



**NIRB File No.: 08MN053**  
NWB File No.: 2AM-MRY1325  
QIA File No.: LUA-2008-008  
DFO File No.: 2008 MR

December 21, 2018

To: Mary River Distribution List

*Sent via email*

**Re: Commencement of the Technical Review Period for the NIRB's Review of Baffinland Iron Mines Corp.'s "Phase 2 Development" Project Proposal**

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Dear Parties:

On October 12, 2018 the Nunavut Impact Review Board (NIRB or Board) initiated the public technical review of the revised Final Environmental Impact Statement (FEIS) Addendum submitted by Baffinland Iron Mines Corporation (Baffinland or Proponent) for the "Phase 2 Development" project proposal (08MN053) by requesting parties to submit Information Requests (IRs) by November 23, 2018. Following submission of the IRs, the NIRB forwarded the submissions to Baffinland with guidance on responding to IRs from parties; the IR Response Package was received from Baffinland on December 19, 2018.

The NIRB has conducted a preliminary completeness check to ensure that adequate information has been provided by the Proponent in order to commence the 60-day technical review period. Although unable to fully assess the technical quality of the responses and to determine whether they will meet with reviewers' requirements, the NIRB is of the opinion that adequate information has been provided to commence the technical review of the Addendum and to facilitate the next steps in the process including the preparation of technical review comments and the scheduling of a Technical Meeting.

The Revised Addendum, IR submissions and response package (Document ID No. 321568 and 321614) as received by the NIRB can be accessed via the NIRB's public registry: [www.nirb.ca/project/123910](http://www.nirb.ca/project/123910).

#### CALL FOR TECHNICAL REVIEW COMMENTS

The technical review period is meant to provide for a detailed review of the Phase 2 Development proposal to analyze the adequacy and assess the quality of the information presented by the Proponent in its submission. This step in the NIRB's assessment of the proposal involves parties' development of technical review comments which outline whether they agree with the Proponent's conclusions regarding the potential ecosystemic and socio-economic impacts of the proposed

activities, the adequacy of proposed mitigation and monitoring measures and ultimately whether parties support the approval of the Phase 2 Development as currently proposed. The NIRB is requesting that responsible authorities, interested parties and those with specialist advice provide their technical review comments to the NIRB by the conclusion of the technical commenting period on **February 21, 2019**. Technical review comments should include the following:

- Determination of whether Parties agree/disagree with the conclusions in the Addendum regarding the alternatives assessment, environmental impacts, proposed mitigation, significance of impacts, and monitoring measures – and reasons to support the determination;
- Determination of whether or not conclusions in the Addendum are supported by the analysis – and reasons to support the determination;
- Determination of whether appropriate methodology was utilized in the Addendum to develop conclusions – and reasons to support the determination, along with any proposed alternative methodologies which may be more appropriate (if applicable);
- Assessment of the quality and presentation of the information in the Addendum; and
- Any comments regarding additional information which would be useful in assessing impacts – and reasons to support any comments made.

Please note that the technical review is only for the NIRB process and parties are encouraged to review Appendix A which provides the NIRB's suggested format and template for the submission of technical review comments.

#### NEXT STEPS

The next steps in the NIRB's Review of the terms and conditions of Project Certificate No. 005 for the Mary River Project are outlined as follows for the information of parties:

- **January 11, 2019:** Intervenor application due, NIRB sends letters accepting intervenors.
- **February 21, 2019:** NIRB receives Technical Review Comments from parties.

Please note that the NIRB is yet to determine whether the review process for the proposal will be proceeding as coordinated with the Nunavut Water Board and owing to the recent request for additional clarification on the timeline for the assessment from the Government of Canada - Northern Project Management Office (NPMO), the NIRB will be providing an updated process map as soon as possible.

Once again, the NIRB requests that all interested parties submit their Technical Review Comments to the NIRB by email at [info@nirb.ca](mailto:info@nirb.ca) or by fax to (867) 983-2594 on or before **Friday, February 21, 2019**.

Should you have any questions or require further clarification regarding the next steps in the Board's assessment of the Phase Development proposal, please contact the undersigned at (867) 983-4603 or [samuno@nirb.ca](mailto:samuno@nirb.ca).

