



Appendix B to Determination R-2025-215

Commitments

As per condition 1, the Agency incorporates as conditions all of Baffinland's railway construction- and operational-activity-related commitments. The text of the following conditions were provided by Baffinland on October 15, 2025, in a document entitled "Steensby Railway Table of Commitments". Commitments or portions of commitments that are not related to railway construction and operation have been excluded. That is why the numbered list contains gaps. Some explanatory information has been added in square brackets.

Baffinland's (Proponent or Company) Railway-related commitments, as contained in (or taken from or reproduced from) its "Steensby Railway Table of Commitments", are as follows:

- (1) Baffinland is committed to developing and implementing mitigation measures which control fugitive dust emissions.
- (2) Baffinland is committed to purchasing the highest tier (per the USA's EPA standards) of locomotive available for use at the Mary River project.
- (3) Baffinland is committed to monitoring fugitive dust emissions on vegetation along the first few kilometres of the Railway leaving both terminals (Mary River and Steensby Inlet). This monitoring will be extended if it is identified that other areas of the project site are also being impacted by fugitive dust emissions.
- (4) Baffinland is committed to the development and implementation of a monitoring program during the construction and other phases of the Mary River Project.
- (5) Baffinland will provide sufficient funding for the Dust Audit Committee to continue to support the annual dust audit and associated reporting for the life

of the Project, and for any other work of the Dust Audit Committee where it supports other areas of the project. Specifically, the second annual dust audit report will include a one-time retrospective review of the Objectives, Indicators, Thresholds and Responses related to dust in the most up to date version of the Air Quality and Noise Abatement Management Plan, unless the Dust Audit Committee independently determines it does not wish to carry out such review. It is acknowledged that the Dust Audit Committee name and duties may change or expand in future to other topics, and will continue to carry out annual dust auditing until such time as Baffinland and QIA agree such audits are no longer needed.

- (6) The Proponent shall provide the results of any new or revised assessments and studies done to validate and update climate change impact predictions for the Project and the effects of the Project on climate change in the Local Study Area and Regional Study Area as defined in the Proponent's Final Environmental Impact Statement.
- (7) The Proponent shall update its Dust Management and Monitoring Plan to address and/or include the following additional items:
 - a. Outline the specific plans for monitoring dust along the first few kilometres of the rail corridor leaving the Mary River mine site.
 - b. Identify the specific adaptive management measures to be considered should monitoring indicate that dust deposition from trains transporting along the rail route is greater than initially predicted.

...

The Proponent shall implement its Dust Management and Monitoring Plan, report all monitoring data to the NIRB annually, and take all adaptive management measures described in its Dust Management and Monitoring Plan if monitoring indicates that dust in the ambient air or dust deposition from the increased traffic associated with the increased volume of ore being shipped is greater than initially predicted.

- (8) The Proponent shall monitor the effects of the Project on the permafrost along the railway... and must implement effective preventative measures to ensure that the integrity of the permafrost is maintained.

- (9) 15.2 of IIBA [Inuit Impact and Benefit Agreement] Mitigation and Monitoring

The Company will implement all mitigation measures or monitoring provisions, including those identified in the Final EIS and required by NIRB under the NIRB Project Certificate(s) and other mitigation measures and monitoring provisions developed by the Company from time to time through the Environmental, Health and Safety Management System (“EHS System”). Impact predictions contained within the Final EIS and all related mitigation measures and monitoring provisions contained in the Final EIS provide a defined point of analysis for monitoring actual effects of the Project. Project monitoring programs will evaluate the accuracy of the project impact predictions and significance determinations including assessments of the efficacy of all mitigation measures. In furtherance of Section 12.7.5 of the NLCA, but without abrogating or derogating from any monitoring or reporting obligation expressly provided for in this Agreement, nothing in this Agreement shall require the Company to do anything that would overlap or duplicate Article 12 of the NLCA, or under any federal legislation enacted pursuant to the NLCA or any of the requirements of the Company’s regulatory authorities and licenses.

