



**NIRB File No.: 08MN053**

August 28, 2014

Oliver Curran  
Director, Sustainable Development  
Baffinland Iron Mines Corporation  
2275 Upper Middle Road East  
Oakville ON L6H 0C3

*Sent via email: [oliver.curran@baffinland.com](mailto:oliver.curran@baffinland.com)*

**Re: Nunavut Impact Review Board (NIRB) Mary River Project 2013 Annual Monitoring Report**

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Dear Oliver Curran:

On March 31, 2014, the Nunavut Impact Review Board (NIRB or Board) received Baffinland Iron Mine Corporation's (Baffinland) Mary River Project 2013 Annual Monitoring Report (the Annual Report). As per section 12.7 of the Nunavut Land Claim Agreement (NLCA) and Mary River Project Certificate, the NIRB's monitoring program focuses on compliance and effects monitoring as related to the Mary River Project (NIRB File No. 08MN053).

On April 10, 2014, the NIRB requested that interested parties review the Mary River Project 2013 Annual Monitoring Report, and provide comments with respect to their jurisdiction and/or area of expertise on whether the conclusions reached by Baffinland in the Mary River Project 2013 Annual Monitoring Report were valid; and furthermore, to comment on Baffinland's compliance status with regard to authorizations that have been issued for the Project Certificate. On or before June 13, 2014, the NIRB received comments from the Qikiqtani Inuit Association, Government of Nunavut, Aboriginal Affairs and Northern Development Canada, Environment Canada, and Transport Canada.

The comments received from interested parties for the Mary River Project 2013 Annual Monitoring Report are available from the NIRB's public registry at the following location: <http://ftp.nirb.ca/03-MONITORING/08MN053-MARY%20RIVER%20IRON%20MINE/03-ANNUAL%20REPORTS/02-PROPONENT/2013/03-COMMENTS/>.

Based upon the Board's review of the Mary River Project 2013 Annual Monitoring Report and the comments received from interested parties, the NIRB requests that Baffinland provide further response, clarification or information as indicated below. The NIRB respectfully requests that Baffinland provide a response to the points below, on or before **September 10, 2014**.

## **1. Compliance Monitoring – Comments from Authorizing Agencies**

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The following is a summary of compliance monitoring issues raised by authorizing agencies for which the NIRB has determined that additional information may be helpful to the Board's ongoing monitoring. The NIRB would like to reiterate that Baffinland can find more specific details from the public registry in order to facilitate its responses:

## **A. Environment Canada**

### **Marine Environmental Monitoring**

Environment Canada (EC) raised concerns relating to the absence of details regarding marine environment monitoring for the Mary River Project, including specific notes about Appendices J and R. Specifically, EC indicated that it was not certain of how Baffinland would integrate baseline studies for Milne Inlet and Steensby Inlet with the overall marine monitoring plan. The NIRB requests that Baffinland provide or explain its rationale for not having provided marine environment monitoring results for 2013.

The NIRB also request Baffinland to provide more detailed information on its marine environment monitoring, with particular details on when it will make available the marine environment monitoring result for 2013.

## **2. NIRB Review of Baffinland 2013 Annual Report**

### **A. Terrestrial Environmental Monitoring (Vegetation Health): Appendix G**

Project Certificate term and conditions 34 and 36 require Baffinland to conduct soil sampling to determine metal levels of soils in areas with berry-producing plants and to establish an on-going monitoring program for vegetation species used as caribou forage (such as lichens) near project development areas prior to commencing operations (respectively). With respect to vegetation health, the NIRB requests that Baffinland provide responses, clarification or additional information as follows:

#### **Sampling:**

- i. **Soil Sampling:** The NIRB requests that Baffinland provide information to confirm whether a consistent depth was maintained for soil sampling. Typically, it is ideal to sample surface soils at different depths in order to understand the accumulation and migration patterns of soil trace metals both in reference and onsite areas. However, in the annual Report, no information was provided which would confirm whether all soil samples collected were from the same depth. The NIRB requests that Baffinland confirm the depths of soil samples taken.
- ii. **Ambiguity between Reference and Onsite Sampling Areas:** The NIRB noted that Baffinland's Annual Report did not differentiate the number of samples that were collected from the reference areas and from onsite areas (including Steensby Port and Milne site). The Annual Report did mention the total number of samples retrieved (20 soils, 17 lichens, 14 willow and 4 blue berries) but did not clearly note how many of each were collected from reference or/and onsite areas. This generalization makes it difficult for the NIRB to monitor how current onsite activities may be affecting vegetation health and crucial soil parameters relative to background and reference areas. The NIRB

requests that information regarding the collection of samples from onsite and/or reference areas be provided.

## Research Methodology

- i. **Lack of Comparison:** The NIRB notes that Baffinland has not provided a rationale for not having compared observed elemental changes in the samples (soils, lichens, willow and blue berries) collected in 2012 and 2013 against respective background values. The NIRB requests that Baffinland provide this information from a time series perspective.

## Conclusion

In closing, I would welcome the opportunity to discuss the NIRB's expectations with respect to Baffinland's responses to comments as outlined above. We respectfully request that this information be provided within **21 days' of receipt of this correspondence**; should you require additional time to prepare a response, please contact our office.

I look forward to hearing from you, and should you have any questions relating to the NIRB's Monitoring Program for the Mary River Project please feel free to contact me directly at [samuno@nirb.ca](mailto:samuno@nirb.ca) or (867) 983-4603.

Sincerely,



Solomon Amuno, PhD  
Technical Advisor  
Nunavut Impact Review Board

cc: Mary River Distribution List  
Erik Madsen, Baffinland Iron Mines Corporation  
Jennifer St. Paul Butler, Baffinland Iron Mines Corporation