

NUNAVUT WATER BOARD

RENEWAL APPLICATION
FOR TYPE A WATER LICENCE NO: 2AM-MRY1325
BY BAFFINLAND IRON MINES CORPORATION

PUBLIC HEARING

VOLUME 3

Pond Inlet, Nunavut

March 12, 2025

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1 Proceedings taken at Pond Inlet Community Hall,
2 Pond Inlet, Nunavut

3

4 March 12, 2025 Morning Session

5

6 NUNAVUT WATER BOARD

7 L. Toomasie Chair of Hearing

8 U. Pukignak Panel Member

9 E. Baddaloo Panel Member

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18 A. Jan Technical Advisor

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5		and Health, Safety,
6		Environment
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8		Sustainable Development
9	P. Quassa	Special Advisor
10	J. Tigullaraq	Head of Northern Affairs
11	E. Luther	Senior Manager,
12		Regulatory Affairs
13	M. Schauerte	Stantec, Technical
14		Advisor
15	C. Sangoya	Pond Inlet, Inuit
16		Knowledge-Holder
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23	S. Borcsok	Approvals Manager
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26	K. Kuchapski	Minnow Technical Advisor

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8 R. Nesbitt Hutchinson Environmental

9 Sciences Ltd.

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11 C. Shefman Legal Counsel

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15 J. Carman LGL Limited

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24 (Via Remote Video)

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3 Assessment Group

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7 R. Nissen Air Quality Analyst

8 R. Ejeckam Mining Expert

9 J. Kassar Environmental Assessment
10 Officer

11 J. Hollman Environmental Assessment
12 Officer

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14 FISHERIES AND OCEANS CANADA

15 P. Harper Senior Biologist

16 N. Wasilik Regulatory Review
17 Biologist

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19 (Via Remote Video)

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24 S. Qaunaq Community Representative

25 O. Naqitarvik Community Representative

26 R. Taqtu Community Representative

1 HAMLET OF HALL BEACH

2 A. Qammaniq Community Representative

3 J. Kaermerk Community Representative

4

5 HAMLET OF IGLOOLIK

6 A. Attagutalukutuk Community Representative

7 L. Idlout Community Representative

8 N. Piugattuk Community Representative

9

10 HAMLET OF POND INLET

11 J. Katsak Community Representative

12 B. Merkosak Community Representative

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16 Translator

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18 Translator

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20 J. King, CSR(A) Official Court Reporter

21 C. Coomber Sound Technician

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26

1 (PROCEEDINGS COMMENCED AT 9:11 AM EDT)

2 Opening Remarks by The Chair

3 THE CHAIR: We'll start, reconvene
4 from yesterday's sitting.

5 Good morning. Before we start, I would
6 like to have an opening prayer. Uriash will do
7 opening prayer.

8 (OPENING PRAYER)

9 THE CHAIR: Before we go on to our
10 agenda, I'd like to have a housekeeping touched
11 on. Teresa will do some -- a little bit of
12 housekeeping.

13 Thank you.

14 T. MEADOWS: Thank you, Mr. Chair.
15 Teresa Meadows, legal counsel for the Nunavut
16 Water Board.

17 So welcome back, everyone. I know that it
18 was a long night for some of you and a short
19 morning. So today we will continue on with the
20 technical meeting with the presentations by the
21 Federal family. We recognize that their
22 presentations yesterday were a short
23 abbreviated form of what they -- what their
24 comment submissions were, and all the parties
25 here did not have an opportunity to ask them
26 questions, so we will start with presentations

1 by Crown-Indigenous Relations and Northern
2 Affairs Canada followed by Environment and
3 Climate Change Canada and Fisheries and Oceans
4 Canada.

5 After each presentation, there will be an
6 opportunity for the parties here and the public
7 to ask any additional questions that they may
8 have, and then we will move on to -- as you
9 heard yesterday, there are three additional
10 documents that Baffinland is proposing to file
11 that will include commitments, updates to the
12 draft water licence framework that was provided
13 earlier for parties to comment on, and
14 additional updates with respect to resolution
15 of matters. And so we will reconvene to have
16 discussions of those documents and the
17 commitments that have come out of this meeting,
18 and then final closing statements from all the
19 parties and a discussion of the close of the
20 hearing and potentially close of the hearing
21 public record.

22 For those of you who were not here
23 yesterday, there is interpretation equipment at
24 the front table. I believe Channel 1 is
25 English -- no, back to Channel 2. Channel 2 is
26 English. I had a 50 percent chance of being

1 correct. Oh, I had a less than 50 percent
2 chance of being correct, then. Channel 3 is
3 English. Channel 2 is --

4 C. COOMBER: Sorry. I'll jump on here
5 quickly.

6 T. MEADOWS: Okay. Thank you, Chris.

7 C. COOMBER: For the portable
8 receivers that the audience have, Channel 1 is
9 floor, no interpretation. Channel 2 is
10 English. Channel 3 is Inuktitut.

11 For everyone sitting at the hearing tables,
12 the microphone bases, Channel 1 is English.
13 Channel 2 is Inuktitut.

14 T. MEADOWS: Okay. I had no chance of
15 getting it right, just so you know. Thank you,
16 Chris.

17 If you are having any trouble with your
18 headset, in all seriousness, please ask Chris.
19 Do not ask me. Obviously I don't know.

20 In addition, we have fresh coffee and tea
21 and snacks -- thank you -- and please help
22 yourself.

23 And as yesterday, we do have a court
24 reporter with us who is recording all of the
25 submissions throughout the day, and to really
26 help her out, please state your name before you

1 speak and please, for the interpreters -- I
2 just realized as I was doing that, that I am
3 the worst offender, but please speak clearly
4 and slowly so that we can ensure we have an
5 accurate record of the public hearing and that
6 our fine interpreters are able to make sure we
7 are all heard and understood in the language of
8 our choice.

9 So without further ado, if I can recall
10 Crown-Indigenous Relations and Northern Affairs
11 up to the front, please proceed with your
12 presentation. I remind them that we have sworn
13 them in already, so they do not need to be
14 sworn in again.

15 Thank you, Mr. Chair.

16 THE CHAIR: Thank you, Teresa. So
17 we'll start with the Intervenor's presentation,
18 so CIRNA we'll start with this morning, and the
19 next one will be ECCC, and the last one, DFO.
20 Just we'll handle these Intervenor's
21 presentation just like the way we did last
22 night.

23 ANDREW KEIM, LAUREN PERRIN, Previously Sworn

24 THE CHAIR: Go ahead. Proceed.
25 Presentation by Crown-Indigenous Relations and
26 Northern Affairs

1 L. PERRIN: Thank you, Mr. Chair.

2 Good morning. My name is Lauren Perrin.
3 I'm the water management specialist. With me
4 today, I have Andrew Keim, manager of the water
5 resources division, and Joseph McHattie, legal
6 counsel. As well online, we have Joseph --
7 not -- Jonathan Croston, technical expert from
8 AtkinsRéalis.

9 This presentation will cover our roles and
10 responsibilities, technical review comments,
11 security management agreement, and our
12 conclusion.

13 Crown-Indigenous Relations and Northern
14 Affairs Canada responsibilities, mandate, and
15 obligations are in align with the following:
16 Crown Indigenous Relations and Northern Affairs
17 Act, Nunavut Agreement, Nunavut Land Claims
18 Agreement Act, Nunavut Waters and Nunavut
19 Surface Rights Tribunal Act and the associated
20 regulations, Nunavut Planning and Project
21 Assessment Act, Territorial Lands Act and
22 associated regulations, and finally, Arctic
23 Water Pollutions Prevention Act.

24 Crown-Indigenous Relations and Northern
25 Affairs Canada and Baffinland have worked very
26 hard together over the last months meeting

1 regularly in order to come to a mutual
2 agreement on our outstanding technical
3 comments. This presentation was provided to
4 the Board before we were able to get through
5 all of our technical comments; therefore, these
6 numbers are updated since.

7 Originally, there was 37 technical comments
8 submitted to the Board. 19 were considered
9 resolved, 18 were resolved with commitments,
10 and we had 4 outstanding concerns. These four
11 outstanding concerns have since been resolved
12 through commitments made by Baffinland. These
13 next couple slides will outline these four
14 outstanding concerns.

15 Technical Comment R-4 related to dustfall
16 monitoring. Dustfall, as a pathway of
17 potential effects, requires improved management
18 planning, monitoring, and reporting.
19 Baffinland has committed to conducting a
20 dustfall review of the following in the 2025
21 QIA NWB annual report for operations, which
22 would be submitted on March 31, 2026.

23 The outcomes of the dustfall data review
24 will be integrated into relevant management
25 plans, and any updates to the plan would be
26 completed within six months of publication of

1 the dustfall data review or an alternative date
2 mutually agreed upon between Baffinland and
3 CIRNAC. CIRNAC now considers this resolved
4 through commitment.

5 Technical Comment R-8 relates to mineral
6 waste. CIRNAC recommended the waste management
7 plan include how soils, sediments, or
8 construction materials would be collected,
9 contained, recorded during work, and disposed
10 of. Baffinland has committed to update the
11 ICRP to include soil or sediments containing
12 site-related contaminants that pose a risk to
13 human health and/or the environment.

14 A contaminant is defined as any substance
15 that when introduced into the air, water, soil,
16 or sediment exceeds an agreed-upon land-use or
17 other criteria developed as part of the closure
18 planning process and anything that has the
19 potential to cause adverse effects to human
20 health, the environment, or ecological systems.
21 CIRNAC considers this comment to be resolved
22 through commitment.

23 Technical Comment R-11 relates to climate
24 change predictions. Crown-Indigenous Relations
25 and Northern Affairs Canada recommends that
26 Baffinland investigate the more recent climate

1 change predictions and evaluate the long-term
2 thermal stability of the permafrost in the
3 waste rock pile. This included investigating
4 the sources of the inconsistencies in the
5 thermal data and implementing the results in
6 the thermal model, as well, include
7 intermediate and worst-case scenario with
8 temperature projections for the thermal model
9 of the waste rock facility.

10 Baffinland has committed to include
11 multiple climate change projections, including
12 SSP-1, SSP-2, and SSP-5 into their next update
13 of the thermal model planned for 2026. This is
14 also outlined in the interim closure and
15 reclamation plan, Revision 6. CIRNAC now
16 considers this comment to be resolved through
17 commitment.

18 Technical Comment R-16 related to water
19 quality monitoring. CIRNAC recommended that
20 Baffinland provide a comparison between
21 predicted and measured water quality data and
22 evaluate if additional mitigation measures are
23 required. As well, provide an update on the
24 geochemical modelling and pit water quality
25 predictions.

26 Baffinland has committed to undertaking a

1 pit water quality model in 2025. This model
2 will include the following: An operational pit
3 water quality prediction for the next five
4 years, a water quality prediction for early
5 closure scenario at the end of these five
6 years, which will consider three different
7 climate change scenarios for a hundred-year
8 period.

9 Additionally, in this model exercise, water
10 quality predictions for early closure scenarios
11 will be compared against closure objectives and
12 criteria. This is outlined in Table 5.1 of
13 Baffinland's interim and closure and
14 reclamation plan, Revision 6. The five-year
15 operational water quality predictions will be
16 evaluated against the FEIS predictions and the
17 Type A water licence discharge criteria.
18 CIRNAC considers this comment to be resolved
19 through commitment.

20 This table is a list of all of our comments
21 identifying the resolved, the resolved through
22 commitment, and the unresolved. Since this
23 presentation was submitted to the Board, the
24 unresolves are now all under the resolved
25 through commitment.

26 In regards to the security management

1 agreement, CIRNAC is committed to working with
2 Baffinland and the QIA towards a signed SMA
3 that would be completed in time for the
4 Minister to review with the licence. In
5 conclusion, Crown-Indigenous Relations and
6 Northern Affairs continues to work with all
7 parties throughout this application process
8 review with the aim of protecting Nunavut's
9 inland water resources while promoting
10 sustainable development.

11 Thank you very much.

12 THE CHAIR: Thank you, CIRNAC.

13 We'll continue with our other departments
14 first and then question -- questioning will
15 take place to either one of the three
16 departments.

17 So ECCC is next.

18 EVA WALKER, SARAH FORTE, Previously Affirmed
19 Presentation by Environment and Climate Change
20 Canada

21 THE CHAIR: You may proceed.

22 E. WALKER: Good morning, Mr. Chair.
23 My name is Eva Walker, and I am the unit head
24 with Environment and Climate Change Canada,
25 environmental assessment group for the
26 Northwest Territories and Nunavut. With me, I

1 have Sarah Forte, water quality analyst.
2 Sorry. On the phone line supporting us, I have
3 Reg Ejeckam, our mining officer; Robert Nissen,
4 water quality -- or, sorry, air quality
5 analyst; Jordan Hollman and Jessica Kassir,
6 both environmental assessment officers with
7 Environment and Climate Change Canada.

8 I will start the presentation by presenting
9 the department's mandate, briefly touch on Acts
10 and legislation relevant to Environment and
11 Climate Change Canada, and then I'll pass the
12 presentation to Sarah to outline the majority
13 of the comments and recommendations provided in
14 Environment and Climate Change Canada's final
15 intervention for Baffinland's application for
16 Type A water licence renewal.

17 Environment and Climate Change Canada's
18 mandate includes the preservation and
19 enhancement of water quality in the natural
20 environment, including water, air, and soil
21 quality, and the coordination of the relevant
22 policies and programs of the Government of
23 Canada. It also includes renewable resources
24 such as migratory birds and other non-domestic
25 flora and fauna, meteorology, and the
26 enforcement of rules and regulations related to

1 our mandate.

