



Water Resources Division
Resource Management Directorate
Nunavut Regional Office
P.O. Box 100
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Your file - Votre référence
2AM-MRY1325
Our file - Notre référence
CIDM#1242257

February 25, 2019

Manager of Licensing
Nunavut Water Board
P.O. Box 119
Gjoa Haven, NU, X0B 1J0
E-mail: licensing@nwb-oen.ca

Re: Crown-Indigenous Relations and Northern Affairs Canada's (CIRNAC's) second reply to Baffinland Iron Mines Corporation's second response to CIRNAC comments on the Interim Closure and Reclamation Plan – Revision 5 for the Mary River Project, Water Licence 2AM-MRY1325 – Amendment No. 1

Dear Mr. Dwyer,

Thank you for your February 20, 2019 invitation to confirm whether or not Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) is satisfied with the second response provided by Baffinland Iron Mines Corporation (Baffinland) concerning CIRNAC comments on the Interim Closure and Reclamation Plan – Revision 5 (ICRP – Rev 5).

On November 2, 2018 Baffinland submitted the ICRP – Rev 5 to the Nunavut Water Board (Board) for review. On January 7, 2019 CIRNAC submitted comments to which Baffinland responded on January 10, 2019. CIRNAC reviewed Baffinland's responses and replied on January 28, 2019 indicating two unresolved comments. Baffinland provided the aforementioned second response to CIRNAC's two unresolved comments on February 20, 2019.

CIRNAC has examined Baffinland's second response and pursuant to CIRNAC's mandated responsibilities under the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* and the *Department of Indian Affairs and Northern Development Act* provides the following reply.



Comment # 1:

CIRNAC is still not satisfied with Baffinland's response. Monitoring results have shown that Baffinland failed to predict the early formation of acid rock drainage (ARD) in the waste rock storage facility (WRSF), indicating that some of the assumptions and the geochemical source terms (e.g., humidity cell test results) used in the model predictions were invalid or incorrect. As similar assumptions and geochemical source terms were also used in the modelling of the pit lake water quality, any resulting predictions would also be invalid. CIRNAC maintains that the ICRP – Rev 5 relies on the validity of the predictions and, consequently, needs to clearly state this critical limitation.

Comment # 6

CIRNAC appreciates Baffinland's intentions to encourage the Mine Closure Working Group to allocate additional resources to lengthening the hydrometric assessments of potential water sources to longer than one year, and to complete this research as soon as possible. CIRNAC agrees that the Pit Filling Research Program should begin as soon as possible, but that the timing should not prevent the approval of this plan. Therefore CIRNAC considers this concern resolved. However, CIRNAC continues to recommend that the water source which will be used to fill the pit at mine closure be determined prior to initiating pit development.

If there are any questions or concerns, please contact me at (867) 975-4282 or bridget.campbell@canada.ca or David Zhong at (867) 975-4555 or david.zhong@canada.ca.

Sincerely,

Bridget Campbell,
Water Resource Coordinator

CC: Christopher Murray, Baffinland Iron Mines Corporation