



NIRB File No.: 22MN025

NPC File No. 149747

May 16, 2023

To: Chidliak Diamond Mine Distribution List

Re: **Draft Scope and Draft Impact Statement Guidelines for De Beers Canada Inc's "Chidliak Diamond Mine" Project Proposal**

Dear Parties:

On February 14, 2023, the Nunavut Impact Review Board (NIRB or Board) received correspondence issued on behalf of the Minister of Crown-Indigenous Relations and Northern Affairs, in coordination with the Department of Fisheries and Oceans and the Canadian Coast Guard Canada, Natural Resources Canada, and Transport Canada (the Responsible Ministers) regarding the NIRB's November 14, 2022, Screening Decision Report for the De Beers Canada Inc.'s (De Beers or Proponent) "Chidliak Diamond Mine" project proposal (NIRB File No.: 22MN025). The Responsible Ministers accepted the Board's determination that the Chidliak Diamond Mine project proposal requires a full environmental review and determined that the project proposal shall be subject to Review by the NIRB pursuant to section 94(1)(a)(iv) of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*). With correspondence provided by the NIRB on March 21, 2023, the Board commenced the review of the Chidliak Diamond Mine Project proposal and released the *Draft Scope List* (English) for information only. The objective of this correspondence is to provide the *Draft Scope List* (translations to follow) and the *Draft Impact Statement Guidelines* (translations to follow).

All information pertaining to the NIRB's Review of this project proposal including the correspondence from the responsible Ministers can be accessed online from the NIRB's online public registry at www.nirb.ca by using any of the following search criteria:

- Project Name: Chidliak Diamond Mine
- NIRB File No.: 22MN025
- Application No.: 125714

DRAFT SCOPE LIST

The requirements of the NIRB's Review process are defined by the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and the *NuPPAA*. As per s. 99(1)(a) and (b) of the *NuPPAA*, the first step in the Review

process requires that the Board determine the **scope of the project** proposal, as well as the **scope of the assessment**.

The **scope of the project** shall be defined in relation to the project proposal received by the NIRB from the Proponent and must include any work or activity identified in the project proposal, as well as any other work or activity that the Board considers sufficiently related to the project. The Board may also exclude any work or activity from the scope that it considers insufficiently related to the project. If the NIRB determines that an inclusion or exclusion to scope of the project should be made, the Board may only do so following consultation with the proponent and after considering any comments the Proponent may provide. Should the Board make an inclusion to the scope of the project, it must not proceed with its review until the Nunavut Planning Commission and responsible Ministers have had opportunity to again exercise their powers and perform their duties or functions in relation to the entire project.

The **scope of the assessment** determines the expectations of the process based on significant issues related to the proposed project, defining the components of the biophysical and/or socio-economic environment that could be impacted by the Project and for which there is public concern. This scope confirms which valued ecosystemic and socio-economic components must be considered to determine the potential for impacts associated with the project proposal through all planned project stages of the development, and which the Proponent will be required to examine within its Impact Statement.

Based on the proposed Chidliak Diamond Mine project description as referred to the NIRB for screening on May 5, 2022, the direction received from the responsible Ministers, and the requirements of the *Nunavut Agreement* and the *NuPPAA*, the NIRB has developed the enclosed *Draft Scope List* to be translated into Inuktitut, and French as soon as possible (**Appendix A**).

By copy of this letter, the NIRB requests that responsible authorities, parties with jurisdictional responsibility for aspects of the proposed Project and other interested parties review the enclosed *Draft Scope List*. The NIRB is soliciting input regarding whether the listing and description of project components and activities as outlined in the *Draft Scope List* of the Project is accurate or whether there are any specific inclusions or exclusions that should be considered. The Board also invites interested parties to comment on the *Draft Scope List* of the NIRB's Review, with the objective of ensuring all pertinent points will be addressed through the Board's assessment. Comments are requested to be provided to the Board for consideration on or before **July 14, 2023**.

IS GUIDELINES DEVELOPMENT AND SUBMISSION

Section 12.5.2 of the *Nunavut Agreement* and s. 101(1) of the *NuPPAA* directs the NIRB to issue Guidelines to the Proponent in respect of the preparation of a statement of the ecosystemic and socio-economic impacts of the project (*an Impact Statement*). An Impact Statement is a detailed document prepared by the Proponent in accordance with the Impact Statement Guidelines issued by the NIRB, and which identifies, predicts, evaluates, and communicates information about the ecosystemic and socio-economic impacts of a project proposal. The Impact Statement also provides for the identification and development of mitigation measures – those provisions or

measures, which are designed to control, reduce, or eliminate potentially adverse impacts of an activity or the project.

