Nunavut Impact Review Board and You

NIRB Public Guide
Series: INTRODUCTION

Get involved in the assessment of proposed projects in Nunavut from start to finish
NUNAVUT IMPACT REVIEW BOARD MISSION:

To protect and promote the well-being of the environment and Nunavummiut through the impact assessment process.

Cover Photo:
Sunset in Kivalliq
Photo: Sophia Granchinho

Published by the Nunavut Impact Review Board, Cambridge Bay, Nunavut
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Nunavut Impact Review Board and You

The Nunavut Impact Review Board (NIRB) assesses the impact of proposed projects in the Nunavut Settlement Area (NSA). The NIRB makes recommendations to protect the environment, safeguard Inuit rights and promote the well-being of all Nunavummiut.

This overview guide will show you how to get involved in the NIRB process from start to finish. Learn how your input can help protect the land and wildlife and promote the health and well being of your family and community – not just today, but for generations to come.

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Caring for Nunavut’s Development Together

NIRB: Created to Assess the Impact of Proposed Development in Nunavut

Nunavut is attracting a lot of attention for its energy and mineral potential. With a young, rapidly growing population, people in Nunavut are looking for new economic opportunities, including resource development.

The Nunavut Land Claims Agreement (NLCA) created various organizations to manage lands and resources to protect Inuit rights, and support development that provides benefits to Nunavummiut. These organizations also work to ensure development does not harm the environment or people of Nunavut.

The Nunavut Impact Review Board (NIRB) is one of the organizations created by the NLCA. The NIRB has the very specific role of conducting Environmental Impact Assessments (EIAs) – an important step in managing Nunavut’s future development.

**Project Path: Project Application to Completion**

1. **Project Application**
   - **Proponent**

2. **Impact Assessment**
   - **Nunavut Planning Commission**
   - The Nunavut Planning Commission (NPC) is responsible for land use planning: Does the approved land use plan allow for this type of project to be carried out in this area? Is impact assessment required for this project type?

3. **Impact Assessment**
   - **Nunavut Impact Review Board**
   - The Nunavut Impact Review Board (NIRB) is responsible for impact assessment: What impacts could occur if this project went ahead and how should they be managed?

4. **Decision Making**
   - **Minister(s)**
   - The Minister(s) is responsible for decision-making: The Minister(s) responsible for the necessary licences and permits review the NIRB’s report and decide if a project can proceed to licensing.

5. **Licensing**
   - **Land Use**
   - **Water Use**
   - **NIRB**
   - **Other Authorizing Agencies**
   - The Nunavut Water Board (NWB), land managers and other authorizing agencies are responsible for licensing: Sets out the explicit terms and conditions of project approval.

6. **Monitoring**
   - **Proponent**
   - Once a project receives the necessary licences, permits and approvals it can be carried out, and may require Monitoring: Are the terms and conditions being followed and are they protecting the environment as intended?
The NIRB provides you with multiple opportunities to make your views known, and ensure your concerns and ideas are addressed throughout the process.

Special efforts are made to ensure Inuit voices are heard in the impact review process. The emphasis on gathering Inuit input is unique in Canada, originating with the objectives of the Nunavut Land Claims Agreement.

The Board members are appointed by Inuit organizations and government to make decisions together. The NIRB staff are located in Nunavut and are here to listen and work with you.

**Review Process Encourages Inuit Input**

Nunavut Land Claims Agreement

“...The primary objectives of NIRB shall be at all times to protect and promote the existing and future well-being of the residents and communities of the Nunavut Settlement Area, and to protect the ecosystemic integrity of the Nunavut Settlement Area…”

(s.12.2.5)

Look for the Atii icon in each of the guides showing you how to participate.
Assessment includes environmental, social and economic impacts

Environmental Impact Assessment process adds value

An Environmental Impact Assessment (EIA) is a tool used to identify the environmental, social and economic impacts of a project. Knowing the impacts – both positive and negative – is important so that decision-makers can make informed decisions about if and when a project should go ahead.

The EIA process helps to find ways to reduce negative impacts, and helps shape projects to benefit people. An EIA adds value to a project – by gathering local knowledge and expertise. The process ensures concerns are met so that projects can go ahead with minimal impact to the environment, and maximum benefit to the people.

Social impacts

The review is not just about the land and water – it is about you. How will a proposed project affect you, your family, and your community?

