



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

November 17, 2023

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](mailto:megan.lord-hoyle@baffinland.com)

**Re: Issuance of NIRB's Project Certificate No. 005 Amendment 005 for Baffinland Iron Mines Corporation's "Sustaining Operations Proposal" for the Mary River Iron Ore Project**

Dear Megan Lord-Hoyle:

The Nunavut Impact Review Board (NIRB or Board) is issuing the amended Project Certificate No. 005 Amendment 005 for the Mary River Iron Mine 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 in the "Sustaining Operations Proposal" (SOP). The Board's assessment 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 13, 2023, the NIRB issued its Reconsideration Report and Recommendations<sup>1</sup> determining that the SOP be allowed to proceed to the permitting stage, subject to several recommended changes to the existing terms and conditions of the Project Certificate. On October 17, 2023, the Minister of Northern Affairs, on behalf of the Responsible Ministers issued his decision<sup>2</sup> (the Ministers' Decision) accepting the Board's recommendation that the SOP be

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<sup>1</sup> Public Registry ID: 347145

<sup>2</sup> Public Registry ID: 347422

allowed to proceed, and approving the Board's recommended changes to Terms and Conditions 28, 35, 76, 82, 83(a), 85, 99, 101, 150, 179(a) and 179(b). These changes to the terms and conditions of the Project Certificate were discussed during the NIRB's recent Project Certificate Workshop held on November 3, 2023, and the enclosed version of the Project Certificate reflects the results of those discussions (Project Certificate No. 005 Amendment No. 005).

The NIRB would like to thank all Parties who participated during the reconsideration process for Project Certificate No. 005 associated with the SOP, 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 since the previously approved version. The Project Certificate No. 005 Amendment 005 and all documents associated with the Board's assessment of the SOP can be accessed online from the NIRB's public registry at [www.nirb.ca/project/125767](http://www.nirb.ca/project/125767).

In addition, the NIRB would like to thank Regulatory Authorities for the feedback provided at the Project Certificate Workshop in relation to the Ministers' direction to hold a workshop to issue guidance on a cumulative effects assessment required for the project to more fully consider cumulative effects due to the ongoing modifications to the project, combined with the approved project that has not yet been constructed. The NIRB will be issuing additional direction to parties in the coming weeks with regard to next steps to advance that workshop, including logistics, timing and opportunities for parties to participate in this important work.

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

If you have any questions or require clarification regarding Project Certificate No. 005 Amendment 005, please contact the NIRB's *Interim* Executive Director, Ryan Barry directly at [rbarry@nirb.ca](mailto:rbarry@nirb.ca).

Sincerely,



Kaviq Kaluraq  
Chairperson  
Nunavut Impact Review Board

Enclosures (2): *Amended* NIRB Project Certificate No. 005 (NIRB File No. 08MN053, *November 17, 2023*)  
*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  
Justin Buller, 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  
George Auksaq, Hamlet of Igloolik  
David Irngaut, Igloolik Hunters and Trappers Association  
Peter Ivalu, Igloolik Working Group  
Olayuk Naqitarvik, Hamlet of Arctic Bay  
Qaumayuq Oyukuluk, Ikajutit Hunters and Trappers Association  
Philip Anguratsiaq, Hamlet of Sanirajak  
Paul Nagmalik, Hall Beach Hunters and Trappers Association  
Liemikie Palluq, Hamlet of Clyde River  
Apiusie Apak, Nangmoutaq Hunters and Trappers Association  
Chris Debicki, Oceans North  
World Wildlife Fund