Attachment 6.

Disposition Table for the Water Licence Renewal

Disposition Table for the Water License Renewal for Type A Water License 2AM-MRY1325 Mary River Project

February 27, 2025

Baffinland Iron Mines Corporation
Mary River Project
NIRB File No. 08MN053

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QIKIQTANI INUIT ASSOCIATION

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QIA-TR-1	QIA highlighted in previous submissions of completeness and technical comments that a summary of historical data is required to demonstrate compliance with the licence terms and conditions as well as the predictions outlined in the environmental assessment for the project over the entire period of record under which the Mary River Project has operated. The CREMP's objective is to detect mine-related effects relative to baseline and reference conditions, not evaluate how the effects observed compare to the predictions outlined in the Environmental Assessment. Figure C.9 provides a comparison of data collected during operations with baseline conditions and the reference lake. This highlights how water quality has changed as a result of the project. However, this does not provide the requested information. No comparisons are provided between water quality data and the predicted concentrations of parameters in those locations. It is expected that water quality has been impacted as a result of the project. What remains unclear is how water quality has changed relative to predictions outlined in the EA. The same issue is apparent in Figure 3.9 referencing sediment concentrations, Figure 3.11 regarding chlorophyll-a, Figure F.5 regarding the benthic invertebrate community endpoints at and Table 3.12 regarding impacts to Arctic Charr populations.	QIA continues to recommend Baffinland develop a memorandum comparing all aquatic monitoring data collected while the Project has been operating to FEIS predictions to demonstrate how actual monitoring conditions have remained within or exceeded environmental assessment predictions. This analysis should include seasonally specific summaries (e.g., median values and percentiles) throughout the receiving environment akin to an annual report using all data provided in "240916 2AM-MRY1325 Attachment 1 - Water Licence Water Quality Monitoring Results 2013-2023-ILAE". Further, the analyses should include trend analyses to provide confidence for reviewers that conditions are not trending up over time (and may either exceed environmental assessment predictions in the future or further exceed environmental assessment predictions). The results should be compared with area-specific environmental predictions presented in the Environmental Assessment. This memorandum should be provided with the 2024 Annual Report. Further, upon completion of this requested analysis, Baffinland ought to update the plans intended to manage environmental effects pathways that have exceeded environmental assessment predictions.	Unresolved	Baffinland refers the NWB to its responses to QIA on QIA TR-1 on November 12, 2024. What QIA is requesting is exactly the function of the NWB's annual review process, which QIA is an active participant in. The requested information is already provided through annual data collection, analysis, and reporting components of the Aquatic Effects Monitoring Program (AEMP; i.e., including the Core Receiving Environment Monitoring Program [CREMP] and the Lake Sedimentation Monitoring Program [LSMP]). These reports include temporal trend analyses (where applicable) and comparisons with area specific environmental assessment predictions. Preparing a memo as requested would be redundant and duplicative of the established NWB process, which is functioning well to support the Board and reviewers in understanding the operations data as compared to FEIS predictions. At this time, to further address the QIA's concerns related to reviewer confidence in current conditions and trends relative to environmental assessment predictions, Baffinland commits to the development of a one-time memorandum including the following aquatic monitoring information: • Temporal plots of water quality results from lake and stream CREMP monitoring areas that include results from the baseline (2006 to 2013), construction (2014), and operations (2015 to 2024) periods for specific parameters associated with the mine site ore bodies or with blasting (i.e., aluminum, arsenic, cadmium, chromium, copper, iron, lead, nickel, zinc, nitrate, nitrite, total Kjeldahl nitrogen, and ammonia). Area specific predictions from the Final Environmental Impact Statement (FEIS; Baffinland 2012) will be included on the plots for comparison. • Tabular summaries of seasonal averages with standard deviations of total aqueous concentrations for specific parameters associated with the mine site ore bodies or with blasting (as listed above) at each CREMP monitoring area over the mine operations period (2015 to 2024). Area specific predictions from the FEIS and AEMP benchmarks will be included in the tables for comparison. • A statement comparing the concentrations of specific water quality parameters associated with the mine site ore bodies or with blasting (as listed above) to area specific predictions from the FEIS over the mine-operations period (2015 to 2024). This memorandum will be submitted within 6 months of the approval of this Licence by the Minister. Baffinland is providing the additional memo	Commitment 26: Baffinland commits to the development of a one-time memorandum including the following aquatic monitoring information: • Temporal plots of water quality results from lake and stream CREMP monitoring areas that include results from the baseline (2006 to 2013), construction (2014), and operations (2015 to 2024) periods for specific parameters associated with the mine site ore bodies or with blasting (i.e., aluminum, arsenic, cadmium, chromium, copper, iron, lead, nickel, zinc, nitrate, nitrite, total Kjeldahl nitrogen, and ammonia). Area specific predictions from the Final Environmental Impact Statement (FEIS; Baffinland 2012) will be included on the plots for comparison. • Tabular summaries of seasonal averages with standard deviations of total aqueous concentrations for specific parameters associated with the mine site ore bodies or with blasting (as listed above) at each CREMP monitoring area over the mine operations period (2015 to 2024). Area specific predictions from the FEIS and AEMP benchmarks will be included in the tables for comparison. • A statement comparing the concentrations of specific water quality parameters associated with the mine site ore bodies or with blasting (as listed above) to area specific predictions from the FEIS over the mine-operations period (2015 to 2024). This memorandum will be submitted within 6 months of the approval of this Licence by the Minister.

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				described above to resolve outstanding issues, but based on our comprehensive monitoring programs, Baffinland is confident it is operating generally within predictions and it is unlikely that plan updates will be triggered as a result of this exercise. **References** Baffinland (Baffinland Iron Mines Corporation). 2012. Final Environmental Impact Statement. February 2012. Baffinland (Baffinland Iron Mines Corporation). 2024. Response to Technical Comments. November 12	
QIA-TR-2	QIA has highlighted concerns with the adaptive management components (Trigger Action Response Plan or TARP) of several management plans required under the water licence, including but not limited to the SWAEMP. Specifically, QIA highlighted both in its submissions in this process and our comments issued during the annual report review that the reliance on "professional judgment" in the TARP introduced significant uncertainty and subjectivity in how exceedances of triggers would be evaluated, and that professional judgment was used in multiple cases (see QIA submission to NWB - QIA 2023 NWB AEMP#3, QIA 2023 NWB CREMP#9, QIA 2023 NWB CREMP#15) to conclude that an observed effect was not attributed to the project.	QIA requests that Baffinland define the general intent of professional judgement and the rationale to be included when it is exercised within Baffinland's annual reports. Where professional judgement is applied in relation to TARPs, QIA recommends that Baffinland include supporting rationale and further provide a clearer linkage of how exceedances of objective TARP thresholds will result in management actions of project effects pathways. Further, QIA recommends that Baffinland update its monitoring approach for the aquatic environment to include event-based monitoring to better capture impacts from dust dispersed on the tundra within the aquatic environment.	Unresolved	With respect to the first request regarding professional judgement, as outlined in the response submitted on November 12, 2024, Baffinland is willing to include commentary on the general intent of professional judgement and rationale when it is exercised within NWB annual reporting, including when professional judgment is applied to TARPs. With respect to the second request to include event-based monitoring with the intention that this will "better capture" impacts from dust dispersed on the tundra within the aquatic environment, Baffinland does not agree that event based monitoring will enhance the current programs. Baffinland understands "event-based monitoring" to mean monitoring that is undertaken when specific events occur, such as significant rainfall events. First, Baffinland has undertaken comprehensive reviews to manage dust at the source, which inherently reduces potential for impacts from dust. Second, through the Core Receiving Environment Monitoring Program (CREMP) the Aquatic Effects Monitoring Plan (AEMP) comprehensively monitors for effects from potential mine-related influences including airborne dust emissions (in addition to influences from site water management, use and storage of explosives, quarries and borrow areas, camps, fuel management, airstrip and airstrip use, waste rock and ore stormwater discharge, and Mine Site wastewater treatment facility effluent discharge). This is achieved through seasonal monitoring of water quality, sediment quality, and aquatic biota (phytoplankton, benthic invertebrates, and fish) in the core receiving environment of the Mine Site, including in streams and lakes. For the monitoring of dust emissions deposited on the surrounding land, that has the potential to interact with receiving environments potentially influencing total suspended solids (TSS) and aqueous metal concentrations, spring water quality monitoring in streams captures the freshet period when dust accumulated on snow over the 9-month winter period interacts with melt, representing the majority of annual dust deposition. This sampling event therefore represents the typical annual high dust contribution event in aquatic systems. Acute lethality effects have never been documented from Freshet runoff monitoring. The CREMP has a monitoring program scheduled directly before melt and after to support freshet monitoring programs.	

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				Further, the CREMP sampling programs accounts for instantaneous water quality (e.g., TSS or aqueous concentrations of metals) resultant of high rain/flow events from a holistic approach, through monitoring for potential effects on water quality and sediment quality and acute and chronic effects to biota in the aquatic environment. Seasonal sampling events, including the spring event, monitor for responses to all potential dust contribution events over the course of the open-water season. This is because contributions from these events are integrated into seasonally collected results. For example, lake water and sediment quality sampling integrate conditions over the open-water season given the residence time of water in the lakes and the deposition of sediment over time. Benthic invertebrate community and fish community and health measures also integrate recent influences, including water quality conditions that may have caused acute or chronic effects. Given acute lethality effects are not of concern from worst case scenario Freshet monitoring and comprehensive seasonal monitoring through the CREMP holistically characterises cumulative potential influences of instantaneous events that transport dust deposited on the tundra to the aquatic environment, event-based monitoring is not required.	
QIA-TR-3	QIA considers this comment resolved following discussions with Environment and Climate Change Canada (ECCC). ECCC confirmed that the discharges from the surface water management ponds at Milne Port are subject to s. 36(3) of the Fisheries Act which prohibits the deposit of deleterious substance.	N/A	Resolved	Noted.	
QIA-TR-4	QIA has been actively working with Baffinland on improving the Interim Closure and Reclamation Plan (ICRP) as per QIA's obligation to approve it. Due to good progress in the discussions so far, QIA considers this comment as resolved, conditional to the continuation of collaborative work on updating this ICRP.	N/A	Resolved	Noted, Baffinland will continue working collaboratively with QIA for the ICRP update.	Commitment 8: Baffinland will work with QIA as part of the annual security review process to address comments on the thermal model and Interim Closure and Reclamation Plan (ICRP). Baffinland will include multiple climate change projections in the next update of the thermal model planned for 2026 as outlined in the ICRP Revision 6.
QIA-TR-5	QIA understands Baffinland's goal to maintain flexibility with water withdrawal, recognizing that dust suppression is a key component of environmental management and impacts air quality and community health. However, continually exceeding agreed-upon water withdrawal limits from sensitive watercourses (as has been noted in QIA's review of annual reports) could impact fish and fish habitat. Implementing more conservative seasonal restrictions for specific sensitive water sources, as recommended by QIA, can be selectively applied based on habitat assessments and in consultation with NWB.	QIA recommends that Baffinland provide an updated list of water withdrawal locations that remove locations with limited capacity. The additional required water volumes will be made up from existing water withdrawal sites that do not have seasonal limitations. The updated list should be incorporated into the water licence.	Unresolved	With regards to QIA's statement that Baffinland "continually exceeding agreed-upon water withdrawal limits from sensitive watercourses", Baffinland does not agree with this statement. Although there have been exceedances from 2020 to 2024, Baffinland has reduced the number of exceedances from permitted withdrawal locations from 2022 to 2024. In 2024, water used for dust suppression from approved sources increased by 40% from 2022 and only resulted in one exceedance. The inference that these are sensitive locations is subjective, and the use of the term "agreed-upon" is incorrect as those are permitted water withdrawal sources in our Water Licence.	

