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Environmental Affairs – Programs, PNR
P.O. Box 8550
3rd Floor, 344 Edmonton Street
Winnipeg, Manitoba
R3C 0P6

Your file Votre référence
08MN053

Our file Notre référence
8174 – 17 – 5

June 4, 2008

Ms. Leslie Payette
Manager of Environmental Administration
Nunavut Impact Review Board
P.O. Box 1360
Cambridge Bay, NU
X0B 0C0

by email: lpayette@nirb.ca

Dear Ms. Payette:

Re: Notice of Part 4 Screening for Baffinland Iron Mines Corporation's Mary River Project Proposal

Thank you for the Nunavut Impact Review Board (NIRB) letter of May 2nd 2008, which provides notice of a Part 4 screening and comment request for the Baffinland Iron Mines Corporation's (Baffinland) Mary River Project Development Proposal.

Transport Canada has reviewed the Baffinland Development Proposal at a cursory level taking into consideration our departmental mandate. Several works identified in this development proposal may pose interference to safe navigation and possibly require Formal Approval under the *Navigable Waters Protection Act*. Transport Canada may also be able to provide expertise on other project components and activities associated with this proposal as they relate to our overall responsibilities.

As the Mary River project is a large-scale mine that will include works and physical activities that could have the potential to cause adverse environmental impacts, Transport Canada is of the view that the overall scale and nature of this project could warrant a review under Article 12.4.4 (b), Part 5 or Part 6 of the Nunavut Land Claims Agreement (NLCA). A coordinated and structured review of this proposal by NIRB and the Nunavut Water Board (NWB) as envisioned under 13.5.2 of the NLCA, would be deemed to be appropriate by Transport Canada.

Transport Canada is of the opinion that the Nunavut Planning Commission (NPC) and the Nunavut Impact Review Board (NIRB) should jointly arrive at a process to gather the necessary information that would be required to review the proposed transportation corridor associated with the project proposal under sections 3.5.11 and 3.5.12 of the North Baffin Land Use Plan (NBLUP).

Transport Canada will continue to work with the NIRB, NWB, Baffinland and other Parties concerning the ongoing review and environmental assessment. Should you have any questions pertaining to these comments, I can be contacted via email at cowanj@tc.gc.ca or by telephone at 204-983-1139.

Sincerely,

John Cowan
Environmental Officer

Copy: Doug Soloway, TC – Superintendent, Environmental Assessment Management Program
Greg Black, TC – NWPP
Craig Miller, TC – Marine Safety
Blair Raitt, TC – Surface
Clint Toews, TC – Security and Emergency Preparedness
Chuck Frankard, TC – Aerodrome Safety
Christine Wan, TC – Coordination and Policy Advice

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