- (10) 15.3.4 of IIBA EHS System

As part of the EHS System the Company agrees to undertake a series of monitoring programs on a continuous basis for the following purposes:

- (a) To supplement the baseline data;
- (b) To comply with environmental, regulatory and contractual requirements;
- (c) To validate the predictions relating to the potential effects;
- (d) To improve management plans;

(e) To support and refine adaptive management processes and procedures;
and

(f) To address new or additional issues identified and agreed to by the
Parties from time to time.

(11) 15.4 of IIBA Further Technical Studies

As part of the its regulatory requirements or as part of the EHS system the
Company will undertake further technical reports or studies as necessary or
desirable to establish, enhance or update existing data and information,
scientific or otherwise

(13) 15.10.1 of IIBA Regulatory Affairs

The Company will comply with all regulatory requirements associated with the
Project, as described in their Sustainability Policy including but not limited to the
NIRB Project Certificate and all Nunavut Water Board licences related to the
Project.

(14) Baffinland is committed to having a Railway Emergency Response Plan and
trained personnel for responding to Railway specific emergencies.

(15) Baffinland is committed to installing ploughs on the sides of locomotives in
order to ensure that the rail line is kept clear of snow during Railway operations.

(16) Baffinland is committed to carrying out regular maintenance and inspection of
the Railway infrastructure in accordance with established guidelines and
regulations.

(17) Baffinland is committed to comply with the Railway Locomotive Inspection and
Safety Rules, Railway Freight Car Inspection and Safety Rules referenced in
Transport Canada's final written submission to the NIRB.

(18) Baffinland is committed to developing and finalizing an operating strategy that
will provide the highest level of safety in transportation of fuel using rail cars.

- (19) Baffinland is committed to ensuring that bulk fuel transported by rail is contained in tanker cars and all hazardous substances will be shipped in sea containers to minimize spill potential along the rail line.
- (20) Baffinland is committed to providing detailed maps of the Railway corridor to the Nunavut Planning Commission if a NIRB project certificate is issued for the Mary River Project.
- (21) Baffinland commits that buildings placed along the rail line for signal and switch requirements will also be intended for use as emergency shelters for Railway personnel.
- (24) Baffinland is committed to seeking and utilizing external expertise to assist them with the development of emergency response planning and to provide formal training specific to accidents and emergency response for the Emergency Response Team, which will be stationed at site at all times. This training would include responding to Railway specific emergencies.
- (25) Baffinland is committed to conducting routine training exercises and strategically placing resources and equipment on site for spill response.
- (27) Baffinland is committed to meeting on a regular basis with the emergency response and preparedness working group to review emergency preparedness.
- (28) Baffinland is committed to ensuring that adequate resources are allocated to the development and deployment of emergency and spill response capabilities.
- (29) Baffinland is committed to ensuring that all spills are reported in accordance with the relevant spill contingency planning and reporting regulations and guidelines.
- (32) 13.1 of IIBA Objective

The objective of Article 13 hereof is to ensure that any potential incompatibility of the rights of Inuit to free and unrestricted travel and access for harvesting to all lands, waters and marine areas within the Nunavut Settlement Area with the Company's land use activities and rights of navigation in marine areas may be

reduced, provided that the Company's obligations shall not exceed the corresponding rights of Inuit pursuant to the provisions of the NLCA. The QIA recognizes the Company's right to operate and to manage their activity within the Project Area including the rail and shipping corridor, subject to the provisions of this Agreement and QIA recognizes the restrictions on the Inuit right of access under Sections 5.7.18 and 5.7.25 of the NLCA which are not intended to be changed by this Agreement.

(33) 13.3.1 of IIBA Mitigation Measures

In addition to the respective rights and obligations of the Parties pursuant to Article 17 and without limiting the rights of QIA and Inuit generally pursuant to Article 6 of the NLCA, the Company agrees to offset potential Project impacts to Inuit travel and access rights by implementing the following mitigation measures: (a) Providing fuel at the Project facilities for detouring around Project infrastructure and also the associated shipping route at Steensby Inlet in landfast ice; (b) Providing food and shelter at Project facilities; (c) Support Inuit in identifying, communicating and using safe routes in or around the Project infrastructure and marine shipping routes; (d) Any other proposed Inuit travel mitigation measures, including those forwarded from the Annual Project Review Forum referred to in Section 14.3 and agreed to by the Parties.

