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By Licensing Administrative Assistant at 9:19 am, Sep 12, 2011

NIRB File No.: 08MN053

September 9, 2011

To: Mary River Distribution List

Via Email

Re: Further Direction on Format of Technical Review Comment Submissions for the NIRB's Review of Baffinland's Mary River project proposal

Dear Parties:

As you are aware, on July 5, 2011 the Nunavut Impact Review Board (NIRB or Board) commenced its 60 day public comment period and requested that parties review the Draft Environmental Impact Statement (Draft EIS) for the Mary River Project and provide comments to the Board on or before September 6, 2011. The NIRB subsequently received a request to extend the commenting period and, on August 5, 2011 advised parties that the deadline for submission of technical review comments was extended to October 5, 2011. As set out in previous correspondence, technical review comments should include the following:

- Determination of whether Parties agree/disagree with the conclusions in the Draft EIS regarding the alternatives assessment, environmental impacts, proposed mitigation, significance of impacts, and monitoring measures – and reasons to support the determination;
- Determination of whether or not conclusions in the Draft EIS are supported by the analysis provided – and reasons to support the determination;
- Determination of whether appropriate methodology was utilized in the Draft EIS to develop conclusions – and reasons to support the determination, along with any proposed alternative methodologies which may be more appropriate (if applicable);
- An indication of each issue's relevance to the NIRB and NPC's joint review of the transportation corridor proposed by the Project;
- An indication of each issue's relevance to the NWB's evaluation of the completeness of the Type A Water Licence application for the Project;
- Assessment of the quality and presentation of the information in the Draft EIS; and
- Any comments regarding additional information which would be useful in assessing impacts – and reasons to support any comments made.

Having received several inquiries regarding the most effective format for comment submissions, the Board would like to provide further direction for the benefit of all parties participating in this review. To ensure public accessibility, and recognizing that the technical review comments will be discussed at the community roundtables and Pre-Hearing Conferences (PHC) in November, submissions should contain an executive summary which provides an overview of the key issues

presented, in both English and Inuktitut. Technical review comments should address the points set out above, providing specific reference to relevant sections of the Draft EIS and other supporting materials (i.e. volume, section, page number, etc.) submitted by the Proponent as part of this review.

Parties may find efficiencies in structuring comment submissions by issue, and in accordance with the sequencing found within the EIS submission. It may be useful for parties to reference previous submissions made to the NIRB relating to the Mary River Project. Parties may also consider organizing the technical review comment submission in a manner similar to that utilised in the preparation of Information Requests, noting that issues, supporting rationale, recommendations and other relevant information are clearly defined and follow a uniform structure throughout the submission.

As the NIRB will be formulating the agenda for the Technical Meeting based upon the comment submissions received, it would be helpful if Parties considered including a table of contents which clearly outlines the key sections of the submission.

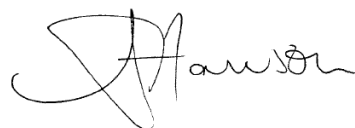
The NIRB appreciates the continued support and participation of all parties during the Board's review of this file. As a reminder, technical review comment submissions must be made to the NIRB no later than 12:00 pm MST, **October 5, 2011**.

Furthermore, in order to ensure adequate logistical planning, the NIRB requests that parties include with the technical review comment submission, an indication of the number of representatives anticipated to be in attendance at each of the Pre-Hearing Conferences and Technical Meeting.

Additionally, the Board anticipates receiving an application for pre-development works from the Proponent on September 15, 2011. Please be advised that the NIRB will issue further correspondence relating to this matter following receipt of application materials.

Should you have any questions pertaining to the Board's review of the Mary River project, please do not hesitate to contact Li Wan, Technical Advisor, at (867) 983-4606 or via email at liwan@nirb.ca.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amanda Hanson', with a stylized flourish at the end.

Amanda Hanson
Director, Technical Services
Nunavut Impact Review Board