



**GHOTELNENE
K'ODTINEH DENE**

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August 8, 2024

By Email

Nunavut Impact Review Board
P.O. Box 1360, 29 Mitik St.
Cambridge Bay, NU X0B 0C0

Attention: Dionne Filiatrault
Executive Director

Dear Ms. Filiatrault,

RE: Comments on Nunavut Impact Review Board Revised *Draft* Standard Impact Statement Guidelines

Sayisi Dene First Nation and Northlands Denesuline First Nation (collectively referred to as "Ghotelnene K'odtineh Dene") are pleased to provide written comments on the Revised Draft Standard Impact Statement Guidelines. Ghotelnene K'odtineh Dene appreciated the opportunity to provide preliminary comments on May 5, 2023.

Ghotelnene K'odtineh Dene view the policies and procedures adopted by the Nunavut Impact Review Board (the "Board") as essential to ensuring that the rights and interests of Ghotelnene K'odtineh Dene are properly considered and respected through the processes undertaken by the Board. The Board's responsibility to ensure that Ghotelnene K'odtineh Dene's rights and interests are considered was stated by the Minister of Northern Affairs in a decision letter, dated January 31, 2022:

The responsible Ministers would like to confirm that Canada acknowledges the asserted and established Section 35 rights of Ghotelnene K'odtineh Dene in Nunavut. In addition, we highlight the Board's responsibility to consider the potential impacts of projects on these rights and interests. Ghotelnene K'odtineh Dene have used and lived on and continue to use and live on the lands and waters that are part of the Qamanirjuaq caribou herd's habitat, both inside and outside of Nunavut.¹

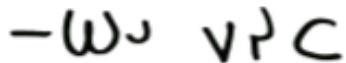
¹ Letter from Minister Daniel Vandal to Kaviq Kaluraq, Nunavut Impact Review Board, dated January 31, 2022 (NIRB Registry File Name: 220131-11MN034-Ministers Response Re NIRB Reconsideration Report-ICHE)

Furthermore, the Crown in right of Canada purports to rely upon the Board's assessment process, and associated proceedings, to assist in discharging the Crown's duty to consult with Ghotelnene K'odtineh Dene when a project may potentially affect Ghotelnene K'odtineh Dene rights or interests. If Ghotelnene K'odtineh Dene is not given adequate consideration in the Board's processes, including the Standard Impact Statement Guidelines, this may require a far more extensive Crown consultation process after the Board's final report and recommendations are issued, possibly resulting in additional variations in the final decision. This is likely to reduce the efficacy of the assessment process and is not in the interests of any party.

Please find appended to this letter Ghotelnene K'odtineh Dene's comments on the Revised Draft Standard Impact Statement Guidelines.

We would like to thank the Board for the opportunity to share these comments. We look forward to continued discussion with the Board and other interested parties on the Revised Draft Standard Impact Statement Guidelines and the opportunity to provide further comments.

Masi Cho,



Geoff Bussidor
Chief Negotiator
Sayisi Dene First Nation



Benjamin Denechezhe
Chief Negotiator
Northlands Denesuline First Nation

Comment Number	NDFN/SDFN-1
Subject:	Inclusive References to Indigenous Peoples
Reference:	See Schedule “A”
Priority:	High
Background/ Rationale:	<p>Ghotelnene K’odtineh Dene are Indigenous peoples with inherent rights in Nunavut. As noted in the covering letter, these rights were acknowledged by the Minister of Northern Affairs in a decision letter to the Board, dated January 31, 2022, as asserted and established Section 35 rights under the <i>Constitution Act, 1982</i>. The decision letter also highlighted the Board’s responsibility to consider the potential impacts of projects on these rights and interests.</p> <p>As such, it is critical that Ghotelnene K’odtineh Dene and other non-Inuit Indigenous rights holders are properly incorporated into the wording of the Standard IS Guidelines.</p>
Recommended to Address Issues:	Ghotelnene K’odtineh Dene’s recommended revisions are set out in Schedule “A”, attached.

