



NIRB File No. 08MN053

November 25, 2013

Mary River Distribution List

Sent via email

Re: Public Hearing Dates and Associated Details for the NIRB's Review of Baffinland Iron Mines Corporation's Early Revenue Phase Proposal for the Mary River Project

Dear Parties:

On June 20, 2013 the Nunavut Impact Review Board (NIRB or Board) accepted Baffinland Iron Mines Corporation's (Baffinland or Proponent) Addendum to the Final Environmental Impact Statement (FEIS) for the Early Revenue Phase proposal for the Mary River project (NIRB File No. 08MN053) and commenced the technical review period. Following the upcoming Technical Meeting in Iqaluit on November 26-28, 2013, final written submissions will be accepted by the NIRB until **Monday, January 13, 2014**. Please note that the NIRB has provided direction on the recommended format for final written submissions format as Appendix A to this correspondence.

Public Hearing Dates

Reflecting input received from parties' technical review comment submissions, the Board has determined that the Public Hearing will be held in the community of Pond Inlet and will involve a combination of technical and non-technical sessions. Through the last several weeks, the NIRB staff have worked with the host community to determine acceptable dates for this event and to begin logistics coordination. The NIRB has recently circulated a schedule for the Public Hearing as follows:

- **January 27 - 31, 2014: Public Hearing**
 - January 27, 28 & morning of the 29th: Technical presentations
 - January 29 afternoon, 30 & 31: Community roundtable sessions

The first portion of the Public Hearing 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 may be modified as the Board considers necessary to ensure the Board has heard the evidence required

to fully consider this matter. An agenda confirming additional details regarding the Public Hearing will be circulated to all parties in advance of the proceedings. As noted above, the dates for the Public Hearing have recently been announced via a Notice of Hearing issued to this distribution list on November 15, 2013, and an associated advertisement has also been published in newspapers of general circulation (Nunatsiaq News, Nunavut News North) in accordance with the Board's Rules of Procedure.

Public Hearing Logistics

The Public Hearing will be conducted in accordance with the NIRB's Rules of Procedure¹. The Public Hearing will be conducted by the NIRB's Board Members with support from NIRB staff and legal counsel as required. A stenographer will be present to record transcripts. Simultaneous English and Inuktitut interpretation will be provided for the proceedings, with French interpretation provided upon advance request. An electronic copy of the full public registry will be brought to the Hearing and will be made available during the proceedings.

Accommodations

A block of hotel accommodations are currently being held by the NIRB in Pond Inlet in order to facilitate participation by responsible authorities, agencies, and organizations which are expected to be in attendance at the Public Hearing to present technical information, ask questions of the Proponent and other parties, respond to questions of the Board and other parties and provide information to the community during the community roundtable sessions. A limited number of hotel beds are being held in Pond Inlet for the Public Hearing and the NIRB is prepared to provide these hotel beds to representatives from the following organizations:

- Nunavut Planning Commission
- Nunavut Water Board
- Qikiqtani Inuit Association
- Government of Nunavut
 - Department of Culture and Heritage
 - Department of Economic Development and Transportation
 - Department of Environment
 - Department of Executive and Intergovernmental Affairs
 - Department of Justice
- Aboriginal Affairs and Northern Development Canada
- Environment Canada
- Fisheries and Oceans Canada
- Natural Resources Canada
- Parks Canada
- Transport Canada

Given that the availability of hotel beds in Pond Inlet is very limited and may be 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

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/>.

requested to secure other forms of accommodation, including billet accommodations. Parties are hereby requested to notify the NIRB at info@nirb.ca regarding their interest in securing hotel beds and/or billeted accommodations in Pond Inlet as soon as possible. Reservations for individual hotel beds will be transferred from the NIRB to the planned attendee who will then be responsible for assuming all associated costs. The NIRB will release any remaining unrequested hotel beds from our group reservation by **5:00 pm Friday, January 17, 2014**.

