



□□□□□□□□

**KAVAMALIQIYIKKUT**

**Ministère de l'Exécutif et des Affaires Intergouvernementales**

**Department of Executive & Intergovernmental Affairs**

September 21, 2009

Leslie Payette  
Manager of Environmental Administration  
Nunavut Impact Review Board  
P.O. Box 1360  
Cambridge Bay, NU X0A 0H0

Dear Ms Payette,

**RE: NIRB: 08MN053 – Revised Draft Guidelines for Baffinland Iron Mine Corporation's Preparation of the DEIS for the Mary River Project**

On behalf of the Government of Nunavut (GN), I would like to thank the Nunavut Impact Review Board (NIRB) for the opportunity to comment on the revised *Draft Guidelines for Baffinland Iron Mine Corporation's Preparation of the Draft Environmental Impact Statement (DEIS) for the Mary River Project*.

The revised guidelines are an improvement over the first draft and reflect the GN's input in many areas. The following comments (Appendix A) are provided to highlight certain areas where previous GN comments were omitted. In other cases we have suggested additional improvements, particularly in the area of impacts to traditional activities.

NIRB has asked whether there are specific issues Parties would like to address during the guidelines workshop in Iqaluit on September 29 and 30. GN representatives attending the workshop will be available to speak to the following points, which we request be included on the agenda:

- **Socio-economic impact assessment and monitoring:** The revised guidelines help to clarify the link between Valued Socio-Economic Components (VSECs) and the scoping list. The GN would like to discuss this concordance in more detail to ensure the proponent, NIRB and interested parties are in agreement about the organization of the guidelines and the expectations for the provision of socio-economic impact and benefit information. This is discussed in more detail in Appendix A.
- **Impact and Management of Roads:** The GN notes that a Roads Management Plan has been included in the revised guidelines under Section 9.4.18. We would like to discuss in more detail our expectations for the assessment of road impacts on wildlife and traditional activities.



□□□□□□□□

**KAVAMALIQIYIKKUT**

**Ministère de l'Exécutif et des Affaires Intergouvernementales**

**Department of Executive & Intergovernmental Affairs**

---

Thank you again for the opportunity to provide comments. The GN looks forward to continued participation in the Part 5 Review of the Mary River Project, including the upcoming workshop in Iqaluit. GN participants at the workshop will include:

Dee Karadag (DOE)  
Mike Mifflin (DOE)  
Rhoda Katsak (EDT)  
Dianne Lapierre (EDT)  
Willie Hyndman (EDT)  
Julie Ross (CLEY)  
Melissa Mifflin (HSS)  
Eddie Rideout (Education)  
Anthony Specca (Finance)  
Josh Gladstone (EIA)  
Paul Suvega (EIA)

Should you have any questions pertaining to this submission or the GN's participation in the Review process, please do not hesitate to contact Josh Gladstone at (867) 975-6026.

Qujannamiik,

*(Original signed by)*

Paul Suvega  
Assistant Deputy Minister



□□□□□□□□

**KAVAMALIQIYIKKUT**

**Ministère de l'Exécutif et des Affaires Intergouvernementales**

**Department of Executive & Intergovernmental Affairs**

## **Appendix A**

### **INTRODUCTION**

The following comments were prepared with input from GN departments including Environment (DOE), Economic Development and Transportation (EDT), Education, Health and Social Services (HSS), Finance and Culture, Language, Elders and Youth (CLEY).

### **GENERAL COMMENTS**

#### **Section 7.2.2:**

The 1st to 10th scoping items from section 7.2.2 are all categories of section 8.2. However, the 11th to 18th bullets do not show up explicitly in section 8.2. Thus, it would be useful to have a discussion of where the 11th to 18th bullets will fit in to the impact assessment framework. The GN proposes this discussion take place at the Guidelines Workshop in Iqaluit.

#### **Section 8.2:**

Various minor grammatical and spelling errors were found throughout the section.

### **OMISSIONS**

The following proposed changes were not included in the revised draft guidelines. They are provided again here for inclusion in the final draft, or for discussion at the workshop.

#### **Section 6.5.3.1 (Geology/Mineralogy of the Ore Deposit)**

- This section should recognize ice lenses as a challenge for infrastructure and subsurface activities. The geology (which includes ice lenses) is important not only at the mine site but also along the railway corridor (6.5.6.1). The occurrence of ice lenses may have significant environmental and engineering consequences and if not addressed properly could result in landmass instability. Ice lenses are only mentioned in section 6.5.3.5 (Natural Drainage Diversion). Ice lenses and their effects and associated mitigation (including avoidance) should be addressed wherever they might occur.

