

Additional Details Supporting the Decision on the 1st Amendment to the North Baffin Regional Land Use Plan

The key reasons for rejection of the 1st amendment are described here:

Amendment section 2.2.1

The description of the location and the phrase, referring to ‘Schedule A’, as “more specifically described” is imprecise, and the map provides little or indiscernible detail for the proponent, decision-makers and stakeholders. “More specifically described” can be restated as “generally illustrated.” Improving the map detail in ‘Schedule A’ is recommended. A composite of the railway technical drawings offers a starting point.

The first provision listed in 2.2.1 describes the transportation corridor, but does not need to include all possible infrastructure as a list. As stated in the preamble, a purpose of a new transportation corridor is that it:

improves access to other resources having high potential for development, while still maintaining the shortest practicable distance between the primary resource areas and the trans-shipment location...”

We interpret this statement to imply use by other land users, not just Baffinland Iron Mines Corporation (BIMC). The purpose of the amendment is permissive, and should not further restrict activities in the transportation corridor. That being the case, the wording that states “*the transportation corridor described in this amendment may be used to service the Mary River Project only*” should be removed.

A detailed list in this section may imply that infrastructure built by another proponent seeking or granted a project certificate or permit, which is not listed in the Amendment, would not be allowed to go forward or would require a plan amendment. The listed infrastructure and the 4 bullets are not necessary, as mentioned above, and should also be removed.

The passage from the 2nd amendment which defines “transportation corridor” for the purposes of the NBRLUP, should be included for consistency between the two amendments as they both relate to the addition of transportation corridors. Proposed wording appears as follows:

A transportation corridor, for the purposes of the NBRLUP, may be used by any person for the purpose of transportation, including for the purpose of servicing the operation of the Mary River Mine Site and transporting iron ore from the Mary River Mine Site. Any industrial activity within the corridor shall be in accordance with the terms and conditions of any project certificates, permits, licences, or authorizations. Any incidental activities or regular maintenance associated with the upkeep or continued operation of the transportation corridor to ensure the safe operation of transportation-related infrastructure and activities will not require further review or amendment.

Other

Other proposed revisions to the NPC's amendment recommendation include wording concerning activities and land access which are allowed to occur, as long as those activities or access "do not contribute to a safety hazard or otherwise disrupt the safe operation of the railway and associated facilities."

We feel it is sufficient to provide that routing adjustments will not require further amendment without citing specific reasons or justification for those adjustments. The statement "*The routing adjustments referred to above must not take the infrastructure, contemplated by this amendment, outside the transportation corridor*" should be revised by sufficiently identifying the width of the corridor in an easily understandable unit of measurement or developing a map in which the transportation corridor outline is easily discernible.

The reasons cited above reflect the need for a transportation corridor to accommodate multiple users, as is the intent of such a corridor, and to remove wording which may prove to be restrictive to future development. These reasons also emphasize the need for safety considerations within a zone designated for transportation as well as improved overall clarity for land users, stakeholders and regulatory agencies.