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Baffinland Iron Mines Corporation
Mary River Project (Steensby Railway Component)
Canadian Transportation Agency Section 98 Application
Stakeholder Engagement Report

 ii LΔ 2024

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ABBREVIATIONS AND DEFINED TERMS

Agency	Canadian Transportation Agency
Application.....	Baffinland’s application to the Agency under Section 98 of the CTA
Baffinland	Baffinland Iron Mines Corporation
BCLO	Baffinland Community Liason Officers
CTA.....	<i>Canada Transportation Act</i>
CSEP	Community and Stakeholder Engagement Plan
HTO	local Hunters and Trappers Organization
IIBA	Inuit Impact Benefit Agreement
IQ	Inuit Qaujimajatuqangit
NIRB	Nunavut Impact Review Board
North Baffin Regional Land Use Plan.....	NBRLUP
NPC	Nunavut Planning Commission
NTI	Nunavut Tunngiavik Inc.
Nunavummiut.....	Inuktitut word meaning residents of Nunavut (both Inuit and Non-Inuit)
NWB.....	Nunavut Water Board
Project or the Mary River Project	the Mary River Project
Report	Stakeholder Engagement Report
Section 98 Guide	<i>“How to Apply for Approval to Construct a Railway Line: A Guide for Federally Regulated Railway Companies”</i>
Steensby Port.....	approved marine infrastructure component of the Mary River Project
Steensby Railway	approved railway infrastructure component of the Mary River Project
QIA	Qikiqtani Inuit Association

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1 INTRODUCTION

This Stakeholder¹ Engagement Report (the **Report**) was prepared by Baffinland Iron Mines Corporation (**Baffinland**) to address the public consultation application requirements of the *Canadian Transportation Agency* (the **Agency**) for an approval under Section 98 (the **Section 98 Application**) of the *Canada Transportation Act* (**CTA**).

This Report addresses Agency requirements set out in, “*How to Apply for Approval to Construct a Railway Line: A Guide for Federally Regulated Railway Companies*” (the **Section 98 Guide**: <https://otc-cta.gc.ca/eng/publication/how-apply-approval-construct-a-railway-line-a-guide>) and the CTA policy document *Consultation with Indigenous Peoples, and the Accommodation of their Rights and Interests, in the Context of Canadian Transportation Agency Determinations* (CTA 2021) (<https://otc-cta.gc.ca/eng/publication/consultation-indigenous-peoples-and-accommodation-their-rights-and-interests>).

What is before the Agency is a Section 98 Application which has taken into account the community views expressed to Baffinland to the greatest extent possible. The mitigations that will be applied to the Steensby Railway have been developed with Inuit, QIA, the communities and federal and territorial authorities with jurisdiction over the Project, and are detailed, specific, and unique to the North Baffin region. They reflect a profound commitment to direct Indigenous involvement in operational decision making that, to Baffinland’s knowledge, exceeds that of any major industrial project in Canada. The IIBA governance structures, taken together with the mitigations that have been developed based on the best available western science and Inuit Qaujimajatuqangit (**IQ**) through the Nunavut Planning Commission (**NPC**), Nunavut Impact Review Board (**NIRB**) and Nunavut Water Board (**NWB**) regulatory processes established under the Nunavut Agreement means Inuit (and the Agency) can count on robust protection against significant adverse effects from the Steensby Railway.

The following provides more detail on the approach to Steensby Railway engagement, information on the consideration of community input into the Project and a summary of outcomes. This Report should be reviewed as a covering document of the extensive engagement records attached that chronicle engagement carried out by Baffinland from 2007 to present, for full context and understanding of engagement the reader should review this package in full.

¹ Note Inuit and Inuit organizations have indicated to Baffinland that they generally do not wish to be referred to as “stakeholders” given their status as landowners and rights holders.

2 BAFFINLAND IRON ORE MINES: WHO WE ARE

Baffinland is a Canadian mining company that produces the highest grade of direct shipping ore in the world, from the Mary River Mine located on Baffin Island in Nunavut, Canada.

Baffinland is jointly owned by The Energy and Minerals Group and ArcelorMittal. Our head office is located in Oakville, Ontario and our northern headquarters is located in Iqaluit, Nunavut. We also have staff in seven other Baffin Island communities: Arctic Bay, Clyde River, Igloolik, Kinngait, Kimmirut, Pond Inlet and Sanirajak.

Our Mission, Vision, and Values were developed to directly align with Inuit societal values. These include:²

- *Inuuqatigiitsiarniq*: Respecting others, relationships and caring for people.
- *Pijitsirniq*: Respecting others, relationships and caring for people.
- *Pilimmaksarniq/ Pijariuqsarniq*: Development of skills through observation, mentoring, practice, and effort.
- *Piliriqatigiinni/ Ikajuqatigiinni*: Working together for a common cause.
- *Tunnganarniq*: Fostering good spirits by being open, welcoming and inclusive.
- *Aajiiqatigiinni*: Decision making through discussion and consensus.
- *Qanuqtuurniq*: Being innovative and resourceful.
- *Avatittinnik Kamatsiarniq*: Respect and care for the land, animals and the environment.

Our mission is to be the lowest-cost producer of high-grade iron ore in the world.

Our vision is to safely and efficiently identify and develop resources within Baffin Island, unlocking their wealth-generating potential.

Our mission and vision will be executed in accordance with our values:

- *Health and Safety*: When safety is a personal value, people naturally choose to make the safe choice, both on and off the job. Employers who have safety as a value make their workplace safe because they want to, not because of government regulation, and this influences employees to work safely because they want to, not because it is a company rule. In this environment, companies go above and beyond regulations to protect their people.
- *Integrity – Do What is Right, Not What is Easy*: Integrity is often defined as doing the right thing even when no one else is around. It is the ability to act with honesty, be consistent, and ethical in whatever it is we are doing. It's about being accountable, transparent and building trust through communications.
- *Engage and Develop our People*: All employees are seen and treated as valued partners, and good work is recognized and rewarded. Baffinland invests in our employees' success and growth by providing tools, training and the support needed to reach their potential. Baffinland aims to become the employer of choice for Inuit in Nunavut.
- *Respect for All*: We respect and abide by Inuit Societal Values in the workplace and as a way of doing business. We strive to provide a healthy and safe workplace, free from physical or psychological bullying, harassment and violence. Violations of respect are investigated, and if substantiated, are dealt with in a timely manner. Multiculturalism is viewed as a strength and promoted. Consideration for people is first and foremost in all interactions.

² https://www.gov.nu.ca/sites/default/files/publications/2022-01/iq_brochure_draft_1.pdf

- *Environmental Stewardship:* We respect the air, land, water and wildlife as we thoughtfully put the Earth's resources to good use. Baffinland always remembers that we are guests on this land and treat it respectfully. We develop it responsibly and are good stewards of the land, in partnership with Inuit.
- *Pursue Performance Excellence:* We are relentless in challenging ourselves and others to achieve high performance and create lasting socio-economic impacts in all that we do. We focus on improving every day and delivering on commitments, using innovation, rigorous planning and thoughtful execution. Teamwork is the key to our success.

2.1 PROJECT OVERVIEW

Baffinland's Mary River Mine is located on Baffin Island, north of the Arctic Circle in Nunavut, Canada. The mine is approximately 160km from the nearest community of Pond Inlet (Mittimatalik) in the Qikiqtani Region, and it has among the richest iron ore deposits ever discovered, consisting of high-grade iron ore deposits that can be mined, crushed, and screened into marketable products.

Nunavut's high-grade iron ore not only makes it ideal for the production of green steel, which is sought after from companies seeking to reduce their carbon footprints, but also positions Nunavut and Baffinland at the forefront of the clean energy transition. Nunavut's iron ore requires no processing upon extraction, thereby eliminating the production of tailings. Baffinland ships iron ore directly in a very minimally processed form, leveraging its inherent advantages to generate economic prosperity and employment opportunities, all while fostering responsible development with active Inuit participation.

Baffinland currently accesses the international buyers for its iron ore via a 100km Tote Road to Milne Port, located in Milne Inlet on the northern shore of Baffin Island. Once Steensby Railway meets commercial transportation rates, the ore haul trucking operation to the Northern Transportation Route (via Milne Inlet) will transition to a railway operation to the Southern Transportation Route (via Steensby). This transition from trucking to rail is essential to the long term operation, as current high trucking costs leave the mine operations highly vulnerable to changes in iron ore prices. This transition will also have significant environmental benefits, as it will reduce dust generation and greenhouse gas emissions along the Tote Road.

Article 26 of the Nunavut Agreement requires an IIBA to be finalized before a major development project may commence. The IIBA must be negotiated and agreed upon between Inuit and the developer, and must be submitted to the Minister of Crown Indigenous Relations and Northern Affairs Canada. Baffinland and the QIA entered into the Mary River IIBA in 2013, which was amended and restated October 22, 2018 and is undergoing current revisions per commitments set out at Appendix B of the Project Certificate. The Mary River IIBA ensures that benefits from Baffinland's operation flow to nearby communities in the Qikiqtani Region.

2.2 AGENCY ENGAGEMENT REQUIREMENTS

To identify the interests of the localities, Baffinland considered Section 98 of the *Canada Transportation Act*, Agency guidance in *CN Milton Logistics Hub*, Agency Determination No. R-2021-172 (**CN Milton Logistics Hub**), *Stage 2 Light Rail Transit O-Train Trillium Line Project*, Agency Determination No. R-2019-73 and the Section 98 Guide. In the Section 98 Guide, the Agency defines “locality” as “includes neighborhoods, communities, townships, and municipalities and encompasses its residents, land owners, business owners, public institutions and Indigenous peoples.”³ “Interests of the localities” are defined as “concerns that localities have, and/or benefits they see, with regards to the location of the proposed railway line, including any activities related to its construction and operation.”⁴

In *CN Milton Logistics Hub*, the panel states at paragraph 36 that the “Agency will therefore have regard to the effect of the physical co-existence of the railway lines in proximity to the localities. When considering and weighing the interests advanced by the many different representatives who speak on behalf of the localities, the Agency will consider the extent to which those various interests relate to the physical co-existence of the railway lines in proximity to the localities.”

Before Baffinland submitted its Section 98 Application, it engaged the localities directly and also relied on the public engagement aspects of regulatory processes led by the Institutions of Public Government established under the Nunavut Agreement (namely, NPC, NIRB and NWB). Specifically, Baffinland:

- shared information about and discussed the Project;
- sought to understand issues and concerns about the Project and potential impacts during construction and operation; and
- sought to identify appropriate mitigation measures for issues and concerns raised through engagement.

In recent years in particular, engagement activities have been carried out by an Inuit-led Baffinland team, led by Inuit team members that are Elders who are able to present Project information in Inuktitut as well as English and in a culturally relevant manner. Two of those Elders hold Inuit Qaujimajatuqangit (IQ or Inuit knowledge) relevant to the specific Project area themselves. One individual is a former member of the Inuit team that negotiated the Nunavut Agreement with Canada and is a former Premier of Nunavut. Baffinland respects the oral tradition ingrained within Inuit culture, recognizing its profound significance in communication and societal cohesion. While the enclosed supporting materials provide thorough summaries of engagement outcomes and materials presented, certain nuances may not be fully captured in writing. Should the Agency wish to seek further details, Baffinland would welcome the opportunity to arrange in-person meetings with the individuals who carried out the most recent community engagements, enabling the direct oral transmission of additional information.

Engagement methodology included posting advertisements at local Co-Ops and Hamlet offices, advertising on local radio, sharing information on a Project website, engagement through social media, including Facebook which has a particularly high amount of usage among Nunavut residents, and emails, letters to residents and groups., phone calls, virtual meetings, in person meetings, workshops and site visits.

³ Section 98 Guide, Section 2

⁴ Section 98 Guide, Section 2

Engagement activities were designed to foster collaboration, provide sufficient time, and consider a variety of engagement methodologies. Sessions were thoughtfully scheduled during both daytime hours and evening hours to accommodate various community members' schedules when in communities. Participants were presented with Project information and encouraged to ask questions, identify issues and concerns, and provide feedback, ensuring their voices were heard and valued throughout the process. Baffinland would also often have prepared questions for the individuals and groups it was engaging to inform specific elements of project design and/or permit applications.

Baffinland developed a variety of engagement materials including, for example, reports, maps, drawings, 3D models, plans, and schedules, which were made available as required and requested. Non-confidential documents shared with communities are attached to this Report (note that materials shared through participation in the NIRB process are not all attached but are accessible on the NIRB's public registry, however, key documents shared with the communities and Inuit organizations through the NIRB process have also been provided to the Agency as part of the Section 98 Application).

2.3 SUMMARY OF ENGAGEMENT EFFORTS

For the past 18 years Baffinland has engaged on the concept of a railway to support the Mary River Mine with the communities that may be impacted by the Project, both directly and through the regulatory processes established by the Nunavut Agreement. Baffinland also engages with Inuit through the structures established by its Inuit Impact Benefit Agreement (IIBA) with the Qikiqtani Inuit Association (QIA) signed in 2013 and amended in 2018.⁵ This approach has ensured that the communities have had many and ongoing opportunities to provide feedback on valued components of importance to the community, the topics addressed in environmental assessment documentation, and proposed mitigations.

Community engagement is at the cornerstone of our sustainability initiatives. It permeates every facet of our operations, manifesting through several avenues, including our extensive community engagement tours such as the various annual Inuit Education and Training, Recruitment and Procurement tours, as well as workshops and meetings, which are intricately woven into the regulatory process. We maintain a robust presence within communities, conducting regular information sessions, enabling frequent community visits to the Project Site, and engaging with our Inuit employees. Additionally, we facilitate ad hoc visits on specialized topics. Through these interactions, we continually gather invaluable feedback that informs and enriches our operational practices.

It is important to highlight the breadth of public, community, government, and Inuit engagement that has occurred. The following summarizes the key engagement activities that have been carried out by Baffinland since mining production began in 2014:

- more than 250 formal meetings have been held with Hamlet Councils and HTOs;
- approximately 100 Public Meetings, Towns Halls or Public Radio Shows;
- close to 75 Working Group Meetings (Marine, Terrestrial, and Socio-Economic);
- above 20 formal site visits;
- youth forums and community organization meetings such as sewing groups, foodbanks, schools and Search and Rescue committees;

⁵ Per Appendix B of the Summary of Appendices.

- innumerable informal engagements through many interactions with local community members at the Mary River Project site; and
- continuous presence of Baffinland Community Liaison Officers in the North Baffin communities since 2007, and Inuit Knowledge Holders and Community Resource Guides since 2022.

These approximately 450 formal engagements related to the project, in addition to the numerous and frequent other informal engagements, shows the deep commitment Baffinland has to working with communities and Inuit. This summary does not reflect:

- engagements with Inuit related to ongoing implementation of the IIBA, including engagements with Inuit contractors, job fairs and workshops and training of potential Inuit employees;
- engagements with Governments (Federal/ Territorial);
- the volume of written materials exchanged with key parties such as the Hamlets and the HTOs via email and via the NIRB review and reconsideration process.

Engagements with localities over the last 18 years in relation to a railway connection between the Mary River Mine and a Port facility have been robust. In the period between 2007 and 2013 engagement activities were extensive and focused on developing the Steensby Railway alignment, which was approved by multiple Nunavut Institutions of Public Government and other territorial and federal agencies and is reflected in this Section 98 Application. Between 2014 and 2022 Baffinland explored a North Railway extension to Milne Port, which allowed the company to continue to progress discussions with the communities and other interested stakeholders around railway design and operation mitigations generally. In 2021 Baffinland began final design work related to the Steensby Railway, integrating direction from the final approvals received in 2012 and 2013, as well as the lessons learned from the exploration of the North Railway extension. Beginning in 2021 Baffinland began to re-engage the communities and interested stakeholders on the Steensby Railway specifically, outlining the Project background and path forward, and seeking perspectives and advice on the remaining authorizations, project design and environmental management.

2.4 MARY RIVER COMMUNITY AND STAKEHOLDER ENGAGEMENT PLAN

To ensure the interests of the localities are respected and incorporated in the Mary River Project throughout the life of the mine and associated infrastructure, including the Steensby Railway, Baffinland developed the Community and Stakeholder Engagement Plan (**CSEP**) (BAF-PH1-830-P16-0025), which is filed with the Agency together with this Report.⁶ Baffinland plans future updates to the CSEP to respond to feedback by localities on the Mary River Project. As a separate initiative, Baffinland is looking into developing and updating community-specific engagement guidelines, in collaboration with each locality who wishes to have such guidelines in place.⁷

Baffinland has also created more accessible avenues for communities to bring forward concerns to the Company, which include the establishment of full-time Baffinland Community Liaison Officers (**BCLOs**), Inuit Knowledge Holders and Community Relations Guides in Arctic Bay, Clyde River, Igloolik, Pond Inlet and Sanirajak. Kimmirut and Kinngait already have Inuit Knowledge Holders and Community Relations Guides in place.

⁶ Note the CSEP is subject to ongoing review and comment through the Nunavut Impact Review Board process.

⁷ At technical meetings held by the NIRB in April 2019, the Municipality of Igloolik suggested that Baffinland develop consultation approaches that are tailored to specific communities. In response, Baffinland committed to the development of community-specific engagement guidelines.

3 DESCRIPTION OF LOCALITIES

In this section of the Report, Baffinland has identified the list of localities, provided a description of what they are, and provided contacts for each locality.

Localities for the Mary River Project are identified in the Community and Stakeholder Engagement Plan (CSEP; BAF-PH1-830-P16-0025). The potentially affected communities in relation to the Project sites are shown on Figure 1-1. Stakeholder identification for the Project was originally initiated during work on environmental and socio-economic baseline studies in 2004, and has been revised and updated in subsequent years through participation in the NIRB and NWB process, processes established under the IIBA, as well as engagement with Inuit organizations (Nunavut Tunngavik Inc. (NTI) and QIA, local organizations (Hamlet representatives, hunters and trappers organizations established under the Nunavut Agreement, local co-ops), Local 793 International Union of Operating Engineers (who represents Mary River employees), and territorial and federal government regulatory authorities with jurisdiction over the Mary River Project.

Specifically, stakeholders were identified through the following means:

- Past engagement activities on the Project;
- Development of inventories of community-based organizations by BCLOs in the North Baffin communities; and
- Ongoing engagement through current project activities.

3.1 OVERVIEW OF LOCALITIES (COMMUNITIES)

Strong and healthy communities in the North means better working relationships. Baffinland is committed to ongoing dialogue with the North Baffin communities, and to delivering long-term benefits to these communities, including employment and training opportunities.

Baffinland currently operates in the five North Baffin communities of Arctic Bay, Clyde River, Igloolik, Pond Inlet, and Sanirajak. Baffinland will also have offices in Kinngait and Kimmirut once the Steensby Components are operational, but in the meantime, we have a presence in those communities through our recently hired Inuit Knowledge Holder and Community Relations Guide positions. Baffinland visits these communities regularly to update residents on Baffinland's operations, new developments, and employment and training opportunities. Our town hall meetings and information sessions also present an opportunity for residents to provide feedback and ask questions.

In relation to the Steensby Railway, Baffinland has identified the following localities. No additional localities/communities have been identified since the original 2012 Final Environmental Impact Statement (FEIS) or the previous 2016 version of the CSEP.

3.1.1 Category 1 Localities (Communities)

Category 1 localities (communities) are defined as localities in the immediate vicinity of the Project, which have existing and historical socio-economic and ecosystemic ties to the Project area and for which the Project has a potential direct impact on the traditional land use of their residents. These communities are:

- Arctic Bay
- Clyde River
- Igloolik

- Pond Inlet
- Sanirajak

3.1.2 Category 2 Localities (Communities)

Category 2 localities (communities) are described as localities with a potential interest in the Project due to their location along the shipping lanes, and therefore have a biophysical tie to the Project. These are the communities of Kinngait (formerly Cape Dorset) and Kimmirut.

3.1.3 Category 3 Localities (Communities)

Category 3 localities (communities) include the community of Iqaluit which will be impacted by the Project due to its commercial and institutional importance in Nunavut.

The five localities in North Baffin (Category 1) are in proximity to the Project (Figure 1-1). These localities are described briefly below. The three other localities, Kimmirut and Kinngait (Category 2), and Iqaluit (Category 3) are located in proximity to the Project, along the Southern Shipping Route. However, as they are not in proximity to the Steensby Railway, they are not discussed further in this section.

Public engagement has principally focused on the Category 1 localities and to a lesser extent on Category 2 and 3 localities. Socio-economic studies have focused on Category 1 localities since these communities were expected to be most affected socio-economically.

3.2 ARCTIC BAY

Arctic Bay is located on northern Baffin Island, approximately 280 km northwest of the Mary River Mine Site. Harvest and land use patterns indicate that the effect of Project activities on these current use patterns of Arctic Bay residents is less than what it would have been historically. Arctic Bay residents may use the Milne Inlet, Eclipse Sound and Mary River areas for hunting on a sporadic or occasional basis but other geographic areas are more important to this community's land use. Further particulars of Arctic Bay are presented in [Table 3.1](#).

Table 3.1: Particulars of Arctic Bay

Item	Description
Population	994 (2021)
Ethnic Distribution	95% Inuit
Languages	Inuktitut, English
Location	Longitude 85° 10' W Latitude 73° 02' N Elevation 31m
Topography	Geological formations including hoodoos, flat-topped pillars of stone and sheer 183m (600 foot) red rock cliffs.
Contact Person	Olayuk Naqitarvik (Mayor) Joeli Qamanirq (Ikajutit HTO Chairperson)

3.3 CLYDE RIVER

Clyde River is located on northeastern Baffin Island approximately 415 km from the Project area. Historical land use information and discussions with Elders from various communities suggest the people of the Clyde River area used to travel inland from Cambridge Fiord facing Baffin Bay, into the Ravn River area east of Angijurjuk Lake and southeast of Mary River. Harvest patterns suggest that contemporary land use activities are now concentrated closer to the community, however, historical ties to the Mary River area have resulted in the inclusion of this community in the study area. Further particulars of Clyde River are presented in **Table 3.2**

Table 3.2: Particulars of Clyde River

Item	Description
Population	1,181 (2021)
Ethnic Distribution	95% Inuit
Languages	Inuktitut, English
Location	Longitude 68° 30' W Latitude 70° 30' N Elevation 27m
Topography	Located on a flood plain in mountainous terrain that is part of the Arctic Cordillera, surrounded by fiords.
Contact Person	Liemicie Palluq (Mayor) Apiusie Apak (Nangmoutaq HTA Chairperson)

3.4 IGLOOLIK

Igloolik is located on Igloolik Island in Foxe Basin and is the closest community to the Steensby Port site, located approximately 155 km away. It is the second closest community geographically to the Mary River Mine Site, approximately 230 km away. Historically, Igloolikmiut⁸ spent the summer hunting caribou along the western side of North and Central Baffin Island. Current harvest patterns show that while Igloolikmiut utilize the Baffin coast and marine areas at the mouth of Steensby Inlet, their activities are heavily concentrated around the community on Melville Peninsula and the closest Baffin Island shoreline to the north. Igloolikmiut still hunt around Rowley and Koch Islands and even in Steensby Inlet; thus, the Southern Shipping Route through this area may have both land use and ecosystemic effects on the community. Further particulars of Igloolik are presented in **Table 3.3**.

⁸ Inuktitut word for residents of Igloolik

Table 3.3: Particulars of Igloolik

Item	Description
Population	2,049 (2021)
Ethnic Distribution	95% Inuit
Languages	Inuktitut, English
Location	Longitude 81° 48' W Latitude 69° 23' N Elevation 53m
Topography	Mostly flat terrain
Contact Person	George Auksaq (Mayor) Judah Sarpinak (Igloolik HTO Chairperson)

3.5 POND INLET

Pond Inlet (Inuktitut place name Mittimatalik) is geographically the closest community to the Mary River Mine Site, located approximately 160 km northwest of the Mary River. Pond Inlet relies on hunting in the marine environment of Eclipse Sound and Milne Inlet as well as caribou hunting through the Mary River area. As such, it has the closest land use, historical and ecosystemic ties to the Mary River area. Further particulars of Pond Inlet are presented in **Table 3.4.**

Table 3.4: Particulars of Pond Inlet

Item	Description
Population	1,555 (2021)
Ethnic Distribution	95% Inuit
Languages	Inuktitut, English
Location	Longitude 77° 59' W Latitude 72° 42' N Elevation 55m
Topography	Surrounded by mountain ranges, with glaciers, fiords and inlets, hoodoos and drifting icebergs.
Contact Person	Joshua Arreak (Mayor) Mathias Kaunak (Mittimatalik HTO Chairperson)

3.6 SANIRAJAK

Sanirajak (formerly Hall Beach) is located on the Melville Peninsula just south of Igloolik, approximately 192 km from the Steensby Port site and 288 km southwest of the Mary River Mine Site. Sanirajak harvest patterns are distinct from Igloolik's despite their proximity, with a concentration of marine harvesting centered on the Sanirajak area. Some hunting occurs on Baffin Island intermixed with Igloolikmiut hunting, including in and around Rowley and Koch Islands and Steensby Inlet. The Southern Shipping Route through this area may have both land use and ecosystemic effects on the community. Further particulars of Sanirajak are presented in **Table 3.5**.

Table 3.5: Particulars of Sanirajak

Item	Description
Population	891 (2021)
Ethnic Distribution	96% Inuit
Languages	Inuktitut, English
Location	Longitude 81° 13' W Latitude 68° 46' N Elevation 8m
Topography	Flat, seagoing beach ground
Contact Person	Philip Anguratsiaq (Mayor) Paul Nagmalik (Sanirajak HTO Chairperson)

3.7 INDIGENOUS ORGANIZATIONS

As described above, Baffinland identified primarily Inuit communities with potential interests within the Project area. In addition, the following Indigenous groups or organizations were identified and engaged in relation to the Project.