(36) Baffinland is committed to developing and implementing a Terrestrial Environment Mitigation and Management Plan and track progress of the plan to assist in guiding adaptive management strategies slated for implementation at the Mary River Project.

(37) Baffinland is committed to investigating any mortality to caribou resulting from project activity, and to investing in a precautionary monitoring and adaptive management program to mitigate caribou responses to development activities.

(38) Baffinland is committed to undertaking the required or relevant monitoring for both terrestrial wildlife and vegetation throughout the life of the Mary River Project to verify predictions made as well as to confirm compliance with

applicable regulations. The information would be used to support adaptive management strategies and required mitigation measures.

- (39) Baffinland is committed to implementing appropriate measures to ensure that all caribou carcasses linked to the project activities are discarded in accordance with applicable regulations and guidelines.
- (40) Baffinland is committed to implementing traffic controls along the Railway if it is determined that the caribou mortality rate is impacted by the Railway.
- (41) Baffinland is committed to monitoring the effects of the Mary River Project on wolf and wolf denning areas.
- (42) Baffinland is committed to monitoring relevant sections of the project area for nesting and migration activities, noting both areas and patterns, for Falcons, Eiders, Red Knots, sea birds, song birds and shore birds.
- (43) Baffinland is committed to carrying out monitoring over the next few years to look at other types of birds not considered during other research for the Mary River Project.
- (44) Baffinland will conduct aerial caribou surveys in Fall 2022 or 2023.
- (45) Baffinland will work with the Hamlets and HTOs of Igloolik and Sanirajak to carry out additional baseline studies for... terrestrial, and avian wildlife related to Steensby. This could begin as early as 2023.
- (46) QIA and Baffinland will jointly develop and approve, by April 2024, the adaptive management elements for monitoring programs and Inuit Objectives, Indicators, Thresholds and Responses for the Adaptive Management Plan related to narwhal, seal, Arctic char, caribou, dust and culture, resource and land use.
- (47) Baffinland will provide, by December 31, 2022, a timeline and plan for development of monitoring and AMP plans.

- (49) Baffinland will support and fund a study of North Baffin caribou based on Inuit Qaujimajatuqangit (IQ), to be led by the QIA in conjunction with HTOs. This work will be used to identify areas within the vicinity of the Project that are highly sensitive to caribou and to gather data to support the re-estimation of the Zone of Influence around the Project. Once complete, Baffinland and the QIA will re-estimate the Zone of Influence for caribou with input from the TEWG, and determine appropriate mitigation measures to apply in designated Project Protection Zones, including requirements for the suspension of blasting, helicopter overflights, road traffic, and measures to reduce dustfall. Baffinland agrees to implement the revised Caribou Protection Measures upon agreement of the location of Project Protection Zones and the mitigation measures that will apply in these zones. Baffinland also agrees to additional interim measures which shall be developed and will apply until replaced by revised measures as informed by the IQ collection referenced above. Baffinland will resource QIA work associated with this commitment through its funding of the Inuit Stewardship Program (see QIA-08).
- (50) Baffinland commits to continue to work towards the completion of a caribou research agreement and data sharing agreement in support of regional caribou monitoring initiatives for the current project.
- (51) While the Inuit led North Baffin Caribou Study is being completed, Baffinland will develop interim caribou protection measures within 6 months of issuance of the amended Project Certificate. The interim measures will include group size and distance thresholds that will trigger specified responses, including activity suspensions, on an activity by activity basis. These interim measures will apply during the period May 15 to July 15. Baffinland will seek advice from TEWG Members and available literature in the development of the interim measures. [Note this commitment is related to existing Appendix B Commitment 064]
- (52) Baffinland will continue to confirm through annual monitoring and reporting if dust deposition is negatively affecting surface water quality and confirm that the adaptive management components of the Surface Water and Aquatic Effects Ecosystems Management Plan (SWAEMP) and Air Quality and Noise Abatement

Management Plan (AQNAMP) will be implemented, if necessary, to adaptively manage impacts on surface water and sediment quality.

