed developments is, however, not done by the EISC as a whole, but by the Screening Panels.

Requests from individuals, government agencies, or other organizations to address a regular meeting should reach the Secretary a minimum of 30 days prior to the meeting date so that the topic can be placed on the agenda.

Every consideration will be given to requests to address the EISC, however, the Chair of the EISC reserves the right to deny any request to make a presentation, or to limit the time made available for that purpose.

9.0 Screening Panels

9.1 Screening Panel Composition

After project descriptions are discussed by the EISC as a whole, a screening panel is formed. Each Screening Panel consists of the Chair and four EISC Members: two appointees of Canada (one federal and one from either the Northwest Territories or Yukon, depending on location of the development), and two appointees of the Inuvialuit. [IFA Subsection 11 (9)]



9.2 Proceedings

The proceedings and deliberations of Screening Panels will be private and confidential. The decision reached will always be made known to the developer and regulatory agency(s), and made available to the public.

10.0 Screening Panel Decision

10.1 Type Of Screening Panel Decision

With regard to screening decisions the IFA [Subsections 11(17) and 11(18)] states:

“11(17) On receipt of a project description, the Screening Committee shall expeditiously determine if the proposed development could have a significant negative environmental impact and shall indicate in writing to the government authority competent to authorize the development that, in its view”:

the development will have no such significant negative impact and may proceed without environmental impact assessment and review under this Agreement;

the development, if authorized subject to environmental terms and conditions recommended by the Screening Committee, will have no such significant negative impact and may proceed without environmental impact assessment and review under this agreement;

the development could have significant negative impact and is subject to assessment and review under this Agreement; or

the development proposal has deficiencies of a nature that warrant a termination of its consideration and the submission of another project description.

“11(18) For the purposes of paragraph 17(a), the Screening Committee shall take into account any prior governmental development or environmental impact review process that, in its opinion, adequately encompassed the assessment and review function.”

In determining the potential for significant negative environment impact the EISC considers a range of locally relevant criteria. Examples of these criteria are listed in Appendix B of this document.

Decisions of the EISC shall be made by majority vote of the panel appointed, shall be in writing and shall be signed by all panel members. [IFA Subsection 11(21)]



10.2 Screening Panel Decision

The Secretary will communicate Screening Panel decisions by letter to:

- a. the Developer.
- b. the appropriate government regulatory agencies, as listed in the project description.
- c. other pertinent individuals, organizations or agencies, at the request of the Chair and/or the Screening Panel.
- d. the EIRB, or alternative review process (See Subsection 10.3), if it is decided that the development proposal should be referred for public review and assessment.

In conveying its decision the EISC frequently provides observations which are intended to assist the developer, regulatory agency or review body address development environmental issues.

The decision of the Screening Panel will be communicated to the relevant parties, in most cases, within five working days of its decision.

10.3 Referral To Environmental Impact Review Board

When the EISC determines a development could have significant negative environmental impact and is subject to an assessment and review process under the IFA the EISC decides whether to refer it to the EIRB or any other review process it believes will adequately address the necessary assessment and review function under the IFA.

Where a proposed development is or may be subject to a governmental development or environmental impact review process, and in the opinion of the Screening Committee that review process adequately encompasses or will encompass the assessment and review function, the Screening Committee shall refer the proposal to the body carrying out that review process. [IFA Subsection 11(19)]

If, in the opinion of the Screening Committee, the review process referred to in subsection (19) does not or will not adequately encompass the assessment and review function, or if the review body declines to carry out such functions, the proposal shall be referred to the Review Board for a public review. [IFA Subsection 11(20)]

Without limiting the foregoing, the EISC would consider an alternative review process acceptable if it is likely to be as broad, rigorous, independent, open, and sensitive to Inuvialuit concerns as is the EIRB process.



For information on the operating procedures of the EIRB, please contact:

*Secretary
Environmental Impact Review Board
Joint Secretariat - Inuvialuit Renewable Resource Committees
Inuvialuit Corporate Centre, 107 Mackenzie Road, Room 301
P.O. Box 2120
Inuvik, Northwest Territories, Canada
XOE 0T0
Telephone: (867) 777-2828
Fax: (867) 777-2610
Email: eirb@jointsec.nt.ca*

If the EISC decides to refer a proposed development to the EIRB, it will forward to the EIRB a formal referral package containing:

- a. A letter of referral detailing the decision of the Screening Panel and any reasons for the decision that the EISC believes would be pertinent to further environmental impact review and assessment.
- b. One copy of the project description that was screened, including any supplements provided by the developer.

The EISC will inform the developer and the appropriate regulatory agencies of its decision, and of the IFA requirement that no permits or approvals be issued by any approval authority that would allow the proposed development to proceed pending the outcome of the EIRB public review [IFA Subsection 11(36)].



APPENDIX A

Description of the Inuvialuit Settlement Region, IFA, Annex A-1

Commencing at the point of intersection between the Yukon Territory/Alaska boundary and the shore of the Beaufort Sea;

thence southerly along said boundary to its intersection with the line of the watershed separating the streams flowing into the Porcupine River from those flowing into the Mackenzie River and the Beaufort Sea, said intersection being at approximate $68^{\circ}33'25''$;

thence easterly and southerly along said line of watershed to a point on the Yukon Territory/Northwest Territories boundary on the trail across the portage in McDougall Pass between Rat and Bells Rivers at approximate latitude $67^{\circ}42'48''$ and approximate longitude $136^{\circ}27'16''$;

thence north along the Yukon/Northwest Territories boundary to its intersection with latitude $68^{\circ}13'$;

thence easterly along said parallel to the west shoreline of the East Channel of the Mackenzie River at approximate longitude $133^{\circ}46'06''W$;

thence northerly along the west shoreline to its intersection with latitude $68^{\circ}25'N$;

thence easterly along said parallel to its intersection with longitude $132^{\circ}00'W$;

thence southerly along said longitude to its intersection with latitude $68^{\circ}00'N$;

thence easterly along said parallel to its intersection with approximate longitude $120^{\circ}40'51''W$, such longitude being determined by the intersection of the shoreline of Amundsen Gulf with the mouth of Outwash River being the eastern portion of the Paulatuk 7(1)(b) land selections;

thence north along said longitude to its intersection with the shoreline of Amundsen Gulf;

thence easterly in a straight line to the point of intersection of the northerly bank of Kugalak River at the shoreline of Penny Bay in Amundsen Gulf;

thence generally easterly following said northerly bank to its intersection with longitude $116^{\circ}38'10''$ at approximate latitude $69^{\circ}38'$;

thence northwesterly in a straight line to the intersection of latitude $69^{\circ}53'20''$ and longitude $117^{\circ}08'40''$;

thence northerly in a straight line to the intersection of latitude $70^{\circ}00'$ and longitude $117^{\circ}07'$;



thence easterly along latitude 70°00' to its intersection with longitude 112°53';

thence southerly in a straight line to its intersection with latitude 69°50';

thence easterly along latitude 69°50' to its intersection with longitude 112°39';

thence northerly along longitude 112°39' to a point of intersection of longitude 112°39' at the shoreline of Quunnguq Lake at approximate latitude 69°51';

thence easterly, northerly and westerly following the sinuosities of the shoreline of said Lake to a point of intersection of longitude 112°30' at approximate latitude 69°54'50";

thence northerly along longitude 112°30' to its intersection with latitude 70°00';

thence easterly along said parallel to its intersection with longitude 110°00'W;

thence northerly along said longitude to its intersection with latitude 80°00'N;

thence westerly along said parallel to its intersection with longitude 141°;

thence southerly along said meridian of longitude to the point of commencement, without prejudice, however, to any negotiations or to any positions that have been or may be adopted by Canada respecting the limits of maritime jurisdiction in this area.