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	This approach balances environmental protection with the project's operational needs.			The main concern with respect to water withdrawals from streams is the instantaneous water withdrawal (pumping) rate relative to streamflow. Each of the streams included in our Water Licence are sufficiently large to support the instantaneous water withdrawals without adversely affecting streamflow and by extension fish habitat (KP, 2014). • Two of these stations (KM32 Lake and Muriel Lake) are lakes, and CV217 is at the outlet of Muriel Lake. Short-term water withdrawals from these stations over the scale of hours or days typically do not result in measurable changes in the water levels of the lakes and therefore should not impact fish and fish habitat. • The daily limits were set based on expected water requirements assuming all 15 stations would be used and are not environmental thresholds. As such, the additional short-term water takes exceeding the maximum daily limit do not present an increased risk to fish or fish habitat. With regards to QIA's recommendation, Baffinland does not agree that water withdrawal locations should be removed from the Licence as requested by QIA. This approach is contrary to the goal of ensuring reduction of dust emitted from the Project. Flexible access to sources for dust suppressing water is essential. Baffinland would not withdraw amounts that exceed the capacity of the water body in question – that approach would not align with the water license requirements. Baffinland prioritizes dust suppression use on the Project and transportation corridor between Project facilities and continues to increase application on an annual basis. Methodology to control exceedances continues to be optimised. Within 2023 and 2024, exceedances decreased significantly from historical reporting. In 2024, one exceedance of dust suppression use occurred on the Tote Road. Baffinland acknowledges that dust suppression sources that have the potential to exhibit reduced hydraulic capacities within summer months are important to proactively mitigate potential effects from water withdrawal from licence restrictions. As for the suggestions regarding exceedances, identified potential low flow sources CV 099, CV087 and CV078 have not been used to date within Project operations and have never had a dust suppression exceedance associated with them. Fish assessment along the Tote Road to date have not noted impacts associated with dust suppression activities and as such mean flow years have been protective of the low flow licence identified streams. The maximum daily water volumes adopted by the amended water licence were developed under a conservative scenario that assumed that all 15 water stations would be used to water the road. The maximum daily	

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				volumes were not established as thresholds of potential effects but rather water withdrawal requirements for Tote Road dust suppression. The main concern with respect to water withdrawals from streams is the instantaneous water withdrawal (pumping) rate relative to streamflow. However, each of the streams are sufficiently large to support the instantaneous water withdrawals without adversely affecting streamflow and, thus fish habitat. For all of these reasons, Baffinland is confident the current approach properly balances environmental considerations with the need for responsible dust management at Mary River. **References** Knight Piésold Ltd. (KP), 2014. Hydrology Assessment of Water Sources for Dust Suppression along the Tote Road - Mary River Project - Early Revenue Phase. July 14. North Bay, Ontario. Ref. No. NB14-00376 (NB102-181/35).	
QIA-TR-6	QIA agrees with Baffinland that the relevant management plans, as required under the Water Licence and other regulatory approvals must be updated before Steensby proceeds. QIA recommends that these management plans should be updated and provided in advance of any approvals to allow for review and incorporation of community feedback.	QIA recommends that Baffinland update relevant plans, such as the Aquatic Effects Monitoring Plan (AEMP) to incorporate the Steensby component, specifically monitoring locations, and commence updating the baseline dataset throughout the Steensby rail corridor and port in 2025. One year of data will be sufficient if 2025 measurements fall within the range of natural variation characterized within the existing baseline and be updated every five years until the commencement of construction. Data should be collected annually for 3 years if the 2025 data falls outside the historical range of natural variation and updated once every 5 years thereafter until the commencement of construction.	Unresolved	First, Baffinland confirms it will be updating the AEMP and other relevant plans to incorporate the Steensby component, including monitoring locations. As outlined in the November 12 response to technical comments, Baffinland is currently working with QIA to develop a plan to review Baffinland's Environmental Management System (EMS) and associated Environmental Management Plans (EMPs) and associated activities for the proposed construction and operation of the Steensby Component of the Project, including water taking activities. However, in terms of the AEMP, it is important to note that it does not apply to the railway and port because it is designed to monitor multiple stressors on the aquatic environment, which are typically associated with mining activities at the mine site itself. The mine site has direct discharges of mine effluents, treated sewage, and ore dust deposition, which require more detailed monitoring. In contrast, the Steensby Rail Corridor and Port primarily involve transportation-related activities, where the primary potential impact is erosion and sedimentation. These impacts are considered binary (i.e., present or absent) and can be managed through simpler monitoring programs under a Surveillance Network Program (SNP), rather than the more comprehensive AEMP. Additionally, the marine environment at the port is covered by a separate Marine Environmental Effects Monitoring Program (MEEMP), which is designed to assess multiple stressors in that specific setting. Thus, the delineation is based on the type and complexity of environmental stressors, with the mine site requiring an AEMP due to its diverse potential aquatic impacts, while the railway and port are monitored under other, more targeted programs.With regards to the collection of supplemental	

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				baseline data for Steensby, Baffinland has been updating Steensby baseline in compliance with Project Certificate Terms and Conditions, commitments and the details outlined in response to QIA-TR-7.	
QIA-TR-7	QIA supports Baffinland's plan to reactivate monitoring stations along the Steensby Railway to verify and supplement streamflow data. However, QIA emphasizes the importance of reactivating these stations in a timely manner to ensure the collection of adequate and useful background data that represents the range of current natural variation prior to construction. This will enhance the reliability of the baseline data and support more effective monitoring and mitigation during project construction and activities.	QIA recommends that Baffinland: a. reactivate hydrometric monitoring stations along the Steensby rail corridor in 2025 to begin characterizing current natural variation; and b. maintain the hydrometric monitoring network along the Steensby rail corridor for a minimum of three years, and then reactivate the monitoring network one year prior to construction.	Unresolved	a. Baffinland agrees with QIA's recommendation and is planning to reactivate the four hydrometric monitoring stations along the Steensby Railway corridor in 2025. Baffinland plans to reactivate the four stations referenced in the 2012 FEIS, including BR11, BR25, BR96-2 and BR137. These stations will measure streamflow and help characterize natural variation in hydrological conditions. The data collected will supplement the existing baseline collected for the 2012 FEIS. b. As described above, four hydrometric stations will be reactivated in 2025. Where possible, Baffinland plans to collect a full year of data during 2025-2026, in alignment with the data collected as part of the 2012 FEIS, which includes four measurements during the open water season. Once the data is analyzed and the specific timing of Steensby construction is known, Baffinland will evaluate whether the dataset warrants keeping the stations in place beyond one year. Baffinland does not agree that three full years of hydrometric monitoring data is needed because a one-year dataset, combined with the FEIS data, is expected to provide sufficient insight into seasonal and interannual variations. Additional monitoring will be considered if analysis indicates that further data is required to capture significant hydrological trends or inform project planning.	Commitment 9: DFO will provide its analysis of existing and required hydrological datasets associated with the Steensby Component.
QIA-TR-8	QIA acknowledges Baffinland's agreement to use the Method for Determining Available Winter Water Volumes for Small-Scale Projects (Land and Water Boards of the Mackenzie Valley, 2021) for under-ice water withdrawals at lakes lacking bathymetry data.	This concern was resolved through Commitment 10 as stated in the NWB's Pre Hearing Conference Decision Report regarding Renewal Application for Type A Water Licence No: 2AM-MRY1325 dated December 19, 2024. QIA further recommends this information be provided thirty (30) days prior to water withdrawal. During QIA's discussions with Baffinland prior to the submission of this document, Baffinland committed to providing the requested information by the deadline stated above. QIA notes the positive development and looks forward to Baffinland's formal confirmation to fulfill this commitment.	Resolved by commitment	Baffinland confirms Commitment 10, which is restated below for the Board's convenience: *Baffinland commits to providing details to QIA on the use of the referenced methodology for under-ice water withdrawals at lakes where no bathymetric information is available. Baffinland will provide the information to QIA for review when it is used.*	Commitment 10: Baffinland commits to providing details to QIA on the use of the referenced methodology for under-ice water wathdrawals at lakes where no bathymetric information is available. Baffinland will provide the information to QIA for review when it is used.
QIA-TR-9	For three of the four lakes that will be subject to increases in water withdrawals as noted in the report entitled Water Withdrawal Notification and Hydrological Assessment, the proposed withdrawal volumes do not exceed 10%. Ravn Camp Lake, however, will experience a flow reduction of 15% for the	QIA recommends that the Applicant develop a technical memo addressing:	Unresolved	**Background** Estimates of potential effects of water withdrawals on areas of aquatic habitat in Ravn Camp Lake were derived via a GIS exercise using lake bathymetry and information presented in the Appendix E Hydrological	

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<tr><td></td><td>month of June. The report justifies this reduction by stating that the outflow typically begins only in the second half of the month and most of June flows occur over a shorter timeframe. The report goes on to state that the 5.6 cm reduction is within the range of natural variation, and the impact is unlikely to affect fish movement.In Section 4.5.1, a winter drawdown of 5.6 cm is identified for Ravn Camp Lake, which is determined to be minor. The migration of fish is recorded to occur until water temperature reaches 5-7°C at the end of June-early July. The reduction of an additional 15% has also been determined to have only minor impacts, yet no rationale is provided for this conclusion. In addition, with climate change, the 5-7°C temperature that precipitates fish movement will likely occur earlier in the month.Baffinland’s response provided a high-level summary of baseline surveys completed; however, it did not provide a robust rationale that justifies the volume drawdown in Ravn Camp Lake, nor does it address changes to temperatures that trigger fish movement.</td><td>a. How often does a 5.6 cm change in water levels fall within the range of natural variation for Ravn Camp Lake (percentile / frequency of occurrences) in June?

b. How often is this level of change (5.6 cm or 15%) predicted to occur and for what duration, during periods of water withdrawal?

c. What impact is this drawdown expected to have on littoral areas of Ravn Camp Lake used by Arctic Charr?</td><td></td><td>Assessment of Water Withdrawals, as part of the Water Licence Renewal application, which can be accessed here: https://public.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MRY1325%20BIMC/1%20APPLICATION/2024%20Renewal/240910%202AM-MRY1325%20Attachment%202%20-%20Hydrological%20Assessment%20of%20Water%20Withdrawals-ILAE.pdf

The GIS exercise was conducted to estimate the change in littoral habitat area in Ravn Camp Lake associated with a 5.6 cm decrease in lake water level due to winter water withdrawals. The approach involved the following steps and assumptions:

• Lake water level would decrease by 5.6 cm (as identified in Appendix E Water Licence document) over the winter period;
• An ice thickness of 2 m in the lake is assumed;
• Area calculations were done as follows:
○ Littoral area was defined as 0-12 m depth range as per approach applied in the FEIS (i.e., euphotic zone estimates based on Secchi disk depth);
○ The initial shoreline applied for this exercise was the lake bathymetry model shoreline moved out to the 2 m depth contour (to correct for 2 m of ice) – the “baseline shoreline”;
○ The littoral zone areas were calculated for the baseline shoreline and the “new” shoreline (i.e., modeled shoreline with 5.6 cm of water removed); and
○ The difference between the two provides an estimate of the area of lost littoral habitat based on the above assumptions.

The predicted net reduction in littoral habitat for the Scenario 1 is 5,775 m2 (Table 1) which represents approximately 0.7% of the current estimated littoral habitat for the ice-cover season or 0.35% of the current total lake area for the ice-cover season.

Table 1. Estimates of changes in areas of littoral habitat in Ravn Camp Lake
<table><tr><th></th><th></th><th>Area (m²)</th></tr><tr><td>1</td><td>Whole Lake – winter (2 m of ice assumed)</td><td>1,656,175</td></tr><tr><td>2</td><td>0-12 m - current winter shoreline</td><td>825,500</td></tr><tr><td>3</td><td>0-12 m - new modelled shoreline (less 5.6 cm of water)</td><td>819,725</td></tr></table></td><td></td></tr>
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				<table><tr><td>4</td><td>Difference between #3 and #2 = Reduction in littoral habitat</td><td>5,775</td></tr></table> Based on these calculations, Baffinland provides responses to QIA's questions below. a. and b. The 5.6 cm level of change is within the range of measurement error for the bathymetry survey that was conducted (and was used for the model predictions) and is expected to be well within the range of interannual variation in ice thickness and water levels. c. As per the above calculations, this drawdown is expected to have minimal impact on littoral areas as a change in 5.6 cm is estimated to be small, about 0.7% of the current estimated littoral habitat.	
QIA-TR-10	This concern was resolved through Commitment 11 as stated in the NWB's Pre Hearing Conference Decision Report regarding Renewal Application for Type A Water Licence No: 2AM-MRY1325 dated December 19, 2024.	N/A	Resolved	Baffinland confirms Commitment 11, which is restated below for the Board's convenience: *Baffinland will provide aquatic habitat information collected at the proposed water intake sites. These details will be submitted to the Board for review and acceptance at least sixty days prior to construction as outlined in Part D, Item 2 of the Water Licence.*	Commitment 11: Baffinland will provide aquatic habitat information collected at the proposed water intake sites. These details will be submitted to the Board for review and acceptance at least sixty days prior to construction as outlined in Part D, Item 2 of the Water Licence.
QIA-TR-11	QIA continues to be concerned that elevated concentrations in the parameters of potential concern (POPC) are derived from mine activities and would like to narrow down the specific cause of these values. QIA would like to understand how the five parameters (arsenic, copper, iron, manganese, and phosphorus) found to have elevated concentrations compared to the AEMP/benchmark values compare with the elements associated with the ore body and/or Tote Road chemical composition. QIA maintains that there exists a risk that changes in the parameters of potential concern may not be detected as soon as they occur because the data analysis being completed is not as sensitive to change as other methodologies.	QIA recommends that the Applicant provide a data analysis and reporting rationale that is supported by published academic research and/or industry-specific studies. The 75th percentile POPC concentration thresholds referenced in the comment responses appears to be an arbitrarily chosen value.	Unresolved	Baffinland can confirm that the 75th POPC is a measure used in the 2012 FEIS. This response provides further rationale. The Core Receiving Environment Monitoring Program (CREMP) under the Aquatic Effects Monitoring Plan (AEMP) is the main monitoring tool for detecting changes in the aquatic environment at the Mary River Mine Site. The CREMP program monitors water and sediment quality, phytoplankton, benthic invertebrates, and fish. For water and sediment quality, chemical parameters, including metals are measured in samples collected at lake and stream sampling stations (this includes the parameters of potential concern [POPC] identified by the QIA). The method used in the CREMP to evaluate for mine-related effects is based on the Assessment Approach and Management Response Framework included in the AEMP Rev 1 (Baffinland 2015). This approach involves evaluation of results after each annual sampling event to: 1. Determine if there have been changes in parameters. 2. Determine if these changes are mine-related. 3. Determine how parameter concentrations relate to AEMP benchmarks. 4. Determine required management responses. Analyses consider temporal and reference analyses in concert with examinations of AEMP benchmarks. It is important to note that	

