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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYIT
OFFICE DES EAUX DU NUNAVUT

By Email

File No. 2AM-MRY----

Date: January 25, 2013

To: Mary River Distribution List

Subject: **Pre-Hearing Conference Decision Regarding Application for Type “A” Water Licence by Baffinland Iron Mines Corporation for the Mary River Project**

On January 25, 2013, the Board approved this Pre-Hearing Conference Decision along with the procedural direction for the Public Hearing with respect to the above noted file and asked that the following information be conveyed in that regard.

In order to facilitate the public hearing process for the Type “A” Water Licence Application (Application) made by Baffinland Iron Mines Corporation (the Applicant or BIMC) for the Mary River Project (the Project) on December 14, 2012, the members of the Mary River Panel (P4), duly appointed by the Nunavut Water Board (NWB or Board), directed that in accordance with Rule 14 of the *NWB Rules of Practice and Procedure* (the Rules), the staff of the NWB hold a Pre-Hearing Conference (PHC) for the Application.

Immediately following a Technical Meeting (TM) for the Application which was held on January 16 -17, 2013 in the community of Pond Inlet, Nunavut, the PHC was held on January 17, 2013 at the same venue.

The TM/PHC agenda is provided as Appendix A.

As set out in Rule 14.1 of the Rules, the PHC dealt with the following matters relevant to the Application:

- Identification of interested parties;
- Presentations from interested parties;
- List of issues to be dealt with at the Hearing;
- Desirability of amending the Draft Regulations for the purpose of clarification;
- Timetable for the pre-Hearing exchange of information;
- Procedures for the Hearing; and
- Identification of any other matters that may assist in the simplification and disposition of the Hearing.

Introduction and Registration

In total, approximately fifty-six (56) people from the community of Pond Inlet, the Applicant, representing Inuit organizations, departments of the Government of Canada and NWB staff attended the

PHC on January 16, 2013 during the Technical Meeting and twenty-five (25) members of the community attended during the evening Community Session (which also included all participants during the day). Approximately eighty (80) people, including the applicant, interveners and NWB staff were in attendance on January 17, 2013 during the final portion of the Technical Meeting and the PHC. The following parties were present, in person, at the PHC:

- Baffinland Iron Mines Corporation (BIMC);
- the Qikiqtani Inuit Association (QIA);
- Aboriginal Affairs and Northern Development Canada (AANDC, formerly Indian and Northern Affairs Canada INAC);
- Environment Canada (EC); and
- Fisheries and Oceans Canada (FOC).

Reflecting the Co-ordinated Process Framework and the on-going monitoring role under the newly issued Project Certificate for the Mary River Project, the Nunavut Impact Review Board (NIRB) was in attendance at the PHC. Although the NIRB's role in the TM-PHC was generally in the capacity of an observer and/or limited to clarifying potential issues and questions falling under its mandate if raised by parties, the NIRB also assisted the NWB with logistical support during the TM-PHC. The Nunavut Tunngavik Incorporated (NTI), a representative for EC and a consultant to AANDC attended the PHC via teleconference. In addition, a representative of the Northern Projects Management Office (NPMO) also attended in support of coordination amongst the various Government of Canada participants.

The following parties provided written comments and/or Information Requests (IRs) pertaining to the Application in advance of the PHC, but did not appear in person or participate via teleconference at the PHC:

- Canadian Transportation Agency (CTA);
- Natural Resources Canada (NRCan); and
- Transport Canada (TC).

A list of participants is provided in Appendix B.

The NIRB and NWB Detailed Co-ordinated Process Framework

As the participants to the Nunavut Impact Review Board (NIRB) environmental review of the Mary River Project under Article 12, Part 5 of the Nunavut Land Claims Agreement (NLCA) are aware, the BIMC Application was reviewed in accordance with the *NIRB and the NWB Detailed Coordinated Process Framework (DCPF) for NIRB Part 5 Reviews and NWB Licensing*. Essentially, the DCPF seeks to co-ordinate, where possible, the submission and review of information required for the NIRB review process and the NWB water licensing process. The DCPF is designed to minimize duplication by engaging the water licensing process during the NIRB Review rather than commencing only after the NIRB Review process is completed. However, as the parties are aware, the coordination of the NIRB and the NWB review processes in this case was not a joint hearing process and did not affect the specific process requirements of either Board. In keeping with this coordination and cooperation and the NIRB's ongoing responsibilities under the recently issued Project Certificate, the NIRB's Director of Technical Services and the Monitoring Officer for the Mary River Project were in attendance at the Technical Meeting and Pre-hearing Conference as observers, as well as to provide answers to any potential questions falling under NIRB's mandate as raised by attendees of the TM-PHC.



1.0 The Application before the Board

The Application before the NWB is by Baffinland Iron Mines Corporation (BIMC or the Applicant), for a 25-year, Type “A” Water Licence, to use water (**maximum usage during the peak construction period is estimated at 1585 cubic metres per day and maximum usage during the peak operation period is estimated at 625 cubic metres per day**) and to deposit waste in support of the proposed Mary River Project. The proposed Project is located approximately 160 km south of Pond Inlet on northern Baffin Island within the Qikiqtani Region of Nunavut.

The Project involves the development of an open-pit mine and associated infrastructure to support the extraction of iron ore at a nominal annual rate of 18 million tonnes from Deposit No.1. There are several other deposits within the overall extent of the project; however, these deposits are NOT being considered under the current Water Licence Application.

Deposit No. 1 has an estimated reserve of 365 million tonnes of iron ore with the average grade of 64 percent. The Applicant plans to crush the high grade ore; however, no other form of processing is necessary prior to being shipped to markets in Europe. Based on the projected extraction rate (18 million tonnes per year), the operation phase of the Project is expected to last approximately 21 years. The life of the Project is estimated at thirty-three (33) years, which can be broken down as follows:

- Four (4) years – Construction phase;
- Twenty-one (21) years – Operation phase;
- Three (3) – Closure phase; and
- Five (5) years – Post-closure monitoring phase (could potentially be extended if remediation objectives are not met during this proposed timeframe).

1.1 Scope of the Type “A” Water Licence Application

With the exception of exploration activities, the scope of the Type “A” Water Licence Application is proposed to include the majority of the activities and facilities under the existing Type “B” Water Licence, 2BB-MRY1114, as well as new facilities and activities associated with the proposed major project components. The major components for the Mary River Project to be included under the scope of the Type “A” Water Licence are as follows:

- Three (3) main project locations – the Mine Site, Milne Port, and Steensby Port;
- Existing 100 kilometer (km) Milne Tote Road connecting the Milne Port with the Mine site; and
- Proposed 150 kilometer (km) railway connecting the Mine site to Steensby Port.

The main activities and/or facilities planned in accordance with the various project components and/or sites associated with the Mary River Project are as follows:

Milne Port Site

- Water supply from Philips Creek and 32km Lake;
- Sewage treatment facilities for camp (1 camp);
- Oily water treatment facility;
- Landfarm facility;
- Incinerator;
- Storage and management of hazardous materials;
- Site drainage and surface water management;



- Secondary containments for fuel tank farm and fuel dispensing area; and
- Containment area for temporary storage of waste (waste transfer area).
- Mine Site
- Water supply from Camp Lake;
- Site drainage and surface water management;
- Sewage treatment facilities for exploration, construction and permanent mining camps (3);
- Oily water treatment facilities;
- Explosives storage and explosives manufacturing facilities;
- Waste sorting facility, temporary storage facilities and management of hazardous wastes;
- Secondary containment for fuel tank farm and fuel dispensing area;
- Landfill facility;
- Landfarm facility;
- Incinerator; and
- Waste rock stockpile and waste rock.

Steensby Port Site

- Water supply from 3km and 10km Lakes;
- Site drainage and surface water management;
- Sewage treatment facilities for construction and permanent port camps (3 camps);
- Oily water treatment facilities;
- Explosives storage and explosives manufacturing facilities;
- Fuel tank farm secondary containment and fuel dispensing area;
- Waste sorting facility and temporary storage facilities for hazardous wastes;
- Landfill facility;
- Landfarm facility;
- Incinerator; and
- Ore stockpile runoff management.

