



NIRB File No. 08MN053

DFO File No.: NU-07

November 8, 2013

Mary River Distribution List

Sent via email

Re: Draft Agenda for the Upcoming Technical Meeting for the NIRB's 12.8.2 Reconsideration of the Mary River Project Certificate for Baffinland Iron Mines Corp.'s Early Revenue Phase proposal

Dear Parties:

On August 15, 2013 the Nunavut Impact Review Board (NIRB or Board) initiated the technical review period for the Final Environmental Impact Statement Addendum associated with Baffinland Iron Mines Corporation's (Baffinland or Proponent) Early Revenue Phase (ERP) proposal (NIRB File No. 08MN053). Interested parties were invited to provide their technical review comments to the NIRB on or before October 18, 2013.

By the close of the public commenting period on October 18, 2013, the NIRB had received comments from the following parties:

- | | |
|------------------------------------------------------|------------------------------------------------|
| ▪ Qikiqtani Inuit Association | ▪ Transport Canada |
| ▪ Government of Nunavut | ▪ Parks Canada |
| ▪ Aboriginal Affairs and Northern Development Canada | ▪ Pond Inlet Hunters and Trappers Organization |
| ▪ Environment Canada | ▪ Dr. Zacharias Kunuk and Isuma TV |
| ▪ Fisheries and Oceans Canada | ▪ World Wildlife Fund |
| ▪ Natural Resources Canada | |

All technical review comment submissions are accessible through the NIRB's online public registry at the following location:

<http://ftp.nirb.ca/03-MONITORING/08MN053-MARY%20RIVER%20IRON%20MINE/01-PROJECT%20CERTIFICATE/04-AMENDMENTS/ERP/04-CONFORMITY%20&%20TECH%20REVIEW/03-TECHNICAL%20REVIEW%20COMMENTS/>.

The technical review of the FEIS Addendum submission forms the basis of the NIRB's reconsideration of the terms and conditions of the Mary River Project Certificate [005] pursuant to section 12.8.2(b) of the Nunavut Land Claims Agreement (NLCA), with the objective of

determining whether Baffinland should be permitted to amend the Mary River Project to include the ERP proposal and, if so, under what terms and conditions. On October 18, 2013 Baffinland filed a submission with the NIRB which outlined its position (with supporting rationale) regarding which terms and conditions of the Project Certificate might require amendment or other reconsideration should the ERP proposal be approved to proceed. Baffinland has also indicated that a written response to all technical review comments will be filed with the NIRB by **November 15, 2013**.

TECHNICAL MEETING

As outlined in previous correspondence to this distribution list, the NIRB will be hosting a meeting of technical experts in Iqaluit **November 26-28, 2013** to facilitate discussions regarding the issues raised in technical review comment submissions and assist with the development of parties' final written submissions. The NIRB staff will also provide additional clarification and an opportunity for questions regarding the agenda and logistics for the Final Hearing to be held in January 2014.

To assist with parties' preparation for the Technical Meeting, the NIRB has prepared a draft meeting agenda (Appendix A) and is now inviting input with regards to the proposed meeting schedule and items for discussion.

Parties are advised that the objectives of the upcoming Technical Meeting are somewhat different than those for technical meetings that were held previously during the NIRB's Review of the Mary River project. The upcoming Technical Meeting will serve as an opportunity for parties to discuss their questions or concerns regarding the Proponent's identification of potential environmental and socio-economic impacts and associated mitigation and management plans for the ERP proposal, and the resultant effect on the terms and conditions of the Mary River Project Certificate. The NIRB staff will track commitments made by the Proponent to resolve technical issues and concerns through potential mitigation, monitoring, or other measures, with a formal listing of commitments to be brought forward for consideration by the NIRB as the upcoming Public Hearing. Discussions during the Technical Meeting are intended to assist parties with developing a position on whether or not the ERP proposal should be allowed to proceed, and if so, what amendments to the Mary River Project Certificate should be made, including whether and which of the terms and conditions contained therein should be amended, and any new conditions which the Board should consider for inclusion. This dialogue is intended to assist with delineating outstanding technical issues and concerns for parties in their preparation of final written submissions.

