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NUNAVUT WATER BOARD  
NUNAVUT IMALIRIYIN KATIMAYINGI  
OFFICE DES EAUX DU NUNAVUT

**File No.:** Licence No. 8BC-MRY1416 /  
Cancellation

February 25, 2016

Erik Madsen, Vice-President Sustainable Development,  
Health, Safety and Environment  
Baffinland Iron Mines Corporation  
Suite 300 – 2275 Upper Middle Road East Oakville  
ON, Canada L6H 0C3

Email: [erik.madsen@baffinland.com](mailto:erik.madsen@baffinland.com)  
[oliver.curran@baffinland.com](mailto:oliver.curran@baffinland.com)

**Subject: Licence No. 8BC-MRY1416 – Board Initiated Cancellation of Licence Issued to Baffinland Iron Mines Corporation for the Mary River Site Preparation Project**

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Dear Mr. Madsen:

In the Decision<sup>1</sup> accompanying the amended Type “A” Water Licence No. 2AM-MRY1325 (Amended Type “A” Licence), issued to the Mary River Project on July 31, 2015, the Nunavut Water Board (NWB or Board) indicated that, following approval of the Amended Type “A” Licence by the Minister of Indigenous and Northern Affairs Canada (INAC) (Previously Aboriginal Affairs and Northern Development Canada (AANDC)), the Board will cancel the Type “B” Water Licence No. 8BC-MRY1416 (Type “B” Water Licence) issued the Mary River Site Preparation Project (Project).

The Type “B” Water Licence was issued to the Project on August 6, 2014 and is set to expire on August 5, 2016. The Licence authorizes the use of water and deposit of waste in support of construction and site preparation works and activities related the wider Mary River Project. However, as the entire scope of this Type “B” Licence was incorporated into that of the Amended Type “A” Water Licence that was issued subsequent to the Type “B” Licence, the

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<sup>1</sup> Nunavut Water Board Water Licence No: 2AM-MRY1325 – Amendment No. 1 Reason for Decision Including Record of Proceedings, Page 40, issued July 21, 2015.

continued existence of the Type “B” Licence is no longer practical or required due to potential enforcement and scope – duplication challenges that it now poses.

Consequently and in keeping with the commitment in the above-mentioned Decision, the Board hereby cancels, under **Motion No.: 2015-B1-043**, Licence No. 8BC-MRY1416 pursuant to s. 43(1)(c)(iii) of *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (Act). The Licensee should note, however, that in accordance with s. 46 of the Act, the cancellation of a licence does not necessarily relieve the holder from the obligation imposed by the licence.

In its decision to cancel Licence No. 8BC-MRY1416 without a formal application from the Licensee, the Board considered, in addition to the challenges identified above, relevant compliance issues in the context of the Licensee’s adherence to the terms and conditions of the Type “B” Licence over time as well as feedback<sup>2</sup> provided by INAC’s Enforcement Division.

Copies of all documents associated with the Type “B” Licence are available for public access through the NWB’s public registry and File Transfer Protocol (FTP) site, which can be accessed using the following link:

<ftp://ftp.nwb-oen.ca/1%20PRUC%20PUBLIC%20REGISTRY/8%20MISCELLANEOUS/8B/8BC%20-%20Construction/8BC-MRY1416/>

If you have any questions related to the above, please contact the NWB’s Licensing Department at (867) 360-6338 or by email to [licensing@nwb-oen.ca](mailto:licensing@nwb-oen.ca).

Yours Truly,

Thomas Kabloona  
Nunavut Water Board, Chair

Cc: Qikiqtani Distribution List

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<sup>2</sup> Letter from J. Hack, INAC to S. Joseph, NWB, Re: 8BC-MRY1416, December 15, 2015.