



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

September 8, 2020

To: *Mary River Distribution List*

Sent via email

Re: Final Agenda for the Upcoming NIRB Teleconference Technical Meeting for Baffinland Iron Mines Corp.'s "Phase 2 Development" Proposal

Dear Parties:

On August 25, 2020 the Nunavut Impact Review Board (NIRB or Board) distributed the *Draft* Agenda for the upcoming Teleconference Technical Meeting to be held on **September 14-18, 2020** as part of the Board's assessment of Baffinland Iron Mines Corporation's (Baffinland or Proponent) "Phase 2 Development" project, a proposed amendment to the approved Mary River Project (NIRB File No.: 08MN053). As part of the correspondence, the NIRB requested that interested parties confirm their planned attendance and provide comments or suggestions on the agenda and any specific logistical arrangements required during the Meeting.

On or before September 4, 2020 the NIRB received comments on the *Draft* Agenda from the following parties:

- Qikiqtani Inuit Association (Doc ID: 331357);
- Government of Nunavut (Doc ID: 331345);
- Government of Canada (Doc ID: 331346);
- Hamlet of Pond Inlet (Doc ID: 331343);
- Mittimatalik Hunters and Trappers Association (Doc ID English: 331350, Inuktitut: 331351);
- Igloolik Working Group (Doc ID: 331348);
- Hamlet of Clyde River (Doc ID: 331349);
- Hamlet of Sanirajak (Doc ID: 331347);
- Five (5) north-Qikiqtaaluk Hamlets and their Hunters and Trappers Associations (Document ID English: 331353, Inuktitut: 331354, additional report enclosed being reviewed by Board to determine applicability to be posted to public registry);
- Nunavut Independent Television Network (Doc ID: 331355);

- Oceans North (Doc ID: 331356)
- World Wildlife Fund (Doc ID: 331358); and
- Baffinland Iron Mines (Doc ID: 331344).

The submissions can also be accessed from the NIRB's online public registry at www.nirb.ca/project/124701.

The NIRB has considered the changes and revisions to the draft meeting agenda proposed by the above-mentioned parties and has updated the agenda to accommodate the feedback and suggestions to the extent practicable. The *Final* Technical Meeting agenda has been attached as Appendix [A](#) for the information of all parties.

TECHNICAL MEETING COMMITMENT LIST

As with previous Technical Meetings, it will be the responsibility of the Proponent to keep a comprehensive and current Commitment List and Disposition Table prior to and throughout the meetings. The NIRB reminds the Proponent that a Commitment List is to be compiled at the end of each day to avoid conflicting statuses regarding commitments, consensus between the Proponent, NIRB, and the requesting intervenor should be discussed on the status of the commitment prior to entering it into the table. The NIRB also requests that, to the extent possible, parties be prepared to raise their questions and concerns throughout the meeting with reference to the technical comment ID numbers provided with their previous final written submissions. At the end of the technical meetings, Baffinland will circulate the revised/updated list of commitments to the NIRB, Regulators, and Intervenors; during the Pre-hearing Conference parties will be provided the opportunity to confirm their acceptance of the wording of the commitments.

PRESENTATIONS

At the beginning of the Technical Meeting, Baffinland will present its general update to technical issues considered resolved and unresolved with a focus on topics or themes of items remaining unresolved, and provide key clarifications that have been circulated since the Public Hearing was suspended. At the beginning of each topic, Baffinland will also provide a short summary of outstanding and resolved issues pertaining to that topic. The NIRB reminds Baffinland to ensure that presentations provide only information essential to the topic being discussed and kept within the designated time windows. Copies of the presentation must be provided to the NIRB by **September 9, 2020** to ensure that all parties can access it via the NIRB's online public registry in advance of the meetings.

MEETING LOGISTICS

The NIRB has made the following logistical arrangements for the upcoming Technical Meeting:

Interpretation: Simultaneous English and Inuktitut interpretation will be provided to the extent practicable. The NIRB has put in place mechanisms to resolve any technical issues that might occur during the teleconference, including any breakdown in interpretation to ensure that all parties can participate.

