

Likewise, the Draft Standard Guidelines are generally a good foundation. Our comments on the Draft Standard Guidelines are focused on improvements, rather than identifying elements that are already in good shape. Absence of positive statements should not be read as a critique of NIRB's efforts and process overall. Our comments on the Standard Guidelines are more extensive, in part because they lay a critical bedrock for any NIRB environmental assessment.

One of our key comments on the Draft Standard Guidelines is that NIRB should make it clear that almost all instances require Project-specific additional guidance on scope of project and assessment, and specific Valued Component (VC) and impact assessment guidance. Every Project proposal is different; we do not recommend the NIRB overly rely, or allow Proponents to overly rely, on generic information guidelines.

QIA comments on the Draft Standard Guidelines

The following are some of the main themes commented on by QIA in relation to the Standard Guidelines. Absence of a theme from this short summary does not imply the comments on that theme in the .pdf document are not important.

1. Public Participation and the Central Role of Inuit in NIRB Assessment Process

We note that NIRB identifies a series of Principles in Section 2.0 of the Standard Guidelines. One of them is already "Public Participation" (Section 2.2). QIA strongly recommends that the NIRB use this opportunity to add a new principle to its Impact Assessment (IA) process – "putting Inuit and IQ at the centre of impact assessment". This requires not merely the collection and "integration" of IQ into a Project proposal by a Proponent, but recognition that only Inuit hold IQ, and that therefore any meaningful integration of IQ into a Project proposal requires that Inuit – not just discrete pieces of IQ information – be involved deeply and from the outset in all impact assessment related activities. This should be an overall objective for NIRB impact assessments.

We have provided a number of recommended additions to the Standard Guidelines to reflect this required new focus on maximizing Inuit engagement in impact statement (IS) development, including in relation to verification of the accuracy of

consultation summaries (pgs. 10² and 24), deeper consideration of Inuit values (pg.19), scoping the assessment (pg. 34), identification of indicators (pg. 31), getting Inuit more deeply involved in studies (pg. 12), and estimation of effects and significance determination (pgs. 28 and 34).

2. Integration of IQ into NIRB Assessments and the Impact Statement

Comments at pgs. 3, 6, 22, 25 and 27 of the Standard Guidelines identify remaining gaps in requirements for meaningful integration of IQ into the IS development process. IQ should be a central consideration in all aspects of environmental assessment, from scoping on through to post-assessment monitoring and management. IQ should not be treated as a marginal addition to a foundation of scientific assessment. Marginalizing IQ risks marginalizing Inuit perspectives and values from the assessment. This risk is greatest during the early stages of Project development, which is the time period that the Standard Guidelines are meant to inform. We provide specific comments on a variety of IQ-related issues, including that it is really Inuit that should be interpreting and re-interpreting IQ; recognizing IQ as a critical tool in assessment and significance determination; and the Proponent should provide evidence that it has used best practices and Inuit protocols in the way it has received and managed IQ.

3. Socio-economic Impact Assessment

There appear to still be large gaps in the guidance on socio-economic impact assessment, including but not limited to at pg. 34 (Section 9.2). This is problematic because it is often in the social science topics, as opposed to natural science, where Impact Statements falter. Proponents need more, rather than less, guidance on how to work with Inuit to gather appropriate baseline and trend over time information on the human environment, and assess it in a meaningful, socio-culturally appropriate way. See our comments at pgs. 15, 18 and 19.

On certain topics that fit under the socio-economic umbrella, like culture (pgs. 2, 14 and 21), traditional use of terrestrial and marine resources by Inuit (pg. 8), and food security assessments, there is virtually no guidance whatsoever. And where there is guidance on health impact assessment (pgs. 34-35), critical aspects of Inuit

² All references to page numbers are to the page numbers listed bottom right in the NIRB documents, not to .pdf page numbers.

determinants of health and the overall population health spectrum are ignored in favour of a purely biophysical HHRA approach that is no longer best practice for health impact assessment. Fundamental improvements in the guidance on how these type of socio-economic related assessments need to be conducted are critically necessary moving forward.

