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Nunavunmi Parnaiyit  
Nunavut Planning Commission  
Commission d'Aménagement du Nunavut

# Summary of Public Hearing Transcript

North Baffin Regional Land Use Plan Amendment No. 3  
in relation to the Mary River Phase 2 Expansion Project

December 4 & 5, 2017  
Community Hall  
Pond Inlet, Nunavut



February 2018

*This document summarizes comments made during the Public Hearing in Pond Inlet on December 4-5, 2017 regarding Amendment No. 3 to the North Baffin Regional Land Use Plan. For additional comments and context, please see the complete transcript, available on the NPC's Public Registry.*

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# Day 1 – December 4, 2017

## 1. Introduction (9:00-10:15)

**Agenda items 1-5** (not summarized here):

- Welcome and Opening Remarks (p. 6-7 of Public hearing transcript)
- Context for Public Hearing and NPC Executive Director Summary (p. 8-13)
- Summary of Issues Being Considered (p. 13-14)
- Introduction of participants (p. 14-17)
  - See Appendix A for list of participants

## 2. Proponent Overview of Proposed Amendment to the NBRLUP (10:40-11:20)

### **Agenda item 6**

Baffinland provided an overview of the proposed amendment:

- Phase 2 Project Proposal will see Baffinland expand to 12 million tons per annum. This expansion is critical to the survival of the Baffinland Iron Mine...It is a high-fixed cost operation. That means it costs the same amount of money to produce 1,000 tons a day as it does to produce 30,000 tonnes a day...At a production level of 4.2 million tonnes, the revenue generated does not offset those fixed costs. An operation of 12 million tonnes per annum will offset those fixed costs and position Baffinland to be successful in a very variable iron ore price environment....we're not going to be operating for 10 years, not 20 years, not even greater than 30 years. This is a multi-generational operation that will be here for our children's children, assuming that we can get our cost structures straight. (p. 18)
- The railroad track would just be on the side of the tote road where the road already exists. If you look at parts of the proposed railroad track, there is a bit of difficulty. Some curves are quite sharp in the first part. Perhaps the routing might have to be altered slightly just to make it safe. Ten kilometers is a corridor that we use. Five kilometers to the either side....The railroad track – the gravel would be had from approved land where QIA has approved the location for gravel hauling. This particular gravel is on Inuit Owned Land, so it has been approved and proposed to be used to do the construction. We had workshops in the past on this matter. The gravel site has been researched. We have brought in maps to indicate where gravel would be. (p. 19)
- The amendment is self-explanatory. It is very clear why we have chosen the sites adjacent to the current tote road. The railroad track has been submitted for approval to the Nunavut Planning Commission, and there will also be a secondary regulatory approving agency to look at it as well to see if it impacts wildlife, the environment, and social life to the communities closest to the area. There has been considerable research. You are the first ones that we are making this proposal to. There will be another secondary agency to whom we have to explain as well. (p. 20)
- Hunters and Trapper Organizations and others have indicated that it is obstructive if constructed. I think this topic will continue as a concern, but we are here to work with organizations. We strongly believe as proposed that it is very sound. (p. 20)

- We also discussed caribou protection measures and how the railroad track would impact caribou herds. Having heard through the communities through meetings on caribou management concerns, Baffinland has very extensive policies working with QIA in protection of caribou. We have submitted how we view caribou protection to other regulatory agencies back in 2014. We understand and we adhere to the regulations to caribou. There have been a lot of ideas of how protection could be ensured if the railroad track was approved as a transportation corridor. We understand. We understand the railroad track, if it is approved as a proposal, it is for the better improvement of transportation. (p. 21)
- It is just very important to let security know whereabouts the public travelers are going just for safety purposes. It is not to restrict. It's not to tell people you can't travel there. It's strictly for safety purposes, whatever transportation mode you are going, even by snowmobile. This has always been the case even if the railroad tracks were made and approved. If the railroad track is constructed, it still would be very, very safe for hunters and caribou to cross. There would be no danger in how high the railroad track would be from the ground. It's nothing higher than 1 metre from the ground, so it's not very high. This would be the case of all the railroad construction. But the grade perhaps, the grading would be a little steep in certain areas, though not through the length of the track just because of the terrain. (p. 21-22)

## 2.1 Questions for Proponent (11:20-2:00)

### Agenda item 6

#### Rail Routing / Project Feasibility

- 1) NPC: Are you still planning to stay close to or adjacent to the existing road? (p. 22)

Baffinland: the proposed rail line would follow next to the tote road with the one exception that is shown on the map, where because of high topography and the grade being too steep for a railroad, it would have to divert to the south. The maximum distance from the existing tote road is seven kilometres for that section. (p. 23)

- 2) Committee: You mentioned one section, and you said 7 kilometres from the camp, it will go out of the tote road in order to avoid obstacles. You mentioned it was within your 10-kilometre corridor. So would that expand your transportation corridor from 10 kilometres to wider? (p.26)

Baffinland: Our position has been documented that we believe that infrastructure would fall within a 10-kilometre footprint of the corridor. (p.27)

- 3) Committee: How would it be better with the railway? (p. 35)

Baffinland: So the planning of putting a railroad alongside the existing tote road will definitely cause a larger footprint within that corridor....If in fact we get approved, there would be two barriers: the tote road and the rail.... If this were to proceed, there would be another pathway railroad beside the tote road. What we are looking at and what we would present over the course of an environmental assessment is the analysis of reducing the amount of traffic within that corridor. So instead of having 100 or more vehicles travelling back and forth in a single day, you would have a total of less than 10 trips by a long railroad car – a rail train. When you

look at the amount of dust that would be generated, the amount of dust that would be coming from less than 10 train trips, it would be less than the current number of trucks travelling the tote road and the dust lifting from that. So that would be an improvement. The less amount of traffic going down the road, we believe...would result in less chance for a caribou or a ptarmigan or a fox to get hit or killed... (p. 35)

- 4) Public: When you don't have money, how do you build a railway? (p. 37)

Baffinland: The Baffinland project is funded by investors from the south. Those investors have put in about a billion dollars into this project so far with the belief that the iron ore deposits of the North Baffin will supply the world for generations to come. The cost of developing such a huge undertaking is substantial, and the change in the world iron ore market prices from 2014 when this project was first approved to do 18 million tonnes down to Steensby, have really destroyed the economic model. In order to survive, Baffinland has had to change its plans. That's why the early revenue phase was taken off, because it was too expensive to build a railway down to Steensby. That still is the long-term plan, but the cost of doing that is beyond the ability of the investors to finance. In the last three years, Baffinland has produced iron ore and shipped it through Milne Inlet. Although it's hard for even me to understand the economics, the company right now is investing more every year than it makes. A downward price in iron ore – I think today it was around 70 bucks a tonne US – if it goes down, at the current rate of 4.2 million tonnes, Baffinland would continue to lose money and would go bankrupt. That means all of these discussions are for nothing. There wouldn't be a project. To be able to survive the changes in the iron ore prices, the investors, out of necessity, - and this is another reason why plans have changed, - are proposing to increase production to 12 million tonnes. The last three years have proven that you can't truck efficiently or economically down a 100-kilometre tote road built on permafrost in the High Arctic, with temperatures that plunge below -50. You can't do it economically. That's why it has to be rail. ....Without expanding, the economics just don't hold up when you look at a lower iron ore price....We've got to prove that we can make this work and get this iron ore to the markets to be able to attract the investment to be able to grow. If we fail in that...we can't guarantee that the company will continue to put money into this. (p. 37-38)

### Employment

- 5) Committee: if this proposal was approved, how many jobs would you lose because of transportation? The railroad track would become efficient. Do you anticipate any lost jobs? (p.23)

