



August 23, 2023

Tara Arko
Director, Technical Services
Nunavut Impact Review Board
Cambridge Bay, NU

Sent via Email: info@nirb.ca

RE: Qikiqtaaluk Wildlife Board's Comments on Draft Scope and IS Guidelines for DeBeers Group's Chidliak Diamond Mine Proposal

Dear Tara Arko:

The Qikiqtaaluk Wildlife Board (QWB) writes in response to your July 28, 2023 invitation to provide comment submissions on the Revised Impact Statement (IS) Guidelines for The DeBeers Group's proposed Chidliak Diamond Mine project. We also note your email advising the QWB that the NIRB would consider our comments on the Revised Scope at this stage as well, prior to the NIRB issuing a final version.¹

The QWB is the Regional Wildlife Organization (RWO) for Qikiqtaaluk Region where DeBeers has proposed to build and operate the Chidliak Diamond Mine. The QWB's composition, powers, functions and related jurisdictional matters are described in Part 7 of Article 5 – Wildlife of the Nunavut Agreement. The QWB is made up of representatives of all 13 Hunters and Trappers Organizations (HTOs) in Qikiqtaaluk Region of Nunavut, plus an independent Chairperson. The Executive Committee of the QWB is made of four (4) members of the QWB, elected during the QWB's Annual General Meeting, plus the independent Chairperson. The QWB has several specific powers and functions under section 5.7.6 of the Nunavut Agreement, including but not limited to: generally, the management of harvesting among the members of HTOs in the region. Further, section 12.12.5 of the Nunavut Agreement requires that decisions made pursuant to these provisions regarding Development Impact shall be designed, implemented and interpreted in a manner consistent with Article 5. Consequently, the QWB asserts that it has a clear role in the assessment of the proposed Chidliak project on behalf of the Inuit

¹ Email correspondence from Tara Arko to Michael Ferguson, July 7, 2023, Response to QWB-HTO Request for Extension for Submissions re Chidliak Project.

of Qikiqtaaluk Region in regard to any direct, indirect and cumulative impacts that the proposed project may have on wildlife harvesting.

On August 8-9, 2023, the QWB held an in-person workshop with representatives from the affected HTOs of Pangnirtung, Kimmirut, and Iqaluit, as well as the QWB Executive, staff and other members. During the workshop, we considered the Revised Scope and IS Guidelines, and the July 28, 2023 request for comments. Our submission herein includes comments QWB-01 to QWB-12 related to the Revised Draft IS Guidelines, QWB-S01 to S05 related to the Revised Scope, and Additional Comments which are unnumbered as they do not pertain to specific sections of the documents under review but which are important to this stage of the assessment and which we submit for consideration.

We trust you will find our comments informative, and hope to see requested revisions reflected in the final versions.

Impact Statement Guidelines

QWB-01 — Definitions and Terms

Definitions and Terms (p. vii-viii)

“Well-being: Specific indicators of well-being for a particular impact assessment must be identified by the potentially affected communities, in collaboration with the Regional Inuit Association. Factors to be assessed at the individual and community levels typically include, but are not necessarily limited to, the following: ...

- Connection to the land (including Inuit food harvesting and Inuit food security/food sovereignty); and...”

The QWB suggests the wording in the first paragraph be revised to the following:

“Well-being: Specific indicators of well-being for a particular impact assessment must be identified by the potentially affected communities, in collaboration with the Hunters and Trappers Organizations, the Regional Wildlife Organization and the Regional Inuit Association. Factors to be assessed at the individual and community levels typically include, but are not necessarily limited to, the following: ...

Further, the QWB suggests the wording in the cited bullet be revised to:

- “Connection and access to the land (including Inuit food harvesting, freshwater and marine resources and Inuit food security/food sovereignty); and...”.

Although the definitions may be considered supplementary to the IS Guidelines,

- the roles of the HTOs and the RWO as per Article 5 of the Nunavut Agreement in regard to the provision of food to Inuit communities through wildlife harvesting should be fully recognized and affirmed by the NIRB; and
- a key part of the physical connections of Inuit to the land is continuing future access. If access is interrupted or prevented, this would be seen as a serious

impact by Inuit. Also, freshwater and marine resources are distinct from Inuit food harvesting, and should be included here. We see these items as being specifically different from a connection to the land and Inuit food harvesting per se, in that interruption of access to land, freshwater and marine resources near or within the development area could impact Inuit food harvesting in other areas.