3.7.1 Duty to Consult

The duty to consult with Indigenous communities arises when the Crown contemplates actions or decisions that may affect Indigenous communities' rights and/or interests. Procedural aspects of engagement may be delegated to other levels of government or to industry or proponents, but the honour of the Crown and related responsibilities cannot be delegated, the Agency has the responsibility to ensure the duty to consult and accommodate is "fully and honourably" discharged before issuing a decision on an application that may affect Indigenous rights and/or interests. The Agency's approach is aligned with the objective of reconciliation between Indigenous peoples and other Canadians.⁹ The Agency's approach reflects the *Updated Guidelines for Federal Officials to Fulfill the Duty to Consult* and the *Principles respecting the Government of Canada's relationship with Indigenous peoples*.

Taking into account this guidance, Baffinland has provided the relevant Inuit communities and groups with information about the Steensby Railway, and the project more generally, in appropriate formats, to support understanding of the potential effects of the project on their rights and interests and help identify measures that can address negative effects. As detailed in this Report and supporting materials in the Application, Baffinland has

⁹ https://otc-cta.gc.ca/sites/default/files/consultation_with_indigenous_peoples_and_the_accommodation_of_their_rights_and_interests.pdf

undertaken additional analysis and studies in response to issues raised by Inuit with respect to their rights and interests, where appropriate. Baffinland has also provided financial support to participants, in particular the QIA through the Mary River IIBA, to facilitate their effective participation in engagement related to the project.

3.7.2 Nunavut Agreement

The Nunavut Agreement is an agreement between the Canadian Government and the Inuit of the Nunavut Settlement Areas, as represented by the Tungavik Federation of Nunavut (later, NTI), which established the central and eastern Northwest Territories as a separate territory called the “Nunavut Settlement Area”. The Nunavut Agreement was ratified by the *Nunavut Land Claims Agreement Act*¹⁰ and came into force on July 9, 1993. Nunavut was subsequently established as a territory of Canada on April 1, 1999 pursuant to the *Nunavut Act*.¹¹

Recently, in January 2024 the Nunavut Devolution Agreement was signed between NTI, Canada and Nunavut, which will see certain current federal responsibilities over administration of Nunavut lands and waters transfer to the territorial government by April 1, 2027. This transfer of responsibility was contemplated under the Nunavut Agreement.

The Nunavut Agreement established a number of Institutions of Public Government, including:

- The NPC is responsible for the development, implementation and monitoring of land use plans that direct the use of resources and development in the Nunavut Settlement Area (NSA). The NPC currently implements and monitors the North Baffin Regional Land Use Plan, which applies to part of the Steensby Railway location.
- The NIRB is an institution of public government created by the Nunavut Agreement to assess the potential impacts of proposed development in the Nunavut Settlement Area prior to approval of the required project authorizations. Using both traditional knowledge and recognized scientific methods, the NIRB assesses the potential biophysical and socio-economic impact of proposals and will make recommendations and decisions about which projects may proceed. The Board may also establish monitoring programs for projects that proceed.
- The NWB has responsibilities and powers over the regulation, use and management of water and waste in the Nunavut Settlement Area. The NWB seeks to protect, manage and regulate freshwaters in Nunavut by incorporating Inuit Qaujimajatuqangit and scientific knowledge in decision-making. They are based in Gjoa Haven, Nunavut.

As described later in this Report, Baffinland relied on processes led and established by the NPC, NIRB and NWB in engaging with Inuit communities and groups in relation to the Project, in addition to its direct engagement efforts.

¹⁰ *Nunavut Land Claims Agreement Act*, S.C. 1993, c. 29, available online at: <<https://laws-lois.justice.gc.ca/eng/acts/n-28.7/FullText.html>>.

¹¹ *Nunavut Act*, S.C. 1993, c. 28, available online at: <<https://laws-lois.justice.gc.ca/eng/acts/n-28.6/index.html>>.

3.7.3 Nunavut Tunngavik Inc.

NTI coordinates and manages Inuit responsibilities set out in the Nunavut Agreement and ensures that the federal and territorial governments fulfill their obligations. NTI has participated in every assessment of the Mary River Project by NIRB and recently (2024) approved (together with Nunavut and Canada) Amendment No. 1 to the North Baffin Regional Land Use Plan, which established the transportation corridor necessary to proceed with the Steensby Railway.¹²

- Contact Person: Hannah Uniuqsaq

3.7.4 Qikiqtani Inuit Association

QIA is an Inuit organization under the Nunavut Agreement, representing the rights and values of the approximately 15,500 Inuit within the Qikiqtani region.

The QIA participated in all stages of NIRB's environmental review process. To aid in additional communication and engagement with communities specific to the Mary River Project, QIA formed and administered seven Mary River Project Committees and their comments were included in its final submission. QIA's view of the Project was that provided the conditions presented in its final submissions were accepted by all parties, appropriate mechanisms are in place to effectively monitor and manage the Mary River Project in an acceptable manner. QIA stated that any remaining outstanding issues can be dealt with in reference to the recommendations and information requested in its final written submission. QIA emphasized in its final submission that the success of the Mary River Project demands continued work and collaboration with communities after the permitting process and throughout the life of mine. QIA supported the Minister's decision to approve Project Certificate No. 005, and has supported every subsequent amendment at the Ministerial level (Amendment No. 1 (2014), Amendment No. 2 (2018), Amendment No. 3 (2020), Amendment No. 4 (2022) and Amendment No. 5 (2023).

As noted above, the Mary River IIBA¹³ between Baffinland and QIA addresses important considerations identified though engagement with Inuit, such as direct financial benefits, Inuit employment and training, support for communities, project monitoring and environmental mitigation measures, Inuit access to lands, and contracting opportunities.

Highlights of the IIBA include:

- Financial payments and royalties valued at well over \$1 billion over the life of mine
- A contribution of \$10 million towards the cost to design and construct a regional training centre in Pond Inlet (note over \$15 million in payments made to date after addition engineering costs and inflation)
- Establishment of a \$750,000 wildlife compensation fund for any loss of wildlife, damage to equipment, or inconvenience to harvesting caused by the Mary River Project
- Establishment of a \$550,000 business capacity and start up fund for business training, planning, start up and expansion costs (equally funded by QIA and Baffinland)
- Establishment of a \$400,000 harvesting enabling fund for 300 litres of gas per year for Inuit over the age of 12 living in Pond Inlet
- Establishment of a \$300,000 school lunch program

¹² Note only a portion of the Steensby Railway is located within the boundary of the land use plan.

¹³ Mary River Inuit Impact Benefit Agreement between Baffinland and the QIA (2018).

- Establishment of a program to provide each of the five communities with a marine research vessel
- Establishment of a \$300,000 community counsellor program for Inuit
- Establishment of a \$200,000 wildlife monitoring fund for Pond Inlet
- Establishment of a \$25,000 scholarship program (five \$5000 scholarships)
- Priority to Inuit firms for goods and services contracts at the Mary River Project
- Inuit from all 13 Qikiqtani communities can access jobs at Mary River with travel costs paid by Baffinland
- Targeted measures to create opportunities for Inuit to advance in the workplace, in particular women, and dedicated training for Inuit
- Respect for Inuit rights and cultural values, including the right to speak Inuktitut, access cultural advisors at work and eat country food at work
- Three year reviews of the IIBA to ensure the agreement is functioning as intended

The Mary River IIBA also includes dedicated mitigation measures, again identified through consultation with Inuit:

- *Maritime Shipping* – Inuit ship monitors will be trained and hired on the Project vessels (see S. 9.4, IIBA); Baffinland must have opportunities for Inuit jobs in shipping (see s. 9.5, IIBA); (the job opportunities along the Southern shipping route, which QIA and localities have indicated are desirable for Inuit and other Nunavummiut, cannot materialize until the Steensby Railway is in place).
- *Inuit travel and access* - Protects Inuit rights to harvest and to access land, water and marine areas around the mine. Inuit identify safe travel routes and Baffinland develops monitoring stations along these routes. The monitoring stations can be used as emergency shelters. Harvesters can also stop at the mine site for gas, food and shelter.
- *Project Monitoring and Mitigation* – Baffinland must follow the rules and processes approved by NPC, NIRB and the NWB (and fund QIA's participation in those processes). Baffinland funds QIA to hire and employ Inuit environmental monitors at the mine site. Working groups, funded by Baffinland, can be created to address any monitoring issues that arise. As an example, Baffinland funds an independent Dust Audit Committee which was established in September 2022 to observe and understand the present and potential future dust sources and recommend dust mitigation measures for Baffinland's consideration. Baffinland contracted Nunami Stantec to conduct the third-party audit which involves the five most impacted communities; Arctic Bay, Clyde River, Pond Inlet, Igloolik and Sanirajak.
- *Inuit Qaujimajatuqangit* – IQ collected will inform decisions related to the Mary River Project and the IIBA will oversee the collection and use of IQ, and Baffinland will fund collecting and preparing IQ.
- *Wildlife Compensation* – Baffinland must report any wildlife kills to the QIA and local HTOs. As an example, if Baffinland kills a polar bear, the affected HTO can get a minimum of \$20,000 for the loss. As noted above Inuit can apply to the wildlife compensation fund for loss or damage relating to wildlife suffered as a result, directly or indirectly, of development activity relating to the Mary River Project. This fund is administered by QIA.
- *Archaeology* – The IIBA requires Baffinland to respect the archaeological record of Nunavut and the requirements of the Nunavut Agreement.
- *Carving Stone* – The IIBA protects Inuit rights to carving stone located on Inuit Owned Lands around the mine. The IIBA requires Baffinland to work with QIA to ensure Inuit can gain access to carving stone located within the project area.

Baffinland reports regularly to the QIA on the performance of its obligations through quarterly reports and an annual IIBA Implementation Report. In addition, the QIA and Baffinland jointly host an Annual Project Review Forum to provide information on the progress of IIBA implementation to the North Baffin Localities.

In addition, as required by the Nunavut Agreement, Baffinland and QIA have an agreed Water Compensation Agreement which sets out compensation to Inuit for impacts on rights relating to water, as well as systems for monitoring of water quality during the Project.

- Contact Person: Jeremiah Groves, Executive Director

3.8 OTHER GROUPS

In addition to the groups above, the following other localities were identified with interests in the project.

3.8.1 Hunters and Trappers' Organizations

The local Hunters and Trappers Organizations (HTO) are established under the Nunavut Agreement with the mandate to help regulate harvesting in their communities and manage economic and work opportunities. They provide supplies, training, and membership to all Inuit residents in the region who want to become members. Nunavut hunters and trappers are critical in providing meat, fur, tools, and art from harvesting marine and land animals. There are HTOs in each of the North Baffin Localities.

See HTO contact persons for each locality in [**Section 3.2-3.6**](#) above.

3.8.2 Local 793 International Union of Operating Engineers

Union Local 793 represents Baffinland employees, and has shared perspectives of Inuit and non-Inuit employees through the regulatory process. Union Local 793 supported amendments to the Project Certificate, including in 2022 and 2023 (Union Local 793 also supported the Phase 2 proposal and the North Railway, which ultimately was rejected by the Minister).

- Contact Person: Michael Gallagher, Business Manager

3.8.3 Arctic Co-Ops

Arctic Co-operatives Limited is a service federation that is owned and controlled by 33 community-based Co-operative businesses that are located in Nunavut, Northwest Territories, Yukon and Saskatchewan.

- Contact Person: Duane Wilson, Vice President, Stakeholder Relations

3.8.4 Inuit Firms Registered under the NTI Inuit Firm Registry

To date, Baffinland has contracted over \$1.5 billion with Inuit firms registered under the NTI Inuit Firm Registry, which provided services ranging from (in order of dollars spent) civil works, mobile equipment/maintenance, charter air services, catering, infrastructure construction, sealift, professional services, environmental services. The creation of businesses is supported by the \$275,000 Business Capacity Startup Fund under the IIBA.

4 BAFFINLAND-LED ENGAGEMENT WITH LOCALITIES

As described in Section 2 of the CSEP Baffinland has been engaging on the Mary River Project since mineral exploration activities began in 2004. The Company's approach has evolved as the Project has evolved, and in keeping with evolving best practices and feedback from its stakeholders.

Stakeholder engagement is driven in part by the commitments made under the Mary River IIBA and other permits and agreements in place, including Project Certificate No. 005.

Engagement efforts have been and continue to be guided by the following objectives:

- To adequately scope and conduct environmental and socio-economic baseline studies;
- To understand local conditions and issues, through scientific process and by engaging in dialogue with local communities and knowledge holders to acquire Inuit knowledge and understand current and historical patterns of land and resource use;
- To incorporate local knowledge and concerns in Project design at an early stage;
- To appropriately scope the environmental assessment of the proposed Project, including selection of valued ecosystem components (VECs) and valued socio-economic components (VSECs);
- To identify mitigating measures and monitoring plans, and to assist in Baffinland's evaluation of significance of residual impacts (i.e., impacts after mitigation has been applied); and
- To ensure that local stakeholders have current information about the Project and how potential changes to the environment could affect them.

The engagement activities related to a proposed railway have been ongoing since 2007, starting with the preparation of the FEIS which was reviewed by NIRB through a comprehensive environmental assessment process from 2008-2012. The Mary River Project has been subject to annual public monitoring processes, and related additional environmental assessments in 2014 (Amendment No. 1), 2018 (Amendment No. 2), 2020 (Amendment No. 3), 2022 (Amendment No. 4), and 2023 (Amendment No. 5).

A summary of engagement activities and key issues raised as part of this engagement is presented in the following subsections.

4.1 SUMMARY OF ENGAGEMENT ACTIVITY

Baffinland has conducted extensive stakeholder engagement activities for the Steensby Railway.

The FEIS for the Mary River Project (2012)¹⁴ includes a summary of meetings and relevant public engagement databases. As part of the engagement, several workshops held from 2007-2009 were targeted at collecting IQ that was integrated in the Steensby Railway design.

¹⁴ Baffinland, 2012. Final Environmental Impact Statement for the Mary River Project.

The following documents are included as attachments to this application in SD-41, and the relevant sections related to the Steensby Railway have been identified:

- FEIS, Volume 2, Appendix 2A-1 'List of Meetings'
- FEIS, Volume 2, Appendix 2A-2 'Public Consultation Record', Pages 155-190. Covers public engagement related to rail transportation and caribou migration, closure, construction, general comments, operating, and routing.
- FEIS, Volume 2, Appendix 2A-3 'QIA Community Consultation Database', Pages 35-46. Covers caribou migration, construction, crossing railway, general comments, operation, routing.)

Since the Project was approved with the issuance of the Project Certificate in 2012, there has been continuing engagement with the communities on the Project generally. These engagements did not restrict topics of discussion and if questions arose regarding railways, further discussion was had.

The summary of engagement activities where the rail was discussed post-FEIS is provided in **Table 4.1** and a detailed list of events is included in SD-41.

Table 4.1: Summary of Direct Baffinland Engagements related to Rail between January 2015 and March 2024

Activity	Description
Public Meetings	25+ Meetings / Open Houses
IQ Workshops	8 in Pond Inlet and 2 in Arctic Bay
Community Group Meetings	90+ Meetings with HTOs and Hamlets, and others
Nunavut Tunngavik Incorporated (NTI) and QIA Meetings	25+ Meetings
Working Groups	25+ Meetings with the Terrestrial (TEWG), Marine (MEWG), Socio-Economic (SEMWG) Working Groups, and Socio-Economic Monitoring Committee (SEMC)
Site Visit	Workshops and Community Member Site Visits to the Mary River Project Site 1 Trip to Nain, Labrador (Voiseys Bay) 1 Community Risk Assessment Workshop in Trois-Rivières, Québec 2 Community Risk Assessment and IQ Workshops at the Mine Site 1 Crossing Rail Workshop at the Mine Site 1 Community site visit to the Mine Site 1 Inuit Knowledge Holder visit to the Mine Site
Survey	205 Community Members Surveyed
Baffinland Community Liaison Officers, Community Relations Guides, Inuit Knowledge Holders	1 BCLO, Community Relations Guide and Inuit Knowledge Holder staffed in each North Baffin community Inuit Knowledge Holders and Community Relations Guides staffed in Kinngait and Kimmirut

During the presentation of the Phase 2 Proposal to NIRB, the focus of the engagement shifted from general engagements regarding the Project as Baffinland explored the potential development of a North Railway. Several engagement events between 2019 and 2021 focused on the construction of the North Railway, however the key benefits and issues discussed with stakeholders apply to any railway to be constructed in North Baffin, including the Steensby Railway. As with general engagement meetings on the Project, topics were not restricted and Steensby came up as a point of discussion on a regular basis.

Some of the key meetings conducted where the Steensby Railway was discussed include, but are not limited to the following.

Table 4.2: Summary of Engagement Related to Rail between 2019 and 2021

Activity	Description
Phase 2 Information Tour	Public Meeting format, 5 North Baffin communities, Jan 7-11, 2019
Community Risk Assessment Workshops	IQ Workshops, 5 North Baffin communities, January to September 2019
Management Plan Meetings	Working Group Meetings, with Regulators and Mittimatalik HTO, February 7-8, 2019
Crossing Selection Workshop	Workshop at Mary River Mine Site, 5 North Baffin communities, July 29 to August 2, 2019.
EA Workshop – Rail Mitigation Focused (which included North Railway)	IQ Workshop, 5 North Baffin communities and HTOs, January 22 to February 11, 2020 at the Mine Site
Meetings with hamlets and public Q&A sessions on Phase 2 update and review process	Meetings, 5 North Baffin communities and HTOs, July 4 to December 14, 2021
Meetings with hamlets and public Q&A sessions on Phase 2 update and review process	Meetings, 5 North Baffin and Foxe Basin area Communities and HTOs, July 4 to December 14, 2021

Baffinland recommenced site specific field studies in the Steensby Railway and Steensby Port areas in 2021 in preparation for the development of the final authorizations required to permit the Steensby Component of the Project to move forward. Since that time the communities of Igloolik and Sanirajak have been provided written notices in both English and Inuktitut regarding the years planned scope of activities, and invited to meet directly with Baffinland for a discussion, either virtually or in person. In the execution of each years field programs, local Inuit were hired and trained in various positions and in many cases have returned in each years program.

In the beginning of 2023 Baffinland began a series of in person meetings and workshops in the 5 North Baffin communities, with a focus on those closest in proximity to the planned Steensby Railway and Steensby Port construction activities, specifically Pond Inlet, Igloolik and Sanirajak. These engagements delivered general updates on Baffinland’s intentions to move forward with the construction of the Steensby Component of the Project in the near future, and eventually focused in on authorization specific engagement requirements. Baffinland visited the North Baffin Localities and Kinngait and Kimmirut to meet with the HTOs and Hamlet councils. Technical workshops in Igloolik, Sanirajak and Pond Inlet with the HTOs on the terrestrial environment and archaeology were also completed during the tour.

As an outcome of these discussions, Baffinland will continue to involve Inuit and incorporate evolving IQ in the Steensby Railway as the detailed design is being finalised, such as by confirming the final crossing locations for hunters and caribou.

Table 4.3: Summary of Engagement Related to the Steensby Railway and Port in 2023 and 2024

Activity	Description
Community meetings on the Steensby Component	Meetings, Hamlet Councils and HTOs, February 14-March 30, 2023.
Steensby Railway and Fisheries Habitat Offsetting Workshop	Workshop, Hamlet Council Members and HTOs in Igloolik and Sanirajak, May 9-18, 2023
Steensby Railway and Steensby Port Workshop	Workshop, QIA representatives, June 15-16, 2023.
Steensby Railway and Fisheries Habitat Offsetting Workshop Pond Inlet	Workshop, Hamlet Council Members, MHTO, and QIA, July 11-12, 2023 (Appendix G.8)
Virtual Steensby Component Permitting Update meetings	Virtual meetings, QIA, monthly from Sep 2023 onwards
Steensby Railway Permitting Update Meetings	Meetings, Hamlets and HTOs of Igloolik, Sanirajak and Pond Inlet, October 3-6, 2023
Mary River Project - Steensby Component Update workshop for Inuit Knowledge Holders	Mine Site visit and workshop, Inuit Knowledge Holders, November 13-14, 2023
Mary River Project - Steensby Component Update workshops	Workshops, Hamlet Councils and HTOs in the seven communities, November 2023 – March 2024
Mary River Project – Steensby Component Update radio shows	Radio broadcast, members of the public of Clyde River, Igloolik, Kinngait, Pond Inlet, Sanirajak, November 2023 – March 2024
MEWG and TEWG Meetings	Working groups, MEWG and TEWG Meetings, HTO Chairpersons and Regulators, December 11-14, 2023

4.2 SUMMARY OF ISSUES RAISED

The key issues raised from community engagement meetings to date regarding the Steensby Railway are as follows;

- the potential for impacts on caribou;
- caribou crossings;
- hunting;
- employment; and
- benefits.

Table 4.4 presents a summary of concerns raised and Baffinland’s existing and additional mitigation management responses.

Caribou disturbance and crossing discussions were recurring discussion at community engagement meeting when the railway was being discussed.

Community members expressed concerns over the impacts that the railway may potentially have on caribou, as well as how Baffinland was going to determine the correct areas for crossings. Baffinland has addressed this concern as follows. Between 2007 and 2013 land use studies identified three key and two broad crossing areas, which were then subject to aerial surveys and walking transects to identify the presence of specific caribou trails. The proposed mitigation to address potential impacts to mobility include the requirement for any trails that cross or approach the Steensby Railway to have modified embankments (if necessary) to ensure the height and slope do not present a barrier to caribou moving through the landscape. If the regional caribou population increases and caribou start to move through the RSA more frequently, as expected based on IQ, these areas will become more heavily used and monitoring of caribou movement will become increasingly important. Operation of the railway will incorporate IQ into activity planning, particularly in movement areas, and future monitoring.

Between January and September of 2019 Baffinland held three Community Risk Assessment Workshops, a Crossing Workshop and a final verification session with Elders and HTO members from the five North Baffin communities to better understand the potential interactions that may occur between a railway and caribou and, to mutually develop appropriate mitigation measures. Three of the workshops were held at the Mine Site while another was held in Trois-Rivières, Québec and allowed for a tour of Genesee and Wyoming's Québec Gatineau Railway (QGRY). The final verification session was held in Iqaluit, Nunavut. The participants in these workshops indicated that the use of crossings and allowing caribou time to cross a railway is important, as well as a comprehensive monitoring program, but it was also identified that hauling of ore by rail is expected to have less impact on the environment than using trucks. A summary report is attached.¹⁵

While Mary River is the only project in Nunavut with a railway, it is not the only project in Nunavut or the North with linear infrastructure (i.e. roads) and lessons learned from this infrastructure has been applied to the Steensby Railway. When Baffinland held its Rail Alignment Crossing Workshop in 2019, it included an Inuk employed at another Nunavut mine to help provide first hand Inuit knowledge, experience and expertise with linear infrastructure to the workshop participants.¹⁶

Baffinland is committed to placing crossings in areas that have been determined with the communities (subject to all applicable railway legal requirements). Key caribou movement areas have been identified from collection of IQ and aerial survey data (Figure 2-2). This data will be used to establish priority crossings. If monitoring reveals that the caribou do not use the crossings that are set up, then Baffinland is committed to building additional crossings at locations where they are crossing. Furthermore, Baffinland will establish a Caribou Decision Framework based on its experience using a similar framework for the haul road (Figure 4.1). The objective of this framework is to identify actions if caribou is observed in proximity to the railway. Baffinland is committed to integrating evolving IQ in the project design. There is an ongoing process to integrate IQ in the Steensby Rail design through the implementation of Baffinland's IQ Framework. Land user perspectives along the rail alignment will continue to be considered.

Community members were concerned that the transition from road to rail would decrease the need for employment (i.e. that Inuit truck drivers would lose their jobs, and that opportunity would no longer be available). Baffinland assured the community that employment opportunities for Inuit will not be lost as a result of the transition of truck to rail. Instead, truck drivers will be retrained to other jobs if they wish. It should also be noted that only a small number of Inuit currently operate ore haul trucks (3 or less) and the transition to rail would not create a significant change for Inuit employees.

¹⁵ Engagement Records, **Appendix 2**.

¹⁶ Mary River Phase 2 Proposal Rail Alignment Summary Report, and Community Risk Assessment Workshops – Final Report,

Concerns were also raised over benefits related directly to the Mary River IIBA, and the distribution of benefits among the North Baffin Localities. As some communities are closer to the proposed railway, others fear that they will not receive equal benefits. Baffinland informed the concerned communities that when the Mary River IIBA was signed, all communities were on equal footing. Benefits paid to QIA are on behalf of all Qikiqtani Inuit.

There was also a concern from raised by two community members in Sanirajak and Igloolik over derailment. Although only two people raised the concern, it is still important to recognize that some community members are concerned over the safety of the railway operations. Baffinland has identified that it must create detailed safety management and inspection systems to monitor and document safe operation of the railway. All applicable laws will be followed.

Several community members expressed support for the construction of the Steensby Railway, stating that it would reduce travel and dust along the Tote Road ([Appendix 2](#)).

[Appendix 2](#) provides a full list of all comments received from localities and intervenors related to the subject of rail or raised during engagement sessions where rail was discussed.¹⁷ A summary of the key concerns and comments raised, as well as Baffinland’s responses are provided below in [Table 4.4](#).

A federal consultation tour was led by the Northern Projects Management Office (NPMO) from December 9-11, 2024 in Igloolik, Sanirajak and Pond Inlet to answer questions about the Mary River Project. The focus of the tour was on the issuance of the remaining activity specific authorizations required to proceed with the Steensby Port and Railway components of the Mary River Project. Baffinland understands that NMPO is preparing a “What We Heard” Report and provided a follow up letter to NPMO to respond to questions Baffinland heard during the tour. The letter is provided in Appendix 3.

Appendix 4, the Interests of Localities table provides a detailed summary of comments received from localities by topic. Project engagement is an ongoing process for the life of mine. Therefore, Baffinland will continue to engage with the communities in a meaningful way to mitigate risks and gain mutual respect.

¹⁷ Table of Comments from Localities and Intervenors, [Appendix 2](#).



