



NIRB File No.: 08MN053
NPC File No.: 149960

June 05, 2024

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

Megan Lord-Hoyle
Vice President,
Baffinland Iron Mines Corporation
2275 Upper Middle Rd E Suite. 300
Oakville, Ontario, L6H 0C3

Lou Kamermans
Director, Sustainable Development
Baffinland Iron Mines Corporation
2275 Upper Middle Rd E Suite. 300
Oakville, Ontario, L6H 0C3

Sent via email: dan.vandal@parl.gc.ca, megan.lord-hoyle@baffinland.com and
lou.kamermans@baffinland.com

Re: Notice and Procedural Guidance Regarding the Nunavut Impact Review Board's Assessment of Baffinland Iron Mines Corporation's "Sustaining Operations Proposal 2" Project Proposal

Dear Honourable Dan Vandal, Megan Lord-Hoyle, and Lou Kamermans:

The purpose of this correspondence is to provide notice to the Minister of Northern Affairs and the Proponent as required under s. 112(3) of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*) that the Nunavut Impact Review Board (NIRB or Board) is initiating a formal reconsideration of the terms and conditions of Project Certificate No. 005 in light of Baffinland Iron Mines Corporation's (Baffinland or Proponent) submission of the "Sustaining Operations Proposal 2" project proposal (SOP2 or Proposal), a proposed amendment to the approved Mary River Project (NIRB File No.: 08MN053). In coming to the conclusion that a reconsideration is warranted, the Board has considered the following:

- guidance provided by the Nunavut Planning Commission that the activities, works and undertakings proposed in the SOP2 project proposal constitute a significant modification to the Mary River Project (and modifications) as previously assessed by the Board;
- the description of the proposed activities, works and undertakings contained in Baffinland's SOP2 application;
- comment submissions of interested parties received by the Board to date; and

- a review of the existing terms and conditions of Project Certificate No. 005.

The Board has identified that the following key factors support the Board’s conclusion that the SOP2 constitutes a significant modification to the Mary River Project (and modifications) as previously assessed and approved by the Board:

- the proposed 8-year extension to the use of the Northern transportation and shipping corridor to ship 6 million tonnes of ore per year (6 Mt/a) via Milne Port differs from the Board’s previous short-term extensions to this activity considered by the Board;
- the SOP2 amendment cannot proceed without amendments to existing terms and conditions 179(a) and 179(b); and
- as agreed to by Baffinland during the Cumulative Effects Assessment Framework conducted by the Board in February 2024, improvements will be incorporated into Baffinland’s assessment of cumulative effects of the SOP2.

By way of this correspondence, the Board also wishes to emphasize to all parties that the Board’s reconsideration process for the SOP2 should be, to the extent possible integrated and coordinated with the Board’s other activities for the Mary River Project. Specifically, the Board expects the monitoring of the Project and the development of an enhanced cumulative effects assessment framework applicable to the Mary River Project to inform and support the SOP2 reconsideration process. As the Board is awaiting a response from the Responsible Ministers on the Board’s recommended approach to the development of the Cumulative Effects Assessment (CEA) Framework for the Mary River Project proposed in the *Cumulative Effects Assessment Framework Workshop Report* released on April 4, 2024,¹ the Board is not yet able to identify the specific opportunities for coordination with the SOP2 reconsideration process and the next steps in the CEA Framework development. Following the submission of Baffinland’s Addendum to the Final Environmental Impact Assessment to reflect the SOP2 (expected in mid-June), the Board will issue updated procedural guidance regarding the key steps in the SOP2, including to the extent possible, opportunities for coordination with the Board’s Project monitoring and CEA Framework development activities.

