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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

NWB File No: 2AM-MRY1325
Amendment No. 1

December 19, 2014

Erik Madsen
Vice President, Sustainable Development, Health,
Safety & Environment
Baffinland Iron Mines Corporation
2275 Upper Middle Road East – Suite 300
Oakville, Ontario, Canada L6H 0C3
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Re: Licence 2AM-MRY1325, Type “A” – Amendment (No.1) Application by Baffinland Iron Mines Corporation (BIMC) for the Mary River Project

Dear Mr. Madsen:

Further the Nunavut Water Board’s (NWB or Board) August 29, 2014 correspondence¹ in which interested parties were invited to provide written submissions related to their technical reviews of Baffinland Iron Mines Corporation’s (BIMC or the Applicant) application and supporting information (the Application) to amend Type “A” Water Licence, 2AM-MRY1325, issued to the Mary River Project, the NWB has received written submissions from three (3) intervening parties on or before the November 14, 2014 deadline for comments. Submissions were received from Aboriginal Affairs and Northern Development Canada (AANDC), Environment Canada (EC), and the Qikiqtani Inuit Association (QIA).

Copies of the submissions received from intervening parties have been placed in the Board’s Public Registry and access provided through the NWB’s FTP site using the following link (Username: “public”; Password: “registry”):

¹Letter from D. A. Côté, Nunavut Water Board, to E. Madsen, Baffinland Iron Mines Corporation, Re: Licence No. 2AM-MRY1325, Type “A” – Notice of Amendment Application and Commencement of Technical Review Period for Mary River Project, September 29, 2014.

<ftp://ftp.nwb-oen.ca/1%20PRUC%20PUBLIC%20REGISTRY/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MRY1325%20BIMC/>

In accordance with general requirements associated with the NWB's licensing process, the Applicant has provided its response² to interveners' comments, which the NWB has also made available on its ftp site. The NWB encourages other parties to whom interveners' comments have been directed to provide their responses by January 12, 2015, if they have not done so already, so as to afford ample time for interested persons to review and/or provide feedback on the responses. The NWB notes that some of the comments in interveners' submissions require response(s) from the Board; therefore, the NWB will provide its response(s) to relevant comments on or before the date mentioned above.

Based on the technical review comments received from intervening parties and the result of NWB's internal review, the Board is satisfied at this juncture that the Application can proceed to the next stage(s) of the licensing process, which will involve a Technical meeting and Pre-Hearing conference. In accordance with Rule 14 of the Board's *Rules of Practice and Procedure for Public Hearing*, the Panel duly representing the Board on matters related to the Application has given directions to staff to schedule a Technical Meeting – Pre-Hearing Conference (TM-PHC) for BIMC's Amendment No.1 Application for Type "A" water Licence 2AM-MRY1325. The TM-PHC will be held by way of teleconference on Wednesday, **January 28, 2015 (and Thursday, January 29, 2015, If required)**.

The purpose of the Technical Meeting (TM) is to informally discuss and resolve any outstanding technical matters associated with the Application at this stage in the review process, particularly those matters that could affect the Board's determination on any Pre-Hearing Conference issues. The purpose of the Pre-Hearing Conference (PHC) is to address administrative matters related to any potential Public Hearing that may be conducted for the Application. Following the TM and the PHC and assuming that the Application will proceed to the next stage(s) of the licensing process, the Board will issue a PHC decision that will include a timetable for the exchange of written information if required, filing of evidence for any Public Hearing and confirmation of notice of hearing in accordance s. 55(2) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*.

In preparation for the TM/PHC, the Board has attached a copy of the draft agenda and request that interested persons provide their comments on the agenda to the NWB's Manager of Licensing at licensing@nwb-oen.ca before **4:00 p.m. MT, January 23, 2015**. In addition to comments on the agenda, intervening parties are asked to provide the names of their prospective participant in the TM/PHC so as to ensure that adequate phone lines are available and preparations made. The NWB will distribute in advance of the TM/PHC a final version of the agenda as well as the names of organizations that will be participating.

Although the TM/PHC is more than a month away, the NWB takes this opportunity to inform the Licensee and intervening parties, intending to make representations, that the Board would require,

before **4:00 p.m. MST January 23, 2015**, copies of their presentations, in English along with Inuktitut summaries, for the TM/PHC (PDF/PowerPoint, less than 3 MB/file).

As the date for the TM-PHC associated with Licence 2AM-MRY1325, Amendment No.1 application draw closer, the NWB will accordingly keep interested persons informed so as to help promote and encourage full participation in the process. In the interim, however, interested persons can direct any questions regarding procedural matters related with respect to the file, to Phyllis Beaulieu, Manager of Licensing, Megan Porter, Licensing Administrator, by phone at (867) 360-6338 or by e-mail to licensing@nwb-oen.ca. For questions related to technical matters, interest person can direct them Sean Joseph, Technical Advisor at Sean.Joseph@nwb-oen.ca or undersigned by e-mail to david.hohnstein@nwb-oen.ca.

Sincerely,

David Hohnstein
DTS/Acting Executive Director
Nunavut Water Board

Attachments: Agenda

Cc: Qikiqtani Distribution List



Draft AGENDA

Licence 2AM-MRY1325 – Mary River Project
Technical Meeting – Pre-Hearing Conference & Community Session

Teleconference

Dial-in Number: To be provided

Dial-in Code: To be provided

January 28, 2015 (January 29, 2015, if required)

January 29, 2015 (11 a.m. – 3 p.m., MST including intermission)

1. Introduction of participants
2. Application before the Board, NWB's opening remarks including an overview of the purpose of the Technical Meeting/Pre-Hearing Conference (TM/PHC)
3. Identification of Interested Parties
4. Presentations and Questions
 - a. Presentation by Applicant, Baffinland Iron Mines Corporation (BIMC), on the current application before the Board
 - b. Questions from parties and the NWB regarding BIMC's presentation
5. Presentations by Intervening Parties
 - a. Presentation by Qikiqtani Inuit Association (QIA)
 - i. Questions from parties and the NWB regarding QIA's presentation
 - b. Presentation by Aboriginal Affairs and Northern Development Canada (AANDC)
 - i. Questions from parties and the NWB regarding AANDC's presentation
 - c. Presentation by Environment Canada
 - i. Questions from parties and the NWB regarding EC's presentation
 - d. Presentation by interested parties wanting to make representations
 - i. Questions from parties and the NWB regarding presentation by interested parties
6. Identification of the parties' commitments to resolve technical issues
7. Formulation of outstanding issues

January 28, 2015 (3 p.m. -5 p.m., MST, **may be extended if required)

8. Pre-Hearing Conference
 - a. Set timetable for the pre-hearing exchange of information
 - b. Finalize list of issues to be dealt with at the Hearing
 - c. Identify interested parties
 - d. Consider the desirability of amending an application for the purposes of clarification
 - e. Final procedures to be followed at any potential Public Hearing
 - f. Consider any other matters that may aid in the simplification and disposition of the Application at the Hearing
9. Other Issues
10. Closing of the Meeting