



NIRB File No.: 24XN038

NPC File No.: 150467

February 14, 2025

To: *Grays Bay Road and Port Distribution List*

Re: Notice of Ministers' Referral for West Kitikmeot Resource Corp.'s "Grays Bay Road and Port" Project Proposal to the NIRB for Review

Dear Parties:

On February 12, 2025 the Nunavut Impact Review Board (NIRB or Board) received the enclosed letter from the Honourable Gary Anandasangaree, P.C., Minister of Crown-Indigenous Relations and Northern Affairs (the Minister), in coordination with the responsible Ministers (Department of Fisheries and Oceans Canada and the Canadian Coast Guard, Energy and Natural Resources Canada, and Transport Canada) in response to the NIRB's December 4, 2024 Screening Decision Report of the West Kitikmeot Resource Corp.'s "Grays Bay Road and Port" project proposal (NIRB File No.: 24XN038) (Proposal).¹ The responsible Ministers have accepted the Board's recommendation and have referred the "Grays Bay Road and Port" project proposal for further review by the NIRB under Part 5 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and s. 94(1)(a)(iv) of the *Nunavut Planning and Project Assessment Act (NuPPAA)*.

The enclosed correspondence from the responsible Ministers and all information pertaining to the NIRB's Review of this project proposal 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: Grays Bay Road and Port
- NIRB File No.: 24XN038
- Application No.: 125987

The NIRB's online public registry will facilitate those interested in participating in the NIRB's Review of the "Grays Bay Road and Port" project proposal to directly add or remove themselves from receiving notifications related to the assessment. If you, or another person or organizational contact, are interested in continuing to receive the NIRB's notifications regarding the Board's Review or other assessments, please register an account with the NIRB's online public registry at www.nirb.ca, search for the "Grays Bay Road and Port" project proposal, then select "Follow this Project" at the top of the page. If support is required to complete this sign-up, please contact info@nirb.ca for assistance.

¹ NIRB Public Registry Doc. ID no. 352279

In their referral to the NIRB, the responsible Ministers highlighted that five (5) particular issues or concerns relating to the “Grays Bay Road and Port” project proposal, as identified by the Board in the Screening Decision Report, should be given careful consideration in the course of the Board’s Review. The following is a summary of the five (5) issues presented in the NIRB’s Screening Decision Report for the “Grays Bay Road and Port” project proposal:

- **Potential Cumulative Effects of Increasing Mineral Development in the Kitikmeot Region**

The potential for the “Grays Bay Road and Port” project proposal to result in adverse ecosystemic and socio-economic effects as a result of the combined cumulative effects of the Proposal and increased levels of mineral development in the Kitikmeot Region likely to be associated with the Proposal were initially discussed in 2017, continue to be of concern in 2024, and requires further analysis, and should be considered during the review of the Proposal. Comments received from various commenting parties have identified this issue of potential cumulative effects as a particular concern and also noted that a comprehensive environmental review would be necessary to fully account for these potential impacts.

Given the number of mineral exploration projects in the region, the importance of wildlife habitat (e.g., caribou calving and post-calving habitat) and Inuit harvesting in the region, the potential transboundary effects, and the continued encroachment of development into previously undisturbed areas throughout the region, the potential for adverse cumulative ecosystemic and socio-economic effects must factor prominently in the assessment of the “Grays Bay Road and Port” project proposal. The potential indirect effects arising from the Proponent's intentions to use the road and port to encourage mineral exploration and the resulting increased connections to Yellowknife and the rest of Canada, requires consideration during the assessment of the Project. The associated implications of these connections on further development in the West Kitikmeot Region must also be considered.

- **Other Transportation Infrastructure Projects**

Since 2017, there have been no changes to major development projects being assessed by the NIRB and therefore the list of proposed projects that overlap other proposed developments, with the potential to confuse or complicate the assessment of the Grays Bay Road and Port Proposal have not changed. The proposed Bathurst Inlet Port and Road (BIPR) Project (NIRB File No. 03UN114) would theoretically intersect the project area near the former Jericho Diamond Mine, with the objective of also providing access to the interior of the West Kitikmeot and Contwoyto Lake for potential mineral development projects, similar to the Grays Bay Road and Port Proposal. The Izok Corridor Project (NIRB File No. 12MN043) includes development of essentially identical main road and port infrastructure, with the major difference being the extension of the road from the area of the former Jericho diamond mine to MMG’s Izok Lake property.

As noted in 2017, the Board reiterates that given the nature of the proposals, clarification may be necessary from the respective project proponents regarding implications to the feasibility of their proposals, should the “Grays Bay Road and Port” project proposal be approved to proceed.

- **Impacts of Increased Shipping in the Kitikmeot Region**

While not directly associated with the infrastructure of the proposed “Grays Bay Road and Port” project proposal, shipping to the proposed port would occur in concert with other existing shipping operations for the Doris North Gold Mine (NIRB File No. 05MN047) and Phase 2 Hope Bay Belt (NIRB File No. 12MN001), the Back River Project (NIRB File No. 12MN036), annual resupply to communities in the Kitikmeot Region, and existing traffic through the Northwest Passage. If approved to proceed, the “Grays Bay Road and Port” project proposal would contribute significantly to the increasing frequency and amounts of goods and fuel being shipped within the Kitikmeot Region. Accordingly, measures for accident prevention, spill response capabilities, and the impacts of climate change on the open water shipping season within the Kitikmeot Region will warrant special consideration during the Review of the Project.

