



NIRB File No.: 08MN053

NPC File No.: 149960

NWB File No.: 2AM-MRY1325

QIA File No.: LUA-2008-008

DFO File No.: 2008 MR

August 19, 2024

To:

Megan Lord-Hoyle
Vice President,
Baffinland Iron Mines Corporation
2275 Upper Middle Rd E Suite. 300
Oakville, Ontario, L6H 0C3

Lou Kamermans
Director, Sustainable Development
Baffinland Iron Mines Corporation
2275 Upper Middle Rd E Suite. 300
Oakville, Ontario, L6H 0C3

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

RE: Conformity Determination for Baffinland Iron Mines Corp.'s Impact Statement Addendum for the "Sustaining Operations Proposal 2" Project Proposal and Commencement of the NIRB's Technical Review Period

Dear Megan Lord-Hoyle and Lou Kamermans:

On August 8, 2024, the Nunavut Impact Review Board (NIRB or Board) received Baffinland Iron Mines Corp.'s (Baffinland or the Proponent) Impact Statement Addendum (IS Addendum) submission for the "Sustaining Operations Proposal 2" Project Proposal (NIRB Application No.: 125893; NIRB File No. 08MN053). The Board initiated an internal review of the IS Addendum to determine conformity with the relevant requirements of the Environmental Impact Statement Guidelines (EIS Guidelines) for the Mary River Project¹ applicable to the Board's assessment of the Project Proposal, and the minimum IS requirements as set out under Section 12.5.2 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)*, and s. 101(3) of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (NuPPAA).

¹ *Guidelines for the Preparation of an Environmental Impact Statement for Baffinland Iron Mines Corporation's Mary River Project (NIRB File No. 08MN053) Amended for the Phase 2 Development Proposal* (October 6, 2015) NIRB Doc ID No. 317361

The NIRB has determined that the IS Addendum as submitted by Baffinland conforms to the requirements as set out in the *Nunavut Agreement*, the *NuPPAA*, the EIS Guidelines, and the NIRB's additional direction to the level which would enable the assessment to proceed.

The NIRB is formally initiating the public technical review of the IS Addendum which can be accessed from the NIRB's online Public Registry at www.nirb.ca/project/125893.

The NIRB notes that some of the documents may have a different submission date than the others documents due to Baffinland being required to submit updated documents in order to ensure completeness for review. The documents file numbers are listed in Appendix A of this letter.

THE NIRB TECHNICAL REVIEW PROCESS CALL FOR INFORMATION REQUESTS

As part of the NIRB's reconsideration of the Terms and Conditions of Project Certificate No. 005 and assessment of the impacts of the "Sustaining Operations Proposal 2" Project Proposal, the technical review process is meant to provide a detailed review of the IS Addendum to analyse the quality of the information presented by the Proponent. Parties are invited to review the IS Addendum submission and develop technical review comments which address:

- Determination of whether Parties agree/disagree with the conclusions in the IS Addendum regarding the alternatives assessment, environmental impacts, proposed mitigation, significance of impacts, and monitoring measures – and reasons to support the determination;
- Determination of whether or not conclusions in the IS Addendum are supported by the analysis – and reasons to support the determination;
- Determination of whether appropriate methodology was utilized in the IS Addendum to develop conclusions – and reasons to support the determination, along with any proposed alternative methodologies which may be more appropriate (if applicable);
- Assessment of the quality and presentation of the information in the IS Addendum; and
- Any comments regarding additional information which would be useful in assessing impacts – and reasons to support any comments made.

NIRB Call for Information Requests

To facilitate the development of technical review comments by parties, the NIRB invites interested parties to provide the NIRB with Information Requests (IRs) directed to the Proponent and/or other parties involved in the assessment of the "Sustaining Operations Proposal 2" Project Proposal. It should be noted that **IRs are not meant to serve as technical review comments, but rather should identify information gaps within the IS Addendum that need to be addressed so that parties can complete their substantive and qualitative technical review of the IS Addendum and develop their respective technical review comments.**

Please note that parties are encouraged to review Appendix [B](#) of this letter, which provides the NIRB's suggested format for the development of IRs and additional clarification regarding the information that must be included with submissions:

- A clear reference to the volume, document, section, and/or page number in the IS Addendum where relevant information may be found, if applicable;
- To whom the IR is directed;
- Identification of the issue and the specific information being requested;
- The concern associated with the issue and need for information; and
- A clear rationale of the issue and information's importance to the impact assessment of the proposed project.

The NIRB invites all interested parties to submit their IRs to the NIRB via info@nirb.ca on or before September 9, 2024.

