



NIRB File No. 08MN053

April 27, 2012

Mary River Distribution List

Sent via Email

Re: Tentative Final Hearing Dates and Associated Details for the NIRB's Review of BIMC's Mary River Project Proposal

Dear Parties:

On February 29, 2012 the Nunavut Impact Review Board (NIRB or Board) accepted Baffinland Iron Mines Corporation's (Baffinland or Proponent) Final Environmental Impact Statement (FEIS) for the Mary River project (NIRB File No. 08MN053) and commenced the FEIS technical review period. Following next week's Technical Meeting in Iqaluit on May 1-3, 2012, final written submissions will continue to be accepted by the NIRB until **Wednesday, May 30, 2012**. Please note that the NIRB has provided direction on recommended format for final written submissions format as Appendix A to this correspondence.

Tentative Final Hearing Dates

As stated in its Pre-Hearing Conference Decision, the Board, in consultation with community members, parties and the Proponent, decided that the Final Hearing would be held in the communities of Pond Inlet, Igloolik, and Iqaluit and would involve a combination of technical and non-technical sessions. Through the last several weeks, the NIRB staff have worked with host communities to determine acceptable dates for this event and to begin arranging for the associated meeting logistics. The NIRB has developed a tentative schedule for the Final Hearing for this Review as follows:

- **July 16-20, 2012: Final Hearing in Iqaluit**
 - July 16, 17 & 18: technical presentations
 - July 19 & 20: community roundtable sessions
- **July 21 & 22, 2012: Break/Travel Days**
- **July 23-25, 2012: Final Hearing in Igloolik**
 - July 23: technical presentations
 - July 24 & 25: community roundtable sessions

- **July 26-28, 2012: Final Hearing in Pond Inlet**
 - July 26: technical presentations
 - July 27 & 28: community roundtable sessions

The first portion of the Final Hearing in each community will consist of formal proceedings, including technical presentations, while the latter portion will allow for more directed community engagement through community roundtable sessions. This schedule will remain flexible and, depending on the Final Hearing proceedings, may include more or less community involvement. An agenda confirming additional details regarding the Final Hearing will be circulated to all parties in advance of the proceedings. Note that dates for the proceedings will be finalized and announced in a newspaper of general circulation in accordance with the Board's Rules of Procedure once the NIRB has received confirmation that its required hearing funding will be made available.

Final Hearings Logistics

The Final Hearings will be conducted in accordance with the NIRB's Rules Of Procedure¹, as determined in the Board's PHC Decision. Proceedings will be conducted by the NIRB's Board Members at each hearing venue, with support from NIRB staff and legal counsel as required. A stenographer will be brought to each hearing venue to record transcripts and simultaneous English and Inuktitut interpretation will be provided for all proceedings, with French to be provided upon request. A formal 60 day minimum public notice of the Hearing dates and venues will be provided via advertisement in a newspaper of general circulation. A copy of the full public registry will be brought to each hearing venue and made publically available during proceedings. The NIRB will provide additional details pertaining to hearings proceedings and the registration of parties desiring intervenor status in the weeks to come.

Hotel Accommodations

A block of hotel accommodations are currently being held by the NIRB in Igloolik and Pond Inlet in order to facilitate participation by responsible authorities, agencies, and organizations which will be in attendance at each of the Final Hearing venues in order to present technical information for the Board's consideration. Forty (40) beds are currently being held in each Igloolik and Pond Inlet for the Final Hearing and the NIRB is prepared to provide these hotel beds to representatives from the following organizations:

- Nunavut Tunngavik Inc.
- Qikiqtani Inuit Association
- Nunavut Planning Commission
- Nunavut Water Board
- Government of Nunavut
- Aboriginal Affairs and Northern Development Canada
- Environment Canada
- Fisheries and Oceans Canada

¹ NIRB Rules of Procedure (September, 2009) are available from the NIRB's online registry from the following link: <http://ftp.nirb.ca/06-RULES/>.

- Natural Resources Canada
- Transport Canada
- Canadian Transportation Agency
- Baffinland Iron Mines Corp.

Given that the availability of hotel beds in Igloolik and Pond Inlet is very limited and may be somewhat less than the number of required participants, the NIRB will do its best to distribute available hotel beds amongst parties as evenly as possible. The Board will also assist parties where required and/or requested, with securing billet accommodations to the extent possible, and strongly encourages all groups to consider this option. Parties are hereby requested to notify the NIRB at info@nirb.ca regarding their interest in securing hotel beds and/or billeted accommodations in Igloolik and Pond Inlet as soon as possible. Reservations for individual hotel beds will be transferred from the NIRB to the planned attendee, who will be responsible for assuming associated costs. The NIRB will release any remaining unrequested hotel beds from our group reservation by **5:00 pm Friday, May 11, 2012.**

Public Awareness and Community Engagement

To promote public awareness and meaningful participation at the upcoming Final Hearing, the NIRB is organizing additional community information sessions in Igloolik and Pond Inlet prior to the Final Hearing. These sessions are meant to inform residents about the opportunity to participate in the NIRB's Final Hearing proceedings.