Figure 4.1: Draft Caribou Decision Framework for the South Railway

Table 4.4: Summary of Concerns Raised and Responses

Effects on Land & Animals			
Project Activities	Issues Raised	Existing Mitigation Management	Additional Mitigation Management
- Construction and operation of a railway. - Development of additional quarries. - Expansion of Milne Port development area.	- Questions about noise effects on animals. - Questions about effects to caribou migration routes. - Questions about dust contamination of the plants that the animals eat.	- Minimized project footprint (vegetation disturbance). - General avoidance of birds, and nest management where necessary. - Road design and snowbank management to accommodate caribou passage. - Wildlife right of way policy, reporting procedure, and 'caribou advisories' to avoid mortality. - Activity specific suspension procedures in sensitive habitat (calving areas) during sensitive times of year (calving season) - Funding of various QIA led studies related to North Baffin caribou, food security and culture, resources and land use - Requirement under the Mary River IIBA to come to agreement with QIA, acting on behalf of an Inuit Committee, on components of adaptive management related to caribou, Arctic char, seal, narwhal, dust and culture, resources and land use	- Shift from Tote Road to transport by railway will reduce the possibilities of wildlife interactions. - Construction of crossings along the railway to maintain known migration paths and travel routes. - Use of Hi-rail cars to monitor for caribou along the railway line. - Slow orders on trains during summer when permafrost may thaw - Guards on tunnels to prevent caribou from entering them
Effects on Air Quality			
Project Activities	Issues Raised	Existing Mitigation Management	Additional Mitigation Management
- Construction and operation of a railway. - Relocation and management of crushing activities. - Additional power generation at Milne Port. - Increased productions, handling, and stockpiling of ore.	- Concerns that explosives and blasting will affect air quality. - Questions about dust impacting wildlife and human health.	- Explosives are completely spent through blasting process. - Implementation of Climate Change Strategy. - Implementation of Dust Management Protocol. - Reduced vehicle speeds. - Minimize drop distance with stackers. - Installation of shrouds on crushers. - Application of dust suppressants along Tote Road. - Requirement under the Mary River IIBA to come to agreement with QIA, acting on behalf of an Inuit Committee, on components of adaptive management related to caribou, Arctic char, seal, narwhal, dust and culture, resources and land use	- Transition to railway and reconfiguration of crushing to an indoor facility will reduce dust generation. - Use of high efficiency engines where possible. - Updated air quality monitoring framework.
Effects on Freshwater Environment			
Project Activities	Issues Raised	Existing Mitigation Management	Additional Mitigation Management
- Construction of culverts and bridges. - Increased use and treatment of water.	- Is drinking water safe? - Concerns about levels of contaminants in the freshwater environment. - Project effects on Arctic Char.	- Treatment and testing of all water before release to the environment. - Aquatic Effects Monitoring Program. - Includes testing of water and Arctic Char. - Tote Road Monitoring Program. - Requirement under the Mary River IIBA to come to agreement with QIA, acting on behalf of an Inuit Committee, on components of adaptive management related to caribou, Arctic char, seal, narwhal, dust and culture, resources and land use	- Installation of larger culverts for railway to accommodate high flow events and fish passage. - Installation of bridges at several sites previously fit for culverts - Project design to reduce dust generation. - Additional water quality monitoring stations.

Effects on Marine Environment			
Project Activities	Issues Raised	Existing Mitigation Management	Additional Mitigation Management
- Construction of ore dock #2. - Increased shipping traffic. - Use of larger ships. - Longer shipping season.	- Requests for more communication on the results of monitoring programs. - Spill mitigation and emergency response measures. - Questions about the quality of water in Milne Inlet. - Questions about ballast water and invasive species.	- Development and monitoring of offset habitat for marine infrastructure. - Ballast water testing and aquatic invasive species monitoring. - Treatment and testing of all water before release to the environment.	- Introduction of new international standard for ballast water treatment. - Discontinuation of heavy fuel oil or low Sulphur fuel oil in the Canadian Arctic - Updates to the Spill at Sea Response Plan.
Effects of Marine Mammals			
Project Activities	Issues Raised	Existing Mitigation Management	Adaptive Mitigation Management
- Increased shipping traffic. - Use of larger ships. - Longer shipping season.	- Questions around the impacts of shipping on marine wildlife: - Will calving grounds be affected? - Will narwhal get used to project vessels? - Does the noise disrupt marine mammals? - Project effects on marine mammals should be mitigated. - Inuit should participate in monitoring programs.	Note these mitigations only apply to the Northern Shipping Route based on the unique circumstances of the location, additional mitigations will be developed for the Southern Shipping Route that address the unique circumstances specific to the location of that route. - Marine mammal exclusion zones for marine infrastructure construction. - Reduced ship speeds to 9 knots along the Shipping Corridor. - Established fixed shipping route to avoid key areas identified by MHTO. - Established drifting zone near Ragged Island to avoid interference with cabins and hunters. - Improved QA/QC for ballast water sampling. - Hired Ship-Board Inuit Observers from Pond Inlet. - Installed Automatic Identification System (AIS) monitoring system at MHTO office. - Established communications protocol to avoid conflicts between Pond Inlet and shipping. - Conditions applied to start and end of the shipping season: - Land fast ice must be broken. - Shipping to commence only after a continuous path of 3/10ths or less ice concentrations is available, unless earlier by variance - Shipping to conclude by October 31 of each year unless extended by exception - MHTO to communicate when the floe edge is no longer being used.	Additional mitigations under development specific to the Southern Shipping Route: - Continued chartering of vessels that meet high environmental and safety standards - Avoidance of shipping through heaviest ice conditions and during critical key life stages for seals (February to June) - Additional mitigations to be developed in consultation with the Marine Environment Working Group and shipping specific workshops with communities. - Requirement under the Mary River IIBA to come to agreement with QIA, acting on behalf of an Inuit Committee, on components of adaptive management related to caribou, Arctic char, seal, narwhal, dust and culture, resources and land use

Effects on Hunters and Land Users			
Project Activities	Issues Raised	Existing Mitigation Management	Additional Mitigation Management
- Construction and operation of a railway. - Increased shipping traffic. - Use of larger ships. - Longer shipping season.	- Wildlife displacement due to the increase of project activities is a concern. - Hunters access to traditional hunting areas needs to be maintained. - Hunters should be compensated for the loss of wildlife. - Where will the caribou (and hunter) crossings be located? - How will the location of the crossing areas be determined?	- Development and communication of Hunter and Visitor Site Access Procedure. - Transportation of land users between Milne Port and the Mine Site. - Confirmation from MHTO before shipping commences. - Funding the QIA’s Inuit Stewardship Plan, inclusive of a Culture, Resource and Land Use Monitoring Program - Funding of various QIA led studies related to North Baffin caribou, food security and culture, resources and land use - Requirement under the Mary River IIBA to come to agreement with QIA, acting on behalf of an Inuit Committee, on components of adaptive management related to caribou, Arctic char, seal, narwhal, dust and culture, resources and land use	- Construction of crossings along the railway to maintain known caribou migration paths and land user travel routes. - Update of Hunter and Visitor Site Access Procedure for Railway. - Slow orders on trains during summer when permafrost may thaw - Continued discussions with land users to identify additional mitigations. - Establishment of an exclusion zone adjacent to Steensby Port to protect valuable archaeological sites
Effects on Communities and Individuals			
Project Activities	Issues Raised	Existing Mitigation Management	Additional Mitigation Management
- Financial stability of the Project. - Additional jobs during construction period. - Reduction of haul truck driver position. - Addition of railway support positions.	- Need to be more transparent about hiring practices and procedures. - Need to increase Inuit training and education opportunities. - Will Baffinland build more infrastructure for communities?	- Mary River IIBA - Memorandum of Understanding for Economic Development with the Government of Nunavut - Tasiuqtiit Agreement and Working Group - Community Donation Fund - Preferential employment, training and contracting with Inuit and Inuit firms - Funding the QIA’s Inuit Stewardship Plan, inclusive of a Social Monitoring Program - Funding of various QIA led studies related to North Baffin caribou, food security and culture, resources and land use	- Stabilization of Project will secure continuation of existing benefits. - Development of Inuit training plan for construction period and initial operations. - Mary River IIBA Three Year Review

5 ENGAGEMENT WITH LOCALITIES THROUGH REGULATORY PROCESS

5.1 REFERENCES

- To access all documents submitted to the NPC (that were not also provided to the Agency with the Section 98 Application), visit the NPC public registry <https://lupit.nunavut.ca/portal/registry/#!> and look under the Plan Amendments folder for Amendment No. 1.
- To access all documents submitted to the NIRB (that were not also provided to the Agency with the Section 98 Application), visit the NIRB website (www.nirb.ca) and search the Mary River Project (Project ID: 08MN053) in the public registry.
- To access all documents submitted to the NWB that were not also provided to the Agency with the Section 98 Application), visit the NWB public registry: <https://www.nwb-oen.ca/content/public-registry>
- Additionally, to access documents regarding Baffinland's regulatory reporting and annual reports, visit the Document Portal at www.baffinland.com.

5.2 SUMMARY OF NPC PROCESS

The NPC is responsible for developing land use plans and issuing conformity determinations for projects wishing to enter the regulatory process in Nunavut. In 2008, the NPC determined that an amendment to the North Baffin Regional Land Use Plan (NBRLUP) was required in order to develop a portion of the Steensby Railway to Steensby Inlet within the planning region. A joint public review was carried out with NIRB from 2011-2012, with opportunities for public review and comment made available through the regulatory process, which are further discussed in **Section 5.2.**

Amendment No. 1 was first recommended for approval by NPC to Ministers in 2013 but was not completed at that time due to competing priorities. Subsequently, the NBRLUP was amended in 2014 to include intensified use of the Tote Road (Amendment No. 2) as well as in 2018 to establish a transportation corridor for the North Railway (Amendment No. 3).

In 2018, Baffinland requested that NPC proceed with the issuance of Amendment No. 1. After NPC issued a request for written feedback, some participants had argued that in order to reconsider Amendment No. 1, an updated cumulative effects assessment from Baffinland was required to reflect changes to the Project since 2014, including the Phase 2 proposal, and the NPC requested updated materials. However, when the Phase 2 proposal was rejected, the NPC determined the information requirements of the NBRLUP were now met without the need for an updated cumulative effects assessment. NPC made its decision based primarily on the information shared during the public review from 2011-2012 and the supporting documentation from that time, including the 2012 FEIS.

Following approval of Amendment No. 1 by the Minister of CIRNAC, the Government of Nunavut, and NTI, Amendment No. 1 to the NBRLUP was issued by NPC in March 2024.

5.3 SUMMARY OF NIRB PROCESS

As set out in Article 12 of the Nunavut Agreement, the NIRB is responsible for assessing the extent of the potential environmental and socio-economic effects of project proposals in order to determine whether the project should proceed, and if so, to recommend the terms and conditions that should apply to the project. As Baffinland has relied on the engagement record of the NIRB in part, details of that process are included in this Report.

5.3.1 Background

As noted above, the Mary River Project, including the Steensby Railway, was subject to a comprehensive environmental assessment review by NIRB from 2008-2012. A complete copy of the 2012 FEIS is appended to the Application at **SD-41**.

In order to reach a determination on the Mary River Project, the NIRB conducted a thorough review of the Mary River Project Proposal—guided by its central objectives of protecting and promoting the existing and future well-being of the residents and communities of Nunavut, and of protecting Nunavut’s ecosystemic integrity—as required under Section 12.5.5 of the Nunavut Agreement.

The Project Certificate was issued to Baffinland on December 28, 2012 and is legally binding on Baffinland and responsible authorities.¹⁸ As detailed elsewhere in the Section 98 Application, the Project Certificate has been amended five times since 2012, for the Early Revenue Phase and the PIP Amendments. The current Approved Project under Project Certificate No. 005 includes the project as approved in 2012, the Early Revenue Phase and the PIP Amendments.

In parallel with some of the PIP Amendments, Baffinland applied to the NIRB in 2018 to amend its Project Certificate to permit the construction and operation of a Northern Railway (the **Phase 2 Proposal**). The NIRB’s assessment of the Phase 2 Proposal spanned from 2018 to 2022 and included information requests, technical comments, public hearings and community roundtables. Ultimately, following a negative recommendation report from NIRB in November 2022, the Minister of Northern Affairs rejected the amendment application. However, the intensive community engagement process which occurred during the NIRB’s review¹⁹ provided an opportunity for Baffinland to engage with localities and develop mitigations for the North Railway which Baffinland has since proposed to apply to the Steensby Railway as additional mitigation measures.

¹⁸ Under NuPPAA, the Minister of Crown Indigenous Relations and Northern Affairs Canada (**CIRNAC**) has authority to take enforcement action, including issuing orders and fines, should Baffinland fail to follow terms and conditions.

¹⁹ See: Technical Supporting Document 04 Phase 2 Public Consultation Report, NIRB Registry No. 320558; Main Document December 2018, Information Request Responses, NIRB Registry No. 321614; QIA 12 Attachment 1: Summary of Planned Engagement Activities for 2018 and 2019 Related to the Phase 2 Proposal, NIRB Registry No. 321614; Pond Inlet Consultation Approach and Record of Phase 2 Consultation with Pond Inlet, NIRB Registry No. 326504-326506; Update on Inuit and Community engagement to April 22, 2020, NIRB Registry No. 329530; Memo: List of Participants for Engagement Events Listed in the February 21 Community Engagement Update Memo, NIRB Registry No. 331636; Community Engagement on the Final Environmental Impact Statement Addendum – Draft Workshop Report, January 28-30, 2020, NIRB Registry No. 331791; Update on Inuit and Community Engagement – December 18, 2020, NIRB Registry No. 332176; Updated Engagement Summary, Commitment List and Revised Draft PC 005, NIRB Registry No. 334460; BIM Community Engagement Update April - August 2021, NIRB Registry No. 336784; BIM Community Engagement Update August – October 2021, NIRB Registry No. 337147.

5.3.2 Opportunities for Stakeholder Engagement in the NIRB Process

Over the course of the NIRB's process, there were numerous opportunities for federal, territorial and local government representatives, designated Inuit organizations, community representatives, Elders and members of the general public to share their perspectives about the Mary River Project, including the Steensby Railway, and about the potential positive and negative effects on communities and the environment of the Nunavut Settlement Area and adjacent jurisdictions.²⁰

To this effect, NIRB and Baffinland ensured that Nunavummiut had the information they required regarding the Mary River Project and its potential impacts, in order to meaningfully engage in the NIRB process. Baffinland's specific consultation efforts in this regard are summarized in SD-41.²¹ The engagement efforts and opportunities for Nunavummiut to provide their comments to the NIRB during the screening and review process are outlined in Figure 5.1, below.²²

²⁰ Final Hearing Report, 2012. NIRB File No. 08MN053

²¹ 2012 FEIS, Vol. 2, Section 1.5.

²² Final Hearing Report, 2012. NIRB File No. 08MN053, Section 3, Figure 4.

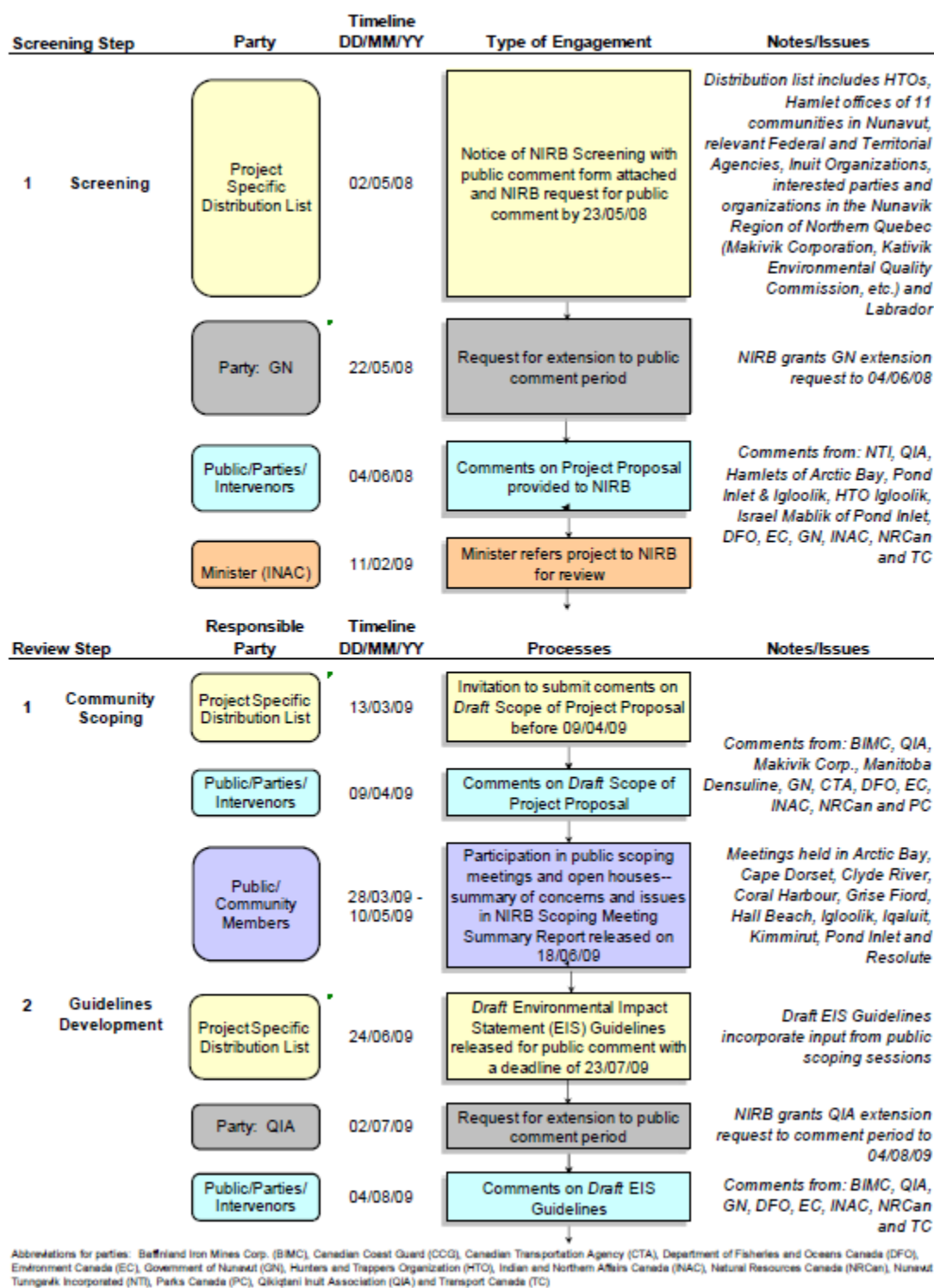


Figure 5.1: NIRB Public Engagement Efforts and Opportunities

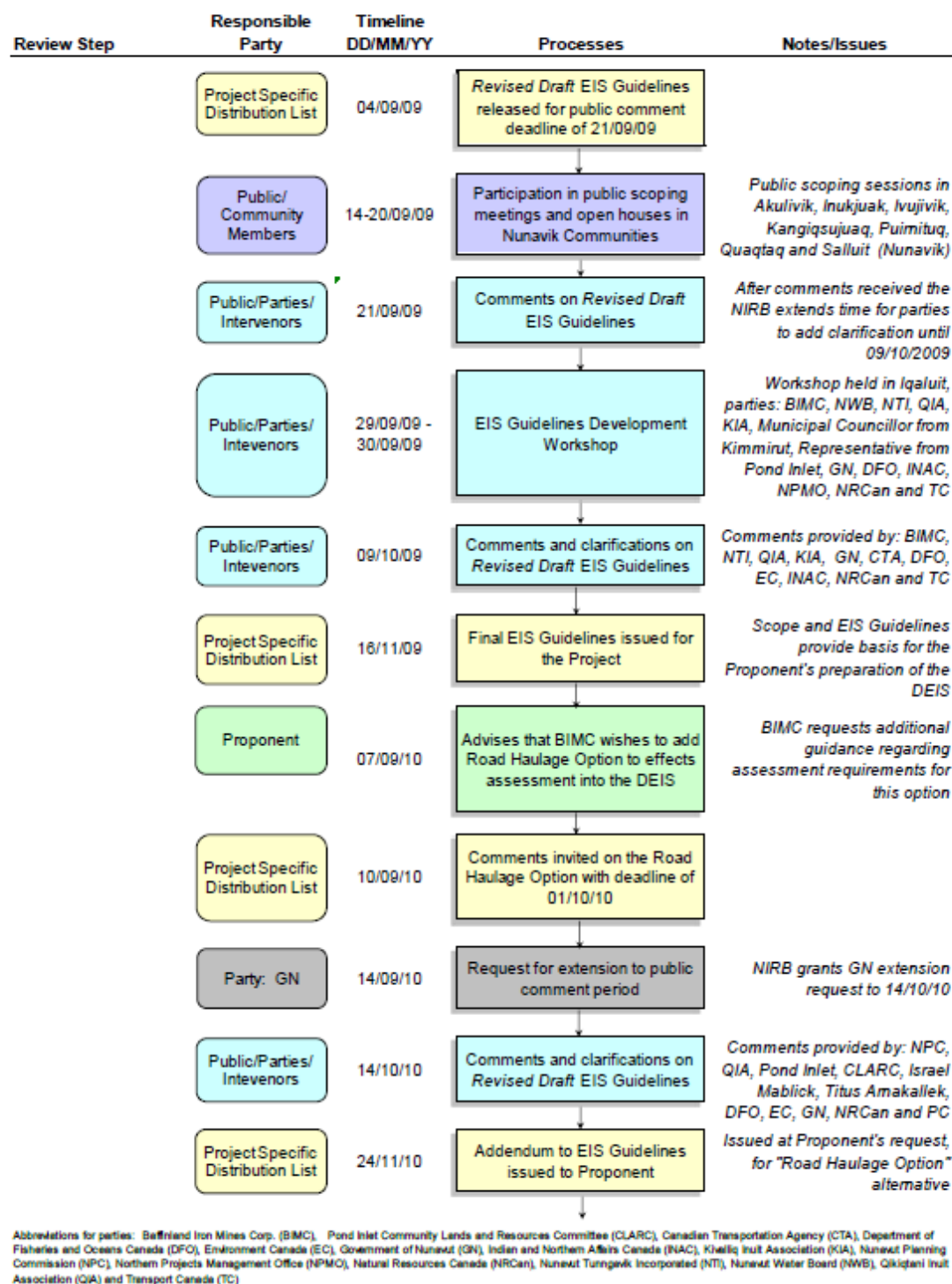


Figure 5.1: NIRB Public Engagement Efforts and Opportunities (cont'd)

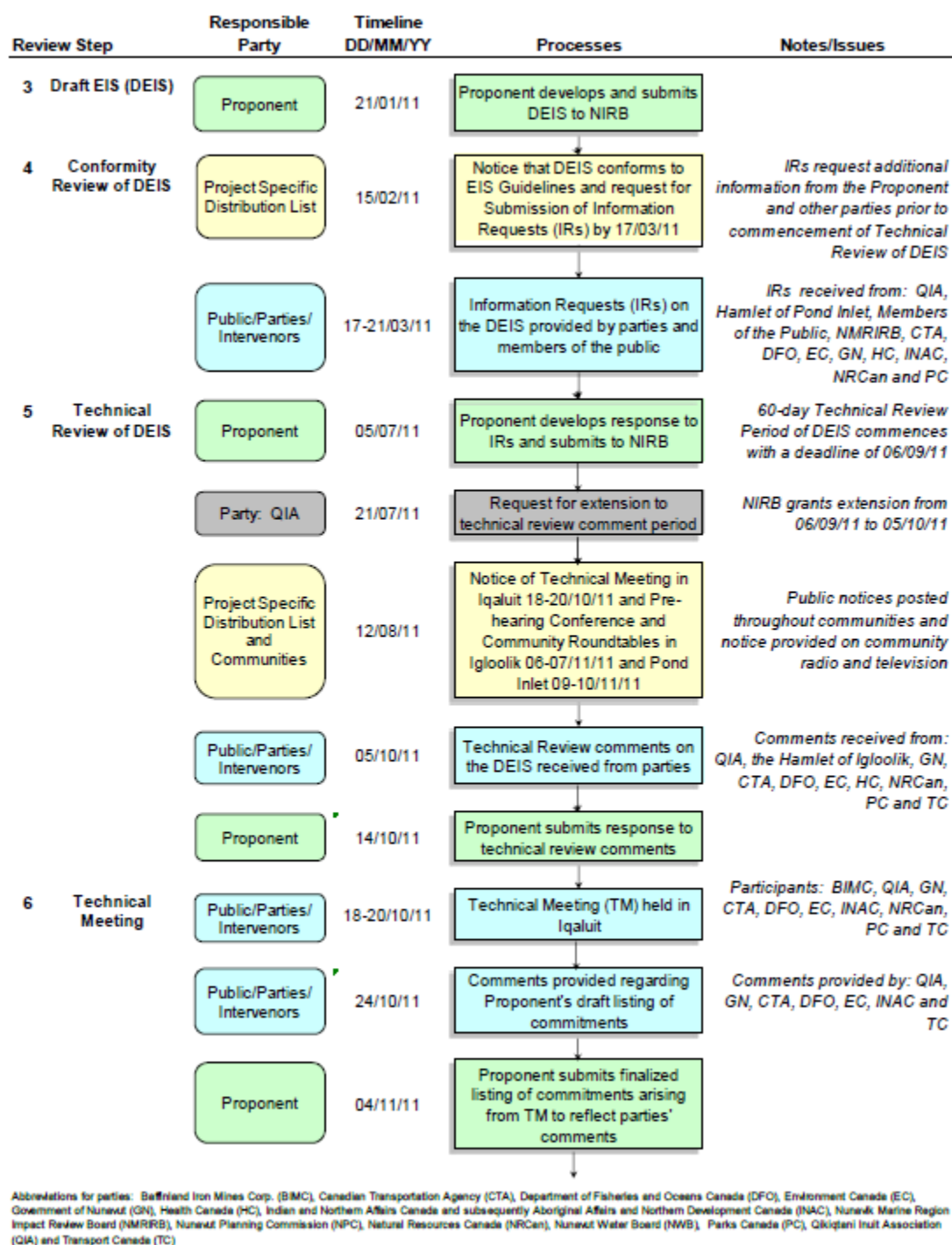
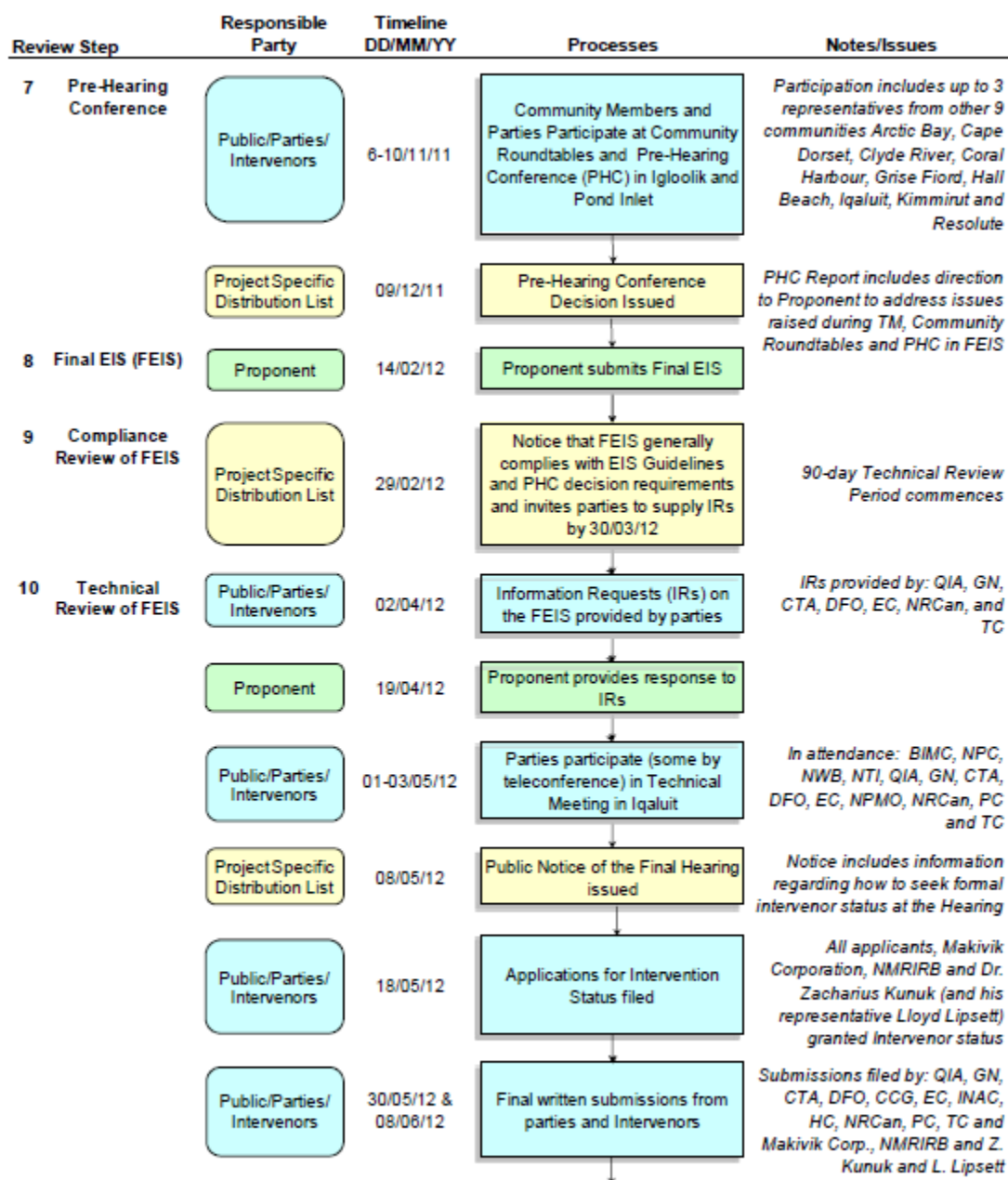