- What are the expected social impacts of a project?
- Will there be positive social impacts, like more opportunities for training, leading to more access to jobs?
- Will there be negative social impacts, like exposure to more outsiders in communities contributing to a loss of Inuit culture?
- How can the positive impact be assured, and the negative impact be limited?

Environmental impacts

The NIRB review process looks at the possible environmental impacts of a proposed project or development on the environment – the land, wildlife, water and air. What are the consequences of these impacts on the environment?
New projects are often seen as having positive impacts on economic opportunity because they can bring jobs to Nunavummiut.

- What needs to happen to make sure Nunavummiut are able to participate?
- What are possible negative economic impacts of a project, and how can they be limited?

The NIRB gathers input from everyone in the impact assessment process – including proponents, government, non-governmental organizations, regulatory agencies, Regional Inuit Associations, hamlets, community organizations, hunters and trappers associations, and the public.

All jurisdictions in Canada have some form of impact assessment process. But in Nunavut – the process is unique. Because the NIRB was created by the Nunavut Land Claims Agreement, the NIRB has a duty to make extra effort to gather input from Inuit. Inuit knowledge of the environment, and concerns and ideas on social and economic impacts are critical to the success of the EIA process.
Public participation is essential for an open, honest, and balanced review process.

The NIRB is responsible for making sure that interested parties in communities affected by a project are aware of the project and its potential environmental, social and economic impacts.

The earlier you get involved in the NIRB process, the better chance a project can be shaped to meet community concerns and needs. Early public involvement means a better review process, resulting in final recommendations that meet the goals of the NLCA in protecting the environment, protecting Inuit rights, and promoting benefits to Nunavummiut.

**Inuit Qaujimajatuqangit guides NIRB process**

Over the years the NIRB has worked hard to create a process where Inuit feel welcome and confident their knowledge is valued and views understood, guided by Inuit Qaujimajatuqangit principles:

- respecting others, relationships, and caring for people;
- development of skills through practice, effort and action;
- working together for a common cause;
- fostering good spirit by being open, welcoming, and inclusive;
- serving and providing for family and/or community;
- decision-making through discussion and consensus;
- being innovative and resourceful; and
- respect and care for the land, animals and the environment.

For example, the NIRB rules of procedure give a special standing to Elders so they can ensure the NIRB always works in a way that is respectful to Inuit. The spoken word of an Elder is considered by the NIRB as evidence in meetings and hearings.
**NIRB NEEDS YOUR INPUT AT EVERY STAGE**

The NIRB process is made up of three specific stages:

**Stage 1: Screening**
The NIRB gathers written input, and the Board recommends if a project needs to go to a full Review, if it can be approved with terms and conditions, or if it should be rejected. (45 days)

**Stage 2: Review**
The NIRB coordinates a process that gathers extensive written and oral input from all interested parties, the public and proponent, culminating in a full and formal hearing. The Board then makes a recommendation for approving or rejecting a project. (2 - 3 years)

**Stage 3: Monitoring**
Approved projects are launched, and monitored by the NIRB and other agencies according to the terms and conditions of the licence, for the life of the project.

These Guides are set up to explain each stage in more detail with an emphasis on showing you when, where and how you can participate.

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“In designing its by-laws and rules of procedure for the conduct of public hearings, NIRB shall…. give due regard and weight to the tradition of Inuit oral communication and decision-making …. ”

(s.12.2.24 (iii))

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Remember to look for the Atii icon in each of the guides showing you how to participate.
The NIRB Public Guides have been created to encourage and assist you – the public – to get more involved in the NIRB process. There is a Public Guide describing each stage of the NIRB process and instructions for where and how you can participate.

Special emphasis is placed on demonstrating the important role of Inuit and the value the NIRB places on Inuit Qaujimajatuqangit.

All of the NIRB’s documents, meeting reports and decisions are public. You are encouraged to visit our online public registry at ftp.nirb.ca. There you will find all the up to date information the NIRB has on all project proposals, review stages and decisions.

The NIRB organizes different kinds of meetings for projects that go to full Review. These will be described in more detail in *Review: Public Guide Stage 2*. There are community information sessions, scoping meetings, technical meetings, workshops and formal hearings.

What is important for you to know is that you are welcome to participate in all of the NIRB meetings – even the technical meetings if you wish.
GET ON THE DISTRIBUTION LIST

The NIRB maintains a regional distribution list of organizations and people that automatically receive information about proposed projects. You can ask to be added to the list. It’s simple. Just fill out a form with details on what kinds of projects you want to know about and you will be added to the list to receive emails directly to your inbox. The form is at ftp.nirb.ca.

