

Appendix 2

NPC correspondence to Aboriginal Affairs and Northern Development Canada Minister

Re: Recommendation to Amend the North Baffin Regional Land Use Plan to include a New
Transportation Corridor for the Baffinland Iron Mine Corporation's Early Revenue Phase
Proposal, April 14, 2014



The Honourable Johnny Mike
Minister of Environment
Department of Environment
Government of Nunavut
P.O. Box 1000, Stn 1300
Iqaluit, Nunavut, X0C 0A0

Delivered Via Electronic Mail

Dear Ministers Valcourt, Mike,

Re: Recommendation to Amend the North Baffin Regional Land Use Plan to include a New Transportation Corridor for the Baffinland Iron Mine Corporation’s Early Revenue Phase Proposal

The North Baffin Regional Land Use Plan (NBRLUP), approved June 2000, has in place terms that apply to public and private transportation corridors and a process outlining a procedure for possible amendment to the NBRLUP. The term 3.5.12 of the NBRLUP states that:

NBRLUP s.3.5.12

The Nunavut Planning Commission (NPC) and either the Nunavut Impact Review Board (NIRB) or a panel acting under section 12.4.7 of the Nunavut Land Claims Agreement (NLCA), shall publically review the proposed corridor to determine whether the proposal adequately meets the guidelines set out in Appendices J and K. Once it is determined that the proposal does meet the guidelines, the NPC may request to the ministers to amend the plan to include the new transportation corridor.

The term 5.3 of the *NBRLUP* also directs the NPC to Article 11, part 6 of the *NLCA* to follow the procedures as outlined when considering a recommendation to amend the *NBRLUP*.

NBRLUP s.5.3

Article 11, Part 6 of the NLCA governs amendments and review of land use plans. The NPC will consider all recommendations for amendments and will recommend those it considers suitable to the Minister of DIAND (AANDC) and the Minister of Environment.

The *NLCA*, under article 11, part 6 outlines a procedure for plan amendment process:

NLCA, Article 11, Part 6

- 11.6.1 Government, a DIO, or any person affected by a plan, may propose amendments to the plan to the NPC.
- 11.6.2 The NPC shall consider a proposed amendment and, if it deems a review appropriate, review the proposal publicly.
- 11.6.3 Upon completion of the process in Section 11.6.2, the NPC shall recommend to the

Minister of Indian Affairs and Northern Development and the Territorial Government Minister responsible for Renewable Resources that:

- (a) the proposed amendment be rejected in whole or in part; or*
- (b) the proposed amendment be accepted, in whole or in part.*

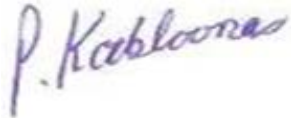
As a background, the Baffinland Iron Mine Corporation's (BIMC) Early Revenue Phase Proposal (ERP) is located in the *NBRLUP* planning region. The existing tote road is approximately 100 km long between the Mary River Project's mine site to the port located in Milne Inlet, the marine portion of the transportation corridor runs generally North through Milne Inlet and then East through Eclipse Sound to Baffin Bay for approximately 270km. The NPC and NIRB reviewed the proposal publically and that the NPC has determined that the BIMC's ERP proposal meets those guidelines.

The NPC has determined that in accordance with the *NLCA* and *the NBRLUP* that an amendment to include a "New Transportation Corridor" in the *NBRLUP* is necessary and

therefore recommends to the Ministers to amend the NBRLUP. I have enclosed two documents
1) The proposed amendment to the NBRLUP, 2) A map showing the location of the "New
Transportation Corridor".

I look forward to hearing from you at your earliest convenience.

Yours truly,



Percy Kabloona, Acting Chairperson
Nunavut Planning Commission

CC. Ryan Barry, Nunavut Impact Review Board
Georgina Williston, Department of Fisheries & Oceans
Stephen Bathory, Qikiqtani Inuit Association