



**NIRB File No.: 08MN053**  
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September 2, 2021

Lorraine Land  
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Sent via email: [lland@oktlaw.com](mailto:lland@oktlaw.com)

**Re: Response of the Nunavut Impact Review Board to Your Correspondence Identifying a Scheduling Concern in Respect of the November 1-6, 2021 Resumption of the Extended Public Hearing for the Assessment of the Mary River Phase 2 Development Proposal**

Dear Lorraine Land:

This correspondence is provided on behalf of the Nunavut Impact Review Board (NIRB or Board) as a response to your correspondence of August 27, 2021 provided on behalf of your client the Qikiqtani Inuit Association identifying your client's concern with the Board's timeline of November 1-6, 2021 for resuming the Extended Public Hearing in respect of the Board's assessment of Baffinland Iron Mines Corp.'s Mary River "Phase 2 Development Proposal" that was suspended in progress on April 14 when an outbreak of COVID-19 was identified in Iqaluit. As stated in your correspondence:

*This timing conflicts with public hearings on another significant regulatory project in Nunavut. On July 23, 2021, the Nunavut Planning Commission issued notice that hearings on the new Draft Nunavut Land Use Plan (DNLUP) will occur on November 1-5, 2021 in Rankin Inlet.<sup>1</sup>*

*...Can NIRB please advise how NIRB is addressing this scheduling concern.*

<sup>1</sup> Note: On August 30, 2021, the Nunavut Planning Commission issued an updated Notice of extension of the Kivalliq Regional Public Hearing on the 2021 Draft Nunavut Land Use Plan, with a revised Public Hearing Schedule of November 1, 2021 in Thompson, Manitoba and November 3-7, 2021 in Rankin Inlet, Nunavut.

As stated in the Board's July 30, 2021 procedural guidance establishing the November dates for continuation of the suspended proceedings, numerous factors (as listed in the correspondence), but also including other on-going regulatory matters, the October 25, 2021 General Election in Nunavut, etc. were considered by the NIRB to identify possible dates for the resumption of the interrupted proceedings. When all factors were considered, the only available six-day window for all of 2021 to resume the Extended Public Hearing in Iqaluit with linkage to Pond Inlet was November 1-6, 2021. Accordingly, the Board has no flexibility to revise the scheduled resumption of the Extended Public Hearing to avoid overlap with the Nunavut Planning Commission's regional Public Hearings in the Kivalliq Region on November 1 and November 3-7, 2021.

However, as the Board understands that there may be participants attending the Nunavut Planning Commission's proposed public hearings in the Kivalliq Region, who may also intend to participate in the NIRB's resumed Extended Public Hearing, the NIRB commits to working with such parties to allow for their remote participation and changes to their availability as may be necessary to respond to questions during the resumption of the Extended Public Hearing. The Board requests parties needing this type of accommodation to advise the Board when they confirm their attendees for the continuation of the NIRB's Extended Public Hearing on September 15, 2021.

Should you have questions regarding the resumption of the Extended Public Hearing for the NIRB's assessment of the Phase 2 Development Proposal, please contact Cory Barker at (867) 983-4607 or [cbarker@nirb.ca](mailto:cbarker@nirb.ca) or Guillaume Daoust at (867) 983-4609 or [gdaoust@nirb.ca](mailto:gdaoust@nirb.ca).

Sincerely,



Karen D. Costello  
Executive Director  
Nunavut Impact Review Board

cc: Andrew Nakashuk, Chair, Nunavut Planning Commission  
Mary River Distribution List