NIRB File No.: 08MN053
NWB File No.: 2AM - MRY

April 5, 2012

Erik Madsen
Vice President, Sustainable Development
Baffinland Iron Mines Corporation
Suite 1016, 120 Adelaide Street West
Toronto, ON M5H 1T1

Sent via Email: erik.madsen@baffinland.com

Re: Information Requests received from Parties regarding Baffinland's Final EIS

Dear Erik Madsen:

On February 29, 2012 the Nunavut Impact Review Board (NIRB or Board) initiated the public technical review period for the Final Environmental Impact Statement (FEIS) submitted by Baffinland Iron Mines Corp.'s (Baffinland or Proponent) for the Mary River Project (the Project). During the initial 30 day period the NIRB invited interested parties to submit Information Requests (IR) to the Board on or before March 30, 2012 to facilitate their technical review of the FEIS and development of final written submissions for this Review.

On or before April 2, 2012 the NIRB had received IR submissions from the following parties:

- Qikiqtani Inuit Association (QIA)
  - 23 IRs directed to the Proponent
- Government of Nunavut (GN):
  - 45 IRs directed to the Proponent
  - 2 IRs directed to the QIA
- Aboriginal Affairs and Northern Development Canada (AANDC)
  - 31 IRs directed to the Proponent
- Canadian Transportation Agency (CTA)
  - 1 IR directed to the Proponent
- Environment Canada (EC)
  - 33 IRs directed to the Proponent
- Fisheries and Oceans Canada (DFO)
  - 36 IRs directed to the Proponent
- Natural Resources Canada (NRCan)
  - 3 IRs directed to the Proponent
- Transport Canada (TC)

- 1 IR directed to the Proponent

Following a review of parties' IR submissions to the Board, NIRB is also providing ten (10) additional Information Requests directed to Baffinland for its consideration and response (Appendix A). The NIRB's development of these IRs considered issues which do not appear to have been raised by other parties through IR submissions but which may warrant additional information/clarification to be provided by Baffinland.

All IR submissions are available from the NIRB's online registry at the following link: http://ftp.nirb.ca/02-REVIEWS/ACTIVE%20REVIEWS/08MN053-BAFFINLAND%20MARY%20RIVER/2-REVIEW/08-FINAL%20EIS/02-INFORMATION%20REQUESTS/.

The Board has completed its review of all IRs received to date and has noted that all the requests are directed to the Proponent with the exception of those from the GN, and that some of these request responses from other parties participating in the Review process. Following a cursory evaluation, the NIRB has determined that the majority of IRs appear to be relevant to the current stage of the Review process and necessary to facilitate parties' technical review of the FEIS and development of written submissions to the NIRB. A number of IRs are specific to the Type A Water Licence and, as such, will be given further consideration by the Nunavut Water Board to determine their appropriateness prior to being forwarded to the Proponent for a response.

A small number of the IRs contained within parties' submissions, however, appear to be somewhat beyond the scope of an Information Request or what is required for this phase of the Review process and might therefore be more appropriately addressed through final written submissions and/or at the Final Hearing for this Review. These specific IRs have been included within the attached Appendix B and at this time the NIRB is not directing the Proponent to address them within its response to IRs (IR Response Package). Where several submissions have raised questions or IRs related to the NIRB's Review Process, the NIRB will respond to these items under separate cover. As previously set out, the NIRB is now requesting that Baffinland review all IR submissions and supply the NIRB with a comprehensive IR Response Package on or before **Thursday April 19, 2012**.

Following the submission the Proponent's response to IRs, the NIRB will host a meeting of technical experts in Iqaluit on **May 1-3, 2012**. During this meeting the NIRB staff will facilitate discussions between the Proponent, responsible authorities and interested parties with the objective of addressing and/or resolving outstanding technical issues associated with the Proponent's FEIS, and assisting with the development of parties' final written submissions. A draft meeting agenda will be circulated as far in advance as possible to allow for planning and preparation of all parties, as well as input into the items scheduled for discussion.

Please direct all forthcoming submissions to the NIRB at info@nirb.ca or by fax at (867) 983-2594.

If you have any questions or require further clarification regarding the NIRB's Review process, please contact Li Wan, Technical Advisor, at (867) 983-4606 or lwan@nirb.ca. Questions

regarding the Nunavut Water Board's Licensing process may be directed to Sean Joseph, Technical Advisor, at (867) 360-6338 or sjoseph@nunavutwaterboard.org.