2 Environment and Climate Change Canada's
3 mandate is governed by the Department of the
4 Environment Act, the Canadian Environmental
5 Protection Act, the Fisheries Act, pollution
6 provision provision -- Pollution Prevention
7 Provisions, Migratory Birds Convention Act, and
8 the Species at Risk Act.

9 I'll now pass the presentation on to Sarah
10 for the discussion of our comments.

11 S. FORTE: Thank you, Eva. Sarah
12 Forte with Environment and Climate Change
13 Canada.

14 So surface runoff management at the mine
15 site is difficult. Each year, spills of
16 sediment-laden water are reported at spring
17 melt. Baffinland has been working to improve
18 the situation for several years.

19 Environment and Climate Change Canada's
20 original comment during the technical review
21 requested updates on the 2021 mine site water
22 management plan. Baffinland provided the
23 information requested with the last piece being
24 a report following up on Spill Number 2024-151.
25 We met with them in January to discuss the
26 report and their plans to improve quality of

1 managed surface runoff.

2 Environment and Climate Change Canada's
3 recommendation is for Baffinland to implement
4 the measures proposed in their follow-up report
5 on Spill Number 2024-151. Until it can be
6 fully implemented, seepage from Kilometre 105
7 Pond should be returned to the pond to be
8 discharged through final discharge point MS-11.

9 Baffinland have committed to comply with
10 the Metal and Diamond Mining Effluent
11 Regulations in their response to final written
12 submissions. Environment and Climate Change
13 Canada considers this comment resolved because
14 sediment in water is one of the contaminants
15 captured by the regulations.

16 Comment Number 2 is on incorporating plans
17 and programs related to water management into a
18 renewed water licence. It has two parts
19 discussed on separate slides.

20 The first part is the Tote Road monitoring
21 program that describes water monitoring at
22 20 streams that the road crosses. Eight of
23 those streams are fish-bearing.

24 The program also includes an action
25 response framework describing what actions
26 should be taken to reduce suspended sediment

1 load if monitoring results are above a trigger
2 value. Annual reporting requirements are also
3 described in the plan.

4 Since the elements of the -- of the program
5 contributes to water management for the Mary
6 River Project, the program should be integrated
7 into a renewed water licence. During a meeting
8 with Baffinland on January 24th, Environment
9 and Climate Change Canada had understood that
10 Baffinland would append the program to the
11 surface water aquatic ecosystem management
12 plan; however, in their final submission,
13 Baffinland commits to incorporating details
14 from the program, rather than the entire
15 program.

16 Through further discussions, Environment
17 and Climate Change Canada has understood
18 Baffinland does not want to incorporate the
19 monitoring program into the plan -- into a plan
20 under the water licence because of our
21 disagreement on Comment Number 3.

22 In their presentation yesterday, Baffinland
23 included the Tote Road monitoring program in
24 the list of freshwater monitoring programs, and
25 Environment and Climate Change Canada agrees
26 that it is an important component of freshwater

1 monitoring. We will discuss Comment Number 3
2 where there's not alignment in two -- two
3 slides further, but for this part of Comment
4 Number 2, Environment and Climate Change Canada
5 recommends that the Tote Road monitoring
6 program be added to the surface water aquatic
7 ecosystem management plan.

8 The second part of Comment Number 2 is
9 similar to the first, only the plan in question
10 is the snow management plan.

11 The snow management plan also contains
12 elements relevant to water management on site
13 and should be incorporated in a plan covered by
14 renewed water licence.

15 Baffinland has provided the details from
16 this plan that they will incorporate into the
17 surface water ecosystem management plan within
18 six months of licence issuance. This includes
19 the snow stockpile monitoring station
20 locations, frequency, and sampling parameters,
21 as well as the snow stockpile inspection and
22 snow management audit forms. Environment and
23 Climate Change Canada considers this part of
24 the comment resolved.

25 This third comment is related to the Tote
26 Road monitoring program, and as I mentioned

1 earlier, it's connected with Comment Number 2.

2 The program defines project-related changes
3 to total suspended sediment in streams. It
4 uses project-related change as a criterion to
5 trigger management actions to reduce sediment
6 entering the streams.

7 Currently, project-related changes are
8 defined as twice the Canadian Council of
9 Ministers of the Environment Guideline. The
10 guideline states that during periods of high
11 flow, total suspended solids should not
12 increase by more than 25 milligrams per litre
13 above background levels when background
14 concentrations are below 250 milligrams per
15 litre. If background concentrations are above
16 250 milligrams per litre, then the increase
17 should not be greater than 10 percent of
18 background.

19 Baffinland is proposing cutoffs of
20 50 milligrams per litre and 20 percent instead.

21 Baffinland include some of the Tote Road
22 monitoring data in their annual report. We
23 looked at the data we were able to find, and
24 this included the 2023 monitoring data for all
25 20 crossings and data from 2015 to 2023 for the
26 eight fish-bearing crossings. To date,

1 Baffinland have not been able to provide us
2 with more data.

3 The data available has been helpful in
4 evaluating the arguments Baffinland made to
5 support the elevated total suspended solids
6 trigger level they propose. Environment and
7 Climate Change Canada's three counterarguments
8 are listed on this slide.

9 So for the first, Baffinland states that
10 the creek and river systems are naturally
11 accustomed to high suspended sediment loads
12 above 250 milligrams per litre, so they are
13 unlikely to negatively affect aquatic biota.
14 However, high concentrations of total suspended
15 sediment may stress aquatic organisms even if
16 they are naturally occurring. Increasing the
17 frequency, duration, or concentration of high
18 total suspended sediment events can cause
19 negative effects to aquatic organisms.

20 In the data available, there is one
21 instance of a background sample over
22 250 milligrams per litre in 261 sample pairs,
23 and this includes 138 sample pairs that were
24 taken during freshet, so the data available
25 does not support Baffinland's argument.

26 The second argument made was regarding the

1 operational burden of triggering management
2 actions for a greater number of events. The
3 data available indicate that when there are
4 project-related increases in total suspended
5 sediments, the values are often much higher
6 than background. With the current
7 50 milligrams-per-litre cutoff, management
8 actions were triggered by 3 of the 261 sampling
9 events I mentioned earlier. If the Canadian
10 Council of Ministers of the Environment
11 Guideline of 25 milligrams per litre was used
12 as a trigger, there would have been five events
13 triggering management actions, instead of
14 three. This operational burden does not appear
15 overly onerous.

16 The final argument Baffinland presented was
17 the Tote Road monitoring programs in water
18 licences for other mines in Nunavut did not
19 include numerical cutoffs for triggering
20 management actions. As written on the slide,
21 ongoing sedimentation issues on this project
22 and the Tote Road make it relevant for the
23 licence to include specific measures.

24 The change in total suspended sediment
25 concentrations we are discussing is a trigger
26 to management actions. It is measured in the

1 receiving environment and takes into account
2 any naturally occurring high-sediment loads
3 because it is the difference between upstream
4 and downstream concentrations.

5 Environment and Climate Change Canada's
6 recommendation for Number 2 was to add the Tote
7 Road monitoring program to the surface water
8 aquatic ecosystem management plan.

9 For Comment Number 3, we recommend that
10 when it is added, the definition of
11 project-related change in total suspended solid
12 concentrations follow the Canadian Council of
13 Ministers of the Environment Guideline that is
14 shown on this slide.

15 The interim closure and reclamation
16 program -- research program acknowledges the
17 need for more detailed knowledge on permafrost
18 conditions and how they will change with pit
19 development. Tasks are proposed to reduce the
20 uncertainty with regards to permafrost.
21 Hydrogeology is not discussed, and even if it
22 was not going to be an issue during operations,
23 interactions with groundwater could become
24 problematic long term post-closure.

25 Environment and Climate Change Canada
26 recommended that a hydrogeology component be

1 added to the permafrost studies described in
2 the interim closure and reclamation plan.

3 Baffinland has provided a commitment to
4 update the interim closure and reclamation plan
5 that addresses our concerns. It was sent to
6 the Nunavut Water Board staff yesterday morning
7 via email, and so this comment we consider
8 resolved.

9 Environment and Climate Change Canada has
10 reviewed two draft water licence frameworks
11 that were provided by Baffinland. These are
12 the December 18th and February 27th versions.

13 The second version resolved Environment and
14 Climate Change Canada's concerns, which are
15 numbered -- and these numbers were given by
16 Baffinland -- 5-2, 5-5, and 5-10.

17 A further comment was resolved yesterday
18 morning with alternate wording provided by
19 Baffinland. The new proposed wording for
20 Comment Number 5-6 was sent to Board staff by
21 Baffinland via email yesterday morning. That
22 comment is about water use from containment
23 ponds for dust suppression, if water meets
24 discharge criteria for those ponds with the
25 exception of total suspended sediment.

26 Environment and Climate Change Canada

1 commented that the use should be restricted to
2 areas where the water would not enter the
3 aquatic receiving environment.

4 Baffinland's response indicated that their
5 Metal and Diamond Mining Effluent Regulations
6 emergency response plan allowed them to use
7 recycled water, provided that the effluent
8 quality meets discharge criteria for
9 deleterious substances, with the exception of
10 total suspended sediment.

11 Environment and Climate Change Canada would
12 like to highlight that in the reference plan,
13 the use of restricted -- of recycled water is
14 restricted to areas that ultimately report to a
15 Metal and Diamond Mining Effluent Regulations
16 facility.

17 The remaining seven comments on the
18 proposed changes to the water licence are still
19 there, and our final submission outlines them
20 for the Board's consideration.

21 E. WALKER: That concludes -- sorry,
22 Eva Walker, Environment and Climate Change
23 Canada. That concludes our presentation for
24 today. Thank you.

25 THE CHAIR: Thank you, ECCC, for your
26 presentation.

1 So next presenter is one of the Federal
2 departments, is it? DFO?

3 PAUL HARPER, NICHOLAS WASILIK, Previously
4 Affirmed

5 Presentation by Department of Fisheries and
6 Oceans

7 P. HARPER: Good morning. Thank you,
8 Mr. Chair. Paul Harper, Fisheries and Oceans.

9 So I'm a senior biologist with Fisheries
10 and Oceans, the fish and fish habitat
11 protection bio -- or program, and I'm with Nick
12 here, who is a biologist also in the same
13 program. We're both based out of Yellowknife.
14 I'll be presenting on the two comments that
15 Fisheries and Oceans had regarding the water
16 licence renewal.

17 So the Federal Fisheries Act provides a
18 legal basis for conserving and protecting fish
19 and fish habitat. The fish and fish habitat
20 provisions of the Fisheries Act include a
21 prohibition against causing the death of fish
22 by means other than fishing; a prohibition
23 against harmfully altering, disrupting, or
24 destroying fish habitat; and fish habitat
25 includes places where fish live, eat, and
26 reproduce. It includes a framework for the

1 Minister to make decisions around the Fisheries
2 Act, and it includes powers to ensure the free
3 passage of fish and the protection of fish and
4 fish habitat with the respect of existing
5 obstructions such as culverts.

6 So Fisheries and Oceans is in ongoing
7 regulatory processes with Baffinland, including
8 Fisheries Act authorization process for
9 Steensby and actions regarding the existing
10 crossings on the Tote Road.

11 So with those other actions that DFO is
12 involved in, we have considered all of our
13 comments resolved with the commitments that
14 were made during the technical meeting.

15 For Comment 1, Fisheries and Oceans had
16 requested a table of watercourse crossings, and
17 we had requested this table be added to the
18 surface water and aquatic ecosystem management
19 plan.

20 So Baffinland has proposed to update the
21 table, and DFO considers this resolved with the
22 commitment that the plan will be updated within
23 six months of the water licence issuance.

24 As we just heard from Environment Canada
25 and Climate Change, ECCC, sediment and erosion
26 concerns have been identified as a concern. As

1 Fisheries and Oceans has ongoing actions
2 related to sediment and erosion concerns for
3 the process of the water licence renewal, we
4 are satisfied with the commitment to an erosion
5 and sediment control awareness training
6 program, and Baffinland has committed to
7 providing this training and having the program
8 in place for Q2 for the second quarter of 2025,
9 so DS -- DFO is satisfied with this commitment.

10 And with that, Fisheries and Oceans
11 considers all of the commitments resolved, and
12 we continue to work with Baffinland to ensure
13 that fish and fish habitat is protected on the
14 project.

15 Thank you.

16 THE CHAIR: Thank you, DFO, for your
17 presentation.

18 I think we should take a 15-minute break
19 before we go on to questioning. We'll start
20 with Applicant, start questioning with either
21 one of the three departments.

22 (ADJOURNMENT)

23 THE CHAIR: I'm sorry. I have to do
24 the gavel or nobody would hear me. Okay.
25 Thank you for getting back to your seat from
26 the break.

1 Now we are right to questioning the Federal
2 departments, three departments, that had
3 intervention this morning. So I want to start
4 with the Applicant. If you have any questions
5 to either three departments, you may do so.
6 Thank you.

7 Questions for Nunavut Water Board by Community
8 Representatives

9 THE CHAIR: Did you want to say
10 something, Caleb?

11 CALEB SANGOYA: Yes, for the Water Board.

12 There's some areas especially at Milne
13 Inlet that have not been studied. The water
14 that comes just before the Mary River site
15 around the building sites, there's a river from
16 a long time ago. The river has been there for
17 even before we were born. It's very horrible
18 water. It's good water, but it causes diarrhea
19 to the children, and the skin is affected to
20 the children, and we don't know if there have
21 been studies regarding that water. It would be
22 good to find out.

23 We know that people that have gone there --
24 maybe people don't know that have gone by
25 there, and some of the -- part of the river
26 from the side, it's called Sanikisuaq

1 [phonetic]. It's the river that goes -- comes
2 from the side to the river going down, so all
3 of the Traditional Knowledges and changes to
4 the environment and changes to rivers and
5 stuff, I'm wondering if the Water Board or
6 perhaps Baffinland or others would be able to
7 produce studies regarding that particular water
8 source.

