

Environmental Protection Operations Directorate  
Prairie & Northern Region  
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ECCC File: 6100 000 011/004  
NWB File: 2AM-MRY1325



December 16, 2021

via email at: [licensing@nwb-oen.ca](mailto:licensing@nwb-oen.ca)

Richard Dwyer,  
Manager Licensing  
Nunavut Water Board  
P.O. Box 119  
Gjoa Haven, NU X0B 1J0

Dear Richard Dwyer

**RE: 2AM-MRY1325 – Baffinland Iron Mines Corporation – Mary River Phase 2  
Development Proposal – Updated Disposition Table and Commitment List Review**

Environment and Climate Change Canada (ECCC) has reviewed the information submitted to the Nunavut Water Board (NWB) regarding the above-mentioned disposition table and commitment list.

ECCC's specialist advice based on our mandate pursuant to the *Canadian Environmental Protection Act* and the pollution prevention provisions of the *Fisheries Act*.

The following comments are provided for NWB's consideration:

**1. Surface Water and Aquatic Ecosystems Plan Table 5.2**

Reference(s)

- Attachment 2- Technical Comment Disposition Table
- Item No. 55 - ECCC 3.2.2 - Surface Water and Aquatic Ecosystems Plan Table 5.2 Water crossing installations and/or modifications row.

Comment

ECCC does not agree with Baffinland's statement from the Nov 26, 2021 resolution in the Attachment 2 Disposition table that ECCC 3.2.2 is resolved with a commitment.

The recommendation is partially resolved. Baffinland has not yet committed to ECCC's recommendation to use oil and grease testing as a performance indicator. Nevertheless, Baffinland has suggested that they engage in further discussion with ECCC to discuss the use of a visual sheen of oil and grease as a performance indicator.



ECCC agrees to discuss the use of a visual sheen of oil and grease as a performance indicator with Baffinland.

Therefore, the record should show that the recommendation is not fully resolved until ECCC conducts further discussions with Baffinland.

## **2. Aquatic Effects Monitoring Plan - Section 5.1 & Table 5.1**

### Reference(s)

- Attachment 2- Technical Comment Disposition Table
- Item No. 61 – ECCC 3.2.8 - Aquatic Effects Monitoring Plan - Section 5.1 & Table 5.1

### Comment

ECCC does not agree with Baffinland's statement from the Nov 26, 2021 resolution in the Attachment 2 Deposition table that ECCC 3.2.8 is resolved with a commitment.

ECCC has recommended that the Proponent provide additional details on the specific requirements to trigger the action levels and identify the triggers that increase the protectiveness of the proposed moderate action level.

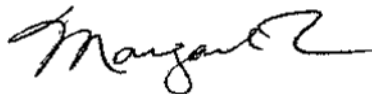
ECCC's understanding of Baffinland's commitment is that Baffinland would review their approach, provide additional information concerning the proposed action levels and participate in a workshop with ECCC and the Qikitani Inuit Association (QIA) to discuss action levels.

ECCC has agreed to participate in a workshop with Baffinland and the QIA in order to further discuss action levels.

Therefore, ECCC considers the recommendation unresolved and the record should be updated following discussions with QIA and the department.

If you need more information, please contact Abigayle Blackmore at (780) 239-3894 or [Abigayle.Blackmore@ec.gc.ca](mailto:Abigayle.Blackmore@ec.gc.ca).

Sincerely,



Margaret Fairbairn  
A/ Regional Director

cc: Jody Small, Acting Head, Environmental Assessment North (NT and NU)