(53) The Proponent, through coordination with the TEWG as may be appropriate, shall demonstrate appropriate adaptive management for project activities during operations which have the potential to produce noise and sensory disturbance to wildlife and other users of project areas.

(54) The Proponent shall provide an updated Terrestrial Environmental Management and Monitoring Plan which shall include, but not be limited to the following:

- a) Details of the methods and rationale for conducting monitoring prior to the commencement of construction;
- b) Monitoring for caribou presence and behavior during railway and... construction;
- c) Description and justification of statistical design or other means of determining effect and proposed analyses to support the conclusions drawn from monitoring impacts of the mine and related infrastructure on wildlife;
- d) Details of monitoring and mitigation activities, which should be established in collaboration with the Terrestrial Environment Working Group and are expected to include:
 - i. Dust fall (fugitive and Total Suspended Particulates), that addresses methods to reduce risk to caribou forage from dust fall;
 - ii. Snow track surveys during construction and the use of video surveillance to improve the predictability of caribou exposure to the railway and... Using the result of this information, an early warning system for caribou on the railway and... shall be developed for operation;

- e) Details of monitoring thresholds related to level of mitigation and management.

(55) Within its annual report to the NIRB, the Proponent shall incorporate a review section which includes:

- a) An examination for trends in the measured natural variability of Valued Ecosystem Components in the region relative to the baseline reporting;
- b) A detailed analysis of wildlife responses to operations with emphasis on calving and post-calving caribou behaviour and displacements (if any), and caribou responses to and crossing of the railway... and associated access roads/trails;
- c) A description of the extent of dust fall based on measured levels of dust fall (fugitive and finer particles such as TSP) on lichens and blueberries, and ash content of caribou fecal pellets;
- d) A demonstration and description of how the monitoring results, including the railway... and dustfall contribute to cumulative effects of the project;
- e) Any proposed changes to the monitoring survey methodologies, statistical approaches or proposed adaptive management stemming from the results of the monitoring program;
- f) Any updates to information regarding caribou migration trails.

Maps of caribou migration trails, primarily obtained through any new collar and snow tracking data, shall be updated (at least annually) in consultation with the Qikiqtani Inuit Association and affected communities, and shall be circulated as new information becomes available.

(56) The Proponent is strongly encouraged to provide buildings along the rail line... for emergency shelter purposes, and shall make these available for all employees and any land users travelling through the Project area. In the event that these buildings cannot, for safety or other reasons be open to the public,

the Proponent is encouraged to set up another form of emergency shelters (e.g. seacans outfitted for survival purposes) every 1 kilometre along the rail line... These shelters must be placed along... rail routing prior to operation of either piece of infrastructure, and must be maintained for the duration of project activities, including the closure phase.

- (57) The Proponent shall include within its updated Terrestrial Wildlife Management and Monitoring Plan, a commitment to establish deterrents along the railway and... embankments at any areas where it is determined that caribou are utilizing the embankments or transportation corridors to facilitate movement and where such movement presents a likelihood of caribou mortality to occur.

- (58) 14.3 IIBA Annual Project Review Forum

The Parties [Baffinland and QIA] agree to hold an Annual Project Review Forum (referred to in this Article 14 as the “Forum”) at which QIA and the Company shall discuss Project related issues directly with members from impacted communities. The Forum shall compare key actual impacts, their significance and actual mitigation results against the Company’s anticipated residual effects initially as set forth in the Final EIS (Volume 1 – Main Document) at “Section 12.0 – Statement of Residual Effects”, including Table 1-12.1 – “Summary of Residual Biophysical Effects” and Table 1-12.2 – “Summary of Residual Socio-economic Effects” and which are referred to in this Article 14 and in Article 15 as the “Final EIS Impact Projections”.

- (60) IIBA 17.2.3 Wildlife Incident Reporting

On receiving notice of a wildlife kill, the QIA IIBA Manager or the QIA Environmental Monitor may identify an individual who shall be directed to attend the wildlife kill location as soon as possible to prepare the carcass and, where feasible, have the Company deliver salvageable wildlife parts to an affected community. QIA agrees that where immediate transport by the Company to an affected community is not feasible, the QIA IIBA Manager or QIA Environmental Monitor may provide direction to the Company for the proper storage of wildlife parts until transportation can be provided. The Company shall

pay for any costs associated with the preparation, storage and transport of accidental or emergency wildlife kills.