Pursuant to the TFN/COPE Agreement dated May 19, 1984, in the event that TFN has not concluded a Final Settlement with Canada containing the Inuvialuit rights referred to in that Agreement within ten years from the proclamation of the legislation giving effect to the *Inuvialuit Final Agreement*, the Inuvialuit Settlement Region boundary shall, unless agreed otherwise, revert to the "original boundary" as shown in Annex A and described in Annex A-2.

See Figure 1 for map of Inuvialuit Settlement Region.



APPENDIX B

Determination of Potential for Significant Negative Environmental Impact

In determining the potential for significant negative environmental impact of proposed developments, the EISC considers, for example, the following questions:

1. Is there a conflict with the Inuvialuit community conservation plans or traditional Inuvialuit harvesting?
2. Is there a conflict with wildlife management plans developed through the Inuvialuit co-management process?
3. Is there the potential to exceed territorial and/or federal air and water quality standards?
4. Does the proposed development have the potential to exceed established activity threshold levels?
5. Is the proposed development in management category C, D or E lands (as identified in Inuvialuit community conservation plans)?
6. Are there unresolved environmental issues either related to the proposed development or within the ISR?
7. Is there the potential for significant habitat loss, disturbance, or population decline for any species with special conservation status, keystone species or species harvested by the Inuvialuit, as determined by the WMAC (Northwest Territories and/or North Slope) and/or Fisheries Joint Management Committee (FJMC)?
8. Does the proposed development encroach on areas with particularly high biodiversity potential?
9. Does the EISC lack confidence in the proposed mitigation?
10. What are the cumulative effects of the proposed development?



APPENDIX C

Exemptions from Screening

1. Developments authorized by Department of Indian Affairs and Northern Development Land Use Permits or Water Licenses; or authorized by National Energy Board Geophysical Operation Authorizations or Authorizations to Drill a Well; or authorized by Inuvialuit Land Administration Land Use Permits; where the permit, license, or authorization was issued in a previous year, where the permit, license, or authorization remains valid, where the operating site, conditions, and procedures are essentially unchanged, and provided that the development had been previously screened and there have not been any problems that have been brought to the attention of the EISC.
2. Developments authorized by an existing valid Department of Indian Affairs and Northern Development Land Use Permit or Water License, or authorized by an existing valid National Energy Board Geophysical Authorization or Authorization to Drill a Well, or authorized by an existing valid Inuvialuit Land Administration Land use Permit, where the developer requests an extension of, or amendment to, that permit, license or authorization, provided that the extension or amendment does not involve significant changes to the operation. Significant changes are those which, in the opinion of the EISC may result in significant negative environmental impact. Examples of significant changes are those which potentially exceed established territorial or federal air and water quality standards; alter the completion date of the development by more than two weeks; encroach into lands categorized within the Community Conservation Plans as “D” or “E”; or a previously unplanned operation in areas and at times coincident with key seasonal wildlife functions or wildlife harvesting.
3. Emergency responses where there is immediate risk to human life, property or natural resources. Follow-up, longer term mitigation programs would be subject to screening.
4. Certain routine reconnaissance or monitoring programs conducted by regulatory authorities operating within their legislated mandates.
5. Routine supply and servicing operations where the operating permit has been previously subject to screening.
6. Annual work programs on multi-year developments where the work involved was approved in the initial screening and provided there have been no violations of territorial or federal environmental law resulting in cancellation of permits and unresolved substantive environmental complaints as determined by the EISC. Where such violations have occurred, the development application will have to be re-screened prior to issuance of permits of authorizations.
7. Non-government research projects or programs requiring authorization from the Aurora Research Institute, the Canadian Wildlife Service, the Government of the Northwest Territories Department of Resources, Wildlife, and Economic Development, Parks



Canada, the Prince of Wales Northern Heritage Centre, or the Yukon Territorial Government Department of Business, Tourism and Culture, related to, for example, fisheries, wildlife, or archaeology.

For greater certainty, if a research project is integral to a large development project it must be screened as part of that project. EISC reserves the right to determine whether a “research project” is stand alone or part of a larger development.

8. Government-sponsored fisheries or wildlife-related research by virtue of having gone through the IFA co-management process. Exemption is limited to research projects which have been initiated and approved by the IGC and relevant HTC, and the Wildlife Management Advisory Council (Northwest Territories) [WMAC(NWT)], the Wildlife Management Advisory Council (North Slope) [WMAC(NS)], or the FJMC.



APPENDIX D

Important Definitions and Statements of Authority

1. Definition of "Developer"

"Developer" means:

"A person, the government or any other legal entity owning, operating or causing to be operated any development in whole or in part in the Inuvialuit Settlement Region, and includes any co-contractant of such owner or operator. For greater certainty, "developer" includes any Inuvialuit developer".

[IFA Section 2]

2. Definition of "Development"

"Development" means:

- (a) *"any commercial or industrial undertaking or venture, including support and transportation facilities related to the extraction of non-renewable resources from the Beaufort Sea, other than commercial wildlife harvesting; or*
- (b) *any government project, undertaking or construction whether federal, territorial, provincial, municipal, local or by any Crown agency or corporation, except government projects within the limits of Inuvialuit communities not directly affecting wildlife resources outside those limits and except government wildlife enhancement projects".*

[IFA Section 2]

3. Definition of "Environment"

“environment” means the components of the Earth and includes

- (a) land, water and air, including all layers of the atmosphere
- (b) all organic and inorganic matter and living organisms; and

the interacting natural systems that include components referred to in paragraphs (a) and (b).

The EISC also recognizes the particular emphasis placed by the IFA on wildlife, wildlife harvesting, and the socio-economic and cultural importance of each of these [IFA Subsection 13(7)] and the regional importance placed on archaeological heritage sites.



