



NIRB File Nos.: 05YN078, 07EN004

AANDC File No.: N2006C0036

QIA File No.: Q05L2C14

May 14, 2012

The Honourable Dan Shewchuk
Minister Responsible for Nunavut Arctic College
Government of Nunavut
c/o Mosha Cote, Manager, Research Liaison
Nunavut Research Institute
Box 1720, Iqaluit, NU, X0A 0H0

Via email: Mosha.Cote@arcticcollege.ca

Re: Application Exempt from the Requirement for Screening pursuant to Section 12.4.3 of the NLCA: Baffinland Iron Mines Corporation's "Mary River" project

Dear Mosha Cote:

On May 1, 2012 the Nunavut Impact Review Board (NIRB or Board) received a Scientific Research Licence application from the Nunavut Research Institute (NRI) for Baffinland Iron Mines Corporation's (Baffinland) "Mary River Project" project proposal.

Please be advised that the original "Baseline Environmental Field Study" project proposal (NIRB File No.: 05YN078) was received by the NIRB from the NRI on May 11, 2005 and was screened by the Board in accordance with Part 4, Article 12 of the Nunavut Land Claims Agreement (NLCA). On May 27, 2005 the NIRB issued the enclosed NLCA 12.4.4(a) screening decision to the Minister of Culture, Language, Elders & Youth, Government of Nunavut which indicated that the proposed project could proceed subject to the NIRB's recommended project-specific terms and conditions.

On January 24, 2007 the NIRB received applications from the Qikiqtani Inuit Association (QIA) and Indian and Northern Affairs Canada (INAC, now Aboriginal Affairs and Northern Development Canada or AANDC) for a Land Use Licence and Land Use Permit for its "Mary River Geotechnical Drilling Project" proposal. The NIRB assigned this project file number 07EN004 and commenced screening of the proposal. Baffinland indicated in its application to the QIA for a Land Use Licence for the "Mary River Geotechnical Drilling Project" that it intended for any Land Use Licence to cover works previously screened as the "Baseline Environmental Field Study" (NIRB File No. 05YN078) as the proposed camp facilities would be used to house research personnel. On March 26, 2007 the NIRB issued the enclosed NLCA

12.4.4(a) screening decision to the Minister of INAC and President of the QIA which indicated that the proposed project could proceed subject to the NIRB's recommended project-specific terms and conditions (NIRB File No. 07EN004).

The current NRI application, the original NIRB Screening Decision Report (NIRB File No. 05YN078) and related file information are available from the NIRB's ftp site at the following link: <http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2005/05YN078-Sarah%20Wellman/>.

The original AANDC Land Use Permit and QIA Land Use Licence applications and the original NIRB Screening Decision Report (NIRB File No. 07EN004) and related file information, are available from the NIRB's ftp site at the following link: <http://ftp.nirb.ca/01-SCREENINGS/COMPLETED%20SCREENINGS/2007/07EN004-Baffinland%20-%20Geotechnical%20Program/>.

Please note that activities as previously screened and outlined above, including the current application before the Board, are *not* included within the scope of the Mary River Iron Ore project currently undergoing a public Review by the NIRB (File No. 08MN053). The Board is considering the current application and previously screened research activities as a separate and distinct file.

PREVIOUSLY-SCREENED PROJECT PROPOSAL

As previously screened by the NIRB (File No. 05YN078), the "Mary River" project was located on Baffin Island within the Qikiqtani region, from Milne Inlet at the north to the Steensby Inlet area to the southwest. The Proponent indicated that it intended to collect baseline environmental data to support the development of an environmental impact assessment in support of its Mary River Iron Ore project proposal (NIRB File No. 08MN053).

The activities and components associated with the previously screened proposal (NIRB File No. 05YN078) included:

- Set up a meteorological station for monitoring temperature, rainfall, wind direction and speed;
- Establishment of water quality and flow sampling locations (ground water and surface water);
- Fly two potential transportation corridors (the abandoned road from Nuluujaak Mountain to Milne Inlet) and a second potential route south to Steensby Inlet;
- Conduct sound monitoring;
- Conduct wildlife survey (observations only);
- Undertake benthic and fish sampling;
- Soil and sediment sampling;
- Conduct marine survey (observations only); and,
- Undertake an archaeology survey (observations only).

CURRENT APPLICATION:

Baffinland is currently proposing to continue with certain aspects of its baseline studies in order to establish future monitoring programs in support of its proposed iron ore mine development at the Mary River mine site (currently undergoing Review by the NIRB per File No. 08MN053). A scientific research licence from the NRI is being sought to allow Baffinland to continue its ongoing freshwater and sediment quality work. Field staff will be housed in the existing camp facilities located on Inuit Owned Land at the Mary River site and at the proposed Steensby Inlet port site. These facilities have been previously screened (NIRB File No. 07EN004) and where required, permitted for operation by relevant authorizing agencies.

The current application for amendment includes the following additional components:

- Use of aircraft/watercraft/land vehicle for personnel drop-off and pick-up to project location
- Use of on-site mechanized vehicles (i.e. All-Terrain Vehicle, snowmobile, truck, zodiac)
- Water and sediment quality sampling; hydrology stream gauging

Please note that Section 12.4.3 of the NLCA states that:

“Any application for a component or activity of a project proposal that has been permitted to proceed in accordance with these provisions shall be exempt from the requirement for screening by NIRB unless:

(a) such component or activity was not part of the original project proposal; or

(b) its inclusion would significantly modify the project.”

After completing a review of the information provided in support of the current application, the NIRB is of the understanding that the proposed application does not change the general scope of the original project activities, and the exceptions noted in NLCA 12.4.3(a) and (b) do not apply. Therefore, this application is exempt from the requirement for screening pursuant to Section 12.4.3 of the NLCA and the activities therein remain subject to the terms and conditions recommended in the original May 27, 2005 and March 26, 2007 Screening Decision Reports (enclosed).

If you have any questions or concerns, please contact Li Wan, Technical Advisor, at (867) 983-4606 or lwan@nirb.ca

Sincerely,



Ryan Barry
Executive Director
Nunavut Impact Review Board

cc: Oliver Curran, Baffinland Iron Mines Corporation

Richard Cook, Knight Pieshold
Tracey McCaie, Aboriginal Affairs and Northern Development Canada
Jeff Mercer, Aboriginal Affairs and Northern Development Canada
Bernie MacIsaac, Qikiqtani Inuit Association
Doug Stenton, Government of Nunavut, Department of Culture, Language, Elders and Youth
Steve Pinksen, Government of Nunavut, Department of Environment
Derrick Moggy, Fisheries and Oceans Canada

Enclosed (2): NIRB Screening Decision Report, File No.: 05YN078 (May 27, 2005)
 NIRB Screening Decision Report, File No.: 07EN004 (March 26, 2007)