Sincerely,

Amanda Hanson
Director, Technical Services
Nunavut Impact Review Board

cc: Mary River Distribution List

Attached: Appendix A: NIRB Information Requests to Baffinland Iron Mines Corp.
Appendix B: IRs Identified by the NIRB as not Requiring a Response

APPENDIX A:
NIRB INFORMATION REQUESTS TO BAFFINLAND IRON MINES CORP.

1. Causeway to Steensby Island

Reference

Volume 1, Section 2.6.12; Volume 3, Section 2.6.12

Issue:

A causeway structure would be constructed to link the ore dock, stockpiles, tertiary crusher, ore screens and ship loading facilities on Steensby Island to all other infrastructure on the mainland. The causeway would support conveyors that carry ore from the railway car dumper to the ore stockpiles on the island. The structure would also allow the movement of vehicles between the island and the mainland. The proposed 350 m causeway would be constructed by infilling a strip between Steensby Island and the mainland with rock and aggregate (Appendix 3F Steensby Documents - Steensby Inlet-Steensby Island Link) which would constitute a significant factor in the Harmful Alteration, Disruption or Destruction (HADD) of marine fish habitat and could also disrupt/restrict movement of marine wildlife/fish in the area. It could also have a potential impact on shallow water permafrost below the causeway footprint, with implications for the operation and maintenance of causeway.

Information Request

a) Whether any technically feasible alternative infrastructure for the causeway is considered. If so, the reason why the rock and aggregate causeway option is chosen.
b) Whether this Harmful Alteration, Disruption or Destruction (HADD) to marine fish habitat has been considered within the Fish Habitat Compensation Plan.
c) Clarification regarding whether the potential impacts from the causeway on shallow water permafrost has been assessed. If not, an assessment is recommended as it has significant implications for the stability of the causeway, its maintenance, operation as well as the safety of workers and conveys equipment.

Rationale

This issue is directly related to HADD of marine fish habitat, and function of the structure and safety of workers.

2. Air Quality

Reference

Volume 5, Section 2.0-2.5, Appendix 5C - Air Quality, 5C-1 - Air Quality Baseline Report**,** 5C-2 - Air Quality Monitoring During Bulk Sampling Preparation 2007 Milne Inlet, 5C-3 - Air

Quality Monitoring During Bulk Sampling Operations 2008 Mary River, 5C-5 - Air Quality Modelling Contour Plots.

Issue

The Proponent indicates that ambient air quality monitoring programs were conducted and included two components: an active monitoring program and a passive monitoring program in 2007, with measurement parameters that included:

> Active Monitoring Program: Total suspended particulate matter (TSP) and PM_{10} (30 day period data).
> Passive Sampling Program: SO_2, NO_2 and O_3 for a 49-day period.

Air quality baseline information is provided in Volume 5, Section 2.6, and measured baseline information for air quality is listed as:

24-hour TSP	7.0
24-hour PM_{10}	3.8
30-day SO_2	0.262
30-day NO_2	0.188
30-day O_3	52.8

In Table 5-2.5, the Proponent also lists reference Ambient Air Quality Criteria, Standards, and Objectives as the basis to assess potential project impacts on air quality. Further, on the basis of the precautionary principle, the Proponent set up its indicator thresholds for 12 parameters excluding O_3 by choosing the most stringent criteria from various Canadian jurisdictions, which would seem to be appropriate. However, information regarding impact assessment and prediction is not located in Section 2.6.

Information Request

a) The measured SO_2, NO_2, and O_3 are based on a 30 day period, however, the criteria adopted by the Proponent uses a period of 1hr, 24hr and annual for SO_2, NO_2; and 1hr, 8hr, 24 hr and annual for O_3. How did the Proponent convert the measured data into a 30 day period while ensuring data were kept comparable?
b) How did the Proponent get baseline information for the indicator parameter which does not appear to have been measured during its baseline study programs?
c) Will the Proponent set an indicator threshold for O_3? If not, please provide the rationale.

Rationale

Without the required information, it is difficult to evaluate whether the assessment for ambient air quality is complete.

