

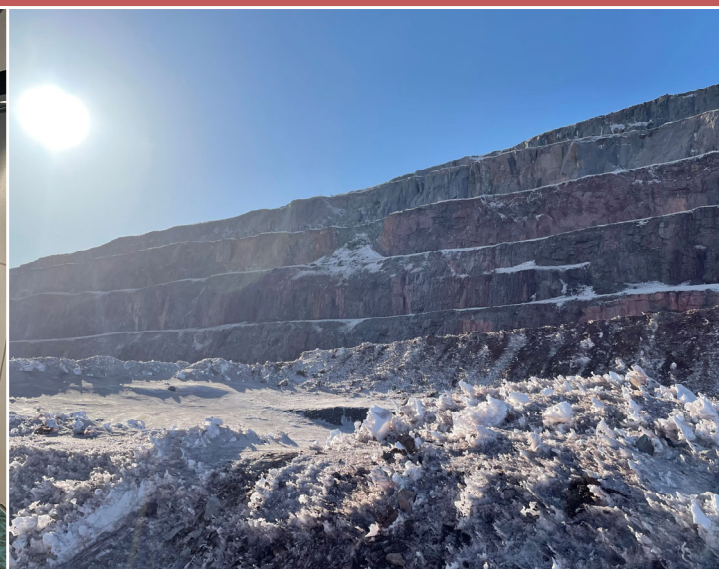


Nunavut Impact Review Board

# Cumulative Effects Assessment Framework Workshop Report

In relation to  
Baffinland Iron Mines Corporation's Mary River Project

NIRB File No. 08MN053



April 2024





## RATIONALE FOR THE REPORT

This Report has been prepared to summarize the discussions and outcomes of the Cumulative Effects Assessment Framework Workshop associated with Baffinland Iron Mines Corporation's (Baffinland or Proponent) Mary River Project (Project) conducted by the Nunavut Impact Review Board (NIRB or Board) in Iqaluit on February 19-20, 2024 (the Workshop).

The Board conducted the Workshop as directed by the Responsible Ministers in their decision letter in relation to Baffinland's Mary River Sustaining Operations Proposal, dated October 17, 2023. The relevant direction from the Responsible Ministers was as follows:

*...the responsible Ministers and I request the Board host a multi-party workshop in order to establish the components and set the parameters of a comprehensive cumulative effects assessment of the Mary River Project. The workshop should include representatives from Baffinland, the Designated Inuit Organizations, Hunters and Trappers Organizations from impacted communities, the Government of Nunavut and the Government of Canada<sup>1</sup>.*

### **Nunavut Impact Review Board**

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<sup>1 1</sup> Correspondence from the Hon. Dan Vandal, Minister of Northern Affairs on behalf of the Minister of Energy and Natural Resources, the Minister of Environment and Climate Change, the Minister of Fisheries, Oceans and the Canadian Coast Guard, and the Minister of Transport (the Responsible Ministers).to K. Kaluraq, Chairperson, NIRB Re: Ministers Response Re NIRB Reconsideration Report in relation to the Mary River Sustaining Operations Proposal, October 17, 2023 at pp. 2-3 (NIRB Doc ID: 347422 (English) and 347500 (Inuktitut)).



## TRANSMITTAL LETTER



**NIRB File No.: 08MN053**

April 8, 2024

The Honourable Dan Vandal, P.C., M.P.  
Minister of Northern Affairs  
Government of Canada  
House of Commons  
Ottawa, ON K1A 0A6

*Sent via email and courier:* [dan.vandal@parl.gc.ca](mailto:dan.vandal@parl.gc.ca)

**Re: Follow up Report of the Nunavut Impact Review Board regarding the Cumulative Effects Assessment Framework Workshop in relation to Baffinland Iron Mines Corporation's Mary River Project conducted in Iqaluit on February 19-20, 2024**

Dear Honourable Dan Vandal:

Please find attached the Report prepared by the Nunavut Impact Review Board (NIRB or Board) to summarize the discussions and outcomes of the Cumulative Effects Assessment Framework Workshop associated with Baffinland Iron Mines Corporation's (Baffinland or Proponent) Mary River Project (Project) conducted by the Nunavut Impact Review Board in Iqaluit on February 19-20, 2024 (the Workshop).

The associated documentation for this activity can be accessed directly via the NIRB's online Public Registry associated with Baffinland's Sustaining Operations Proposal at <https://www.nirb.ca/project/125767>.

This Report provides a brief overview of the written submissions provided in advance of the workshop, summarizes the discussions during the Workshop and proposes a path forward for the development of a cumulative effects assessment framework for the Mary River Project.

Specifically, after due consideration of the feedback provided in advance of, during and after the Workshop, the Board has provided recommendations to improve cumulative effects assessment of the Project and subsequent reconsiderations in the short-term, medium-term, and long-term, as follows:



**1. Improvements to the assessment of cumulative effects in the SOP2 amendment application:**

The Board will determine whether commitments made by the Proponent to update the approach to cumulative effects assessment are sufficient to support the assessment of the SOP2 amendment application, and if not, the NIRB will issue additional guidance.

**2. Identification of improvements to the monitoring and assessment of cumulative effects for the approved Project:** Following the completion of the assessment process for the SOP2 amendment application (or in parallel, depending on process and timelines) the Board proposes commencing an evaluation of the existing Mary River Project monitoring program (with the continued participation of the Workshop participants) to identify improvements and to consider whether updates to the existing Project Certificate terms and conditions or further direction on the effective implementation of the existing Project Certificate terms and conditions are needed to address concerns about potential cumulative effects associated with existing operations or for those project components that are approved under the current Project Certificate but that have yet to be constructed (e.g., the southern railroad and the port at Steensby Inlet).

**3. Development and incorporation of the CEA Framework to guide future assessments:** The Board, in collaboration with a new CEA-focused multi-party committee as referenced above (or if not a formal committee, informed by consultations with relevant stakeholders) develop an updated CEA Framework to support the consideration of future assessments. (It is the Board's expectation that this work for the Mary River Project will likely parallel and support the current work of the Board in the development of Standard Impact Assessment Guidelines and may become incorporated into the finalized Standard Impact Statement Guidelines when complete).

Translated versions of this Report are being prepared in Inuktitut and will be available as soon as possible.

Should you have questions or require clarification regarding this matter, please contact the NIRB's Executive Director, Robbin Sinclair at (867) 983-4608 or [rsinclair@nirb.ca](mailto:rsinclair@nirb.ca).

Sincerely,



Marjorie (Kaviq) Kaluraq  
Chairperson  
Nunavut Impact Review Board

cc: The Honourable Steven Guilbeault, P.C., Minister of Environment and Climate Change  
The Honourable Diane Lebovillier, P.C., Minister of Fisheries and Oceans and the Canadian Coast Guard  
The Honourable Jonathan Wilkinson, Minister of Energy and Natural Resources  
The Honourable Pablo Rodriguez, P.C., Minister of Transport



The Honourable Lori Idlout, MP for Nunavut  
The Honourable P.J. Akeeagok, Premier of Nunavut  
Andrew Nakashuk, Chairperson, Nunavut Planning Commission  
Lootie Toomasie, Chairperson, Nunavut Water Board  
Aluki Kotierk, President, Nunavut Tunngavik Incorporated  
Olayuk Akesuk, President, Qikiqtani Inuit Association  
Megan Lord-Hoyle, Baffinland Iron Mines Corporation  
Lou Kamermans, Baffinland Iron Mines Corporation  
Mary River Distribution List







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# 1 INTRODUCTION

## 1.1 Background

As communicated by the Responsible Ministers<sup>2</sup> in their October 17, 2023 correspondence, the context giving rise to the Responsible Ministers' request for the Nunavut Impact Review Board (NIRB or Board) to conduct a Cumulative Effects Assessment Framework Workshop (Workshop) associated with Baffinland Iron Mines Corporation's (Baffinland) Mary River Iron Ore Mine Project, was outlined as follows:

*As the other responsible Ministers and I expressed in our April 20, 2023 correspondence to the Board at the start of the reconsideration process, the Government of Canada supports parties' requests for an updated cumulative effects assessment of the Mary River Project. We also noted our expectation that such an assessment would be addressed as part of any future Baffinland application or as a stand-alone Baffinland assessment. Additionally, the Board, in its Report, has emphasized the "particular challenges in the assessment of cumulative effects from the proposed modifications in combination with the approved Mary River Project, key components of which have yet to be constructed." The responsible Ministers acknowledge the Board's expectation for a "robust cumulative effects assessment in any future application for significant modifications to the Project."*

*We acknowledge concerns expressed through recent Board processes and others in Nunavut that the incremental approach to the development of the Mary River Project has made it difficult to fully consider cumulative effects. This is further compounded by the time that has passed since the initial project assessment and approval in 2012. New information resulting from project monitoring and other studies occurring in the region has increased Inuit and others' concerns about the cumulative impacts of the Mary River Project as a whole. In consideration of these concerns, we believe there is an important opportunity to increase collective understanding of cumulative Mary River Project impacts, along*

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<sup>2</sup> The Responsible Ministers for the Proposal included the Minister of Northern Affairs, the Minister of Energy and Natural Resources, the Minister of Environment and Climate Change, the Minister of Fisheries, Oceans and the Canadian Coast Guard, and the Minister of Transport.



*with other factors that may have changed over time, such as the impacts of climate change.*<sup>3</sup>

Reflecting this important context, the objectives of the Workshop included:

providing an overview of the approaches of the Board, Baffinland and parties to assessing and monitoring for potential cumulative effects associated with the Mary River Project to date;

facilitating discussions between parties to establish the scope of a cumulative effects assessment framework for the Mary River Project;

identifying responsibilities, approaches and expectations of participants to cumulative effects assessment and monitoring generally, and specifically in relation to the Mary River Project; and

Identifying information that must be provided and/or gaps which must be addressed by Baffinland for future assessments related to the Mary River Project and reconsiderations of its approved Project Certificate.

This Report provides a brief overview of the written submissions provided in advance of the workshop, summarizes the discussions during the Workshop and proposes a path forward for the development of a cumulative effects assessment framework for the Mary River Project.

To support the public's review and understanding of the Report, the Board has provided a list of commonly used acronyms in [APPENDIX A](#).

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<sup>3</sup> October 17, 2023 correspondence from the Responsible Ministers at pp. 2 (NIRB Doc ID: 347422 (English) and 347500 (Inuktitut))



## **2 THE MARY RIVER PROJECT AS CURRENTLY OPERATED/APPROVED**

As currently approved, the Mary River Project involves exploration, construction, operation, closure, and reclamation of an open pit iron ore mine at Deposit No. 1 and associated transportation and shipping of the ore via Steensby Inlet (the “southern route”, approved in 2012) and Milne Inlet (the “northern route”, approved in 2014 and subsequently modified in 2018, 2020, 2022 and 2023). The infrastructure associated with transportation and shipping via the southern route is not yet constructed, but when operational, Baffinland is authorized to ship up to 18 million tonnes of ore per year (Mtpa) via the southern route. Transportation and shipping of ore via the northern route to markets in Europe started in 2015. Until December 31, 2024, Baffinland is authorized to transport and ship via the northern route up to 6 Mtpa (and in 2023, the Board authorized shipping up to a further .9 Mtpa of ore from the previous year if it is “stranded” at Milne Port). There are three (3) main project locations – the Mine site, Milne Port located north of the Mine site, and Steensby Port located south of the Mine site. Milne Port is connected to the Mine site by the Tote Road, approximately 100 kilometers (km) in length. The Project as originally proposed was to include the construction of a railway approximately 150 km in length to connect the Mine Site to Steensby Port; as noted above, the infrastructure to transport and ship ore along the southern route is yet to be constructed.