Baffinland: There will be no lost jobs as a result of this expansion. There will be transition of jobs. The transition will be from a truck-hauling route, so we will add more trucks to our mine. We're now moving three times the amount of product, so there are going to be different trucking jobs. There are going to be lots of equipment operations jobs. As well, from an Inuit perspective, we have very few Inuit currently driving our tote road in terms of hauling material right now. (p. 24)

- 6) Committee: I was made to understand that there are currently 259 employees. Is this from Pond Inlet, from Baffin communities? How many would be added to the workforce from here? (p.23)

Baffinland: Pond Inlet is currently at 47. The additional jobs that will come as a result of the expansion, of course, could be expected to be incurred in Pond Inlet. You look at the ratio of jobs, and Pond Inlet currently has the highest number of Inuit employed at the jobsite....With respect to jobs, Baffinland is putting a very heavy emphasis on increasing the rate of Inuit participation in the project workforce. We have commitments under the IIBA that we are taking very seriously. We work with QIA on a number of initiatives. One is the Q-step Program, which is a four-year program for training to employment. We have also introduced an apprenticeship program, 26 Inuit apprentices in a variety of fields. This will be a program that will be run every year. Finally, we are revamping and reintroducing our Work Readiness Program. It will be a 12-week program that will be run in every one of the five North Baffin communities. We think these are important first steps to increasing our rates of Inuit in the workforce. It is something we take very seriously, and...we see Phase 2 as providing a very good opportunity to diversify the available jobs and to increase our Inuit workforce. (p. 24-25)

- 7) Committee: Are you guys going to establish readiness to the people who are interested in getting a job? (p. 30)

Baffinland: several years ago Baffinland offered a five-day work ready program, which was intended to prepare people to work in a fly-in, fly-out environment....We looked at the 10-day program, and we felt that it was not sufficient to give people a sense of what it was like to work in a mining environment two weeks on and two weeks off. We have revamped the program, and now on a go-forward basis, we will be offering a 12-week course in each of the communities beginning in Igloolik. We already started to advertise for applicants to the program in Igloolik. Our ultimate goal is to offer this course twice a year in each community. It's a very comprehensive course. It will address things like how to cope with the stresses on family life, because we do appreciate that a fly-in, fly-out environment can be very difficult for family life; how to manage money; give a history of mining in Nunavut; and give some idea of what the regulatory regime is. We're currently running this as a pilot program in Igloolik. We will evaluate the program and make whatever changes are necessary to respond to particular needs of each community....We think that the program will be very successful, not only in encouraging Inuit to apply to the mine, but keeping our employees. The other program I mentioned, which is also being rolled out this year is the new apprenticeship program with 26 positions. It's a 2- to 3-year program depending on the nature of the trade, and this is something that we will keep offering on a rolling basis.... There are 259 Inuit employees. We want to do much better than that, so we're putting a lot of emphasis on pre-employment training, and as well training at the mine site. This is part of the initiative I referred to earlier – the Q-step program, which we are working in collaboration with the Qikiqtani Inuit Association. This will include things like supervisory training so that we can promote our existing employees through the ranks. (p. 31-32)

- 8) Committee: what has been done for the community for the mothers, daycares, and for women who will be able to be employed? Nothing has been done. Many women have quit, and there was not a great deal of concern.... I used to fish right on the shore next to the house. Now over the years, the fish have gone. Why would that be? The water? Pollution of the land? Now I yet hear again that the land will be polluted and devastated.... There are mothers leaving the one or two to look after the house. There are no daycares provided.... I went through this being gone for long periods of time. People have been very abusive. We don't have any alternatives of

where to go. Yet trying to pay for food, there is absolutely no benefits in rotations. I've seen people in income support, and they are totally dependent. Sometimes it is an entire generation of families, and the family is in the home. (p. 33-34)

(Taken as comment – no response)

### Impacts - Caribou

- 9) Committee: With caribou protection, you mentioned QIA has been informed, and they have worked with you with this question. Although I have heard this being mentioned, it was never brought up to my community in terms of caribou protection. We have not been informed. We should fully participate when it is being discussed. (p.23)

Baffinland: it's important to note that the HTO has been involved on our various committees and has been engaged throughout the development of these caribou protection measures.... We do have caribou protection measures that are in place currently and are implemented for our current operations. Those were developed in agreement with the Qikiqtani Inuit Association... We do have environmental working groups currently active on the program, which advise on all of our monitoring programs ongoing, both in the marine environment and the terrestrial environment. Those working groups have a number of different government agencies, as well as representatives from the Mittimatalik Hunters and Trappers Organization. The caribou protection measures that we do have in place currently will be revisited as part of the environmental assessment process for Phase 2, and certainly engagement with the QIA, as well as the environmental working groups and the HTO would be a process for the development and consideration of revisiting those caribou protection measures. (p.25)

- 10) Committee: How long would it take to...come to a dead stop if caribou were spotted on the railroad tracks? (p. 29)

Baffinland: A lot of the issues that we're talking about now were looked at during the review process of the Steensby line. So a lot of thought has gone into what if a rail is put onto Baffin Island because as was very appropriately or accurately stated, there has never been a railroad here. It'll be a first. So building on top of those discussions, we now have three years of actual operational experience. In addition to that, we have continued to revise and refine caribou protection measures. If we move on to environmental assessment, all of that will be revisited again. So we're going to need to continue to work with the community. We're going to need to continue to focus on those specific questions – how long does it take for a train to stop? How are we going to ensure that it doesn't interfere with the hunting and the caribou? But I would like to make a point that if in fact, a railroad is built, it would have less interaction or chance of interfering with hunting and caribou than what we currently have on the tote road with the number of trucks that are transiting that tote road on a daily basis. So the short answer is I don't have the specific answer to your question, but if the process does go forward, those questions will be answered. (p. 30)

### Impacts - access

- 11) Committee: From the mine to the wharf site is quite a distance. The land terrain is uneven, rough and high at times. There are ditches and valleys. I don't think we have discussed it yet fully by Baffinland. Once you have constructed considering the terrain, I just want a clarification again of how high the railroad track would be from the virgin ground – the valleys,



the ditches, and the inclines where you proposed. What effects would the incline be? Would you increase your gravel use in the low valleys when you reach ditches? I'm just asking given the unevenness of the terrain for the railroad. (p.27)

Baffinland: Now the design criteria that we are proposing and that would be taken forward through an environmental assessment for a thorough review, looks to be about a metre or three feet above the existing level wherever possible. You mentioned the areas where there are valleys and hills, because it is uneven. In those cases, there has to be material removed from the high areas, and it would be located into the lower areas to maintain that smooth grade. So there are areas in that terrain where the actual level of the road would be higher than one metre. If there are any streams or drainage course ways that would be interfered with when it is being constructed, those have got to be identified in advance, and approval has to be obtained through Fisheries. Culverts and other measures have to be put in place so that it doesn't interfere with the natural drainage. (p. 28)

- 12) Committee: you mentioned the existing road and the construction of the railroad track. Crossing and safety were emphasized. I think for those of us who live in this community, we hunt in that area. We shouldn't be told this area is out of bounds. We need to be told clearly where we can go in terms of hunting in your vicinity. (p.23)

Baffinland: the existing tote road and the traffic that currently transits or moves back and forth on that would be more excessive than the amount of traffic that would be on that road or in that corridor if a rail is approved. The measures regarding caribou and hunting, and safety specific to a railroad were looked at extensively during through the approval process for the original project and are shown in the final Environmental Impact Statement. They include things such as working collaboratively with hunters to identify areas of crossing and to make sure that the structure of the rail bed is designed to allow for passage not just for caribou, but also for hunters. There is a significant amount of material that would be involved in building a rail bed. That material would be drawn from existing quarries and quarries that would potentially be approved through the expansion if it is to go forward. Things such as areas where the grade is too steep for caribou or for hunters to transit, would be identified very clearly with the Hunters and Trappers Associations before construction even commences. (p.26)