Railway Construction

- Water supply for each construction camp (4 camps - Ravn River, Mid-Rail, North Cockburn and South Cockburn);
- Sewage disposal for each proposed camp (sewage to be transported via trucks/helicopter);
- Development of quarries;
- Construction of 2 tunnels (100 metres and 300 metres in length, respectively);
- Construction of 31 bridges (7 major bridges –100 metres in length);
- Over 200 culvert crossings;
- Waste disposal for each proposed camp;
- Incineration of waste at each proposed camp; and
- Secondary containment for fuel storage and hazardous materials (if any) at each camp location.

Water Crossings

- Water course crossings including pipelines, bridges and roads
- Watercourse training, including channel and bank alterations, culverts, spurs, erosion control, and, artificial accretion;
- Flood control;
- Diversions; and



- Alterations of flow or storage by means of dykes or dams.

1.2 Application and Supporting Information Submitted

Although the supporting information for the Application can be found throughout the Final Environmental Impact Statement (FEIS), most of the information that is specifically intended to satisfy the requirements of the water licensing process can be found under Appendix 3B of the FEIS filed as part of the NIRB Part 5 Review. Appendix 3B of the FEIS includes an Executive Summary (English and Inuktitut) for the Type “A” Water Licence Application, an application form, the processing fee, and supporting technical information.

The following Management Plans were provided as part of the Application:

- Emergency Response & Spill Contingency Plan;
- Oil Pollution Emergency Plan – Milne Inlet Fuel Storage Facility;
- Oil Pollution Emergency Plan – Steensby Port Fuel Storage Facility;
- Surface Water and Aquatic Ecosystems Management Plan;
- Freshwater Supply, Sewage and Wastewater Management Plan;
- Waste Management Plan for Construction, Operation & Closure;
- Waste Rock Management Plan;
- Hazardous Material and Hazardous Waste Management Plan;
- Environmental Monitoring Plan;
- Health and Safety Management Plan;
- Environmental Protection Plan;
- MMER Environmental Effects Monitoring Study Design Framework;
- Borrow Pit and Quarry Management Plan;
- Preliminary Mine Closure and Reclamation Plan;
- Explosives Management Plan;
- Quarries:
 - Operations and Management Plan: Milne Inlet Quarry.
 - Operations and Management Plan: Mary River Mine Site Quarry;
 - Operations and Management Plan: Steensby Inlet Quarry;
 - Quarry Operations and Management Plan: Quarry Q 7+500;
 - Quarry Operations and Management Plan: Quarry Q77+200; and
 - Quarry Operations and Management Plan: Quarry Q133+500.

For further details on the activities and facilities that are being proposed under the Type “A” Water Licence Application for the Mary River Project, refer to the BIMC FEIS, which can be accessed using the NWB’s FTP site (user name: “public”, password: “registry”):

<ftp://nunavutwaterboard.org/1%20PRUC/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MRY----%20BIMC/>

1.3 Procedural History

The following includes a brief overview of the procedural history of the Type “A” Water Licence Application for the Mary River Project. It should be noted that although the listing captures most of the major procedural aspects of the file, the complete history is available on the NWB’s ftp site via the above-mentioned link:

- March 14, 2008



BIMC submitted a development proposal for the Mary River Project to the NWB, NIRB and the Nunavut Planning Commission (NPC) that included a draft water licence application

- February 11, 2011
NWB received the new **draft** Type “A” Water Licence Application submitted as part of BIMC’s Draft Environmental Impact Statement (DEIS) for the Mary River Project
- February 14, 2011
BIMC provided written confirmation of its intention to continue with the Detailed Co-ordinated Process Framework (DCPF) between the NIRB and the NWB designed to streamline the review of the Draft Environmental Impact Statement (DEIS) for the Mary River Project
- February 15, 2011
The NWB received correspondence distributed by the NIRB, which informed interested parties of the NIRB’s conformity determination for the Mary River Project DEIS. The correspondence included an invitation to interested parties to commence the Technical Review process for the file and to submit Information Request (IR) pertaining to the DEIS, including the draft water licence application, by March 17, 2011
- March 17, 2011
The NWB provided email correspondence to the NIRB pertaining to Information Requests (IRs) solicited by the NIRB for the DEIS
- March 24, 2011
The NWB received correspondence distributed by the NIRB regarding Information Requests directed from interested parties to the NWB and other organizations
- April 15, 2011
The NWB received correspondence distributed by the NIRB indicating that BIMC had provided its response to IRs associated with the DEIS
- April 18, 2011
The NWB and NIRB issued joint correspondence to the QIA for IRs directed to either/both organizations
- April 29 – 30 and May 1 to 8, 2011
The NWB attended the public information and community consultation meetings organized by the NIRB and held in the communities of Clyde River, Pond Inlet, Arctic Bay, Resolute Bay and Grise Fiord
- September 13, 2011
NWB responded to questions raised in the QIA’s comments on the draft Type “A” Water Licence Application that accompanied the DEIS
- September 23, 2011
The NWB received, for consideration from BIMC, an application to the NIRB to except specified “pre-development” activities from the NIRB’s review of the overall project under s. 12.10.2(b) of the NLCA



- October 5, 2011
NWB submitted to the NIRB a copy of its technical review comments for the draft Type “A” Water Licence Application that accompanied the DEIS
- October 18-20, 2011
The NWB participated in the NIRB Technical Meeting held in Iqaluit for the Mary River Project DEIS
- November 6-7, 9-10, 2011
The NWB attended the NIRB’s Pre-Hearing Conference for the Mary River Project held in Igloolik and Pond Inlet
- November 12, 2011
The NIRB Preliminary Hearing Conference Decision Report for the Mary River project was distributed. The report included the NWB’s Concordance Assessment and Technical Review comments for the DEIS as an appendix to the NIRB’s Preliminary Hearing Conference Decision Report
- December 15, 2011
BIMC withdrew the application submitted to the NWB and NIRB in relation to the “Pre-development work” BIMC proposed for exception from the NIRB Review of the overall project in accordance with s 12.10.2 (b) of the NLCA
- January 13, 2012
The NWB and NIRB acknowledged receipt of the BIMC 2012 work plan which was an application seeking to except a greatly scaled back program of “pre-development work” from the NIRB Review of the overall project under s. 12.10.2(b) of the NLCA
- February 17, 2012
The NWB received from BIMC a copy of the Final Environmental Impact Statement (FEIS) for the Mary River Project
- February 27, 2012
NWB received comments from interested parties for BIMC’s 2012 Work Plan
- February 29, 2012
The NWB and the NIRB issued a joint letter pertaining to the review process for the FEIS
- March 2, 2012
NWB acknowledged receipt of the Type “A” Water Licence Application that accompanied the FEIS
- March 5, 2012
NIRB issued its determination identifying those activities in BIMC’s 2012 Work Plan that were granted exception from the NIRB’s Review of the overall project under s. 12.10.2(b) of the NLCA
- March 9, 2012
BIMC provided an errata document pertaining to the Type “A” Water Licence Application accompanying the FEIS in response to deficiencies identified by the NWB



- March 30, 2012
BIMC officially withdrew the application associated with its 2012 Work Plan activities and NWB acknowledged and distributed the withdrawal request
- April 13, 2012
NWB issued its completeness review for the Type “A” Water Licence Application, asked parties to commence and/or continue their technical review of the application and provide technical review comments to the NWB by June 22, 2012
- April 16, 2012
NWB met with the QIA in Iqaluit regarding correspondence pertaining to QIA’s proposed next steps for the licensing process
- May 1-3, 2012
The NWB participated via teleconference in the NIRB Technical Meeting held in Iqaluit for the Mary River Project FEIS
- June 22, 2012
The NWB received technical review comments from AANDC, EC, DFO and QIA with respect to the Type “A” Water Licence Application
- July 16-18, 19-20, 23-25, & 26-28, 2012
The NWB participated in and provided technical advice to the NIRB during the NIRB’s Final Hearing for the Mary River Project, which was held in Iqaluit, Igloolik and Pond Inlet
- September 14, 2012
The NIRB released its Final Hearing Report for the Mary River Project
- October 12, 2012
BIMC provided its response to technical review comments submitted by intervening parties to the Board on or before June 22, 2012 for the Type “A” Water Licence Application
- October 18, 2012
NWB held a preliminary technical meeting primarily aimed at further defining the outstanding regulatory and technical issues related to the Type “A” Water Licence Application. Secondary goals of the meeting were to discuss the approach being taken and/or contemplated by the Applicant in addressing major issues identified through interveners’ technical review submissions including IRs, and to highlight the issues identified in the NIRB’s Public Hearing Report that may have implications for the water licensing process
- October 18, 2012
EC provided follow-up questions to recommendation number 3.9 of its June 22, 2012 submission, as raised during the Preliminary Technical Meeting for BIMC’s Type “A” Water Licence Application
- October 31, 2012
BIMC provided its response to the relevant issues raised by interveners and the Board during the Pre-Technical Meeting