Comment Number	NDFN/SDFN-2
Subject:	Indigenous Knowledge
Reference:	Definitions and Terms, "Indigenous Knowledge", Page 7. See Schedule "B"
Priority:	High
Background/ Rationale:	<p>Indigenous knowledge is a concept that must be properly reflected in the Standard IS Guidelines. Indigenous knowledge is the basis for Ghotlenene K'odtineh Dene's way of knowing what is true and establishes the world view that shapes and forms Ghotlenene K'odtineh Dene's history, culture, way of life and inherent rights. It is essential that Ghotlenene K'odtineh Dene's Indigenous knowledge is treated appropriately in order for their Aboriginal and treaty rights to be properly understood and respected through the Board's processes.</p> <p>The Nunavut Agreement and the <i>Nunavut Planning and Project Assessment Act</i> do not in any way preclude or limit the consideration of Indigenous knowledge by the Board. Further, Section 40.1.2 of the Nunavut Agreement provides that nothing in the Nunavut Agreement or related legislation may be interpreted to abrogate or derogate from the Aboriginal or treaty rights of other Indigenous peoples.</p> <p>The Draft IS Guidelines include a detailed definition of "Inuit Qaujimajatuqangit". Inuit Qaujimajatuqangit is also addressed extensively throughout the Draft IS Guidelines, such as its inclusion as a guiding principle in Part 2 (detailed at 2.1 Inuit Qaujimajatuqangit), properly integrated into Section 4.4.2 (Inuit Qaujimajatuqangit, Indigenous Knowledge and Community Knowledge), and the development of a topic-specific guidance document "Proponent Inuit Qaujimajatuqangit Guidance Document". While Ghotlenene K'odtineh Dene is not in a position to comment on the substance of the parts of the Draft IS Guidelines related to Inuit Qaujimajatuqangit, the Board's commitment to the application of Inuit Qaujimajatuqangit throughout the Draft IS Guidelines is commendable. A similar commitment to Indigenous Knowledge is appropriate and necessary.</p>
Recommended to Address Issues:	Ghotlenene K'odtineh Dene submit that the Board must commit to develop a comprehensive definition of Indigenous

	<p>Knowledge through collaboration with Indigenous peoples. Indigenous Knowledge should be incorporated and appropriately reflected throughout the Standard IS Guidelines, in a manner similar to Inuit Qaujimajatuqangit, including the full incorporation of Indigenous Knowledge into Sections 2.1 and 4.4.2 and the development of a Proponent Indigenous Knowledge Guidance Document.</p> <p>In addition to the recommendations above, Ghotelnene K'odtineh Dene submit that there are several instances throughout the Draft IS Guidelines where references to "Indigenous Knowledge and Community Knowledge" must be added. Ghotelnene K'odtineh Dene's recommended revisions are set out in Schedule "B", attached.</p>
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Comment Number	NDFN/SDFN-3
Subject:	Potentially Impacted Communities
Reference:	4.4.1.2 Participants in Engagement, page 21 of Part 4
Priority:	Low
Background/ Rationale:	This section states that “Potentially impacted communities refer to municipalities identified as having the potential to be impacted by activities associated with a proposed project.” This is inconsistent with the definition of “Potentially impacted community”, which provides that “[s]uch communities may be defined physical entities or comprised of dispersed populations in the area of influence of a project.”
Recommended to Address Issues:	Section 4.4.1.2 should be updated to reflect the language in the defined term “Potentially impacted community”.