Figure 5.1: NIRB Public Engagement Efforts and Opportunities (cont'd)



Abbreviations for parties: Baffinland Iron Mines Corp. (BIMC), Canadian Coast Guard (CCG), Canadian Transportation Agency (CTA), Department of Fisheries and Oceans Canada (DFO), Environment Canada (EC), Government of Nunavut (GN), Health Canada (HC), Indian and Northern Affairs Canada and subsequently Aboriginal Affairs and Northern Development Canada (INAC), Natural Resources Canada (NRCan), Nunavut Planning Commission (NPC), Northern Projects Management Office (NPMO), Nunavut Tunngavik Inc. (NTI), Nunavut Marine Region Impact Review Board (NMRIRB), Parks Canada (PC), Qikiqtani Inuit Association (QIA), Royal Canadian Mounted Police (RCMP), Transport Canada (TC) and World Wildlife Fund (WWF)

Figure 5.1: NIRB Public Engagement Efforts and Opportunities (cont'd)

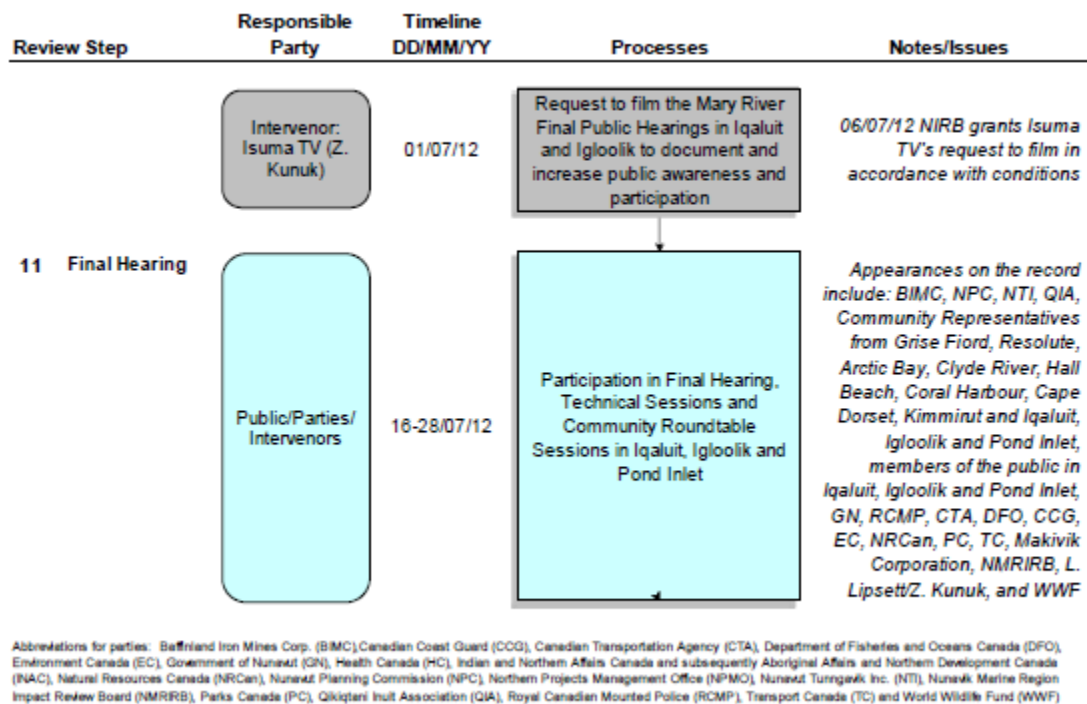


Figure 5.1: NIRB Public Engagement Efforts and Opportunities (cont'd)

The key steps in the NIRB's environmental assessment process for the Mary River Project, including the Steensby Railway, are set out in Table 5.1 below.²³

Table 5.1: Simplified Steps in the NIRB Environmental Assessment Process

Date(s)	Description
March 20, 2008	NIRB, NPC, and NWB receive the Mary River Project Proposal from Baffinland.
April 30, 2008	NPC issued a positive conformity determination for the Mary River Project Proposal.
April 30 – June 27, 2008	NIRB carries out a public screening process, resulting in the recommendation to the Minister that a full environmental assessment review be undertaken with respect to the Mary River Project. On November 2, 2009 the Minister accepted NIRB's recommendation and referred the Mary River Project to review.
March 13 – June 18, 2009	NIRB carried out a public scoping process. The NIRB prepared a preliminary scoping list for the Mary River Project and then conducted public scoping sessions in the eleven communities identified by the NIRB as potentially affected by the Mary River Project—namely, Pond Inlet, Arctic Bay, Resolute, Grise Fiord, Igloolik, Hall Beach, Coral Harbour, Cape Dorset, Kimmirut, Clyde River and Iqaluit. These public scoping sessions identified the topics that Baffinland was required to address in the 2012 FEIS.
June 24, 2009 – November 24, 2011	NIRB developed Environmental Impact Statement Guidelines for the Project (the EIS Guidelines), based on input from the public scoping sessions. The development of the EIS Guidelines included in person workshops and opportunities for public review and comment.
January 1, 2010 – April 11, 2011	Baffinland developed a draft Environmental Impact Statement (EIS) based on the EIS Guidelines, which passed NIRB's conformity review and was subject to information requests and technical review comments by participants in the assessment. A technical meeting was held in person in Iqaluit, Nunavut from October 18 to 20, 2011.
November 6 – November 10, 2011	The NIRB held a community roundtable and prehearing conference in each of Pond Inlet and Igloolik (the two communities closest to the Steensby Railway).
December 9, 2011 - November 14, 2012	Baffinland developed the FEIS ²⁴ based on the feedback received from the localities and the NIRB through the NIRB process.
November 29 – July 16, 2012	Information requests on the FEIS were provided by parties to the NIRB process and a Technical Meeting is held in person in Iqaluit. Final written submissions are provided to the NIRB from parties and intervenors, including the Agency.
July 16 – July 28, 2012	Final Hearings are held in Iqaluit, Pond Inlet and Igloolik.
September 2012	NIRB issues its Recommendation Report to the Minister.
December 2012	The Minister accepts the NIRB's recommendation and approves the Project. The NIRB proceeds to issue Project Certificate No. 005 on December 28, 2012.

²³ NIRB, Final Hearing Report, Mary River Project, Baffinland Iron Mines Corporation, NIRB File No. 08MN053, September 2012. See generally "Section 1 – Introduction"

²⁴ SD-41

The participants in this process included those identified in Table 5.2. A more detailed description of the listed participants and details of their participation in the NIRB review process is available in the Report.²⁵ The full transcripts²⁶ from the NIRB hearing are attached at SD-46..

Table 5.2: Participants in the NIRB Process

Name	Description of Participant
Nunavut Planning Commission (NPC)	The NPC's role involved the joint review, with the NIRB, of the 34 kilometer portion of the Steensby Railway as it is located within the area covered by the North Baffin Regional Land Use Plan.
Nunavut Tunngavik Inc. (NTI)	See above.
Qikiqtani Inuit Association (QIA)	See above. The QIA participated in all stages of NIRB's environmental review process for this Project. To aid in additional communication and engagement with communities specific to the Mary River Project, QIA formed and administered seven Mary River Project Committees and their comments were included in its final submission. QIA's view of the Project was that provided the conditions presented in its final submissions were accepted by all parties, appropriate mechanisms are in place to effectively monitor and manage the Mary River Project in an acceptable manner. QIA stated that any remaining outstanding issues can be dealt with in reference to the recommendations and information requested in its final written submission. QIA emphasized in its final submission that the success of the Mary River Project demands continued work and collaboration with communities after the permitting process and throughout the life of mine.
Government of Nunavut (GN)	While the federal government currently has authority over the management of mineral resources in Nunavut, the GN has significant jurisdictional responsibility and permitting authority over activities that affect wildlife and wildlife habitat, Commissioner's lands, municipalities, education, health, social services, public safety, culture, community development, property rights, and the administration of the laws in Nunavut. It is the GN's objective to ensure that mineral resource projects in Nunavut are developed in a manner that respects, protects and cares for the land, animals and the environment. At the same time the GN is responsible to ensure that the Mary River Project will create positive effects on the socio-economic conditions of the territory by providing opportunities for employment, education and training to Nunavummiut.
Aboriginal Affairs and Northern Development Canada (now CIRNAC)	CIRNAC is the federal government department responsible for meeting the Government's obligations and commitments to Indigenous groups, including Inuit and Métis, and for fulfilling the federal government's constitutional responsibilities in the North. CIRNAC reviewed the Final Environmental Impact Statement for the Mary River Project from the perspective of water quality and quantity, land related issues such as vegetation and permafrost, and socio-economic impacts and benefits.

²⁵ Final Hearing Report, 2012. NIRB File No. 08MN053.

²⁶ NIRB, 2012. Final Hearing Transcripts for the Mary River Project.

Name	Description of Participant
Canadian Transportation Agency (The Agency)	The Agency is an independent, quasi-judicial tribunal and economic regulator. It makes decisions and determinations on a wide range of matters involving air, rail and marine modes of transportation under the authority of Parliament, as set out in the Canada Transportation Act and other legislation. Among the determinations it makes, The Agency approves specific Railway line construction projects. For these projects, The Agency assesses the impact of new construction on the environment. Given that the Nunavut Act establishes federal authority over the territory of Nunavut, The Agency indicated that the proposed Railway connecting the Mary River Mine to Steensby Inlet is a Railway within the legislative authority of the Federal Parliament. In its final submissions The Agency addressed 1) the proposed Railway, 2) alternatives in routing, design and operation, 3) the impact of the Railway on the caribou and ways to mitigate these impacts, 4) impacts to traditional land users 5) emergency response, and 6) noise and vibration impacts.
Environment Canada (now Environment and Climate Change Canada or ECCC)	ECCC is responsible for leading implementation of the Government of Canada's environmental agenda and is committed to contributing to the realization of sustainable development in Canada's North. ECCC's mandate covers the preservation and enhancement of the quality of the natural environment, including water, air, soil, flora and fauna, as well as species at risk and migratory birds. In addition to ECCC's mandate to conserve and enhance the quality of the natural environment, the Department administers s. 36(3) of the Fisheries Act which prohibits the deposit of a deleterious substance into fishbearing waters. ECCC also administers the permitting of disposal at sea and participates in the regulation of toxic chemicals and the development and implementation of environmental quality guidelines pursuant to the <i>Canadian Environmental Protection Act, 1999 (CEPA 1999)</i> . ECCC is responsible for protecting and conserving migratory bird populations and individuals, under the <i>Migratory Birds Convention Act, 1994 (MBCA)</i> , and administers the <i>Species at Risk Act (SARA)</i> in cooperation with Fisheries and Oceans Canada and the Parks Canada Agency.
Fisheries and Oceans Canada (DFO)	The federal government exercises authority over seacoastal and inland fisheries within Canada's territorial boundaries. DFO's primary focus in reviewing proposed developments in and around fishery waters is to ensure that the works and undertakings are conducted in such a way that the proponents are in compliance with the applicable provisions of the <i>Fisheries Act</i> . DFO's environmental assessment and regulatory review of the Mary River Project is based in large measure on sections 32 and 35 of the Fisheries Act. Section 32 prohibits a person from killing fish by a means other than by fishing unless the person is authorized to do so. Section 35 prohibits the harmful alteration, disruption or destruction of fish habitat without authorization.
Canadian Coast Guard (CCG)	As a Special Operating Agency of the DFO, the CCG helps the DFO meet its responsibility to ensure safe and accessible waterways for Canadians. The CCG also plays a key role in ensuring the sustainable use and development of Canada's oceans and waterways. With respect to marine shipping oil pollution prevention and preparedness and response in Canadian waters, both CCG and Transport Canada have responsibilities.

Name	Description of Participant
Health Canada (HC)	HC is the federal department responsible for helping the people of Canada maintain and improve their health. HC noted in its final written submission that the Mary River Mine is in a remote location with no human settlements nearby, although the site will include workers' accommodation.
Natural Resources Canada (NRCan)	NRCan regulates the manufacturing and storage of explosives through the federal Explosives Act. The Mary River Mine requires explosives manufacturing or explosives storage during construction at four locations – the mine site, Steensby Port, Milne Port and along the Railway. The 54 Mary River Mine will require both manufacturing and storage of explosives at the mine site during mine operations. Beyond its regulatory role, NRCan is the Government of Canada's principal earth sciences agency, providing Canadians with reliable geomatics and geoscience advice and knowledge. NRCan is also a source of scientific research and advice on mining and mineral technology for the mining and minerals industries as well as territorial and federal government departments that promote or regulate these industries. Specific to the Mary River Mine proposal, NRCan engaged experts within the Earth Science Sector's Geological Survey of Canada to provide advice in three subjects: 1) permafrost and geotechnical science, 2) engineering geology, and 3) coastal geomorphology. NRCan also engaged experts within the Mineral's and Metals Sector CANMET Mining and Mineral Sciences Laboratories to review the Proponent's acid rock generation and metal leaching assessment in the FEIS.
Parks Canada (PC)	PC has a broad mandate for ecological integrity, cultural resource management and traditional use, and park user experience for national parks, including Sirmilik National Park which is located near the Mine. PC also has a mandate in the context of the proposed National Marine Conservation Area (NMCA).
Transport Canada (TC)	TC is responsible for transportation policies and programs that promote all parts of the transportation system to work effectively and in an integrated manner, so as to provide Canadians with a sustainable transportation system that is safe, secure, efficient and environmentally responsible. The Department also has a responsibility to regulate associated transportation infrastructure, equipment and personnel in accordance with the legislation and regulations within the mandate of TC.
Makivvik Corporation (Makivvik)	Makivvik is a signatory to the Nunavik Inuit Land Claims Agreement (NILCA) and has a duty to protect the integrity of the NILCA and the mandate to ensure the economic, social, and cultural well-being of the Nunavik Inuit. Makivvik is also charged with protecting the rights of the Nunavik Inuit that flow from the James Bay and Northern Quebec Agreement (JBNQA) and the NILCA. Additionally, Makivvik, on behalf of the Nunavik Inuit, is the owner of 80% of the islands in the Nunavik Marine Region (NMR). Makivvik did not make any comments on the railway and focused comments on marine matters.
Nunavik Marine Region Impact Review Board (NMRIRB)	The NMRIRB's objective as established in section 7.2.5 of the NILCA is to ensure that any activities that will occur within the NMR and the areas of equal use and occupancy will be undertaken in a manner that complies with current activities within the NMR and will not adversely affect the existing and future well-being of the persons and communities resident in or using the NMR, or the ecosystemic integrity of the NMR.

Name	Description of Participant
Zacharias Kunuk – Nunavut Independent Television Network, Isuma Distribution International Inc. and Kigullitt Productions Inc.	Dr. Kunuk intervened as an Inuit filmmaker and hunter who has spent his life in the region of the proposed Mary River Mine. The intervention was in two parts. Part One was a written submission in English. Part Two was in audio and video formats in Inuktitut and is available on the internet at www.isuma.tv/DID . Dr. Kunuk's intervention concerns the Inuk point of view on matters of human rights, wildlife, family life and the potential value of social media to the NIRB environmental review process.
North Baffin Localities	Each of the five North Baffin Localities has long term social, economic and environmental ties to the Project area. For many of these North Baffin households, harvest of country food provides an important contribution to their overall well-being, both physical and cultural. In all five communities, caribou, ringed seal, and arctic char are of major importance. In addition, walrus is a significant species in Hall Beach and Igloolik, while narwhal is a key component of the harvest among households in Arctic Bay, Pond Inlet, and to a lesser degree, Clyde River.

The NIRB made a focused effort to ensure there was a broad range of community representatives participating directly in the hearing. The NIRB invited five (5) community representatives from each of the eleven (11) communities identified as being potentially affected to attend the Final Hearing in Iqaluit. Community organizations were contacted in order to solicit representatives from broad demographic groups to participate, including local women's groups, Hunters and Trappers Organizations, Elders' societies, Hamlet Councils, and youth groups. Where no local group existed, the NIRB sought advice from regional associations and organizations in order to confirm participants for the Final Hearing.

A total of 41 community representatives from Arctic Bay, Clyde River, Coral Harbour, Grise Fiord, Kimmirut, Kinngait (formerly Cape Dorset), Resolute, and Sanirajak (formerly Hall Beach) as well as three local Iqaluit community representatives participated in the community roundtable portion of the Final Hearing in Iqaluit. The format of the Final Hearing in Iqaluit allowed the community representatives to observe the technical presentations of Baffinland and Intervenor over the first three days of proceedings. Community representatives attended these first days as well as the final two days which were dedicated community roundtable sessions. During these roundtable sessions, community representatives from each community were invited to sit at the table with the Board to hear shortened presentations by Baffinland which explained project components in detail. Community representatives were then invited to pose questions to Baffinland and/or Intervenor and to address comments to the NIRB. These sessions were well attended and had all seats at the roundtable filled with community representatives.

Similar community roundtable sessions were held at both the Igloolik and Pond Inlet venues as well, where technical sessions took only one day of the proceedings while two days were focussed on providing community members in these two communities with an opportunity to participate in the Hearing. Community representatives seated around the table at all three of the venues took advantage of the opportunity to pose questions to Baffinland and the various intervening agencies, and to express their comments and concerns to the Board during the proceedings.

The NIRB considered this input, the extensive documentation filed regarding this Project, including the information contained within the draft and final EIS filed by Baffinland, as well as the substantial written comments, information requests and final written submissions filed by formal intervenors. The NIRB also considered comments, evidence and advice from community representatives, members of the public and formal intervenors throughout the Review, including hearing from over 150 people who appeared on the record during the NIRB's Final Hearing.²⁷ As it is the NIRB's practice to ask all participants to sign in at the beginning of each day of proceedings, a full listing of sign in sheets from the Final Hearing is included on the public registry.

For a detailed overview of the public engagement efforts and opportunities included in the NIRB process, see Figure 5.1.

5.3.3 Summary of Key Issues Raised during NIRB Process by Localities

Based on the outcomes of these and other engagements, the NIRB identified the following key issues in relation to the construction and operation of the Steensby Railway for discussion during the Final Hearing:

- the alternatives analyses associated with the proposed Steensby Railway routing;
- the design considerations for construction and operation of the Steensby Railway under arctic conditions, including management plans for mitigation of potential impacts to caribou and terrestrial wildlife;
- the potential impacts from proposed mining and quarrying activities, including dust dispersion from the transport and storage of waste rock and ore, and impacts to water quality from acid rock drainage;
- the adequacy of proposed mitigation measures to protect archaeological resources and other heritage sites;
- the potential direct and indirect socio-economic impacts, including impacts to community demographics, capacity of current services to meet future needs, traditional land use and food security; and
- other issues as raised by parties, intervenors and the public.²⁸

Relevant comments, issues and concerns expressed by community representatives at the Final Hearing in relation to particular effects are described in detail in Sections 4 and 5 of the NIRB's Recommendation Report, however, Table 1 of the Final Hearing Report (SD-46) and reproduced in Table 5.3 below, provides a very brief summary of the key issues, concerns and perspectives offered by the community representatives and members of the public during the community roundtable sessions.

²⁷ Final Hearing Report, 2012. NIRB File No. 08MN053, See page xi. .

²⁸ Final Hearing Report, 2012. NIRB File No. 08MN053, See page 23.

