



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

September 9, 2020

To: Mary River Distribution List

*Sent via email*

**Re: Draft Agenda for the Upcoming NIRB Community Roundtable and Pre-Hearing Conference for Baffinland Iron Mines Corp.'s "Phase 2 Development" Proposal**

Dear Parties:

On August 24, 2020 the Nunavut Impact Review Board (NIRB or Board) provided notification to that the proposed timeline for the in-person Community Roundtable and Pre-Hearing Conference related to the Board's assessment of Baffinland Iron Mines Corp.'s (Baffinland or the Proponent) "Phase 2 Development" Proposal would remain the same as directed by the NIRB in the July 29, 2020 correspondence<sup>1</sup>. The following correspondence provides logistics information related to the upcoming meetings and a copy of the *Draft Agenda* ([Appendix A](#)) for parties' review. The NIRB's copy of its public meeting protocols have also been included to ensure that participants are aware of the procedures in Pond Inlet and Iqaluit locations; participants participating in meetings at the other locations will be provided with detailed requirements of those locations as soon as possible.

#### COMMUNITY ROUNDTABLE

As previously noted, the Community Roundtable will be held September 28-30, 2020 and will consist of in-person meetings at central locations or "hubs" in Pond Inlet and Iqaluit in Nunavut, and Ottawa and Winnipeg for parties represented by individuals not able to travel into Nunavut. The NIRB will be working with professional Audio/Visual support companies to ensure that all locations are connected through video feed, with backups provided by audio feed, to ensure that all hubs are linked throughout the proceedings and that simultaneous Inuktitut interpretation remains available to all participants.

The Community Roundtable will provide time for representatives from communities identified as potentially impacted by the proposed Project amendment to be at the table to discuss the proposal and participate in the Board's assessment. The NIRB will be inviting up to three (3)

<sup>1</sup> NIRB Public Registry [www.nirb.ca/project/124701](http://www.nirb.ca/project/124701), Document ID No.: 330874

representatives from each of the affected communities in the North Baffin Region to attend the Community Roundtable Sessions and Pre-Hearing Conference in Iqaluit, asking community organizations to nominate individuals interested in representing their community; members of the public from Pond Inlet are also welcome to attend the in-person sessions. The NIRB is prepared to cover the costs of travel, accommodations and meals for community representatives travelling to Iqaluit to attend and participate in the Community Roundtable and Pre-Hearing Conference proceedings. The NIRB will be requesting the nomination of community representatives from Hamlet Councils, Hunters & Trappers Organizations, and other community groups to ensure as many parts of the community are represented, especially Elders, Inuit harvesters, women, and youth.

## PRE-HEARING CONFERENCE

The Pre-Hearing Conference will focus on determining the specific steps and processes required to reconvene the Public Hearing, including matters such as: timelines for the exchange of documents and information required by parties prior to the Public Hearing; finalization of issues for the Public Hearing; and details such as venue, timing or other matters related to the logistics for the Public Hearing with discussion in regards to public meeting safety planning for COVID-19 and exposure control plan. The Pre-Hearing Conference is meant to provide parties with an opportunity to confirm agreement to the list of commitments and identify issues resolved during the September 2020 teleconference Technical Meetings, and those issues which remain outstanding, which the Board will consider when issuing a Pre-Hearing Conference Decision and providing direction to the Proponent and parties on what steps are required to reconvene the Public Hearing for this assessment.

## PRESENTATIONS

During the Community Roundtable, Baffinland will be expected to present an overview of its proposed project amendment to community representatives, including a brief discussion on each project component and associated impact assessment findings, and outline its response to community concerns raised to date. The presentation should be organized by project component and include findings of the assessment as well as issues identified/resolved to date for each component). Copies of the presentation must be provided to the NIRB by **September 21, 2020** to ensure that all parties can access it via the NIRB's online public registry in advance of the meetings. Baffinland must notify the NIRB as soon as possible if any of the materials they wish to present are larger than 10MB as methods to transfer the data will have to be considered. Baffinland will also be required to supply print copies of its presentations at both the Pond Inlet and Iqaluit hubs in sufficient numbers for the community representatives and public (approximately 30 copies of each presentation in each language).

Responsible authorities will not be formally presenting at the Community Roundtable but should be prepared to speak several important topics such as their role in the assessment, information on their interventions, and generally be prepared to respond to questions from community representatives regarding the technical assessment of the amendment.

