



Ryan Barry  
Executive Director  
Nunavut Impact Review Board  
[rbarry@nirb.ca](mailto:rbarry@nirb.ca)

Thursday May 30, 2019

Dear Mr. Barry:

On April 10, 2019, during the NIRB's Phase 2 Baffinland technical hearings, Oceans North requested a number of models and information from the proponent in order to be able to fully assess the effects of the proposed mine expansion. The majority of these requests have not been provided in the submissions from Baffinland posted by NIRB on May 22<sup>nd</sup>. These requests are:

1. SEL at TTS level along the shipping route including all project related vessels (e.g. 'worst case' 4 ore carrier transit, 2 supply vessel transit, 2 tug transits) during shoulder season and open water (maps e.g. figs E30-41; AND transit simulations 20m off track line figs E42-52)
2. Maps of SPL in 10 dB steps down to RL 100 dB for **all** modeled scenarios (e.g. E1-24)
3. An estimate of the distance to vessels and the received sound levels at **which narwhal behaviour changes** indicating disturbance or avoidance.

Oceans North will be inquiring about these requests at the second Technical Meeting, including inquiring as to the justifications why these requests were not addressed.

In addition, it has come to our attention that Baffinland is holding a number of meetings including a teleconference meeting on June 11 to discuss the ice breaking assessment as well as new acoustic models in advance of the public hearing. We are concerned about the repeated practice of holding meetings outside of the technical hearing processes. Regardless of who submits a request for information, it is important that HTOs and civil society be informed of and contribute to any resolutions in regards to new submissions. It seems that participants in this meeting will be discussing essential elements of the Phase 2 proposal without the participation and input of all intervenors. We are particularly concerned as specific models that we requested to be re-done, such as listening space reduction modelled at 1,000 Hz, are to be discussed at this meeting. To ensure transparency in these assessment proceedings, it would be best if all discussions on these new submissions occurred in the

public sphere at the Technical Meetings in Iqaluit on June 17<sup>th</sup>-19<sup>th</sup>. If this teleconference goes ahead, we feel it is important for HTO and civil society representatives to attend.

At this time we are requesting clarification from the NIRB as to the role of the intervenor in discussions on these new submissions and the requirements of the proponent under the review process.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Westdal', is written over a light yellow rectangular background.

Kristin Westdal  
Marine Biologist  
Oceans North

CC

Lou Kamermans, Director, Sustainable Development, Baffinland  
Jared Ottenhof, Senior Manager, QIA  
Joshua Arreak, Secretary Manger, MHTO  
Solomon Amuno, Technical Advisor, NIRB  
Cory Barker, Technical Advisor, NIRB