4. Definition of “Inuvialuit”

“Inuvialuit” means *those people known as Inuvialuit, Inuit or Eskimo who are beneficiaries under [the Inuvialuit Final Agreement] by reason of the settlement of their claim to traditional use and occupancy of the land in the Inuvialuit Settlement Region and who are represented by COPE and, where the context requires, includes the Inuvialuit Regional Corporation, the Inuvialuit Land Corporation, the Inuvialuit Development Corporation, the Inuvialuit Investment Corporation, the Inuvialuit community corporations and any other corporations or trusts controlled by the Inuvialuit that may be established by or pursuant to [the Inuvialuit Final Agreement].* [IFA Section 2]

5. Developments Subject to Screening

The following statements from the IFA define, in a general way, the range of developments subject to screening:

- a. *"every proposed development of consequence to the Inuvialuit Settlement Region that is likely to cause a negative environmental impact shall be screened by the Screening Committee to determine whether the development could have a significant negative impact on present or future wildlife harvesting"*
[IFA Subsection 13(7)]
- b. *"all development proposals relating to the Yukon North Slope"*
[IFA Paragraph 12(3)(a)]
- c. *"developments in the Inuvialuit Settlement Region in respect of which the Inuvialuit request environmental impact screening".*
[IFA Paragraph 11(1)(c)]

Although the IFA implies screening of offshore development, on April 10, 1987, the Inuvialuit Game Council, for greater certainty, formally requested screening of all developments proposed for the Beaufort Sea.

With regard to item (c) above, provision is also made in the IFA for request for screening by the Dene/Metis or Inuvialuit where Dene/Metis harvesting may be affected as follows:

- d. *"Subject to any agreement between the Inuvialuit and the Dene/Metis, developments in areas including the Aklavik land selections where the traditional harvest of the Dene/Metis may be adversely affected, on the request of the Dene/Metis or by the Inuvialuit."*
[IFA Paragraph 11(1)(d)]



6. Obligation to Comply with Process

"No licence or approval shall be issued that would have the effect of permitting any proposed development to proceed unless the provisions of this section [the Environmental Impact Screening and Review Process] have been complied with."
[IFA Subsection 11(36)]



APPENDIX E

*Issuance of Mineral Prospecting permits and licences in the Inuvialuit Settlement Region
Department of Indian Affairs and Northern Development and Inuvialuit Regional Corporation
agreement*

[Original Dated 1 November 1995]

WITHOUT PREJUDICE

Mr. Robert Kuptana
Chairman
Inuvialuit Regional Corporation
P.O. Box 2120
INUVIK NT X0E 0T0

Dear Sir,

Issuance of Mineral Prospecting Permits and Licences in the Inuvialuit Settlement Region

Over the past 5 months DIAND officials have been involved in negotiations with the Inuvialuit. In July of 1995, DIAND officials, mining industry representatives and Inuvialuit representatives met in Yellowknife to discuss a potential settlement of the dispute regarding the issuance of mineral prospectors licences and prospecting permits within the Inuvialuit Settlement Region (ISR). The meeting was very productive and significant progress towards a settlement was achieved. The initial proposals have been refined in subsequent meetings and discussions. In an effort to resolve the differences between the Inuvialuit and DIAND, we propose the following measures for the settlement of this dispute.

The process outlined here allows for the review by Environmental Impact Screening Committee of the consultation process and the Environmental Sensitivity Maps prepared by DIAND. Following the consultation process and preparation of the Environmental Sensitivity Maps, DIAND would submit the results to the Environmental Impact Screening Committee in each year. Based on the screening, DIAND would revise the Environmental Sensitivity Maps or the directions to the permit and licence holders as appropriate. This approach expedites the screening and permitting process, establishes basic environmental and benefit guidelines across projects, while allowing for special requirements where they are necessary, such as with environmentally sensitive areas.

1. The parties agree to the administrative arrangements outlined in this letter respecting the issuance of prospecting permits within the ISR and prospectors licences. Acceptance of these arrangements will be without prejudice to the respective rights of the parties. DIAND and the Inuvialuit acknowledge that any agreement is without prejudice to the rights asserted by either party at the date of this letter and in particular:



- i) does not represent the agreement of either party to any particular interpretation of the Inuvialuit Final Agreement (IFA);
 - ii) the parties do not intend to enter into legal relations which are enforceable in any proceeding taken by either party;
 - iii) does not prevent either party from bringing a new arbitration before the Arbitration Board under the Inuvialuit Final Agreement, on those issues which are subject of the Notice of Arbitration issued by the Inuvialuit Regional Corporation and the Inuvialuit Land Corporation dated January 16, 1995;
 - iv) may be terminated by either party on notice to the other;
 - v) does not affect the requirement that all activities on Crown lands must be conducted pursuant to the Territorial Lands Act (TLA) and the IFA; and
 - vi) does not affect the requirement that all applications to DIAND for land use permits for activities in or relating to the ISR be screened by the Environmental Impact Screening Committee.
2. DIAND will carry out consultations with the Inuvialuit Game Council (IGC) and individual Hunters and Trappers Committees (HTC) (together referred to as “Inuvialuit Organizations”) to determine areas of environmental sensitivity and identify effects associated with mineral prospecting activities. As part of the consultation with these organizations, DIAND will provide them with background information in its possession and available expertise indicating some of the effects that could be associated with mineral prospecting activities.
3. DIAND will prepare an Environmental Sensitivity Map which will be based initially on the community wildlife management and conservation plans, existing oil and gas sensitivity maps, information gathered in consultations with Inuvialuit organizations, and other relevant and current data.
4. DIAND will consult with Inuvialuit Organizations annually to review the Environmental Sensitivity Maps.
5. DIAND will enclose (send) a covering letter containing the following, to all holders of existing prospectors licences and prospecting permits and with the issuance of every new prospectors licence and prospecting permit which apply without exception to all prospecting activities in the ISR:
- i) Notification to the licence or permit holder of their general obligations under the IFA and specifically under section 7, 10, 11 and 16 of the IFA , including notification to the licence or permit holder that the Inuvialuit retain the right under subsection 11(1)(c) of the IFA to request screening of any development activities in the ISR;
 - ii) Directing the licence or permit holder to use the Environmental Sensitivity Map in planning any prospecting, staking, or exploration program.

The letter to be sent to recipients of prospecting permits within the Inuvialuit Settlement Region shall be in the form of Attachment “A”. The letter to be sent to recipients of prospectors licences within the Northwest Territories shall be in the form of Attachment “B”.



6. DIAND will direct all prospecting permit holders and prospecting licence holders with appropriate notice to the HTC to carry out consultations with the HTC in the areas where their exploration program is to be carried out, on the following:

- i) the timing of the activity;
- ii) the nature of the activity to be undertaken;
- iii) the number of workers to be involved;
- iv) the types and quantities of equipment to be used;
- v) location of camps
- vi) any local environmental sensitivities; and
- vii) the effects of the activities in relation to the Environmental Sensitivity Map.

7. DIAND will direct prospecting permit holders and prospectors licence holders to conform to the benefit guidelines as required under section 16(11) of the IFA. The benefit guidelines are attached hereto as Schedule I and form part of this agreement.