The NIRB will also be soliciting up to five (5) representatives from each of the following communities to attend the Final Hearing in Iqaluit:

- | | | |
|-----------------|---------------|---------------|
| ▪ Pond Inlet | ▪ Cape Dorset | ▪ Arctic Bay |
| ▪ Igloolik | ▪ Kimmirut | ▪ Resolute |
| ▪ Hall Beach | ▪ Iqaluit | ▪ Grise Fiord |
| ▪ Coral Harbour | ▪ Clyde River | |

The NIRB is prepared to cover the costs of travel, accommodations and meals for these community representatives in order to allow for their attendance and participation the Final Hearing in Iqaluit. In its Pre-Hearing Conference Decision, the Board committed to encouraging participation from a variety of demographic audiences. In keeping with this commitment, the Board will be requesting the nomination of community representatives from Hamlet Councils, Hunters & Trappers Organizations, and other community groups in order to encourage representation that is inclusive of a variety of demographics including, but not limited to Inuit harvesters, women, youth and Elders.

As many of the communities identified by the NIRB as being potentially impacted by the Mary River project also have existing project review committees organized by the Qikiqtani Inuit Association, the Board will also be encouraging the groups canvassed to give consideration to having some of these individuals who have experience with the ongoing assessment of the Mary River project to serve as their representatives for the NIRB's Final Hearing.

Summary

In closing, as we move closer to the Final Hearing for the NIRB's Review of the Mary River project, the Board thanks all parties for their support and encourages their continued active engagement in the review process. Additional details regarding hearing logistics, community information sessions and final scheduling will be provided as they become available over the coming weeks.

Once again the NIRB requests that parties notify the NIRB at info@nirb.ca on or before **5:00 pm Friday, May 11** regarding their interest in securing hotel beds and/or billeted accommodations in Igloolik and Pond Inlet.

Parties are also asked to notify the NIRB by **May 11, 2012** should they require French interpretation or special audio-visual equipment at the Final Hearing to allow for the necessary arrangements to be made.

The NIRB reminds all parties that the deadline for final written submissions is **May 30, 2012**.

Should you have questions regarding the NIRB's Review of the Mary River project, please contact Amanda Hanson, Director of Technical Services at (867) 983-4615 or via email at ahanson@nirb.ca.

Sincerely,



Ryan Barry
Executive Director
Nunavut Impact Review Board

cc: Erik Madsen, Baffinland Iron Mines Corporation

Enclosed: Appendix A – Format for Parties' Final Written Submissions

Written submissions must contain the following:

1. Executive Summary

Submissions must contain a non-technical executive summary of the major issues identified during the review of the Final Environmental Impact Statement (FEIS). The summary should not exceed two pages.

2. Table of Contents

Submissions must contain a table of contents with sections related to the main headings of the NIRB's EIS Guidelines for the Project and identifying the major issues under those headings the party intends to address at the Final Hearing. In addition to addressing the major issues they have identified for the Final Hearing, submissions may also address any other matter the party considers relevant to the NIRB's review of the FEIS and the Project.

3. Introduction

Submissions should contain a statement of the party's mandate and relationship to the project, and for parties with regulatory jurisdiction over the Mary River Project a description of the jurisdiction of that party and list of the legislation, regulations, policies and guidelines administered by the party that is applicable to the Mary River project.

4. Specific Comments

For each issue included in the submissions, parties should provide the following:

- a) A detailed description of the issue and, where appropriate, a reference to where within the FEIS (document, section and page number) that issue is discussed;
- b) If provided by the Proponent, identify the Proponent's conclusion(s) related to the issue;
- c) A statement regarding the conclusion(s) of the commenting party related to the issue, including reference to the justification/data/rationale supporting that conclusion;
- d) A brief discussion assessing the issue's importance to the impact assessment process; and
- e) Any recommendation(s) to the Board with respect to the disposition of the issue.

5. Summary of Recommendations

Finally, submissions must contain a bulleted summary of the recommendations to the Board with respect to:

- whether Parties agree/disagree with the conclusions presented in the FEIS regarding the alternatives assessment, environmental impacts, proposed mitigation, significance of impacts, and monitoring measures – and all evidence supporting the parties' position;
- whether or not conclusions presented in the FEIS are supported by the analysis – and all evidence supporting the parties' position;

- whether appropriate methodology was utilized in the FEIS to develop conclusions – and all evidence supporting the parties’ position;
- an assessment of the quality of the information presented in the FEIS; and
- an assessment of the appropriateness of proposed monitoring measures – and evidence to support the determination, along with any proposed alternative monitoring measures which may be more appropriate (if applicable).

Translation/Interpretation Requirements

The NIRB requires executive summaries be provided in English and be translated into both **Inuktitut** and **French**. Please note that parties are responsible for sourcing this translation.

The Final Hearing will be conducted in Inuktitut and English, using simultaneous interpretation. The NIRB will also ensure that simultaneous interpretation in French is made available upon request. Please notify the NIRB by **May 11, 2012** should you require French interpretation to be made available for the Final Hearing.

Additionally, those who require special audio-visual equipment at the Final Hearing are requested to inform the NIRB by **May 11, 2012** in order that adequate arrangements can be made.

Deadline for filing submissions

The NIRB reminds parties that the deadline for final written submissions is **May 30, 2012**.