

His Worship Joshua Arreak
Mayor of Municipality of Pond Inlet
P.O. Box 180
Pond Inlet, Nunavut X0A 0S0

December 9, 2020

Dear Mayor Arreak

Thank you for your letter dated November 3, 2020. I appreciate you bringing this inquiry forward. The Government of Nunavut (GN) continues to participate in the Nunavut Impact Review Board's (NIRB) assessment of the Mary River Phase 2 proposal (Phase 2) in a transparent fashion, informed by our scientists and consultants. I hope you find this information useful. Please know that our Environmental Assessment Review Team (EART) is available any time at your convenience to answer questions regarding our submissions. I've included their contact information at the end of this letter.

With respect to your concern that the GN scientists and consultants with the GN Department of Environment have not been present, or able to speak at recent meetings held by NIRB, this assertion is categorically untrue.

Furthermore, GN scientists and consultants have been, and will continue to be, active participants at Technical Meetings and Hearings that help inform the GN spokesperson. Due to the limitations on gathering size implemented by the Chief Public Health Officer, the GN could only send a limited number of representatives to the in-person Community Roundtable recently held in Pond Inlet for the NIRB assessment of Phase 2. GN scientists are consulted as needed during any public process, even if they are not present in person, they are listening to proceedings to support the GN spokesperson.

All GN submissions within the NIRB assessment of Phase 2, inclusive of information and recommendations to mitigate possible project-induced impacts on caribou, are publicly available on the NIRB's Public Registry¹.

Regarding whether the "GN's scientists and consultants agreed with Baffinland's conclusion that its project would have 'no significant impacts' on caribou" please refer to our submissions that contain our comments and analysis on Baffinland's management

¹GN Information Requests (Nov 23, 2018) – NIRB Public Registry Identification #: 321095, GN Technical Review Comments (Mar 7, 2019) – NIRB Public Registry Identification #: 323464, GN Final Written Submissions (Sept 24, 2019) – NIRB Public Registry Identification #: 326952

and monitoring plans as they pertain to caribou and Baffinland's confidence conclusions (specifically, GN Technical Review Comments 12, 13 and 17) which, have been publicly available since the date of NIRB posting intervenor submissions to the Public Registry per their process timeline. As well, we encourage you to review the most recent 'commitment table' available on the Public Registry as well². This table reflects commitments the GN and other intervenors have negotiated with Baffinland for additional mitigation measures. Most notably for the GN, the commitments pertaining to the design specifications of the railway embankment reflect what was recommended by our scientists and consultants to further mitigate potential negative impacts to caribou movement.

Indeed, all the GN's comments and recommendations are informed by our scientists and consultants. The comments and recommendations the GN have put forward in this assessment are acceptable to our scientists and consultants. If you would like for the GN to send our submissions directly to you, please do not hesitate to submit a request to the Avatiliriniq Coordinator (contact information below).

As an intervenor, the GN has an interest in outcomes of project assessments that balance responsible resource development with mitigation measures that limit negative ecosystemic effects. The GN has been consistent in this position throughout the Phase 2 assessment. Ultimately, per Project Certificate No. 005, it is the responsibility of Baffinland to monitor and mitigate project related impacts on Baffin Island Caribou. The GN and NIRB also play a role in monitoring impacts from this project, and all projects in Nunavut. We expect Baffinland will improve its monitoring capacity by committing to investigate the potential impacts of their activities on wildlife and the environment.

With respect to the Baffin Island caribou herd, Baffinland's Final Environmental Impact Statement (FEIS) Addendum (the Proposal), the subject of this NIRB assessment, identifies that its current independent monitoring efforts are not yielding meaningful data in terms of caribou population levels near the Project. This is expected considering the population level of the Baffin Island caribou herd is at its lowest level in its recorded history. Because of the low population level around the Project, it is difficult to collect meaningful data. To address this information gap, the GN and Baffinland are working towards a Research Contribution Agreement intended to be signed prior to the Final Public Hearing. To be clear, the GN's regional caribou monitoring and research obligations do not hinge on this Contribution Agreement. Instead, this Research Contribution Agreement represents a collaborative approach to understanding project-induced impacts to caribou.

As per the GNs letter to the NIRB dated September 30, if the Research Contribution is not completed prior to the Final Public Hearing, we will endeavour to sign an Agreement in Principle that outlines a timeframe to complete and sign the Research Contribution Agreement. If neither of these can be completed, the GN will report to the NIRB that this matter is unresolved.

² Baffinland Updated Commitment Table (current to Sept 29, 2020) – NIRB Public Registry identification #: 331683 (Inuktitut) & 331623 (English)

The NIRB process is still ongoing, and a final decision regarding Phase 2 cannot be made prior to the conclusion of the NIRB's assessment. The GN is one of many intervening parties participating in the assessment of Phase 2; all with differing viewpoints and relevant knowledge to share for the NIRB's consideration. The NIRB has announced that its assessment is set to conclude with a final Public Hearing from January 25, 2021 to February 6, 2021. Afterwards, the NIRB will determine whether to recommend Phase 2's approval, pursuant to section 112 of the *Nunavut Planning and Project Assessment Act*

I would like to assure you that the GN will continue to research and co-manage wildlife populations in a manner that protects Inuit harvesting rights regardless of a Research Contribution Agreement signed with Baffinland. The GN provides caribou population survey reports to co-management partners after research is completed and is willing to provide these to the public upon request.

Should you require additional information regarding the GN's intervention and role in the NIRB assessments, please contact the Government of Nunavut's Avatiliriniq Coordinator at NOGrady@gov.nu.ca. Any wildlife management concerns, or questions can be directed to Drikus Gissing, the Director of the Wildlife Research Division, at DGissing@GOV.NU.CA.

Sincerely,



Hon. Joe Savikataaq
Minister of Environment

Cc Hon. Carolyn Bennett, Minister of Crown-Indigenous Relations Canada
Mumilaaq Qaqqaq, Member of Parliament for Nunavut
Hon. David Akeeagok, Minister of Economic Development and Transportation
Pauloosie Keyootak, MLA for Uqqummiut
David Qamaniq, MLA for Tununiq
Joerie Kaerner, MLA for Amittuq
James Eetoolook, A/President, Nunavut Tunngavik Incorporated
P.J. Akeeagok, President, Qikiqtani Inuit Association
Jimmy Noble Jr., Deputy Minister of Environment
Jimi Onalik, Deputy Minister of Economic Development and Transportation
Karen Costello, Nunavut Impact Review Board
Jim Bell, Nunatsiaq News