



Strengthening Community Engagement & Participatory Monitoring

Final Closing Statement for the Nunavut Impact Review Board's Assessment
of Baffinland Iron Mines Corp's "Phase 2 Development" Proposal for the
Mary River Mine
NIRB File No.: 08MN053

Nunavut Independent Television Network
10 January 2021

Synopsis

The following is the final written submission of the Nunavut Independent Television Network (NITV) for the Nunavut Impact Review Board (NIRB)'s Assessment of Baffinland Iron Mines Corp's Phase 2 Development Proposal for the Mary River Mine ("Phase 2 Proposal").¹

This submission provides an overview of the current context for the NIRB's assessment where there remains significant disagreement and formal opposition to the Phase 2 Proposal, including from the relevant Designated Inuit Organizations under the Nunavut Land Claims Agreement (Qikiqtani Inuit Association and Nunavut Tunngavik Inc.) and the Hamlet and Hunters and Trappers Organization of the most affected community in Pond Inlet. This is quite different from the context for the approval of Phase 1 where there was no formal opposition from any of the parties and community intervenors who participated in the review process. NITV believes that it is not appropriate for the Phase 2 Proposal to proceed without a greater degree of acceptance and consent from the Designated Inuit Organizations and the affected communities in order to respect Inuit rights.

Throughout the review process for Phase 2 Proposal, NITV has focused its interventions on the themes of strengthening community engagement and participatory monitoring. This submission provides an update on the recommendations made during the November 2019 public hearing. If the Phase 2 Proposal proceeds at this point or in the future, NITV believes that the NIRB should ensure that there are effective conditions related to the development and implementation of community engagement plans for each of the affected communities, and for participatory monitoring mechanisms that address ongoing socio-economic impacts in addition to environmental impacts. Additionally, we see no reason why these recommendations should not be conditional upon the approval of the Phase 2 Proposal.

¹ NIRB File No.: 08MN053.

1. Introduction

The following is the final written submission of the Nunavut Independent Television Network (NITV) for the Nunavut Impact Review Board (NIRB)'s Assessment of Baffinland Iron Mines Corp's Phase 2 Development Proposal for the Mary River Mine ("Phase 2 Proposal").²

Summary of the Mary River Phase 2 Proposal³

Baffinland (BIM) is seeking an amendment to its Project Certificate No. 005 to allow the company to implement its Phase 2 Development Proposal for the Mary River Project. Phase 2 would enable Baffinland to transport by rail and ship up to 12 million tonnes per year Mtpa of ore from Milne Port and to retain the current authorizations for the construction and operation of the Steensby Port and South Mine to Steensby Railway as proposed in 2012.

Phase 2 involves increasing the quantity of ore shipped through Milne Port from 6 Mtpa to 12 Mtpa, via the construction of a new railway running largely parallel to the existing Tote Road called the North Railway. The total mine production will eventually increase to 30 Mtpa, with 12 Mtpa being transported via the North Railway to Milne Port and 18 Mtpa transported via the South Railway to Steensby Port.

NITV has been a formal intervenor throughout the NIRB public review process for the Phase 2 Proposal and has facilitated live broadcasting of the NIRB public hearings in Inuktitut on Uvagut TV.

2. Context for the Submission

The essence of NITV's submission is to reiterate and update the recommendations that we have previously made to the NIRB during the public hearings for the Phase 2 Proposal, notably for the November 2019 sessions in Iqaluit.

These recommendations were made on the assumption that there would be a certain degree of agreement about the Phase 2 Proposal at the conclusion of the NIRB public review process. However, based on our review of the positions and statements of the different intervenors on the NIRB public record, there currently remains significant disagreement about and opposition to the Phase 2 Proposal.

As is summarized in the table provided in Appendix A on the Intervenor and Community Representatives' Positions, the Designated Inuit Organizations (Qikiqtani Inuit Association and Nunavut Tunngavik Inc.) and the Hamlet and HTO of the most affected community of Pond Inlet are currently opposed to the Phase 2 Proposal. Other Hamlets and HTOs are aligning their position to those of Pond Inlet and therefore are also opposed to the Phase

² NIRB File No.: 08MN053.

³ Phase 2 Project Summary from the NIRB website: <https://www.nirb.ca/project/124701>

2 Proposal. Some other Hamlets are formally supporting the Phase 2 Proposal, although with some community concerns raised about whether these positions have been adequately consulted with the wider communities.

In addition, there are a number of other entities (including the Mining Association of Canada, trade union, businesses and employees) that have provided their support for the Project.⁴

Our overall assessment of the feedback from the most recent Community Roundtables is that the opinions of community members are deeply divided and that Phase 2 Proposal has become polarizing within and between communities,⁵ and even within families.⁶

We also heard on various occasions Inuit community members, including Elders, that they felt limited and pressured in the time they had to express concerns and ask questions during the review process.⁷ While we acknowledge that the NIRB has made exceptional efforts to ensure time and space for Inuit to provide input, we believe that many community members still express that they have not been heard underscores of the level of disagreement amongst communities regarding the Phase 2 Proposal. Many Inuit also are still asking for more time and consideration of science and *Inuit Qaujimajatuqangit* (IQ) to have a better understanding of the potential impacts. In our view, this reinforces our view that it is not appropriate for the Phase 2 Proposal to proceed at this time.

