



NUNAVUT WATER BOARD

WATER LICENCE NO: 2AM-MRY2540

**REASONS FOR DECISION
INCLUDING RECORD OF PROCEEDINGS**



NUNAVUT WATER BOARD

In the Matter of:

Applicant: Baffinland Iron Mines Corporation

Subject: Application to Renew type A Water Licence No: 2AM-MRY1325 for Water Use and the Deposit of Waste

Date: April 28, 2025

Precedence: Where there is any inconsistency or conflict between the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada (Nunavut Agreement)* and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act (NWNSRTA)*, the Agreement prevails to the extent of the inconsistency or conflict. Where there is any inconsistency or conflict between the *NWNSRTA* and any other act of Parliament, except the *Nunavut Land Claims Agreement Act*, the *NWNSRTA* prevails to the extent of the inconsistency or conflict.



RECORD OF PROCEEDINGS

Applicant: Baffinland Iron Mines Corporation

Address: Suit 300, 360 Oakville Place Drive
Oakville, ON
L6H 6K8

Purpose: Renewal Application for Water Licence No: 2AM-MRY1325

Application Received on: June 26, 2024

Application Received from: Lou Kamermans
Senior Director – Sustainable Development
Baffinland Iron Mines Corporation

Date of Public Hearing: March 11-12, 2025

Public Hearing Record Closed: March 12, 2025



ATTENDEES:

NWB Representatives:

Nunavut Water Board Panel Members (Panel P4):	Chair	L. Toomasie
	Member	E. Baddaloo
	Member	U. Puqiknaq
Nunavut Water Board Staff:	Executive Director	S. Autut
	Director of Technical Services	K. Kharatyan
	Technical Advisor	A. Jan
	Licencing Administrator	R. Hunter
	Legal Counsel (Meadows Law)	T. Meadows
Interpreters:	Inuktitut/English	R. Katsak
	Inuktitut/English	T. Arnakallak
Court Reporter:	Dicta Court Reporting, Inc.	J. King
Sound Technician:	PIDO	C. Coomber

Applicant:

Attending In Person

Baffinland Iron Mines Corporation (Baffinland)	Vice President, Sustainable Development and Health, Safety, Environment	M. Lord-Hoyle
	Senior Director, Sustainable Development	L. Kamermans
	Special Advisor	P. Quassa
	Head of Northern Affairs	J. Tigullaraq
	Senior Manager, Regulatory Affairs	E. Luther
	Stantec, Technical Advisor	M. Schauerte
	Legal Counsel, Lawson Lundell, LLP	C. Kowbel



Attending Via Videoconference

Baffinland	Environment Manager	W. Bowden
	Approvals Manager	S. Borcsok
	Environment Superintendent	T. Swenson
	Minnow Technical Advisor	K. Kuchapski

Parties:

Attending In Person

Qikiqtani Inuit Association (QIA)	Director, Qikiqtani Nunilirijikkut	J. Ottenhof
	Manager, Regulatory Review	A. Kubeisinova
	The Firelight Group	A. MacDonald
	Hutchinson Environmental Sciences Ltd.	R. Nesbitt
	LGL Limited	J. Cavallo
Crown -Indigenous Relations and Northern Affairs (CIRNA)	Legal Counsel, Olthuis Kleer Townshend LLP	C. Shefman
Crown -Indigenous Relations and Northern Affairs (CIRNA)	Manager, Water Resources	A. Keim
	Water Management Specialist	L. Perrin
Environment and Climate Change Canada (ECCC)	Manager, Environmental Assessment Group	E. Walker
	Water Quality Analyst	S. Forte
Fisheries and Oceans Canada (DFO)	Senior Biologist	P. Harper
	Regulatory Review Biologist	N. Wasilik
Department of Justice Canada (DOJ)	Legal Counsel representing all Federal Interveners	J. McHattie

Attending Via Videoconference

QIA	The Firelight Group	K. Scott
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	LGL Limited	J. Carman
	LGL Limited	M. Kay
CIRNA	Technical Expert, AtkinsRéalis	J. Croston
ECCC	Air Quality Analyst	R. Nissen
	Mining Expert	R. Ejeckam
	Environmental Assessment Officer	J. Kassar
	Environmental Assessment Officer	J. Hollman
DFO	Regulatory Review Biologist	C. Kovachik

Written Record of Submissions:

<https://public.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MRY2540%20BIMC/2%20ADMIN/3%20SUBMISSIONS/2024%20Renewal/>

Hearing Record (including Hearing Transcript):

<https://public.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MRY2540%20BIMC/2%20ADMIN/4%20HEARINGS/2%20HEARING/2024%20Renewal/>



Table of Contents

RECORD OF PROCEEDINGS.....	3
REASONS FOR DECISION	10
Executive Summary	10
SECTION I: FILE BACKGROUND AND REGULATORY HISTORY	13
Current Application.....	13
Scope of the Renewal Application.....	14
Licensing History	15
Regulatory and Procedural History of the Renewal Application.....	15
Pre-Licensing Regulatory History of the Renewal Application.....	15
Key Steps in the NWB’s Procedural History for the Renewal Application.....	16
NWB Timeline for Processing the Renewal Application	18
Short-term Renewal Application.....	18
SECTION II: SUMMARY OF FINAL SUBMISSIONS OF THE PARTIES	20
Qikiqtani Inuit Association (QIA)	20
Technical Comments.....	21
Inuit Qaujimajatuqangit and Inuit Qaujimaningit	22
Cumulative Effects.....	22
Draft Licence Framework	22
Legal Opinion Submission.....	27
Crown-Indigenous Relations and Northern Affairs (CIRNA)	28
Environment and Climate Change Canada (ECCC)	32
Fisheries and Oceans Canada (DFO)	35
Baffinland Iron Mines Corporation (Baffinland, Applicant or Licensee).....	37
Responses to Issues Raised by Interveners	37
Draft Water Licence Framework.....	38
SECTION III: SUBMISSIONS BY OTHER INTERVENING PARTIES OR MEMBERS OF THE PUBLIC	39
SECTION IV: JURISDICTION OF THE NWB.....	43
SECTION V: REQUIREMENTS OF THE <i>NWNSRTA</i> , THE <i>NUNAVUT AGREEMENT</i> AND <i>NUPPAA</i>	44
Objects of the NWB and its Relationship to other Bodies	44
Land Use Planning.....	45
Impact Assessment.....	45
Inuit Water Rights	46
SECTION VI: DECISION TO ISSUE.....	46



Conditions for Issuance of a Licence	47
Financial Responsibility of the Applicant.....	48
Compensation of Existing or Other Users.....	49
Issuance of a Licence	49
Assumptions.....	49
Renewal Application in Relation to the Licence.....	49
Application to Amend or Application for Future Modifications	50
Assignment of the Licence.....	50
Cancellation or Expiry of the Licence	50
Term of Licence	50
SECTION VII: WATER LICENCE 2AM-MRY2540 TERMS AND CONDITIONS.....	52
Part A: Scope, Definitions and Enforcement	52
Part B: General Conditions	53
Part C: Conditions Applying to Security	58
Part D: Conditions Applying to Construction and Operations.....	60
Part E: Conditions Applying to Water Use and Management	61
Part F: Conditions Applying to Waste Disposal and Management	63
Part G: Conditions Applying to Modification.....	64
Part H: Conditions Applying to Emergency Response and Spill Contingency Planning	64
Part I: Conditions Applying to General and Aquatic Effects Monitoring	65
Part J: Conditions Applying to Abandonment, Reclamation and Closure.....	67
Schedules A through J.....	70
<i>Schedule A: Scope, Definitions and Enforcement</i>	<i>70</i>
<i>Schedule B: General Conditions</i>	<i>70</i>
<i>Schedule C: Conditions Applying to Security</i>	<i>72</i>
<i>Schedule D: Conditions Applying to Construction</i>	<i>72</i>
<i>Schedule E: Conditions Applying to Water Use and Management.....</i>	<i>72</i>
<i>Schedule F: Conditions Applying to Waste Disposal and Management.....</i>	<i>73</i>
<i>Schedule G: Conditions Applying to Modifications</i>	<i>73</i>
<i>Schedule H: Conditions Applying to Emergency Response and Spill Contingency Planning..</i>	<i>73</i>
<i>Schedule I: Conditions Applying to General and Aquatic Effects Monitoring</i>	<i>73</i>
<i>Schedule J: Conditions Applying to Abandonment, Reclamation and Closure</i>	<i>73</i>
APPENDIX A – Agendas for Public Hearing and Community Session	74
APPENDIX B – Exhibit List	76
APPENDIX C – List of Submissions and Correspondence	79
APPENDIX D – Sign-in Sheets – List of Participants in the Public Hearing.....	96



ABBREVIATIONS

Short Form	Full Name
AEMP	Aquatic Effects Monitoring Plan
AMP	Adaptive Management Plan
Baffinland/BIMC	Baffinland Iron Mines Corporation
BTEX	Benzene, Toluene, Ethylbenzene, Xylene
CCME	Canadian Council of Ministers of the Environment
CIRNA	Crown-Indigenous Relations and Northern Affairs (formerly INAC and AANDC) also referenced as CIRNAC
CRP	Closure and Reclamation Plan
DFO	Fisheries and Oceans Canada
ECCC	Environment and Climate Change Canada (formerly Environment Canada)
FEIS	Final Environmental Impact Statement
FEQG	Federal Environmental Quality Guideline
GN	Government of Nunavut
ICRP	Interim Closure and Reclamation Plan
IQ	Inuit Qaujimajatuqangit
ISP	Inuit Stewardship Program
<i>MDMER</i>	<i>Metal and Diamond Mining Effluent Regulations, SOR/2002-222</i>
MERS	Mine Effluent Reporting System
NIRB	Nunavut Impact Review Board
NPC	Nunavut Planning Commission
<i>Nunavut Agreement</i>	<i>Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada</i>
<i>NuPPAA</i>	<i>Nunavut Planning and Project Assessment Act, S.C. 2013, c. 14, s. 2</i>
<i>NWNSRTA</i>	<i>Nunavut Waters and Nunavut Surface Rights Tribunal Act, S.C. 2002, c. 10</i>
NWB	Nunavut Water Board
NWT	Northwest Territories
PHC	Pre-Hearing Conference
PH	Public Hearing
QIA	Qikiqtani Inuit Association
SIG	Supplementary Information Guideline
SMA	Security Management Agreement
SWAEMP	Surface Water and Aquatic Ecosystem Management Plan
TARP	Trigger Action Response Plan
TDS	Total Dissolved Solids
TM	Technical Meeting
TSF	Tailings Storage Facility (tailings deposit in an above ground purpose build facility)
TSS	Total Suspended Solids
WL	Water Licence
WRF	Waste Rock Facility



REASONS FOR DECISION

Executive Summary

This decision is in relation to an application before the Nunavut Water Board (NWB or Board) filed by Baffinland Iron Mines Corporation (Baffinland, Licensee or Applicant) for renewal of the existing type A Water Licence No: 2AM-MRY1325 (the Water Licence) for the Mary River Project (Renewal Application). The Renewal Application was filed by Baffinland on June 26, 2024, and seeks authorization to continue the use of water and deposit of waste associated with a Mining Undertaking¹ at the existing Mary River iron mine for a term of 15 years (until 2040).

The Mary River Project (Project) is located on Baffin Island and the mine is located approximately 160 kilometres (km) south of the Hamlet of Pond Inlet and approximately 1000 kilometres north of the City of Iqaluit, in the Qikiqtani Region of Nunavut. Between 2008-2012, the Mary River Project was assessed by the Nunavut Impact Review Board (NIRB) and was approved to proceed by the responsible Ministers in 2012 when the NIRB issued Project Certificate No. 005 to govern the Project. In June 2013, the Nunavut Water Board issued, and the Minister of Aboriginal Affairs and Northern Development Canada (as the Minister was called then, now Minister of Northern Affairs) approved the issuance of type A Water Licence No: 2AM-MRY1325 to govern the water use and waste deposit associated with the Mary River Project. The Project as currently approved involves the construction, operation, closure and reclamation of an open-pit mine for the purposes of extracting, transporting and shipping high-grade iron ore from the ore deposit known as “Deposit No. 1” to markets abroad via land transportation to the north along an approximately 100-km long Tote Road linked to port facilities at Milne Inlet, and to the south along a proposed 150-km railway linked to port facilities at Steensby Inlet. The southern transportation infrastructure (railway and port facilities at Steensby Inlet) was not constructed during the term of the Water Licence, (June 2013-June 2025), but was included in the scope of the Water Licence issued in 2013 and remain included within the scope of the Renewal Application.

The NWB conducted a review of the Renewal Application, including a completeness check, technical review, and a Technical Meeting and a Pre-Hearing Conference (TM/PHC). The TM/PHC and a Community Session was held in-person in Pond Inlet, Nunavut on December 3-4, 2024, facilitated by the NWB’s staff, and with representatives of the Applicant and Interveners, the Qikiqtani Inuit Association (QIA), Crown-Indigenous Relations and

¹ *Nunavut Waters Regulations*, SOR/2013-69, Schedule 1, Item 2, Column 2, describes a “Mining undertaking” as: Exploration or prospecting — including bulk sampling — for minerals other than petroleum or gas, the operation of a mine, the processing of minerals other than petroleum or gas, the restoration of the site of a mine and any other mining activity other than an industrial activity described in item 1, column 2 [of Schedule 1].



Northern Affairs (CIRNA), Environment and Climate Change Canada (ECCC), and Fisheries and Oceans Canada (DFO) in attendance. Due to the lack of accommodations available in Pond Inlet during these meetings, the NWB also hosted a community gathering in Iqaluit with NWB staff and representatives from the North Baffin communities including Arctic Bay, Clyde River, Sanirajak (Hall Beach), and Igloolik participating. The Pond Inlet and Iqaluit venues were connected through an on-line zoom connection so that the North Baffin communities were able to participate in the TM/PHC, including the Community Session in relation to the Renewal Application conducted during the evening of December 3, 2024, to discuss the Renewal Application with interested members of the public and the representatives from the North Baffin communities.

On December 19, 2024, the NWB released the Pre-Hearing Conference Decision Report for the Renewal Application and provided notice that the NWB would conduct an in-person Public Hearing in the community most affected, Pond Inlet, sometime during the week of March 10-14, 2025. Although the Public Hearing was conducted in-person, and Community Representatives from Arctic Bay, Clyde River, Sanirajak (Hall Beach), and Igloolik were flown into Pond Inlet for the Public Hearing, recognizing limits on travel and accommodation and for the convenience of parties and the public, the Board also provided an audio/video link to the proceedings. On March 11 and 12, 2025, the Board held the Public Hearing in respect of the Renewal Application as planned. A Community Session was hosted by the NWB on the evening of March 11, 2025, where the community representatives from Arctic Bay, Clyde River, Sanirajak, and Igloolik and interested members of the community of Pond Inlet were invited to ask questions, share their knowledge and provide the Board with their comments in relation to the Renewal Application. The Board closed the Public Hearing Record for the Renewal Application at the conclusion of the Public Hearing on March 12, 2025, and remitted the file to the NWB's duly-appointed three-person decision-making Panel for the file (Mary River Panel or P4) for decision-making.

To assess whether to approve the Renewal Application submitted by Baffinland, the Board considered:

- The information provided by Baffinland in support of the Renewal Application;
- Technical review comments in respect of the Renewal Application provided by the Board, Interveners and the public;
- The Applicant's commitments and responses to information requests from the Interveners during the technical review of the Renewal Application;
- The final written submissions filed with the Board in advance of and during the Public Hearing, and
- The information provided during the Public Hearing and Community Session.



On this basis, the three-member panel of the Board, Mary River Panel (P4), duly appointed by the Board to consider the Renewal Application has, by way of **Motion # 2025-01-P4-06** decided the following:

- To grant Baffinland’s request for the renewal of type A Water Licence No: 2AM-MRY1325 (Water Licence) for a term of 15 years, as set out in the attached Renewed Water Licence No: 2AM-MRY2540 (Renewed Water Licence or Licence);
- Specific terms and conditions of note in the Renewed Water Licence include the following:
 - The scope of the Licence as set out in Part A remains unchanged;
 - Revision to the existing term and condition in Part B, Item 17 and addition of two Items to Schedule B (Items 26 and 44) to address QIA’s request to require the Licensee to ensure that the results of Inuit Qaujimajatuqangit and Inuit Qaujimaningit (collectively IQ) studies and Inuit-led and community-led monitoring are incorporated into the Water Licence in general, and specifically the results of such studies and monitoring be considered and incorporated into relevant management plans required under the Water Licence;
 - Although there were no changes required to Part C and Schedule C (the security provisions) of the Water Licence were required, during the Board’s consideration of the Renewal Application, Baffinland, the Qikiqtani Inuit Association and Crown-Indigenous Relations and Northern Affairs indicated that the parties were working to conclude a Security Management Agreement (SMA) that would govern how reclamation security held under the land lease and the Water Licence would be allocated and accesses by the parties—as the SMA negotiations had not concluded by the close of the Public Hearing Record, the NWB did not consider the SMA in fixing security to be held under the Renewed Water Licence, which remains to be dealt with as set out in the existing process established under Part C and Schedule C of the Licence;
 - Other Parts and Schedules of the Licence have been amended to align the requirements of Renewed Water Licence with other NWB Licences and new Regulations and to include requirements for the Applicant to provide additional information.



SECTION I: FILE BACKGROUND AND REGULATORY HISTORY

Current Application

The Application before the Board was filed by Baffinland on June 26, 2024 and proposes to renew the existing type A Water Licence No: 2AM-MRY1325 for a term of 15 years to continue their existing operations associated with the construction/operation/closure of Mary River Project (Application or Renewal Application). The Renewal Application seeks the NWB's authorization to continue the use of water and deposit of waste associated with a Mining Undertaking² at the existing Mary River mine.

All documents filed in association with the Renewal Application, as well as all documents provided by the Applicant in support of the Renewal Application are listed in detail in [APPENDIX C: List of Submissions and Correspondence](#) of this Reasons for Decision. A list of documentation filed as Exhibits during the Public Hearing is provided in [APPENDIX B – Exhibit List](#). The list below provides a summary of the key Renewal Application materials provided by Baffinland from June 26, 2024 through March 12, 2025, and includes the following:

- Application Cover Letter (June 26, 2024);
- Application and Supporting Information to Renew type A Water Licence 2AM-MRY1325, including Executive Summaries in English and Inuktitut;
- Type A Water Licence Application Form (June 26, 2024);
- Supplementary Information Guideline (SIG) Form (June 26, 2024);
- NPC Conformity Determination Letter (June 26, 2024);
- Management Plans and Drawings (various dates, reflecting the dates of updates, revisions etc.);
- Applicant's responses to Interveners' submissions (including comments on completeness, technical review comment submissions and the Applicant's commitments from the Technical Meeting (TM) (various dates);
- TM presentations in English and Inuktitut (November 22, 2024);
- Renewal Application summary and presentation materials filed in advance of, and during the Public Hearing (various dates); and
- Final exhibits including Comments Disposition Table, Licence Renewal Framework, and Final List of Commitments (March 12, 2025).

² *Nunavut Waters Regulations*, SOR/2013-69, Schedule 1, Item 2, Column 2, which describes a "Mining Undertaking" as: Exploration or prospecting — including bulk sampling — for minerals other than petroleum or gas, the operation of a mine, the processing of minerals other than petroleum or gas, the restoration of the site of a mine and any other mining activity other than an industrial activity described in item 1, column 2 [of Schedule 1].



All submissions in respect of the Renewal Application are available from the NWB's public registry at the following link:

<https://public.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MRY2540%20BIMC/2%20ADMIN/3%20SUBMISSIONS/2024%20Renewal/>

All documentation associated with the Renewal Application from the Applicant, the Board, intervening parties and the public is available from the NWB's public registry at the following link:

<https://public.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MRY2540%20BIMC/>

Scope of the Renewal Application

In the Renewal Application, Baffinland is proposing no changes to the scope of the approved project activities under the existing Water Licence No: 2AM-MRY1325, which includes the following:

- The existing Licence allows for the use of water for domestic and industrial purposes at the Milne Port (Milne Inlet) Site, Mine (Mary River) Site, Steensby Port (Steensby Inlet) Site and the railway camps as follows:
 - Water Use during Construction Phase 689,000 m³/year
 - Water Use during Operations Phase 353,000 m³/year
 - Water use authorized for Dust Suppression up to 1,500 m³/day to a maximum of 547,500 m³/year
- Construction/operation of Tote Road (all weather road) to connect Mine Site to Milne Port Site;
- Construction/operation of railway to connect Mine Site to Steensby Port;
- Water management infrastructure including water course crossings, flood control infrastructure and other measures including diversions, alteration of flow or storage by means of dykes or dams, and related maintenance;
- Treatment facilities for sewage, wastewater and oily stormwater, contaminated snow and soil;
- Waste sorting, management, and disposal facilities including landfills and incinerator systems;
- Management of waste rock stockpile, ore stockpile, and related runoff management;
- Storage and management of fuel and other hazardous material;
- Ongoing decommissioning of existing and historic camp infrastructure; and



- Other activities in support of engineering and scientific studies for the Project and ongoing maintenance to existing project infrastructure.

Licensing History

Reflecting the NWB's jurisdiction for licensing undertakings requiring the use of water and deposit of waste as established under Article 13 of the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada (Nunavut Agreement)* and the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002, c. 10 (*NWNSRTA* or *Act*), the NWB has previously issued one (1) Licence and one (1) Amendment for this undertaking to date:

1. Licence No: 2AM-MRY1325

- Approved on July 15, 2013;
 - Allowed for the use of 580,000 cubic metres of water annually during construction phase, 230,000 cubic metres of water annually during the operation phase, and the deposit of waste in support of a Mining Undertaking.
- i. Amendment No 1: 2AM-MRY1325
- Approved on September 2, 2015;
 - Reflected the significant modification to the Mary River Project as described in the Early Revenue Phase project proposal as assessed by the Nunavut Impact Review Board as a reconsideration of NIRB Project Certificate No. 005, and approved to proceed to licensing in 2014;
 - Allowed for the use of 689,000 cubic metres of water annually during construction phase, 547,500 cubic metres of water annually during early revenue phase, 353,000 cubic metres of water annually during the operation phase, and the deposit of waste in support of a Mining Undertaking.

Regulatory and Procedural History of the Renewal Application

Pre-Licensing Regulatory History of the Renewal Application

The Nunavut Planning Commission (NPC)

On May 24, 2024, the Nunavut Planning Commission (NPC)³ noted that activities associated with this proposal were previously reviewed by NPC, and conformity determinations were issued on April 30, 2008, August 12, 2011, February 8, 2016, January 26, 2017, May 18, 2018, December 16, 2019, June 7, 2022, and February 2, 2023, which still apply. The NPC further noted that the activities were previously screened and reviewed by the Nunavut Impact Review Board (NIRB) under Project Certificate No. 005, and that the "*project proposal is exempt from screening by the NIRB because the NPC is of the understanding that*

³ Nunavut Planning Commission (NPC) Conformity Determination (150396), May 24, 2024.



it does not change the general scope of the original or previously amended project activities, and the exceptions noted in Section 12.4.3 (a) and (b) of the Nunavut Agreement do not apply”.

As a result, the NWB has concluded that the applicable pre-licensing conformity and impact assessment requirements for the Renewal Application under Articles 11 and 12 of the *Nunavut Agreement*, Part 3 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*) and ss. 38 and 39 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002, c. 10 (*NWNSRTA*) have been met, and the Renewal Application can be processed by the NWB.

Key Steps in the NWB’s Procedural History for the Renewal Application

The following section includes a brief overview of the procedural history for the Renewal Application. It should be noted that the following listing captures only the major procedural steps associated with the Renewal Application.

The following listing summarizes only selected key steps in the procedural history of the NWB’s processing of the Renewal Application. The complete procedural history and all documentation and the complete record of the NWB’s processing of the file are available from the NWB’s Registry at the following link:

<https://public.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MRY2540%20BIMC/>

<u>June 26, 2024</u>	The NWB received the type A Water Licence Renewal Application and supporting documentation or Application) submitted by Baffinland.
<u>June 27, 2024</u>	The NWB commenced the Completeness Check where parties were invited to review the Application for completeness and provide Information Requests (IRs) by July 26, 2024.
<u>July 26, 2024</u>	Submissions and Information Requests (IRs) were received from Qikiqtani Inuit Association (QIA), Environment and Climate Change Canada (ECCC), and Fisheries and Oceans Canada (DFO). Crown-Indigenous Relations and Northern Affairs (CIRNA) advised that they did not have any IRs.
<u>August 15, 2024</u>	Applicant provided responses to Interveners’ Information Requests.



<u>August 20, 2024</u>	QIA requested an extension to respond to Baffinland's response on first round of submissions. NWB granted an extension until September 3, 2024.
<u>September 3, 2024</u>	The NWB received a second round of submissions from QIA with regards to the completeness of the Renewal Application.
<u>September 9, 2024</u>	Baffinland provided responses to the second round of submissions from QIA.
<u>September 23, 2024</u>	The NWB deemed the Renewal Application to be complete, gave Notice of the Renewal Application and invited parties to conduct a full technical review and provide their comments/recommendations by October 23, 2024. This correspondence also included tentative timelines for the Technical Meeting (TM) and Pre-Hearing Conference (PHC) to be held in Pond Inlet in December.
<u>October 23, 2024</u>	Submissions were received from QIA, CIRNA, ECCC and DFO.
<u>November 12, 2024</u>	Baffinland responded to Interveners' comments. Supplemental information was provided by Baffinland on November 18, 2024.
<u>December 3-4, 2024</u>	NWB hosted the TM and PHC in Pond Inlet, with a videoconference/audioconference link by Zoom for participants who were unable to attend in person. A Community Session was also held on the evening of December 3, 2024. A community gathering was also hosted in Iqaluit for representatives from North Baffin communities including Arctic Bay, Clyde River, Sanirajak, and Igloodik. The Pond Inlet and Iqaluit venues were connected through Zoom connection.
<u>December 19, 2024</u>	NWB issued the Pre-Hearing Conference Decision for the file; including a list of commitments, identifying issues to be addressed at the Public Hearing, and tentative timelines as the Application proceeded to Public Hearing.
<u>December 27, 2024</u>	NWB published the Notice of Public Hearing to be held in Pond Inlet in the week of March 10, 2025.
<u>February 11, 2025</u>	Interveners filed final written submissions.
<u>February 21, 2025</u>	Baffinland provided responses to final written submissions.