- 13) NPC: As we all know, there is a public right of access on the tote road. Can you tell us how many times that railroad track will cross that tote road and impede the rights of folks that are on the road, and if so, how long will it take for that train to cross from one side to the other to impede the access? (p. 39)

Baffinland: Baffinland does not believe - that we will interfere with any rights of individuals on the road. There are between 7 and 9 of what we would call level crossings where a rail would cross the existing tote road. The transit time of a rail through a crossing would be a matter of minutes, several minutes. The procedures for level crossings outlined in the final Environmental Impact Statement will be revisited and informed by consultation throughout the course of the environmental assessment. (p. 39)

#### Impacts - Dust

- 14) Committee: another problem is dust, about 4 kilometers beyond the corridor. This has to be resolved as well. What about this proposed project of the train? Will it leave dust behind,



dustier than what we normally have now? Over in the summer, this dust could be a radius of perhaps 400 kilometers, so the train, I think would create more problems dust-wise. (p. 32)

Baffinland: The dust you've correctly identified as being an issue. The zone that comes off right now from the tote road is extensive, and it is measured regularly by monitoring. The source from the dust in the road is largely from the wheels on the roadbed, and that's what is causing the liftoff. Then it gets taken by the wind. If we're able to proceed to the environmental assessment, we will be able to provide more details on the analysis, but our findings and what we would put forward, is that there will be a significant reduction in the dust as a result of the railroad, because that would be six-seven trips a day, as opposed to the 100-plus trips by truck daily. Another source of dust is the crushing at the mine site. If, in fact, Phase 2 is approved, we're proposing to move that crushing down to Milne at the port and put it in an enclosed structure, which would also benefit cold weather operation and also reduce the amount of dust significantly. (p. 32-33)

- 15) Hamlet: I believe there is more than one wind direction at Baffinland. Will you speak of that? (p. 38)

Baffinland: You're right the wind direction varies. The modeling that we do for dust dispersion from the tote road, from the crushing at the mine, and from the loading at the ships accounts for the varying wind directions. In the EIS, in the Environmental Impact Statement, we will provide modeling that shows the measurements of the wind direction that we've been recording since we started the construction of the operation. It shows...well, you can fly over the place, and you can see the prominent wind direction because of the dust in the winter. I mean the snow is red, and it's red for quite a ways. But it does change. We can provide in detail more information on the direction of the wind when we get to an environmental assessment, if we're allowed to proceed. (p. 38)

#### Appendices J&K

- 16) Committee: I'm concerned about the way in which both Section J and K are understood. I'll use this example. As you know, if I build a house and I put an addition onto the house, in most jurisdictions – in fact, almost every jurisdiction I'm familiar with – you need a permit to do that, because you are developing your house. You already have the house, but you are developing it further. Section J uses the word "develop," and it requires that the proponent produce for the Nunavut Planning Commission certain information. Our argument is that section does, in fact, apply. If you read it carefully, it says "development of a corridor." It doesn't say, "development of a new corridor." ... The wording of Section J is "development of," and what the proponent is proposing to do by adding a railway is develop; that is, further develop a corridor that admittedly they already have....With respect to Section K, things are a little more, I guess, opaque or complicated. The corridor doesn't just consist of the corridor. In fact, associated with the corridor is a buffer zone. If you move the railway in the section that is being proposed, you affect the buffer zone. In other words, the buffer zone, which is part of the corridor, has to be redefined, because the railway is now right up against the western boundary of the existing corridor. So that, in effect, we would argue constitutes a redefinition of, i.e. the definition of, what amounts to a new corridor in that it is significantly changed as a result of the proposal to move the railway in order to avoid an area I gather, of considerable grade. So our argument is

very clear. Section J and Section K, because of what I just mentioned and given the wording, both of them apply. (p.26-27)

Baffinland: Regarding the application of J and K – the requirements of J and K - we've documented that while we don't believe it applies, we believe we've met those requirements. We also acknowledge that one of the objectives of these hearings is for the NPC to view all of the evidence and information put before them to make their determination on if that's correct. (p.27)

### Community engagement

17) Committee - Pond Inlet is the one that should have a clear say, because it is their land. They use the land. Do you know what they are up to? Who are you going to ask? (p.29)

Baffinland: Through the approval of the initial project and the Early Revenue Phase, several committees and working groups have been established that involved representatives from Pond Inlet, the HTO, the Mary River Working Group, and other organizations. We have tried and will continue to come into the community and provide information on a regular basis and listen. We've changed our project on more than one occasion as a direct result of what we've heard from some of those meetings. I do know people are frustrated with the changes that Baffinland makes, and not all of them have been a result of community concerns, but some of them have been (p.30)

## 3. Summary of Views Regarding Proposed Amendment (2:20-5:00)

### **Agenda item 7**

### 3.1 Qikiqtani Inuit Association

#### Background

- We seek to strike the right balance between protecting the land so we have access to wildlife, and to allow development that will provide employment for our youth. QIA as a designated organization also enters into an Impact Benefit Agreement when there are major development projects like Mary River. Qikiqtani Inuit Association saves financial benefits it receives from Mary River in the Legacy Fund to pay for programs delivered to Inuit now and for the future generations of Inuit. (p. 40)
- Qikiqtani Inuit Association works closely with the communities affected by Mary River. Qikiqtani Inuit Association established Pond Inlet Mary River Committee group to maintain a strong link with the Hamlet and HTO of Mittimatalik, the Hunters and Trappers Organization, as well as women, Elders, and youth. This group allows direct interaction with Mittimatalik during the environmental review and regulatory process. The group members met regularly to discuss issues with the community regarding Mary River. They are a way to get information from Mary River into the communities and give advice to QIA. Their meetings are open to the public. The Mary River Community Group was established in early 2015 for the Phase 2 proposal. Recently the group has met on a number of occasions, including in preparation for these hearings. Qikiqtani Inuit Association supports the group by providing information, responding to requests, and hosting in-person meetings. (p. 41)

#### Impacts

- For this amendment application, Baffinland has not submitted appropriate third party evidence in support of its own claims about the likely impact and significant project changes. This approach is not consistent with how Inuit think development should take place on their land. (p. 42)

#### Caribou

- Today nobody can question how important caribou protection is. Caribou is so important for Inuit, and now there are so few. When we gave Baffinland an information request for data about community meetings and caribou protection, the data they provided from before the Phase 2 expansion and addition of the North Railway, communities were already concerned about impact on caribou and wildlife, hunter safety, barriers to travel on land, and noise before the North Railway was part of the project. Inuit expressed concerned, and Baffinland does not seem to want Inuit to hunt around the mine site. (p. 42)

#### Multi-modal corridor

- This transportation corridor includes the tote road. Qikiqtani Inuit Association asks the Commission to limit the public access easement created by the Nunavut Agreement. Would multimodal uses permit the North Baffin Regional Land Use Plan to include both road and rail? What about the specific mixed use that is proposed, where there would be public use of the roadway and active mine use – the same roadway and construction and use of the railway within the same general area? Qikiqtani Inuit Association believes the Commission should establish clear and well-defined limitations on permitted uses of transportation corridors to resolve these issues. Much of Qikiqtani Inuit Association's insistence on the public hearing in Mittimatalik was due to proposed icebreaking to allow the community members...to voice their concerns on this issue. This is a very serious issue that could potentially have major impacts on Inuit. (p. 42)
- Railways have different and significant potential impacts. In its Phase 2 expansion proposal, Baffinland described the proposed North Railway, and said its route generally follows the tote road. Baffinland makes unsupported assertions regarding the effects of the railway route to Milne Inlet. Baffinland did not provide any road versus railway studies, data, or expert analysis. Baffinland's railway will have five train locomotives and 76 cars. The proposed railway will be over 100 kilometres long. There will be five to six trips loaded each day. Each trip will be two locomotives hauling 70 or 80 open-top ore cars at the speed of 60 to 75 kilometers per hour. That's a lot of traffic. (p. 43)