Throughout its engagement in the public review processes for the Mary River Project, NITV has consistently stood for respect for Inuit rights to informed consultation in line with international standards and best practices by companies for respecting indigenous peoples' rights. Since the initial round of public consultation and review of the Mary River Project, the domestic legal context for the protection of Inuit rights has been evolving as a result of the incorporation of the UN Declaration on the Rights of Indigenous Peoples into Canadian law.⁸ NITV believes this evolving legal context reinforces the importance

⁴ Letters of support were also provided by other entities, including the Mining Association of Canada (Doc ID: 334535); the International Union of Operating Engineers (Doc ID: 334533); Summit Air Baffin (Doc ID: 332570); Eclipse Camp Solution (Doc ID: 332571); etc.

⁵ See for example Letter of Support for the Phase 2 Development Proposal from Jena Merkosak (Doc ID: 337240). Various public comment forms were filed by Inuit working at Mary River and supporting Phase 2, see Public Comment Forms (Doc ID: 337463). Other community members also provided comment forms where they mentioned benefits that they felt their communities would benefit from, see Bryan Simonee Form (Doc ID: 337347) and Gisa Inuarak Comment Form (Doc ID: 337346).

⁶ See Inookie Inuarak's comment during the November 2021 Public Hearing: Public Hearing Transcripts Vol 21, November 6, 2021, pp. 3937 – 3941.

⁷ See for example, see Anita Uttuvak's comment, which refers to her intervention during the November 2021 Public Hearing that has been limited (Doc ID: 337355); see also Timosie Arnaqujac's comment form in the Public Comment Forms (Doc ID: 337463).

⁸ See: United Nations Declaration on the Rights of Indigenous Peoples Act, S.C. 2021, c. 14, which received Royal Assent on June 21, 2021.

of ensuring that there is a greater degree of agreement and consent to the Phase 2 Proposal than there appears to be at present.

Summary and Update of NITV's Recommendations

Our 2019 Final Written Submission focused on improving processes for community engagement and participatory monitoring in order to strengthen respect for Inuit's rights to informed consultation and participation. While NITV does not support the Phase 2 Proposal at this point in time, if or when the project does proceed we have a series of recommendations that we believe should be included as conditions of the Project Certificate.

In particular, we provided recommendations to develop community engagement with each of the affected communities (see text box below). In this regard, BIM has committed to develop such community engagement plans in 2019. We are not aware of any additional further progress about the development of such plans during the intervening time (as this appears to be a conditional commitment based on the approval of the Phase 2 Proposal).⁹

NITV recommends that the NIRB includes an additional condition in the Project Certificate to formalize the BIM commitment about the community engagement plans in a manner that ensures effective community participation in their development. In this regard, NITV highlights the importance of systematically involving female Inuit in the development and implementation of the community engagement plans to ensure an ongoing focus on issues of importance to women. NITV also highlights the opportunities for enhancing ongoing community engagement through the use of multimedia technology (that have been amply demonstrated through the use of multimedia technology during the remote public hearings during the COVID-19 pandemic).

NITV Recommendations for Community Engagement Plans

- We recommend that specific and detailed community engagement plans should be developed for each of the affected communities. These plans should be developed using a participatory methodology¹⁰ (e.g. community workshop) and should set out the modalities, responsibilities and key performance indicators for ongoing engagement and participation of communities.

⁹ November 1, 2021, BIM Updated Commitment List for Phase 2 Development Proposal, commitments 47, 53 and 54.

¹⁰ Participatory methodologies include a range of activities with a common thread: enabling ordinary people to play an active and influential part in decisions which affect their lives. This means that people are not just listened to, but also heard; and that their voices shape outcomes. See: <https://www.participatorymethods.org/page/about-participatory-methods>

- We recommend that all other relevant parties (including QIA, NIRB, Government of Nunavut, Government of Canada, the Hamlets and any other relevant community organizations or NGOs) should be involved in the development of the community engagement plans in order to ensure a more coordinated, efficient and sustainable approach.
- As part of the efforts to strengthen community engagement and participatory monitoring, we also recommend that additional efforts should be undertaken to involve female Inuit and to focus on issues of importance from a women’s rights perspective.
- We recommend that multimedia technology be considered to help address some of the challenges related to ongoing community engagement and participatory monitoring in the context of the North Baffin region.