Table 5.3: Key Issues as Raised by Community Representatives in NIRB Process (Reproduced from Table 1 of the Final Hearing Report)

Subject	Issues/Concerns/Comments
Ecosystemic Effects	
Climate (including climate change)	Ensuring project has factored potential effects of climate change into design for the long term Accounting for unpredictable ice conditions that are now resulting from climate change and will further be affected by year round shipping Greenhouse gas emission modelling due to use of diesel for power taken into account in assessment of effects over the life of the mine
Air Quality	Risk of dust from the mine and rail affecting vegetation, wildlife and people, including small mammals such as lemmings What will the emissions from the smelting of the iron ore in Europe be as these emissions could end up coming down in the Arctic
Noise and Vibration	Potential for polar bears to react to shipping noise by staying closer to communities where noise levels are lower Impacts of noise associated with trains Noise effects associated with shipping especially during ice covered conditions and the unknown effects on marine mammals
Landforms, Soils and Permafrost	Potential for Railway embankments to create hazardous snow conditions What will the area be like following reclamation of the mine, Railway, road and the port Potential for quarry sites for soapstone to be negatively affected Effects if permafrost underlying Railway breaks down unexpectedly How big will waste rock piles be and where will they be stored Concern that there hasn't been a Railway constructed in Arctic terrain such as this recently in Canada
Vegetation	Potential for contamination of vegetation due to project activities, spills, etc. (and subsequently affecting the food chain)
Freshwater Quality and Fish	Effects on fish and fish passage during construction of water course crossings for Railway, including effect on water quality and fish due to use of explosives and effects associated with use of metal culverts Will leaching from waste rock and build up of water in the mined out pit have effects on the surface waater quality and will there be requirements imposed regarding water quality before water can be discharged from the mine site Is it true that there is no processing only crushing so no tailings facilities

Subject	Issues/Concerns/Comments
Terrestrial Wildlife and Habitat	Unpredictability of effects of Railway on caribou migration, mortality, calving, etc. and uncertainty regarding whether caribou crossings will work, whether caribou will be attracted to train tracks, reactions to tunnels and likelihood of trains hitting caribou Potential effects on terrestrial wildlife, including caribou, during the use of explosives in the construction phase Will minimum flight altitudes be imposed to prevent impacts to terrestrial wildlife
Birds	Potential for migratory birds migration to be affected by year round shipping and increased air travel Effects of shipping on nesting grounds (including nesting grounds close to shorelines) Effects on migratory bird sanctuaries given routing of ships close to sanctuaries Will minimum flight altitudes be imposed to prevent impacts to migratory birds
Marine Environment, Water, Ice and Sediment	Loss of ice during year round shipping with the potential to limit winter travel routes amongst North Baffin communities Sediment impacts that could affect the food species (including plankton) relied on by walrus, whales and other marine mammals The potential for the release of ballast water to affect water quality in Steensby Inlet or result in the introduction of invasive species or release of bacteria/viruses Effects on water quality associated with blasting, dredging and other activities required to make the port deeper Effectiveness of the use of markers and other means to identify shipping route for people traversing the ice How will garbage and sewage from ships be disposed of at sea and while in port If Marine Conservation Area is designated later by the Federal Government, will that prevent shipping
Marine Wildlife and Marine Habitat	Impacts of year round shipping on polar bears Requests to suspend shipping in certain areas (pupping/calving/denning) during parts of the year when marine mammals are particularly vulnerable Potential for marine wildlife to be contaminated by emissions from ships Potential for marine mammals impacted by year round shipping to permanently abandon areas adjacent to shipping lanes Potential for marine wildlife to be attracted to open water and suffer adverse consequences when ice breaking opens lanes What seasons and limitations (e.g. light conditions, ice conditions) will affect marine mammal monitors on ships How will community quotas for marine mammals, such as whales and polar bears be affected if BIMC activities result in mortality How will communities be compensated if harm to commercial fisheries result Concerns that use of navigational aids (sonar in particular) may impact marine wildlife

Subject	Issues/Concerns/Comments
Socio-Economic Effects	
Population Demographics	Fly in and fly out policy and potential effects on in-migration from communities to the south and from hamlets to bigger centres
Education and Training	Availability of on-the-job training and ability of employees to get training and certifications that can be transferred to other employers, other jobs, etc. Whether not having a University degree, high school, speaking English or driver's licence will be a barrier to being employed at the site and whether a criminal record will be a barrier to being employed Use of Inuit instructors for on-site training Will Inuit be stuck in entry level positions or will opportunities for advancement be available
Livelihood & Employment	Support for the mine contingent on employment opportunities and business opportunities being available for community members in the North Baffin Will Inuit and North Baffin residents in particular be given priority to access job opportunities When and where will communities start to see job opportunities and advance training for the mine development Will parties other than the Proponent create jobs associated with the Project (e.g. monitoring officers, enforcement personnel, etc.) Will the Project create job opportunities specifically for women How will Project employees be compensated when the mine closes
Economic Development & Self Reliance	If done right the Project could provide lasting benefits to infrastructure, employment and training Could reclamation plans include leaving buildings and roadways intact for other uses Concerns regarding the effect of increases in income causing increases in rental rates for government housing creating a disincentive for working at the mine
Human Health and Well-Being	Addressing potential for increased drugs and alcohol use/dependency and associated social problems Potential for health impacts if harvest of country foods is reduced or if there is contamination of local sources of country food Access to Inuit counsellors and Elders both on and off-site for support of workers and their families Request consideration of how Baffinland's shipping may assist communities with resupply and/or supplementing existing transportation for goods from the south Handling notification of family members when employees on-site suffer health incident and require treatment or medivac Potential for 2 week in/2 week out rotation to contribute to family problems Potential for increases in rates of domestic and sexual violence/exploitation Will the project sites have health care centres

Subject	Issues/Concerns/Comments
Community Infrastructure and Public Services	Contribution to increased community capacity for social supports such as funding addictions centres, community-based counsellors, etc. Safety issues created by firearms being available on-site to support harvest activities Potential creation of infrastructure strains on housing, medical services, childcare, counselling, policing and correctional services Baffinland should find ways to support home ownership amongst their workers Can some infrastructure (roads, Railways, docks) be left intact when the mine ceases operations and be made available for the communities to use Would like to see infrastructure such as airport improvements and dock facilities provided in the communities closest to the project sites Will communities play a role in providing workers to help in the post-closure reclamation and monitoring Will the Project contribute to better regular schedules for flights amongst North Baffin communities where they do not need to be routed through Iqaluit
Contracting and Business Opportunities	Want to ensure that small and local businesses will have access to contracting and business opportunities; that it won't only be large companies from the south who benefit Ensure Inuit contractors include those in the High Arctic and are not just based out of Iqaluit How to ensure that businesses are given support to prepare themselves to be able to take advantage of business opportunities
Culture, Resources and Land Use	Preservation, protection of archaeological resources from damage Why there is no location in Nunavut for preservation and display of archaeological artifacts from Nunavut's communities (currently only in Yellowknife) Request to ensure former residents of Steensby Inlet are brought to the area for a visit prior to development Ensuring unilingual Inuktitut speakers are not discouraged or limited in their ability to rise in the organization by a lack of English Ensure respect for the Inuit culture, which is different, in all local communities Pleased to see restoration and reclamation planning included at this early stage
Benefits, Royalties and Taxation	Extent of and basis for compensation to harvesters whose harvests are adversely impacted by the project activities How distribution of benefits amongst North Baffin residents most impacted by the Project will be fairly carried out Ensuring benefits accrue to local government authorities (e.g. City and Hamlet) as they do not get direct payments from Baffinland Communities closest to the Project should receive the greatest share of the benefits Rejection of the project will significantly limit all future developments in the region

Subject	Issues/Concerns/Comments
Other Issues	
Accidents and Malfunctions	Safety of ore carriers given the large size and the strong currents in Steensby Inlet Monitoring of overwintering fuel vessel to ensure potential leaks are identified before large scale damage occurs Potential for ore carriers to become stranded in unpredictable sea ice Ensuring that there is sufficient capacity close by to respond to accidents, spills and malfunctions, with particular concerns expressed regarding responding to spills under ice and the fact that Canadian Coast Guard is only present in the Arctic in the open water season Request to ensure that communities receive training to be able to do some emergency response tasks Plans to reclaim a sunken ship and its cargo in the event of major accident Insurance set aside to address accidents and malfunctions Concerns emergency shelters along the Railway may be insufficient for the high snowfall conditions surrounding parts the Railway Can double hulled fuel vessel be punctured enroute to Steensby Port and then once frozen into the ice
Alternatives	Requests to consider alternative shipping routes farther away from some communities and traditional harvesting or transit areas
Cumulative Effects	Potential for year round shipping to speed development of Northwest Passage as main shipping route Monitoring of cumulative effects over longer time horizon (5-10 years) Will other deposits (other than Deposit #1) be developed
Community Engagement	Communities need to have access to monitoring results and project information on an ongoing basis Will NIRB report and recommendations be released publicly at the same time as the Minister receives the report
Government Capacity	Will devolution of responsibility to Government of Nunavut be accelerated due to this Project How will Governments ensure compliance with terms and conditions in a Project Certificate How will all parties ensure that the project is carried out in a way that restores public confidence in government institutions and the project proponent Will Parks Canada put preservation measures in place to conserve wildlife, birds and other natural resources in the park at Bylot Island What is a Development Partnership Agreement (between Baffinland and the Government of Nunavut) and what issues are addressed in this Agreement
Monitoring	Monitoring systems must be robust and must include community input and communication back to communities to be effective Inuit diets should be monitored to detect any changes and the presence of contaminants

5.3.4 Summary of How NIRB Addressed Issues Raised by Localities

The NIRB identified numerous recommended measures in its Recommendation Report to mitigate adverse environmental effects, which were developed in direct response to concerns raised by localities, and which were accepted by the Minister. The residents and communities of the Nunavut Settlement Area, and the Intervenor and Parties to this process, will not necessarily all share the same views, and the NIRB is therefore required to consider and balance disparate views and opinions with respect to what might constitute the “existing and future well-being of the residents and communities of the Nunavut Settlement Area” in a reasonable manner, taking into account the evidence before it.

These mitigation measures are reflected and addressed in the terms and conditions established in the Project Certificate issued to Baffinland on December 28, 2012 (as amended). The terms and conditions which specifically refer to the Steensby Railway are highlighted in Table 5.4 below (though it is noted that many other conditions apply generally to the Project and therefore, the railway). These are also addressed in the Table of Commitments..

The regulatory system established under the Nunavut Agreement as well as the Project Certificate ensures that the NIRB’s assessment is annually referenced as a benchmark in comparison to updated monitoring data collected throughout the life of the Mary River Project. The most recent two Annual Reports of Baffinland and NIRB are available as part of the Section 98 Application at [SD-59](#) and SD-60.

Table 5.4: Project Certificate Terms and Conditions Which Specifically Refer to the Steensby Railway

T/C No.	Description
2	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.
10	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. c) Outline specific plans for monitoring dustfall at intervals along and in the vicinity of the Milne Inlet Tote Road to determine the amount and extent of dustfall. d) Identify the specific adaptive management measures to be considered if monitoring indicates that dust deposition from traffic on the Milne Inlet Tote Road 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.
15	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, Tote Road and marine shipping 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, Tote Road and marine shipping operations, as well as all safety considerations for members of the public who may be travelling around the project area.
16	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, access roads, port sites, the Milne Tote Road, and other areas of the Project site, 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. Term and Condition 16 provides the following NIRB Commentary: <i>"It is understood that the term "consistent with those proposed in the FEIS" requires general consistency only in relation to the type, location and scope of this infrastructure and facilities, but does not limit the ability of the Proponent to refine and optimize the design, placement and construction as may become necessary to reflect site-specific conditions encountered during construction."</i>
28	The Proponent shall monitor the effects of the Project on the permafrost along the railway and all other Project affected areas including the Tote Road and must implement effective preventative measures to ensure that the integrity of the permafrost is maintained.

T/C No.	Description
53	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, Milne Inlet Tote Road and associated access roads. i. Specific measures intended to address the reduced effectiveness of visual protocols for the Milne Inlet Tote Road and access roads/trails during times of darkness and low visibility must be included. b) Monitoring and mitigation measures at points where the railway, roads, trails and flight paths pass 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, Milne Inlet Tote Road and access roads 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. e) 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.
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 Tote Road 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 videosurveillance to improve the predictability of caribou exposure to the railway and Tote Road. Using the result of this information, an early warning system for caribou on the railway and Tote Road shall be developed for operation. e) Details of monitoring thresholds related to level of mitigation and management; and f) Details of a comprehensive hunter harvest survey to determine the effect on caribou populations and potential effects on caribou behaviour resulting from increased human access caused by upgrades to the Milne Inlet Tote Road (and any other roads if they are shifted from private to public use) and increase local knowledge of the mine site, including establishing pre-construction baseline harvesting data.

T/C No.	Description
58	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, the Milne Inlet Tote Road 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, road traffic, air traffic 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.
162	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
163	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.
165	The Proponent is strongly encouraged to provide buildings along the rail line and Milne Inlet Tote Road 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 and Milne Inlet Tote Road. These shelters must be placed along Tote Road and rail routing prior to operation of either piece of infrastructure, and must be maintained for the duration of project activities, including the closure phase.
170	The Proponent shall include in an updated Terrestrial Wildlife Management and Monitoring Plan, plans for increased caribou monitoring efforts including weekly winter track surveying and summer and fall surveys undertaken on foot twice per month.
171	The Proponent shall include within its updated Terrestrial Wildlife Management and Monitoring Plan, a commitment to establish deterrents along the railway and Tote Road 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.

5.4 SUMMARY OF NWB PROCESS

The NWB is tasked under the Nunavut Agreement with regulating the use of water and deposit of waste in Nunavut lands and waters. Prior to issuing the Type A Water Licence to Baffinland in 2014, the NWB held a full public process, including written submissions, public meetings and public hearings attended by community representatives. The QIA participated as a key intervenor. The NWB also provided advice on matters relating to waters and waste to NIRB during the environmental assessment process.

At the Pre-hearing Conference the NWB held in January 2013, the Board's staff were advised that although Pond Inlet was the most appropriate place to hold the Public Hearing, the communities of Hall Beach (now Sanirajak), Arctic Bay, Igloolik and Clyde River should also be represented at the Public Hearing as these communities could potentially be affected by the activities and facilities included in the Application. Consequently, to ensure that the Board was provided with the opportunity to hear the concerns, questions and issues of these communities, the Board invited 5 members from each of the four communities, representing Elders, the local Hunters and Trappers Organization, youth, women and the Hamlet to attend the Public Hearing in Pond Inlet. At the Public Hearing, these community representatives were given specific opportunities to ask questions of the Applicant and the interveners and to provide the Board with their views, identify issues, express concerns and provide any other comments relevant to the Application.

Table 5.5 that follows provides a summary, by topic, of the key issues related to the Type "A" Water Licence Application raised by community members during the Public Hearing and Community Sessions. Those parties interested in a review of all comments received in their entirety are advised to consult the transcripts for the Public Hearing available on-line from the NWB's website. Few comments were received specific to the railway, though some could apply generally to the construction and operation period.

Table 5.5: Key Issues Raised By Community Representatives Related to the Type “A” Water Licence Application (Reproduced from NWB Report “Table 1: Key Issues Raised By Community Representatives During the Public Hearing and Community Information”)²⁹

Topic	Issues/Concerns/Comments
Aircraft landing on roads adjacent to railway	Will the roads adjacent to the railway line be wide enough for aircraft to land?
Discharges of Sewage, Oily Water and Run off	Will sewage, oily water and run off that has contacted the ore stockpile be treated to ensure that contaminants are not being released into the environment?
Blasting/Explosive Residue	How would the explosive residue on snow that builds up during the winter be prevented from becoming part of the snow melt water that goes into nearby creeks and flowing water or sinking into the ground?
	Is the smoke, dust and explosive residue associated with blasting activities toxic or dangerous to animals?
	Will people out on the land still be able to drink water from the small ponds nearby areas that are being blasted, or will these water sources be contaminated by blasting activities?
	How will BIMC ensure that blasting activities do not impact fish in fish- bearing waters?
	How will BIMC make sure that blasting activities along the railway does not leave behind residue that causes permanent effects?
	Are there different criteria for blasting in open water and blasting where there is ice cover?
	Are there ever any allowances made for relocating the fish from a water body that is near to a blast site to a water body further away during blasting?
Contingency/ Emergency Planning	What kind of contingency/emergency plans are in place to notify communities if their water sources have been impacted?
Discharge Criteria	Is there a mechanism that can be established to ensure that phosphorus doesn't increase in the lakes receiving discharge from the mine and camps?
Fish Passage	Have there ever been instances where fish have successfully passed through culverts; where culverts do not act as blocks?
Impacts on Wildlife	How will the potential for impacts on water quality that affect wildlife and that could affect whether wildlife are safe to eat be prevented?
	What will the benefits be to compensate communities for the potential loss of traditional food sources associated with animals being impacted by these activities?
	How will birds, fish and animals be affected if they start eating the garbage generated by the mine?
	If there were impacts to wildlife that meant they could not be used for food, how would residents be notified not to eat these animals?

²⁹ Type “A” Water Licence Application

Topic	Issues/Concerns/Comments
Inspection and Enforcement	Do inspectors and other regulators have plans for visiting the mine site, inspecting the sites and conducting their own monitoring of the sites, and if so, how often would they visit?
Monitoring	Once the project is operating how will it be monitored and will Inuit be sent to participate in monitoring?
	Due to the importance of the area for harvesting purposes the communities would like to see streams and rivers south of Mary River monitored annually to ensure that any downstream impacts are identified before they cause permanent damage.
	Will monitoring of pH levels in Mary River be undertaken, and if pH levels are detected that are too high or too low will people having cabins in the area be alerted that the water may be unsafe to drink?
	What agencies have responsibility for monitoring, or is it only BIMC who will be involved in undertaking the monitoring and reporting of their results?
Notification	When BIMC has to shift to the use of other water bodies in future will they be providing notification to the nearby communities that they are now using a different water body?
Ore Stockpiles	How can BIMC be so confident that oxidation of the iron ore won't take place in the ore stockpiles?
	How does ore dust affect water quality?
Permafrost	How will BIMC plan to resolve issues such as nearby lakes, rivers and streams draining due to the permafrost in the area degrading and melting?
	Does BIMC have any contingency plans in place to address climate-change- induced changes on the environment in the next 20 years?
Pit Water Quality	Would pit water quality be improved if the pit was filled by other than natural rain and snow melt?
	Why are interveners suggesting that the pit lake water quality mitigation plan could be filed four years after the start of mining and not in advance?
	How long would pit lake water quality continue to be tested after closure?
Placement of Dredged Material on Land	Where will dredged material from Steensby Inlet be placed on land?
Reclamation	Once the project is complete, will the structures be taken down and would the land be returned to its original state?
Security	Has BIMC contemplated separating terrestrial and water-based security?
	What happens if after closure it is determined that the amount of security required exceeds the amount of security provided by BIMC?
Sediment Ponds	Once operations have ceased how will sediment ponds be reclaimed?

Topic	Issues/Concerns/Comments
Sewage Lagoons	Will all lagoons used for sewage treatment be lined?
	Will the sewage lagoons and sewage treatment plants be big enough to accommodate all the people that will be on-site during peak construction?
	What criteria are used to identify the best spot to locate the sewage lagoons and the sewage discharge points?
	What happens to the sludge from the sewage treatment plants?
Spills	Does BIMC have not only a “mitigation plan” but also an “action plan” that would be activated in the event of a spill into water?
Storage Tanks	How would the integrity of the containment berms around tank farms be tested before fuel is brought on-site?
	How would the integrity of the containment berms around tank farms be maintained once constructed?
Term of Licence	Concerns expressed that the term of 25 years is too long a term because once a licence is granted there may not be any opportunity for the Board, other agencies, or the communities to revisit the licence during the term of the licence.
Waste Rock/Acid- Rock Drainage	Where will the waste rock that will be used to surround and encapsulate potentially acid-generating rock come from?
	Why does BIMC say that they may have overestimated the potential for acid- rock drainage to impact run off water quality?
	When will BIMC have actual information from the site regarding the acid-generating potential of the waste rock?
Water Quality	What are BIMC’s plans if the deterioration in water quality is identified through monitoring and in particular what if the deterioration in water quality jeopardizes having safe drinking water in the project camps? Specifically how would you deliver water to project camps where the nearby source is contaminated or becomes unsafe to use?
Water Use	Is it correct that the greatest use of water will occur during the construction and where is the break down of daily use?
	Are the smaller ponds and lakes that are going to have water taken from them going to be able to withstand the withdrawals without drying up?

In addition to the submissions of designated community representatives, the NWB held Community Information Sessions that consisted of brief presentations from the Board, the Applicant and the Interveners followed by the opportunity for members of the public in attendance at the sessions to ask questions of all the parties. **Table 5.6** summarizes the key issues relevant to the Application raised by members of the public during both the Public Hearing and the Community Information Sessions.

Table 5.6: Key Issues Raised By Members of the Public During the Type “A” Water Licence Public Hearing and Community Information Sessions (Reproduced from NWB Report “Table 2: Key Issues Raised By Members of the Public During the Public Hearing and Community Information Sessions”)³⁰

Topic	Issues/Concerns/Comments
Changes to Application	Questions regarding whether the changes to BIMC’s plans announced in January 2013 will affect what is being proposed under this Application.
Discharges of Sewage, Oily Water and Run off	How good are the oily water and sewage treatment plants going to be—will they be better than the current Hamlet sewage treatment?
Dredging	Will dredging planned for Steensby Inlet impact benthic organisms, including destroying their habitat?
Explosive Residue	Is what’s left behind after blasting toxic to people or fish?
Impacts on Fish	Concern that the project’s impacts on fish will affect food sources for adjacent communities
Impacts on Wildlife	Noted that wildlife that had gone away during the operation of the Nanisivik mine have slowly come back to the area; animals returned once mining ceased.
	Have identified fewer seals in the area where exploration and bulk sampling have taken place.
Monitoring	How will BIMC monitor to make sure that if the mine is having impacts on water, BIMC and the NWB will know?
	How will regulators and agencies such as DFO and the NWB make sure that BIMC follows the terms and conditions in permits, licences and the applicable laws?
Reclamation	What plans does BIMC have for unused material when the mine ceases operation and reclamation is complete—will it be landfilled altogether or separately and if landfilled how will BIMC prevent seepage from the landfill?
Sewage Lagoons	Have concerns that even if the sewage is treated in a lagoon and is considered safe, Inuit are loathe to drink water in any area near a discharge point from a sewage lagoon.
Waste Deposits in Water	Residents have seen debris (including condoms and other garbage) floating on the lake that the mine is discharging its sewage into; does BIMC know anything about that?
Water Treatment	Who decides and when will it be decided if water treatment is required once the ore has been mined to the point where an open pit is created?
Water Use	How many people will be on-site at the peak of development and how much per capita water consumption has been estimated to accommodate the water use of all those people?
Water User Compensation	Does the Nunavut Water Board have a process for determining water user compensation if the Qikiqtani Inuit Association and BIMC are unable to come to an agreement?

³⁰ Type “A” Water Licence Package

Table 5.7 below provides all Type A Water Licence conditions that are specific to the Steensby Railway (though it is noted there are other conditions of general applicability to the Project, inclusive of the Steensby Railway component).

Table 5.7: Type A Water Licence Conditions Specific to the Steensby Railway³¹

Number	Condition
General Conditions	
11	The Licensee shall post signs in the appropriate areas to inform the public of the location of infrastructure and/or facilities designed to contain, withhold, divert or retain Water and/or Waste. All signs must be in English, Inuktitut and French.
Conditions Applying to Construction and Operations	
11	The Licensee shall minimize disturbance to terrain, permafrost and drainage during movement of contractor's equipment and personnel around the site, including the railway corridor, during Construction, Operations and Closure Phases of the Project.
Conditions Apply to Water Use and Management	
25	The Licensee shall submit to the Board for review, at least thirty (30) days prior to implementation, copies of separate Blasting Management Plans developed for the mining operation, tunnelling of the railway and blasting near water bodies as committed to during the Public Hearing.
Conditions Applying to Waste Disposal and Management	
14	The Licensee shall remove any waste generated from temporary and permanent shelters along the tote road and along the railway corridor for treatment at appropriately licenced Waste Management Facilities.
16	The Licensee shall treat all Sewage waste generated at the Ravn River and Mid-Rail camps and Sewage generated at the Cockburn North and Cockburn South camps at either the Mine Site Sewage Treatment Facility or the Steensby Port Sewage Treatment Facility, unless otherwise approved by the Board in writing.
17	The Licensee shall provide to the Board for review, at least sixty (60) days prior to installation, detailed specifications and operational requirements for the Sewage storage tanks proposed for the Railway camps.

³¹ Ibid.

6 OVERALL SUMMARY OF KEY INTERESTS RAISED BY LOCALITIES

The following overall summary list of interests have been identified during the review of the comments received during engagement with the localities through the various methods and processes identified in [Sections 4](#) and [5](#) of this Report.

6.1 INUIT QAUJIMAJATUQANGIT (IQ)

Interests associated with IQ relate to the collection and incorporation of IQ and Inuit experiences into project planning, assessments, mitigations and ongoing monitoring and adaptive management.

6.2 WATER CROSSINGS

Interests regarding water crossings for the Steensby Railway are primarily associated with interest in potential impacts to wildlife, in particular potential impacts on migration of fish, and how wildlife may interact with culverts as well as the impacts on fish passage due to possible ice blockages.

6.3 SNOWMOBILE/ATV ACCESS AND CROSSINGS

Interests related to Tote Road access and crossings across all linear infrastructure (Tote Road and Steensby Railway) included questions about public safety (in particular, the risks associated with land users on snowmobiles who wish to travel near and across the railway) and the ability of caribou and community members (particularly with sleds) to cross the railway. Some participants suggested that Baffinland should place culverts and bridges that would allow caribou to travel under, instead of over the rail. Questions were also raised about embankment slopes and potential damage to snowmobile equipment crossing the rail.

6.4 PHYSICAL ENVIRONMENT

Physical Environment was further broken down in the following sub-interest list that aligns with the comments by localities.

6.4.1 Marine Environment

Interests related to marine environment pertained to port construction and shipping – no concerns were raised that were specific to railway in relation to this topic and so the following details are provided to the Agency to provide context only.

In particular, concerns related to port construction included noise and vibration from blasting and potential impacts on migrating fish. Concerns about shipping were related to risks associated with sea ice and ice breakers, noise and vibration, and introduction of invasive species (e.g., from ship hulls or ballast waters). There was also a question raised about the need for and timing of bathymetry studies.

6.4.2 Freshwater Environment

Interests related to the freshwater environment pertained primarily to water crossings (see [Section 5.2](#) above) and potential effects of crossings on access to water sources and fish migration and spawning.

6.4.3 Air Quality

Interests related to air quality pertained primarily to impacts of dust and dust management, although concerns were also expressed regarding air emissions from the diesel engines of the trains (e.g, NO₂, greenhouse gas emissions). Dust mitigation has been raised as a major priority for local communities. Community members enquired if the Steensby Component would result in a reduction of dust emissions due to the use of rail transport rather than hauling ore by truck. Questions were also raised about the safety and effectiveness of indoor crushing and whether the conveyor and rail cars would be covered.

6.4.4 Vegetation and Permafrost

Interests related to vegetation pertained primarily to impact of dust on vegetation, related long-term impacts and concerns around ingestion of vegetation by wildlife and wildlife by humans. Interests related to permafrost pertained to concerns of permafrost melt related to the construction of the railway.

6.5 WILDLIFE

Wildlife was further broken down in the following sub-interest list that aligns with the comments by localities.

6.5.1 Caribou

Interests related to caribou pertained primarily to concerns on the potential restriction of movement to the herd imposed by the railway as well as interests in the location and construction of caribou crossings along the railway. There was also interest in the potential for decline in the caribou population influenced by potential impacts of the mine. Caribou and caribou interaction with the railway are a leading interest of localities.

6.5.2 Other Wildlife

Interests related to other wildlife are in all instances tied to interests related to caribou. Comments pertained primarily to concerns on the potential restriction of movement imposed by the railway as well as interests in the location and construction of caribou/wildlife crossings along the railway.

6.5.3 Marine Mammals

There were no interests raised with respect to marine mammals and the railway, and so the following information is provided to the Agency to provide context for the types of issues that are raised with respect to the project generally.

Interests are related primarily to effects of shipping on marine mammals including potential ship strikes, noise, movement and calving impacts. Additionally, impacts of climate change on marine mammals (e.g., narwhal moving west, introduction of new species in the area) were expressed as topics of interests. While these interests are unrelated to rail these were included due to their relevance to the overall engagement record for the Project and importance to localities.

6.5.4 Fisheries

Interests related to fisheries pertained primarily to potential effects on fish, particularly Arctic char. Specific questions and concerns were raised around the timing of tunnel construction, with recommendations that tunnel construction (and associated blasting) occur in the summer when the Arctic char are more likely to be found in the watercourses instead of the lakes. Potential risk of contamination due to a spill was also identified and a question was raised if the Project would result in the fish leaving the area.