Comment Number	NDFN/SDFN-4
Subject:	Indigenous Group asserting s. 35 rights
Reference:	4.4.5.5 Transboundary Impacts and Impacts to Indigenous Groups asserting s. 35 Rights, page 47 of Part 4
Priority:	High
Background/ Rationale:	<p>In this section, the following paragraph addresses certain Indigenous Groups asserting s. 35 rights:</p> <p><i>There are areas within and outside of the designated area that Indigenous groups from different jurisdictions have traditionally used and continue to use and have equal access and rights to. If components of a proposed project are located within these areas in the designated area, the NIRB is required to recognize the appropriate Indigenous Groups asserting s. 35 rights. The Proponent must adhere to direction from the Federal government regarding consultation requirements with Indigenous Groups asserting s. 35 rights. Indigenous Groups asserting s. 35 rights refer to Inuit and Indigenous rights holders as recognized under Article 40 of the Nunavut Agreement, including Inuit of Northern Quebec, First Nations in Northern Manitoba, First Nations in Northern Saskatchewan, Makivik, Nunavik, Eeyou Marine Region (James Bay and Northern Quebec), Sahtu Settlement Region, Wek'èezhii or Tłıchq Settlement Region, Mackenzie Valley, Overlapping Treaty Areas in the Northwest Territories, Nunatsiavut, and Greenland/Denmark.</i></p> <p>However, the letter from the Minister of Northern Affairs to the NIRB, dated January 31, 2022, stated:</p> <p><i>The responsible Ministers would like to confirm that Canada acknowledges the asserted and established Section 35 rights of Ghotelnene K'odtineh Dene in Nunavut. In addition, we highlight the Board's responsibility to consider the potential impacts of projects on these rights and interests.</i></p> <p>The location of the components of a proposed project does not determine the NIRB's responsibility to recognize the appropriate Indigenous Groups asserting s. 35 rights. It is the potential impact of a proposed project on the Section 35 rights</p>

	<p>and interests of an Indigenous Group asserting s. 35 rights that determines the NIRB's responsibility to recognize the Indigenous Groups asserting s. 35 rights.</p> <p>The characterization of "Indigenous Groups asserting s. 35 rights" in this paragraph as referring to "Inuit and Indigenous rights holders as recognized under Article 40 of the <i>Nunavut Agreement</i>..." is also inconsistent with the definition of "Indigenous Groups asserting s. 35 rights" on page 7.</p>
Recommended to Address Issues:	<p>Ghotelnene K'odtineh Dene recommend the paragraph be redrafted as follows:</p> <p><i>The NIRB is required to recognize and consider the potential impact of a proposed project on the rights and interests of Indigenous Groups asserting s. 35 rights in the designated area. The NIRB must adhere to direction from the Federal government regarding consultation requirements with Indigenous Groups asserting s. 35 rights. Indigenous Groups asserting s. 35 rights refer to Inuit and Indigenous rights holders with asserted and established Aboriginal and Treaty rights of the Aboriginal Peoples of Canada as recognized and affirmed under the Constitution Act, 1982.</i></p>

Comment Number	NDFN/SDFN-5
Subject:	Definition of “Potentially Impacted Community”
Reference:	Definitions and Terms, “Potentially Impacted Community”, Page 9.
Priority:	High
Background/ Rationale:	The definition indicates that “[s]uch communities may be defined physical entities or comprised of dispersed populations in the area of influence of a project.” This definition may not capture the larger concept of “community” for a particular Indigenous Group asserting s. 35 rights. Communities may include individuals that do not live within a defined area or within the area of influence of a project as a result of socioeconomic factors and/or the impacts of colonialism. These individuals may remain members of the community and continue to have the right to exercise their inherent rights over their traditional territory.
Recommended to Address Issues:	<p>Ghotelnene K’odtineh Dene recommend the definition be redrafted as follows:</p> <p><i>A community or communities with the potential to be impacted, either positively or negatively, by a proposed project or development. Such communities may be defined physical entities or comprised of dispersed populations <u>that are members of an Indigenous Group asserting s. 35 rights</u> in the area of influence of a project.</i></p>

Schedule “A” Inclusive References to Indigenous Peoples

1. Definitions and Terms, “Well-Being”, page 10.
Appendix E: Baseline and Impact Considerations, Table 23: Baseline Considerations Socio-Economic Environment, page 101 of Part 5.
Appendix E: Baseline and Impact Considerations, Table 24: Impact Assessment Considerations Socio-Economic Environment, pages 107 of Part 5.