Public Awareness and Community Engagement

To promote public awareness and meaningful participation at the upcoming Public Hearing, the NIRB is soliciting up to five (5) representatives from each of the following communities to attend the Public Hearing in Pond Inlet:

- Arctic Bay
- Clyde River
- Hall Beach
- Igloolik
- Iqaluit
- Grise Fiord
- Resolute Bay

The NIRB is prepared to cover the costs of travel, accommodations and meals for these community representatives to support their attendance and participation in the Public Hearing. 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.

The community of Pond Inlet will also be invited to attend the Public Hearing, though the NIRB will not be covering costs of travel, accommodations or meals for local residents who choose to participate in the Hearing.

Summary

In closing, as we move closer to the Public Hearing for the NIRB's assessment of the Early Revenue Phase of the Mary River project, the Board thanks all parties for their contributions to the process and encourages their continued active engagement in the Board's reconsideration process under Article 12, Section 12.8.2. Additional details regarding hearing logistics and final scheduling will be provided as they become available.

Once again the NIRB requests that parties notify the NIRB at info@nirb.ca on or before **Friday, January 17, 2014** regarding their interest in securing hotel beds and/or billeted accommodations in Pond Inlet.

Parties are also asked to notify the NIRB by **December 6, 2013** if French interpretation or special audio-visual equipment will be required at the Public Hearing.

The NIRB reminds all parties that the deadline for the NIRB to receive applications for formal intervenor status at the Public Hearing is **December 13, 2013** and that the deadline for final written submissions from **all parties** is **January 13, 2014**.

The NIRB also advises all media outlets that wish to record (film, photograph, audio) at the Public Hearing to request media access to the Public Hearing from the NIRB on or before **January 13, 2014**.

Should you have questions regarding the NIRB's 12.8.2 Reconsideration for the Early Revenue Phase 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,

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

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 Addendum to 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 Early Revenue Phase and identifying the major issues under those headings the party intends to address at the Public Hearing. In addition to addressing the major issues they have identified for the Public Hearing, submissions should include comments regarding the Project Certificate terms and conditions that should be added, revised or deleted to reflect the proposed amendment, and may also address any other matter the party considers relevant to the NIRB's assessment of the Early Revenue Phase proposal.

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 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 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 Addendum to 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;
- e) Any recommendation(s) to the Board with respect to the disposition of the issue;
- f) 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;
- g) Identification of additional terms and conditions which would be required to address the potential impacts of the ERP proposal; and
- h) Any further analysis and insights into whether the requirements of the North Baffin Regional Land Use Plan (NBRLUP) Appendix K have been met by Baffinland's FEIS Addendum and NBRLUP Application, including any specific comment on the following aspects of the proposed transportation corridor:
 - i. Acceptability of the corridor width;

- ii. Proposed measures for mitigation of potential adverse impacts; and
- iii. Likelihood of maximizing access to other resources while minimizing overall footprint.

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 Addendum to 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 Addendum to the FEIS are supported by the analysis – and all evidence supporting the parties' position;
- whether appropriate methodology was utilized in the Addendum to the FEIS to develop conclusions – and all evidence supporting the parties' position;
- an assessment of the quality of the information presented in the Addendum to the FEIS;
- 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);
- identification of any terms and conditions contained within the current Mary River Project Certificate which may require reconsideration or amendment in light of the ERP proposal;
- identification of additional terms and conditions which would be required to address the potential impacts of the ERP proposal; and,
- submissions regarding the proposed transportation corridor and whether requirements of the NBRLUP have been met through Baffinland's FEIS Addendum and NBRLUP Application.

Translation/Interpretation Requirements

The NIRB requires executive summaries be provided in **English, Inuktitut and French**. Please note that parties are solely responsible for providing the translated materials to the NIRB.

The Public Hearing will be conducted in Inuktitut and English using simultaneous interpretation. Upon request the NIRB will also provide simultaneous interpretation in French. Parties requesting French interpretation for the Public Hearing must advise the NIRB by **December 6, 2013**.

Additionally, those who require special audio-visual equipment at the Public Hearing are requested to inform the NIRB by **December 6, 2013** so that adequate arrangements can be made.

Deadline for filing submissions

The NIRB reminds parties that the deadline for final written submissions is **January 13, 2014**.