



NIRB File No.: 17XN011
NPC File No.: 148396

October 31, 2017

To: The Honourable Carolyn Bennett
Minister of Indigenous and Northern Affairs
Government of Canada
House of Commons
Ottawa, ON K1A 0A6

The Honourable James Carr
Minister of Natural Resources
Government of Canada
House of Commons
Ottawa, ON K1A 0A6

The Honourable Catherine McKenna
Minister of Environment and Climate Change
Government of Canada
House of Commons
Ottawa, ON K1A 0A6

The Honourable Marc Garneau
Minister of Transport
Government of Canada
House of Commons
Ottawa, ON K1A 0A6

The Honourable Dominic LeBlanc
Minister of Fisheries and Oceans and the Canadian
Coast Guard
Government of Canada
House of Commons
Ottawa, ON K1A 0A6

cc: Lootie Toomasie
Chairperson
Nunavut Water Board
P.O. Box 119
Gjoa Haven, NU X0B 1J0

Stanley Anablak
President
Kitikmeot Inuit Association
P.O. Box 18
Cambridge Bay, NU X0B 0C0

Sent via email: minister@aadnc-aandc.gc.ca, carolyn.bennett@canada.ca,
nrcan.minister-ministre.nrcan@canada.ca, ec.ministre-minister.ec@canada.ca,
catherine.mckenna@parl.gc.ca, questions@tc.gc.ca, pnrean-pnreen@tc.gc.ca,
min@dfo-mpo.gc.ca, lootie.toomasie@nwb-oen.ca, and president@kitia.ca

Re: Screening Decision for Kitikmeot Inuit Association and the Government of Nunavut's "Grays Bay Road and Port" Project Proposal, Kitikmeot Region

Dear Honourable Ministers:

On January 20, 2017 the Nunavut Impact Review Board (NIRB or Board) received a referral to screen the Kitikmeot Inuit Association and the Government of Nunavut's (jointly considered the Proponent) "Grays Bay Road and Port" project proposal from the Nunavut Planning Commission (NPC or Commission), which noted that the project proposal is located outside the area of an applicable regional land use plan.

Pursuant to Article 12, Sections 12.4.1 and 12.4.4 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada* (Nunavut Agreement) and section 87 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (NuPPAA), the NIRB commenced screening of this project proposal and assigned it file number 17XN011.

Following the assessment of all material information, taking into account the information the Proponent and parties have provided to date, and taking into account the Board's determination of the significance of potential adverse ecosystemic or socio-economic impacts of the project¹ it is the opinion of the NIRB that as set out in Article 12, Section 12.4.4(b) of the Nunavut Agreement and subparagraphs 89(1)(a)(i) and (ii) of the NuPPAA, the "Grays Bay Road and Port" project proposal **requires a Review** under Article 12, Part 5 or Part 6 of the Nunavut Agreement and Part 3 of the NuPPAA.

Accordingly, the NIRB is issuing the attached Screening Decision Report dated October 31, 2017 to the responsible Ministers for consideration pursuant to s. 92 of the NuPPAA. The Screening Decision Report provides, among other things, the regulatory framework, project overview and the NIRB's assessment process, factors relevant for the determining significance of impacts, the Board's views, determination and conclusions.

Please note that the project proposal will not be enclosed due to the size of the electronic document and the limited bandwidth. However, an electronic copy of the project proposal is accessible online from the NIRB's online public registry at www.nirb.ca by using any of the following search criteria:

- Project Name: Grays Bay Road and Port
- NIRB File No.: 17XN011
- Application No.: 125069

As a result of feedback provided through the screening process, the NIRB has also identified that the following issues may need to also be addressed by the Minister:

- Parties have identified concerns with respect to potential cumulative effects resulting from this proposed project associated with increased levels of mineral development in the Kitikmeot Region, noting that this would require further analysis and warrant special consideration during the Review for this Project.

¹Significance was assessed by the Board with regard to the factors outlined in s. 90 of the NuPPAA.

- Other major development projects currently under Review by the NIRB have the potential to confuse or complicate the assessment of the Grays Bay Road and Port Project, specifically the proposed Bathurst Inlet Port and Road (BIPR) Project (NIRB File No. 03UN114) and the Izok Corridor Project (NIRB File No. 12MN043). Given the nature of the proposals, clarification may be necessary from the respective project proponents regarding implications to the feasibility of their proposals, should the Grays Bay Road and Port Project be approved to proceed.
- If approved to proceed, the Grays Bay Road and Port Project would contribute significantly to the increasing frequency and amounts of goods and fuel being shipped within the Kitikmeot Region. Measures for accident prevention, spill response capabilities, and the effects of climate change on the open water shipping season within the Kitikmeot Region will warrant special consideration during the Review for the Project.
- Multiple parties have raised concerns regarding the project's location in relation to the calving, post-calving, and migratory areas of the Bathurst caribou herd. Recent assessments of projects in the region as well as comments received during the screening for this project proposal have demonstrated that potential adverse impacts on caribou and caribou habitat is a matter of significant interest and concern among members of the public, Inuit, other Indigenous groups, and other stakeholders. The Board has determined that an in-depth assessment of this proposed project and its potential for inducing further development projects is necessary.
- The proposed project has the potential for transboundary effects due to the potential for effects on the Bathurst caribou herd, and the potential connection to a possible all-weather road in the Northwest Territories in the future. Further, there is the potential for increases in shipping due to resupply of the diamond mines in the Northwest Territories being transported from a port at Grays Bay south along the proposed all-weather road to further winter or all weather road connections into the Northwest Territories.
- It is the NIRB's opinion that there are several important factors associated with the further review of the Project that highlight the need for participant funding during the assessment, including: the range and scope of the potential impacts of the proposed project; and the capacity issues of participants identified during recent Reviews. Further, the specific requests for participant funding from the Government of the Northwest Territories, North Slave Métis Alliance, Canadian Parks and Wilderness Society, and World Wildlife Fund await the Ministers' consideration.

The NIRB remains available for consultation with the Minister(s) regarding this report as necessary. If you have any questions or require clarification, please do not hesitate to contact the NIRB's Executive Director, Ryan Barry at (867) 983-4608 or rbarry@nirb.ca.

Sincerely,

A handwritten signature in dark ink, appearing to read 'E. Copland', written in a cursive style.

Elizabeth Copland, Chairperson
Nunavut Impact Review Board

Enclosure: Screening Decision Report, NIRB File No.: 17XN011 (October 31, 2017)