9 In 1985, the water was tested in Auyuittuk
10 [phonetic], in that big lake, and there's
11 some -- there's some crystals there as well,
12 and it may be -- in 1935 there was crystals
13 that were stuck, so some Knowledges are never
14 written in reports.

15 Thank you.

16 THE CHAIR: Teresa, maybe, Karén, if
17 you could answer to Caleb, Teresa or Karén?

18 T. MEADOWS: Teresa Meadows, legal
19 counsel for the Nunavut Water Board.

20 So with respect to issues on watercourses
21 for drinking water, so establishing whether or
22 not a particular watercourse meets drinking
23 water standards, that is not the Nunavut Water
24 Board's jurisdiction. The Government of
25 Nunavut Department of Health deals with whether
26 or not a particular water source has good

1 quality drinking water that is safe for people
2 to drink, and the Water Board doesn't do
3 independent studies of watercourses, but what
4 we can do is see whether or not the Government
5 of Nunavut -- if we can talk to you afterwards
6 about what water source it is, so if you can
7 give us the name, write it out for us, we can
8 follow up with the Government of Nunavut and
9 see whether or not there have been any studies
10 on that water body; and maybe if I can look to
11 any of the Inuit Qaujimanitugangit experts that
12 are in the room here, whether or not they have
13 any information about that watercourse or know
14 what the Inuit say about that watercourse and
15 what might be the source of the problems on
16 that watercourse or that sort of thing. I'll
17 stop there and leave it to the experts.

18 Thank you, Mr. Chair.

19 THE CHAIR: Thank you.

20 When you have time, we'll give you time.
21 We're going to let the Applicant respond to or
22 have questions to the presenters that just
23 came. The general public will have an
24 opportunity to speak once these -- have the
25 people -- everybody that is here will have that
26 opportunity, but first we'll get the Applicant,

1 that either three departments, Federal
2 departments from their intervention. Thank
3 you.

4 You may start. Thank you.

5 Questions for Environment and Climate Change
6 Canada by Baffinland Iron Mines Corporation
7 L. KAMERMANS: Lou Kamermans,
8 Baffinland. Thank you, Mr. Chair, and thanks
9 to all the Government of Canada departments
10 that just presented.

11 We just have one, you know, item we'd like
12 to explore with Environment and Climate Change
13 Canada in response to Technical Comment 3.
14 It's the one unresolved issue that remains
15 between our two groups.

16 Morgan here will provide a technical
17 background, but first I just wanted to address
18 the issue at a higher level and, you know, just
19 in terms of management and the use of our
20 resources at site.

21 What we're talking about is potentially
22 setting a threshold level in one of our
23 management plans, specifically the surface
24 water aquatic environment management plan,
25 looking at total suspended solids in waters
26 around the Tote Road. We typically look

1 upstream and downstream to try to determine if
2 there's a potential project effect occurring by
3 seeing if there's a difference between those
4 two points.

5 What we've found in practice is it's a
6 highly variable environment. It's -- and
7 there's a high potential for natural
8 sedimentation even in that small area, and
9 Morgan will talk more on -- on some of the
10 issues with the criteria level; but from a
11 practical perspective, if we set ourselves up
12 where our approach to adaptive management and,
13 you know, the thresholds we set is too low, and
14 it's so low that it can't really distinguish
15 between a project effect and -- and just
16 background noise, then, you know, it has us
17 acting over and over and over again throughout
18 the year responding to exceedances that
19 there -- there's -- we have a pretty high
20 confidence are not project-related and -- and
21 would have us coming to that conclusion, and
22 that kind of -- that affects the integrity of
23 our approach to adaptive management.

24 It needs to be set at a point that -- that
25 is, you know, conscientious, we're aware of the
26 risk, but not so low that it's always being

1 triggered that it doesn't really mean anything.
2 So I'll have Morgan speak more to this and
3 perhaps more plainly, but from a management
4 perspective, that's really what's driving our
5 concern, is that we would just be conducting
6 investigations over and over again of something
7 that we don't have the data or the
8 understanding that -- to say it is a project
9 effect.

10 M. SCHAUERTE: Morgan Schauerte, Stantec
11 on behalf of Baffinland. Thank you, Mr. Chair.

12 To build off Lou's point, based on
13 operate -- observations at site within the
14 50-metre upstream and 100-metre downstream
15 measurement locations, rain events, especially
16 in the very unique environment along the Tote
17 Road, can result in channelized flow that is
18 highly variable between rain events and can
19 result in different pathways upstream and
20 downstream that can introduce natural erosional
21 effects into monitored parameters like TSS that
22 are not necessarily accounted for in the
23 proposed criteria by ECCC -- Environment and
24 Climate Change Canada.

25 To build off Lou's point, the proposed
26 limits could result in natural effects being

1 repeatedly picked up in a manner that is not
2 protective of -- sorry, I'm trying to -- in a
3 manner that isn't representative of site
4 impacts.

5 The existing surface water aquatic
6 environmental program and adaptive management
7 plan do account for this variability and
8 provide pathways for investigations and studies
9 as required if project-based impacts are
10 observed along the Tote Road.

11 Thank you.

12 THE CHAIR: Applicant, do you still
13 have further comments or questions to one of
14 the three Federal departments?

15 T. MEADOWS: Mr. Chair?

16 THE CHAIR: Go ahead, Teresa.

17 T. MEADOWS: Thank you, Mr. Chair.
18 Teresa Meadows, legal counsel for the Nunavut
19 Water Board. So perhaps Environment and
20 Climate Change Canada may have a comment.

21 THE CHAIR: Yes. Yeah, I forgot
22 about that. Sorry. ECCC.

23 S. FORTE: Sarah Forte with
24 Environment and Climate Change Canada.

25 Thank you for your clarifications. I
26 didn't perceive a question in that. It was

1 more of a comment. I think -- yeah, I'm still
2 not in agreement. I think I had the impression
3 you were trying to suggest in the -- the
4 150-metre stream spread upstream and downstream
5 of the culvert, there were likely other sources
6 so that the measurement downstream was
7 integrating a signal not only from the culvert
8 but from other things.

9 I haven't seen that in the data that I
10 analyzed, and so I think it's -- yeah, it's --
11 it's not -- the data doesn't demonstrate that,
12 and there's, like I mentioned, 261 pairs of
13 data collected over eight years, and, yeah, so
14 I -- yes. I still disagree. Yeah.

15 THE CHAIR: Thank you.

16 Applicant?

17 M. SCHAUERTE: Morgan Schauerte, Stantec
18 on behalf of Baffinland. Thank you, Mr. Chair.
19 Thank you, Sarah, for your response.

20 While we understand that there's a
21 disagreement on the criteria, we think given
22 this disagreement and the fact that the -- the
23 Tote Road management plan, as is currently
24 developed, is not part of the water licence
25 plans as listed but was developed as part of
26 the environmental management process with the

1 Qikiqtani Inuit Association, it is our opinion
2 that more data needs to be gathered and
3 agreement on criteria needs to be reached given
4 these complexities, if and when the Tote Road
5 plan is ever appended to the -- to the surface
6 water aquatic environment program.

7 Thank you, Mr. Chair. I'm going to pass to
8 my colleague.

9 L. KAMERMANS: Lou Kamermans,
10 Baffinland. Thanks, Morgan, and thanks, Sarah.

11 Yeah, just to really simply build off of
12 what Morgan suggested, which is I think there
13 is an avenue for us to continue exploring this,
14 and that's through an update to the surface
15 water aquatic effects monitoring program. I
16 think what we're saying is we can't commit to
17 including specific criteria at this point, but
18 we will look at the data available to us, and
19 this is something we can consider in future
20 updates to the surface water aquatic effects
21 management plan. We just -- we don't want to
22 get ahead of ourselves. We want to make sure
23 that if we're going to insert a criteria into a
24 water licence regulated plan, it's the right
25 criteria, and it achieves both of our
26 intentions.

1 So that would be our suggested path
2 forward, and that means just not agreeing on a
3 criteria now but exploring this through that
4 process that's already set up under the water
5 licence, which is to continually review, update
6 plans, submit them to the Water Board for
7 public review, and -- and to have the Water
8 Board approve that plan.

9 Thank you.

10 THE CHAIR: Thank you.

11 Do you have a response for that?

12 S. FORTE: Yeah, like,
13 Environment -- oh, sorry, Sarah Forte with
14 Environment and Climate Change Canada.

15 Environment and Climate Change Canada will
16 be happy to, you know, if we have the capacity,
17 review those plans when you update them, but
18 for this water licence, we would recommend that
19 it -- it be appended with the CCM -- using the
20 CCME guideline as a trigger because though
21 if -- if in the future you present data that
22 suggests that that guideline is not appropriate
23 for site for various reasons, we can evaluate
24 that, but until such time, that's the -- the
25 guideline that is -- seems relevant to us at
26 this point.

1 L. KAMERMANS: Lou Kamermans,
2 Baffinland. Thank you, Mr. Chair. Thanks,
3 Sarah.

4 We will provide some -- an update in our
5 disposition table when we submit that to the
6 Board but also for the record want to reiterate
7 we -- we do have concerns with integrating a
8 criteria at this point before it's been
9 verified and supported, and -- and we
10 specifically don't support the Canadian Council
11 Ministers of the Environment criteria that's
12 being suggested, but we'll provide more details
13 in -- in our submission.

14 Thanks.

15 THE CHAIR: Thank you.

16 Okay. Do you have any other questions to
17 one of -- either of the Federal departments?

18 L. KAMERMANS: Lou Kamermans,
19 Baffinland.

20 No further questions for any of the
21 Government of Canada presenters.

22 Thank you.

23 Discussion

24 THE CHAIR: Okay. Thank you.

25 I want to ask the Inuit -- Qikiqtani Inuit
26 Association if you have questions to either

1 three Federal departments interventions?

2 Please come forward.

3 J. OTTENHOF: Thank you, Mr. Chair.

4 Jared Ottenhof for the Qikiqtani Inuit
5 Association.

6 We have no questions at this time. Thank
7 you.

8 THE CHAIR: Thank you.

9 I want to ask the three -- either three
10 Federal departments if you have questions among
11 your departments, one of the departments?
12 Sorry. I did -- kind of mixed up this morning.
13 I tried the idea we were going through last
14 night, so I took the page out of my agenda.
15 That's my mistake. That's okay. Maybe Teresa
16 got me a bit here.

17 Thank you.

18 T. MEADOWS: Do any of the Federal
19 family have questions for any of their other
20 colleagues?

21 THE CHAIR: Just come forward to the
22 microphone for the record, please.

23 T. MEADOWS: Yeah, please state that
24 on the record. It's different than me seeing
25 you have no questions.

26 A. KEIM: Thank you, Mr. Chair.

1 Andrew Keim on behalf of the Federal family,
2 Nakuqmik.

3 T. MEADOWS: Thank you, Mr. Chair.

4 So maybe over to the Board staff.

5 S. AUTUT: Thank you, Mr. Chair.

6 Stephanie Autut, Nunavut Water Board.

7 I am going to ask Teresa to take the mic.

8 She has questions for the Federal government.

9 THE CHAIR: Thank you.

10 Now (OTHER LANGUAGE SPOKEN). Oh, you have
11 one. Okay. Sorry. Teresa.

12 Questions for Crown-Indigenous Relations and
13 Northern Affairs by Nunavut Water Board Staff

14 T. MEADOWS: Thank you, Mr. Chair.

15 Teresa Meadows, legal counsel for the Nunavut
16 Water Board.

17 So, Mr. Chair, I just have a question for
18 Crown-Indigenous Relations and Northern Affairs
19 Canada with respect to the annual -- the
20 security management agreement and the annual
21 security review provisions that are under the
22 existing part of Part C and Schedule C of the
23 licence. I'm just trying to get clear sort of
24 the timing of events.

25 So it's my understanding that it's
26 contemplated that the Qikiqtani Inuit

1 Association, the Applicant, and
2 Crown-Indigenous Relations and Northern Affairs
3 Canada are contemplating entering into a
4 security management agreement after this
5 hearing closes but before the Minister's
6 decision is rendered, and the question that
7 raises for the Board is simply confirmation
8 that at this hearing and for this application,
9 no changes are contemplated or requested by the
10 parties to the existing security provisions
11 under Part C and Schedule C of the licence. So
12 that's my understanding, and I'm just seeking
13 confirmation from Crown-Indigenous Relations
14 and Northern Affairs Canada.

15 A. KEIM: Hi, there. Andrew Keim
16 on behalf of CIRNAC.

17 CIRNAC believes that all parties working
18 together in good faith to finish the SMA, we do
19 not expect any changes to Schedule C, and we
20 are dedicated to having this done in time for
21 the Minister's signature of the licence. We
22 will do our very, very best.

23 THE CHAIR: Thank you.

24 Teresa.

25 T. MEADOWS: Thank you for the answer,
26 Mr. Keim, and thank you, Mr. Chair. Those are

1 my questions to the Federal family.

2 THE CHAIR: Thank you.

3 Now I'll open up for public. You can
4 approach the microphone. Someone from the
5 audience had a question. You can approach the
6 microphone.

7 Questions for Crown-Indigenous Relations and
8 Northern Affairs, Environment and Climate
9 Change Canada, and Department of Fisheries and
10 Oceans by Community Representatives

11 LLOYD IDLOUT: Thank you, Mr. Chair.

12 Thank you, Water Board. Thank you,
13 Chairperson. I have questions for the three
14 Federal departments.

15 I'm wondering if you -- if you had -- thank
16 you for your research and your presentation.
17 I'm wondering if you guys had -- when you, I
18 guess, envisioned the type that you were
19 looking at, I'm wondering if you had people
20 from Nunavut or Indigenous Traditional
21 Knowledge-Holders with you while you were at
22 the sites? That's my question.