The Project, as currently operated, involves the extraction and crushing of ore at the Mine Site and transportation by truck along the Tote Road before being shipped from Milne Port between July 15 and October 31 of each year using contracted vessels. The approved Project also includes additional facilities at Milne Port, including the construction of a fixed ore dock, ore stockpile and reclaim area, ship loading facilities and an accommodations camp. During the Workshop, Baffinland advised that a new Proposal seeking an extension of the term of the current mining, transportation and shipping activities via the northern route beyond December 31, 2024, is expected to be submitted in the near future for the Board’s consideration.



### 3 THE NIRB'S ASSESSMENTS OF THE MARY RIVER PROJECT AND MODIFICATIONS TO DATE

#### 3.1.1 The Original Mary River Project (2012)

The Mary River Project (the Project) as originally approved in 2012 consisted of mining iron ore from the reserve at Deposit No. 1 at a nominal production rate of 18 million tons per year (Mtpa). The Project included the extended exploration, construction, operation, closure, and reclamation of an open-pit mine and associated infrastructure for extraction, transportation and shipment of iron ore. As set out in [Figure 1](#) below, the Project had three (3) main project locations – the Mine Site, the Port at Milne Inlet north of the mine site (Milne Port), and a Port at Steensby Inlet south of the mine site (Steensby Port). Milne Port was proposed to be connected to the Mine Site by the existing Tote Road (as improved for the Project), approximately 100 kilometers (km) in length. Steensby Port was proposed to be connected to the Mine Site by a 150 km Railway (South Railway), and the iron ore was planned to be shipped year-round on purpose-built ore carriers out of Steensby Port (the Southern Shipping Route). During the construction period, supplies and equipment required for construction at the Mine Site and the northern portion of the proposed South Railway would be received through Milne Port. While construction equipment and supplies for Steensby Port and the southern portion of the South Railway would be received at Steensby Port. It was expected that Steensby Port facilities and the South Railway would take up to four (4) years to construct.

The Board concluded its assessment of the original Mary River Project in September 2012 and recommended that the Project be allowed to proceed subject to over 180 terms and conditions.<sup>4</sup> The original Mary River Project was approved by the Minister and Project Certificate No. 005 governing the Project was issued on December 28, 2012. To-date, significant elements of the original Mary River Project have not been constructed, although this infrastructure remains authorized under Project Certificate No. 005, including: the port at Steensby Inlet, the South Railway from the mine site to Steensby Inlet, and the fleet of purpose-built ice-breaking ore carriers.

For further information on the original Mary River Project, please refer to the Project Dashboard on the NIRB's Public Registry at [www.nirb.ca/project/123910](http://www.nirb.ca/project/123910).

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<sup>4</sup> (Doc ID No. 286425) NIRB File No. 00MN053, Final Hearing Report for the Mary River Project, Baffinland Iron Mines Corporation, September 14, 2012.





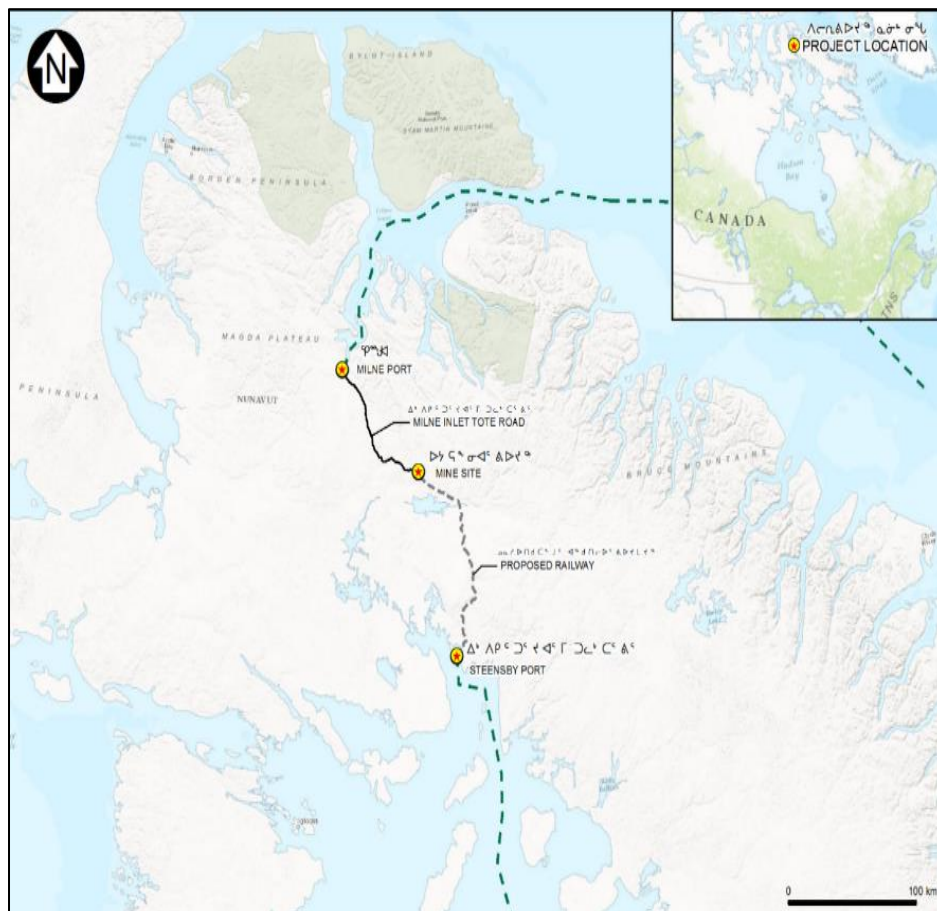
**Figure 1: The Mary River Project Location Map**

### **3.1.2 The Early Revenue Phase Proposal (Amendment No. 1)**

In January 2013, Baffinland applied for an amendment to the original Mary River Project, seeking to modify the project by using the previously approved mining infrastructure to mine and transport 3.5 Mtpa of ore (up to 4.2 Mtpa if Operational Flexibility is required) along the Tote Road north to Milne Port ([Figure 2](#)) for shipment during the open water season only. The purpose of this proposal was to use the Northern transportation and shipping corridor to generate sufficient revenue to fund the construction of the southern railway, Steensby Port, and the purpose-built ore carriers, allowing the original Project to be realized at a later date. Consequently, the Early Revenue Phase Proposal (ERP) changed the shipping route from Foxe Basin in the South to Eclipse Sound in the North of Baffin Island. Following the NIRB's assessment of the ERP Proposal, the amendment was approved to proceed, and the Mary River Project Certificate No. 005 was subsequently amended and re-issued on May 28, 2014.



For further information on the Early Revenue Phase Proposal, please refer to the Project Dashboard on the NIRB's Public Registry at [www.nirb.ca/project/124700](http://www.nirb.ca/project/124700).



**Figure 2: Early Revenue Phase of the Mary River Project**

### **3.1.3 The Production Increase Proposal (Amendment No. 2)**

In April 2018, Baffinland submitted the “Production Increase, Fuel Storage and Milne Port Accommodations Modification Proposal” (Production Increase Proposal) to the NIRB. This proposed an increase in the volume of ore that would be trucked from the Mine Site north to Milne Port via the Tote Road from 4.2 Mtpa to 6 Mtpa. The scope of the Production Increase Proposal also included the addition of a 15 million-liter (ML) diesel fuel tank within the existing Fuel Storage Facility at Milne Port and installation of a new 380-person accommodation at Milne Port.

On August 31, 2018, the NIRB issued its Reconsideration Report and Recommendations to the then Minister of Intergovernmental, Northern Affairs and Internal Trade (as the Minister was referenced at that time; the Minister is now referenced as the Minister of Northern Affairs) recommending that only the camp upgrades and fuel storage expansion aspects of the



Production Increase Proposal be allowed to proceed. The Board recommended that due to the potential for the trucking and shipping aspects of the Production Increase Proposal to result in adverse ecosystemic effects beyond what was previously considered by the NIRB during the Board's Review of the original Mary River Project (2012) and the subsequent Early Revenue Phase Proposal (2014), the increased transportation and shipping of ore not be allowed to proceed. On September 30, 2018, the Minister accepted the Board's positive recommendations; however, the Minister varied the Board's recommendation that the increased trucking and shipping not be allowed to proceed and authorized the increased transportation and shipping of up to 6 Mtpa through Milne Inlet until the end of 2019. Subsequently, the amended Project Certificate No 005 was issued on October 30, 2018.

For further information on the Production Increase Proposal, please refer to the Project Dashboard on the NIRB's Public Registry at [www.nirb.ca/project/124702](http://www.nirb.ca/project/124702).

### **3.1.4 The Extension Request to the Production Increase Proposal (Amendment No. 3)**

On December 6, 2019, Baffinland submitted the "Extension Request to the Production Increase Proposal" (the Extension Request) to request the Board to further modify Conditions 179(a) and 179(b) of the Mary River Project Certificate<sup>5</sup> to extend the 6 Mtpa trucking and shipping limit until the Board had completed its assessment of Baffinland's additional proposed changes to the approved Project under the "Phase 2 Development Proposal". Baffinland indicated that the Extension Request was necessary because the next steps (Public Hearings) associated with the Board's assessment of the Phase 2 Development Proposal were not completed in November 2019 and the Board was considering the suspension of the assessment and the completion of additional process steps before reconvening the Public Hearing. On March 4, 2020, after the NIRB's assessment of the potential ecosystemic and socio-economic effects of the Extension Request, the Board provided their recommendation to the Responsible Ministers recommending the approval of Baffinland's Extension Request Proposal, which authorized the extension of the 6 Mtpa transportation and shipping limit via the northern route until the Board's assessment of the Phase 2 Development Proposal was completed or December 31, 2021.

On May 19, 2020, then Minister of Northern Affairs wrote to the Board on behalf of the Responsible Ministers to accept the Board's recommendation regarding Term and Conditions 179 (a) and (b) of the Extension Request. The Minister also varied Term and Conditions 179 (c) and

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<sup>5</sup> Baffinland's letter to the NIRB regarding their Extension Request to the Production Increase Proposal (Doc. ID No. 327657).



183 in Project Certificate No. 005, Amendment No. 3 (issued on June 18, 2020), to ensure those conditions were meeting their original intent.

