



July 21st, 2011

Ryan Barry
Executive Director
Nunavut Impact Review Board
29 Mitik, PO Box 1360
Cambridge Bay, NU
X0B0C0

Mr. Barry,

Re: Commencement of Technical Review Period, Baffinland Iron Mines Corporation's (BIMC) Proposed Mary River Project

The Qikiqtani Inuit Association (QIA) would like to thank the Nunavut Impact Review Board (NIRB) for its letter titled *Commencement of Public Comment Period for the NIRB's review of Baffinland's Draft EIS (DEIS) Submission* (July 5th, 2011). QIA welcomes the opportunity to work with potentially impacted communities in reviewing the Draft Environmental Impact Statement (DEIS) for the purpose of providing NIRB with technical comments.

1.0 DEIS Addendum

QIA is currently in the process of reviewing the recently submitted addendum¹ to DEIS² concerning the removal of the Tote Road Haulage option. It is important for QIA to understand the entirety of proposed on-site activities in order to judge the proposed impacts. In view of this, based on QIA's initial review of the addendum, there is some uncertainty regarding the freight being shipped to the site during mine operation. In the removal of the Tote Road option, BIMC identified a return to the 2008 Developmental Proposal³, which stated that all non-oversize freight shipping would be routed through Steensby Port and transported on the rail line. This is in contrast to the 2011 DEIS, which had provisions for shipping non-oversize freight along both the Tote Road and the railway during mine operations.

In the addendum submitted by BIMC regarding the removal of the Tote Road haulage option, the total freight into the site will be reduced by 43% as compared to the DEIS. This is a result of Milne Inlet Port being used for oversized shipping only, and no additional freight being transported into Steensby Port as compared to the DEIS. If additional freight is in fact being shipped into Steensby Port as compared to the DEIS, the measured impacts could change significantly due to the potential need for more ship and rail transportation.

¹ Baffinland Iron Mines Corporation, "Mary River Project Draft Environmental Impact Statement, Removal of Road Haulage Option Addendum", Nunavut Impact Review Board Public Registry, Cambridge Bay, NU, June 2011

² Baffinland Iron Mines Corporation, "Mary River Environmental Impact Statement", Nunavut Impact Review Board Public Registry, Cambridge Bay, NU, January 2011

³ Baffinland Iron Mines Corporation, "Development Proposal for the Mary River Project", Nunavut Impact Review Board Public Registry, Cambridge Bay, NU, March 2008

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communities of

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QIA would like BIMC to verify that no additional freight is being shipped into Steensby Port as a result of the removal of the Tote Road haulage option. QIA would prefer that BIMC describes which freight will no longer be transported to site, and how such a reduction in freight being transported to site may affect any proposed impacts described in the DEIS.

Furthermore, QIA has noted that the addendum also contains Appendix 3G: Pre-development Works Proposal. Although acknowledged as initial indication of BIMC's desire for early development activities, QIA does not consider the materials submitted to be a complete application for pre-development works. In the letter of transmittal (June 30th, 2011) BIMC notes that initial meetings on pre-development works will be held in the near future. QIA will undertake a review of Appendix 3G in advance of any proposed meetings. Furthermore, QIA will await direction from the Institutions of Public Government (IPG's) before preparing and submitting formal comments related to pre-development works.

2.0 *Summary of QIA's Technical Review Efforts*

QIA's primary focus over the past several months has been the establishment of Mary River Environmental Assessment (EA) and Inuit Impact and Benefit Agreement (IIBA) Project Committees ("Review Committee") in each of the following communities; Kimmirut, Cape Dorset, Hall Beach, Igloolik, Arctic Bay, Pond Inlet, and Clyde River. The *Review Committees* have held face-to-face meetings with members of QIA's three person *Mary River Project Coordination Team* (Project Manager, Project Coordinator, Project Advisor) in order to review the *Terms of Reference*, *QIA Mary River Project Review Committee* (see *Appendix A*). Each committee has also selected a chairperson, and, have held initial project specific discussions. Additionally, *Appendix B: QIA Review Committees, Meeting Record List* is provided so that NIRB can better understand QIA's community level interactions to date.