In 2019, we also provided recommendations to strengthen participatory monitoring (see text box below). In this regard, new mechanisms for participatory monitoring have been put forward in the Inuit Certainty Agreement (ICA) that was signed by BIM and QIA in June 2020, notably in terms of the Inuit Stewardship Plan (ISP) and the creation of the Inuit Social Oversight Committee and the Inuit Committee.

Shortly after the ICA was signed, communities have expressed fundamental disagreement with their lack of involvement in the negotiation and elaboration of the ICA, and its adoption without their consent.¹¹

At this point in time, there does not appear to be a clear understanding about the concrete details of the ISP and the mandate and working methods for these new committees. During the Public Hearing in November 2021, community intervenors were asked by the Chair if the ISP was sufficient to address their concerns. The responses from the community intervenors noted a theoretical agreement with the ISP and the Inuit committees, but raised many concerns regarding the uncertainty around how IQ and community input would be included in the ISP processes, and its potential to fulfill the commitments made in general. These concerns are based on the fact that the plan is not complete yet and therefore cannot provide communities with a concrete understanding of the mechanisms that would be created, especially considering that communities were not involved in the elaboration of the ISP.¹²

Similar concerns were raised by intervenors about the current functioning and composition of the monitoring working groups. Intervenors mention ongoing issues related to: materials not being provided in a timely manner by the proponent; insufficient consideration of IQ, community input and scientific advice by the proponent; information not provided to participants at a time where it could be used to effect change to the current programs; the Mittimatalik Hunters and Trappers Organization (MHTO) being the

¹¹ See letter regarding North Baffin Community Concerns with Inuit Certainty Agreement and QIA Community Engagement dated August 24, 2020, Doc ID: 331263.

¹² Public Hearing Transcripts Vol 16, November 1, 2021, pp. 3108 – 3121.

only hunters and trappers organisation allowed to participate in the working groups by the proponent, when the resources are shared amongst affected communities, and the disproportionate burden that it represents for the MHTO; and a lack of effectiveness in general. The main recommendation by intervenors is that decision-making in the working groups should be based on consensus.¹³

The concerns raised by intervenors on the ISP, the Inuit committees and the working groups point to an erosion of trust between the communities and the proponent. Collaboration between communities and the proponent can only be fruitful in a context where parties trust each other. For this reason, NITV recommends that NIRB include an additional condition in the Project Certificate for BIM to create at least one Inuit committee that would work on the current project and to demonstrate its commitment to consider IQ and Inuit input in decision-making and to effect changes to current operations, to start rebuilding the relationship of trust between BIM and the communities.¹⁴

NITV Recommendations for Participatory Monitoring

- We provide recommendations for strengthening the participatory monitoring processes for the mine as an important component of ongoing community engagement. In particular, the ongoing processes for monitoring and reporting on socio-economic impacts should be enhancing in order to support more informed consultation about many of the key concerns for Inuit.
- As part of the participatory monitoring of the mine, we also recommend that there needs to be a strengthened focus on monitoring and reporting process for the working conditions of Inuit at Mary River.

In 2019, NITV also recommended that there continue to be external evaluations of the engagement with affected communities to support continuous improvement (see text box below). Given BIM's membership in the Mining Association of Canada, it was suggested that the Towards Sustainable Mining framework for "Aboriginal and Community Outreach" could be a useful framework for such external evaluations.

At the time, BIM had conducted a self-assessment based on the Towards Sustainable Mining framework and had given itself low scores on Aboriginal and Community

¹³ Public Hearing Transcripts Vol 16, November 1, 2021, questions from Ms. Emrick to QIA, MHTO, DFO, ECCC, PC and the GN, pp. 3066 to 3078.

¹⁴ Similarly, QIA mentions that "if Phase 2 does move ahead or even with the current project if it does not, an Inuit committee should be struck that should have greater input into these working groups to ensure that when discussions are being held, there is inherently IQ being considered in these discussions in bringing forward recommendations to improvements in the current project." Public Hearing Transcripts Vol 16, November 1, 2021, p. 3067.

Outreach.¹⁵ In February 2021, BIM released results from its next Toward Sustainable Mining self-assessment, to which it gave itself high scores on Aboriginal and Community Outreach.¹⁶ These results were verified by third party review (ERM Consultants Canada Ltd.) in 2020.¹⁷

While the information included public reporting about BIM Towards Sustainable Mining does not permit for a detailed analysis of the effectiveness of BIM’s community engagement and what its purported improvements between 2019 and 2021, NITV continues to support the principle that external evaluation and reporting about BIM’s community engagement should lead to opportunities for continuous improvement and strengthening of company-community relationships. Therefore, NITV recommends that the NIRB include a condition in the Project Certificate to ensure that such external evaluations of community engagement are required and that consultation with affected communities are part of the methodology.