23 THE CHAIR: Thank you.

24 Okay. Stephanie?

25 S. AUTUT: Thank you, Mr. Chair.

26 So I believe you may wish to ask the

1 Federal authorities to come to the table and
2 provide a response.

3 THE CHAIR: Yeah.

4 LLOYD IDLOUT: They don't have to, if
5 they nod or - it's up -- if you -- it's up to
6 you.

7 THE CHAIR: Go ahead.

8 S. AUTUT: Thank you.

9 Yeah, for the purposes of the accurate
10 record, we'll just get them to come to the mic.

11 Thank you.

12 THE CHAIR: Okay. Go ahead, DFO.

13 P. HARPER: So Paul Harper, Fisheries
14 and Oceans.

15 While the others are conferring, our fish
16 and fish habitat program visited Steensby
17 without a representative from Nunavut or
18 Indigenous communities, but our science team
19 has come up and does have community programs
20 where they go to sites, and they are working
21 with the Inuit, so we have a mixed. We do
22 attend sites with folks that are local from the
23 communities as well as visit without.

24 THE CHAIR: Go ahead.

25 LLOYD IDLOUT: Thank you, Iksivautaa.

26 So with their request, you didn't have

1 people from Nunavut? Especially for this
2 hearing, you didn't have anyone?

3 THE CHAIR: Go ahead.

4 P. HARPER: Paul Harper.

5 Not specifically for this hearing, no.

6 THE CHAIR: Go ahead, ECCC.

7 S. FORTE: Sarah Forte with
8 Environment and Climate Change Canada.

9 Thank you for the question. Environment
10 and Climate Change Canada did not have any
11 people from Nunavut looking at this
12 application. Our -- the little box we fit in
13 is looking at it from a scientific perspective,
14 and we rely on the Qikiqtani Inuit Association
15 and people like you from the communities to
16 provide the Indigenous perspective because
17 that's not our specialty, but I would like to
18 say that they are both important and necessary,
19 both perspectives.

20 THE CHAIR: Thank you.

21 Do you have any more questions?

22 LLOYD IDLOUT: Thank you, Mr. Chair.

23 Like I said yesterday, we still have
24 issues. Like, well -- like Caleb said, the
25 HTOs are, I guess, Knowledge-Holders look after
26 the environment and animals or so on. In

1 hearings like these, in the future, I guess,
2 I -- and especially for now, too, when, I
3 guess, there's going to be global development,
4 Inuit -- or, sorry, Indigenous Knowledge-
5 Holders should be present at any research to
6 have -- for the people of Nunavut to be, I
7 guess, properly heard. Their voice and
8 concerns and their -- their knowledge should be
9 used at hearings like this.

10 It just seems like our Inuit rights are
11 just being -- not -- not being used. It seems
12 like. I can't prove it. It sure seems like
13 it. We have -- I'm sure we have restrict --
14 restrictions in lakes, rivers. I'm not -- like
15 I said, we have technical difficulties
16 addressing these or getting more information,
17 so I'm suggesting now somehow that Indigenous
18 Traditional Knowledge-Holders be used in the
19 future or if you have time.

20 Like, Baffinland mentioned David Ingaurt.
21 If people can be present like that, Elders. We
22 have local Elders that had comments, too, but
23 those Elders should have a technical advisor,
24 too. People of Nunavut, this -- this Nunavut
25 Water Board hearing, I think -- I feel that
26 people of Nunavut should be more technically --

1 technically helped.

2 I thank you, QIA, for your -- for your
3 help, but I -- I feel that we need our voices
4 heard more from the impacts of global
5 development. It seems -- us -- the
6 Knowledge-Holders sees different views from
7 scientific findings. It's always hard to try
8 and mix the two together, Knowledge-Holders and
9 science -- scientific findings. It's always
10 hard and hard to voice our knowledge, our --
11 how -- trying to protect our land and
12 environment from global development is new to
13 us, and we're find it -- we're finding it
14 difficult to protect our land, our animals. So
15 that being said, I wish for people,
16 Knowledge-Holders, Traditional Knowledge-
17 Holders, Indigenous Knowledge-Holders to be
18 part of the hearing.

19 Like -- like, we just had a few Elders
20 talk. Here we are -- here is Baffinland for --
21 applying for Nunavut Water Board. Nunavut.
22 All -- all the communities of Nunavut will be
23 impacted -- may be impacted with Baffinland's
24 project. We have fish areas, river -- rivers
25 will -- may be. Like I said, they will be
26 impacted. To try and at least reduce the

1 impacts or eliminate the impacts, Traditional
2 Knowledge-Holders should be well-represented.
3 Like, others have technical advisors that we
4 don't have yet. We're trying to work on it,
5 but we're still learning how to use -- properly
6 use the people that have, I guess, more
7 resource than we do, and with that, thank you.
8 Thank you for your time. I may have more --
9 well, we always have growing concerns,
10 questions, and that's all I have to say for
11 right now.

12 Thank you.

13 THE CHAIR: Thank you.

14 CIRNA.

15 A. KEIM: Thank you, Mr. Chair. On
16 behalf of CIRNAC, while I can't answer the full
17 scope of the question that was just asked, what
18 I can say on behalf of CIRNAC and on behalf of
19 the organization that we represent, we take
20 Inuit Qaujimanitugangit very seriously. We
21 follow the -- the principles.

22 Two of the three inspectors that go to
23 Baffinland every year are beneficiaries and did
24 all the training that was required for them to
25 go. They work closely with the environmental
26 staff on site with Baffinland who are mostly

1 been -- not mostly, half beneficiaries, and I
2 know that we work very, very closely with QIA
3 who are there to ensure that Inuit rights and
4 Traditional Knowledge are the lens through
5 which we focus our science, as we say.

6 So while I can't say that we've -- we're
7 answering every concern that was brought
8 forward in that just now. We are, as a group,
9 doing our very, very best to make sure that the
10 public's concerns are being addressed every
11 time we go up and every -- every time we have
12 these public meetings.

13 Thank you.

14 THE CHAIR: Okay. Thank you.

15 From the public, Caleb.

16 CALEB SANGOYA: Caleb. Thank you
17 Mr. Chairman. Caleb Sangoya.

18 Even though I work for Pond Inlet and the
19 fact that I'm a resident of Pond Inlet, I tend
20 to comment more about issues regarding
21 Baffinland, the government, and to everyone in
22 general, and I think most of these people know
23 who I am. I'm a traditional Inuk, and I live
24 here in this community.

25 As I mentioned earlier, like, I know, but
26 it's safe to be concerned about DFO staff

1 member in 1935, like, you should have results
2 from sampling that was done in 1935, and when
3 you don't have all of the facts, you only
4 comment about the few things. What about where
5 are the Inuit? They -- these are not people
6 asking [phonetic], but I like the comments that
7 were made by some fellow Inuk, and whenever
8 people mention any Traditional Knowledge in the
9 agreements and when you make a request, so any
10 Traditional Knowledge will not even be
11 considered. It seems like we're just only
12 being rubber-stamped when we're discussing
13 about water issues.

14 The topic is water issues, and the Mary
15 River area, we want the waters to be pristine
16 and continue to be pristine. That's what we've
17 been working on, and the children of the
18 Federal government, like, so I want them to
19 respond. They forgot, like, the water from the
20 reservoir is drunk. The Inuit have to drink
21 the water from the reservoir, and sometimes you
22 have -- there's a boil-water advisory, and
23 that -- like, the government -- the
24 government's grandchildren who are in town
25 sometimes seem to forget.

26 Like, if you're going to approve water

1 usage for Baffinland, then it -- requests of
2 the communities should be adhered to, like, the
3 Nunavut Water Board. Like, our water here is
4 worse than the water at the mine site, that
5 there's some lakes identified where people are
6 restricted from drinking the waters. Some
7 other communities have even more worse drinking
8 water, so please do not forget.

9 Like, when the election time comes, the
10 Federal election comes, please remember. Like,
11 you voters please remember that we're not
12 rubber-stamped, but please ...

13 THE CHAIR: Okay. Qujannamiik. I
14 think we -- all of us got the message, but
15 we're referring to the water at Mary River.
16 We're not dealing with the water in Pond Inlet.
17 We're talking about Mary River, even though
18 we're in Pond Inlet. We're referring to the
19 waters at the mine site, not Pond Inlet.

20 Are there any more comments from the Inuit?
21 Joshua.

22 JOSHUA KATSAK: My name is Joshua Katsak
23 from Pond Inlet. I'm a hunter and also I
24 represent -- the community represented with
25 QIA.

26 My question is I wonder if there's been

1 actual monitoring taken in the terrestrial?
2 Not because we want -- we have been -- we're
3 native to that area because while we were out
4 caribou hunting, that has -- we have seen
5 things that we -- which we are not searching
6 for.

7 For example, during summertime, like,
8 there's some slump on -- on the ground like
9 about a foot. It's -- it's apparently
10 slumping. Anyone can find out that permafrost
11 is melting.

12 And also during the winter, we have seen,
13 like Caleb -- Caleb was relating to a story
14 where (OTHER LANGUAGE SPOKEN) there was lots of
15 grasses in that area, and there's a thermal
16 water underneath the ground. It's very
17 shallow, but it will not freeze even during the
18 winter, and also just before Qanniqtalik area,
19 there's another hot spring. There are two
20 rivers at site, and they seem to be flowing
21 from the Arctic Bay area. They're flowing,
22 both of them, even in winter, and one can
23 speculate maybe if -- if -- and the fact that
24 some of the water is -- cannot freeze, so it
25 makes you wonder if there are any safety
26 issues, and beyond Mary River, Aksayuuk Pass

1 [phonetic] in juupa [phonetic] across the lake,
2 like, sometimes when you're out caribou hunting
3 in that area, you see some smoke arising from
4 the hot springs, and when you drop by the area,
5 you can see the ground. Even in during --
6 during the winter, the ground is all melting,
7 and sometimes it periodically freezes over.
8 Sometimes it doesn't. And there is some areas
9 of hot springs in the -- in that area. And in
10 -- during sometimes the river is actually
11 flowing from those hot springs, and if there is
12 -- or other areas such as though where the
13 permafrost's melting, it might affect the
14 railway crossing.

15 Has monitoring ever been taken in regards
16 to those hot springs? Like, we have not been
17 searching for these hot springs, but we see
18 them when we're out on the land.

19 I'm not really sure. Like, I have tried to
20 sample them to see if they're actually warm or
21 they remain unthawed during the winter, even
22 though they're cold to touch, when you touch
23 it, but they don't freeze. Maybe the
24 department of environment are aware of the
25 situation and during the winter when the river
26 is flowing from underground.

1 Like, I have observed them even though I
2 was trying to make some tea, and I -- the --
3 like, once the water has settled inside the
4 teapot, the -- part of the sediment sinks to
5 the bottom of the kettle, and it became white
6 in colour, like gray and white. That's
7 something that I found out.

8 And also during the summertime, when I was
9 caribou hunting, I went for a rest in that hot
10 springs area, like, sometimes the water is
11 always freezing as it flows downstream. Like,
12 even though there's a glacier underneath the
13 ground, and there's a hump. It's kind of
14 yellowish in colour, and I thought that was
15 kind of strange when I passed by. I stopped my
16 Ski-Doo. Like, it was a white sand. Maybe a
17 sulphur. It was quite large. It could be
18 sulphur. Maybe it was over a metre long, like,
19 a lump of sand turned out, like, apparently was
20 generated from the hot springs from
21 underground.

22 I was wondering if it was sulphur, and
23 perhaps Environment Canada, Department of the
24 Environment has conduct monitoring on that, or
25 can they conduct monitoring in that area?

26 Thank you.

1 THE CHAIR: If CIRNAC can respond or
2 Climate Change Canada can respond to that
3 question?

4 S. FORTE: Sarah Forte with
5 Environment and Climate Change Canada.

6 Thank you very much for this question.
7 It's interesting to hear. I was not aware of
8 those hot springs, and I -- I don't know that
9 they are studied by the -- in our department or
10 they have been identified, so because I don't
11 know them, I don't know if the white/yellow
12 sand you saw was sulphur, but I agree with your
13 assessment. It most likely was because that's
14 a common mineral that gets deposited in hot
15 springs.

16 THE CHAIR: Thank you. Teresa --
17 Stephanie.

18 S. AUTUT: Thank you, Mr. Chair.
19 Stephanie Autut, Nunavut Water Board.

20 Mr. Chair, we may want to ask the Applicant
21 if they have any observations related to the
22 question and the comments just posed that they
23 would like to address at this time?

24 THE CHAIR: Okay. Applicant, go
25 ahead.

26 L. KAMERMANS: Lou Kamermans,

1 Baffinland. Thank you, Mr. Chair, and thanks,
2 Joshua, for the question and for sharing the
3 knowledge as well.

4 I'd have to do a deep dive into our studies
5 from our original impact statement, but I've
6 never been made aware of any hot springs in
7 the -- the Mary River Project area, although
8 I'd like to visit them.

9 I believe you also asked a question about
10 permafrost and the railway and safety.

11 So high -- or railways in Canada are very
12 highly regulated, and Transport Canada has --
13 has set very high standards for the safety of
14 railways, and our engineers, SYSTRA, has helped
15 us engineer the railway that we're proposing to
16 build between the mine site and Steensby Port,
17 and we've completed several geotechnical
18 drilling programs over the years to investigate
19 mostly where the bridges will be located so
20 that we can ensure the pilings will either go
21 into bedrock or that they won't be located in
22 very ice-rich areas of the permafrost along the
23 alignment.