(61) IIBA 17.5.1 Compensation for Polar Bear Kills

In the event that an employee of the Company, a contractor or a subcontractor causes an accidental or emergency kill of a polar bear within the Project Area, the HTO of the affected community may apply for compensation to be paid by the Company in an amount to be determined by QIA. The amount shall cover the value of the tag, as determined by QIA following discussion with the affected HTO, allocated for the bear killed plus, if applicable, an amount to compensate for the forfeiture of a tag in the following year for the affected community. In no case shall the total amount compensated per polar bear be less than \$20,000. The minimum amount of compensation for polar bear kills may be reviewed and renegotiated periodically by the Parties.

(64) Baffinland is committed to participating in ongoing initiatives, including working with stakeholders, to address all issues related to the Mary River Project.

(65) Baffinland is committed to contributing to overseeing the implementation of the IIBA including monitoring of the Project on a continuous basis to allow for ongoing Inuit input related to environmental and social impacts.

(66) Inuit monitors will be present at the project site, at all times, and during all phases of the project (construction, operation, closure and post closure).

(68) Baffinland commits to incorporating IQ and scientific knowledge in monitoring.

(69) The Proponent shall collaborate to the extent possible with the Qikiqtani Inuit Association and local Hamlet organizations when undertaking consultation with all affected communities regarding railway... operations. During these consultations, it is recommended that the Proponent provide information including video, audio, and photographic representation as well as any other aids (i.e. models) that may enhance the general public's understanding of railway... operations, as well as all safety considerations for members of the public who may be travelling around the project area.

(70) The Proponent should make all reasonable efforts to engage Elders and community members of the North Baffin communities in order to have community level input into its monitoring programs and mitigative measures, to ensure that these programs and measures have been informed by traditional activities, cultural resources, and land use as such may be implicated or impacted by ongoing Project activities.

(71) The Proponent shall continue to engage and consult with the communities of the North Baffin region in order to ensure that Nunavummiut are kept informed about the Project activities, and more importantly, in order that the Proponent's management and monitoring plans continue to evolve in an informed manner.

(73) Section 15.6.1 IIBA Final EIS Impact Projections – Different or Greater Significance of Foreseen Impacts

If the collection and use of Inuit Qaujimajatuqangit, as defined in Section 16.1, or the results of any monitoring programs, including the EHS System, reasonably demonstrates that an environmental or socio economic impact is different than those predicted in the Final EIS then the Company shall carry out appropriate measures as contained in the EHS System. These measures may include revisions to the Company's management and mitigation plans within the EHS System, as described in Subsection 15.3.4, to undertake further technical studies as described in Section 15.4, or require the creation of a working group pursuant to Section 15.5. These measures will be reviewed at the Forum pursuant to Article 14 and by the Joint Executive Committee pursuant to Section 14.14. The evaluation of the potential effects of the project and changes to any management and mitigation plans is part of the continuous improvement principle as applied by the Company.

(74) Section 15.6.2 IIBA Final EIS Impact Projections – Different or Greater Significance of Foreseen Impacts

If the collection and use of Inuit Qaujimajatuqangit or the results of any monitoring programs, including the EHS System, reasonably demonstrates that the significance of residual adverse impacts foreseen by the Final EIS Impact

Projections are determined to be significant and materially greater than described in the Final EIS, then the Company shall carry out appropriate measures as contained in the EHS System. These measures will be reviewed by the Forum pursuant to Article 14 and by the Joint Executive Committee pursuant to Section 14.14.