## MEETING LOGISTICS

The NIRB has made the following logistical arrangements for the Community Roundtable and Pre-Hearing Conference:

**Interpretation:** Simultaneous English and Inuktitut interpretation will be provided to the extent practicable. Parties requiring French interpretation for the Community Roundtable and/or Pre-Hearing Conference are to notify the NIRB by **September 14, 2020**.

**Seating (in-person meeting only):** Seating will be assigned at each location based on the numbers of parties in each location and requirement to maintain space in Pond Inlet for public participation. There will be no flexibility for last minute substitutions as registration will be required at some of the hubs under their facility operations. In Pond Inlet once the 50 person maximum meeting number is reached then no more admissions can occur for that session (a session is the morning, afternoon, and evening time slots for the meetings, separated by breaks longer than a health break).

**Facilitator:** The Community Roundtable and Pre-Hearing Conference will be facilitated by the NIRB chairperson.

**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 9:00 a.m. and run until 5:00 p.m. daily (ET), with an hour break for lunch and two 15-minute health breaks throughout the day. Under the new NIRB protocols, refreshments will not be served so participants must bring their own. Meals will not be provided.

**Teleconference Details:** Coordinates to access the audio line will be provided prior to the meeting to designated individuals not able to participate through the hubs.

## MEDIA ACCESS

The NIRB is supportive of any planned efforts by public media outlets to cover or record the Community Roundtable and Pre-hearing Conference proceedings and will ensure that media representatives are granted sufficient access to the proceedings to report accurately, while maintaining adherence to Public Health Orders. The NIRB has established rules for recording of Pre-Hearing Conference and other proceedings, and due to the COVID-19 protocols will require all media outlets that wish to observe, to provide the NIRB with advanced notice to assist in minimizing all disruptions and plan for options should they wish to make either an audio or video recording. As such, the NIRB would like to request that all media outlets that wish to record proceedings during the Community Roundtable and Pre-Hearing Conference (film, photograph, audio) request media access from the Board on or before **September 14, 2020**.

## NEXT STEPS

Parties planning to participate in the upcoming Community Roundtable and Pre-Hearing Conference for the NIRB's assessment of Baffinland's "Phase 2 Development" project proposal are requested to provide the NIRB with the following information by **September 14, 2020**:

- Provide comments on the *Draft* Pre-Hearing Conference Agenda ([Appendix A](#));
- Provide a list of representatives that will be in attendance, including names, positions and respective area of expertise or authority;
- Any requests for including specialized audio/visual equipment and/or specific logistical arrangements that may be required during the proceedings;
- Any request by public media outlets to cover the proceedings; and
- Any requirement for French interpretation for the Community Roundtable or Pre-Hearing Conference.

Parties are asked to direct all forthcoming submissions to the NIRB at [info@nirb.ca](mailto:info@nirb.ca). 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](mailto:samuno@nirb.ca) or Cory Barker, Technical Advisor I at [cbarker@nirb.ca](mailto: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 – *Draft* Pre-Hearing Conference Agenda for Baffinland's Phase 2 Development Project Proposal

Enclosed: NIRB COVID-19 Protocols (*August 21, 2020*)

**APPENDIX A:  
DRAFT COMMUNITY ROUNDTABLE AND PRE-HEARING CONFERENCE AGENDA**

**NIRB File No.:** 08MN053 – Phase 2 Development Project Proposal  
**Proponent:** Baffinland Iron Mines Corporation  
**Formats:** In-person and video conference (details to be confirmed to participants)  
**Locations:** **Atakaalik Community Hall, Pond Inlet, NU (in-person)**  
**Koojesee Room, Iqaluit, NU (Northern hub)**  
**Ottawa Conference and Event Centre, Ottawa, ON (Southern hub)**  
**Victoria Inn Hotel and Convention Centre, Winnipeg, MB (Southern hub)**

**Dates:** September 28-October 1, 2020

**Times:** **All times given are approximate and the order of discussion topics are subject to change at the NIRB’s discretion. Additional evening sessions may be scheduled if deemed necessary to complete the agenda.**  
Community Roundtable Sessions: 9:00 am – 5:00 pm; 6:30-9:00 pm  
Pre-Hearing Conference: 9:00 am – 5:00 pm; 6:30-9:00 pm

**Sunday, September 27, 2020 – Training Session – 6:30-9:00 p.m.**

Participants in the Pond Inlet and Iqaluit locations will be required to participate in a training session to demonstrate how proceedings will be conducted, starting with the whole group then completing with an update session for community members on their requirements for the meetings.