8. DIAND will notify the Joint Secretariat and ILA of the issue of all new prospectors licences on a quarterly basis. DIAND will also notify the Joint Secretariat and ILA of the issue of all new prospecting permits issued for the Inuvialuit Settlement Region within 30 days of date of issue.

9. DIAND will participate in an annual review of its permitting/licencing process by the Environmental Impact Screening Committee. DIAND will submit to the screening committee, the results of the consultation process and Environmental Sensitivity Maps conducted and prepared in accordance with this agreement. The review by the screening committee will include:

- i) assessment of the potential effects of mineral exploration activities below the Land Use Permit threshold;
- ii) the cumulative effects of the prospecting and exploration activities;
- iii) past performance of developers, a general review;
- iv) the preparation of an environmental sensitivity map;
- v) the results of consultations conducted with IGC and HTCs and a description of the consultation process;
- vi) generic mitigation practices; and
- vii) the environmental implications of the results of monitoring by DIAND of exploration and prospecting activities within the ISR.

10. This agreement does not affect Inuvialuit rights to request screening under subsection 11(1)(c) of the IFA.

The success of any agreement, resulting from the acceptance of these proposals, will depend upon the willingness of all three parties to establish a working relationship, based upon the respect of each, for the interest of the others. In focusing on our shared interests rather than our



differences we suggest that we agree to set aside the arbitration and proceed with the proposed arrangements.

If this approach is acceptable to you, we ask that you sign the enclosed copy of this letter to indicate your acceptance of this agreement.

Yours sincerely,

[Original Signed]

John S Rayner
Assistant Deputy Minister
Northern Affairs Program

[Original Signed]

Robert Kuptana
Chairman
Inuvialuit Regional Corporation

Encl.

cc. Northwest Territories Chamber of Mines



Attachment 'A'

Recipient of Prospecting Permit within the Inuvialuit Settlement Region

Dear Recipient;

Re: Prospecting for Minerals within the Inuvialuit Settlement Region

As a result of a letter of agreement signed on xx xxxxx, between the Inuvialuit Regional Corporation and the Department of Indian Affairs and Northern Development (DIAND), DIAND has modified its administrative procedures with respect to the issuance of prospecting permits.

For its part, DIAND has undertaken, on a continuing basis, consultations with the Inuvialuit Game Council and the Hunters and Trappers Committees (HTCs) in the Inuvialuit Settlement Region to determine areas of environmental sensitivity. Based on the information gained from the HTCs, DIAND has produced an Environmental Sensitivity Map. This map shows those areas within the Inuvialuit Settlement Region in which mineral activities are encouraged (xx%); those with enhanced environmental sensitivities where, due to these special sensitivities, mineral activities would face slightly more rigorous environmental scrutiny (x%); and those areas of extreme environmental sensitivity which have been designated as off-limits to all mineral activity (x%). The Environmental Sensitivity Map, which is available at DIAND District Offices, will be revised annually.

YOU, AS A PROSPECTING PERMIT HOLDER, ARE DIRECTED TO REFER TO THE ENVIRONMENTAL SENSITIVITY MAP IF YOU ARE PLANNING TO PROSPECT FOR MINERALS WITHIN THE INUVIALUIT SETTLEMENT REGION (SEE ATTACHED MAP). THE INUVIALUIT SETTLEMENT REGION IS SHOWN IN ANNEX A AND DESCRIBED IN ANNEX A-1 OF THE INUVIALUIT FINAL AGREEMENT.

SHOULD YOU CHOOSE TO PROSPECT FOR MINERALS WITHIN THE INUVIALUIT SETTLEMENT REGION, THERE ARE CERTAIN GENERAL OBLIGATIONS UNDER THE INUVIALUIT FINAL AGREEMENT TO WHICH YOU MUST ADHERE. ADDITIONALLY, THERE ARE SPECIFIC OBLIGATIONS SET OUT UNDER SECTIONS 7, 10 AND 11 OF THE INUVIALUIT FINAL AGREEMENT.

These obligations are not new but have been in existence since the signing of the Inuvialuit Final Agreement in 1984. Copies of the Inuvialuit Final Agreement are available in the DIAND District Offices.

SHOULD YOU CHOOSE TO PROSPECT FOR MINERALS WITHIN THE INUVIALUIT SETTLEMENT REGION, YOU ARE DIRECTED TO CONSULT WITH THE HUNTERS AND TRAPPERS COMMITTEES IN THE AREA WHERE YOU PLAN TO PROSPECT. CONSULTATIONS WILL COVER THE FOLLOWING ISSUES:

- i) the timing of the activity
- ii) the nature of the activity to be undertaken;



- iii) the number of workers involved;
- iv) the types and quantities of equipment to be used;
- v) locations of camps;
- vi) any local environmental sensitivities; and
- vii) the effect of the activities in relation to the Environmental Sensitivity Map.

Hunters and Trappers Committees are located in all communities within the Inuvialuit Settlement Region. Names and addresses of the contact person of the appropriate Hunters and Trappers Committees are available at the DIAND District Offices.

YOU ARE FURTHER DIRECTED TO CONFORM TO THE ATTACHED BENEFIT GUIDELINES (SCHEDULE I) AS REQUIRED UNDER SECTION 16 (11) OF THE INUVIALUIT FINAL AGREEMENT.

NOTE: IF YOU ARE ENTERING ON LAND IN THE INUVIALUIT SETTLEMENT REGION WITHOUT A LAND USE PERMIT, TO CARRY ON ACTIVITY LEVELS BELOW THE LAND USE PERMIT THRESHOLD, ALL THE REQUIREMENTS NOTED ABOVE APPLY.



Attachment 'B'

Recipient of N.W.T. Prospectors Licence

Dear Recipient;

Re: Prospecting for Minerals within the Inuvialuit Settlement Region

As a result of a letter of agreement signed on xx xxxxx, 1995 between the Inuvialuit Regional Corporation and the Department of Indian Affairs and Northern Development (DIAND), DIAND has modified its administrative procedures with respect to the issuance of prospecting licences.

For its part, DIAND has undertaken, on a continuing basis, consultations with the Inuvialuit Game Council and the Hunters and Trappers Committees (HTCs) in the Inuvialuit Settlement Region to determine areas of environmental sensitivity. Based on the information gained from the HTCs, DIAND has produced an Environmental Sensitivity Map. This map shows those areas within the Inuvialuit Settlement Region in which mineral activities are encouraged (xx%); those with enhanced environmental sensitivities where, due to these special sensitivities, mineral activities would face slightly more rigorous environmental scrutiny (x%); and those areas of extreme environmental sensitivity which have been designated as off-limits to all mineral activity (x%). The Environmental Sensitivity Map, which is available at DIAND District Offices, will be revised annually.