NITV Recommendations for External Evaluations

- We recommend that the implementation of community engagement and participatory monitoring efforts continue to be assessed and externally verified (e.g. according to the Mining Association of Canada’s Towards Sustainable Mining framework). “

Conclusions

As outlined above, NITV’s recommendations for the Phase 2 Proposal are focused on strengthening community engagement and participatory monitoring. However, at present, there is insufficient agreement and consent from the Designated Inuit Organizations, the Hamlet and HTO of Pond Inlet and other affected communities—including on fundamental issues related to the ISP and related committees—and therefore the Phase 2 Proposal should not proceed.

We also believe that the recommendations for strengthening community engagement and participatory monitoring should be applicable to the Mary River project in its entirety as a matter of good practice to enhance the relationship between the company and affected communities.

¹⁵ In its 2017 TSM Progress Report (at page 68), Baffinland gives itself a score of “B” on “effective COI engagement and dialogue” on a scale of AAA, AA, A, B or C.

¹⁶ Mining Association of Canada, Toward Sustainable Mining Company Performance, [Baffinland Iron Mines Corporation](#).

¹⁷ February 23, 2021, <https://mining.ca/wp-content/uploads/2021/09/Baffinland-TSM-2019-Letter-of-Assurance.pdf>

Appendix A: Summary of the Intervenor and Community Representatives' Positions With Respect to the Phase 2 Proposal

Intervenors' Positions – April/December 2021			
Intervenors	Position on Mary River Phase 2 (January/April 2021)	Update December 2021	Positions Expressed by Community Representatives during November 2021 Public Hearing
Qikiqtani Inuit Association	In a decision of the QIA Board on March 5, 2021, QIA has stated that they are opposed the Mary River Phase 2. https://www.qia.ca/qia-board-resolves-to-not-support-the-mary-river-phase-two-proposal/	During the November 2021 Public Hearing, the QIA stated that the ICA implementation had not progressed to a point where QIA could change their position of not supporting Phase 2. ¹⁸	NA
Nunavut Tunngavik Incorporated	On March 17 th 2021, NTI stated it was not prepared to support Phase 2 in its current proposed form. https://nunatsiaq.com/stories/article/nunavut-tunngavik-inc-not-prepared-to-support-baffinland-iron-mine-expansion-says-ceo/	During the November 2021 Public Hearing, NTI also reiterated that the organisation would not support Phase 2 unless changes were made to respond to Inuit's concerns. ¹⁹	NA
Government of Nunavut	GN has not taken position for or against the project.	This intervenor has not been asked to communicate their position recently, position appears to be stable.	NA
Government of Canada	GoC has not taken position for or against the project.	This intervenor has not been asked to communicate their position recently, position appears to be stable.	NA
Hamlet of Pond Inlet	The Hamlet of Pond Inlet opposes the current proposal for Phase 2. In January 2021, the Hamlet of Pond Inlet has shared a letter with the Board and all intervenors where they stated they would give their support to Phase 2 if Baffinland agreed to some conditions, supporting a more gradual approach to Phase 2. (See Hamlet of Pond Inlet's letter to the Mayors and Hunter and Trapper Organizations of the North Baffin Communities, Doc ID.: 332324, and Hamlet of Pond Inlet's Announcement regarding the Phase 2 Development Proposal, Doc ID.: 332328, December 29, 2020)	October 31, 2021, Motion of the Hamlet of Pond Inlet: Hamlet supports MHTO's position regarding Phase 2. Hamlet of Pond Inlet also enumerates conditions and benefits that should be provided to Pond Inlet if Phase 2 was to be approved. (Doc ID. 337242)	Caleb Sangoya, representative for Pond Inlet: "I'm not saying that Baffinland be approved. I'm not saying that. Nunavut government and the federal government needs to have a better look. What the beneficiaries, the First Nations need to have some help so that they would have a better future, that their culture would be enhanced (...) So if you are going to involve the Inuit in your operations, I expect good things on it, and for those things that are unknown and those threatening things because the Baffinland might not be approved, I want to expect good things out of all this. For those things that might get us down, let us think about them clearly to work with them, with the government, Nunavut government, and

¹⁸ Public Hearing Transcripts Vol 16, November 1, 2021, pp. 3078 – 3080.

¹⁹ Public Hearing Transcripts Vol 18, November 3, 2021, pp. 3387 - 3389.