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				implementation of management responses under this framework are not based on FEIS predictions for water or sediment quality or 75th percentile POPC concentrations predicted in Baffinland's ore (FEIS Volume 7). Although the CREMP routinely includes comparisons of results to FEIS predictions, these comparisons are not the basis for actions under the Management Response Framework. Instead, implementation of management responses is based on the identification of any mine-related changes in parameter concentrations and the level of response (i.e., low, medium, high; representing increasing action/intervention) is based on concentrations relative to AEMP benchmarks and/or the results of previously implemented response actions. The AEMP benchmarks used for evaluation in the Management Response Framework have been developed to be triggered before adverse effects occur and, for water quality and sediment quality, have specifically been developed to be protective of aquatic life (Baffinland 2015). This Assessment Approach and Management Response Framework follows the general principles and meets the objectives of recommendations for response frameworks for aquatic effects monitoring in other Canadian jurisdictions (e.g., Mackenzie Valley Land and Water Board/Government of the Northwest Territories 2019). **References** Baffinland. 2015. Mary River Project Aquatic Effects Monitoring Plan. Document No. BAF-PH1-830-P16-0039. Rev 1. Mackenzie Valley Land and Water Board/Government of the Northwest Territories. 2019. Guidelines for Aquatic Effects Monitoring Programs. March 2019.	
QIA-TR-12	Spring freshet periods will be the driver for the majority of seasonal sediment and erosion control issues; therefore, QIA recommends developing and implementing more robust sediment and erosion control measures for these periods of high runoff and meltwater flows.	QIA made its recommendations regarding the implementation of dust suppression investigatory techniques in its 2024 2nd Annual Site Inspection Findings and Recommendations dated December 5, 2024 as provided to the Applicant.	Resolved	Noted.	
QIA-TR-13	QIA brings it to the Board's attention that site visit observations are more representative when made during periods of snowmelt and spring freshet conditions.	N/A	Resolved	Noted.	
QIA-TR-14	Baffinland currently has a limited understanding of pre-industrial baseline (reference) conditions of lakes located near and on the project area. The data collected previously is inadequate to discern temporal patterns due natural processes and anthropogenic activities. The desired outcome would be for Baffinland to collect full length sediment cores, sectioned	QIA's original recommendation remains: QIA recommends a one-time collection of full-length lake sediment cores (>50 cm) from lakes located close to the mining operations at Mary River Mine – Sailiivik Camp and reference lakes sites. The >50 cm sediment core will be sectioned into 1 cm or 0.5 cm intervals.	Unresolved	As outlined in the response to technical comments submitted on November 12, 2024, Baffinland's view is that the recommended core profiling is not necessary for the robust interpretation of sediment quality data under the CREMP, for all of the following reasons. First, there is already data on hand that fulfils the QIA's request, and taking into account the overall corroborating monitoring information available,	

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	into 0.5 or 1.0 cm intervals and analyse the radiometrically dated sediment cores for concentrations of contaminants of concern. The above analyses should follow well-accepted standard methods. Lengthening and increasing the temporal resolution of the sediment record will provide a site-specific baseline to evaluate environmental change due to anthropogenic activities that would otherwise be unobtainable. The need for baseline conditions has been identified in numerous spots within the Mary River Project 2023 CREMP Report (e.g., pg. 57 and 76). It is important to discern the effect the Project has had on the aquatic environments. Concentrations of contaminants of concern, though below CCME guidelines, may have increased since mining activities started.	Routine analysis of metal concentrations can be reported downcore to provide context to metals concentrations observed in surficial sediment. Ultimately, this will provide the most rigorous baseline (pre-mine) data possible on substances of concern to discern the relative roles of natural and anthropogenic activities. Combined with systematic water and surficial sediment sampling, these methods provide a powerful approach to track changes at a range of temporal and spatial scales relevant to inform environmental stewardship decisions. QIA notes that, should the Applicant not conduct the sample collection and analysis described above, QIA may include such sampling and analysis in its inspection in accordance with the provisions of the Commercial Lease.		there is no reason to question/re-collect the data previously collected. Baseline sediment quality data, retrieved from lakes located near the mine site that currently serve as the focus for Baffinland's AEMP, were collected from as early as 2006 extending until as late as 2014, the initial dates of which were sufficiently prior to the year of mine start-up in 2015. The methods used for sediment quality monitoring have not changed over the course of baseline and mine-operational periods. All sampling involved the sectioning of the surficial 2 cm of sediment retrieved using a gravity corer apparatus, providing temporal continuity for the sediment sampling program. As a result, concentrations of metals in sediment reported for the period prior to 2015 adequately reflect baseline conditions for each of the waterbodies sampled. Lake sedimentation monitoring conducted at the northwest basin of Sheardown Lake has indicated annual mean and maximum sediment accumulation of about 0.13 mm and 0.19 mm, respectively, over the period from 2015 to 2023 at the profundal monitoring station (see Minnow 2024; Baffinland Annual Report Appendix E9.2). Based on these values, an accumulation of 2 cm of sediment may be expected to take from 10 years to 15 years under maximum and average conditions, respectively (not taking into account sediment compaction). Applying these accumulation rates across all study lakes, the existing baseline sediment quality data therefore reflect sediment quality from approximately 10 years to 30 years (assuming data collected in 2014 and 2006, respectively) prior to the mine becoming operational. This timeline may be considered most relevant for considering temporal changes in sediment quality at each study lake following mine start-up. Based on this rationale, the current baseline data are considered to provide a robust basis for analysis of potential changes in parameter concentrations in sediment compared to mine-operational conditions using a before-after approach as is currently applied under Baffinland's CREMP. Finally the top 2cm of sediment that is analysed is where benthic invertebrates live and is the sediment horizon that should be considered when evaluating potential change over time. Sediment further down in depth has no bearing on the mine baseline or operational timeframe nor does it inform on the biologically meaningful zone. With respect to QIA's commentary on the Commercial Lease, for all of the above noted reasons, Baffinland does not believe the requested additional sampling is a reasonable request on technical grounds. It should be noted that the Commercial Lease is a private agreement between QIA and Baffinland, subject to interpretation on its terms. It is not the role of the Nunavut Water Board to interpret or take actions under the Commercial	

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				Lease. Whether or not a particular technical item could be required under the Commercial Lease is not relevant to the question of whether the Nunavut Water Board should require that item under the Water Licence.	
QIA-TR-15	We appreciate Baffinland's continued large-scale monitoring efforts at lakes across the project area. Nonetheless, in complex northern landscapes, many factors such as grain size can influence sediment metal(loid) concentrations. Despite consistent sampling techniques, variation in grain size may still hinder ability to detect temporal and spatial trends. As stated in earlier QIA submissions, changes in grain size are a very important factor to consider and should be included in analysis of concentrations of metal(loid)s. Comparing samples of varying grain size will likely mask temporal patterns further hindering the ability to discern temporal patterns. This has also been identified in previous reports by Baffinland (Mary River Project 2023 CREMP Report; pg. 55).	QIA's original recommendation remains: QIA recommends Baffinland continue sampling surficial sediment consistently from the deepest regions or profundal zone of lakes. Additionally, grain size of the sediment should be considered when evaluating for temporal or spatial trends. A common technique used to account for varying grain size is geochemical normalization. QIA notes that, should the Applicant not conduct the sample collection and analysis described above, QIA may include such sampling and analysis in its inspection in accordance with the provisions of the Commercial Lease.	Unresolved	As outlined in the response to technical comments submitted on November 12, 2024, Baffinland is of the view that it is already incorporating the intent of this QIA comment, as reflected in AEMP Rev. 2. Under the existing AEMP Rev. 1, as well as proposed updates to aquatic monitoring within AEMP Rev2, Baffinland is committed to the sampling of surficial sediment from the deepest regions (i.e., main basin or profundal zone) of lakes as part of the CREMP. Moreover, Baffinland has maintained sediment sampling at the same key profundal stations of each study lake using the same methodologies between the existing and proposed AEMP revisions, and relative to sampling completed for baseline studies, to maintain temporal continuity in the sediment quality monitoring component of the AEMP. Under implementation of the existing AEMP Rev. 1, the consistent grouping of the same pre-established profundal stations at each lake among baseline and mine-operational studies is deemed to provide a consistent basis for which potential mine-related changes in metal concentrations in sediment can be tracked over time regardless of differences in particle size among stations. Such analysis meets the objectives of the CREMP, which include evaluating changes in parameter concentrations over time as a measure of potential mine impact. Although evaluating relationships between metal concentrations and particle size may be informative, this analysis is not a requirement to achieve AEMP Rev. 1 objectives and does not provide additional value given that sediment must be sampled at the stations stipulated within AEMP Rev. 1 regardless of the habitat features at these stations. Because sediment sampling is conducted at consistent station locations, particle size at each individual station is likely to be consistent over time. Therefore, under application of AEMP Rev. 1, no additional analysis of grain size relative to metal concentrations (based on techniques such as geochemical normalization) is necessary nor warranted to meet the AEMP objectives. Updates to the CREMP sediment quality monitoring component proposed in AEMP Rev. 2 focus sampling at key profundal stations that share similar habitat features, including particle size, to reduce variability and improve comparability that is potentially associated with differing habitat features (e.g., particle size) among profundal stations. Upon approval of AEMP Rev2, adoption of this QIA comment will thus be achieved. With respect to the commentary re the Commercial Lease, it should be noted that the Commercial Lease is a private agreement between QIA and Baffinland, subject to interpretation on its terms. It is not the role of the	

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				Nunavut Water Board to interpret or take actions under the Commercial Lease. Whether or not a particular technical item could be required under the Commercial Lease is not relevant to the question of whether the Nunavut Water Board should require that item under the Water Licence.	
QIA-TR-16	While QIA appreciates all the efforts directed towards remediation of the issues at this facility, we have concerns with the preliminary plan submitted on January 22, 2025. We feel the ability of the proposed Sediment Control Mitigation Plan to treat spring freshet and/or high-water events, is limited due to the lack of attenuation in the system. This is of concern where high TSS will result in downstream sedimentation into Sheardown Lake and other fish-bearing areas. QIA would like to see further demonstration and clarification on what design principles were considered in the detailed design of the treatment facility.	QIA recommends the Applicant provide a description of the remedial measures (alternatives analysis) for this facility, such as details on targeted sediment removal rates, design storm detention/treatment capacity, and the ability withstand spring freshet flows. Water and sediment monitoring programs should reflect the changes to the functionality of this facility, and detection of TSS exceedances, sediment accumulations or other impacts, as a result.	Unresolved	Remedial measures planned for the KM 105 facility have been described in detail within the KM 105 Report (Baffinland, 2025). As set out in that memo, Baffinland proposes to focus on bolstering the facility valley to settle and remove sediment more effectively with additional silt curtains, filter berms and associated chemical dosing for TSS removal. For the reasons described in the KM 105 Report, details on sediment removal rates or storm design detention are not relevant to the go forward approach. Monitoring programs are planned to be adapted accordingly and have been discussed with regulators to align with the 2025 plan. The monitoring point for the KM105 infrastructure will be relocated to above fish bearing waters and frequency of this monitoring location will be increased. **References** Baffinland 2025. Follow-up to Spill #2024-151 Mary River Project - Water Licence No. 2AM-MRY1325, Submitted on January 22, 2025, 35 pp.	
QIA-TR-17	The third paragraph of Baffinland's response to this question in the response dated November 12, 2024 is not consistent with the observations described by QIA in its earlier submissions and should be revised accordingly. Baffinland states that temporal monitoring of CLT1 has not shown an increasing trend in parameter concentrations during the past 5 years. Baffinland's August 15 response letter and the CREMP both acknowledged mine-related impacts to water quality in the upper portions of the CLT1 tributary. The active mining area exists near the upper reaches of the CLT1 catchment area. QIA would like further investigation to occur to clarify the sources of these elevated POPCs and if they could be related to mining input/impacts. The goal of this investigation would be to limit further water quality impacts downstream of the US CLT1 station. Findings can be used to address source inputs and take mitigative actions to protect the aquatic environment and drinking water source for the mine in Camp Lake.	QIA recommends detailed adaptive management actions be taken to prevent further impacts to the water quality in the CLT1 tributary to Camp Lake. This detection of significant, small magnitude changes in parameters of potential concern in sediment and/or water quality should be considered a major win for the monitoring program. This allows adaptive management actions to be taken before any water/sediment quality exceedances occur and environmental risks to be mitigated before they can have significant impacts on the local ecology in Camp Lake. The motivation for the CREMP is to make these detections resulting in adaptive management actions on site. In the case where these detections do not result in adaptive management practices, the entire environmental monitoring process does not provide the necessary protection to the environment.	Unresolved	As outlined in response to technical comments submitted on November 12, 2024, Baffinland confirms it has undertaken an appropriate investigation into the identified item, and no remediation measures are required at this time. Baffinland has adhered to the requirements stipulated under the Mary River Project AEMP Rev1 Data Assessment Approach and Management Response Framework ("the Framework"). The management response decisions implemented to date by Baffinland have agreed with the Framework and overall objectives of the AEMP. As part of the annual reporting, Baffinland is examining the 2024 results in and comparing them with previous years if further levels of response are warranted from the 2024 data conclusions further investigation will be conducted in alignment with the adaptive management framework. Under the Framework, Baffinland will continue to apply/adhere to the Moderate Action Response that includes the consideration of potential mitigation plans and implementation if trend analysis suggests continued increase (which existing data has not shown). Biological monitoring, including phytoplankton and Baffinland's incorporation of benthic invertebrate community monitoring at additional study area to evaluate effects associated with elevated metal concentrations in water as a direct initiative stemming from application of the Framework, has indicated no	