- November 13, 2012
NWB participated via teleconference in the Aquatics Effects Monitoring Framework Program (AEMP) workshop organized by BIMC and held in Toronto
- November 21, 2012
BIMC distributed copies of the AEMP meeting notes to the NWB and other parties who attended the meeting in person and via teleconference
- November 26, 2012
The NWB and BIMC, met via teleconference to confirm stages for the water licensing process and to explain, in general, potential timeframes for the remaining stages in the water licensing process for the Mary River Project Type “A” Water Licence. The Northern Projects Management Office participated in the teleconference
- November 29, 2012
The NWB distributed notes generated from the teleconference on November 26, 2012
- December 3, 2012
The Minister of Aboriginal Affairs and Northern Development Canada (AANDC), the lead Minister for the file, issued a positive decision for the Project
- December 5, 2012
The NIRB distributed correspondence indicating that it had scheduled a Project Certificate Workshop for the Mary River Project on December 18 and 19, 2012
- December 11, 2012
AANDC provided correspondence to BIMC clarifying its position on some aspects of the Type “A” Water Licence Application in advance of the Technical Meeting and Pre-hearing Conference
- December 14, 2012
AANDC submitted its response to issues surrounding the floating barge camp as raised during the Preliminary Technical Meeting held in October 2012
- December 14, 2012
NWB distributed the draft of the Aquatic Effects Monitoring Program (AEMP) Framework submitted by BIMC on December 12, 2012
- December 14, 2012
NWB issued correspondence with respect to the proposed Technical Meeting/Pre-hearing Conference for the Application and invited comment on the attached Draft Agenda by January 8, 2013
- December 18 and 19, 2012
The NWB participated in the NIRB Project Certificate Workshop for the Mary River Project
- December 21, 2012
BIMC provided its response to recommendations provided in AANDC’s letter dated December 11, 2012



- December 28, 2012
The NIRB issued Project Certificate 005 to the Mary River Project and identified that the project could now proceed to the licensing and permitting stage
- January 10, 2013
EC provided an Addendum to its June 22, 2012 intervention for the Mary River Project Type “A” Water Licence Application
- January 11, 2013
The NWB distributed correspondence confirming the dates for the TM-PHC. The final agenda for the Technical Meeting and Pre-Hearing Conference for the Mary River Project was included as an attachment to the correspondence
- January 15, 2013
NRCan provided a summary of the technical Information Request that it submitted in April 2012 for the Type “A” Water Licence Application
- January 16-17, 2013
The Technical Meeting, Community Meeting and Pre-hearing Conference for the Mary River Project were held by the NWB in Pond Inlet

As requested by BIMC, the majority of activities and facilities currently included in the scope of the existing Type “B” Water Licence for the Mary River Project (with the exception of various exploration activities) would be captured under the scope of any Type “A” Water Licence issued for the Project. Consequently, the NWB provides the following procedural history overview of relevant aspects of the Type “B” water licensing process in relation to BIMC’s existing Type “B” Water Licence:

- June 11, 2004
The original two-year licence, NWB2MRY0406, was issued for the Mary River Project

The Licence authorized the use of 80 cubic metres of water per day for camp and land-based drilling operations
- August 4, 2005
Amendment No. 1 was issued to licence NWB2MRY0406

The amendment allowed for an increase in water use from 80 to 290 cubic metres per day, and for changes to conditions related to waste-disposal activities, camp, and access infrastructure operations
- February 20, 2007
The Licence was renewed for two years as 2BE-MRY0708

The renewed licence was allowed for the use of 475 cubic metres of water per day of water in support of land-based and on-ice exploration drilling and camp activities. In addition, the Licence also allowed for drilling within thirty (30) metres of the ordinary high water mark of any water body



- July 16, 2007
Amendment No. 1 was issued to the licence and it allowed for the undertaking of exploration activities and a bulk sampling program, the construction of an all-weather road, additional camp operations, domestic waste treatment and/or disposal, and fuel containment
- February 13, 2008
Amendment No. 2 allowed for the use of alternative water sources and changes to the conditions applying to waste disposal, drilling operations, monitoring, and abandonment and restoration
- April 8, 2011
The Licence was renewed as 2BB-MRY1114 for three years

The renewal reduced the authorized water use to 385 cubic metres per day in support of exploration and geotechnical drilling activities, a bulk sampling operation, land based and on-ice drilling, progressive reclamation etc.

Parties interested in reviewing the procedural information associated with this file in detail can visit the NWB's FTP site at the above-mentioned link.

2.0 Technical Review of the Application

Information Requests (IR) relevant to the Type "A" Water Licence Application accompanying the Final Environmental Impact Statement (FEIS) were received from the following parties in April 2012:

- Aboriginal Affairs and Northern Development Canada (AANDC);
- the Canadian Transportation Agency (CTA);
- Fisheries and Oceans Canada (DFO);
- Environment Canada (EC);
- the Government of Nunavut (GN);
- Natural Resources Canada (NRCan);
- the Qikiqtani Inuit Association (QIA); and
- Transport Canada (TC).

Technical review comments associated with the Type "A" Water Licence Application were received on or before July 2012 from AANDC, EC, DFO, and QIA.

a. Preliminary Technical Meeting

On October 18, 2012, the NWB held a Preliminary Technical Meeting (Meeting) via teleconference to assist both the Applicant and interested parties in identifying and resolving issues in advance of any potential formal technical meeting and pre-hearing conference. Representatives from the following organizations participated in the Meeting: AANDC, DFO, EC, NPMO, NRCan, NTI, QIA, BIMC, and the NWB.

As the Meeting was held while the Nunavut Impact Review Board's (NIRB) Final Hearing Report for the Project was before the lead Minister (Aboriginal Affairs and Northern Development Canada (AANDC)) for consideration, the Meeting was organized to provide an informal venue for the parties to discuss the Application with a view to identifying opportunities for streamlining the issues and process, eliminating duplication and focusing discussion, while recognizing that these opportunities would only be pursued IF the Minister ultimately accepted the NIRB's Final Hearing Report and recommendations, the NIRB



issued a Project Certificate, and the Application continued to the next steps of the NWB licensing, namely a Technical Meeting and Pre-hearing Conference. Consequently, at the outset, the NWB informed the parties in attendance at the Meeting that issues discussed and commitments made during the Meeting to resolving issues were, of course, subject to the outcome of the Minister's decision and would not in any way limit the discretion of the Minister, the NIRB or the NWB with respect to the next steps in the regulatory process.

The Meeting played a critical role in assisting with the identification of major outstanding issues at this early stage. In addition, the Applicant and interveners committed at the Meeting to working cooperatively together to resolve as many of the outstanding issues identified in the course of the Meeting as possible prior to the any subsequent Technical Meeting, while keeping the NWB informed, through written correspondence for the file, of ongoing progress and resolution of specific issues. The success of the Meeting in achieving this objective was verified later during the Technical Meeting in Pond Inlet, when the NWB canvassed the Applicant and the parties that were in attendance and the Board was able to confirm that most of the issues identified during the pre-technical meeting had been satisfactorily resolved. This assisted in tremendously reducing the number of outstanding and/or ongoing issues associated with the Application going into the Technical Meeting and Public Hearing.

b. Technical Meeting (TM)

The Technical Meeting held on January 16 and 17, 2013 provided an informal venue for parties to discuss issues raised in their technical review comments submitted to the Board in June 2012 as well as additional technical submissions provided to the Board following the Preliminary Technical Meeting held on October 18, 2012. During the Technical Meeting, the parties highlighted and discussed as part of their presentations, the issues that were articulated in their submission(s), the issues that have been resolved to date, and the issues that are pending, unresolved and/or ongoing.