- February 27, 2025** All parties, except for QIA, filed their Public Hearing presentations with the Board.
- February 28, 2025** QIA filed an updated final written submission and was granted an extension to file their Public Hearing presentation.
- March 5, 2025** QIA filed their Public Hearing presentation.
- March 11-12, 2025** NWB conducted the Public Hearing, and a Community Session on the evening of March 11, 2025, in Pond Inlet.

Complete information related to the procedural history of the Renewal Application and the information filed with the NWB associated with the Renewal Application can be accessed from the NWB's Public Registry using the following link:

<https://public.nwb-oen.ca/registry/2%20MINING%20MILLING/2A/2AM%20-%20Mining/2AM-MRY2540%20BIMC/>

NWB Timeline for Processing the Renewal Application

As set out under the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002, c. 10 (*NWNSRTA* or *Act*), s. 55.2, the NWB is required to process a Renewal Application for a type A Water Licence within 9 months from the receipt of a complete application. The Board provided notice of a complete application on September 23, 2024. In calculating the Board's processing timeline, as expressly noted in s. 55.4 of the *NWNSRTA*, time that elapses while the NWB is awaiting receipt of information requested from the Applicant is excluded.⁴ In this case, and as illustrated by the key procedural steps listed above and outlined in the detailed list of submissions included in [**APPENDIX C: List of Submissions and Correspondence**](#), the Board awaited receipt of additional information from the Applicant in September 2024 and February 2025. Accordingly, the 9-month timeline was suspended while the Board awaited information submissions from the Applicant for approximately 3 weeks. Reflecting these circumstances, the NWB has rendered this Decision well within the 9-month timeline required under s. 55.2 of the *NWNSRTA*.

Short-term Renewal Application

On December 4, 2024 during the Technical Meeting and Pre-hearing Conference (TM/PHC) associated with the Renewal Application, when discussing next steps and tentative timelines

⁴ As stated in s. 55.4 of the *NWNSRTA*: *If the Board requires an applicant or a licensee to provide information or studies, the period that, in the Board's opinion, is taken by the applicant or licensee to comply with that requirement is not included in the calculation of the time limit under section 55.2 or its extension.*



for the Renewal Application to advance to the Public Hearing stage, parties were advised by the Board that *in order to preserve the Board's and the Minister of Northern Affairs' (Minister) full timelines for decision-making after the Public Hearing, it is advisable for the Applicant to bring an application for a short term renewal of up to 180 days of the Water Licence under s. 9(1)(b) of the Nunavut Waters Regulations, SOR/2013-693 (Regulations) to bridge any potential gap between the expiry of Licence No: 2AM-MRY1325 on June 10, 2025 and the NWB's and Minister's completion of decision-making for the Renewal Application (and if recommended by the NWB and approved by the Minister, the issuance of a renewed licence)*⁵. As permitted under s. 9(1)(b) of the *Nunavut Waters Regulations, SOR/2013-693*⁶ (Regulations), the STR Application can be processed by the Board without a Public Hearing. However, recognizing that under s. 55 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act* (NWNSRTA), the Board is required to provide at least 30 days' notice of an application before acting on the application, the Board recommended that Baffinland consider submitting a STR Application early in 2025.

On February 28, 2025 the Board received the STR Application from the Applicant. The STR Application requested the renewal of the Existing Licence on the following basis:

- Absolutely no changes to the Existing Licence (administrative or otherwise);
- The Short-term Renewal would not exceed 180 days from the date on which the Existing Licence expires (June 10, 2025) with the expiry of the STR occurring on the earlier of December 5, 2025 or on the grant of a Renewed Water Licence if the Board and Minister grant the Renewal Application and issue a Renewed Water Licence before December 5, 2025;
- No plans, studies, reports, or designs would be submitted in support of the STR Application as this information has already been provided during the Board's processing of the full Renewal Application; and
- Noting the assumption that even if the STR is granted, the Renewal Application will continue to be processed by the Board as timely and efficient a manner as possible.

Following the close of the comment period associated with the STR Application, the Board has decided to grant the Applicant's request to renew / amend type A Water Licence N: 2AM-MRY1325 to extend the expiry to the earlier of December 5, 2025 or on the date on which a Renewed Water Licence is granted, if the Board and Minister choose to

⁵ Nunavut Water Board, Pre-Hearing Conference Decision Report regarding Renewal Application for Type A Water Licence No: 2AM-MRY1325, December 19, 2024.

⁶ Section 9(1)(b) establishes that:

9. (1) For the purposes of section 13.7.3 of the Agreement and subsection 52(1) of the Act, no public hearing is required in respect of an application for... (b) one or several renewals of a type A licence if the total duration of the renewal or renewals does not exceed 180 days;



grant/approve the full Renewal Application and issue a Renewed Water Licence by December 5, 2025. On April 23, 2025, the Board issued the STR Licence to Minister for Minister's consideration.

SECTION II: SUMMARY OF FINAL SUBMISSIONS OF THE PARTIES

Qikiqtani Inuit Association (QIA)

QIA is a Designated Inuit Organization under the *Nunavut Agreement* and is one of three Regional Inuit Associations affiliated with Nunavut Tunngavik Inc. (NTI). QIA works closely with partners as well as different levels of government, to represent Inuit in the Inuit Nunangat, the Inuit homeland. QIA's participation in the review of the Renewal Application is focused on ensuring that adequate protection of the environment occurs by requiring the Applicant to implement best practices in their mitigation and monitoring programs.

The QIA identified a number of key issues in their initial comment submissions on the completeness of the Renewal Application, in their full technical review comment submissions, and in their submissions at the Technical Meeting (TM). A list of those issues was provided in the PHC Decision issued by the NWB on December 19, 2024.

Based on the comments QIA provided to the Board and discussions during the Technical Meeting and Pre-Hearing Conference, a number of commitments were outlined in the List of Commitments provided within the Pre-Hearing Conference (PHC) Decision.⁷ In addition to that, as set out in detail in [APPENDIX C: List of Submissions and Correspondence](#), on February 7, 2025, the QIA provided their final written submission⁸ to the NWB, summarizing QIA's comments on the Renewal Application. QIA also provided a supplementary submission⁹ with revised status of their technical comments on February 28, 2025. The QIA attended and made presentations during the technical and community sessions at the in-person Public Hearing for the Renewal Application in Pond Inlet on March 11 and 12, 2025, and engaged in further discussions on outstanding issues at that time.

In their final written submission, the QIA's discussion was focused on the following topics:

- Technical Comments provided before and during TM/PHC;
- Inuit Qaujimagatuqangit and Inuit Qaujimaningit;
- Cumulative Effects; and
- Draft Licence Framework.

⁷ NWB, Pre-Hearing Conference Decision Regarding Renewal Application for existing type A Water Licence No: 2AM-MRY1325, December 19, 2024.

⁸ Qikiqtani Inuit Association's Final Written Submission, for the Nunavut Water Board Public Hearing on Baffinland's Renewal Application for type A Water Licence No: 2AM-MRY1325, dated February 7, 2025.

⁹ REVISED QIA Final Written Submission Technical Comment Status, dated February 28, 2025.



Technical Comments

The QIA stated that most of their comments from the technical review stage have been considered resolved, based on their agreement with the Applicant on the necessity of the inclusion into the Water Licence of the following:

1. *Commitment by Baffinland:*

Baffinland will collaborate with QIA to incorporate the outcomes of QIA-led data collection into relevant management plans listed in Part B Item 14 of the Water Licence, and will plan to submit any consequential updates to the NWB with the submission of the 2026 Annual Report. The timing of this commitment is contingent on QIA providing Baffinland with available verified QIA program-led data relevant to Project water use and management and/or waste generation and management by the end of September, 2025.

2. *Revision of Licence Part B, Item 17 in accordance with the following:*

The Licensee shall annually review and where appropriate modify the Plans and Manuals referred to in this Licence as required by changes in operation, technology, and/or the findings of applicable studies, monitoring and assessments. The Plans and Manuals shall incorporate design changes, adaptive engineering required and implemented during construction, operation and closure, changes to monitoring strategies and changes to management strategies, on the basis of actual site conditions and study, monitoring and assessment results, including proponent led, community-led and QIA-led monitoring and studies, over the life of the Project. Revisions to the Plans or Manuals are to be submitted in the form of Addenda to be included with the Annual Report required by Part B, Item 4 [Part B, Item 2] complete with a revisions list detailing where significant content changes are made.

3. *Revision of Licence Schedule B, Item 1 to read:*

The Licensee shall file with the Board no later than the 31st of March of the year following the calendar year being reported, an Annual Report on the appurtenant undertaking which shall contain the following information: ...

e. Monitoring...

iv. a summary of results relevant to water use and management/ waste disposal and management generated by QIA-led monitoring programs (such as the Inuit Stewardship Program) together with a summary of any agreed actions to be taken by the Proponent in response (including plan updates), where such monitoring results are provided in final to the Proponent by QIA at least 5 months prior to the Annual Report deadline...



g. *Plans/ Reports/ Studies...*

xiv. a summary of results relevant to water use and management/ waste disposal and management generated by QIA-led studies (such as those generated as part of the Inuit Stewardship Program) together with a summary of any agreed actions to be taken by the Proponent in response (including plan updates), where such studies are provided to the Proponent by QIA in final at least 5 months prior to the Annual Report deadline.

QIA provided the status of all technical comments and requested the Board that their recommendations for the unresolved comments become Water Licence conditions.

Inuit Qaujimajatuqangit and Inuit Qaujimaningit

QIA requested the Board to give full consideration to Inuit Qaujimajatuqangit and Inuit Qaujimaningit (collectively IQ) in its decision-making upon submission of the Pond Inlet Freshwater IQ Study. QIA emphasized that Inuit have experienced significant freshwater impacts that have exceeded predictions and are captured by Baffinland's monitoring system. QIA also highlighted that the Tusaqtavut studies¹⁰ should be considered as evidence.

Cumulative Effects

QIA highlighted their concerns about cumulative effects and noted that these should be considered in the Water Licence. QIA also stated that the management, monitoring, and mitigation plans should account for cumulative effects. QIA further maintained that their recommendations on cumulative effects fall within the Board's authority under the *Nunavut Agreement*, and provided supporting arguments in the form of legal memorandum.

Draft Licence Framework

QIA provided their comments on the Draft Water Licence Framework as Appendix to their final written submission on February 7, 2025.

On February 28, 2025, the QIA submitted a correspondence to the NWB as a revision to their final written submission of February 7, 2025. The QIA highlighted that they had agreed to support the Renewal Licence based on Baffinland's commitment to include Inuit Qaujimajatuqangit and Inuit Qaujimaningit (collectively IQ) through the Inuit Stewardship Program (ISP), however, on February 21, 2025, Baffinland informed QIA it would not be providing funding for the ISP. As a result, QIA stated that *as the resolution of the technical comments relating to IQ was directly dependent on integrating ISP studies' outcomes, QIA no longer has confidence that IQ and data from community-based studies will be properly integrated in the Project's activities. Therefore, fulfilling its role as a Designated Inuit Organization, QIA reverts the status of Technical Comments QIA-TR-24 and QIA-TR-27 to*

¹⁰ Qikiqtani Inuit Association's Final Written Submission, for the Nunavut Water Board Public Hearing on Baffinland's Renewal Application for type A Water Licence No: 2AM-MRY1325, dated February 7, 2025.



37 to “unresolved”. QIA also noted that *in consideration of the above, QIA will be re-evaluating its position on whether to support the renewal of this Licence*¹¹.

During their presentation, the QIA stated that there are 16 resolved and 22 unresolved comments, some involving recommendations to the NWB. The focus of QIA's discussion with respect to the unresolved comments was on the following areas:

- Compliance with environmental assessment predictions,
- Adaptive management,
- Impacts on fish habitat,
- Monitoring including monitoring for baseline conditions,
- Management of impacts of water withdrawal,
- Inuit engagement,
- Incorporation of Inuit Qaujimajatuqangit and Inuit Qaujimaningit, and
- Consideration of cumulative effects.

Parties were given a chance to ask questions following QIA’s presentation. Baffinland asked QIA to confirm that QIA, Baffinland, and CIRNA are all committed to working together to come to an agreed security management agreement that aligns with the security review process outlined in Part C of the Water Licence. QIA responded by confirming that they are looking to work with the parties to complete a security management agreement prior to the Minister issuing the Licence for the Project.

With regards to QIA’s unresolved comments, Baffinland asked for confirmation from the QIA that for technical comments 1, 2, 6, 7, 11, and 17, Baffinland has provided draft wording for commitments to QIA that are currently under consideration, and development of understanding on commitment language for comments 14 and 16. QIA responded by noting that the discussions are currently ongoing and that an update will be provided to the Board.

During the final closing remarks at the PH, QIA stated that based on their recent working with Baffinland, nearly all of their comments are now resolved with the exception of technical comment 5 (QIA-TR-5). The following updates were provided with regards to the final status of their technical comments:

- Technical comment 1 is resolved by Baffinland’s commitment 31;
- Technical comment 2 is resolved by Baffinland’s commitments 32 and 33;
- Technical comment 6 is resolved by Baffinland’s commitment 34;
- Technical comment 7 is resolved by Baffinland’s commitment 35;
- Technical comment 9 is resolved as Baffinland’s has provided QIA with the requested information;

¹¹ Qikiqtani Inuit Association’s Revised Final Written Submission, for the Public Hearing on Baffinland's Renewal Application for type A Water Licence No: 2AM-MRY1325, dated February 28, 2025.



- Technical comment 11 is resolved by Baffinland's commitment 36;
- Technical comment 14 is resolved by Baffinland's commitment 37. The same commitment resolves technical comment 15;
- Technical comment 16 is resolved by Baffinland's commitment 38; and
- Technical comment 17 is resolved by Baffinland's commitment 36.

In addition, QIA stated they are satisfied that the technical comments 24 and technical comments 27 to 37 will be resolved if certain amendments and commitments are included in the Licence and properly implemented by Baffinland. The final agreed upon commitments along with their respective timelines and form of submission are listed in Exhibit 13 – Commitments List from the Public Hearing, March 12, 2025.

The following commitments were agreed upon by Baffinland and QIA during the PH as a result of their discussions on unresolved comments/concerns:

Commitment 31 in response to concern and/or recommendation by QIA (QIA-TR-1):

Baffinland commits to the development of a one-time memorandum including the following aquatic monitoring information:

- *Temporal plots of water quality results from lake and stream CREMP monitoring areas that include results from the baseline (2006 to 2013), construction (2014), and operations (2015 to 2024) periods for specific parameters associated with the mine site ore bodies or with blasting (i.e., aluminum, arsenic, cadmium, chromium, copper, iron, lead, nickel, zinc, nitrate, nitrite, total Kjeldahl nitrogen, and ammonia). Area specific predictions from the Final Environmental Impact Statement (FEIS; Baffinland 2012) will be included on the plots for comparison;*
- *Tabular summaries of seasonal averages;*
- *A statement comparing the concentrations to area specific predictions from the FEIS; and*
- *Weather data will be correlated with sampling to the extent possible to assess the impact of wet versus dry events on observed monitoring values.*

This memorandum will be submitted within 6 months of the approval of this Licence by the Minister. The memorandum will be submitted to the NWB to allow a review of the study outcomes. Baffinland will provide the memorandum to QIA 30 days before the NWB submission to allow QIA to evaluate the conclusions and provide recommendations of updates into suggested management plans. As required, the outcomes of the memorandum will be integrated into relevant management plans. Any plan updates would be completed within 6 months of publication of the memo, or an alternative date as agreed to between QIA and Baffinland.



Commitment 32 in response to concern and/or recommendation by QIA (QIA-TR-2):

Where professional judgement is applied in relation to Trigger Action Response Plans (TARPs), Baffinland will include supporting rationale. Baffinland to further provide a clearer linkage of how exceedances of objective TARP thresholds will result in management actions of project effects pathways. This will be provided regularly (when used) in Annual Reports.

Commitment 33 in response to concern and/or recommendation by QIA (QIA-TR-2):

Baffinland will update the AEMP to include event-based water quality monitoring informed by the QIA-TR-1 memorandum conclusions, or other relevant data. The AEMP will define how an event is triggered and assessed. This will be submitted in the form of Management Plan Update within 6 months of the approval of the Water Licence.

Commitment 34 in response to concern and/or recommendation by QIA (QIA-TR-6):

Baffinland will collect supplemental baseline data to support the development of applicable aquatic monitoring programs along the Steensby Railway alignment and at Steensby Port, to cover a full season's data prior to construction commencing in a given location. If the supplemental baseline data deviates by more than 2 standard deviations from the original baseline, Baffinland will engage with QIA to review the findings and collaboratively develop appropriate updates to the construction monitoring programs, if required, to ensure potential environmental changes are effectively captured and addressed. This will be submitted in the form of Construction Report prior to Steensby construction.

Commitment 35 in response to concern and/or recommendation by QIA (QIA-TR-7):

Baffinland is planning to reactivate the four hydrometric monitoring stations (BR11, BR25, BR96-2 and BR137) along the Steensby Railway corridor in 2025 to supplement existing baseline data collected for the 2012 FEIS. These stations will measure streamflow and help characterize natural variation in hydrological conditions. If the supplemental baseline data deviates by more than 2 standard deviations from the original baseline, Baffinland will engage with QIA to review the findings and collaboratively develop appropriate updates to the construction monitoring programs, if required, to ensure potential environmental changes are effectively captured and addressed. This will be submitted in the form of Construction Report prior to Steensby construction.

Commitment 36 in response to concern and/or recommendation by QIA (QIA-TR-11/17):

Baffinland will update the AEMP to provide quantifiable triggers (e.g., exceedances of water quality guidelines or AEMP benchmark values) within the framework. These triggers will lead to specific adaptive management actions to be undertaken in response to exceedances. The management actions for these cases shall be initially investigated following a process defined in the AEMP, and if the investigation determines it,



appropriate mitigative actions for the source or the cause of these exceedances will be implemented. Any plan updates would be completed within 6 months following issuance of the renewed Water Licence, or an alternative date as agreed to between QIA and Baffinland. The AEMP will be revised collaboratively with QIA review and input, specifically with regards to triggers for adaptive management actions.

Commitment 37 in response to concern and/or recommendation by QIA (QIA-TR-14/15):

Baffinland commits to a one-time submission of usable, sorted data and metadata for statistical analyses by July 31, 2025. The submission will include all the sediment and water quality data collected from Sheardown and Camp catchment (e.g., lake and tributary). QIA's analysis of this data will be completed at their expense. The outcomes of QIA's analysis will be shared with Baffinland in draft for review and to discuss in relation to any further action to be undertaken as part of the adaptive management framework. Following the completion of this process the QIA may publicly disseminate the results of its analysis through the NWB. This will be submitted in the form of raw data by July 31, 2025.

Commitment 38 in response to concern and/or recommendation by QIA (QIA-TR-16):

Baffinland will provide preliminary/interim and final engineering design solutions for the haul road drainage that currently is conveyed through the KM105 dam and eventually into Sheardown tributary into Sheardown Lake for QIA review at a minimum 60 days before the start of construction, in alignment with the Water Licence requirements. Baffinland will provide an initial adaptive design (engineering designs) to QIA for review by July 31, 2025.

Commitment 39 in response to concern and/or recommendation by QIA (QIA-TR-24):

Baffinland will collaborate with QIA to incorporate the outcomes of QIA-led data collection into relevant management plans listed in Part B Item 14 of the Water Licence, and will plan to submit any consequential updates to the NWB with the submission of the 2026 Annual Report. The timing of this commitment is contingent on QIA providing Baffinland with available verified QIA program-led data relevant to project water use and management and/or waste generation and management by the end of September, 2025.

As stated above, Baffinland committed to provide additional data/information to QIA by July 31, 2025, as per Commitments 37 and 38. The Board would like to note that while specific terms are not included within the Licence associated with these commitments, the expectation is that this data/information will be provided to QIA directly in accordance with the committed timelines.

With regards to the unresolved comment (QIA-TR-5), QIA stated that they remain concerned with Baffinland's history of exceeding daily water withdrawal limits from small



watercourses with limited withdrawal limits such as from CV-099, CV-087, CV-078. QIA noted that this poses a potential risk to aquatic life and aquatic habitat from short-term water-level drawdown. QIA, however, acknowledged Baffinland's desire to maintain flexibility to support optimal environmental management, specifically as it relates to dust management and control. QIA recommended to the Board to remove water withdrawal locations with seasonal restrictions from Table 2-3 of the existing Water Licence to support ongoing dust suppression activities.

Legal Opinion Submission

Appended to the QIA's final written submission were legal opinion submissions in relation to two topics. The first topic addressed whether the NWB has the jurisdiction and authority to incorporate Inuit Qaujimajatuqangit and Inuit Qaujimaningit into the water licence and the second discussed the authority and mechanisms for the NWB to include obligations in relation to cumulative effects assessment, management and monitoring into the Renewed Water Licence.

In the first opinion, QIA argued it would be consistent with the NWB's obligations under the *Nunavut Agreement* and *NWNSTRA* to have express terms and conditions incorporated into the Renewed Water Licence to require the Licensee to update management plans upon receipt of Inuit Qaujimajatuqangit and Inuit Qaujimaningit. In support of this conclusion, the QIA highlighted the special role of Inuit knowledge and tradition in the NWB's work, the requirement of the NWB to integrate Inuit Qaujimajatuqangit into its decision-making, and the NWB's duty to give Inuit interests special consideration. The opinion referenced examples of water licence conditions from existing NWB licenses and water licenses in other jurisdictions where these requirements could be added that the QIA viewed as being analogous. The QIA cited these examples as supporting their requested additions to the Renewed Licence.

The opinion concluded with the acknowledgement that although the Inuit Board Members of the NWB play a significant role by sharing and applying their knowledge in the NWB's decision-making, the QIA urged that this activity alone, was insufficient to ensure the collective interests of Inuit are represented in the NWB decisions.

The focus of the second opinion was in support of the QIA's assertion that the NWB should include an express term and condition that would require Baffinland to update the monitoring and management plans required under the Renewed Water Licence to address approaches to cumulative effects management, monitoring and mitigation efforts. As discussed during the Technical Meeting in December 2024, there is currently a Nunavut Impact Review Board-facilitated development of a Cumulative Effects Assessment Framework as directed by the responsible Ministers in 2024 under an amendment to NIRB Project Certificate No. 005. The second opinion argues there is no jurisdictional overlap with the NIRB which would



prevent the NWB from incorporating a term and condition expressly obligating cumulative effects considerations into the Renewed Water Licence.

The opinion argues the NWB has the jurisdiction to regulate any aspect of the project which may impact Nunavut's waters, and notes that the *Nunavut Agreement* requires the NWB to incorporate the terms and conditions of the NIRB Project Certificate into the water licence and to determine, with the NIRB, how best to implement those terms and conditions. The opinion paraphrases the Yukon Supreme Court to argue the NWB would be abdicating its duty to exercise its jurisdiction if it leaves cumulative effects assessment exclusively to the NIRB.

Crown-Indigenous Relations and Northern Affairs (CIRNA)

Crown-Indigenous Relations and Northern Affairs (CIRNA) administers Crown land and resources and enforces regulatory permits affecting land and water resources in Nunavut, under the following Acts and associated regulations:

- *Department of Crown-Indigenous Relations and Northern Affairs Act*;¹²
- *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada (Nunavut Agreement)*;
- *Nunavut Waters and Nunavut Surface Rights Tribunal Act (NWSRTA)*;¹³
- *Territorial Lands Act*;¹⁴ and
- *Arctic Waters Pollution Prevention Act*.¹⁵

As set out under the *NWSRTA*, CIRNA is responsible for enforcing the provisions of water licences issued by the NWB, and specifically, the terms and conditions of the Applicant's existing Water Licence No: 2AM-MRY1325.

CIRNA participated in all phases of the Renewal Application process, providing specialist advice, expert information and knowledge in accordance with the *Nunavut Agreement*. Reflecting CIRNA's responsibilities and jurisdiction, a number of key issues were highlighted in CIRNA's full technical review comment submissions and the same were discussed during the Technical Meeting (TM).

Based on the recommendations CIRNA provided to the Board during the technical review period, and discussions during the TM and Pre-Hearing Conference (PHC), a number of commitments were outlined in the List of Commitments provided within the Pre-Hearing

¹² S.C. 2019, c. 29, s. 337.

¹³ S.C. 2002, c. 10.

¹⁴ R.S.C. 1985, c. T-7.

¹⁵ R.S.C. 1985, c. A-12.



Conference Decision.¹⁶ Exhibit 13 – Commitments List from the Public Hearing, March 12, 2025, includes a consolidated list of commitments from the TM/PHC as well as the commitments that were agreed upon by parties during the PH proceedings.

As set out in detail in [APPENDIX C: List of Submissions and Correspondence](#), on February 11, 2025, the NWB received CIRNA's final written submission¹⁷ summarizing CIRNA's outstanding recommendations. CIRNA also attended and made presentations during the technical and community sessions at the in-person Public Hearing for the Renewal Application in Pond Inlet on March 11 and 12, 2025, and engaged in further discussions.

CIRNA noted in their final written submission¹⁸ that most of their technical comments have been resolved either by response or by commitments from Baffinland. There were 4 comments or concerns outstanding from their originally submitted 37 technical comments and recommendations. The outstanding concerns were related to the following topic areas:

- Dustfall Monitoring Improvements,
- Mineral Wastes,
- Climate Change Predictions, and
- Water Quality Monitoring.

With regards to dustfall monitoring improvements, CIRNA in their final submission noted that:

CIRNAC recommended a comprehensive review of dustfall monitoring relative to the scope and authority of the WL, relative to water quality, and to consider the following:

a) Review of dustfall data and the model used to support the monitoring program (including sample design, assumptions etc.) to determine if dustfall data collection is sufficient, relative to the current state of development and verify the operations of dustfall performance over time, relative to baseline predictions.

With regards to mineral waste, CIRNA in their final submission noted that:

After the pre-hearing and technical meetings CIRNAC considers this unresolved and recommends BIMC update the waste management plan to include mineral waste and directives for: collection, containment, data / records, and disposal.

¹⁶ NWB, Pre-Hearing Conference Decision Regarding Renewal Application for existing type A Water Licence No: 2AM-MRY1325, December 19, 2024.

¹⁷ Crown-Indigenous Relations and Northern Affairs Canada's Final Written Submission in respect of the Renewal Application for the type A Water Licence No: 2AM-MRY1325, dated February 11, 2025.