24 Protecting the permafrost and avoiding
25 settlement is -- is a big priority for the
26 construction of the railway. Settlement can --

1 can cause real safety issues, so we've taken a
2 lot of care to design the railway so that it
3 won't impact the permafrost underneath it.
4 It'll maintain the integrity of -- of the
5 permafrost, and part of that, like I said, is
6 avoiding areas that are -- we know are ice-rich
7 by sampling them beforehand and just also in
8 how we build the railway itself and where we
9 place the ballast and -- and how much ballast
10 and crushed rock is placed underneath the rail
11 bed.

12 And we'll monitor this throughout the life
13 of the project. We'll have what's called
14 thermistors embedded at key points along the
15 railway that will monitor the -- the level of
16 permafrost, and then there will also be
17 specialized equipment we use on the railway
18 that can -- it can -- it can read whether the
19 railway has settled even a millimetre over, you
20 know, very long distances. So, again, this is
21 something we take very seriously, and -- and we
22 will be monitoring and -- and ensuring that
23 we're operating a safe railway.

24 Thank you.

25 THE CHAIR: Stephanie.

26 S. AUTUT: Thank you, Mr. Chair.

1 Stephanie Autut, Nunavut Water Board.

2 We can also confirm that Natural Resources
3 Canada, who has a mandate to assess and monitor
4 permafrost, did participate in the original
5 NIRB environmental assessment hearings and the
6 original Water Board licences process and did
7 do the assessments on permafrost and indicated
8 no concerns at that time; and as monitoring is
9 part of their mandate, we're confident that
10 that process is still underway within their
11 organization, but we can confirm that they did
12 participate in the assessment and identified no
13 long-term impacts.

14 Thank you, Mr. Chair.

15 THE CHAIR: Thank you.

16 Are there any more questions?

17 I don't see any hands raised, and now we're
18 end with the questions, and the Federal
19 government department already made their
20 presentation.

21 And, Caleb, you want to say supplementary
22 comments.

23 CALEB SANGOYA: Thank you for conducting
24 the hearing here in Pond Inlet,
25 Mr. Chairperson.

26 You mentioned we were talking about Mary

1 River. We're not dealing with the Pond Inlet
2 issues, like -- but we should also be aware
3 that the people of Pond Inlet can comment about
4 them always about Mary River. Like, we have a
5 chance to speak, and yet our concerns are being
6 ignored. That is not how Traditional Knowledge
7 works.

8 THE CHAIR: If there are no more
9 questions, we're going to go for lunch and come
10 back here at 1:30. Like, we will give the
11 staff members here the time to prepare, and if
12 you want to converse with each other, by all
13 means. We're conducting a public hearing.
14 Like, we will be adjourning the session later
15 today. We will return at 1:30.

16 _____
17 PROCEEDINGS ADJOURNED UNTIL 1:30 PM EDT
18 _____
19
20
21
22
23
24
25
26

1 Proceedings taken at Pond Inlet Community Hall,
2 Pond Inlet, Nunavut

3

4 March 12, 2025 Afternoon Session

5

6 NUNAVUT WATER BOARD

7 L. Toomasie Chair of Hearing

8 U. Pukignak Panel Member

9 E. Baddaloo Panel Member

10

11 NUNAVUT WATER BOARD STAFF

12 S. Autut Executive Director

13 K. Kharatyan Director of Technical
14 Services

15 B. Kogvik Director of Board

16 Administration and

17 Communications

18 A. Jan Technical Advisor

19 R. Hunter Licencing Administrator

20 T. Meadows Legal Counsel

21

22 (Via Remote Video)

23 Z. Bliss Meadows Law, Observer

24

25

26

1	PROPONENT	
2	BAFFINLAND IRON MINES CORPORATION	
3	M. Lord-Hoyle	Vice President,
4		Sustainable Development
5		and Health, Safety,
6		Environment
7	L. Kamermans	Senior Director,
8		Sustainable Development
9	P. Quassa	Special Advisor
10	J. Tigullaraq	Head of Northern Affairs
11	E. Luther	Senior Manager,
12		Regulatory Affairs
13	M. Schauerte	Stantec, Technical
14		Advisor
15	C. Sangoya	Pond Inlet, Inuit
16		Knowledge-Holder
17	P. Enooagok	Pond Inlet, Inuit
18		Knowledge-Holder
19	C. Kowbell	Legal Counsel
20		
21	(Via Remote Video)	
22	W. Bowden	Environment Manager
23	S. Borcsok	Approvals Manager
24	T. Swenson	Environment
25		Superintendent
26	K. Kuchapski	Minnow Technical Advisor

1 INTERVENORS

2 QUKIQTANI INUIT ASSOCIATION

3 A. Kubeisinova Manager, Regulatory
4 Review

5 J. Ottenhof Director, Qikiqtani
6 Nunalirijikkut

7 A. MacDonald The Firelight Group

8 R. Nesbitt Hutchinson Environmental
9 Sciences Ltd.

10 J. Cavallo LGL Limited

11 C. Shefman Legal Counsel

12

13 (Via Remote Video)

14 K. Scott The Firelight Group

15 J. Carman LGL Limited

16 M. Kay LGL Limited

17

18 CROWN-INDIGENOUS RELATIONS AND NORTHERN AFFAIRS

19 A. Keim Manager, Water Resources

20 L. Perrin Water Management
21 Specialist

22 J. McHattie Legal Counsel

23

24 (Via Remote Video)

25 J. Croston Technical Expert,
26 AtkinsRéalis

1 ENVIRONMENT AND CLIMATE CHANGE CANADA

2 E. Walker Manager, Environmental
3 Assessment Group

4 S. Forte Water Quality Analyst

5

6 (Via Remote Video)

7 R. Nissen Air Quality Analyst

8 R. Ejeckam Mining Expert

9 J. Kassar Environmental Assessment
10 Officer

11 J. Hollman Environmental Assessment
12 Officer

13

14 FISHERIES AND OCEANS CANADA

15 P. Harper Senior Biologist

16 N. Wasilik Regulatory Review
17 Biologist

18

19 (Via Remote Video)

20 C. Kovachik Regulatory Review
21 Biologist

22

23 HAMLET OF HALL BEACH

24 A. Qammaniq Community Representative

25 J. Kaermerk Community Representative

26

1 HAMLET OF IGLOOLIK

2 A. Attagutalukutuk Community Representative

3 L. Idlout Community Representative

4 N. Piugattuk Community Representative

5

6 HAMLET OF POND INLET

7 J. Katsak Community Representative

8 B. Merkosak Community Representative

9

10 INTERPRETORS/TRANSLATORS

11 R. Katsak Inuktitut Language

12 Translator

13 T. Arnakallak Inuktitut Language

14 Translator

15

16 J. King, CSR(A) Official Court Reporter

17 C. Coomber Sound Technician

18

19 (PROCEEDINGS RECOMMENCED AT 3:45 PM EDT)

20 THE CHAIR: Good day. We can start

21 again for the things that need to be done. I

22 think we're all ready to go. We can reconvene

23 now from all this extra work being resolved.

24 So I'll have Teresa go through -- go

25 through the procedure at the moment.

26 Thank you.

1 Discussion

2 T. MEADOWS: Thank you, Mr. Chair.

3 Teresa Meadows, legal counsel for the Nunavut
4 Water Board.

5 So, Mr. Chair, it's my understanding that
6 all -- with all the hard work of the parties
7 who are here, that there are three updated
8 documents that are proposed to be filed, and
9 those updated documents really summarize the
10 commitments and resolution of issues that has
11 been put forward and agreed to by various
12 Intervenorors.

13 So the first document is an updated water
14 licence -- draft water licence framework, an
15 updated commitments list, and updated response
16 to comments. Those documents are being
17 circulated electronically as we speak.

18 So for this part of the unscheduled part of
19 the agenda, what we propose to do is have
20 Baffinland present a quick summary of the
21 differences between the documents that were
22 previously filed and the updates, so high-level
23 focus on the updates; then we will move to the
24 parties to inquire as to whether or not they
25 have accepted the agreements that are recorded
26 within those documents in terms of the updates;

1 and then we will move to closing statements of
2 the parties. And, Mr. Chair, I also invite
3 parties, if there are objections to any of the
4 updates or if there's disagreement still or
5 unresolved issues, I encourage those parties to
6 either raise them when we go to them after the
7 updated documents have been presented for
8 filing and described by Baffinland, or if they
9 would rather table those discussions for their
10 closing statements, that's also fine. They can
11 also reference the resolutions that they have
12 come to and any unresolved issues in their
13 closing statements as well.

14 I would also like to remind parties that at
15 the end of the closing statements, I will be
16 inquiring as to whether or not the parties are
17 prepared to close the record, and what that
18 means is from this time forward, if the record
19 is closed, no further evidence or documentation
20 will be provided to the Board for
21 consideration, and the application will be
22 remitted to the panel for a decision.

23 So, Mr. Chair, with that, I would suggest
24 that we turn to Baffinland to walk us through
25 the three documents that are currently being
26 circulated, which are updates to previously

1 filed documentation with the Board.

2 Thank you, Mr. Chair. Those are my
3 procedural matters.

4 THE CHAIR: Thank you. Thank you,
5 Teresa.

6 Applicant, go ahead.

7 Submissions by Baffinland Iron Mines
8 Corporation

9 E. LUTHER: Thank you, Mr. Chair.
10 Elisabeth Luther, Baffinland.

11 The first document that we submitted is the
12 disposition table, which includes a final round
13 of technical comments from reviewers and
14 Baffinland's responses, which were submitted on
15 February 21st. In that document, we have
16 updated the resolution status as well as added
17 new commitments to reflect the discussions that
18 have happened this week. The details that have
19 been added in this document, I'll provide a
20 summary as I go through the other two
21 documents.

22 So the next document is the commitment
23 register, and thanks to all parties for the
24 very productive discussions that happened in
25 the past few weeks and past two days. We have
26 been able to add new commitments numbered

1 Commitment 26 to 38.

2 So if we start with Environment and Climate
3 Change Canada, we added Commitment Number 26 in
4 response to their Comment Number 4 where
5 Baffinland proposes to assess the potential
6 impacts of pit development on local permafrost
7 in hydrogeological regimes before developing
8 the pit to help define final closure
9 requirements.

10 We also added Commitment 27 in response to
11 Environment and Climate Change Canada Comment
12 Number 3 where Baffinland plans to conduct a
13 review of the Tote Road monitoring program data
14 to confirm the natural variability. We will
15 share this data with Environment Canada, which
16 we'll use to build a trend of the total
17 suspended solid criteria to be implemented.

18 Baffinland acknowledges that Environment
19 Canada has not accepted this commitment as
20 fully resolving their comment; however, we
21 believe this is an adequate path forward that
22 balances our desire to find consensus with
23 Environment Canada while having consideration
24 of the unique -- unique sandy site-specific
25 conditions in the Tote Road.

26 Next, for Crown-Indigenous Relations and

1 Northern Affairs, we added three new
2 commitments and updated an existing commitment.

3 In response to Crown-Indigenous Relations
4 and Northern Affairs Comment Number 4, we added
5 the Commitment Number 28 where Baffinland
6 proposes to conduct a review of dustfall data
7 and update associated management plans as
8 required.

9 We added Commitment 29 in response to
10 Comment Number 8 where Baffinland will update
11 the interim closure and reclamation plan to
12 include soil-oil sediments containing
13 site-related contaminants that pose a risk to
14 human health.

15 Baffinland and Crown-Indigenous Relations
16 and Northern Affairs will work together on the
17 definition and criteria of "contaminants" to be
18 integrated in the plan.

19 In -- in response To Comment 11 from
20 Crown-Indigenous Relations and Northern
21 Affairs, Baffinland updated the Commitment
22 Number 4 where we included the proposed climate
23 change projections to be considered in our next
24 thermal model, which is SSP-1, 2, and 5.

25 And, finally, in response to Comment 16, we
26 added Commitment Number 30 where we propose to

1 undertake pit water quality model in 2025.

2 In response to comments from the Qikiqtani
3 Inuit Association, we have added eight
4 commitments.

5 Commitment 31 was added in response to the
6 first comment from Qikiqtani Inuit Association
7 in which Baffinland will develop a one-time
8 memorandum that includes aquatic monitoring
9 information.

10 Commitment 32, also in response to Comment
11 Number 2, Baffinland will include a rationale
12 when professional judgment is used.

13 Commitment 33 in response to Comment Number
14 2, Baffinland will update the aquatic effects
15 monitoring plan to include event-based water
16 quality monitoring.

17 Commitment 34 was made in response to the
18 Qikiqtani Inuit Association Comment Number 6
19 where Baffinland will collect supplemental
20 aquatic monitoring data along the Steensby
21 component.

22 Commitment 35 was done in response to
23 Comment Number 7 where Baffinland commits to
24 collecting supplemental baseline at four
25 hydrometric monitoring stations along the
26 Steensby railway.

1 Commitment 36 was made in response to
2 Comments 11 and 17 where Baffinland will update
3 the aquatic effects monitoring program to
4 provide quantifiable triggers leading to man --
5 adaptive management action.

6 Commitment 37 was made in response to
7 Comments 14 and 15 where Baffinland will
8 provide a one-time submission of raw data on
9 sediment and water quality in Sheardown and
10 Camp catchment areas.

11 And, finally, Commitment 38 was added in
12 response to Comment 16, and Baffinland will
13 provide engineering designs related to the
14 Kilometre 105 dam 60 days before the start of
15 construction.

16 So these are all the new commitments that
17 have been added in the register.

18 And now for the third and final exhibit, we
19 submitted an updated water licence framework.
20 We've only made three updates since the last
21 submission. The first one is located in
22 Part E, Item 5. As agreed with Environment and
23 Climate Change Canada in response to their
24 Comments 5-6, we clarified the areas on the
25 project site where water use for dust
26 suppression does not have to meet total

1 suspended solid discharge criteria.