We would appreciate these revisions showing the NIRB's acknowledgement of the roles of the HTOs and the QWB, and the importance of access to land and water.

QWB-02 — Proponent Information

5.1 Proponent Information (p. 18)

"The Proponent shall describe its past and present operational experience in the activities being proposed for the Project, and with transportation networks involving air, marine, or ground transportation (winter and all-weather road components). The Proponent shall reference:...

- Its history of operational experiences in Arctic and Sub-arctic regions;"

The QWB suggests the wording in the cited bullet be revised to:

- Its history of operational experiences in Arctic and Sub-arctic regions, **especially at high elevations in the vicinity of glaciers where unusual seasonal weather and other phenomena may occur;**"

Recognizing the Proponent's potential incorporation of technologies and approaches that have not been developed previously or are currently rare on Baffin Island in various project components for the Chidliak site, the QWB suggests including a bullet that requires the Proponent to discuss its history and experience utilizing technologies or approaches that are relatively unique or novel to comparable areas or sites in Nunavut and/or the Canadian Arctic. These would specifically include the use of airships, SMART and/or mobile mining, kimberlite pipe (vertical) mining, long distance power transmission corridor/line, and use of a modular nuclear reactor for power generation. A discussion of any prior experience DeBeers or its team has in these areas would be appropriate.

QWB-03 — Project Design

QWB-03a 6.1 Project Design p. 22

"A discussion of how project design, particularly project infrastructure and site preparation, has been influenced by the distribution of archaeological resources and sites used for harvesting of **fish and** wildlife and quarrying of soapstone;"

The QWB suggests that the reference to "sites used for harvesting of fish and wildlife" in this bullet should include both current, historical and prehistorical sites. This should be clarified within the Guidelines.

QWB-03b 6.1 Project Description p. 23

"A description of the estimated contaminant and other material (physical and chemical) levels in the environment as well as estimated doses to members of the public after closure and remediation; and

QWB requests that this bullet be reworded to include phrasing that makes reference to the management of nuclear solid waste and a nuclear waste stream, including any coolant or other materials required for nuclear power generation.

QWB-04 — Engagement: Need for a Consultation Plan

Section 7.2.1 of the IS Guidelines (Valued Ecosystemic and Socio-Economic Components (p. 29)) states:

"The Proponent should also validate the choice of valued components, especially those valued components that will be used to assess the significance of proposed project component interactions, through engagement with the potentially affected communities, residents, public and knowledge holders, local organizations, designated Inuit organizations, Indigenous groups, other governments or organizations, and interested individuals,..."

At this point, DeBeers does not have a clear project description available, and it is unable to provide certainty in its responses to questions about project components and/or impacts related to them - this is apparently due to the unknown likelihood for inclusion of some components in final development plans.

It is unclear how the Proponent plans to conduct effective public engagement and consultation with our organization and community Hunters and Trappers Organizations around selection of V/SECs and project interactions without a clearer and more defined scope of project activities. The QWB requests that the Proponent be required to file its consultation plan with the NIRB for review and public comment prior to consulting on impacts of the project and/or selection of V/SECs. Please also refer to a specific recommendation to address this engagement issue on an on-going basis in "Engagement: Need for an On-going Communication Venue" near the end of this submission.

QWB-05 — LSA and RSA

Inclusion of abbreviations in Definitions and in 7.2.2.1 Spatial Boundaries (p.30)

The QWB suggests the terminology for “Local Study Area” in both the Definitions and Spatial Boundaries sections be revised to: “Local Study Area (LSA)”; and “Regional Study Area (RSA)”.

Providing consistency in the use and explanation of the abbreviations LSA and RSA and their definitions is important given these terms and abbreviations are used multiple times through the Guidelines.