The Board asks that parties attending the Technical Meeting be prepared to discuss the following points in particular, according to their respective jurisdiction/mandate:

- Determination of whether parties agree/disagree with the conclusions in the FEIS Addendum regarding the alternatives assessment, environmental impacts, proposed mitigation, significance of impacts and monitoring measures – and reasons to support the determination;
- Determination of whether or not conclusions in the FEIS Addendum are supported by the analysis – and reasons to support the determination;

- Determination of whether appropriate methodology was utilized in the FEIS Addendum to develop conclusions – and reasons to support the determination, along with any proposed alternative methodologies which may be more appropriate (if applicable);
- Advice regarding the applicability of technical review comments and concerns for the NPC-NIRB joint review of the transportation corridor application associated with the ERP proposal;
- Identification of specific commitments being sought by parties from the Proponent to address technical issues and concerns;
- Identification of any terms and conditions contained within the Mary River Project Certificate which may require reconsideration or amendment in light of the ERP proposal; and,
- Identification of additional Project Certificate terms and conditions which would be required to address the potential impacts of the ERP proposal.

MEETING LOGISTICS

Location:	Navigator Inn, Iqaluit, NU
Dates and Times:	November 26, 27 & 28, 8:30 am - 5:00 pm (<i>evening sessions as required</i>)
Interpretation:	Simultaneous English/Inuktitut interpretation will be available.
Audio-Visual:	An LCD projector and screen will be provided. Limited teleconferencing may be made available for specific agenda items if necessary.
Representatives:	Seating at the table for each organization during the meeting will be limited, with a maximum of 2 seats per agency available. Additional seats will be provided for observers or upon request for representatives needing to be present during a particular session.
Facilitator:	The meeting will be facilitated by Ryan Barry, NIRB Executive Director with breakout sessions facilitated by NIRB staff.
Materials:	The NIRB will have a digital copy of all materials contained within the Board's public registry as pertaining to its monitoring program for the Project.
Meeting times:	Meetings will start at 8:30 am and run until 5:00 pm, with a one hour break for lunch and two 15 minute health breaks throughout the day. Light refreshments will be provided during health breaks; other meals will not be provided for participants. Evening sessions may be required and all parties should be available if this becomes necessary.

The meeting will be kept as informal as possible, with break-out sessions to be arranged as required.

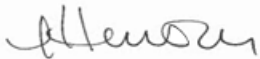
REQUEST TO PARTIES

The NIRB requests that Baffinland be prepared to deliver a 45 minute presentation at the opening of the Technical Meeting which summarizes its response to parties' technical review comments, including an identification of issues which have been addressed within its response and those which have not yet been resolved. The presentation should also highlight those terms and conditions within the Mary River Project Certificate that Baffinland suggests be amended, and any new terms and condition it has put forward for consideration. It is recommended that this presentation follow a similar thematic approach to that contained within Baffinland's FEIS Addendum submission and the attached draft meeting agenda.

The NIRB requests that parties planning to attend the upcoming Technical Meeting provide our office with a confirmation of attendance and planned number of representatives, via email to info@nirb.ca or via fax to (867) 983-2594 on or before **5:00 pm MT, Friday November 15, 2013**. Comments regarding the draft agenda as presented will also be accepted up until this time.

Should you have questions or comments regarding the draft meeting agenda or associated meeting logistics, please contact Jaswir Dhillon, Technical Advisor, at (867) 983-4609 or via email at jdhillon@nirb.ca.