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				adverse effects to biota and thus no toxicity related to the elevations. Accordingly, Baffinland will continue to adhere to the Framework, using the results of monitoring to detect any upward change in concentrations that would then trigger further responses, in lieu of the implementation of a further investigation into the pathway of effects for a change in water quality at this time.	
QIA-TR-19	QIA considers this comment resolved if the Board continues imposing a 30-mg/L limit for total suspended solids in the discharge from KM105 Pond as is currently set by the Licence.	N/A	Resolved	Noted, this recommendation aligns with the current Water Licence and current MDMER criteria.	
QIA-TR-20	This concern was resolved through Commitment 12 as stated in the NWB's Pre Hearing Conference Decision Report regarding Renewal Application for Type A Water Licence No: 2AM-MRY1325 dated December 19, 2024.	N/A	Resolved	Baffinland confirms Commitment 12, which is restated below for the Board's convenience: *Baffinland will provide updated water sampling and monitoring location figures within the next version of the Surface Water and Aquatic Ecosystems Monitoring Plan (SWAEMP). This update will include updated water monitoring locations and flow directions.* Baffinland proposes to update the SWAEMP within 6 months of the approval of this Licence by the Minister to integrate changes requested by reviewers as part of the Water Licence renewal.	Commitment 12: Baffinland will provide updated water sampling and monitoring location figures within the next version of the Surface Water and Aquatic Ecosystems Monitoring Plan (SWAEMP). This update will include updated water monitoring locations and flow directions.
QIA-TR-22	QIA has been actively working with Baffinland on improving the Interim Closure and Reclamation Plan (ICRP) as per QIA's obligation to approve it. Due to good progress in the discussions so far, QIA considers this comment as resolved, conditional to the continuation of collaborative work on updating this ICRP.	N/A	Resolved	Noted.	
QIA-TR-24	Inuit community members again raised the issue of potential disadvantages of seasonal blasting and tunnel construction and related impacts to fish at the NWB community session on December 3, 2024.	QIA considers this comment resolved by commitment discussed in Item (1) in the covering letter for this submission: Baffinland will collaborate with QIA to incorporate the outcomes of QIA-led data collection into relevant management plans listed in Part B Item 14 of the Water Licence, and will plan to submit any consequential updates to the NWB with the submission of the 2026 Annual Report. The timing of this commitment is contingent on QIA providing Baffinland with available verified QIA program-led data relevant to Project water use and management and/or waste generation and management by the end of September, 2025.	Resolved by commitment	Baffinland confirms it is making the following commitment: *Baffinland will collaborate with QIA to incorporate the outcomes of QIA-led data collection into relevant management plans listed in Part B Item 14 of the Water Licence, and will plan to submit any consequential updates to the NWB with the submission of the 2026 Annual Report. The timing of this commitment is contingent on QIA providing Baffinland with available verified QIA program-led data relevant to Project water use and management and/or waste generation and management by the end of September, 2025.*	Commitment 27: Baffinland will collaborate with QIA to incorporate the outcomes of QIA-led data collection into relevant management plans listed in Part B Item 14 of the Water Licence, and will plan to submit any consequential updates to the NWB with the submission of the 2026 Annual Report. The timing of this commitment is contingent on QIA providing Baffinland with available verified QIA program-led data relevant to Project water use and management and/or waste generation and management by the end of September, 2025.
QIA-TR-27	Several parties have flagged the need for better cumulative effects assessment (CEA) of the Mary River Project along with other anthropogenic cumulative-effects causing agents, on the	QIA considers this comment resolved by the revision to Licence Part B, Item 17 as agreed jointly between QIA and Baffinland.	Resolved	To address QIA's comments, Baffinland and QIA have agreed to proposee the following to the Board to revise Part B, Item 17 of the Water Licence as follows:	

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	North Baffin environment and Inuit. As currently scheduled, it is possible the Water Licence will be updated before total cumulative effects loads are well understood. QIA suggests that the NWB include a mechanism in the updated Water Licence for future consideration of results from the Nunavut Impact Review Board's (NIRB) CEA Framework process. Although assessing cumulative effects remains a requirement under the NWB's information requirements, there remains no concrete, agreed-upon mechanism for addressing cumulative effects to freshwater resources that may be impacted by the Project. This is true for the Project as a whole but is especially concerning given the lack of updated baseline and trend-over-time data in the Steensby area over the past decade and the lack of meaningful Inuit on-territory data collection at any time in the Steensby corridor. Assessing cumulative effects should be a multi-party effort that applies to all physical and regulatory aspects of the Mary River Project, including the Water Licence, the NIRB certificate, Crown permits, and any other regulatory processes.To this end, the NIRB recommended in its recent letter to the Minister of Northern Affairs regarding the CEA Framework: … the establishment of a specific CEA-focused multi-party committee (or if a separate committee is not established for this work, the Board recommended that it should, at the very least, be informed by consultations with relevant stakeholders). The end goal of this work would be to develop an updated CEA Framework to support the consideration of future assessments and to further enhance the monitoring of cumulative effects for the Project" (NIRB Letter to Responsible Ministers, Dec 3, 2024). Given these recommendations and the fact that Sustaining Operations Proposal 2 (SOP2) application, in relation to which the CEA Framework was originally developed, has been suspended at Baffinland's request, QIA wishes to ensure that cumulative impacts to freshwater resources are considered and addressed through commitments and conditions in the Water Licence. For the sake of efficiency, consistency, and thoroughness, cumulative effects assessment conducted under the auspices of the Water Licence should be synchronised with other regulatory processes. The priority for QIA regarding the Water Licence is that there be a requirement or commitment to meaningfully consider and address cumulative effects to freshwater resources whenever that information is brought forward to the Nunavut Water Board. QIA sees no harm to any			*The Licensee shall annually review and where appropriate modify the Plans and Manuals referred to in this Licence as required by changes in operation, technology, and/or the findings of applicable studies and monitoring. The Plans and Manuals shall incorporate design changes, adaptive engineering required and implemented during construction, operation and closure, changes to monitoring strategies and changes to management strategies, on the basis of actual site conditions and monitoring and studies results, including proponent led, community-led and QIA-led monitoring and studies, over the life of the Project. Revisions to the Plans or Manuals are to be submitted in the form of Addenda to be included with the Annual Report required by Part B, Item 4 complete with a revisions list detailing where significant content changes are made.* Baffinland will provide an updated Water Licence Framework that reflects this agreed change in advance of the Public Hearing.	

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	party with this request; it does not slow down the Water Licence process and the inputs that it would bring would enrich the project monitoring and management system longer-term when the NIRB CEA Framework produces results.				
QIA-TR-28	QIA will be working with Inuit through the Inuit Stewardship Plan (ISP) to identify Inuit Objectives, Indicators, Thresholds and Responses that can be built into the Project monitoring and management system. This work has yet to be completed, which means that Inuit-specific monitoring and management perspectives and measurable/observable parameters (the material that goes in the Water Licence Schedules) may not be integrated into the updated Water Licence unless there is a placeholder Water Licence condition to capture them. There remains no mechanism associated with the Water Licence for integrating Inuit Objectives, Indicators, Thresholds, and Responses (OITRs) into the Project's water monitoring and adaptive management regimes. NIRB Project Certificate Condition #18, which Baffinland wishes to defer to, contains no mention of freshwater specifically, and no concrete requirement that Inuit Objectives, Indicators, Thresholds and Responses be integrated into project monitoring and adaptive management. No specific condition exists requiring Baffinland to integrate Inuit Objectives, Indicators, Thresholds and Responses in relation to freshwater specifically. Although QIA agrees that the ISP is likely the best place to address these concerns, QIA would like further assurance the outcomes of bilateral processes on this issue will be adequately considered and addressed throughout the duration of the Project. The regulatory instrument of the water licence provides this assurance. QIA further notes that Baffinland would not be compelled to do anything unless and until Inuit provide Inuit OITRs. This is not a punitive measure on Baffinland in any fashion. QIA sees no harm to any party with this request; it does not slow down the Water Licence process and the inputs that it would bring would enrich the project monitoring and management system. Indeed, as framed by QIA, the onus is on QIA to bring forward the information, and the Water Licence clause would activate unless and until QIA does so. Integrating this request into the Water Licence would add "defence in depth" to bilateral commitments by making the required actions subject to Water Licence compliance and enforcement and would see the inclusion in the Water Licence of greater	QIA considers this comment resolved by the revision to Licence Part B, Item 17 as agreed jointly between QIA and Baffinland.	Resolved	See QIA-TR-27.	Commitment 13: Baffinland and QIA acknowledge there are existing regulatory authorizations (Project Certificate 005 Terms and Conditions and Appendix B Commitments) and bilateral agreements (Mary River IIBA and Water Compensation Agreement) that address the topics raised in QIA technical comments QIA-TR-28 to QIA-TR-38. This includes the integration of IQ into the Mary River Project, waterbodies of heightened importance, updates to Steensby baseline information, the Pond Inlet Freshwater IQ Study, Inuit OITRs, Inuit water rights, Inuit engagement, the Inuit Stewardship Program/Plan and CRLU studies. Many of these initiatives and deliverables are being led directly by QIA. Baffinland and QIA will continue discussions on these important topics and provide an update on the outcomes of those discussions as relevant to the water licence renewal process at least 3 weeks prior to the NWB Final Hearing. In the meantime, Baffinland and QIA agree that the NWB can proceed and schedule a public hearing on the basis of our mutual understanding of the current status of each item as agreed to previously and in other forums between Baffinland and QIA.

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	recognition of the importance of Inuit observational parameters for project monitoring and management.				
QIA-TR-29	Notwithstanding that QIA disagrees that all impact pathways on freshwater/fish and fish habitat have been captured in the FEIS and its addendums, QIA is willing for the purposes of the water licence process, to focus on proponent commitments and NWB conditions that improve understanding of these values into the future. QIA's forthcoming Pond Inlet Freshwater IQ Study will bring important information forward regarding Inuit water values, Inuit waterbodies of heightened importance, and how Inuit used observational monitoring to separate between water that is good, questionable, or poor quality. Right now, there is nothing in the water licence that covers these topics. QIA would like to see firmer commitments from Baffinland and conditions associated with the water licence to cover these important issues. The NWB has stated its commitment to considering Inuit Qaujimajatuqangit in its decisions. We also note that the NIRB has previously recommended that other regulatory agencies in Nunavut, such as the NWB, "enhance their approach to consideration and application of Inuit knowledge and experience in fulfilling their roles in relation to the current Mary River Project" and build community engagement and knowledge sharing opportunities into all stages of research related to issues of concern to community members (NIRB Phase 2 Report, 252). Including Inuit Qaujimajatuqangit-infused items as part of a water licence terms and conditions is an important opportunity to ensure that Inuit Qaujimajatuqangit informs decisions that affect the freshwater resources that Inuit rely on. QIA sees no harm to any party with this request; it does not slow down the Water Licence process and the inputs that it would bring would enrich the project monitoring and management system. Additional waterbodies of heightened importance, if identified, should be built into project works, mitigation measures, monitoring plans, and adaptive management plans. As framed by QIA, the onus is on QIA to bring forward the information and the Water Licence clause would not kick in unless and until QIA does so. Integrating this request into the Water Licence would add "defence in depth" to the bilateral commitments made by making the required actions subject to NWB compliance and enforcement.	QIA considers this comment resolved by the revision to Licence Part B, Item 17 as agreed jointly between QIA and Baffinland.	Resolved	See QIA-TR-27.	

