



May 10, 2019

Nunavut Planning Commission
P.O. Box 419
Arviat, NU
X0C 0E0

Re: Comments on Proposed Amendment No. 1 to the North Baffin Regional Land Use Plan

In your March 22, 2019 Notice, you requested written comments on the Proposed Amendment No. 1 to the North Baffin Regional Land Use Plan (NBRLUP). Nunavut Tunngavik Inc. (NTI) submits the following:

Question 1: Your concerns, comments and/or support of the proposed amendment;

After the review of the materials, NTI is of the view that not enough information has been provided by Baffinland Iron Mines Corporation (BIMC) to assess cumulative effects of Amendment 1 as required under the section 3.5.1 of the North Baffin Regional Land Use Plan. 3.5.1 states:

All parties wishing to develop a transportation and/or communications corridor shall submit to the NPC a detailed application for an amendment. This application must include an assessment of alternative routes, plus the cumulative effects of the preferred route. It shall provide reasonable options for other identifiable transportation and utility facilities.

In the chronology, Baffinland states that when Amendment 1 was reviewed by Nunavut Planning Commission (NPC) in 2013 that the expected production from the mine was much lower. Baffinland states:

It should be noted that the scope of this future development scenario's activities greatly exceed – additional 12 Mt/a through the Northern Transportation Corridor and additional 18 Mt/a through the Southern Transportation Corridor – what would have been specifically considered in a cumulative effects assessment to support Amendment No. 1 to the NBRLUP.

The increased production scope is relevant to the cumulative effects assessment for the review of Amendment 1. For example, the cumulative effects assessment should

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address the impacts of using the transportation corridor and railway at a higher frequency to meet higher production targets.

In the context of BIMC's Phase 2 proposal, NTI understands that BIMC will be providing the Nunavut Impact Review Board (NIRB) with an updated cumulative effects assessment that addresses the higher frequency of use of the southern Steensby corridor and that takes into account the simultaneous use of a northern railway. The review of the updated cumulative effects assessment is essential for a proper assessment of the proposed Amendment 1 to the NBRLUP. Amendment 1 must be reviewed within the full context that exists today and cannot be properly assessed using an outdated cumulative effects assessment produced in 2013.

The Phase 2 cumulative effects assessment is relevant to the Amendment 1 review process and BIMC should be requested to submit the Phase 2 cumulative effects assessment before the public review can be completed and a final determination on Amendment 1 is made. NTI's original concerns regarding cumulative effects have not been adequately addressed by BIMC's submissions to the NPC on Amendment 1 to date.

Question 2: Do you want an in-person public hearing, and if so, why

As stated above, NTI's view is that BIMC has not provided sufficient information to support a reconsideration of Amendment No. 1 or to meet the requirements of sections 3.5.11 or 3.5.12 of the NBRLUP. Although there is a possibility for cumulative effects to be assessed during NIRB's public review processes, Section 3.5.11 requires an amendment application to include an assessment of cumulative effects of the proposed amendment. The original amendment proposal did not consider the cumulative effects of a Steensby Inlet railway in addition to a Milne Inlet railway as this transportation measure was not contemplated at the time. The joint NPC and NIRB review did not address the significant addition of a second railway line. At the time of the joint review, the terrestrial component of the transportation corridor was a road from the Mary River mine site to Milne Inlet. BIMC's environmental impact submissions and cumulative effects assessment, from that review, do not address the environmental, social and cumulative impacts of a second railway line. NTI is also of the view that the public review requirements of section 3.5.12 of the NBRLUP and the guidelines set out in Appendices J and K will not be met without BIMC providing additional information on potential environmental, social and cumulative impacts, particularly on nearby communities.

As indicated in our May 8, 2018 letter in relation to Amendment #3 to the NBRLUP, Inuit are concerned about a potential railway to Steensby, in light of a railway to Milne Inlet and need to be heard on this issue. It is also worth noting that the Ministerial rejection from the Government of Canada on April 28, 2014, includes the following statement: "It is my expectation that the Commission will publically solicit feedback on potential recommendations from appropriate parties, including government officials, prior to issuing its revised recommendation to Ministers".

We also note that NTI was not a party to the previous discussions on Amendment No. 1 that occurred before the *Nunavut Planning and Project Assessment Act (NUPPAA)* came into force.

For this reason, as well as the other reasons articulated, NTI refrains from providing comments on whether a public hearing is needed until after BIMC provides more information.

Question 3: Your preferred language, and your contact information.

Inuktitut, Inuinnaqtun and English.

Sincerely,



Kilikvak Kabloona
Chief Executive Officer

Cc: Mr. Jeremiah Groves, Executive Director, Qikiqtani Inuit Association
Mr. Gabriel Karlik, Executive Director, Kivalliq Inuit Association
Mr. Paul Emingak, Executive Director, Kitikmeot Inuit Association
Mr. Jimmy Noble Jr., Deputy Minister, Dept. of Environment, Government of Nunavut
Mr. Daniel Watson, Deputy Minister, Dept. of Crown-Indigenous Relations and Northern Affairs Canada
Mr. David Stockley, Senior Administrative Officer, Hamlet of Mittimatalik (Pond Inlet)
Mr. Greg Morash, Senior Administrative Officer, Hamlet of Igloolik
Mr. Jim Langille, Senior Administrative Officer, Hamlet of Sanirajaq (Hall Beach)
Mr. Brian Penny, President and Chief Executive Officer, BIMC