The NWB has documented all of the issues raised and/or discussed by the Applicant and intervening parties during their presentations; however, the Board has included, in the attached document, Appendix C: Table of Commitments, only the issues that remain pending, unresolved and/or issues that are ongoing. Although the categorization of the issues varied significantly amongst the parties in their submissions to the Board to date, the NWB has endeavored to categorize the issues to assist in streamlining submissions and discussions at the Public Hearing.

Information presented during the Technical Meeting indicated that the Applicant recognizes the following outstanding topics remain to be addressed with respect to the Application, and the Applicant identified various proposed mechanisms for addressing those topics, to the extent possible. The Applicant will attempt to address the following before the Public Hearing is held:

- Pit lake water quality;
- Sewage at rail camps;
- Quarry material selection ;
- Aquatic Effects Monitoring Plan;
- Update to management plans;
- Blasting Management Plan; and
- Security bonding.

Aboriginal Affairs and Northern Development Canada (AANDC) indicated that it is satisfied that the Applicant has addressed eighteen (18) of the comments and recommendations that it had provided.



However, response(s) to the following comments and recommendations are either outstanding and/or ongoing:

- Pit water quality modeling assumption and pit fill time projections;
- Information on deep lakes in northern climates to support the supposition that lake stratification is not a concern for the pit lake in the future;
- Sampling frequency in tabular format along with monitoring locations and sampling parameters in the Surface Water and Aquatic Ecosystems Management Plan;
- separate pit water quality monitoring station;
- Surface water quality monitoring parameters and monitoring frequency to support project-based monitoring requirements;
- Inspection and monitoring details in the Aquatic Ecosystems Management Plan; and
- Basis for deriving the estimated closure costs.

Environment Canada mentioned that several of the issues it had identified in its technical review submission have been resolved through clarification or commitments from the Applicant. The following issues, however, are either unresolved, partially resolved or are new:

- Oily Water treatment;
- Oily water treatment facility discharge limits;
- Selection/use of dust suppressants;
- Landfarm soil criteria;
- Sewage discharge limits;
- Mine contact water discharge limits;
- Pit water quality; and
- Nutrient management.

Fisheries and Ocean Canada (DFO) provided a number of comments and recommendations during its presentation, and it indicated that the Applicant is working cooperatively with DFO to address or resolve the issues raised by DFO.

The Qikiqtani Inuit Association (QIA) indicated during its presentation that it would provide the Board with some feedback in the coming weeks as to whether the issues that it had identified in Technical Review comments and during the Preliminary Technical Meeting have been adequately addressed in terms of relevant information and/or other form of response being provided by the Applicant.

In general, the parties in attendance confirmed, that so long as the issues identified in Appendix C: List of Commitments are addressed accordingly, there are no technical issues related to information requirements that would prevent the Board from proceeding with the Public Hearing.

c. Community Information Session

The TM-PHC Community Session was held on January 16, 2013 at the Pond Inlet Atakaalik Community Hall from approximately 7:15 p.m. to 10:40 p.m. This was an opportunity for the residents of Pond Inlet to learn about the Project through a presentation from the Applicant, Baffinland Iron Mines Corp. as well as understand the NWB's water licensing process in general and as it applies to this Application, as presented by the staff of the NWB. Following the presentations, the remainder of the evening session was open to questions from the public regarding the project, status of the project and the Application before the Board. Twenty-five (25) individuals from the community signed in to verify their attendance at the Session.



Following the presentations, community members raised various issues relating to water use and deposit of waste. In summary, members of the community identified the following key issues and questions and provided comments relating to the following:

- questions regarding drilling fluid disposal and how impacts to waters and vegetation associated with the release of such fluids outside the drilling area will be prevented and limited;
- questions regarding whether leaching of metals to adjacent rivers, lakes and marine areas can be prevented;
- questions regarding the materials to be used and maintenance measures to be implemented in respect of the many culverts that will be installed;
- impacts to water quality in the many water bodies near the mine and project infrastructure must be prevented because the residents of Pond Inlet fish in and use the water for drinking water purposes throughout the area and are concerned about suffering health effects if water and fish are contaminated with metals, explosives or other substances;
- concerns regarding the 25 year term of the licence sought by BIMC indicating that the community would need reassurance that monitoring over the course of the term would need to be rigorous and that water issues would not be forgotten once the Licence is issued;
- comments that a shorter term for the Licence would be preferred by some community members (proposed three years);
- questions, concerns and clarifications regarding sewage from the site and the extent to which untreated sewage can or will be discharged into on-site water bodies;
- questions and concerns expressed regarding proposed sewage treatment and efficacy of the use of lagoons to provide treatment;
- questions and concerns expressed regarding whether water effects could have a detrimental impact on water sources that could be used by birds, caribou and other wildlife, not just those water bodies containing fish;
- question raised regarding whether the effects on water bodies due to all the water withdrawals in total proposed under both licences will be taken into account by the NWB; and
- questions related to whether the application before the NIRB to reopen the Project Certificate will mean changes to the Type “A” Water Licence Application currently before the NWB.

In addition to providing information from the community of Pond Inlet at the Community Session, Grades 10-12 High School students also attended a portion of the Pre-Hearing Conference and provided their concerns and comments that echoed the issues identified by the community members in the Community Information Sessions as well. The NWB is grateful for the comments provided throughout these sessions and this input was carefully considered in several key aspects of this decision report.

3.0 Pre-Hearing Conference (PHC)

As outlined above, the purpose of the PHC was to discuss the various matters as set out in Rule 14 of the *NWB Rules of Practice and Procedure for Public Hearings* (the Rules), in preparation for the Public Hearing.

a. Identification of Interested Parties

A complete list of interested parties that attended the TM/PHC is set out in Appendix B. During the PHC, the following parties confirmed their participation and attendance at the Public Hearing:

- Baffinland Iron Mines Corporation;



- Aboriginal Affairs and Northern Development Canada;
- Environment Canada;
- Fisheries and Oceans Canada;
- Nunavut Tunngavik Incorporated; and
- The Qikiqtani Inuit Association.

In addition, the Nunavut Impact Review Board has indicated that it will attend the Public Hearing and the Northern Projects Management Office will also attend to co-ordinate and support the Federal authorities participating in the Public Hearing.

At the PHC, the Board requested an indication of whether other parties would attend the Public Hearing. In particular, the Board inquired with respect to attendance from Natural Resources Canada (NRCan), however, no confirmation of NRCan's attendance at the Public Hearing has been received to date. As a key outstanding technical issue at the Public Hearing is likely to be the modeling and determination of pit lake water quality and it is the Board's understanding that NRCan may have technical expertise to share with the Board in this regard, the Board **respectfully requests that NRCan take steps to ensure that NRCan personnel who can speak to the geochemical investigations and modeling associated with projecting pit lake water quality be in attendance at the Public Hearing.**

Additional parties were identified by the Qikiqtani Inuit Association (QIA) and the Board as potentially being affected by the use of water and/or deposit of waste associated with the Project, and therefore may be interested in participating in the Public Hearing. These included the communities of:

- Arctic Bay
- Clyde River
- Hall Beach
- Igloolik, and
- Pond Inlet.

Due to logistical and financial constraints, the parties and the Board recognize that the NWB will be unable to conduct hearing sessions in each of the communities potentially affected by the Application. However, recognizing the importance of these issues to the communities and the importance of the Board being able to hear from the communities regarding their comments and concerns, the NWB commits to working with the QIA and the affected communities to make the necessary arrangements to ensure that the appropriate representation from each community is present at the Public Hearing to provide input into the process. As the details surrounding these measures are determined, the Board may issue further direction to the parties regarding the mechanisms chosen for achieving this participation.

In addition, the NWB will issue formal notice at least sixty (60) days in advance of the Public Hearing to a broad distribution list including the parties identified above and the general public.

b. Presentations from Interested Parties

In addition to BIMC presenting the Application, the following parties expressed interest in making a presentation at the Public Hearing:

- Aboriginal Affairs and Northern Development Canada;
- Environment Canada;



- Fisheries and Oceans Canada;
- Nunavut Tunngavik Inc.; and
- The Qikiqtani Inuit Association.

c. List of Issues

The intervening parties in attendance at the TM-PHC confirmed that none of the unresolved or outstanding issues associated with the Application and the related information requirements are of the type that these issues would prevent the Board from proceeding with the Public Hearing.