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QIA-TR-30	Much of the baseline data relied upon for the original assessment of Steensby is dated now and should be updated prior to construction in order to improve monitoring and management plans. As of yet, there is no firm commitment or condition associated with this water licence requiring that updated baseline and trend-over-time data be provided, including data on Inuit Qaujimajatuqangit and use, adequately in advance of Steensby construction. There is also no commitment that, if such information is provided, it will be adequately integrated into Project works, monitoring, and adaptive management plans. Not doing so risks permanently losing the opportunity for accurate current and trend-over-time data against which to assess project impacts, which ultimately means losing the opportunity for accurate assessment of impacts throughout the life of the project and into the distant future. QIA would like this information to be provided 180 days prior to initiation of Steensby construction, a floating point in time that should not be initiated without adequate baseline, trend-over-time, and current condition profiles in place that have been vetted by QIA and Inuit communities. If Baffinland does not agree with this time frame, it must present to the parties and be prepared to support a timeframe. This cannot be neglected. Additional baseline and trend over time data will be critical to understanding whether changes have occurred since the original assessment occurred in the early 2010s. QIA expects that Inuit on-territory data collection will be part of any updating of Steensby baseline and trend-over-time data collection. To our knowledge there was no extensive on-territory data collection to set an Inuit Baseline as part of the work in the early 2010s.	QIA considers this comment resolved by commitment: Baffinland will collaborate with QIA to incorporate the outcomes of QIA-led data collection into relevant management plans listed in Part B Item 14 of the Water Licence, and will plan to submit any consequential updates to the NWB with the submission of the 2026 Annual Report. The timing of this commitment is contingent on QIA providing Baffinland with available verified QIA program-led data relevant to Project water use and management and/or waste generation and management by the end of September, 2025.	Resolved	Baffinland confirms the commitment referenced in QIA's recommendation.	
QIA-TR-31	QIA's forthcoming Pond Inlet Freshwater IQ Study will bring important information forward regarding Inuit water values, Inuit waterbodies of heightened importance, and how Inuit used observational monitoring to separate between water that is good, questionable or poor quality. There remains no commitment from Baffinland or condition tied with this water licence that ensures that the results of the Pond Inlet Freshwater Study will be integrated into Baffinland's management plans and or that Baffinland submit such updates to the plans for Board approval. On matters related to Inuit Qaujimajatuqangit and impacts to Inuit Culture, Resources, and Land Use (CRLU), Baffinland wishes to defer to its commitments in Appendix B of the NIRB Project Certificate, the Inuit Impact	QIA considers this comment resolved by the revision to Licence Part B, Item 17 and Schedule B, Item 1 as agreed jointly between QIA and Baffinland.	Resolved	See QIA-TR-27.	

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	Benefit Agreement (IIBA) and the Water Compensation Agreement (WCA) as forums where QIA and Baffinland have agreed to address issues of OITRs, IQ, and impacts to Inuit CRLU. While these avenues are valid, they do not preclude the inclusion of further conditions in other licencing and impact review processes like this one, which seek to evaluate the need for a greater degree of specificity in the measures aimed at protecting sensitive ecosystems and communities from project-related impacts. A major goal of ongoing licensing and impact review processes with built-in expiry dates is to ensure that impacts are adequately addressed in an ongoing fashion and that systems are in place to address and mitigate for the possibility that impacts in fact exceed those predicted when earlier processes and mitigation measures were put in place. This is the case with this licensing process, where impacts observed by Inuit have exceeded original predictions and in some cases what Inuit deem acceptable. This, combined with the fact that the NWB has publicly stated its objective to seriously consider Inuit Qaujimajatuqangit in its licensing decisions, means that it is indeed appropriate to include more stringent monitoring and mitigation measures that better address impacts to Inuit water rights and use. QIA notes that the requested term/condition of the Water Licence would not force Baffinland in any fashion to put any aspect of the Project on hold. All that QIA is requesting is that when the Pond Inlet Freshwater IQ Study is finalized, that learnings from it be demonstrably integrated by Baffinland into its Project management and monitoring system. QIA sees no harm to any party with this request; it does not slow down the Water Licence process and the inputs that it would bring would enrich the project monitoring and management system. Indeed, as framed by QIA, the onus is on QIA to bring forward the information and the WL clause would not kick in unless and until QIA does so. Integrating this request into the Water Licence would add “defence in depth” to the bilateral commitments made by making the required actions subject to NWB compliance and enforcement.				
QIA-TR-32	See also QIA-TR-28. The current version of the AEMP does not incorporate Inuit OITRs or represent all Inuit waterbodies of heightened importance. This means, for example, that neither the AEMP nor the SWAEMP currently account for the impacts of dust deposition in freshwater, as noted in CIRNAC’s comments R-02, 03, and 04. Additionally, neither the IIBA or	QIA considers this comment resolved by the revision to Schedule B, Item 1 as agreed jointly between QIA and Baffinland.	Resolved	To address QIA’s comments, Baffinland and QIA have agreed to propose the following to revise Schedule B, Item 1 of the Water Licence as follows: **Schedule B General Conditions** The Annual Report referred to in Part B, Item 4 shall include:	

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	WCA contain adequate mechanisms for integrating Inuit OITRs and IQ on impacts to waterbodies of importance into project monitoring and response activities.			1. The Licensee shall file with the Board no later than the 31st of March of the year following the calendar year being reported, an Annual Report on the appurtenant undertaking which shall contain the following information: … e. MONITORING **new iv.** a summary of results relevant to water use and management/ waste disposal and management generated by QIA-led monitoring programs (such as the Inuit Stewardship Program) together with a summary of any agreed actions to be taken by the Proponent in response (including plan updates), where such monitoring results are provided in final to the Proponent by QIA at least 5 months prior to the Annual Report deadline. g. Plans/Reports/Studies **new xiii.** a summary of results relevant to water use and management/ waste disposal and management generated by QIA-led studies together with a summary of any agreed actions to be taken by the Proponent in response (including plan updates), where such studies are provided to the Proponent by QIA in final at least 5 months prior to the Annual Report deadline. Baffinland will provide an updated Water Licence Framework that reflects this agreed change in advance of the Public Hearing.	
QIA-TR-33	Currently there is no reference in the Water Licence to the need to consider findings of scientific studies and/or Inuit-led monitoring when conducting the annual reporting for the water licence. There remains no requirement for monitoring and adaptive management plans associated with the Water Licence to be reviewed and, where necessary, modified to consider new information about impacts to Inuit water rights and use. Part B, Item 17 of the Type A Water Licence does not contain any requirement that Baffinland review and modify the monitoring program annually in line with the findings of applicable scientific studies and Inuit-led monitoring. For reference, the text of this condition is as follows:The Licensee shall review the Plans or Manuals referred to in this Licence as required by changes in operation and/or technology and modify the Plans or Manuals accordingly. Revisions to the Plans or Manuals are to be submitted in the form of Addenda to be included with the Annual Report required by Part B, Item 4, complete with a	QIA considers this comment resolved by the revision to Licence Part B, Item 17 and Schedule B, Item 1 as agreed jointly between QIA and Baffinland.	Resolved	See QIA-TR-27.	

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	revisions list detailing where significant content changes are made. We believe the Applicant's reference to Part B, Item 17 is erroneous and this revision would increase the chance that good IQ and scientific studies would inform revisions to Project monitoring and management systems. Our reading of Part B, Item 17 suggests it would be a substantial change to the "operation and/or technology that would be the driver for such a review. There is no mention of "findings of scientific studies and Inuit-led monitoring" initiating a review of project monitoring and management plans.				
QIA-TR-34	QIA's forthcoming Pond Inlet Freshwater IQ Study will bring important information forward regarding Inuit water values, Inuit waterbodies of heightened importance, and how Inuit used observational monitoring to separate between water that is good, questionable or poor quality. QIA remains concerned about the lack of mechanisms to identify and address Inuit concerns about impacts to freshwater resources, culture, and land use. One of the best avenues for this to happen is by integrating the results of QIA Inuit-led studies into Baffinland's adaptive management mechanisms. Although Baffinland has stated its desire to defer to mechanisms set out in the WCA and IIBA on these matters, QIA wishes to see further commitments on these matters tied directly to the WL. As outlined in comment QIA-TR-32, this will allow for greater specificity and precision in how Inuit concerns about freshwater are identified and addressed. We also reiterate the requested term/condition of the Water Licence would not force Baffinland in any fashion to put any aspect of the Project on hold. All that QIA is requesting is that when the studies are finalized, the learnings from them be demonstrably integrated by Baffinland into its Project management and monitoring system. QIA sees no harm to any party with this request; it does not slow down the Water Licence process and the inputs that it would bring would enrich the project monitoring and management system. Indeed, as framed by QIA, the onus is on QIA to bring forward the information and the WL clause would not kick in unless and until QIA does so. Integrating this request into the Water Licence would add "defence in depth" to the bilateral commitments made by making the required actions subject to NWB compliance and enforcement.	QIA considers this comment resolved by the revision to Licence Part B, Item 17 and Schedule B, Item 1 as agreed jointly between QIA and Baffinland.	Resolved	See QIA-TR-27.	

ID#	QIA Response	QIA Recommendations/Requests	Status as of FWS	Baffinland Response	Commitments
QIA-TR-35	For this comment, QIA reiterates its response to QIA-TR-27 above: Although assessing cumulative effects remains a requirement under the NWB's information requirements, there remains no concrete, agreed-upon mechanism associated with this water licence for addressing cumulative effects to freshwater resources that may be impacted by the Project. This is true for the Project as a whole but is especially concerning given the lack of updated baseline and trend-over-time data in the Steensby area over the past decade and the lack of meaningful Inuit on territory data collection at any time in the Steensby corridor. Assessing cumulative effects should be a multi-party effort that applies to all physical and regulatory aspects of the Mary River Project, including the Water Licence, the NIRB certificate, Crown permits, and any other regulatory processes. To this end, the NIRB recommended in its recent letter to the Minister of Northern Affairs regarding the CEA Framework: … the establishment of a specific CEA-focused multi-party committee (or if a separate committee is not established for this work, the Board recommended that it should, at the very least, be informed by consultations with relevant stakeholders). The end goal of this work would be to develop an updated CEA Framework to support the consideration of future assessments and to further enhance the monitoring of cumulative effects for the Project" (NIRB Letter to Responsible Ministers, Dec 3, 2024).Given these recommendations and the fact that the SOP2 application, with which the CEA Framework was originally developed, QIA wishes to ensure that cumulative impacts to freshwater resources are considered and addressed through commitments and conditions in the Water Licence, including a shorter-term water licence to allow for greater consideration of cumulative effects and the opportunity to address any outstanding impacts. This echoes requests from Inuit during the community session on Dec 3 for a shorter licence period to allow more leeway for data collection and assessment of overall Project effects. For the sake of efficiency, consistency, and thoroughness, cumulative effects assessment conducted under the auspices of the Water Licence should be synchronised with other regulatory processes. The priority for QIA regarding the WL is that there be a requirement or commitment to meaningfully consider and address cumulative effects to freshwater resources on an ongoing basis.	QIA considers this comment resolved by the revision to Licence Part B, Item 17 as agreed jointly between QIA and Baffinland.	Resolved	See QIA-TR-27.	

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QIA-TR-36	Generally, QIA points out to the NWB that when considering whether additional reference to Inuit led monitoring, Inuit OITRs, or anything else Inuit-driven is required in the updated Water Licence, that the NWB should be aware of the fundamental gap identified by Canada, QIA, and the NIRB between impacts predicted and recorded by Baffinland and the impacts observed and felt by Inuit to date (as seen for example in NIRB's Phase 2 Assessment Report). To address this gap, it is important to consider updating the water licence to have greater requirements for Inuit-led and -informed data. Baffinland's support for the ISP is an important step toward ensuring accurate information on impacts to Inuit water rights and use. Commitments remain unclear regarding how results that relate to Inuit freshwater rights, culture, resources, and land use will be considered in Baffinland's monitoring and adaptive management plans. QIA requires further assurance and clarity in this regard. Compensation funds and other Baffinland-funded programs that address impacts are also essential. However, greater effort is required in accurately identifying and reducing impacts themselves, not just compensating for them or addressing their ripple effects.	QIA considers this comment resolved by the revision to Licence Part B, Item 17 and Schedule B, Item 1 as agreed jointly between QIA and Baffinland.	Resolved	See QIA-TR-27.	
QIA-TR-37	QIA believes further engagement is necessary on the issue of blasting for tunnel construction.	QIA considers this comment resolved by commitment: Baffinland will collaborate with QIA to incorporate the outcomes of QIA-led data collection into relevant management plans listed in Part B Item 14 of the Water Licence, and will plan to submit any consequential updates to the NWB with the submission of the 2026 Annual Report. The timing of this commitment is contingent on QIA providing Baffinland with available verified QIA program-led data relevant to Project water use and management and/or waste generation and management by the end of September, 2025.	Resolved by commitment	Baffinland confirms the commitment referenced in QIA's recommendation.	

