



NIRB File No.: 08MN053

August 17, 2020

To: His Worship Joshua Arreak
Mayor of Pond Inlet
P.O. Box 370
Pond Inlet, NU X0A 0S0

Sent via email: mayor@pondinlet.ca

Re: Response to Concerns Regarding the Timing of the Community Update & Marine Monitoring and Marine Mitigation Workshop in Pond Inlet for the Mary River Project (NIRB File No. 08MN053) Scheduled for August 24 and 25

Dear Joshua Arreak:

On August 6, 2020 the Nunavut Impact Review Board (NIRB or Board) provided notice that the NIRB staff would be travelling to Pond Inlet to provide annual monitoring-related community update sessions and to coordinate the second annual Marine Monitoring and Marine Mitigation Workshop (Marine Workshop) on August 24-25, 2020. In response to this notice, on August 13, 2020 your letter provided feedback on behalf of both the Hamlet of Pond Inlet and the Mittimatalik Hunters and Trappers Organization, requesting that these meetings be delayed because of the number of community members (including members of Hamlet and Hunters and Trappers Organization) that will be out on the land until late September, and will be unavailable to participate in these meetings. The Board appreciates the feedback and recognizes the importance of being on the land during the summer months for many community members and understands that this creates scheduling conflicts and challenges to participation as detailed in your response.

As all parties are aware, the Board was directed by the Minister of Northern Affairs to conduct the Marine Workshop every year to inform the shipping season for that year, and these obligations remain to be fulfilled, even during the considerable challenges created by the COVID-19 pandemic. Unfortunately, in setting the timing for these meetings the Board faced constraints affecting when the Marine Workshop for 2020 could take place that were beyond the NIRB's control. Specifically, the Marine Workshop in 2019 occurred in May so that the outcomes of the Workshop could inform planning and implementation of mitigation and monitoring for Baffinland's 2019 shipping season. However, in 2020, the modifications to the Project Certificate governing the Extension Request to the Production Increase Proposal (to extend shipping to December 2021) were not approved by May, and the amended Project Certificate was only issued on June 18, 2020, which coincided with the start of Baffinland's 2020 shipping season. In addition

the Board's options in terms of timing for carrying out the second annual Marine Workshop were also affected by factors such as:

- the travel restrictions currently in place due to the pandemic that prevent parties from outside Nunavut being able to travel into Nunavut;
- the limits on public gatherings in place due to the pandemic;
- changes to project monitoring resulting from the pandemic and compliance with Public Health Orders; and
- suspension of ship-based observer programs on project-related vessels due to the pandemic.

As the August 24 and 25 dates represent the first available opportunity the NIRB has had to visit the community of Pond Inlet this year to hear from the community and provide an in-person update since the pandemic began, the NIRB sees value in continuing to host the meetings on August 24 and 25. While the Board recognizes that the full scope of the meetings may not be feasible at this time with many people out on the land as you have identified, and recognizing that several parties who would normally attend the meetings in-person are unable to travel into the community, the Board still views these meetings as an important and valuable opportunity to continue the conversation with community members about project monitoring in the past year. These meetings will also allow the NIRB and participants to become familiar with new layouts and modified procedures for holding in-person meetings that reflect the public health measures in place at this time.

While the NIRB wishes to resume the discussions about monitoring updates and the Annual Marine Workshop on August 24 and 25, recognizing the challenges identified by the Hamlet of Pond Inlet and the Mittimatalik Hunters and Trappers Organization with the participation of several of their Members, the NIRB will add time into the agenda during the upcoming Technical Meetings for the Phase 2 Development Proposal of the Mary River Project for both the Hamlet of Pond Inlet and the Mittimatalik Hunters and Trappers Organization to review the presentation and associated materials provided by parties during these meetings and ask questions, provide their comments and feedback, and identify any follow up at that time.

To ensure that the Board's report and recommendations from the Marine Workshop for 2020 reflects all relevant comments provided to the Board during the Board's upcoming in-person meetings in Pond Inlet, the planned Technical Meetings, Community Roundtable and Pre-Hearing Conference, the release of the Board's report will be coordinated with the timing of the Board's release of the Pre-Hearing Conference Decision for the Phase 2 Development Proposal of the Mary River Project.

The NIRB appreciates being made aware of activities occurring in the communities and will reach out to you more directly to discuss with the Hamlet of Pond Inlet and the Mittimatalik Hunters and Trappers Organization additional options for getting your feedback on these topics in the days ahead. The Board's staff look forward to being in the community of Pond Inlet for the first time since the interruption to all our lives and processes associated with the COVID-19 pandemic.

Should you have any questions regarding the upcoming Community Update Meeting and Marine Workshop in Pond Inlet, please contact Solomon Amuno at (867) 983-4603 or samuno@nirb.ca; or Cory Barker at (867) 983-4607 or cbarker@nirb.ca.

Sincerely,



Karen D. Costello
Executive Director
Nunavut Impact Review Board

cc: Mittimatalik HTO
Mary River Distribution List