For further information on the Extension Request to the Production Increase Proposal, please refer to the Project Dashboard on the NIRB's Public Registry at [www.nirb.ca/project/124703](http://www.nirb.ca/project/124703).

### **3.1.5 The Production Increase Proposal Renewal (Amendment No. 4)**

While waiting for the Ministers Decision on the Phase 2 Development Proposal, in an effort to maintain production levels and reduce the risk of adverse socio-economic impacts from employee lay-offs, Baffinland submitted an application on June 13, 2022, requesting the Board to further modify Conditions 179(a) and 179(b) of the Mary River Project Certificate<sup>6</sup> as part of their "Production Increase Proposal Renewal" (PIP Renewal). Specifically, Baffinland requested that that Board considered the continued trucking and shipping of up to 6 Mtpa of iron ore from the Mine Site to Milne Port using the existing northern route until December 31, 2022.

On September 22, 2022 after the NIRB's impact assessment of the potential ecosystemic and socio-economic effects of the PIP Renewal, the Board provided their recommendation to the Responsible Ministers recommending approval of Baffinland's PIP Renewal. On October 4, 2022, the Minister of Northern Affairs wrote to the Board on behalf of the Responsible Ministers to accept the Board's recommendation regarding Term and Conditions 179 (a) and (b) of the PIP Renewal along with the addition of five (5) new Terms and Conditions and the modification of two (2) others to enshrine Baffinland's commitments made during the Board's assessment of the PIP Renewal as enforceable Terms and Conditions (Appendix B of Project Certificate No. 005, Amendment No. 004). On November 3, 2022, the Board issued Project Certificate No. 005, Amendment No. 4 including the modifications to Terms and Conditions 49, 77, 179 (s) and (b), 183 and the additional new Terms and Conditions 185-189.

For further information on the PIP Renewal Proposal, please refer to the Project Dashboard on the NIRB's Public Registry at [www.nirb.ca/project/124710](http://www.nirb.ca/project/124710).

### **3.1.6 The Sustaining Operations Proposal (Amendment No. 5)**

On March 16, 2023, Baffinland submitted the Sustaining Operations Proposal to the Board requesting to modify Terms and Conditions 179 (a) and (b) to allow Baffinland to extend trucking and shipping up to 6.0 Mtpa using the northern transportation route. Baffinland further requested Operational Flexibility allowing them to ship up to an additional 0.9 Mtpa<sup>7</sup> of stranded

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<sup>6</sup> Baffinland letter to the NIRB regarding their Extension Request to the Production Increase Proposal (Doc. ID No. 327657).

<sup>7</sup> During the Community Roundtable conduction in Pond Inlet on August 1-2, 2023, Baffinland committed to limiting the excess shipment of ore to 0.9 Mtpa, resulting in shipping no more than a total of 6.9 Mtpa in 2023 and 2024.



ore that remained on the stockpile at Milne Port owing to adverse weather and other shipping conditions in previous years. The Board conducted the assessment of the Sustaining Operations Proposal as a reconsideration with a technical review in writing followed by an in-person Community Roundtable in Iqaluit and Pond Inlet. Following the receipt of oral and written comments, the Board provided its Reconsideration Report and Recommendations to the Responsible Ministers on September 13, 2023 indicating that the Sustaining Operations Proposal should be approved to proceed until December 31, 2024 and recommending that terms and conditions 28, 35, 76, 82, 83 (a), 85, 99, 101, 150 and 179 (a) and (b) of Project Certificate No. 005 be amended to limit the potential for adverse effects from the proposed activities. The Responsible Ministers accepted the Board's recommendation on October 17, 2023. After the completion of a Project Certificate Workshop on November 3, 2023, the Board issued Project Certificate No. 005, Amendment No. 005 on November 17, 2023.

For further information on the Sustaining Operations Proposal, please refer to the Project Dashboard on the NIRB's Public Registry at [www.nirb.ca/project/125767](http://www.nirb.ca/project/125767).

### **3.1.7 The Phase 2 Development Proposal**

On May 13, 2022, the Board issued their Reconsideration Report and Recommendations to the Minister of Northern Affairs. The Board concluded that the Phase 2 Development Proposal has the potential to result in significant adverse ecosystemic effects on marine mammals, fish, caribou and other terrestrial wildlife along with vegetation and freshwater ecosystems which could lead to adverse socio-economic effects on Inuit. The Board further expressed that the proposal poses the potential for transboundary effects on marine mammals, fish, and the marine environment generally. As a result of these findings, the Board remained concerned that these adverse effects would not be able to be mitigated through adaptive management and monitoring programs and consequently recommended that the Proposal should not be allowed to proceed as this time. On November 16, 2022, the Responsible Minister provided Correspondence to the Board providing its decision and acceptance of the Board's Recommendation that the Phase 2 Development Proposal should not be allowed to proceed to the permitting stage.

For further information on the original Mary River Project, please refer to the Project Dashboard on the NIRB's Public Registry at [www.nirb.ca/project/124701](http://www.nirb.ca/project/124701)

### **3.1.8 Project Components Built to Date**

While the scope of the previously approved project is stated to encompass the entire mine life, due several factors addressed in each amendment to date, Baffinland has constructed only part of the transportation infrastructure proposed. The components of the Mary River Project constructed include:



- The Mine Site:
  - Accommodations Facilities;
  - Maintenance Shops
  - Deposit No. 1 working face;
  - Waste Rock Storage area;
  - Fuel Tank Farms;
  - Outdoor Crusher Facility;
  - Landfill and Landfarm;
  - Airport and runway;
  - Various laydowns facilities;
  - Road Networks;
- The Tote Road from the Mine Site to Milne Port;
  - Bridges and Culverts for Water Crossings;
- Milne Port:
  - Accommodations Facilities;
  - Maintenance Shops;
  - Various Road Networks;
  - Landfarm;
  - Various laydowns facilities;
  - Road Networks
  - Ore Stockpile and Conveyor system; and
  - Ship Loader and Ore Dock.



## 4 THE CUMULATIVE EFFECTS ASSESSMENT FRAMEWORK WORKSHOP

### 4.1 Procedural History of the Workshop

As noted at the outset of this Report, on October 17, 2023 the Nunavut Impact Review Board (NIRB or Board) received correspondence from the Minister of Northern Affairs on behalf of the Responsible Ministers, responding to the Board's Reconsideration Report and Recommendations for the "Sustaining Operations Proposal", a proposed modification to the Mary River Iron Ore Mine. In that correspondence, the Responsible Ministers directed the Board to:

*...host a multi-party workshop in order to establish the components and set the parameters of a comprehensive cumulative effects assessment of the Mary River Project... This cumulative effects assessment framework will set an agreed-upon scope and methodology for an assessment which, once completed will be used to update mitigation and monitoring plans with consideration of any Project Certificate related amendments that may be required.*

After seeking input from parties during the Project Certificate workshop for the Sustaining Operations Proposal on potential options for format and timing of a workshop, as well as opportunities to align of the Cumulative Effects Assessment Framework (CEA Framework) workshop with ongoing monitoring activities for the project, the NIRB scheduled the CEA Framework Workshop to be held in-person in Iqaluit, NU on February 19-20, 2024.

Further, on December 15, 2024 the Board invited Baffinland, Nunavut Tunngavik Inc., Qikiqtani Inuit Association, the Government of Nunavut, the Government of Canada, the Hunters and Trappers Organizations from Pond Inlet, Igloolik, Sanirajak, Arctic Bay, Clyde River, Kimmirut, Kinngait and Coral Harbour and other interested Parties to participate in the Workshop. In response to suggestions received from parties, the NIRB also requested that parties provide the following information:

Regulators, Designated Inuit Organizations, and Parties:

A summary of relevant legislation, policies, frameworks or other guidance documents that pertain to their roles, responsibilities, regulatory requirements and/or expectations related to cumulative effect assessments.

Baffinland:

A written summary of the scope of the Mary River Project to date as approved and as currently constructed and operated, with identification of those approved components and activities not yet implemented;



A listing of the cumulative effects information presented to date through the various assessments of the Mary River Project and subsequent amendments, and a high-level summary of Baffinland's predictions and conclusions regarding cumulative effects provided in those assessments; and

Identification of monitoring activities in relation to the approved project that are informing Baffinland's ongoing review of the cumulative effects predictions provided in its prior assessments.

A summary of the above listed submissions can be found in [Section 4.7.1](#).

In addition to the request for Parties, the NIRB provided Parties with a summary of definitions, previous guidance on cumulative effects assessments from project specific Guidelines, as well as final hearing reports, Reconsideration Reports and Recommendations, and monitoring reports for the Mary River Project, and implementation into the Terms and Conditions of Project Certificate No. 005.

## **4.2 Participant Funding**

After the Board's announcement of the Workshop on December 15, 2023 Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) committed to would offer participant funding to the Hunters and Trappers Organizations (HTO) from the affected communities, to facilitate preparation and participation in the workshop. The NIRB contacted the Hunters and Trappers Organizations representing Pond Inlet, Igloolik, Sanirajak, Arctic Bay, Clyde River, Kimmirut, Kinngait and Coral Harbour<sup>8</sup> and included the Qikiqtaaluk Wildlife Board, to invite attendance at the workshop and coordinated with CIRNAC on sharing participant funding information.

## **4.3 Conduct of the Workshop**

The Workshop consisted of in-person sessions in the Aqsarniit Hotel and Conference Center in Iqaluit, Nunavut from February 19-20, 2024. All attendees were asked to sign in upon arrival and provide advanced notice of anticipated attendance from their organization online ([APPENDIX B](#)). All sessions were held with simultaneous English-Inuktitut interpretation, with dedicated lines for each language online.

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<sup>8</sup> With the active components of the Project only making use of the Northern Transportation corridor, the HTO's from Kinngait, Kimmirut and Coral Harbour have not been actively engaged on the Project since the assessment of the Original Project. However, with the discussion of Cumulative Effects involving the combined Southern and Northern Transportation Corridor, the Board included these additional HTO's.



## 4.4 Participants

Parties were provided opportunity to submit written comments as well as attend the workshop in-person or listen online. The following Parties participated in the workshop in-person, with some technical support accessing the workshop through the online “listen-line”; a more detailed summary of workshop attendees is in [APPENDIX B](#) of this report.

- Baffinland;
- Nunavut Tunngavik Inc.;
- Qikiqtani Inuit Association;
- Government of Nunavut;
- Government of Canada departments with the support of Justice Canada and the Northern Projects Management Office:
  - Crown-Indigenous Relations and Northern Affairs Canada;
  - Environment and Climate Change Canada;
  - Fisheries and Oceans Canada;
  - Health Canada;
  - Natural Resources Canada;
  - Parks Canada;
  - Transport Canada;
  - Canadian Transportation Agency; and
- Qikiqtaaluk Wildlife Board;
- Hunters and Trappers Organization Representatives from:
  - Pond Inlet;
  - Arctic Bay;
  - Igloolik;
  - Sanirajak;
  - Clyde River;
  - Kinngait;
  - Kimmirut; and
  - Coral Harbour;
- Oceans North; and
- World Wildlife Fund.

