

BIMC-NWB Teleconference

Meeting Record

Date/Time: November 26, 2012 / 11:00 a.m. to 12:00 MST

Participants:

Erik Madsen and Oliver Curran – Baffinland Iron Mines Corporation (BIMC); Manik Duggar – Northern Projects Management Office (NPMO); and David Hohnstein and Sean Joseph – Nunavut Water Board (NWB)

Teleconference Objectives:

- To confirm the pending stages of the water licensing process for the Mary River Project Type A water licence application, provided that the lead minister (Minister of Aboriginal Affairs and Northern Development Canada or Minister) issues a positive decision for the Project;
- To examine possible timeframe(s) for scheduling the Technical Meeting-Prehearing Conference (TM-PHC) and the Public Hearing (PH) for the Mary River Project Type A water licence application so as capitalize on potential efficiencies that could be realized by coordinating with the NIRB (there were earlier discussion by both NIRB and NWB pertaining to combining the Project Certificate Workshop and TM-PHC for efficiency purposes – allowing for continued coordination between NWB and NIRB), even though the pending stages of the Type A water licensing process fall outside of the *Detailed Coordinated Process Framework*, while being cognizant of the NWB's requirements and assuming that the Minister issues a positive decision for the project.

Main Issues Discussed:

- Possibility of scheduling the TM-PHC for the water licence application immediately following the NIRB project certificate workshop (Based on the *NIRB Part 5 Review Process with NPC/NWB Coordination Highlighted*, there is indication that the NIRB may potentially schedule a Project Certificate Workshop within 30 days of any positive decision from the Minister) and within the same community, assuming that the Minister issues a positive decision for the project;
- Potential impact that routine office closures in December might have on timelines;
- Potential implications for not having TM-PHC in the community most affected by the project (It was alluded to that the NWB may have, under very unusual and extenuating circumstances, held a TM-PHC in a community that was not directly affected by a particular project sometime in the past);
- Potential for issuing notice of the TM-PHC closely following any positive decision from the Minister for the project;
- Potential for issuing the notice of the PH closely following any positive decision from the Minister's and before a Project Certificate is issued or in advance of the NWB's issuing the TM-PHC decision report;

- Potential consequences and risk involved with issuing an advance notice for the PH should circumstances dictate that the PH be rescheduled;
- Possibility that the NWB, Baffinland and other stakeholders will be in the position to hold the PH as scheduled if an advance notice of the PH is issued closely following any positive decision from the Minister;
- Possibility that BIMC will be able to proceed with pre-development work under its existing type B Licence and/or a separate Type B water licence;

Follow-up Items:

- NWB to explore potential date(s) and location(s) for the TM-PHC and PH;
- NWB to explore the possibility of issuing early notices for the TM-PHC, and/or PH;
- NWB to engage the NIRB to explore the possibilities for potential coordination with respect to scheduling of the TM-PHC;
- NWB to confirm with its legal counsel the implications associated with issuing notices for the TMC-PHC and/or PH in advance of the issuance of a NIRB Project Certificate or before a TM-PHC decision report is issued;
- If the Minister were to issue a positive decision for the project, the NWB will endeavour to provide stakeholders with potential timelines for the pending stages of the Type A water licensing process;