YOU, AS A LICENCE HOLDER, ARE DIRECTED TO REFER TO THE ENVIRONMENTAL SENSITIVITY MAP IF YOU ARE PLANNING TO PROSPECT FOR MINERALS WITHIN THE INUVIALUIT SETTLEMENT REGION (SEE ATTACHED MAP). THE INUVIALUIT SETTLEMENT REGION IS SHOWN IN ANNEX A AND DESCRIBED IN ANNEX A-1 OF THE INUVIALUIT FINAL AGREEMENT.

SHOULD YOU CHOOSE TO PROSPECT FOR MINERALS WITHIN THE INUVIALUIT SETTLEMENT REGION, THERE ARE CERTAIN GENERAL OBLIGATIONS UNDER THE INUVIALUIT FINAL AGREEMENT TO WHICH YOU MUST ADHERE. ADDITIONALLY, THERE ARE SPECIFIC OBLIGATIONS SET OUT UNDER SECTIONS 7, 10 AND 11 OF THE INUVIALUIT FINAL AGREEMENT.

These obligations are not new but have been in existence since the signing of the Inuvialuit Final Agreement in 1984. Copies of the Inuvialuit Final Agreement are available in the DIAND District Offices.

SHOULD YOU CHOOSE TO PROSPECT FOR MINERALS WITHIN THE INUVIALUIT SETTLEMENT REGION, YOU ARE DIRECTED TO CONSULT WITH THE HUNTERS AND TRAPPERS COMMITTEES IN THE AREA WHERE YOU PLAN TO PROSPECT. CONSULTATIONS WILL COVER THE FOLLOWING ISSUES:

- i) the timing of the activity
- ii) the nature of the activity to be undertaken;



- iii) the number of workers involved;
- iv) the types and quantities of equipment to be used;
- v) locations of camps;
- vi) any local environmental sensitivities; and
- vii) the effect of the activities in relation to the Environmental Sensitivity Map.

Hunters and Trappers Committees are located in all communities within the Inuvialuit Settlement Region. Names and addresses of the contact person of the appropriate Hunters and Trappers Committees are available at the DIAND District Offices.

YOU ARE FURTHER DIRECTED TO CONFORM TO THE ATTACHED BENEFIT GUIDELINES (SCHEDULE I) AS REQUIRED UNDER SECTION 16 (11) OF THE INUVIALUIT FINAL AGREEMENT.

NOTE: IF YOU ARE ENTERING ON LAND IN THE INUVIALUIT SETTLEMENT REGION WITHOUT A LAND USE PERMIT, TO CARRY ON ACTIVITY LEVELS BELOW THE LAND USE PERMIT THRESHOLD, ALL THE REQUIREMENTS NOTED ABOVE APPLY.



Schedule I

Benefit Guidelines

Associated with Mineral Exploration in the Inuvialuit Settlement Region

These guidelines are developed under the authority and direction of section 16(11) of the Inuvialuit Final Agreement (“IFA”).

Benefits Statement of Principles

Companies engaged in exploration activities on Crown lands in the Inuvialuit Settlement Region (ISR) are directed to follow the principles outlined below.

It is recognized that the nature and duration of work programs must be considered in implementation of the benefits principles and in achieving the general goals of the IFA (s.1), namely:

- a) to preserve Inuvialuit cultural identity and values within a changing northern society;
- b) to enable Inuvialuit to be equal and meaningful participants in the northern and national economy and society; and
- c) to protect and preserve the Arctic wildlife, environment and biological productivity.

Objectives

The objectives of benefits guidelines associated with new exploration programs in the ISR are to:

- a) support and encourage the development of business in the ISR, and
- b) support the achievement of economic objectives of the IFA(s.16(2)), namely:
 - i) full Inuvialuit participation in the northern Canadian economy; and
 - ii) Inuvialuit integration into Canadian society through the development of an adequate level of economic self-reliance and a solid economic base.

Industrial Benefits

The company is committed to obtaining its goods and services on a fair and competitive basis. The company will support and encourage the development of regional businesses by contracting with suppliers for work associated with the program on the basis of best value, competitiveness and benefits to the regional communities. Regional Businesses are those businesses with head offices within the ISR or those businesses which are owned 50% or more by Inuvialuit as defined in the IFA.



Within its general procurement policy, the company will conduct its operations so as to optimize the short and long term benefits accruing to the ISR by providing opportunities for involving local and regional businesses on a full, fair and competitive basis.

The company is committed to work with communities within the ISR and government agencies, Inuvialuit Community Corporations, and the Inuvialuit Development Corporation to identify potential business development opportunities.

The company is committed to ensuring that its contractors and subcontractors comply with all of these provisions.

Employment and Training

The company is committed to the principles of fair and equal employment and training opportunities consistent with the Canadian Charter of Rights and Freedoms. The company also recognizes Inuvialuit interests in employment and training opportunities and avoid employment practices which result in employment barriers. The company will give first priority to qualified individuals resident within the ISR.

The company is committed to work with communities within the ISR and government agencies, Inuvialuit Community Corporations, the Inuvialuit Development Corporation, and the Inuvialuit Regional Corporation to identify potential employment and training opportunities.

The company is committed to ensuring that its contractors and subcontractors comply with these provisions for all employment and training opportunities.

Consultation

The company is committed to providing appropriate information concerning its exploration programs to communities in the ISR and Inuvialuit Development Corporation. Exchanging relevant information in a timely fashion will enable the company to assess the potential economic and employment opportunities.

Annual Report Requirement

The company will submit an annual report within six months of the completion date of its seasonal work programs. The report shall be submitted to the relevant Community Corporation, the Inuvialuit Regional Corporation and DIAND's District Office.



The report will contain the following information:

- i) a brief work program description;
- ii) total program costs (total value of purchased goods and services, total direct wages and total direct work months);
- iii) total direct wages by ISR community of residence;
- iv) total direct work months by community of resident;
- v) number of Inuvialuit and number of northern community residents employed for each program component;
- vi) total value of purchased goods and services from each northern community, including a brief description of the goods and services purchased from each community;
- vii) total value of purchased goods and services from Inuvialuit businesses;
- viii) listings of consultations undertaken;
- ix) a brief description of any program that may be undertaken in the next work season, and
- x) a statement of benefits resulting from any program that may be undertaken in the next work season.

