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June 14, 2019

Tara Arko
Director of Technical Services
Nunavut Impact Review Board (NIRB)
29 Mitik Street
P.O. Box 1360
Cambridge Bay Nu X0B 0C0
Email: tarko@nirb.ca

SENT VIA EMAIL

Re: Tusaqtavut Study Specific to Mary River Project Phase 2 Proposal

Dear Ms. Arko,

Qikiqtani Inuit Association (QIA) is pleased to provide the Nunavut Impact Review Board (the Board) with a Tusaqtavut Study (Study) on the Baffinland Iron Mines Corporation's (Proponent) Mary River Project (Project) Phase 2 Proposal. The Study is appended to this submission. Tusaqtavut means "what we heard" in Inuktitut.

The Study is an important step toward improving the incorporation Inuit Qaujimajangit (IQ)¹ in the Board's impact assessment (IA) process of Phase 2 Proposal. Although the Board places the responsibility on the Proponent to appropriately integrate Inuit worldview into Project design and activities, QIA conducted the Study to help fill the gap in contextual and detailed Inuit perspectives on the Phase 2 Proposal specifically and the Project generally. Under the *Nunavut Planning and Project Assessment Act (NuPPAA)*, the Board is required to consider traditional knowledge brought before it during a review.²

This Study is not intended to replace QIA's existing submissions on the Phase 2 Proposal to date. Much of QIA's existing work on Phase 2 Proposal has been influenced by initial findings from our work on IQ and the Study as it relates to the Phase 2 Proposal. The Study qualifies QIA's submissions and statements on the Phase 2 Proposal related to IQ and the potential impacts of the Project on Inuit land use and occupancy. Having IQ data available through appropriate methods, such as the Study, for consideration within the Phase 2

¹ Please see the attached IQ Statements Document that is submitted with this letter for further particulars on the importance and significance of IQ to QIA and the Inuit of the Qikiqtani.

² S.C. 2013, c. 14, ss. 103(3).

review process is intended to: enhance and influence project design and operation; improve mitigations and the assessment of residual effects; determinations of significance; and monitoring and adaptive management. The Study is part of the ongoing dialogue about the Project and its effects on Inuit. IQ has an important role in the whole Project, not just the review of the Phase 2 Proposal.

Although the onus is with the Proponent to fill these gaps, QIA is putting forward the Study as a step in a long but important transition from a Project that includes a sprinkling of IQ in its data collection, decision-making and monitoring and management, to one that is governed by the principle that Inuit are the primary stewards and owners of the land. QIA sincerely hopes the Proponent will receive and review the Study accordingly.

Going forward, QIA invites the Board to consider how issues raised by QIA related to IQ in the review of the Phase 2 Proposal and in the Study will be considered. QIA is motivated by the Board's stated position that IQ will be given equal consideration as scientific knowledge in reviews. We remain committed to fulsome engagement in this process.

WHAT DID THE TUSAQTAVUT STUDY INVOLVE?

The Study was conducted by QIA with support from Firelight Research Inc. It details what we heard from 54 individual interviews conducted with 35 Pond Inlet members in February and April 2019. Interviews focused on their land, water and resource uses and values in the area currently impacted by the Project or potentially by the Proponent's Phase 2 Proposal. The study has two main components: 1) digital mapping of uses and values; and 2) Inuit perspectives on what changes they have seen, what they think (and have observed) is causing the changes, and the role of the Project in those changes. The Study reflects Inuit's own words expressing their values, experiences, and concerns.

WHY THE TUSAQTAVUT STUDY?

The Proponent is responsible for furnishing the IA process with adequate IQ perspectives so that the Board can make a confident, informed estimation of the Project's potential impacts.³ QIA wants Inuit perspectives, and IQ, to be fully considered throughout the review of the Phase 2 Proposal. The current state of IQ data for the Project that has been gathered does not appear to be adequate: it was largely self-directed and controlled by the Proponent; the data is out-dated (especially in light of its relative age and the altered state of the Project components since the data was gathered); and the coarse scale of the mapping and infrequent use of individual interviews without any incorporation of the

³ See the Proponents' Technical Guide at pgs. 79-80.

ongoing use of IQ in community based monitoring provides limited value. The lack of extensive, up-to-date, and detailed information gathered from Inuit by the Proponent necessitated the Study.

The Study invites equal consideration of IQ alongside Western science under the Board's Phase 2 Proposal review. The Proponent has not, over five years into the operations of the Project, set up a proper spatial data collection program for Inuit use and occupancy. The Proponent has yet to set up a proper, fulsome community-based monitoring program, nor has it assessed impacts of changes since the Project commenced operations from an Inuit perspective. In addition to these continuing gaps in IQ collection, the Proponent has not provided an approach or plan that details how they will work with QIA and Inuit in developing the Phase 2 Proposal. Such a plan might seek to ensure the use and incorporation of IQ, or how Inuit knowledge would be applied as more than a baseline input and properly used as a lens through which to conduct impact assessment and significance estimation. Assessments and decisions about the Project should have Inuit at the centre, not the periphery; this must occur during, not after IA of the Phase 2 Proposal.

WHAT ARE THE STUDY'S LIMITATIONS?

