

Office
des transports
du Canada



Canadian
Transportation
Agency

January 16, 2025

Elisabeth Luther
Senior Manager, Regulatory Affairs
Baffinland

RE: Baffinland Iron Mines Corporation (Baffinland) Application for Approval to Construct a Railway (application) to the Canadian Transportation Agency (Agency) pursuant to Section 98 of the *Canada Transportation Act*, SC 1996, c 10 (CTA)

Dear Ms. Luther,

Further to Baffinland's November 7, 2024, response to LET-R-52-2024, I would like to provide you with an update on Baffinland's application for approval to construct its proposed railway line (the Project).

The Agency has completed its review of Baffinland's response, and the Panel assigned to this case has directed me to provide you with specific feedback concerning outstanding elements, as per the Agency's Guide: '[How to Apply for Approval to Construct a Railway Line: A Guide For Federally Regulated Railway Companies](#)' (the Guide).

The purpose of this feedback is to assist Baffinland in completing its application.

RESPONSE TO LET-R-52-2024

In its letter, the Agency found that Baffinland's application was complete in relation to the following areas, as noted in the Guide, which describes the information a railway company is required to include in a section 98 application:

1. Application overview
2. Location of the railway line
3. Alternative locations
9. Railway operations and services (construction activities)

In its response to LET-R-52-2024, Baffinland provided supplemental information relating to the elements that the Agency found incomplete. The Agency considers Baffinland's response to

Ottawa (Ontario) K1A 0N9
www.otc.gc.ca

Ottawa Ontario K1A 0N9
www.cta.gc.ca

LET-R-52-2024 to be a comprehensive submission that only requires minor additional submissions in order to render outstanding elements complete.

4. Maps and plans - incomplete

In LET-R-52-2024, the Agency found that Baffinland must file the following required information:

- additional information concerning the design of the load-out facilities at the Mary River mine and at the Steensby port; and
- detailed plans from 0 km to 0 +577, including the loading points at the Mary River mine and at the Steensby port.

The Agency requires Baffinland to file and update the plans of the Steensby Port to include mileage points and the railway line right of way.

5. Archaeological elements and related maps—complete

The Agency considers that the information about archaeological elements and related maps is complete and no additional information is required. Baffinland's supplemental information includes maps that show the specific locations of all of caribou and ATV crossings, updated results of the archaeological studies, and an archaeological management and mitigation plan for the railway operations phase.

6. Railway operations and services (infrastructure and ground alterations)—complete

The Agency considers that the information about railway operations and services (infrastructure and ground alterations) is complete and no additional information is required. Baffinland's supplemental information includes the location of all sidings, specifically identifying those sidings that will be used to store idling locomotives that can directly impact local residents and wildlife by their noise and air emissions, the yard's topography, and any plans for the use of railroad retarders, noise reduction, and anti-idling technologies.

7. Railway operations and services (operational activities)—incomplete

The Agency requires Baffinland to file information about idling, shunting, train building and marshalling activities planned for the yard along with where, when, and how they will be conducted, as appropriate. This information was specifically requested in LET-R-52-2024 and remains outstanding.

8. Railway operations and services (railway services)—incomplete

In LET-R-52-2024, the Agency found that Baffinland must file the following required information:

- an update on Baffinland's commitment to work with the Qikiqtani Inuit Association (QIA) to hold meetings in the communities to discuss safety aspects of the railway and railway crossings, including in relation to the planning and timing of those meetings; and
- documentation confirming that potentially impacted Indigenous communities were consulted on the Railway Emergency Response Plan, including any feedback received and how comments were integrated in the plan, as necessary.

The Agency requires Baffinland to file additional submissions, including a summary of the interests of localities which was discussed at our January 15, 2025, meeting, relating to the required information.

10. Interests of localities—incomplete

In LET-R-52-2024, the Agency found that Baffinland must file the following required information:

- an updated stakeholder engagement report that specifically responds to each type of concern raised by localities including Indigenous communities, describing how it will be addressed and how any applicable mitigation measures were developed with the localities or any rationale if a concern is not addressed;
- an update on future multi-community engagements, including lessons learned from meetings held in Pond Inlet; and
- extracts of that engagement database relating to the rail component of the project.

The Agency notes that Baffinland has filed the update on future multi-community engagements and extracts from the engagement database and that no additional filings are required for these elements. The Agency does require Baffinland to file additional submissions, including a summary of the interests of localities which was discussed at our January 15, 2025, meeting, relating to the required information.

NEXT STEPS

Once Baffinland files this requested information, it will be added to the Agency's record, and will be assessed against the Agency's requirements. Please note that incomplete applications can lead to delays to the Agency's review and approval process.

Baffinland may be requested to provide additional information, clarification, or documentation as required.

Should you require additional guidance, please do not hesitate to contact Jason Tsang, Senior Manager, Engineering and Construction Division.

Please send all official application and supplemental filing information to the Agency's Secretariat: secretariat@otc-cta.gc.ca (with a c.c. to determinations@otc-cta.gc.ca).

Sincerely,

1/16/2025

 Luc Chamberland

Signed by: Chamberland, Luc

Luc Chamberland

Director

Rail & Marine Determinations

Ottawa (Ontario) K1A 0N9
www.otc.gc.ca

Ottawa Ontario K1A 0N9
www.cta.gc.ca