THE SCOPE OF THE SUSTAINING OPERATIONS PROPOSAL 2

Through the SOP2, Baffinland is requesting to extend trucking up to 6.0 million tonnes per year (Mt/a) along the Tote Road until the end of 2030 and ship iron ore from Milne Port until the end of 2032 unless the Steensby Port and Rail (as assessed and approved to proceed in 2012 under the original Mary River Project) becomes operational prior to that date. Further, Baffinland is also requesting to include a 0.9 Mt/a “Stranded Ore Contingency Allowance” as previously approved under the Sustaining Operations Proposal, until 2032 or shipping through the Steensby Port begins.

The justification for the Proposal is to allow Baffinland to sustain operations, generate revenue and deliver iron ore to its customers while it secures investment and begins construction of the Steensby Port and Rail. Baffinland indicated that the SOP2 would also ensure the Mary River Project continues to provide the socio-economic benefits that have been realized with the current 6.0 Mt/a operation.

The specific activities proposed in the SOP2 include:

¹ NIRB Doc. ID: 349249 (English), 349823 (Inuktitut), and 349822 (French).

- Continued transport of up to 6 Mt/a of iron ore using Ore Haul Trucks along the Tote Road until December 31, 2030;
- Continued shipping of up to 6 Mt/a of iron ore from Milne Port making no more than 84 round-trip transits via the Northern Transportation Corridor until December 31, 2032;
- Continued ability to use the “Stranded Ore Contingency Allowance” for the additional shipping of up to 0.9 Mt/a of iron ore in the year following a year when extenuating circumstances result in ore being stranded on the Ore Pad (e.g., heavy ice floes, weather, or safety restrictions) ice floes, weather, or safety restrictions) such shipping to remain within the maximum number of 84 round-trip transits each year; and
- Once Steensby Rail and Port are Operational, ore transportation along the Tote Road would be discontinued within 90 days, during which time Baffinland would transport all remaining ore at the Mine Site outdoor crushers to the Milne Port stockpile. All ore at the Milne Port Stockpile would then be shipped out via Milne Port as soon as practicable.

PROCEDURAL HISTORY OF THE SUSTAINING OPERATIONS PROPOSAL 2

On February 15, 2024, the NIRB received an update via email from the Nunavut Planning Commission (the Commission) that they had reviewed correspondence from Baffinland outlining activities for the SOP2,² and advised the following:

- The activities described in the proposal were a modification to the approved Mary River Project, and the activities were within the scope of activities covered by the February 2, 2023, positive conformity determination for the previous “Sustaining Operations Proposal”.
- The previous conformity determinations [*April 30, 2008, August 12, 2011, February 8, 2016, May 18, 2018, January 26, 2017, May 18, 2018, December 16, 2019, June 7, 2022*] still apply and activities previously assessed by the NIRB under File No. 08MN053.
- The SOP2 represents a significant modification to the approved Mary River Project and under Section 12.4.3 of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and required a screening by the NIRB.

On March 14, 2024, Baffinland completed its initial online application for the SOP2 to the NIRB. Recognizing the potential importance of the outcomes of the Cumulative Effects Assessment Framework Workshop (the Workshop) and recommendations of the NIRB in respect of improvements to cumulative effects assessment and monitoring to future assessments, including the SOP2, the NIRB awaited the issuance of its *Cumulative Effects Assessment Framework Workshop Report* on April 8, 2024, to verify that Baffinland’s online application for the SOP2 was complete.

² NIRB Doc. ID: 348003.

In the notification to parties of the Board’s receipt of the SOP2 project proposal, and request for comment, the Board indicated:

Parties should be aware that the NIRB agrees with the conclusion of the Nunavut Planning Commission that the scope of the changes proposed in the SOP2 constitutes a “significant modification” to the previously approved Project and is requesting input from Parties on the required assessment process.

