



NIRB File No. 08MN053

May 15, 2012

Luc Fortin
Senior Environmental Officer
Canadian Transportation Agency
15 Eddy Street, Ottawa, QC K1A 0N9

Sent via Email: Luc.Fortin@otc-cta.gc.ca

Re: NIRB Request to the Canadian Transportation Agency for Information and Representation at the Upcoming Final Hearing for Baffinland's Mary River Project Proposal

Dear Luc Fortin:

As you are aware from the recent discussions that took place during the technical meetings in Iqaluit (May 1-3) for the Nunavut Impact Review Board's (NIRB or the Board) Review of Baffinland Iron Mines Corp.'s Mary River project (NIRB File No. 08MN053), various parties including the NIRB have identified the construction and operation of the railway included within the project proposal as a key issue that must be addressed at the upcoming Final Hearing. Recognizing the Canadian Transportation Agency's (CTA) jurisdictional responsibility for authorizing this component of the Project, as well as the CTA's specialist knowledge regarding the potential impacts associated with the operation of railways, the NIRB appreciates the CTA's ongoing participation in this Review.

Reflecting the importance of a thorough review of this project proposal, the Board looks forward to receiving the CTA's final written submissions on or before May 30, 2012. In addition to any other areas falling within CTA's jurisdiction, the Board requests that the CTA include within its submission its views with respect to the following:

- Alternatives analyses associated with proposed railway design, routing and operation;
 - Design considerations for the construction and operation of a railway under arctic conditions, including management plans for the mitigation of potential impacts to caribou and terrestrial wildlife;
 - Impacts to traditional land users as a result of proposed railway routing, design considerations, and diversion/obstruction to terrestrial wildlife;
 - Dust dispersion resulting from the transportation of ore, and proposed methods of mitigation and/or control as outlined in the FEIS.
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In addition, the Board invites the CTA to include within its written submissions any other information that the CTA wishes the NIRB to consider in relation to the Mary River project proposal.

The Board wishes to emphasize that, given the obvious importance of the protection of the terrestrial environment to the parties and the communities, it is also the NIRB's expectation that a representative of CTA who can speak directly to these issues will be made available for the upcoming Final Hearing for this file (July 16-28 in Iqaluit, Igloolik and Pond Inlet, Nunavut) in order to ensure that relevant information is before the Board and that the questions of parties and the public can be addressed at that time. The Notice of Hearing released on May 8, 2012 has been enclosed for your information. Please note that hotel accommodations are being reserved for the CTA in Igloolik and Pond Inlet, and that our staff would appreciate receiving notification as to how many beds the CTA will require in each as soon as possible.

Should you have questions regarding the filing of written submissions or the Final Hearing for the Mary River project, please contact Amanda Hanson, Director of Technical Services at (867) 983-4615 or via email at ahanson@nirb.ca.

Sincerely,

A handwritten signature in black ink that reads "Ryan Barry". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ryan Barry
Executive Director
Nunavut Impact Review Board

cc: Erik Madsen, Baffinland Iron Mines Corporation
Mary River Distribution List

Enclosed: Notice of Hearing (May 8, 2012)