NOTE: The Environmental Sensitivity Map referred to in Appendix E of the EISC's *Operating Guidelines and Procedures* is available from the DIAND at the following address:

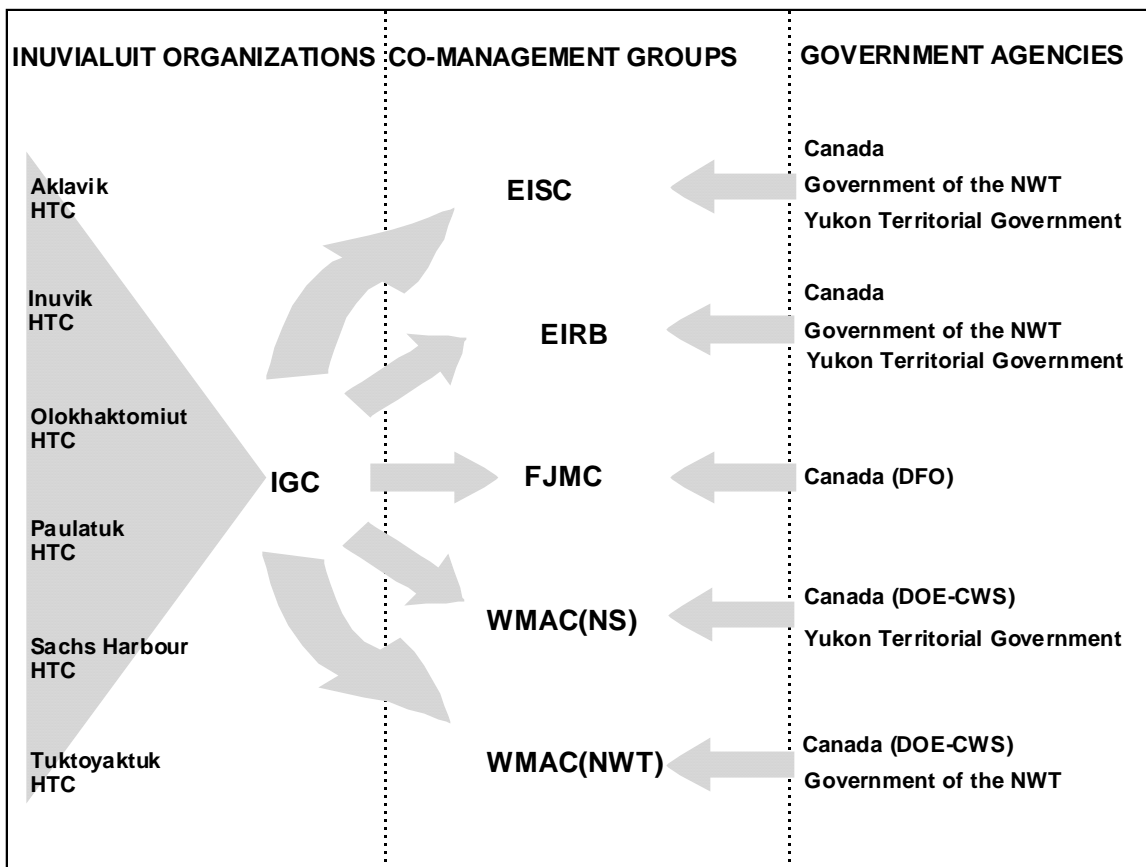
*Mineral Resources Directorate
Indian Affairs and Northern Development
Government of Canada
P.O. Box 1500
Yellowknife, Northwest Territories, Canada
X1A 2R3*

Telephone: 867-669-2571

Fax: 867-669-2715



RELATIONSHIP BETWEEN INUVIALUIT AND GOVERNMENT AGENCIES TO THE CO-MANAGEMENT GROUPS FORMED UNDER THE *INUVIALUIT FINAL AGREEMENT*



- DFO Department of Fisheries and Oceans
- DOE-CWS Department of the Environment, Canadian Wildlife Service
- EIRB Environmental Impact Review Board
- EISC Environmental Impact Screening Committee
- FJMC Fisheries Joint Management Committee
- HTC Hunters and Trappers Committee
- IGC Inuvialuit Game Council
- WMAC(NS) Wildlife Management Advisory Council (North Slope)
- WMAC(NWT) Wildlife Management Advisory Council (Northwest Territories)



APPENDIX G

Key Organization Contacts

Environmental Impact Screening Committee Environmental Impact Review Board Fisheries Joint Management Committee Inuvialuit Game Council Wildlife Management Advisory Council (NWT)	Joint Secretariat - Inuvialuit Renewable Resource Committees P.O. Box 2120 Inuvik NT X0E 0T0 Phone: (867) 777-2828 Fax: (867) 777-2610
Wildlife Management Advisory Council (North Slope)	North Slope Secretariat P.O. Box 31539 Whitehorse YT Y1A 6K8 Phone: (867) 633-5476 Fax: (867) 633-6900
Inuvialuit Land Administration	P.O. Box 290 Tuktoyaktuk NT X0E 1C0 Phone: (867) 977-2202 Fax: (867) 977-2467
Aklavik Hunters and Trappers Committee	P.O. Box 133 Aklavik NT X0E 0A0 Phone: (867) 978-2723 Fax: (867) 978-2815
Inuvik Hunters and Trappers Committee	P.O. Box 1720 Inuvik NT X0E 0T0 Phone: (867) 777-3671 Fax: (867) 777-2478
Olokhaktomiut Hunters and Trappers Committee	Box 161 Holman NT X0E 0S0 Phone: (867) 396-4808 Fax: (867) 396-3025
Paulatuk Hunters and Trappers Committee	Box 39 Paulatuk NT X0E 1N0 Phone: (867) 580-3004 Fax: (867) 580-3404
Sachs Harbour Hunters and Trappers Committee	Box 79 Sachs Harbour NT X0E 0Z0 Phone: (867) 690-3028 Fax: (867) 690-3616
Tuktoyaktuk Hunters and Trappers Committee	P.O. Box 286 Tuktoyaktuk NT X0E 1C0 Phone: (867) 977-2457 Fax: (867) 977-2433
Canadian Heritage, Parks Canada Western Arctic District	P.O. Box 1840 Inuvik NT X0E 0T0 Phone: (867)777-8800 Fax: (86)-777-8820
Canadian Wildlife Service Environment Canada	5204-50 Avenue, Suite 301 Yellowknife NT X1A 1E2 Phone: (867) 669-4700 Fax: (867) 873-8185
Department of Fisheries and Oceans N.W.T. West Area	P.O. Box 1871 Inuvik NT X0E 0T0 Phone: (867) 777-7500 Fax: (867) 777-7501
Department of Indian Affairs and Northern Development Inuvik District Office	P.O. Box 2100 Inuvik NT X0E 0T0 Phone: (867) 777-3361 Fax: (867) 777-2090

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Department of Indian Affairs and Northern Development Yukon	345 - 300 Main Street Whitehorse YT Y1A 2B5 Phone: (867) 667-3241 Fax: (867) 667-3214
Department of Resources, Wildlife, and Economic Development, Government of the Northwest Territories Inuvik Region	Bag Service #1 Inuvik NT X0E 0T0 Phone: (867) 777-7305 Fax: (867) 777-7236



APPENDIX H

Key Documents

The following list includes documents of which developers should be aware when planning to conduct development programs within the ISR.

Alvarez, Sloan and Associates Ltd. 2001. Oil and Gas Approvals in the Northwest Territories - Inuvialuit Settlement Region - a guide to regulatory approval processes for oil and natural gas exploration and production in the Inuvialuit Settlement Region. Calgary. 105 pp. + appendices. 25 chapters + appendices.

