



**NIRB File No. 03UN114**

June 13, 2008

To: BIPR Distribution List

**Re: Receipt of Information Request (IR) Response Package for the Bathurst Inlet Port and Road (BIPR) Project**

Dear Parties:

On June 12, 2008 the Nunavut Impact Review Board (NIRB or Board) received an IR Response package from Bathurst Inlet Port and Road Joint Venture Ltd. (The Proponent) addressing IRs forwarded by the NIRB as part of the Part 5 Nunavut Land Claims Agreement Review of the BIPR project. It should be noted that the Proponent did have the submission ready for June 6 as previously committed to, but as the NIRB cannot accept submissions from external ftp sites, an extension was granted to allow the Proponent to submit the information directly to NIRB. The IR Response package can be obtained from the NIRB's ftp site by all Parties using the following link:

[http://ftp.nirb.ca/REVIEWS/CURRENT\\_REVIEWS/03UN114-BIPR\\_PROJECT/02-REVIEW/08-CONFORMITY%20TECH%20REVIEW/02-INFORMATION%20REQUESTS/02-RESPONSES/](http://ftp.nirb.ca/REVIEWS/CURRENT_REVIEWS/03UN114-BIPR_PROJECT/02-REVIEW/08-CONFORMITY%20TECH%20REVIEW/02-INFORMATION%20REQUESTS/02-RESPONSES/)

On May 15, 2008 the NIRB received correspondence from the Honourable Chuck Strahl, dated April 28, 2008 in which the Minister made several comments regarding moving forward with the Review process for the BIPR project. On May 21, 2008 the NIRB wrote to the Proponent, requesting its current views of the three major issues raised by the Minister. Any other interested Parties on this distribution list were also invited to comment directly to the NIRB by May 30, 2008. The Board is in receipt of correspondence from the Proponent (see attached) in which a response to these issues is provided. No comments from other Parties were received.

In previous correspondence, the Board committed to:

*“extend the deadlines for the submission of technical review comments accordingly to ensure the Intervenor Funding issue has been addressed”.*

Furthermore, the recent correspondence from the Minister provided the Board with the following direction:

*“... I ask the Board to consider whether adjustments in the timelines that have been established for this part of the process can be made. I consider the meaningful input of intervenors at all critical points in the assessment process essential to the delivery of quality environmental assessments”.*

It is the understanding of the NIRB that Intervenors which have successfully qualified for Intervenor funding are currently negotiating their contribution agreements with Indian and Northern Affairs Canada (INAC). Therefore, out of respect for Intervenors, the NIRB will await formal indication from INAC that contribution agreements have been finalized before proceeding further with the technical review of the BIPR Draft Environmental Impact Statement.

Once INAC indicates to the Board that contribution agreements have been finalized and funding is fully accessible to qualified Intervenors for participation in the NIRB Review process, the Board will announce the commencement of a 60 day technical review period for all Parties. Parties will be given direction on the required format of technical review comments, which are to be submitted to the NIRB by the close of the 60 day review period. The Board will also accept additional IRs from Intervenors during this time and will forward all relevant IRs to the Proponent.

The NIRB looks forward to the continued participation of all Parties in the Part 5 NLCA Review of the BIPR project, including the future Preliminary Hearing Conference (PHC) at which time the additional issues raised by the Minister and others will be further discussed. If you have any questions or concerns regarding any of the above, please do not hesitate to contact the NIRB's Technical Advisor, Ryan Barry at (867) 983-4608 or [rbarry@nirb.ca](mailto:rbarry@nirb.ca).

Sincerely,



Stephanie Autut  
Executive Director  
Nunavut Impact Review Board

Cc      Bob Gilroy ([bobg@nunalogistics.com](mailto:bobg@nunalogistics.com))  
         Francois Landry ([flandry@rescan.com](mailto:flandry@rescan.com))  
         Robyn Abernethy-Gillis ([abernethygillisr@inac-ainc.gc.ca](mailto:abernethygillisr@inac-ainc.gc.ca))

Attachment:      Letter from BIPRJVL to NIRB dated June 4, 2008

June 4, 2008

Stephanie Autut  
Executive Director  
Nunavut Impact Review Board  
P.O. Box 1360  
Cambridge Bay, Nunavut  
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Delivered via Email: [sautut@nirb.ca](mailto:sautut@nirb.ca)

Dear Ms. Autut:

**Re: NIRB File No. 03UN114; 12.5.1 Direction from Minister Strahl – Proponent Response**

Thank you for your letter of May 21, 2008 in which you bring us up to date on Minister Strahl's concerns regarding the timeliness of the Final Environmental Impact Statement (EIS) Guidelines for the Review of the Proposed Bathurst Inlet Port and Road Project – December 2004. We acknowledge that the "...development scenario of the Kitikmeot Region has changed ..." and so welcome the opportunity to comment on the current status and scope of the Project.