STAFF DEDICATED TO GATHERING INPUT

NIRB has a full time professional staff located in Cambridge Bay. The staff works for the Board and is also working for you. You are encouraged to contact the NIRB staff at any time if you have questions or need information about a proposed project.

The NIRB has interpreters on staff, who are always available to assist Inuktitut and Inuinnaqtun speakers.

The staff is there to help you and pass on your questions, concerns and opinions to the Board members in their deliberations.

How might you participate?

- Use the NIRB Public Guides
- Monitor the NIRB online public registry ftp.nirb.ca
- Read about the projects that interest you
- Get your name on the distribution list
- Watch for meeting notices
- Attend meetings and speak out
- Visit your Regional Inuit Association or Hunters and Trappers Organization and ask them about projects that concern you
- Call NIRB staff to find out how to participate 866-233-3033
A fair and balanced process

The role of the Board members

The NIRB makes every effort to carry out its mandate with fairness to all partners. In making its determinations, the NIRB Board members follow clear rules and procedures to make sure everyone is treated fairly throughout the process.

The Board must evaluate each proposal on its own merits and with respect to its own context. So even when a new project is similar to another, the Board must look at the new project with fresh eyes, and assess the project’s impacts carefully.

Board members obtain input about projects through a formal hearing process, similar to a justice hearing. These formal procedures are to ensure the NIRB provides a fair hearing to every party’s perspective.

The NIRB also encourages less formal input, inviting written input to the NIRB staff who then prepare packages of information that ensure all Board members have access to all comments equally.
The NIRB works hard to establish and maintain credibility with its partners, including Nunavut organizations, government, industry and the public. Clear and predictable timelines and procedures make it possible for everyone to participate.

Within its mandated powers, the NIRB strives to exercise due respect for the culture, values, and interests of all Nunavummiut. The NIRB also sets very high standards for how scientific and technical evidence is submitted by a project proponent and reviewers.

The NIRB is made up of nine members, one of whom serves as the Chairperson. The Designated Inuit Organizations, Government of Nunavut and Government of Canada make the appointments.

No matter which organization appoints a Board member, that Board member acts independently and in the interests of all Nunavummiut and Canadians. Once appointed, they do not represent their appointing organization – they represent the public interest.

The public interacts directly with the NIRB’s full time staff, and during a hearing, directly with the Board. The NIRB’s Chairperson and the NIRB’s Executive Director can be contacted by the public at any time.
You can make a difference

The NIRB welcomes your input

After 16 years of operation, the NIRB has ensured public input has contributed to protecting the environment, and helped ensure positive social and economic impacts from various projects. If you happen to be visiting Cambridge Bay, you are invited to visit the NIRB office to meet staff and check out the NIRB library and public documents. The NIRB also runs a summer internship program for students, so call the NIRB staff anytime to find out more about learning opportunities.

You can make a difference

During the scoping phase of a NIRB Review, the Kugluktuk HTO requested “more clarification or information on the effect the project will have on wolves as part of the EIA review process [and]…Bathurst caribou herd for project related impacts”…

(Kugluktuk HTO Scoping Report, High Lake Mine, p. 6, 2007)

NIRB’s resulting scoping assessment identified additional areas where the proponent needed to study the effects of project activities on musk-oxen, moose, wolves, Bathurst, Dolphin, Union and Peary caribou due to project activities and potential cumulative effects with other past, present and reasonably foreseeable projects in the area.

(NIRB Scoping List & Scoping Assessment of the Wolfden High Lake Project, p. 8, 2007)

Find out what the NIRB is doing in your region!

Get the NIRB’s bi-weekly Activity Calendar to learn which project proposals are in which stages, to see comment deadlines, and to learn about upcoming meetings.

☆ visit ftp.nirb.ca to download the calendar
☆ email info@nirb.ca
☆ call the NIRB staff 866-233-3033

The NIRB Activity Calendar: ftp.nirb.ca
Your input counts

Make your voice heard in the various stages of the NIRB Environmental Impact Assessment process, from Screening to Review to Monitoring.

Your input can make a positive difference for your family, your community, the environment and for Nunavut’s future.

To find out more about how you can get involved in the NIRB Screening, Review and Monitoring process, see the NIRB’s Public Guides.

How do you plan to make a difference?