



NIRB File No. 08MN053

November 13, 2013

Mary River Distribution List

Sent via email

Re: Notice of Public Hearing and Associated Details for Interventions in the NIRB's Reconsideration of Baffinland's Mary River Project Certificate

Dear Parties:

Please find attached the Notice of Hearing for the Nunavut Impact Review Board's (NIRB or Board) reconsideration of the terms and conditions of Baffinland Iron Mines Corp.'s Mary River Project Certificate [No. 005] pursuant to Section 12.8.2 of the Nunavut Land Claims Agreement. The Hearing is being held to assess the potential ecosystemic and socio-economic impacts of the Early Revenue Phase proposal associated with the Mary River project (NIRB File No. 08MN053) as proposed by Baffinland Iron Mines Corporation.

Please be advised that both Inuktitut and French translations of the attached notice will be provided as soon as possible, and formal notice will also be appearing in local newspapers later this month in English, French and Inuktitut. A copy of the attached notice has also been posted online with the public registry for this file and can be accessed from the following link:

<http://ftp.nirb.ca/03-MONITORING/08MN053-MARY%20RIVER%20IRON%20MINE/01-PROJECT%20CERTIFICATE/04-AMENDMENTS/ERP/07-HEARING/>

As you will see from the attached Notice of Hearing, the Board has outlined the procedure for participants who wish to apply for formal intervenor status in this assessment, as well as confirming the deadline for filing of written submissions for these intervenors as January 13, 2014. For the benefit of all the parties involved in the reconsideration process, the NIRB is providing the following additional clarification:

1. Under the Board's Rules of Procedure¹ (September 2009) (the "Rules"), s. 22.1 authorizing agencies² have full standing throughout the Review and are NOT required to file a request to be granted intervenor status.

¹ Available online at the following location: <http://ftp.nirb.ca/06-RULES/>

² Defined under s. 2.1 of the Rules to include any Canadian or Nunavut government department or agency, Designated Inuit Organization (DIO) or any other body that has the authority to issue a permit, lease, license or grant approval to a proponent to conduct some physical work or physical activity in relation to a project proposal.

2. Accordingly, all authorizing agencies are required to file their final written submissions on or before **January 13, 2014**.
3. Part 22 of the Rules also recognizes that there may be parties who have not been involved throughout the Review, but who may, upon receiving the formal Notice of Hearing determine that they wish to apply for intervenor status at the Hearing. For these potential intervenors, the Board requires the completion of an Application Form to request intervenor status (enclosed) to be filed with the Board on or before **December 13, 2013**.
4. The Board will review and consider completed Application Forms and may:
 - a. circulate the Application with a request for comments;
 - b. decide that more information is required or request that the Application be modified as directed by the Board;
 - c. decide that the intervention request is not granted because the submission is frivolous, vexatious or of little merit; or
 - d. grant the intervention request and notify all parties of that decision.
5. Given the approaching Public Hearing and the desire for all parties to have adequate notice and time to prepare for their participation, the Board will endeavour to take the steps outlined in Item 4 as promptly as possible and expects to make its determination and issue a letter accepting or rejecting any of the intervention requests received on or before **December 16, 2013**.
6. A party granted intervenor status on December 16, 2013 will have four weeks (until **January 13, 2014**) to file their written submissions for the Public Hearing.

Should you have questions regarding the attached Notice of Hearing, the NIRB's Rules of Procedure or proposed process with respect to this category of intervenors, or the Public Hearing for the NIRB's reconsideration of the Mary River Project Certificate, please contact the NIRB's Director of Technical Services, Amanda Hanson at (867) 983-4615 or ahanson@nirb.ca.

Sincerely,



Ryan Barry
Executive Director
Nunavut Impact Review Board

cc: Erik Madsen, Baffinland Iron Mines Corporation
Sharon Ehloak, Nunavut Planning Commission

Enclosed: Notice of Final Hearing
Application Form Requesting Intervenor Status