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Hamlet of Pond Inlet
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November 11, 2019

Hamlet of Pond Inlet (Mittimatalik)

Position on the *Motion to Adjourn*

Moved, November 6,

Nunavut Impact Review Board, Public Hearing, Iqaluit, NU.

The Hamlet of Pond Inlet supports the *Motion to Adjourn*.

The Hamlet of Pond Inlet maintains that:

- The information made available to the parties by Baffinland, in consideration of the Phase 2 Expansion Proposal is, with respect to some impacts incomplete, as evidenced by questions raised by parties to the Hearing.
- How decisions about significance, and levels of significance presented by the proponent have been determined (Table 10.5, pages 10.12-10.24, *Addendum to the Final Impact Statement, Mary River Project – Phase 2 Proposal*, August 2018, revised September 2018) is not transparent. Parties to the Hearings cannot determine, with reference to the TSDs, how the introduction of mitigative measures have affected, or what role they have played, in significance ratings applied to the VECs (valued ecosystem components) and VSECs (valued socio-economic component). This gave rise to difficult and unsatisfactory interactions between parties to the hearings and Baffinland.

The Hamlet maintains that significance ratings given to some VECs and VSECs are unwarranted and unsupported. By way of example, this applies, but is not restricted to VEC ratings given to effects on terrestrial wildlife and wildlife habitat and marine mammals, and VSEC ratings given to human health and well-being, and economic development and self-reliance. The manner in which VSECs have been defined, and categories created, have served to obscure impacts of vital importance to the Hamlet, implications for food security being but one example. This gave rise to difficult and unsatisfactory interactions between parties to the hearings and Baffinland.

- The Hamlet fails to see how, and the extent to which, *Inuit Qaujimajatuqangit* has played a role in the significance ratings given to the VECs and VSECs noted above. The

attention paid by Baffinland to the *Tusaqtavut Study*, supported by the Qikiqtani Inuit Association, appears to be little more than as a footnote. This gave rise to difficult and unsatisfactory interactions between representatives of communities in the LSA and Baffinland.

- The Hamlet maintains that the significance ratings given to some VECs is unwarranted and unsupported by the evidence provided in the TSDs. By way of example, the proponent needs to be clear on whether the proposed railway crossings are intended primarily for use by Inuit, or serve the purpose of making the railroad permeable to caribou. The proponent was inconsistent in reference to mitigative measures on this extremely important issue. This gave rise to difficult and unsatisfactory interactions between representatives of communities in the LSA and Baffinland.
- The proponent has submitted new material, late in the process, making it difficult for the Hamlet's technical advisor to examine the material, and not allowing adequate time for presentation of summaries of this material and discussion by Hamlet Council. This observation applies, but is not restricted to, the *Inuit Qaujimanituqangit Management Framework, Phase 2 Proposal – Mary River Project* document, submitted September 2019. This affects the Hamlet's ability to question material in the hearing process.
- Inuit representatives to the Hearings have raised concern about the quality of the simultaneous translation available at the Hearings. The Hamlet's technical advisor also wishes to draw attention to similar problems with English translations. The Hamlet recognizes the demands and challenges facing translators. These observations do not reflect on the abilities of translators. The Hamlet suggests that the number of translators employed, and their rotation, deserve some consideration by the Nunavut Impact Review Board.
- As a result, difficult interactions between representatives of the LSA communities and Baffinland characterized the Hearing. Discussions and questions were often circular and repetitive, generating unsatisfactory responses. This had serious implications for the agenda.
- The Nunavut Impact Review Board chair subsequently found herself in the difficult position of attempting to move interactions along in an attempt to restore the agenda. The result was that parties to the Hearings found themselves cut off in their questioning, thus affecting important points they were trying to make. Prior to the decision to move a motion for adjournment of the hearings, this was true of questions asked by the technical advisor to the Mittimatalik Hunters and Trappers Organization, the technical advisor to the Hamlet of Pond Inlet (Mittimatalik) and Oceans North. This

had considerable bearing on our decision to propose and support the motion to adjourn.

- We respectfully suggest that in consultation with the LSA communities, assigning some priority to issues to be covered at the hearing might assist in making the process more manageable by giving the most time and attention to matters of the most concern to LSA communities that are parties to the Hearings.

On the Matter of the Length of the Adjournment

The Hamlet of Pond Inlet recognizes the responsibility of the Nunavut Impact Review Board for making this decision. The Hamlet appreciates that the Nunavut Impact Review Board must take into consideration the needs and preferences of all parties to the Hearings.

The Hamlet's technical advisor has discussed this matter with members of Hamlet Council.

There is a range of opinions on the length of the adjournment.

There is support for an adjournment of **5 – 6 months**.

- This would allow time for consideration of documents submitted by Baffinland shortly before the commencement of the November hearings.
- This would allow time for the LSA communities to come together in Igloolik – as planned – in order to share among delegates, their concerns, understanding and positions with respect to the Phase 2 Proposal. It would permit time to write up the results as a reference document for LSA communities and as a submission to the Nunavut Impact Review Board.
- If the Nunavut Review Board sees some merit in organizing the agenda for the Hearings in relation to priority issues identified by the LSA communities, this would give the Board time to consider what is brought forward by the LSA communities.
- This would give Baffinland time to consider and address matters raised in the adjourned Hearing.
- If the Nunavut Impact Review Board agrees to an adjournment of 5 – 6 months, the Hamlet asks the Board to consider the fact that Mittimatalingmiut will be making use of

ice conditions and weather. They are likely to be away from the community in considerable numbers, commencing the middle of April, until ice can no longer be used for travel.

- The Hearings would therefore best be held the first two weeks of April.

The case for an adjournment that lasts **up to a year** is as follows.

- This application has been rushed. It was submitted in September of 2018.
- People have not had adequate time to become familiar with what is being proposed, and to discuss it among themselves.
- Baffinland's research for this proposal is incomplete. Baffinland needs at least another season to further study the potential impact of increased shipping on marine mammals in the areas of Milne Inlet and Eclipse Sound. Baffinland needs more data on the impact that current levels of shipping are having on marine mammals.
- Not all documents of interest and concern to members of Council have been translated.
- This is an incredibly important matter involving the making of very difficult and challenging decisions.
- This proposal has serious implications for Inuit culture and Inuit of Mittimatalik as a predominantly hunting culture dependent, not only in relation to food security, but for everything that informs the identify, culture, 'ways of making sense' and the future of Mittimatalingmiut.
- For this reason, a slower and considered approach needs to be taken to dealing with this proposal.