#### **Section 6.5.3 (Airstrip Traffic)**

- Flight Impact Zone should be determined to assist in the delineation of flight impacts on wildlife, with a particular focus on critical life cycle periods (e.g. **nesting**, calving, post-calving, **denning**, etc.). Flight heights should be described and should be above **610 m** to avoid disturbing wildlife.



□□□□□□□□

**KAVAMALIQIYIKKUT**

**Ministère de l'Exécutif et des Affaires Intergouvernementales**

**Department of Executive & Intergovernmental Affairs**

- Note: This comment was partially included. Important information that was omitted has been placed in bold font.

#### **Section 8.1.7 (Landforms, Soils, and Permafrost)**

- This section acknowledges lenses as a significant component of the subsurface and requires information on their occurrence. An assessment of the potential impacts of project activities and operations on these features (and associated landmass) and the potential negative impacts these features could have on infrastructure stability and security should be considered and addressed.

#### **Section 8.10.2 (Impact Assessment)**

- The statement, "The potential effects on population size, abundance, wildlife behaviour (including stress to animals), foraging and distribution from: ...ice-breaking associated with shipping (with special attention to caribou migration, if applicable)" should be expanded to include other species in addition to caribou and should read, "...Ice-breaking associated with shipping with respect to caribou, polar bears, walrus, seals, whales, and birds" section 8.1.10.2
- The statement "The potential impacts on wildlife from air traffic, especially the low level flight of aircrafts"... Low elevation flights have negative effects on wildlife – flights lower than 610 m should be avoided, especially during caribou calving (**May 15th – July 15th**) and post-calving (**July 15th – August 15th**) periods.
  - Note: This comment was partially included. Important information that was omitted has been placed in bold font.

#### **Section 9.4.1 (Risk Management and Emergency Response Plan)**

- Bullet 6-rewording: Discussion on options to carry out for medical transportation of injured staff **or persons** both within and beyond project site. **This should include discussion on ambulance and medical transportation on site and medivac to local health centre or hospital or referral** into the Nunavut Health Care System from the mine to the Nunavut system. Staff should know who to call, and how to connect to the Nunavut Health Care System

#### **Section 9.4.9 (Hazardous Materials Management Plan)**

- Emergency response staff (i.e. fire fighters, EMTs, Community Health Nurses, etc) may not have all necessary information to deal with emergencies relating to hazardous materials. The GN suggests the DEIS include discussion on the distribution of Hazardous Materials, Material Safety Data Sheets to the health centre (s), or emergency response staff who may deal with casualties or disasters.

#### **ADDITIONAL COMMENTS**



□□□□□□□□

**KAVAMALIQUIYIKKUT**

**Ministère de l'Exécutif et des Affaires Intergouvernementales**

**Department of Executive & Intergovernmental Affairs**

---

#### **Section 6.5.6.2 (Railway and Train Operation)**

- Projected noise levels (not just noise reducing technologies) should be presented as well as the occurrence of ice lenses along the proposed rail bed and any associated counter-measures. In section b. Operations – basic information on the frequency and duration of operation should be included. The proponent should identify all potential negative impacts on wildlife and environment i.e. snow drifts, noise, barrier to movement, vibration, dust, etc., and then address each of these.

#### **Section 6.5.10 (Access Roads)**

- Additional information about access roads should be provided, including: How will the type of access affect the number of trips – how will this influence cumulative effect? How will potential increases in use increase collisions? How will effects of the type of access (e.g. public or private) be mitigated (e.g. predation by humans)?
- Additionally, some mitigation of impacts to wildlife can be achieved through design and building of roads. Studies show that vehicle speed is a primary factor leading to vehicle-wildlife collisions and that road design influences vehicle speed more than imposed speed limits – the proponent should consider this in the design and building of transportation corridors as a way to mitigate and minimize wildlife-vehicle collisions.

#### **Section 8.1.10.2**

- The impacts and cumulative effects of longer-term transportation networks on wildlife and wildlife habitat should be assessed.
- The impacts and cumulative effects of potential use of the railway and seaport other than for the project on wildlife and habitat should be assessed.

#### **Section 9.4.15 (Wildlife Mitigation and Monitoring Plan)**

- The Revised Draft EIS will include mitigation and monitoring plan for wildlife. Therefore, the following comment is important to be taken: “There is a need for coordinated mitigation of impacts on peregrine falcons and study of their use of the LSA. The GN-DoE suggests Baffinland follow through on its partnership with the GN-DoE to study peregrine falcons.”