Upon receipt of the DEIS it has become apparent to QIA that the presentation of information in the DEIS would not easily support a community level understanding of the project. The DEIS is extremely voluminous, compartmentalized, technical and narrowly translated. In an attempt to address these issues, during NIRB's *Information Request* stage, QIA prepared a Valued Socio-Economic Components (VSECs) summary package (attached to QIA's March 17th, 2011 submission to NIRB). Following a review of BIMC's responses to QIA's *Information Requests*, QIA directed BIMC to prepare Valued Ecosystem Components (VECs) summary documents. Upon receipt of translated versions of the VEC summary documents QIA organized a comprehensive *DEIS Summary Package*. In addition to a thematic presentation of VSECs and VECs, the *DEIS Summary Packages* also contain an expanded Inuktitut glossary. Furthermore, the *DEIS Summary Packages* are intended to be read in parallel with BIMC's *Inuit Knowledge Map Book*.

Since not all potentially impacted communities will experience impacts in the same way, community specific versions of the *DEIS Summary Package* have been prepared. For example, packages for Kimmirut and Cape Dorset are focused upon project shipping and socio-economics, but not terrestrial elements. It is important to note, that both the larger *DEIS Summary Package* and the community specific *DEIS Summary Packages* will be made available to all potentially impacted communities. Additionally, QIA has also prepared a summary document related to the IIBA. This document will also be distributed to the communities to facilitate their review and feedback.



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- Attachments: Appendix A: Terms of Reference, QIA Mary River Project Review Committee
Appendix B: QIA Review Committees, Meeting Record List

Appendix A:

Terms of Reference,

QIA Mary River Project Review Committees

1. Introduction

The Qikiqtani Inuit Association (QIA) is a Designated Inuit Association (DIO) under the NLCA. As a DIO, QIA is responsible for representing Inuit rights and values within the Qikiqtani region. For Major Development Projects as defined in the NLCA, QIA is the DIO responsible for supporting Inuit representation in the project reviews led by the Institutions of Public Government (IPGS) and for negotiating an Inuit Impact Benefit Agreement (IIBA). The Mary River Project now being developed by Baffinland Iron Mines Corporation has been identified as a Major Development Project

QIA is creating Mary River Project Committees in Hall Beach, Igloolik, Arctic Bay, Pond Inlet, Clyde River, Kimmirut and Cape Dorset. The committees will help to ensure that the communities affected by the Mary River Project are informed and engaged in the decisions that will need to be made about the Project.

2. Purpose

The Mary River Project will transform the Baffin Region. It will be multi-generational and very likely continue well beyond the mine life stated by Baffinland Iron Mines Corporation in its Environmental Impact Statement. To create benefits for Inuit, their families, communities, and the region as a whole QIA and the communities must understand the scope and scale of the Project. They will also need to actively engage with the Company, regulatory bodies, and all levels of Government. It will also be important for Baffin Inuit to understand the technical aspects of the Project and all potential environmental impacts.

QIA needs to be confident that positions and directions taken respond to and are supported by the communities. At the same time, the communities need up-to-date information and to feel that their views, knowledge and visions for the future are supported and promoted by QIA.

3. Responsibilities

The primary responsibility of the Mary River Project Committees will be to act as a communication link within communities and between QIA and communities near the Mary River Project, during the environmental review and regulatory process led by the IPGs and to provide input and review of the IIBA as it is being negotiated.

The environmental assessment and regulatory review will focus on the details related to how the project is planned and the conditions under which it will operate, including how the project will avoid impacts and maximize benefits to the greatest degree possible. The IIBA will focus on the specific benefits Inuit will receive from the project. It is very important that these two processes operate to complement each other.

The Committees and their members will be required to meet regularly, openly discuss matters in their community within the timelines established by the IPGs and IIBA process. They will receive, review and provide information to the communities and develop advice and recommendations on behalf of the communities and provide this to QIA on a timely basis.

4. Responsibilities

4.1 QIA Support

The Mary River Project Committees can only operate effectively with substantive and consistent support from QIA. QIA will be required to provide the Committees with information concerning the Project as it becomes available in a form that can be readily used. QIA will also be responsible for providing timely information on IPG schedules and matters about which information is needed and decisions required. It is important to note here that these Committees do not replace the CLARCs who will continue to be responsible for lands administration and related matters.