After Baffinland submitted its application online, on April 25, 2024 notice of the Sustaining Operations Proposal 2 application was provided on April 25, 2024 to regulators and interested parties along with an invitation for parties to provide comment and advice to the Board on the following:

- a) Scale and scope of the proposed modifications in the context of the Board’s previous impact assessments of the original Mary River Project, and the subsequent amendments proposed by Baffinland in the Early Revenue Phase Project, Production Increase Project, Extension Request to the Production Increase Project, and Production Increase Proposal Renewal, and Sustaining Operations Proposal;
- b) The specific terms and conditions that are applicable to the activities, works and undertakings included within the scope of the proposed modifications in the SOP2, including consideration of how the proposed modifications would comply with the applicable terms and conditions, and identifying the specific terms and conditions that must be revised to reflect the proposed modifications;
- c) Preferences for the process and timing of the Board’s assessment of the SOP2, including but not limited to:
 - Identifying any key process steps the Parties consider necessary for the Board to complete a thorough and timely assessment of the SOP2;
 - Need for, and preferences for the format, timing, and location of a potential Public Hearing to consider the Proposal; and
- d) Any other matter of importance to the commenting party related to the Board’s assessment of the SOP2.

On or before May 23, 2024, the following parties provided comments:

Table 1: List of Commenting Parties

Party	NIRB Doc ID
Nunavut Tunngavik Incorporated (NTI)	350060
Qikiqtani Inuit Association (QIA)	350071
Government of Nunavut (GN)	350063
Government of Canada (GOC)	350064
Mittimatalik Hunters and Trappers Organization (MHTO)	350066-69
Ikajutit Hunters and Trappers Association (Ikajutit HTA)	350061
Sanirajak Hunters and Trappers Association and Igloolik Hunters and Trappers Association (Sanirajak and Igloolik HTA)	350072

Party	NIRB Doc ID
International Union of Operation Engineers Local 793 (IUOE793)	350065
Oceans North (ON)	350070
Baffinland Iron Mines Corporation (Baffinland)	350062

For the convenience of reviewers the Board has attached a summary by topic of the comments received in the attached [Appendix A: Summary of Comments from Regulatory Authorities, Inuit Organizations and Community Organizations](#) and included a very brief summary under the heading “Parties’ Comments”. However, parties are advised these summaries are not exhaustive. The full documents are available in their entirety as posted on the NIRB’s Public Registry from the following link: <https://www.nirb.ca/project/125893> and searching the NIRB Document ID No. provided.

Baffinland did not consider the proposal to constitute a significant change to the Project but indicated that Baffinland intended to prepare a comprehensive Final Environmental Impact Statement (FEIS) Addendum to update information since the previous assessments and to implement the updated approaches to cumulative effects assessment discussed during the Workshop.

Other parties provided extensive feedback regarding the need for additional assessment of the SOP2 and providing guidance regarding their preferences for the Board process that the additional assessment should follow. Parties expressed general agreement in respect of the following:

- Most parties noted the activities proposed in the SOP2 constitute a significant change to the previously approved Project and the NIRB assessment process should involve in-person meetings (technical and Community Roundtable sessions) and a Public Hearing.
- Parties commented that the assessment should be conducted in a timeline that allows for the Board’s and Ministerial decision-making to be completed in advance of the 2025 shipping window.
- Most parties noted the importance of incorporating improvements to the Cumulative Effects Assessment component into the Board’s assessment of the SOP2.
- Multiple parties, especially the Hunters and Trappers Organizations/Associations requested the Steensby Rail/Port be reconsidered, either as part of SOP2 or separately, noting the length of time between the original approval and the proposed construction.
- Multiple parties noted the overlap between continued usage of the Tote Road and construction/startup of the Steensby railway was not addressed in the original assessment of the Mary River Project, nor in the Board’s subsequent assessments of modifications to the original Mary River Project.

In general, where an approved project is already governed by the terms and conditions of a NIRB Project Certificate, to determine the process and procedure guiding NIRB's assessment of any modification proposal the Board must consider the following questions:

- Was the proposed modification included within the scope of the original project (and subsequent modifications) as previously assessed by the NIRB?
- Is the proposed modification consistent with the terms and conditions of the existing NIRB Project Certificate, or are changes to the Project Certificate necessary to reflect the modification?
- Does the proposed modification constitute a significant modification to the original project that is integrally linked to the original project (including as subsequently modified under any modification proposals that have been assessed and approved by the NIRB)?
- Does the proposed modification constitute a significant modification to the original project that is not integrally linked to the original project, and that has sufficient scope to be assessed as an independent project proposal?