6.6 CULTURAL AND ARCHAEOLOGICAL SITES

Interests related to identification of cultural and archaeological sites in proximity to the Project. Specific concerns were related to the potential disturbance or mitigation of sites, the age of archaeological site, the treatment of artifacts, the coordination with territorial archaeological authorities and the identification of potential burial sites.

6.7 EFFECTS ON COMMUNITY AND INDIVIDUALS

Interests related to benefits for the communities through the Inuit Impacts Benefit Agreement (IIBA), as well as training and employment on the Project. Other interests related to the potential impacts the Project may have on community lifestyle and communication concerns related to language barriers. Concerns of shipping impacts on commercial fisheries and loss of income were also documented.

6.7.1 Safety

Interests related to the stopping distance of a train should a hazard be identified on or near the track and the ability of Baffinland to communicate any rail accidents to communities and land users. Additional interests for the localities include the safety regulations related to the shipping lanes, port sites and Tote Road and impacts on hunting.

6.7.2 Emergency Response

Interests regarding emergency response plans for potential rail derailment and restoration of land from the impacts of a potential derailment were documented.

6.7.3 Effects on Hunters and Land Users

Interests related to potential for the rail interaction with traditional hunting routes, public access to the Tote Road, port sites and crossings along the rail route for hunters and land users and potential impacts to traditional travel routes used by both people and animals. Additional interests for localities included access to summer hunting camps and impacts to use of hunting camps related to shipping and rail. Effects on Hunters and Land Users was a leading interest in engagement with the localities.

6.8 NOISE AND VIBRATION IMPACTS

Interests related to the construction and operational noise and vibration connected to the railway, particularly regarding caribou and their behavioural response to operational noise.

6.9 GENERAL

Interests related to overall Project approach, corporate decision making and questions about the Phase 2 Proposal that is no longer part of the Project.

6.10 EMPLOYMENT/BENEFITS

Nunavut overall has a need for employment opportunities. The most recent annual statistics are available from 2019 the annual average employment rate was estimated at 53.5%, compared to a 61.6% employment rate in the rest of Canada.³²

In the context of the Phase 2 Public Hearings, the Government of Nunavut stated to NIRB:

*The challenge Nunavut faces is pretty stark when it comes to the economy. We have the highest rates of unemployment. We have some of the highest rates of food insecurity, meaning people don't have in many cases enough to eat, and we also have a challenge that's facing us over the next - over the coming two decades, and that's something that the Government of Nunavut is very concerned about. In addition to the people who are currently unemployed and who are currently unable to provide the necessities of life for their family, we're facing 10,000 young people across Nunavut becoming adults. That's a very high number, and in the five affected communities for the Baffinland project, there will be ... 1,800 young people becoming adults over the next 10 years. In our minds, we are hopeful and we've remained hopeful that we could find a way for this project to proceed with everybody finding agreement and finding - yeah, finding a way to proceed together. The opportunities that this project represents are - are huge when it comes to employment. They're - in many ways, there's not much that can replace in terms of employment the opportunities that are presented recognizing at the same time that those who have expressed concerns about the project and who are opposed to the project understand this and have weighed that in their own minds, for sure. So I guess the short answer is, yes, we are hopeful, as the Government of Nunavut, that we can find major opportunities because as we looked at the different sectors, mining represents one of the largest opportunities for employment within Nunavut.*³³

The ongoing need for jobs in the community was confirmed by the Hamlet of Pond Inlet during the Phase 2 NIRB hearings:

*There have been as many as 75 people from Pond Inlet working at one time at the Mary River site. If an economic base is to be established that will ensure future training and employment opportunities, improved quality of life for all families, retention of the young people as residents of our community, and the economic growth from the spin off effects of newfound wealth, this mine must stay open. Pond Inlet will not be able to replace the lost jobs to the residents of Pond Inlet, nor will it replace the economic benefits should this mine close. There are no other prospective employers on the horizon that could fill the void that would be created.*³⁴

This was echoed by the Hamlet of Sanirajak:

*There has been as many as 80 people from Sanirajak working at the Baffinland Iron Ore Mines' Mary River mine. This makes Baffinland Iron Ore Mines continued operations critical for the livelihood of a large portion of Sanirajak's population. For a relatively small community like Sanirajak, were the loss of those jobs to occur, it would have a devastating impact on the community.*³⁵

³² https://www.gov.nu.ca/sites/default/files/documents/2022-11/annual_labour_force_statsupdate_2019.pdf

³³ See Phase 2 Transcript, Vol. 15, 2914-2915

³⁴ Final Written Statement, Hamlet of Pond Inlet, January 10, 2022, NIRB Registry No. 337607

³⁵ Final Written Statement, Hamlet of Sanirajak, January 10, 2022, NIRB Registry No. 337621

Inuit employed at the Project also provided their perspective on the need for the Project to support employment in the region and shared their own personal experiences with the Board:

“There’s only a few jobs opening, opening jobs here and a lot of people are always looking for jobs but it’d be harder for sure for searching for a job. Jobs barely open, but when they do a lot of people try and get that job.”³⁶

“If And the impacts to all of us losing employment would cause some hardship at some point financially. Unless, you know, because the limited market up here in Nunavut, job market prohibits, you know, or limits our ability to work with the limited amount of jobs. Well, that would be a lot like, you know, a lot of the settlements. There’s only so much employment, right? There’s only limited amounts of job spaces available for, for their skill sets, right? There’s not that many. They don’t need that many vehicle operators or building maintainers. They’re all filled basically... Well, prior to joining Baffinland I had been unemployed for three years. And I was very grateful that I was given the opportunity to join and learn much more different broad trades.”³⁷

“I was jumping jobs and it was really difficult, money-wise, and I couldn’t even get a house to rent or anything with the amount of money I was making. But now with Baffinland my money more than doubled. So I got much better after that.”³⁸

“Employment is not always easy to come by as most jobs that are available are ones that are at minimum wage and doesn’t make living any easier as everything is becoming more expensive, including gas, food, clothes, hunting equipment, sewing materials etc. Working at Baffinland brings stability in finances in my home, so that I don’t need to worry about my family being hungry or not having clothes to wear. I now have the ability to teach my kids hunting by getting them their own equipment and so on.”³⁹

³⁶ Verna Palluq (Clyde River) Our Inuit Voices Matter, Transcript

³⁷ Carson Soucie (Iqaluit) Our Inuit Voices Matter, Transcript

³⁸ Christopher Hayward (Cape Dorset) Our Inuit Voices Matter, Transcript

³⁹ Devin Aviugana (Iqaluit) Support Letter

7 OVERALL SUMMARY OF RESPONSES TO INTERESTS OF LOCALITIES

7.1 IQ

Baffinland is committed to integrating evolving IQ in the project design. With respect to the Steensby Railway, IQ was the primary driver of the terrestrial environment effects assessment, and helped to identify and refine the optimal alignment and location of likely caribou crossings areas (key and broad), which was subsequently approved by federal Ministers on multiple occasions. The comprehensive land use study carried out in support of the original FEIS has been supplemented by additional IQ studies in 2019 aimed at developing optimal management practices for the railway operation. Since 2019 Baffinland has funded QIA led IQ collection programs in support of the Project, including the series of Tusaqtavut Studies (one for each of the 5 North Baffin communities), a Pond Inlet Counrtey Food Secuirty Report, an IQ Focused North Baffin Caribou Study, a CRLU Assessment and the Inuit Stewardship Plan, inclusive of a Culture, Resource and Land Use Monitoring Program and a Social Monitoring Program (**Figure 7.1**). Baffinland and QIA have also agreed to develop Inuit specific objectives, indicators, thresholds and responses related to caribou, Arctic char, narwhal, seal, dust and land use. There is an ongoing process to integrate IQ and other community feedback derived from Baffinland led IQ studies, QIA led studies and a robust community and stakeholder engagement program in the Steensby Rail design. It is worth mentioning that Baffinlands community and stakeholder engagement program is strictly led by Inuit staff based in Iqaluit and Sanirajak, and is supported by Inuit Knowledge Holders and Community Resource Guides in each of the 5 North Baffin communities (category 1 communities) and the two South Baffin communities (category 2 communities). Land user perspectives along the rail alignment will continue to be considered, in particular in the selection of crossing locations for atv/snowmobiles and caribou.

For a complete description of how IQ is integrated into Baffinlands Environmental Management System (EMS), and how it shapes ongoing adaptive management process is contained in the IQ Management Framework and the Adaptive Management Plan.

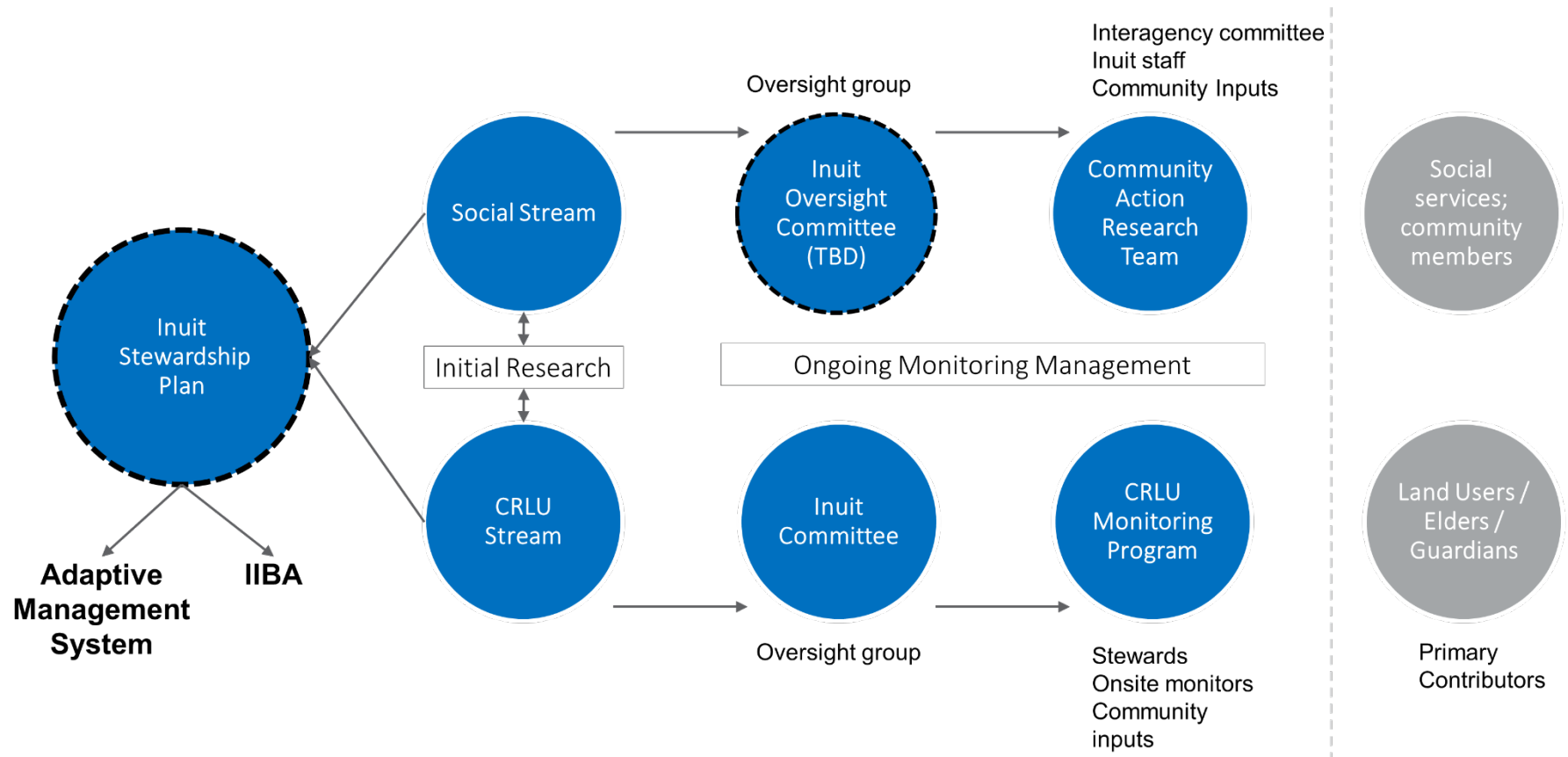


Figure 7.1: Inuit Stewardship Plan

7.2 WATER CROSSINGS

Refer below to Freshwater Environment for mitigations that will be applied in response to concerns raised by localities with regard to water crossings.

7.3 SNOWMOBILE/ATV ACCESS AND WILDLIFE CROSSINGS

Railway design takes into account tunneling options, topography grade, ice lenses and permafrost. There will be 42 bridges along the Steensby rail alignment. Baffinland will enact a community safety strategy to maintain community safety with respect to rail crossings. Although the railway will be private, land user crossing designs will adhere to public regulations.

IQ identified the importance of maintaining the ability for travel across the railway, and was used to identify ideal locations to establish land user crossings. Land user crossings are designed for snowmobiles to cross smoothly, with gentle grade approaches and blocking between the rails. Most bridges along the Steensby Railway will have the clearance to be passable underneath by snowmobiles as well as the larger diameter (>2 meter) culverts. Baffinland has already developed a preliminary list of crossing locations based on engagement to date and will continue to engage with communities on the locations of the land user crossings until the point of their construction.

IQ was also used to identify the location of historical caribou routes that interact with the railway and identify areas both key crossing and broad crossing areas based on the presence of caribou trails. While the Steensby Railway general construction and design is not expected to present a barrier to caribou as caribou are familiar with travelling over natural slopes in the North Baffin region, where it is possible to confirm site specific areas based on the presence of overlapping trails where caribou have a higher likelihood of crossing in significant numbers, the embankments will be modified to even further reduce the potential for the Steensby railway to act as a barrier. There will be continuous dialogue with communities and Knowledge Holders to understand how caribou interact with the railway throughout the life of the Project and is committed to adding additional crossing areas over time if needed. Baffinland has also included more bridges over fish-bearing waters and larger diameter culverts to facilitate fish movement, which may also act as incidental preferred crossings areas for other wildlife, including caribou.

The development and maintenance of land user and wildlife crossings is described in the Railway Maintenance and Operations Management Plan.

7.4 PHYSICAL ENVIRONMENT

7.4.1 Marine Environment

What follows is provided to the Agency for overall project context, however for clarity, no issues of concern relating to the marine environment were raised by localities in relation to the railway construction or its operations.

In response to interests related to port construction, Baffinland confirmed that all construction activities would be managed by a Project Execution Plan that would integrate all terms and conditions and requirements of the Environmental Management System developed in accordance with the Project Certificate, IIBA, Type A Water Licence and other authorizations, including Fisheries Act Authorizations, Navigaton Protection Program approvals, etc (details of the Environmental Management System are explained further in the Summary of Appendices). Baffinland has also recently modified its plans for construction of the Steensby ore dock to reduce the blasting and dredging activities during port construction.

Marine environment baseline information in the Steensby Port area was subject to an extensive field program in 2021 and 2022 to support the development of an application for a Fisheries Act Authorization in relation to all planned marine infrastructure (ore dock, construction dock, tidal pool infill, island cause way, moorings). Inuit were engaged directly in each years program planning, joined survey teams through program execution and informed the proposed offshore rocky reef offsetting project. In 2023 Baffinland also completed bathymetric surveys of the Steensby Port area and approach to inform safe marine operation procedures in advance of construction and operations. The results of these studies are included in the Section 98 application and will inform final design and operation plans.

To reduce potential impacts related to invasive species, Baffinland must follow Canada's adoption of the IMO's D-2 standard for the exchange and treatment of ballast water prior to discharge at Steensby Port. The process of exchanging ballast water in international waters followed by treatment significantly reduces any potential for the arrival of NIS into the Project area. The current Ballast Water Management Plan will be expanded to apply to Steensby Port. Baffinland, in consultation with the Marine Environment Working Group and communities through shipping specific workshops will evaluate the mitigations currently in practice at Milne Port for their feasibility with respect to Steensby Port. With respect to hull fouling, Baffinland confirms that vessels need to be dry docked every 5 years to be cleaned, in alignment with the Canadian Vessel Plan Approval and Inspection Standard. Baffinland is also working with DFO on a risk based biological ballast water testing system at Milne Port that should be applicable to Steensby Port once operations commence.

A complete summary of marine environment related monitoring and mitigation programs can be found in the Marine Monitoring Plan (MMP), the Shipping and Marine Wildlife Management Plan (SMWMP), the Ballast Water Management Plan (BWMP) and the Spill at Sea Response Plan (SSRP).

7.4.2 Freshwater Environment

In response to concerns related to water crossings and potential effects on water sources and fish migration and spawning, Baffinland has included additional bridges over fish-bearing waters and larger diameter culverts to facilitate fish movement, as well as incidental land user and/or wildlife crossing opportunities. As part of the application for a Fisheries Act Authorization, Baffinland is proposing to restock the upper reaches of Cockburn Lake with fish above a known fish barrier. Baffinland will rely on the involvement of local Inuit to ensure the success of the Project and that there is long term value in the added fish habitat.

A complete summary of freshwater related monitoring and mitigation programs can be found in the the Aquatic Effects Monitoring Program (AEMP), the Freshwater Supply, Sewage and Wastewater Management Plan (FWSSWMP), the Surface Water and Aquatic Ecosystems Management Plan (SWAEMP), the Tote Road Monitoring Program (TRMP).

7.4.3 Air Quality

Baffinland will extend the dust management system developed for the current Project to Steensby operations where possible. These are mitigations developed over time, based on community input and monitoring, and include:

- Application of crusting sprays on stockpiles to cover and reduce windblown dust through material handling
- Minimizing drop distances between stock piles and conveyors
- Installing hoods, shrouds and covers along any outdoor conveyor systems

- Minimizing drop distance between ship loader and cargo holds on vessels
- Optimization of blasting techniques to reduce dust generation

The Steensby Component of the Project also introduces several additional dust mitigation measures. Transfer of ore from the top of the deposit, where it is mined, to the processing facility, will be done by a conveyor system instead of heavy haul trucks, reducing dust produced along Mine Site roads. All ore will be crushed and screened entirely within an indoor processing facility at the Mine Site. There will be no processing of ore at Steensby Port. There will be enclosures at ore transfer points at the Mine Site and Steensby Port. Consideration of additional dust management measures for the Steensby Port stockpile are underway.

As the predominant source of dust along the transportation corridor is generated by ore haul truck driving on the Tote Road surface, transport of ore by rail effectively eliminates dust along the transportation corridor. While railcars will not be covered, multiple literature reviews and case studies support the position that the size and weight of iron ore to be transported along the Steensby Railway is unlikely to become mobile while in transport.

The Steensby Component of the Project has also been designed with the objective of reducing air contaminants and greenhouse gas emissions wherever possible. Some of these designs include:

- Moving each tonne of ore by train requires less fuel than by truck by a factor of four, which means fewer emissions are expected to be required as the transition from ore haulage by truck to rail occurs, despite the substantial increase in tonnage that is expected to be moved.
- Baffinland is exploring opportunities to reduce its reliance on diesel. For example, the overland ore conveyor from the pit edge to the crusher will have a 250-350 metre drop in elevation that will allow the loaded conveyor to generate up to 15 MW of renewable power at the Mine Site, reducing the need for on-site generators year round.

The Steensby Component of the Project presents an opportunity to work towards a net zero future, as the additional resources provided by a profitable operation allow for ongoing investment in climate research and action plans, including the advancement of Baffinland's Climate Change Strategy.

The commitment to transition from ore transportation along the Northern Transportation Corridor to ore transportation along the Southern Transportation Corridor, once Steensby Components reach commercial transportation rates, is a significant mitigation that will eliminate dust emissions on the Tote Road from ore trucks and at the Mine Site from the outdoor crushers.

While the management of roads are a municipal responsibility under the stewardship of the Territorial Government, Baffinland has assisted some impacted communities with dust control on the municipal roads.

A complete summary of air quality related monitoring and mitigation programs can be found in the Air Quality and Noise Abatement Management Plan (AQNAMP) and the Terrestrial Environment Mitigation and Monitoring Plan (TEMMP).

7.4.4 Vegetation and Permafrost

With respect to dust on vegetation, Baffinland will extend the dust management system developed for the current Project to Steensby operations where possible. These are mitigations developed over time, based on community input and monitoring of the terrestrial environment. Refer to Air Quality above for additional details on dust management measures.

Baffinland is in year 13 of vegetation studies, which have included data collection from across the Northern Baffin region. Additionally, research has been conducted to identify which plants are most important to both caribou and people. Ongoing remote sensing monitoring will be extended to the railway once it begins. Results are reviewed by the HTOs, Environment Canada, and the QIA.

With respect to concerns of wildlife ingesting vegetation affected by dust, Baffinland noted that the GN previously conducted caribou tissue sampling across the region. Baffinland, in collaboration with the GN, will be conducting a caribou tissue sampling program in North Baffin in 2024. This will require hunters to provide tissue samples collected during their harvest, just like the GN's previous program. More details will be provided once the program is ready.

With respect to permafrost, the construction methods and equipment will be appropriate for Arctic conditions and terrain consisting of permafrost, rock and various soil types. The embankments have been designed for permafrost considerations and additional allowances have been made to account for climate change effects, including an assumed increased thickness of the active layer.

A complete summary of vegetation related monitoring and mitigation programs can be found in the Terrestrial Environment Mitigation and Monitoring Plan (TEMMP).

7.5 WILDLIFE

7.5.1 Caribou

Refer to Snowmobile/ATV and Wildlife Crossings above for details on how concerns related to wildlife mobility have been addressed by crossings. Other concerns related to caribou were related to the potential impacts on disturbance, mortality and health.

Baffinland developed a number of mitigations to address concerns related to caribou with respect to the construction and operation of the Steensby Railway, which have been integrated into the Terrestrial Environment Mitigation and Monitoring Plan (TEMMP).

- **Disturbance.** The transition to a rail operation will displace an average of 236 daily ore haul truck transits along the Tote Road with a significantly reduces frequency of 13 daily train transits. Baffinland is also seeking to implement whistle cessation wherever possible as well as slow speed orders in the summer when permafrost will thaw. Related to both mobility and disturbance will be the continues implementation of wildlife right of way policies. Baffinland has already developed activity specific activity suspension procedures for tote road traffic, quarry blasting and helicopter work that considers the proximity, behavior, number, location and life cycle season of caribou. Additional activity suspension procedures will be developed as required in consultation with the Terrestrial Environment Working Group and communities through rail specific workshops.

- **Mortality.** Wildlife crossings are being designed to promote expeditious crossing by maintaining a relatively narrow, direct link between trails on either side of the railway. Slow speed orders will also be in place during the summer months, which aligns with the caribou calving and post calving seasons. The Draft Caribou Decision Framework for the South Railway ([Figure 4.1](#)) is intended to avoid collisions as well as disturbance, when safe to do so. In the event a mortality occurs there are provisions within the Mary River IIBA and under the GN's Wildlife Act to inform the QIA and GN of any fatal incidents and to preserve the carcass for transfer to HTO's where possible to do so.
- **Health.** Baffinland has carried out multiple comprehensive country food risk assessments (Human Health Risk Assessment geared towards traditional foods) in relation to the Project and the results continue to indicate there is no added risk, or exceedences of established health base criteria, due to the operation of the Project in studies country foods. With respect to potential iron ore contamination of caribou, Baffinland is required to conduct tissue and organ sampling on caribou for the life of the Project. To date Baffinland has leveraged partnerships with the Government of Nunavut and the National Contaminants Program to ensure compliance with the sampling requirements. The findings from the program to date have not identified any project effects on the quality of harvested caribou. Baffinland is interested in working with the QIA and communities on the implementation of a community based risk communication program and will explore this further.

Baffinland will expand its existing Environmental Management System to cover the Steensby Component of the Project, modifying individual management plans where needed, based on direct engagement with QIA, communities, regulators and working groups. Baffinland also conducts annual terrestrial monitoring programs which include, but are not limited to, snow track surveys, aerial caribou surveys, height of land caribou surveys, snowbank height monitoring and remote video-surveillance surveys.

A complete summary of caribou related monitoring and mitigation programs can be found in the Terrestrial Environment Mitigation and Monitoring Plan (TEMMP).

7.5.2 Other Wildlife

As noted in [Section 3](#), interests raised regarding wildlife were primarily related to caribou, however, the proposed mitigations will also reduce the potential project effects on other wildlife. No additional responses or commitments were made by Baffinland for other wildlife beyond those referenced above for caribou.

A complete summary of other wildlife related monitoring and mitigation programs can be found in the Terrestrial Environment Mitigation and Monitoring Plan (TEMMP).

7.5.3 Marine Mammals

What follows is provided to the Agency for project context, however for clarity, no issues of concern relating to the marine environment were raised by localities in relation to the railway construction or its operations.

IQ was used to identify areas where shipping would have impacts on marine life and local use. As such, the shipping route through Northern Foxe Basin was moved east of Rowley and Koch Islands. This shipping route avoids important walrus habitat and will be less disruptive to wildlife and community use. The shipping route through Hudson Strait was also moved south of Mill Island, to avoid important areas for wildlife and local use, however, transiting to the north of Mill Island is still possible for matters of navigational safety.

IQ also identified the risks of shipping through ice, including increasing impacts to marine life and harvesting, as well as the importance of the landfast ice in Steensby Inlet. To protect this landfast ice, Baffinland ships will reduce speed and minimize the width of the shipping lane. The shipping season for Steensby was originally approved to be year-round, however, Baffinland has recently been working to develop a schedule that will allow us to begin operations with a shorter than year-round shipping schedule. The current plan is to use an 8 month shipping season (July to February). This reduced shipping season has been developed based on Inuit feedback, as it avoids some sensitive seal life-cycle stages and the heaviest ice periods.

In response to concerns of potential impacts of oil spills on marine mammals and other marine life, Baffinland adheres to spill response measures as outlined in the Emergency Management and Response section of BAF-PH1-830-P16-0024 Shipping and Marine Wildlife Management Plan, as well as the Spill at Sea Response Plan. Baffinland is required under the Project Certificate to carry out additional spill modelling and risk analysis before commencing with bulk fuel shipments or commercial ore transportation.

Acknowledging concerns about climate change impacts on marine mammals, Baffinland will integrate climate change considerations into project planning. Baffinland's Adaptive Management Plan will apply to all construction activities and operations, including the need to seek QIA agreement on adaptive management plans related to narwhal and seal.

