



Appendix D

Sanikiluaq Wind Energy + BESS Project Permitting Plan



Sanikiluaq

Wind Energy + BESS Project

Document Name:	Permitting Plan
Document Number:	SAN-ENV-RP-001

Oct. 6 2021	C	Issued for Use	S. Adey	C. Whelan	
Sept. 8 2021	B	Issued for Review	S. Adey		
Aug. 11 2021	A	Issued for Review	S. Adey		
Date	Revision	Issued For:	Prepared By:	Checked By:	Approved By:



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Appendix A – Nunavut Integrated Regulatory Process Flowchart

1.0 Introduction

The Hamlet of Sanikiluaq is in the Qikiqtani (Baffin) Region of Nunavut Territory in Canada. The Hamlet has a population of approximately 882 and is currently powered by Qulliq Energy Corporation (QEC) using diesel-fired generators.

The Sanikiluaq Wind + Battery Energy Storage System Project (Sanikiluaq Project) represents the beginnings of a broader transition to cleaner energy and a lower carbon future for Northern and remote communities across Canada.

The Sanikiluaq Project is currently under development by Qikiqtaaluk Corporation and is being progressed through Front End Engineering and Design (FEED) by Nunavut Nukkiqsautiit Corporation (NNC) in collaboration with Landsvirkjun Power (LVP) and Growler Energy.

This Permitting Plan represents the overall identified process for obtaining appropriate approvals for construction/development of the Sanikiluaq Project. It is important to note that this is a live document and will be updated frequently as the project progresses. There are many items in this document identified as “TBD” as the exact regulatory requirements will be identified and conveyed to the project team as outcomes of other regulatory processes.

2.0 Nunavut’s Regulatory System

Nunavut has an integrated regulatory system established by the *Nunavut Agreement* and further defined by the *Nunavut Planning and Project Assessment Act* and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NIRB 2021).

Through the integrated regulatory system the Nunavut Impact Review Board coordinates and cooperates with the Nunavut Planning Commission, the Nunavut Water Board and other agencies (NIRB 2021).

A draft flowchart of Nunavut’s integrated regulatory process, pursuant to the Nunavut Land Claims Agreement and the Nunavut Planning and Project Assessment Act is included in Appendix A.

The first two steps of Nunavut’s regulatory process are:

1. **NPC Land Use Plan Conformity** – an application is submitted to the NPC for a land use conformity determination and the NPC will decide whether the project is exempt from NIRB screening.
2. **NIRB Screening** – it is expected that the Sanikiluaq Project will not be exempt from the NIRB screening and will require to proceed through the NIRB process. In the screening process, NIRB gathers input from many organizations including proponents, hamlets, the Government of Nunavut, Hunters and Trappers Organizations, the Government of

Canada, the public, non-governmental organizations, and regional Inuit associations. After gathering the requisite information, the NIRB will submit a screening decision report to the responsible Minister. There are four options for the NIRB when submitting a screening decision (NIRB 2021):

- a. Approve with terms and conditions – the board may recommend that a project be approved and go directly to licensing when the impacts are well known and can be managed (NIRB 2021).
- b. Additional review is required – the board may decide a project be sent for a full environmental and socio-economic impact review because of the potential for significant impacts (NIRB 2021).
- c. Send back to proponent for clarification – the board can recommend that a proposal be returned to the proponent because it was not advanced enough for proper screening (NIRB 2021).
- d. Modify or abandon the project – when the impacts of a project are considered to be unacceptable, the board may recommend that the proposal be modified or abandoned completely (NIRB 2021).

The NPC and NIRB processes are further detailed in Sections 3.0 and 4.0 .

3.0 Nunavut Planning Commission Process

This procedure applies to all project proposals that occur, in whole or in part, in areas of the Nunavut Settlement Area (NSA) and the Outer Land Fast Ice Zone (collectively the Designated Area) where a land use plan is in effect (NPC 2020).

The first step in the process is the NPC staff reviewing and determining if the required material has been submitted, are complete, and if any additional information is required. At this stage, a notice of receipt of the application will be placed on the Public Registry.

If it is found that the required information has not been provided or is incomplete, it will be returned to the Proponent with a written explanation from the Executive Director (or a delegate) outlining the reasoning.

If the project proposal is complete, the NPC staff will send a notification to the Proponent that;

- a) The project proposal has been received and is being reviewed by the NPC staff for conformity with the land use plans (NPC 2020); and

- b) NPC staff will determine if a project proposal is in conformity with the approved land use plan(s) within 45 days after the date the project proposal was received (although it usually will only take approximately 10 days) (NPC 2020); and
- c) NPC staff may, at any time during the review, make a written request to the Proponent for additional information and that any time required by the Proponent to provide the required information will not count as part of the 45 days (NPC 2020).

A project proposal will be determined to conform to the land use plan if it is a use that is consistent with the applicable terms and conditions and is not prohibited by the land use plan.

NPC will prepare a letter outlining the results of the conformity determination including whether the project proposal conforms to the land use plan and any applicable terms, conditions, recommendations, or relevant information.

If the NPC determines that the project proposal conforms to a land use plan, it will then be determined if the project proposal is exempt from screening by the NIRB, as explained in the Nunavut Planning Commission Internal Procedure – Conformity Determination (NPC 2020). It is very likely that the Sanikiluaq Project will be subject to review by NIRB.

