

DE BEERS GROUP

Tara Arko
Director, Technical Services
Nunavut Impact Review Board (NIRB)
P.O. Box 1360
Cambridge Bay, NU
X0B 0C0

July 14, 2022

Re: De Beers comments on the Chidliak Draft Scope List, Scope of the Assessment, and the Draft Impact Statement Guidelines

Dear Ms. Arko,

De Beers is pleased to provide the following comments and recommendations regarding the:

- A) Draft Scope List;
- B) Scope of the Assessment; and the
- C) Draft Impact Statement Guidelines

which were released for public comment by the NIRB on May 16, 2023.

A. Scope of the Project

1) a. Project Proposal Summary

The Chidliak Project (the Project) is 120 northeast of Iqaluit. The scope document incorrectly states that it is northwest of Iqaluit.

2) Project Components

Fuel storage, water use, and waste volumes are not yet finalized, and will not be finalized until later stages of the process.

The Project will also include Processed Kimberlite storage facilities which may include co-disposal with mine rock.

In addition to the rotary and fixed wing aircraft, airships remain a potential option for transport of materials to the site.

Quarries and borrow pits will be developed as needed close to the locations where the material is required for placement and not necessarily very close to the ore bodies as stated in the scope document. Quarry and borrow pit locations have not yet been determined.

Please strike the word 'all' from the phrase 'removal of all buildings, equipment, and infrastructure'. Some components will remain on the site in the post-closure environment including the landfill, and the mine rock and processed kimberlite storage facilities. There is also potential for other

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infrastructure such as the transmission line or buildings to remain, depending on community needs, business opportunities and interests at the time of closure.

The site power options also include wind resources, solar, hydrogen fuel cells, biofuels, and gas and are not limited to a transmission line, small modular nuclear reactor, or diesel generators as currently listed within the scope document.

B. Scope of the Assessment

1). Anticipated ecosystemic and socio-economic impacts of the Project

k.i.) Terrestrial wildlife and wildlife habitat

NIRB lists species that NIRB indicates are representative terrestrial mammals including caribou, muskoxen, wolverine, grizzly bears, polar bears, wolves, and other species.

Muskoxen, wolverine, and grizzly bears either do not occur or are rare and not considered representative of terrestrial mammals on Baffin Island at this time. De Beers does not believe that they should be identified as valued ecosystem components for this Project and therefore we request more flexible language to enable selection of representative terrestrial mammals based on scientific knowledge and Inuit Qaujimaningit.

l. Birds and bird habitat, including:

iii seabirds

The Project is in the interior of the Hall Peninsula and is not overlapping with any marine or coastal area. It is therefore not appropriate to specifically require assessment of seabirds in the guidelines. We suggest that reference to seabirds are removed from the Scope of the Assessment.

m. marine environment

The Project is located in the interior and is not overlapping with any marine or coastal area.

Diamonds are very small, and will be removed via air transport from site. There is no ice-breaking or heavy shipping required. Supplies required for construction of mine infrastructure can be transported through regular sea lift to Iqaluit's port similarly to any other construction project within Iqaluit. It is therefore not appropriate to specifically require assessment of marine ecology, marine water and sediment quality, marine biota including fish, and benthic flora and fauna, or marine habitat in the guidelines. We request that reference to these marine components are removed from the Scope of the Assessment due to lack of clear linkage to the Project.

n. marine wildlife

As described above, there is no marine component to the Project. It is therefore not appropriate to specifically require assessment of marine wildlife in the guidelines. Species that occur both on land and on the ocean during different times of year will be fully addressed within the terrestrial wildlife section of the EIS.

o. Terrestrial and marine Species at Risk

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As described above, there is no marine component to the Project. We therefore suggest that the reference to 'Terrestrial and marine species at risk' is changed to 'Terrestrial species at risk'. Species that use terrestrial habitats during part of their lifecycle and marine habitats at other times will be addressed.

r. Non-traditional land use and resource use

To assist De Beers is fully addressing the guidelines, could NIRB explain what types of activities are included in the category of 'non-traditional land use and resource use'?

t. Health and well being

To assist De Beers is fully addressing the guidelines, could NIRB explain how 'family and community cohesion' be considered separately from 'individual and community wellness'? Are both of these terms required in the guideline or could family and community cohesion perhaps be considered as part of individual and community wellness?