QIA will provide the full support of QIA and its technical teams. This includes the QIA Executive and Board, QIA Management and staff, project coordinators, wildlife biologists, socio-economic specialists, engineers, financial expertise, lawyers, negotiators and translators.

4.2 QIA Mary River Project Coordinator

In order to support the activities of the Committees, QIA will hire a Mary River Project Committee Coordinator (*'the Coordinator'*). The Coordinator will:

- Assist in the establishment of the Mary River Project Committee in each community;
- Act as the main point of contact between QIA and communities for all matters related to the regulatory review and IIBA negotiations;
- Attend all community Committee meetings either in person or by phone;
- Record all Committee discussions and recommendations of Committee meetings; and
- Work with CLOs in each community to ensure that all records of Committee discussions and background materials are available to any community member who requests a copy.

4.3 Community Liaison Officers

QIA's Community Liaison Officers (CLOs) will also support the Committees. The CLOs will work with the Coordinator to organize meetings including making sure each Committee member is aware of a meeting and has access to meeting materials. The CLO will also make certain that a meeting place is booked and all meeting arrangements have been made. The CLO will also be responsible for organizing payments of honoraria, and if the Coordinator is not available, will be responsible for taking minutes of Committee meetings.

The CLO in each community will also ensure that the Committee's work, discussions and background materials will be shared freely with any community member who requests a copy of committee records and background materials.

In the event both the Coordinator and the CLO cannot take minutes, the Committee should select a community member capable of taking notes and providing them to QIA in a timely fashion.

5. Committee Membership

In each community the Committee will be comprised of a maximum of six individuals. Membership on the Committee will be restricted so that the Committee can function efficiently.

Membership will include:

- One representative appointed by the local HTO

- One representative appointed by the local Hamlet Council
- QIA Community Director, or designate CLARC member as appointed by the CLARC
- Three Members at Large from the community.
- QIA-appointed community representative for IIBA negotiations where applicable

The Coordinator (or a QIA designate) will attend Committee meetings, usually via telephone, in a secretariat capacity.

6. Committee Selection

QIA will request HTOs, Hamlet Councils, and communities to expeditiously appoint members to the community Mary River Project Committee. The Coordinator will work with QIA and community bodies to establish community Committees

The Coordinator will work with the CLO and the Community Director to confirm the appointment of committee members from each HTO and Hamlet.

Members at Large will be nominated from within each community. It is recommended that each community consider the following groups when nominating Members at Large: women's representative, youth representative, elder's representative and active hunters. The Coordinator, CLO and Community Director will have the responsibility to choose among candidates.

Committee members appointed by the HTO, Hamlet Council, or CLARC do not necessarily need to be HTO Board members, Hamlet Councillors, or CLARC members. Committee participants should be chosen by those bodies based on a) their interest in doing the work of the Committee, as described in Section 3, and b) experience and capability to competently serve on the Committee.

7. Compensation

Committee members will receive compensation on the following basis for all work requested through the QIA Coordinator. For meetings, members will be paid \$125.00 per meeting or \$250.00 per day for full meeting days. A full day payment will be made for meetings that last for more than 3 hours, or, if there is more than one meeting in a day.

The QIA Coordinator will work with the CLOs to ensure recording of time spent and requests for payment. Payment will be made only once meeting minutes are received by QIA. Payments will be issued by mail or upon request sent to the CLOs for distribution.

Compensation for Committee members will be within a budget to be established annually by QIA for each Committee.

8. Multi-Community Meetings

At key points in the review and IIBA processes, QIA will require that representatives from the Committees meet together, for example in preparation for final presentations at the NIRB public hearings or for a review of the IIBA prior to finalization.

In these instances, each of the Committees will select two members to attend. QIA will be responsible for organizing any regional meetings.

9. Public Communication

Working on behalf of QIA, the Coordinator, the CLO, and the Community Director for a given community will ensure that the content of any significant discussions and all recommendations of either the local or regional Committees are communicated to each community.