Although there were a wide range of views regarding the need for additional assessment and the process that any additional assessment would follow, there was agreement regarding the following issues:

- The further extension of the 6.0 Mt/a transportation and shipping limits by eight (8) additional years is, as noted by the Commission in its referral to the NIRB, a significant modification to the Board's prior assessments; consequently, further assessment of the SOP2 by the NIRB is warranted;
- Terms and Conditions 179 (a) and (b) of Project Certificate No. 005 must be revised if the SOP2 activities were to be allowed to continue until 2032;
- Since the Board considered the Production Increase Proposal (PIP) Renewal (PIP Renewal) in 2022 and the Sustaining Operations Proposal in 2023, some additional information has been generated about transportation and shipping at the 6 Mt/a level (with 0.9 Mt/a contingency for stranded ore), such as dust mitigation efforts associated with the Inuit-led dust committee and Baffinland's marine mammal mitigation measures during shipping (e.g., ships travelling in convoys and speed reductions) and additional monitoring efforts of regulators and communities that may be relevant;
- The linkage between the SOP2 and Baffinland's plans to develop and transition to Project transportation and shipping via the Rail and Steensby Port as assessed and approved in 2012 has not previously been considered by the Board.

Recognizing that there is a need to revisit the terms and conditions of Project Certificate No. 005 (179(a) and (b) specifically), and that there is some additional information that has been received by the Board since the Board's prior assessments of the PIP, the PIP Extension in 2019, the PIP Renewal in 2022, and the Sustaining Operations Proposal in 2023, the Board has determined that

that the requirements for a reconsideration of the Project Certificate under the *Nunavut Agreement* Article 12, Section 12.8.2 and s. 112(1)(a) and (b) have been met:

112 (1) The Board may, on its own initiative or at the request of the designated Inuit organization, the proponent or any interested person, reconsider the terms and conditions set out in a project certificate that it has issued if

(a) the terms and conditions are not achieving their intended purpose or are having effects that are significantly different from those anticipated at the time the certificate was issued;

(b) the circumstances relating to the project are significantly different from those anticipated at the time the certificate was issued; or

On this basis, the Board has concluded that the modifications to activities proposed under the SOP2 do constitute a significant modification to the scope of the original Mary River Project (as amended by the Early Revenue Phase Proposal, the Production Increase Proposal, the Extension to the Production Increase Proposal, the Production Increase Proposal Renewal, and the Sustaining Operations Proposal), and provide the following direction regarding immediate next steps to initiate the assessment of the SOP2 as a reconsideration.

NOTICE OF RECONSIDERATION

As indicated above, the Board has decided that as provided for under Article 12, Section 12.8.2 (a) of the *Nunavut Agreement* and s. 112(a) of the *NuPPAA* (changed circumstances) a reconsideration of specified terms and conditions of Project Certificate No. 005 is required in light of the continuation of activities proposed in the “Sustaining Operations Proposal 2” Project Proposal (SOP2 or Proposal). As required by s. 112(3) of the *NuPPAA*, the NIRB is providing notice of a formal reconsideration of the terms and conditions of Project Certificate No. 005 to the Proponent and the Minister.

RECONSIDERATION PROCESS: NEXT STEPS

As stated in s. 112(4) of the *NuPPAA* the NIRB has the discretion to determine the appropriate process for the conduct of a reconsideration of Project Certificate terms and conditions that is appropriate in the circumstances of the specific proposal before the Board. As indicated in the first section of this correspondence, the Board will issue separate procedural guidance for the assessment after the receipt of Baffinland’s Impact Statement Addendum associated with the SOP2.