Staff from the Makivvik Corporation and the Nunavut Planning Commission observed the workshop through the online link, and a written submission was provided by Dr. Duinker.

## 4.5 Workshop Materials

The following written submissions were provided and reviewed by Parties in advance of the workshop, and posted on the NIRB’s Public Registry at [www.nirb.ca/project/125767](http://www.nirb.ca/project/125767), under the document identification numbers (Doc ID No.) listed in [Table 1](#) and summarized in [Section 4.7](#).



**Table 1: Information Packages Provided by Parties on January 18, 2024**

Document	Doc ID No.
Nunavut Impact Review Board Summary	348063 & 248063
Baffinland Iron Mines Corporation	347993-348802
Nunavut Tunngavik Inc.	348005
Qikiqtani Inuit Association	348006
Government of Nunavut	348007
Government of Canada	348004
Oceans North	348008
Dr. Peter Duinker	348009 & 348010

## 4.6 Workshop Presentations

The Agenda for the Workshop is in [APPENDIX C](#) of this report and outlines the key presentations and topics for discussion. All material presented are available on the NIRB's Public Registry at [www.nirb.ca/project/125767](http://www.nirb.ca/project/125767) or by searching the Document ID numbers (Doc ID No.) in [Table 2](#).

**Table 2: Cumulative Effects Assessment Framework Workshop Materials**

Document	Doc ID No.
Final Agenda for the Workshop	348240 & 348287
Nunavut Impact Review Board Presentation	348353
Baffinland Iron Mines Corporation Presentation	348325 & 348403
Qikiqtani Inuit Association Presentation	348347
Government of Canada Presentation	348348

\*Nunavut Tunngavik Inc., Government of Nunavut, Oceans North and World Wildlife Fund did not provide a presentation but spoke to key points covered in the summary below [Section 4.7](#).

## 4.7 Summary of Participant Comments

### 4.7.1 Information Submission Summaries

Parties submitted written comments based on the NIRB's direction issued December 15, 2023 and are summarized below in [Table 3](#) for the convenience of parties; however, readers are encouraged to review the original documents to understand the full submissions.



**Table 3: Summary of Comments Provided by Parties in their Information Packages**

Summary of Information Submission
<b>Nunavut Impact Review Board - background briefing to parties</b>
<p><b>Impact Statement Guidelines:</b> included description of cumulative effects and listed objectives and requirements for the cumulative effects assessment. All parties participated in finalizing the guidelines.</p>
<p><b>Original Mary River Project:</b></p> <ul style="list-style-type: none"> <li>• Baffinland Impact Statement concluded no significant cumulative effects anticipated from the Project.</li> <li>• Discussion during Final Hearing: <ul style="list-style-type: none"> <li>○ cumulative effects on migration may be underestimated,</li> <li>○ inadequate assessment of how project impacts may interact over time and space,</li> <li>○ cumulative effects of ballast water releases not fully considered,</li> <li>○ should consider other existing and planned developments in the area,</li> <li>○ unprecedented shipping for the Project should consider receding ice and increased use of the Northwest Passage for international transit,</li> </ul> </li> <li>• NIRB issued Terms and Conditions in the Project Certificate to require monitoring or additional information on potential cumulative effects issues raised by parties and the Board employed the precautionary approach for components with high uncertainty, proposing more baseline monitoring and ongoing adaptive management planning.</li> </ul>
<p><b>Early Revenue Phase:</b></p> <ul style="list-style-type: none"> <li>• Baffinland updated temporal boundaries of its cumulative effects assessment adding 4-5 years to original 21-year mine operating phase, added trucking of 3.5Mt of ore and shipping via Milne Inlet as activities with potential cumulative effects into its assessment.</li> <li>• NIRB added Term and Conditions to address impacts more directly from trucking and shipping.</li> </ul>
<p><b>Phase 2 Development Proposal:</b></p> <ul style="list-style-type: none"> <li>• Parties were unclear where cumulative effects assessment was included; Baffinland noted the entire assessment would be considered cumulative effects assessment as the entire project was considered. Parties still noted that they considered the cumulative effects assessment inadequate particularly for caribou and the marine environment; <ul style="list-style-type: none"> <li>○ Parties had different perspectives on interpretation of monitoring data, Inuit knowledge and methods of collection, and roles of the various organizations.</li> <li>○ Requested larger study areas for marine mammals to capture effects from increased shipping and that climate change be included in cumulative effects assessment;</li> </ul> </li> <li>• The Board acknowledged that a comprehensive assessment does not need to identify every possible impact but requires understanding of the existing project effects; however did not support the current proposal due to the lack of certainty.</li> </ul>
<p><b>The Sustaining Operations Proposal:</b></p> <ul style="list-style-type: none"> <li>• Applications for short term project updates provided challenges to discussing and agreeing on cumulative effects, and a notable amount of the Mary River Project has not been constructed.</li> <li>• The Board is implementing the direction from the Minister of Northern Affairs through this Workshop.</li> </ul>



## **Baffinland Iron Mines Corporation**

Mary River Project approved activities were detailed in the Final Environmental Impact Statements for the original project and subsequent amendments, and followed the requirements laid out by parties. Although the Southern railway and Steensby Port have not yet been constructed, the components which have been constructed to date are consistent with the project descriptions contained within the FEIS and addendums:

- 2012-Mary River Project: Final Environmental Impact Statement, Volume 9, Section 1;
- 2013-Early Revenue Phase Addendum: Volume 9, Section 1;
- 2018- Production Increase Application: Fuel Storage, and Milne Port Accommodations;
- 2020-Phase 2 Addendum: Main Document, Section 6; Technical Supporting Document 27, Section 1; Revised Addendum to Technical Supporting Document-27;
- 2022-Production Increase Proposal Extension: Supporting Information Summary Report; and
- 2023-Sustaining Operations Proposal Addendum, Section 6.9;

**Mary River Project FEIS:** predicted cumulative effects, mainly on caribou and marine mammals, were generally considered insignificant, with no specific follow-up monitoring proposed for CEs;

**Early Revenue Phase Addendum:** involved additional infrastructure between the mine site north to Milne Inlet. The cumulative effects assessment was updated for predicted residual effects, considering additional proposals such as the Bathurst Inlet Port and Road Project. Baffinland concluded that potential cumulative effects remained not significant, with limited overlap between the Mary River project and other projects.

**Production Increase Proposal (Amendments 2-4):** involved no additional infrastructure but intensification of specific activities, as such no additional cumulative effects assessments were conducted for the 2018 application, the 2020 renewal request, or 2022 supporting information, as these were proposals to temporarily extend trucking and shipping activities.

**Sustaining Operations Proposal:** maintained the Northern Transportation Corridor, trucking and shipping approx. 6 Mtpa iron ore. An updated Cumulative Effects Assessment was conducted following the methods used in previous assessments for the Mary River Project. All VECs evaluated in the project-specific effects assessment were considered for inclusion in the cumulative effects assessment if residual effects identified. Spatial and temporal boundaries were consistent with previous assessments, and consistent with the requirements of the guidelines.

### **Summary of Current Inuit Participation in Environmental Monitoring:**

- Positions hired:
  - Community environmental coordinator in Pond Inlet to act as a liaison for monitoring,
  - Inuit Knowledge Holders and Community Relations Guides in each community to integrate traditional knowledge into ongoing operations;
  - A program is being developed to hire Inuit shipping monitors to facilitate communication between Pond Inlet and the Company;
  - Two full-time on-site Environmental monitors employed by the QIA;
  - Annual funding for community-based monitoring program through the Mary River IIBA;
  - Wildlife Monitoring Program funding the Mittimatalik Hunters and Trappers Organization to conduct monitoring on fish health and narwhal harvesting efforts;
- Meetings with the Mittimatalik Hunters and Trappers Organization to discuss shipping and marine mammal monitoring;



- Participation of various organizations on the Terrestrial and Marine Environment working groups;
- Funding for the QIA's Inuit Stewardship Program to support Inuit-led monitoring;
- Participation:
  - Decision-making role for QIA in accepting adaptive management indicators, thresholds, and responses in select management plans;
  - Baffinland conducts meetings throughout the year with the communities to discuss the Project and its monitoring programs;
  - Inuit participation in terrestrial and marine monitoring programs providing training and employment opportunities;
- Additional goals highlighted: increase training for Inuit participants in data analysis and report writing, with the newly created Community Environmental Coordinator role; further integrate Inuit knowledge into monitoring programs, aspiring for community members to eventually lead reporting initiatives; support establishment of the Inuit Stewardship Plan (ISP) by QIA, which aims to integrate Inuit observations into monitoring programs.

#### **Monitoring Activities and Cumulative Effects Predictions:**

- Cumulative effects assessments based on extensive baseline, with updated assessments utilizing years of operational monitoring data, and include project-related impacts and consider other factors in determining effects. Monitoring locations near the Project area and within the Regional Study Area help discern changes in baseline conditions attributable to the Project or potential cumulative effects.
- The Adaptive Management Plan serves as a framework for integrating results from various monitoring and management programs to continually improve environmental and social management processes. Baffinland collaborates on cumulative effects initiatives with other parties, such as PRISM studies with ECCC and dust monitoring with NRCAN, reducing the potential occurrence of cumulative effects through adaptive management.
- Baffinland also involved in various working groups, including the Qikiqtaaluk Socio-Economic Monitoring Committee, Mary River Socio Economic Monitoring Working Group, and Marine Environment Working Group and Terrestrial Environment Working Group. Ongoing government-led monitoring, management programs, and community engagement provide feedback on effects predictions, including cumulative effects, enabling Baffinland to adaptively manage the Project.

#### **Nunavut Tunngavik Inc.**

The Cumulative Effects Assessment Framework must address the gaps in cumulative effects for the Mary River Project which have arisen from the incremental expansion of the project limiting time for a full understanding of cumulative effects to inform mitigation and monitoring.

- NIRB must consider cumulative ecosystemic and socio-economic impacts from the project and other projects, measures to avoid and mitigate adverse impacts, and establish a monitoring program for the entire scope of the project.
- Nunavut Tunngavik Inc. holds ultimate responsibility for ensuring that provisions in the Nunavut Agreement and legislation regarding cumulative ecosystemic and socio-economic impacts are implemented in project assessments; with its mission is to advance the economic, social, and cultural well-being of Nunavut Inuit while safeguarding their rights as the Designated Inuit Organization under



the Nunavut Agreement, ensuring its full implementation. NTI ensures that Inuit harvesting rights under the Nunavut Agreement are recognized, implemented, and not infringed upon, particularly in wildlife co-management. As owner of Subsurface Inuit Owned Lands in Nunavut, Nunavut Tunngavik Inc. plays a role in overseeing projects that extract resources from these lands, as well as to support the Qikiqtani Inuit Association and other organizations to address concerns related to Inuit culture, wildlife, environment, and economy.