**Monday, September 28, 2020 - Day 1 of Community Roundtable**

General Opening

1. NIRB Welcome and Opening Remarks (30 minutes)
  - a. Opening statements from Public Health Nurse
  - b. Opening statements from Mayor
  - c. Objectives of Community Roundtable and Pre-Hearing Conference
  - d. Overview of the NIRB process and status of the reconsideration
  - e. Introduction of Participants
  - f. Overview of Agenda
  - g. Housekeeping Items

Community Roundtable Session

2. Summary presentation by the Proponent – **Introduction and Overview of Project highlighting updated scope items and limits of operational flexibility (45 minutes)**
  - i. Update on community engagement since the Public Hearing was suspended and feedback from communities on the Project Proposal
- Questioning of the Proponent and Intervenors by community representatives

- Questions or statements from the public to the Proponent or Intervenors
3. Summary presentation by the Proponent – **Incorporation of Inuit Qaujimaningit into project planning and proposed mitigation** including 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 (*45 minutes; 20 minutes on terrestrial items, and 25 on marine items*)
    - Questioning of the Proponent and Parties by community representatives
    - Questions or statements from the public to the Proponent or Intervenors
  4. Summary presentation by the Proponent – **Railway components and the Terrestrial Environment** (*45 minutes*)
    - Questioning of the Proponent and Parties by community representatives
    - Questions or statements from the public to the Proponent or Intervenors

Close of Day 1

## Tuesday, September 29, 2020 - Day 2 of Community Roundtable

General Opening (continued from Day 1)

1. Opening prayer
2. Opening Remarks by NIRB

Community Roundtable Session continued

3. **Railway components and the Terrestrial Environment** cont'd
  - Questioning of the Proponent and Parties by community representatives
  - Questions or statements from the public to the Proponent or Intervenors
4. Summary presentation by the Proponent – **Milne Port development, marine shipping activities, shipping season, and the Marine Environment** (*60 minutes*)
  - Questioning of the Proponent and Parties by community representatives
  - Questions or statements from the public to the Proponent or Intervenors
5. Summary presentation by the Proponent – **Socio-economic effects and maximizing benefits of the proposal, traditional land use considerations, and coordination with communities for monitoring of project-related impacts** (*60 minutes*)
  - Questioning of the Proponent and Parties by community representatives
  - Questions or statements from the public to the Proponent or Intervenors

Close of Day 2

**Wednesday, September 30, 2020 - Day 3 of Community Roundtable  
and start of Pre-hearing Conference**

General Opening (continued from Day 1)

1. Opening prayer
2. Opening Remarks by NIRB

Community Roundtable Session continued

3. **Socio-economic effects and maximizing benefits of the proposal, traditional land use considerations, and coordination with communities for monitoring of project-related impacts** cont'd
  - Questioning of the Proponent and Parties by community representatives
  - Questions or statements from the public to the Proponent or Intervenors
4. Summary presentation by the Proponent – **Accidents and Malfunctions, Effects of the Environment on the Project** (45 minutes)
  - Questioning of the Proponent and Parties by community representatives
  - Questions or statements from the public to the Proponent or Intervenors
5. Closing statements from each community

Pre-Hearing Conference starting evening session

1. Identification of any issues preventing the reconvening of a Public Hearing (both NIRB and/or Intervenors)
2. Discussion of commitment list

Close of Day 3

**Thursday, October 1, 2020 - Pre-Hearing Conference completion**

General Opening

3. Opening prayer
4. Remarks from NIRB, review of Agenda and housekeeping items

Pre-Hearing Conference

5. Identification of any issues preventing the reconvening of a Public Hearing (both NIRB and/or Intervenors)
6. Discussion and facilitation of the Public Hearing processes – parties and intervenors at the table will be given an opportunity to comment on the following:
  - i. Anticipated date, time, form, and location(s) to reconvene the Public Hearing;
  - ii. Timetable for the exchange of additional documents and information requests prior to the Public Hearing;
  - iii. Confirmation of commitments list by Intervenors;

- iv. Finalization of issues for the Public Hearing, and identification of interested parties to attend the Hearing;
  - v. Procedures to be followed for reconvening a Public Hearing including public meeting safety planning for COVID-19 and exposure control plan;
  - vi. Logistics arrangement, equipment, language, interpretation, translation, and transcript requirements; and
  - vii. Other matters that may aid in the simplification of the Public Hearing.
- 7. Closing remarks from Parties
  - 8. NIRB Closing Remarks and Next Steps
  - 9. Closing Prayer

Close of Day 4