¹⁸ Crown-Indigenous Relations and Northern Affairs Canada's Final Written Submission in respect of the Renewal Application for the type A Water Licence No: 2AM-MRY1325, dated February 11, 2025.



With regards to climate change predictions, CIRNA in their final submission noted their recommendation remains that:

BIMC revisit its climate change predictions and evaluate the long-term thermal stability of the permafrost in the WRF. This evaluation also needs to be updated once additional monitoring and modelling data from the WRF are available.

With regards to water quality monitoring, CIRNA in their final submission noted:

CIRNAC recommends that BIMC:

- a) Provide a comparison between predicted and measured water quality data and evaluate if additional mitigation measures are required.*
- b) Provide update on geochemical modeling and pit water quality predictions.*

At the Public Hearing (PH), CIRNA during their presentation, provided an update on the outstanding concerns and noted that these have since been resolved through commitments by Baffinland. These commitments are as follows¹⁹:

- Baffinland has committed to conducting a dustfall review in the 2025 QIA NWB annual report for operations, which would be submitted on March 31, 2026. The outcomes of the dustfall data review will be integrated into relevant management plans and any updates to the plan would be completed within six months of publication of the dustfall data review or an alternative date mutually agreed upon between Baffinland and CIRNAC.
- Baffinland has committed to update the ICRP to include soil or sediments containing site-related contaminants that pose a risk to human health and/or the environment.
- Baffinland has committed to include multiple climate change projections, including SSP1, SSP2, and SSP5 into their next update of the thermal model planned for 2026. This is also outlined in the Interim Closure and Reclamation Plan Revision 6.
- Baffinland has committed to undertaking a pit water quality model in 2025. This model will include the following: An operational pit water quality prediction for the next five years; a water quality prediction for early closure scenario at the end of these five years, which will consider three different climate change scenarios for a hundred-year period. Additionally, in this model exercise, water quality predictions for early closure scenarios will be compared against closure objectives and criteria. This is outlined in Table 5.1 of Baffinland's Interim Closure and Reclamation Plan Revision 6. The five-year operational water quality predictions will be evaluated against the FEIS predictions and the type A water licence discharge criteria.

¹⁹ NWB Public Hearing, Water Licence No: 2AM-MRY1325, Transcript, Public Hearing, Volume 3– March 12, 2025.



The following commitments were agreed upon by Baffinland and CIRNA during the PH as a result of their discussions on unresolved comments/concerns:

Commitment 28 in response to concern or recommendation by CIRNA (CIRNAC R-04):

Baffinland commits to conducting a review of dustfall data and the associated monitoring program to assess the following:

- *Sample design*
- *Program assumptions*
- *Data Collection*
- *Dustfall relative to baseline predictions.*

This will be submitted in the form of Dustfall Data Review Report by March 31, 2026.

Baffinland commits to conducting the dustfall review described above as part of the 2025 QIA/NWB Annual Report for Operations, to be submitted by March 31, 2026. As required, the outcomes of the dustfall data review will be integrated into relevant management plans. Any plan updates would be completed within 6 months of publication of the dustfall data review, or an alternative date as agreed to between CIRNAC and Baffinland.

Furthermore, as outlined in response to QIA-TR-1, Baffinland will develop a memorandum that will assess temporal water quality trends in relation to relevant FEIS predictions. This memorandum, combined with the dustfall review data will inform future updates to relevant management plans. This will be submitted in the form of Management Plan Updates by September 30, 2026.

Commitment 29 in response to concern or recommendation by CIRNA (CIRNAC R-08):

Baffinland will update the ICRP to include soil or sediments containing site related contaminants that pose a risk to human health and/or the environment. A contaminant is defined as any substance that, when introduced into the air, water, soil or sediment, exceeds an agreed upon end land use or other criteria developed as part of the closure planning process and has the potential to cause adverse effects to human health, the environment or ecological systems. This will be addressed in the next ICRP Revision.

Commitment 30 in response to concern or recommendation by CIRNA (CIRNAC R-16):

Baffinland will undertake a pit water quality model update in 2025. This model will include the following:

1. *Operational pit water quality predictions for the next 5 years (2025-2029).*
2. *Water quality predictions for an early closure scenario at the end of 2029, considering three different climate change scenarios for a 100-year period.*



It should be noted that this model is being completed to provide data requested by CIRNAC and QIA regarding pit water quality predictions to support closure security estimation.

As part of this modelling exercise, water quality predictions for the early closure scenario will be compared against closure objectives and criteria, which are outlined in Table 5.1 of Baffinland's Interim Closure and Reclamation Plan Revision 6. The 5-yr operational water quality predictions will need to be evaluated against FEIS predictions and type A Water Licence Discharge Criteria.

The model will be completed by Q4-2025 and is scheduled to be submitted as part of the Annual Security Review process.

The final agreed upon commitments along with their respective timelines and form of submission are also listed in Exhibit 13 – Commitments List from the Public Hearing, March 12, 2025.

CIRNA further added that they are committed to working with Baffinland and the QIA towards a signed Security Management Agreement (SMA) that would be completed in time for the Minister to review the Renewed Licence. Following CIRNA's presentation, the NWB asked CIRNA to confirm that at this Public Hearing for the Renewal Application, no changes are contemplated or requested by the parties to the existing security provisions under Part C and Schedule C of the Licence. CIRNA confirmed that they do not expect any changes to Schedule C, and that they are dedicated to having this [SMA] done in time for the Minister's signature of the Licence.

Environment and Climate Change Canada (ECCC)

The focus of Environment and Climate Change Canada's (ECCC) involvement in respect of the Renewal Application is based on their jurisdiction under the *Department of the Environment Act*,²⁰ *Canadian Environmental Protection Act, 1999*,²¹ *Fisheries Act*,²² *Migratory Birds Convention Act*,²³ and *Species at Risk Act*.²⁴

ECCC has general responsibility for environmental management and protection; preservation and enhancement of water, air and soil quality; conservation and protection of migratory birds, species at risk, flora and fauna; the gathering and provision of meteorological information; coordination of various specific environmental policies and programs; and enforcement of the pollution prevention provisions of the *Fisheries Act*.

²⁰ R.S.C. 1985, c. E-10.

²¹ S.C. 1999, c. 33.

²² R.S.C. 1985, c. F-14.

²³ S.C. 1994, c. 22.

²⁴ S.C. 2002, c. 29.



ECCC participated and provided specialist advice, expert information and knowledge in all phases of the Renewal Application process. A number of key issues and concerns were highlighted and discussed in ECCC's initial comment submissions on the completeness of the Renewal Application, in their full technical review submissions, and in their submissions and discussions at the TM/PHC. A list of topics related to the key issues was provided within the PHC Decision Report.

Based on the recommendations ECCC provided to the Board during the technical review period, and discussions during the TM/PHC, a number of commitments were agreed upon to resolve the highlighted concerns. These were outlined in the List of Commitments provided within the PHC Decision.²⁵ Exhibit 13 – Commitments List from the Public Hearing, March 12, 2025, include a consolidated list of commitments from the TM/PHC as well as all commitments that were agreed upon by parties during the PH proceedings.

As set out in detail in [APPENDIX C: List of Submissions and Correspondence](#), on February 5, 2025, the NWB received ECCC's final written submission²⁶, summarizing their comments on the Renewal Application received throughout the NWB's process. ECCC also attended and made presentations during the technical and community sessions at the in-person Public Hearing for the Renewal Application in Pond Inlet on March 11 and 12, 2025, and engaged in further discussion of outstanding issues at that time.

In their final written submission²⁷, ECCC identified outstanding items for the Board's consideration and provided recommendations with respect to impacts of total suspended solids along the Tote Road, water management, impacts of pit flooding, and changes proposed by Baffinland in the Draft Water Licence Framework. At the Public Hearing, ECCC presented²⁸ and provided an update on the status of the outstanding concerns. ECCC also noted that they have been working with Baffinland after their final written submission which has resulted in resolution of some of their outstanding concerns by commitments.

With regards to surface runoff management at Mine Site, ECCC in their final submission stated that:

ECCC recommends the Proponent implement the proposed measures to reduce the sediment load of surface runoff managed on site as promptly as possible. ECCC recommends the Proponent return the effluent discharge and seepage from the

²⁵ NWB, Pre-Hearing Conference Decision Regarding Renewal Application for existing Type A Water Licence No: 2AM-MRY1325, December 19, 2024.

²⁶ Environment and Climate Change Canada's Final Written Submission in respect of the Renewal Application for the type A Water Licence No: 2AM-MRY1325, dated February 5, 2025.

²⁷ Environment and Climate Change Canada's Final Written Submission in respect of the Renewal Application for the type A Water Licence No: 2AM-MRY1325, dated February 5, 2025.

²⁸ ECCC, Exhibit #9b, NWB Public Hearing Water Licence No: 2AM-MRY1325; Hard Copy PowerPoint Presentation (*English/Inuktitut*), filed on March 12, 2025.



KM105 management pond through a final discharge point (MS-11) before the 2025 spring freshet so the effluent sampling data can be recorded in the ECCC Mine Effluent Reporting System (MERS) online database and so that the water quality can be reviewed to verify compliance with the MDMER. If the plan is to move the MS-11 final discharge point from its current approved location to one further downstream, the Proponent should request this through MERS with a 60-day notice in accordance with the stipulations of the MDMER.

ECCC in their presentation at the Public Hearing noted²⁹ that their recommendation is for Baffinland to implement the measures proposed in their follow-up report on Spill Number 2024-151. Until it can be fully implemented, seepage from KM105 pond should be returned to the pond to be discharged through final discharge point MS-11. Since Baffinland have committed to comply with the MDMER in their response to final written submission, ECCC considered this comment resolved.

With regards to incorporation of water-related management plans into the Water Licence, ECCC indicated:

ECCC recommends that prior to the public hearing the Proponent updates SWAEMP incorporating elements of the Snow Management Plan.

ECCC in their presentation noted that there are two parts to this comment; the Tote Road monitoring program, and the Snow Management Plan. ECCC recommended the Tote Road monitoring program to be added to the Surface Water and Aquatic Ecosystem Management Plan (SWAEMP), however Baffinland has committed to incorporating details from the program, rather than the entire program. The second part addresses the Snow Management Plan that also contains elements relevant to water management on-site and should be incorporated in SWAEMP. Baffinland has agreed to incorporate the Snow Management Plan into the SWAEMP within six months of issuance of renewed Licence and hence ECCC considers this part of the comment resolved.

With regards to criteria for project-related Total Suspended Solids' (TSS) impacts along Tote Road, ECCC indicated:

ECCC recommends that when the Tote Road Monitoring Program is appended to the SWAEMP, the definition of a project-related change in TSS concentrations be modified to mirror the CCME guideline: "Maximum increase of 25 mg/L from background levels at any time when background levels are between 25 and 250 mg/L. Should not increase more than 10% of background levels when background is >250 mg/L."

²⁹ NWB Public Hearing, Water Licence No: 2AM-MRY1325, Transcript, Public Hearing, Volume 3– March 12, 2025.



With regards to permafrost and hydrogeological modelling, ECCC stated that:

ECCC recommends the Proponent identify the data that is missing for an assessment of the impacts of pit flooding on permafrost and the regional hydrogeology. ECCC recommends the Proponent update the reclamation research program on pit flooding to include the collection of missing data identified above, and that the Proponent then assess the impacts of pit flooding on regional hydrogeology.

ECCC noted in their presentation that Baffinland has provided a commitment to update the ICRP that addresses their concerns and hence considers this resolved.

The following commitments were agreed upon by Baffinland and ECCC during the PH as a result of their discussions on unresolved comments/concerns:

Commitment 26 in response to concern and/or recommendation by ECCC (ECCC-04):

As part of the ongoing ICRP research, Baffinland commits to assessing the potential impacts of pit development on local permafrost and hydrogeological regimes prior to pit development to define closure requirements. The details will be further refined as part of the ICRP Rev 6 review that is ongoing.

Commitment 27 in response to concern and/or recommendation by ECCC (ECCC-04):

Baffinland will conduct a review of the Tote Road Monitoring Program (TRMP) data to confirm the natural variability in the 150-metre sample area. Baffinland will share this data with ECCC, which will be used to build the trend of the Total Suspended Solids criteria to be implemented.

ECCC provided a final update on the status of their technical comments and noted that two of their comments remain unresolved; ECCC-2 and ECCC-3 which are connected. ECCC noted that Tote Road Monitoring Program uses project-related change as a criterion to trigger management actions to reduce sediment entering the streams however these changes are defined as twice the CCME Guideline. ECCC recommended incorporating Tote Road Monitoring Program into the SWAEMP and project related change in TSS concentrations should follow the CCME Guideline. In addition, ECCC also provided a number of comments on the Draft Licence Renewal Framework some of which are considered resolved by commitments. ECCC outlined those in their presentation for the consideration of the Board.

Fisheries and Oceans Canada (DFO)

The focus of Fisheries and Oceans Canada's (DFO) involvement in respect of the Renewal Application is based on their jurisdiction under the *Fisheries Act* and the *Species at Risk Act*.



DFO participated in all phases of the Renewal Application process, providing specialist advice, expert information and knowledge. The following key issues were highlighted in DFO's initial comment submissions on the completeness of the Renewal Application, in their full technical review comment submissions, and in their submissions at the Technical Meeting (TM):

- Management Plans, including Surface Water and Aquatic Ecosystem Management Plan and the Road Management Plan be updated to include clear provisions for fish movement through watercourse crossing structures;
- At a minimum, supporting information should include:
 - locations where road infrastructure interacts with waterbodies and watercourses including seasonally wet drainages;
 - type of crossing proposed (bridges and culverts);
 - fish species present, and life stage; and
 - whether there are fish bearing waterbodies downstream and/or upstream of the crossing and known important habitat. The seasonal channels between fish bearing waterbodies should be considered fish habitat;
- Watercourse crossings; and
- Sediment and erosion control.

As set out in detail in [APPENDIX C: List of Submissions and Correspondence](#), on February 5, 2025, the NWB received DFO's final written submission³⁰, summarizing their comments on the Renewal Application received throughout the NWB's process. DFO also attended and made presentations during the technical and community sessions at the in-person Public Hearing for the Renewal Application in Pond Inlet on March 11 and 12, 2025, and engaged in further discussion of outstanding issues at that time.³¹

In their final written submissions, DFO stated that they had two technical comments related to the potential impacts from watercourse crossings and sedimentation and erosion. These matters were addressed by Baffinland with commitments that include updates to the SWAEMP to include all the watercourse crossings and additional details as well as providing Erosion and Sediment Control Awareness training.

With regards to watercourse crossing, DFO noted during their presentation³² at the Public Hearing that DFO had requested a table of watercourse crossings be added to the SWAEMP. Since Baffinland has proposed to update the table, DFO considers this resolved with the

³⁰ Fisheries and Oceans Canada Final Written Submission in respect of the Renewal Application for the type A Water Licence No: 2AM-MRY1325, dated February 5, 2025.

³¹ DFO, Exhibit #11, NWB Public Hearing File No: Water Licence 2AM-MRY1325; Hard copy, PowerPoint Presentation (*English/Inuktitut*), filed on March 12, 2025.

³² NWB Public Hearing, Water Licence No: 2AM-MRY1325, Transcript, Public Hearing, Volume 3– March 12, 2025.



commitment that the plan will be updated within six months of the approval of Renewed Water Licence.

With regards to concerns related to sedimentation and erosion, DFO stated that they are satisfied with the commitment from Baffinland to implement erosion and sediment control awareness training program for the second quarter of 2025. DFO noted they are satisfied with this commitment and hence considers their comment resolved.

Baffinland Iron Mines Corporation (Baffinland, Applicant or Licensee)

Responses to Issues Raised by Interveners

During the licensing process, Baffinland was fully engaged and participated actively by responding to Information Requests on the completeness check of the Application as well as during the technical review period. Baffinland also engaged actively with all parties during the TM/PHC phase of the Application by providing additional information related to concerns raised by the Interveners and providing a List of Commitments to resolve a number of issues. A list of commitments resulted from discussions during the TM/PHC is included in the PHC Decision for the Renewal Application issued on December 19, 2024. In the final submission,³³ Baffinland responded to the concerns outlined by the Interveners in their respective final written submissions. For detailed information and discussion on Baffinland's response to each of the technical comments, please refer to Baffinland's submission that can be found on the NWB's Public Registry.

During their presentation at the Public Hearing, Baffinland provided updates on the status of technical comments submitted by the Interveners. Baffinland noted that QIA submitted 38 technical comments as of the most recent update, 11 comments remained unresolved. Baffinland also acknowledged QIA's revised submission of February 28, 2025, that reversed the resolution status on 12 comments related to support for the ISP. Baffinland, during their presentation, reaffirmed their position related to the funding of the ISP and noted that they expect the comments will be resolved through commitments pending agreement with QIA on language. Baffinland, in addition to existing commitments, also provided a technical memorandum on water quality (QIA-TR-1), rationale for professional judgment use (Technical Comment 2), and updates to the AEMP (Technical Comments 2, 11, and 17).

With regards to technical comments submitted by CIRNA, Baffinland provided an update stating that all but four comments have been resolved, and that they are still working on addressing the remaining issues. With regards to technical comments by ECCC, Baffinland highlighted that there were four outstanding comments and that they have resolved three of the four outstanding issues. Baffinland noted that DFO submitted two technical comments,

³³ Baffinland, Water Licence No: 2AM-MRY1325 Renewal Application, Final Submission Response, dated February 21, 2025.



both of which were resolved through commitments as a result of discussions during Technical Meeting.

Parties were given a chance to ask questions following Baffinland's presentation. QIA asked Baffinland to clarify the source of their claim that the red iron ore dust was naturally present on the land before the mine existed as mentioned by Inuit. Additionally, clarification was sought on whether Inuit have raised concerns about increased dust levels on the land since the mine began operations. Baffinland responded by stating that they have heard from community members about the naturally occurring red soil in the Mary River area during spring runoff, long before the mine existed but concerns have since been raised about dust from the operating mine. Baffinland further stated they are actively working to reduce dust emissions and monitor environmental impacts. Their studies to date indicate limited to no significant changes from baseline environmental conditions.

Baffinland provided an update on the three exhibits submitted by the end of PH. The first document submitted was the disposition table, which includes a final round of technical comments from reviewers and Baffinland's responses. This document also reflected the updated resolution status as well as added new commitments to reflect the discussions that have happened before and during the PH. The second document submitted as exhibit was the final list of commitments as agreed upon by respective parties resulting from discussions during the PH. The third document submitted was a final version of the Draft Water Licence Framework that included parties' comments and recommendations.

During the final closing remarks at the PH, Baffinland stated that almost all of the outstanding comments by the QIA have been resolved. Baffinland asked for confirmation from QIA on revised wording and additional commitments. Baffinland confirmed their support for the ISP and acknowledged that it is a valuable initiative to add to the existing multifaceted programs to incorporate Inuit feedback and IQ into their Project. Baffinland also confirmed with QIA that comments related to Inuit engagement, water rights, and cumulative effects are now addressed and other unresolved technical comments have been resolved as well by Baffinland providing additional information and commitments. In summary, 36 out of 37 total technical comments have been resolved, with no further changes recommended to the Water Licence related to the IQ and the cumulative effects framework.

Draft Water Licence Framework

As a standard practice, Baffinland filed their version of the Draft Water Licence Framework, in which the Applicant provided recommendations regarding renewal to the existing Licence that they consider to be appropriate and necessary to reflect the proposed changes to the Project.³⁴ Parties had a chance to review the Draft Water Licence Framework and provide

³⁴ The Draft Water Licence Framework was filed by Baffinland on December 18, 2024.



their comments, Baffinland was able to submit their responses before going to the Public Hearing.

For the benefit of those unfamiliar with the Board's approach to these documents, it is important to emphasize that although the Board reviews and considers the Draft Water Licence Framework and comments of parties, the suggested changes or updates to the Water Licence provided by parties are not binding on the Board. The Board considers the Draft Water Licence Framework and associated comments, in the same way as any other evidence and retains the discretion to determine what are the appropriate terms and conditions of any given water licence or renewal to an existing water licence.

In recent years the Board has started inviting the Draft Water Licence Frameworks to be submitted, as it is a useful tool to focus parties' discussions on the specific details of updated terms and conditions that may be required to reflect the full scope of an application as well as changes and/or updates suggested by the Applicant and other parties. However, the Board retains their full discretion to determine what specific changes or updates are required to the existing terms and conditions of the Water Licence.

In [SECTION VII](#), the Board discusses its recommended updates to the Water Licence terms and conditions. This section includes a brief explanation of how the Board considered and, where applicable, incorporated the recommendations from the Applicant and other parties in the Draft Water Licence Framework.

SECTION III: SUBMISSIONS BY OTHER INTERVENING PARTIES OR MEMBERS OF THE PUBLIC

There were no written submissions provided to the NWB by any other intervening party or members of the public. On the evening of March 11, 2025, as part of the in-person Public Hearing, a Community Information Session was held by the Board, and community Representatives from Arctic Bay, Clyde River, Sanirajak (Hall Beach), and Igloolik and community members from Pond Inlet in attendance were invited to question Baffinland and any of the Interveners. Community members were also invited to share relevant knowledge with the Board and provide any comments or express any concerns they may have with respect to the Renewal Application. For more detail regarding attendees from the community, [APPENDIX D- Sign-in Sheets – List of Participants in the Public Hearing](#) provides the sign in sheets for the Public Hearing, including the Community Session, and the Record of Proceedings identifies the Community Representatives from Arctic Bay, Clyde River, Sanirajak (Hall Beach), and Igloolik that attended the Public Hearing.

For the convenience of reviewers, the Board has prepared the table that follows to provide a brief, high-level summaries prepared by staff of key issues raised by community members



in attendance during the Public Hearing and Community Information Session. Please note that the Table includes issues raised by the communities that extend beyond the NWB's jurisdiction and that may not be directly relevant to the NWB's consideration of the Renewal Application (for example, topics such as marine mammal abundance) and that are outside the NWB's jurisdiction. However, as these issues may be relevant to Baffinland, Interveners, researchers or other members of the public with an interest in the Mary River Project, the NWB has included these issues in the summary table. It should also be noted that the summaries are edited for brevity, not exhaustive and not verbatim, and parties interested in a review of all comments as received in their entirety are advised to consult the transcripts for the Public Hearing available on the NWB's Public Registry.³⁵

TABLE 1: KEY ISSUES RAISED BY MEMBERS OF THE PUBLIC DURING THE PUBLIC HEARING AND COMMUNITY INFORMATION SESSION

Topic	Issues/Concerns/Comments
Avian Flu	Wondering whether birds that may be sick with the avian flu could transmit the infection into the water courses?
Climate Change	During the summer time, have observed some slumping of the ground due to the permafrost leaving and there appears to be flowing water near the surface of the ground near Arctic Bay (hot springs). Are there safety issues being created by these changes within the project area (especially where the railroad will be constructed)? Is there any monitoring taking place along the proposed railway alignment to ensure these changes are being noted and incorporated into the plans for the railway?
Communication with the Communities	Some of the information being presented by technical advisors is not widely known by the community members and it seems the technical advisors also may not know the information being provided by community members. This should not be the case; there should be better communication of the information from all parties to communities and from the communities back to the technical advisors.
Communication with the Communities	We would like to see greater communication with the communities about the Project from the Qikiqtani Inuit Association, Baffinland and the people conducting research and monitoring of the Project.
Communication with the Communities	Our communities who live on this land for many years must be listened to, and must be included as the people monitoring for the potential impacts of the Project.
Communication with the Communities	Communities could use more time and should have access and funding for technical advice so that we can understand the nature and content of the technical comments that the NWB has received about the Application so far.

³⁵ NWB Public Hearing, Water Licence No: 2AM-MRY1325, Transcript, Public Hearing, Volume 2– March 11, 2025 Community Session.



Topic	Issues/Concerns/Comments
Dam at KM105 Lake	What is Baffinland referring to when they talk about the dam at KM105 Lake? Are there fish affected by that dam?
Dust	There used to be dust monitoring committee members in all of the potentially affected communities, but the committees seem to have been disbanded and we want to see these committees and their work continue over the term of this licence.
Dust	Before the dust committee started working there was red dust visible and being spread across the land, but the application of water and other dust suppressants changed things considerably. But we think it is important that Baffinland continue to apply water and dust suppressants to keep the dust down.
Dust	Our community has the same issues with dust as the mine, but vegetation, like berries and lichens, does not seem to be affected; does Baffinland have data regarding the extent to which iron ore dust has different effects on vegetations compared to normal road dust?
Dust	The communities have noticed that the dust disperses far beyond the mine and port developed area and we think that if Baffinland and regulators want to see these effects that the sites outside the developed areas need to be visited.
Elders Committee Input	What kinds of things do the Elders Committees talk about with Baffinland when they are involved?
Fish	Have all of the lakes with landlocked char in the Project area been identified, and when Baffinland conducts monitoring of those lakes can the Hunters and Trappers Organizations receive reports about that monitoring from Baffinland/the Qikiqtani Inuit Association?
Fish	Based on Baffinland's monitoring and observations, have the freshwater lakes with fish in them been impacted? Are you seeing effects on the numbers and health of the char in those lakes when you compare them over time from before the mine (baseline) to today?
Fish	Have there been studies done about the freshwater lakes and the fish health in the lakes near Pond Inlet, especially fish health in Qurluktuk Lake near Pond Inlet?
Funding for HTOs to Participate in NWB Licensing	The North Baffin Hunters and Trappers Organizations should have access to funding to ensure they can have their own legal and technical advisors to participate in the Nunavut Water Board's regulatory processes and to conduct monitoring on their own.
Impacts	Has Baffinland thought about delaying the railway construction until after the caribou quota system is no longer in place and caribou numbers have recovered?
Industrial Developments	Communities need time to get familiar with industrial development and all the potential impacts, Inuit are not familiar with these issues right away and need time to understand and then formulate our questions.