- Nunavut Tunngavik Inc.'s participation in the NIRB's process is guided by principles outlined in its Mining Policy, Water Policy, and other relevant policies, in addition to legal frameworks.

**Summary of expectations:** a comprehensive CEA should be completed to inform future applications and prioritize Inuit rights, wildlife health, ecosystem integrity, cultural preservation, and community socio-economic well-being. The scope of the cumulative effects assessment must capture the combined effects of the Mary River Project and other regional factors including all impacted communities and wildlife ranges, even beyond the Regional Study Area, especially:

- Inuit knowledge should be central to the assessment, involving all affected communities and Hunter and Trappers Organizations equally with western science;
- All VECs, VSECs and associated Inuit rights should be evaluated without limitations imposed by external parties, with Inuit involvement in their assessment; and
- The assessment should assess cumulative effects from all sources, including project components like shipping routes, ports, roads, and ancillary developments, as well as external factors like tourism and climate change.

#### **Qikiqtani Inuit Association**

The Qikiqtani Inuit Association serves as the Regional Inuit Association representing the interests of Qikiqtani Inuit as a Designated Inuit Organization under the Nunavut Agreement with responsibility for managing and protecting significant parts of the Inuit Owned Land where the Mary River Project is located, ensuring consideration of environmental impacts and Inuit Rights. QIA shares oversight responsibilities with Nunavut Tunngavik Inc.

**Summary of expectations:** the cumulative effects assessment must lead to substantive changes in project certificate terms and conditions, as well as monitoring and management plans. Parties must consider which VECs and VSECs should be included in the assessment; should some receive greater focus and if so, Inuit must be involved in selecting the VEC/VSECs and provide ongoing feedback to the communities.

- Inuit voices and Inuit Qaujimajatuqangit must have a central role in all aspects of the cumulative effects assessment including: interpretation and integration of Inuit Qaujimajatuqangit alongside western science be addressed collaboratively with NIRB; affected communities be directly involved and have control over various phases of the assessment; Inuit participation in defining the cumulative effects assessment objectives, indicators, thresholds, and responses; direct involvement in determining how changes to VECs and VSECs are measured; and identifying points where Inuit rights may be impaired, and deciding appropriate responses to impacts;
- Geographic Scale of cumulative effects assessment: Mittimatalik, Ikpiarjuk, Kangitugaapik, Sanirajak, Igloodik, Kimmirut and Kinngait, the migratory range of marine and terrestrial wildlife, and Tallurutiup



Imanga and account for the values that underpin the protection of Tallurutiup Imanga and how these values may influence the interpretation of impacts.

- **Temporal Scope of the cumulative effects assessment:** include analysis of how the cumulative effects from the entire project that will persist and interact with other impacts after the project's closure and until the impacts caused by the Mary River Project are no longer measurable. The consideration of VECs and VSECs should utilize appropriate pre-project baseline conditions to understand and integrate changes to the environment and Inuit society and culture that occurred before the initiation of the Mary River Project; include other past, present and reasonably foreseeable developments, and consider impacts of climate change using multiple future climate change scenarios.

#### **Government of Nunavut**

The Government of Nunavut does not have any policies, frameworks, or guidance documents specific to cumulative effects assessments, but uses the working definition of cumulative effects being the combined effects from past, present, and reasonably foreseeable future activities and natural processes for effects that may be minor, but collectively could be significant, and can be adverse or beneficial. The GN conducts both environment and socio-economic monitoring through ongoing research programs and workshops, chairs regional Socio-economic Monitoring Committees which meet annual and publishes a summary report covering employment demographics, health and well-being of employees, food security, Education and Training, Housing, Economic Activity, Employment and Income, Inuit Language use and traditional Activities and Skills. In addition, the Government of Nunavut supports the Nunavut General Monitoring Program to encourage long-term monitoring initiatives in ecosystemic, socio-economic and lands and water use through grants and contribution agreements.

- **Summary of expectations:** the cumulative effects assessment framework should detail:
  - What is the expected scale (time and space) of the Project impacts;
  - What is the effects of combined activities over time;
  - Has this activity led to other development activity;
  - Are different generations experiencing similar impacts and benefits;
  - What are the difference perspectives available to investigate these effects; and
  - How are these effects identified and monitored.

#### **Government of Canada**

**Crown Indigenous Relations and Northern Affairs Canada (CIRNAC):** manages land and water resources in Nunavut, regulates projects, provides expertise, administers funding programs for Indigenous involvement in process, and has obligations for Indigenous consultation and consideration of cumulative effects impacting Indigenous rights.

**Canadian Transportation Agency (CTA):** oversees Canada's national transportation system, ensuring the system's efficiency, protecting the rights of persons with disabilities to accessible transportation, and providing consumer protection for air passengers. The Canadian Transportation Agency licenses federal railway companies and enforces regulations.

**Environment and Climate Change Canada (ECCC):** administers pollution prevention provisions of the Fisheries Act and Metal and Diamond Mining Effluent Regulations, evaluating their effectiveness through Environmental Effects Monitoring; provides recommendations, advice, and information on cumulative effects



to both project proponents and decision-makers. Disposal at sea is regulated under the Canadian Environmental Protection Act by ECCC to protect the marine environment, and ECCC is responsible for safeguarding migratory bird populations under the Migratory Birds Convention Act and administering the Species at Risk Act to prevent extirpation or extinction of wildlife species. ECCC collaborates with Natural Resources Canada to develop the Open Science and Data Platform, providing access to information about development activities nationwide to understand CEs and make informed decisions.

**Fisheries and Oceans Canada (DFO):** is responsible for safeguarding Canada's oceans and freshwater ecosystems, ensuring their health and providing economic opportunities while administering fish and fish habitat protection under the Fisheries Act and Species at Risk Act; oversees the Fish and Fish Habitat Protection Program, ensuring compliance with regulations surrounding development projects in fish habitat areas; and is a signatory to the Tallurutiup Imanga and Inuit Impact and Benefit Agreement. DFO adopts a risk-based approach to applying these provisions, considering the sensitivity of the fish and habitat involved.

Cumulative Effects on fish and habitat, defined as harmful impacts resulting from combined activities, are assessed using scientific guidance and frameworks provided by DFO; therefore, the cumulative effects assessment framework must encompass all project components, phases, and areas, considering both current and future proposals and impacts from various sources, including ports and shipping routes.

**Health Canada (HC):** is responsible for safeguarding Canadians' health and participates in environmental assessments of major projects to ensure potential impacts on health are considered. This includes providing recommendations, advice, and information on human health issues related to proposed projects, such as contamination of traditional foods and risks associated with air and water quality. HC does not issue approvals or make regulatory decisions but offers expert information to prevent, reduce, and mitigate potential health effects resulting from environmental changes. The cumulative effects assessment should consider the combined effects of existing projects and reasonably foreseeable future developments in the impacted area.

**Natural Resources Canada (NRCan):** plays a key role in ensuring the sustainable and inclusive development of Canada's natural resources. NRCan's expertise spans various fields including geoscience, geomatics, and interdisciplinary sciences, enabling comprehensive knowledge generation to understand cumulative effects. The Explosives Regulatory Division administers the Explosives Act, ensuring compliance with regulations related to explosives manufacturing, storage, and sales which is NRCan's regulatory role for this project. CanmetMINING, a division of NRCan, contributes to research and innovation in the mining sector. Both NRCan's research and regulatory functions contribute to sustainable resource development and informed decision-making, particularly in cumulative effects assessments.

**Parks Canada (PC):** ensures sustainable management of national marine conservation areas, including ecosystem preservation and support for cultural practices, and is involved in reviewing proposals for the Mary River Project due to its proximity to Sirmilik National Park and the future Tallurutiup Imanga National Marine Conservation Area. Parks Canada expects the cumulative effects assessment framework to consider all project-related vessels and activities, including those from both ports and all project phases.

**Transport Canada (TC):** oversees transportation policies and programs for the Government of Canada, ensuring the effective coordination of the transportation system nationwide, and is a Responsible Minister for the Mary River Project in implementing the *Canada Shipping Act*, *Canadian Navigable Waters Act*, *Arctic Waters Pollution Prevention Act*, *Marine Liability Act*, *Marine Transportation Security Act*, *Railway Safety Act*,



*and Transportation of Dangerous Goods Act*, as well as being a signatory to the Tallurutiup Imanga and Inuit Impact and Benefit Agreement. Transport Canada leads the cumulative effects assessment of Marine Shipping initiative, focusing on creating a national assessment framework, conducting regional assessments, and identifying mitigation measures.

### **Oceans North**

Has participated through the various assessments and provided list of relevant legislated frameworks which may apply to the cumulative effects assessment framework.

#### **Summary of feedback on inadequacies of cumulative effects assessment for the Mary River project:**

- Methods of Baffinland’s previous cumulative effects assessment used restrictive criteria for inclusion of future projects, lacked consideration for potential or other existing developments, and noted discrepancies between NIRB and the NuPPAA’s definition of “reasonably foreseeable”.
- Thresholds for disturbance were not sufficient for Narwhal as disturbance thresholds occur at lower sound levels than those used by Baffinland in its models, Baffinland used non-species-specific thresholds which affects the accuracy of predictions in the Impact Statement which may cause impacts to be missed due to improper assessment and mitigations in place.
- Limitations in assessing cumulative impacts arise as Baffinland’s initial conclusion that each transit has no significant impact on marine mammals does not allow for cumulative impacts of ship transits to be considered significant, so full impacts are excluded from the cumulative effects assessment.
- Precautionary approach is not used to the extent required by the Mary River project certificate as definition of early warning indicators for marine wildlife and habitat were delayed and should be in place prior to any future approvals. Current thresholds for corrective actions are too high and lack adaptive management strategies.
- Regulators, specifically DFO, has raised concerns regarding absence of a comprehensive monitoring framework which limits the cumulative effects assessment due to a lack of integration in Marine Monitoring Programs; data from multiple marine monitoring programs is generated annually with limited coordination and overlap.
- There is limited collaboration among stakeholders to ensure rigorous scientific standards are in place for understanding cumulative effects.

### **Dr. Peter Duinker**

Provided summary of cumulative effect assessment theory noting that a cumulative effects assessment must be defensible and have utility; both agreement among reviewers on the reasonableness of the approach used, and utility of results in making project-related decisions. The cumulative effects assessment framework workshop can generate a defensible and useful assessment provided it fully considers human activity around Mary River project area, and the framework include a strong design for the cumulative effects assessment.

- VECs are influenced by a wide range of factors, both positive and negative influences and impact assessment focuses on identifying stressors, many of which are human activities, and when multiple stressors act on a VEC, cumulative effects must be discussed and include all activities to make it defensible.



- Boundaries for space and time should be considered by the VEC characteristics, not limited to project timelines especially for mobile VEC populations. Baseline should account for past and present stressors, and future time frames must include all projects and activities.
- There are limitations in self-assessment of cumulative effects and may be more holistic if lead by another party or completed with a collaborative approach, so the result is more defensible.
- Implementation schedule with timelines and responsibilities is essential;
- Parts of a strong design include: VEC-centred approach, prioritizing sustainability; specific space and time boundaries defined for each VEC; scenario approach considers a comprehensive suite of human activities, including climate change; incisive inquiry into stressor interactions and their effects on VECs; and assessment is conducted through an independently led, collaborative inquiry process.

