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Sent via email: dfiliatrault@nirb.ca and info@nirb.ca

Dionne Filiatrault
Executive Director, Nunavut Impact Review Board
29 Mitik Street, PO Box 1360
Cambridge Bay, NU
X0B 0C0

Dear Ms. Filiatrault:

Re: Cumulative effects assessment and framework for the Mary River Mine

We represent the Arviq Hunters and Trappers Organization. Our client holds constitutionally protected treaty rights to harvest wildlife in Nunavut as set out in the *Nunavut Land Claims Agreement* (1993). Those rights are currently under threat due to the potential impacts of Baffinland Iron Mines Corp's plans to construct a railway line between the Mary River Mine and Steensby Inlet, and a port at Steensby Inlet to enable the shipping of iron ore southward through Foxe Basin and the Hudson Strait (the **Steensby Project**).

We understand that the Nunavut Impact Review Board has been preparing a Cumulative Effects Assessment Framework (**CEAF**) that will be applied to the Mary River Mine and could be used to update existing Project Certificate terms and conditions, including for the Steensby Project. The development and application of the CEAF will have clear impacts on Arviq HTO's treaty rights. As a result, the Board must consult and accommodate our client throughout every stage of the CEAF and cumulative effects assessment process, including as they relate to the Steensby Project.

The Board has not released any information about the process it is following in developing and applying the CEAF, including any planned consultation with Arviq HTO and other affected Inuit rights holders regarding the CEAF and the cumulative effects assessment. Given the clear potential impacts of these matters on our client's treaty rights, we ask that the Board provide us with a detailed outline of its process for preparing and applying the CEAF. This should include, but not be limited to, specific information about when, how, why, and on what topics the Board proposes to consult with Arviq HTO so that our client can adequately prepare for consultation.

We further advise that our client intends to file a request to the Board for a reconsideration of the Steensby Project under s 112 of the *Nunavut Planning and Project Assessment Act*. More than 12 years have elapsed since the original project certificate was issued. In our client's view, as will be set out in more detailed future submissions, the proponent's failure to implement the Steensby Project in a timely manner since 2012, the federal government's failure to consult our client in relation to the Steensby Project's impacts on their rights and livelihood, and several other factors, require the Board to conduct a comprehensive reconsideration of the Steensby Project. This request will be filed in due course once our client has had an opportunity to research and prepare same.

We look forward to hearing from you at your earliest convenience.

Sincerely,



James Gunvaldsen Klaassen
Managing Lawyer, Atlantic Region