PARTICIPANT FUNDING

The Board notes that several community-based and non-governmental organizations who previously participated as registered Interveners in the Board’s previous assessments associated with the Mary River Project (including the Phase 2 Development Proposal, the PIP Renewal Proposal in 2022, and the Sustaining Operations Proposal in 2023) have provided comments in respect of the Proposal and expressed interest in participating in the Board’s reconsideration

process. As noted in the Board's prior Reconsideration Reports and Recommendations associated with modifications of the Mary River Project, the Board's assessments have benefitted from the considerable interest and fulsome participation of a variety of Registered Intervenors, including organizations whose participation was supported, in part, by the provision of participant funding.

Accordingly, the Board requests that the Responsible Ministers consider making participant funding available through the Northern Participant Funding Program. The intent of such funding is to provide resources to facilitate meaningful participation in the Board's assessment process. The Board will convey any guidance received from the Ministers regarding the provision of participant funding associated with the SOP2 assessment.

CONCLUSION

The Board looks forward to conducting the reconsideration and issuing updated guidance. In the interim, should you have any questions regarding this notice and procedural guidance, please contact the NIRB's Executive Director, Dionne Filiatrault at dfiliatrault@nirb.ca.

Sincerely,



Kaviq Kaluraq
Chairperson
Nunavut Impact Review Board

cc: Mary River Distribution List

APPENDIX A: SUMMARY OF COMMENTS FROM REGULATORY AUTHORITIES, INUIT ORGANIZATIONS AND COMMUNITY ORGANIZATIONS

Party	Comment
Scale and Scope	
NTI	<ul style="list-style-type: none"> -SOP2 is a significant modification to the previously approved Project -Longer timeframe of activities along Northern Transportation Corridor. -Should be assessed in context of existing impacts and cumulative effects.
QIA	<ul style="list-style-type: none"> -Requires fulsome review of shipping impacts and proposed monitoring and mitigation measures; impacts on terrestrial environment with an emphasis on caribou; freshwater environment; and climate change. -Would be the first time a fulsome review of a proposal to increase from 4.2 Mtpa to 6.0 Mtpa, not just an application to extend 6.0 Mtpa through Milne Port. Past “temporary” increases, based on expedited assessments, should not aggregate into what is the accepted current Project, and the NIRB and intervenors should be treating this application as a permanent Project change from 4.2 Mtpa to 6.0 Mtpa, plus operational flexibility to 6.9 Mtpa. -There is uncertainty in the ore transportation plan as proposed in SOP2. A careful consideration of all conditions when certain shipping rates apply is required to better understand the impacts of SOP2.
GN	<ul style="list-style-type: none"> -Proposal could result in a total of 12 consecutive years (2018-2030) that 6 Mt/a have been transported along the Milne Inlet Tote Road. The previous proposals for haulage considered much shorter timelines, and it is not clear that the impact of continued and/or long-term use of the Tote Road in this way has been assessed. -Must consider that traffic rates on the Tote Road likely to exceed those of previous years due to combined effect of ore haulage and the anticipated traffic associated with the delivery of materials, equipment, etc., for construction of the Steensby rail and port. -Socio-economic impacts understood and continuation of project will ensure that relevant benefits can continue to the communities in the region. -New caribou protection measures committed to in the most recently approved amendment are absent. <u>Scope of Proposal:</u> -Term “operational” is ambiguous in defining duration of SOP2 activities; trigger for discontinuing ore haulage North is unclear or how routing and destination of stockpiled ore will occur after 90 days of ‘operational’ status which creates uncertainty regarding the temporal overlap of the intensified use of the Milne Inlet Haul Road and the Southern Railway. A protracted period of overlap between these components may present a barrier to the movement of North Baffin caribou. -Inconsistencies in description of transport and stockpiling of ore.
GOC	<ul style="list-style-type: none"> -Risks to narwhal population in Eclipse Sound and introduction of aquatic invasive species and non-indigenous species should be considered. -Results from additional Fisheries and Oceans Canada monitoring as well as the 2023 Baffinland monitoring data on narwhal should be included.

