



NIRB File No.: 08MN053
NWB File No.: 2AM-MRY1325
QIA File No.: LUA-2008-008
DFO File No.: 2008 MR

May 17, 2023

To: Mary River Distribution List

Sent via email

Re: Notice of Postponement of In-Person Audit Workshop for Baffinland's Project Certificate No. 005 Amendment No. 004 Scheduled for May 29 and 30, 2023 in Iqaluit

Dear Parties:

On May 4, 2023, the Nunavut Impact Review Board (NIRB) provided notice that the NIRB would be proceeding with the re-scheduled in-person Audit Workshop associated with Baffinland Iron Mines Corp.'s (Baffinland) Mary River Project on May 29 and 30, 2023 in Iqaluit.

On May 16, 2023, the NIRB received joint correspondence from the Qikiqtani Inuit Association (QIA) and Baffinland stating:

The Qikiqtani Inuit Association ("QIA") and Baffinland Iron Ore Mines Limited ("Baffinland") are writing to request that NIRB postpone this audit workshop until additional work has advanced on the Terms of Reference for the Project Monitor position. The Project Monitor role was added in the subsequent Project Certificate Amendment as Term and Condition 189 of Project Certificate 005 Amendment No. 004, added in 2022, and the objective of both Terms and Conditions overlap significantly

... Given the significant overlap of the anticipated project compliance audit anticipated under TC 179(c) and the anticipated role of the Interim Project Monitor under TC 189, QIA and Baffinland suggest that it would be appropriate to postpone the audit workshop at least until such time as the Terms of Reference for the Project Monitor are confirmed. This will allow the opportunity to assess the scope of what is required for a biannual third-party performance audit required by TC 179(c) that is not covered by the Project Monitor role.

Recognizing the essential role of the QIA and Baffinland and their vital contributions to making the Audit Workshop effective, the NIRB has decided to **postpone** the Audit Workshop scheduled for May 29 and 30. However, by way of separate correspondence, the Board will be following up shortly with a request for clarification from Crown-Indigenous Relations and Northern Development Canada, the QIA, and Baffinland to clarify their views as to the activities that should be completed before parties are prepared to contribute fully to the Audit Workshop as directed by the Responsible Ministers. Following a review of the parties' positions, the Board expects to issue updated guidance as to the conduct of the Audit Workshop necessary to fulfill the Ministers' May 2020 direction.

Should you have any questions regarding the postponement of the Audit Workshop please contact Karen Costello, Executive Director at kcostello@nirb.ca.

Sincerely,



Karen D. Costello
Executive Director
Nunavut Impact Review Board

cc: Megan Lorde-Hoyle, Baffinland Iron Mines
Lou Kamermans, Baffinland Iron Mines
Carson Gillis, Nunavut Tunngavik Incorporated
Jorgan Aitaok, Nunavut Tunngavik Incorporated
Jared Ottenhof, Qikiqtani Inuit Association
Dianne Lapierre, Government of Nunavut
Laura Harris, Government of Nunavut
Adrian Paradis, Canadian Northern Economic Development Agency
Jody Small, Environment and Climate Change Canada
Audrey Steedman, Parks Canada
Alasdair Beattie, Fisheries and Oceans Canada
Peter Unger, Natural Resources Canada
Jackie Barker, Transport Canada
Julie Anderson, Health Canada
Chris Debicki, Oceans North
World Wildlife Fund