The NIRB will draw on information obtained during the scoping of this Project in the development of the IS Guidelines and will also offer opportunity for public comment (*both* written and oral) into their development. At the completion of this iterative process, the NIRB will issue the Impact Statement Guidelines to the Proponent for its preparation of an Impact Statement for the Project.

Section 12.5.2 of the *Nunavut Agreement* and s. 101(3) of the *NuPPAA* contain a list of information to be included within an Impact Statement and grants the NIRB authority to add, “any other type of information relating to a matter within the Board’s jurisdiction that the Board considers relevant in the circumstances”.

The NIRB has prepared the attached *Draft* Guidelines for the Preparation of an Impact Statement (*Draft* Impact Statement Guidelines) for the Chidliak Diamond Mine project based on the requirements of the *Nunavut Agreement* and the *NuPPAA* (see **Appendix B**). As with the *Draft* Scope List, the NIRB requests that responsible authorities, parties with jurisdictional responsibility for aspects of the proposed Project and other interested parties review the enclosed *Draft* Impact Statement Guidelines and provide comments and/or suggested revisions to the Board for consideration on or before **July 14, 2023**.

PUBLIC SCOPING SESSIONS

The NIRB’s Review process requires the development of a public participation and awareness program intended to initiate engagement with the public early in the assessment and to facilitate meaningful consultation throughout the Review with those communities, groups, and individuals potentially affected by the Chidliak Diamond Mine proposal. The NIRB has scheduled public scoping and guideline consultation sessions in Iqaluit, Kimmirut and Pangnirtung to engage with the public and interested parties in person regarding the scope of the Project and the scope of the assessment, with a focus on confirming which Valued Ecosystem Components (VECs) and Valued Socio-Economic Components (VSECs) should be used as the basis for the assessment (see schedule below). In addition, the NIRB will be soliciting oral comments on the *Draft* IS Guidelines to ensure that those aspects of the guidelines which are likely to be (or that have been identified) as “core issues” by Indigenous participants are sufficiently detailed.

COMMUNITY	DATE
Iqaluit	June 3, 2023
Kimmirut	June 6, 2023
Pangnirtung	June 8, 2023

The public sessions will be designed to enable potentially impacted communities to participate directly in the NIRB’s process, and will attempt to meet the following objectives:

- Inform the public of the proposed Chidliak Diamond Mine Project under Review;
- Explain the steps of the NIRB’s Review process, including how members of the public can become involved and effectively participate;

- Work with members of the public to identify VECs and VSECs that should be considered in the NIRB's Review of the Project;
- Work with members of the public to collect oral comments; and
- Work with members of the public to identify information requirements and issues of particular relevance to the community and the public potentially affected by the Project.

NEXT STEPS

The next steps in the NIRB's Review of the proposed Chidliak Diamond Mine Project have been outlined as follows for the information of parties:

- Community Tour in Iqaluit, Kimmirut and Pangnirtung, June 3-8, 2023 to solicit oral comments on the Draft Scope and Draft Impact Statement Guidelines.
- Submission of written comments on the *Draft* Scope List by interested parties on or before **Monday July 14, 2023**.
- Submission of comments on the *Draft* Impact Statement Guidelines by interested parties on or before **Monday July 14, 2023**.
- After considering all comments and making decisions regarding their suitability, the NIRB will issue the *Final* Scope List and the *Revised Draft* Impact Statement Guidelines for information only on or before **Monday, July 28, 2023**.
- The NIRB will issue the *Revised Draft* IS Guidelines for public comment and parties will be given **30 days** for submission of additional comments.

The NIRB requests that all interested parties submit their comment submissions to the NIRB at info@nirb.ca on or before **Monday, July 14, 2023**.

If you have any questions regarding the NIRB's Review of the Chidliak Diamond Mine, please contact Cory Barker, Technical Advisor III at cbarker@nirb.ca or by phone at (867) 983-4607.

Sincerely,



Tara Arko
Director, Technical Services
Nunavut Impact Review Board

cc: Sarah McLean, De Beers Canada Inc.
Jared Ottenhof, Qikiqtani Inuit Association
Stephen Williams Bathory, Qikiqtani Inuit Association
Joel Fortier, Qikiqtani Inuit Association
Richard Dwyer, Nunavut Water Board
Caroline Whittle, Government of Nunavut, Department of Culture and Heritage
Michele LeBlanc-Havard, Government of Nunavut, Department of Environment
Mosha Cote, Nunavut Research Institute
Tracey McCaie, Crown Indigenous Relations and Northern Affairs Canada
Alasdair Beattie, Fisheries and Oceans Canada
Peter Unger, Natural Resources Canada

Jody Small, Environment and Climate Change Canada
Transport Canada

Attachments: Appendix A: *Draft* Scope List for the Chidliak Diamond Mine Project Proposal (English)
Appendix B: *Draft* Impact Statement Guidelines for the Chidliak Diamond Mine Project Proposal
(English)