



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

March 4, 2020

To: Mary River Distribution List

Sent via email

Re: Final Agendas for the Upcoming NIRB Technical Meeting and Pre-hearing Conference for Baffinland Iron Mines Corp.'s "Phase 2 Development" Proposal

Dear Parties:

On January 28, 2020 the Nunavut Impact Review Board (NIRB or Board) distributed the *Draft* Agendas for the upcoming Technical Meeting, Pre-hearing Conference and associated Community Roundtable to be held as part of the Board's assessment of Baffinland Iron Mines Corporation's (Baffinland or Proponent) "Phase 2 Development", a proposed amendment to the approved Mary River Project (NIRB File No.: 08MN053). As part of the correspondence, the NIRB requested that interested parties provide our office with confirmation of their planned attendance, including comments or suggestions on the agendas and any specific logistical arrangements required during the Meeting. The NIRB would like to remind Parties of the following dates for the meetings to be held in Iqaluit, at the Frobisher Inn's Koojesse Room:

March 16-20, 2020	Technical Meeting	9:00 am-5:00 pm
March 23-24, 2020	Community Roundtable	9:00 am-5:00 pm
March 25, 2020	Pre-Hearing Conference	9:00 am-3:00 pm

On or before February 14, 2020 the NIRB received comments on the *Draft* Agendas from Baffinland, the Qikiqtani Inuit Association, the Government of Nunavut and the Government of Canada as well as a list of representatives from these parties and Oceans North expecting to attend the Meetings in Iqaluit. The NIRB has considered the changes and revisions to the draft meeting agenda proposed by the above-mentioned parties and has updated the agenda to accommodate the suggestions to the extent practicable. The *Final* Technical Meeting and Pre-hearing Conference agendas have been attached as Appendix [A](#) and [B](#) for the information of all parties.

MEETING LOGISTICS

The NIRB has made the following logistical arrangements for the Technical Meeting and Pre-hearing Conference:

Interpretation:	Simultaneous English and Inuktitut interpretation will be provided to the extent practicable.
Seating	<p>Technical Meeting and Pre-hearing Conference: Intervenors will be provided 2 seats per agency at the main table. Due to space limitations at the venue, Parties will be asked to seat their additional team members in the audience, shuffling subject-matter experts to the table as needed.</p> <p>Community Roundtable: Community representatives will be seated at the main table with other interested Parties to be seated in the audience.</p>
Facilitator:	The Technical Meetings will be facilitated by the NIRB staff while the Pre-hearing Conference will be facilitated by the Board's Vice-Chairperson.
Materials:	The NIRB will provide access to the digital copy of all materials contained within the Board's Public Registry for the Mary River project, including the FEIS Addendum, transcript and exhibits from the November 2019 Public Hearing, and any additional submissions received up to and throughout the meetings.
Meeting times:	Meetings start at 9:00 a.m. and run until 5:00 p.m. daily, with an hour break for lunch and two 15-minute health breaks throughout the day. Light refreshments will be provided during health breaks; however, meals will not be provided for participants.

ADDITIONAL ACCESS TO THE MEETINGS — VIDEO STREAMING

The NIRB is pleased to advise parties that it is working with Nunavut Independent Television Network to arrange for live streaming of the upcoming Technical Meetings, Community Roundtable and Pre-hearing Conference proceedings through the internet and local radio stations in several of North Baffin communities. These additional broadcasting measures are intended to enable community members to remain aware of issues being discussed through the Technical Meetings in preparation for the community roundtable. Additional information will be provided on how to access this broadcast prior to the meetings.

COMMITMENT LIST AND DISPOSITION TABLE

As with previous Technical Meetings, it will be the responsibility of the Proponent to keep a comprehensive and current Commitment List and Disposition Table prior to and throughout the meetings. A revised commitments table should be provided to the NIRB and Intervenors by **March 11, 2020** as well as throughout the meetings as substantial changes are agreed upon, and prior to the commencement of the Pre-hearing Conference. Regulators and Intervenors will be required to confirm agreement with the wording and commitments of this list as needed through the Technical Meetings and Pre-hearing Conference.

The NIRB requests that, to the extent possible, parties prepare to raise their questions and concerns throughout the meeting with reference to the technical comment ID numbers assigned in the

disposition table provided by Baffinland on March 11, 2020. Time permitting a cursory review of these commitments is to be completed by all parties to enable the listing to be finalized at the conclusion of the Technical Meetings.

PROCEDURAL EXPECTATIONS

The Technical Meetings are a platform for Baffinland and Intervenors to discuss outstanding issues and attempt to find resolutions, therefore questions posed by Intervenors should focus on the parties' key issues. While priority may be given to items within the following categories, pre-determined restrictions on topics will not be imposed, and the facilitator will be responsible to gauge the progress in completing the agenda or recommending breakout sessions to maintain the schedule.