#### Appendices J & K

- The North Baffin Regional Land Use Plan says developing a new corridor requires an assessment of alternative routes. The project proposal and supporting document does not contain an assessment of alternative railway routes. It makes us wonder whether this assessment of alternative routes was even conducted. Community members of Mittimatalik have recommended some alternative routes. (p. 43)

#### Follow up comments/questions:

- Baffinland: One comment we heard was that Baffinland does not want hunting around the mine site. For clarity, Baffinland has welcomed and continues to welcome Inuit hunters coming to the site. We have policies in place to assist hunters in transporting equipment up and down the tote road, and policies in place to ensure their safe utilization of the tote road. This is a fact. There are areas where hunting cannot be permitted as a result of safety, because of ongoing mining operations. (p.44)

- NPC: ask Baffinland and QIA to provide sometime in the near future, the amount of resources or funds or money that they provided to the communities of Pond Inlet, Arctic Bay, Resolute Bay, Grise Fjord...in whatever form it may have been...(p. 44)

## 3.2 Government of Nunavut

### Requirements of Appendices J&K

- We would note that the existing North Baffin Regional Land Use Plan requires an amendment application in the case of transportation corridors being developed. But in our interpretation, the transportation corridor being proposed is an amendment of an already approved corridor. (p. 45)
- Further, many of the concerns we're hearing, particularly from community members, are relating to actual impacts of the possible project itself, as opposed to comments on the proposed amendment. We submit that project impacts are best reviewed through the Impact Assessment process, should the project go down that road. (p. 45)

### Follow up comments/questions:

- Committee: Is there any negative that would affect the wildlife or the land, especially the small rivers? There is a river coming from there, and the river is from Mary River going up. Would it also impact? (p. 46)
  - GN: We submit that it's a little early to be identifying specific project impacts, because should the Nunavut Planning Commission agree with the amendment and the project goes down the regulatory process, it's through the Nunavut Impact Review Board that specific project impacts would be identified and mitigation measures would be proposed. So I don't think it's possible at this time to say if we agree with possible impacts. (p. 46)

## 3.3 Government of Canada

### Land Use Planning/multi-modal corridor

- The Government of Canada views land use planning as a tool to provide directions on types of land use that are allowed or not allowed in an area. For example, mining can occur in some areas, while a restriction on mining would apply in other areas. The strength of the land use plan is that it provides up front guidance on how land can and cannot be used. (p.47)
- So it's our consideration that the proposed activities that we are discussing today appear aligned with the 2014 amendment to the Plan, which permits a corridor that allows for multiple types of transportation, multiple types of ground transportation, and it's captured in Appendix Q. This land use planning approach is already evident in the North Baffin Regional Land Use Plan. (p.47)
- We realize that this understanding is not shared by all parties. Therefore, we see value in this process to amend the Plan in order to provide clarity on the land uses allowed within this transportation corridor. It is Government of Canada's preference that if the amendment is to be considered, it needs to focus on the land use in question, and all the specific activities being proposed by an individual proponent. (p.47)
- Our opportunity here is to answer a bigger question of what land uses are acceptable under the Land Use Plan, and in particular this transportation corridor, not whether this activity

can proceed. This is not to imply that the activities being proposed are not important. Rather, the activities need to be subject to review of impacts and regulatory permitting. Activities are to be reviewed by the Nunavut Impact Review Board to assess impact and determine if they are acceptable, and if so, under what conditions and terms they allow in order to mitigate impacts to the environment and enhance socioeconomic opportunities. If the project advances to the Impact Assessment stage, federal departments will participate and provide expertise for the impact review process. (p.47)

#### Follow up comments/questions:

- NPC: Are you in support or not in support [of the amendment]?
  - GOC: the Government of Canada has viewed the amendment request and its supporting documents provided by Baffinland and believes that the content provided is satisfactorily comprehensive to allow the Commission to consider the application and make a recommendation on whether to amend the North Baffin Regional Land Use Plan...it's just up to the Commission to decide.
- Committee: (as repeated by NPC staff in English) will you trump whatever NPC is attempting to move forward with... whatever the decision this body might make, whether you like it or not, what will Canada do?
  - GOC: based upon the advice of the Commission, the Government of Canada, the Government of Nunavut, and NTI will make a decision to approve the amendment... it's a joint decision by the Government of Canada, the Government of Nunavut, and NTI.
- Committee: Are you in support or not? (p. 49)
  - GOC: the supporting documents satisfy and are comprehensive to allow NPC – the Commission – to make that decision to consider the application and make recommendation on whether to amend the North Baffin Regional Land Use Plan.
- I came here to the hearing to say INAC says in their report that they don't have concerns and can continue with the railway. That's what I saw. (p. 50)
  - GOC: We want to clarify that we are not saying that we support the railway. What we are saying is that the Land Use Plan is a multimodal transportation corridor. So Canada submits that the Commission, if the Commission decided to amend the Plan, it's our preference that we will provide more clarity that the corridor...what type of land uses are allowed, and for this particular corridor. (p. 50)

### 3.4 Pond Inlet Hamlet, HTO & Public

#### Appendices J&K

- We believe Appendix J and K - you have to know the details. If you don't know them and you came, you would just be working on it and the amendments. You could've worked on that instead of coming, but you have to hear the impacts from us. That's why you came. It's in the Nunavut Agreement. It states what you need to work. If we had to go to court or legal battle, we would use these. That is what I wanted to say. What you are using, the details of Appendix J and K need to work and need to be communicated. What Baffinland is wanting, the impacts will be stated by us. We will talk about the details of that. (p.51)

#### Impacts - access

- we are impacted in our path when we're driving, skidooing or dog team. You already closed four roads for us. It was mentioned by Baffinland that the length is 110 kilometres. You have closed four pathways for us. We can't use them anymore...The road that we use will be closed again for us Pond Inlet people. Fifty-two kilometres, we'll have a turn that will shut us out, the river. From Mary River, the railway turn reaches there, and it's not all. Some of it is going to Igloolik, to Amittuq. If it is built, we will be impacted. In addition to those four, there will be two more that will affect us that we will not be able to pass. The turn is very high. It's not low. We will not be able to reach up that high... It will stop us again for annual dog team race. It will stop them too. It will block. We will be blocked with the railway.(p.51-52)

#### Impacts – wildlife and dust

- It will also impact Pond Inlet residents and Arctic Bay residents. It's our last hunting place, Mary River. It was used before in the past, and now up to this day it is still used for hunting. (p. 52)
- This dust created by the railway will affect more the current trucks there - the current trucks there and the dump trucks or trailers. There are lakes, two of them with fish from Mary River to Milne Inlet and beyond. I have checked all the lakes, the small ones, the big ones. They all have fish, even the small rivers. The small creeks have fish... Amittuqmiut waters will be affected, and I know they are affected already with this dust. We will be told not to drink sometime in the future from that area, from that water. (p. 52)
- The railway, we were told there is less impact, but I have been on these railways before. People in here have been on railways before. What they said is not going to be impacted by the Baffinland proposal. They will be louder. What I've said before, there is a hill or a mountain. The caribou go in a straight line. (p.53)

#### Follow up comments/questions:

- Baffinland: Were you involved with the review of the original EIS, the original environmental assessment down to Steensby? Did you have any insights into the protection measures that were proposed for the rail if you were? We have no evidence of any interference with caribou. If there are other instances where people know of caribou being affected by the current operations, it would be extremely helpful for us to know.... Are there any examples of the kind of benefits that you would be seeking for Pond Inlet from mining if it is to continue?
  - There has been a lot of support to the Pond Inlet residents. That's why there is still Baffinland Iron Mine, but we are not in support anymore, because it is affecting us now. People will be talking about it more, and I'm not in support of it. There is not even a penny. It would be good, too because of our wildlife – it would be good if Baffinland is no more.