QIA will provide communities with Project updates in the form of the President's Report, QIA Newsletter as these are available, QIA website and community radio. Further, the Coordinator, or the Community Director will provide communities with Project-related updates from QIA at least quarterly, and more frequently during periods of concentrated activity or when there is an urgent need to communicate with communities.

10. Committee Term

The Committees will operate until a) the environmental review process is complete and b) an IIBA has been successfully negotiated. `

Should the project become delayed for an extended period for whatever reason, it may be necessary to suspend the work of the Committees.

11. Committee Funding

QIA, in consultation with the Coordinator, CLO, and local Committee, will establish an annual budget for the Committee.

Committee expenditures, including meeting costs, honoraria, and travel to inter-community meetings, will be guided by the budget. Any expenditures not explicitly in the budget will require approval from QIA in advance.

Appendix B:

QIA Review Committees, Meeting Record List

Igloolik:

- May 5, 2011 Review of Terms of Reference, Selection of Committee Chair
- May 6th, 2011 Port Site Alternatives Meeting, HTO and BIMC
- May 7th, 2011 Committee Initiation and Port Site Alternatives Meeting
- May 27th, 2011 Port Site Alternatives Meeting, BIMC
- June 17th, 2011 Conference Call to Arrange Community Visit, BIMC
- July 4th, 2011, Site Tour Preparation, Initial Review Questions, Port Site Alternatives
- July 5th, 2011, Port Site Alternatives Meeting, attended by members from Hall Beach Mary River
Project Committee and BIMC
- July 11th, 2011 Mary River Project Site Tour
- July 14th, 2011 Technical Review: Marine Mammals, members from Hall Beach Mary River Project
Committee (facilitated by QIA's technical team)
- July 15th, 2011 Technical Review: Marine Mammals, members from Hall Beach Mary River Project
Committee (facilitated by QIA's technical team)
- July 16th, 2011 Technical Review: Marine Mammals, members from Hall Beach Mary River Project
Committee (facilitated by QIA's technical team)

Pond Inlet:

- May 2nd, 2011 Selection of Members at Large
- May 30th, 2011 Review of Terms of Reference, Selection of Committee Chair
- June 23rd, 2011 Selection of Members for QIA Workshop, Technical Review Preparations
- July 8th, 2011 Mary River Project Site Tour
- July 13th, 2011 Technical Review: Caribou (facilitated by QIA's technical team)

July 14th, 2011 Technical Review: Caribou (facilitated by QIA's technical team)

Clyde River:

June 10th, 2011 Review of Terms of Reference

June 13th, 2011 Selection of Chair

July 11th, 2011 Mary River Project Site Tour (postponed due to weather)

Hall Beach:

May 31st, 2011 Review of Terms of Reference, Selection of Committee Chair

June 14th, 2011 Review of QIA Workshop Invitation, and, Steensby Inlet Port Site

July 4th, 2011, Site Tour Preparation, Igloodik Committee Concerns, Igloodik Trip Preparations

July 5th, 2011, Port Site Alternatives Meeting, BIMC. Note: meeting held in Igloodik with Hall Beach committee members travelling.

July 14th, 2011 Technical Review: Marine Mammals, (facilitated by QIA's technical team). Note: meeting held in Igloodik with select Hall Beach committee members travelling.

July 15th, 2011 Technical Review: Marine Mammals, (facilitated by QIA's technical team). Note: meeting held in Igloodik with select Hall Beach committee members travelling.

July 16th, 2011 Technical Review: Marine Mammals, (facilitated by QIA's technical team). Note: meeting held in Igloodik with select Hall Beach committee members travelling.

Kimmirut:

June 16th, 2011 Review of Terms of Reference, Selection of Committee Chair

Arctic Bay:

June 29th, 2011 Review of Terms of Reference, Selection of Committee Chair

July 9th, 2011 Mary River Project Site Tour

Cape Dorset:

July 14th, 2011 Review of Terms of Reference, Selection of Committee Chair

July 15th, 2011 Technical Review: Marine Mammals, (facilitated by QIA's technical team)

July 16th, 2011 Technical Review: Marine Mammals, (facilitated by QIA's technical team)