3. Air Dispersion Modeling Results

Reference

Volume 5, Section 2.0-2.5, Appendix 5C - Air Quality, 5C-5 - Air Quality Modelling Contour Plots.

Issue

The CALPUFF dispersion model was used to generate air dispersion modeling at the Mary River mine site and at Steensby Inlet. The maximum predicted concentrations which are above the perspective indicator thresholds are presented.

Mary River mine site

Figure 5-2.1 Maximum 24-hour TSP Concentrations
Figure 5-2.2 Annual TSP Deposition
Figure 5-2.3 Maximum 24-hour PM10 Concentrations
Figure 5-2.4 Maximum 24-hour PM2.5 Concentrations
Figure 5-2.5 Maximum 1-hour NO2 Concentrations

The Proponent states: "plots not shown in the document, the maximum predicted CO and SO2 concentrations and the PAI deposition levels are generally lower than their respective thresholds beyond the LSA." It is noted that workers' residential buildings would be located in an area where all predicted parameters are above the thresholds. In the discussion regarding concentration of NO_2 at the Mary River mine site, the authors said:

These results are based on a 30 m height for the powerhouse stacks. Additional modelling for a stack height of 40m above grade improves the results (contour plots for this case are shown in Part III of Appendix 5C-5), while further stack height increases beyond 40 m provide relatively little further improvement. Alternatively, a change to the site layout, so that the powerhouse stacks are located at least a few hundred metres northwest of the accommodation building (downwind for the prevailing winds), with the stack height remaining at 30 m, also improves the results significantly.

However there is no indication that site layout would be changed and modeling redone to verify results, though general mitigation measures are briefly discussed. Based on the proposed 2 week in and 2 week out shift schedule, workers at the mine site could potentially be exposed to a working and living environment where key ambient air quality parameters are above the threshold, creating human health concerns.

Information Request

a) Provide maximum concentration contour plots for additional indicators of air quality at the Mary River site, including:
   i. Maximum Annual TSP Concentrations
   ii. Maximum Annual TSP Concentrations
   iii. Maximum 1-hr, 24-hr, and Annual NO_2 Concentrations

iv. Maximum 24-hr, and Annual NO_2 Concentrations
v. Maximum 1-hr, 8-hr CO Concentrations

b) Indicate whether the Proponent intends to adjust the site layout based on the air quality modeling results and, if so, whether dispersion modeling will be re-run once the site layout has been reconfigured.

Rationale

Without other maximum concentration contour plots, it is difficult to assess whether the predicted air quality would impose risks of significant impacts to human health.

4. Impact on Freshwater Biota from Nutrients

Reference

Volume 7, Section 4.5.5.2

Issue

In Section 4.5.5.2, it is noted that the Proponent intends to discharge treated sewage effluent from the future mine site into Sheardown Lake NW throughout the Construction period. The Proponent predicts that treated sewage effluent would cause a localized increase in total phosphorus (TP) and total Kjeldahl nitrogen (TKN) in the immediate vicinity of the outfall. Localized increases in TP might have indirect effects on Arctic Char through alterations to productive capacity (i.e., eutrophication). The Proponent states that as nutrients themselves are not toxic, the overall magnitude of effects is ranked as negligible.

Although nutrients (phosphorus and nitrogen) are not considered toxic, localized increases in nutrient input into water bodies may trigger indirect/secondary negative effects. For instance, nutrient input may encourage algal blooms in the summer months resulting in significant depletion of dissolved oxygen levels in fish-bearing water bodies, particularly lakes.

References:

Antoniades et al., 2011. Cultural eutrophication, anoxia, and ecosystem recovery in Meretta Lake, High Arctic Canada. Limnol. Oceanogr., 56(2): 639-650.

Douglas, M.S.V., and Smol, J.P. 2000. Eutrophication and recovery in the High Arctic: Meretta Lake (Cornwallis Island, Nunavut, Canada) revisited. Hydrobiologia 431: 193-204.

Information Request

Clarification is requested regarding whether the Proponent intends to design and implement any specific strategies in its Fresh Water Supply, Sewage and Wastewater Management Plan to

monitor the potential escalation of nutrient levels in sewage-receiving water bodies, particularly lakes, caused by nutrient loading from point and non-point sources.

Rationale

Eutrophication of fish bearing lakes can have significant impacts on fish habitat and arctic char production.