Propose to revise as follows:

Well-being *Specific indicators of well-being for a particular impact assessment must be identified by the potentially impacted communities, in collaboration with the Regional Inuit Association or relevant organizations representing Indigenous Groups asserting s. 35 rights. Factors to be assessed at the individual and community levels typically include, but are not necessarily limited to, the following:*

- *~~Inuit Qaujimajatuqangit~~ Principles and values of Inuit Qaujimajatuqangit and Indigenous Knowledge;*
- *Cultural continuity and language;*
- *Social, physical and mental health;*
- *Connection to the land (including ~~Inuit~~ food harvesting and food security/food sovereignty of Inuit and Indigenous Groups asserting s. 35 rights); and*
- *Access to training, education and employment opportunities.*

[Note this comment is repeated in SDFN/NDFN-2]

2. 2.2 Public Engagement, page 28. Propose to revise as follows:

It is important that Proponents define expectations with potentially impacted communities. Proponents are encouraged to reach out to respective Authorizing Agencies as well as the appropriate Designated Inuit Organizations, relevant organizations representing Indigenous Groups asserting s. 35 rights and other organizations.

3. 2.3 Precautionary Principle, page 30. Propose to revise as follows:

- *demonstrate that Inuit Qaujimajatuqangit, Indigenous Knowledge, and Community Knowledge is considered in a fulsome way that is consistent with the precautionary principle of not requiring “certainty” to establish the potential for harm to ecosystemic components such as the:*
 - *marine environment;*
 - *socio-economic components such as culture, food security, land use;*
 - *rights of Inuit and Indigenous Groups asserting s. 35 rights such as harvesting and self-determination; and*

- *inter-related socio-ecological systems.*

4. 3.1.3 Use of Existing Information, page 36. Propose to revise as follows:

Further, the Proponent shall ensure that Inuit Qaujimajatuqangit, Indigenous Knowledge, and Community Knowledge used from databases receives input from the applicable Regional Inuit Association(s), relevant organization(s) representing Indigenous Groups asserting s. 35 rights and/or Knowledge holders on applicability.

5. 4.2.1 Proponent Information, page 8 of Part 4. Propose to revise as follows:

- *record of any corporate policies, codes of practice, programs, or plans concerning the environment and sustainability. Information shall be provided on how its plans, policies, and programs align with and recognize the importance of Inuit-the laws, norms, and societal values of Inuit and Indigenous Groups asserting s. 35 rights;*

6. 4.2.4 Regulatory Regime, page 10 of Part 4. Propose to revise as follows:

This would include laws, standards, societal laws of Inuit ~~societal laws~~ and Indigenous Groups asserting s. 35 rights, regulations, policies, guidelines resource management plans, land use plans, any relevant regional studies or strategic assessments relating to all project phases from project approval to post-closure activities.

7. 4.3.2.1 Alternatives, page 16 of Part 4. Propose to revise as follows:

Where different routes are being considered for components such as roads and transmission line corridors, the Proponent must demonstrate strong consideration of Inuit Qaujimajatuqangit, Indigenous Knowledge and Community Knowledge and avoidance of impacts on the values of Inuit ~~values~~ and Indigenous Groups asserting s. 35 rights.

Note this comment is repeated in SDFN/NDFN-2.

8. 4.4.2 Inuit Qaujimajatuqangit, Indigenous Knowledge, and Community Knowledge, page 23 to 26 of Part 4. Below are some of the proposed revisions.

Page 23

Applicable Inuit protocols and protocols of Indigenous Groups asserting s. 35 rights were followed for the collection, protection, and use of Inuit Qaujimajatuqangit, Indigenous Knowledge and Community Knowledge and this is demonstrated in the Proponent's

submissions. The information shared has been validated. [Note this comment is repeated in SDFN/NDFN-2]

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~~*Inuit perspectives*~~ *Perspectives of Inuit and Indigenous Groups asserting s. 35 rights on what constitutes a significant impact and whether the project will cause or contribute to significant adverse impacts are integrated into the Impact Statement.*