Topic	Issues/Concerns/Comments
Inuit Qaujimagatuqangit	You have identified an individual who has shared Inuit Qaujimagatuqangit about the red earth being visible before the mine was developed. Can you identify the Inuit Qaujimagatuqangit holders who have shared their knowledge with Baffinland about these issues?
Inuit Qaujimagatuqangit	I want to know from both Baffinland and the Qikiqtani Inuit Association how Inuit Qaujimagatuqangit is applied and used by the parties; we find that we sometimes share our information and knowledge, but then the knowledge holders once they have shared the information no longer remain involved and do not get to see how this information is applied to the Project.
Inuit Qaujimagatuqangit	Did the Federal Departments/scientists/investigators attend the project sites/ and or this Hearing with Inuit from Nunavut? In future, people conducting research at these sites should ensure that Inuit voices are being heard, and Inuit knowledge holders are being consulted, and their knowledge is being considered, not just technical advisors not from here. These knowledge holders have different views and knowledge that must be considered.
Marine Mammals	Near Hall Beach and Arctic Bay there used to be all sorts of walrus in that area, and they used to congregate in the shallow waters in the Foxe Basin area in the summer. They are there feeding on mussels and clams in the ocean bed. We used to observe the migration of the narwhal, walrus and seals and all the marine mammals but they seem to be moving away from something in the summertime now. We don't see seals and walrus in that area in the summertime anymore since the project started because it is now a shipping corridor. The walrus will be moving away from Steensby Inlet when Baffinland starts construction. Baffinland needs to be aware of that. Once walrus move away from their habitat they do not return to their original habitat. The narwhal have moved away from Pond Inlet and are more in the Foxe Basin now, but when shipping moves to Steensby Inlet, the narwhal will move away again.
Monitoring	Does the Qikiqtani Inuit Association conduct any independent studies in relation to organisms in the water to independently identify if there are effects from the Project?
Monitoring	Before the construction of Steensby Inlet will there be additional studies undertaken to identify the conditions at the site before construction and operation of the Steensby Inlet Port?
Monitoring	In addition to baseline studies, are there studies going on about the existing effects of the mine?
Monitoring	Has the Qikiqtani Inuit Association ever considered having a third party conduct independent monitoring to collect baseline information and on-going monitoring data?
Monitoring/ Mapping	Has Baffinland done any monitoring/mapping of the ocean floor in the area near Steensby; there are some shallower areas throughout that area, and we have concerns about vessels becoming stranded.



Topic	Issues/Concerns/Comments
Steensby Inlet	We would encourage the Interveners to come to Steensby Inlet to see what it is like now before construction and to see what we, as Inuit, see in our communities before construction begins.
Switch from Trucking to Train transportation	What will the difference be (in terms of impacts to wildlife and the land users) when Baffinland switches from trucking to transportation of ore by train to Steensby Inlet?
Term of the Licence	For the impacted communities, we think that the renewal of the Licence for a requested term of 15 years is too long. We think that a term of 10 years seems to be more appropriate so that the NWB can review the Project and Baffinland's compliance under the licence in a shorter time period, especially if the Port at Steensby Inlet is constructed during the term of the renewed licence.
Waste Rock	Are there contaminants that come off the rock and the ore at Mary River (and that could become a constituent of the dust coming off the ore and waste rock piles) at the site?
Water Quality	Does Baffinland monitor the quality of the drinking water around the mine and the port site? Can someone tell me whether the water remains safe to drink?
Water Quality	We want water quality to be preserved for our children and grandchildren. We urge the NWB to not simply rubber stamp the water uses request by Baffinland.
Water Quality Testing	There is a smaller river (Sanikisuaq—phonetic spelling from the transcript) that flows along the project that had bad quality historically (crystals observed and made children sick). Does the Nunavut Water Board or Baffinland or others have any studies about what the cause of the bad water quality is for that water course?

SECTION IV: JURISDICTION OF THE NWB

Under Division 2³⁶ of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002, c. 10 (*NWNSRTA*) the NWB has jurisdiction to issue a licence,³⁷ amend a licence,³⁸ renew a licence,³⁹ or in certain circumstances, cancel a licence.⁴⁰ In exercising the Board's statutory functions under the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada (Nunavut Agreement)* and the statutory

³⁶ Sections 42-81 of the *NWNSRTA*.

³⁷ See ss. 42, 48, 55, 56, and 70 of the *NWNSRTA*.

³⁸ See s. 43(1)(b) of the *NWNSRTA*.

³⁹ See s. 43(1)(a) and 43(2) of the *NWNSRTA*.

⁴⁰ See s. 43(1)(c) of the *NWNSRTA*.



regime governing the Board (the *NWNSRTA* and the *Nunavut Waters Regulations*⁴¹), the NWB must be guided by the following objects:

*... to provide for the conservation and utilization of waters in Nunavut, except in a national park, in a manner that will provide the optimum benefit from those waters for the residents of Nunavut in particular and Canadians in general.*⁴²

In setting the terms and conditions of a licence, the NWB is guided by these objects and the NWB's statutory duty to make *all* reasonable efforts to minimize *any* adverse effects on aquatic ecosystems. Reading several of the Articles of the *Nunavut Agreement* together,⁴³ the NWB relies on the broad definition of "ecosystemic" found in Article 12, Section 12.1.1. of the *Nunavut Agreement*, requiring not only the Nunavut Impact Review Board (NIRB) but also the NWB to ensure that all components of the ecosystem, such as fish and fish habitat, are protected within the parameters of s. 71 of the *NWNSRTA*.

In accordance with Article 13, Section 13.3.6 of the *Nunavut Agreement* and s. 29 of the *NWNSRTA*,⁴⁴ the Board delegated the power to dispose of all matters related to the Renewal Application of the existing type A Water Licence No: 2AM-MRY1325, including the conduct of the Public Hearing, to a Panel of the Board (which is referred to as Panel P4 or the Mary River Panel). The duly-appointed Panel P4 consisted of the NWB's Chairperson Lootie Toomasie and Panel Members, Earle Baddaloo and Uriash Puqiqnak.

As with any application considered by the NWB, the burden of proof rests with the Applicant, Baffinland, to demonstrate that their request for renewal to type A Water Licence should be granted, and that the proposed terms and conditions should be granted. In addition, the NWB Rules of Practice state: "[a]ny party offering evidence before the NWB shall have the burden of introducing sufficient and appropriate evidence to support its position."⁴⁵

SECTION V: REQUIREMENTS OF THE NWNSRTA, THE NUNAVUT AGREEMENT AND NUPPAA

Objects of the NWB and its Relationship to other Bodies

⁴¹ SOR/2013-69.

⁴² See s. 35 of the *NWNSRTA*.

⁴³ This approach is consistent with the direction provided in Article 2, Section 2.9.1 of the *Nunavut Agreement*.

⁴⁴ S.C. 2002, c. 10.

⁴⁵ Section 23.1 of the Nunavut Water Board "Rules of Practice and Procedure for Public Hearing" (May 11, 2005).



As established under the *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and Part 3 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*), prior to the NWB's consideration of the Renewal Application, the Applicant must meet the pre-licensing requirements of the Nunavut Planning Commission (land use planning) and the Nunavut Impact Review Board (impact assessment). As outlined under the [Pre-Licensing Regulatory History of the Application](#) section of this Decision, the Renewal Application was considered by the Nunavut Planning Commission, and no referral to the Nunavut Impact Review Board for further impact assessment was considered to be necessary.

Land Use Planning

On May 24, 2024, the Nunavut Planning Commission (NPC) issued its conformity determination⁴⁶ for the Renewal Application which stated the following:

- The activities associated with this proposal were previously reviewed by the NPC, and conformity determinations were issued on April 30, 2008, August 12, 2011, February 8, 2016, January 26, 2017, May 18, 2018, December 16, 2019, June 7, 2022, and February 2, 2023, which still apply;
- The Nunavut Impact Review Board (NIRB) previously screened and reviewed the activities included in the current Licence (NIRB FILE No. 08MN053, 17UN012, Project Certificate No. 005); and
- The Renewal Application is exempt from screening by the NIRB, because the project proposal does not change the general scope of the original or previously amended project activities, and the exceptions noted in Section 12.4.3 (a) and (b) of the *Nunavut Agreement* do not apply.

On this basis, the NPC indicated that the Renewal Application could proceed to the permitting stage without a referral to the NIRB for further assessment.

Impact Assessment

As noted above, in the NPC's determination, the NPC concluded that the activities associated with the Renewal Application were previously assessed by the NIRB (NIRB File No: 08MN053, 17UN012) and therefore the activities were exempt from requiring further assessment by the NIRB. The NPC's determination also confirmed that the Renewal Application did not constitute any changes to the general scope of the original or previously amended project activities as previously assessed by the NIRB, and the exceptions noted in Section 12.4.3 (a) and (b) of the *Nunavut Agreement* do not apply.

⁴⁶ Correspondence dated May 24, 2024 from G. Djalogue, Nunavut Planning Commission to R. Dwyer, NWB (and others) Re: NPC File # 150396.



On this basis, the NWB concluded that the applicable pre-licensing conformity and impact assessment requirements for the Renewal Application under Articles 11 and 12 of the *Nunavut Agreement*, Part 3 of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*) and ss. 38 and 39 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002, c. 10 (*NWNSRTA*) had been met and the Renewal Application was processed by the NWB.

Inuit Water Rights

Separate from the Inuit Impact and Benefits Agreement (IIBA), the Qikiqtani Inuit Association (QIA) and Baffinland addressed the impacts of the water use and waste deposits associated with the undertaking on Inuit water rights pursuant to Article 20 of the *Nunavut Agreement* and s. 63 of the *NWNSRTA* by way of a specific water compensation agreement. At the Public Hearing, Baffinland confirmed that the existing water compensation agreement with the QIA would continue to govern under a renewed water licence:

...so we do have a water compensation agreement we negotiated in 2013 that remains in effect. We've not re-filed it with this application, but it would be the same document that we'd placed on the record in 2013.⁴⁷

In questioning by the Board during the Public Hearing, the QIA also confirmed that the existing water compensation agreement would continue to be relied on by the parties to address the impacts of the Project on Inuit water rights:

[NWB]: Can QIA confirm that you have a...valid water compensation agreement with Baffinland...
[QIA] Yes, we can confirm that.⁴⁸

On this basis the Board has determined that the compensation requirements of s. 63(1)(a) of the *NWNSRTA* have been met with respect to the Renewal Application.

SECTION VI: DECISION TO ISSUE

Based on the information and materials provided during the Board's consideration of the Renewal Application, and for the reasons outlined in these Reasons for Decision, the NWB's duly appointed Mary River Panel, Panel P4, has, by **Motion # 2025-01-P4-06**, decided to grant the Renewal Application and issue renewed type A Water Licence No: 2AM-MRY2540 to Baffinland.

⁴⁷ L. Kamermans, Baffinland, NWB Public Hearing, File No: 2AM-MRY1325, Transcript, Public Hearing, Volume 1 – March 11, 2025, at lines 22-26, p. 82.

⁴⁸ K. Kharatyan, NWB, NWB Public Hearing, File No: 2AM-MRY1325, Transcript, Public Hearing, Volume 1 – March 11, 2025, at lines 13-15, p. 153, and A. Kubeisinova, QIA, NWB Public Hearing, File No: 2AM-MRY1325, Transcript, Public Hearing, Volume 1 – March 11, 2025, at line 20, p. 153.



The Mary River Panel (P4) by **Motion #2025-01-P4-06** also authorized the release of these Reasons for Decision and Renewed Water Licence No: 2AM-MRY2540 (Renewed Water Licence or Licence). It is the Board's view that the terms and conditions included in the Renewed Water Licence are necessary to protect the environment, conserve freshwater resources, and provide appropriate safeguards in respect of the water uses and waste deposits associated with the Mary River Project.

The Renewed Water Licence continues to authorize the use of water and deposit of waste associated with the construction, operation, reclamation, closure and post-closure monitoring (closure and post-closure monitoring not generally covered under this Licence) of a Mining Undertaking, as defined under Schedule 1 of the *Nunavut Waters Regulations*.⁴⁹

Conditions for Issuance of a Licence

As set out under sections 57, 58, 60, 63 of the *Nunavut Waters and Nunavut Surface Rights Tribunal Act*, S.C. 2002, c. 10 (*NWNSRTA*) and as specifically discussed below, there are a number of conditions that must be met before the Board can consider issuing or renewing a water licence.

Section 57 of the *NWNSRTA* provides several key legislative requirements that must be satisfied before the NWB may issue a licence, as follows:

The Board may not issue a licence unless the applicant satisfies the Board that

- (a) any waste produced by the appurtenant undertaking will be treated and disposed of in a manner that is appropriate for the maintenance of the water quality standards and effluent standards that are prescribed by the regulations or, in the absence of such regulations, that the Board considers acceptable; and*
- (b) the financial responsibility of the applicant, taking into account the applicant's past performance, is adequate for*
 - (i) the completion of the appurtenant undertaking,*
 - (ii) such measures as may be required in mitigation of any adverse impact, and*

⁴⁹ SOR/2013-69.



(iii) the satisfactory maintenance and restoration of the site in the event of any future closing or abandonment of that undertaking.

Financial Responsibility of the Applicant

The NWB's assessment of the Applicant's financial responsibility under s. 57(b) is a contextual analysis that considers not only the specific activities in relation to the current Renewal Application, but also the Applicant's overall financial capacity to carry out the Undertaking that is the subject of the Renewed Water Licence. In this regard, recognizing that this is an existing Mining undertaking that has been in operation in some form since 2013, the Board has paid particular attention to the Applicant's past performance and compliance history.

In addition to information received by the NWB in the annual reports provided under the Existing Water Licence, the Board reviewed the specific materials summarizing compliance filed by Baffinland with the Renewal Application:

- The compliance assessment prepared by Baffinland and submitted as Attachment 1 to the Renewal Application;
- The recent (2023 and 2024) inspection reports from Crown Indigenous Relations and Northern Affairs Canada, Field Operations and Baffinland's responses attached as Appendix K1 to the Renewal Application; and
- The 2023 QIA inspections and Baffinland's responses and attached as Appendix K2 to the Renewal Application.

With respect to considering Baffinland's past performance to assess their financial capacity to carry out the undertaking governed by the Renewed Water Licence, the Board notes that:

- Baffinland has constructed and operated the Mary River Project (as modified to reflect the Early Revenue Phase project proposal) commencing in 2013;
- From 2013 to date, Baffinland has demonstrated the financial capacity to carry out the Mining undertaking in accordance with the terms and conditions of the existing Water Licence No: 2AM-MRY1325; and
- There was no evidence put before by the Board by any Intervenors, community representatives or members of the public during the Board's consideration of the Renewal Application that would suggest limits on the financial ability of Baffinland to successfully fulfill the obligations arising from the terms and conditions in the Renewed Water Licence.

On the basis of the financial information provided with the Renewal Application, and with the Board's acknowledgement of Baffinland's prior operating history of the Mary River Project, the Board has concluded that Baffinland has established that they have the financial



capacity to fulfill their responsibilities under the Renewed Water Licence as required by s. 57(b) of the *NWNSRTA*.

Compensation of Existing or Other Users

The *NWNSRTA* requires that the NWB be satisfied that compensation of existing or other water users affected by the Renewal Application has been or will be paid.⁵⁰ To ensure that all parties with the potential to bring a water compensation claim have been notified of their rights under s. 55 of the *NWNSRTA*, the Notice of the Renewal Application issued by the Board on June 27, 2024, and the Notice of Public Hearing, published on December 27, 2024, invited anyone having a water user compensation claim to inform the Board of their interests in accordance with the timeline specified in the Notices. The NWB confirms that other than the representations of the QIA and confirmation by Baffinland regarding Inuit water rights compensation (referenced in the previous section of these Reasons for Decision), no water compensation claims were made to the NWB.

Issuance of a Licence

As stated above and pursuant to s. 42(1) of the *NWNSRTA*, by way of **Motion # 2025-01-P4-06**, the NWB's duly appointed decision-making Panel for the file, Panel P4, has decided to issue renewed type A Water Licence No: 2AM-MRY2540. In issuing the Renewed Water Licence, the NWB is satisfied that the Renewal Application contained the required information and was received in the proper form having regard to the requirements of the *NWNSRTA*⁵¹ and associated Regulations.⁵²

Assumptions

When faced with choices regarding monitoring requirements such as standards or parameters to be imposed under the Licence, the Board has opted to impose stringent monitoring requirements in an effort to ensure that the Applicant meets their on-going environmental protection obligations.

Renewal Application in Relation to the Licence

Overall, the NWB is satisfied that the requirements of s. 48 of the *NWNSRTA* have been met. Baffinland filed a Renewal Application that complied with the NWB's Guide No.4 (*Guideline for Completing and Submitting an Application for a New Water Licence*) and associated *Supplemental Information Guideline (MM3) for Mine Development*, accompanied by the fees required by the *Nunavut Waters Regulations*, including the application fee. In addition, Baffinland has provided the necessary materials to support the Renewal Application and responses to supplementary information requests provided by the Board and

⁵⁰ See ss. 58-60 of the *NWNSRTA*.

⁵¹ See s. 48 of the *NWNSRTA*.

⁵² *Nunavut Waters Regulations*, SOR/2013-69.



other parties as necessary for the Board to evaluate whether the Renewed Water Licence should be granted.

Application to Amend or Application for Future Modifications

In relation to future applications to undertake significant modifications to the activities included within the scope of the type A Water Licence, the NWB reminds Baffinland that it must comply with all requirements of the *Nunavut Agreement*,⁵³ the *NuPPAA*,⁵⁴ and the *NWNSRTA*.⁵⁵ In particular, the Board notes that the scope of the authorized use of water and deposit of waste is as provided by Baffinland in the Renewal Application and as set out in Part A of the Renewed Water Licence, and any requested changes to that scope may trigger amendments to the Licence. In addition, any significant modifications to the undertaking are required to be submitted to the Nunavut Planning Commission and may subsequently be referred to the Nunavut Impact Review Board for further impact assessment prior to the NWB's consideration of any associated amendments to the Water Licence.

Assignment of the Licence

If Baffinland wishes to assign the Licence, the Board highlights that the licence is only assignable if the requirements of s. 44 of the *NWNSRTA* have been met. This section states:

A sale or other disposition by a licensee of any right, title or interest in an appurtenant undertaking constitutes, subject to the authorization of the Board, an assignment of the licence to the person to whom the sale or other disposition is made.

Cancellation or Expiry of the Licence

As indicated above, the NWB reminds the Applicant that the provisions of s. 46 of the *NWNSRTA* state: “[t]he expiry or cancellation of a licence does not relieve the holder from any obligations imposed by the licence.”

The Applicant is also reminded that pursuant to the NWB's authority under s. 43(1)(c)(iii) of the *NWNSRTA*, the NWB may, on application by a licensee, or on its own motion, cancel a licence at any time if the NWB considers the cancellation to be in the public interest.

Term of Licence

Section 45 of the *NWNSRTA* provides that the term of a type A Licence or any renewal shall not exceed the longer of twenty-five years or the “anticipated duration” of an undertaking (other than an undertaking, for which the maximum term is prescribed by Regulation as 25 years).

⁵³ See Article 12, Clause 12.4.3 (b) of the NLCA.

⁵⁴ *Nunavut Planning and Project Assessment Act* S.C. 2013, c. 14 (*NuPPAA*).

⁵⁵ See s. 43 of the *NWNSRTA*.



The Applicant requested the licence be renewed for a term of 15 years in the Renewal Application, and during the review process, Interveners did not express concerns on the proposed term of licence for renewal. However, during the Public Hearing and Community Session, some members of the Public expressed concerns noting that 15 years is a long time and that the Board should consider a shorter term for the Renewal Application. Community Members indicated that a shorter term of 10 years may be more appropriate to help ensure that if there are problems with compliance or unpredicted impacts on freshwater that these issues will come to light earlier and will not continue until the next renewal application.

The Board understands that the basis for requesting the Board renew the Existing Licence for a shorter term of 10 years is the desire of communities to ensure that Baffinland remains accountable for the protection of freshwater and that situations of non-compliance are addressed promptly before harm to the environment results. The Board notes that the Board and the Interveners involved in the NWB's consideration of the Renewal Application share these objectives. These objectives are, however, addressed with the extensive monitoring and annual reporting requirements in the existing Water Licence and Renewed Water Licence, which ensure that the Board, the land owners, Interveners, including other regulators, CIRNA's field Inspectors responsible for enforcing the terms and conditions of the Renewed Licence and interested members of the public are provided with the information necessary to evaluate compliance and identify issues on a regular basis, not just at the beginning and end of the term of the Renewed Water Licence. As summarized by Baffinland during their closing statement during the Public Hearing:

It's also important to acknowledge that our operations under the licence are subject to regular inspections by Crown-Indigenous Relations and Northern Affairs Canada, and Baffinland has a demonstrated record of compliance.

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

In each case, these reviews are public and carefully facilitated by the Nunavut Water Board. This is an important factor in our request to the Board to issue a 15-year licence term. The water licence renewal process is not the only opportunity that's provided to make adjustments where needed. Care and attention to these matters is required throughout the licence term, and we have every confidence that all parties will continue to fully participate in and give feedback through standard and expected Nunavut Water Board facilitated reviews.⁵⁶

⁵⁶ M. Lord-Hoyle, Baffinland, NWB Public Hearing, File No: 2AM-MRY1325, Transcript, Public Hearing, Volume 3 – March 12, 2025, at lines 23-26 and 1-26, pp. 387-388.



Regardless of the length of the term of the Renewed Water Licence Baffinland remains accountable throughout the term of their type A Water Licence for compliance with the terms and conditions, including providing information from Baffinland's freshwater monitoring, management and mitigation programs established under the Water Licence to preserve and protect freshwater. The Board is confident that with the implementation of all of these related terms and conditions in the Renewed Water Licence, the objectives of the community in ensuring on-going compliance and environmental protection throughout the full term of the Renewed Water Licence can be met. Accordingly, the Board has decided to grant the 15-year term requested by Baffinland in the Renewal Application, which will mean that the Renewed Water Licence will expire in 2040.

SECTION VII: WATER LICENCE 2AM-MRY2540 TERMS AND CONDITIONS

The Licence does not take effect until the Minister approves or is deemed⁵⁷ to have approved the NWB's recommendation to issue the Renewed Water Licence. As indicated in [SECTION VI](#), the Panel has decided to issue renewed type A Water Licence No: 2AM-MRY2540, subject to the conditions contained herein.

To provide context and clarity, the NWB has provided a discussion and comments about specific changes and updates to the terms and conditions that follow. The NWB has not, however, provided specific comments for those changes and updates to licence terms and conditions that are clear in their wording and intent on the face of the Renewed Water Licence.

Part A: Scope, Definitions and Enforcement

Scope

The Undertaking, for which the Renewed Water Licence is issued, is classified as a Mining Undertaking in accordance with Schedule 1, Item 2 of the *Nunavut Waters Regulations*.⁵⁸

The scope of the Renewal Application⁵⁹ remains generally the same as that of the current Water Licence 2AM-MRY1325. No changes were being proposed in terms of scope,

⁵⁷ Section 56 of the *NWNSRTA* states:

The issuance, amendment, renewal and cancellation of a type A licence, and if a public hearing is held, a Type B licence are subject to the approval of the Minister.

Under s. 56(2.2) if the Minister does not issue a decision within 45 days of receiving the Licence from the Board, (or within 90 days if the Minister has extended the decision-making period by an additional 45 days) the Minister is deemed to have approved the Licence.

⁵⁸ SOR/2013-69.

⁵⁹ Baffinland Iron Mines Corporation, type A Water Licence 2AM-MRY1325, Renewal Application dated June 26, 2024.



location, water use volumes, or deposit of waste. This section of the Licence has been updated with only minor changes to reflect the Renewed Water Licence.

Definitions

Most of the existing definitions have been carried over from the existing Water Licence with only slight modifications to keep these definitions up to date.

Part B: General Conditions

Baffinland submitted a Draft Water Licence Framework⁶⁰ during the licensing process, proposing a number of revisions to the existing Water Licence for the Board to consider including in the Renewed Water Licence.

In support of the Renewal Application, the Applicant submitted a number of Plans/Programs that have been either approved or accepted by the Board⁶¹ with the issuance of the Renewed Water Licence or were previously approved under the Existing Licence. The following documents were approved (accepted) under Part B of the Renewed Water Licence:

- a. *Emergency Response Plan* (BIM-5000-PLA-0005, Rev 5), December 8, 2020;
- b. *Spill Contingency Plan* (BIM-5200-PLA-0012, Rev 12), February 28, 2021;
- c. *Surface Water and Aquatic Ecosystem Management Plan* (BIM-5200-PLA-0009, Rev 7), March 31, 2021;
- d. *Fresh Water Supply, Sewage and Wastewater Management Plan* (BIM-5200-PLA-0022, Rev 10) March 31, 2023;
- e. *Waste Management Plan* (BIM-5200-PLA-0013, Rev 9), March 31, 2023;
- f. *Hazardous Materials and Hazardous Waste Management Plan* (BIM-5200-PLA-0007, Rev 7) April 20, 2024;
- g. *Aquatic Effects Monitoring Plan* (BIM-5200-PLA-0023, Rev 2), March 31, 2024;
- h. *Environmental Protection Plan* (BIM-5200-PLA-0003, Rev 2), April 30, 2021;
- i. *Borrow Pit and Quarry Management Plan* (BIM-5200-PLA-0025, Rev 0), March 20, 2014;
- j. *Interim Closure and Reclamation Plan* (BIM-5200-PLA-0026, Rev 5) October 2018;
- k. *Sampling Program – Quality Assurance and Quality Control Plan* (BIM-5200-

⁶⁰ Email from E. Luther, RE: 2AM-MRY1325 Licence No. 2AM-MRY1325 Renewal - WL Framework, dated December 18, 2024.

⁶¹ NOTE: Under the NWB's approach to review and consideration of relevant Management Plans, the NWB "approves" plans that are directly required or applicable to the activities within the scope of the Water Licence and "accepts" plans that may be less directly relevant or that may contain components outside the scope of the activities governed by the Water Licence. For the purposes of the discussion of this section of the Renewed Water Licence, the Board has referenced the plans as "approved (accepted)" to denote the distinction between the NWB's process of reviewing the two different types of plans.



PLA-0004, Rev 7) March 31, 2024;

- l. *Phase 1 Waste Rock Management Plan* (BIM-5200-PLA-0029, Rev 4.1), April 2, 2024; and
- m. *Life-of Mine Waste Rock Management Plan* (BIM-5200-PLA-0030, Rev 0), April 30, 2014.

The NWB notes that the Board's approval or acceptance of a plan does not imply that the NWB has considered, or has otherwise approved elements of that plan that may be outside of the NWB's jurisdiction. In addition, reflecting the scale and scope of the future changes to an approved plan, the Board may subsequently process the changes as solely an amendment to the plan, as a Modification under Part G of the Licence, or, if the proposed changes are significant, as an amendment to the Water Licence.