## 4.8 Summary of Comments and General Themes Discussed During the Workshop

The following table summarizes the comments, concerns and general themes discussed by Workshop Participants based on the Presentations provided Parties and the topics listed in the Final Agenda for the Workshop ([Appendix C](#)).

Topic	Issues/Concerns/Comments
Definitions of Cumulative Effects	<ul style="list-style-type: none"> <li>• NIRB: <ul style="list-style-type: none"> <li>○ The impact on the environment that results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions (Tilleman, 2005);</li> <li>○ Cumulative impacts can also result from the collection of individually minor impacts that can collectively account for a significant impact;</li> </ul> </li> <li>• The CCME: <ul style="list-style-type: none"> <li>○ CEs are defined as the changes in the environment caused by multiple interactions among human activities and natural processes, which accumulate across time and space;</li> </ul> </li> <li>• ECCC: <ul style="list-style-type: none"> <li>○ The combined effects from past, present, and reasonably foreseeable future activities and natural processes. Specific definitions vary among different parties and under different legislation and policies, but the term generally refers to effects that may be individually minor, but collectively significant. Effects can be adverse (e.g., decreased water quality in a regional river) or positive (e.g., socioeconomic benefits like jobs and business for a local community);</li> </ul> </li> <li>• IAAC: Reasonably Foreseeable: <ul style="list-style-type: none"> <li>○ Certain: the physical activity will proceed or there is a high probability that the physical activity will proceed, e.g. the proponent has received</li> </ul> </li> </ul>



Topic	Issues/Concerns/Comments
	<p>the necessary authorizations or is in the process of obtaining those authorizations; and</p> <ul style="list-style-type: none"> <li>Reasonably foreseeable: the physical activity is expected to proceed, (e.g., proponent has publicly disclosed its intention to seek the necessary impact assessment or other authorizations required to proceed).</li> </ul>
<b>Cumulative Effects Assessment Challenges</b>	<ul style="list-style-type: none"> <li>There is a lack of clarity surrounding the definition of CEs causing various Parties to operate using differing definitions;</li> <li>Need for discussions regarding what a reasonably foreseeable activity is;</li> <li>Concerns were raised about presenting potential project effects and mitigations before considering the CEs in the assessment;</li> <li>There are challenges in determining the significance of effects and what thresholds should be used when there is conflicting data from Inuit Qaujimajatuqangit and western science;</li> <li>How is the effectiveness of monitoring programs and mitigation measures determined;</li> <li>All parties become strained to participate in assessments when there are continual project proposals being assessed, this also leads to challenges in determining effects when amended proposals are submitted prior to a full understanding of the current projects;</li> <li>It is challenging to assess CEs when some aspects of the original project are not yet constructed; and</li> <li>Difficult to complete a CEA Framework in time for it be applied to Baffinland's SOP2 amendment application.</li> </ul>
<b>Project Monitoring Related Concerns</b>	<ul style="list-style-type: none"> <li>Changes in Project plans and temporal scope;</li> <li>The amount of time since the Steensby approval creates concern regarding the initial baseline and monitoring work for that aspect of the Project;</li> <li>Limited communication with the communities with respect to ongoing monitoring results from Baffinland but also parties such as DFO and ECCC;</li> <li>There is a disconnect between what communities see and what the Proponent is reporting;</li> <li>Setting up various monitoring and stewardship bodies;</li> <li>Shared responsibilities among parties for comprehensive Project monitoring;</li> <li>There are no regional monitoring structures to link the broader picture; and</li> <li>There has been a limited review of previous harvesting studies, this should be included as part of the baseline.</li> </ul>



<p><b>Recommendations and Expectations from Baffinland and Parties</b></p>	<ul style="list-style-type: none"> <li>• CEA Framework development should be co-led by Inuit;</li> <li>• There's needs to be agreement on acceptable baselines, methods and VECs identified as well as strategies for monitoring;</li> <li>• Emphasis on a broader geographic scope;</li> <li>• Temporal scope should include at least 20 years into the future or until a time when the effects of the project are no longer measurable;</li> <li>• The establishment of Early Warning Indicators is vital to a successful CEA;</li> <li>• Monitoring data from community led initiatives should be included in the CEA, even if its adjacent to the Regional Study Area;</li> <li>• Parties recommended updated sensory disturbance thresholds for marine mammals and caribou;</li> <li>• Collaboration and engagement of Inuit in all stages of assessment, from design to implementation.</li> <li>• There's a need for clarity on initiating and conducting CEAs and the establishment of guidelines for proponents;</li> <li>• Further discussion on the outcomes that inform mitigation and monitoring plans as well as potential triggers for revisions to Project Certificate Terms and Conditions as a result of the framework;</li> <li>• The CEA framework should encompass a broader approach to VECs and VSECs which including Inuit input into their selection;</li> <li>• Ensure combined effects are fully captured including impacts outside the Regional Study Area;</li> <li>• The CEA Framework should be informed by best practices with indigenous context considered using previous examples from other jurisdictions;</li> <li>• This workshop should serve as a starting point for the conversation with several follow-up workshops scheduled and develop the framework itself;</li> <li>• There should be a committee established to ensure a collaborative approach to CEA framework development occurs;</li> <li>• The NIRB should clarify the origin of the cumulative effects assessment concerns and address lack of confidence in previous assessments;</li> <li>• NIRB should provide clarify expected outcome of the assessment process;</li> <li>• Proposed CEA should be completed in 12-18 months;</li> <li>• The CEA Framework should be something that can be able to be easily adapted and replicated for other projects;</li> <li>• Need for improved communication with communities outside of Pond Inlet with respect to issues, especially along the southern shipping route;</li> <li>• Baffinland agreed to includes VECs that were previously screened out of the CEA in order to be cautious and inclusive; and</li> <li>• Expanded use of follow-up monitoring mechanisms to address VECs with greater uncertainty.</li> </ul>
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Following the Workshop, on March 22, 2024 the Qikiqtani Inuit Association also provided a written submission to the NIRB to summarize its recommendations on the approach to the cumulative effects assessment of the Mary River Project. This submission from the QIA noted the following:

- The temporal scope should begin prior to Project activities and should continue until the impacts of the Project are no longer measurable;
- The geographical boundaries include the impacted communities of Pond Inlet, Arctic Bay, Clyde River, Sanirajak, Igloolik, Kimmirut and Kinngait, inclusive of travel routes and animal ranges;
- The following valued components should be considered:
  - Narwhal;
  - Caribou;
  - Ringed Seal;
  - Walrus;
  - Anadromous Char;
  - Inuit Culture, Resources and Land Use;
  - Snow and Vegetation Quality;
  - Water and sediment quality;
  - Sea ice;
  - Public Transportation;
  - Other terrestrial wildlife; and
  - Ground/ permafrost stability.
- CEA Framework Process Should include:
  - Technical Meetings aimed at discussions of specific issues;
  - Mechanisms for feedback to be provided;
  - Mechanisms to ensure the assessment is accountable to parties;
  - Community Consultations;
  - Periodic Check-ins to ensure smooth process flow; and
  - Production of an interim NIRB report for commenting.



## **5 NUNAVUT IMPACT REVIEW BOARD SUMMARY AND RECOMMENDATIONS IN RELATION TO THE CUMULATIVE EFFECTS ASSESSMENT FRAMEWORK**

### **5.1 Summary of Issues**

As noted in the introduction to this report, the objective of the Workshop was to facilitate discussions between parties to establish the scope of the Cumulative Effects Assessment Framework (CEA Framework), and to identify responsibilities and expectations of participants and specify information that must be provided and/or gaps which must be addressed by Baffinland for future assessments related to the Mary River Project and reconsiderations of Project Certificate No. 005. Discussions during the Workshop also assisted in clarifying concerns around the treatment of cumulative effects in Baffinland's previous assessments and the implementation of monitoring programs for the approved project and their associated outcomes.

During the Workshop Baffinland shared its intention to submit the "Sustaining Operations Proposal 2" (SOP2) amendment application to the NIRB likely by the end of March 2024, and Baffinland provided an overview presentation on the associated scope of proposed project updates and impact assessment methodology. It is generally understood that the scope of associated activities will be limited to the extension of the current annual limits on the volume of ore transported via the Tote Road and shipped from the Milne Inlet port facilities, which are set to expire on December 31, 2024. During the Workshop, parties largely agreed that the assessment of the SOP2 amendment application should not be delayed by the development of the CEA Framework for the Project, with the understanding that subject to improvements to the cumulative effects assessment identified by Baffinland during the Workshop that will be incorporated into their assessment of the SOP2 amendment, the fulsome CEA Framework of the approved Project would be expected to apply to Baffinland's subsequent applications.

Through the written comment submissions and discussions during the Workshop, it became evident that slightly different definitions of "cumulative effects" were being used by each party, and there is some confusion around the appropriate terminology more generally. Some of the concerns raised appear to be indicative, at their core, with difficulty assessing the actual impacts of project activities compared with the predictions of impacts of project activities in prior assessments because there have been almost continual project amendments and approvals of modifications to the original Mary River Project occurring, but several components of the approved Project remain undeveloped. While the Board has recognized these concerns, this issue is not specific to the influence of other past, present or reasonably foreseeable projects on the



impacts of the approved Mary River Project, which is more typically considered within the scope of “cumulative effects” concerns.

The Board also heard that there are clearly concerns about the potential for climate change and other external factors to challenge previous impact predictions and complicate identification of project-related impacts and interpretation of project monitoring results, as well as the understanding of significance of project-related impacts generally. And finally, concerns were expressed about the additive nature of the project development, particularly having an updated and comprehensive understanding of the potential effects of the approved components not yet constructed (the railway, Steensby Inlet port, shipping through Foxe Basin/Hudson Strait) and potential future phases of the Mary River Project including mining additional deposits or as-yet unidentified expansions to the approved project.

The Workshop further clarified the concerns of parties regarding previous approaches taken by the Proponent to the assessment of cumulative effects for the original project proposal and its various project amendment applications, with requests for consideration of the following within an updated CEA Framework for the Project:

- An expansion of Valued Components (VCs) included within the CEA based on Inuit knowledge and advice, up to date research, and monitoring of actual vs. predicted effects<sup>9</sup>;
- An expanded temporal scope commencing with a time prior to project development to a future point where project impacts are no longer measurable or can no longer be felt;
- An expanded geographic scope for some VCs which considers the full range of impacted communities inclusive of their travel routes, the range of mobile aquatic and terrestrial wildlife, and watersheds where project effects may be expected;
- Expanding and clarifying the scope of other contributions to cumulative effects that should be considered; for example not limiting the scope to only the effects of physical activities (which leads to inadequate consideration or exclusion of other ongoing and anticipated stresses such as climate change effects) and limiting the scope to only future activities triggering an approval process (which fails to capture consequential and induced developments and likely future scenarios in phased development that have not yet advanced to the proposal submission stage);
- Revisiting/updating of impact predictions associated with approved project components that are not yet constructed (e.g. railway) which may have become outdated;
- Reflecting the recent establishment of Tallurutiup Imanga National Marine Conservation Area and expectations around increasing pleasure craft/tourism; and

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<sup>9</sup> Correspondence from the Qikiqtani Inuit Association to the NIRB dated March 22, 2024 included advice on the specific VCs expected to be included in the CEA Framework.



