

April 19, 2012

Mr. Ryan Barry, Executive Director
Nunavut Impact Review Board
P.O. Box 1360
Cambridge Bay, Nunavut
X0B 0C0
Sent via Email

Subject: Baffinland Response to Information Requests

Dear Ryan,

Baffinland has enclosed responses to agency information requests (IR's) in accordance with direction provided by the Nunavut Impact Review Board (NIRB) on April 5th, 2012. Responses are sorted according to agency with supporting information provided in Appendix 1 through 15. For IR's listed in the NIRB's Appendix 2 (shaded in grey in our response document), Baffinland has either provided a response or indicated when a response will be forthcoming.

Baffinland concurs with the NIRB's view that a number of IR's contained within the parties' submissions are well beyond the level of information required to complete the Final Environmental Impact Review (FEIS) review. Baffinland wishes to remind all parties that the Mary River Project is still in its development phase and that not all information requested by the reviewers is available at this stage nor is this information required to complete the review of the environmental effects assessment.

In review of the information requests it is evident that requests are often preempting the Environmental Assessment process or are of a nature that should be addressed through collaborative approaches with Baffinland using agency knowledge and guidance. To this end, Baffinland proposes future collaboration with the relevant regulators and implicated agencies. Baffinland views this approach as a constructive mechanism to foster timely information exchange with regulators and to ensure concerns and requirements are addressed.

1.0 Collaboration with Regulatory Agencies

Baffinland shares the viewpoint expressed by a number of review agencies related to the need for ongoing dialogue and cooperation between the Company and regulators/implicated agencies as the Project advances through the detailed design and construction and operation phases.

Baffinland proposes to engage the responsible regulatory agencies to target specific issues or concerns. This collaboration could involve meeting at regular intervals to review / address concerns arising from the design, construction and operation of the Mary River Project facilities and or activities.

There are a number of recurring questions and concerns raised from a number of interveners on marine-related issues such as marine emergency response and ballast water exchange. While the Company has worked diligently to respond to these questions and information requests, considerable expertise also lies within the federal departments of Transport Canada and the Canadian Coast Guard. Baffinland believes the participation of these departments in the upcoming technical meetings and final hearings would be invaluable, and as such, the Company asks the NIRB to consider extending an invitation to these departments to participate in these review sessions, in addition to their participation in future collaboration with Baffinland.

Baffinland recognizes that many of the social and economic challenges that will be faced by individuals, families, and communities in the context of the Mary River Project are challenges that exist already within Nunavut's human environment. Housing access and policy is one example of a pre-existing issue that Baffinland sees could become a barrier for some people who are seeking to build better lives for themselves and their families through engagement with our Project. Low levels of education and work experience, substance abuse, health and health services issues are other areas.

These are complex issues that cut across agency mandates and get at the heart of individual, corporate, and broader social responsibility. Baffinland believes that the best outcomes will arise from tightly focused, collaborative work that is targeted on specific issues. To accomplish this, Baffinland would like to collaborate with agencies to address concerns and opportunities arising during the design, construction, operations and closure phases of the Mary River Project.

The two April 5, 2012 letters from NIRB each emphasize that Baffinland and all interested parties should, at this stage of the process, and in the upcoming meeting of technical experts, focus on the objective of addressing and resolving outstanding issues. Baffinland looks forward to working with each of the interested parties to meet that objective during the technical meetings and beyond.

2.0 Plain Language Summaries and Community Information

With respect to Section 3.1 of QIA's March 30th Information Request submission, it is important to point out that the FEIS is by design both a highly technical and lengthy document that conforms with the NIRB guidelines and the requirement for translated summary materials. Conveying the concepts and content of the FEIS in plain language summaries is challenging, and underscores the need for in-person dialogue with the community stakeholders. Since the submission of the FEIS, Baffinland has organized and conducted meetings in Arctic Bay, Cape Dorset, Clyde River, Hall Beach, Igloolik, Kimmirut and Pond Inlet with the specific objective of communicating and answering questions related to the FEIS and its structure as well as any other questions members of these communities may have had. The QIA opted to withdraw their attendance to several of these meetings. The QIA correspondence asserts that Baffinland "directs reviewers to empty sections in the plan." The above meetings specifically explained that some management plans are contained within the Type A Water License Application, and were not duplicated in Volume 10. Reviewers are simply referred to and not "misdirected" to the Water License Application. Additionally, at the request of the QIA, Baffinland met with the QIA since the submission of the FEIS on three separate occasions (twice in Iqaluit and once in Ottawa) for a total of approximately 26 hours to specifically review management plans and answer any questions.

Baffinland has gone to great lengths to summarize and communicate the FEIS and management plans to the QIA, the Mary River Working Groups and the communities. Baffinland has provided substantial resources to the QIA that could assist their shared responsibility of helping and directing the Mary River Working Groups to ensure that the contents of the FEIS are communicated at the community level. Baffinland will continue to work with QIA as demonstrated by the aforementioned meetings and planned future meetings to ensure that information is communicated as simply and effectively as possible.

In closing, Baffinland would like thank the NIRB, NWB and all interested parties for their efforts in contributing to the review of the FEIS and we look forward to the next stages in the process.

Yours truly,



Erik Madsen

Vice-President Sustainable Development, Health, Safety & Environment

CC:

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