2 And the last two updates were made in
3 Part B, Item 17, and Schedule B, Item 1(g)-14
4 which were to correct some errors to align with
5 recommendations from the Qikiqtani Inuit
6 Associations, and that concludes the
7 description of our three exhibits.

8 Thank you, Mr. Chair.

9 THE CHAIR: Thank you.

10 Teresa.

11 T. MEADOWS: Thank you, Mr. Chair.
12 Teresa Meadows, legal counsel for the Nunavut
13 Water Board.

14 So it's my understanding that there were
15 some outstanding questions to the Qikiqtani
16 Inuit Association in terms of confirming and
17 reporting back to the Board in terms of the
18 resolution of some of the issues, so if
19 Baffinland has any outstanding questions
20 remaining on that front, please pose those now,
21 and then I will poll the parties.

22 Thank you, Madam Chair -- or Mr. Chair.
23 Sorry.

24 THE CHAIR: Thank you.

25 Okay.

26 M. LORD-HOYLE: Qujannamik. Megan

1 Lord-Hoyle with Baffinland.

2 Baffinland and QIA have had ongoing
3 discussions regarding their technical comments,
4 and we're pleased to report we have found
5 consensus on the items that QIA identified as
6 outstanding yesterday. We're asking QIA to
7 confirm that their comments are now resolved in
8 relation to the water licence.

9 As Baffinland provided in our presentation,
10 Baffinland supports the Inuit stewardship
11 program and understands it is a valuable
12 initiative to add to the existing multifaceted
13 programs to incorporate Inuit feedback and
14 Inuit Qaujimanituqangit into our project.
15 Those include engagement with the Qikiqtani
16 Inuit Association and other Inuit organizations
17 through the Nunavut Impact Review Board and
18 Nunavut Water Board regulatory processes,
19 Baffinland community engagement programs, the
20 Inuit Qaujimanituqangit framework, our adaptive
21 management plan, and full-time Inuit staff
22 positions in each community dedicated to
23 incorporation of Inuit Qaujimanituqangit and
24 the project.

25 Baffinland and QIA have now agreed to
26 develop a memorandum of understanding for the

1 Inuit stewardship program that would come into
2 effect upon the financial close of the Steensby
3 expansion.

4 We have also agreed on wording for Part B,
5 Item 17, and Schedule B, along with
6 Commitment 27 that will require Baffinland to
7 consider outcomes for the Inuit stewardship
8 plan and assessments.

9 Baffinland understands that QIA technical
10 comments relating to Inuit Qaujimanituqangit,
11 Inuit water rights, Inuit engagement, and
12 cumulative effects. Specifically, the QIA
13 comment -- or, sorry, the Qikiqtani Inuit
14 Association Comments numbered 24 and 27 through
15 to Comment 37 are now considered resolved.
16 These are the technical comments with reverted
17 resolution status provided by QIA in their
18 February 28th, 2025, letter to the Nunavut
19 Water Board.

20 Can QIA please confirm that is also their
21 understanding, and then I will have two other
22 questions. Qujannamiik.

23 THE CHAIR: Thank you. QIA, go
24 ahead.

25 Questions for Qikiqtani Inuit Association by
26 Baffinland Iron Mines Corporation

1 A. KUBEISINOVA: Thank you, Mr. Chair.
2 Assol Kubeisinova, Qikiqtani Inuit Association.

3 Yes, we confirm. Thank you, Mr. Chair.

4 THE CHAIR: Thank you.
5 Applicant.

6 M. LORD-HOYLE: Can QIA also please
7 confirm the following: That all
8 recommendations offered by the Qikiqtani Inuit
9 Association in relation to Technical Comment 24
10 and 27 to 37 during the presentation made by
11 the Qikiqtani Inuit Association yesterday are
12 now resolved by Commitment 27, the revised
13 wording for Part B, Item 17, and Schedule B of
14 the water licence, as well as Baffinland's
15 agreement related to the Inuit stewardship
16 program?

17 Further to this, the QIA is no longer
18 recommending any other changes to the licence
19 relating to Inuit Qaujimanituqangit and the
20 cumulative effects framework? Qujannamiik.

21 THE CHAIR: Thank you.

22 QIA, go ahead.

23 A. KUBEISINOVA: Thank you, Mr. Chair.
24 Assol Kubeisinova, Qikiqtani Inuit Association.

25 Yes, we confirm.

26 Thank you, Mr. Chair.

1 THE CHAIR: Thank you.

2 Applicant, go ahead.

3 M. LORD-HOYLE: Thank you. Megan

4 Lord-Hoyle, Baffinland.

5 I don't think I did that last time. Sorry.

6 With respect to Qikiqtani Inuit Association
7 Technical Comments 1, 2, 6, 7, 9, 11, 14, 15,
8 16, and 17, Baffinland has provided additional
9 information or commitments as described in the
10 updated disposition table.

11 Based on this agreement, can QIA please
12 confirm that each of those technical review
13 comments are now considered fully resolved?

14 In summary, this brings the total to 36 of
15 37 comments received resolved. Qujannamiik.

16 THE CHAIR: Thank you.

17 QIA, do you have a response?

18 A. KUBEISINOVA: Thank you, Mr. Chair,
19 Assol Kubeisinova Qikiqtani Inuit Association.

20 Yes, we confirm that as well.

21 Thank you, Mr. Chair.

22 THE CHAIR: Thank you.

23 Teresa.

24 Polling of Intervenors

25 T. MEADOWS: Thank you, Mr. Chair.

26 Teresa Meadows, legal counsel for the Nunavut

1 Water Board.

2 So I would now like to turn to polling the
3 parties with respect to any objections that
4 they might have in relation to entering those
5 three exhibits that are being proposed. The
6 Board's normal practice is we mark those
7 exhibits to discuss them, and then we poll the
8 parties to determine if there are any
9 objections to entering the documents on the
10 record. So if I can have the Qikiqtani Inuit
11 Association confirm whether or not they have
12 any objections to filing these three exhibits?

13 C. SHEFMAN: Thank you very much,
14 panel members. Corey Shefman, legal counsel
15 for the Qikiqtani Inuit Association.

16 The Qikiqtani Inuit Association has no
17 objection to the three documents being entered
18 as exhibits. Thank you.

19 T. MEADOWS: Thank you. Teresa
20 Meadows, legal counsel for the Nunavut Water
21 Board. Thank you, Mr. Chair.

22 And if I can have the legal counsel for DOJ
23 to come forward. I also would -- because the
24 Qikiqtani Inuit Association has already been
25 through whether or not they agree that the
26 disposition table is accurate, I will not ask

1 them for that again, but if I can have your
2 clients, as well, come up to the table and
3 confirm -- or up to the microphone and confirm
4 whether or not they (a) agree that the
5 disposition table accurately reflects the
6 agreement on the outstanding issues and the
7 resolved issue, recognizing that Environment
8 and Climate Change Canada has indicated,
9 according to the disposition table, that not
10 all their issues are completely resolved by the
11 commitments, so whether or not you agree the
12 disposition table accurately reflects the
13 agreement of -- and outstanding issues and,
14 secondly, whether or not there are any
15 objections to the exhibits being entered into
16 the public hearing record.

17 Thank you, Mr. Chair.

18 J. MCHATTIE: Okay. Thank you. Joseph
19 McHattie, counsel for Canada.

20 I would just like to ask for five minutes
21 to confer and discuss these changes, and then
22 we'll come back to you. Acceptable?

23 Okay. Thank you, Mr. Chair.

24 T. MEADOWS: Thank you, Mr. Chair.
25 Teresa Meadows, legal counsel for the Nunavut
26 Water Board.

1 I'm getting the sense that there's
2 something that Baffinland wishes to share at
3 this point? Ah, there's a clarification, so
4 before we grant the adjournment, perhaps we can
5 get the clarification on the record.

6 M. LORD-HOYLE: Megan Lord-Hoyle,
7 Baffinland.

8 My apologies. Elisabeth had been doing a
9 lot of hard work on the disposition table, and
10 when I referenced Commitment 27 to QIA, that
11 was not listed in the disposition table that
12 was circulated as Commitment 27, so it is now
13 being added in as Commitment 39. It is the
14 same wording. We will circulate it to the
15 Qikiqtani Inuit Association, but there was a
16 mistake in numbering.

17 Thank you.

18 THE CHAIR: Go ahead, Teresa.

19 T. MEADOWS: Thank you, Mr. Chair.

20 So a procedural point, I have not yet
21 entered into evidence the disposition table, so
22 I'm assuming that this means I'm going to get
23 an updated disposition table that will be the
24 accurate one to replace the one that was
25 circulated previously.

26 Okay. So we'll take a five-minute break,

1 and then --

2 A. KEIM: Before we go to that --

3 T. MEADOWS: Okay.

4 Mr. Chair, it appears that there is also a
5 clarification coming from Crown-Indigenous
6 Relations and Northern Affairs Canada.

7 THE CHAIR: Thank you.

8 Go ahead, CIRNA.

9 A. KEIM: Thank you, Mr. Chair.

10 CIRNAC would like, for clarity sake, a
11 read-back of the commitment on TDS. I believe
12 it was the second-last one that you read back
13 for your commitments with QIA, please and thank
14 you. Sorry. It was to do with TDS and an
15 allowable exceedance, please.

16 Thank you.

17 E. LUTHER: Elisabeth Luther,
18 Baffinland.

19 Were you referring to the comment for
20 Environment Canada and Climate Change on total
21 suspended solids? No?

22 A. KEIM: Andrew Keim for CIRNAC.

23 No. I believe you were still referring to
24 the commitments with QIA. It would have been
25 the second-last one or the third-last one about
26 an allowable exceedance at some -- for TDS.

1 Maybe we -- maybe we just misheard you. Okay.

2 C. KOWBELL: Madam Chair -- or
3 Mr. Chair -- sorry -- might I suggest that
4 maybe this is something we could clarify on the
5 break, and then we can come back if there's
6 additional hearing time that needs to be spent
7 on this?

8 THE CHAIR: Okay. Yeah, a
9 five-minute break.

10 (ADJOURNMENT)

11 THE CHAIR: Okay. Thank you.
12 Teresa.

13 T. MEADOWS: Thank you, Mr. Chair.
14 Teresa Meadows, legal counsel for the Nunavut
15 Water Board.

16 So if I can have Department of Justice
17 and -- come forward and answer the two
18 questions that we posed.

19 Thank you, Mr. Chair.

20 THE CHAIR: Thank you.

21 J. MCHATTIE: Joe --

22 THE CHAIR: Go ahead.

23 J. MCHATTIE: Joseph McHattie, counsel
24 for Canada. Thank you, Mr. Chair.

25 We -- so we have an answer to the two
26 questions that were posed to us, which was the

1 position on the dispositions. So I will have
2 my -- my clients speak to those. They'll have
3 a few comments to make.

4 And the second question was whether we had
5 objections to filing the documents, and we do
6 not.

7 And we also wanted to -- just to emphasize
8 in the -- with this quick change, I just wanted
9 to make sure that our comments here today will
10 not relieve Baffinland of having to comply with
11 all the applicable Federal laws and
12 regulations.

13 So with that, I'll leave that to my clients
14 to explain their -- their particularities.

15 Thank you very much.

16 THE CHAIR: Thank you.

17 Teresa.

18 T. MEADOWS: Thank you, Mr. Chair.

19 Teresa Meadows, legal counsel for the Nunavut
20 Water Board.

21 So Crown-Indigenous Relations and Northern
22 Affairs Canada is giving me an indicator that
23 they want Environment and Climate Change Canada
24 to speak. Am I to assume that Crown-Indigenous
25 Relations and Northern Affairs Canada is not
26 going to speak, or you just want Environment

1 and Climate Change Canada first?

2 A. KEIM: We will add an
3 affirmation at the end.

4 T. MEADOWS: Okay. You will be
5 affirming at the end, and so ECCC first and
6 then Fisheries and Oceans Canada second and
7 then Crown-Indigenous Relations and Northern
8 Affairs will bring up the rear.

9 Thank you, Mr. Chair.

10 THE CHAIR: Thank you.

11 Environment and Climate Change Canada, go
12 ahead.

13 Submissions by Environment and Climate Change
14 Canada

15 S. FORTE: Thank you. Sarah Forte
16 with Environment and Climate Change Canada.

17 So to go over the two new commitments in
18 the table, Commitment Number 26 reflects our
19 discussions with Baffinland. As presented this
20 morning, it does address our final Technical
21 Comment Number 4.

22 As acknowledged by Baffinland, their
23 Commitment Number 27 does not address our
24 concerns regarding our final Technical Comment
25 Number 3. They propose to analyze their data
26 on total suspended sediment in streams along

1 the Tote Road and confirm a cutoff criterion
2 for triggering management actions at a later
3 date.

4 This is not protective of the aquatic
5 environment. Until Baffinland can demonstrate
6 that a criterion, other than that of the 'C' --
7 Canadian Council of Ministers of the
8 Environment Guideline is better adapted to
9 site, that guideline should be used as a
10 trigger criterion.

11 Environment and Climate Change Canada's
12 recommendations made this morning remain
13 unchanged.

14 Thank you.

15 THE CHAIR: Thank you. Anything
16 further? Thank you. Yeah, you're done.

17 DFO.

18 Submissions by Department of Fisheries and
19 Oceans

20 P. HARPER: Paul Harper, Fisheries
21 and Oceans.

22 Fisheries and Oceans has reviewed
23 Commitments 22 and 23, and we are satisfied
24 with the commitments as proposed by Baffinland.