Project design from the outset and throughout the impact assessment (e.g., Are there important sites that should be avoided in project routing and siting? Are there alternative approaches to project design? How will Inuit and Indigenous Groups asserting s. 35 Rights be able to use the land post-closure?);

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How Inuit Qaujimajatuqangit, Indigenous Knowledge, or Community Knowledge is described, as well as the protocols for the collection, protection, and use of Inuit Qaujimajatuqangit, Indigenous Knowledge, or Community Knowledge will differ by regions and even communities. Proponents are strongly encouraged to engage with the applicable Regional Inuit Organization, organizations representing Indigenous Groups asserting s. 35 rights and local organizations for their respective processes and best practices developed (see Appendix C for a list of potential organizations to engage with in Nunavut as well as neighbouring jurisdictions). Proponents are reminded that, while related, public engagement and gathering of Inuit Qaujimajatuqangit, Indigenous Knowledge and Community Knowledge are different exercises (see Section 4.4.1 for requirements related to Public Engagement). [Note this comment is repeated in SDFN/NDFN-2]

9. 4.4.2.1 Methods for Gathering Inuit Qaujimajatuqangit, Indigenous Knowledge, and Community Knowledge, page 26 of Part 4. Propose to revise as follows:

- *Appropriate protocols acceptable to impacted Inuit communities and the communities of Indigenous Groups asserting s. 35 rights for repatriation and long-term storage of Inuit Qaujimajatuqangit, Indigenous Knowledge, and Community Knowledge, acknowledging the owners of this data.*

10.4.4.2.3 Managing Confidential Information, page 27 of Part 4. Propose to revise as follows:

Proponents should work with Knowledge holders and Designated Inuit Organizations and/or organizations representing Indigenous Groups asserting s. 35 rights on the appropriate methods of storing and sharing information shared. There may be instances

when, with the consent of Knowledge holders, the Proponent may share confidential information with the Board to inform their decision-making.

11.4.4.3.3 Spatial Boundaries, page 31 of Part 4. Propose to revise as follows:

Where Inuit and/or other Indigenous Groups asserting s. 35 rights have identified alternative spatial boundaries, a rationale should be provided if they were not adopted.

12.4.4.4.1 Establishing Baselines, page 33 of Part 4. Propose to revise as follows:

Recognizing the relationships between valued components and Inuit Qaujimajatuqangit, Indigenous Knowledge and Community Knowledge and/or cultural practices, it is important that the Impact Statement reflects a holistic view of what the current state of the environment is, not just for a scientific view, but from ~~an Inuit lens~~ the lenses of Inuit and Indigenous Groups asserting s. 35 rights. [Note this comment is repeated in SDFN/NDFN-2]

13.4.4.5.3 Climate Change, c) Assessing Project Climate Change Resilience, pages 42 and 43 of Part 4. Propose to revise as follows:

Proponents shall refer to available resources from federal and territorial governments, Designated Inuit Organizations, organizations representing Indigenous Groups asserting s. 35 rights and technical knowledge to inform the understanding of the potential risks and vulnerabilities from climate change on the Project.

~~Evidence that Inuit perspectives and observations~~ the perspectives and observations of Inuit and Indigenous Groups asserting s. 35 rights on climate change, Inuit Qaujimajatuqangit, Indigenous Knowledge, Community Knowledge, and best available scientific knowledge has been applied to inform the understanding and assessment of potential future risks due to climate change.

14.4.5.2.4 Gender Based Analysis Plus (GBA+) and Culturally Relevant GBA+, pages 58 and 59 of Part 5. Propose to revise as follows:

While GBA+ is a fundamentally important framework for challenging systems which produce inequality, many Inuit thinkers and organizations and organizations representing Indigenous Groups asserting s. 35 rights have identified the need for what is sometimes called Culturally Relevant GBA+. This framing centres the impact of colonialism as a primary source of inequity. Here colonialism is understood as a complex and ongoing system which has disconnected Inuit and Indigenous Groups asserting s. 35 rights from their territories, resources, economic systems, governance, family systems, gender/sexual identities, spirituality, etc. Culturally Relevant GBA+, in centring colonialism as the source

of harm, also accounts for the rebuilding and strengthening Inuit cultures and the cultures of Indigenous Groups asserting s. 35 rights as a response to that harm.

