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Nunavunmi Parnaijiit
Nunavut Planning Commission
Commission d'Aménagement du Nunavut

June 28, 2013

Nunavut Impact Review Board
Cambridge Bay, Nunavut X0B 0C0

Attention: Ryan Berry, Executive Director

Delivered by Electronic Mail

Re: Baffinland Iron Mine Early Revenue Phase

Dear Ryan,

I am writing in response to the June 24th letter from the Nunavut Impact Review Board (NIRB) to Baffinland outlining the expected timelines of the NIRB review of the recent modification to the Mary River project, by the proponent. We thank you for the information as it relates to your process. We note however that NIRB references the conformity determination process to be undertaken by the Nunavut Planning Commission (NPC) and implies a time line for its potential completion.

With respect to the work of the NPC, we must advise NIRB, the proponent and others who may review this matter, that the NPC time line is not one that other parties are able to influence, other than by commencing the NPC conformity review by way of an application to NPC, which triggers the start of the NPC conformity process. The NPC received a new application from the Department of Fisheries and Oceans June 24 and continue to wait for a response to enquiries made to the Nunavut Water Board and Qikiqtani Inuit Association.

You may recall that we outlined the need for a conformity review of this project when we met February 19, 2013. To suggest that there is now some need for a '15 day review' is incorrect, as it relates to the conformity determination review procedure. Without pre-determining the length of the review in the proponents' proposal, we note that the new Nunavut Planning and Project Assessment Act (NUPPAA) legislation, expected to come into effect next year, provides for a 45-day period for an NPC conformity determination. This would be from the time that NPC deems the application for a project proposal to be complete.

I trust if NIRB has any additional questions regarding the NPC process you will contact us directly. This would be preferable to the most recent approach of erroneously advising a proponent of our procedure and requiring our response clarifying how our process will unfold.

Respectfully,

A handwritten signature in black ink, appearing to read "Adrian Boyd". The signature is written in a cursive, flowing style.

Adrian Boyd
Acting Executive Director

CC: Erik Madsen, Baffinland Iron Mine