QWB-06 — Surface Disturbance

8.1.4.2 Impact Assessment (Terrestrial Environment) (p. 46)

vi) "Discussion should focus on the potential for impacts arising from surface disturbances due to construction (e.g., overburden stripping, mine pit creation, cuts/fills, excavation) of the facility and infrastructure;"

The QWB suggests that the above wording be revised to the following:

vi) "Discussion should focus on the potential for impacts arising from surface disturbances due to construction (e.g., overburden stripping, mine pit creation, cuts/fills, excavation, **vertical mining of kimberlite pipes**) of the facility and infrastructure;"

QWB-07 – Inclusion under Hydrological Features and Hydrogeology

QWB-07a 8.1.6.1 Baseline Information (p. 48)

The QWB requests that the NIRB include the following suggested text, or add such descriptions, likelihoods and modelling in part v of this section:

xi. Descriptions, likelihood and modelling of potential hydrological effects in each affected watershed of the RSA and LSA under scenarios of accelerated melting of existing glaciers under various potential regimes of climate change;

QWB-07b 8.1.6.2 Impact Assessment (Hydrological Features and Hydrogeology) (p. 48)

"i...This should include **migration** contingencies if the watercrossing does not function as intended;

Please confirm whether “migration” here should instead read “mitigation”.

QWB-07c 8.1.6.2 Impact Assessment (Hydrological Features and Hydrogeology) (p. 48)

The QWB requests that the NIRB include the following additional bullet, or incorporate such descriptions in other parts of this section:

- xi. Potential impacts and changes caused under scenarios of accelerated melting of existing glaciers under various potential regimes of climate change;

QWB-08 — Inclusion of Project Components in Requirements

QWB-08a 8.1.7.2 Impact Assessment (Ground Water and Surface Water Quality) (p. 50)

“The Proponent is required to present a comprehensive impact analysis for all Project components and activities, including its shipping activities where applicable, on groundwater and surface water quality.”

Since shipping activities are explicitly referenced, the QWB suggests that the NIRB revise this statement slightly to reflect proposed project activities that should also be included, with the following wording:

“The Proponent is required to present a comprehensive impact analysis for all Project components and activities, including its shipping activities, **all-weather or winter road construction and use, water pipeline withdrawals, and nuclear and other power generation**, where applicable, on groundwater and surface water quality.”

QWB-08b 8.1.7.2 Impact Assessment (Ground Water and Surface Water Quality) (p. 50-51)

Similarly, the QWB suggests revision to the following bullets, with proposed re-wording to include the **red text**:

“vi. Potential impacts on groundwater quality and surface water quality from **use of water or other components in nuclear reactor coolant systems, project-generated** dust, ARD and ML resulting from waste rock stockpiles, ore stockpiles, open pit and underground mine dewatering, construction fills, embankment of roads, and open quarry sites;”

“xiii. Potential impacts on groundwater and surface water quality in relation to other site waste management activities, including: storage, handling, waste deposition in landfills; landfarming of contaminated soil or runoff; the management of historical contaminated material (e.g. previous spills, mishaps, releases); **management of nuclear waste stream**; and sewage effluent discharges;”

QWB-08c 8.1.7.2 Impact Assessment (Ground Water and Surface Water Quality) (p. 50)

QWB requests that the NIRB clarify how the waste(s) from nuclear power generation is included within the consideration of impacts to the various (and specific) Valued Ecosystem Components throughout the IS Guidelines.

QWB-09 — Terrestrial Wildlife and Wildlife Habitat

QWB-09a 8.1.11 Terrestrial Wildlife and Wildlife Habitat

The QWB suggests that the NIRB revise the opening paragraph of this section to read as follows:

“For the purpose of the current Guidelines, terrestrial wildlife and wildlife habitat includes representative terrestrial mammals including: caribou (including habitat, migration, and behaviour), **polar bears, wolves, foxes, hares** and less conspicuous species that may be maximally exposed to contaminants; and wildlife migration routes and crossings.”

Muskoxen and wolverines are not known to occur or are very rare on southern Baffin Island, and do not need to be listed. If there are any sightings of these species, they should be recorded, but low sample size is unlikely to enable impact assessment. Red and arctic foxes, and arctic hares do occur on southern Baffin Island, and are meaningful food and fur resources for Inuit. Potential impacts on foxes and hares should be assessed.