	<p>The Hamlet of Pond Inlet communicated its response to BIM’s counterproposal, refusing it and providing detailed reasons for its decision, on February 8 2021 (Doc ID: 333467).</p>		<p>also with Nunavut Tunngavik and also Qikiqtani Inuit Association, and as ourselves, with the five communities, we need to have a good working relationship so that we understand each other. We have computers, or face-to-face we should have an understanding or a stand how we can bring up something that is based on Inuit traditional knowledge.”²⁰</p>
<p>Mittimatalik Hunters and Trappers Organization</p>	<p>Eric Ootoovak: “We identified issues in our 2019 final written submissions and our recent update to submissions before this hearing. We are concerned about the northern railway, about possible impacts to our caribou from the use of railway and tote road. We have major concerns about the impacts of using icebreakers to ship in July and October and November. (...) Mittimatalik Hunters and Trappers Organization doesn't agree with Baffinland saying no significant impact for wildlife and harvesting. We don't think this has considered the importance of wildlife to Inuit in making this conclusion, and we don't think they have included a proper Inuit view in how they determine what is significant.</p> <p>Without doing that, we cannot come together on an understanding of how this project will impact us, real people who live here with the daily reality. So at this time we do not recommend approval of the railway or additional mining and shipping.”²²</p> <p>“When Inuit speak at these meetings or hearings, Baffinland thanks them for their stories and their experiences. This isn't giving respect to what we know and what is important to us. We don't have evidence or corroborating data. Why would we ever say something like that about Inuit Qaujimagatuqangit? We don't have data or statistics that will give Baffinland the certainty it wants about what we say because Inuit share things orally, and we don't have a database or a file folder full of facts on paper.”²³</p>	<p>Statement of position MHTO, April 9 2021 (filed in November with the NIRB, Doc ID: 337241)</p> <ol style="list-style-type: none"> 1. The HTO does not support BIM's Phase 2 proposal for the Mary River Project. 2. The HTO further does not support future increased ore production and related new infrastructure construction that BIM may propose for a period of at least 10-15 years, so that BIM may clearly demonstrate to the HTO the full extent of Phase 1 impacts and their mitigation, based on both IQ and science. 3. The HTO additionally requests that the QWB supports this resolution. 4. The HTO requests that QWB participate in the terrestrial and marine environmental working groups related to the existing Mary River project, and that Baffinland or government provide QWB, the HTO and other concerned HTOs with on-going funding for technical support. 	<p>Inookie Inuarak, representative for Pond Inlet: “Up to today, it has separated. Even families have been separated because of disagreements and with fights and big headaches, and some are all truthful. Some people want to work, and hunters also with the wildlife and the environment and the traditional way of life, they want to protect that as well up to today. There are smaller benefits that have come up in Pond Inlet, but more, perhaps all, have been impacted greatly by the project through food, our traditional culture, our way of life, and our ability to make wages or money. (...) when we had a public meeting, they had a motion there from the public. (...) They asked us not to support the train construction and the ice breakage and the request to expand Mary River. Every year, we talked about -- in the public meetings or the membership meetings, they kept telling us not to support it, that they didn't want us to change our position, and so based on that, we are working. We keep discussing it. (...) there are many reasons based on our comments and based on what we submit to be not a support to the project.”²¹</p>

²⁰ Public Hearing Transcripts Vol 21, November 6, 2021, pp. 3933 - 3936.

²¹ Public Hearing Transcripts Vol 21, November 6, 2021, pp. 3937 – 3941.

²² Public Hearing Transcripts Vol 11, February 5, 2021, pp. 1904 – 1905.

²³ Public Hearing Transcripts Vol 11, February 5, 2021, p. 1906.

