



OCEANS NORTH



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Heather Rasmussen
Policy Manager
Nunavut Impact Review Board
info@nirb.ca

Re: Oceans North Comments on the Nunavut Impact Review Board Revised Draft Standard Guidelines for the Preparation of an Impact Statement

Dear Ms. Rasmussen,

Thank you for the opportunity to comment on the NIRB's Draft Standard Guidelines for the Preparation of an Impact Statement. Our main comments are included with this letter. Smaller editorial comments will be sent to you within a separate pdf. We will continue to support the development of these guidelines and appreciate the time and effort that NIRB has placed on this process. Please reach out any time to discuss our comments.

Kind regards,

Original signed by

Amanda Joynt
Senior Policy Advisor
Oceans North

Comments on Nunavut Impact Review Board Revised Draft Standard Guidelines for the Preparation of an Impact Statement

1. Repetition may cause confusion

The Revised Draft Guidelines are very thorough. This effort to be thorough has caused some overlap in guidance throughout the document. Oceans North recommends a review of the document to ensure guidance is not repeated. If a proponent is to follow the guideline to the letter the result may be an impact statement that is repetitive and difficult to follow for readers.

2. Separation of baseline description and impact assessment

The description of impacts is one of the most important sections of an impact assessment. Oceans North suggests separating the baseline assessment from the impact assessment to ensure clarity for the reader. For example, the section Ecosystemic Environment Baseline (4.5.1) should be separate from the Ecosystemic Environment Impact Assessment (suggested as 4.5.1.1). Especially as some environmental impacts may have indirect social or economic impacts (and vice versa), it is important to ensure the baseline sections are separated from the impact sections. Within Appendix A (Conformity Table), these sections seem separated; we suggest being consistent with this separation within the document itself.

3. Climate change effects *on* the project versus climate change impacts *of* the project

Oceans North suggests separating the sections that describe the effects of climate change on the project and the resulting mitigations for the project operations, and the impacts of the project on GHG emissions, carbon sinks, and emissions targets. The project impacts to GHG emissions, for example, should be considered in overall impacts of the project, including within the cumulative impact assessment (when considered with the impacts of other projects).

4. Reference to other NIRB guidance documents should include guidance on the resolution of disagreement on significance conclusions

Oceans North recommends NIRB create specific guidance on the procedures that will be followed when there is disagreement between regulators or other stakeholders and the proponent on a significance conclusion or scientific finding, and recommends this be referenced within the Standard Guidelines for Impact Assessment. Whereas we understand this guidance may belong within the NIRB's Rules and Procedures, we suggest its inclusion within the Standard Guidelines for impact assessment will provide proponents with clarity on the process when these issues arise and will avoid the back-and-forth arguments that have at times resulted in no conclusion to debates on the methods of determining impacts.

5. Reference to UNDRIPA and FPIC should be further included within the Standard Guidelines

The principles of the United Nations Declaration on the Rights of Indigenous Peoples and the subsequent Canadian legislation should be mentioned within the preamble of the Standard Guidelines. Oceans North encourages the use of the FPIC principles throughout the document, and for Appendix A (Conformity Assessment) to confirm processes are free from manipulation or coercion, informed by adequate and timely information, and occur sufficiently prior to a decision so that Indigenous rights and interests can be incorporated or addressed effectively as part of the decision-making process. FPIC is mentioned within the collection and use of Inuit Qaujimajatuqangit, however it should apply to all engagements and consultations with Inuit, Inuit communities, Inuit organizations, and other Indigenous rightsholders. Oceans North recommends the use of a red text box to reference readers to topic-specific guidance documents for these topics.

6. Reasonably foreseeable future projects that are not within the regulatory system must be considered in a manner that is proportionate to the temporal scope.

Oceans North has previously discussed the issue regarding NIRB's definition of "reasonably foreseeable." We suggest that in the case of phased projects, project specific guidance could include direction to create a cumulative effects framework for the entirety of the development over time, with consideration of the temporal scope. We suggest the discussion of phased projects have a specific section within the Standard Guidelines, as it is common for projects in Nunavut to be long-term resource development projects.