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NUNAVUT WATER BOARD
NUNAVUT IMALIRIYIN KATIMAYIT
OFFICE DES EAUX DU NUNAVUT

NIRB File No.: 08MN053
NWB File No.: 2BE-MRY----
QIA File No.: LUA-2008-008
AANDC File No.: N2008T0014
DFO File No.: 2008 MR
NRCan File No.: NT-056
TC File No.: 7184-17-5

September 28, 2011

Mary River Distribution List

Sent via Email

**Re Acknowledgement of Baffinland Iron Mines Corporation, Mary River Project,
Application for NLCA 12.10.2(b) Exceptions and Commencement of Technical
Review Period**

Dear Parties:

The Nunavut Water Board (NWB or Board) received on September 23, 2011, from Baffinland Iron Mines Corporation (BIMC), the following submissions in support of BIMC request for exceptions under 12.10.2(b) of the Nunavut Land Claims Agreement for certain activities proposed under the Mary River Project:

- Application For Review and Approval of Pre-Development Work;
- Appendix A.1 – Summary of Project Work Plans for 2012;
- Appendix A.2 – Amendment Application for NWB Licence 2BB-MRY0710;
- Appendix A.3 – Application for Crown Land Lease for Steensby Inlet;
- Appendix A.4 – Application for Quarry Lease for Steensby Site;
- Appendix A.5 – DFO-Application for Review Department of Fisheries and Oceans Pre-Development Work-Plan Steensby Access Road Watercourse Crossings A, B and C;
- Appendices B.1-B.12 – Environmental Management Plans; and
- Appendix D – Model Graphics /Photographic views in Support of Pre-Development Work;
- Appendix E – Technical Documents;
- Appendix F – Detailed Construction Equipment List; and
- Location maps, site layouts, and design drawings for various facilities approved for use and/or proposed under the exception request.

Access to the above referenced submissions is made available through NWB's ftp site at the following link (username *public* and password *registry*):

<ftp://nunavutwaterboard.org/1%20PRUC/2%20MINING%20MILLING/2B/2BE%20-%20Exploration/2BE-MRY----%20Baffinland/>

Following receipt, the NWB conducted a Preliminary Technical Review (PTR) of the submissions relevant to its mandate, and although some deficiencies were identified with respect to water licensing requirements, at this early stage in the process and given the commitment of the NWB and the Nunavut Impact Review Board (NIRB) to a coordinated review process for this application, the Board invites comments and/or recommendations from interested parties with respect to the following:

- Completeness of the amendment application;
- Scope and/or extent of activities proposed under the amendment application;
- Applicability and functionality of the management plans accompanying the amendment application;
- Availability and completeness of design drawings for facilities proposed; and
- Appropriateness of the design basis or rationale for the facilities proposed.

The NWB also notes that BIMC has indicated that an updated security assessment has not been supplied with the water licence amendment application materials received to date but will be provided as an addendum to the current Abandonment and Restoration (A&R) Plan as supplementary information under separate cover, with an anticipated submission date of October 1, 2011.

To ensure that the review is approached in as coordinated a manner as possible under the circumstances, the NWB requests that all comments and/or recommendations with respect to the above water license amendment application should be submitted to the NIRB by October 28, 2011. This is in keeping with the timelines set out by the NIRB in its letter of September 22 requesting comment on whether the proposed activities in the overall application package constitute an allowable exception to the NIRB's review of the Mary River project, pursuant to Section 12.10.2(b) of the Nunavut Land Claims Agreement (NLCA).

Please note that, for administrative reasons, the NWB has decided to process the amendment application as a new licence, 2BE-MRY----, instead of an amendment to Licence 2BB-MRY1114.

Should you have any questions, please feel free to contact Sean Joseph at 867-360-6338 ext. 25 or by email at sjoseph@nunavutwaterboard.org.

Yours truly,

Original signed by:

Dionne Filiatrault
Executive Director
Nunavut Water Board

Cc: Distribution List – Mary River Project