Based on the prior written submissions of the parties and the information exchanged at the TM/PHC, the Board directs that parties address issues in written submissions and presentations to the Board in the following categories:

- Identifying the terms and conditions of the Nunavut Impact Review Board Project Certificate #005 relevant to the Type “A” Water Licence Application;
- The existing Type “B” Water Licence (including scope, security, changes in light of the Type “A”, etc.);
- Potential for additional Type “B” Water Licence Applications (e.g. in respect of the ice road, etc.)
- Term of the Type “A” Water Licence;
- Type and amount of security to be held under the Type “A” Water Licence;
- Status of water user compensation negotiations/agreements;
- Construction of facilities and infrastructure;
- Geotechnical and permafrost issues;
- Water use;
- Water quality;
- Water management;
- Waste management;
- Geochemistry;
- Management plans;
- Contingency planning;
- Monitoring;
- Closure and reclamation; and
- Other Issues as may be identified by the parties or the public as warranting consideration at the Public Hearing.

d. Desirability of amending the Application prior to the Hearing

As discussed at the Technical Meeting and PHC, on Thursday, January 10, 2013, the Applicant sent correspondence to the Nunavut Impact Review Board (NIRB) requesting an amendment to the Project Certificate that was issued to the Mary River Project on December 28, 2012. In that correspondence, however, BIMC clearly stated that while the NIRB’s consideration of the amendment request continues, BIMC will proceed to obtain the regulatory permits and authorizations consistent with the project as reviewed by the NIRB and authorized by the current Project Certificate. BIMC’s request to the NIRB does not, therefore affect the NWB’s jurisdiction to review the existing Type “A” Water Licence Application as authorized under the current Project Certificate. The NWB does, however note that if any changes are subsequently required to the scope of the existing Type “A” Water Licence Application, the NWB would not consider any such amendments at the upcoming Public Hearing and the NWB’s



consideration of an amendment would only occur AFTER the NIRB had concluded its process for considering the request to amend the Project Certificate and, if it was considered necessary, any revisions and/or additions to the existing Project Certificate had been issued by the NIRB and approved by the Minister. On this basis, it was confirmed by BIMC at the PHC that there will be no amendments to the Type “A” Water Licence Application prior to the Public Hearing.

e. Timetable for pre-Hearing Exchange of Information

As discussed at the PHC, the Board is already in receipt of extensive documentation from the parties, including IRs and technical review comments provided in 2012 that will be brought forward for consideration at the Public Hearing. In addition, there are timelines and commitments for document exchange also set out in Appendix C: Table of Commitments. As emphasized to the parties at the TM/PHC, the NWB has developed the attached timetable on the basis of several factors, including the assumption that the parties will meet their commitments for exchanging materials. All the parties are cautioned that if these commitments and the attached timetable are not met, the Board will, if it considers it necessary, revisit any and all of the timelines leading up to the Public Hearing. Consequently, the Board urges all parties to comply with the timelines and commitments attached.

Further, at the PHC, some interveners indicated that they do not anticipate needing to file any additional written materials to supplement the documentation filed with the NWB and the Board has no requirements that parties file any additional materials. However, if parties would like to file additional written submissions upon which they will rely at the Hearing, the Board has established the following timetable for pre-Hearing exchange of Information in order to provide a fair opportunity for the Applicant to respond to the written submissions filed in advance of the Hearing, while preserving the requirement of Rule 12.4 of the *NWB Rules of Practice and Procedure for Public Hearings*, which establishes a minimum of fifteen (15) days be provided for review of all pre-Hearing written submissions.

Reflecting these factors, the Board requires the participants to observe the following timetable:

- all further and final written submissions to be provided by interveners must be filed with the Board on or before **3:00 pm Mountain Time on Friday, March 22, 2013**;
- all further and final responses provided by the Applicant to the information filed with the NWB to date must be filed with the Board on or before **3:00 pm Mountain Time on Friday, April 5, 2013**;
- if the interveners and/or the Applicant file additional written submissions and final responses as outlined above, they are also required to provide **an Executive Summary of these documents in both English and Inuktitut at the same time** as they file the full submission; and
- the Board will consider requests for French language translation of the executive summary, but a request for French translation must be provided to the Board **on or before 3:00 p.m. Mountain Time on Monday, April 8, 2013**.

In order to facilitate the NWB’s review of interventions, the Board requests that submissions be generally structured in accordance with the list of issues provided by the Board in the List of Issues provided in Section 3(c) above.

All submissions will be posted on the NWB’s ftp-site (<ftp://nunavutwaterboard.org/>) and in the public registry upon receipt. A copy of the public registry (both hard copy and electronic) as it relates to the Application will be available for review at the Public Hearing.



g. Procedures for the Hearing

In order to facilitate public participation and to accommodate language requirements of Board members and the community, the Public Hearing will be simultaneously interpreted in Inuktitut. **If parties require additional language services at the Public Hearing, they are asked to please advise the NWB no later than April 8, 2013.**

The Board accepts and thanks the parties for their agreement to provide sufficient photocopies of materials to be presented at the Public Hearing for the Board, staff, intervening parties and a reasonable number of persons from the general public that may be in attendance.

The NWB will also provide for a stenographer to record the Public Hearing and will post the transcripts from the Public Hearing.

h. Measures to Simplify the Disposition of the Application

At the PHC, BIMC and the QIA discussed providing, in advance of the Hearing and for the review of all participants, a draft of key licensing terms and conditions. The Board acknowledges that such documentation may be useful to focus the discussion of various items at the Public Hearing and to establish the respective perspectives of BIMC and the QIA with respect to particular aspects of a potential licence. However, the Board does note that the NWB's discretion associated with preparing the actual terms and conditions of any future Licence which may be issued after the Hearing will not be fettered by the Board's receipt of this submission (or submissions in response to it) as part of the Public Hearing documentation.

4.0 Hearing

The Board has decided the following matters in respect of the Public Hearing:

a. Date, Time and Location

Based on the feedback regarding suitable dates provided by the parties at the TM/PHC, various logistical constraints, including community events and dates when accommodations would be unavailable in the community, and the direction of the Board, the NWB **shall hold a three (3) day Public Hearing on the Application starting Tuesday, April 23, 2013 and ending Thursday April 25, 2013 at the following venue:**

Pond Inlet, Nunavut – Atakaalik Community Hall

9:00 am – 5:00 pm (EST)

(evening sessions may be scheduled if necessary and at the discretion of the Board's Chairperson)

b. Order of events

The Public Hearing will proceed by party/intervener (i.e. as opposed to proceeding by issue). The Board will follow the order of events as outlined in section 20.1 of the NWB's *Rules of Practice and Procedure for Public Hearing*.

c. Equipment

Parties who need special audio-visual equipment at the Hearing are requested to inform the NWB of their specific needs within their written submissions to the Board due March 22, 2013 so that arrangements can be made in advance.



If you require additional information, please do not hesitate to contact Damien Côté at damien.cote@nunavutwaterboard.org or Phyllis Beaulieu at licensing@nunavutwaterboard.org for any other matter related to the Hearing.

Regards,

Original Signed By:

Damien Côté
Executive Director

Attachments:

Appendix A: Technical Meeting and Pre-Hearing Conference Agenda
Appendix B: List of Participants at the Technical Meeting and Pre-Hearing Conference
Appendix C: List of Commitments



Appendix A





P.O. Box 119
GJOA HAVEN, NU X0B 1J0
TEL: (867) 360-6338
FAX: (867) 360-6369

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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYIT
OFFICE DES EAUX DU NUNAVUT

NWB File No.: 2AM-MRY---

January 11, 2013

Erik Madsen
Vice-President Sustainable Development,
Health, Safety & Environment
Baffinland Iron Mines Corporation
120 Adelaide Street West, Suite 1016
Toronto, Ontario M5H 1T1

Email: erik.madsen@baffinland.com

Re: Baffinland Iron Mines Corporation, Mary River Project - Type A Water Licence Application; 2AM-MRY---: Agenda and List of Confirmed Participants for the Technical Meeting and Pre-Hearing Conference

Attached is a finalized copy of the Agenda for the Mary River Project, Type A Water Licence Application Technical Meeting and Pre-Hearing Conference (TM-PHC) scheduled for **January 16 and 17, 2013** in Pond Inlet, Nunavut. Please note that the times outlined in the Agenda are approximate and there is some flexibility built into the schedule to accommodate changes that may be required, but the parties are encouraged to work within the time allocated to them. Also please note that the focus of these meetings is on the Application as filed with the Nunavut Water Board (NWB or Board) in February, 2012 and the project as approved under the Project Certificate issued by the Nunavut Impact Review Board on December 28, 2012. Any proposed amendments to the Project Certificate as recently requested by the proponent, Baffinland Iron Mines Corporation, are not before the NWB at this time and will not be part of the Board's consideration of the current water licence application.