A complete summary of marine environment related monitoring and mitigation programs can be found in the Marine Monitoring Plan (MMP), the Shipping and Marine Wildlife Management Plan (SMWMP) and the Spill at Sea Response Plan (SSRP).

7.5.4 Fisheries

In response to comments raised regarding blasting, Baffinland stated they will comply with the DFO Guidelines for the Use of Explosives In or Near Canadian Fisheries Waters. Furthermore, Baffinland has conducted blasting modelling, which confirm that blasting during tunnel construction will occur far enough away from the waterline that overpressure impacts in the water will be less than the DFO threshold. Baffinland will verify the model assumptions around blast sizes with the contractor, and monitor throughout construction to ensure impacts are mitigated. Some mitigation measures may impact reduction of the size and timing of the blasts to reduce overpressure impacts.

IQ was used to identify fish presence in the local area, including important fishing areas and water bodies. Baffinland has integrated IQ into the design of fish habitat offsetting opportunities, for example through consideration of Arctic char research projects suggested by HTO members. Baffinland will apply its Adaptive Management Plan to all construction activities and operations, including the need to seek QIA agreement on adaptive management plans related to narwhal, seal, Arctic char, caribou, dust, culture, resources and land use. Baffinland's monitoring programs will continue to include Inuit from the closest communities, and management plans and monitoring programs will continue to evolve based on direct engagement with Inuit.

A complete summary of fisheries related monitoring and mitigation programs can be found in the Marine Monitoring Plan (MMP), the Aquatic Effects Monitoring Program (AEMP) and the Tote Road Monitoring Program (TRMP).

7.6 CULTURAL AND ARCHAEOLOGICAL SITES

The infrastructure has been designed to avoid archeological sites where possible. There have been extensive archaeological surveys done along the Steensby Railway and at Steensby Port. Archeological programs and mitigations involve local Inuit. Archaeological surveys have established that while archaeological sites do exist within the railway corridor, only one culturally significant site has been identified in the vicinity of the Alternative Route, known as the wolf trap.

As a result of this the route has been redesigned to protect the site during construction and minimize any impact during railway operations. The wolf trap is an important archaeological feature in the area and has been described as a prime example of a stone wolf trap; other such traps have been noted in the Cockburn area and in Steensby Port.

To mitigate the effect on the wolf trap, Canarail considered three alternatives. Two of the alternatives called for a realignment of the railway in the vicinity of km 126. The areas for proposed realignment are made up of ice rich alluvials with thermokarst lakes, which provide a high risk foundation. The original alignment was designed to minimize exposure to these conditions. These alternatives are not viable mitigation measures.

The third alternative, and the intended mitigation method for the wolf trap, is to maintain the original alignment of the railway and to place a fence between the railway and the protected areas during the construction phase. The current design shows the distance between the wolf trap and the centerline of the railway is 22.9 meters at the closest point and 12.9 meters from the nearest embankment line. As a result, the space between the willow and the wolf trap is large enough to allow the safe manoeuvrability of equipment without disturbing the areas of concern. Additional mitigation will include accurate mapping of the wolf trap, as a contingency measure. Any action taken by Baffinland with respect to the wolf trap will be taken in accordance with the *Nunavut Archaeological and Palentological Regulations*.

Baffinland continues to undertake archaeology surveys annually along the planned Steensby Rail alignment and Port to mitigate and minimize impacts of construction and operations on culturally significant sites.

A complete summary of ca monitoring and mitigation programs related to this topic can be found in the Cultural Resources Protection Plan.

7.7 EFFECTS ON COMMUNITY AND INDIVIDUALS

The IIBA will continue to apply to address impacts on Inuit and communities identified by the QIA, and maximize the benefits to Inuit for the Project. In accordance with its terms it will be reviewed every three years.

The construction of the Steensby Component of the Project will create an overall increase in the workforce at Mary River, as additional contractors are required to do the extra work. After construction of the Steensby Component of the Project is complete and ore transportation ends through Milne Port, Baffinland expects the operations workforce to remain the same, or grow (and direct financial participation benefits/royalties to Inuit (paid to QIA on behalf of Qikiqtani Inuit under the IIBA) will significantly increase with the increased production the Steensby Railway will facilitate). With Steensby, there will be a transition in some of the types of jobs available, but Baffinland is committed to retraining individuals wherever necessary so they can continue working with Baffinland. Under the IIBA, and as part of Baffinland's direct commitment to communities, no Inuit will lose their job at Mary River due to the transition to the Steensby Component of the Project. Baffinland also responded that Inuit salaries and wages would not change.

Baffinland is committed to investing in community-based training initiatives similar to those considered under the Phase 2 Proposal, should the Steensby Component of the Project receive financing and a positive construction decision. The number of target trainees will be based on the available work force in each community. QIA and community input will largely determine the community-based training agendas and the development of subsequent community-based training programs.

In keeping with its values, Baffinland understands the importance of supporting various social, recreational and cultural activities in communities. As such, Baffinland provided \$270,000 to the Tasiuqtiit Working Group in 2023 to support community wellness initiatives selected by the Hamlet of Pond Inlet and the MHTO in Pond Inlet. Cumulatively, Baffinland has contributed \$1,070,000 in funding to the Working Group since 2018.

The Mary River Project has implemented a Inuit Leadership Development Program (ILDP), at Mary River. ILDP is an innovative, culturally based program that will give Inuit employees the opportunity to advance to leadership roles within the company.

With respect to contracting and procurement, Baffinland indicated that when contracts are presented to the public they are distributed to Inuit who are prioritized. Contractors are chosen when the Project team is assured the person can complete the job. Baffinland has implemented the Preferred Inuit Firm (PIF) designation. Any Inuit firm with 100% Inuit ownership can be designated as a PIF with Baffinland and gain early access to certain contracting opportunities at the Mary River Project. An Inuit Firm must satisfy the following criteria to be designated as a PIF:

- a) Registered with Nunavut Tunngavik Incorporated (NTI) as an Inuit Firm.
- b) Located and operating within the Qikiqtani Region.
- c) 100% owned and operated by Inuit (not a joint venture with a larger organization).
- d) Community presence (beyond a Post Office Box) and ability to demonstrate such presence

A complete summary of socio-economic related monitoring and mitigation programs can be found in the Mary River IIBA and the Socio-Economic Monitoring Program (SEMP)

7.8 SAFETY

Baffinland has identified that it must create a detailed safety management and inspection system to monitor and document safe operation of the railway. Baffinland will also enact a safety community strategy to maintain community safety with respect to rail crossings. Although the railway will be private, the trains will adhere to public regulations, including whistling at crossings.

Each rail car will carry approximately 106 metric tons of ore for a total of 6,784 metric tons transported by each train set. In response to interests raised pertaining to safety of train operations and safe stopping time, Baffinland indicated the average stopping distance for a loaded train would be 339m to stop, and 229m for an empty train. Should there be an accident, there are procedures laid out in the IIBA that BIM will take. If there is a wildlife incident this will be reported to the QIA and the communities in parallel.

The railway and trains will be built and maintained to operate in the cold climate. The locomotive engines will be equipped to adapt to the cold climate, potentially including special electronic control systems, and supplementary fuel heaters, and other systems to protect the crew, engine and other systems in extreme low temperatures and from snow ingress. The main railway maintenance work equipment to be used on the railway line include snow fighting equipment.

7.9 EMERGENCY RESPONSE

See related responses above for Safety. The Railway Emergency Response Plan (BAF-PH1-830-P16-0021) addresses the procedures to be followed in the event of a train accident or derailment. Should there be an accident, there are procedures laid out in the IIBA that BIM will take. If there is a wildlife incident this will be reported to the QIA and the communities in parallel.

7.10 EFFECTS ON HUNTERS AND LAND USERS

Baffinland works with QIA on wildlife compensation benefits under the IIBA. In the North Baffin communities, Baffinland, particularly Pond Inlet hunters, can access gasoline under the Harvesters Enabling Program through the IIBA. As an example, each hunter 12 years of age and over is eligible to receive up to 300 litres of gasoline each year. Refer also to responses provided above with respect to Road Access and Crossings.

Baffinland has made a one-time payment of \$1.3 million to the MHTO for changes in hunting experience that Inuit from Pond Inlet have described and to address difficulties in accessing the Wildlife Compensation Fund.

Under the IIBA, Baffinland maintains a \$750,000 Wildlife Compensation Fund, administered by QIA to compensate for damages to hunters caused by the Project.

7.11 NOISE AND VIBRATION IMPACTS

In response to questions asked about railway construction methods and alternatives to blasting, Baffinland explained that there will be drilling, blasting and removal of permafrost and bedrock where cuts are required along the railway embankment. Drill and blast operations will be required in the quarries excavations along the railway alignment. The Steensby Port site development (including development on Steensby Island) will begin with drilling and blasting, cutting and filling to bring the areas to the required elevation. When asked why Tunnel Boring Machines (TBMs) are not planned for tunnel construction, Baffinland explained this is due to a number of technical constraints with these machines, including: the long length of the machines, which make them unsuitable for the construction of the shorter tunnels along the Steensby railway; and the fact that TBMs are only suitable for construction of tunnels deep underground (greater than 150m).

Additional information on assessment mitigations relating to noise and vibration impacts can be found in a memo provided by RWDI on May 6, 2024.⁴⁰

7.12 EMPLOYMENT/BENEFITS

Through the implementation of employment and procurement initiatives under the IIBA and as described in its commitments to NIRB, Baffinland will support Inuit in obtaining Project-related contracts and employment. Baffinland will work with interested communities and groups to facilitate community economic development and share Project benefits through education, training and community investment. This will result in long term benefits for both Baffinland and Nunavut's fast-growing population.

⁴⁰ Hellewell, K., 2024 "Steensby Port Noise, Baffinland Iron Mine, RWDI Reference No. 2400388". Memo to Elisabeth Luther, Senior Manager, Regulatory Affairs, Baffinland Iron Mines..

Baffinland prioritizes the employment and retention of Inuit staff for the Mary River Project with a focus on several workplace initiatives and committees, including:

- Cultural recognition programs, encompassing cultural awareness initiatives, the promotion of Inuktitut in the workplace, and the availability of Inuit Cultural Advisors to support Inuit employees;
- Provision of the Inuit Cultural Engagement Workshop for all on-site employees, facilitating non-Inuit staff members' understanding of Inuit culture and traditions;
- Operation of the Arnait Action Plan committee, dedicated to reducing barriers to employment. Article 7.17 of the IIBA underscores the importance of promoting Inuit women's access to job opportunities within the Project workforce. The committee focuses on developing policies, strategies, and procedures tailored to enhance women's employment;
- Introduction of the Aulatijiit Inuit Leadership Development Program. This is an innovative, culturally based program that gives Inuit employees the opportunity to advance to leadership roles within the company;
- Career Development Plans for every permanent Inuk employee;

Ongoing collaboration between Baffinland and QIA to support the implementation of the Mary River IIBA through the Q-STEP Inuit Training and Development Program.

Baffinland employs a number of staff to facilitate the aforementioned programs and to promote Inuit culture at the Mine Site, such as Inuit Employment and Training Specialists, Inuit Cultural Advisors, Inuit Relations Human Resource Advisors, Inuit Success Assurance Facilitators and an IIBA Employment and Training Specialist.

In response to comments regarding the Steensby Component of the Project, Baffinland stated their continued commitment to investing in community-based training initiatives similar to those considered under the Phase 2 Proposal. QIA and community input will largely determine the community-based training agendas and the development of subsequent community-based training programs.

Baffinland also communicated that the construction of the Steensby Component of the Project will create an overall increase in the workforce at Mary River. There will be a transition in some of the types of jobs available, but Baffinland is committed to retraining individuals wherever necessary so they can continue working with Baffinland. Under the IIBA, and as part of Baffinland's direct commitment to communities, no Inuit will lose their job at Mary River due to the transition to the Steensby Component of the Project.

The Steensby Railway can help address the urgent need that Nunavut has identified for more employment opportunities for Nunavut's current young and growing population. The long-term sustainability of the project will secure and enhance the existing benefits to Inuit through training and employment, business opportunities, general economic growth, and financial revenues.

7.13 OUTSTANDING OR POTENTIALLY UNRESOLVED ISSUES

One purpose of the engagement process is to allow participants the opportunity to understand what has been put forward by the proponent, to articulate their views and provide evidence to support the reasoning behind their views. It is acknowledged that differing opinions, beliefs and perceptions exist within and between the individuals and communities affected by the project. Baffinland has made its best efforts to work with all participants and will continue to do that. However, it is also acknowledged that full agreement on all topics among a diverse group of participants with different mandates and goals is not likely to occur with respect to a project of this size and complexity.

This project occurs within the context of a changing Arctic environment. Changes have been occurring geographically and at the same time as the Mary River Project. Some participants have told Baffinland and the NIRB that they attribute observed changes to the Mary River Project. However, an observed change does not necessarily mean that Mary River is causing the changes to occur, or significantly contributing to the observed effects.

Baffinland's operations affect the environment. This is consistent with assessment predictions. It is not possible to operate a mine or a railway without any effects at all. Baffinland's scientific monitoring results generally support the impact predictions in its environmental assessments (for further detail on reporting, see Baffinland's annual reports included with the Application.⁴¹ The only notable exception concerns dust where Baffinland has been transparent in its reporting of exceedances in predictions and our efforts to reverse that trend, however, it is important to note that monitoring programs related to vegetation and water quality continue to confirm the dust is not resulting in any significant and adverse environmental effects from a scientific perspective.

From an Inuit perspective, some land users have reported their views that dust is creating a larger impact than they expected when the Early Revenue Phase was approved, and so Baffinland has taken meaningful steps in collaboration with Inuit (via the Dust Audit Committee) and QIA to reduce dust. In response to Inuit experiences shared directly with Baffinland, QIA and through the NIRB process, Baffinland has strengthened its dust mitigations. It is important to emphasize that building the Steensby Railway and transitioning from a trucking to a rail operation will be the most significant mitigation possible to address the dust issues identified by Inuit relating to the Milne Inlet Tote Road.

As noted above, there is also ongoing work relating to the caribou crossing locations. Currently Baffinland has identified key caribou crossing locations, however these may change in the future due to environmental and animal movement patterns which may occur during the construction and operation phases of the railway. Baffinland will continue to liaise with Inuit to ensure that caribou will continue to cross the railway safely. If and when there is a need to change the locations of caribou crossings or increase the number, Baffinland will consider these changes as long as they are technically feasible and safe.

⁴¹ 2023 NIRB Annual Report for the Mary River Project (2024),; 2022 NIRB Annual Report for the Mary River Project (2023 (reports back to 2013 available on request),; Baffinland Annual Reports to NWB under Type A Water Licence 2022-2023 (reports back to 2013 available on request),.

APPENDIX 1

ENGAGEMENT RECORDS

Engagement Attachment List for CTA Application

Folder Doc Name	Details
<u>231220_Coral Harbour Steensby Update_Combined</u>	Letter to Coral Harbour – shipping focused but attachment has slides relating to rail
<u>Freshwater FAA Engagement</u> Appendix B1 - Community Fisheries Offsetting Report Appendix B2 - Community Letters of Engagement Appendix B3 - Records from Sept 27, 2023 QIA Permitting Update Meeting Appendix B4 - Baffinland's Oct 13, 2023 Response to QIA Comments	Freshwater FAA engagement appendices
<u>Freshwater FAA Engagement</u> 231003_QIA Notification Form	QIA engagement notification form for October fish offsetting meetings
<u>Freshwater FAA Engagement</u> 20230925_Steensby_Permitting Update_Request to Igloolik HTO_Hamlet_Bilingual 20230925_Steensby_Permitting Update_Request to Pond Inlet MHTO_Hamlet_Bilingual 20230925_Steensby_Permitting Update_Request to Sanirajak HTA_Hamlet_Bilingual 20230808_Steensby_Offsetting_Verification_Request to Sanirajak HTA_Hamlet_Bilingual 20230808_Steensby_Offsetting_Verification_Request to Sanirajak HTA_Hamlet_Bilingual 20230628_Steensby_Railway_Workshop_Request to Pond Inlet MHTO_Hamlet_ENG 20230503_Steensby_Offsetting_Workshop_Request to Igloolik HTO_Hamlet_ENG 20230503_Steensby_Offsetting_Workshop_Request to Sanirajak HTA_Hamlet_ENG	Invitation letters
<u>Marine FAA Engagement</u> Marine FAA Engagement Sections	Marine FAA engagement section + appendices
<u>Steensby Community Tours</u> 240422_Steensby Engagement Report_Final with Appendices	Engagement report and records from Steensby Community tours in all 7 communities (invitation letters, slides, engagement materials, meeting minutes, follow up letters)
<u>Steensby Community Tours</u> 231110_QIA Notification Form	QIA engagement notification form for Nov 27 – Dec 1 Steensby community tour
<u>Steensby Community Tours</u> 231117_QIA Notification Form	QIA engagement notification form for Dec 5 - 6 Steensby community tour

Folder Doc Name	Details
<u>Steensby Community Tours</u> 240109_QIA Notification Form	QIA engagement notification form for Jan 30 and Mar 12 Steensby community tour
<u>Engagement Photos – Inuit Team</u>	Pics of Joe/Paul at community engagements
<u>Makivik Corporation Engagement</u> 20231211_BIM Ltr to Makivik Re Steensby_Bilingual	Engagement is related to Southern Shipping Route – but slides sent to them in letter include info on rail
<u>NIRB Annual Report</u> 2016-2023 NIRB Annual Report – Engagements – As Sent	NIRB Annual Report engagement records
<u>Phase 2</u> 2019 Direct Community Benefits Meeting Report- July 2-5_Sept 24-25, 2019_FINAL	Phase 2 mine site visit community benefits report with appendices
<u>Phase 2</u> 2019-08-03 Phase 2 Community Information Sessions_January and June 2019_R3_FINAL	Report on public information sessions held January 7-11, 2019 and June 3-11, 2019
<u>Phase 2</u> 2019-08-03 Phase 2 Community Information Sessions_January and June 2019_R3_FINAL_APPENDICES	Appendices for above
<u>Phase 2</u> Phase 2 Community Workshops Report (Final - January 24 2017)	Results of Community Workshops Conducted for Baffinland Iron Mines Corporation's Phase 2 Proposal by Jason Prno
<u>Phase 2</u> Community Risk Assessment Workshops: Final Report	Results of Community Risk Workshops Conducted for Baffinland Iron Mines Corporation's Phase 2 Proposal by ERM
<u>LinkedIn</u>	BIM LinkedIn posts for Steensby Engagement

APPENDIX 2

TABLE OF COMMENTS FROM LOCALITIES AND INTERVENORS

Table of Comments from Localities and Intervenors

Communication Number/Source Document	Stakeholder Group	Preliminary Interest	Sub Interest	Communication Summary	s.98/Steensby Railway Relevance (Y/N)	Event Date/Name	Response to Comment	Follow-up Actions	Reference to s.98	Summary of Relevant Project Certificate Terms and Conditons
11	Arctic Bay	General	N/A	Project team submitted letter of summary and thanks to Arctic Bay community following Hamlet Meeting.	Y	2016-11-23 - Arctic Bay - Hamlet Meeting	No response required.	N/A		N/A
12	Canadian Transportation Agency	General	N/A	Project team met with CTA in Gatineau, QC, to introduce team and discuss rail expansion project	Y	2016-11-29 - Canadian Transportation Agency - Rail Expansion Meeting	No response required.	N/A		N/A
14	Clyde River	General	N/A	Project team comment: Clyde River workshop discussion will include Mine Site, transportation, Milne Port, and shipping	Y	2018-06-11 - Clyde River - Workshop	No response required.	N/A		N/A
16	Clyde River	General	N/A	Project team comment: Discussion of shipping scheduling and growth projection, timeline to achieve Phase 2 and Steensby construction	N	2018-06-11 - Clyde River - Workshop	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
17	Clyde River	General	N/A	Project team comment: Provided an overview of Mary River Project timing, including shipping volume expansion, Exploration Phase, ERP Construction and Operation, and Phase 2.	N	2018-06-11 - Clyde River - Workshop	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
19	Clyde River	General	N/A	Project team comment: Since previous engagement meeting (May 2017), the Project has applied for an amendment to the NBRLUP to allow railroad to act as a mode of transportation, now entering in to an environmental assessment process. Workshop will include presentation of proposal.	N	2018-06-11 - Clyde River - Workshop	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A

Communication Number/Source Document	Stakeholder Group	Preliminary Interest	Sub Interest	Communication Summary	s.98/Steensby Railway Relevance (Y/N)	Event Date/Name	Response to Comment	Follow-up Actions	Reference to s.98	Summary of Relevant Project Certificate Terms and Conditions
20	Clyde River	General	N/A	Project team comment: Summary of changes proposed to Milne Port, including increased size of PDA, expanding stockpiles, constructing second ore dock, railroad unloading facility	N	2018-06-11 - Clyde River - Workshop	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
22	Clyde River	General	N/A	Project team comment: Detailing route of northern railway along current Tote Road, with deviations due to topography. Temporary camps will be built to support construction phase.	N	2018-06-11 - Clyde River - Workshop	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
23	Clyde River	General	N/A	Member asked about the opinion of Pond Inlet community members, as Pond Inlet will experience higher impacts. Project team communicated that there is varied support in Pond Inlet, some community members are in favor of rail line and some are against. Communication is frequent and ongoing.	N	2018-06-11 - Clyde River - Workshop	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
24	Clyde River	General	N/A	Member asked why the planned shipping route and railway has changed from Steensby to Milne Port. Project team communicated that Steensby route was expensive, and funding had not been secured. Milne Port shipping volume will increase in the future with approvals from NIRB, NWB and NPC.	N	2014-02-17 - Baffinland Community Tour Pond Inlet - Clyde River	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
25	Clyde River	General	N/A	Member asked if changing railway construction plans from Steensby to Milne Port is a violation of previously made community consultation agreements. Project team communicated that the approval process still includes community consultation.	N	2014-02-17 - Baffinland Community Tour Pond Inlet - Clyde River	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A

Communication Number/Source Document	Stakeholder Group	Preliminary Interest	Sub Interest	Communication Summary	s.98/Steensby Railway Relevance (Y/N)	Event Date/Name	Response to Comment	Follow-up Actions	Reference to s.98	Summary of Relevant Project Certificate Terms and Conditions
27	Clyde River	General	N/A	Project team comment: Detailing of 2014 construction activities, including Tote Road upgrades, Ore Dock construction, airstrip upgrades, fuel and supply delivery. Environmental monitoring includes marine mammal monitoring, terrestrial, bird surveys, caribou, fisheries/aquatics, and socio economic monitoring. Environmental effects monitoring are requirements of NIRB Project Certificate.	N	2014-02-17 - Baffinland Community Tour Pond Inlet - Clyde River	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
28	Clyde River	General	N/A	Project team comment: In response to why the Project needs to continue to expand, the operation is not sustainable at the current iron ore price. Major component of financial sustainability is to move to railroad from Tote Road trucking.	Y	2018-06-11 - Clyde River - Workshop	No response required.	N/A		N/A
29	Clyde River	General	N/A	Project team comment: summary of phase 2 review process. Technical meetings, community roundtable meetings, pre-hearing conferences, public hearings occur prior to NIRB recommendation decision, minister then makes decision based on NIRB recommendation. Phase 2 proposal approval, varied, or rejection is based on Minister's decision	N	2021-01-05 - Clyde River Radio - Phase 2 Review Process and Community Direct Benefits - Phone in Show	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
30	Clyde River	General	N/A	Community member asked about potential traffic increase due to railway construction, and if heavy equipment operators will need extra training.	Y	2017-05-29 - Clyde River - Community Meeting	Project team communicated that no jobs would be lost by Inuit, training will be given to those with drivers license or heavy equipment license.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
33	Government of Nunavut	General	N/A	Project team comment: Discussing process of quantifying community consensus on rail route preference. Without community consensus, Project will continue moving forward with route 1, as route 3 has uncertainties related to cost and timeline. Project team is planning further community discussions.	N	2019-09-16 - GN Rail Simulation	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A

Communication Number/Source Document	Stakeholder Group	Preliminary Interest	Sub Interest	Communication Summary	s.98/Steensby Railway Relevance (Y/N)	Event Date/Name	Response to Comment	Follow-up Actions	Reference to s.98	Summary of Relevant Project Certificate Terms and Conditions
35	Government of Nunavut	General	N/A	Project team comment: detailing rail embankment construction material options, based on constructed mock embankment. Rail crossing locations are based on community input, currently 30 locations. 4 underpass locations. Rail routes, traditional travel routes, and the Tote Road all follow the easiest route across land.	Y	2019-09-16 - GN Rail Simulation	No response required.	N/A		N/A
36	Government of Nunavut	General	N/A	Project team comment: limitations to rail routes include hill gradients and slope lengths. Transport Canada has placed limit of 2.5% gradient, 1 km length slope. Route 1 is longest, route 2 (preferred by community) is shortest. Route 2 requires extensive excavation and infills. Massive embankments result in long culverts, raising DFO concerns. Project is trying to avoid massive cuts and fills.	N	2019-09-16 - GN Rail Simulation	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
37	Government of Nunavut	General	N/A	Project team comment: Route 1 remains preferred route, route 2 cannot be supported, route 3 is a possible alternate with higher risks than route 1. Route 3 will require more geotechnical work, and will impact project schedule.	N	2019-09-16 - GN Rail Simulation	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
38	Government of Nunavut	General	N/A	Project team comment: Presentation of route option tradeoffs. Route 1 has lowest average fill, lowest average cut, average gradients within safety limits, snow clearing is possible, lowest earthworks, route is easily maintainable. Environmentally it has the highest footprint for deviations, is the longest, higher rail operations emissions, but lower emissions from construction perspective. Lowest quarry footprint. Lowest barrier of the three routes to caribou movement. Not preferred by community due to impacts on travel routes. Lowest economic risk. Most investigation work done on this alignment, so far lower construction execution risks.	N	2019-09-16 - GN Rail Simulation	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A