The Study focused on gathering spatial and contextual data from Inuit about their values as they relate to the place they live. It is not a socio-economic study focused on benefits and risks to communities from the Project, nor was it a full effects characterization. It is limited to a sample of the community from Pond Inlet.⁴ While the Study provides a deeper dive into Pond Inlet's values, experiences, and impact predictions, more is required. Additional data could augment this preliminary study in recognition of the significant role IQ plays in establishing adequate baseline information, identification of key issues, predictions of effects and assessment of their significance. IQ is a valuable Inuit lens that contributes to a better IA process and outcomes.

In light of the Project and the Phase 2 Proposal marking an unprecedented and unparalleled development for Nunavut, its size, complexity and potential for both adverse impacts and benefits to Inuit and the resources they rely upon, Inuit perspectives and data should be collected on an ongoing, life-of-project basis to capture concerns early.

WHAT ARE THE STUDY'S IMPLICATIONS?

The Study illustrates that the Proponent may have underestimated the Project's impacts on Inuit culture, land and marine use and the resources Inuit rely on. The Study also illustrates

⁴ Additional input, by way a second Tusaqtavut study, from Hall Beach and Igloolik is being prepared.

the importance of gathering up-to-date use and occupancy data and examining retrospective effects of the Project from the affected parties themselves.

Among the issues most commonly raised by Inuit, documented in the Tusaqtavut study, are the following:

- Impacts to marine mammals from shipping (especially narwhal), impacts on Inuit hunting success and enjoyment from shipping operations, and what this means for Inuit hunting and food security;
- Impacts to caribou from mine operations, road operations and the proposed development of the Northern Rail route;
- Impacts to Inuit travel due to the proposed routing of the Northern railway, particularly the “dogleg” zone deviation where it leaves the Tote Road route (at km 67); and
- Ongoing concerns about impacts of dust on wildlife, water quality, and Inuit activities on the land and in the Qinngua⁵ port vicinity.

The Proponent has not treated these concerns properly. Instead, Inuit concerns have often been recorded in Proponent-led meetings, but in the end they don’t often seem to make a difference in project planning, effects estimation, or mitigation and monitoring implementation. For example, despite significant Inuit concerns the Proponent did not convene multi-party consideration of alternative rail routing. This kind of approach could have helped account for Inuit values, weighting, criteria and engagement. QIA is concerned that the Proponent’s approach undermines the importance of the promises made to Inuit under the Nunavut Agreement for development that accommodates their perspective, particularly with respect to use of the land and cultural expression. The Proponent’s approach does not appear to satisfy the requirements of the Board’s IA policy directives with respect to IQ.

Most importantly, the Study raises in more detail many of the same impacts that Inuit and QIA have raised previously. The Study reduces confidence in the Proponent’s assessment of predicted impacts within the FEIS Addendum. The Proponent overlooks important levels of detail by prioritizing coarse assessment about project interactions with Inuit culture, resources, and land use, or the impact pathways raised by Inuit.

⁵ QIA has chosen to refer to Qinngua by its Inuktitut place name, instead of Milne Inlet, in the Tusaqtavut study. Steensby Inlet is referred to as Ikpikitturjuaq in the same manner.

WHAT ARE THE NEXT STEPS?

A logical next step is to apply Inuit data and knowledge in a rigorous way to a more detailed examination of the cumulative effects of the Project on Inuit culture, resources and land use. In accordance with QIA's IQ Statements, Inuit must be involved in decision-making that affects them with IQ given due consideration in decisions that affect Inuit. Because the results of the Study indicate the Phase 2 Proposal, alone and in combination with other aspects of the Project, will have measureable (and quite possibly, substantial to significant) residual adverse effects on Inuit land use, culture and resources, a full and proper cumulative effects assessment on these same VCs is critical. The scope of such an assessment would reasonably include the full Project. The Study indicates further work is likely warranted on:

- Assessment of effects on Inuit culture, resources and land use from the Phase 2 Proposal, alone and in combination with other past, present and reasonably foreseeable future cumulative effects causing agents, including reconsideration of significance of those effects with an Inuit lens;
- Consideration of the appropriateness of specific proposed physical works and activities in relation to the Phase 2 Proposal, and of current mitigation commitments by the Proponent, during an assessment of effects; and
- Properly entrenching IQ into the monitoring and adaptive management systems for the Project overall, including developing mechanisms to gather information on, and manage cumulative effects.

CONCLUSION

This Study, as well as the results of the Hall Beach and Igloodik Tusaqtavut study still under development, should be included in the consideration of Phase 2 effects on Inuit land use, culture and resources. These two studies seem to be the most reliable and up-to-date primary data collected in relation to Inuit land use, culture and resources from the perspective of the affected communities themselves. QIA prepared these studies for the Board and the Proponent in response to the FEIS Addendum, when we recognized Inuit perspectives were not being adequately presented so they could receive appropriate consideration. These studies should be carefully considered, the IQ within them reviewed in accordance with QIA's IQ Statements, and not merely subject to Proponent re-interpretation.

QIA looks forward to working with the Proponent and the Board to advance fulsome discussion on the meaningful consideration of IQ in the development and operation of the Mary River Project.

Sincerely,

A handwritten signature in black ink, appearing to read "Jared Ottenhof".

Jared Ottenhof
Senior Manager
Department of Major Projects

Encls.

CC: Mr. Levi Barnabas, QIA Executive Committee Member
Mr. Charlie Inuarak, QIA Community Director, Pond Inlet
Mr. Jaykolassie Killiktee, MHTO Chair
Mr. Joshua Katsak, Mayor of Pond Inlet
Ms. Megan Lord-Hoyle, Vice-President Sustainable Development