To date the NWB has received written correspondence from the proponent, Baffinland Iron Mines Corporation, and several intervening and/or interested parties confirming their attendance and participation in the TM-PHC:

- Nunavut Tunngavik Incorporated (NTI);
- The Qikiqtani Inuit Association (QIA);
- Aboriginal Affairs and Northern Development Canada (AANDC);
- Environment Canada (EC);

- Fisheries and Ocean Canada (DFO);
- Nunavut Impact Review Board (NIRB);
- The Hamlet of Pond Inlet; and
- Northern Project Management Office (NPMO).

As prospective participants prepare for the TM-PHC, the NWB requests that parties that intend to provide a presentation make available at least 20 paper copies of their Technical Meeting presentation and at least 30 paper copies of their Community Session presentation for distribution to the participants and the public during the meeting. In addition, the NWB recommends that parties provide electronic copies of their presentations in either PowerPoint or PDF format (respecting the file size limit of 3mb) to the Manager of Licensing (email: licensing@nunavutwaterboard.org) no later than 5:00p.m. (MST) Monday, January 14, 2013, for distribution in advance of the TM-PHC.

Should you have any inquiries on technical matters related to the above, please contact Sean Joseph, Technical Advisor, at (604) 321-8185 or by email to sjoseph@nunavutwaterboard.org , or David Hohnstein, Director of Technical Services, at (780) 443-4406 or by email to dts@nunavutwaterboard.org. For inquiries on procedural matters and/or information requests, please contact Phyllis Beaulieu, Manager of Licensing, at (867) 360-6338 or by email to licensing@nunavutwaterboard.org.

Regards,

Original signed by:

Damien A. Côté
Executive Director

Cc: Mary River Distribution

Att: Agenda – Mary River Project Technical Meeting and Pre-Hearing Conference



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TEL: (867) 360-6338
FAX: (867) 360-6369

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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYIT
OFFICE DES EAUX DU NUNAVUT

AGENDA

TECHNICAL MEETING & PRE-HEARING CONFERENCE

Baffinland Iron Mines Corporation – Mary River Project

Type “A” Water Licence Application: 2AM-MRY---

January 16-17, 2013

Location: Pond Inlet Community Hall

Date: January 16, 2013

Time: 8:30 AM

1. Introduction and Registration (15 minutes)
2. Application to the Board
3. Purpose of the Technical Meeting/Pre-Hearing Conference
4. Identification of Interested Parties
5. Pre-Hearing Review of the Application
 - a. Presentation from Baffinland Iron Mines Corporation on the current status of the Mary River Project (90 minutes)

Health Break (15 minutes)

Presentations from interested parties (60 minutes for each presentation)

- b. Presentations from the Qikiqtani Inuit Association (QIA)
- c. Presentation from Aboriginal Affairs and Northern Development Canada (AANDC)

Lunch Break (75 minutes)

- d. Presentation from Fisheries and Ocean Canada (DFO)
- e. Others – Presentation/questions from others identified at the start of the meeting

Health Break (15 minutes)

- f. Presentation from Environment Canada (EC)

Meeting Adjourns

AGENDA (Cont.)

TECHNICAL MEETING & PRE-HEARING CONFERENCE **Baffinland Iron Mines Corporation – Mary River Project** **Type “A” Water Licence Application: 2AM-MRY---** **January 16-17, 2013**

COMMUNITY SESSION

Location: Pond Inlet Community Hall

Date: January 16, 2013

Time: 7:00-9:00 PM

- a. Opening of meeting
 - b. Presentation of Application by Applicant
 - c. Overview of NWB Process by NWB
 - d. Questions and comments from community
 - e. Meeting adjourns
-

TECHNICAL MEETING & PRE-HEARING CONFERENCE (CONT.)

Location: Pond Inlet Community Hall

Date: January 17, 2013

Time: 8:30 AM

6. Pre-Hearing Review of the Application (Cont.)

- f. Presentation from Environment Canada (EC) (cont.)
- g. Formulation of Issues
- h. Identification and Service of Documents to Parties (setting timetables for document delivery, public registry, form)

Health Break (15 Minutes)

- i. Translation and the Record (language, transcripts)
- j. Identification of any other matters that may assist in the simplification of the disposition of the Hearing

7. Hearing

- a. Date, Time and Location
- b. Site Visit, if any
- c. Order of Events
- d. Equipment

Lunch Break (75 minutes)

8. Other Issues

9. Closing of the Meeting

Appendix B



Technical Meeting/Pre-Hearing Conference Mary River Project
Pond Inlet, Nunavut
Day Session

Registration Form

NO.	First Name	Last Name	Organization Representing	Address	Phone	Fax	E-mail
1	Jean	Allen	AANDC	Iqaluit	975-4738		jean.allen@aandc.gc.ca
2	Georgina	Willston	DFO		613-925-2865		georgina.willston@dfo-mpo.gc.ca
3	Erik	Allain	AANDC	Iqaluit	975-4295		erik.allain@aandc.aadnc.gc.ca
4	Melissa	Joy	AANDC	Iqaluit	975-7288	979-6445	melissa.joy@aandc-aadnc.gc.ca
5	Mannik	Duggar	NPMO/CanNor	Iqaluit/Yellowknife	766-8470		manik.duggar@cannor.gc.ca
6	Enookie	Inuarak	QIA Rep	Pond Inlet	899-6442		inuarak@gmail.com
7	J	Arreak	Hamlet	Pond Inlet			
8	Joel	Nashook	Baffinland Committee	Pond Inlet			
9	Mike	Rudkin	Hamlet of Pond Inlet	Pond Inlet			hamletpond-sao@qiniq.com
10	Abraham	Kublu	Hamlet of Pond Inlet	Pond Inlet	899-8934		kubluabe@yahoo.ca
11	Jaykolosie	Kiliktee	Hamlet of Pond Inlet	Pond Inlet	899-8934		
12	Mark	Dahl	Environment Canada	Winnipeg	204-983-4815		mark.dahl@ec.gc.ca
13	Robert	Aglak	HTO	Pond Inlet	899-6429		robert-aglak@hotmail.com
14	Solomon	Awa	QIA	Iqaluit	222-5376		sawa@qia.ca
15	Jim	Asoucie					tasoucie@gmail.com
16	Morgan	Arnakallak	Int/Trans	Pond Inlet	899-2091		
17	Titus	Arnakallak	Int/Trans	Pond Inlet	899-8002		
18	Karen	Costello	AANDC	Iqaluit	975-4546		karen.costello@aandc.gc.ca
19	Murray	Ball	AANDC	Iqaluit	975-4550		murray.ball@aandc.gc.ca
20	Ash	Jason	QIA-Support	Kingston, ON			
21	Amanda	Hanson	NIRB	Cambridge Bay	983-4615		ahanson@nirb.ca
22	Jayko	Alooloo	Baffinland Committee	Pond Inlet	899-8983		jayko.alooloo@qiniq.com
23	Josah	Atagootak	Public	Pond Inlet	899-6106		
24	Glenn	Sorenson	NIRB	Cambridge Bay	983-4606		gsorenson@nirb.ca

Technical Meeting/Pre-Hearing Conference Mary River Project
Pond Inlet, Nunavut
Day Session