5. Impact on Freshwater Biota from Withdrawal of Water for Dust Suppression

Reference

Volume 7, Section 2.2.4, Page 18

Issue

The Proponent states: "For example, locations of dust suppression withdrawal have yet to be identified but potential source water bodies will be visually assessed prior to withdrawal to mitigate potential effects on water quantity." It is unclear whether, in drier than usual years, the drop in water levels resulting from water withdrawal for dust suppression in shallow water bodies might significantly impact water quality and fish habitat.

Information Request

Clarification is requested regarding whether the Proponent intends to identify suitable locations of source water bodies prior to commencement of construction activities.

Rationale

It is difficult to fully assess potential impacts as required without adequate information regarding the locations of potential water bodies used for water withdrawal for dust suppression.

6. Quality of the Document

Reference

Volume 3, Appendix 10D-2 Surface Water and Aquatic Ecosystems Management Plan

Issue

The quality of Figures 1-7 showing water balance schematics is so low in resolution that it is not possible for reviewers to clearly read or accurately interpret the information being presented.

Information Request

The Proponent is requested to submit these diagrams with higher resolutions.

Rationale

Reviewers must be able to review and quantitatively assess the water balance at various project sites.

7. Floating Barge Camps and Sewage Effluent Impacts

Reference

Volume 3, Section 2.6.6, section 6.7.6.1; Volume 8, Section 3.5.2.5, App 8B-2-Sewage Effluent Modelling; Correspondence from BIM to NIRB dated March 14, 2012; The NIRB PHC Report Appendix 1, BIMC commitment #3.

Issue

In correspondence to NIRB dated March 14, 2012, the Proponent indicates that it still plans to use two 300 person self-contained barge accommodations anchored at Steensby Inlet (total capacity of 600 persons) during construction. In BIMC commitment #3, the Proponent committed to provide information on water management and potential impacts on aquatic resources related to potentially housing the Steensby Port construction camp in floating accommodations. In Volume 8, Section 3.5.2.5 the FEIS states the treated sewage effluent discharge rate are estimated at 360 m^3/day during construction. It is not clear whether this flow rate includes the effluent from two floating barge camps.

Information Request

a) It is requested that the Proponent confirm whether this estimate of 360 m^3/day includes the sewage effluent rate from the two proposed barge camps.
b) If the barge camps have not been included, it is requested that the Proponent clarify if it intends to revise the Sewage Effluent Modelling presented in App 8B-2-Sewage Effluent Modelling and re-assess the potential impact on receiving aquatic environment, taking into account the proposed four year construction period.

Rationale

Without this clarification, it is difficult to ensure that the impact assessment on receiving aquatic environments has been completed appropriately.

8. Cumulative Effects Assessment

Reference

Volume 9, Section 1.3.3

Issue

Although the Meliadine Project is identified for consideration in the cumulative effects assessment as a reasonably foreseeable mine (Vol. 9, page 15), it was not carried forward into the Cumulative Effects Assessment as was the case with the Roche Bay Iron Ore Project. It should be recognized that the Meliadine Project is currently within the regulatory/permitting process, and as such available details regarding proposed shipping through the Hudson Strait might be considerably more developed than is the case for a future Roche Bay Iron Ore project proposal.

Information Request

It is requested that the Proponent provide justification for limiting its cumulative effects assessment by exclusion of proposed activities for the Meliadine Project, particularly shipping through Hudson Strait.

Reference

Exclusion of a major development project under regulatory review from the Proponent's cumulative effects assessment may impair results.

9. Oil Spill Modeling

Reference:

FEIS Volume 9, Section 3.8.

Issue

The Proponent describes its rationale for using 5 ML as the worst-case scenario by assuming 10% spill from a total cargo volume of 50 ML fuel tankers, citing available literature (e.g., McKenna and McClintock, 2005). The present 10% spill assumption is questionable. In terms of clean up and impacts to the marine ecosystem when considering a worst-case scenario, a catastrophic spill in open water might not be considered a "worst-case scenario". This is evident when considering a potential spill incident during the winter season involving an ore carrier, as natural weather conditions would be very limiting constraints to a clean-up as compared to those present during the open water season. It is possible that harsh winter weather combined with heavy ice conditions may hinder an efficient clean up, especially considering that broken ice may quickly refreeze and possibly trap spilled and spreading fuel under the ice.

