

Hello Lisa,

Thank you for forwarding the recent correspondence from the Greenland Ministry of Science and Environment respecting the draft ESPOO Report prepared by Baffinland on behalf of the Government of Canada, regarding the Mary River Project as well as our follow up responses, and providing the opportunity for us to respond. I understand the Government of Canada would like to file the correspondence with the NIRB, please see our response to the additional requested information below.

First, Baffinland wishes to clarify that this information request is outside the NIRB process and not for NIRB's consideration. Greenland/Denmark confirmed in an email to NIRB on August 21, 2020 that it will not be actively participating in the various NIRB process steps and will be observers only in the NIRB's process. As communicated on that date, after considering the received amount of material and copies of official correspondence from the NIRB's review of the proposal, The Department of Research and Environment requested that it be unsubscribed from NIRB's distribution list.

Second, it is noted that the information requests reflected in that correspondence describes Greenland's view as to what is required in relation to their own public consultation process in Greenland. Baffinland does not agree the additional information requested in the March 22, 2021 correspondence is necessary for this purpose. With respect to the specific items described in the correspondence, Baffinland believes all of the information relevant to the Mary River Project Phase 2 expansion currently under review is included in the materials already provided or addressed at an appropriate level below:

- **Clarification of shipping season:** Baffinland's shipping season will depend on ice conditions but based on recent commitments made as part of the NIRB Phase 2 process, no shipping through the Regional Study Area will occur outside of the dates July 15 – October 31.
- **Potential impact of Phase 2 on marine mammals:** Baffinland believes sufficient information has been provided for Greenland's public consultation purposes on this topic. All of the mitigation measures described by Baffinland apply within the Regional Study Area (i.e. within the boundaries of the Nunavut Settlement Area).
- **Shipping corridor** - Baffinland confirms shipping routes through Baffin Bay are at the discretion of the vessel captains and will follow established shipping corridors and International maritime regulations. For clarity, Baffinland does not expect vessels coming to Milne Port to transit through Greenland's Territorial Seas (>12nm from shore). An assessment of shipping through Baffin Bay on the marine environment, including marine mammals, was not required by the Environmental Impact Statement Guidelines for the Mary River Project and is outside of the scope of required assessment of the proponent. Given that established shipping routes and international regulations govern shipping activities within Baffin Bay, the additional information requested respecting sensitive habitats, migration corridors etc. is not a requirement for Baffinland to provide.
- **Store Hellefiskebanke Anchorage:** Baffinland believes sufficient information has been provided for Greenland's public consultation purposes on this topic.
- **Type of Fuel on Ore Carriers:** Baffinland confirms that recent commitments will ensure that Heavy Fuel Oil will not be used by Project vessels within the Nunavut Settlement Area.
- **Accident response:** Standard ship based responses would be implemented in the event of an accident.
- **Approach to residual effects:** Baffinland applied a standard environmental assessment approach which took into account mitigation measures before making a determination on residual effects. Baffinland hopes this additional clarification is sufficient and confirms it does not intend to file

any updates to attachment 2 Residual Effect Ratings and Significance Determinations for Marine Mammal VECs – Phase 2.

- **“Knowledge gaps”/ Uncertainty:** Baffinland has considered this comment and does not agree that any changes to the ESPOO Report are necessary.
- **Section 5.4.2 of the ESPOO Report:** Baffinland has not identified any additional or specific mitigation measures that are required to target shipping and anchoring in Greenlandic waters.

Third, Canada should review the most recent information requests from Greenland very closely in relation to obligations under the ESPOO Convention. As a general comment, a number of the most recent information requests relate to international shipping activities, not transboundary effects of the Phase 2 proposal. International shipping is an activity associated with the Phase 2 Proposal but not one the ESPOO Convention is designed to address. Further information on these aspects should not be required in any event. Our legal counsel would be pleased to speak further with your legal advisers should additional details on this point be of assistance.

Best regards,  
Megan

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