

September 4, 2020

Karen Costello
Executive Director
Nunavut Impact Review Board
P.O. Box 1360
Cambridge Bay, NU, X0B 0C0

RE: Updates on Logistics Information and Draft Agenda for the NIRB Teleconference Technical Meeting for Baffinland Iron Mines Corp's "Phase 2 Development" Project Proposal

Dear Ms. Costello,

On behalf of the Government of Nunavut (GN), I would like to thank the Nunavut Impact Review Board (NIRB) for the opportunity to provide comment on the *Draft* Agenda, provide a list of representatives to be in attendance, and any requests for logistical arrangements for the upcoming Technical Meetings on Baffinland Iron Mines Corp's (Baffinland or Proponent) "Phase 2 Development" Project Proposal (Proposal).

Draft Technical Meeting Agenda

The upcoming Technical Meetings are an opportunity for Parties to further address and resolve outstanding concerns with the Proposal. The GN is confident that a focused and productive Technical Meeting will enable Parties to advance their outstanding technical concerns towards resolution leading into a Public Hearing on the Proposal.

The GN recommends that the Agenda focus on those areas identified as being most likely of key interest to Nunavummiut and ensure enough time is allotted to those topics to allow for productive discussions aimed at resolution of outstanding technical issues and concerns.

For example, the NIRB may consider removing the stand-alone agenda item on Adaptive Management, Management Plans, and Monitoring Programs (Day 5, Item 2 d of Technical Sessions), as questions concerning Adaptive Management or Plans on a given topic can reasonably be addressed in that topic's session.

Furthermore, in the interest of reducing the number of presentations to allow for more productive discussions, the GN submits that the two Terrestrial presentations planned for Day 3 of Technical Sessions (Item 2 c and d) in fact deal with similar topics and may be reasonably combined into one presentation, allowing time for more discussion on this important topic.

Overall, the GN's approach in making these suggestions is intended to focus discussion onto key topics and to concentrate topic sessions on the outstanding technical concerns of Parties for the Proponent to address.

Submissions of Questions in Advance of the Technical Meetings

The GN has submitted their anticipated Technical Meeting questions in advance for the interest of all Parties. The GN recommends that to enable for more focused discussions and in the interest of time management, the NIRB encourage other Parties to submit technical meeting questions in advance of the sessions. The hope is that this will allow Parties to prepare a response and ultimately result in a more streamlined discussion period.

Focused Discussion on Outstanding Technical Concerns

The GN would like to emphasize that time during the Technical Meeting is limited and attention should thus be focused on topics of most importance to Nunavummiut and efforts should be directed towards resolving outstanding technical concerns. To make the best use of the limited time, the GN respectfully requests that any discussion, line of questioning, or written submission from Parties referencing any evidence the NIRB had previously ruled inadmissible in the November 2019 Public Hearing should not be permitted.

Pre-Hearing Conference

The focus of a Pre-Hearing Conference is often to assess Parties' preparedness to proceed with a Public Hearing. Whether that time be used for the Board to assess Parties' agreement or not to commitment language may not be an effective use of time, as those agreements and commitments may change leading into a Public Hearing. As the record remains open until the adjournment of a Public Hearing, the GN recommends the Pre-Hearing Conference be limited in scope and use to assess Parties' preparedness to proceed with a Public Hearing.

GN Representatives to be in Attendance

1. Steve Pinksen, Assistant Deputy Minister of Environment

2. Natalie O'Grady, Avatiliriniq Coordinator
3. Amy Robinson, Manager Land Use and Environmental Assessment
4. Emily Stockley, Legal Counsel
5. Sandhya Chari, Legal Counsel
6. Daniel Haney, Project Manager Impact Assessment
7. John Ringrose, Qikiqtani Regional Biologist
8. Stephen Atkinson, Consulting Biologist

In closing, the GN would like to note the above-mentioned suggestions on the *Draft* Agenda are meant to support productive meetings for the NIRB's reconsideration process of the Proposal, with the aim to facilitate and focus Parties' efforts on resolving their outstanding technical concerns. Considering this objective, the GN looks forward to the upcoming Technical Meeting, Community Roundtable, and Pre-Hearing Conference.

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[*Original Signed By*]

Natalie O'Grady
Avatiliriniq Coordinator
Government of Nunavut