QWB-09b 8.1.11.1 Baseline Information

The QWB suggests that the NIRB revise part iv. to read as follows:

iv. Description of the population health of identified VECs, with a discussion of contaminant loadings in representative species important to Inuit as a food source;

The QWB suggests that caribou should not be singled out as the only or main species for which population health and contaminants may be of concern. All wildlife species that Inuit harvest for food should be of concern.

QWB-09c & 09d 8.1.11.2 Impact Assessment

c. The QWB suggests that the NIRB revise part iii. to read as follows:

iii. Potential impacts on wildlife from ground traffic and air traffic disturbance **and related noise, vibrations and chemicals within each species sensory range**, particularly low-level flights (i.e., lower than 610 metres **above ground**) during critical periods (**e.g.**, caribou calving, post-calving **and wintering, wolf denning**). For this impact assessment, a delineated flight impact zone could be useful in determining the potential impact of flights on wildlife, with a particular focus on critical life cycle periods and planned air traffic volume and routes;

- d. The QWB also suggests that the NIRB revise part vi. to read as follows:
- vi. Potential impacts of noise and vibration on wildlife **within each species sensory range**, from drilling, blasting and other activities as results of Project construction and operation;

Wildlife species are largely sensitive to noise at frequencies and distances that humans cannot hear (e.g., caribou can hear ultrasonic sounds and noise similar to dogs over a wider range, 30 to 16,000 Hz)². Also, Inuit recognize that wildlife have sense organs that humans lack (e.g., the soft tissue between the toes of caribou hooves, homologous with the soft sensitive tissue under human finger nails). Wildlife can sense and be disturbed by ground and other vibrations, irregular ground patterns caused by tires or tracks, even when covered by snow. The QWB can share more specific information if requested.

QWB-09e 8.1.11.2 Impact Assessment

The QWB suggests that the NIRB add part xiii as follows:

- xiii. Potential impacts of wind turbines on caribou during project construction and operation, specifically during the calving and post-calving seasons.**

Female reindeer are known to keep their calves out of sight of wind turbines during the calving and nursing periods³. This could lead to areas of critical habitat being unavailable to caribou and their calves during this critical period. Potential responses of caribou to wind turbines may be used to determine the location of wind turbines to minimize some impacts on caribou calving and post-calving.

Reindeer is the same species as Baffin Island caribou. There are both domesticated, semi-domesticated and wild populations of reindeer in Europe and Asia. Despite the domestication process, reindeer within Sami reindeer-herding systems exhibit similar patterns of large-scale avoidance of anthropogenic disturbance as wild reindeer and caribou, although the strength of their response may sometimes differ.⁴

QWB-09f 8.1.11.2 Impact Assessment

The QWB suggests that the NIRB add part xiv as follows:

- xiv. Potential impacts of electrical transmission lines on caribou throughout the year, especially from September to March.**

2 Perra et al. 2022. Exploring auditory thresholds for reindeer, *Rangifer tarandus*. Journal of Veterinary Behavior 52–53: 37-44,

3 Skarin et al. 2018. Out of sight of wind turbines—Reindeer response to wind farms in operation. Ecology and Evolution 8: 9906–9919.

4 Skarin and Åhman. 2014. Do human activity and infrastructure disturb domesticated reindeer? The need for the reindeer's perspective. Polar Biology 37: 1041–1054.

Reindeer often avoid linear infrastructure, including overhead electrical transmission lines. Recent research shows that reindeer can see significant amounts of ultraviolet light emitted by transmission lines, but humans cannot see this type of light⁵.

QWB-10 — Employment

8.2.2.1 Baseline Information (Employment) (p. 63)

“iv. Provide sector specific breakdown of employment within the NSA and as such may also pertain to Yellowknife, NT;”

The QWB requests a revision of this item as follows:

iv. Provide sector-specific breakdown of employment within the NSA and as such may also pertain to Yellowknife, NT, **with attention to employment of Inuit, and self-employment provided through wildlife harvesting as a specific sector using available historical published data.**

The QWB requests that any sector specific employment analysis for Qikiqtaaluk Region, or part thereof, should include wildlife harvesting as a valued occupation. At least two regional harvest studies are available as a basis^{6,7}. Wildlife harvesting provides self-employment to a significant proportion of Inuit in the Region, largely paid for by Inuit themselves. The QWB has estimated that wildlife harvesting provides about \$59 million of food annually⁸. Guided harvesting of non-Inuit provides additional income to guides and outfitters, but its dollar value has not been estimated.