Item 14 requires the Licensee to implement the plans as approved by the Board in writing and lists a number of plans that have been approved/accepted under this Licence or carried forward from the Existing Licence. QIA in their comment on Draft Water Licence Framework suggested including an option to add any management plans that may be relevant in the future, such as an adaptive management plan. Baffinland opposed this suggestion by QIA and noted that the function of the list is to establish the specific management plans that require Board's approval under the Water Licence and that there are many plans relevant to the Project that do not and should not require the Board's approval. ECCC recommended that the Tote Road Monitoring Program should be included as a stand-alone plan or incorporated as an annex to an existing plan [SWAEMP]. Baffinland stated that SWAEMP will be updated with relevant aspects of the Tote Road Monitoring Program and hence it is not necessary to include it as an annex or stand-alone plan. The Board agrees with Baffinland's position and requires the Licensee to update the SWAEMP with relevant aspects of the Tote Road Monitoring Program within 6 months of the approval of the Renewed Water Licence.

The Board added a new condition as Item 15 requiring the Licensee to submit to the Board for review updated management plans to reflect the proposed changes and to take into account commitments made during the technical review of the Application and Public Hearing process. The following plans are required to be updated within their respective timelines:

- Surface Water and Aquatic Ecosystem Management Plan (SWAEMP), to be submitted within six (6) months following the approval of the Licence;
- Aquatic Effects Monitoring Plan (AEMP), to be submitted within six (6) months following the approval of the Licence;
- Fresh Water Supply, Sewage, and Wastewater Management Plan, to be submitted with the 2025 Annual Report; and



- Interim Closure and Reclamation Plan (ICRP), to be submitted by November 1, 2026.

During the Board's consideration of the Application, the QIA requested that the Board consider amending the Existing Water Licence to clearly require the Licensee to ensure that the results of Inuit Qaujimajatuqangit and Inuit Qaujimaningit (collectively IQ) studies and Inuit-led and community-led monitoring are incorporated into the Water Licence in general, and specifically requesting the results of such studies and monitoring be considered and incorporated into relevant management plans required under the Water Licence. As outlined in [Section II](#), QIA's Final Submissions of this Decision, the QIA also provided a legal opinion submission to argue that the Board has jurisdiction to add this kind of term and condition to a Renewed Water Licence, and provided samples from existing NWB Licences and other jurisdictions illustrating the type of additional term and condition that would be appropriate.

During the Public Hearing, after focused discussions on this issue outside the hearing, Baffinland and the QIA, in their closing submissions indicated to the Board that they had come to agreement in relation to revisions to the existing term and condition in Part B, Item 17 and two additions to Schedule B (Items 26 and 44 – discussed in more detail in Schedule B) designed to address QIA's request.

In their closing statement, Baffinland indicated the following:

...Baffinland and QIA have now agreed ... on wording for Part B Item 17, and Schedule B, along with Commitment 27 that will require Baffinland to consider outcomes for the Inuit stewardship plan and assessments.

Baffinland understands that QIA technical comments relating to Inuit Qaujimanituqangit [*sic* *Qaujimajatuqangit*], Inuit water rights, Inuit engagement, and cumulative effects. Specifically, the QIA comment -- or, sorry, the Qikiqtani Inuit Association Comments numbered 24 and 27 through to Comment 37 are now considered resolved.⁶²

Baffinland subsequently confirmed the QIA's agreement with these revisions as follows:

[Baffinland] Can QIA also please confirm the following: That all recommendations offered by the Qikiqtani Inuit Association in relation to Technical Comment 24 and 27 to 37 during the presentation made by the Qikiqtani Inuit Association yesterday are now resolved by Commitment 27, the revised wording for Part B, Item 17, and Schedule B of the water licence, as well as Baffinland's agreement related to the Inuit stewardship program?

⁶² M. Lord-Hoyle, Baffinland, NWB Public Hearing, File No: 2AM-MRY1325, Transcript, Public Hearing, Volume 3 – March 12, 2025, at lines 25 and 4-15, pp. 354-355.



Further to this, the QIA is no longer recommending any other changes to the licence relating to Inuit Qaujimanituqangit [*sic* *Qaujimajatuqangit*] and the cumulative effects framework?⁶³

[QIA] ...Assol Kubeisinova, Qikiqtani Inuit Association. Yes, we confirm.⁶⁴

As set out in Exhibit 14⁶⁵ Baffinland and the QIA proposed the following revisions to Part B, Item 17 of the Existing Water Licence (additions shown in underlined text and deletions shown in strike through text) to address this issue:

B17. The Licensee shall annually review and where appropriate, modify the Plans and ~~or~~ Manuals referred to in this Licence as required by changes in operation, technology, ~~modify~~ and/or the findings of applicable studies, monitoring, and assessments. The Plans ~~or~~ and Manuals shall incorporate design changes, adaptive engineering required and implemented during construction, operation and closure, changes to monitoring strategies and changes to management strategies, on the basis of actual site conditions, monitoring and assessment results, including proponent led, community-led and QIA-led monitoring and studies, over the life of the Project. Revisions to the Plans or Manuals are to be submitted in the form of Addenda to be included with the Annual Report required by Part B, Item 4, complete with a revisions list detailing where significant content changes are made. For reference, the current list of Plans listed at Schedule K to this Licence shall be updated by the Board following approval of any Revisions to the plans approved under Part B, Item 15.

The Board agrees that it is in all parties best interests to not only collect, share, apply and report to the Board and public regarding how any relevant IQ (both Inuit Qaujimajatuqangit and Inuit Qaujimaningit) studies and results of any Inuit-led or community-based monitoring in relation to the licensed undertaking and within the scope of activities in the Water Licence have been considered and incorporated into Baffinland's carrying out of the undertaking throughout the project lifecycle. The Board also understands that, at this point in the development of the Mary River Project, Baffinland and the QIA anticipate that studies and monitoring initiatives under the Inuit Stewardship Program will likely be central sources of IQ and Inuit-led monitoring, but Baffinland indicated that they also have other existing programs to solicit and incorporate Inuit feedback into the project. The Board notes that many of these programs will be developed and implemented outside of the NWB's regulatory processes, and during the Board's consideration of the Renewal Application, the Board heard that initiatives were underway to study freshwater and fish health, but that these studies were

⁶³ M. Lord-Hoyle, Baffinland, NWB Public Hearing, File No: 2AM-MRY1325, Transcript, Public Hearing, Volume 3 – March 12, 2025, at lines 6-20, p. 357.

⁶⁴ A. Kubeisinova, Qikiqtani Inuit Association, NWB Public Hearing, File No: 2AM-MRY1325, Transcript, Public Hearing, Volume 3 – March 12, 2025, at lines 24-5, p. 357.

⁶⁵ Electronic Copy, Water Licence Renewal Framework Draft for Discussion (updated to March 12, 2025) filed by Baffinland Iron Mines Corporation.



not yet available for the Board's consideration when the Public Hearing Record closed on March 12, 2025. Consequently, the Board must rely on the Licensee who is aware of the various initiatives, studies and programs to:

- Identify when relevant IQ and monitoring information has been generated and shared with Baffinland; and
- Explain how that knowledge and information has been incorporated by Baffinland into the Project (specifically highlighting relevant changes to Plans and Manuals or other mitigation and monitoring activities within the scope of the Water Licence).

As discussed in more detail in relation to the additions to Schedule B, Baffinland's proposed revisions would add this type of reporting to the Licensee's annual reporting obligations. The Board agrees that these additions to the annual report will provide transparency and accountability to the Board, interested parties and the public to ensure that relevant IQ and monitoring information resulting from the various initiatives, studies and programs that are currently planned and that may arise during the term of the Renewed Water Licence are identified and the Licensee's approach to incorporating this knowledge and information is explained.

Consequently, the NWB has, in substance, adopted the proposed revisions to Item B17. However, the Board wishes to highlight that because the Board has not accepted the requested change to adding a separate listing of Plans in a suggested new Schedule K, the Board has modified the last sentence in Part B, Item 17. The revised Part B, Item 17 in the Renewed Water Licence reads as follows:

The Licensee shall annually review and where appropriate modify the Plans and Manuals referred to in this Licence as required by changes in operation, technology, and/or the findings of applicable studies, monitoring, and assessments. The Plans and Manuals shall incorporate design changes, adaptive engineering required and implemented during construction, operation and closure, changes to monitoring strategies and changes to management strategies, on the basis of actual site conditions, and monitoring and assessment and studies results, including proponent led, community-led and QIA-led monitoring and studies, over the life of the Project, relevant to the Water Use and Management/ Waste Disposal and Management. Revisions to the Plans or Manuals are to be submitted in the form of Addenda to be included with the Annual Report required by Part B, Item 4 [Part B, Item 2 of the Renewed Water Licence], complete with a revisions list detailing where significant content changes are made.

The remainder of the revisions to the General Conditions section have been included by the Board to ensure that the terms and conditions of the Renewed Water Licence in this Part are



consistent with the other type A Water Licences applicable to Mining Undertakings previously issued by the NWB.

Part C: Conditions Applying to Security

No revisions to Part C and Schedule C (Security provisions) of the existing Water Licence were requested by Baffinland or the Interveners.

However, Baffinland, the Qikiqtani Inuit Association (QIA) and Crown-Indigenous Relations and Northern Affairs (CIRNA) confirmed during the Public Hearing that they were working together to enter into a Security Management Agreement (SMA) that will, in future, govern how the overall reclamation security (the global security amount) for the Mining Undertaking will be allocated and accessed by the QIA, under their commercial land lease, and CIRNA, under the applicable water licence.

Although the parties indicated that the negotiations between the parties in relation to the SMA had not been concluded as of the Public Hearing, the parties confirmed that they anticipated negotiations would be completed and a signed SMA would be provided to the Minister following the NWB providing the Minister with these Reasons for Decision and Renewed Water Licence for his/her consideration.

Once a SMA has been finalized and signed by Baffinland, the QIA and CIRNA, the NWB is bound by s. 76.1 of the *NWNSRTA* to consider the agreement when fixing the amount of security that must be held under the Renewed Water Licence in accordance with the process established under Part C and Schedule C of the Renewed Licence, as follows:

Arrangements relating to security

76.1 (1) If a licence is in respect of an appurtenant undertaking that is situated, partially or wholly, on Inuit-owned land, the Minister may enter into a written arrangement with the designated Inuit organization and the applicant, licensee or prospective assignee of the license that provides for

(a) the amount of security to be furnished and maintained by the applicant, licensee or prospective assignee, as well as the form and nature and any conditions of the security, for the purpose mentioned in paragraph 76(2)(b) or for the purpose of reimbursing the designated Inuit organization for the costs specified in the arrangement; and

(b) the periodic review of the security, including by taking into account any material changes to the undertaking or the risk of environmental damage, and the adjustment of the amount of the security as a result of the review.



Copy of arrangement to be provided to Board

(2) The Minister shall, as soon as possible after entering into the written arrangement described in subsection (1), provide a copy of it to the Board.

Arrangement to be taken into account under subsection 76(1)

(3) The Board shall take into account the written arrangement when it determines the amount of the security required to be furnished and maintained by the applicant, licensee or prospective assignee under subsection 76(1).

While the Board would have preferred that an executed SMA was in place for the Board's consideration prior to the Board's closing of the Public Hearing Record, as this did not happen, the parties confirmed that there are no requested amendments to the Security provisions in Part C and Schedule C of the existing Water Licence in the Renewed Licence, and it is anticipated that the SMA will reflect the existing structure in the Renewed Licence.

Baffinland indicated the following:

At the technical meeting, Baffinland and other parties did express interest and intent to revisit Part C and Schedule C of the water licence relating to the annual security review process. We have since determined to leave that section as is but in the future may request targeted changes based on consensus between parties.⁶⁶

CIRNA confirmed their support for this approach when questioned by the NWB's legal counsel during the Public Hearing as follows:

[Q]...it's my understanding that it's contemplated that the Qikiqtani Inuit Association, the Applicant, and Crown-Indigenous Relations and Northern Affairs Canada are contemplating entering into a security management agreement after this hearing closes but before the Minister's decision is rendered, and the question that raises for the Board is simply confirmation that at this hearing and for this application, no changes are contemplated or requested by the parties to the existing security provisions under Part C and Schedule C of the licence.

[A] CIRNAC believes that all parties working together in good faith to finish the SMA, we do not expect any changes to Schedule C...⁶⁷

The QIA confirmed their support for this approach as well:

On the issue of security, QIA confirms that we are committed to negotiating a security management agreement with the Government

⁶⁶ L. Kamermans, Baffinland, NWB Public Hearing, File No: 2AM-MRY1325, Transcript, Public Hearing, Volume 1 – March 11, 2025, at lines 15-22, p. 43.

⁶⁷ T. Meadows, NWB, NWB Public Hearing, File No: 2AM-MRY1325, Transcript, Public Hearing, Volume 3 – March 12, 2025, at lines 25-26 and 1-11, pp. 323-324, and A. Keim, CIRNA NWB Public Hearing, File No: 2AM-MRY1325, Transcript, Public Hearing, Volume 3 – March 12, 2025, at lines 17-19, p. 324.



of Canada and Baffinland. We share Baffinland and Canada's desire for that work to be completed in time for the Minister's decision on the licence.⁶⁸

Part D: Conditions Applying to Construction and Operations

The scope of the Renewal Application includes the construction of engineered facilities and infrastructure for the Mary River Project site. The Board has a condition requiring the Licensee to submit to the Board for review for-construction drawings for all engineered facilities and infrastructure designed to contain, withhold, divert or retain waters and waste, sixty (60) days prior to the construction under the Renewed Water Licence.

Item 5 of the Existing Licence lists the Plans that were approved by the Board with the issuance of this Renewed Water Licence, or were carried forward from the Existing Licence. Baffinland proposed relocating the list of approved plans from Item 5 to a new Schedule K. The Board decided not to add a new schedule to remain consistent with its standard practice. The list, however, is now removed from Part D as it was redundant with Part B Item 14.

Item 7 in Part D requires the Licensee to inspect daily, the areas of the Mary River Project site affected activities during the Construction, Operations and other phases of the project, including the Early Revenue Phase, for signs of erosion. Baffinland proposed to update the requirement of daily inspections to weekly inspections during operations and other phases of the project including closure. The QIA noted that in their view any areas where work is ongoing should be subject to inspections, and that weekly inspections for erosion and sedimentation may be too infrequent, resulting in prolonged effects pathway that is mitigatable. Baffinland proposed to revert back to original language to address QIA's comment. The Board also agrees with the QIA's position on this and retains the frequency of inspections to daily.

The Board has updated the condition in Part D, Item 18 (Item 16 of the Renewed Water Licence) that requires the Licensee to conduct inspections of earthworks and geological and hydrological regimes, by changing the frequency of inspection from biannually to annually. This is consistent with the correspondence⁶⁹ issued by the Board on September 20, 2024, in response to a request submitted by Baffinland regarding change of frequency of geotechnical inspections.

The remainder of the revisions to the Part D, the Conditions Applying to Construction and Operation section ensure that the terms and conditions of the Renewed Water Licence under

⁶⁸ A. Kubeisinova, QIA, NWB Public Hearing, File No: 2AM-MRY1325, Transcript, Public Hearing, Volume 3 – March 12, 2025, at lines 18-24, p. 372.

⁶⁹ Correspondence issued on September 20, 2024 by NWB to Baffinland; Subject: Request for Change of Frequency of Geotechnical Inspections by Baffinland Iron Mines Corporation for the Mary River Project.



this Part are consistent with the other type A water licences applicable to Mining Undertakings previously issued by the NWB.

Part E: Conditions Applying to Water Use and Management

Section 11 of the NWNSRTA states “... *no person shall use, or permit the use of, water in Nunavut except in accordance with the conditions of a licence.*”

In the Draft Water Licence Framework, Baffinland suggested changes to Item 5, that allows the Licensee to recycle and use reclaimed water from approved facilities if such waters meet appropriate discharge criteria, by adding the exception of TSS if the water is being used for dust suppression. ECCC provided the following recommendation in response to the proposed change by Baffinland:

ECCC recommends that water that does not meet all discharge criteria, including TSS, should only be used for dust suppression in areas where runoff does not have the potential to enter the aquatic receiving environment.

This was further discussed between both parties during the Public Hearing and the language was updated accordingly. The Board has updated this condition to reflect changes proposed by both Baffinland and ECCC.

Item 10 requires the Licensee to update or revise annually following the commencement of the Operations Phase and/or the Early Revenue Phase, the Project Block-flow Diagram Water Supply Balance information for the various Project sites provided with the Application, and submit the revisions, for review by the Board, with the Annual Report under Part B, Item 2. Baffinland suggested changes to this condition requiring the Project Block-flow Diagram Water Supply Balance information to be updated or revised if required in the opinion of a Professional Engineer due to construction or operational changes that occurred within any given year, instead of annual updates or revisions. ECCC noted that the proposed changes do not clarify this condition and recommended keeping the original condition. The Board agrees with ECCC’s position and hence retained the original condition without any changes as suggested by Baffinland.

Item 17 requires the Licensee to designate an area for the deposition of excavated and stockpiled materials that is at least thirty-one (31) metres above the ordinary High Water Mark of any water body. Baffinland suggested to update this condition by adding *unless otherwise approved by the Board in writing*. ECCC recommended that activities such as the deposition of debris or sediment does not occur within the thirty-one (31) metres minimum setback distances from water bodies, which is a standard practice for projects in Nunavut. Baffinland responded by adding that there may be site specific circumstances that may favour approval of reduced setbacks, and including this language would allow justifiable adjustment



of setbacks on Board approval. The Board is of the opinion that the addition of the language to this condition as suggested by Baffinland is not necessary and hence keeping it unchanged.

Item 23 has been updated to add requirement for the Licensee to provide details regarding water bodies that will be withdrawn from, the projected volume of water, and aquatic habitat information collected at the proposed water intake sites, at least sixty (60) days prior to construction. This shall be submitted to the Board as part of the design construction report.

The Board has included a condition as Item 27, based on concerns raised by different parties and commitments agreed between respective parties and Baffinland, requiring the Licensee to make updates to the SWAEMP as follows:

- Update the SWAEMP with a synthesis of the groundwater activity on site, combined with the groundwater quality analysis and interpretation. It is anticipated the update will include; frequency of upgradient and downgradient monitoring at selected shallow groundwater monitoring locations and identify potential areas and triggers associated with implementation of monitoring at the Project for water quality analytes and the associated monitoring frequencies. This requirement is based on the commitment by Baffinland in response to technical comment CIRNAC-R-22.
- Update the water sampling and monitoring location figures within the next version of the SWAEMP. This update will include updated water monitoring locations and flow directions. This requirement is based on the commitment by Baffinland in response to technical comment QIA-TR-20.
- Include the list of total and dissolved fractions in the next update to the SWAEMP, within 6 months following the approval of the Renewed Water Licence. This requirement is based on the commitment by Baffinland in response to technical comment by ECCC (ECCC-TC-04).
- Include a summary table with all proposed watercourse crossings (road and rail culverts and bridges) in the next update to the SWAEMP for crossing locations along the Tote Road. The review of the SWAEMP will occur following the NWB normal course of annual reporting, which occurs in parallel with the renewal process, within 6 months following the approval of the Renewed Water Licence. This requirement is based on the commitment by Baffinland in response to technical comment by DFO (DFO-TRC-01).

The remainder of the revisions to the Part E, the Water Use and Management section ensure that the terms and conditions of the Renewed Water Licence under this Part are consistent with the other type A Water Licences applicable to Mining Undertakings previously issued by the NWB.



Part F: Conditions Applying to Waste Disposal and Management

In the Draft Water Licence Framework, Baffinland identified the need to make corrections to the list of monitoring stations for the discharge directly into fresh water bodies from the Sewage Treatment Facilities including the Polishing Waste Stabilization Ponds. Item 17 has been updated accordingly to reflect correct monitoring stations which are MS-01, MS-01A, MS-01B, MS-MRY-04, and MS-MRY-04A.

ECCC recommended (ECCC-TC-06) during the technical review stage that more recent Federal Environmental Quality Guidelines (FEQGs) should be considered in developing discharge criteria for benzene, toluene, ethylbenzene and xylene (BTEX) for the Project. Baffinland in their response agreed to the recommendation and made the following updates in the Draft Water Licence Framework to reflect revised maximum concentration values for Grab Sample (mg/L):

- Item 17 Table 5: *Effluent Quality Discharge Limits for Sewage Treatment Facilities to Freshwater Receiving Environment*
- Item 19 Table 6: *Effluent Quality Discharge Limits for Oily Water Treatment Facilities*
- Item 20 Table 7: *Effluent Quality Discharge Limits for the Landfill Facilities*
- Item 21 Table 8: *Effluent Quality Discharge Limits for the Bulk Fuel Storage Facilities*
- Item 22 Table 9: *Effluent Quality Discharge Limits for the Landfarm Facilities*
- Item 23 Table 10: *Effluent Quality Discharge Limits for Open Pit, Stockpiles, and Sedimentation Ponds*

Baffinland proposed to remove or revise Item 18 of the Existing Licence to reflect that the NWB does not regulate ocean discharge. QIA recommends this condition remains within the Licence. Baffinland further noted that the NWB does not regulate discharge to the marine environment section and if retained, non-mandatory language shall be used so that it aligns with the NWB's mandate. The Board decided to remove this condition as it is outside the Board's mandate and the Board also understands that there are other bodies that regulate the discharge of waste to the oceans. This is also consistent with the Board's more recent practice with other type A water licences.

The Board has updated Item 24 (Item 23 in the Renewed Water Licence) as suggested by Baffinland to update the infrastructure and monitoring stations reflecting current site conditions. The updated monitoring stations include: MS-06, MS-07, MS-08, MS-09, MS-10, MS-11 and SP-07.



Item 25 has been removed and integrated into Item 24 (Item 23 in the Renewed Water Licence) Table 10: *Effluent Quality Discharge Limits for Open Pit, Stockpiles, and Sedimentation Ponds* as suggested by Baffinland to avoid duplication. The Board also removed Item 26 and Table 11 as requested by Baffinland stating that there are no facilities that would apply to Table 11 and not to Table 10 hence redundant. QIA inquired whether discharges from the KM105 pond and water management structures would be subject to referenced criteria. Baffinland confirmed that discharge at MS-11, which is currently the KM105 pond, is captured in Table 10 *Effluent Quality Discharge Limits for Open Pit, Stockpiles, and Sedimentation Ponds*, and the water management structures are now explicitly listed in Item 23.

The Board has included another condition as Item 27 requiring Baffinland to undertake a pit water quality model update in 2025 (Q4). This model shall include the following:

- Operational pit water quality predictions for the next 5 years (2025-2029)
- Water quality predictions for an early closure scenario at the end of 2029, considering three different climate change scenarios for a 100-year period.

This condition resulted from commitment by Baffinland in response to technical comment by CIRNA (CIRNAC-16).

The remainder of the revisions to the Part F: Waste Disposal and Management ensure that the terms and conditions in this Part of the Renewed Water Licence are consistent with other type A water licences applicable to Mining Undertakings previously issued by the NWB.

Part G: Conditions Applying to Modification

There were no substantive revisions to Part G, with all terms and conditions of the previous Water Licence being carried over with minor edits and updates.

Part H: Conditions Applying to Emergency Response and Spill Contingency Planning

The development and implementation of measures to respond to spills and other emergencies are fundamental to ensuring that any potential unpredicted adverse effects on the environment from Project activities are prevented and/or minimized. Accordingly, the Applicant submitted the *Spill Contingency Plan*, dated June 2024, and the *Emergency Response Plan*, dated June 2024, as part of the Renewal Application. These Plans identify potential emergencies that could arise while carrying out the undertaking and provide a procedural framework for responding to those emergencies.

There were no substantive revisions to Part H, with all terms and conditions of the Existing Water Licence being carried over with minor edits and updates.



Part I: Conditions Applying to General and Aquatic Effects Monitoring

As previously noted, s. 73 of the *NWNSRTA*⁷⁰ requires the NWB to set conditions at least as stringent as conditions prescribed by regulations pursuant to ss. 36(5) of the *Fisheries Act*, R.S.C. 1985, c. F-14. Furthermore, for the purpose of ensuring compliance with the Water Licence or regulations, an Inspector designated by the Minister may inspect or examine works, waters or waste and exercise other powers according to the *NWNSRTA*⁷¹. For the purpose of monitoring, the NWB may include conditions in the licence regarding monitoring programs to be undertaken.⁷²

The following monitoring plans were included as part of the Renewal Application:

- Aquatic Effects Monitoring Plan (AEMP), June 2024;
- Environmental Protection Plan, June 2024; and
- Sampling Program - Quality Assurance / Quality Control Plan, June 2024.

In this Part of the Renewed Water Licence, the NWB directs the Applicant to undertake the updated Monitoring Program described in Schedule I of the Renewed Water Licence and to measure and record monthly quantities of water used from various sources and of waste produced. In addition, the Board included conditions requiring the Applicant to update the AEMP to align with CCME standards, inclusion of event-based water quality monitoring, and addition of quantifiable triggers.

The QIA in their comments on Draft Water Licence Framework recommended the use of 'Engineer' instead of 'Professional Engineer' or 'Geotechnical Engineer'. While the Board has accepted this recommendation by QIA and made changes to Part I, Items 9 and 10, the Board also acknowledges that some infrastructure may require geotechnical inspections by law.

The Board has included a condition as Item 14, based on concerns raised by different parties and commitments agreed between respective parties and Baffinland, requiring the Licensee to make updates to the AEMP within 6 months of the approval of the Renewed Water Licence as follows:

- Incorporate updated industry standard guidelines and utilizing them to protect potential receiving environments down gradient of the Project. Licensee to add the new total Aluminum FEQG to the AEMP pending ongoing analysis of baseline data. The AEMP benchmark to be updated to align with CCME standards in the 2025

⁷⁰ Section 73 of the *NWNSRTA* states: *Where the Board issues a licence in respect of any waters to which regulations made under subsection 36(5) of the Fisheries Act apply, any conditions in the licence relating to the deposit of waste in those waters shall be at least as stringent as the conditions prescribed by those regulations.*

⁷¹ See ss. 85-94 of the *NWNSRTA*.

⁷² See s. 70(1)(c) of the *NWNSTRA*.



AEMP Rev 2 submission for selenium. This requirement resulted from commitment by Baffinland in response to technical comment by ECCC (ECCC-TC-11).

