



December 4, 2020
Nunavut Water Board
PO Box 119
Gjoa Haven, NU, X0B 1J0

Attention: Richard Dwyer
Manager of Licensing

Sent via email: richard.dwyer@nwb-oen.ca

Re: Resumption of Nunavut Water Board Review – Application for Amendment to Water Licence No. 2AM-MRY1325

Dear Richard,

On November 11, 2019, Baffinland Iron Mines Corporation (Baffinland) submitted a letter to the Nunavut Water Board (NWB) requesting an indefinite deferral of the technical meeting that was to be held November 12-13, 2019 for the Application for Amendment to Water Licence No. 2AM-MRY1325. This deferral was requested following the adjournment of the November 2019 Public Hearing that was being held as part of the Nunavut Impact Review Board (NIRB) review of Baffinland's Phase 2 Proposal.

On October 30, 2020, NIRB released a Pre-Hearing Conference Decision Report for the Phase 2 Proposal which scheduled a resumption of the Public Hearing for January 25 to February 6, 2021. Baffinland is mindful of section 37(1) of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NWNSTRA):

37 (1) In order to avoid unnecessary duplication and to ensure that projects are dealt with in a timely manner, the Board shall cooperate and coordinate its consideration of applications with the Nunavut Impact Review Board or any federal environmental assessment panel or joint panel established under subsection 115(1) or paragraph 160(1)(a) or (b) of the [Nunavut Planning and Project Assessment Act](#) in relation to the screening of projects by that Board and the review of projects by that Board or panel.

With the NIRB Public Hearing scheduled to be resumed, it now appears appropriate to also resume the Water Licence Amendment review process and reschedule the NWB Technical Meeting and Prehearing Conference. Based on its the timing of the NIRB Public Hearing, Baffinland proposes it is reasonable to reschedule the NWB Technical Meeting and Prehearing Conference to March 29-31, 2021.

Per Section 75 of the *Nunavut Planning and Project Assessment Act* (NuPPAA), the NWB cannot issue the amended Type A Water Licence before an amended Project Certificate is issued by the NIRB. Additionally, it would be helpful to all parties to have the benefit of the NIRB Reconsideration Report on

the Phase 2 Proposal and if possible, the Ministerial Decision on the NIRB's recommendations before the NWB Public Hearing. Baffinland proposes that it is reasonable taking into consideration all of the circumstances for the NWB's Public Hearing to be tentatively scheduled for June 29-30, 2021 (with the Notice of Public Hearing being released by the NWB on or before April 30, 2021).

A summary of the proposed process dates described above is provided in the table below.

Technical Meeting and Community Session	March 29-30, 2021
Pre-Hearing Conference	March 31, 2021
NWB Issues Pre-Hearing Conference Report	April 29, 2021
NWB Issues 60 Day Notice of Public Hearing (Subject to rescheduling based on Ministerial Decision on NIRB Recommendation Report)	April 29, 2021
Public Hearing	June 29-30, 2021
NWB Issues Public Hearing Report	July 30, 2021

As part of the technical meetings and discussions that occurred over the past year in support of the NIRB review of the Phase 2 Proposal, a number of new materials have been developed in collaboration between Baffinland and other parties to the NWB process that will assist in resolving outstanding technical comments on the Water Licence Amendment application. Baffinland proposes to file these additional materials on the NWB public registry along with details of resolution of technical comments that were identified as outstanding as of November 2019 at least 45 days prior to the Technical Meeting. Specifics on the dissemination of these materials will be determined through further discussions with the NWB.

Baffinland looks forward to renewed engagement with regulators, intervenors and the NWB on this application.

Sincerely,



Lou Kamermans
Director of Corporate Sustainability
Baffinland Iron Mines

cc: Karen Costello, Tara Arko, Solomon Amuno, Cory Barker (NIRB)
Jared Ottenhof, Chris Spencer (Qikiqtani Inuit Association)
Alasdair Beattie, Alexandra Sorckoff, Gabriel Bernard-Lacaille (DFO)
Spencer Dewar, Bridget Campbell (CIRNAC)
Anna Graham (ECCC)
Adrian Paradis (NPMO)