Information Request

a) It is requested that the Proponent provide additional justification for choosing 10% of total capacity as the basis for the worst-case scenario modeling.

b) More detailed rationale for why a fuel tanker in open water was chosen for spill modeling, and why the Proponent did not give consideration to potential fuel spills involving ore carriers during the winter season (even considering the statistically less chances).

10. Emergency Response and Spill Contingency Plan

Reference

FEIS Volume 1, Section 7.2, Pg.254, Volume 3, Appendix B, Attachment 5, Emergency Response and Spill Contingency Plan, Oil Pollution Emergency Plan - Milne Inlet Fuel Storage Facility, Oil Pollution Emergency Plan - Steensby Inlet Fuel Storage Facility,

Issue:

In Volume 1, section 7.2. There is text stating:

> *External organization such as Transport Canada, the Canadian Coast Guard, representatives of the Government of Nunavut and of North Baffin Island communities.*

It is unclear whether the noted parties may be invited to participate or observe the Proponent's annual spill training programs/exercises, as there does not appear to be any such provision in the associated Draft Emergency Response and Spill Contingency Plan and the Oil Pollution Emergency Plans for Steensby Port and Milne Port in Volume 3, Appendix 3B, Attachment 5. Baffinland has committed to be self-sufficient in terms of its response to environmental emergencies and search and rescue operations, as well as to provide adequate resources to implement and maintain the Emergency Response and Spill Contingency Plan, including human, material and financial resources. In the text in section 4.8.3 of the Oil Pollution Emergency Plans for Steensby Port and Milne Port, the Proponent states that "at all times, the response to spill incidents shall be coordinated with the various agencies as listed in table 2".

Information Request

The Proponent is requested to clarify:

a) What role the noted parties would be expected to play in the Proponent's spill emergency response?
b) Would the response to spill incidents be coordinated by the Proponent and noted agencies, or would it be solely responded to by the Proponent?

Rationale

Without consistent information it is difficult for reviewers to understand the intended roles that other external parties would play in response to spill emergency incidents, and for parties to understand their obligations in such incidents.

APPENDIX B:
IRs IDENTIFIED BY THE NIRB AS NOT REQUIRING A RESPONSE

Commenting Agency	IR No.	IR to:	Request	NIRB Rationale
Qikiqtani Inuit Association				
QIA	3	BIMC	It is requested that the Proponent develop a ballast water dispersal model that considers both the long-term discharge of ballast water and differences in the properties of untreated and treated ballast water. (*Timeline: Prior to FEIS Technical Meetings (Iqaluit Session*)	Does not meet criteria for IRs – appears to be an initial technical review comment.
QIA	6	BIMC	It is requested that the Proponent provide a comprehensive description of the decision-making process used to establish thresholds for significance of marine impacts, including discussion on which thresholds were based on determinations by regulatory bodies, which were developed based on professional judgement, the information and experience used to develop the thresholds based on professional judgement, and evidence that these thresholds are biologically appropriate. (*Timeline: Prior to QIA submitting final written comments*).	Does not meet criteria for IRs – appears to be an initial technical review comment.
QIA	10	BIMC	It is requested that the Proponent conduct a probabilistic assessment of bowhead whale collision frequency using the available data and suitable estimates of variability and considering cumulative impacts. (Timeline: prior to QIA submitting written comments).	Does not meet criteria for IRs – appears to be an initial technical review comment.
QIA	11	BIMC	It is requested that the Proponent provide the information required to complete the landfast ice baseline (*Timeline: prior to QIA submitting final written comments*).	Does not meet criteria for IRs – appears to be an initial technical review comment.
QIA	21	BIMC	It is requested (prior to the FEIS Technical Meeting) that the July 21, 2011 NWB Edmonton meeting minutes be provided.	Related to NWB Licensing – NWB to address.

