



December 21, 2022

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

kcostello@nirb.ca

Dear Karen Costello:

**Re: Notice of Proposed February 27 & 28, 2023 Audit Workshop for Baffinland
Project Certificate No. 005 Amendment No. 004 NIRB File: 08MN053**

Thank you for the opportunity to provide comments on availability for an Audit Workshop on February 27 and 28, 2023, to inform the requirements of amended Project Certificate Term and Condition 179(c) which requires the implementation of bi-annual performance audits for the Mary River Project.

The Government of Canada appreciates the Nunavut Impact Review Board's (the Board) efforts to move forward on this recommendation that Minister Vandal included in his correspondence to you of May 22, 2020 for the Extension to the Production Increase Proposal (the May 2020 Minister's Letter).

As you are aware, the Government of Canada, Qikiqtani Inuit Association and Baffinland Iron Mines Corporation (Baffinland) have been working together to ensure the requirements of new Term and Condition 189 to appoint a Project Monitor for the Mary River Project are met as soon as possible. Clarification of the role of the Project Monitor (both as Interim Project Monitor, and in a permanent role) is foundational to and linked to scoping the appropriate requirements and expectations for bi-annual performance audits. While Canada, Baffinland, and Qikiqtani Inuit Association have just begun discussions on the possible terms of reference for and role of the Project Monitor, the involvement of the Board and the impacted communities is key to ensuring the effective implementation of Term and Condition 189, along with Minister Vandal's direction to initiate discussions related to the establishment of the independent Project Monitor. The new Project Monitor role is intended to address items that are significant and important to Inuit as identified by the Designated Inuit Organizations.



The Government of Canada has engaged directly with Qikiqtani Inuit Association and Baffinland on the Board's request to schedule an Audit Workshop. Both Qikiqtani Inuit Association and Baffinland have reviewed this letter and support the following approach, which they will each confirm directly to you in writing.

The Government of Canada, Qikiqtani Inuit Association, and Baffinland are treating the need to develop the terms of reference for a Project Monitor as a top priority, and we respectfully would like to suggest that the proposed February 27-28, 2023 workshop dates can instead be used as an opportunity to discuss and advance the Project Monitor role.

Accordingly, the Government of Canada, Baffinland and Qikiqtani Inuit Association would like to respectfully request that:

- (1) the scheduling of the Audit Workshop referenced in the May 2020 Minister's Letter be deferred until further recommendations on that topic are provided by Canada and the Qikiqtani Inuit Association to the Board at a later date; and
- (2) the February 27 and 28, 2023 dates originally proposed by the Board for the Audit Workshop be preserved for parties (including the Board and the impacted communities) to meet in Iqaluit to review and discuss draft Terms of Reference for the establishment of the Project Monitor.

In order to allow the North Baffin communities to participate in this engagement, CIRNAC will make available limited funding. Further details on how these funds will be distributed will be communicated to interested parties early in 2023.

Thank you to the Board and the Board's staff for your diligence in attending to these important matters.

Sincerely,

Joanna Ankersmit
Director General, Natural Resources and Environment

c.c: Stephen Williamson Bathory
Megan Lord-Hoyle