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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYINGI
OFFICE DES EAUX DU NUNAVUT

File: 2AM-MRY1325/D18

September 20, 2024

Connor Devereaux
Environnemental Manager
Baffinland Iron Mines Corporation
#300 – 360 Oakville Place Drive
Oakville, Ontario, L6H 6K8

E-mail: Connor.Devereaux@baffinland.com

Subject: Licence No: 2AM-MRY1325 Type A – Request for Change of Frequency of Geotechnical Inspections by Baffinland Iron Mines Corporation for the Mary River Project

Dear Connor Devereaux:

The Nunavut Water Board (NWB or Board) received a request (Request) on August 16, 2024 from Baffinland Iron Mines Corporation (Baffinland) for Board approval to change the frequency of biannual geotechnical inspections to one annual inspection as per Part D, Item 18 of the type A Water Licence No: 2AM-MRY1325, for the Mary River Project.

On August 16, 2024, the Board gave public notice of the Request and invited interested parties to provide comments by August 30, 2024. A submission was received from the Qikiqtani Inuit Association (QIA) stating that given the narrow seasonal window of opportunity for an effective geotechnical inspection, QIA sees this as a reasonable request, and that one site visit and inspection by Baffinland's consultant, assuming it is well timed, is likely sufficient.

Comments and Recommendations Received

QIA provided the following comments and recommendations:

- “Given the narrow seasonal window of opportunity for an effective geotechnical inspection, QIA sees this as a reasonable request - one site visit and inspection by Baffinland's consultant, assuming it is well timed, is likely sufficient. QIA recommends that the following criteria be met in this scenario:
 - With just one annual geotechnical inspection by Baffinland's consultant taking place, it is important that the timing is after snowmelt and freshet, when all features are visible and any new geotechnical issues are most likely to have already occurred. If circumstances lead to the inspection being scheduled prior to freshet, a second inspection by BIM's consultant should be scheduled in that calendar year

- before snowfall obscures visibility of site infrastructure that must be inspected.
- A secondary inspection prior to obscured visibility due to snow cover should be conducted by Baffinland staff, documented by photograph and sent to BIM's consultant for desktop review. Though this may not be an inspection carried out by a NAPEGs Professional, it can still be helpful in identifying and correcting potential issues early on.”

Baffinland's Response:

“Baffinland is of the opinion that Part I, Item 12 [of the Licence] addresses this request in that the proposed annual geotechnical inspection needs to occur between the months of July and September (inclusive).”

NWB's Review and Decision

The NWB, having reviewed the Licensee's Request in the context of Interveners' comments and recommendations, potential impacts of the requested change on the freshwater environment, and consistency of the requested change in relation to the scope of the Licence, as well as the response provided by the Licensee, determined that request for change of frequency of geotechnical inspections is consistent with the scope of activities considered under the Licence issued to the Project. Therefore, by way of this correspondence and in accordance with Motion No: 2024-A1-004 and Part D, Item 18 of the Water Licence No: 2AM-MRY1325, the Board authorizes Baffinland to change the frequency of geotechnical inspections from biannual to annual.

The NWB strongly recommends that the Licensee consult the original comments and recommendations submitted by the QIA. This information is attached for your consideration¹. Should you have questions, please contact the NWB at (867) 360-6338 or licensing@nwb-oen.ca at your earliest convenience.

Signed this 20th day of September, 2024 at Gjoa Haven, NU.

Sincerely,

Lootie Toomasie
Nunavut Water Board, Chair

LT/aj/rh

Cc: Distribution List – Mary River

¹ Qikiqtani Inuit Association (QIA), August 30, 2024