[Continued on Day 2...]

## 4. Evening Public Forum

### **Agenda item 8**

## 4.1 Introduction (7:00-7:30)

- NPC provided overview of public review (shortened from the morning)
- Baffinland provided overview of proposed amendment (shortened from the morning)

## 4.2 Public Forum (7:30-9:00)

### Impacts – caribou, cultural

- Resident: The railway that is being made, I know and I have been in the south. I have heard hammering.... The sound is not being thought of and how fast it is. Now it is being used by Baffinland, and it stops all of a sudden. I've been on these railways in 1951 before some of you were born. When I was on the railway, it had a sudden stop. I was thrust against the seat towards me.... I have grown from country food, not from produce. I know the white people eat off the land. We also as well live off the land. We are different like that. We have tried to protect ourselves as Inuit. The food we ate growing up, we don't want to lose it or make it not usable. Only caribou is being mentioned today. The caribou, it's a big noise. On a hillside or mountainside, it must be even louder because of the echo. (p. 59)
  - Baffinland: Caribou have been an issue that has been brought up today during our discussions. The other animals, the vegetation, the fish, the air, the other effects that the operation currently has on the environment, are studied and involve Inuit in those studies. We did not intend to diminish the importance of them in our discussions today. With respect to the comment on noise from the train... I can only say that the noise that would come from a rail operation will be studied if we are able to go to an environmental assessment. More information will be provided to the public, and your participation if we are able to proceed in that, will be extremely important. I can promise you that your experiences and opinions will be heard. Regarding the cultural effects of the Mary River Project, that is one thing that the Nunavut Planning Commission looks at when looking at their Land Use Plan, and it is our hope that through these discussions, the information provided will be sufficient for the Nunavut Planning Commission to determine if an amendment to this Land Use Plan is warranted. (p. 60)

### Benefits

- Resident: Today when I am listening to the comments, I understand the railway was going this way, and now it's going another way. That's why we are here now. It was to Milne Inlet and now it's another way. That's why we are here, and looking at the map, if they are going to Milne Inlet, it would double the length from Milne to Mary. It would be double the length.... We were told this morning that Baffinland altogether has 260 employees right now....If it closes, it would be a big deal. It's a big job to do thinking about that. We might lose something big. Even though it would have been a good future, I know Baffinland. They don't like Baffinland. They say they are not good. They say they are not good to Inuit. If it closes, what we were trying to fix might be lost. This is an important issue for us for the future. I am thinking it has to go to this environmental assessment.... We need more of a chance to fix this. It will be for many years, the operation... (p. 60-61)
- Resident: Yes I'm thinking about the future. If it were to close, the employees would not be working anymore, and in North Baffin, there is no work. There is nothing to do. There is nowhere to find a job. They try to bring up fishing or tourism, but there's a line. They cannot grow bigger. This mine can grow bigger, not to just our community. It's affecting other communities as well and their lifestyle. The Northern store has been improved. If you didn't



come, Baffinland would not have done that. These are the benefits of thinking about the future. I think this environmental assessment should continue with all the comments heard. We need more chances for our future employment and more learning. We have to think about these things. What you are saying about the environment and impacts of lifestyle are true. We have to work on it. (p. 61)

#### Impacts - Dust

- Resident: would there be any danger of the dust to humans and wildlife? The dust particles – has there been any research of how dangerous?...The train, the ore body cars, are they open or with a lid?... What preparations have been done for safety in transportation? (p. 62-63)
  - Baffinland: This is a good example of the kind of question that we would be looking at in detail and provide a lot of information for discussion in the environmental assessment, but I will try to summarize very succinctly here for the purposes of this hearing. Our studies now collect dust and look at the size of the particles. The only location where we have detected that the particles would be small enough to cause human harm would be around the crushing facilities, not as a result of dust from transporting ore down the tote road or loading it onto the ship. As a result, workers around the crusher must wear the proper protection to make sure there are no adverse effects on their health. Another question focused on whether the train cars would be covered once they are loaded with ore, if we get a rail approved. Again in the environmental assessment, we can provide more information if we get there, on what we looked at for the amount of dust that would come off. What we have found is it's significantly less than the dust that is being raised now by the trucks, but we're not proposing that the ore cars would be covered. They would be open like you have seen in other ore transport pictures by train. (p. 64)

#### Impacts - marine

- Resident: if you were operating this rail car in 12 months, how will you pick up your cargo in winter? I'm also concerned about our marine mammals.(p. 63)
  - The Phase 2 Proposal does not look at year-round shipping. If we are able to move to the assessment, what we are proposing is shipping from the first of July to the 15th of November only. We previously had asked for consideration of having a winter sealift, not to ship ore out but to bring in freight and materials – not fuel – in the early winter. We have come to the community many times, and we've listened to the concerns expressed by the people. We realized that was a nonstarter, and that's why...we pulled that piece out of the proposal. We knew it was a nonstarter, so we are listening. (p. 65)

#### Project logistics

- Resident: I'm not concerned about if you're going to stop your operations. Previous plans have been approved over the years. I know where you're coming from when you have a concern, and it's mostly monetary or lack thereof....I don't think there would have been any motion made if you were to go ahead and proceed with your original plan to Steensby Inlet. This is the only reason why I have concerns now because of the amendments you are proposing on your railroad track project. We understand that people employed by Baffinland are quite numerous. Knowing the facts and how Baffinland is operating, we're not trying to shut you down. Keep that in mind. From the mine site to Milne Inlet is the only concern. Even your original proposal to Steensby was very easy to approve. (p. 65)

- Would Baffinland be able to give a timeframe when construction would actually start? (p. 66)
  - we would have to, as you pointed out, get an amendment to the Land Use Plan, get a conformity determination from the NPC, go to the Nunavut Impact Review Board, and go through an environmental hearing.... I'm at a loss to say when that construction would start, because we don't even know if we're going to get an amendment to the Land Use Plan.... If, in fact, we were to start construction, what is it? About a 2-year total for construction? When that starts, I couldn't tell you.

#### General concerns with railway

- Committee: We are not trying to stop Baffinland. We are not doing that. It was approved back then. From Milne Inlet, we have not said no. We said our concerns about Mary River, the negative impact. What is planned, I'm okay with it.... I think everyone in Pond has approved. We are okay with the employment. What we approved before from Baffinland wanting to make money from Milne, we are expecting that. We still want it. All the animals have been studied, even the mountains. We know that. The water is narrower. It is a little narrower. We're not working on that....but the railway we are not in support. (p. 66-67)
- Committee: (repeated in English by NPC staff): if the railroad is constructed, then the Milne Port proposal to increase infrastructure in the port also increases? He doesn't see the connection between the existing shipping timeline and the amount of shipping. You're going to increase all that from the mine site at the port, increase storage of ore and what have you, but the shipping doesn't change? (p. 67)
  - Baffinland: we've recognized and come to understand that the community of Pond Inlet doesn't want us to be breaking ice to ship ore through the winter. The only solution that we can come up with to achieve enough volume to make this a sustainable project from an economic perspective is to increase that production to 12 million tonnes and get it out between what we're proposing would be the first of July until the 15th of November. So how are you going to do that? We can't even get 4.2 million tonnes out in a shorter shipping season now....the only way we can do this if we propose to expand the ship loading abilities at Milne by putting in a second ship loader. That second ship loader would be able to load up larger ships. In doing so, you would then be able to load two ships at the same time, and the larger ships can take almost double the capacity I believe. (p. 67-68)
- Resident: I don't approve of this railway. Before you get it, they are starting in winter already. If it is approved and goes ahead, you will not listen to our issues, not going with winter. Things always change. They always change, but they will change to winter shipping again. I don't approve of this railway.(p. 68)