Alvarez, Sloan and Associates Ltd. 2000. Guide to the Inuvialuit Settlement Region for Mineral Prospectors and Developers. Calgary. 105 pp. + appendices.

Canadian Heritage (Parks Canada). 2001. DRAFT Ivvavik National Park Management Plan (March 2001). Ottawa, Ontario. xx pp.

Canadian Heritage (Parks Canada). 2001. Pingo Canadian Landmark: Draft Memorandum of Agreement (July 2001). Ottawa, Ontario. xx pp. (in preparation)

Canadian Heritage (Parks Canada). 2000. Tukturnogait National Park Interim Management Guidelines (March 2000).

Canadian Heritage (Parks Canada). 1998. Research Priorities. Tukturnogait National Park .

Canadian Heritage (Parks Canada). 1996. Research Priorities. Aulavik National Park..

Canadian Heritage (Parks Canada). 1998. Aulavik National Park Management Plan (July 1998). Ottawa, Ontario. xx pp. (in preparation)

Canadian Heritage (Parks Canada), Government of the Northwest Territories, Inuvialuit Game Council, Inuvialuit Regional Corporation, Paulatuk Community Corporation, and Paulatuk Hunters and Trappers Committee. 1996. The Tukturnogait Agreement, An agreement to establish a national park in the Inuvialuit Settlement Region near Paulatuk, Northwest Territories. Inuvik, N.W.T. 21 pp.

Community of Aklavik, the Wildlife Management Advisory Council and the Joint Secretariat. 2000. Aklavik Inuvialuit Community Conservation Plan, A plan for the Conservation and Management of Renewable Resources and Lands within the Inuvialuit Settlement Region in the vicinity of Aklavik, Northwest Territories. Joint Secretariat. Inuvik, N.W.T. 155 pp.

Community of Holman, Wildlife Management Advisory Council (NWT), and the Joint Secretariat. 2000. Olokhaktomiut Community Conservation Plan, A Plan For The Conservation And Management Of Renewable Resources And Lands Within The Inuvialuit Settlement Region In The Vicinity Of Holman, Northwest Territories. Joint Secretariat. Inuvik, N.W.T. 127 pp.



Community of Inuvik , Wildlife Management Advisory Council (NWT), and the Joint Secretariat 2000. Inuvik Inuvialuit Community Conservation Plan, A Plan for the Conservation and Management of Renewable Resources and Lands within the Inuvialuit Settlement Region in the Vicinity of Inuvik, Northwest Territories. Joint Secretariat. Inuvik, N.W.T. 150p.

Community of Paulatuk and Wildlife Management Advisory Committee (NWT). 2000. Paulatuk Community Conservation Plan, A Plan for the Conservation and Management of Renewable Resources and Lands within the Inuvialuit Settlement Region in the Vicinity of Paulatuk, Northwest Territories. Joint Secretariat. Inuvik, N.W.T. 140 pp.

Community of Sachs Harbour, Wildlife Management Advisory Council (NWT), and the Joint Secretariat. 2000. Sachs Harbour Community Conservation Plan, A plan for the conservation and management of renewable resources and lands within the Inuvialuit Settlement Region and in the vicinity of Banksland, Northwest Territories. Joint Secretariat. Inuvik, N.W.T. 109 pp.

Community of Tuktoyaktuk, Wildlife Management Advisory Committee (NWT), and the Joint Secretariat. 2000. Tuktoyaktuk Community Conservation Plan, A Plan for the Conservation and Management of Renewable Resources and Lands within the Inuvialuit Settlement Region in the Vicinity of Tuktoyaktuk, Northwest Territories. Joint Secretariat. Inuvik, N.W.T. 168 pp.

Department of Resources, Wildlife, and Economic Development, Government of the Northwest Territories. 200x. DRAFT Co-management Plan for the Cape Bathurst, Bluenose-West, and Bluenose-East Caribou Herds Northwest Territories and Nunavut. Inuvik/Norman Wells, N.W.T. 41 pp.

Department of Resources, Wildlife, and Economic Development, Government of the Northwest Territories. 200x. DRAFT Co-management Plan for Caribou, Muskox, Arctic Wolves, Eider Ducks, and small Herbivores, Northwest Victoria Island, Inuvialuit Settlement Region, Northwest Territories. Inuvik, N.W.T.

Department of Resources, Wildlife, and Economic Development, Government of the Northwest Territories. 200x. DRAFT Co-management Plan for Caribou, Muskox, Arctic Wolves, Eider Ducks, and small Herbivores, Banks Island, Inuvialuit Settlement Region, Northwest Territories. Inuvik, N.W.T.

Department of Resources, Wildlife, and Economic Development, Government of the Northwest Territories. 200x. DRAFT Co-management Plan for the Fur Industry in the Inuvik Region, Northwest Territories. Inuvik, N.W.T.

Department of Resources, Wildlife, and Economic Development, Government of the Northwest Territories. 1998. Co-management Plan for Grizzly Bear in the Inuvialuit Settlement Region, Yukon Territory and Northwest Territories. 63 pp.

Environmental Impact Review Board. 2001. Operating Procedures, June 18, 2001. Joint Secretariat. Inuvik, N.W.T. 45 pp.



Environmental Studies Research Funds (ESRF). 2004. Drilling Waste Management Recommended Best Practices. Mackenzie Delta (Inuvialuit Settlement Region)Region. 43 pp.

Fisheries and Oceans Canada, Fisheries Joint Management Committee, and Gwich'in Renewable Resources Board. 2000. Rat River Charr Fishing Plan. Inuvik, N.W.T. 9 pp.

Fisheries Joint Management Committee. 2001. Beaufort Sea Beluga Management Plan, Amended Third Printing. Joint Secretariat. Inuvik, N.W.T. 28 pp.

Fisheries Joint Management Committee. 1994. Beaufort Sea Beluga Management Plan, Tourism guidelines within the Inuvialuit Settlement Region. Joint Secretariat. Inuvik, N.W.T. 7 pp.

Inuvialuit Game Council (IGC) and North Slope Borough Fish and Game Management Committee (NSB). 1988. Polar Bear Management in the Southern Beaufort Sea, An Agreement Between IGC, Inuvik, N.W.T. Canada and NSB, Barrow, Alaska, U.S.A. Joint Secretariat. Inuvik, N.W.T. 13 pp.

Inuvialuit Harvest Study. 1991a. Inuvialuit Harvest Study Data Report (July 1986 - December 1988). Joint Secretariat. Inuvik, N.W.T. 245 pp.

Inuvialuit Harvest Study. 1991b. Inuvialuit Harvest Study Data Report (January 1989 - December 1989). Joint Secretariat. Inuvik, N.W.T. 53 pp.