- Facilitator:** The Technical Meeting will be facilitated by the NIRB staff.
- Materials:** The NIRB will provide access to the digital copy of all materials contained within the Board’s public registry for the Mary River project, including the FEIS Addendum, transcript and exhibits from the November 2019 Public Hearing, and any additional submissions received up to and throughout the meetings.
- Meeting times:** Meetings start at 8:00 a.m. (MT) and run until 4:00 p.m. (MT) daily, with an hour break for lunch and two 15-minute health breaks throughout the day.
- Teleconference Details:** Prior to the meeting, confirmed participation will receive the teleconference coordinates and presentations.

Due to logistics limitations, the Board will not be able to provide a video option to participants at this time but is committed to recording the entire proceedings including providing the English and Inuktitut recordings to the local radio station in Pond Inlet and other communities for airing. The Board will also investigate the feasibility and best timing to host a radio show where these recordings would be aired across the five (5) north-Qikiqtaaluk Hamlets in order to provide the communities the opportunity to phone in to the NIRB staff with their questions and concerns.

PROCEDURAL EXPECTATIONS

The Technical Meetings are a platform for Baffinland and Intervenor to discuss outstanding issues and attempt to find resolutions, therefore questions posed by Intervenor should focus on the parties’ key issues. Parties should be prepared to speak to whether their technical review comments have been satisfactorily addressed by Baffinland and, if not, to provide clarification as to what issues remain outstanding. As a format to ensure everyone is able to engage in the process, the NIRB will be following a roundtable approach with a time limit for Round 1 (10-15 minutes per party), then an optional Round 2 for parties who require more time. While priority may be given to items within the following categories, the facilitator will be responsible to ensure everyone is able to engage in the process to maintain the schedule.

- Items raised during the Public Hearing in November 2019 (including but not limited to relevant deferred questions).
- Items identified through parties’ review of the Final Environmental Impact Statement (FEIS) Addendum or previous Final Written Submissions,
- Additional feedback associated with the submission of Supplementary information from Baffinland prior to, or directly following the November Public Hearing. Should Parties wish to rely on materials that are not already available on the NIRB’s Public Registry, they should be prepared to provide a digital copy to be posted on the Public Registry following the Meetings.
- Concerns and questions from Community representatives’ and intervenors’ related to the Proposal, including any management and monitoring issues from the current project which apply to Phase 2, that were not given a discussion opportunity at the recently concluded Marine Monitoring workshop in Pond Inlet.

Should you require clarification on the NIRB's assessment of the "Phase 2 Development" proposal contact Solomon Amuno, Technical Advisor II, at (867) 983-4603 or via email at samuno@nirb.ca or Cory Barker, Technical Advisor I at cbarker@nirb.ca or (867) 983-4607.

Sincerely,



Karen D. Costello
Executive Director
Nunavut Impact Review Board

cc: Megan Lord-Hoyle, Baffinland Iron Mines Corporation
Lou Kamermans, Baffinland Iron Mines Corporation

Attachments: Appendix A – *Final* Technical Meeting Agenda for Baffinland's Phase 2 Development Project Proposal (*via teleconference*)

**APPENDIX A: DRAFT TECHNICAL MEETING AGENDA FOR
BAFFINLAND'S PHASE 2 DEVELOPMENT PROJECT PROPOSAL (VIA TELECONFERENCE)**

NIRB File No.: 08MN053 – Phase 2 Development Project Proposal
Proponent: Baffinland Iron Mines Corporation
Facilitator: Karen Costello, NIRB Executive Director
Format: Teleconference (details to be provided to confirmed participants)
Dates & Times: September 14-18, 2020; 8:00 am – 4:00 pm (Mountain Standard Time)

Day 1 of Technical Session – September 14, 2020

General Opening:

1. NIRB Welcome and Opening Remarks (*30 minutes*)
 - a. Introductions, overview of procedural history, structure of the meetings
 - i. Update on Greenland participation
 - b. Introduction of Meeting Participants
 - c. Overview of Agenda
 - d. Housekeeping items

Technical Session – focused on updating all parties:

2. Baffinland Presentations
 - a. Introduction and overview (*total 45 minutes presentation time by Baffinland; each item given 15 minutes for Baffinland then followed by questions from parties*)
 - i. Updated project scope and description of components including clarification on the tonnage to be ultimately shipped per year via Milne Port
 - ii. Updated commitment list and summary of materials provided following the second technical meeting and November 2019 Public Hearing, highlighting items resolved through updated commitments and issues flagged in technical comments as unresolved
 - iii. Current update on community engagement and responses from communities
 - b. Operational flexibility (*15 minutes presentation by Baffinland*) followed by questions from all parties.
 - c. Roundtable discussion: comments or questions by Parties and NIRB staff