Sincerely,



Amanda Hanson
Director, Technical Services
Nunavut Impact Review Board

cc: Erik Madsen, Baffinland Iron Mines Corporation
Brian Aglukark, Nunavut Planning Commission

Attachments: Appendix A – Draft Agenda

NIRB File No.: 08MN053 – Mary River Project (Early Revenue Phase)
Proponent: Baffinland Iron Mines Corporation (Baffinland)
Location: Navigator Inn, Iqaluit, NU
Dates: November 26-28, 2013
Times: 8:30 am – 12:00 pm, 1:00 – 5:00 pm (*evening sessions 6:30-9:30 pm as required*)

Day 1 – Tuesday, November 26, 2013

8:30 – 9:00 am	NIRB Welcome and Opening Remarks <ul style="list-style-type: none">▪ Objectives of Technical Meeting▪ Introduction of Participants▪ Housekeeping Items▪ Overview of Agenda
9:00 – 9:45 am	Baffinland Presentation: Response to Technical Review Comments & Recommended Term and Condition Amendments
9:45 – 10:15am	Conclusions presented in the FEIS pertaining to alternatives assessment and methodologies; discussion of accidents and malfunctions
10:15 – 10:30 am	<i>Health Break</i>
10:30 – 11:15 am	Conclusions presented in the FEIS pertaining to alternatives assessment and methodologies; discussion of accidents and malfunctions – <i>continued</i>
11:15 – 12:00 pm	Physical environment including air quality, fresh water, soils and landforms and related mitigation/monitoring programs; including relevant management and/or mitigation plans
12:00 – 1:00 pm	<i>Break for Lunch on own</i>
1:00 – 2:45 pm	Physical environment including air quality, fresh water, soils and landforms and related mitigation/monitoring programs; including relevant management and/or mitigation plans – <i>continued</i>
2:45 – 3:00 pm	<i>Health Break</i>
3:00 – 4:45 pm	Marine shipping, marine environment, marine wildlife, impact assessment including ballast water and fuel spill modeling, marine environment and wildlife monitoring and mitigation; including relevant management and/or mitigation plans

4:45 – 5:00 pm Afternoon session wrap-up

Day 2 – Wednesday, November 27, 2013

8:30 – 8:45 am NIRB Opening Remarks
 ▪ Day 1 Recap and Day 2 brief

8:45 – 10:15 am Marine shipping, marine environment, marine wildlife, impact assessment including ballast water and fuel spill modeling, marine environment and wildlife monitoring and mitigation; including relevant management and/or mitigation plans – *continued*

10:15 – 10:30 am Health Break

10:30 am – 12:00 pm Marine shipping, marine environment, marine wildlife, impact assessment including ballast water and fuel spill modeling, marine environment and wildlife monitoring and mitigation; including relevant management and/or mitigation plans – *continued*

12:00 – 1:00 pm Break for Lunch on own

1:00 – 2:45 pm Marine shipping, marine environment, marine wildlife, impact assessment including ballast water and fuel spill modeling, marine environment and wildlife monitoring and mitigation; including relevant management and/or mitigation plans – *continued*

2:45 – 3:00 pm Health Break

3:00 – 4:45pm Biophysical environment including terrestrial environment, vegetation and related management and mitigation plans and/or programs

4:45 – 5:00 pm Afternoon session wrap-up

Day 3 – Thursday, November 28, 2013

8:30 – 8:45 am NIRB Opening Remarks
 ▪ Day 2 Recap and Day 3 brief

8:45 – 10:15 am Terrestrial wildlife – caribou, birds and habitat and related management and mitigation plans and/or programs

10:15 – 10:30 am Health Break

- 10:30 – 12:00 pm Terrestrial wildlife – caribou, birds and habitat and related management and mitigation plans and/or programs – *continued*
- 12:00 – 1:00 pm *Break for Lunch on own***
- 1:00 – 2:45 pm Socio-economic environment and related management and mitigation plans and/or programs
- 2:45 – 3:00 pm *Health Break***
- 3:00 – 4:30pm Cumulative effects assessment and related management and mitigation plans and/or programs
- 4:30 – 5:00 pm NIRB discussion of next steps and Public Hearing
- Question and answer period for parties