Party	Comment
	<p><u>Scope of Proposal:</u> -clarification required regarding removal of ore handling equipment from Milne Port and progressive reclamation of disturbed lands, as these may be new activities.</p>
MHTO	<p>-SOP2 activities, over the proposed length of time, have not been assessed and constitute a new development for the purposes of assessment.</p>
Sanirajak and Igloolik HTA	<p>-Both HTAs share concerns as Inuit from both Sanirajak and Igloolik use Steensby Inlet and the surrounding area for many harvesting practices, including hunting (caribou, sela, walrus, whales, birds), fishing and egg gathering. There is also a substantial commercial quota for Arctic char in the surrounding area. While this quota is not currently being used, our communities hope to benefit from this development opportunity.</p> <p>-HTAs share many of the same concerns with plans to build a port and railway in Steensby Inlet, especially the potential impacts on caribou, whale, seal, birds, and walrus hunting, as well as char fishing. The HTAs are also concerned with potential impacts on the ocean bottom, where marine mammals and migratory birds feed.</p> <p>-Construction of the railroad and simultaneous operation of the Northern Shipping route to transport ore at this rate was not assessed previously and will divide Baffin Island, affecting caribou migration. The NIRB should reconsider the terms and conditions related to Steensby port and rail, including marine shipping through Foxe Basin, either within SOP2 or as a separate process.</p>
Ikajutit HTA	<p>-Concerned about impacts from construction of the Steensby railway.</p>
ON	<p>-Scale and scope of the proposed modifications do not encompass the activities of the Mary River project over the next decade.</p> <p><u>Scope of Proposal:</u> -Proposed modifications to the Northern Route activities should be assessed alongside the proposed construction of the southern Steensby route. The project scope and scale should include the cumulative effects of both Steensby construction and Milne mining operations, specifically detailing the differences between the 2012 Steensby proposal and the current proposed activities, updated baseline data, the predicted impacts, and the mitigations.</p>
Baffinland	<p>-Proposal is not a significant change to the scale and scope that has been in operation since 2018 and in recognition of longer temporal scope of SOP2, is preparing a FEIS addendum update for submission to the NIRB in the coming weeks which will include an updated cumulative effects assessment as discussed at the Cumulative Effects Assessment Framework Workshop.</p>
Terms and Conditions	
NTI	<p>-Changes to terms and conditions cannot be defined at this time until a more detailed review is completed of Baffinland's impact statements, with input from all stakeholders especially at the community level and should consider both existing impacts and cumulative effects and the effectiveness of current terms and conditions.</p>

Party	Comment
QIA	-Specific terms and conditions will require amendments, as well as possible new terms and conditions, as identified through the review process. The full Project Certificate should be open for discussion without restrictions on the terms and conditions, and management plans available for amendment.
GN	-Terms and Conditions related to monitoring and mitigating the impacts of the Milne Inlet Tote Road on the terrestrial environment and may include, but are not limited to, 35, 53, 54, 55, 58, 188. -May be a need to review and/or adjust terms and conditions to address socio-economic issues related to the anticipated shift in Project activities.
GOC	-Changes to 179 (a) and (b) would be necessary for SOP2. -Additional terms and conditions may need revision and/or addition, including those related to removal of equipment from Milne Port.
MHTO	-all terms and conditions must be considered.
Sanirajak and Igloolik HTA	-NIRB should reconsider terms and conditions related to Steensby port and rail, including shipping, either within SOP2 or as a separate process, to address impacts to caribou migration from using North and Southern transportation areas at the same time.
ON	-Terms and conditions should incorporate and reflect a finalized Ministerial directed Cumulative Effects Framework prior to the approval of SOP2.
Baffinland	-Amendment to Term and Condition 179 (a) and (b) required.
Preferences for the Process	
NTI	-A fulsome technical review required facilitated by in-person participation of affected communities and stakeholders.
QIA	-SOP2 should be subjected to a fulsome NIRB review process. Including in-person TM/CRT, written submissions, and in-person hearing. -Requests an opportunity for QIA, and, if appropriate, other parties, to submit non-technical final submissions after the community roundtables, and before the hearing record is closed. -Suggest the Proponent's operational needs be considered to ensure that the timing of the Ministerial decision aligns with the planned rates of ore production and shipping.
GN	-One or more opportunities to provide written input should be provided. -At least one in-person engagement opportunity be held in one of the communities potentially impacted by the SOP2. -Include public engagement opportunities, such as a public hearing with a community roundtable component. -Where possible, virtual option for in-person meetings are also supported to maximize attendance where accommodations may be limited. -The typical timelines should be followed for SOP2, not expedited.
GOC	-Defers to Board discretion and offers that a combination of in-person and virtual opportunities can support fulsome participation.