Close of Day 1

Day 2 of Technical Sessions – September 15, 2020

Technical Meeting (continued from Day 1)

1. NIRB Opening Remarks (*15 minutes*)
 - a. Day 1 Recap
 - b. Overview of Agenda
2. Roundtable discussion: questions by Parties and NIRB staff on the following items with potential presentations delivered by Baffinland as needed:
 - a. Incorporation of Inuit Qaujimaningit/Use of Inuit knowledge in developing significance determination, integration of the results of monitoring using western scientific methods with the results of Inuit Qaujimaningit and how these perspectives would be accommodated and communication of findings (*20 minutes presentation by Baffinland*)
 - b. Marine shipping, icebreaking assessment, underwater shipping noise, Phase 2 ore dock and offsetting plan, ballast water and fuel spill modeling, marine environment, marine wildlife and related monitoring and mitigation; including anchorage alternative at Hellefiske bank (Greenland), relevant management and/or mitigation plans (*20 minutes presentation by Baffinland*)
 - i. Marine Workshop update (comments/questions by Parks Canada, Transport Canada, Oceans North, and World Wildlife Fund)
3. Discussion and review of Proponent's list of commitments

Close of Day 2

Day 3 of Technical Sessions – September 16, 2020

Technical Meeting (continued from Day 2)

1. NIRB Opening Remarks (*15 minutes*)
 - a. Day 2 Recap
 - b. Overview of Agenda
2. Roundtable discussion: questions by Parties and NIRB staff on the following items with potential presentations delivered by Baffinland as needed:
 - a. Freshwater environment including surface water assessment and freshwater biota assessment, impacts of dust and sediment on waterbodies in and around the project area, sediment redistribution and impediments of fish through water crossings, waste rock management including other relevant management and/or mitigation plans (*20 minutes presentation by Baffinland*)
 - b. Air quality, climate change assessment, atmospheric assessment, dust and carbon dioxide (CO₂) emissions, relevant management and/or mitigation plans (*20 minutes presentation by Baffinland*)
 - c. Terrestrial environment including soils, landforms, vegetation, including assessment of impacts to caribou, birds and habitats as well as terrestrial impacts

associated with railway routing and construction, and related management and mitigation plans and/or programs plans (30 minutes presentation by Baffinland)

3. Discussion and review of Proponent's list of commitments

Close of Day 3

Day 4 of Technical Sessions – September 17, 2020

Technical Meeting (continued from Day 3)

1. NIRB Opening Remarks (15 minutes)
 - a. Day 3 Recap
 - b. Overview of Agenda
2. Roundtable discussion: questions by Parties and NIRB staff on the following items with potential presentations delivered by Baffinland as needed:
 - a. Human Health and Exposure Potential Assessment, potential project effects on Inuit Culture, Land use & Resource, and Food Security (20 minutes presentation by Baffinland)
 - b. Socio-economic environment, potential effects on social and cultural wellbeing, significance, including related management and mitigation plans and/or programs (20 minutes presentation by Baffinland)
 - c. Cumulative/transboundary effects assessment, accidents and malfunction and related management and mitigation plans and/or programs (20 minutes presentation by Baffinland)
 - d. Adaptive Management, Management Plans and Monitoring Programs with discussions about the problems that have been documented in relation to the use of adaptive management approaches, and how Baffinland intends to address these issues (20 minutes presentation by Baffinland)
 - e. Alternative assessment and methodologies (20 minutes presentation by Baffinland)
3. Discussion and review of Proponent's list of commitments

Close of Day 4

Day 5 of Technical Sessions – September 18, 2020

Technical Meeting (continued from Day 4)

1. NIRB Opening Remarks (15 minutes)
 - a. Day 4 Recap
 - b. Overview of Agenda
2. Review of Proponent list of commitments and other outstanding technical issues
3. Closing Remarks from Intervenors
4. NIRB closing remarks and discussion of next steps

Close of Day 5