## Day 2 – December 5, 2017

### 5. Summary of Views Regarding Proposed Amendment (9:00-12:00)

#### **Agenda item 8 continued**

## 5.1 Continuation from Day 1 of Pond Inlet Hamlet, HTO & Public

### Employment/social issues

- Committee: What is the ratio of men-to-women, women especially in terms of employment? Was there ever a survey in relation to social and other women-related problems, especially in terms of jobs? How can they be empowered to have gainful employment? Another question is Baffinland, has there been a pool of qualified women, resources in your documents, your files at the mine site? Just to clarify for my information, could you tell me how many women you employ now? (p. 69)
  - NPC: The Commission when it comes to a determination under 3.5.11 and 3.5.12, we're always concerned, such as your question. On this particular project of a transportation corridor, what impact would it have to locals and the environment? Yes, we are aware. We are also aware what regulations are involved. We hear what some of the concerns are, such as social impacts. This is not only particularly towards women but the population in general. That is our concern. We are concerned as well. (p. 69)
  - Baffinland: You've identified in your presentation a lack of social benefits, and I do understand that the Nunavut Planning Commission must focus on the issues specific to the amendment. However, you did also correctly state that Baffinland had focused on the jobs mainly in our presentations, and you are correct. That's what we have been working on, because making a change on the jobs is very important. It's important to the QIA. It's important to the people of Pond Inlet, and that's something we can do as Baffinland. The Commission asked us to provide a complete breakdown on the benefits that Baffinland is providing and the QIA as well, which we will do. As we have said, we've paid millions in wages, and tens of millions in royalties, and hundreds of millions in contracts to the Inuit businesses, but what we're hearing about are issues that are probably going to be looked at in more detail through the environmental assessment process, if we go there. But we do keep on hearing about the benefits. My question for you would be is there any value – would you see any value – in having the hamlet and the HTO and the QIA sit down together and talk outside of this process to address some of the concerns with benefits coming to Pond? (p. 70)
    - Committee: the three parties that you mentioned should discuss social affairs, what could arrive from that as concern of the community, and what impact it would have to the community. This can be arranged. Yes, we have gotten together to discuss what impacts will be. QIA and local groups have discussed concerns. The HTO has participated and so has the Hamlet. That's where we are right now. (p. 70)

### Impacts - dust

- Committee: It is a concern to us how much dust is created coming in from the use of the tote road. If you look towards the road, there's a huge cloud of dust sometimes, probably tailings from the vehicles. Most are huge. We have not heard or given information of what the dust problem, if there are any containment plans or any kind of plans to curtail the huge dust coming either side of the transportation corridor. We haven't heard very much of that. I don't think the general population is even aware, for those who have not been in that area... I think it is even impacting the freshwater lakes, the fish.... For instance, even some foxes have dust particles to their white fur. Even ptarmigan it's the same thing. The plumage is

tainted from dust.... Could we possibly perhaps have a research paper related to the concerns I have voiced of any of the game that we use? (p. 71-72)

- Baffinland: Your observations are certainly accurate. The dust coming off that tote road is widespread, and around the mine is also one of the biggest sources of dust being generated from the operation. A lot of studies have been done on the dust sources and the effects on people. We would hope to bring those studies forward if we go to an environmental assessment. But my question for you then is given your firsthand experience up there, if we were able to operate in a fashion that would generate less dust, would you consider that a benefit in making a change in the way we operate? (p. 72)
- Baffinland: We are applying to be able to...move ore from the mine site to the port in the amount of 12 million tonnes per year and then ship that out during open water. So if, in fact, we are able to do that, we would like to be able to present the research papers and the studies that would show the difference in dust, the effects on people, and the effects on wildlife of currently mining less than 5 million tonnes, crushing it in open crushers like we have now, and hauling it down the tote road to Milne, and compare it to what we're proposing, which is mining 12 out of the 22 million tonnes, taking it by rail to the port and crushing it in an enclosed crushing facility. (p. 73)

#### Concerns with QIA/benefits

- Committee: (lengthy comments expressing concern with QIA and benefits – see p. 73-76)

#### Concerns with permitting approach

- Committee: In your decision-making, I want you to be fair when you decide Inuit IQ with cultural and social issues and the impact it would have on us. The companies are proposing that they want to get this project off the ground and start working with NIRB, the Nunavut Impact Review Board. I think that's the procedure as it progresses. In the Nunavut Agreement, NPC has emerged as an organization in the responsibility of looking at these issues. First and foremost, your responsibility is Inuit in the Nunavut Settlement Area and the wildlife.... know there are many supporters for this project, and just as many who are opposed to it. We have shown support for the first request where the tracks would be.... When Baffinland proposed 10 months a year to transport ore, we heard the information and what their rationale was. We were aware of their request. So it is cancelled as of now, and here we are today discussing another project. A railroad track is the next one on the project item list to amend the North Baffin Land Use Plan. As it is now, yesterday we heard that if it is not approved, the project is in jeopardy. It will impact us. I think we fear that. There are concerned mother, fathers, and families who have families at the mine. I think this is a bully tactic, a fear tactic. When it was mentioned that the mine could foreclose, perhaps the Nunavut Planning Commission might even be bullied into giving up even one project or two. ([p. 77])
  - Baffinland: In the presentation, Baffinland has been accused of using bully tactics. I do not believe that is a fair or accurate representation of the situation... We are here today with the NPC because Baffinland chose to respect the process and respond to the concerns that we heard from you directly in multiple consultations. We've adjusted our plans, and we've chosen to use the process established in the Nunavut Agreement and under NuPPAA. We've had to change our plans. We've been responsive to what we've heard from the communities. We're sitting before you and

giving honest and direct responses to these questions. We will continue to operate in that fashion. (p. 78-79)

#### Impacts – employment

- Committee: To date, Baffinland has failed to meet its target for Inuit employment. Today it's supposed to be 25% of the workforce. Only about 12% are now Inuit, and that's for 6 communities. What's the percentage for each community? Is it 2% per community Inuit employment? (p.78)
  - Baffinland: The issues with respect to employment numbers, the attention giving to social issues are complex....if we go to an environmental assessment, we will provide details on the activities that we've initiated after three years of operating. The numbers are improving. We believe the relationship is improving... (p. 79)

#### Impacts - marine

- Committee: I think at one point if we go ahead with the proposal we had at one time, there would be research of what impact it would have on seal pups. Do you have data on that? (p. 79)
  - Baffinland: we are conducting multiple monitoring programs in the marine environment right now. We study narwhal to a very large extent and the impacts that shipping potentially may have specifically on narwhal. We have environmental working groups set up that advise on our monitoring programs and review results of our reports.... specifically with seal den monitoring and monitoring of seal pups, the requirements of monitoring seal pups is related to icebreaking. At the current time, we have not introduced icebreaking into our operations, so to date, we haven't specifically monitored the impacts to seal dens, but it is a requirement if we were to move into operations that introduced icebreaking. (p.79-80)

#### Impacts - dust

- Committee: I'm only concerned right now that we stick to one topic that some of us do not want to see, which is the railroad track. I believe that others have mentioned what disturbance it would have caused, and I believe that. At the same time, the dust problem is also just as bad. So weighing the two is quite difficult....Baffinland, could you just give us a brief description of how you would really operate again with a railroad and the benefits of it? (p. 83)
  - Baffinland: The reason for a railroad is it would be able to provide a cheaper and more effective or efficient way of getting 12 million tonnes from the Mary River Mine site to the port, because using trucks on the tote road isn't feasible at the current level of production, so we need to have a better way to try and get more down to the port. (p. 83-84)