The requirement to consider sector-specific employment information as it may pertain to Yellowknife, NT seems out of place. Is there a rationale for including employment data from the NT?

QWB-11 — Traditional Activity and Land Use

QWB-11a 8.2.6 Traditional Activity and Knowledge (p.65)

The IS Guidelines state:

“For the purpose of the current Guidelines, traditional activity and traditional knowledge shall consider land use, food security, language, cultural activities and commercial harvesting.”

5 Tyler et al. 2016. Cryptic impact: Visual detection of corona light and avoidance of power lines by reindeer. *Wildlife Society Bulletin* 40:50–58.

6 Donalson. 1988. Economic ecology of hunting – A case study of the Canadian Inuit. Ph. D. dissertation, Harvard University.

7 Priest and Usher. 2004. The Nunavut Wildlife Harvest Study. Nunavut Wildlife Management Board, Iqaluit.

8 Unpublished QWB-QIA Submission to the Nunavut Planning Commission, February 2023.

Can the NIRB confirm its understanding that “land use” by Inuit in this sense would include, but not be limited to, land and water use for the purposes of camping, all harvesting by Inuit, freshwater and marine water use, travel, fishing and others?

Under the Nunavut Agreement section 5.6.1, an Inuk has the right to harvest wildlife in the Nunavut Settlement Area up to the full level of his or her economic, social, and cultural needs; therefore, there is no agreed-upon definition of commercial harvesting by Inuit that might be distinct from “harvesting”.

The QWB requests that the NIRB reword the above section to the following:

“For the purpose of the current Guidelines, traditional activity and traditional knowledge shall consider land and water use, food security, language, cultural activities and all harvesting by Inuit.”

QWB-11b 8.2.6.1 Baseline Information (p.66)

The IS Guidelines state:

“iv. Describe the use of caribou as a subsistence species, including harvesting, sustainable use of caribou, and the cultural and social activities associated therein, to specifically include hunting, community feasts, and the commissioning of arts and crafts; and”

The QWB requests the NIRB clarify why caribou are the focus for this bullet, and why a baseline understanding of the use of other key species for Inuit (i.e. other terrestrial mammals, marine mammals, birds, fish, shellfish) are not also included here. If other species should also be included in the baseline evaluation, QWB requests the bullet be reworded as such.

QWB-12 — Impacts on Traditional and Non-Traditional Land Use

8.2.6.2 Impact Assessment (p. 66)

ii. Potential impacts related to accessibility to areas for hunting, fishing, marine harvesting, traveling, recreational and religious activities as a result of the Project development, including a consideration of individual components such as all-weather roads and marine shipping;

8.2.7.2 Impact Assessment (p. 67)

“ii. Discussion of anticipated interactions between project development and land use activities by local residents in the Project RSA, in particular at the mine site, all-weather road and shipping routes; and”

QWB requests that both of the above bullets be updated to also make specific reference to a winter road, wind turbines, a water pipeline and a transmission line (from Iqaluit to site). These infrastructure components have the potential to significantly impact both traditional and non-traditional land use, and land users, and should be incorporated into the requirements set forth.

Revised Scope List

QWB-S01 — Project Description

The QWB notes that the NIRB's Scope List (p.1) incorporates subjective language in describing the project: "De Beers proposes to use a "FutureSmart Mining" approach for the development and operation of the proposed mine, allowing for relatively small Kimberlite pipes to be mined using largely remote mining techniques and mobile camps..." (emphases added)

The QWB is uncertain how the NIRB defines "relatively small open pits". Similarly, it is unclear what proportion of mining and camps will be remote (40%, 90%?). The use of "relatively small" and "largely remote" to describe the project are ambiguous. We suggest that the NIRB remove these and similar qualifiers when referencing project components. The Proponent may provide depictions of its activities when project materials are filed, but we suggest that the NIRB use standardized clear language in Scope and IS documents, for the sake of clarity and to prevent confusion amongst reviewers and translators.

