



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

May 25, 2020

Mary River Distribution List

Sent via email

Re: Minister's Response to NIRB's Reconsideration Report and Recommendations and Draft Project Certificate No. 005 for Baffinland Iron Mines Corporation's "Extension Request to the Production Increase Proposal" related to the Mary River Project

Dear Parties:

On May 22, 2020 the Nunavut Impact Review Board (NIRB or Board) received the enclosed correspondence in response to the Board's March 4, 2020 Reconsideration Report and Recommendations¹ regarding Baffinland Iron Mines Corporation's (Baffinland) "Extension Request to the Production Increase Proposal" for the Mary River Project (NIRB File No. 08MN053). Collectively, the Responsible Ministers with regulatory jurisdiction over the Mary River Project (Responsible Ministers) and with authority for responding to the Board's Reconsideration Report and Recommendations for the Extension Request to the Production Increase Proposal include the Minister of Northern Affairs, the Minister of Environment and Climate Change, the Minister of Fisheries, Oceans and the Canadian Coast Guard, and the Minister of Natural Resources, and the Minister of Transport.

The Responsible Ministers, pursuant to s. 112(6)(a) of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*), have accepted the Board's recommendation that the Extension Request to the Production Increase Project can proceed with revisions to specific Terms and Conditions. The Responsible Ministers also provided direction to further vary the wording of Terms and Conditions 179 (c) and 183. As a result of the Responsible Ministers decision to accept the Board's report and allow the project to proceed, under s. 112(10) of *NuPPAA*, the NIRB is required to issue an amended Project Certificate No. 005 within 30 days.

¹ Public Registry ID: 327165

The enclosed *Draft* Project Certificate No. 005, Amendment 3, which reflects the required changes from both the Board's and Responsible Minister's decisions, is provided for the information of parties. The NIRB requests that parties review the *Draft* Project Certificate and asks that regulatory authorities provide comments on how the revised or new terms and conditions will be incorporated into their respective licences or permits, and outline their organization's respective role in implementing these terms and conditions as applicable.

Parties are further advised that the NIRB will not be modifying the explicit wording of, nor providing justification for, specific terms and conditions, however additional commentary to specific terms and conditions can be contemplated where warranted.

Parties and regulatory authorities are asked to provide their comments on the enclosed *Draft* Project Certificate No. 005, Amendment 3 by **June 8, 2020** via email to info@nirb.ca. Following receipt of comments, the NIRB expects to release the Project Certificate No. 005, Amendment 3 by **June 18, 2020**.

All materials related to the NIRB's assessment of the Extension Request to the Production Increase Proposal can be accessed online from the NIRB's public registry at www.nirb.ca/project/123910.

Should you have any questions or require clarification regarding the assessment of the Extension Request or the ongoing monitoring of the Mary River Project, please contact Solomon Amuno, Technical Advisor II at samuno@nirb.ca or (867) 983-4603 or to Cory Barker, Technical Advisor I at (867) 983-4607 or cbarker@nirb.ca.

Sincerely,



Mark Ings
Acting Executive Director
Nunavut Impact Review Board

Enclosures (2) Minister Response Re NIRB Final Report (*May 22, 2020*)
Draft NIRB Project Certificate No. 005 Amendment 3 (*May 25, 2020*)

cc: Megan Lord-Hoyle, Baffinland Iron Mines Corporation
Lou Kamermans, Baffinland Iron Mines Corporation
Stephanie Autut, Nunavut Water Board
Karén Kharatyan, Nunavut Water Board

Stephen Williamson Bathory, Qikiqtani Inuit Association
Jarred Ottenhof, Qikiqtani Inuit Association
Joshua Arreak, Hamlet of Pond Inlet
Eric Ootoovak, Mittimatalik Hunters and Trappers Organization
Natalie O'Grady, Government of Nunavut
Alex Power, Canadian Northern Economic Development Agency
Saba Qazi, Canadian Northern Economic Development Agency
Adrian Paradis, Canadian Northern Economic Development Agency
Tracey McCaie, Crown-Indigenous Relations and Northern Affairs Canada
John Olyslager, Environment and Climate Change Canada
Daniel Coombs, Fisheries and Oceans Canada
Rob Johnstone, Natural Resources Canada
Peter Unger, Natural Resources Canada
Jane Chisholm, Parks Canada
Paul Partridge, Health Canada
Jaideep Johar, Transport Canada