25 Thank you.

26 THE CHAIR: Thank you.

1 CIRNA.

2 Submissions by Crown-Indigenous Relations and
3 Northern Affairs

4 A. KEIM: Qujannamiik, Mr. Chair.

5 Sir, I would like to recognize all of the
6 hard work of the Board, our partners at
7 Baffinland, and sitting here at the table with
8 our partners QIA. All the hard work that has
9 gone into the resolutions that we have over
10 the -- even up to the last few minutes, so
11 while not -- while -- with any negotiation,
12 things can get a little rough, but we are
13 satisfied with the commitments as they are
14 today, and understanding that we have more
15 further processes in the future, we look
16 forward to meeting our partners across the
17 table and -- and resolving them at that time.

18 Thank you very much.

19 THE CHAIR: Thank you.

20 Teresa.

21 T. MEADOWS: Thank you, Mr. Chair.

22 Teresa Meadows, legal counsel for the Nunavut
23 Water Board.

24 So subject to receiving the final live
25 versions of the commitments list and the
26 disposition table, it's my understanding that

1 those exhibits -- the final revisions will be
2 provided to us before we close today, and when
3 we receive those, the Board will --

4 S. AUTUT: We have them now.

5 T. MEADOWS: We have them now. All
6 right. Thank you. I was just going to say,
7 literally, as we speak, so literally as we
8 speak. So, Mr. Chair, those are my procedural
9 matters for now, and I would recommend that it
10 is now time to move on to the agenda item of
11 closing statements.

12 Thank you, Mr. Chair.

13 EXHIBIT 12 - Baffinland Iron Mines
14 Corporation, Electronic Copy,
15 Disposition Table for the Water
16 Licence Renewal for Type A Water
17 Licence 2AM-MRY1325, Mary River
18 Project, February 27, 2025 (Updated
19 March 12, 2025) (English)

20 EXHIBIT 13 - Baffinland Iron Mines
21 Corporation, Electronic Copy,
22 Commitments List from the Public
23 Hearing (Updated March 12, 2025)
24 (English)

25 EXHIBIT 14 - Baffinland Iron Mines
26 Corporation, Electronic Copy, Water

1 Licence Renewal Framework Draft for
2 Discussion (Updated March 12, 2025)
3 (English)

4 THE CHAIR: Okay. Thank you.

5 Now we are to an opportunity for each of
6 the parties to provide us with brief closing
7 remarks. Starting with Intervenors and ending
8 with Applicant.

9 So Qikiqtani Inuit Association, you can --
10 you may start your brief closing remarks.

11 Thank you.

12 Closing by Qikiqtani Inuit Association

13 A. KUBEISINOVA: Thank you, Mr. Chair,
14 Assol Kubeisinova, Qikiqtani Inuit Association.

15 The Qikiqtani Inuit Association would like
16 to say thank you so much to the Board members,
17 staff, and the participants for your patience
18 as we worked to resolve the remaining issues.

19 QIA would like to first thank the Nunavut
20 Water Board members and staff for their hard
21 work throughout this process. These hearings
22 are always a valuable opportunity to hear about
23 the continued development of the project and
24 ensure that the project is operating in the way
25 that is more protective of the environment and
26 Inuit rights.

1 As you know, QIA is a designated Inuit
2 organization under the Nunavut Agreement and
3 represents the rights and interests of over
4 14,000 Qikiqtani Inuit.

5 QIA manages Inuit-owned land in the
6 Qikiqtani region, including the project area.
7 QIA advances the rights and benefits of
8 Qikiqtani Inuit through protecting and
9 promoting our social, political, economic, and
10 cultural interests while safeguarding the land,
11 waters, and resources that sustain our
12 communities.

13 All of QIA's submissions in this hearing
14 and the lead-up to this hearing are in line
15 with QIA's mission as a designated Inuit
16 organization.

17 QIA is pleased to confirm that through the
18 hard work of our technical team and
19 Baffinland's technical team this week and in
20 the weeks leading up to the hearing, many of
21 our technical comments have now been resolved.
22 Specifically, we can confirm that nearly all of
23 QIA's technical comments are now resolved
24 through the following updated Baffinland
25 commitments.

26 QIA Technical Comment Number 1 is resolved

1 by Baffinland Commitment Number 31. Technical
2 Comment Number 2 is resolved by Baffinland
3 Commitments 32 and 33. Technical Comment 6 is
4 resolved by Baffinland Commitment Number 34.
5 Technical Comment 7 is resolved by Baffinland
6 Commitment Number 35. Technical Comment 9 is
7 resolved as Baffinland has provided us with the
8 requested information. Technical Comment 11 is
9 resolved by Baffinland Commitment 36.
10 Technical Comment 14 is resolved by Baffinland
11 Commitment 37. The same commitment resolves
12 Technical Comment 15. Technical Comment 16 is
13 resolved by Baffinland Commitment 38. And
14 Technical Comment 17 is resolved by Baffinland
15 Commitment 36.

16 In addition to these, QIA is now satisfied
17 that Technical Comments 24 and 27 through 37
18 will be resolved if certain licence amendments
19 and commitments are included in the licence and
20 properly implemented by Baffinland.

21 As a result of these resolutions, the only
22 QIA concern which remains unresolved is
23 QIA-TR-5. On QIA-TR-5, QIA remains concerned
24 that Baffinland has a history of exceeding
25 daily water withdrawal limits from small
26 watercourses with more limited withdrawal

1 limits -- for example, CV-099, CV-087,
2 CV-078 -- posing a potential risk to aquatic
3 life and aquatic habitat for short-term
4 water-level drawdown.

5 Acknowledging Baffinland's desire to
6 maintain flexibility to support optimal
7 environmental management, specifically as it
8 relates -- as it relates to dust management and
9 control, QIA recommends that the Board remove
10 water withdrawal locations with seasonal
11 restrictions from Table 2-3 of the water
12 licence.

13 To support ongoing dust suppression
14 activities, Baffinland may shift the requisite
15 water volumes to the remaining water withdrawal
16 locations currently within Table 2-3 of the
17 licence.

18 On the issue of security, QIA confirms that
19 we are committed to negotiating a security
20 management agreement with the Government of
21 Canada and Baffinland. We share Baffinland and
22 Canada's desire for that work to be completed
23 in time for the Minister's decision on the
24 licence.

25 During this hearing and the steps leading
26 up to this hearing, one of the issues that QIA

1 has been most focused on is making sure that
2 the licence provides a mechanism for the
3 incorporation of Inuit Qaujimajatuqangit and
4 Inuit Qaujimaningit into the Mary River
5 Project. Incorporating pathways for Inuit
6 Qaujimajatuqangit and Inuit Qaujimaningit to
7 inform the licence and the project's management
8 plans and operations will help to improve the
9 project, make it safer for the environment,
10 safer for Inuit, and will help to protect Inuit
11 rights.

12 In our submissions this week, we have
13 provided examples to the Board of how
14 Indigenous Knowledge has been incorporated into
15 other water licences in other jurisdictions.
16 These examples have been intended to
17 demonstrate how important these issues are and
18 that regulators continue to expand and improve
19 the incorporation of Indigenous Knowledge,
20 including IQ, into projects.

21 To be clear, QIA is not suggesting at this
22 hearing that the Board should adopt the
23 conditions that were used in the Ekati project.
24 Those were presented for informational purposes
25 only.

26 Baffinland and QIA have put forward

1 recommended wording to the Board in Part B and
2 Schedule B that addresses QIA's concerns as set
3 out in our technical comments and presentation
4 relating to Inuit Qaujimajatuqangit and Inuit
5 Qaujimaningit and the cumulative effects
6 assessment, and QIA is not recommending any
7 further changes to address those topics in this
8 renewal water licence.

9 QIA believes that the Nunavut Water Board
10 should ensure that the water licence provides
11 effective mechanisms for the incorporation of
12 Inuit Qaujimajatuqangit and Inuit
13 Qaujimaningit, Inuit monitoring and research,
14 and Inuit observational monitoring parameters
15 into the project.

16 It is part of the mandate of the Nunavut
17 Water Board to act on all these issues. In the
18 past, NWB water licences have not incorporated
19 specific references to any of these themes.
20 Even this morning, we heard from Mr. Idlout and
21 Mr. Sangoya about the importance of including
22 IQ in these processes, and we heard in
23 responses to their questions that more work is
24 still needed on this front. This is exactly
25 why the Inuit stewardship program is so
26 important.

1 Through the Inuit stewardship program, we
2 will be able to incorporate additional Inuit
3 Qaujimajatuqangit and Inuit Qaujimaningit and
4 Inuit observational parameters into the project
5 in order to ensure that changes can be
6 predicted, monitored, and managed from an Inuit
7 perspective. This work will feed directly into
8 both QIA's role as a designated Inuit
9 organization for the project and into
10 Baffinland's technical work and management
11 plans.

12 QIA recognizes that the Board's hold --
13 that the Board holds IQ, listens to IQ from
14 Inuit, and integrates IQ into its decisions.
15 That said, it is also important that the legal
16 instruments that the Board issues, which govern
17 the monitoring and management of projects like
18 the Mary River Project, also integrate specific
19 requirements that, on an ongoing basis, Inuit
20 Qaujimajatuqangit and Inuit Qaujimaningit,
21 Inuit engagement, and the way Inuit observe the
22 environment be integrated into those
23 operations.

24 We appreciate that Baffinland has also
25 agreed that Inuit Qaujimajatuqangit and Inuit
26 Qaujimaningit are important to their operations

1 and to their monitoring and management plans.
2 We see many opportunities in the future to
3 collaborate with Baffinland to ensure that
4 Inuit Qaujimajatuqangit and Inuit Qaujimaningit
5 is properly integrated into the project.

6 There has been a lot of discussion over the
7 last few weeks and even right up to the last
8 few days between QIA and Baffinland to make
9 sure that Baffinland's commitment to integrate
10 IQ into their operations was meaningful in
11 general and to ensure that the Inuit
12 stewardship program is sustainable in the long
13 term. As a result of Baffinland's new
14 commitment to negotiate a memorandum of
15 understanding for the continued long-term
16 operation of the Inuit stewardship program,
17 QIA's now comfortable that our concerns related
18 to IQ will be addressed if certain steps are
19 taken.

20 Aside from the new commitment, all of those
21 steps are described in QIA's February 7th
22 submission. They are, first, the commitment
23 from Baffinland to negotiate a memorandum of
24 understanding on the Inuit stewardship program
25 is honoured by Baffinland; second,
26 Commitment 39 is included in the licence and

1 implemented by Baffinland; third, the requested
2 amendment to Part B, Item 17 of the water
3 licence is approved by the Board and
4 incorporated into the licence; and fourth, the
5 requested amendments to Schedule B, Items 1(e)
6 and 1(g) are approved by the Board and
7 incorporated into the licence.

8 Specifically with respect to the three
9 requested licence amendments, Part B, Item 17
10 and Schedule B, Items 1(e) and 1(g), please
11 make sure to reference today's updated version
12 of Baffinland's licence framework which was
13 just filed as an exhibit. This updated exhibit
14 contains updated language from the previous
15 version filed on February 27th. The language
16 in the exhibit reflects QIA and Baffinland's
17 shared understanding of the proposed
18 amendments. If the Board accepts these four
19 recommendations and changes and if they are
20 properly and fully implemented by Baffinland,
21 then QIA will be able to confirm that QIA
22 Comments 24 and 27 through 37 should be
23 considered resolved, and we will be able to
24 have confidence that appropriate mechanisms
25 will be in place to incorporate Inuit
26 Qaujimajatuqangit and Inuit Qaujimaningit into

1 the project and the licence.

2 The current Mary River Project water
3 licence does not make any specific reference to
4 Inuit Qaujimanitugangit, Inuit monitor or
5 research, or Inuit monitoring parameters. We
6 will start to close that gap with these
7 proposed new changes that QIA and Baffinland
8 have agreed on.

9 Inuit monitoring and research is not
10 intended to replace the monitoring and the
11 research done using western science by
12 Baffinland or by the Government of Canada.
13 Inuit-led monitoring and research and the
14 collection of Inuit Qaujimajatuqangit and Inuit
15 Qaujimaningit will add value to the project.

16 The information which results from the
17 Inuit stewardship program is not punitive to
18 Baffinland. It is intended to be shared with
19 Baffinland so that it can feed into their
20 monitoring and management plans, improve them,
21 and ensure that Inuit perspectives are
22 represented in those processes.

23 QIA's recommendations have focused on
24 integrating forthcoming results from
25 Inuit-driven research and monitoring results
26 into Baffinland 's annual review regarding the

1 water licence implementation and, where
2 appropriate, updating management and monitoring
3 plans based on what is learned from Inuit.

4 This is not intended to be a burden to any
5 party and should improve an area that has been
6 challenging in the past, the gap between
7 Baffinland's monitoring results and the
8 observed experience of effects from the project
9 by Inuit.

10 The benefits of Inuit-led monitoring will
11 be large by bringing the way Inuit measure
12 change into the project monitoring and
13 management system in a more systematic and
14 long-term way. This will help bridge the gap
15 between impacts Inuit are experiencing on the
16 land, which have been notable, and the level of
17 impact predicted by and measurable by
18 Baffinland's western scientific monitoring
19 system.

20 In addition to the comments that we have
21 made today on Inuit Qaujimajatuqangit and Inuit
22 Qaujimaningit, we also point the Board to
23 Section 2 and -- and Appendix B of QIA's
24 submission filed with the Board on
25 February 7th, 2025. We rely on the points made
26 in that submission and hope the discussion

1 there will give the Nunavut Water Board further
2 confidence that what we are asking you to do on
3 this point is comfortably within your
4 jurisdiction and that by taking these steps,
5 you will be ensuring that the spirit and intent
6 of the Nunavut Agreement is implemented.

