



**NIRB File No. 08MN053**

May 23, 2012

Lloyd Lipsett  
LKL International Consulting  
5430 Saint-Laurent #405  
Montréal, QC H2T 1S1

*Sent via Email:* [lloyd@lklinternational.com](mailto:lloyd@lklinternational.com)

**Re: Notice of NIRB Acceptance of Request for Intervenor Status at the Upcoming Final Hearing for Baffinland's Mary River Project Proposal for Zacharias Kunuk, NITV, Isuma TV, Kigullitt Productions Inc.**

---

Dear Lloyd Lipsett:

The Nunavut Impact Review Board (NIRB or Board) has now reviewed the Application Form for Intervenor Status and attachments prepared and submitted to the Board on May 18, 2012 by you on behalf of Zacharias Kunuk – Nunavut Independent Television Network, Isuma Distribution International Inc. and Kigullitt Productions Inc. (the Applicant). On the basis of the completed application form, draft outline of the written submission to be filed if the Applicant is granted intervenor status and the document describing the Human Rights Impact Assessment (HRIA) of Baffinland's Mary River Project that is being prepared to support the intervention of the Applicant, the Board has determined that the Applicant has met the technical requirements for an intervention as set out in s. 22.2 of the Board's Rules of Procedure<sup>1</sup> and the Notice of Final Hearing for Baffinland's Mary River Project Proposal posted on May 8, 2012.

With respect to the Board's substantive review of the Applicant's intervention request, the Board has determined that on the basis of the materials filed to date it appears the Applicant proposes to provide relevant and material information to the Board in the context of the upcoming Final Hearing. Consequently, as set out in s. 22.3(d), the Board, by way of this letter, is providing notice to you and to the parties to this Review that the NIRB accepts the Applicant's request for intervention status.

As indicated in the Notice of Final Hearing, the next step for parties granted intervention status is the filing of final written submissions with the Board on or before **June 8, 2012**. Appendix A provides guidance regarding the format for written submissions to be filed by intervenors in this

---

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

matter, originally set out in correspondence to the Mary River Distribution List dated April 27, 2012. The Board expects that the Applicant's final written submissions will comply with the requirements set out in Appendix A.

As indicated previously to the parties, the Final Hearings will be conducted in accordance with the NIRB's Rules Of Procedure and in accordance with the Board's Pre-Hearing Conference Decision in this matter. Proceedings will be conducted by the NIRB's Board Members at each hearing venue, with support from NIRB staff and legal counsel as required.

With respect specifically to the questions you posed about logistics associated with potential consideration of videotaped statements from community members, the Board encourages you to contact the Board's staff as soon as possible to discuss any additional logistical and procedural arrangements that may be necessary to accommodate these types of presentations.

Should you have questions regarding the Applicant's 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](mailto:ahanson@nirb.ca).

Sincerely,

A handwritten signature in black ink, reading "Ryan Barry", followed by a long horizontal line that ends in a small loop.

Ryan Barry  
Executive Director  
Nunavut Impact Review Board

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

Attached: 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.

### **Deadline for filing submissions**

The NIRB reminds parties that the deadline for final written submissions is May 30, 2012. The deadline for submissions from registered intervenors is **June 8, 2012**.