CROWN-INDIGENOUS RELATIONS AND NORTHERN AFFAIRS

ID#	CIRNAC Response	CIRNAC Recommendations/Requests	Status	Baffinland Response	Commitment
CIRNAC R-01			Resolved		Commitment 1: Baffinland will include a table providing the status of management plans in the QIA-NWB Annual Report for Operations.
CIRNAC R-04	Dustfall as a pathway of potential effect requires improved management planning, monitoring and reporting under the authority of the WL. CIRNAC does not believe that the current dustfall monitoring meets the regulatory expectations for WL monitoring. Due to changes in BIMC operations (e.g., mine plan updates, increased haulage rates, future planned expansion), there is a need to conduct a detailed review of dustfall monitoring. Review of dustfall monitoring and capture data should be undertaken to verify the mine's dustfall performance over time, relative to baseline predictions. In addition, a review should also consider whether the existing data is sufficient to make evidentiary conclusions about cumulative effects and potential effects of dustfall on water quality as a source load input.	CIRNAC recommended a comprehensive review of dustfall monitoring relative to the scope and authority of the WL, relative to water quality, and to consider the following: a) Review of dustfall data and the model used to support the monitoring program (including sample design, assumptions etc.) to determine if dustfall data collection is sufficient, relative to the current state of development and verify the operations of dustfall performance over time, relative to baseline predictions.	Unresolved	As outlined in the response to technical comments submitted on November 12, Baffinland's monitoring of dustfall at the Project is industry leading and dustfall mitigations and management methods are based on scientific measurements available at this time as well as advice from the Inuit-led Dust Audit Committee. Baffinland notes that while dust does not appear to be having any significant negative effect on environmental receptors monitored across the Project, Inuit have identified the presence of dust as an effect in itself. Inuit feedback has been the primary driver of improvements in dust management. This includes the covering of material handling transfer points, minimizing of drop distances, spraying of stockpiles at Milne Port, trails of applications the crushers, and establishing an Inuit-led Dust Audit Committee. The dustfall monitoring program was developed as part of Project Certificate requirements and continues to be refined based on feedback from interveners on the Air Quality and Noise Abatement Management Plan. Further details can be found in the 2023 NIRB Annual Report (NIRB Registry Number 350984). While Baffinland is confident in the above-described program, Baffinland commits to conducting a review of dustfall data and the associated monitoring program to assess the following: • Sample design • Program assumptions • Data Collection • Dustfall relative to baseline predictions. As Baffinland has been operating 6.0 Mtpa until the end of 2024 and is now reverting to the Early Revenue Phase rate of 4.2 Mtpa, Baffinland commits to conducting the dustfall review described above as part of the 2025 QIA/NWB Annual Report for Operations, to be submitted	Commitment 28: Baffinland commits to conducting a review of dustfall data and the associated monitoring program to assess the following: • Sample design • Program assumptions • Data Collection • Dustfall relative to baseline predictions. Baffinland commits to conducting the dustfall review described above as part of the 2025 QIA/NWB Annual Report for Operations, to be submitted by March 31, 2026.

ID#	CIRNAC Response	CIRNAC Recommendations/Requests	Status	Baffinland Response	Commitment
				by March 31, 2026. This assessment of dustfall will allow a direct comparison with the ERP FEIS predictions, as requested by CIRNAC.	
CIRNAC R-06			Resolved		Commitment 2: (a) Baffinland will provide updated figures to reflect the most up to date information for all routine and permitted sampling locations on November 18, 2024 to the Nunavut Water Board and intervenors.
CIRNAC R-08	Mineral wastes are soils, sediment or construction materials which have become contaminated as a result of mining operations. These can include native soil contaminated by dusting from ore haulage, crushing, blasting, or spilled ore, or sediments collected in retention ponds with metal concentrations greater than CCME soil standards protective of human health and the environment. These wastes may also be generated by cleanup activities undertaken during site closure and remediation, like contaminated native soils below operational areas such as the crusher and ore storage areas at the mine site and Milne Port. The waste management plan does not mention how these materials would be collected, contained, recorded during work, and disposed of correctly. Table 2 and 3 in the Waste Management Plan describe how soil contaminated with petroleum hydrocarbons are managed but there is no mention of native soils or other contaminants used by mining operations. The Interim Closure and Reclamation Plan states that “Residual soils meet federal/territorial soil quality guidelines or site-specific risk based criteria as required (CCME agricultural is assumed at this time). If soil exceeds the adopted criteria, it will be removed or risk managed to the satisfaction of the qualified professional to achieve protection of ecological and human health”. There is no mention of how this will be operationalized. Section 3.3.8, Landfills and Other Waste Disposal Areas within the Guidelines for Closure and Reclamation of Advance Mineral Exploration and Mine Sites in the Northwest Territories, states that landfills and other waste disposal areas which can include abandoned waste rock piles should be disposed in a manner that minimizes adverse human health and environmental effects. It is CIRNACs interpretation that if the mine were abandoned, agriculture, parkland or residential guidelines would apply to all mineral waste areas (including the waste rock facility) and the Federal government would be held to a higher standard of clean-up	CIRNAC recommends that: a) After the pre-hearing and technical meetings CIRNAC considers this unresolved and recommends BIMC update the waste management plan to include mineral waste and directives for: collection, containment, data / records, and disposal.	Unresolved	The Interim Closure and Reclamation Plan, which was submitted to the NWB on November 1, 2024, has undergone a significant revision. The review and finalization of the ICRP will occur following the NWB normal course of annual reporting, which occurs in parallel with the renewal process, and so Baffinland notes that comments such as these will be subject to ongoing discussion after the water licence renewal process is complete. Within that plan a new research Appendix (D6) has been presented which details upcoming work to areas of potential environmental concern on site and develop site-specific risk-based criteria as required to support closure. As part of this research plan, plans will be developed for management of impacted soils, such as metal-contaminated soils, if found to be present on site. This may include completion of a human health and ecological risk assessment and the development of site-specific risk-based criteria. The findings of this research program will be integrated into future revisions of the ICRP and will be used to update other management plans such as the Waste Management Plan, if required. The phrase “mineral waste” suggested by CIRNAC’s technical reviewer is not a standard industry term, and Baffinland does not agree that phrase would add clarity. However, per the above, Baffinland has taken care to fully address components of the environment impacted by the mine at closure in its plans.Baffinland strongly disagrees with the suggestions regarding CCME agriculture, parkland or residential guidelines included in CIRNAC’s commentary supporting its recommendation. The remediation methods reflected in the ICRP reflect industry standards. The area the Mary River Project is located in is a highly mineralized area, which means in its natural state, many parameters included in CCME	

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	for the crusher, ore storage areas, dusting zones and possibly the waste rock facility.			agricultural, parkland or residential guidelines would be exceeded. Further research and assessment will be required to establish final closure criteria, following the collaborative processes established by the NWB. The Project was predicted to have impacts occur up to defined level and waste rock to remain in place closed as per the approved ICRP. Waste rock deposited on the Project is disposed in a manner that minimizes adverse human health and environmental effects. Significant sources of dust will cease once mine production ceased so that dust would not have significant potential to interact with water during closure. Dust resultant of the Project has been characterised as being non-toxic through vegetation and acute lethality aquatic testing. Significant concentrations of toxic metals such as mercury or arsenic are not associated with the ore or waste of the project nor does processing with dangerous chemicals that would have the potential to be remobilized following closure occur (i.e. cyanide).	
CIRNAC R-10			Resolved		Commitment 3: Baffinland will provide the status of all thermistors, including BH2 and BH3 in the 2024 annual report.
CIRNAC R-11	The only ML/ARD mitigation strategy is freezing the PAG waste rock in permafrost in the WRF. The 2007 Intergovernmental Panel on Climate Change is cited to support BIMC's assertion that the non-PAG shell is sufficient to keep the PAG frozen. Climate change is occurring at a faster rate in the Arctic than in other regions of the earth, and climate change models have been substantially updated in recent years. The original water license states under Part F paragraph 3 that a revised waste rock management plan shall be provided for future revisions under the license. The revision shall include updates on: g. Waste Rock Storage Facilities with consideration for climate change. BIMC has committed to providing multiple climate change projections in the next update of the thermal model planned for 2026, as outlined in the ICRP Revision 6.	CIRNAC recommendation remains that: a) BIMC revisit its climate change predictions and evaluate the long-term thermal stability of the permafrost in the WRF. This evaluation also needs to be updated once additional monitoring and modelling data from the WRF are available.	Unresolved	As stated in the NWB's Pre Hearing Conference Decision Report regarding Renewal Application for Type A Water Licence No: 2AM-MRY1325 dated December 19, 2024, Baffinland made the following commitment (Commitment 4): *Baffinland will include multiple climate change projections in the next update of the thermal model planned for 2026, as outlined in the Interim Closure and Reclamation Plan Revision 6.*	Commitment 4: Baffinland will include multiple climate change projections in the next update of the thermal model planned for 2026, as outlined in the Interim Closure and Reclamation Plan Revision 6.
CIRNAC R-13			Resolved		Commitment 5: Baffinland supports a change in the financial security review process that allows flexibility in timing and duration. Baffinland will continue to engage

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					with CIRNAC and QIA on this specific item and present an agreed upon revision to the relevant WL conditions.
CIRNAC R-16	Within Appendix H (FEIS Freshwater Quality Predictions), Table H9 – 14 list water quality predictions for different creeks in the area. The predictions are from pre-2018. More data from water quality monitoring is now available. A comparison between predicted and measured water quality data will support an evaluation of water quality predictions and confirmation of required mitigation measures. Part F paragraph 3 of the 2013 water license (and 2015 Amendment No. 1) states that a revised waste rock management plan shall be provided for future revisions under the license. The revision shall include updates on: a. Geochemical modeling which should include post closure monitoring of the WRF; b. Pit water quality predictions	CIRNAC recommends that BIMC: a) Provide a comparison between predicted and measured water quality data and evaluate if additional mitigation measures are required. b) Provide update on geochemical modeling and pit water quality predictions	Unresolved	As outlined in the draft ICRP Version 6, Baffinland is undertaking a pit water quality model update in 2025. This model will include the following: 1. Operational pit water quality predictions for the next 5 years (2025-2029) 2. Water quality predictions for an early closure scenario at the end of 2029, considering three different climate change scenarios for a 100-year period. It should be noted that this model is being completed to provide data requested by CIRNAC and QIA regarding pit water quality predictions to support closure security estimation. As part of this modelling exercise, water quality predictions for the early closure scenario will be compared against closure objectives and criteria, which are outlined in Table 5.1 of Baffinland's Interim Closure and Reclamation Plan Revision 6. The 5-yr operational water quality predictions will need to be evaluated against FEIS predictions and Type 'A' Water Licence Discharge Criteria. The model will be completed by Q4-2025 and is scheduled to be submitted as part of the Annual Security Review process.	
CIRNAC R-22			Resolved		Commitment 6: Baffinland will update the Surface Water and Aquatic Ecosystems Monitoring Plan (SWAEMP) with a synthesis of the groundwater activity on site, combined with the groundwater quality analysis and interpretation. It is anticipated the update will include; frequency of upgradient and downgradient monitoring at selected shallow groundwater monitoring locations and identify potential areas and triggers associated with implementation of monitoring at the Project for water quality analytes and the associated monitoring frequencies.

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CIRNAC R-28			Resolved		Commitment 7: Baffinland will provide details regarding water bodies that will be withdrawn from and the projected volume of water during the detailed design stage of the Project. This will be submitted to the NWB as part of the design construction reports outlined in Part D, Item 2 of the Water Licence.

ENVIRONMENT AND CLIMATE CHANGE CANADA

ID#	ECCC Response	ECCC Recommendations/Requests	Status	Baffinland Response	Commitment
ECCC #1	From the information provided, ECCC understands that most of the infrastructure and management actions described in the Mine Site Water Management Plan have been executed. Explanations are available for areas where measures in the Plan could not be implemented. Future plans to treat water at the KM105 dam location as well as at a downstream polishing pond take into account lessons learned. The Proponent has also indicated that they have plans to build a weir downstream of the polishing pond to act as a final discharge point for the Metal and Diamond Effluent Mine Regulations (MDMER).	ECCC recommends the Proponent implement the proposed measures to reduce the sediment load of surface runoff managed on site as promptly as possible. ECCC recommends the Proponent return the effluent discharge and seepage from the KM105 management pond through a final discharge point (MS 11) before the 2025 spring freshet so the effluent sampling data can be recorded in the ECCC Mine Effluent Reporting System (MERS) online database and so that the water quality can be reviewed to verify compliance with the MDMER. If the plan is to move the MS-11 final discharge point from its current approved location to one further downstream, the Proponent should request this through MERS with a 60-day notice in accordance with the stipulations of the MDMER.	Partially Resolved	Baffinland submitted a comprehensive KM105 report to CIRNAC, QIA, ECCC and DFO on January 22, 2025. Baffinland discussed the 2025 mitigation plan with compliance and review departments of ECCC. It was discussed that the final discharge point will not be established until the new care and control point for monitoring is vetted through proper engineering design to ensure that seepage will not occur and experience similar challenges to the KM105 Dam. While the details of the new care and control point are being established, Baffinland will monitor the intended new FDP location just above fish bearing waters applying the same scrutiny, parameters and frequency as other FDP locations. Baffinland confirms it will comply with all applicable laws, including MDMER, in relation to this exercise. Reference: Baffinland 2025. Follow-up to Spill #2024-151 Mary River Project - Water Licence No. 2AM-MRY1325, Submitted on January 22, 2025, 35 pp.	Commitment 14: A comprehensive follow up report for water quality monitoring at the seep location as well as downstream receiving environment station D1-05 will be provided to ECCC, CIRNAC and QIA in Q4 2024. Baffinland will provide an update on the various infrastructure under the original Mine Site water management plan in subsequent annual reporting. As indicated previously the title may be misleading as this was a planning document and used to permit features under the WL in Modification No. 13. Baffinland will work with ECCC and the various regulators to ensure sufficient information is provided as committed to during ongoing discussions and the WL renewal process. We envision this to include lessons learned, adaptive management implemented to date, ongoing monitoring data, updates on constructed infrastructure with plans to address issues and then ensuring this is incorporated into the new designs or remedial actions for areas that are required. As this information is permitted and built with approval from the NWB then applicable information for how the facility or infrastructure is managed and operated is updated in the applicable WL management plan. Ie. Freshwater, Supply, Wastewater management plan.
ECCC #2	Tote Road Monitoring Program: Adding the Tote Road Monitoring Program to a management plan approved under the water licence will help ensure that all elements relevant to water management for the whole Project are incorporated into a renewed water licence. ECCC supports the Proponent's proposal to add the Tote Road Monitoring Program as an appendix to the SWAEMP with revised TSS concentrations for triggering actions, as discussed in ECCC#3 below. Snow Management Plan: Modifying the SWAEMP to include all elements of the Snow Management Plan relevant to water management will ensure those management measures are integrated in a renewed water licence. The details of proposed changes have not been presented so ECCC has not evaluated if	ECCC recommends that prior to the public hearing the Proponent updates SWAEMP incorporating elements of the Snow Management Plan.	Unresolved	Water quality monitoring associated with the Project Facilities of the Mary River Mine Site and Milne Port Site will be incorporated into the SWAEMP. This update will include adding details from the Snow Management Plan and Tote Road Monitoring Program, such as WQ Site monitoring stations and schedules, monitoring group parameters and specific relevant mitigation, monitoring and management procedures as are relevant to Mary River Mine Site and Milne Port Site Facilities. The proposed updates to Section 9.3 of the SWAEMP are provided in Attachment 2 for review. Baffinland proposes to update the SWAEMP within 6 months of the approval of this Licence by the Minister with the above information. The transportation corridor between both	