QIA	23	BIMC	It is requested (prior to the FEIS Technical Meeting) that additional crossreferencing detail be provided to locate the document that addresses this PHC commitment.	Related to NWB Licensing – NWB to address.
QIA	24	BIMC	To respond to the IR, the proponent should directly engage with QIA. This IR should be filled in discussions with QIA prior to or during the FEIS Technical Meetings (Iqaluit Session).	Does not meet criteria for IRs – appears to be an initial technical review comment.
Government of Nunavut				
GN	15	BIMC	The Proponent re-evaluates the relevant effects on caribou based on the scale of the RSA and/or provides a sensitivity analysis for each relevant effect.	Does not meet criteria for IRs – appears to be an initial technical review comment.
GN	24	BIMC	The Proponent prepares a detailed human-wildlife conflict management plan for review and comment by the GN such that it can be implemented prior to construction.	Does not meet criteria for IRs – may be more appropriate for PC development post-Review.
GN	27	BIMC	The GN requests that the Proponent provide a proposed outline for these annual reports and a preliminary indication of their scope, including the types of information and analysis to be undertaken and summarized on an annual basis. From the GN's perspective, it is desirable that these reports contain the following items: a) a detailed analysis of the project's impacts on the environment; b) a review of corrective actions (mitigation measures implemented and an evaluation of their effectiveness) taken to address problems identified through monitoring; and c) Information on how the monitoring will address local engagement and the integration of IQ in monitoring.	Does not meet criteria for IRs – may be more appropriate for PC development post-Review.
GN	30	BIMC	The GN requests that: a) the proponent clearly state their understanding of the role of the Q-	Does not meet criteria for IRs – may be more

			SEMC with respect to their project-specific monitoring framework. b) the Proponent indicate whether they will actively participate in each Q-SEMC meeting and their anticipated role in these meetings. c) that the Proponent provide a socio-economic monitoring framework that incorporates the considerations identified in Commitment #288.	appropriate for PC development post-Review.
GN	41(a)	BIMC (QIA)	The Proponent provide a mitigation plan for the effects the fly-in/fly-out rotation system on health and wellness of all Nunavummiut. If no such plan is anticipated, the Proponent should provide a rationale.	Does not meet criteria for IRs – appears to be an initial technical review comment.
Aboriginal Affairs and Northern Development Canada				
AANDC	4	BIMC	The proponent is asked to provide a decommissioning strategy or plan for existing waste storage and stabilization ponds.	Related to NWB Licensing – NWB to address.
AANDC	18	BIMC	AANDC requests the Proponent provide stand- alone Preliminary Design Criteria documents for foundation, road and railway construction reflecting their current understanding of the unique site conditions.	Related to NWB Licensing – NWB to address.
AANDC	20	BIMC	The Proponent is asked to confirm what version of the RECLAIM model was used in the security estimate provided in the water licence application.	Related to NWB Licensing – NWB to address.
AANDC	23	BIMC	AANDC requests the Proponent provide in the closure plan, for the Licence application, the disturbance areas associated with each major project component (Milne Port, Steensby Port, Mine Site, road and railway) and each major facility (e.g., waste rock pile, open pit, cams, tank farms, air strips, etc.) associated with each component. Also provide a table which lists the project component, the area of disturbance, the bond cost for each project component, and the total bond cost.	Related to NWB Licensing – NWB to address.
AANDC	26	BIMC	AANDC requests that the water licence application be submitted as a stand-	Related to NWB Licensing –

			alone document addressing the inconsistencies identified in Annex A.	NWB to address.
AANDC	27 Including Annex A	BIMC	AANDC requests that the Supplementary Questionnaire for Mine Development be submitted as part of a stand-alone water licence application.	Related to NWB Licensing – NWB to address.
AANDC	28	BIMC	The proponent is asked to revise the environmental Monitoring Plan to include a strategy for monitoring, reporting and reviewing data in accordance with commitments made in the FEIS.	Related to NWB Licensing – NWB to address.
AANDC	29	BIMC	The proponent is asked to provide a detailed response to the technical comments that interveners will submit on May 30th, 2012, a minimum of two weeks before final hearings are held.	Does not meet criteria for IRs – unclear how this would facilitate development of final written submissions.
AANDC	30	BIMC	The proponent is asked to describe its past efforts and future plans with respect to communications materials aimed at members of the public.	Does not meet criteria for IRs – unclear how this would facilitate development of final written submissions.
Environment Canada				
EC	14	BIMC	EC requests that the Proponent commit to carrying out surveys to assess polar bear and prey species distributions along the shipping routes prior to the onset of year round shipping activity.	Does not meet criteria of IRs – appears to be an initial technical review comment.
EC	24 (a,b)	BIMC	The CEAA and thus the CEA Registry does not apply to northern environmental assessment processes. The next iteration of this Plan should be updated to reflect the Nunavut context. Given that on-site generators will be the only source of energy at the magazines EC requests that the Proponent update the plan to include a commitment to equip all the temporary magazines with appropriate spill kits.	Does not meet criteria of IRs – appears to be an initial technical review comment.