Should any parties have questions or require additional clarification regarding the NIRB's assessment of the "Sustaining Operations Proposal 2" Project Proposal please contact Kelli Gillard, Senior Impact Assessment Officer at kgillard@nirb.ca or Keith Morrison, Manager, Impact Assessment at kmorrison@nirb.ca.

Sincerely,



Keith Morrison
Manager Impact Assessment
Nunavut Impact Review Board

Attachments: *Appendix A: IS Addendum Files*
Appendix B: Suggested Format for NIRB Information Requests

cc: Mary River Distribution List
Richard Dwyer, Nunavut Water Board
Nidhi Singh, Nunavut Water Board
Dustin Fredlund, Nunavut Tunngavik Incorporated
Carson Gillis, Nunavut Tunngavik Incorporated
Jorgen Aitaok, Nunavut Tunngavik Incorporated
Jared Ottenhof, Qikiqtani Inuit Association
Chris Spencer, Qikiqtani Inuit Association
Conor Goddard, Qikiqtani Inuit Association
Joel Fortier, Qikiqtani Inuit Association
Assol Kubeisinova, Qikiqtani Inuit Association
Justin Buller, Government of Nunavut
Dianne Lapierre, Government of Nunavut
Spencer Dewar, Crown Indigenous-Relations and Northern Affairs Canada
Adrian Paradis, Canadian Northern Economic Development Agency
Kaitlyn Bakker, Canadian Northern Economic Development Agency
Environment and Climate Change Canada General Inbox
Marie-Claude Martel, Parks Canada
Jane Chisholm, Parks Canada
José Audet-Lecouffe, Fisheries and Oceans Canada
Peter Unger, Natural Resources Canada
Pierre-Olivier Emond, Natural Resources Canada

Paul Partridge, Health Canada
Jaideep Johar, Transport Canada
Micheal Ferguson, Qikiqtaaluk Wildlife Board
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
Olayuk Naqitarvik, Hamlet of Arctic Bay
Qaumayuq Oyukuluk, Ikajutit Hunters and Trappers Association
Phillip Anguratsiaq, Hamlet of Sanirajak
Paul Nangmalik, Sanirajak Hunters and Trappers Association
Liemiekee Palluq, Hamlet of Clyde River
Apiusie Apak, Nangmoutaq Hunters and Trappers Association
Maliktoo Luya, Hamlet of Kimmirut
Mikidjuk, Kimmirut Hunters and Trappers Association
Jimmy Manning, Hamlet of Kinngait
Adamie Nuna, Aiviq Hunters and Trappers Association
Chris Debicki, Oceans North
World Wildlife Fund

APPENDIX A: IS ADDENDUM FILES

Document	NIRB File No.
Adaptive Management Plan	349416
Air Quality and Noise Abatement Management Plan	349404
Aquatic Effects Monitoring Plan	349414
Ballast Water Management Plan	349410
Borrow Pit and Quarry Management Plan	350892
Climate Change Strategy	349415
Community and Stakeholder Engagement Plan	349406
Crisis Management Plan	350878
Cultural Heritage Resource Protection Plan	350880
Diesel E2 Plan - Mary River	350889
Diesel E2 Plan - Milne Port	350888
Emergency Response Plan	350877
Environmental Protection Plan	350881
Exploration Closure and Reclamation Plan	350890
Exploration Spill Contingency Plan	350891
Explosives Management Plan	350947
Fresh Water Supply, Sewage, and Wastewater Management Plan	350896, 350897, 350898, 350899
Hazardous Materials and Hazardous Waste Management Plan	350883
Health, Safety and Environment Management Plan	351094
Human Resources Management Plan	350944
Interim Closure and Reclamation Plan	350893
IQ Framework	349417
Life-of-Mine Waste Rock Management Plan	350895
Marine Monitoring Plan	349409
Milne Inlet Marine Facility Security Plan	350879
Milne Inlet Tote Road Quarry Borrow Source Plan	350884
Oil Pollution Emergency Plan - Milne Inlet (OPEP)	350894
Oil Pollution Prevention Plan (OPPP)	350887
Phase 1 Waste Rock Management Plan	349515, 349514, 349513, 349512
Polar Bear Safety Plan	350945
Roads Management Plan	349403
Sampling Program - QAQC Plan	350882
Shipping and Marine Wildlife Management Plan with App G	349405
Snow Management Plan	349412
Socio-economic Monitoring Plan	349411
Spill at Sea Response Plan (SSRP)	349408