- **Impacts on the Bathurst Caribou Herd**

It was observed in both the 2017 screening and the current assessment that both the Dolphin Union and Bathurst herds are present in the proposed project area, and multiple parties raised concerns regarding the proposed project's location as being at least partly within the calving and post-calving areas of the Bathurst herd, as well as its location along the migratory route of the Dolphin and Union herds between Nunavut and the Northwest Territories. The Beverly and Qamanirjuaq Caribou Management Board (BQCMB) also noted that the all-season access road may have impacts on the Ahiak and Bluenose-East herds and potential impacts through habitat fragmentation and degradation. Additionally, the Caribou Guardians Coalition, Tłıchǫ, and Wek'èezhìi Renewable Resource Board, and the BQCMB observed that along the Tibbitt to Contwoyto Winter Road there are impacts with increased human access to previously undisturbed areas which may have led to illegal harvesting of the Bathurst herd and meat wastage on the Tibbitt to Contwoyto Winter Road. It will be important for the Board to understand the requirements for road management to minimize the potential for these kinds of negative effects.

Assessments of projects in the region—Doris North (05MN047 and 12MN001) and Back River (12MN036)—have demonstrated that potential adverse impact on caribou and caribou habitat is a matter of significant interest and concern among members of the public, Inuit, other Indigenous groups, and other stakeholders, as have the comments received by the NIRB in response to the Proposal. Given the significant size and location of the “Grays Bay Road and Port” project proposal, an in-depth assessment of the Proposal and its potential for inducing further development projects is necessary.

- **Transboundary Issues**

The Proposal also has the potential for adverse impacts on the Bathurst caribou herd and the Dolphin and Union herd, which may also affect important traditional harvesting activities of communities in both Nunavut and the Northwest Territories. Consequently, as in previous NIRB reviews² and as noted by several commenting parties, transboundary issues must be considered in the context of this Review, as the potential for impacts on the Bathurst and Dolphin and Union caribou herds were identified as central concerns of the Government of the Northwest Territories as well as several nearby Indigenous communities in the Northwest Territories. The Athabasca

² See for example the discussion of these issues in relation to the Back River Project, NIRB File No. 12MN036 Final Hearing Report for the Back River Project, Sabina Gold & Silver Corp., June 15, 2016 and Revised Final Hearing Report for the Back River Project, Sabina Gold & Silver Corp., July 17, 2017.

Denesūliné Néné Land Corporation also highlighted the importance of a realistic assessment of the long-term recovery or survival of the Bathurst and Beverly/Ahiak herds and the potential for serious and permanent negative impacts to all communities who depend on these herds and live in a relationship with the herds, as well as establishing infrastructure in sacred and critical habitat.

The connection of the proposed road to the Tibbett-Contwoyto Winter Road and the stated intent of the Proponent to connect the proposed infrastructure to an all-weather road coming from the south to the Nunavut border over the long term also raises further transboundary issues that should be assessed during the Review of the Proposal. The existence of an all-weather road connecting tidewater to the diamond mines in the Northwest Territories and beyond to potential connections with the southern road system also likely warrants further assessment of both the potential for environmental and socio-economic transboundary impacts. The Board anticipates that further investigation of any planned infrastructure connections may be necessary during the Review of the Proposal.

To support an efficient and coordinated approach to considering potential transboundary impacts, the NIRB has initiated coordination with the Mackenzie Valley Environmental Impact Review Board (MVEIRB) through the NIRB/MVEIRB Memorandum of Understanding and associated Implementation Plan, and looks forward to engaging with potentially affected communities, groups and other interested parties in relation to these issues.

• Participant Funding

In acknowledging the NIRB's recommendation that Crown-Indigenous Relations and Northern Affairs consider the need for participant funding to support interested parties during the Review of the Proposal, the Minister stated that *"Funds will be made available through Crown-Indigenous Relations and Northern Affairs Canada's Northern Participant Funding Program to support the meaningful participation of Indigenous governments and organizations, and northerners in the assessment. Program officials will be following up soon with a call out for applications"*. In the coming days, the NIRB will provide procedural guidance regarding the next process steps in the Review, including tentative timelines, a process map and requirements for participants wishing to be involved in the Review of the Proposal. The Board anticipates that once that guidance has been provided, Crown-Indigenous Relations and Northern Affairs will provide details regarding the process for applying for participant funding to all parties which may require access to participant funding to facilitate their successful engagement in this assessment.

NEXT STEPS

Please be advised that, as referenced above, the NIRB will be issuing correspondence to all parties in the coming days outlining the next steps in the Board's Review of the "Grays Bay Road and Port" project proposal, including anticipated timelines and opportunities for public engagement.

Should you have any questions regarding the NIRB's Review of the "Grays Bay Road and Port" project proposal, please contact Keith Morrison, Manager Impact Assessment, at kmorrison@nirb.ca or (867) 983-4617.

Sincerely,



Tara Arko
Director, Operations
Nunavut Impact Review Board

Enclosure: Ministerial Referral Letter, NIRB File No. 24XN038 (February 12, 2025)

cc: Robert Greenley, President of the Kitikmeot Inuit Association
Fred Pedersen, Kitikmeot Inuit Association
Wynter Kuliktana, Kitikmeot Inuit Association
Tannis Bolt, Kitikmeot Inuit Association
Justin Buller, Government of Nunavut
Dianne Lapierre, Government of Nunavut
Natalie D'Souza, Government of Nunavut
Adrian Paradis, Canadian Northern Economic Development Agency
Melissa Alexander, Canadian Northern Economic Development Agency
Eva Walker, Environment and Climate Change Canada
José Audet-Lecouffe, Fisheries and Oceans Canada
Tracey McCaie, Crown-Indigenous Relations and Northern Affairs Canada
Peter Unger, Natural Resources Canada
Pierre-Olivier Emond, Natural Resources Canada
Transport Canada
Mark Cliffe-Phillips, Mackenzie Valley Environmental Impact Review Board