

January 11, 2012



Mr. Ryan Barry
Chair
Nunavut Impact Review Board
P.O. Box 1360
Cambridge Bay, Nunavut
X0B 0C0



Dear Mr. Barry,

RE: NIRB's Preliminary Hearing Conference Decision for Baffinland's Mary River Project

Thank you for your letter of December 16, 2011, jointly addressed to me and the President of Pauktuutit, with the copy of this recent NIRB decision attached.

In your letter you indicated that you anticipate your receipt of the Final Environmental Impact Statement some time after January 31st. ITK would appreciate receiving a copy of that document as soon as it is available.

In your letter you also indicated that NIRB is committed to taking additional measures to encourage participation by youth and women in further stages of this project review. ITK welcomes and supports your commitment to this end. I would encourage you to invite one of your staff to contact one of ITK's youth coordinators, Hayley Moorhouse or Kathleen Merritt, to discuss ideas and suggestions that might help NIRB in that regard.

In addition to your commitment to more participation by youth and women, your letter opened up the possibility of further meetings between our organizations in coming months, about the Mary River project, to contribute to a better understanding of the review process and related issues. ITK would be happy to take advantage of your offer as circumstances permit. Our contact person for these purposes is John Cheechoo, Director of Environment and Wildlife.

.../2

January 11, 2012

Mr. Ryan Barry

Page 2

As you are aware, ITK was not a participant in the Preliminary Hearing Conference, or associated meetings, and would not anticipate being a direct participant in subsequent hearings. We are examining further the possibility of written submissions. The primary explanation for our not being a direct participant in hearings is the division of responsibilities among the network of Inuit organizations that work together to represent Inuit rights and interests from the community to the circumpolar levels. Qikiqtani Inuit Association, drawing a variety of responsibilities from the various Articles of the 1993 Nunavut Land Claims Agreement, is the front line organization that has been speaking for Inuit on this project. Nunavut Tunngavik Incorporated also has expertise and experience to offer based on its land claims agreement work. As a national organization, our involvement has been more limited.

Our first and foremost positions with respect to this project are that NIRB should (a) be governed and give full respect to the letter and spirit of relevant provisions of the Nunavut Land Claims Agreement, and be exacting and transparent in such governance and respect, and (b) in all its deliberations under the processes set up under that Agreement, give great weight to the submissions put forward by QIA and NTI, and, in relation to more localized concerns, Inuit community leaders and individuals. Indeed, we would hope that NIRB, like the project proponent, would do everything possible to accommodate, as much as practicable, all the Inuit suggestions put forward in this process.

Apart from these broad positions, I would like to offer comments on a number of other items raised in the Preliminary Hearing Conference Decision:

1. ITK encourages all efforts by the NIRB to accommodate the communications needs of all Inuit communities proximate to the project site, and the needs of Inuktitut speakers in particular.
2. In addition to supporting all aspects of the QIA submission, ITK supports the Government of Nunavut's emphasis on the importance of securing adequate information as to socio-economic impacts and related migration measures.
3. ITK believes it to be very important for the community concerns described in pages 22 to 25 of the Decision be given priority attention.

January 11, 2012

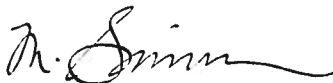
Mr. Ryan Barry

Page 3

4. ITK welcomes the clear statement by NIRB on page 29 that "The Board accepts the Commitment List as set out in Appendix 1, and notes that its fulfillment is a key part of the FEIS requirements".
5. There would be a useful evaluation of the relationship between the project monitoring described in item (j) on page 31 and the Nunavut General Monitoring Plan now being organized.
6. It is not clear how the distribution of benefits in item (e) on page 32 will be illuminated by fulfillment of the Commitment List.

I look forward to further communications with you on this very important matter.

Yours sincerely,



Mary Simon,
President

c.c. Elisapee Sheutiapik, President, Pauktuutit
Cathy Towtongie, President, Nunavut Tunngavik Incorporated
Okalik Egeesiak, President, Qikiqtani Inuit Association