(75) Section 15.8 IIBA Environmental Monitors

The Company shall pay QIA the cost to fund a full-time presence on site for Environmental Monitors to be appointed and employed solely by QIA, who shall be in attendance on site at the Project and provide written reports to QIA and the Company. The Environmental Monitors shall attend the Project site with a copy of all environmental approval conditions, including any applicable NIRB project certificate conditions and shall work with representatives of the Company's environmental department to, inter alia, ensure the proper and adequate implementation of all management and monitoring plans specific to the physical environment. The Environmental Monitors shall also participate in the organization of and shall facilitate discussion at the Annual Project Review Forum. A Job Description for the position of the Environmental Monitors is set forth in the Implementation Guide.

(76) Section 16.2 IIBA Objectives

16.2.1 IQ is beneficial to the Parties and will provide environmental, ecological, cultural and socioeconomic information otherwise unavailable to assist in the following:

- (a) Determination of accuracy of impact predictions as set out in the Final EIS;
- (b) Assist in the verification of effectiveness of mitigation measures as for the potential bio-physical and socio-economic effects of the Project;
- (c) Designing, conducting and interpreting results from project monitoring activities and interpreting the effectiveness of impact reduction activities;

- (d) Identification of direct impacts as a result of Project activities and not anticipated in the Final EIS;
- (e) Contributions to enhanced long-term relationships among QIA, Inuit and the Company both within the workplace and communities;
- (f) Guide communications between QIA, Inuit and the Company;
- (g) Providing a way of engaging Inuit to share information to better inform discussions and decisions related to the Project socio-economic and environmental management and monitoring programs, regulatory process and Project construction, operation, closure and post-closure; and
- (h) Providing clarity for where and how IQ has been collected and applied to project operations, including adaptive management.
- (i) Assist in guiding the development of practical solutions related to the implementation of this Agreement throughout the life of the project.

16.2.2 The Company shall take IQ into consideration for all its decisions when considering the accuracy of impact predictions, when designing or interpreting the effectiveness of impact reduction activities and the need to modify such activities including but not limited to social economic elements such as Inuit Human Resource planning.

- (77) Baffinland is committed to having Inuit Elders visit the Steensby site in 2012 to assist in identifying and ensuring that archaeological sites in the area not impacted by project activities.
- (78) Baffinland is committed to providing training to its employees regarding the protection of archeological resources within the project area.

(79) Section 18.2.1 IIBA General

The Company agrees to comply with all of the requirements of Article 33 of the NLCA and with all legislation, regulations and policy relating thereto, including the Historical Resources Act (Nunavut) and the Historic Sites and Monuments Act (Canada) and to further comply with all lawful directions and requirements of any Designated Agency referred to in Article 33 of the NLCA, during all of the Construction, Operations and Decommissioning Phases of the Project.

(80) Baffinland is committed to creating crossings along the Railway track which facilitate the passage of caribou.

(81) Baffinland is committed to work with the QIA to hold meetings in the communities to discuss safety aspects involved with travellers who may potentially be crossing the... Railway using designated (or other) crossings.

(82) Baffinland is committed to designing the rail track to allow for snow machine and ATV crossings at points intersecting with identified travel routes.

(84) The Proponent shall ensure that the water related infrastructure or facilities that are designed and constructed, including the modification of culverts, diversion of watercourses, and diversion of runoff into watercourses along the railway... are consistent with those proposed in the FEIS and FEIS Addendum in terms of type, location, and scope and that the requirements of all relevant regulatory authorities are satisfied advance of constructing those facilities.

(85) The Proponent shall demonstrate consideration for the following:

- a) Steps taken to prevent caribou mortality and injury as a result of train and vehicular traffic, including operational measures meant to maximize the potential for safe traffic relative to operations on the railway... and associated access roads.

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- b) Monitoring and mitigation measures at points where the railway... pass[es] through caribou calving areas, particularly during caribou calving times. The details of these monitoring and mitigation measures shall be developed in conjunction with the Terrestrial Environment Working Group.
- c) Evaluation of the effectiveness of proposed caribou crossings over the railway... as well as the appropriate number.
- d) Development of a surveillance system along the railway corridor to identify the presence of caribou in proximity to the train tracks and operational protocols for the train to avoid collisions and enable caribou to cross the train tracks unimpeded.

Protocols for documentation and reporting of all caribou collisions and mortalities, as well as mechanisms for adaptive management responses designed to prevent further such interactions.