



Andrew Nakashuk, Chairperson
Nunavut Planning Commission
P.O. Box 1797
Iqaluit, Nunavut X0A 0H0

June 30, 2017

The Honourable Carolyn Bennett
Indigenous and Northern Affairs Canada
Terrasses de la Chaudière
10 Wellington, North Tower
Gatineau, Québec K1A 0H4

Dear Mr. Nakashuk and Minister Bennett:

Re: Mary River Phase 2 Project Proposal and Application to Amend the North Baffin Regional Land Use Plan

Baffinland Iron Mines Corporation (Baffinland) is writing to request that the Nunavut Planning Commission (NPC) proceed with the processing of the Application (the "2017 Amendment Application") to amend the North Baffin Regional Land Use Plan (NBRLUP) to allow the Phase 2 Project Proposal to proceed to a full environmental assessment under the Nunavut Impact Review Board (NIRB).

On February 3, 2017 Baffinland re-submitted the Phase 2 Project Proposal for the Mary River Phase 2 Expansion Project (the "Proposal") to the NPC for a conformity determination. The Proposal includes the construction and operation of a rail line, additional infrastructure at the Milne Inlet Port site, and a proposed winter sea lift, located within the existing transportation corridor identified in Appendix Q to the NBRLUP.

Prior to filing the 2017 Amendment Application, Baffinland engaged NPC staff to determine the most expeditious process to advance the Proposal through the conformity determination process. It was determined that an amendment to the NBRLUP was the preferred method and it was stated that an amendment could be considered during the spring of 2017, and that the amendment process would be completed by September 2017 at the latest.

Acting in good faith, on March 17, 2017, Baffinland submitted the 2017 Amendment Application (attached) in accordance with s. 59(1) of the *Nunavut Planning and Project Assessment Act* ("NuPPAA") and with the NPC's *Internal Procedure -- Amendments to Land Use Plans*. The 2017 Amendment Application requests that Appendix Q of the NBRLUP be revised to explicitly confirm that the existing transportation corridor allows for railway transportation and for additional port infrastructure (Appendix C).

In response to a written request from Baffinland, on May 17, 2017 NPC advised Baffinland that the amendment application would not be considered until tentatively “mid-September or October, 2017”.

On June 2, 2017, Baffinland requested that NPC consider the proposed amendment prior to mid-September or October, 2017. No response to this request has been received to date.

The NPC’s inaction is contrary to s. 59(2) of NuPPAA which requires that the NPC must consider the proposed amendment. It is not open to the NPC to refuse to consider or fail to process a proposed amendment that has been submitted under s. 59(1).

This matter has become urgent. As previously discussed, it is important to advance the 2017 Project Proposal to achieve an economically sustainable operation at Mary River. Any further delays in the NPC process will have significant and material negative effects on the Mary River project and will postpone the additional benefits that would accrue to the North Baffin communities, and Nunavummiut.

Baffinland requests that the Minister and Commission resolve any issues that are currently causing delays in consideration of Baffinland’s amendment application as soon as possible or, failing resolution, advise Baffinland on the need to pursue a Ministerial exemption.

Yours very truly,



Todd Burlingame
Vice President, Sustainable Development

Cc/ Sharon Ehaloak, Executive Director, Nunavut Planning Commission
Honourable Joe Savikataaq, Minister of Environment, Government of Nunavut
Aluki Kotierk, President, Nunavut Tunngavik Inc.
P. J. Aleagok, President, Qikiqtani Inuit Association

Att.