<p>Igloodik Working Group (IWG) <i>Includes the Hamlet and HTO</i></p>	<p>Merlyn Recinos: “The Igloodik Working Group cannot make an informed decision with so many unknowns and undeveloped promises. It is extremely hard for us to fully understand and grasp the project as many of the mitigation and triggers will be developed after, Madam Chair. (...) the Igloodik Working Group supports the community of Pond Inlet and their findings both by the MH -- Mittimatalik Hunters and Trappers and the hamlet. They have been working extremely hard together, and we would like to show our support to them. That's our conclusion to the presentation.”²⁴</p>	<p>The Hamlet of Igloodik has passed a motion to oppose Phase 2 (see next box on community representative’s position where he refers to that motion).</p>	<p>Greg Morash, CAO and representative for Igloodik: “The hamlet council of Igloodik voted against this support of Phase 2. The reasoning -- I was in the council meeting. They said they did not have enough information on the benefits for Igloodik. They were not privy to this sheet, so I'm going to bring this back to council. I've also made notes on what's been said, and I'm also going to bring that back to council. (...) As a CAO, I have to support the council's motion, but I think with a little bit more work, things can happen. My personal concern I have is that there's a lot of loose ends.”²⁵</p>
<p>Hamlet of Arctic Bay</p>	<p>Hamlet of Arctic Bay Council has approved a motion to support Phase 2, November 15, 2019 (filed or refiled February 2021, Doc ID: 333132 - 333134).</p>	<p>Hamlet of Arctic Bay Council has approved a motion to support Phase 2, September 23, 2021 (Doc. ID: 336938)</p> <ul style="list-style-type: none"> - Support conditional to environmental monitoring being fully enforced. - Supports the ICA as developed. - Agrees that the Adaptive Management Plan in the ICA will greatly improve ability to monitor the impacts of the mine. 	<p>Leah Kalluk, Elders representative from Arctic Bay: “we are sympathizing with Pond Inlet because there will be a big impact to them, and there's already been an impact to them, even our ocean has been impacted within Arctic Bay right in the bay itself. Those things that never come here, the bowheads and the killer whales are going inside the bay, and narwhals even in the last two years are going inside this bay. (...) There's a statement that says that Arctic Bay has supported Phase 2. There was never a public meeting within the community and whoever is doing the – who was doing the hamlet council was telling people that they were in support, and this is not true. We need to be helpful as Inuit to support each other, and I'm grateful that we are being helped up to today for us who are not so able anymore.”²⁶</p>
<p>Ikajutit/Arctic Bay Hunters and Trappers Association</p>	<p>Qaumajuq Oyukuluk, head of the HTO: “(...) we support the Mittimatalik Hunters and Trappers. And, first of all, let me state we have worked collaboratively with Mittimatalik Hunters and Trappers (...) I think further work is needed to improve the proposal. I have seen many issues, and I have seen with respect to Mittimatalik Hunters and Trappers and Arctic Bay Hunters and Trappers, if the project goes ahead or the second phase goes ahead, it will be a problem. (...)”²⁹</p> <p>Lori Idlout, technical advisor to Arctic Bay HTO: “(...) the community of Arctic Bay has not reached one united voice about the Phase 2 proposal submitted by Baffinland. The Ikajutit Arctic Bay Hunters and Trappers Organization was surprised to see a letter submitted to Nunavut Impact Review Board from the Hamlet of</p>	<p>Ikajutit HTO passed a resolution on a 10-year moratorium on any increase in ore production by BIM, 26 October 2021. (Doc ID. 337239)</p> <ul style="list-style-type: none"> - Extremely concerned about negative impacts. - Current impacts not properly acknowledged and mitigated. - Lack of independent research on impacts identified by Inuit. - Anticipate greater impacts if Phase 2 moves forward. - HTO strongly recommend 10-year moratorium on any production increase by BIM starting in January 2022, with possibility of extension if BIM does not make significant progress in addressing Inuit concerns. - Obj that BIM start working collaboratively and share original data with all of the affected HTOs, support independent research, and develop mitigation measures acceptable to the 	<p>Moses Oyukuluk, chair of HTO in Arctic Bay: “I'm not going to say "no" to Phase 2 for now but maybe further down the road I will. I feel that Baffinland still has to do more research prior to developing Phase 2. We need to see Inuit traditional knowledge included in your development plans. (...) I'm very concerned about -- along with the Mittimatalik Hunters and Trappers Organization. (...) So I want to see Phase 2 slow -- I don't want it to happen. We need to get</p>

²⁴ Public Hearing Transcripts Vol 11, February 5, 2021, p. 2000 – 2001.

²⁵ Public Hearing Transcripts Vol 21, November 6, 2021, pp. 3927 – 3929.

²⁶ Public Hearing Transcripts Vol 20, November 5, 2021, pp. 3752 – 3756.

²⁹ Public Hearing Transcripts Vol 11, February 5, 2021, pp. 2012 – 2015.

	<p>Arctic Bay in October 2020. At that time, our hunters and trappers organization has not stated its support for Phase 2.</p> <p>The second issue is with the consultation the hamlet said it held. I would like it noted that in that meeting presented to Nunavut Impact Review Board, there were only about six residents that attended the so-called public meeting.”³⁰</p>	<p>HTOs of Pond Inlet, Clyde River, Arctic Bay, Igloolik and Sanirajak.</p>	<p>more studies done on whales. (...) We're thinking of just one year, and there's many things that are piled up, and, for that reason, I want the Phase 2 to be delayed. And also the Fisheries and Oceans, I would like to work better with you. Not right away, but in the near future.”²⁷</p> <p>Moses Koonoo, representative for Arctic Bay (from HTO): “I would rather see it not go ahead. They're not done in the work they are doing right now. Because as we talk about the surveys and monitoring and the fish have been affected, and also the narwhal fat have been impacted. In Mary River we think of others, but I would prefer we get this -- little bit delayed (...) Baffinland are not really prepared to take on the Phase 2.”²⁸</p>
<p>Hamlet of Sanirajak/Hall Beach</p>	<p>Louis Primeau, technical advisor to the Hamlet of Sanirajak: “The North Baffin Group recognized early on that the Pond -- Pond Inlet would be the community most impacted by the proponent's proposal. The group decided that support for the position of Pond Inlet would be provided by all the organizations. The two community organizations that represent interests of Pond Inlet Inuit are the Mittimatalik Hunters and Trappers Organization and the Hamlet of Pond Inlet.</p> <p>Protecting the interests of the Inuit of Pond Inlet as well as the interests of Inuit in the other four most impacted communities is of critical importance to the Hamlet of Sanirajak.”³¹</p> <p>“The Hamlet of Sanirajak has many residents that work at Baffinland and, as a result, support the Phase 2 proposal. With the lack of employment options available in Nunavut, particularly in its smaller communities, this is completely understandable.</p>	<p>Hamlet of Sanirajak Council has approved a motion to support Phase 2, October 29, 2021. (Doc ID. 337230)</p> <p>“Whereas Baffinland’s President Brian Penney has requested that the Hamlet formalize its position on Baffinland’s Phase 2 Proposal; Therefore, I move that the Hamlet formalize its position on Baffinland’s Phase 2 Proposal as being in support of it.”</p>	<p>Enoki Irgittuq, representative for Sanirajak elders: “I have better understanding of a lot of things, and although our questions are not fully answered for Hall Beach, we support Pond Inlet because we don't want Phase 2 to start right away. If there was an approval to the Phase 2, we have really no recourse, but we will opt to have a good working relationship if there was ever approval for Phase 2.”³³</p>