Party	Comment
MHTO	-Limited information provided by Baffinland for SOP2 and requests an updated, standalone Impact Statement be filed. -TM/PHC in Pond Inlet, final hearing in Pond Inlet and Iqaluit with virtual participation. Timing should be sensitive to community considerations.
Ikajutit HTA	-Need for meetings within communities to ensure local input.
ON	-NIRB should require Baffinland to clarify and fully develop a proposal that scopes in all aspects of the Steensby expansion with an updated assessment of baseline data and cumulative effects. -Recommend in-person hearings in affected communities, including along the southern shipping route, to include television broadcast. -Recommends NIRB process provide the time and processes for HTOs and communities to consider the combined use of the Northern Route mining operation and the construction of the Steensby railway and port.
IUOE793	-Supports similar process to what was used for the SOP (community roundtable and written submission), to be completed by the end of March 2025. -Notes “consultation fatigue” among participants and mine workers due to short-term approvals. Approval of SOP2 would provide security over a greater span of time regarding employment for workers.
Baffinland	-Baffinland is not requesting an expedited process for the Sustaining Operations Proposal 2; requests that the NIRB ensure there is an in-person opportunity for community engagement. Requests that the NIRB consider a process that could support the issuance of a recommendation report by March 2025, noting that the Ministers decision-making period may extend up to 180 days and may be impacted by a Federal election in 2025.
Other Matters of Importance	
NTI	-An appropriate cumulative effects assessment should be conducted in connection with the review of the SOP2.
QIA	-Further guidance from the NIRB is required to define expectations on the depth and breadth of Cumulative Effects Assessment discussions/review within the SOP2 review process, and what will constitute the “thorough CEA” to occur outside the SOP2 review process.
GN	-Baffinland’s cumulative effects assessment commitments made at the February 2024 Cumulative Effects Assessment Framework Workshop have not been integrated into the SOP2 application.
GOC	-Mitigation measures and monitoring programs should be reviewed to ensure the potential for the introduction of aquatic invasive species and non-indigenous species are minimized. -Currently considering applicability of the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) to the SOP2 and will advise Baffinland and NIRB of determination and any relevant considerations for the assessment process.
MHTO	-Request info on participant funding which will be necessary to participate in an assessment.

Party	Comment
Sanirajak and Igloodik HTA	-A joint submission is being made until intervenor funding is provided. -Concerned about construction of the Steensby railroad. Due to length of time since original approval, baseline conditions may have changed and mitigation updated.
Ikajutit HTA	-Concerned about construction of the Steensby railroad. Recommended baseline studies of the Steensby project area and Steensby Bay marine environment begin immediately. Lakes and terrestrial environment around the Steensby route will not recover well from significant impacts. It is important that Baffinland ensure there is no pollution or impacts along the rail route.
ON	-Important to clearly establish what is being reviewed.
IUOE793	-highlighted consultation fatigue among participants and mine workers due to short-term approvals. Approval of SOP2 would provide security over a greater span of time regarding employment for workers.