QWB-S02 — Project Description

The Revised Scope List makes few references to the small modular nuclear reactor within the Project Description sections (p.1-2).

QWB suggests the Scope List include: "Storage and use of fuel for nuclear reactor", "Management of nuclear waste stream, including during closure", as well as any other specific project activities that would be needed to utilize a nuclear reactor as a power source.

QWB-S03 — Editorial Comment

Please update the term "burrow pits" to "borrow pits", or clarify what was meant by this term (p. 2).

QWB-S04 — Scope of Assessment

- "q. Traditional activity and knowledge and community knowledge including:
 - i. Land use"

As identified in QWB-01 above, the definition of QWB suggests for q(i) be revised to: “Land and water access and use” (p. 4).

QWB-S05 — Scope of Assessment: New Technology

Item 10 within the Scope of the Assessment states:

"10) Any other relevant information or matters

The scope of the assessment will include any other matters that the NIRB considers relevant, including:

- a. Technical innovations previously untested in the Arctic including new technology for port and road design and operations, use of nuclear reactors, airships, and new mining technologies” (p. 7)

It is apparent to the QWB that airships, modular nuclear reactors, and certain mining techniques proposed by DeBeers have not been utilized at remote projects (or communities) within the Canadian Arctic prior to this Project. QWB requests that these be mentioned here, to acknowledge these as untested activities/technologies in the Canadian Arctic.

Additional Comments

Detail lacking on project description

DeBeers Project Summary filed with the NIRB on September 7, 2022 indicates that “Completion of the PFS [pre-feasibility study] is anticipated in 2023. Feasibility studies on selected options will then begin and a summary of alternatives will be prepared.”

Further, it indicates that its Chidliak “Project Proposal will later be refined following completion of the PFS and that a detailed Project Description will be provided at that time for consideration by NIRB as part of the Impact Assessment.”

Given that the PFS is not yet complete, and that DeBeers plans to refine its Project Proposal and Project Description following a selection of options, the QWB is concerned that the IS Guidelines and Scope may need extensive refinement and revision. Specifically, during a presentation delivered during an August 8, 2023 meeting of the QWB and the affected HTOs, DeBeers indicated that the likelihood of moving forward with a small (micro) nuclear reactor for the Chidliak project was “very low”. The representative cited cost, the preference for DeBeers to find another customer to share the power generation (which has not been confirmed), and the fact that the technology they are planning to use is not actually commercially available at this time. Similar statements were made related to air ships.

The QWB is not confident that the current Scope and IS Guidelines are sufficiently developed to inform the inclusion of nuclear energy, air ships, power transmission lines from Iqaluit, and other project alternatives within a future EIS. The QWB would expect to

see details in the IS related to the small nuclear reactor design, coolant materials, considerations for safety and cost of managing nuclear waste stream (and explanation of the influence that reactor type, size, and fuel cycle has on the waste stream and management plans), as well as noting the characterization of the nuclear reactor's fissile, radiological, physical, and chemical properties.

Similarly, the Proponent has included a multitude of options for power generation, five (5) different methods of access to resupply the site, and the potential for but uncertain use of remote mining technology with an unknown number of employees working at an as-yet un-defined location; this could be in southern Canada, somewhere in Nunavut, or elsewhere entirely.

Having such great uncertainty with regard to the project description is not conducive to defining a "project scope" readily understood by the public at this point. We have concerns about the ability for DeBeers to adequately engage Nunavummiut to collect clear and unambiguous feedback and knowledge relevant to their actual, yet-to-be defined project. How can Nunavummiut be asked to provide input on, and engage with, a project proposal that in many ways is still undefined?

Given these uncertainties and if the NIRB moves forward with issuance of the IS Guidelines and Scope following the August workshop, the QWB requests that once preferred alternatives are selected and the Proponent is prepared to move forward with developing its EIS, that the NIRB commit to providing parties with an opportunity to revisit the Scope and IS Guidelines and provide comment and feedback on the acceptability of both in the context of the defined alternatives, and potentially issue revised Scope and Guidelines once DeBeers significantly narrows down their options.