³⁰ Public Hearing Transcripts Vol 11, February 5, 2021, pp. 2020 – 2025.

²⁷ Public Hearing Transcripts Vol 20, November 5, 2021, pp. 3760 – 3765.

²⁸ Public Hearing Transcripts Vol 21, November 6, 2021, pp. 3921 – 3924.

³¹ Public Hearing Transcripts Vol 11, February 5, 2021, pp. 2040 – 2042.

³³ Public Hearing Transcripts Vol 21, November 6, 2021, pp. 3930 – 3933.

	<p>However, concerns regarding adverse impacts on marine and terrestrial wildlife, socio-economic conditions, and the likelihood that if the Phase 2 proposal is approved as proposed, it could result in the extinguishment of Pond Inlet Inuit's ability to harvest narwhal in Eclipse Sound remain as critically important unresolved issues.</p> <p>As indicated, the Hamlet of Sanirajak is one organization that is part of the North Baffin Group which has agreed to support Pond Inlet. In the opinion of the Hamlet of Sanirajak it might be possible for the Phase 2 project to move forward if the stringent conditions the Hamlet of Pond Inlet has indicated are put in place.”³²</p>		
Sanirajak HTO	<p>The Sanirajak HTO raises the following concerns:</p> <ul style="list-style-type: none"> - Inuit are not sufficiently involved in the process - Inuit need to protect their rights - Impacts on animals are seen - Baffinland is not listening to the communities - Limited jobs and benefits for Hall Beach³⁴ <p>Sam Arnarjuak: “If the environment is changed and we are the ones that most know about this how the climate change and we know what is evident in terms of impact to wildlife, so we are helping with the Mittimatalik Hunters and Trappers Organization. We are in support of them, although we have different intervenors and different presentations, but if we have to present everything in every form, that the proposals be looked at carefully.”³⁵</p>	<p>Sanirajak Hunters and Trappers Association’s Resolution Re: 10 Year Moratorium on increased Iron Ore Production (filed November 5, Doc ID. 337260).</p> <ul style="list-style-type: none"> - Extremely concerned about negative impacts. - Current impacts not properly acknowledged and mitigated. - Anticipate greater impacts if Phase 2 moves forward. - HTO strongly recommends 10-year moratorium on any production increase by BIM starting in January 2022, with possibility of extension if BIM does not make significant progress in addressing Inuit concerns. 	
Hamlet of Clyde River	<p>Jerry Natanine: “The hamlet and HTA believe that controversial development proposals like Phase 2 should not be permitted without clear and unequivocal support from both hamlets and HTAs in the affected community. In this case, Pond Inlet has the most to lose and has already lost if this Phase 2 moves forward. (...) The Hamlet of Clyde River and Namautaq Hunters and Trappers</p>	This intervenor has not been asked to communicate their position recently, position appears to be stable.	<p>Alan Cormack, representative from hamlet Clyde River: “We, the Clyde River delegates, agree that Baffinland has not convinced us that this project will be safe. We are still very concerned that Phase 2 will have serious negative impact on our environment and hunting way of life. We, therefore, recommend that Phase 2 not be approved at this time. Also Pond Inlet -- we support Pond Inlet people, and it should be -- there should be more research for</p>
Nangmoutaq Hunters and Trappers Association		This intervenor has not been asked to communicate their position recently, position appears to be stable.	

³² Public Hearing Transcripts Vol 11, February 5, 2021, p. 2051.

³⁴ Sam Arnarjuak, Public Hearing Transcripts Vol 11, February 5, 2021, pp. 2071 – 2085.

³⁵ Public Hearing Transcripts Vol 11, February 5, 2021, pp. 2084 – 2085.

