



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

November 3, 2022

Megan Lord-Hoyle
Vice President, Sustainable Development
Baffinland Iron Mines Corporation
2275, Upper Middle Road East
Oakville, ON L6H 0C3

Sent via email: megan.lord-hoyle@baffinland.com

Re: Issuance of NIRB's Project Certificate No. 005 Amendment 004 for Baffinland Iron Mines Corporation's "Production Increase Proposal Renewal" Project Proposal for the Mary River Project

Dear Megan Lord-Hoyle:

The Nunavut Impact Review Board (NIRB or Board) is issuing the amended Project Certificate No. 005 Amendment 004 for the Mary River Project (NIRB File No. 08MN053) to Baffinland Iron Mines Corporation (Baffinland), pursuant to Article 12, Section 12.8.3 of the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)*, and s. 112(10) of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14 (*NuPPAA*). These amendments are the outcome of the Board's assessment of a modification to the Mary River Project as proposed by Baffinland "Production Increase Proposal Renewal" Project (the PIP Renewal). The Board's assessment of the PIP Renewal was conducted as a formal reconsideration of the terms and conditions of Baffinland's existing Project Certificate No. 005 Amendment No. 004 (the Project Certificate).

On September 22, 2022, the NIRB issued its Reconsideration Report and Recommendations¹ determining that the PIP Renewal be allowed to proceed to the permitting stage, subject to several recommended changes to the terms and conditions of the Project Certificate. On October 4, 2022, the Minister of Northern Affairs, on behalf of the Responsible Ministers issued his decision² (the Ministers' Decision) accepting the Board's recommendation that the PIP Renewal be allowed to proceed, approving the Board changes to 179(a) and 179(b) as well as varying three (3) additional

¹ Public Registry ID: 341717

² Public Registry ID: 341811

Terms and Conditions of the Project Certificate and adding an additional five (5) Terms and Conditions (T&C 185-189). These changes to the terms and conditions of the Project Certificate were discussed during the NIRB's recent Project Certificate Workshop held on October 17, 2022, and the enclosed version of the Project Certificate (Project Certificate No. 005 Amendment No. 004) incorporates the new and varied Terms and Conditions and commentary to support implementation of the Project Certificate as revised.

In its October 12, 2022 direction to Parties, the Board announced the Project Certificate Workshop; and further notified Parties that due to the time sensitive nature of the shipping limits within Terms and Conditions 179(a) and 179(b) and time of decisions, these two terms and conditions as verified by the Responsible Ministers were applicable as of October 12, 2022 (through December 31, 2022). Further to this, as of November 3, 2022, all new and amended Terms and Conditions of Project Certificate No. 005 Amendment No. 004 are in effect.

The NIRB would like to thank all Parties who participated during the reconsideration process for Project Certificate No. 005, and for identifying clarifications to commentary prior to the finalization of the amended Project Certificate by the Board. For the information of all parties, the NIRB has produced a companion document to the amended Project Certificate which identifies through highlighted text, bolded, underlined and strikethroughs all revisions made to the November 3, 2022 amended Project Certificate (enclosed). The Project Certificate No. 005 Amendment No. 004 and all documents associated with the Board's assessment of the PIP Renewal can be accessed online from the NIRB's public registry at www.nirb.ca/project/125710.

The NIRB will continue to monitor the Mary River Project in accordance with Part 7, Article 12 of the *Nunavut Agreement* and s. 135 of the *NuPPAA*, and in accordance with the amended terms and conditions of Project Certificate No. 005 Amendment No. 004.

The NIRB looks forward to working with Baffinland and all Parties to ensure that Project Certificate No. 005 Amendment No. 004 is fully implemented and achieves the identified objectives.

If you have any questions or require clarification regarding Project Certificate No. 005 Amendment No. 004, please contact the NIRB's Executive Director, Karen Costello directly at (867) 983-4608 or via email at kcostello@nirb.ca.

Sincerely,



Kaviq Kaluraq
Chairperson
Nunavut Impact Review Board

Enclosure (2): *Amended NIRB Project Certificate No. 005 (NIRB File No. 08MN053, dated November 3, 2022)*
Amended NIRB Project Certificate No. 005 – Companion Document

cc:

Mary River Distribution List
Stephanie Autut, Nunavut Water Board
Karén Kharatyan, Nunavut Water Board
Carson Gillis, Nunavut Tunngavik Incorporated
Jared Ottenhof, Qikiqtani Inuit Association
Olayuk Akesuk, Qikiqtani Inuit Association
Agnes Simonfalvy, Government of Nunavut
Adrian Paradis, Canadian Northern Economic Development Agency
Kim Pawley, Crown-Indigenous Relations and Northern Affairs Canada
Jody Small, Environment and Climate Change Canada
Jane Chisholm, Parks Canada
Alasdair Beattie, Fisheries and Oceans Canada
Pierre-Olivier Émond, Natural Resources Canada
Jaideep Johar, Transport Canada
Joshua Arreak, Hamlet of Pond Inlet
David Qamaniq, Mittimatalik Hunters and Trappers Organization
Erasmus Ivalu, Hamlet of Igloolik
David Irngaut, Igloolik Hunters and Trappers Association
Peter Ivalu, Igloolik Working Group
Moses Oyukuluk, Hamlet of Arctic Bay
Qaumayuq Oyukuluk, Ikajutit Hunters and Trappers Association
Jaypetee Audlakiak, Hamlet of Sanirajak
Paul Nagmalik, Hall Beach Hunters and Trappers Association
Alan Cormack, Hamlet of Clyde River
Apiusie Apak, Nangmoutaq Hunters and Trappers Association
Chris Debicki, Oceans North
Mark Brooks, World Wildlife Fund