



NIRB File No.: 16MN056

March 19, 2019

Kim Pawley
Manager - Environmental Assessment, Land Use Planning and Conservation
Crown-Indigenous Relations and Northern Affairs Canada
15 Eddy St., 10th Floor
Gatineau, QC K1A 0H4

Sent via regular mail and email: kim.pawley@canada.ca

Re: Participant Funding Applications for the NIRB's Assessment of Agnico Eagle Mines Limited's "Whale Tail Pit Expansion" Project Proposal

Dear Kim Pawley:

As you are aware, on January 7, 2019 in coordination with Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC), the Nunavut Impact Review Board (NIRB or Board) circulated a public notice regarding the availability of participant funding for the assessment of Agnico Eagle Mine Limited's (Agnico Eagle or Proponent) "Whale Tail Pit Expansion" project proposal (NIRB File No.: 16MN056). The original February 7, 2019 deadline for applications was later extended to March 12, 2019 to encourage submissions and participation in the assessment process. This correspondence is intended to formally provide the participant funding applications to CIRNAC with limited comments from the NIRB for consideration.

On or before the revised March 12, 2019 deadline, the NIRB received participant funding applications from the following parties:

- **Kivalliq Inuit Association (KivIA)**
- **Baker Lake Hunters and Trappers Organization (BLHTO)**

Each party has identified their interest in participating in the assessment of the Whale Tail Pit Expansion project proposal (the Expansion Project) and has provided a summary of their relevant expertise, skills, and capacities to support their participation, as well as a detailed breakdown of the funding requested. In addition to summarizing the applications as submitted by parties, the NIRB has also provided commentary at the close of this correspondence recognizing that each applicant has previously participated in the impact assessment process associated with the original Whale Tail Pit Project; and recognizing the potential benefits of parties having the opportunity to continue their participation in the NIRB's assessment of the proposed Expansion Project.

SUMMARY OF APPLICATIONS

Kivalliq Inuit Association (KivIA)

The KivIA is the Designated Inuit Organization (DIO) with responsibilities to manage land use activities for Inuit Owned Lands (IOL) within the Kivalliq Region of Nunavut under the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada (Nunavut Agreement)*. The KivIA represents Nunavut Inuit of the Kivalliq Region, at the territorial and regional levels, and supports sustainable economic development opportunities for Inuit beneficiaries. The KivIA has participated in the previous NIRB Review of the Whale Tail Pit Project and believes that its participation will ensure that the potential impacts and benefits of this project are comprehensively assessed through scientific, socio-economic and impact assessment best practices, but more importantly that Inuit Traditional Knowledge values are incorporated into impact determination, mitigation, project design, and monitoring programs. The KivIA expects that its involvement is necessary to identify and analyse ecosystemic and socio-economic impacts, and to ensure potential impacts are appropriately mitigated and compensated for. Its participation would also ensure that Inuit concerns and Traditional Knowledge are incorporated into the assessment. The KivIA has requested funding support for consultant and professional services and has indicated its intent to attend the Technical Meeting and Public Hearing in Baker Lake scheduled for this assessment.

Baker Lake Hunters and Trappers Organization (BLHTO)

Baker Lake is the community closest to the proposed Expansion Project area and the BLHTO has local and traditional knowledge of the land and wildlife in the proposed project area. The BLHTO is responsible for managing wildlife, promoting the health and culture of residents by implementing specific sections of the *Nunavut Agreement*, and representing the interests of Inuit hunters and Elders through co-management and other regulatory processes. Within its participant funding application, the BLHTO indicated that it has a “unique capacity to document and interpret Inuit Qaujimajatuqangit” related to wildlife and land use, based on its membership of Inuit hunters and Elders. The BLHTO has requested funding support to hold an Inuit Qaujimajatuqangit workshop to document traditional knowledge of the land and wildlife at/near the proposed project area; and contribute this knowledge through final written submissions and participation at the Public Hearing scheduled for the assessment.

NIRB COMMENTS ON FUNDING APPLICATIONS

The NIRB appreciates the efforts of CIRNAC to provide participant funding to support this assessment, and the efforts of parties to submit applications for funding. In our experience, adequate funding is essential for intervenors to fully inform themselves and participate in a meaningful way in the impact assessment of major developments in the Nunavut Settlement Area. The NIRB notes that each of the applicant organizations have participated in the NIRB’s previous assessment of the Whale Tail Pit Project. Consequently, the NIRB is familiar with, and has provided additional comment below concerning the benefits of each organization’s participation based on the Board’s previous assessment.

The Baker Lake Hunters and Trappers Organization is based in the community nearest to the proposed Expansion Project, Baker Lake, which has the potential to be directly impacted by its proximity to existing and proposed project infrastructure and activities, and from employment and benefits associated with project activities. The BLHTO represents Inuit who harvest within and adjacent to the proposed project footprint, and who have the potential to be directly impacted

by the activities associated with the proposed Expansion Project and would therefore be best-positioned to contribute information regarding potential impacts to wildlife and Inuit harvesting. BLHTO participation will ensure that concerns related to hunting/harvesting are taken into consideration and that the proposed activities do not adversely impact the hunting and trapping activities of the local community. The BLHTO participated as an intervenor in the previous Review of the Whale Tail Pit Project, providing meaningful knowledge through final written submissions and presentations at the Public Hearing at that time.

The Kivalliq Inuit Association plays an important role representing Inuit rights and interests during the assessments of proposed projects; in addition to its regulatory role associated with administering Inuit-owned lands, water rights and the Inuit Impact and Benefits Agreement required for the Expansion Project, the KivIA acts as a conduit in the NIRB's process for the knowledge and concerns of Inuit throughout the Kivalliq Region. In the past, the KivIA has been an active participant in NIRB assessments and has occupied a central role collecting and sharing Inuit Qaujimajatuqangit and Inuit Qaujimaningit in a manner that greatly assists the Board to incorporate this important knowledge into the Board's assessment in a meaningful way. The NIRB's previous assessment associated with the Whale Tail Pit Project has benefited from the KivIA's participation and the NIRB anticipates that support for the KivIA's continued participation in the assessment of the proposed Expansion Project would similarly benefit this assessment.

NIRB CONCLUSIONS AND REQUESTED NEXT STEPS

In closing, the Board respectfully requests that the findings of the independent funding review committee regarding the award of participant funding be made publicly available upon completion. From the NIRB's perspective, this level of transparency supports public confidence in the impact assessment process and may encourage public participation in current and future NIRB assessments.

If you have any questions or require additional information, please contact the undersigned at rbarry@nirb.ca or by phone at (867) 983-4608.

Sincerely,



Ryan Barry
Executive Director
Nunavut Impact Review Board

cc: James Neary, Crown-Indigenous Relations and Northern Affairs Canada
Jamie Quesnel, Agnico Eagle Mines Limited
Ryan Vanengen, Agnico Eagle Mines Limited
Luis Manzo, Kivalliq Inuit Association
Hugh Nateela, Baker Lake Hunters and Trappers Organization
Whale Tail Pit Distribution List

Enclosed: Participant Funding Applications (NIRB File No. 16MN056)