15. Appendix E: Baseline and Impact Considerations, Table 21: Baseline Considerations Ecosystemic Environment, pages 83 to 86 of Part 5. Propose to revise as follows:

Vegetation...

- *These descriptions should include reference to species having significant ecological functions, and/or importance for the lives and cultures of Inuit life and culture and Indigenous Groups asserting s. 35 rights including Traditional Knowledge collected related to plants and plant use in the RSA.*

Terrestrial Wildlife and Wildlife Habitat

- *Health (i.e., contaminant loading in representative species important to Inuit and to Indigenous Groups asserting s. 35 rights as a food source).*
- *Distributions, migration routes and crossings in the RSA and associated timing when potential impacts from the Project as well as areas important for Inuit harvesting and harvesting by Indigenous Groups asserting s. 35 rights.*
- *Reference to species having significant ecological functions, and/or of importance for the lives and cultures of Inuit life and culture and Indigenous Groups asserting s. 35 rights.*

Birds and Bird Habitat

- *An overview of bird species, populations, distributions, and ecologies in the RSA, with emphasis on identified bird VECs and species with special designations (Species at Risk listed on Schedule 1 of the federal SARA a species with designations by the COSEWIC). This description should include reference to species having significant ecological functions, and/or importance for the lives and cultures of Inuit life and culture and Indigenous Groups asserting s. 35 rights.*

Marine Wildlife

- *Description of marine wildlife populations, distributions, and ecologies in the RSA, with emphasis on identified marine wildlife VECs and species with special designations (Species at Risk listed on Schedule 1 of the federal SARA and species with designations by the COSEWIC). This description should include reference to species having significant ecological functions, and/or of importance for the lives and cultures of Inuit life and culture and Indigenous Groups asserting s. 35 rights.*

16. Appendix E: Baseline and Impact Considerations, Table 22: Impact Assessment Considerations Ecosystemic Environment, pages 94 to 97 of Part 5. Propose to revise as follows:

Birds and Bird Habitat

- *Description of the potential loss, alteration, or isolation of habitat (e.g., staging and nesting habitats) from Project development (including from pollutants and noise) and activities and impacts on bird VECs. Special consideration should be given to Species at Risk listed on Schedule 1 of the federal SARA, species with designations by the COSEWIC, species having significant ecological functions or importance for the lives and cultures of Inuit life and culture and Indigenous Groups asserting s. 35 rights.*

Marine Wildlife

- *Potential loss to or deterioration in the habitat of marine wildlife VECs due to shipping route(s). Special consideration should be given to Species at Risk listed on Schedule 1 of the federal SARA, species with designations by the COSEWIC, species having significant ecological functions, and/or of importance for the lives and cultures of Inuit life and culture and Indigenous Groups asserting s. 35 rights.*

17. Appendix E: Baseline and Impact Considerations, Table 24: Impact Assessment Considerations Socio-Economic Environment, pages 106 of Part 5. Propose to revise as follows:

Way of life, traditional and/or aquatic uses (such as hunting, fishing, harvesting, gathering, and cultural expression and connection)

- *Potential impacts that contamination of traditional food sources, including those trapped, fished, hunted, harvested, or grown for subsistence or medicinal purposes (i.e., berries, etc.), may have on individuals, families, communities, and the ability of Inuit and other Indigenous Groups asserting s. 35 rights to engage in traditional lifestyles.*

Schedule “B” Indigenous Knowledge

1. Definitions and Terms, “Well-Being”, page 10.
Appendix E: Baseline and Impact Considerations, Table 23: Baseline Considerations Socio-Economic Environment, page 101 of Part 5.
Appendix E: Baseline and Impact Considerations, Table 24: Impact Assessment Considerations Socio-Economic Environment, pages 107 of Part 5.