- Include event-based water quality monitoring informed by the QIA-TR-1 memorandum conclusions, or other relevant data. The AEMP will define how an event is triggered and assessed. This requirement resulted from commitment by Baffinland in response to technical comment by QIA (QIA-TR-2).
- Update the AEMP to provide quantifiable triggers (e.g., exceedances of water quality guidelines or AEMP benchmark values) within the framework. These triggers will lead to specific adaptive management actions to be undertaken in response to exceedances. The management actions for these cases shall be initially investigative following a process defined in the AEMP, and if the investigation determines it, appropriate mitigative actions for the source or the cause of these exceedances will be implemented. This requirement resulted from commitment by Baffinland in response to technical comments by QIA (QIA-TR-11/17).

The Board also included a new condition as Item 15, requiring the Licensee to submit to the Board for review a one-time memorandum within six (6) months following approval of the Licence. This memorandum shall include the following aquatic monitoring information:

- Temporal plots of water quality results from lake and stream CREMP monitoring areas that include results from the baseline (2006 to 2013), construction (2014), and operations (2015 to 2024) periods for specific parameters associated with the mine site ore bodies or with blasting (i.e., aluminum, arsenic, cadmium, chromium, copper, iron, lead, nickel, zinc, nitrate, nitrite, total Kjeldahl nitrogen, and ammonia). Area specific predictions from the Final Environmental Impact Statement (FEIS; Baffinland 2012) should be included on the plots for comparison;
- Tabular summaries of seasonal averages;
- A statement comparing the concentrations to area specific predictions from the FEIS; and
- Weather data correlated with sampling to the extent possible to assess the impact of wet versus dry events on observed monitoring values.

This condition resulted from commitment by Baffinland in response to technical comment by QIA (QIA-TR-1). The Board expects that as committed by Baffinland (commitment 31), the memorandum will be provided to QIA 30 days before submission to the Board to allow QIA to evaluate the conclusions and provide recommendations of updates into suggested management plans. Based on the review of the memorandum, the outcomes of the memorandum will be integrated into relevant management plans.



Baffinland suggested in the Draft Water Licence Framework that the term ‘surface runoff’ should be replaced with Contact Water as the later has been defined under the Licence. The Board has replaced the term surface water with Contact Water in Item 23.

Other revisions to the Part I with respect to Monitoring ensure that the terms and conditions of the Renewed Water Licence under this Part are updated for the Renewed Licence and are consistent with the other type A water licences applicable to Mining Undertakings previously issued by the NWB.

Part J: Conditions Applying to Abandonment, Reclamation and Closure

The Board requires all type A water licence holders to prepare an Interim Closure and Reclamation Plan, and, eventually, a Final Closure and Reclamation Plan in accordance with the *Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the NWT (2013)* (Guidelines)⁷³ and consistent with the *Mine Site Reclamation Policy for Nunavut, 2002* (Policy).⁷⁴

As clearly outlined by the Board in the Shear Diamonds Licence Renewal Decision:

The Board’s approach to reclamation reflects the four main objectives outlined in the Policy:

The Mine Site Reclamation Policy⁷⁵ for Nunavut serves four main objectives:

- 1. Ensure the impact of mining on the environment and human health and safety is minimized;*
- 2. Reduce the environmental liability that falls to government to the greatest extent possible;*
- 3. Provide industry and the public with a clear signal of the government’s expectations; and*
- 4. Build positive and supportive relationships with the new regulatory authorities coming into operation in the North.⁷⁶*

With respect to the specific components of the plans, in the Licence the Board has maintained the approach put forward in the *Guidelines* that recognizes that there are three stages in the development of a Closure and Reclamation Plan (CRP). The first stage involves the preparation of a Preliminary Closure and Reclamation Plan that is typically prepared as part

⁷³ Mackenzie Valley Land and Water Board, (Yellowknife: Mackenzie Valley Land and Water Board, 2013) *Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the NWT (2013)*.

⁷⁴ Minister of Indian Affairs and Northern Development, (Ottawa: Minister of Public Works and Government Services Canada, 2002) *Mine Site Reclamation Policy for Nunavut*.

⁷⁵ Minister of Indian Affairs and Northern Development, (Ottawa: Minister of Public Works and Government Services Canada, 2002), *Mine Site Reclamation Policy for Nunavut*, p. 2.

⁷⁶ Nunavut Water Board, *Reasons for Decision: 2AM-JER1119 Type A – Licence Renewal* at pp. 66-68.



of the environmental assessment of the project that demonstrates “*how the mine site is proposed to be reclaimed and describes the likely residual risks to human health and the environment*”. The second stage involves the development of one or more Interim Closure and Reclamation Plans (ICRP) through the operating life of the mine, which builds on the Preliminary CRP, and is updated to reflect significant changes to the mine plan or key milestones in terms of the mine life.

As stated in the *Guidelines*:

*The general purpose of the Interim CRP is to update preceding plans according to the current mine operating plan, updated or renewed community values, or advances in mine reclamation technology. Interim Reclamation Plans provide conceptual detail on the reclamation of mine components, which will not be closed until near the end of the mining operations, and operational detail for components which are to be progressively reclaimed earlier in the mine life. The Interim CRP should include increased detail and more specific closure criteria regarding reclamation components as these become available and as those areas of the mine are developed (e.g. rock piles that are completed or reclamation test studies that have been conducted).*⁷⁷

The third stage involves the preparation of a Final CRP that should be provided and approved before a scheduled permanent closure takes place, or as soon as is practical after an unplanned closure. The general purpose of the Final CRP is to provide complete details, usually for regulatory approval, regarding the proposed reclamation activities such that they can be subsequently implemented⁷⁸. The Licence requires the filing of a Final Closure and Reclamation Plan at least twelve (12) months prior to the closure of the mine.

In compliance with these requirements, Baffinland submitted an updated *Interim Closure and Reclamation Plan (ICRP)*, Rev 6, dated November 2024, as part of the Annual Security Review Process (not as part of the Renewal Application) that is still under review by the Interveners. It is important to note that with the issuance of this Licence, the version of the ICRP as approved under Part B, Item 14 of the Licence is the ICRP (BIM-5200-PLA-0026, Rev 5), dated October 2018. While the Board recognizes that some of the recommendations and concerns raised by parties during the renewal process may be already addressed within the ICRP Rev 6, the Board acknowledges that Baffinland has committed to updating the ICRP by November 2026 based on their commitments. Therefore, given the fact that an

⁷⁷ Mackenzie Valley Land and Water Board, (Yellowknife: Mackenzie Valley Land and Water Board, 2013) *Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the NWT* (2013), at p. 22.

⁷⁸ Mackenzie Valley Land and Water Board, (Yellowknife: Mackenzie Valley Land and Water Board, 2013) *Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the NWT* (2013), at pp. 24-26.



updated ICRP will be submitted to the Board as per Part B, Item 15, the Board will not necessarily approve the ICRP Rev. 6 at this time.

Part J Item 1 lists requirements for updates to the ICRP. The Board has updated this Item requiring Baffinland to include multiple climate change projections (SSP1, SSP2 and SSP 5) in the next update of the thermal model planned for November 1, 2026, as outlined in the Interim Closure and Reclamation Plan (ICRP), Revision 6. The Board also added requirement for Baffinland to update the ICRP to include soil or sediments containing site related contaminants that pose a risk to human health and/or the environment. The definition of contaminant was agreed upon by Baffinland and CIRNA as any substance that, when introduced into the air, water, soil or sediment, exceeds an agreed upon end land use or other criteria developed as part of the closure planning process and has the potential to cause adverse effects to human health, the environment or ecological systems.

The Board has included a requirement that Baffinland must notify the Board in writing, as soon as practically possible, and in any event, at least sixty (60) days prior to entering into a Care and Maintenance Phase. A Care and Maintenance Plan shall also be submitted to the Board within thirty (30) days of Baffinland providing such a notification of intent, and the Plan shall detail the Licensee's plans for maintaining compliance with the Terms and Conditions of the Licence during Care and Maintenance.

The remainder of the revisions to Part J regarding Abandonment, Reclamation and Closure ensure that the terms and conditions of the Renewal Water Licence under this Part are consistent with the other type A Water Licences applicable to Mining Undertakings previously issued by the NWB.



Schedules A through J

The Schedules in the Renewed Water Licence provide instructive detail to the conditions appearing in more general terms in the main body of the Water Licence and are spelled out in this format for greater clarity and as an aid to interpretation for the Licensee. Except for Schedule A, the Schedules provide, if needed, specific requirements for plans or reports to be submitted to the Board.

If the Board subsequently determines that an item in any of the Schedules requires revision in order to better reflect the intent and objectives of the renewed Licence, the Board may at its discretion, and upon consulting and providing written notice to the Licensee and intervening parties, revise the Schedule. Unless the Board directs otherwise, such revisions may not necessarily be considered as an Amendment to the Licences.

Schedule A: Scope, Definitions and Enforcement

Most of existing definitions in Schedule A were carried over from the previous Water Licence with slight modifications to keep these definitions up to date.

Schedule B: General Conditions

Schedule B outlines general and specific annual reporting requirements for the Mining Undertaking. Requirements in Schedule B were carried over from the existing Water Licence with some new additions.

As referenced above in the discussion of revisions to Part B, Item 17 to ensure the Licensee identifies and incorporates relevant IQ (both Inuit Qaujimagatuqangit and Inuit Qaujimaningit) studies and the results of any Inuit-led or community-based monitoring in relation to the licensed undertaking and within the scope of activities in the Water Licence, Baffinland proposed two additions to the annual reporting obligations as set out in Schedule B. Baffinland's suggested additions were as follows and were also supported by the QIA.⁷⁹

Schedule B Item 26 new addition:

26. a summary of results relevant to water use and management/ waste disposal and management generated by QIA-led monitoring programs (such as the Inuit Stewardship Program) together with a summary of any agreed actions to be taken by the Licensee in response (including plan updates), where such monitoring results are provided in final to the Licensee by QIA at least 5 months prior to the Annual Report deadline.

⁷⁹ See the exchange between M. Lord-Hoyle, Baffinland and A. Kubeisinova, Qikiqtani Inuit Association, NWB Public Hearing, File No: 2AM-MRY1325, Transcript, Public Hearing, Volume 3 – March 12, 2025, at p. 357.



Schedule B Item 44 new addition:

44. a summary of results relevant to water use and management/ waste disposal and management generated by QIA-led studies (such as the Inuit Stewardship Program) together with a summary of any agreed actions to be taken by the Licensee in response (including plan updates), where such studies are provided to the Licensee by QIA in final at least 5 months prior to the Annual Report deadline.

The Board agrees that these recommended additions to the annual report will provide transparency and accountability to the Board, interested parties and the public to ensure that the QIA-led studies are identified and details regarding incorporation are provided by the Licensee. However, as expressed by Baffinland during the Public Hearing, the QIA-led monitoring programs may not be the only source of relevant IQ or Inuit-led or community-based monitoring activities that may arise during the term of the Renewed Water Licence:

...Baffinland supports the Inuit stewardship program and understands it is a valuable initiative to add to the existing multifaceted programs to incorporate Inuit feedback and Inuit Qaujimanituqangit [*sic Qaujimajatuqangit*] into our project. Those include engagement with the Qikiqtani Inuit Association and other Inuit organizations through the Nunavut Impact Review Board and Nunavut Water Board regulatory processes, Baffinland community engagement programs, the Inuit Qaujimanituqangit framework, our adaptive management plan, and full-time Inuit staff positions in each community dedicated to incorporation of Inuit Qaujimanituqangit and the project.⁸⁰

Consequently, the Board has broadened the language in the two additions to Schedule B to ensure that the Licensee is not limited to only identifying when relevant IQ and monitoring results have been led or provided by the QIA, but also if this knowledge and monitoring information is shared via other parties, programs or initiatives. To ensure the same transparency and accountability mechanism exists for all relevant IQ and Inuit and community-led monitoring initiatives, the Board has modified the recommended additions to Schedule B as follows:

Schedule B Item 26 new addition as revised by the Board (additions to the wording in Exhibit 14 shown in underlined text):

26. a summary of results relevant to water use and management/ waste disposal and management generated by QIA-led monitoring programs (such as the Inuit

⁸⁰ M. Lord-Hoyle, Baffinland, NWB Public Hearing, File No: 2AM-MRY1325, Transcript, Public Hearing, Volume 3 – March 12, 2025, at lines 10-24, p. 355.



Stewardship Program), or other relevant IQ studies, Inuit or community-led monitoring initiatives, together with a summary of any agreed actions to be taken by the Licensee in response (including plan updates), where such monitoring results are provided in final form to the Licensee by QIA, or other individuals or organizations responsible for the studies or initiatives at least 5 months prior to the Annual Report deadline.

Schedule B Item 44 new addition (additions to the wording in Exhibit 14 shown in underlined text):

44. a summary of results relevant to water use and management/ waste disposal and management generated by QIA-led studies (such as the Inuit Stewardship Program), or other relevant IQ studies, Inuit or community-led monitoring initiatives together with a summary of any agreed actions to be taken by the Licensee in response (including plan updates), where such studies are provided to the Licensee by QIA, or other individuals or organizations responsible for the studies or initiatives in final form at least 5 months prior to the Annual Report deadline.

The Board also added a requirement for the Licensee to include a table providing the status of management plans in the recurring annual reports for Operations. This requirement resulted from commitment made by Baffinland in response to technical comment by CIRNA (CIRNAC-R-1).

The Board included another requirement for the Licensee to conduct a review of dustfall data and the associated monitoring program to assess sample design, program assumptions, data collection, and dustfall relative to baseline predictions, as part of the 2025 Annual Report for Operations, to be submitted by March 31, 2026. The outcomes of this review to be integrated into relevant management plans. Any plan updates are required to be completed within 6 months of publication of the dustfall data review.

Schedule C: Conditions Applying to Security

As noted in the discussion of Part C above, Schedule C has remained unchanged, pending Security Management Agreement negotiations concluding amongst Baffinland, the Qikiqtani Inuit Association and CIRNA.

Schedule D: Conditions Applying to Construction

There were no changes to Schedule D under the Water Licence.

Schedule E: Conditions Applying to Water Use and Management

There is no Schedule for Water Use and Management under the Water Licence



Schedule F: Conditions Applying to Waste Disposal and Management

There is no Schedule for Waste Disposal and Management under the Water Licence

Schedule G: Conditions Applying to Modifications

There is no Schedule for Modifications under the Water Licence

Schedule H: Conditions Applying to Emergency Response and Spill Contingency Planning

There is no Schedule for Emergency Response and Spill Contingency Planning under the Water Licence

Schedule I: Conditions Applying to General and Aquatic Effects Monitoring

Schedule I has been updated to reflect updated requirements for Monitoring.

Schedule J: Conditions Applying to Abandonment, Reclamation and Closure

There were no changes to Schedule J under the Renewed Water Licence.



APPENDIX A – Agendas for Public Hearing and Community Session

FINAL AGENDA PUBLIC HEARING - MARY RIVER PROJECT

RENEWAL APPLICATION FOR TYPE A WATER LICENCE NO: 2AM-MRY1325

Date: March 11-12, 2025
Time: 9:00 AM – 5:00 PM (ET)
Location: Community Hall, Pond Inlet

Teleconference link and call-in information:

<https://pido-ca.zoom.us/j/81050076282?pwd=MdazboH3cIGL9NtzJIYaxKPsyIBKrE.1>

+1 204 272 7920	+1 438 809 7799	+1 587 328 1099
+1 613 209 3054	+1 647 374 4685	+1 647 558 0588
+1 778 907 2071	855 703 8985 (Toll-free)	

Meeting ID: 810 5007 6282

1. Opening Prayer;
2. Opening Remarks by the Chairperson;
3. Introduction of the Board Members and Staff;
4. Introduction of the Parties;
5. Introduction of the Elders and their role in the Public Hearing;
6. Introduction and identification of the persons, associations, agencies, etc., who have not submitted interventions but have expressed a desire to speak at the Public Hearing;
7. Identification of any Motions or any objections;
8. Presentation by the Applicant;
9. Questions for the Applicant by Parties on the Applicant's presentation;
10. Questions by the Board Staff and Panel Members;
11. Presentation by Interveners;
12. Questions for the Interveners by the Applicant and other Parties;
13. Questions by the Board Staff and Panel Members;
14. Presentation by any other persons, associations, agencies, etc. who have advised the Chairperson that they wish to speak;
15. Questions for other persons, associations, agencies, etc. by Parties;
16. Questions by the Board Staff and Panel Members;
17. Upon completion of presentations by all Parties, the Board will give the Applicant the opportunity to respond. All Parties will then have the opportunity to make final closing statements taking into account matters raised at the Public Hearing
18. Closing remarks by the Chairperson; and
19. Closing Prayer.



**FINAL AGENDA
COMMUNITY SESSION - MARY RIVER PROJECT**

RENEWAL APPLICATION FOR TYPE A WATER LICENCE NO: 2AM-MRY1325

Date: March 11, 2025
Time: Starting at 7:00 PM (ET)
Location: Community Hall, Pond Inlet

Teleconference link and call-in information:

<https://pido-ca.zoom.us/j/81050076282?pwd=MdazboH3cIGL9NtzJIYaxKPsyIBKrE.1>

+1 204 272 7920	+1 438 809 7799	+1 587 328 1099
+1 613 209 3054	+1 647 374 4685	+1 647 558 0588
+1 778 907 2071	855 703 8985 (Toll-free)	

Meeting ID: 810 5007 6282

1. Opening Prayer;
2. Opening Remarks by the Chairperson;
3. Presentation by the Nunavut Water Board (NWB) – Type A water licensing process for the Application (15 minutes);
4. Questions and/or comments from community members and other participants;
5. Presentation by the Applicant on the Renewal Application before the Board for type A Water Licence 2AM-MRY1325 (20 Minutes);
6. Questions and/or comments from community members and other participants;
7. Presentations from Interveners pertaining to their mandate and role in the water licensing process as well as an overview of their findings during their technical review (15 Minutes/Intervener);
8. Questions and/or comments from community members and other participants;
9. Closing Remarks by NWB; and
10. Closing Prayer.



APPENDIX B – Exhibit List

Exhibit	Exhibit Description	Date	From
1	Hard Copy PowerPoint Presentation 2AM-MRY1325 Type A Water Licence Renewal NWB Public Hearing <i>(English and Inuktitut)</i>	March 11, 2025	Baffinland Iron Mines Corporation
2	Hard Copy PowerPoint Presentation 2AM-MRY1325 Type A Water Licence Renewal NWB Public Hearing <i>(English and French)</i>	March 11, 2025	Baffinland Iron Mines Corporation
3	Electronic Copy Only PowerPoint Presentation Nunavut Water Board Public Hearing Baffinland Iron Mines Corporation Application for Renewal Water Licence No: 2AM-MRY1325 <i>(English and Inuktitut)</i>	March 11, 2025	Qikiqtani Inuit Association
4	Hard Copy PowerPoint Presentation 2AM-MRY1325 Type A Water Licence Renewal NWB Public Hearing—Community Meeting <i>(English and Inuktitut)</i>	March 11, 2025	Baffinland Iron Mines Corporation
5	Hard copy PowerPoint Presentation Nunavut Water Board Public Hearing Baffinland Iron Mines Corporation Application for Renewal Water Licence No: 2AM-MRY1325 <i>(English and Inuktitut)</i>	March 11, 2025	Qikiqtani Inuit Association
6	Hard Copy PowerPoint Presentation Final Public Hearing of Baffinland Iron Mines Corporation Water Licence Renewal 2AM- MRY1325 March 11-12, 2025	March 11, 2025	Crown- Indigenous Relations and Northern Affairs Canada



Exhibit	Exhibit Description	Date	From
	<i>(English)</i>		
7	Hard Copy PowerPoint Presentation Final Public Hearing of Baffinland Iron Mines Corporation Water Licence Renewal 2AM- MRY1325 March 11-12, 2025 <i>(Inuktitut)</i>	March 11, 2025	Crown- Indigenous Relations and Northern Affairs Canada
8	Hard Copy PowerPoint Presentation Final Public Hearing of Baffinland Iron Mines Corporation Water Licence Renewal 2AM- MRY1325 March 11-12, 2025 <i>(French)</i>	March 11, 2025	Crown- Indigenous Relations and Northern Affairs Canada
9a	Electronic Copy PowerPoint Presentation Baffinland Type A Water Licence Renewal Public Hearing Presentation by Environment and Climate Change Canada Community Session <i>(English and Inuktitut)</i>	March 11, 2025	Environment and Climate Change Canada
9b	Electronic Copy PowerPoint Presentation Baffinland Type A Water Licence Renewal Public Hearing Presentation by Environment and Climate Change Canada Public Hearing <i>(English and Inuktitut)</i>	March 12, 2025	Environment and Climate Change Canada
10	Hard Copy Summary of Environment and Climate Change Canada Comment Submission <i>(Inuktitut)</i>	March 11, 2025	Environment and Climate Change Canada

Exhibit	Exhibit Description	Date	From
11	Hard Copy PowerPoint Presentation Mary River Project Water Licence Renewal for 2AM-MRY1325 <i>(English and Inuktitut)</i>	March 11, 2025	Fisheries and Oceans Canada
12	Electronic Copy Disposition Table for the Water Licence Renewal for Type A Water Licence 2AM-MRY1325 Mary River Project February 27, 2025 (updated March 12, 2025) <i>(English)</i>	March 12, 2025	Baffinland Iron Mines Corporation
13	Electronic Copy Commitments List from the Public Hearing (updated March 12, 2025) <i>(English)</i>	March 12, 2025	Baffinland Iron Mines Corporation
14	Electronic Copy Water Licence Renewal Framework Draft for Discussion (updated March 12, 2025) <i>(English)</i>	March 12, 2025	Baffinland Iron Mines Corporation



APPENDIX C – List of Submissions and Correspondence

Application:

1. Submitted **June 7, 2024** Initial submission of cover letter and application package to: Karen Kharatyan, Nunavut Water Board (NWB), from Elisabeth Luther, Baffinland Iron Mines Corporation (BIMC) for a Water Licence Renewal.
2. Submitted **June 26, 2024** Updated submission of cover letter and application package, Supplemental Information Guide (SIG) Concordance Document included as appendix B to: Karen Kharatyan, (NWB), from Elisabeth Luther, (BIMC) for a Water Licence Renewal.
3. Submitted **June 27, 2024** (SIG) Concordance Document in excel version, due to Macros, File zipped to: Robert Hunter, (NWB) from Elisabeth Luther (BIMC).
4. Submitted **August 15, 2024** Att 1. Type A Water Licence Water Licence Compliance Assessment Final.
5. Submitted **August 15, 2024** Att 2. NB24-00862 – Water Quality Scatter Plots.
6. Submitted **August 15, 2024** Att 3. BIM-5200-PLA-0022-Fresh Water Supply, Sewage and Wastewater Management Plan.
7. Submitted **August 15, 2024** Att 4. Freshwater Environmental Engagement Comments.
8. Submitted **August 15, 2024** Att 5. 2021-06-30 Water Management Plan Rev 2.
9. Submitted **September 10, 2024** Attachment 1 - Freshwater Habitat Surveys (Report & Attach 1).
10. Submitted **September 10, 2024** Attachment 2 - Hydrological Assessment of Water Withdrawals.
11. Submitted **September 10, 2024** Attachment 3 - Community Risk Assessment Workshops Final Report and Minutes.
12. Submitted **September 10, 2024** Attachment 4 - Letter to Pond Inlet Mayor and MHTO Chairperson - Community Meetings.
13. Submitted **September 16, 2024** Attachment 1 – Water Licence Quality Monitoring Results – 2013-2023.
14. Submitted **September 16, 2024** Attachment 2 – Status of Management Plans Required under Type A Water Licence.
15. Submitted **September 16, 2024** Attachment 3 – Freshwater Environment Engagement Comments.
16. Submitted **September 16, 2024** Attachment 4 – Summary of Cumulative Effects.
17. Submitted **November 1, 2024** Attachment 1 – Revision 6 Interim Closure and Reclamation Plan.
18. Submitted **November 1, 2024** Attachment 2 – Waste Rock Facility Thermal Model.
19. Submitted **November 12, 2024** Attachment 1.1 through 1.3 - 2023 QIA-NWB Annual Report for Ops - Appendix E.9.1 (CREMP).



20. Submitted **November 12, 2024** Attachment 2 - CIRNAC R-17. Baffinland Waste Rock Reconciliation.
21. Submitted **November 12, 2024** Attachment 3 - CIRNAC R24. Updated Figures 5.1 5.2.
22. Submitted **November 12, 2024** Attachment 4 - Construction Summary Reports - Summary List.
23. Submitted **November 12, 2024** Attachment 5 - Hatch Civil Design Philosophy H353004-00000-200-210-0001.
24. Submitted **November 12, 2024** Attachment 6.1 through 6.4 - Amend2-Applic-Att-16-Water-Withdrawal-Plan.
25. Submitted **November 12, 2024** Baffinland Responses to Technical Review Comments.
26. Submitted **November 19, 2024** Attachment 1 – ECCC 6. Updated Discharge Water Quality Table.
27. Submitted **November 19, 2024** Attachment 2 – ECCC 8. Schedule I, Tables 12, 13, 14, 15.
28. Submitted **November 19, 2024** Attachment 3 – CIRNAC R-06 Updated Sampling Location Figures.

Initial Submission & Correspondence:

1. Cover E-mail from: Robert Hunter (NWB) to: Elisabeth Luther, (BIMC) Re – acknowledgement and receipt of application and supporting documents. The Board requires a (SIG) Concordance Document to be provided. Mine Development SIG (attached). Dated **June 10, 2024**.
2. Cover E-mail from: Steve Borcsok, (BIMC) to: Robert Hunter (NWB) Re – Baffinland confirms that (SIG) Concordance Document is being prepared and expects submission to be provided in a week. Dated **June 14, 2024**.
3. Cover E-mail from: Elisabeth Luther (BIMC) to: Robert Hunter (NWB). Baffinland requests Renewal of its existing type A Water Licence on current terms and conditions, no changes to the (Project) in the application and notes that it is not an Amendment application. Baffinland Updated application to align with the (SIG) This submission is the complete package that can be reviewed for Completeness. Baffinland requests previous package to be deleted from Registry. Dated **June 26, 2024**.
4. Cover E-mail from: Robert Hunter (NWB) to: Elisabeth Luther, (BIMC) Re – (NWB) acknowledges receipt of the (SIG) in pdf format and updated application package. Informs Baffinland that previous submission removed from the Registry. Dated **June 27, 2024**.
5. Letter from: Richard Dwyer (NWB) to: Lou Kamermans (BIMC) and to the Mary River Distribution List. Re - Renewal Completeness. Dated **June 27, 2024**.
6. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and to the Mary River Distribution List. Re - Renewal Application Completeness Check. Dated **June 27, 2024**.
7. Cover E-mail and Letter from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) Re - Incorrect Cheque amount included Water Use Fee Deposit. Dated **July 22, 2024**.



