N I T V
Nunavut Independent
Television Network

March 1, 2021

Via e-mail: info@nirb.ca

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

Dear Ms. Costello:

Re: NITV written questions for parties to the Mary River public hearings

We are writing further to the Nunavut Impact Review Board (NIRB)'s procedural direction of February 12, 2021 with our written questions for parties to the Mary River "Phase 2 Development" public hearing process.

Questions for Baffinland Iron Mines Corporation (BIMC) related to its presentation on Updated Public Consultation, Inuit Qaujimaningit, and Alternatives Assessment (Doc ID: 332549)

Our questions for BIMC on this topic relate to evaluation and continuous improvement of its public consultation efforts with Inuit communities.

In particular, we understand that BIMC is a member of the Mining Association of Canada (MAC) and uses the Towards Sustainable Mining (TSM) Framework for evaluation of and public reporting about its environmental and social performance. This framework includes the TSM Indigenous and Community Relationships Protocol to support "building and maintaining respectful, strong and trusting partnerships with communities impacted by, or with an interest in, mineral exploration and mining activities."[1]

1. Can BIMC confirm that the TSM Indigenous and Community Relationships Protocol will continue to be used as a relevant framework for ongoing evaluation and public reporting of its community engagement activities with Inuit communities?

[1] https://mining.ca/towards-sustainable-mining/protocols-frameworks/indigenous-and-community-relationships/

2. Are there other internal or external evaluation frameworks that BIMC currently uses or intends to use to support continuous improvement of its community engagement efforts?

3. On the MAC website page dedicated to BIMC's performance, there is information related to BIMC's 2019 TSM Results. However, the link to the report (externally verified) is not working at the time of writing. Would you be able to provide us with a copy of this report?

4. On the same MAC website page, there is a summary graphic that shows that BIMC's performance related to the TSM Indigenous and Community Relationships Protocol has received the top "AAA" rating for all 4 indicators. Apart from information available in the above-noted report about the 2019 TSM Results, what are BIMC's key lessons-learned for building and maintaining respectful, strong and trusting partnerships with affected communities?

5. Can BIMC provide further information about description of the "risk communication strategy" that was mentioned during the technical session of the public hearings? In addition to details about this strategy, we would appreciate information about the timeline and the process for engaging with stakeholders for the development of the strategy.

<u>Questions to Crown-Indigenous Relations and Northern Affairs Canada on their presentation (Doc ID: 332636 and 332700)</u>

Our questions to Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) relate to the process that the Government of Canada will use at the conclusion of the NIRB public hearing process to seek input from parties and registered intervenors about how the process has met the appropriate standards for the "duty to consult."

In their oral presentation, CIRNAC stated that it would "correspond with the designated Inuit organization, in this instance the Qikiqtani Inuit Association (QIA), after the issuance by the Nunavut Impact Review Board of its final report and recommendation."[2] However, in a letter dated January 8, 2021 on "Approach to Crown Consultation – Baffinland Iron Mines Corporation's Mary River Phase 2 Development Proposal," the Northern Projects Management Office communicated to the intervenors via the NIRB that after the end of the Board's review process, "the Government of Canada sends a follow-up letter to Inuit and other Indigenous groups, in order to seek any further views on the Board's final report and recommendations as well as any outstanding concerns that may still exist."[3]

We therefore are seeking clarification regarding the Inuit groups that will be contacted to provide additional views on the Board's final report and recommendations:

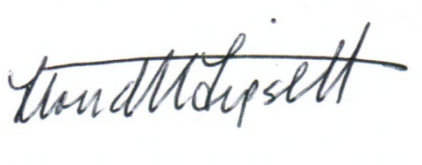
[2] Phase 2 Development Project Proposal, Mary River Iron Ore Mine NIRB File Number 08MN053, Hearing Transcript Volume 10, 4 February 2021, pp. 1781 – 1782.
[3] Letter sent by Northern Projects Management Office on "Approach to Crown Consultation – Baffinland Iron Mines Corporation's Mary River Phase 2 Development Proposal", January 8, 2021, p. 2.

1. Will all the registered intervenors in the Mary River Phase 2 public hearings be included in this follow-up process?

2. If all the registered intervenors are not included in this process, what is the appropriate manner for NITV to provide its views to the Government of Canada about broader issues related to the “duty to consult” at the end of the Mary River public hearing process?

Thank you in advance to BIMC and CIRNAC for providing their responses to these questions.

Yours truly,



Lloyd Lipsett
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