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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File: 2AM-MRY2540/D1

September 23, 2025

Elisabeth Luther
Senior Manager, Regulatory Affairs
Baffinland Iron Mines Corporation
#300 – 360 Oakville Place Drive
Oakville, Ontario, L6H 6K8

E-mail: Elisabeth.Luther@baffinland.com

Subject: Licence No: 2AM-MRY2540 Type A – Notification of Construction of CV-216 Emergency Bypass by Baffinland Iron Mines Corporation for the Mary River Project

Dear Elisabeth Luther:

On September 11, 2025, the Nunavut Water Board (NWB or the Board) received a Notification of Construction of CV-216 Emergency Bypass (Notification) from Baffinland Iron Mines Corporation (Baffinland or Licensee) and a report titled CV-216 By-Pass Culvert Crossing Design Brief (Report) dated September 10, 2025, for the construction of a bypass road at the CV-216 crossing location on the Tote Road at KM 80.5. This notification is required under Part D, Item 1 of the type A Water Licence 2AM-MRY2540 (Licence).

The Notification stated that *Baffinland is undertaking this work to address ongoing settlement issues that have been occurring at this location since the 2025 freshet*. The Notification also noted that the current state of the CV-216 road crossing represents a safety risk for road users at the Mary River Project and Baffinland intends to construct the CV-216 bypass road beginning as early as September 26, 2025.

The Report provided background details, basis of design, design criteria and available materials, design analysis, culvert design, and requirements for monitoring and maintenance. The Report noted that during construction, roads and water crossings are to be inspected regularly for signs of degradation and maintenance requirements. Environmental monitoring, including monitoring of suspended sediment (e.g. turbidity), is to be conducted throughout the construction of the culvert. Post-construction monitoring will include water quality monitoring upstream and downstream of the crossing.

On September 15, 2025, the NWB distributed the Notification along with the Report for public review. Based on the emergency nature of the Notification, the review process was expedited and interested parties were invited to comment by September 22, 2025. The NWB received submissions

from Qikiqtani Inuit Association (QIA), Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC), Environment and Climate Change Canada (ECCC), and Fisheries and Oceans Canada (DFO). QIA in their submission stated that *Baffinland has satisfied all relevant permitting requirements under the QIA-Baffinland Commercial Lease for this work and while no major concerns were identified with the design as it is intended, which is as an “Emergency measure to provide immediate road access”, the likelihood that similar foundation conditions exist within the new Tote Road alignment and lack of site investigation within the new alignment indicate potential for the similar issues to arise in the future.* CIRNAC, ECCC, and DFO stated in their respective submissions that they have no comments at this time.

Copies of all documents received in support of the Notification can be accessed through the NWB’s Public Registry site using the following Link:

[https://public.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MRY2540%20BIMC/3%20TECH/5%20CONST%20\(D\)/CV-216%20Emergency%20Bypass/](https://public.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MRY2540%20BIMC/3%20TECH/5%20CONST%20(D)/CV-216%20Emergency%20Bypass/)

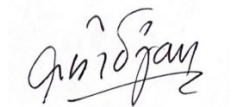
NWB’s Review and Decision

The Licensee is advised that the Board's review of the Notification and attached Report is a confirmation that the proposed activity is consistent with the existing terms and conditions of the Licence. As per Part D, Item 1, the Licensee is required to submit, at least sixty (60) days prior to Construction (unless otherwise approved by the Board), to the Board for review final design and for-Construction drawings accompanied with a detailed report, however, based on the emergency nature of the proposed construction, the NWB expedited the review process. It should be noted that the Board's acceptance is NOT intended or offered as any representation regarding the suitability of the plans nor third-party verification of the design, construction, planning or engineering discussed in the document.

Further, in keeping with Part D Item 3 of the Licence, the Licensee shall within ninety (90) days of completion of the proposed construction works, submit to the Board for review a Construction Summary Report that includes as-built plans and drawings, documentation of field decisions that deviate from original plans and any data used to support these decisions in accordance with Schedule D, Item 1 of the Licence.

Should you have any questions regarding the above, please contact the NWB Licensing Department by email to licensing@nwb-oen.ca or by phone at (867) 360-6338.

Sincerely,



Abid Jan
Technical Advisor
Nunavut Water Board

aj/rh

Cc: Distribution List – Mary River