Section 10.5 talks about socio-economic environmental plans. QIA feels that the plans presented should allow reviewers the ability to see the strategy, plans and programs the proponent is proposing in order to maximize benefit delivery within the context of the project being proposed. Emphasis should be given to plans the proponent intends to deploy within the construction and early operation of the project. Emphasis should be placed upon benefits within Nunavut and impacted communities.

Overall in relation to socio-economic impact assessment, by seeking more focused information all parties will be better positioned to examine the degree to which parties share confidence that positive socio-economic benefits will occur. QIA's suggestion is based upon the experience of past reviews where socio-economic benefits (training, jobs, wages) are presumed to be both positive and significant. These presumptions are generally not well tested based upon evidence and examination of data focused upon Nunavut and impacted communities.

In seeking more detailed information on socio-economic benefits within an IS, the burden of developing information is weighted towards the Proponent. This would be a considerable improvement compared to current practice. Put another way, the basis of information presented to justify an impact prediction should include data and proposed management plans. Often socio-economic benefits are presented with far less detail and analysis than biophysical components of an Environmental Impact Statement. For example, coming to a determination on whether acid rock drainage is likely to occur is based upon the presentation of topic specific data and management plans. A similar level of investigation and assessment should occur for topics such as training, employment, retention and advancement. This information is often lacking and defers such topics to post-project approval monitoring, therefore limiting the opportunity to effectively assess the range of potential socio-economic benefits.

4. Alternatives Assessment

Alternatives means assessment is a critical aspect of many IAs, but in our experience, they are often done “in-house” by Proponents and their consultants. Given the wide ranging potential implications of different alternative means to undertake a Project on Inuit and the resources we rely upon, and given that the values and knowledge base of Proponents and Inuit differ, we believe it is critical for the Proponent to be required to involve Inuit (communities and organizations) in the conduct of alternative means assessments. See our comments and recommendations at pg. 17 in particular.

5. Other Topics Covered

Non-exclusively, QIA has also provided comments on the following themes in the Standard Guidelines draft:

- Making sure that baseline and trend over time data is a requirement of baseline conditions profiling (see comments at pgs. 23 and 26, for example);
- The need to characterize Inuit desired future use of the lands and waters affected by the Project (pgs. 12 and 39);
- Making sustainability assessment (sustainable development) a critical part of the NIRB process (pgs. 4, 13 and 15);
- The need to include all physical works and activities, including ancillary ones, in the scope of project and assess them properly (pgs. 16 and 23); and
- Providing meaningful guidance on how to conduct cumulative effects assessment (see our extensive comments on Section 8.6.3 at pgs. 30-31).

Overall, we find that the Standard Guidelines, if they are to be relied upon, require serious bolstering in breadth and detail. We are willing to work with the NIRB toward this end.

QIA Comments on the Draft Rules of Procedure

QIA's comments on the draft revised NIRB Rules of Procedure are not as extensive. We have made comments on the following key themes, among others:

- The Board's determination of Community Representatives (see comments at pg. 3, 33);
- The Board's management of Parties' Information Requests (pgs. 5, 10, 12 and 17);
- IQ integration issues similar to those in the Standard Guidelines, but also including comments on how the NIRB process can create safe and comfortable spaces for Inuit to share in (pgs. 6, 18-19, 29 and 37);
- The need to radically improve the quality and accessibility of the Public Registry (pg. 13);
- Confidentiality issues related to Documents (pg. 13); and
- A variety of issues related to transparency and procedural fairness in the NIRB process (pgs. 14, 26, 30,36, and 41).

Closing

Thank you for the opportunity to comment on these draft documents. We look forward to working with the NIRB to resolve any outstanding issues with these two documents and improve the already valuable NIRB project assessment process. Do not hesitate to contact Jared Ottenhof, Department of Major Projects, for clarification or to set up additional meetings to discuss our existing and future input.

Sincerely,



Jeremiah Groves
Executive Director

Attachments:

1. *QIA comments on NIRB Draft Standard Guidelines for the Preparation of an Impact Assessment*
2. *QIA comments on NIRB Draft Rules of Procedure*