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	these changes include all relevant measures for protecting the aquatic environment.			Facilities will be monitored as per the Tote Road Management Plan agreed upon with stakeholders. ECCC would have the opportunity to review and provide comments in accordance with the NWB plan review and approval process.	
ECCC #3	ECCC reviewed the Tote Road Monitoring Program data provided in the annual reports. This included 2023 upstream and downstream measurements for all monitoring events at 20 culverts and bridges, and the subset of monitoring events when metals were analyzed at the eight culverts and bridges in fish bearing watercourses for 2015 to 2023. There are 261 data pairs and five instances (2%) where the difference between upstream and downstream TSS concentrations exceeded the CCME guideline. In three of the five sampling events when the CCME guideline was exceeded, the TSS criterion currently being proposed by the Proponent (double the CCME guideline) was also exceeded and sample results would have triggered response measures. ECCC is of the view that the Proponent has not provided sufficient justification to support a TSS criterion in watercourses along the Tote Road which is higher than CCME guidelines. 1. Naturally occurring high TSS events in the watercourses along the Tote Road do not justify increasing the number or duration of high TSS events due to Project activities. The effects of TSS on fish are dependent on concentration and duration, as accounted for in the CCME guidelines. High concentrations of TSS may stress aquatic organisms and increasing the frequency or duration of high TSS events can cause negative effects to aquatic organisms. 2. The monitoring data available indicates that the CCME guideline for TSS is respected in the majority of sampling events. When Project-related high TSS concentrations are measured, they are often above both the Proponent's proposed criterion and the CCME guideline. Based on the data available to ECCC, initiating actions to investigate erosion and sedimentation mitigation measures when TSS concentrations are above the CCME guidelines rather than responding only when the Proponent's criterion is exceeded would result in a follow-up response for an additional 1% of sampling events. Therefore, applying the response when CCME guidelines are exceeded does not appear to be an operational barrier to ECCC. 3. Ongoing sediment management issues at Mary River and along the Tote Road present a strong rationale for more thorough monitoring than may be required in other NWB water licences.	ECCC recommends that when the Tote Road Monitoring Program is appended to the SWAEMP, the definition of a project-related change in TSS concentrations be modified to mirror the CCME guideline: "Maximum increase of 25 mg/L from background levels at any time when background levels are between 25 and 250 mg/L. Should not increase more than 10% of background levels when background is >250 mg/L."	Unresolved	As outlined in our November 12 response, Baffinland previously worked directly with the QIA on the development of the site-specific criteria for upstream/downstream monitoring starting in 2018, and incorporated this criteria into the Roads Management Plan and Tote Road Monitoring Plan. Per commitment ECCC-#2, this will be incorporated into the SWAEMP, which Baffinland proposes to update within 6 months of the approval of this Licence by the Minister. The screening criteria employed to determine project-related impact thresholds during freshet monitoring, stems from the fact that TSS concentrations during natural high turbidity events (e.g., freshet, or significant storm events) can result in TSS concentrations at upstream areas that are well above 250 mg/L. Therefore, these creek/river systems are naturally accustomed to high TSS concentrations such that a <50 mg/L increase in TSS at other times of the year (when TSS is naturally lower than 250 mg/L) is unlikely to negatively affect biota of these creek/river systems.	

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ECCC #4	The Environmental Impact Statement (EIS) references a single thermistor installed to 400 m depth to characterize local deeper permafrost conditions. Permafrost has a large influence on hydrogeology at the site. No discussion of sub-permafrost hydrogeology was provided in the EIS or ICRP. Other mines in Nunavut with extensive permafrost have collected sufficient data to model interactions between their projects and groundwater (e.g., Hope Bay, Meliadine). Open taliks are predicted to form under certain open pits at Meliadine post-closure, and in those cases, understanding the direction of hydraulic gradient becomes an important factor to understand interactions with surface water. Specifically, determining whether water from the pit will flow into the ground or if groundwater will be upwelling into the pit. In the case of the Mary River mine, understanding the direction of this potential groundwater-surface water interaction is important because of potentially poor pit water quality at depth.	ECCC recommends the Proponent identify the data that is missing for an assessment of the impacts of pit flooding on permafrost and the regional hydrogeology. ECCC recommends the Proponent update the reclamation research program on pit flooding to include the collection of missing data identified above, and that the Proponent then assess the impacts of pit flooding on regional hydrogeology.	Unresolved	The 2012 FEIS was thoroughly reviewed by NIRB and formed the basis for the approval of the Mary River Project and issuance of the Project Certificate. ECCC's suggestion this is a "missing item" from the 2012 FEIS is not accurate. A discussion of sub-permafrost hydrogeology is provided in Section 2.1.5 of Volume 6 of the 2012 FEIS for the Mary River Project. This section states: *"Groundwater flow in the LSA consists of seepage through unconsolidated materials within the active layer, which typically ranges from 1 to 2 m (up to 3 m) below surface. This groundwater reports to local surface drainages and lakes.* *As described in Section 2.1.1.4, the Project is located in a zone of continuous permafrost, which extends to a projected 610 m below ground surface at Deposit No. 1. As such, no groundwater flow is anticipated to exist below the active layer. This conclusion is supported by observations at other mine sites in northern latitudes, including the Polaris and Nanisivik underground mines, as well as the EKATI™ mine where open pits in moderately faulted granite did not generate groundwater until the pits extended below the limit of permafrost at around 350 to 400 m depth below ground surface (Kevin Jones, pers. comm.).* *Based on these empirical examples, the Deposit No. 1 open pit is not expected to develop significant groundwater inflow below the active layer. This is further supported by the fact that the open pit will be developed in relatively high quality bedrock, with minimal faulting. In addition, the area has generally colder mean temperatures, is topographically higher, and has a deeper permafrost zone than the previously cited examples. In addition, site geologists have reported that ground ice is present in fractures in the rock."* As noted by ECCC, Baffinland plans to assess the impacts of pit flooding on the permafrost regime surrounding the pit as part of the Reclamation Research program on Open Pit Flooding, provided in Appendix D2 of the latest draft version of the Interim Closure and Reclamation	Commitment 15: Baffinland will include the list of total and dissolved fractions in the next update to the SWAEMP. Timing of plan update to be confirmed before the public hearing.

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				Plan (Baffinland, 2024). The anticipated steps of this research will include: • A literature review of applicable papers and site information to inform the assessment of flooding on permafrost within the pit area. • A qualitative assessment of selected closure scenarios on permafrost regimes. • If required, design and conduct a quantitative assessment of the potential impacts of permafrost regime. This could include the following: o Installation of additional thermistors o Development of a thermal model The literature review will include review of available documentation from other northern projects including the Madrid-Boston Project and Meliadine Project that were specifically referenced by ECCC. The identification and collection of data that may be required for this assessment will be determined as part of this reclamation research program.	
ECCC #5			Resolved		Commitment 16: The abbreviation BTE will be corrected in Section 3.1 of the next revision of the Fresh Water Supply, Sewage, and Wastewater Management Plan, which will be issued with the NWB QIA Annual Report for Operations in 2025 . Timing of plan update to be confirmed before the public hearing.
ECCC #6			Resolved		Commitment 17: Baffinland will adopt the below FEQGs as the discharge criteria for benzene, ethylbenzene, toluene and xylene at the Project. Parameter Federal water quality longter+D21m guidelines (mg/L) Benzene 0.59 Toluene 0.03 Ethylbenzene 0.07 Xylene 0.07
ECCC #7			Resolved		Commitment 18: Baffinland will issue a draft Schedule I with the requested information added on November 18th, 2024 to the NWB for consideration as part of these proceedings.

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ECCC #8			Resolved		Baffinland will issue a draft Schedule I with this information added on November 18th, 2024 to the Nunavut Water Board for review as part of these proceedings. The most recent revision of the SWAEMP was issued prior to the KM105 Pond being constructed. Water Licence monitoring locations will be updated in the next revision of the SWAEMP. Timing of plan update to be confirmed before the public hearing. Baffinland will make the following updates to the draft Schedule I. 1. Nitrite-N be added to Group 7 in the Water Licence of Table 12 2. Add metals from Group 4 to Group 5 in the Water Licence of Table 12
ECCC #9			Resolved		Commitment 20: Baffinland is committed to incorporating updated industry standard guidelines and utilising them to protect potential receiving environments down gradient of the Project. Baffinland will add the new total Aluminum FEQG to the AEMP pending ongoing analysis of baseline data. Baffinland commits to updating their AEMP benchmark to align with CCME standards in the 2025 AEMP Rev 2 submission for selenium. Timing of plan update to be confirmed before the public hearing.
ECCC #11			Resolved		Commitment 21: The requested administrative updates for minor corrections will be made in the next revisions to the referenced plans and management plansfollowing the NWB normal course, of annual reporting, which occurs in parallel with the renewal process. Timing of plan update to be confirmed before the public hearing.
ECCC #5-1*	Part B, Item 14: List of plans to be implemented in the licence has been updated but does not include the Tote Road Monitoring Program.	ECCC recommends the Tote Road Monitoring Program be included as stand-alone plan or incorporated as an annex to an existing plan. See ECCC#2 above.	Unresolved	Refer to ECCC #2 for response to this. Baffinland proposes to update the SWAEMP within 6 months of the approval of this Licence by the Minister with the information included in Attachment 1.	
ECCC #5-2*	Part D, Items 14 & 15, Table1: Replacing “Effluent Quality Limits” for surface runoff during construction phase with “Water Quality Objectives”.	The Proponent argues these are not limits for surface water runoff and that Agnico licences have them as objectives. ECCC notes that Meliadine’s latest amended water licence has construction surface runoff criteria as limits. ECCC	Unresolved	Noted.	

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		recommends that surface runoff during construction be regulated with effluent quality limits.			
ECCC #5-3*	Part D, Item 18: The Licensee shall conduct inspections of earthworks and geological and hydrological regimes of the Project Biannually during the summer or as otherwise approved by the Board in writing.	Reducing frequency from biannually to annually as proposed by the Proponent is reasonable. However, ECCC recommends the section specifying the timing of inspection be kept, since inspections done in the summer ensures structures are snow free and all parts can be properly inspected.	Unresolved	Baffinland refers ECCC to Motion No: 2024-A1-004 and Part D, Item 18 of the Water Licence No: 2AM-MRY1325, the Board authorizes Baffinland to change the frequency of geotechnical inspections from biannual to annual. Baffinland agrees with ECCC that the annual geotechnical shall occur within summer months July to September and has previously confirmed this intent in correspondence under Motion No: 2024-A1-004.	
ECCC #5-4*	Part D, Item 25; Part E, Items 16 & 17: Addition of “, unless otherwise approved by the Board in writing.” to several conditions.	ECCC recommends that activities such as the deposition of debris or sediment does not occur within 31 m of the high-water mark. Implementation of setback distances from water bodies is a standard practice for projects in Nunavut.	Unresolved	Baffinland understands ECCC's view that 31 m is the default, However, there may be site specific circumstances that favour approval of reduced setbacks, and including this language would allow justifiable adjustment of setbacks on Board approval. Before making a decision in relation to any specific request, the Board would solicit advice from the public, including ECCC.	
ECCC #5-5*	Part E, Item 3: The item number is struck out, but not the condition.	It is not clear if the intention is to merge condition with previous one, remove the condition or something else. ECCC recommends clarifying the proposed change to this item.	Unresolved	This was a typo and not intended as a proposed change within the license. Baffinland will provide an updated Water Licence Framework that reflects this agreed change in advance of the Public Hearing.	
ECCC #5-6*	Part E, Item 4: The Licensee may recycle water and use reclaimed water from the various Treatment Facilities, surface water management ponds and embankment dams, other facilities and approved discharge locations under the licence if such waters meet appropriate discharge criteria for those facilities, with the exception of TSS if the water is being used for dust suppression.	The Proponent is proposing that water drawn from water management ponds to be used for dust suppression would not have to meet TSS effluent discharge criteria. ECCC recommends that water that does not meet all discharge criteria, including TSS, should only be used for dust suppression in areas where runoff does not have the potential to enter the aquatic receiving environment.	Unresolved	The use of treated effluent and recycled water for dust suppression within Project facilities enhances the efficiency and effectiveness of dust control measures while reducing freshwater consumption. Baffinland already has federal approval for the use of recycled water in dust suppression as an industry best practice within Project working areas, provided that effluent quality meets discharge criteria for deleterious substances, with the exception of TSS, for MDMER-regulated containment ponds. This approval is documented in Baffinland’s MDMER Emergency Response Plan, which has been reviewed by ECCC. The proposed wording reflects this established regulatory framework and aligns with industry practices. Water used for dust suppression is applied in a controlled, low-flow manner and is rapidly absorbed by dry road surfaces, minimizing the potential for runoff. Unlike persistent contaminants such as metals, TSS is not a parameter of concern in this context because it interacts with gravel road surfaces upon dispersal and	