It is important to re-state the historical context of the Project. The location of the proposed port site and the alignment of the road connected to it is the optimum combination of port and road location and alignment respectively reflecting more than 20 years of experience in exploring for, developing, and producing mineral resources in the Kitikmeot Region and adjacent Northwest Territories. The "development scenario" of this Region has changed significantly over that time, however, the utility of this Project for the long term development of the Kitikmeot Region remains. That is why Kitikmeot Corporation, Nuna Logistics Limited, and Nunavut Tunngavik Incorporated remain committed to the Bathurst Inlet Port and Road Project.

The Minister's letter requests that three issues be reviewed:

- the purposes of the Project;
- Project alternatives; and
- cumulative impacts of the Project.

The overall **purposes** of the Project as stated in the Project Description and Draft Environmental Impact Statement (DEIS) remain unchanged despite changes in the "development scenario" for the Kitikmeot Region of Nunavut. They are:

- increased certainty of supply, combined with a lower landed cost of fuel and other bulk goods for mineral exploration and development sites in the Region served or capable of being served by the Project;
- significantly lower landed cost of fuel and other bulk goods from Eastern Canada destined for Kitikmeot communities via the port at Bathurst Inlet;
- significantly earlier arrival of materials at similar or lower landed cost from Western Canada destined for Kitikmeot communities shipped north on the winter road via Yellowknife;
- increased training, employment and business development opportunities for workers and businesses in the Kitikmeot Region;
- overall increased wage income and business activities in the Kitikmeot Region that will contribute increased tax revenues to the Governments of Nunavut and Canada;

- significantly reduced capital and operating costs for future mineral exploration and mine development in the Nunavut portion of the Slave Geological Province; and
- provision of capacity to allow additional development to occur the Region.

The Project Description, the DEIS, and the responses to Information Requests arising from the DEIS review current and historic **alternatives** to the Project. Current and historic alternatives include conceptual projects intended to serve a single project or proponent. No other alternative has been Kitikmeot or Nunavut owned, nor included the benefits of lower costs of essential bulk commodities for Kitikmeot communities. Also, the Bathurst Inlet Port and Road Project is the only alternative advanced to date that has been subjected to the rigor of a comprehensive environmental, engineering, and related economic cost/benefit feasibility study and so is the only alternative for which reliable construction and operating costs have been developed.

**Cumulative effects** for the "...development scenario of the Kitikmeot Region..." will be developed by the Project as directed by NIRB and filed in the form of the Final Environmental Impact Statement. It will assess "...past, current, or Reasonably Foreseeable Future Development."<sup>1</sup> Since the long term purpose of the Project includes facilitating mineral exploration, development and production it is assumed that all incremental projects that utilize the port and road will be subjected to the environmental effects assessment prescribed by the Nunavut Land Claims Agreement and related legislation. It will advance on a schedule and scope that reflect the "development scenario of the Kitikmeot Region". It can only advance in response to the commercial needs of projects in the Slave Geological Province that require port and/or road infrastructure. The Guidelines, however, remain relevant because the Project can and will serve all the purposes stated above and be ready and available to grow as the "...development scenario of the Kitikmeot Region..." evolves.

Thank you for the opportunity to address these issues.

Yours truly,

BATHURST INLET PORT AND ROAD JOINT VENTURE LTD.  
per:



Mervyn Hempstall  
President and CEO  
Nuna Logistics Limited



Charlie Lyall  
President  
Kitikmeot Corporation



Raymond Kayaksark  
Acting President  
Kitikmeot Inuit Association

BH/sm

<sup>1</sup>Sec. 4.7.2 Final Environmental Impact Statement (EIS) Guidelines for the Review of the Proposed Bathurst Inlet Port and Road Project – December 2004.