Engagement: Need for an On-going Communication Venue

Inuit systems of wildlife management are specifically recognized in the Principles of Article 5 on Wildlife in the Nunavut Agreement (see section 5.1.2(e)). The QWB suggests that a venue is needed to communicate with the HTOs and the QWB on an on-going basis during the assessment process.

The QWB recommends the establishment of a Chidliak Inuit Wildlife and Environment Advisory Committee (CIWEAC) to enable engagement with Inuit on systems of wildlife habitat management and environmental impacts. Membership of the CIWEAC could include two representatives of each of the three affected HTOs, and two representatives of the QWB, with the QWB representatives acting as CIWEAC Chairperson and Vice-Chairperson. The CIWEAC could be an Inuit advisory body to the NIRB and DeBeers. Any decisions by the HTOs, the QWB and other parties would be made independently through their existing governance processes. The CIWEAC could meet at least quarterly. An annual in-person meeting at the Chidliak site should be considered. The operations of the CIWEAC could be funded by DeBeers.

Consultation and Engagement

Consultation and engagement with Inuit must be undertaken in a fulsome way that is respectful of their role as rights holders, as historic land users and as land owners. The QWB requests that the NIRB, DeBeers, and QIA (if appropriate) present plans for consultation and engagement so that we may provide feedback, and to ensure we are being engaged and consulted in a way that is meaningful and acceptable to us. Please refer to our specific recommendations above on issues of engagement.

Process Timelines

QWB and our constituent HTOs have often found the NIRB process timelines and schedules to be hurried; our request for additional time and space to engage in the discussions needed to assess this major development was denied - though it must be noted that we did agree to a compromise which allowed our input to the Scope be provided via this current submission. The NIRB has set out onerous timelines for the scoping phase, along with an unwillingness to extend a comment period for community-based Inuit organizations to complete our work prior to moving forward, does not show that you value our input to the timeline or the content. Neither the QWB nor the affected HTOs could effectively participate in the NIRB's community meetings in June 2023. Hurried timelines that prejudice impacted parties are not appropriate, especially given the importance of this major development and our intervention as rights holders under section 35 of the Canadian Constitution. The QWB and the affected HTOs are the only Inuit organizations responsible for wildlife harvesting and its management in Article 5 of the Nunavut Agreement related to the Chidliak project.

During this assessment, as is the way with Inuit, we plan to communicate with each other to come to agreements on things, and we plan to communicate with affected HTOs, QIA and Nunavut Tunngavik Incorporated as well. These things take time. Our offices are small, many having only one staff person, and part time Board members fulfilling many other roles in our communities and families. We do not have full time staff dedicated to this process. The participant funding provided by the Government of Canada, while truly appreciated, should not be seen as a substitute for a process that is mindful and respectful of meaningful Inuit participation. This process and the NIRB's comment period(s) were triggered and in place even before funding had been provided to our organizations.

We request that the NIRB consult with community-based Inuit organizations on its proposed timelines and that it be responsive to requests for adjustments based on timing of harvesting activities, community needs, and the limitations on human resources each of our organizations are dealing with. We are not suggesting a lagging process that drags on without cause, but rather are asking for your understanding and support for us as Nunavut-based Inuit organizations. We require sufficient time, determined by the QWB and affected HTOs, to engage in this important work that you have set before us. DeBeers' acknowledgement and support of this request would be a helpful support to moving forward in a way that enables adequate consultation.

Closing

We understand the NIRB has scheduled an IS Guidelines Workshop in Iqaluit on August 28 and 29, 2023 to discuss technical comments ahead of finalizing the Scope and issuing the IS Guidelines. The QWB plans to have delegates in attendance and looks forward to the opportunity to discuss our submission with all parties.

Should you have any questions or require further information regarding our submission, please contact Mike at MFerguson@niws.ca

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Ferguson", is shown on a light blue background.

Michael Ferguson, Ph.D.
Director, Wildlife and Environment
Qikiqtaaluk Wildlife Board

cc: James Qillaq, Chairperson, QWB
Kolola Pitsiulak, Executive Director, QWB
Killiktee Padluq, Chairperson, Mayakalik HTA
Simeonie Keenainak, Chairperson, Pangnirtung HTA
Jimmy Akavak, Chairperson, Amaruq HTA
Amanda Hanson-Main, Consulting Technical Advisor, QWB