- Ensuring the CEA Framework increases public confidence in the effective management of project-related effects.

Baffinland acknowledged the concerns expressed by parties regarding the methodology it employed for the cumulative effects assessments within its previous impact assessments for the Project and associated amendments. Clarification was provided regarding the methodology used to screen VCs into the CEA: where project-related interactions with valued components were found to not be significant once proposed mitigation was applied and no residual impacts were resulting, that specific VC was not brought forward for further consideration within the subsequent cumulative effects assessment. Going forward, for the SOP2 amendment application Baffinland committed to carrying forward all VCs into the subsequent cumulative effects assessment independent of their conclusions about the potential for negative residual effects.

A commitment was also made by Baffinland during the Workshop to address the concerns raised around the geographic scope applied to some VCs and the temporal scope of its previous cumulative effects assessments: Baffinland committed to retaining the regional study area used previously for each VC or, where one does not exist (e.g. atmospheric environment) using the largest possible area and including qualitative descriptions where relevant for migratory wildlife. Baffinland further committed to extend the temporal scope to include post-closure monitoring after all operations have ceased and remediation has been completed. Finally, Baffinland expressed a willingness to address concerns around improved consideration for Inuit perspectives and rights but sought examples and guidance from the QIA and NTI around how to meet expectations and whether such perspectives were expected to be generated through a Baffinland-led process or generated externally and shared with Baffinland to be incorporated into Baffinland's assessments.

Time at the Workshop was also spent discussing concerns with the conduct and results of Baffinland's monitoring programs for the current Mary River Project, including:

- A disconnect between the nature and extent of effects communities are reporting they are experiencing and the results Baffinland is capturing and reporting in the current monitoring program;
- The noted absence of regional monitoring structures for many VCs that would enable Baffinland's project-specific monitoring data to be incorporated into the regional monitoring initiatives of other parties;
- The need to reconsider the hearing thresholds for narwhal specifically and disturbance thresholds for other species more generally;
- The need to improve communication between monitoring and research efforts by communities and other groups (e.g. DFO) with Baffinland's monitoring programs for the Project, and noting that improvements are also required of all parties when reporting back to communities regarding up-to-date monitoring results and ongoing research; and



- The recognition that monitoring for cumulative effects is a shared responsibility among multiple parties and requires a comprehensive regional monitoring effort.

As noted previously by the NIRB in the May 13, 2022 final report for the assessment of Baffinland's Phase 2 Development Proposal:

*...parties do not agree on what existing monitoring data and Inuit knowledge and experience is telling us about the effects of the existing Mary River Project. There is also disagreement about the method of collection and the role and responsibilities for evaluating and responding to monitoring data, and in relation to how to incorporate and apply Inuit knowledge and experience. Without agreement on the existing information and impacts, the validity of predictions of cumulative effects remain uncertain and cannot be relied upon.*<sup>10</sup>

The experience gained by Baffinland and parties to date through the operation and monitoring of the Project and the assessment of its associated amendments is significant. The development of a CEA Framework has been welcomed by parties not only as an opportunity to improve Baffinland's assessment of potential effects, but also the conduct of monitoring programs, the interpretation and communication of monitoring results, and the understanding and mitigation of potential adverse cumulative effects associated with the continued development of the Mary River Project. The Board shares this view, and through this more in-depth consideration of the approach to assessment of cumulative effects, the Board also intends to identify improvements that can be made to the monitoring of cumulative effects under the Project Certificate.

Based on the discussions with Baffinland and parties at the Workshop, the NIRB has determined that the development of an updated CEA Framework should address several key priorities in the short, medium and long-term, including:

1. Incorporating the changes to the assessment of cumulative effects in the SOP2 amendment application as committed to by Baffinland during the Workshop;
2. Ensuring the terms and conditions of Project Certificate No. 005 are effective for addressing potential cumulative effects associated with the approved project, including for project components that have not yet been constructed;
3. Providing additional clarity to the Proponent regarding information requirements to support future amendment applications; and,
4. Modelling a process that is inclusive, with clear outcomes, and which can be replicated for assessments of other projects including those in other regions.

Differing but largely complementary views were provided when parties were asked to describe the process that should guide development of the CEA Framework and the expected outcomes

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<sup>10</sup> NIRB's Reconsideration Report and Recommendation Report for Baffinland's Phase 2 Development Proposal, Page 243.



of the CEA Framework once completed. Reflecting the comments shared by parties during the Workshop and the NIRB's experience with various assessments and monitoring of the Mary River Project and subsequent modifications, the NIRB recognizes the need to ensure the process for developing a CEA Framework includes:

- A timeline which allows for a truly comprehensive assessment yet can be conducted on an expedited basis so that once the SOP2 proposal assessment process is complete, all future applications from Baffinland are informed by the CEA Framework and can be completed within the next 12-18 months (and no longer than 2 years). Clear process milestones should be established, and consideration given to a post-CEA Framework process;
- A multi-party process overseen or coordinated by the NIRB, perhaps with a new committee established to specifically focus on CEA to assist in finalizing the framework, schedule and engagement approach with communities;
- Opportunities for communities and Inuit knowledge to guide assessments and evaluations with feedback and mechanisms for accountability provided through incorporation of community consultations, periodic check-ins/verification of results, thematic technical meetings, and interim reporting;
- A guided review of the CEA conclusions and their supporting data for each VC to gain clarity. Outcomes should include a set of findings which can inform meaningful updates to mitigation and monitoring plans, with consideration for the identification of any updates to the Project Certificate that may be required to reflect these findings; and,
- Consideration for replicability for other projects. The current Project Certificate Reconsideration process the NIRB has developed is familiar to parties and may be an appropriate pathway, either for the next proposal or as a standalone assessment.

## **5.2 Recommended Path Forward**

Having considered the input of parties through their written submissions and participation at the recent CEA Framework Workshop, the NIRB has determined that the development of a CEA Framework for the Mary River project should be advanced with application to the following key process pathways:

- 1. Improvements to the assessment of cumulative effects in the SOP2 amendment application**

The Board will determine whether commitments made by the Proponent to update the approach to cumulative effects assessment are sufficient to support the assessment of the SOP2 amendment application, and if not, the NIRB will issue additional guidance.

- 2. Identification of improvements to the monitoring and assessment of cumulative effects for the approved Project:**



Following the completion of the assessment process for the SOP2 amendment application (or in parallel, depending on process and timelines) the Board proposes commencing an evaluation of the existing Mary River Project monitoring program (with the continued participation of the Workshop participants) to identify improvements and to consider whether updates to the existing Project Certificate terms and conditions or further direction on the effective implementation of the existing Project Certificate terms and conditions are needed to address concerns about potential cumulative effects associated with existing operations or for those project components that are approved under the current Project Certificate but that have yet to be constructed (e.g., the southern railroad and the port at Steensby Inlet).

**3. Development and incorporation of the CEA Framework to guide future assessments:**

The Board, in collaboration with a new CEA-focused multi-party committee as referenced above (or if not a formal committee, informed by consultations with relevant stakeholders) develop an updated CEA Framework to support the consideration of future assessments. (It is the Board's expectation that this work for the Mary River Project will likely parallel and support the current work of the Board in the development of Standard Impact Assessment Guidelines and may become incorporated into the finalized Standard Impact Statement Guidelines when complete).

### **5.2.1 The SOP2 Amendment Application**

As noted in the preceding section, the NIRB anticipates receiving the SOP2 amendment application for consideration in the near future, which may necessitate a formal reconsideration of relevant terms and conditions of Project Certificate No. 005 for the Mary River Project. Given this anticipated timing, as well as Baffinland's discussion of the limited scope of the SOP2 amendment application, and the timeline required for the Board's consideration of the SOP2 amendment application, the NIRB agrees with the views shared by participants at the Workshop that the assessment for the SOP2 amendment application should reflect improvements to cumulative effects assessment as discussed during the Workshop and by the early-stages in the development of the CEA Framework, but the assessment process for the SOP2 amendment application is expected to follow a separate timeline.

### **5.2.2 The Existing Monitoring Program and Project Certificate Terms and Conditions**

The NIRB has a well-established ongoing monitoring program for Project Certificate No. 005 for the Mary River project which has the following objectives:

- a. To measure the relevant effects of projects on the ecosystemic and socio-economic environments of the Nunavut Settlement Area;



- b. To determine whether and to what extent the land or resource use in question is carried out within the predetermined terms and conditions;
- c. To provide the information base necessary for agencies to enforce terms and conditions of land or resource use approvals; and,
- d. To assess the accuracy of the predictions contained in the project impact statements.

Through its monitoring program for the Mary River Project, the NIRB proposes to undertake a structured evaluation of the implementation of the terms and conditions of Project Certificate No. 005 to date against the original impact assessment predictions made for the Project and its approved amendments. A guided review of the CEA conclusions and their supporting data will be undertaken for each Valued Component (VC) and contrasted with available monitoring results and findings from Baffinland, the NIRB and other parties to determine whether terms and conditions appear to be effective for addressing potential cumulative effects associated with the approved project, including for approved project components not yet constructed and approved project activities not yet undertaken.

The NIRB recognizes that there is limited capacity within Nunavut's communities and the regulatory system which can affect parties' ability to meaningfully engage and participate effectively in various regulatory processes for the Project, including those administered by the NIRB. The NIRB proposes that the evaluation of Project Certificate No. 005 terms and conditions be aligned to the extent practicable with the annual cycle of activities and reporting of the NIRB's monitoring program for the Mary River Project, and be structured to include:

- Opportunities for parties to provide input into the process schedule and structure of engagement opportunities;
- In-person engagement with communities;
- Thematic technical meetings or workshops to facilitate in-depth discussions on specific issues;
- Mechanisms to ensure accountability, accord between the parties, and to allow for feedback throughout the process;
- An opportunity for review and feedback by parties on an Interim report from the NIRB with preliminary findings;
- A final report identifying whether any specific terms and conditions of Project Certificate No. 005 require formal reconsideration pursuant to s.12.8.2 of the *Nunavut Agreement* to address potential cumulative effects and, if so, proposing a focused approach for undertaking the same; and,
- An overall timeline not to exceed 18 months from the date of initiation.

As the NIRB maintains monitoring programs for several other active mining developments across the Nunavut Settlement Area, the Board also expects to use the experience of undertaking the



evaluation process described above to develop a more standardized approach to periodic evaluations of other NIRB monitoring programs in future.