7 In closing, QIA does not object to the
8 approval of the water licence renewal for the
9 Mary River Project.

10 Board members, QIA again wants to thank you
11 for your hard work. We also want to thank
12 Baffinland for working with our team to address
13 many of our concerns. We want to recognize and
14 thank all community members as well as Hamlet
15 and Hunters & Trappers Organizations'
16 representatives who attended to share their
17 views. Thank you so much to the Board staff
18 and immense thanks to the interpreters. Unless
19 the Board has any questions for us, this
20 concludes QIA's submissions.

21 Thank you, Mr. Chair.

22 THE CHAIR: Thank you.

23 Okay. Next Intervenor closing remarks,
24 Crown-Indigenous and Northern Relations. Go
25 ahead.

26 Closing by Crown-Indigenous Relations and

1 Northern Affairs, Department of Fisheries and
2 Oceans, and Environment and Climate Change
3 Canada

4 A. KEIM: Qujannamiik, Iksivautaa.
5 (OTHER LANGUAGE SPOKEN). I represent today
6 both CIRNAC, DFO, and Environment Canada in a
7 final representation to the Board and -- and a
8 word of thanks on behalf of the Federal family.

9 First and foremost, I'd like to turn -- I'd
10 like to thank so much the translator
11 interpreters that have helped us so much today
12 to understand each other and to work closely
13 together in a -- in a firm understanding of
14 what each other's messages and we are trying to
15 convey. Thank you all very much.

16 A huge shout-out goes out to PIDO
17 Productions for putting up with us and for
18 playing some nice country music there a few
19 minutes ago.

20 Secondly, the entire Federal family
21 recognizes that we are here in Pond Inlet, in
22 Mittimatalik, and none of these consultations
23 can be done without community members,
24 community representation. I understand we had
25 representatives from Igloolik, Hall Beach,
26 Clyde River, and Pond Inlet here. I believe we

1 didn't get somebody from Cape Dorset,
2 unfortunately, but -- and Arctic Bay (OTHER
3 LANGUAGE SPOKEN), so a huge shout-out again
4 goes out to all of the people that came to
5 provide us guidance. We couldn't do this job
6 without you. Thank you so much.

7 Finally, to talk about IQ, Joe, Paul, thank
8 you very much for being here to provide us your
9 insights and Toomasie for leading us. Thank
10 you.

11 The Government of Canada works to
12 involve -- works to incorporate IQ in all the
13 things that we do, and it works to ensure that
14 the -- the wishes and the hopes, the prayers,
15 the ideas that come from the beneficiaries and
16 come from the Nunavut land claim are actually
17 applied in our everyday lives, and we try our
18 very best to be respectful of that.

19 CIRNAC's role is to be both a comanagement
20 partner with the Nunavut Water Board as is the
21 rest of the Federal family, but we are also
22 those -- we are also the ones that it tasked
23 with being the regulator, and sometimes being a
24 regulator is difficult at -- in -- in different
25 situations.

26 While working with Baffinland, we can say

1 that we have worked together through all of our
2 problems and resolved everything -- maybe not
3 to everybody's 100 percent satisfaction, but we
4 ended up coming to a resolution that was
5 agreeable to everybody and a path forward,
6 which is probably more important than anything
7 else.

8 Yeah, so the Federal family contributes to
9 the -- to the contributions that developed the
10 water licence as Baffinland is responsible for
11 adhering to, and we recognize the -- the
12 efforts that they are making to -- to stay in
13 compliance and to promote their project and to
14 see it through to fruition.

15 We've come a long way since 1993. We've
16 come a long way since bladders and tents.
17 We've come a long way to seeing this project
18 move towards that next step, which is -- makes
19 it generational.

20 CIRNAC is also here to support resource
21 development in the -- as part of our mandate.
22 Part of our mandate is to ensure that you do it
23 the right way, and we thank you for working
24 with us. We thank you for acknowledging your
25 responsibilities and to ensuring that, you
26 know, we will work forward together with our

1 partners at QIA to make sure that this is done
2 in a respectful and hopefully profitable way.

3 CIRNAC continues -- that's all the rest.

4 In closing, we thank the Water Board for
5 their leadership and their guidance on behalf
6 of the Federal family, and we would ask that
7 the -- the Board acknowledge all the hard work
8 and thank you very much.

9 THE CHAIR: Thank you, CIRNAC,
10 covering three Federal departments all
11 together.

12 Now next closing remarks, Baffinland Iron
13 Mines Corporation. Take the floor. Thank you.
14 Closing by Baffinland Iron Mines Corporation
15 M. LORD-HOYLE: Qujannamiik. Megan
16 Lord-Hoyle for Baffinland.

17 Thank you to the Board and the Board staff
18 for arranging this public hearing and for your
19 care in managing this very comprehensive water
20 licence renewal process.

21 Baffinland's water licence renewal
22 application has been under active -- has been
23 under active review under the NWB for over
24 eight months. This application also benefit --
25 benefitted from a draft review by the Qikiqtani
26 Inuit Association prior to submission to the

1 Water Board consistent with the terms of our
2 Inuit Impact Benefit Agreement.

3 I want to acknowledge the many hours and
4 resources that the Qikiqtani Inuit Association,
5 Crown-Indigenous Relations and Northern Affairs
6 Canada, Environment Canada, and Fisheries and
7 Oceans Canada have spent with us reviewing this
8 application and the many hours that Inuit have
9 spent at technical meetings and meetings with
10 Baffinland or the Qikiqtani Inuit Association
11 in relation to this application or our project.

12 Our application was reviewed closely by
13 each of these parties who relied on their own
14 organizational expertise and technical experts
15 to provide their final recommendations to the
16 Board.

17 We respect the unique role the Qikiqtani
18 Inuit Association, as representatives of
19 Qikiqtani Inuit, bring in identifying and
20 balancing the wide range of views on a project
21 and the application. It is equally important
22 to Baffinland that we hear Inuit views on our
23 project, and we appreciate Inuit communities
24 welcoming us into their communities to discuss
25 issues relevant to this application or just to
26 the broader -- broader project.

1 As we have discussed through this hearing,
2 we have developed an Inuit-led approach to
3 engagement where our northern affairs team has
4 expanded its community staffing, conduct
5 engagements in Inuktitut whenever possible, and
6 prioritizes the open sharing of community
7 knowledge and project information.

8 I specifically want to acknowledge and
9 thank Joe and Paul who have been instrumental
10 in leading us through this important change.

11 While not specific to this licence renewal,
12 I do want to speak to the collection of
13 baseline data as it was a frequent topic of
14 conversation at this hearing, and I want to
15 address that we have heard the comments on this
16 topic.

17 Baffinland has extensive baseline data and
18 information for both the southern Steensby and
19 northern portions of the project with baseline
20 information collection specifically conducted
21 by Baffinland going back as far as 2006.
22 However, understanding that we are actively
23 planning to move forward with the Steensby
24 component of the project, we have been
25 collecting supplemental baseline information in
26 the project area since 2021, and we want to

1 ensure that those in this room understand that
2 this data is actively being updated.

3 Baffinland has engaged Inuit from the
4 communities closest to this work through this
5 process and has benefitted greatly from their
6 insights and participation in our programs.

7 This is an important relationship, and we
8 look forward to continuing advancing a shared
9 understanding of the project area and how our
10 project will interact with it for more informed
11 management and monitoring strategies.

12 Through the jointly proposed amendment to
13 Part B, Item 17 and Schedule B, Baffinland and
14 the Qikiqtani Inuit Association have put
15 forward a means to address concerns related to
16 the integration of Inuit Qaujimanituqangit and
17 related information into the management
18 mechanisms governed by the licence respecting
19 the important feedback we regularly receive
20 from our work with Inuit and the Qikiqtani
21 Inuit Association.

22 I would also like to take a moment to
23 acknowledge the history of this licence. In
24 2013, the Nunavut Water Board developed the
25 licence based on the careful advice of all
26 these same parties, including community

1 representatives. All of us did our very best
2 work on that licence, and the result was a very
3 strong and stringent licence designed to
4 protect Nunavut waters.

5 Two years later, the Board amended that
6 licence again with the same careful and
7 thoughtful advice from the parties here and
8 adding even stronger and stringent licence
9 requirements.

10 Today, very few changes to this licence
11 have been identified as a result of the renewal
12 process because the licence is already very
13 strong. That being said, the amendments
14 proposed in the submitted water licence
15 framework address key issues raised during
16 the -- this renewal process and will only
17 further ensure the ongoing protection of
18 Nunavut waters.

19 In addition to these amendments, Baffinland
20 has committed to evolve the monitoring and
21 mitigation plans governed by the licence and
22 subject to Board review and approval.

23 It's also important to acknowledge that our
24 operations under the licence are subject to
25 regular inspections by Crown-Indigenous
26 Relations and Northern Affairs Canada, and

1 Baffinland has a demonstrated record of
2 compliance.

3 Baffinland is subject to multiple
4 inspections on the project relevant to our
5 water licence, including those by Environment
6 and Climate Change Canada and the independent
7 inspections that QIA, the Qikiqtani Inuit
8 Association, carries out under the commercial
9 lease. Ever since the licence has been in
10 effect, Baffinland has adjusted its mitigation
11 and monitoring programs based on the feedback
12 received through the annual reporting process
13 or standalone reviews of our management plans.

14 In each case, these reviews are public and
15 carefully facilitated by the Nunavut Water
16 Board. This is an important factor in our
17 request to the Board to issue a 15-year licence
18 term. The water licence renewal process is not
19 the only opportunity that's provided to make
20 adjustments where needed. Care and attention
21 to these matters is required throughout the
22 licence term, and we have every confidence that
23 all parties will continue to fully participate
24 in and give feedback through standard and
25 expected Nunavut Water Board facilitated
26 reviews.

1 Thanks to the very hard work of all the
2 parties, we have been able to find very strong
3 consensus on the technical comments issued by
4 the parties during this review.

5 Of the 86 comments received, we are
6 encouraged to report that 83 of those comments
7 have been fully resolved either through
8 providing additional information or through the
9 development of mutually agreed commitments.

10 In the interest of time, we will not review
11 or address the three outstanding technical
12 issues in this closing, but we believe we have
13 provided a reasonable path forward for the
14 Board's consideration, and that information is
15 contained within our disposition table,
16 commitment list, and the water licence
17 framework.

18 Again, we greatly appreciate the time
19 parties have provided to this review and to the
20 ongoing discussions with us in the pursuit of
21 agreeable solutions and recommendations to the
22 Board.

23 In closing, we do want to stress the
24 importance of advancing a long-term approval of
25 our water licence which expires on June 10th,
26 2025. We do not wish to operate under a

1 temporary licence, and we believe that there is
2 time for the Board and Minister's careful
3 decision-making to be -- to be completed before
4 that date.

5 Thank you again to the Board and its staff
6 for arranging this meeting, to the interpreters
7 and their tireless efforts to allow us to
8 understand each other, to the parties, and to
9 the community members for their participation,
10 and the community of Mittimatalik for hosting
11 us. I wish everyone safe journeys for wherever
12 they are going at the close of this hearing.

13 Qujannamiik.

14 Closing Remarks by The Chair

15 THE CHAIR: Okay. Thank you,
16 Applicant, for your closing remarks.

17 As we bring this public hearing to a close,
18 on behalf of the Board and my fellow panel
19 members, I would like to thank all the parties
20 who contributed to making this public hearing
21 and community session a success, especially the
22 Applicant, Baffinland and its representatives;
23 Intervenors, Qikiqtani Inuit Association,
24 Crown-Indigenous Relations and Northern
25 Affairs, Environment and Climate Change Canada,
26 Fisheries and Oceans Canada; the NWB staff and

1 legal counsel; interpreters, Ben Kogvik, Rhoda
2 Katsak, Titus Arnakallak; court reporter, Julie
3 Deanne King; audio facilitator, Chris Coomber;
4 and all the community members and Elders for
5 the valued participation in this hearing.

6 As we are at the end of the hearing, I will
7 make some comment to let parties know that what
8 happens next for the new -- renewal
9 application.

10 The Board will now close the public hearing
11 record. What this means is that all evidence
12 with regards to this renewal application is now
13 before the Board, and no -- and no further
14 information will be considered by the panel
15 before they make their decision about the
16 application.

17 Now that the record is closed, the Board
18 will remit the file to the panel to decide
19 whether or not to approve the renewal and grant
20 the Type A licence as requested by Baffinland.

21 Within 30 to 45 days after the public
22 hearing record closes, NWB will issue its
23 records and -- of proceeding and decision to
24 the Minister of Northern Affairs. If the Board
25 decision is to grant the licence, a draft of
26 the renewed Type A water licence will be

1 attached to the Board decision for the
2 Minister's approval.

3 That concludes the public hearing component
4 of the Nunavut Water Board's consideration of
5 Baffinland's application to renew their water
6 licence.

7 The Board and I wish to all -- wish you all
8 a good afternoon and good evening and have safe
9 travel.

10 I'd like to ask Joshua to have a closing
11 prayer for us. Joshua.

12 (CLOSING PRAYER)

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14 PROCEEDINGS CONCLUDED

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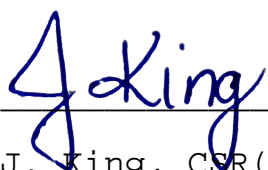
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1 CERTIFICATE OF TRANSCRIPT:

2
3 I, J. King, certify that the foregoing
4 pages are a complete and accurate transcript of
5 the proceedings taken down by me in shorthand
6 and transcribed from my shorthand notes to the
7 best of my skill and ability.

8 Dated at the City of Airdrie, Province of
9 Alberta, this 22nd day of March 2025.

10
11 
12 _____

13 J. King, CSR(A)

14 Official Court Reporter

15 Commissioner for Oaths Appointee No. 0733800

16 ASRA Membership No. 146
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