

July 10, 2018

Ryan Barry Nunavut Impact Review Board P.O. Box 1360 Cambridge Bay, Nunavut X0B 0C0

Sent via. Email: rbarry@nirb.ca.

Re: NIRB Review Process, BIMC's 2018 Production Increase Application

Dear Mr. Barry:

This correspondence is intended to provide the Nunavut Impact Review Board (NIRB) with an initial response to the NIRB's correspondence of June 27, 2018. QIA thanks the NIRB for issuing direction to parties on how to proceed with a review of Baffinland Iron Mines Corporation's (BIMC) 2018 Production Increase Application (the Application) as well as the efforts the NIRB has taken to engage with QIA regarding the status of this Application. QIA concurs with the notion that each Application before the NIRB must be reviewed with care and diligence, respecting the circumstance of the application and the tools available to NIRB.

To ensure coordination and awareness within the QIA as an organization, QIA would like to inform NIRB of the following steps QIA is undertaking with respect to the Application:

- 1. QIA has commenced its technical review of the application and is assessing information requirements that may facilitate QIA's complete review. QIA has confirmation that the proponent will respond to any topics QIA requires clarification upon during its review.
- QIA will travel to Pond Inlet on July 10 and 11, 2018 to hold meetings with the Hamlet, MHTO
  and Mary River Community Group. This will be QIA's fourth trip to Pond Inlet since March 2018.
   QIA will file with the NIRB materials relevant to this Application from QIA's work in Pond Inlet.
- 3. Following meetings in April 2018, in Pond Inlet, QIA and Baffinland began a process to actively address community concerns in relation to the project and the current proposal. This work is ongoing. The results of this work will be reported to the NIRB following confirmations of status with the community of Pond Inlet and commitments by the proponent. QIA views this work as an essential component of its responsibilities and has placed high priority on these actions.
- 4. Given the NIRB's review process calls for QIA to supply technical comments by July 26, 2018, QIA is informing the NIRB that QIA is working to do so under the following approach:
  - a. Technical comments will be based upon QIA's best effort to review the Application in the time-frame(s) provided.

<sup>&</sup>lt;sup>1</sup> NIRB Letter: Follow-Up Guidance and Notice Regarding the Nunavut Impact Review Board's Next Steps in the Processing of Baffinland Iron Mines Corporations' "Production Increase, Fuel Storage and Milne Port Accommodations Modification Proposal, June 27, 2018.



- b. QIA's review will be oriented to confirmation of solutions associated with potential impacts using the following three step approach:
  - i. Can the impact be avoided? If so, how?
  - ii. If the impact cannot be avoided, can the impact be mitigated? If so, how?
  - iii. If the impact cannot be avoided and mitigation is not possible, will the impact result in a form of compensation? If so, how.
- c. QIA will apply the format requested by the NIRB in developing its submission.
- 5. In addition to QIA's technical review, the NIRB should anticipate a second submission from QIA. This submission will detail the commitments QIA has been able to secure from the proponent relative to the Application. QIA hopes this will be a joint submission between QIA and the proponent and will address concerns raised by the communities and technical matters requiring resolution. QIA can commit to providing this document to the NIRB no later than August 9, 2018. However, it is QIA's preference to submit this document as soon as possible.

QIA certainly appreciates the manner in which the NIRB has elected to proceed with a review of this Application relative to other filings. At present, due to the number of active applications by the proponent including a suite of other modifications filed under the approved 2018 Work Plan, QIA is also having to make difficult decisions regarding resources. At present, it is not possible for QIA to even begin to consider dedicating more than basic resources toward the Phase II Proposal. This has serious implications for our organization as we take our responsibility to review and respond to applications on behalf of Inuit very seriously. This is not a circumstance that QIA has created yet we have a duty to ensure Inuit interests are observed.

The QIA, therefore, strongly suggest that the NIRB give due consideration to the pace and style of the review process set for the Phase II Project Proposal taking into consideration the complete magnitude of demands that project-amendment applications require to ensure an adequate review is conducted. QIA is concerned that the amount of applications brought forward by BIMC may result in overall reviewer and organizational fatigue, and this is inconsistent with the intention of the project-assessment process under the *Nunavut Agreement*. QIA notes there are a number of on-going modification requests and work plan amendments currently under review concurrent with the current application. QIA believes decisions regarding timelines and prioritization of the Phase II review are well within the domain of the NIRB's decision making authority.

If you have questions and/or concerns regarding the above, please contact the undersigned at your earliest convenience.

Regards,

Joe Kunuk Interim Director, Department of Major Projects

CC- Mr. David Curley, QIA Board Member, Pond Inlet Mr. Jaykolassie Killiktee, MHTO Chairperson



Mr. Joshua Katsak, Mayor, Pond Inlet