Sincerely,



Solomon Amuno, PhD  
Technical Advisor II  
Nunavut Impact Review Board

cc: Grant Goddard, Baffinland Iron Mines Corporation  
Megan Loyd-Hoyle, Baffinland Iron Mines Corporation  
Lou Kamermans, Baffinland Iron Mines Corporation  
Karén Kharatyan, Nunavut Water Board  
Assol Kubeisinova, Nunavut Water Board  
Jared Ottenhof, Nunavut Tunngavik Incorporated  
Joe Adla Kunuk, Qikiqtani Inuit Association  
Drikus Gissing, Government of Nunavut – Department of Environment  
Chris Spencer, Government of Nunavut – Department of Economic Development/Transportation  
Tracey McCaie, Crown Indigenous Relations and Northern Affairs Canada  
Agnes Simonfalvy, Canadian Northern Economic Development Agency  
Georgina Williston, Environment and Climate Change Canada  
Melissa Pinto, Environment and Climate Change Canada  
Jane Chisholm, Parks Canada  
Allison Stoddart, Parks Canada  
Veronique D'Amours-Gauthier, Fisheries and Oceans Canada  
Laura Watkinson, Fisheries and Oceans Canada  
Boyan Tracz, Fisheries and Oceans Canada  
Mathew Gale, Health Canada  
Peter Unger, Natural Resources Canada  
Christopher Aguirre, Transport Canada

Attachment: Appendix A – Format for Parties' Technical Review Comments

For each issue raised, parties are asked to include a clear reference to the main Addendum and the technical supporting document (TSD) number, document section, and/or page number where the relevant information may be found. Parties may find efficiencies in structuring submissions by issue, and are asked, where possible, to align their submission in accordance with the ordering of materials as presented within the Addendum. A tabular presentation as provided below is requested as a means of systematically organizing comment submissions and to assist with the compilation of submissions for the next steps of the Board’s review process.

### ***Format & File Size***

Parties are requested to provide technical review comments or information request submissions in a fully functional, electronically searchable Word or PDF file. Noting the current constraints with respect to internet bandwidth and speed, the NIRB requests that all submissions be submitted as individual files no larger than 5 MB.

### ***Technical review comment 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. The summary should not exceed two pages.

#### **2. Table of contents**

Submissions must contain a table of contents with sections that relate to the main headings of the Addendum including TSD associated with the Phase 2 Development proposal and which identify the major issues under those headings the party intends to bring forward for discussion at the Technical Meeting. Submissions may also address any other matter that the party considers relevant to the NIRB’s review of the Addendum and the proposed Phase 2 Development project as have been outlined above.

#### **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 proposed Phase 2 Development project and the approved Mary River project, a description of the jurisdiction of that party and list of the legislation, regulations, policies and guidelines administered by the party that are applicable to the proposed Phase 2 Development 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 Main Addendum or the relevant TSD noting the document sections and page numbers that the issue is discussed;

- b. If provided by the Proponent within the Addendum or TSD, 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; and
- e. Any recommendation(s) to the Board with respect to the disposition of the issue.

<b>Review Comment Number</b>	
<b>Subject/Topic</b>	
<b>References</b> to NIRB revised EIS Guidelines (if applicable), Main Addendum and TSD (i.e. document section/sub-section, page number, etc.)	
<b>Summary</b> (include Baffinland's conclusion if relevant and conclusions of commenting party)	
<b>Importance of issue to impact assessment</b>	
<b>Detailed Review Comment</b>	<b>1. Gap/Issue</b> <b>2. Disagreement with Addendum/TSD conclusion</b> <b>3. Reasons for disagreement with Addendum conclusion</b>
<b>Recommendation/Request</b>	

## 5. Summary of recommendations

Finally, comment submissions must contain a *summary* of the recommendations to the Board with respect to:

- Whether Parties agree/disagree with the conclusions presented in the Addendum and TSD 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 and TSD are supported by the analysis – and all evidence supporting the parties' position;
- Whether appropriate methodology was utilized in the Addendum and TSD to develop conclusions – and all evidence supporting the parties' position along with any proposed alternative methodologies which may be more appropriate if applicable;
- An assessment of the quality and the presentation of the information presented in the Addendum and TSD; and
- Any comments regarding additional information which would be useful in assessing impacts – and reasons to support any comments made.

#### **6. Translation/interpretation requirements**

The NIRB requires executive summaries be provided in English and be translated into **Inuktitut**.

Please note that parties are responsible for sourcing this translation.

#### **7. Deadline for filing technical review comments**

The NIRB reminds parties that the deadline for technical review comments is **February 21, 2019**.