



## NEWS RELEASE

**NIRB File No. 08MN053  
Project Certificate No. 005**

### **The Nunavut Impact Review Board Issues Reasons for Decision Denying the Motions of the Hamlet of Clyde River and the Mittimatalik Hunters and Trappers Organization to Adjourn the Reconvened Public Hearing for Baffinland’s “Phase 2 Development Proposal” Project Scheduled for January 25-February 6, 2021**

**CAMBRIDGE BAY, NU – January 15, 2021:** As detailed in the Nunavut Impact Review Board’s (NIRB) Reasons for Decision posted publicly today, the NIRB has denied the Motions of the Hamlet of Clyde River and the Mittimatalik Hunters and Trappers Organization (MHTO) filed on December 17, 2020 (and supported by several Intervenors in their written submissions filed on January 7, 2021) to adjourn the Reconvened Public Hearing for Baffinland’s “Phase 2 Development” Project Proposal. As communicated publicly by the NIRB on October 30, 2020 the reconvened Public Hearing is scheduled for **January 25-February 6, 2021**. The Motion from the Hamlet of Clyde River requested an adjournment until at least March 30, 2021 and the MHTO’s Motion requested an adjournment until the public health restrictions on travel into Nunavut and indoor public gatherings are lifted and a mass vaccination program is implemented in Nunavut.

In denying the Motions to adjourn the reconvened Public Hearing, the Board concluded that:

- The length of the requested adjournment from the MHTO is effectively indefinite as it is impossible to predict when the pandemic, or related public health restrictions, will be over and the Board can return to pre-pandemic practices.
- Since the Community Roundtable and Pre-Hearing Conference for the file were conducted in October 2020 the Board has improved its modified processes to provide additional means of remote participation in the Public Hearing in a relatively expeditious manner while preserving public health and safety and balancing parties’ rights to procedural fairness.
- Granting the adjournment would result in significant potential prejudice to Baffinland and its investors/customers, to the NIRB as decision-makers, to communities and potentially to the broad Canadian public interest, resulting from regulatory uncertainty.
- While the NIRB acknowledges that all parties may experience challenges and be uncomfortable participating in the reconvened Public Hearing in the face of considerable limitations imposed by COVID-19 public health measures, the NIRB has demonstrated its ability to hold in-person proceedings in a manner that maintains the health and safety of all participants and communities involved, while ensuring opportunities for fair participation by interested parties.

The Reasons for Decision also address the NIRB’s denial of a Motion brought by the MHTO on December 17, 2020 which was supported by several Intervenors to modify the Agenda in the Community Roundtable session of the Public Hearing to add time for Intervenors to make presentations. The basis for the Board’s denial of this Motion is that Intervenors have time to present their interventions during the technical component of the Public Hearing, which is attended by Community Representatives. The Board does not wish to reduce the time available for Community Representatives during the Community Roundtable in order to accommodate Intervenors presenting a second time about their interventions.

Sincerely,

A handwritten signature in black ink that reads "M. Kaniq Kaluraq". The signature is written in a cursive style with a large, stylized 'K'.

Kaniq Kaluraq  
Chairperson of the Nunavut Impact Review Board

For more information, the media may contact:

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