8. Letter from: John Olyslager, Environment and Climate Change Canada. (ECCC) to: Richard Dwyer (NWB) Re - Information Requests (IRs) for the Completeness Check of the Renewal Application type A Water Licence No: 2AM-MRY1325. Dated **July 26, 2024.**
9. Cover E-mail from: Melissa Pinto (ECCC) to: NWB Re – (IRs) on Baffinland’s Mary River Water Licence Renewal Application. ECCC has no preference or comments of the type of Technical Meeting/Pre-Hearing Conference. Dated **July 26, 2024.**
10. Cover E-mail from: Steve Borcsok (BIMC) to: Robert Hunter (NWB) Confirm if (IRs) will be forwarded for a response. Dated **July 26, 2024.**
11. Cover E-mail from Robert Hunter (NWB) to: Steve Borcsok (BIMC) Deadline due end of day. NWB to follow-up with Baffinland shortly. Dated **July 26, 2024.**
12. Cover E-mail and Letter from: Assol Kubeisinova, Qikiqtani Inuit Association (QIA) to: Robert Hunter (NWB). Information Requests (IRs) for the Completeness Check of the Renewal Application for type A Water Licence No: 2AM-MRY1325. Dated **July 26, 2024.**
13. Cover E-mail and Letter from: Jose Audet-Lecouffe, Dept of Fisheries and Oceans (DFO) to: NWB, Information Requests (IRs) for the Completeness Check of the Renewal Application for type A Water Licence No: 2AM-MRY1325. Dated **July 26, 2024.**
14. Cover E-mail and Letter from: Andrew Keim, Crown Indigenous Relations and Northern Affairs Canada, (CIRNAC) to: Robert Hunter (NWB). Information Requests (IRs) for the Completeness Check of the Renewal Application for type A Water Licence No: 2AM-MRY1325. Dated **July 26, 2024.**
15. Cover E-mail from: Steve Borcsok (BIMC) to: Robert Hunter (NWB) Re – Incorrect Cheque amount. Confirm if amount is the reason and if application fee can be made by credit card. Dated **July 29, 2024.**
16. Cover E-mail from: Robert Hunter (NWB) to: Andrew Keim and Lee Ann Pugh (CIRNAC). Confirm if Technical Memorandum is missing as it was indicated that Comments and Concerns were detailed in the Letter submitted on July 26, 2024. Dated **July 29, 2024.**
17. Cover E-mail from: Andrew Keim (CIRNAC) to: Robert Hunter (NWB). Confirmation that technical memorandum is not missing and that CIRNAC has no comments regarding the completeness of the application. Dated **July 29, 2024.**
18. Cover E-mail from: Robert Hunter (NWB) to: Steve Borcsok (BIMC) Re – Incorrect Cheque amount. Confirmed that the \$30 application fee can be paid by credit card over the phone. Dated **July 29, 2024.**
19. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans, Elisabeth Luther (BIMC) and the Mary River Distribution List. Re – Renewal Application Completeness Check Information Requests from Parties distributed requesting Baffinland provide a response by August 14, 2024. Dated **July 29, 2024.**
20. Cover E-mail from: Steve Borcsok (BIMC) to: Robert Hunter, Karen Kharatyan and Abid Jan (NWB) Baffinland’s update to NWB on submission of response to parties Information Requests. Response is under internal review and may be submitted by next business day. Dated **August 14, 2024.**



21. Cover E-mail from: Robert Hunter (NWB) to: Steve Borcsok (BIMC) Acknowledgement of receipt of Baffinland's request for submission to be provided next day and the NWB looks forward to receiving submission. Dated **August 14, 2024.**
22. Letter from: Elisabeth Luther (BIMC) to: Karen Kharatyan (NWB) Re – Baffinland's Response to Parties Information Request's for the Renewal Application for the Mary River Project. Dated **August 15, 2024.**
23. Cover E-mail from: Robert Hunter (NWB) to: Parties Re – Applicant Response to Parties Information Requests. The NWB would like Parties to confirm whether the additional information addresses concerns or if the Parties are ready to start the Full Technical Review of the Application. The deadline for confirmation is August 23, 2024. Dated **August 16, 2024.**
24. Cover E-mail from: Assol Kubeisinova (QIA) to: Robert Hunter (NWB) Re – Qikiqtani Inuit Association formally requests an extension to submit feedback on the completeness of the Applicant's submission of the document package by September 12, 2024. QIA and Baffinland initiated a discussion on a number of issues and would like to continue the discussion with Baffinland. Dated **August 20, 2024.**
25. Cover E-mail from: Robert Hunter (NWB) to: Assol Kubeisinova (QIA) and Parties. Re – QIA extension request has been granted, the deadline for confirmation is now September 3, 2024. Dated **August 20, 2024.**
26. Cover E-mail from: Lauren Perrin (CIRNAC) to: Robert Hunter (NWB) Re – Completeness Check. CIRNA is ready for the Full Technical review of the Application. Dated **August 29, 2024.**
27. Cover E-mail from: Melissa Pinto (ECCC) to: Robert Hunter (NWB) Re – Completeness Check. Environment and Climate Change Canada is ready for the Full Technical Review of the Application. Dated **August 29, 2024.**
28. Cover E-mail from: Andrew Keim (CIRNAC) to Elisabeth Luther (BIMC) Re – CIRNAC working on comments for the renewal water licence. CIRNAC requests Baffinland either provide additional information or guide them on where to locate documents. Dated **September 3, 2024.**
29. Cover E-mail from: Steve Borcsok (BIMC) to: Andrew Keim (CIRNAC) Re – CIRNAC request for additional information. Baffinland confirms that any references to the "ERP FEIS" should refer to the (Early Revenue Phase FEIS Addendum Baffinland 2013). Dated **September 3, 2024.**
30. Cover E-mail and letter from: Assol Kubeisinova (QIA) to: Robert Hunter (NWB) Re – Completeness Check. QIA is pleased to provide it follow-up on the Applicants completeness check responses in the attached correspondence. Dated **September 3, 2024.**
31. Cover E-mail from: Paul Harper (DFO) to Robert Hunter (NWB) Re – Completeness Check. DFO confirms that the Applicants response addresses concerns. Dated **September 3, 2024.**
32. Cover E-mail from: Robert Hunter (NWB) to Elisabeth Luther, Steve Borcsok Lou Kamermans (BIMC) Re – QIA's Follow-up questions/ concerns for the Completeness Check. The Nunavut Water Board request Baffinland provide a response by the deadline of September 6, 2024. Dated **September 3, 2024.**



33. Cover E-mail from: Elisabeth Luther (BIMC) to: Robert Hunter, Karen Kharatyan, Ali Shaikh (NWB) Re – Baffinland working on providing responses to QIA’s follow-up questions/ concerns. Baffinland targeting to submit response on September 9, 2024 pending meeting with QIA. Dated **September 6, 2024.**
34. Cover E-mail from: Robert Hunter (NWB) to Elisabeth Luther, Steve Borcsok, Lou Kamermans (BIMC) Re – Baffinland request for extension. The Nunavut Water Board looks forward to receiving Baffinland’s response to QIA follow-up questions/ concerns by September 9, 2024. Dated **September 6, 2024.**
35. Cover Letter from: Elisabeth Luther (BIMC) to: Karen Kharatyan (NWB) Re – Baffinland submission of Information Request Responses. Dated **September 10, 2024.**
36. Cover E-mail from: Robert Hunter (NWB) to: Assol Kubeisinova (QIA) Re – Baffinland response to QIA Information Requests. The NWB would like to confirm whether BIMC’s response and additional submissions addresses QIA’s concerns by deadline of September 18, 2024. Dated **September 11, 2024.**
37. Letter from: Lou Kamermans (BIMC) to: Karen Kharatyan (NWB) Re – Water Licence Additional Information. Dated **September 16, 2024.**
38. Cover E-mail from: Robert Hunter (NWB) to: Assol Kubeisinova (QIA) and the Mary River Distribution List. Re – Baffinland Response to Additional information requests from QIA. Dated **September 17, 2024.**
39. Letter from: Assol Kubeisinova (QIA) to: Robert Hunter (NWB) Re – QIA Follow-up on September 10 and 16, 2024 Applicant Completeness Check Response and Information Requests. QIA requested that ECCC and DFO provide a response to a couple of Information Request (IRs) Dated **September 18, 2024.**
40. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and the Mary River Distribution List. Re – QIA follow-up submission on the Completeness Check. Dated **September 19, 2024.**
41. Letter from: Stephanie Autut (NWB) to: Lou Kamermans (BIMC) Re – Renewal Application deemed complete and is ready for Full Technical Review. Dated **September 23, 2024.**
42. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and the Mary River Distribution List. Re – Notice of Renewal Application issued for Baffinland Iron Mines Corporation’s Mary River Project. Dated **September 23, 2024.**
43. Notice of Renewal Application in English prepared by NWB. Dated **September 23, 2024.**
44. Notice of Renewal Application in Inuktitut prepared by NWB. Dated **September 23, 2024.**
45. Cover E-mail from: Robert Hunter (NWB) to: Melissa Pinto, Eva Walker, Jennifer Sabourin (ECCC) Re – QIA’s follow-up Information Requests (IRs) from September 18, 2024 directed to ECCC during the Completeness Check and requests ECCC provide a response within their Technical Review submission. Dated **September 24, 2024.**
46. Cover E-mail from: Robert Hunter (NWB) to: Paul Harper, Jose Audet-Lecouffe (DFO) Re – QIA’s follow-up Information Requests (IRs) from September 18, 2024 directed to DFO during the Completeness Check and requests DFO provide a response within their Technical Review submission. Dated **September 24, 2024.**



47. Letter from: Lauren Perrin (CIRNAC) to: Robert Hunter (NWB) Re - CIRNAC's Review attached in the Technical Memorandum for Baffinland's type A Water Licence Renewal Application. Dated **October 23, 2024**.
48. Letter from: Tatiana Leclerc-Beaulieu (DFO) to: Richard Dwyer (NWB) Re – DFO Technical Comments for Baffinland's type A Water Licence Renewal Application. Dated **October 23, 2024**.
49. Letter from: Jody Small (ECCC) to: Richard Dwyer (NWB) Re – ECCC's Technical Review Comments in the attached submission for Baffinland's type A Water Licence Renewal Application. Dated **October 23, 2024**.
50. Letter from: Assol Kubeisinova (QIA) to: Robert Hunter (NWB) Re – QIA's Technical Review Comments in the attached Appendix A for Baffinland's type A Water Licence Renewal Application. Dated **October 23, 2024**.
51. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and to the Mary River Distribution List. Re – Interveners Technical Review Comments attached. Baffinland is requested to provide a response by the deadline of November 12, 2024. Also provided Parties update on main location for the Technical Meeting and Pre-Hearing Conference in Pond Inlet with remote participation for Community representatives in Iqaluit. Dated **October 24, 2024**.
52. Letter from: Elisabeth Luther (BIMC) to: Karen Kharatyan (NWB) Re – 2025 Annual Security Review Process. As outlined in the letter dated October 29, 2024 Baffinland is pleased to submit an Updated Interim Closure and Reclamation Plan as well as Waste Rock Facility Thermal Model. Baffinland intends to submit the 2025 Work Plan by January 15, 2025. Dated **November 1, 2024**.
53. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and the Mary River Distribution list. Re – Follow-up submission regarding the 2025 Annual Security Review Process. Baffinland submitted an Updated ICRP and WRF Thermal Model. NWB advises Parties although this is associated with the ASR Process this can be looked at within the context of the Renewal Application review. Dated **November 1, 2024**.
54. Letter from: Elisabeth Luther (BIMC) to: Karen Kharatyan (NWB) Re – Baffinland's responses to Parties Technical Review Comments attached. Baffinland will engage with both CIRNAC and QIA prior to the Technical Meeting to continue addressing some of their comments. Dated **November 12, 2024**.
55. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans, Elisabeth Luther (BIMC) and to the Mary River Distribution List. Re – Baffinland Responses to Technical Review Comments as well as the attachments and NWB Public Registry FTP site links listed. Dated **November 13, 2024**.
56. Cover E-mail from: Assol Kubeisinova (QIA) to: Robert Hunter (NWB) Re – Tusaqtavut Studies (Arctic Bay, Pond Inlet and Igloolik). QIA would like to provide copies of the Tusaqtavut studies from Arctic Bay, Pond Inlet and Igloolik for the Board's information. Dated **November 14, 2024**.
57. QIA submission: Arctic Bay Clyde River - Tusaqtavut Study – Final Report from May 28, 2021. Dated **November 14, 2024**.
58. QIA submission: Igloolik_Sanirajak - Tusaqtavut Study – Final Report from August 9, 2019. Dated **November 14, 2024**.



59. QIA submission: Pond Inlet - Tusaqtavut Study – Final Report from June 14, 2019. Dated **November 14, 2024.**
60. Letter from: Karen Kharatyan (NWB) to: Lou Kamermans (BIMC) and to the Mary River Distribution List. Re – Draft Agenda for the Technical Meeting and Pre-Hearing Conference for the Renewal Application for Baffinland’s type A Water Licence No: 2AM-MRY1325. Dated **November 18, 2024.**
61. Letter from Steve Borcsok (BIMC) to: Karen Kharatyan (NWB) Re – Technical Review Comments – Supplementary Information in Attachments 1-3. Baffinland indicated additional information would be provided by November 18, 2024. Dated **November 18, 2024.**
62. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and to the Mary River Distribution List. Re – Baffinland Response to Comments. Follow-up submission of the Supplementary Information as indicated in their November 12, 2024 letter. Dated **November 19, 2024.**
63. Cover E-mail from: Joshua Arreak Mayor of Pond Inlet to: Robert Hunter (NWB) Re – Technical Meeting and Pre-Hearing Conference. Stated he will not be in town for meeting and that the Hamlet held an executive meeting and decided that Moses Koonark and Elizirie Peterloosie are the two delegates. No presentation ready due to time constraints. Dated **November 21, 2024.**
64. Letter from Elisabeth Luther (BIMC) to: Karen Kharatyan (NWB) Re – Technical Meeting and Pre-Hearing Conference. Baffinland’s confirmation of attendance. Presentations and materials are currently only in English, French and Inuktitut versions will be provided before the TM-PHC. Dated **November 22, 2024.**
65. Submitted **November 22, 2024** Attachment 1 – Tech Meeting-BIM Presentation.
66. Submitted **November 22, 2024** Attachment 2 – Comm Meeting-BIM Presentation.
67. Submitted **November 22, 2024** Attachment 3 – WL Renewal Exec Summary Memo_ENG.
68. Cover E-mail from: Aminul Haque (CIRNAC) to: Robert Hunter (NWB) Re – CIRNAC confirms participation and will make a formal presentation for the Technical Meeting and Pre-Hearing Conference. Presentations will be submitted once finalized. Dated **November 22, 2024.**
69. Cover E-mail from: Paul Harper (DFO) to: Robert Hunter (NWB) Re – Technical Meeting and Pre-Hearing Conference. DFO confirms attendance and have a short formal presentation. Dated **November 22, 2024.**
70. Submitted **November 22, 2024** DFO Technical Meeting and Pre-Hearing Conference Presentation in English/ Inuktitut.
71. Cover E-mail from: Melissa Pinto (ECCC) to: Robert Hunter (NWB) Re – Technical Meeting and Pre-hearing Conference. ECCC confirms attendance and have no comments on the Draft Agenda. Presentations and Executive Summary provided. Dated **November 22, 2024.**
72. Submitted **November 22, 2024** ECCC Technical Meeting and Pre-Hearing Conference Presentation in English/ Inuktitut.
73. Submitted **November 22, 2024** ECCC Community Session Presentation in English/ Inuktitut.



74. Submitted **November 22, 2024** ECCC Executive Summary in English/ French.
75. Cover E-mail from: Assol Kubeisinova (QIA) to: Robert Hunter (NWB) Re – Technical Meeting and Pre-Hearing Conference. QIA confirms attendance and intends to make formal presentation. Dated **November 22, 2024**.
76. Submitted **November 22, 2024** QIA Technical Meeting and Pre-Hearing Conference Presentation in English/ Inuktitut.
77. Cover E-mail from: Robert Hunter (NWB) to: Aminul Haque (CIRNAC) Re – Technical Meeting and Pre-Hearing Conference. NWB follow-up to confirm whether CIRNAC has finalized and will be submitting its presentation. Dated **November 25, 2024**.
78. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and the Mary River Distribution List. Re – Technical Meeting and Pre-Hearing Conference Presentations. Distribution of all presentations. CIRNAC finalizing presentation and will submit once completed. Dated **November 25, 2024**.
79. Cover E-mail from: Aminul Haque (CIRNAC) to: Robert Hunter (NWB) Re – Technical Meeting and Pre-Hearing Conference. CIRNAC working closely with Baffinland to address outstanding concerns. This has delayed submission of the presentation to the NWB and will be submitting as soon as possible. Dated **November 26, 2024**.
80. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and the Mary River E-mail Distribution List. Re – Distribution of the Final Agenda in English and NWB presentation in both English and Inuktitut for the Technical Meeting and Pre-Hearing Conference. Dated **November 26, 2024**.
81. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and the Mary River E-mail Distribution List. Re – Distribution of the Final Agenda in Inuktitut. Dated **November 27, 2024**.
82. Cover E-mail from: Elisabeth Luther (BIMC) to: Robert Hunter (NWB) Re – Technical Meeting and Pre-Hearing Conference. Baffinland submission of Executive Summary and Technical and Community Session presentations. Dated **November 27, 2024**.
83. Submitted **November 27, 2024** Baffinland Executive Summary in English, French and Inuktitut.
84. Submitted **November 27, 2024** Baffinland Technical Meeting and Pre-Hearing Conference Presentation in English/ Inuktitut.
85. Submitted **November 27, 2024** Baffinland Community Session Presentation in English/ Inuktitut.
86. Cover E-mail from: Robert Hunter (NWB) to Lou Kamermans (BIMC) and the Mary River Distribution List. Re – Technical Meeting and Pre-Hearing Conference. Distribution of Baffinland's translated presentation in English and Inuktitut. Dated **November 27, 2024**.
87. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and the Mary River Distribution List. Re – Distribution of QIA's November 14, 2024 submission of the Tusaqtavut studies from Arctic Bay_ Clyde River, Igloolik_Sanirajak and Pond Inlet Final Reports. Dated **November 28, 2024**.
88. Cover E-mail from: Lauren Perrin (CIRNAC) to: Robert Hunter (NWB) Re – Technical Meeting and Pre-Hearing Conference English Presentation. Dated **November 28, 2024**.



89. Submitted **November 28, 2024** CIRNAC Technical Meeting and Pre-Hearing Conference Presentation in English.
90. Cover E-mail from: Lauren Perrin (CIRNAC) to: Robert Hunter (NWB) Re – Technical Meeting and Pre-Hearing Conference French Presentation. Dated **November 29, 2024**.
91. Submitted **November 29, 2024** CIRNAC Technical Meeting and Pre-Hearing Conference Presentation in French.
92. Cover E-mail from: Lauren Perrin (CIRNAC) to: Robert Hunter (NWB) Re – Technical Meeting and Pre-Hearing Conference Inuktitut Presentation. Dated **December 2, 2024**.
93. Submitted **December 2, 2024** CIRNAC Technical Meeting and Pre-Hearing Conference Presentation in Inuktitut.
94. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) Re – Technical Meeting and Pre-Hearing Conference. Distribution of CIRNAC's submission of the English, French and Inuktitut presentations. Dated **December 2, 2024**.
95. Submitted **December 3, 2024** in-person soft-copy via usb Baffinland's Updated Technical Meeting and Pre-Hearing Conference Presentation.
96. Submitted **December 3, 2024** in-person soft-copy via usb Baffinland's Updated Community Sessions Presentation.
97. Cover E-mail from: Assol Kubeisinova (QIA) to: Robert Hunter (NWB) Re – Technical Meeting and Pre-Hearing Conference. Final version of QIA's Community Session Presentation. Dated **December 3, 2024**.
98. Submitted **December 3, 2024** QIA's Final version of the Community Session Presentation.
99. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and the Mary River Distribution List. Re – Technical Meeting and Pre-Hearing Conference. Distribution of Baffinland's updated Technical Meeting and Pre-Hearing Conference and Community Session presentations and Commitments. Dated **December 3, 2024**.
100. Submission from: Elisabeth Luther (BIMC) to: Robert Hunter (NWB) Re – Technical Meeting and Pre-Hearing Conference. Baffinland's submitted a soft copy of the Final version of Technical Meeting presentation. Dated **December 3, 2024**.
101. Cover E-mail from: Elisabeth Luther (BIMC) to: Karen Kharatyan and Abid Jan (NWB) Re – Technical Meeting and Pre-Hearing Conference. Baffinland submission of the compiled list of dust related Project Certificate conditions and commitments. Dated **December 4, 2024**.
102. Submitted **December 4, 2024** Baffinland Dust Commitments Update.
103. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and the Mary River Distribution List. Re – Technical Meeting and Pre-Hearing Conference. Distribution of QIA's Final version of the Community Session presentation. Dated **December 5, 2024**.
104. Submission from: Elisabeth Luther (BIMC) to: Robert Hunter (NWB) Re – Final Commitments List in Excel format. Dated **December 9, 2024**.
105. Cover E-mail from: Elisabeth Luther (BIMC) to: Karen Kharatyan (NWB) Re – Technical Meeting and Pre-Hearing Conference. During Technical Meeting Baffinland



committed to providing the Board with a proposed Water Licence Framework. Dated **December 18, 2024**.

106. Submitted **December 18, 2024** Water Licence Framework Baffinland Final Updates in Microsoft Word version.
107. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and the Mary River Distribution List. Re – Technical Meeting and Pre-Hearing Conference. Distribution of the Proposed Water Licence Framework submitted by Baffinland. Dated **December 18, 2024**.
108. Letter from: Stephanie Autut (NWB) to the Mary River Distribution List. Re – Pre-Hearing Conference Decision Report regarding the Renewal Application for type A Water Licence No: 2AM-MRY1325. Dated **December 19, 2024**.
109. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and the Mary River Distribution List. Re - Pre-Hearing Conference Decision Report regarding the Renewal Application for type A Water Licence No: 2AM-MRY1325. Dated **December 19, 2024**.
110. Notice of Public Hearing in English prepared by NWB. Dated **December 20, 2024**.
111. Notice of Public Hearing in Inuktitut prepared by NWB. Dated **December 20, 2024**.
112. Notice of Public Hearing in Inuinnaqtun prepared by NWB. Dated **December 20, 2024**.
113. Notice of Public Hearing in French prepared by NWB. Dated **December 20, 2024**.
114. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and the Mary River Distribution List. Re - Pre-Hearing Conference Decision Report. Distribution of the Notice of Public Hearing in English, Inuktitut, Inuinnaqtun and French. Dated **December 20, 2024**.
115. Cover E-mail from: Melissa Pinto (ECCC) to: Robert Hunter (NWB) Re – Mary River Public Hearing. ECCC will be sending two people for the Mary River Water Licence Renewal Public Hearing in Pond Inlet in March. Names to be confirmed before January 15, 2025. Dated **December 23, 2024**.
116. Cover E-mail from: Nicholas Wasilik (DFO) to: Robert Hunter (NWB) Re – Mary River Public Hearing. DFO will be sending two people and requests accommodations for Paul Harper and Nicholas Wasilik. Dated **January 7, 2025**.
117. Cover E-mail from: Richard Nesbitt (HESL on behalf of QIA) to: Robert Hunter (NWB) Re - Mary River Public Hearing. Provided list of QIA's in-person participants and requests accommodations. Dated **January 9, 2024**.
118. Letter from: Elisabeth Luther (BIMC) to: Karen Kharatyan (NWB) Re – Mary River Public Hearing. Baffinland confirms its in-person attendance of eight representatives. Dated **January 10, 2025**.
119. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and the Mary River Distribution List. Re – Pre-Hearing Conference Decision Report. Update to Parties on; The Commitment #13 of the PHC Decision issued on December 19, 2024 was initially agreed upon during the TM-PHC, QIA later advised this commitment was not suitable and should be removed. Baffinland suggested keeping it with some changes. Commitment #13 is therefore updated and attached within this correspondence. Dated **January 10, 2025**.



120. Letter from: Jose Audet-Lecouffe (DFO) to: Richard Dwyer (NWB) Re – Final Written Submission for the Water Licence Renewal for Baffinland Iron Mine Corporation's Mary River Project type A Water Licence No. 2AM-MRY1325. Dated **February 5, 2025**.
121. Letter from: Jody Small (ECCC) to: Richard Dwyer (NWB) Re – Final Written Submission. 2AM-MRY1325 - Baffinland Iron Mine Corporation Mary River Project type A Water Licence Renewal Application. Dated **February 5, 2025**.
122. Cover E-mail from: Assol Kubeisinova (QIA) to: Robert Hunter (NWB) Re – Final Written Submission. QIA is requesting an extension to the final submission to February 7, 2025 due to some recent developments during discussions with the Applicant and this may affect the content of the final submission. Dated **February 5, 2025**.
123. Cover E-mail from: Richard Dwyer (NWB) to: Lou Kamermans (BIMC) and the Mary River Distribution List. Re – Final Written Submission. QIA has requested an extension to submit Final Written Submission, they are now due on February 7, 2025. The next steps preceding the Public Hearing attached within the correspondence. Dated **February 5, 2025**.
124. Cover E-mail from: Richard Dwyer (NWB) to: Lou Kamermans (BIMC) and the Mary River Distribution List. Re – Final Written Submission. Provided an update regarding a correction to the E-mail distribution from the previous day. Dated **February 6, 2024**.
125. Letter from Assol Kubeisinova (QIA) to: Robert Hunter (NWB) Re – Final Written Submission in English and Inuktitut. QIA provides its submission and accompanying document Appendix D. on the Applicant's draft licence framework distributed by the NWB on December 18, 2024. Dated **February 7, 2025**.
126. Submitted **February 7, 2025** Appendix D. QIA's Review of Baffinland's Water Licence Framework.
127. Cover E-mail from: Lauren Perrin (CIRNAC) to: Richard Dwyer (NWB) Re – Final Written Submission. CIRNAC requests an extension to submit Final Written Submission until February 11, 2025. Dated **February 7, 2025**.
128. Cover E-mail from: Richard Dwyer (NWB) to: Lou Kamermans (BIMC) and the Mary River Distribution List. Re – Final Written Submission. CIRNAC requested an extension to submit Final Written Submission. They are now due on February 11, 2025. Dated **February 7, 2025**.
129. Letter from Lauren Perrin (CIRNAC) to: Robert Hunter (NWB) Re – Final Written Submission. CIRNAC provides its Final Written Submission comments and recommendations in the within the attached Technical Memorandum. Dated **February 11, 2025**.
130. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans, Elisabeth Luther (BIMC) and the Mary River Distribution List. Re – Final Written Submissions. Distribution of all Final Written Submissions from the QIA, CIRNAC, ECCC and DFO. Dated **February 12, 2025**.