	<p>Organization support the people of Pond Inlet and do not support the Phase 2 expansion in its current form.”³⁶</p> <p>“We would also need to -- need to see changes to the project scope and approach to adaptive management before it is acceptable to us. Unless these changes are made, we are not convinced the Phase 2 expansion will bring net benefits to our community or the North Baffin region. There is too much uncertainty about the future of this project for the hamlet and hunters and -- hunters and trappers association – forgive me -- to provide its support.”³⁷</p>		<p>improvements that they haven't done, also for royalties. And also our wildlife, sea mammals are being depleted.”³⁸</p>
Amaruq Hunters and Trappers Association	<p>Meeka Mike: “It is for the following reasons we cannot support the Phase 2 as proposed: (a) The project have activities Inuit and community members have concern as though it is making shortcut to gain tonnage; (b) the hunters are the Inuit making observation and monitoring without benefits from the project and the Inuit organizations; (c) for protection of wildlife, we are responsible for their land. With a jump of traffic and activities, who is qualified to do the monitoring for our wildlife protection?”³⁹</p>	<p>This intervenor has not been asked to communicate their position recently, position appears to be stable.</p>	<p>NA</p>
Oceans North	<p>Amanda Joynt: “Oceans North supports the Mittimatalik Hunters and Trappers Organization and their positions. We assert that monitoring is not at a stage where it is yet able to determine impacts at the current level of production, let alone a doubling of these impacts. We feel that the communication and trust between the proponent and the community requires rebuilding, and going forward with this project right now would further erode the trust that remains.</p> <p>The structures that are meant to enable communication and management such as the marine environmental working group are currently not functioning well and require direction from NIRB when necessary to ensure that they are fulfilling their mandate.</p>	<p>This intervenor has not been asked to communicate their position recently, position appears to be stable.</p>	<p>NA</p>

³⁶ Public Hearing Transcripts Vol 11, February 5, 2021, pp. 2057 – 2058.

³⁷ Public Hearing Transcripts Vol 11, February 5, 2021, p. 2070.

³⁸ Public Hearing Transcripts Vol 21, November 6, 2021, pp. 3924 – 3925.

³⁹ Public Hearing Transcripts Vol 11, February 5, 2021, p. 2097.

	There have been many marine issues with intervenors considered resolved based on future promises, and we have concerns that these promises may be difficult to keep. We recommend that efforts be refocused on listening to and building trust with communities ensuring that the working groups and processes are functioning properly and ensuring community support prior to approving any further phases of this project.” ⁴⁰		
World Wildlife Fund	Paul Okalic: “(...) The proponents have not shown full and comprehensive assessment of the impacts. World Wildlife Fund are unable to provide support to the proposed 2 -- the Phase 2 project. The proposal is lacking in areas. If they are going to increase what benefits they may provide, looking at their presentations, the monitoring and management program is insufficient, and whether the project will have an impact on the environment, and the assessment or proposal seemed to lack in many areas. (...)” ⁴¹	This intervenor has not been asked to communicate their position recently, position appears to be stable.	NA
Hamlet of Grise Fiord	NA	Hamlet of Grise Fiord passed a motion to support Phase 2, October 21, 2021. (Doc ID. 337231) <ul style="list-style-type: none"> - Support conditional to environmental monitoring being fully enforced. - Any outcomes from hearings in November 2021 be fully accepted by BIM. - Supports the ICA as developed. 	Lucy Nungaq, representative for Grise Fiord hamlet council: “Our community has been affected as well. It's obvious. There's hardly any wildlife, marine mammals anymore. (...) I want to support the community of Pond Inlet because I have a better idea about the concerns and effects that have been happening, and at least perhaps we need more studies. We need more monitoring. Not just monitoring, actual studies of the research, the wildlife, do an environmental scan.” ⁴²
Grise Fiord/Iviq HTO	NA	Iviq HTO passed a resolution on a 10-year moratorium on any increase in ore production by BIM (filed November 5 2021, Doc ID. 337239) <ul style="list-style-type: none"> - Extremely concerned about negative impacts. - Current impacts not properly acknowledged and mitigated. - Anticipate greater impacts if Phase 2 moves forward. - HTO strongly recommend 10-year moratorium on any production increase by BIM starting in January 2022, with 	

⁴⁰ Public Hearing Transcripts Vol 11, February 5, 2021, pp. 2133 – 2134.

⁴¹ Public Hearing Transcripts Vol 12, February 6, 2021, pp. 2179 – 2190.

⁴² Public Hearing Transcripts Vol 21, November 6, 2021, p. 3926.

		<p>possibility of extension if BIM does not make significant progress in addressing Inuit concerns.</p> <ul style="list-style-type: none"> - Objective that BIM start working collaboratively and share original data with all of the affected HTOs, support independent research, and develop mitigation measures acceptable to the HTOs of Pond Inlet, Clyde River, Arctic Bay, Igloodik and Sanirajak. 	
Resolute Bay	NA		<p>Ragilee Attagootak, women rep for Resolute Bay: “(...) our community will be affected as well because of the currents that move around the high Arctic is interconnected to our communities, so it does affect our wildlife because we have the same wildlife in the high Arctic (...) so many different organizations that are working together from the outset. You're doing a really good job trying to come together and negotiating to reach a conclusion, and because you each have your own mandates you have to follow.”⁴³</p>

⁴³ Public Hearing Transcripts Vol 21, November 6, 2021, pp. 3929 – 3933.