Propose to revise as follows:

- Well-being* *Specific indicators of well-being for a particular impact assessment must be identified by the potentially impacted communities, in collaboration with the Regional Inuit Association or relevant organizations representing Indigenous Groups asserting s. 35 rights. Factors to be assessed at the individual and community levels typically include, but are not necessarily limited to, the following:*
- *~~Inuit Qaujimajatuqangit~~ Principles and values of Inuit Qaujimajatuqangit and Indigenous Knowledge;*
 - *Cultural continuity and language;*
 - *Social, physical and mental health;*
 - *Connection to the land (including ~~Inuit~~ food harvesting and food security/food sovereignty of Inuit and Indigenous Groups asserting s. 35 rights); and*
 - *Access to training, education and employment opportunities.*

[Note this comment is repeated in SDFN/NDFN-1]

2. 1.1 Document Key, page 13. Propose to revise as follows:

Part 2: Guiding Principles

Purpose: Outlining the key principles for the development of an Impact Statement and expectations for Proponents.

- *Inuit Qaujimajatuqangit and Indigenous Knowledge*
- *Public Engagement*
- *Precautionary Principle*
- *Sustainable Development*

3. 2.0 Part 2 – Guiding Principles, page 22. Propose to revise as follows:

Inuit Qaujimajatuqangit and Indigenous Knowledge, Public Engagement, the Precautionary Principle, and Sustainable Development are principles, or values, that guide the NIRB’s impact assessment processes.

4. 2.2 Public Engagement, page 26. Propose to revise as follows:

Public engagement and gathering of Inuit Qaujimajatuqangit, Indigenous Knowledge and Community Knowledge are different exercises (see Section 4.4.2 for requirements related to Inuit Qaujimajatuqangit, Indigenous Knowledge and Community Knowledge).

It should be noted that the title to Section 4.4.2 is “Inuit Qaujimajatuqangit, Indigenous Knowledge, and Community Knowledge”, although it includes minimal references to Indigenous Knowledge and Community Knowledge (see comment at SDFN/NDFN-2).

5. 2.3 Precautionary Principle, page 30. Propose to revise as follows:

- *identify any information or technical gaps and plans to understand and/or mitigate these gaps based on the current state of technical knowledge and Inuit Qaujimajatuqangit, Indigenous Knowledge and Community Knowledge for the Project area;*

6. 3.1 Study Strategy and Methodology, page 32. Propose to revise as follows:

Detailed requirements and guidance on the impact assessment methodology specific to public engagement, Inuit Qaujimajatuqangit, Indigenous Knowledge and Community Knowledge, scope, baseline and existing environment, and approach to the impact assessment are available in Section 4.4.

7. 3.1.2 Documentation, page 35. Propose to revise as follows:

The Impact Statement shall explain how the Proponent incorporated ~~Inuit observations~~ the observations of Inuit and Indigenous Groups asserting s. 35 rights, which are often qualitative and culturally defined through the lenses of Inuit Qaujimajatuqangit and Indigenous Knowledge, into all phases of project development.

8. 4.3.2.1 Alternatives, page 16 of Part 4. Propose to revise as follows:

Where different routes are being considered for components such as roads and transmission line corridors, the Proponent must demonstrate strong consideration of Inuit Qaujimajatuqangit, Indigenous Knowledge and Community Knowledge and avoidance of impacts on Inuit values and the values of Indigenous Groups asserting s. 35 rights.

Note this comment is repeated in SDFN/NDFN-1.

9. 4.4.1 Public Engagement, page 19 of part 4. Propose to revise as follows:

Public engagement and gathering of Inuit Qaujimajatuqangit, Indigenous Knowledge and Community Knowledge are different exercises (see Section 4.4.2 for requirements related to Inuit Qaujimajatuqangit, Indigenous Knowledge and Community Knowledge).

It should be noted that the title to Section 4.4.2 is “Inuit Qaujimajatuqangit, Indigenous Knowledge, and Community Knowledge”, although it includes little to no substance with respect to Indigenous Knowledge and Community Knowledge (see comment at SDFN/NDFN-2).

