From:	Christine Kowbel
To:	Christopher Tickner; Phyllis Beaulieu
Cc:	Sean Joseph; Brian Aglukark; tmeadows@millerthompson.com; jmillard@baffinland.com; emadsen@baffinland.com
Subject:	RE: 130315 8BC-MRY---- Baffinland Iron Mines Corporation - New Type B Application - Qikiqtani Region
Date:	Wednesday, May 15, 2013 5:49:03 PM

Further to Christopher's email below, I confirm on behalf of Baffinland that, in relation to its Type B Water Licence Application, there will be no upgrades or changes to the Tote Road under the new Type B Water Licence and prior to the issuance of the future Type A Water Licence.

Christine Kowbel | Partner
Lawson Lundell LLP
D 604.631.6762 | M 778.899.6762 | F 604.694.2942

From: Christopher Tickner [mailto:ctickner@nunavut.ca]
Sent: Wednesday, May 15, 2013 4:42 PM
To: Phyllis Beaulieu
Cc: Sean Joseph; Brian Aglukark; Christine Kowbel (3762) - 14Flr
Subject: RE: 130315 8BC-MRY---- Baffinland Iron Mines Corporation - New Type B Application - Qikiqtani Region

Good afternoon,

RE: 130315 8BC-MRY---- Baffinland Iron Mines Corporation - New Type B Application - Qikiqtani Region

The Nunavut Planning Commission (NPC) has reviewed the above noted Type B water application and associated materials, as well as additional correspondence and materials provided as part of the Nunavut Water Board (NWB) review. Additional correspondence provided by the proponent to the NPC regarding certain aspects of the project are also noted and are attached with this email for your information (attached as *Follow-up to our conversation regarding Baffinlands Type B Water License Application*).

Contrary to the information provided by the proponent in correspondence to the NWB dated April 26, 2013 (attached as *8BC-MRY 29042013 BIMC response to comments on new Type B Application.pdf*), and based on subsequent discussions and additional information provided by the proponent, the NPC understands that there will be no upgrades or changes in use of the existing Tote road as part of this Type B water application beyond that which was contemplated as part of *NPC File Ref Mary River Project INAC File # N2008T0014, QIA File # LUA-2008-008 DFO – 2008 MR – NWB File # 2AM – MRY*. Should this not be the case, the NPC would request that the details of the upgrades be forwarded so as a determination can be made as to whether an additional review is required by the NPC.

Based on the file materials and the understanding of the above issue, the NPC has determined that the project activities as described would not change the scope of the project reviewed as part of NPC File Ref; *Mary River Project INAC File # N2008T0014, QIA File # LUA-2008-008 DFO – 2008 MR – NWB File # 2AM – MRY* to an extent that would warrant an additional review by NPC at this time.

I have attached with this email a copy of the applicable NPC determination and the list of terms agreed to as part of the conformity review (attached as *Baffinland MR Project conformity* and *Baffinland MR Project conformity requirements signed*). The list of terms agreed to must form part of any authorisation or license issued for this project.

Please ensure that any change in scope of the proposed project be forwarded to the NPC so as a determination can be made as to whether an additional conformity review is required.

Please contact me should you have any questions.

Sincerely,

Christopher

Christopher Tickner MCIP, RPP
Senior Planner
Nunavut Planning Commission
P.O. Box 2101 Cambridge Bay, NU X0B 0C0
Phone: (867) 983-4634
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Website: www.nunavut.ca

From: Phyllis Beaulieu [mailto:licensing@nunavutwaterboard.org]
Sent: March-15-13 4:13 PM
To: Erik Madsen; Jim Millard
Cc: Christine Kowbel; Phyllis Beaulieu
Subject: 130315 8BC-MRY---- Baffinland Iron Mines Corporation - New Type B Application - Qikiqtani Region

NOTICE TO ALL PARTIES:
PLEASE NOTE THE DEADLINE FOR COMMENTS IS **APRIL 15, 2013**

The Nunavut Water Board ("NWB") acknowledges receipt, on March 11, 2013, of a new application for a Type "B" water license for water use and waste disposal associated with activities in the Qikiqtani region of Nunavut. The application consists of the following documents:

- Appendix 1, General Water Licence Application
- Appendix 2, Executive Summary, English and Inuktitut
- Appendix 3, Project Description
- Appendix 4, List of officers of the company and evidence of registration of the company name
- Appendix 5, Supplemental Information Guidelines checklist
- Appendix 6, NPC confirmation
- Appendix 7, NIRB Project Certificate
- Appendix 8, Plans and drawings relating to this application, specifically 8a to 8m

The application can be obtained from our ftp site under PRUC with Username: public, Password: registry.

ftp://nunavutwaterboard.org/1%20PRUC/8%20MISCELLANEOUS/8B/8BC%20-%20Construction/8BC-MRY----/

The NWB undertook a preliminary review of your application and concluded that it meets the requirements of section 48(1) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* ("Act"). However, the NWB retains the right to request additional information and studies pursuant to sections 48(2) of the Act or to issue guidelines for the provision of information pursuant to section 48(3) of the Act. A NWB Technical Advisor may be in touch with you to clarify any technical details related to your application.

In accordance with S.11.5.10 of the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada* ("NLCA"), prior to the application being fully processed by the NWB the project proposal shall be reviewed by the Nunavut Planning Commission ("NPC"), to determine whether the project proposal is in conformity with an approved land use plan. By copy of this letter, the NWB requests the NPC provide its determination and recommendations to the NWB pursuant to Sections 13.4.2 through 13.4.5 of the NLCA, or written confirmation that the project proposal falls outside the boundaries of an approved land use plan. Also, by copy of this letter to the Nunavut Impact Review Board ("NIRB"), the NWB requests that if the project proposal requires screening, the NIRB provide the NWB with a determination pursuant to Section 13.5.1 of the NLCA. If the project is exempt from screening pursuant to Schedule 12-1 of the NLCA, the NWB requests written confirmation from the NIRB that the project proposal is in fact exempt from screening.

To ensure this application is dealt with in a timely fashion, the NWB forwards notice of all documentation to regulators and council of the municipality(ies) most affected by the project, inviting interested parties to make representation directly to the NWB ***within 30 days from the date of this letter.*** The NWB may provide additional procedural instructions once the application has been reviewed by interested parties.

Subject to Sections 12.10.2 and 13.5.5 of the NLCA, where a review is required pursuant to Article 12, the NWB shall not approve any water application that forms part of that review until Article 12 has been complied with.

Phyllis Beaulieu
Manager of Licensing
Nunavut Water Board
P.O. Box 119
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