If the project proposal is not exempt from screening, or if the NPC determines that it has concerns, the Executive Director (or a delegate) will send the project proposal with the conformity determination and any recommendations to the NIRB in order for it to conduct a screening.

4.0 Nunavut Impact Review Board Process

Screening by the NIRB is designed to determine whether proposed projects require a full environmental review, or whether they should instead be allowed to proceed and receive their required permits, licenses, and approvals without further assessment. The NIRB Board has four options when submitting a screening decision report as described in Section 2.0 .

Reviews are more comprehensive assessments generally reserved for major development projects or projects that may cause significant public concern (NIRB 2021). If it is determined that the project requires further review, there are three phases to the process:

1. **Phase 1 – Scoping & Guidelines Creation (~90 days)**
 - a. Project scoping
 - b. Issue Environmental Impact Statement (EIS) guidelines
2. **Phase 2 – Draft Environmental Impact Statement (~160 days)**
 - a. Prepare and submit draft EIS
 - b. Review draft EIS for conformity with guidelines
 - c. Technical review of draft EIS
 - d. Technical meeting

- e. Pre-hearing conference

3. Phase 3 – Final Environment Impact Statement (~125 days)

- a. Submission of final EIS
- b. Compliance review of final EIS
- c. Technical review of final EIS
- d. Final hearing
- e. Issue final report to Minister for decision

Should screening by the NIRB be required, authorizing agencies are prohibited from issuing licences, approvals for a project until the NIRB's screening is complete.

Upon receiving the project proposal from the NPC, the NIRB's screening process may take up to 45 days to complete and includes a public commenting opportunity. However, if the project proposal needs to undergo further review, the process could take up to two years.

After completion of a project review, the project may be subject to the NIRB monitoring the terms and conditions contained in the NIRB Project Certificate, the NIRB Screening Decision, and any approvals issued by the Nunavut Water Board.

5.0 Anticipated Permitting Requirements

Permits anticipated for construction of the Sanikiluaq Project include the permits (with issuing agencies) shown in Table 1. This table will be updated as the project progresses and additional regulatory information results from the NPC and NIRB processes described above.



Agency	Permit Requirement	Responsible for Submission	Inputs	Review Duration
Nunavut Planning Commission	Conformity Determination	NGL	Project Schedule	45 Days (Likely will be closer to 10)
			Construction Labor	
			Construction Materials and Equipment	
			Waste Management	
			Anticipated Permits (Incl'd in this Table)	
			Community Engagement	
			Environmental Effects	
Nunavut Impact Review Board	Screening Decision	NGL	Similar to NPC Submission	3-6 Months
Hamlet of Sanikiluaq	Development Permit	NGL	Formal letter of support	TBD
	CGS Submission Approval	NGL	Sketch Plan	TBD
			Surveyed Land Parcel	TBD
Government of Nunavut - Community and Government Services (CGS)	Lease Agreement for New Lot	NGL	Hamlet Approved CGS Submission	TBD
	Approval Letter (Nunavut Airports)	NGL	TBD	TBD
	Building Permits (Safety Services)	Civil & Electrical Contractors	TBD	TBD
	Chief Building Inspector and Chief Electrical Inspectors Approval	Civil & Electrical Contractors	Detailed Design(s)	TBD
NavCanada	Land Use Proposal Review	TBD	TBD	TBD
Transport Canada	Aeronautical Assessment	TBD	TBD	TBD
	Radar Works	TBD	TBD	TBD
Crown-Indigenous Relations and Northern Affairs Canada	NPC/NIRB Submission Review	NGL	NPC/NIRB Submission	TBD – involve early
	Easement for Transmission Line on Crown Lands	TBD	TBD	TBD
Nunavut Culture and Heritage	Archaeological Assessment	TBD	TBD	TBD
Nunavut Water Board	Water Crossing	TBD	TBD	TBD
NRCan	Geomagnetic Observatory Confirmation of Compliance	TBD	TBD	TBD



Department of Fisheries and Oceans	Near Fish-Bearing Waters	TBD	TBD	TBD
Government of Nunavut – Department of Environment	NPC/NIRB Submission Review	NGL	NPC/NIRB Submission	TBD – involve early
QIA	Letter of Support	NGL	Project Overview	TBD
QEC	Electrical	Electrical Contractor	Electrical Design Basis	TBD
			System Integration Study	
			Procedures, certificates, etc	

Table 1: Anticipated Regulatory/Licensing Requirements

6.0 Permitting Timelines

The Nunavut Planning Commission Conformity Determination can take up to 45 days, although the time required is typically as little as 10 days. Likewise, the Nunavut Impact Review Board Screening Decision is also expected to take up to 45 days.

Given that the project aims to introduce new technology in Nunavut, it is likely that the NIRB Screening Decision will take up to 3-6 months.

7.0 References

Nunavut Impact Review Board (NIRB). 2021. *NIRB*. Available at: <https://www.nirb.ca/>. Accessed: October 6, 2021.

Nunavut Planning Commission (NPC). 2020. *Nunavut Planning Commission Internal Procedure – Conformity Determination*. October 23, 2020. Available at: https://www.nunavut.ca/sites/default/files/2020-10-23_revised_conformity_determination_internal_procedure.pdf.



Appendix A – Nunavut Integrated Regulatory Process Flowchart

DRAFT MAP OF NUNAVUT'S INTEGRATED REGULATORY PROCESS
PURSUANT TO THE NUNAVUT LAND CLAIMS AGREEMENT