10.4.4.2 Inuit Qaujimajatuqangit, Indigenous Knowledge, and Community Knowledge, page 23 to 26 of Part 4. Below are some of the proposed revisions.

Page 23

Table 6: Requirements for Treatment of Inuit Qaujimajatuqangit, Indigenous Knowledge and Community Knowledge

Inuit Qaujimajatuqangit, Indigenous Knowledge and Community Knowledge Plan submitted. [Note that this appears to be the only reference to such a Plan]

The methodology used to gather, record, interpret, analyze, and synthesize Inuit Qaujimajatuqangit, Indigenous Knowledge and Community Knowledge is clearly described.

Applicable Inuit protocols and protocols of Indigenous Groups asserting s. 35 rights were followed for the collection, protection, and use of Inuit Qaujimajatuqangit, Indigenous Knowledge and Community Knowledge and this is demonstrated in the Proponent’s submissions. The information shared has been validated. [Note this comment is repeated in SDFN/NDFN-1]

Free, Prior, and Informed consent of Knowledge holders involved in Project Inuit Qaujimajatuqangit, Indigenous Knowledge and Community Knowledge studies granted to gather and apply the knowledge shared for the development of the Impact Statement.

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Proponents are required to incorporate Inuit Qaujimajatuqangit, as well as any Indigenous Knowledge or Community Knowledge as appropriate, into project development, impact assessment, and the Impact Statement (additional information on Inuit Qaujimajatuqangit, Indigenous Knowledge and Community Knowledge in the NIRB context is available in Section 2.1). For additional information on assessment of transboundary impacts and impacts to Indigenous Groups asserting s. 35 Rights please see Section 4.4.5.5.

[Note comment in SDFN/NDFN-2 that Section 2.1 must be redrafted to incorporate Indigenous Knowledge. Further, note that Section 4.4.5.5 does not include information for

proponents with respect to Indigenous Knowledge and Community Knowledge for Indigenous Groups asserting s. 35 Rights.]

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How Inuit Qaujimajatuqangit, Indigenous Knowledge, or Community Knowledge is described, as well as the protocols for the collection, protection, and use of Inuit Qaujimajatuqangit, Indigenous Knowledge, or Community Knowledge will differ by regions and even communities. Proponents are strongly encouraged to engage with the applicable Regional Inuit Organization, organizations representing Indigenous Groups asserting s. 35 rights and local organizations for their respective processes and best practices developed (see Appendix C for a list of potential organizations to engage with in Nunavut as well as neighbouring jurisdictions). Proponents are reminded that, while related, public engagement and gathering of Inuit Qaujimajatuqangit, Indigenous Knowledge and Community Knowledge are different exercises (see Section 4.4.1 for requirements related to Public Engagement). [Note this comment is repeated in SDFN/NDFN-1]

11.4.4.4.1 Establishing Baselines, page 33 of Part 4. Propose to revise as follows:

Recognizing the relationships between valued components and Inuit Qaujimajatuqangit, Indigenous Knowledge and Community Knowledge and/or cultural practices, it is important that the Impact Statement reflects a holistic view of what the current state of the environment is, not just for a scientific view, but from ~~an Inuit lens~~ the lenses of Inuit and Indigenous Groups asserting s. 35 rights.

[Note this comment is repeated in SDFN/NDFN-1]

12.4.4.4.2 Gaps and Uncertainties, page 34 of Part 4. Propose to revise as follows:

The Proponent must identify if scientific and Inuit Qaujimajatuqangit, Indigenous Knowledge and Community Knowledge findings differ and reasons for their final determinations.

13. Appendix E: Baseline and Impact Considerations, Table 21: Baseline Considerations Ecosystemic Environment, page 85 of Part 5. Propose to revise as follows:

Marine Environment

- *Presentation of Inuit Qaujimajatuqangit, Indigenous Knowledge and Community Knowledge knowledge-collected related to coastal areas and ice conditions.*