

Mittimatalik Hunters & Trappers Organization P. O. Box 189, Pond Inlet, Nunavut X0A 0S0

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Email: pond@baffinhto.ca

February 3, 2020

Solomon Amuno Nunavut Impact Review Board Cambridge Bay, NU

Mittimatalik Hunters and Trappers Organization Comments on Baffinland's Proposed Extension to Mary River Production

Dear Solomon:

In accordance with section 5.7 of the Nunavut Agreement, the Mittimatalik Hunters and Trappers Organization (MHTO) is responsible for the regulation of harvesting practices and techniques among our members, including the use of non-quota limitations; the allocation and enforcement of community basic needs levels and adjusted basic needs levels among members; the assignment to non-members, with or without valuable consideration and conditions, of any portion of community basic needs levels and adjusted basic needs levels; and more generally, the management of harvesting among members.

We have a long standing interest in Baffinland's ongoing work at Mary River, as the Project will undoubtedly have impacts on the wildlife and their habitat throughout the lands and waters that we depend on. We are committed to reviewing and considering any changes and amendments proposed to the operation of Mary River, including the recent application to extend the Production Increase at site to 6 Million tonnes per year (6MT) until the end of this calendar year or at the completion of the Nunavut Impact Review Board's (NIRB) Phase 2 assessment.

Related to process, we submit concern firstly with having the NRIB's 6MT extension comment period commence prior to having Inuktitut information available from either the NIRB or Baffinland, and secondly, with the tight timeline and demand on our resources to consider and provide comment on both this and the Phase 2 assessment occurring simultaneously. As submitted during the Phase 2 Hearing and during discussions at all points throughout the NIRB's process, our capacity to review technical information and provide response is very limited, and the requirement to participate in multiple (if related) assessments for the same project is an unfair and unreasonable expectation for small, Board-based, community organizations.

Baffinland's 6MT Extension Application materials state that given "the support for the Extension Request expressed by the Hamlets of Arctic Bay, Clyde River, Hall Beach,



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Igloolik and Pond Inlet, Baffinland believes that it is reasonable for NIRB to recommend the approval of the Extension Request." The MHTO did not participate in any consultations specific to the 6 MT Extension. We are also uncertain whether Motions of Council are available that would indicate the support of the Hamlets of Pond Inlet. Hall Beach, Igloolik, Arctic Bay and Clyde River, or whether support was received instead, via the letter signed by the Mayors of these communities (emphasis added). While the MHTO was not present nor involved in discussions that occurred between Baffinland and these Mayors during the Nunavut Association of Municipalities Annual General Meeting held in Rankin Inlet, we do understand that municipalities have a different mandate and may see a benefit to allowing this extension for the limited period. Considering this, we do not oppose the extension of the 6 MT proposal in this time limited sense, however, we still do not feel that Baffinland has adequate mitigation strategies and monitoring programs in place to determine if the additional mining and transportation is having an impact on caribou and the marine environment and wildlife. We therefore ask that it conduct more extensive research in our region. We do not agree with Baffinland's saying there will be no significant impacts from this increase, and we do not think they have the ability with current monitoring strategies, to actually make that determination. We do not find that the material filed with NIRB on January 6, 2020 provide any additional certainty or clarification with regard to specific impacts from the 6MT extension, or mitigations that will specifically address impacts from this extension.

We want to know more about the wildlife we rely upon and what impacts the Project will have on them, so if Baffinland is going to operate in this area, in our traditional places, and in the ecosystem that is essential for wildlife we depend on, it should be undertaking much more rigorous studies of the project, and contributing substantially more to regional programs that foster a fulsome understanding. We recommend Baffinland undertake more marine mammal and caribou research on its own, in coordination with (or in support of) regional efforts undertaken by other agencies, <u>and</u> also, that Baffinland fund more community based monitoring programs that we can do ourselves to inform the community and our own understanding of project impacts.

We also appreciate the NIRB's ability to consider requests like this within its formal process as set out under the Nunavut Agreement and the Nunavut Planning and Project Assessment Act (NUPPAA), and would prefer that any further changes to Project Certificate Conditions 179 (items a, b) to address modifications be subject to the NIRB's full consideration per section 112. Baffinland requested that the NIRB remove this reference from the Terms and Conditions, however we recommend that the legislation sets out the requirements and allows for flexibility in the NIRB's handling of these requests. We rely on the legislation to ensure a fair and transparent process that considers our input and suggest that changes to Terms and Conditions must be considered within the full scope of the requirements set out in NUPPAA.



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We thank the NIRB for this opportunity to provide input to its consideration of the 6MT extension and look forward to working with all parties in next stages of the Phase 2 assessment. Please contact our Manager, Molleen Anaviapik at pond@baffinhto.ca with any questions about this submission.

Sincerely,

Eric Ootoovak Chairperson

Mittimatalik HTO