131. Submitted **February 18, 2025** ECCC's Executive Summary in French.
132. Submitted **February 18, 2025** ECCC's Executive Summary in Inuktitut.
133. Cover E-mail from: Elisabeth Luther (BIMC) to: Karen Kharatyan (NWB) Re – Final Written Submission Response. Baffinland Requests a one day extension to submit Responses to the Final Submissions regarding the type A Water Licence Renewal. Dated **February 20, 2025**.
134. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans, Elisabeth Luther (BIMC) and to the Mary River Distribution List. Re – Final Written Submission Responses. Baffinland Requested a one day extension to submit Responses to the Final Submissions. They are now due on **February 21, 2025**.
135. Cover Letter from: Elisabeth Luther (BIMC) to: Karen Kharatyan (NWB) Re – Final Written Submission Responses. Baffinland provides its Final Written Submissions Comments submitted to the Board between February 5 and February 7, 2025. Baffinland notes that there are not outstanding issues from DFO's perspective and will engage with CIRNAC, ECCC and QIA should there be further consensus BIMC will report back to the Board and intends to submit an updated Water Licence Framework that reflects the agreed changes. Dated **February 21, 2025**.
136. Submitted **February 21, 2025** Attachment 1. Baffinland Responses to Reviewer Comments.
137. Submitted **February 21, 2025** Attachment 2. Proposed Updates to SWAEMP.
138. Prepared by the NWB Public Hearing Draft Agenda. Dated **February 24, 2025**.
139. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and the Mary River Distribution List. Re – Draft Agenda for the Public Hearing. Distribution of the Draft Agenda which includes a scheduled Community Session. Interested parties are requested by February 27, 2025 to confirm participation, provide the Board copies of their presentations; in English, French and Inuktitut and provide comments on the Draft Agenda. Dated **February 24, 2025**.
140. Letter from: Elisabeth Luther (BIMC) to: Karen Kharatyan (NWB) Re – type A Water Licence Renewal Public Hearing. Baffinland confirms its participation and provides documentation in preparation for the Public Hearing scheduled for March 11-12, 2025 in Pond Inlet, Nunavut. An Application for Short Term Renewal will follow under separate cover as a contingency in the event that a renewal of the type A Water Licence is delayed past the date of expiry. Dated **February 27, 2025**.
141. Submitted **February 27, 2025** Attachment 1. Public Hearing Presentation in Inuktitut and English.
142. Submitted **February 27, 2025** Attachment 2. Public Hearing Presentation in English and French.
143. Submitted **February 27, 2025** Attachment 3. Community Session Presentation in Inuktitut and English.



144. Submitted **February 27, 2025** Attachment 4. Type A Water Licence Framework with intervener comments and responses.
145. Submitted **February 27, 2025** Attachment 5. Updated commitment list.
146. Submitted **February 27, 2025** Attachment 6. Disposition Table for the Water Licence Renewal.
147. Cover E-mail from: Lauren Perrin (CIRNAC) to: Robert Hunter (NWB) Re – Draft Agenda; Public Hearing. CIRNAC confirms participation in the upcoming Hearing, Andrew Keim and Lauren Perrin will be present. CIRNAC presentation in English attached. Inuktitut and French translations to follow. CIRNAC has no objections to the draft agenda. Dated **February 27, 2025**.
148. Submitted **February 27, 2025** CIRNAC Public Hearing presentation in English.
149. Cover E-mail from: Paul Harper (DFO) to: Robert Hunter (NWB) Re – Draft Agenda; Public Hearing. DFO confirms participation in the upcoming Hearing, Paul Harper and Nichilas Wasilik will be present. DFO presentation in English and Inuktitut attached. French translation will be provided soon. DFO has no comments on the draft agenda. Dated **February 27, 2025**.
150. Submitted **February 27, 2025** DFO Public Hearing presentation in English and Inuktitut.
151. Cover E-mail from: Jessica Kassar (ECCC) to: Robert Hunter (NWB) Re – Draft Agenda; Public Hearing. ECCC confirms participation in the upcoming Hearing. ECCC's Public Hearing presentation in English and Inuktitut and a separate Community Session presentation attached. Dated **February 27, 2025**.
152. Submitted **February 27, 2025** ECCC's Public Hearing presentation in English and Inuktitut.
153. Submitted **February 27, 2025** DFO Community Session presentation in English and Inuktitut.
154. Cover E-mail from: Jared Ottenhof (QIA) to: Stephanie Autut (NWB) Re – Public Hearing Presentations. QIA is requesting an extension to March 5, 2025 to submit presentation slides due to recent developments with the Applicant. Dated **February 27, 2025**.
155. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) Re – Public Hearing Presentations. Distribution of all presentations submitted from Baffinland, CIRNAC, ECCC and DFO. QIA has requested an extension to submit presentations. Which are now due on March 5, 2025. Dated **February 28, 2025**.
156. Letter from: Assol Kubeisinova (QIA) to: Robert Hunter (NWB) Re – QIA Revised Final Written Submission and Technical Comment Status. QIA provides this correspondence to the NWB as a revision to QIA's final written submission regarding Baffinland Iron Mines Corporations Renewal Application for Water Licence No: 2AM-MRY1325. Dated **February 28, 2025**.



157. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and the Mary River Distribution List. Re – QIA Revised Final Written Submission and Technical Comment Status. Distribution of QIA’s Revised Final Written Submission and Technical Comment Status for Parties information. Dated **February 28, 2025**.
158. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and the Mary River Distribution List. Re – Final Agenda; Public Hearing. Distribution of the Final Agenda for the Public Hearing in English. Inuktitut translation to follow shortly. Dated **March 6, 2025**.
159. Prepared by the NWB Public Hearing Final Agenda in English. Dated **March 6, 2025**.
160. Prepared by the NWB Public Hearing Final Agenda in Inuktitut. Dated **March 6, 2025**.
161. Cover E-mail from: Assol Kubeisinova (QIA) to: Robert Hunter (NWB) Re – Public Hearing Presentation. QIA provides its presentation for the Public Hearing in English and Inuktitut attached. Dated **March 6, 2025**.
162. Submitted **March 6, 2025** QIA’s Public Hearing presentation in English and Inuktitut.
163. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and the Mary River Distribution List. Re – Public Hearing Presentation. Distribution of QIA’s Presentation for the Public Hearing. Dated **March 6, 2025**.
164. Cover E-mail from: Lauren Perrin (CIRNAC) to: Robert Hunter (NWB) Re – Public Hearing Presentation. CIRNAC provides it’s translated presentations for the Public Hearing. Dated **March 7, 2025**.
165. Submitted **March 7, 2025** CIRNAC’s Public Hearing presentation in Inuktitut.
166. Submitted **March 7, 2025** CIRNAC’s Public Hearing presentation in French.
167. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and to the Mary River Distribution List. Re – Public Hearing Presentation. Distribution of CIRNAC’s Inuktitut and French Public Hearing presentations. Dated **March 7, 2025**.
168. Prepared by the NWB Community Session Presentation in English and Inuktitut. Dated **March 8, 2025**.
169. Cover E-mail from: Elisabeth Luther (BIMC) to: Karen Kharatyan (NWB) Re – New Commitments – ECCC. Baffinland has agreed to the additional commitments in response to comments from ECCC. Two additional commitments attached within correspondence. Dated **March 11, 2025**.
170. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and the Mary River Distribution List. Re – New Commitments – ECCC. Distribution of Baffinland’s two additional commitments in response to ECCC comments. Dated **March 11, 2025**.
171. Submitted **March 11, 2025** Baffinland’s Updated Public Hearing Presentation in Inuktitut and English.



172. Submitted **March 11, 2025** Baffinland's Updated Community Session Presentation in Inuktitut and English.
173. Submitted **March 11, 2025** QIA Updated Public Hearing Presentation in Inuktitut and English.
174. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and the Mary River Distribution List. Re – QIA's Updated Presentation. Distribution of QIA's Updated Presentation. Dated **March 11, 2025**.
175. Submitted **March 11, 2025** QIA Corrected Public Hearing Presentation in Inuktitut and English.
176. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and the Mary River Distribution List. Re – QIA's Corrected Presentation. Distribution of QIA's Corrected Presentation. Dated **March 11, 2025**.
177. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and the Mary River Distribution List. Re – Baffinland's Updated Public Hearing and Community Session Presentations as well as the NWB and QIA Community Session Presentations. Distribution of Baffinland's Updated Public Hearing and Community Session Presentations as well as the NWB and QIA Community Session Presentations. Dated **March 12, 2025**.
178. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and to the Mary River Distribution List. Re - Approval of Request. Inform Distribution List of Chairperson's Approval of request to resume the Public Hearing in the afternoon are 2:30pm Eastern Time. Dated **March 12, 2025**.
179. Submitted **March 12, 2025** Licence Renewal Framework Baffinland Updates Hearing in Microsoft Word version.
180. Submitted **March 12, 2025** Public Hearing Commitments Updated Hearing in Microsoft Excel version.
181. Submitted **March 12, 2025** Water Licence Baffinland Disposition Table Updated in Microsoft Word version.
182. Prepared by the NWB March 11-12, 2025 Public Hearing and Community Session Registration forms. Dated **March 12, 2025**.
183. Submitted **March 25, 2025** and prepared by Dicta Court Reporting Services March 11-12, 2025 Public Hearing Transcripts dated March 11-12, 2025.
184. Cover E-mail from: Robert Hunter (NWB) to: Lou Kamermans (BIMC) and to the Mary River Distribution List. Distribution of the Public Hearing Transcripts from March 11-12, 2025 in Pond Inlet for Baffinland Iron Mines Corporations Application for Renewal of type A Water Licence No: 2AM-MRY1325. Dated **March 26, 2025**.
185. Recorded by the NWB **March 11, 2025**:



- **Exhibit 1** 2AM-MRY1325 Type A Water Licence Renewal NWB Public Hearing (English and Inuktitut) Baffinland Presentation.
- **Exhibit 2** 2AM-MRY1325 Type A Water Licence Renewal NWB Public Hearing (English and French) Baffinland Presentation.
- **Exhibit 3** Nunavut Water Board Public Hearing Baffinland Iron Mines Corporation Application for Renewal Water Licence No: 2AM-MRY1325 (English and Inuktitut) Qikiqtani Inuit Association Presentation.
- **Exhibit 4** 2AM-MRY1325 Type A Water Licence Renewal NWB Public Hearing—Community Meeting (*English and Inuktitut*) Baffinland Presentation.
- **Exhibit 5** Nunavut Water Board Public Hearing Baffinland Iron Mines Corporation Application for Renewal Water Licence No: 2AM-MRY1325 (*English and Inuktitut*) Qikiqtani Inuit Association Presentation.
- **Exhibit 6** Final Public Hearing of Baffinland Iron Mines Corporation Water Licence Renewal 2AM-MRY1325 March 11-12, 2025 (*English*) Crown Indigenous Relations and Northern Affairs Canada Presentation.
- **Exhibit 7** Final Public Hearing of Baffinland Iron Mines Corporation Water Licence Renewal 2AM-MRY1325 March 11-12, 2025 (*Inuktitut*) Crown Indigenous Relations and Northern Affairs Canada Presentation.
- **Exhibit 8** Final Public Hearing of Baffinland Iron Mines Corporation Water Licence Renewal 2AM-MRY1325 March 11-12, 2025 (*French*) Crown Indigenous Relations and Northern Affairs Canada Presentation.
- **Exhibit 9a** Baffinland Type A Water Licence Renewal Public Hearing Presentation by Environment and Climate Change Canada Community Session (*English and Inuktitut*)

186. Recorded by the NWB **March 12, 2025:**

- **Exhibit 9b** Baffinland Type A Water Licence Renewal Public Hearing Presentation by Environment and Climate Change Canada Public Hearing (*English and Inuktitut*) Environment and Climate Change Canada's Presentation.
- **Exhibit 10** Summary of Environment and Climate Change Canada Comment Submission (*Inuktitut*).
- **Exhibit 11** Mary River Project Water Licence Renewal for 2AM-MRY1325 (*English and Inuktitut*) Fisheries and Oceans Canada presentation.
- **Exhibit 12** Disposition Table for the Water Licence Renewal for Type A Water Licence 2AM-MRY1325 Mary River Project February 27, 2025 (updated March 12, 2025) (*English*) Baffinland Iron Mines Corporation.



- **Exhibit 13** Commitments List from the Public Hearing (updated March 12, 2025) (*English*) Baffinland Iron Mines Corporation.
- **Exhibit 14** Water Licence Renewal Framework Draft for Discussion (updated March 12, 2025) (*English*) Baffinland Iron Mines Corporation.



APPENDIX D – Sign-in Sheets – List of Participants in the Public Hearing

PUBLIC HEARING, BAFFINLAND
Pond Inlet, Nunavut March 11, 2025
Registration Form Day One

No.	First Name	Last Name	Organization/ Address	Phone	Fax	E-mail
1.	Paul	Harper	DFO			Paul.Harper@dfo-mpo.gc.ca
2.	Nicholas	Nasilik	DFO			nicholas.wasilik@dfo-mpo.gc.ca
3.	Assol	Kubeisinava	QIA			
4.	Corey	Shetman	QIA			cshetman@oktlaw.com
5.	Richard	Nesbitt	HESL/QIA			richard.nesbitt@esciences.ca
6.	Joseph	Cavallo	LLC/QIA			jcavallo@lgl.com
7.	Elisabeth	Luther	Baffin land			e.luther@baffinland.com
8.	Joamiz	Joamiz	Hamlet YCV			
9.	NISAWA	Gillag	HTO YCV			
10.	OLAYUK	NAQITARVIK	HAM			DLA
11.	Sakiasee	Qavna Q	HAM H.T.			S. Q.
12.	NATALINO	PUGATTUK	H.T.O			N.P
13.	TOPIC	KAERNER	H.T.O			T.K
14.	Moses Koonak		HMA			M.K
15.	Gerias	Pugattuk				

PUBLIC HEARING, BAFFINLAND
Pond Inlet, Nunavut March 11, 2025
Registration Form Day One

No.	First Name	Last Name	Organization/ Address	Phone	Fax	E-mail
16.	Joseph	McHattie	Justice Cda	613-890-5591		joseph.mchattie@justice.gc.ca
17.	Lloyd Eds	Ilout	Iqloolik HTA	343 545 4116		lloydilout2@gmail.com
18.	Al Mac	MacDonald	QIA	780 996 -5110		almac@firelight.ca
19.	Paul	Quenna	BIM	985-2672		pquenna@hotmail.ca
20.	Sarah	Forte	ECCC			sarah.forte2@ec.gc.ca
21.	Eva	Walker	ECCC	867 444. 3604		eva.walker@ec.gc.ca
22.	Jol	Tigullasag	BIM	867-222 6622		Joseph.tigullasag@baffinland.com
23.	Roger	Taslu	Arctic Bay	(867) 526-0131		rogtaslu@gmail.com
24.	Andrew	Atagotlukon	Iqloolik	934 32 98		
25.	Jonathan	MHTO	Pond Inlet	867 899 8274		John K
26.	Titus	Arnekuilak	"	343-548-0760		Titus
27.	Regina	Palitug	Clyde River	867 659 9485		Regina
28.	Chris		HAMLET Pond Inlet	899 7793		Chris
29.	Megan	Lord-Hoyh	BIM	416 346-4533		Megan.lord-hoyh@baffinland.ca
30.	Abraham	Gammittig	HBHTA	867 222 9303		Abraham

PUBLIC HEARING, BAFFINLAND
Pond Inlet, Nunavut March 11, 2025
Registration Form Day One

No.	First Name	Last Name	Organization/ Address	Phone	Fax	E-mail
31.	Caleb	SawGora	Baffinland	899-1893		
32.	Timothy	Qamanig		3435491181		
33.						
34.	P. AGLAN		Pond Inlet	200		
35.	William	Bowden	BIMC	200M		
36.	Todd	Swenson	BIMC	200M		
37.	Steve	Borc Sak	BIMC	200M		
38.	Reg	Ejeckam	ECCE	200M		
39.	Kathryn	Kuchapski	Minnow for BIM			
40.	Jordan	Holman	ECCE			
41.	Jessie	Kassar	ECCE			
42.	Jake	Catman	LGL/AIA			
43.	Mitchell	Kay	LGL/AIA			
44.	Colin	Kovachik	DFO			
45.	Zachery	Bliss	Meadows Low			

PUBLIC HEARING, BAFFINLAND
Pond Inlet, Nunavut March 11, 2025
Registration Form Day One

No.	First Name	Last Name	Organization/ Address	Phone	Fax	E-mail
46.	Robert	Nissan	ECCE			
47.	JAREN	OTTEKHOF	QIA			
48.	Lo	Kamenars	BUM			
49.	IVAN	Atagootak	Pond Inlet			
50.	Ipeelee	Mucpa	Pond Inlet			ipeeleemucpa2@gmail.com
51.	Aserath	Atagootak	Pond Inlet	(343) 551 4173		
52.	Louisa	Amarualik	pond Inlet	867 224 2069		lamarualik-2468@hotmail.com
53.	Ezekiel	Lb (Ch	FCPLC	9835257		ezekielmudglaft@gmail
54.	Richard	Dwyer	NWD	200M		
55.	Cilly Nuteerung	Nuteerung	HAMLET	867 224 0491		green Nuteerung
56.	Rhoda Katsak	Katsak	Interpreter	867 98985		rkatsak@gmail.com
57.	Joshua	KATSAB		899-1656		JKatsab@QIA.ca
58.	James	Simonee	QIA Employee	899-1821		James.Simonee@qia.ca
59.	Steven	Panipakoochoo	Pond Inlet			
60.						

PUBLIC HEARING, BAFFINLAND
Pond Inlet, Nunavut March 11, 2025
Registration Form Day One

No.	First Name	Last Name	Organization/ Address	Phone	Fax	E-mail
61.	P. AELLA					
62.	1265	Ootookah		224 0807		
63.	Ada	Pikuyak	Pond Inlet	2170507		ada-kadlitsiaq@hotmail.ca
64.	Agnes	Makhar	POND INLET	899 2301		
65.	1250****135			Zoom/Telephone		
66.	Elvagh. P.	Panikpakoochoo Panikpak	Pond Inlet			
67.	Morgan Sta	Schauerke	Halifax	902 414 3539		morgan.schauerke@stnbec.ca
68.						
69.						
70.						
71.						
72.						
73.						
74.						
75.						

COMMUNITY SESSION, BAFFINLAND
Pond Inlet, Nunavut March 11, 2025
Registration Form

No.	First Name	Last Name	Organization/ Address	Phone	Fax	E-mail
1.	JONAH	KOONARK	MHTO	8274		
2.	Regilee	Pahuy	Hamlet	867 689 9485		
3.	NATALINO	PUGATTOK	HTO.			
4.	Megan	Schauerte	Stantec	602 414 3535		megan.schauerte @stantec.com
5.	Megan	Lord-Hayle	Bim	416 546 4533		megan.lord-hayle@baffinland.nu
6.	Lou	Kanemane	BIM			
7.	Abraham	Qannang	ABHTA	222 9303		Age 2.
8.	Jolie	KAERVAK	HT			To K
9.	Eva	Walker	ECCC			sarah.forte@ec.gc.ca
10.	Sarah	Forte	ECCC			eva.walker@ec.gc.ca
11.	Amel	Kubersnova	QIA			
12.	Lynn	Perrin	Cinnac			
13.	Richard	Vosbit	QIA/HESL			
14.	JAMES	OTTENHOF	QIA			
15.	MOSES	KOONARK	HAMAT			Moses Koonark

COMMUNITY SESSION, BAFFINLAND
Pond Inlet, Nunavut March 11, 2025
Registration Form

No.	First Name	Last Name	Organization/ Address	Phone	Fax	E-mail
16.	Sanson	Fulford	Public	—	—	—
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COMMUNITY SESSION, BAFFINLAND
Pond Inlet, Nunavut March 11, 2025
Registration Form

No.	First Name	Last Name	Organization/ Address	Phone	Fax	E-mail
31.	Sakisee	Qavuaq		439 8825		
32.	OLAYUK	NARITARVIK	Hgm let			
33.	NYSARA	Qdlag	HTO			
34.	Joamix	Apok	Ma			
35.	Andrew	ATTABUTALOKUTUK	H.T.A.			
36.	Roger	Taqtu	HTO	(667)526031		rogtagtu@gmail.com
37.	Al	Macdonald	QIA	780 996-5110		
38.	Joseph	Cavallo	LBL/QIA	416 6028951		jcavallo@lgl.ca
39.	Lloyd	Elbout	Iqboik.HTO	3435434116		
40.	Joshua	KATSAK	POND	899-1656		
41.	Titus	Arnerukku	11	343-548-0760		
42.	Nicholas	Wasilik	DFO			nicholas.wasilik@dfo-mpo.gc.ca
43.	Paul	Harper	DFO			Paul.harper@dfo-mpo.gc.ca
44.	A-Ku	Keim	Cinac			
45.	L.	Perrin	esnac			

COMMUNITY SESSION, BAFFINLAND
Pond Inlet, Nunavut March 11, 2025
Registration Form

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46.	Elisabeth	Luther	Baffinland			elisabeth.luther@baffinland.com
47.	Billy Merkosh		Self			
48.	Jerold K	Koonak	Self			
49.	Paul Mura	ir	Pond Inlet	1867-224 0753		
50.	Kenan	Jessy Arter	P I	224 0621		
51.	Cindy	Nutararuaq	HAMLET COOP POND INLET	224-0491		
52.	4448 R20A					
53.	6n	DT6	Pond Inlet	x	x	x
54.	Aserath	Atagutbe	Pond Inlet	x	x	x
55.	Mary	Simonie	Pond Inlet	899-1845	x	M. Simonie
56.	Lizzie	Simonie	Pond Inlet	899-8269	x	
57.	Norman	Simonie	Pond Inlet	899-2239		Norman Simonie
58.	Gisa Inuarak		Pond Inlet			04h A-55 th
59.	Lazarus	Kyak	Pond Inlet	867 899 8336		
60.	Samuel	Simonie	Pond Inlet	899-2239		

COMMUNITY SESSION, BAFFINLAND
Pond Inlet, Nunavut March 11, 2025
Registration Form

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63.	Paul	Quassu	BIM			
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PUBLIC HEARING, BAFFINLAND
Pond Inlet, Nunavut March 12, 2025
Registration Form Day Two

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1.	Diseth	Lthe	Bim			-
2.	Morgan	Schauerle	Stantec			morgan.schauerle@stantec.ca
3.	Sarah	Forte	ECCC			
4.	Roger	Taqtu	HTO	867/526-0131		
5.	Eva	Walker	ECCC			
6.	ANDREW A.	ATTAGUTALUKUTOK	igloodlik HTO			
7.	JONATHAN	KOONARIK	MHTO	8274		
8.	Richard	Nosbit	QIA/IESL			
9.	Corey	Shetman	QIA			
10.	GLISIRIK	PORNLOUSIA	HAMLET			
11.	Paul	Quaxen	BIM.	975-2672		
12.	AI	Macdonald	QIA			
13.	Arnel	Kubeismann	QIA			
14.	Joseph	McHattie	Justice Cda	613-890-5541		
15.	Joe	Tf gallaway	B/PM	867-222-6622		

PUBLIC HEARING, BAFFINLAND
Pond Inlet, Nunavut March 12, 2025
Registration Form Day Two

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18.	Sakiassee	Qaunaq	Harmon H.T.			
19.	TOPIC	KARNED	HTO			FOK
20.	JARED	OTTENHOF	QIA			
21.	Titus	Arnakellak	Interpreter	343-548-0766		
22.	Abraham	Qammanig	HBATA	2229303		Abe
23.	Lloyd	Illoot	Iqloolik HTO	3435434116		
24.	Nicholas	Wasilik	DFO			nicholas.wasilik@dfo-mpo.gc.ca
25.	Megan	Lord-Hoyle	Bim	1		
26.	Joshua	KATSAR	Box 68	899-1656		jkatsar@QIA.ca
27.	LENDZ	QESS	HTO			
28.	P. AGLAS					
29.	NATALINO	PUGHAN	H.T.O			NP
30.	Jessica	KASSAR	ELCC	200M		

PUBLIC HEARING, BAFFINLAND
Pond Inlet, Nunavut March 12, 2025
Registration Form Day Two

No.	First Name	Last Name	Organization/ Address	Phone	Fax	E-mail
31.	Lazarus	Kyak	222	8336		
32.	Jordan	Hollman	ECCC	200M		
33.	Kathryn	Kuchapski	Minnow Bimc	200M		
34.	Reg	Ejeckam	ECCC	200M		
35.	Robert	Nissan	ELCC	200M		
36.	Steve	Borcsok	BIMC	200M		
37.	Todd	Swenson	BIMC	200M		
38.	William	Borden	BIMC	200M		
39.	Zachary	Bliss	Meddows Law	200M		
40.	Molleen	Araviapit	Legislative	8999		
41.	Rhoda	Katsak	interpreter	8998872		rkatsak@gmail.com
42.			1867 XXX 086	200M		
43.	Colin	Korachik	DFO	200M		
44.	Lanren	Penn	Cirnae			
45.	BLORIS	PETROLLOWS				

PUBLIC HEARING, BAFFINLAND
Pond Inlet, Nunavut March 12, 2025
Registration Form Day Two

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46.	Titus	Arnakellek	Translator	313-548-0766		patig286@gmail.com
47.	P. AGLAK					
48.	IVAN	Atagootak	POND INLET	899 1834		
49.	Log	Kanemans	BIM			
50.	Joshua	Idlout	INUK			
51.	Zoe	Macpa	INUK			
52.	Guy.N	Nutararuaq	HAMLET	224 0491		
53.	NATALINO	PUGATYUK	H.T.O			
54.	Ipeke	Muepe	POND INLET.			
55.	Paul	Muepe	PondInlet			
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