Spill Contingency Plan	350885
Surface Water and Aquatic Ecosystem Management Plan	350946
Terrestrial Environment Mitigation and Monitoring Plan	349407
Waste Management Plan	350886
IS Addend Att 1.1 Community Engagement-Pt 1	350960
IS Addend Att 1.1 Community Engagement-Pt 2	350961
IS Addend Att 1.1 Community Engagement-Pt 3	350962
IS Addend Att 1.1 Community Engagement-Pt 4	350963
IS Addend Att 1.1 Community Engagement-Pt 5	350964
IS Addend Att 1.1 Community Engagement-Pt 6	350965
IS Addend Att 1.1 Community Engagement-Pt 7	350966
IS Addend Att 1.2 RDAG Meeting	350967
IS Addend Att 1.3 Concordance	351069
IS Addend Att 1.4 CEA Wrkshp-Pt 1	350968
IS Addend Att 1.4 CEA Wrkshp-Pt 2	350969
IS Addend Att 1.5 T&C Amendments	350970
IS Addend Att 1.6 March 2024 Bi-Annual Rpt	350971
IS Addend Att 1.7 North Baffin RLUP Amendment 1	350972
IS Addend Att 2.1 Proposed T&C Amendment 6	350977
IS Addend Att 3.1 PC 005 Commitments	350979
IS Addend Att 3.2 IQ Study Mapbook	350980
IS Addend Att 3.3 QIA Comments	350982
IS Addend Att 3.4 Marine Shipping Limit	350983
IS Addend Att 4.1 PC Compliance Assignment	350985
IS Addend Att 5.1 Climate Change Assessment	350987
IS Addend Att 5.2 Isopleth Modelling	350988
IS Addend Att 5.3 Black Carbon Memo	350989
IS Addend Att 6.1 Ice Conditions	350990
IS Addend Att 6.2 AIS Risk Assessment	350991
IS Addend Att 6.3 Ship wake Prop Wash	350992
IS Addend Att 6.4 Ballast Water-Pt 1	350993
IS Addend Att 6.4 Ballast Water-Pt 2	350994
IS Addend Att 6.5 Underwater Acoustic	350995
IS Addend Att 7.1-Country Foods Assessment	350996
IS Addend Executive Summary	350998, 350999, 351000, 351090
IS Addend Main Document	351015
Popular Summary	351001, 351002

APPENDIX B: SUGGESTED FORMAT FOR NIRB INFORMATION REQUESTS

IRs Format and File Size

Parties must provide submissions in a fully functional, electronically searchable Word and PDF file with the latest version of Adobe. Noting the current constraints with respect to internet bandwidth and speed in Nunavut, the NIRB requests that all documents be submitted as files sized between 10 to 25 MB and the NIRB will be posting the PDF version and using the Word version for internal purposes.

Information Requests

The purpose of Information Requests (IRs) is to identify information gaps or areas of uncertainty within the IS Addendum that need to be addressed so that parties can develop their respective technical review comments. These are not a judgment of the quality of assessment provided, requests for re-assessment or changes to conclusions of the IS Addendum, but rather to:

- identify if any additional information is required to understand the conclusions made in the document,
 - identify missing supporting materials, or
 - clarify the context surrounding an issue and assumptions made through the modelling.
- Information requests can originate from, and be directed to, any of the parties involved in the assessment.

Submissions must identify what specific information is required and outline why the information required is necessary to facilitate the party's technical analysis of the IS Addendum or the potential impacts of the proposed project. The NIRB will:

- assess the suitability of each request,
- consider the underlying issue being identified, and
- balance these requirements with the types of investigations that would be expected to occur in the technical review period.

Parties are asked to ensure that Information Requests address the points set out below:

IR Source:	Identify the organization/department/intervenor proposing the request.
IR Number:	Each specific Information Request must be numbered to allow for effective cross-referencing of the submission.
IR Directed To:	Clearly identify the organizations/departments/agencies to which the IR is directed (e.g., the Proponent and/or specific organization(s) of whom the information is requested).
Subject:	Identify the issue; list the general subject or topic associated with the request (e.g., monitoring of sediment quality).
Reference:	Provide a clear reference to any applicable volume, document, section, and/or page number in the IS Addendum where information relevant to the request may be found.
Issue/Concern:	Provide background information and justification for the request. The issue/concern should identify any shortcomings of available information, concerns associated with the issue and how the requested information is

	relevant to the technical analysis of information within the IS Addendum. A clear rationale of the issue's importance to the formulation of technical review comments and the overall impact assessment of the proposed project is required.
Information Request:	Specifically state the question and/or outline the specific information being requested of the Proponent or organization. Separate items requested should be appropriately numbered in order to track the provision of responses.