#### **Project Description:**

- Pg. 18, Section 6.2, bullet 7:



□□□□□□□□

**KAVAMALIQIYIKKUT**

**Ministère de l'Exécutif et des Affaires Intergouvernementales**

**Department of Executive & Intergovernmental Affairs**

---

In the bullet point regarding how socio-economic conditions have influenced the project design, include as examples: how the local economy (harvesting sites, carving stone sites) and the ability to access these areas have influenced the project design.

- Pg. 18, Section 6.3:

The description of project components and activities should include, where possible, community consultation/engagement plans (ex. regular information updates, employment/training info sessions, etc), and how these sessions would fit into the timeline. In addition, the types of employment needs for each phase of the project and when such hiring will occur should be incorporated in the description of the project components.

- Pg. 19, Section 6.5.1, bullet 1:

Expand point to include 'All possible uses *including predicted non-project use during the mine life.*'

- Pg. 28, Section 6.5.7.2, bullet 2:

Expand point to include 'Any and all potential uses of the port *including predicted non-project uses during mine life.*'

- Pg. 20, Section 6.5.2:

The proponent should describe the relationship of the Milne Tote Road to existing traditional routes (ex. Routes to access hunting grounds, etc.). Also, since relevant management plans are referenced in other sections, include reference to the Road Management Plan for Section 6.5.2.

- Pg. 24-25, Section 6.5.5 and 6.5.6:

The proponent should describe the relationship of ground traffic routes and the rail corridor to any existing traditional routes.

- Pg. 28, Section 6.5.8

Include a bullet point stating 'Shipping management in reference to the Shipping Management Plan.'

- Pg. 32, Section 6.5.14:

The proponent should include the impacts of proposed or potential exploration on local access to the land, such as for traditional hunting grounds or harvesting areas.

### **Impact Assessment Approaches:**

- Pg. 39, Section 7.8:



□□□□□□□□

KAVAMALIQIYIKKUT

Ministère de l'Exécutif et des Affaires Intergouvernementales

Department of Executive & Intergovernmental Affairs

Under the Mary River-specific points for Cumulative Effects Assessment, include a bullet point that considers potential cumulative effects (positive and/or negative) on health, economy, culture of the nearby communities and the region.

- Pg. 40, Section 7.10, paragraph 2:  
Reference is made to an Adaptive Management Plan in Section 9.4. However, the Adaptive Management Plan is not included in Section 9.4.

### **Project Environment and Impact Assessment:**

- Pg. 50, Section 8.1.9.2:  
The proponent should assess the potential socio-economic impact related to accessibility of local harvesters to quality fishing areas.
- Pg. 57, Section 8.2.2.2, bullet 4:  
The proponent should include in the discussion of long-term community capacity-building programs how their mine training plans can enhance the transferability of skills after the mine closes (ex. management and HR skills, computer skills, heavy equipment experience, finance skills, etc.)
- Pg. 65, Section 8.2.8.2  
Please reword to include the following wording (in bold):

Potential adverse impacts on the archaeological resources in the area as a result of borrow pit and quarry construction and **operation, as well as construction and use of** access roads. Discuss **how consideration of impacts have been incorporated** in the road routing and design

Potential direct and indirect effects on paleontological/archaeological resources owing to **increased human activity in the area associated with mine including** ground and marine transportations and ongoing exploration **as well as non mine related activities.**

- Pg. 62, Section 8.2.9, bullet 5:  
Reword the sentence 'Description of the opportunities the project presents to Nunavut communities...' to say 'The Proponent shall demonstrate a clear understanding of the opportunities the project presents to Nunavut communities, as well as undertake a thorough review...'
- Pg. 63, Section 8.2.10.1:  
The proponent should describe the roles of the various parties in socio-economic monitoring and the Qikiqtani Socio-Economic Monitoring Committee.
- Pg. 63, Section 8.2.10.2, bullet 4:  
Include socio-economic monitoring as one of the initiatives that the proponent should assess.



□□□□□□□□

**KAVAMALIQIYIKKUT**

**Ministère de l'Exécutif et des Affaires Intergouvernementales**

**Department of Executive & Intergovernmental Affairs**

---

**Environmental Management System:**

- Pg. 75, Section 9.6:

The mine closure plan should include sufficient notice to employees of lay-off and/or project closure (ex. 6 months prior to scheduled layoffs/closure).

- Pg. 77, Section 9.7, paragraph 2:

The last paragraph refers to the Socio-economic Monitoring Committees and the proponent's description of their socio-economic monitoring activities. It is suggested that this paragraph is more appropriately placed among the introductory paragraphs of Section 9.5 (pg. 73).