



January 29, 2019  
Nunavut Impact Review Board  
29 Mitik Street, PO Box 1360  
Cambridge Bay, NU, X0B 0C0

Ryan Barry  
Executive Director, NIRB

Tara Arko  
Director of Technical Services, NIRB

*Sent via email: info@nirb.ca*

**Re: Baffinland Iron Mines input on Phase 2 review process schedule**

Dear Ryan,

Baffinland acknowledges recent submissions from the Northern Projects Management Office (NPMO) (January 11, 2019) and the Qikiqtani Inuit Association (QIA) (January 28, 2019) requesting extension to the NIRB review process timeline for the Phase 2 proposal, originally released on October 12, 2018. Further, Baffinland acknowledges its own discussions held with community representatives expressing concern over the current review timeline.

Baffinland is proposing an updated timeline (Table 1) taking into consideration a number of factors:

- 1) Inuit community concern over the current review timeline and Baffinland's desire to ensure a thorough, fair and robust environmental assessment process;
- 2) Respect for a key harvesting season and acknowledgment of limited capacity within communities from approximately mid-June to September to hold public hearings;
- 3) A desire for more time between the end of the technical review period and the technical meetings to allow for consideration of information in advance of the meeting;
- 4) Concerns expressed from reviewers on resource capacity related to the current timelines. Acknowledging that many reviewers are participating in the environmental assessment process as well as the on-going operational permitting processes;
- 5) Participant funding applications received on January 18, 2019 that were not originally contemplated in the October schedule and that may limit review until funding is received;
- 6) Recognition of the length of the Phase 2 regulatory process to date (current Project Proposal for Phase 2 submitted to the Nunavut Planning Commission in February 2016) and acknowledgment of critical timelines for Baffinland's ability to continue to operate with respect to the most recent ministerial decision on the Production Increase Proposal where the 6 Mtpa allowance expires as of December 31, 2019; and
- 7) Respect for the care-takers convention and the limited ability of federal ministers to make decisions during the 2019 federal election.

Baffinland believes that the proposed updated timeline below exceeds the expectations expressed by interveners and that no further delays to the timeline should be expected. Baffinland continues to be committed to engagement with interested parties throughout the review process with the goal, and intention, of addressing and resolving issues in a timely and efficient manner so as to not impact the review timelines. Baffinland's objective is a positive recommendation for the Phase 2 proposal.

In regards to the process of the development of new or updates to existing management plans, Baffinland has been transparent with its intentions to satisfy the needs of reviewers and understand what modifications are required. The elected approach to maintain a register of detailed commitments for review and provide in-text updates following technical meetings is primarily for document control purposes and should not be seen as preventing the timely and efficient review of the Phase 2 proposal. Baffinland has demonstrated its commitment to capture the desired updates requested by reviewers through the on-going development of TSD 28, and associated commitment register through the NIRB facilitated review process, the proposal to host two (2) working group meetings with specific focus on management plan requirements, and hosting IQ workshops with community representatives, all of which is to be used to further the development of the Phase 2 management plans. It should be noted that the proposal to host the working group meetings was presented to all working group members via email on November 5, 2018 and confirmed at the December 2018 working group meetings. No concerns were raised at that time. The working group meetings planned for February 7 and 8 are part of an ongoing and iterative process to provide fulsome updates to Baffinlands existing management plans for Phase 2 review purposes, and they would not benefit from the early release of updated management plans. The arrangements for these meetings have already been confirmed and we will be moving forward with them as planned. Baffinland notes that the NPMO letter of January 11, 2019 does not recommend Baffinland change its approach to the development of management plans and supports the concept of inclusion of information from the technical meetings to inform final written submissions.

Finally, it is noted that the Nunavut Water Board (NWB) letter of January 24, 2019 requests additional information, including updated management plans, be submitted before proceeding to the technical review of the Type A water licence Application, therefore Table 1 outlines as proposed process for the environmental assessment review only and acknowledges that the NWB will provide further guidance on process at a later date. Baffinland will request under separate cover that the NWB consider a parallel review process with staggered technical meetings and Public Hearings for the two review processes (i.e. NWB technical meeting to follow the NIRB technical meeting at a later date following submission of additional information).

Baffinland believes the proposed updated timeline, as described in Table 1, more than adequately meets the needs of all participants in the process.

Table 1: Proposed updated timeline for environmental assessment review of the Phase 2 Project

Milestone	Date	Duration	Modification
NIRB receives technical review comments from parties	Feb 21, 2019	62 days	No additional time for technical comment submissions required; GOC nor other reviewers have submitted requests for additional time to submit technical comments; further QIA has had access to the Phase 2 FEIS Addendum since August 2018 and was provided copies of updated materials as they became available
NIRB receives Proponent response to technical review comments	Mar 25, 2019	32 days	Additional time required to provide fulsome responses to technical comments, requested by Baffinland
Intervener review of technical comment responses	N/A	15 days	Additional time between technical comment responses and technical meeting as requested by GOC
NIRB Joint Technical Meetings (Iqaluit)	Apr 10-12, 2019	3 days	
NIRB receives Proponent response to commitments from Technical Meeting	July 10, 2019	90 days	Additional time required to: -draft updated management plans and submit for review, as requested by GOC -ensure Public Hearing does not occur during summer harvesting period, requested by Baffinland and mentioned as a concern by QIA
NIRB receives final written submissions	Aug 7, 2019	28 days	Additional time required to review management plans as requested by GOC and QIA
NIRB receives Proponent response to final written submissions	Aug 28, 2019	21 days	
Intervener review of final written submission responses	N/A	18 days	
NIRB Public Hearing (Pond Inlet)	Sept 16-20, 2019	5 days	
NIRB Final Report to Minister	Nov 4, 2019	45 days	
Minister Decision	TBD	TBD	

Please do not hesitate to contact the undersigned, or Lou Kamermans, Approvals Manager for further information.

Best Regards,

*Megan Lord-Hoyle*

Megan Lord-Hoyle

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