

Minister of Indian Affairs
and Northern Development



Ministre des Affaires
indiennes et du Nord canadien

Ottawa, Canada K1A 0H4

10 2003

Ms. Elizabeth Copland
Chair
Nunavut Impact Review Board
PO Box 2379
CAMBRIDGE BAY NU X0E 0C0

Dear Ms. Copland:

This is in response to your letter of January 10, 2003, regarding the Bathurst Inlet Port and Road Project (project). I appreciate being provided with an update from the Nunavut Impact Review Board (NIRB) on the current status of the project and your offer to provide additional information to help facilitate my decision on the level of project review required.

In your letter, you have advised that the proponent formally notified the NIRB and the regulators in November 2002, of changes to certain components of the project. You have brought to my attention key sections of correspondence, on the part of the regulators, where the question of the NIRB re-screening the project description and any amended applications has been raised. You have also indicated that, in your opinion, the changes identified "will likely have the effect of reducing certain of the environmental impacts". Without a revised project description, I am unable to determine the potential implications of these changes on the screening decision issued by the NIRB on July 8, 2002. It is critical that I have the best information available on the project description, including the purpose and need for the project, its potential for significant adverse ecosystemic and socio-economic effects and public concern, to make my decision under section 12.4.7 of the Nunavut Land Claim Agreement. Thus, I would like the NIRB to request a revised project description from the proponent for the purposes of re-screening and submission to me.

I would like to take this opportunity to provide some preliminary observations to the NIRB on certain aspects of the project that will be integral to my decision. The project, as described, is large scale and clearly has the potential to have impacts that reach beyond the Nunavut Settlement Area. The construction of a deep sea port at Bathurst Inlet and the associated shipping of cargo, fuel and ultimately concentrate east or west to overseas smelters in newly established marine transportation corridors, raises

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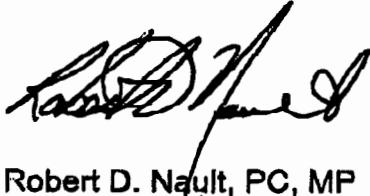
- 2 -

environmental concerns for the marine ecosystem as well as national and international questions regarding the jurisdiction and use of Arctic waters. The construction of an all-weather road to Contwoyto Lake has the potential to impact the Bathurst caribou herd and its habitat, which is a transboundary resource shared by the people of Nunavut and the Northwest Territories. Similarly, the change in direction of re-supply routes to northern Canada has the potential to impact regions outside the Nunavut Territory.

These issues alone suggest that the appropriate course of action may be to refer the project to the Minister of the Environment for a Part 6 panel review. A thorough consideration of these and other factors is necessary before I make my decision. I will await additional information from the NIRB in a revised screening decision report.

Thank you for your assistance.

Yours sincerely,



Robert D. Nault, PC, MP

c.c.: The Honourable David Anderson, PC, MP
The Honourable Robert G. Thibault, PC, MP