#### Project logistics

- Resident: So how come as a mining company there is a rush? Are the corners being cut? Is it not profitable enough? Is the price of ore foreseen as dropping in the future? What is the rush? (p. 84)
  - When Baffinland first started, the 18 million tonne proposal was shipping out of Steensby, which went through a comprehensive Environmental Impact Statement, including a rail, was the basis for getting an established mining operation for iron in the North Baffin region where none existed before. To be able to break into a new area and develop a new industry takes a significant amount of money, and there needs to be enough volume to make profit sufficient to pay it back within a specific

period of time, regardless of the longevity or length of time that operation may continue. That's a reality of the economics of business in our current world. Investment companies or investors – and remember, I told you Baffinland is not a multinational. It doesn't have its own money, and it doesn't have profits from other operations. It relies on people to invest in the operation, and those people expect to make a profit on their investment. So that 18 million tonne project didn't go ahead because when all the deals were signed and the agreements were made, the price of iron ore was about \$140 bucks a tonne. All of the economic analysis was based on high and sustained iron ore prices. Literally months after the IIBA was signed, the commodity price – the price of iron ore – crashed. It actually got down into the \$30 range, and Baffinland almost went under. To survive, the Early Revenue Phase was proposed, and with consultation with Pond Inlet, QIA, and through and Environmental Impact Review, the Early Revenue Phase project got approval to ship 4.2 million tonnes down the tote road by truck.

I'm going to give you some insight into Baffinland, and in the last couple of years it is no secret. We've had a hard time paying our bills and making payroll. That's a fact. Through the confidence of the investors that this will one day become the world source for high-grade iron ore, they continue to put money into this, but they are getting impatient, and they expect to get a return on their investment. For us to be able to give them what they need from their investment, we're proposing to put in a rail to Milne and increase that production out of Milne during open water to 12 million tonnes a year. We believe that volume of production will allow Baffinland to survive the ups and downs of the iron ore prices and ultimately go on to build the project down to Steensby. Time is running out with respect to the investors. They have had a lot of money invested in this for a long time, and they are not making a return on their investment. That's the reality of our situation. It may not matter to some people, but that's the reality that we have to deal with. So that's why the rush.

(p. 85)

## 5.2 Government of Nunavut

### Appendices J&K

- The Government of Nunavut is supportive of a multimodal interpretation of a transportation corridor in the North Baffin Regional Land Use Plan. This seems to be supported by Section 3.5.10 of the North Baffin Regional Land Use Plan, which provides that a corridor is a land use policy having general application and applying to land and water routes throughout the region based on the processes outlined in Appendices J and K. As we noted yesterday, while it is our interpretation that Appendices J and K do not apply to the amendment application, we also feel that Baffinland has provided the necessary information for the Commission to make a determination if the amendment application meets the requirements of Appendices J and K. (p. 86)

### Proposed Wording

- the Government of Nunavut has not flagged major concerns regarding Baffinland's revised Appendix Q wording, specifically the requested amendment to the Land Use Plan to allow for rail and supporting infrastructure. (p. 86)

#### Follow up comments/questions:

- Committee: I want you to be aware of our concerns before you make statements like that as a sitting government. You as a sitting government and as their representative, what about the population, the Inuit, the communities, especially the five communities in the High Arctic? They have voiced their concerns. Did that go into government deaf ears? (p.87)
  - GN: the Government of Nunavut representatives here have heard and noted all the concerns raised by all parties, in particular the residents of Pond Inlet speaking for the North Baffin communities. As we did say yesterday, most if not all the concerns being raised are related to project impacts, which would be reviewed and considered during the Impact Assessment process. The process that we are involved in is to ask – the proponent to ask the Commission for an amendment to the North Baffin Regional Land Use Plan. We came prepared to speak to that proposal, and we have. We’ve not found concerns with that proposal. Should the Commission agree to the amendment and issue a conformity, the project would then go into an Impact Assessment where things like environmental impacts, wildlife impacts, and socioeconomic impacts would be considered. The proponent would be required to bring forward their detailed proposal and what they think the impacts would be, and interveners such as the Government of Nunavut and all other parties, would respond to that. That is where proposed mitigation measures or concerns about proposed impacts would be raised. It’s getting ahead of ourselves to try and consider impacts when the proposal is not even at that point yet. (p. 87-88)

### 5.3 Government of Canada

- the Government of Canada thinks that the proposed amendment – the proposed activities that we have been discussing in the last two days align with the 2014 amendment to the North Baffin Regional Land Use Plan. So if the Commission decides that it conforms with the Land Use Plan, we will...participate in the Impact Review process and provide expertise...to make sure to address concerns that we heard from the community today and to have further review of the project’s activities. (p.89)

## 6. Discussion of Proposed Revisions to the Wording of the Amendment (1:15-1:35)

### **Agenda item 10**

#### Proposed Wording

- Baffinland: overview of proposed revisions to Appendix Q (p. 91)
- QIA: Mr. Burlingame just suggested alternate wording...that says, “...and the Mary River Phase II Expansion Project Proposal.” Mr. Burlingame suggested as amended on October 24th, 2017. The wording that QIA is proposing would read... “comma, as revised and excluding winter shipping.” QIA believes that’s important, because once we get to referring to changes that were made by date, sometimes it’s a bit confusing as to what the change involved. The proposed wording that QIA has there, “as revised and excluding winter shipping,” we submit is clearer, because it confirms that winter shipping is what was amended, as opposed to just referring to an amendment on a certain date. (p. 92)



- GN: The Government of Nunavut has not raised any major concerns regarding the proponent's revised Appendix Q wording for the amendment to the North Baffin Regional Land Use Plan. We have reviewed the submissions from other parties, and in particular in Canada's submission, we see the benefit of proposed additional wording that would confirm that Appendix Q is a multimodal transportation corridor. (p. 92-93)
- GOC: the Government of Canada views land use planning as a tool to provide directions on types of land use that are allowed or not allowed to take place in an area. We also see the value...if the amendment is to be considered and is to focus on the land use in question, rather than all the specific activities being proposed by an individual proponent. So to be more specific, we would like to propose that if the amendment is considered by the Commission, we would like to amend the Plan to provide for a corridor that is open to multiple users and multiple transportation and communication uses.

## 7. Closing Remarks from the Parties (1:35-2:30)

### Agenda item 11

#### GOC

- I would like to take this opportunity to thank the community again for sharing their concerns. We have heard your concerns, and if the Commission decides to proceed with the project, the Government of Canada will participate in the impact assessment process and provide expertise to make sure that we'll have a further assessment of the project activities. (p. 94)

#### GN

- I would like to thank the Commission for organizing this hearing. It's a big job we understand, to get everybody together and all the resources required. I would like to thank the proponent for their participation and responses to all the questions, and in particular the community of Pond Inlet for their hospitality and welcoming us into the community. We look forward to the Commission's decision on the proposed amendment and to further participating in the process should they approve it.(p.94)

#### QIA

- QIA takes the management of royalties from Mary River very seriously. We heard some concerns about benefits from Mary River, the agreed Legacy Fund, to hold and protect this money. We invest it wisely. We only use the interest on this investment. We asked Inuit what to spend the money on. They told us children and culture are priorities. (p.94)
- The Commission may find that the information provided by Baffinland is enough to enable to consider the amendment application. But as you have heard over the past two days, this approach is not consistent with how Inuit think development should take place on their land. (p. 95)
- The Commission heard from QIA about the importance of caribou protection. Inuit continue to express concerns about the impact of caribou and wildlife, hunter safety, barriers to community travel routes and hunting areas, noise, and dust. The current caribou protection measures were developed for different project activities. If Baffinland's application to amend the Plan is allowed, the present Mary River protection measures will need to be revised and updated to address new increases in expanded activity in the transportation corridor. (p.95)