Registration Form

25	John	Burns	Hatch-Baffinland	Toronto	905-403-4259		jbburnis@sympatico.ca
26	Jim	Millard	Baffinland	Toronto	902-403-1337		jim.millard@baffinland.ca
27	Jamie	Keech	Hatch-Baffinland	Toronto	647-927-0975		jkeech@hatch.ca
28	Richard	Cook	Knight Piesold(BIM)	North Bay, ON	705-476-2165		rcook@knightpiesold.com
29	Esa	Q					
30	Sam	Arreak	Hamlet of Pond Inlet	Pond Inlet	899-8935		pond_cedo@qiniq.com
31	Damien	Cote	Nunavut Water Board	Gjoa Haven	360-6338		
32	David	Hohnstien	Nunavut Water Board	Gjoa Haven	360-6338		
33	Sean	Joseph	Nunavut Water Board	Gjoa Haven	360-6338		
34	Ben	Kogvik	Nunavut Water Board	Gjoa Haven	360-6338		
35	Teresa	Meadows	Nunavut Water Board Legal coun	Gjoa Haven	360-6338		
36	Megan	Porter	Nunavut Water Board	Gjoa Haven	360-6338		
37	Fernand	Beaurloc	Baffinland	Vancouver			
38	Joe	Tigullaraq	Baffinland	Iqaluit	222-6622		joe.tigullaeaq@baffinland.com
39	Brad	Armstrong	Baffinland	Vancouver			brad.armstrong@lawsonlundell.com
40	Erik	Madsen	Baffinland	Toronto	416-996-5523		erik.madsen@baffinland.com
41	Travis	Idlout		Pond Inlet	899-2077		
42	Joe	Krimmerdjuars		Pond Inlet	899-8752		
43	David	Qammaniq	QIA/CLO	Pond Inlet	899-8640		pondonletclo@qiniq.com
44	David	Panipakoochoo		Pond Inlet			
45	Amie	Apak					
46	Jordan	Angnestseak	Local	Pond Inlet	899-8222		kuriboh_goalie@hotmail.com
47	Sam	Kautaiwuk	Local	Pond Inlet	899-2088		
48	Thomas	Penwataluk	Local	Pond Inlet			toomasie@hotmail.com
49	S Jagda		Local	Pond Inlet	899-8932		

Technical Meeting/Pre-Hearing Conference Mary River Project
Pond Inlet, Nunavut
Day Session

Registration Form

50	Simonn	Merkosak	Local	Pond Inlet			
51	Joe	Macpa	Local	Pond Inlet			
52	M	Qaunaq	HTO	Pond Inlet			
53	Elijah	Panipakoochoo	HTO	Pond Inlet			
54	David	Erkloo	Hamlet of Pond Inlet	Pond Inlet			
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Technical Meeting/Pre-Hearing Conference Mary River Project
Pond Inlet, Nunavut
Community Session

Registration Form

NO.	First Name	Last Name	Organization Representing	Address	Phone	Fax	E-mail
1	Solomon	Awa	QIA	Iqaluit	975-8427		solomona@xpolrnet.ca
2	Elizabeth	Peterloosie					
3	Joel	Nashook	Baffinland Committee	Pond Inlet			
4	Paniloo	Sanguyak	Elder	Pond Inlet			
5	Elijah	Panipakoochoo	HTO	Pond Inlet			
6	Timothy	Akoomalik		Pond Inlet	899-6012		timothy.akoomalik@hotmail.com
7	Grigor	Hope		Pond Inlet	899-8120		ghope@gov.nu.ca
8	Rhoda	Koonoo					
9	Abraham	Kunnuk		Pond Inlet			
10	James	Pitseolak	Rec	Pond Inlet	899-8038		
11	Matthew	Kaunaq	HTO	Pond Inlet	899-8776		
12	Thomas	Pautadlak	Local	Pond Inlet			
13	Nellie	Qanguq		Pond Inlet			
14	Elizabeth	Anaviapisuk	Local	Pond Inlet	899-8272		
15	Catherine	Paniloo	Local	Pond Inlet			
16	Robert	Aglak	HTO	Pond Inlet			
17	Sheeba	Shappa	Local	Pond Inlet			
18	Darlene	Simonie	Local	Pond Inlet			
19	Rebecca	Ettuk					
20	Ham	Kadloo					
21	Josie	Pitseolak					
22	John	Henderson					
23	Mattewsie	Akumilik					
24	Carl						

Technical Meeting/Pre-Hearing Conference Mary River Project
Pond Inlet, Nunavut
Community Session

Registration Form

25	Moses	Koonank					
26	Joana	Innualik Kunnuk					
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Technical Meeting/Pre-Hearing Conference Mary River Project
Pond Inlet, Nunavut
Day Session

Registration Form

NO.	First Name	Last Name	Organization Representing	Address	Phone	Fax	E-mail
1	David	Hohnstein	Nunavut Water Board	Gjoa Haven	360-6338		
2	Sean	Joseph	Nunavut Water Board	Gjoa Haven	360-6338		
3	Damien	Cote	Nunavut Water Board	Gjoa Haven	360-6338		
4	Ben	Kogvik	Nunavut Water Board	Gjoa Haven	360-6338		
5	Megan	Porter	Nunavut Water Board	Gjoa Haven	360-6338		
6	Enookie	Inuarak		Pond Inlet			
7	Cornilius	Nutarak		Pond Inlet			
8	Solomon	Awa	QIA	Iqaluit	975-8427		sawa@qia.ca
9	Mike	Rudkin	Hamlet of Pond Inlet	Pond Inlet			
10	Karen	Costello	AANDC	Iqaluit	975-4546		
11	Murray	Ball	AANDC	Iqaluit	975-4550		
12	Erik	Allain	AANDC	Iqaluit	975-4692		
13	Mellisa	Joy	AANDC	Iqaluit	975-4295		
14	Greg	Missal	Baffinland				
15	Brad	Armstrong	Baffinland	Vancouver			
16	Robert	Aglak	HTO	Pond Inlet			
17	Joe	Tigullaraq	Baffinland	Iqaluit	975-2505		joe.tigullaraq@baffinland.com
18	Jean	Allen	AANDC	Iqaluit	975-4758		jean.allen@aandc.gc.ca
19	Glen	Sorenson	NIRB	Cambridge Bay	983-4606		
20	Morgan	Arnakallak	Int/Trans	Pond Inlet	899-2091		
21	Titus	Arnakallak	Int/trans	Pond Inlet	899-8002		
22	Jamie	Keech	Hatch/Baffinland	Toronto	647-927-0975		jkeech@hatch.ca
23	James	Millard	Baffinland	Toronto	902-403-1337		jim.millard@baffinland.com
24	John	Binns	Hatch/Baffinland	Toronto	905-403-4209		jbinns@sympatico.ca

Technical Meeting/Pre-Hearing Conference Mary River Project
Pond Inlet, Nunavut
Day Session

Registration Form

25	David	Panipakoochoo	Pond Inlet Rep	Pond Inlet			
26	Joel	Nashook	Pond Inlet Rep				
27	Teresa	Meadows	Legal Counsel NWB				
28	Jaykolasie	Killiktise	Hamlet of Pond Inlet				
29	Abraham	Kublu	Hamlet of Pond Inlet		899-8935	899-8940	kubluabe@yahoo.ca
30	Elijah	Panipakoocho	HTO				
31	Mark	Dahl	Environment Canada				
32	Amie	Apak					
33	David	Qamanig	QIA/CLO		899-8640		pondinletclo@qiniq.com
34	Manik	Duggar	NPMO/CanNor		873-2292		
35	Jasper	Sigoorie	Pond Inlet				
36	Sam	Arreak	Hamlet of Pond Inlet	Pond Inlet			pond_cedo@qiniq.com
37	Mary	Amagoalik					
38	Elizabeth	Peterloosie	High School Student	Pond Inlet			
39	Moses	Koonoo	Inuktitut Teacher	Pond Inlet			
40	Micheal	Inuaraq	High School Student	Pond Inlet			
41	Dominic	Qagnuq	High School Student	Pond Inlet			
42	Clara	Tattaq	High School Student	Pond Inlet			
43	Stephanie	Piteolaq	High School Student	Pond Inlet			
44	Tina	Ataguttak	High School Student	Pond Inlet			
45	Mark	Tigullaraq	High School Student	Pond Inlet			
46	Sam	Kautainuk	High School Student	Pond Inlet			
47	Roland	Apak	High School Student	Pond Inlet			
48	Mike	Enook	High School Student	Pond Inlet			
49	Michael	Inutiq	High School Student	Pond Inlet			

Technical Meeting/Pre-Hearing Conference Mary River Project
Pond Inlet, Nunavut
Day Session

