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Nunavunmi Parnaiyiit
Nunavut Planning Commission
Commission d'Aménagement du Nunavut

April 8, 2015

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BY ELECTRONIC MAIL georgina.Williston@dfo-mpo.gc.ca

Dear Mr. Barry, Mr. Kogvik, Ms. Williston,

RE: BIMC Amendment Mary River Project Phase 2 NWB 2AM MRY1325 DFO 07-HCAA-CA Feb 15 CD

On October 29, 2014, Baffinland Iron Mines Corporation (BIMC) submitted a project proposal for a further amendment to the approved Mary River Project to the Nunavut Planning Commission (NPC) and the Nunavut Impact Review Board (NIRB). On November 6, 2014 the NIRB issued a news release advising that it would wait for the NPC to make a conformity determination before processing BIMC's request for reconsideration. In mid-December the NPC contacted Fisheries and Oceans Canada (DFO) and the Nunavut Water Board (NWB) and was advised that BIMC had not yet submitted all information necessary for those agencies to refer the project proposal application to the NPC for conformity determination. In mid-January 2015 the NPC received project referrals from DFO and the NWB and commenced its conformity review.

On March 5, 2015, the Nunavut Planning Commission's Senior Conformity Officer made a negative conformity determination recommendation (NCDR) for the above-noted project proposal. BIMC was provided 10 days to respond to the NCDR and submitted a response on March 16, 2015. The NCDR, and BIMC's response, as well as other relevant materials were forwarded to the Commissioners to review and to make a final conformity determination.

Following their review of the written materials and deliberations, the Commissioners voted unanimously to issue a negative conformity determination. The written reasons for the decision are enclosed. As the reasons mention, the conformity determination does not affect BIMC's ability to continue the already-approved Mary River Project and the Early Revenue Phase of that Project. Although the conformity determination is final, the proponent may, as outlined in the conformity determination document:

- apply to the appropriate Minister for an exemption from the NBRLUP in accordance with the NLCA;
- amend the project proposal to comply with the NBRLUP and resubmit the amended project proposal;
- apply to the Commission to amend the NBRLUP; or
- re-evaluate the project proposal.

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The Commission's conformity determination process for the above-noted project proposal is now complete.

Signed,

Hunter Tootoo, Chairperson
On behalf of the Nunavut Planning Commission

Enclosure

CC. Erik Madsen, Bafffinland Iron Mines Corporation
Oliver Curran, Baffianland Iron Mines Corpration
Navarana Beveridge, Qikiktani Inuit Association
Stephen W. Bathory, Qikiktani Inuit Association
Stephen Traynor, Aboriginal Affairs & Northern Development Canada
Tracey Mc Caie, Aboriginal Affairs & Northern Development Canada
Tara Arko, Nunavut Impact Review Board
Phyllis Beaulieu, Nunavut Water Board
Brian Aglukark, Nunavut Planning Commission

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