4 Steps which the Proponent proposes to take to optimize benefits of the Project, with specific consideration being given to expressed community and regional preferences as to benefits. The scope of the assessment will include steps that the Proponent proposes to take to optimize benefits of the project, and should include, but not be limited to:

b. Health benefits

In the section whereby the Proponent is asked to describe the steps they propose to optimize the benefits of the Project, NIRB lists both 'health benefits' and 'human health and well-being' as items to be described by the Proponent. Could the NIRB describe how these two items differ from each other? If there is no substantial difference, we suggest that for the purpose of clarity, brevity, and interpretability of the Impact Statement, only one of these items should be listed in the Guidelines.

10. Any other relevant information or matters

a. Technical innovations previously untested in the Arctic including new technology for port and road design and operations

The NIRB has indicated that the scope of the assessment will include matters NIRB considers relevant such as "new technology for port and road design and operations". De Beers is not planning to construct a port and will be minimizing the use of roads. De Beers suggests that point 10a. may be more relevant if it was re-stated as "technical innovations previously untested in the Arctic" without specific reference to ports and roads.

d. Significant effects analysis

The NIRB has indicated that the scope of the assessment will include matters NIRB considers relevant such as "significant effects analysis". De Beers believes that the NIRB is referring to the process of conducting an effects analysis to determine significance, not that the effects analysis itself would be 'significant'. De Beers suggests that the wording should change to 'Effects analysis to determine significance' or 'Determination of significance'.

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C. The draft Guidelines for the Preparation of an Impact Statement for De Beers Canada Inc.'s Chidliak Diamond Mine Proposal

General Comments

We have observed in the Draft EIS Guidelines what appear to be new and/or expanded considerations to be addressed, particularly in comparison to other recently assessed mining projects in Nunavut. This includes for items such as food security, gender based analysis, perceived environmental effects, and use of IQ and community feedback. As some of these items are relatively new to Nunavut impact assessments, we are hopeful NIRB would be able to provide additional justification and guidance on their assessment (and effective inclusion into an EIS). We are also of the opinion these items must properly reflect the scope of the project being assessed and be applied only where necessary.

We feel that the ever-expanding list of items to be assessed is likely to generate substantially more text and costs without necessarily generating information that will be useful in the final approval decision. Adding bulk and complexity to the Impact Statement will make the document less comprehensible and less useful to reviewers and decision makers. Instead, we suggest paring down the guidelines where possible to eliminate redundancy and encouraging proponents to focus their assessments on what matters most.

Section 7.4.6 Significance Determination

The NIRB has indicated which attributes should be taken into consideration by the NIRB in determining significance of each impact. These are provided in items a through k.

k.) Item k is not like the items listed in item a through j. Item k. provides a bulleted list of effects that will be considered significant, without any consideration of the other aspects of those effects.

For example, Item k indicates that the NIRB will consider impacts to be significant if they are likely to be adverse (first bullet). Does this mean that all adverse impacts will be considered significant or only that adversity is essential for a determination of significance? What happens if the effect is adverse, but none of the other factors in the bulleted list are met?

There will be adverse impacts associated with development projects that are not great enough in magnitude, large enough extent, long enough in duration etc. to be significant. The factors in the bulleted list should be considered in relation to each other. It should be up to the Proponent to propose a framework for consideration of significance as it relates to these and other factors.

The preamble to the bulleted list in item k. should be adjusted to indicate that these are factors which the Proponent should consider when proposing a framework for significance determination.

We would like to thank the NIRB for the opportunity to provide these comments regarding the draft scope list and draft impacts statement guidelines. I can be reached at sarah.mclean@debeersgroup.com or 1-867-688-9227 should any clarification be required.

Sincerely,

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A handwritten signature in blue ink that reads "Sarah McLean". The signature is written in a cursive, flowing style.

Sarah McLean

Environment and Permitting Manager

CC: Cory Barker, NIRB
Erik Madsen, De Beers