



**NIRB File No. 08MN053**

December 16, 2013

Hamlet of Pond Inlet  
c/o Mike Rudkin, Senior Administrative Officer  
P.O. Box 180  
Pond Inlet, NU X0A 0S0

*Sent via email: [hamletpond\\_sao@qiniq.com](mailto:hamletpond_sao@qiniq.com)*

**Re: Notice of NIRB Acceptance of Request for Intervenor Status at the Upcoming Public Hearing in respect of the NIRB's Reconsideration of the Mary River Project Certificate [No. 005] pursuant to Section 12.8.2 of the Nunavut Land Claims Agreement for the Hamlet of Pond Inlet**

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Dear Mike Rudkin:

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 December 13, 2013 by you on behalf of the Hamlet of Pond Inlet (the Applicant). On the basis of the completed application form as submitted in support of 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 Public Hearing in respect of the NIRB's Reconsideration of the Mary River Project Certificate [No. 005] pursuant to Section 12.8.2 of the Nunavut Land Claims Agreement (NLCA) as posted on November 12, 2013.

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 Public 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 consideration that the NIRB accepts the Applicant's request for intervention status.

As indicated in the Notice of Public Hearing, the next step for parties granted intervention status is the filing of final written submissions with the Board on or before **January 13, 2014**. Appendix A provides guidance regarding the format for written submissions to be filed by

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

intervenors in this matter, originally set out in correspondence to the Mary River Distribution List dated November 25, 2013. 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 Public Hearing will be conducted in accordance with the NIRB's Rules of Procedure. Proceedings will be conducted by the NIRB's Board Members with support from NIRB staff and legal counsel as required.

Should you have questions regarding the Applicant's filing of written submissions or the Public Hearing to be held in respect of the NIRB's Reconsideration of the Mary River Project Certificate [No. 005] pursuant to Section 12.8.2 of the NLCA, 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 horizontal line.

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 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 20, 2013**.

Additionally, those who require special audio-visual equipment at the Public Hearing are requested to inform the NIRB by **December 20, 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**.