



**NIRB File No.: 08MN053**

NWB File No.: 2AM-MRY1325 - Amendment No. 1/G1

October 2, 2018

Mary River Distribution List

*Sent via email*

**Re: Responsible Ministers' Decision for Baffinland Iron Mines Corporation's "Production Increase Proposal" for the Mary River Project**

---

Dear Parties:

On October 1, 2018 the Nunavut Impact Review Board (NIRB or Board) received the enclosed correspondence in response to the Board's August 31, 2018 Reconsideration Report and Recommendations<sup>1</sup> regarding Baffinland Iron Mines Corporation's (Baffinland) Production Increase Proposal for the Mary River Iron Mine (NIRB File No. 08MN053). Collectively, the responsible ministers with regulatory jurisdiction for authorizing the Mary River Project to proceed (Responsible Ministers) and for responding to the Board's Reconsideration Report and Recommendations on this matter include the Minister of Intergovernmental and Northern Affairs and Internal Trade, the Minister of Transport, the Minister of Environment and Climate Change, the Minister of Natural Resources, the Minister of Fisheries, Oceans and the Canadian Coast Guard. The Responsible Ministers have accepted the Board's recommendation that two elements of the proposal can proceed without updates to the existing terms and conditions of Project Certificate 005 being required: the addition of a 15 ML diesel fuel tank to the existing Fuel Storage Facility at Milne Port, and the installation of a new 380-person accommodations camp at Milne Port.

While sharing the Board's concerns for potential adverse effects of the proposed increase in ore production and transport associated with the proposal, after considering the NIRB's Report and additional submissions provided directly from the Qikiqtani Inuit Association and the Government of Nunavut, the Responsible Ministers have varied the terms and conditions of Project Certificate No. 005 to allow a time-limited increase (unless amended further, the production increase will end on December 31, 2019) in production and transport of iron ore for the Mary River Project from the current limit of 4.2 Million tonnes to 6.0 Million tonnes. Consequently, the NIRB will update the terms and conditions of Project Certificate No. 005 within 30 days to incorporate the wording provided by the Responsible Ministers for the varied and additional terms and conditions as required to manage the potential for significant adverse ecosystemic and socio-economic effects.

---

<sup>1</sup> Public Registry ID: 320546

Within its Reconsideration Report and Recommendations, the NIRB identified significant public concern and the potential for adverse effects to the marine environment and Inuit harvesting associated with the proposed increase to ore production and transport for the Mary River Project. Reflecting the Ministers' recognition of these concerns as conveyed by the Board in the NIRB's Reconsideration Report and Recommendations, in approving the project to proceed the Responsible Ministers have encouraged the Board to host an annual marine monitoring and marine mitigation workshop in Pond Inlet for the duration of the increased ore production for the Project. The NIRB intends to engage with the Marine Environment Working Group for the Mary River Project, the community of Pond Inlet and other interested parties to implement a marine workshop or similar event through the Board's monitoring program for the Mary River Project moving forward.

Baffinland's Phase 2 Development Proposal requests a further increase to the amount of iron ore extracted, hauled and shipped via Milne Inlet for the Mary River Project. As previously communicated, the Board's conclusions in respect of the assessment of the Production Increase Proposal in no way predetermines or otherwise limits the outcome of the Board's future assessment and decision-making associated with the Phase 2 Development Proposal. As noted by the Responsible Ministers, the impacts of the production increase need to be more broadly examined during the assessment of the Phase 2 Development Proposal, and "it will be important to integrate the experience, knowledge and data gained over the course of the next two production years into that review process". An Addendum to the Final Environmental Impact Statement (FEIS Addendum) for the Phase 2 Development Proposal is anticipated to be submitted by Baffinland later this week and, should it be determined by the Board to satisfactorily conform to the required EIS Guidelines, the assessment of that proposal would be expected to commence soon after; the NIRB will provide direction to all parties on the next steps in the assessment process at that time.

The Board sincerely appreciates the efforts of all parties to actively participate in the ongoing assessment and monitoring processes for the Mary River Project; the NIRB remains committed to ensuring the approved Project protects and promotes the well-being of the Environment and Nunavummiut moving forward.

Should you have any questions in relation to this matter, please contact Ryan Barry, Executive Director directly at (867) 983-4608 or [rbarry@nirb.ca](mailto:rbarry@nirb.ca).

Sincerely,



Elizabeth Copland  
Chairperson  
Nunavut Impact Review Board

cc: William Napier, Megan Lord-Hoyle, & Lou Kamermans - Baffinland Iron Mines Corporation  
Stephanie Autut & Karén Kharatyan - Nunavut Water Board

Enclosed: 181001-08MN053-Ministers Approval Re Production Increase-IA2E