- Items raised during the Public Hearing in November 2019 (including but not limited to relevant deferred questions),
- Items identified through parties' review of the Final Environmental Impact Statement (FEIS) Addendum or previous Final Written Submissions,
- Additional feedback associated with the submission of information from Baffinland just prior to, or directly following the November Public Hearing. Should Parties wish to rely on materials that are not already available on the NIRB's Public Registry (e.g., Results from 2019 Studies), they should be prepared to provide paper copy's for reference as well as a digital copy to be posted on the Public Registry following the Meetings.

While Baffinland is encouraged to have visual aids ready to support understanding of the scale and scope of components related to the project or specific to the Phase 2 Development proposal, Baffinland's formal presentation time will be limited to the initial introduction presentation. This will maximize the time available for parties to complete face to face discussion of the issues, which is the primary purpose of the technical meetings. Speaking order for parties will be determined based on each Intervenor's priority issues, focusing first on parties with relevant expertise or crucial unresolved issues, followed by polling the remaining parties that may wish to speak.

As previously mentioned, the meeting will be kept as informal as possible with parties being able to re-engage about outstanding issues within a topic as time allows and new information becomes available. Additional break-out sessions are encouraged to help facilitate discussions and resolutions. Parties should be aware that although evening sessions are a possibility, the NIRB will aim to limit meetings to daytime hours to encourage parties to meet throughout the evenings especially on topic relevant to select parties, but also with the expectation that results of these meetings would be captured either in the updated commitment list or brought back to parties prior to the end of the technical meetings. Parties should be prepared to speak to whether their technical review comments have been satisfactorily addressed by Baffinland and, if not, to provide clarification as to what issues remain outstanding and may expect to be highlighted as parties prepare their final written submissions.

The NIRB thanks all parties for their continued active participation in the NIRB's assessment of the Phase 2 Development proposal. Should you have questions or require any additional clarification regarding the upcoming Technical Meeting, please contact either Cory Barker,

Technical Advisor I, at (867) 983-4607 or via email at cbarker@nirb.ca, or Solomon Amuno, Technical Advisor II at (867) 983-4603 or via email at samuno@nirb.ca.

Sincerely,



Tara Arko
Director, Technical Services
Nunavut Impact Review Board

cc: Megan Lord-Hoyle, Baffinland Iron Mines Corporation
Lou Kamermans, Baffinland Iron Mines Corporation

Attachment: Appendix A – *Final* Technical Meeting Agenda
Appendix B – *Final* Pre-hearing Conference Agenda

APPENDIX A:
FINAL TECHNICAL MEETING AGENDA

NIRB File No.: 08MN053 – Phase 2 Development Project Proposal
Proponent: Baffinland Iron Mines Corporation
Location: Koojesse Room, Frobisher Inn, Iqaluit, NU
Dates: March 16-20, 2020
Times: **All times given are approximate and the order of discussion topics are subject to change at the NIRB's discretion. Additional evening sessions may be scheduled if deemed necessary to complete the agenda.**
Technical Sessions: 9:00 am – 5:00 pm
Evening Sessions: 6:30 pm – 9:00 pm (*only if required*)

Monday, March 16, 2020 - Day 1 of Technical Sessions

General Opening:

1. NIRB Welcome and Opening Remarks (*30 minutes*)
 - a. Introductions, overview of procedural history, structure of the Technical Meeting;
 - b. Introduction of Participants;
 - c. Overview of Agenda; and
 - d. Housekeeping Items.

Technical Meeting:

2. Baffinland Presentations
 - a. Introduction and overview (*60 minutes*)
 - i. Updated project scope and description of components
 - ii. Updated commitment list and summary of materials provided since the Second Technical Meeting in June 2019 and following the November 2019 Public Hearings
 - iii. Summary of items resolved through updated commitments and issues flagged in technical comments as unresolved
 - iv. Update on community engagement and responses from communities.
3. Technical Topics:
 - a. Incorporation of Inuit Qaujimaningit (*45 minutes*)
 - b. Operational flexibility (*20 minutes*)
 - c. Alternative assessment and methodologies (*20 minutes*)
4. Proponent and Intervenors to respond to questions deferred during the Public Hearing
5. Questions by other interested parties or public

Close of Day 1

Tuesday, March 17, 2020 - Day 2 of Technical Sessions

Technical Meeting (continued from Day 1)