EC	28(d)	BIMC	As noted above, the AEMP is a requirement of the Type A water licence for which the EEM requirements can be incorporated. Therefore, the EEM Framework provided in Appendix 10D-14 cannot serve as the AEMP. EC requests the Proponent provide a broader AEMP framework that includes both the Type A water licence and MMER EEM requirements.	Related to NWB Licensing – NWB to address.
EC	30	BIMC	As per Schedule 5, 9(b) of the MMER, a fish population survey will be required for each discharge point whose effluent is >1% concentration within 250 m of the final discharge point.	Does not meet criteria for IRs – may be more appropriate for PC development post-Review.
Fisheries and Oceans Canada				
DFO	2.1	BIMC	DFO requests that the Proponent provide a quantitative assessment of cumulative effects.	Does not meet criteria of IRs – appears to be an initial technical review comment.
DFO	3.3 (b,c)	BIMC	(b) DFO requests the Proponent provide the results of the test voyage(s). (c) DFO requests the Proponent explain how the results will impact the Project	Does not meet criteria for IRs – unclear how this would facilitate development of final written submissions.
DFO	4.2 (a,c)	BIMC	(a) DFO requests the Proponent meet NIRB Compliance Table Commitment #26, once the quantitative effects assessment has been conducted (see DFO IR#2.1 – Quantitative Effects Assessment). (c) In the case of species at risk (i.e., beluga, bowhead whales, narwhals, and walruses), DFO requests the monitoring programme be updated to investigate sources of mortality (e.g., through tooth rakes marks in the case of interactions with killer whales) within and outside the project area be provided.	(a) Does not meet criteria of IRs – appears to be an initial technical review comment. (c) Does not meet criteria for IRs – may be more appropriate for PC development post-Review.

DFO	5.5.3 (a, b, c)	BIMC	(a) DFO requests the Proponent provide their consideration of the interaction between the proposed shipping activities using the larger 250 km potential acoustic field. (b) In collecting baseline data and for further monitoring, DFO requests the Proponent use high quality measurements of the received sound levels using log-duration recorders and stations at a variety of distances from the sound sources. These will be important to understanding the potential impacts of shipping noise. (c) The Proponent dismissed the Booth (2010) approach to modelling potential effects of multiple sound sources on the basis that Temporary Threshold Shift and Permanent Threshold Shift thresholds would be difficult to estimate for the species of concern here. DFO requests the Proponent provide further consideration of the utility of analysing signal summation and interactions arising from multiple sound sources.	(a) Does not meet criteria of IRs – appears to be an initial technical review comment. (b) Does not meet criteria for IRs – unclear how this would facilitate development of final written submissions. (c) Does not meet criteria of IRs – appears to be an initial technical review comment.
DFO	7.1.1	BIMC	DFO requests the proponent provide a Fish Passage Monitoring Plan to determine if the mitigation measures installed at the watercourse crossings along the railway and access road are functioning as intended. This should also include a contingency plan if monitoring shows that fish passage was not maintained as predicted.	Does not meet criteria of IRs – appears to be an initial technical review comment.
Transport Canada				
TC	1	BIMC	…Need to inspect these areas as they are part of the security assessment that needs to be conducted/completed and provided to us, prior to startup, as listed in the (MTSRs)… (*excerpt*)	Does not meet criteria for IRs – unclear how this would facilitate development of final written submissions.
TC	1	BIMC	…Any infrasructure in place at both	Does not meet

			facilities (Steensby and Milne Inlet Ports), will need to be reviewed and assessed against the requirements listed in the Marine Transportation Security Regulations… (*excerpt*)	criteria for IRs – unclear how this would facilitate development of final written submissions.
TC	1	BIMC	David Hohnstein letter dated March 2, 2012 regarding the "Yellow" highlighted items still not resolved by Baffinland Iron Mines Corp – The due date was March 9, 2012. We are looking forward to resolution of Item 295, as it is still not addressed.	Related to NWB Licensing – NWB to address.