Inuvialuit Harvest Study. 1991c. Inuvialuit Harvest Study Data Report (January 1990 - December 1990). Joint Secretariat. Inuvik, N.W.T. 53 pp.

Inuvialuit Harvest Study. 1995a. Inuvialuit Harvest Study Data Report (January 1991 - December 1991). Joint Secretariat. Inuvik, N.W.T. 74 pp.

Inuvialuit Harvest Study. 1995b. Inuvialuit Harvest Study Data Report January 1992 - December 1992. Joint Secretariat. Inuvik, N.W.T. 70 pp.

Inuvialuit Harvest Study. 1995c. Inuvialuit Harvest Study Data Report (January 1993 - December 1993). Joint Secretariat. Inuvik, N.W.T. 65 pp.

Inuvialuit Harvest Study. 1995d. Inuvialuit Harvest Study Data Report (January 1994 - December 1994). Joint Secretariat. Inuvik, N.W.T. 38 pp.

Inuvialuit Harvest Study. 1996. Inuvialuit Harvest Study Data Report (January 1995 - December 1995). Joint Secretariat. Inuvik, N.W.T. 37 pp.

Inuvialuit Harvest Study. 1997. Inuvialuit Harvest Study Data Report January 1996 - December 1996). Fabijan Consulting for the Inuvialuit Harvest Study Administrative Group. Inuvik, N.W.T. 40 pp. + appendices.



Inuvialuit Harvest Study. 19???. Inuvialuit Harvest Study Data Report January 1997 - December 1997. Fabijan Consulting for the Inuvialuit Harvest Study Administrative Group. Inuvik, N.W.T. 39 pp. + appendices.

Inuvialuit Harvest Study. 2000. Inuvialuit Harvest Study Data Report January 1998 - December 1998. Fabijan Consulting for the Inuvialuit Harvest Study Administrative Group. Inuvik, N.W.T. 40 pp.

Kavik-Axys Inc. 2002. Cumulative Effects Assessments in the Inuvialuit Settlement Region: Current and Potential Capability. Prepared for: the Environmental Impact Screening Committee and the Environmental Impact Review Board.

Kavik-Axys Inc. 2002. Cumulative Effects Assessments in the Inuvialuit Settlement Region: A Guide for Reviewers. Prepared for: the Environmental Impact Screening Committee and the Environmental Impact Review Board.

Kavik-Axys Inc. 2002. Cumulative Effects Assessments in the Inuvialuit Settlement Region: A Guide for Proponents. Prepared for: the Environmental Impact Screening Committee and the Environmental Impact Review Board.

Porcupine Caribou Management Board. 19xx. Management Plan for the Porcupine Caribou Herd in Canada 1996/97 - 1999/2000.

Paulatuk Charr Working Group. 1998. Paulatuk Charr Management Plan 1998 - 2002. 12 pp.

Usher, Peter J. and M.A. Wendt. 1999. Inuvialuit Harvest Study Statistical Assessment of the Harvest Survey Data Base 1988 - 1996. Inuvik, N.W.T. 25 pp. + figures + appendices.

Wildlife Management Advisory Council (North Slope). 1996. Yukon North Slope. The Land and the Legacy. Taimanga Nunapta Pitqusia. Yukon North Slope Wildlife Conservation and Management Plan Volume 1: Environmental Overview. WMAC(NS) Secretariat. Whitehorse, Yukon. 44 pp.

Wildlife Management Advisory Council (North Slope), the Inuvialuit Game Council, and Renewable Resources, YTC. 1991. Herschel Island Territorial Park Management Plan. 21 pp.

Wildlife Management Advisory Council (Northwest Territories) and Fisheries Joint Management Committee. 1988. Inuvialuit Renewable Resource Conservation and Management Plan. Joint Secretariat. Inuvik, N.W.T. 19 pp.



APPENDIX I

Summary of Advice Received by EISC from the Co-management Groups for Recommended Environmentally Acceptable Minimum Flight Altitudes

Aircraft Type	Species / Situation	Recommended Altitude	Source
Not specified	Over areas likely to have birds	>650 m (2100 ft)	CWS [WMAC(NWT)]
Not specified	Over areas where birds are known to concentrate (Sanctuaries, colonies, moulting areas)	>1100 m (3500 ft)	CWS [WMAC(NWT)]
Subsonic Aircraft	Over large mammals during ferry flights	>300 m (975 ft)	DRWED [WMAC(NWT)]
Subsonic Aircraft	During wildlife surveys	>100 m (325 ft)	DRWED [WMAC(NWT)]
Subsonic Aircraft	Aeromagnetic surveys in areas with large mammals	Timing should be restricted rather than altitude	DRWED [WMAC(NWT)]
Not specified	When flying point to point in vicinity of caribou and other wildlife species	>610 m (2000 ft)	Transport Canada [WMAC(NS)]
Not specified	Over parks, reserves, and refuges	>610 m (2000 ft)	Transport Canada
Not specified	Over areas where there are belugas and bowhead whales	>300 m (975 ft)	FJMC
Not specified	Zone 1	>760 m (2500 ft)	Tourism Guidelines Beluga Management Plan [FJMC]
Not specified	Zone 2	>610 m (2000 ft)	Tourism Guidelines Beluga Management Plan [FJMC]



General Advice

- Minimize the number of flights whenever possible
- Fly at times when few birds are present (e.g., early spring, late fall, winter)
- Avoid large concentrations of birds (e.g., Migratory Bird Sanctuaries, breeding colonies, moulting areas)
- Avoid especially sensitive areas such as seabird colonies and raptor nesting sites
- Plan routes that minimize flights over habitats likely to have birds
- Use small aircraft rather than large aircraft whenever possible
- Use fixed-wing aircraft rather than helicopters whenever possible
- Inform pilots of these recommendations and areas known to have birds
- Hovering or circling may greatly increase disturbance and must be avoided.
- Caribou calving grounds should be avoided whenever possible.
- Aeromagnetic surveys should be controlled to prevent disturbance to large mammals by restricting the timing of the surveys rather than the elevation. These surveys should not take place near or on calving and post-calving areas during the period of May 25 to July 15. After July 15 they should avoid any areas known to have large aggregations of caribou.
- Animals reactions will depend on a variety of situations including aircraft type, noise levels, speed of travel, overflight frequency, and animal activity (e.g., loafing, feeding, traveling) and its surroundings (water depth and clarity, substrate). The EISC may have to consider the circumstance of the activity on a case by case basis.
- DFO often recommends a minimum altitude of 400 m (1200 ft) for flights over marine mammal habitat in this region. Recommended or required minimum altitudes may be higher in areas of particularly intense aircraft activity, and in cases where flights are over marine mammal concentrations areas, or at particularly sensitive times of their lift cycle.
- Exceptions to these recommendations may be warranted for scientific studies (e.g., wildlife surveys) in which the benefits for conservation clearly outweigh the risks and should be evaluated on a case by case basis.