### **5.2.3 CEA Framework Development/Finalization/Incorporation**

It is the NIRB's view that the CEA Framework to be applied to future assessments associated with the Mary River project should be developed with consideration of the outcomes of both the processes described above for the assessment of the SOP2 amendment application and the evaluation of Project Certificate No. 005 terms and conditions. While the NIRB recognizes that some parties have expressed a desire to limit the consideration of additional project applications from Baffinland until such time as a CEA Framework is finalized, the NIRB does not have the discretion to prevent or limit any such applications.

The CEA Framework is expected to provide guidance on the required approach for undertaking impact assessments of VCs to inform the understanding of potential cumulative effects and effectiveness of proposed mitigation measures for improved project design and associated decision-making. Over the past several years the NIRB has been developing Standard Impact Statement Guidelines which are intended to provide clarity on the impact assessment approaches and information required to produce an Impact Statement capable of supporting a thorough public review for all future proposed major development project. The NIRB believes the CEA Framework, once finalized, can inform and support this on-going work, including updating the sections of the Standard Impact Statement Guidelines addressing cumulative effects, and this work will guide future applications not only from Baffinland in relation to the Mary River Project, but all other project proponents across the Nunavut Settlement Area.



## APPENDIX A      LIST OF ACRONYMS

Acronym	Full Name
<b>Baffinland or Proponent</b>	Baffinland Iron Mines Corporation
<b>CIRNAC</b>	Crown-Indigenous Relations and Northern Affairs Canada
<b>CEA Framework</b>	<b>Cumulative Effects Assessment Framework</b>
<b>DFO</b>	Fisheries and Oceans Canada
<b>ECCC</b>	Environment and Climate Change Canada
<b>EIS or IS</b>	Environmental Impact Statement or Impact Statement
<b>ERP</b>	Early Revenue Phase
<b>Extension</b>	Extension Request to the Production Increase Proposal
<b>FEIS</b>	Final Environmental Impact Statement
<b>FEIS Addendum</b>	Supplement to the FEIS of a previously approved project
<b>GN</b>	Government of Nunavut
<b>HC</b>	Health Canada
<b>HTA</b>	Hunters and Trappers Association
<b>HTO</b>	Hunters and Trappers Organization
<b>km</b>	Kilometers
<b>MEWG</b>	Marine Environment Working Group
<b>MHTO</b>	Mittimatalik Hunters and Trappers Organization
<b>Mtpa</b>	Million Tonnes per Annum (per year)
<b>NIRB or Board</b>	Nunavut Impact Review Board
<b><i>Nunavut Agreement</i></b>	<i>Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada</i>
<b><i>NuPPAA</i></b>	<i>Nunavut Planning and Project Assessment Act, S.C. 2013, c. 14, s. 2</i>
<b>NTI</b>	Nunavut Tunngavik Incorporated
<b>PC</b>	Parks Canada
<b>PIP</b>	Production Increase Proposal
<b>QIA</b>	Qikiqtani Inuit Association
<b>TC</b>	Transport Canada
<b>TEWG</b>	Terrestrial Environment Working Group
<b>VEC</b>	Valued Ecosystemic Component
<b>VSEC</b>	Valued Socio-Economic Component



## APPENDIX B

## SUMMARY LISTING OF WORKSHOP PARTICIPANTS

*The following list of participants notes the parties and appointed individuals to represent the organization who confirmed expectation to participate in advance of the meeting. Observers on the listen line did not need to register and are represented within the number of online participants noted in the second table below.*

General Attendance		
<b>Nunavut Impact Review Board</b>	Ryan Barry Robbin Sinclair Teresa Meadows – Legal Tara Arko Cory Barker	Brydon Beattie Kelli Gillard <u>Interpreters:</u> Josie Tucktoo Leetia Jane
<b>Baffinland Iron Mines</b>	Megan Lord-Hoyle Lou Kamermans Udlu Hanson Joseph Tigullaraq Elizabeth Luther Kristin Kowbel Mike Settrington Patrick Abgrall Connor Devereaux* Angie Bischoff* Phil Rouget*	Bart Koppe* Melanie Austin* Richard Cook* Paige Glenen* Dan Jarrat* Heather Giddens* Mathew Miller* Jocelyn Fries* Kathryn Kuchapski* Pierre Stecko* Mairi Mackachern*
<b>Nunavut Tunngavik Inc.</b>	Ronnie Suluk Hannah Uniuqsaraq	Arthur Yuan* Neida Gonzalez*
<b>Qikiqtani Inuit Association</b>	Assol Kubeisinova Alistair MacDonald Cory Shefman	Jared Ottenhof Jason Ash
<b>Government of Nunavut</b>	Justin Buller Jessica Waldinger	Jonas Aznaha David Kunuk
<b>Government of Canada</b>	<b>Crown-Indigenous Relations and Northern Affairs Canada</b>	
	Spencer Dewar David Abernathy Michael Staniewski Alex Chaikine Richard Bingley	John MacInnis* Jennifer Walsh* Lorena Gracia Zayas* Kim Pawley*
	<b>Environment and Climate Change Canada</b>	
	Eva Walker Bridget Campbell Mellisa Pinto*	James Olivier* Zubair Dar*



	<b>Fisheries and Oceans Canada</b>	
	Alisdair Beattie Paul Harper Nicholas Wasilik*	Marrianne Marcoux* Kim Howland*
	<b>Health Canada</b>	
	Julie Anderson Paul Partridge	Cassidy Dutchak* Wendy Wilson*
	<b>Natural Resources Canada</b>	
	Clarisse Fiset Pierre-Olivier Emond Eli Arkin*	Stephanie Maillet* Christina Clarke* Peter Unger*
	<b>Parks Canada</b>	Marie-Claude Martel
	<b>Transport Canada</b>	
	Adam Downing Jaideep Johar*	Myrna O’Soup Bushie*
	<b>Canadian Transportation Agency</b>	
	Michelle Bloodworth* Sarah Bunting	Amada Di Maio
	<b>Justice Canada</b>	Joseph McHattie
	<b>Northern Projects Management Office</b>	
	Adrian Paradis Natalie D’Souza	Melissa Alexander
<b>Qikiqtaaluk Wildlife Board</b>	Micheal Ferguson	
<b>Hunter and Trappers Organization</b>	<b>Pond Inlet</b> <b>Igloolik</b> <b>Arctic Bay</b> <b>Clyde River</b> <b>Kimmirut</b> <b>Kinngait</b>	Billy Merkosak Judah Sarpinak Paul Ejangiaq Nysana Qillaq Kiliktee Padluq Simiga Suvega
<b>Oceans North</b>	Amanda Joynt Mollie Anderson	
<b>World Wildlife Fund</b>	Erin Keenan	
<b>Online Observer</b>		
<b>Makivik</b>	Camille Le Gall-Payne*	
<b>Nunavut Planning Commission</b>	Daniel Haney*	

\*Indicates attendance using the listen-line

<b>Online attendance – listen only</b>	Day 1	Day 2
English	53	59
Inuktitut	4	3



## APPENDIX C FINAL AGENDA FOR THE CUMULATIVE EFFECTS ASSESSMENT FRAMEWORK WORKSHOP RELATED TO BAFFINLAND'S MARY RIVER PROJECT

**NIRB File No.:** 08MN053 – Mary River Project (Project)  
**Proponent:** Baffinland Iron Mines Corporation  
**Formats:** In-person  
**NOTE:** The following online link provides “listen only” (English and Inuktitut) lines

English	
<b>Online Teams:</b>	Meeting ID: 249 235 762 182 Passcode: ZpHxTp <a href="#">Click here to join the meeting</a> <a href="#">Download Teams</a>   <a href="#">Join on the web</a>
Inuktitut	
<b>Online Teams:</b>	Meeting ID: 278 335 936 134 Passcode: 49ZKcx <a href="#">Click here to join the meeting</a> <a href="#">Download Teams</a>   <a href="#">Join on the web</a>

**Facilitator:** NIRB staff  
**In-person location:** Aqsarniit Hotel and Conference Centre, Iqaluit, NU  
**Dates:** February 19-20, 2024  
**Times:** February 19, 2024: 9:00 am – 5:00 pm (EST)  
February 20, 2024: 9:00 am – 5:00 pm (EST)  
**Note:** Times are approximate and subject to change at the NIRB’s discretion. Breaks for lunches will be approximately 1 hour, and a 15-minute health break will be provided each morning and afternoon. The NIRB reserves the option to add an evening session (6:30-9:00 pm) on February 19, depending on progress through the Agenda.  
**Note 2:** This is an informal Workshop, with open discussion encouraged and no transcript will be kept, although meeting notes may be taken, and the Board may report to the Responsible Ministers on outcomes. Recording any audio/video or images of the Workshop or participants without the express written consent of the Board is prohibited.  
**Note 3:** Reflecting the nature and progress of discussions, the Board may use breakout groups to facilitate discussions during the Workshop.

### Day 1 – Monday, February 19, 2024

1. Opening prayer
2. Opening Remarks by NIRB (*30 minutes*)
  - i. Overview of Workshop objectives
  - ii. Review of Agenda
  - iii. Housekeeping Items
3. NIRB Presentation – Summary of Cumulative Effects Assessment history for the Project, Minister’s Direction and monitoring (*15 minutes*)



4. Proponent Presentation – Summary of project and status of development, summary of cumulative effects assessment approach and monitoring activities (*60 minutes*)
5. Summary of information submissions and overview of approaches, expectations, scope and scale of a cumulative effects assessment with specific suggestions on what is required for the Mary River Project:
  - i. Nunavut Tunngavik Inc. (*40 minutes*)
  - ii. Qikiqtani Inuit Association (*60 minutes*)
  - iii. Government of Nunavut (*40 minutes*)
  - iv. Government of Canada (*40 minutes; identify what coordination between departments/agencies is possible*)
  - v. *Other parties (10 minutes per party to provide a summary of their information submissions and comments provided to date)*
6. Roundtable discussion identifying common elements (focusing on tangible recommendations to improve monitoring/assessment of cumulative effects for the Project).

Close of Day 1

## **Day 2 – Tuesday, February 20, 2024 – Iqaluit, NU**

7. Opening remarks by the NIRB (*5 minutes*)
8. Questions to the Proponent by parties regarding concerns with current and previous cumulative effects assessment or monitoring activities and expectations/recommendations for how monitoring of cumulative effects of the Project and the assessment of cumulative effects for future proposals can be improved.
  - i. *Note: where parties identify gaps in cumulative effects monitoring/assessment activities, recommendations to address these gaps will be sought.*
9. Response from the Proponent to parties' specific recommendations to improve cumulative effects monitoring/assessment of the Project.
10. Roundtable discussion amongst participants arising from the Proponent's response
11. Summaries from the Proponent and parties about the agreement/adoption of recommendations indented to improve cumulative effects monitoring/assessment of the Project.
12. Review of outstanding issues from participants and recommendations to the Board in relation to the development and implementation of a Cumulative Effects Assessment Framework
13. Next Steps and Review of timelines
14. Closing Remarks from participants and the NIRB

Close of Day 2