1. NIRB Opening Remarks
2. Technical Topics:
 - a. Marine shipping, icebreaking assessment, ballast water and fuel spill modeling, marine environment, marine wildlife and related monitoring and mitigation; including relevant management and/or mitigation plans (*120 minutes*)
 - b. Freshwater environment including surface water assessment and freshwater biota assessment; including relevant management and/or mitigation plans (*90 minutes*)
3. Questions by other interested parties or public

Close of Day 2

Wednesday, March 18, 2020 - Day 3 of Technical Sessions

Technical Meeting (continued from Day 2)

1. NIRB Opening Remarks
2. Technical Topics:
 - a. Physical environment including air quality, climate change assessment, atmospheric assessment, relevant management and/or mitigation plans (*90 minutes*)
 - a. Terrestrial environment including soils, landforms, vegetation and related management and mitigation plans and/or programs (*90 minutes*)
 - b. Terrestrial wildlife including caribou, birds and habitat and related management and mitigation plans and/or programs (*120 minutes*)
3. Questions by other interested parties or public

Close of Day 3

Thursday, March 19, 2020 - Day 4 of Technical Sessions

Technical Meeting (continued from Day 3)

1. NIRB Opening Remarks
2. Technical Topics:
 - a. Human Health and Exposure Potential Assessment, potential project effects on Inuit Culture, Land use & Resource, and Food Security (*60 minutes*)
 - b. Socio-economic environment and related management and mitigation plans and/or programs (*60 minutes*)
3. Questions by other interested parties or public

Close of Day 4

Friday, March 20, 2020 - Day 5 of Technical Sessions

Technical Meeting (continued from Day 4)

1. NIRB Opening Remarks
2. Technical Topics:
 - a. Cumulative effects assessment, accidents and malfunction and related management and mitigation plans and/or programs (*60 minutes*)
 - b. Adaptive Management, Management Plans and Monitoring Programs (*45 minutes*)
3. Questions by other interested parties or public
4. Discussion and review of Proponent's list of commitments and other outstanding technical issues
5. Closing Remarks from Intervenors
6. NIRB closing remarks and discussion of next steps

Close of Day 5

APPENDIX B
FINAL PRE-HEARING CONFERENCE AGENDA

NIRB File No.: 08MN053—Phase 2 Development Project Proposal
Proponent: Baffinland Iron Mines Corporation
Location: Koojesse Room, Frobisher Inn, Iqaluit, NU
Date: March 23-25, 2020
Times: **All times given are approximate and the order of discussion topics are subject to change at the NIRB's discretion. Additional evening sessions may be scheduled if deemed necessary to complete the agenda.**
Community Roundtable Sessions: 9:00 am – 5:00 pm
Pre-hearing Conference: 9:00 am – 3:00 pm

March 23-24, 2020 - Community Roundtable Sessions

General Opening

1. Opening prayer
2. Welcoming Remarks by the Mayor of Iqaluit (*5 minutes*)
3. Opening Remarks by NIRB (*30 minutes*)
 - a. Objectives of Community Roundtable and Pre-hearing Conference
 - b. Overview of the NIRB process and status of the reconsideration
 - c. Introduction of Participants
 - d. Overview of Agenda
 - e. Housekeeping Items

Community Roundtable Session

4. Summary presentation by the Proponent—**Introduction and Overview of Proposal.** Presentation should be organized by project component and include findings of the assessment as well as issues identified/resolved to date for each component (*90 minutes*)
5. Questioning of the Proponent or Intervenor by community representatives
6. Questions or statements from the public to the Proponent or Intervenor

Close of Community Roundtable

Wednesday, March 25, 2020 - Pre-hearing Conference

General Opening

1. Opening prayer
2. Remarks from NIRB, review of Agenda and housekeeping items

Pre-hearing Conference

3. Identification of any issues preventing reconvening of the Public Hearing (both NIRB and/or Intervenor)

4. Discussion and facilitation of the Public Hearing processes – parties and intervenors at the table will be given an opportunity to comment on the following:
 - i. Anticipated date, time, form, and location to reconvene the Public Hearing;
 - ii. Timetable for the exchange of documents and information requests prior to the Public Hearing;
 - iii. Confirmation of commitments list by Intervenors;
 - iv. Formulation of issues for the Hearing and identification of interested parties to attend the Hearing;
 - v. Procedures to be followed in the Hearing;
 - vi. Equipment, language, interpretation, translation and transcript requirements;
 - vii. Other matters that may aid in the simplification of the Hearing.
5. Closing remarks from Parties
6. NIRB Closing Remarks and Next Steps
7. Closing Prayer

Close of Day 3*

***Note:** the NIRB intends to close the Pre-hearing Conference by 3:00 pm to allow parties to make connections with outbound flights where practicable