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				does not accumulate or pose long-term environmental risks. Additionally, other commonly used dust suppressants in the industry are not subject to TSS requirements. By clarifying that TSS discharge criteria do not apply to water used for dust suppression, the updated wording ensures consistency with existing approvals, regulatory precedents, and practical considerations for effective dust control.	
ECCC #5-7*	Part E, Item 9: The Licensee shall update or revise annually following the commencement of the Operations Phase and/or the Early Revenue Phase, the Project Block flow Diagram Water Supply Balance information for the various Project sites provided with the Application, if required in the opinion of a Professional Engineer due to construction or operational changes that occurred within any given year, and submit the revisions, for review by the Board, with the Annual Report under Part B, Item 4, unless otherwise approved by the Board in writing.	The Proponent's proposed changes do not clarify this condition. In its original form, an annual update isn't required, if a revision of the plan concludes the water supply balance information still accurately reflects site conditions. ECCC recommends keeping the original condition which is easier to understand.	Unresolved	Baffinland has considered ECCC's comment and continues to be of the view the proposed edit enhances clarity.	
ECCC #5-8*	Part J, Item 2: The approved Interim Closure and Reclamation Plan per Part B, Item 14, and Schedule K, shall be updated as necessary from time to time and must address all mine related components including the following:	The Proponent proposed adding a "from time to time" update schedule to this condition. ECCC recommends defining triggers or a fixed schedule for updates because the proposed wording is too vague. An update to the ICRP should be provided and reviewed before initiation of pit development at the latest.	Unresolved	Baffinland has currently submitted a Revision 6 of the ICRP for review through the usual ongoing NWB process established under the Water Licence (i.e. the ICRP does not require review through the Water Licence Renewal Process). The plan contains the following wording regarding expected update frequency: *It is anticipated the ICRP will be reviewed and updated regularly throughout the life of the Project, as per the terms and conditions of the Commercial Lease No. Q13C301, Type A Water Licence 2AM-MRY1325, and Federal Land Lease 47H/16-1-2 and Lease Amendment 47H/16-1-5. Once the Project reaches full planned operation, and site activities and infrastructure have stabilized, less frequent updates may be discussed with QIA. Parties reserve the right to request an update, if warranted, and any changes to the existing ICRP update schedule would require QIA approval.*	

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				Updates to the ICRP are primarily expected to focus on the refinement and elaboration of the specific performance indicators and commitments and incorporating any reclamation strategy changes based on reclamation research. In legal drafting, the phrase from time to time is used to mean, in essence, "on one or more occasions." As shown above, there are multiple mechanisms for updates to the ICRP to be initiated, depending on stakeholders/regulator direction and site development and activities. Baffinland believes including specific defined triggers may result in updates being completed when unnecessary or at the wrong time to be an efficient use of reviewer and stakeholder resources.	
ECCC #5-9*	Schedule A: Definitions of monthly, quarterly and weekly have been modified to include "where practicable, taking into account matters such as safety and flight logistics".	Safety is always the first consideration when sampling, but does not relate to the definition of sampling frequency. ECCC recommends omitting the proposed additions.	Unresolved	Baffinland continues to recommend that definitions of monthly, quarterly and weekly have been modified to include "where practicable, taking into account matters such as safety and flight logistics". These are important factors that can reasonably adjust frequency and so these aspects should be recognized in the licence definitions for transparency.	
ECCC #5-10*	Schedule B, Item 1.a.i.: Currently, annual reporting must include water withdrawn "in accordance with Part E, Items 3, 4, and 25 of the Licence". In Part E of the licence framework, Item 3 is struck out.	ECCC recommends updating annual reporting requirements to reflect changes to body of licence, if required.	Unresolved	Part E Item 3 being struck was a typo, the wording as it stands within the proposed license is correct, Baffinland agrees with ECCC. Baffinland will provide an updated Water Licence Framework that reflects this agreed change in advance of the Public Hearing.	
ECCC #5-11*	Schedule I: Monitoring prescribed in Tables 13, 14 & 15 have been categorized into Regulated, General Aquatic, and Verification.Verification monitoring is described as: "Program to be carried out for operational and management purposes by Licensee. Monitoring parameters may vary between locations. Monitoring parameters and locations are internal for Licensee." Surveillance Network Program (SNP) stations in the verification category are for surface water monitoring during construction at Milne Port and the Mine Site, and for surface water drainage and seepage from the landfills at the Mine Site and Steensby Port.	ECCC's comments regarding Schedule I raised during the technical review have been incorporated in the revised version.ECCC does not support some of the additional changes to Schedule I related to categorization of monitoring. ECCC recommends that if there are effluent quality limits for surface runoff during construction, SNP stations monitoring construction runoff should be categorized as regulated. Similarly, since the licence has effluent quality limits for landfill discharge, SNP stations monitoring landfill seepage and drainage should be categorized as regulated.	Unresolved	The construction phase does not represent current monitoring use of the SNP sites. The SNP stations do not monitor construction but are used for verification monitoring within the potential receiving environment of the Project. Baffinland acknowledges that Part D Table 1 is used to monitor construction runoff and is applied to SNP sites, should they be representative of construction runoff. The proposed methodology aligns with industry standard for verification and adaptive management monitoring within potential receiving environments to inform on infrastructure performance with point source discharge licence limits within a Project. It should be noted that these updates also align with Agnico Eagle's recent water licence approval. The SNP station associated with the landfill MS- MRY-	

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				13A and B is surface water runoff associated with the landfill and is not directly within the landfill facility. Unlike other water licence sites that act as compliance locations for direct discharges to the receiving environment (i.e. pond and berm monitoring locations), the landfill monitoring sites operate as a verification and adaptive management monitoring location. The effluent quality limits however are still compared and reported within the monthly and annual reports and are utilised to monitor the performance and potential impacts of the landfill on receiving environments.	

FISHERIES AND OCEANS CANADA

ID#	DFO Response	DFO Recommendations/Requests	Status	Baffinland Response	Commitment
DFO-TRC-01	In their response to the IRs, BIM indicated that the Surface Water, Aquatic Ecosystem Management Plan will be updated to include watercourse crossing information, but that they wish the review of this update be conducted separately from the NWB Water Licence Renewal Process. DFO visited the site in July 2024, and noted potential fish passage issues and sediment and erosion control concerns along the Tote Road at a number of watercourse crossings. This reflects some similar comments stated in BIM's "Attachment 4 Freshwater Environment Engagement Comments 2014-2024". Although DFO is currently in discussions with the proponent to address concerns surrounding the Tote Road and the proposed remediation strategies, DFO is of the opinion that this issue should be discussed as part of the water license renewal process as impacts from watercourse crossings may overlap with one or more additional regulator's mandates, and concerned may be shared by impacted communities and organizations. Specifically, the plans should include measures to protect fish and fish habitat to preserve fish passage and to protect downstream fish habitat from impacts. DFO suggests BIM provide a summary table of all proposed watercourse crossings (i.e., road and rail culverts and bridges) to be presented at the Water Licence Technical Meeting, and to be added to the updated Surface Water and Aquatic Ecosystem Management Plan. This summary table is likely to be used by regulators to ensure that impacts to the aquatic environment are minimized. The information should include, but not be limited to: • locations where road infrastructure interacts with waterbodies and watercourses including seasonally wet drainages; • type of crossing - existing or proposed (bridges and culverts); • channel and wetted width; • fish species present (confirmed and suspected), and life stage; • Rationale on why crossings were considered unlikely to be non-fish bearing (i.e., downstream barrier to fish passage); and • whether there are fish bearing waterbodies downstream and/or upstream of the crossing and known important habitat. The seasonal channels between fish bearing waterbodies should be considered fish habitat. Additionally, BIM should include in the updated plan a description of measures to protect fish and fish habitat to preserve fish passage and to protect downstream fish habitat from impacts.	Baffinland will include a summary table with all proposed watercourse crossings (road and rail culverts and bridges) in the next update to the Surface Water and Aquatic Ecosystems Monitoring Plan (SWAEMP) with timing of plan update to be confirmed before the Public Hearing. Fisheries and Oceans is satisfied to wait for an updated plan in March to address these concerns identified.	Resolved by commitment	As stated in the NWB's Pre Hearing Conference Decision Report regarding Renewal Application for Type A Water Licence No: 2AM-MRY1325 dated December 19, 2024, Baffinland made the following commitment (Commitment 22): *Baffinland will include a summary table with all proposed watercourse crossings (road and rail culverts and bridges) in the next update to the Surface Water and Aquatic Ecosystems Monitoring Plan (SWAEMP) for crossing locations along the Tote Road. The review of the SWAEMP will occur following the NWB normal course of annual reporting, which occurs in parallel with the renewal process. Timing of plan update to be confirmed before the Public Hearing.* As outlined in response to ECCC #2, Baffinland proposes to update the SWAEMP within 6 months of the approval of this Licence by the Minister.	Commitment 22: Baffinland will include a summary table with all proposed watercourse crossings (road and rail culverts and bridges) in the next update to the SWAEMP for crossing locations along the Tote Road. The review of the SWAEMP will occur following the Nunavut Water Board normal course of annual reporting, which occurs in parallel with the renewal process. Timing of plan update to be confirmed before the public hearing.
DFO-TRC-02	As noted in DFO-TRC-01, when DFO visited the site in July 2024, evidence of unsuitable sediment and erosion control was documented at multiple watercourse crossings along the Tote Road. DFO observed active sedimentation and erosion emerging from the Tote Road and appearing to result in sediment	BIM to implement erosion and sediment control training for personnel involved with the planning, installation, and maintenance of erosion and sediment control measures	Resolved by commitment	As stated in the NWB's Pre Hearing Conference Decision Report regarding Renewal Application for Type A Water Licence No: 2AM-MRY1325 dated	Commitment 23: BIM will implement erosion and sediment control training is required for personnel involved with the planning, installation, and maintenance of erosion and sediment control measures. The addition of Canadian-Certified

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	depositions downstream (e.g., visible plume, road bed materials observed in the channel). The existing Surface Water and Aquatic Ecosystem Management Plan is broad, does not apply to specific site conditions, and there is evidence that the mitigation measures it outlines have not been consistently applied throughout the site. DFO requests the Surface Water and Aquatic Ecosystem Management Plan be supplemented with a section that identifies areas of potential sediment and erosion concerns along the Tote Road, and provides site or condition specific measures that can be implemented along Roads/Rails to reduce the risk of erosion and control sedimentation and respond to sediment releases. These site and condition specific measures should take into account road bed slopes, types of fill materials, snow and ice movement, ditch gradient, and location of fish bearing waters. The section should also include: • examples of materials and techniques that BIM will employ to control sedimentation and erosion; • required training/certifications to be acquired by individuals and/or teams responsible for developing and implementing the erosion and sediment control plans; and • details on how this plan will proactively be put in place along proposed developments, including the rail.	and will be rolled-out during winter 2024-25. Fisheries and Oceans is satisfied to wait for details on the training program, as well as focus Fisheries Act related measures to address these concerns identified.		December 19, 2024, Baffinland made the following commitment (Commitment 23): *BIM will implement erosion and sediment control training is required for personnel involved with the planning, installation, and maintenance of erosion and sediment control measures. The addition of Canadian-Certified Inspector of Sediment and Erosion Control (CAN-CISEC) personnel has been valuable in drawing awareness to and understanding of erosion and sediment control requirements, supporting construction activities and daily operations. In-house Erosion and Sediment Control Awareness training is being developed for personnel involved in erosion and sediment control activities and will be rolled-out during winter 2024-25.* *Topics covered will include:* *• Legislation that governs erosion and sediment* *• Types of erosion* *• Factors that influence erosion* *• Erosion and Sediment control best management practices* *• Installation of best management practices* As of February 20, 2025, the training program is being finalized. The schedule for training delivery is being developed, with plans for roll-out in Q2-2025.	Inspector of Sediment and Erosion Control (CAN-CISEC) personnel has been valuable in drawing awareness to and understanding of erosion and sediment control requirements, supporting construction activities and daily operations. In-house Erosion and Sediment Control Awareness training is being developed for personnel involved in erosion and sediment control activities and will be rolled-out during winter 2024-25. Topics covered will include: • Legislation that governs erosion and sediment • Types of erosion • Factors that influence erosion • Erosion and Sediment control best management practices • Installation of best management practices