Registration Form

50	Terry	Qauraq	Pond Inlet				
51	Georgina	Willston	DFO		613-925-265		georgina.williston@dfo-mpo.gc.ca
52	Lesleena	Kanayuk	High School	Pond Inlet			leslena_kanayuk@hotmail.com
53	Sheati	Jogak	Pond Inlet	Pond Inlet			
54	Lousia	Amarualik	Pond Inlet				amarualik_2468@hotmail.com
55	Rhoda	Nashook	Pond Inlet				
56	Josah	Atagootak	Pond Inlet				
57	Amanda	Hanson	NIRB	Cambridge Bay			
58	Fiona	Aglak	Pond Inlet				
59	Iamech	Kadloo	Pond Inlet				
60	Joshua	Arreak	Pond Inlet				
61	Zilpah	Kommangamik	Pond Inlet				
62	Andrew	Arreak	Pond Inlet				
63	Jutummie	Nutaraq	Pond Inlet				
64	Husia	Kadloo	Pond Inlet				
65	Tracey	Tassugat					
66	Kenan	Isagigaitok	Pond Inlet				
67	Paniloo	Sanguyak					
68	Joe	Krimmiryjuak					
69	Thomas	Peatauluk					
70	Jessee	Nutarak	Pond Inlet				
71	Joe	Enook	Tunnuniq MLA	Pond Inlet			
72	Norman	Koonoo					
73	William	Amagualik					
74	James	Pitseolak	Rec	Pond Inlet			
75	Fernand	Beaurloc	Baffinland	Vancouver			
76	Oliver	Curran	Baffinland				
77	Richard	Cook	Knight Piesold				
78							
79							
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Appendix C - List of Commitments

No.	Pre-Hearing Commitment	Raised By	Responsible Party	Timeline for Submission	Status
Security/Bonding					
1	BIMC to provide a copy of its 2012 Financial Statement	NWB	BIMC	February-2013	Pending
2	BIMC to provide feedback to the NWB on the fate of and/or changes to the financial security associated with the Type "B" Water Licence for the Mary River Project	NWB	BIMC	February-2013	Pending
3	BIMC to provide the NWB with information on the its proposed phased approach to Security and Bonding - (BIMC will review work plan annually and post security annually based on additive liability)	BIMC	BIMC	Annually	Ongoing/Pending
Water Use and Compensation					
4	BIMC to provide an update to the NWB on any advances and/or outstanding issues pertaining to the water compensation agreements associated with the project	NWB	BIMC	February-2013	Pending
5	QIA to provide a status update to the NWB of water compensation as an aspect of the IIBA	NWB	QIA	Prior to the Public Hearing	Pending
6	BIMC to provide additional information on deep lakes in northern climate to support that lake stratification is not a concern	AANDC	BIMC	Ongoing	Unresolved
Monitoring and Management Plans and Measures					
4	BIMC to respond to Environment Canada's (EC) January 9, 2013 Addendum to EC's original technical review comments	EC	BIMC	January 25	Pending

8	BIMC to hold a workshop in advance of the public hearing to discuss the various aspects of the AEMP (Validating effects predications)	EC, DFO, AANDC & QIA	BIMC	February-2013	Pending
9	BIMC to incorporate Inuit knowledge where relevant as part of the AEMP	QIA	BIMC	Not stated	Ongoing/Pending
10	BIMC to provide updated Management Plans (Timing, Information)	EC, DFO, AANDC & QIA	BIMC	60 days prior to start of construction for the majority of the plan	Ongoing/Pending
11	BIMC to provide a final Blasting Management Plan - (Ammonia Source Control will be part of the plan)	EC, DFO, AANDC & QIA	BIMC	To be developed in concert with the EPCM and blasting constructor	Ongoing/Pending
12	BIMC to provide a Site-Specific Drainage Plan for each quarry	AANDC	BIMC	Not stated	Ongoing/Pending
13	BIMC to develop a Sediment and Erosion Control Plan for work in or near fish bearing water bodies	DFO	BIMC	Not stated	Pending
14	BIMC to develop additional long-term monitoring and mitigation measures to address pit water quality issues	AANDC	BIMC	Not stated	Unresolved
15	BIMC to clarify pit water quality modeling assumption and pit fill-time projections and provide additional scenarios to address range of future water quality outcomes	AANDC	BIMC	Not stated	Unresolved
16	BIMC to provide the frequency of sampling in tabular format along with the locations and parameters to be sampled in the Surface Water and Aquatic Ecosystems Management Plan.	AANDC	BIMC	Not stated	Unresolved
17	BIMC to provide a separate pit water quality monitoring station to the list of mine site monitoring stations to characterize pit water quality separately from other possible acid rock drainage/metal leaching sources	AANDC	BIMC	February-2013	Unresolved

18	BIMC to include a range of surface water quality monitoring parameters and propose a monitoring frequency that will support all project-based monitoring requirements and a commitment to include any regional monitoring objectives that may be identified	AANDC	BIMC	February-2013	Unresolved
Waste Management					
19	BIMC to provide continued updates and information on the Pit Lake Water Quality Post Closure(Geochemical evaluations and contingencies for accelerated filling)	AANDC	BIMC	Not stated	Ongoing/Pending
21	BIMC work with EC to ensure that quarry material selection involves screening for ARD potential	EC	BIMC	60 days prior to start of construction	Pending
22	Baffinland to provide full inspection and monitoring detail (as per the Waste Management Plan for Construction, Operation and Closure) to the waste monitoring section of the Surface Water and Aquatic Ecosystems Management Plan.	AANDC	BIMC	February-2013	Unresolved
23	BIMC to work with EC to resolve issues related to the oily water treatment facility discharge limits	EC	BIMC	Not stated	Partially Resolved
24	BIMC to work with EC to resolve issues related to the selection/Use of dust suppressants	EC	BIMC	Not stated	Partially Resolved
25	BIMC to work with EC to resolve issues related Landfarm soil criteria	EC	BIMC	January 25, 2013	Partially Resolved
26	BIMC to work with EC to resolve issues related to discharge limits (Also Sewage discharge into sheardown lake)	EC	BIMC	Not stated	New/Unresolved Issue
27	BIMC to work with EC to resolve issues related to the Mine contact water discharge limits (Concern about the application of MMER to Waste rock discharge	EC	BIMC	Not stated	New/Unresolved Issue
28	BIMC to work with EC to ensure that issues related to Pit water quality (EC don't agree with the proposed limits) are resolved	EC	BIMC	Not stated	New/Unresolved Issue

29	BIMC work with EC to ensure that issues related to the management of Nutrient (Tied in with sewage management) are addressed	EC	BIMC	Not stated	New/Unresolved Issue
30	BIMC to work with DFO to ensure that a detailed Blasting program is developed and that include mitigation measures and monitoring plans	DFO	BIMC	Not stated	
Closure and Reclamation					
31	BIMC to submit an Interim MC&RP	AANDC	BIMC	Prior to the commencement of Mining	Ongoing/Pending
32	BIMC to submit a Final MC&RP	AANDC	BIMC	In advance of permanent closure	Ongoing/Pending
33	Baffinland to clarify the basis for deriving their estimated closure costs, in regards to the issues identified, in future revisions of the closure and reclamation plan. Baffin land is also requested to provide a mechanism for periodic reevaluation and update of the closure and reclamation plan and associated security requirements. This reevaluation and update should occur at least every five years.	AANDC	BIMC	Not stated	Unresolved
34	BIMC to develop Plans for the removal of watercourse crossings as part of the Preliminary Mine Closure and Reclamation Plan	DFO	BMC	Not stated	Pending
General					
35	BIMC to provide a work plan for each year of construction that includes a cost estimate for decommissioning relevant site infrastructure	BIMC	BIMC	February -2013	Ongoing/Pending

36	QIA to provide additional or final technical comments to NWB prior to the Public Hearing; the comments will focus on developing suggested terms and conditions for the type "A" Water licence and will include discussion on the status of the water compensation agreement.	QIA	QIA	Prior to the Public Hearing	Pending
37	QIA to provide the NWB with some feedback on the whether the information provided by BIMC in response to issues raised by the QIA during the Pre-technical meeting in October are satisfactory to the QIA	NWB	QIA	February 1, 2013	Pending

Comm itment No.	Pre-Technical Meeting Commitment	Raised By	Responsible Party	Timeline for Submission	Status
2	NWB to provide correspondence in response to BIMC's errata request for SNP stations associated with the existing Type B water licence.	QIA	NWB	Jan 25, 2012	Pending