- QIA also asks the Commission to establish clear and well-defined limitations on permitted use within the transportation corridor and to determine the width of the corridor to be no more than [10] kilometres wide. (p.95)

#### Committee

- We ask NPC to rule before amendments are considered on the application of Appendix J and K. We argue that the relevant information, Baffinland has not provided, the information required by the Commission. Without this information, NPC cannot decide whether a railway is appropriate development for this corridor. We want our concerns to be noted and addressed now before any further development is considered. (p. 95-96)

#### NTI

- NTI would like to thank the Commission for hosting the meeting. Your dedication is very much appreciated. I'd like to thank Baffinland for your commitment to the project. (p. 96)

#### Committee

- Looking at the future, if it were to run for a 100 years, our future generation will not have the same life as us. They will never see animals.... That's what I see in the future if the environment is not taken care of. Thank you, my friends at Baffinland. When they want to make amendments to activities at Baffinland, they always go to the HTO to have a meeting with us, and they report on what they will be doing. Up to today, I like that they talk to us on what they want to do, and they let us know. Thank you, Baffinland. We will work well together with this project that needs to be worked on. We want this continued. You can't let go of Pond Inlet. (p. 96-97)

(Additional closing statements from other Committee members and public see p. 97-103)

#### Baffinland

- We've said time and again that this is not an approval for Phase II. What we are trying to deliver here and focus on for the Commission is our request for the amendment to the North Baffin Regional Land Use Plan, which is to ensure that there is clarification that the corridor can be used for rail, as well as its current use. (p. 104)
- we believe that the information requirements, although in our opinion are not necessary, we do believe that we have met those information requirements that you have set out to make a determination on, and we will respect your determination in that regard. (p. 104)
- We've also heard that two of the three signatories on any recommendation the Commission may make have stated either those information requirements do not apply or would not apply, or they have been met as well. The Nunavut Impact Review Board has submitted to the Commission their position that they feel after reviewing all the documentation presented to date, that the information requirements have been met. (p. 104)
- We also believe that following this process is aligned with the processes in the Nunavut Agreement and is also consistent with the North Baffin Regional Land Use Plan. Finally, we haven't heard from the other communities, the other employees of Baffinland. We think that there are people out there, with some exceptions, that we haven't heard from that actually support us moving forward. We do understand the Commission can only review the evidence before them. (p. 105)

## Appendix A: List of Participants

### ***Nunavut Planning Commission (NPC)***

<i>Andrew Nakashuk</i>	Chairperson
<i>Percy Kabloona</i>	Vice Chairperson
<i>Ovide Alakanauruk</i>	Commissioner
<i>Peter Alareak</i>	Commissioner
<i>Brian Aglukark</i>	Director, Policy & Planning
<i>Jonathan Savoy</i>	Manager of Implementation
<i>Goump Djalogue</i>	Senior Planner
<i>Ryan Mason</i>	Office Administrator – Executive Assistant
<i>Tommy Owljoot</i>	Interpreter
<i>Annie Ollie</i>	Interpreter
<i>John Maerzluft</i>	Sound Technician
<i>Alan Blair</i>	Legal Counsel

### ***Pond Inlet Hamlet, HTO & Public Representatives***

<i>Moses Konark</i>	Deputy Mayor Pond Inlet
<i>Enookie Inuarak</i>	Hamlet
<i>Paniloo Sangoya</i>	Elder's Group representative
<i>Frank Tester</i>	Hamlet & Pond Inlet Mary River Phase 2 Review Committee
<i>Jaykolasie Killiktee</i>	HTO
<i>Jayko Aooloo</i>	
<i>Sam Omik</i>	Hamlet
<i>Fiona Atagootak</i>	Women's Group Representative
<i>Kaujak Komangape</i>	Women's Group Representative
<i>Dorothy Qamana</i>	
<i>Lee Inuarak</i>	Youth Representative
<i>Dylan Mahlick</i>	Youth Representative
<i>Simon Merkosak</i>	
<i>Jobie Atagootak</i>	
<i>Mathias K</i>	HTO
<i>Elijah P</i>	HTO
<i>Joshua Katsak</i>	Hamlet
<i>Joe Krimmerdjuar</i>	
<i>Leslie Qammanq</i>	
<i>Billy Ray</i>	

<i>Hamrad Loo</i>	
<i>Josie Piteolak</i>	
<i>Ruth Sangaya</i>	
<i>Rhoda Arnakallak</i>	
<i>Abraham Kublu</i>	
<i>Alboloo Atagootak</i>	
<i>Norman Simonie</i>	
<i>Tannika Peterloosie</i>	
<i>Nika Inuarak</i>	
<i>Samson Erkloo</i>	
<i>Joannes Innualuk</i>	
<i>Catherine Inuarak</i>	
<i>Jonah Koonabic</i>	
<i>Rosie Katsak</i>	
<i>Joshua Arreak</i>	
<i>Paul I.</i>	
<i>Boazie Botoona</i>	Hamlet
<i>Meeka A.</i>	
<i>Victor K.</i>	
<i>Ruth C.</i>	

***Baffinland Iron Mines Corporation***

<i>Brian Penney</i>	President & CEO
<i>Todd Burlingame</i>	Vice President Sustainable Development
<i>Mary Hatherly</i>	Director, Inuit, Government, and Stakeholder Relations
<i>Joe Tigullaraq</i>	Senior Manager, Northern Affairs
<i>Megan Lord-Hoyle</i>	Sustainability Manager
<i>Andrew Moore</i>	Inuit, Government, and Stakeholder Relations
<i>Joshua Arreak</i>	IIBA Coordination Manager
<i>Christine Kowbel</i>	Legal Counsel

***Qikiqtani Inuit Association & Nunavut Tunngavik Incorporated***

<i>Levi Barnabas</i>	QIA Member at Large
<i>David Curley</i>	QIA Community Director, Pond Inlet
<i>David Qamaniq</i>	QIA Community Director, Pond Inlet

<i>Nadine Chislett</i>	QIA Community Data Specialist
<i>Tiivi Qiatsuk</i>	QIA Community Consultation Coordinator
<i>Sylvie Molgat</i>	QIA Legal Counsel
<i>Bruce McRae</i>	QIA Legal Counsel
<i>Miguel Chenier</i>	NTI Sr Advisor Lands Administration Planning & Management

***Government of Nunavut (GN)***

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<i>Steven Pinksen</i>	Assistant Deputy Minister, Environment
<i>Amy Robinson</i>	Project Manager, Land Use and Environmental Assessment
<i>Erika Zell</i>	Avatiliriniq Coordinator, Economic Dev & Transportation
<i>Krista Johnson</i>	Environmental Assessment Coordinator
<i>Brad Pirie</i>	Project Manager Research & Monitoring
<i>Emily Stockley</i>	Legal Counsel, Department of Justice

***Government of Canada (GoC)***

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<i>Lihua Huang</i>	INAC Land Use Planning Coordinator, Iqaluit
<i>Kim Pawley</i>	INAC Manager Env. Assessment, Land Use Planning & Conservation
<i>Anita Gudmundson</i>	Transport Canada, Regional Manager Environmental Services
<i>Bruce Kavanagh</i>	Transport Canada, Manager Rail Safety Engineering
<i>Alana Swain</i>	Transport Canada, Senior Marine Inspector
<i>Simon Gruda</i>	Legal Counsel, Justice Canada