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39	Government of Nunavut	General	N/A	Project team comment: Presentation of route option tradeoffs. Route 2 has highest cuts/fills, steepest gradients, and is unsafe for rail operations (too long/too steep gradients). Snow clearing from deep excavations would be impossible with conventionally available equipment, and concerns with clearing snow on long steep gradient. Highest earthworks volumes. Difficult to maintain. Scenarios in rail operations/maintenance where it would be very difficult to impossible to re-rail equipment up a 26 m high embankment. Intermediate disturbance footprint, highest operations/constructions emissions. Biggest barrier to people and caribou movement. Preferred alignment for community travel routes. Highest risk economically, this is the least understood option.	N	2019-09-16 - GN Rail Simulation	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
40	Government of Nunavut	General	N/A	Project team comment: Presentation of route option tradeoffs. Route 3 has average cut/fill heights. Lowest steep gradients, it is safe for train operations. Can get snow clearing done efficiently. Lowest disturbance footprint. Community proposed this as an alternative but it is not their preferred route, as there is still some impact on travel route. Medium risk from economic perspective as geotechnical information is 50% known, 50% unknown.	N	2019-09-16 - GN Rail Simulation	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
41	Government of Nunavut	General	N/A	Project team comment: comparison of 3 routes from geotechnical perspective. All routes are similar, underlain by rocks. Additional validation via drilling and geotechnical work required. Route 1 has detailed geotechnical work, route 3 shares half of route with route 1. Route 2 has essentially no geotechnical information, and would require extensive fills and cuts. Unsure if cut material would act as useful fill material, as presence of massive ice would render material unusable. Quarries would be required to source material.	N	2019-09-16 - GN Rail Simulation	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A

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42	Government of Nunavut	General	N/A	GN commented that there are only snowmobile crossings planned, however rail maintenance crews will also use the route.	Y	2019-09-16 - GN Rail Simulation	Project team clarified that road maintenance will also use snowmobile crossings, to observe alignment for conditions such as fire, flooding, wildlife, etc.	IQ land use studies were completed for the 2012 FEIS which informed the locations of the snowmobile crossings along the Steensby Railway. Baffinland continues to engage with the North Baffin communities to refine the locations of these crossings.		None
44	Government of Nunavut	General	N/A	Project team comment: presentation of railway route put together after caribou crossing workshop feedback. Concerns of rail route included proximity of rail line to travel routes, historic camping areas, concerns regarding travel routes and rail deviation. Community comments were also collected for two alternative alignments.	Y	2019-09-16 - GN Rail Simulation	No response required.	N/A		N/A
45	Government of Nunavut	General	N/A	GN requested additional information for caribou crossing facilitation, such as longer sections being more conducive to caribou, however height and slope issues still exist. GN has asked about the wildlife crossing plan.	Y	2019-09-16 - GN Rail Simulation	Based on input received through the Phase 2 review process, Baffinland will construct the rail line with consideration of longer sections with gentler embankment slopes than originally designed, to facilitate caribou movement.	IQ studies were completed for the 2012 FEIS which informed the locations of the caribou crossings along the Steensby Railway. Baffinland continues to conduct aerial caribou surveys (such as the ones done in 2023) and engage with the North Baffin communities to refine the locations of these crossings.		TCs 61, 171

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50	Government of Nunavut	General	N/A	GN noted that 85% of route 1 embankments are above 2m in height (FEIS criteria), the Project team commented that embankment slopes will be flattened to increase permeability.	N	2019-09-16 - GN Rail Simulation	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
51	Government of Nunavut	General	N/A	GN asked for clarification of embankment material, documentation has changed from use of type 12 to type 8 material. Project team confirmed that embankment would be constructed of type 8, with no capping of a different material.	N	2019-09-16 - GN Rail Simulation	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
52	Hall Beach	General	N/A	Community member asked for clarification of shipping goals in regards to trucks and trains.	Y	2018-06-15 - Hall Beach - Workshop	Project team confirmed that increased shipping goals can only be achieved with trains, transitioning away from using trucks. Truck usage would have to increase substantially to meet shipping goals.	No follow up action required		N/A

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57	Hall Beach	General	N/A	Summary of Sanirajak Radio Call In Show. 10 people called in. Comments/questions included reassurance of less dust emissions during Phase 2, community residents general opinions regarding phase 2 plans, Inuit employment during phase 2, expression of interest in having more informational sessions on Steensby rail, changes to community benefits during phase 2, requests of funding a new church, a comment noting Inuit employees are not in management positions, environmental effects monitoring in relation to dust and water consumption, HTAs receiving second hand research vessels, impacts to hunter's livelihoods	Y	2020-12-11 - Sanirajak Hamlet Council - HTO - BIM - Phase 2 Updates and Community Benefits	There will be several dust mitigation measures and the current dust management system used for the Project will be used at Steensby where possible. Under the IIBA, and as part of Baffinland's direct commitment to communities, no Inuit will lose their job at Mary River due to the transition to the Steensby Component of the Project. Baffinland will be continually engaging with the seven impacted communities on the Steensby Component. Baffinland is committed to investing in community infrastructure projects, similar to those considered under the Phase 2 Proposal, should the Steensby Component of the Project receive financing and a positive construction decision. The Mary River Project has implemented a Inuit Leadership Development Program (ILDLP), at Mary River. ILDP is an innovative, culturally based program that will give Inuit employees the opportunity to advance to leadership roles within the company.			TCs 10, 135, 136, 162, 163
58	Hall Beach	General	N/A	Community member asked if rail line would be primarily straight, or have turns.	Y	2018-06-15 - Hall Beach - Workshop	Project team confirmed that route would have as minimal turns, as train cannot navigate tight corners.	No follow up action required		None
59	Arctic Bay	General	N/A	Project team comment: Presentation of of the proposed scope of the Phase 2 project development and benefits for communities.	Y	2014-02-19 - Arctic Bay - Arctic Bay Hamlet Meeting	No response required.	N/A		N/A

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60	Arctic Bay	General	N/A	Project team comment: Presentation of an overview of 2014 construction activities, including Tote Road upgrades, construction of Ore Dock, upgrades to Mary River air strip, sealift deliveries. Summary of commencement of mining and environmental effects monitoring also provided.	Y	2014-02-19 - Arctic Bay - Arctic Bay Hamlet Meeting	No response required.	N/A		N/A
63	Hall Beach	General	N/A	Community member/employee commented that they had been turned away on a flight to site, and asked if the Project would be building a rail.	Y	2014-02-20 - Hall Beach - Town Hall	Project team responded that they were unsure of why the employee had been turned away, and that the rail project would be built pending funding.	No follow up action required		None
64	Hall Beach	General	N/A	Project team comment: Presentation of an overview of phase 2, and increase in shipping plans. Project team is present to receive concerns about proposal.	Y	2019-06-07 - Hall Beach - Community tour, Community meeting	No response required.	N/A		N/A
65	Hall Beach	General	N/A	Project team sent letter to Hall Beach thanking community for meeting with project team, and notifying community that a Project Update had been submitted to NIRB.	Y	2016-11-25 - Hall Beach - Hamlet Meeting	No response required.	N/A		N/A
66	Hall Beach	General	N/A	Community member expressed support for railway, and asked if rail would be approved. Project team responded that there is no guarantee that rail will be approved, as it is up to NIRB	N	2019-06-07 - Hall Beach HTO - Community Tour, Hamlet Meeting	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
67	Hall Beach	General	N/A	Community member expressed support for railway, commenting that there will be a reduction of dust and fuel.	Y	2019-06-07 - Hall Beach HTO - Community Tour, Hamlet Meeting	No response required.	N/A		N/A
68	Hall Beach	General	N/A	Community member asked if the Project had considered building an underground railroad.	Y	2019-06-07 - Hall Beach HTO - Community Tour, Hamlet Meeting	Project team commented that this would involve tunneling through the landscape, and the overall environmental impacts would be very high.	No follow up action required		None

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69	Hall Beach	General	N/A	Community member asked for clarification of number and size of ships, and the purpose of the rail. Project team responded that there would be 2-3 trains operating, will result in a reduction of dust emissions. The rail will go from Mary River to Milne Inlet	N	2019-06-07 - Hall Beach - Community tour, Community meeting	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	No follow up action required		None
71	Igloolik	General	N/A	Community member requested update on Railway Project or Steensby Inlet development.	Y	2014-02-20 - Igloolik - Town Hall	Project team responded that Baffinland is committed to the Railway Project, and that most of the railway projects around the world use rail to transport iron ore. The development is dependant on global economic conditions and the market price of ore.	Baffinland continues to frequently and openly engage with the seven impacted Baffin Island communities on the Steensby Component of the Project.		TC 163
73	Igloolik	General	N/A	Community member raised a number of questions about Steensby rail project, however Project team clarified the purpose of the workshop was to discuss the Milne Port rail project.	N	2018-06-14 - Igloolik - Workshop	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	No follow up action required		N/A
74	Igloolik	General	N/A	Community member asked how many carriers the rail would have, and if hunters had been included in studies. Project team responded that Inuit participate in monitoring programs, and that there are two train options: a two train system, and a three train system.	Y	2019-06-06 - Igloolik HTO - Community Tour, Hamlet Meeting	At full operation, three (3) 64-car train sets will be in the circuit at all times. Baffinland's monitoring programs will continue to include Inuit from the closest communities, and management plans and monitoring programs will continue to evolve based on direct engagement with Inuit.			TC 162
76	Igloolik	General	N/A	Community member asked if quantity of drivers and heavy equipment operators would decrease once railway is complete.	Y	2017-06-01 - Igloolik - Hamlet Meeting	Project team confirmed that while there would no longer be ore haul truck drivers, the drivers would be retrained and employment would not be lost.	None		None

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78	Igloolik	General	N/A	Community member asked for clarification that the Steensby Project is now stalled or off the table. The Project team confirmed that the Steensby Project is set aside due to financing. 12 Mtpa would not be able to be shipped by truck.	N	2017-06-01 - Igloolik - Hamlet Meeting	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
80	Igloolik	General	N/A	Project team sent letter to Igloolik thanking community for meeting with project team, and notifying community that a Project Update had been submitted to NIRB.	Y	2016-11-24 - Igloolik - Hamlet Meeting	No response required.	N/A		N/A
81	Pond Inlet	Road Access and Crossings	N/A	Community member asked a number of questions regarding regulations, crossing identification, and underground crossings.	Y	2018-11-21 - Phase II Consultation - Pond Inlet	Project team communicated that railway design takes in to account tunneling options, topography grade, ice lenses, permafrost. Monitoring includes aerial surveys, Bruce Head monitoring, acoustic monitoring, ship based monitoring.			None
83	Pond Inlet	Road Access and Crossings	N/A	Community member expressed concern that the rail line would block traditional routes and steep embankments, but commented that if crossing were possible it would be good. Project team agreed that crossings are needed	Y	2018-11-21 - Phase II Consultation - Pond Inlet	IQ identified the importance of maintaining the ability for travel across the rail line, and was used to identify ideal locations to establish land user crossings. Baffinland will engage with communities on the locations of the land user crossings before they are built.			TCs 15, 162
84	Pond Inlet	General	N/A	Project team comment: Presentation of Phase 2 Project current Project Development and Benefits for communities in the areas	Y	2014-02-18 - Pond Inlet - Community Meeting	No response required.	N/A		N/A
85	Pond Inlet	General	N/A	Community member asked if the Project began to make a profit from the ore, would the Railway Project then be able to be built.	Y	2014-02-18 - Pond Inlet - Community Meeting	The Project team responded that the railway development is dependent on economic conditions and the cost of iron ore.	No follow up action required		None

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86	Pond Inlet	General	N/A	Project team comment: Baffinland hosted a group of Pond Inlet community members at the Mary River site to provide a tour of facilities and ask any questions. Overall a very positive trip, primary concern was low level of Inuit employment and prospects to raise employment levels. Also discussed the upcoming phase 2 rail development and potential for a March winter sealift.	Y	Non-Event Communication	The construction of the Steensby Component of the Project will create an overall increase in the workforce at Mary River, as additional contractors are required to do the extra work. After construction of the Steensby Component of the Project is complete and ore transportation ends through Milne Port, Baffinland expects the operations workforce to remain the same, or grow. With Steensby, there will be a transition in some of the types of jobs available, but Baffinland is committed to retraining individuals wherever necessary so they can continue working with Baffinland. Under the IIBA, and as part of Baffinland's direct commitment to communities, no Inuit will lose their job at Mary River due to the transition to the Steensby Component of the Project.			None
88	Pond Inlet	General	N/A	Project team comment: presentation of 2014 construction activities, including Tote Road upgrades, Ore Dock construction, Mary River airstrip, sealift deliveries. Ore trucking to Milne Port began in September 2014. Environmental monitoring continues, as per NIRB Project Certificate.	Y	2014-02-18 - Pond Inlet - Community Meeting	No response required.	N/A		N/A
89	Pond Inlet	General	N/A	Community member asked for clarification-their understanding was that only one train engine was going to be used. Project team provided additional information on second train, including portion of railway where trains could pass by each other. NIRB will conduct community hearings	N	2018-06-12 - Pond Inlet - Workshop	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A

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90	Pond Inlet	Road Access and Crossings	N/A	Community member had a number of concerns, including use of the Tote Road as a public road, Inuit employment rates and lack of senior positions filled by Inuit, quantity of ships in the harbour and their impact to wildlife, and railway impact to traditional routes. Project team commented that while the Tote Road is considered public use, there are safety regulations that users are encouraged to follow. The Project team acknowledged that they have not met the Inuit employment goal, and that conversations would continue to be had with the QIA to adjust expectations. It was communicated that if ships are not following their designated routes, there is a toll-free number that HTO members may call to connect with BIM. An incident occurred last spring (2017) relating to the NunavutQuest dog sled race, the Project noted the incident could have been avoided had they been given information in advance. Priority when hiring Inuit goes to the five impacted communities, but is not restricted to them (i.e./ a person from Pangnirtung may still be hired and have room, board, and flights paid for).	Y	2018-06-12 - Pond Inlet - Workshop	As was planned with the transition to rail under Phase 2, Baffinland will continue to work with the closest communities to develop a protocol for safe land user transit of the Tote Road (i.e. land users may use the Tote Road themselves), and will maintain the services available to provide transport if land users prefer that method. The Mary River Project has implemented a Inuit Leadership Development Program (ILDLP), at Mary River. ILDP is an innovative, culturally based program that will give Inuit employees the opportunity to advance to leadership roles within the company.			TC 135, 136, 138
92	Pond Inlet	General	N/A	MHTO concerned about shipping, the route of the rail, Steensby, and culture. Suggested teaching iglu building with the help of Parks Canada	Y	2019-07-02 - Community Meetings in Mary River	Baffinland thanks the participants for their comments.			None

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95	Pond Inlet	Road Access and Crossings	N/A	Community member asked if it has been determined where the railway will go, if markers have been installed along the route, and how construction progress was going. Project team displayed image of projected rail route, and noted that there were markings on the tundra as to visualize route for HTO and other community members from the air (helicopter). Some adjustments may be made in a section east of Phillips Creek, as per the MHTO's request. Geotechnical work is ongoing to verify bedrock beneath adjusted area. If the route is the preference of the community, and the possibility is there, then the route will be built.	N	2019-10-16 - Pond Inlet - Phase 2 HTO Consultation Meeting	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
97	Pond Inlet	General	N/A	Community member asked for clarification on shipping volume approvals- Steensby has been approved for 18 Mtpa, however Baffinland was requesting to ship 12 Mtpa. Project responded that they have been approved to ship 18Mtpa out of Steensby, however building the railway to Steensby will be very expensive. The plan for full production still includes shipping 18 Mtpa out of Steensby.	Y	2018-06-12 - Pond Inlet - Workshop	Baffinland's approval included infrastructure descriptions, which could accommodate up to 30 million tonnes per annum of ore production when Steensby is operational.			None
98	Pond Inlet	General	N/A	Community member asked for clarification, as in an earlier public meeting it was stated that there would be one train with an engine on either end, but now there are two trains with turning areas.	Y	2018-06-12 - Pond Inlet - Workshop	Each train set will consist of two (2) locomotives (one on each end of the train set).			None
100	Pond Inlet	General	N/A	Member asked if there will be two railways used, and if they had been approved by NIRB or NPC. Project team responded that there will be two trains on the Milne Inlet railroad, which has not yet been approved. The concept of rail as a method of transportation has been approved by the NPC, the Project is now moving in to the EA phase which requires NIRB approval. There would be one rail line, with two trains going back and forth, with an area for trains to pass each other.	N	2018-06-12 - Pond Inlet - Workshop	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A

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101	Pond Inlet	Road Access and Crossings	N/A	Community member asked for additional information on the railway embankment. Project team communicated that the railway track would be a raised bed approximately 1 meter high, with a gentle 3m:1m slope. In areas where the topography requires a higher embankment, the slope will be even gentler at 5:1.	Y	2018-06-12 - Pond Inlet - Workshop	Based on input received through the Phase 2 review process, Baffinland will construct the rail line with consideration of longer sections with gentler embankment slopes than originally designed, to facilitate caribou movement.			None
103	Pond Inlet	General	N/A	Project team sent letter to Pond Inlet thanking community for meeting with project team, and notifying community that a Project Update had been submitted to NIRB.	Y	2016-11-22 - Pond Inlet - Hamlet Meeting	No response required.	N/A		N/A
104	Ikajutit	General	N/A	Community member stated they'd heard of the Steensby rail in the past, but not the Milne Port rail, and asked if the Steensby line was no longer planned. The Project team stated that the Steensby line is approved, however given the economy it is not financially feasible. It is not possible to make revenue via trucking on the Tote Road, so the updated plan is to build a railway to Milne Port	N	2017-05-31 - Arctic Bay - HTO Meeting	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
105	Ikajutit	General	N/A	Community member asked for additional information on Milne Port railway, including asking why the line was being built, and if studies had been done to depict where the line would be built. The Project team responded that the updated rail diverts from the Tote Road in one area due to steep topography, but generally it follows the Tote Road.	N	2017-05-31 - Arctic Bay - HTO Meeting	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
106	Hall Beach	Physical Environment	Air Quality	Community member commented that a lot of ore is shipped, and that dust has impacts, followed by questioning if the proposed increase to 12 Mtpa would be completed by trucks, or if the Project is considering a rail because it would be more efficient. The Project team responded that shipping 12 Mtpa via trucks would require many more trucks and would increase use of the Tote Road. It is more efficient to have a few daily trips by train instead.	Y	2018-06-15 - Hall Beach - Workshop	Moving each tonne of ore by train requires far less fuel than by truck, which means fewer emissions are expected to move ore by train, than what is required to move 6 Mtpa by truck.			None

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111	Igloolik	General	N/A	Community member expressed concern for the railway, asked if the proposed route would follow the Tote Road. Project team responded that the rail line would largely follow the Tote Road, with one area of diversion due to the terrain.	N	2017-06-01 - Igloolik - HTO Meeting	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
116	Pond Inlet	Road Access and Crossings	N/A	Community member raised concerns regarding crossing rail line with heavy sleds, and commented that travelling alongside the tote road can be dangerous as there is rocks from the road. Member said it would be better to go under the railway line with loaded sleds than over, and noted that there are hardly any caribou near the mine. Requested that railway slopes are not too steep. The community member also commented that they had observed winter shipping in Labrador, specifically that ships were only present for a few months of the year.	Y	2018-11-21 - Phase II Consultation - Pond Inlet	IQ identified the importance of maintaining the ability for travel across the rail line, and was used to identify ideal locations to establish land user crossings. Most bridges along the Steensby Railway will have the clearance to be passable underneath by snowmobiles. Baffinland will engage with communities on the locations of the land user crossings before they are built. Based on input received through the Phase 2 review process, Baffinland will construct the rail line with consideration of longer sections with gentler embankment slopes than originally designed, to facilitate caribou movement.			None

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118	Pond Inlet	Safety	N/A	Community member asked if the train tracks will be build to withstand snow.	Y	2017-05-30 - Pond Inlet - HTO Meeting	The locomotive engines will be equipped to adapt to the cold climate, potentially including special electronic control systems, and supplementary fuel heaters, and other systems to protect the crew, engine and other systems in extreme low temperatures and from snow ingress. The main railway maintenance work equipment to be used on the railway line include snow fighting equipment.			None
119	Pond Inlet	General	N/A	Project team comment: Detailing of 2014 construction activities, including Tote Road upgrades, Ore Dock construction, airstrip upgrades, fuel and supply delivery. Environmental monitoring includes marine mammal monitoring, terrestrial, bird surveys, caribou, fisheries/aquatics, and socio economic monitoring. Environmental effects monitoring are requirements of NIRB Project Certificate.	N	2014-02-17 - Baffinland Community Tour Pond Inlet - Pond Inlet/HTO Meeting	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
123	Pond Inlet	General	N/A	Project team comment: Discussion of why the Rail Project has been put on hold, and an explanation that the current economy has resulted in a phased approach and further development of the Mary River Project. The Project will try to do a better job of explaining this to the communities moving forward.	N	2014-02-17 - Baffinland Community Tour Pond Inlet - Pond Inlet/HTO Meeting	No response required.	N/A		N/A
125	Pond Inlet	General	N/A	Community member commented that their preference is to make as few rail detours as possible, taking topography in to account. Member proposed an alternate route on a map, noting that they would have to go through NPC process to allow for this.	N	2017-05-30 - Pond Inlet - HTO Meeting	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A

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130	Pond Inlet	General	N/A	A community member presented a proposed rail route, and asked the Project team to consider it.	N	2017-05-30 - Pond Inlet - HTO Meeting	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
134	Pond Inlet	General	N/A	Community member asked if Elders had been consulted in planning the rail route, the Project team responded that Elders had not been consulted, but that they are trying to take the easiest route by staying close to the Tote Road.	N	2017-05-30 - Pond Inlet - HTO Meeting	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
137	Indigenous and Northern Affairs Canada (INAC)	General	N/A	Project team discussed updated Project Description submitted to NIRB, and plans for the approval of Phase 2. INAC requested to be kept in the loop as to advise senior staff.	N	Non-Event Communication	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
138	Indigenous and Northern Affairs Canada (INAC)	General	N/A	Project team updated INAC on Baffinland status, with INAC being surprised that NPC did not consider rail in conformity as Amendment 2 to the NBRLUP. Introductions provided to Nunavut Tunngavik (NTI) leadership at PDAC.	N	Non-Event Communication	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
139	Mittimatalik Hunters and Trappers Organization	General	N/A	Multiple community comments and concerns in response to the Phase 2 project description, including narwhal migration response to both cruise and Baffinland ships, coastal buildings vibrating while Project ships passed, questions in relation to rail vs road usage, and clarifications of the NIRB approvals process.	N	2016-11-29 - MEWG - Meeting #9	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A

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142	Nunavut Impact Review Board (NIRB)	General	N/A	NIRB is requesting additional information from the Project in relation to the Phase 2 Proposal, including the proposed location, scale and extent of the railway and ancillary works, the basis for Baffinland's conclusion that there is a need for the rail component, the basis for Baffinland's selection of the rail component as the preferred alternative, and an overview of the extent to which the rail component may interact with, have effects on and/or require changes to existing or proposed project infrastructure.	N	2016-10-28 - NIRB - Letter Requesting Updated Project Description	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
143	Nunavut Impact Review Board (NIRB)	General	N/A	Response to QIA correspondence sent to Baffinland and the Nunavut Planning Commission as it relates to the Public Hearing set to take place in Pond Inlet, Nunavut on December 4-5, 2017. Hearing is to listen to concerns related to Baffinland's request to amend the North Baffin Regional Land Use Plan re: Rail	N	2017-12-04/05- NPC NBRLUP Amendment- Public Hearing- Pond Inlet	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
144	Nunavut Planning Commission (NPC)	General	N/A	Letter to NPC removing winter shipping request from NBRLUP amendment application for Phase II	N	2017-12-04/05- NPC NBRLUP Amendment- Public Hearing- Pond Inlet	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
145	Nunavut Impact Review Board (NIRB)	General	N/A	Response to QIA correspondence sent to Baffinland and the Nunavut Planning Commission as it relates to the Public Hearing set to take place in Pond Inlet, Nunavut on December 4-5, 2017. Hearing is to listen to concerns related to Baffinland's request to amend the North Baffin Regional Land Use Plan re: Rail	N	2017-12-04/05- NPC NBRLUP Amendment- Public Hearing- Pond Inlet	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A

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147	Pond Inlet	General	N/A	Community members expressed concerns about the proposed railway and more ships in Eclipse Sound. A compromise could be reached by shipping through Navy Board Inlet instead.	N	2016-05-08 - Pond Inlet - Workshop No. 4 - Caribou Open House	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
148	Pond Inlet	Effects on Community and Individuals	N/A	Community member commented that Pond Inlet will experience the highest effects, and should have proportional IIBA benefits as a result. Member also commented they do not want winter shipping through Eclipse Sound, and is in favor of winter shipping through Navy Board Inlet.	N	2016-05-09 - Pond Inlet - Verification Meeting	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
149	Pond Inlet	General	N/A	Summary of topics discussed at community meeting: Inuit Employment, Youth Employment, Traditional Knowledge/Inuit Qaujimajatuqangit (TK/IQ), Work Related Training, Inuit Associations, Education and Skills, Narwhals, Marine Wildlife Monitoring, Terrestrial Wildlife Monitoring, Environmental Assessment Process, Shipping Impacts, Marine Physical Environment Monitoring, Communities and Community Organizations, Employment of Women, Ground Transportation Noise, Rail, Inuit Lifestyles and Traditions, Terrestrial Travel, Camps and Harvesting, Food Security, Caribou, Steensby, Road, IIBA, Blasting, Shipping, Direct Benefits, Royalties, Other Marine Mammals, Inuit Organizations, Community Infrastructure, Air Transportation, Community and Social Stability, Contracting Opportunities, Entrepreneurial Capacity, Impacts on Terrestrial Habitat, Polar Bear, Seals, Walruses	Y	2019-06-04 - Pond Inlet - Community Meeting, Community Tour	No response required.	N/A		N/A

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150	Pond Inlet	General	N/A	Summary of topics discussed during radio show : Inuit Employment, Youth Employment, Traditional Knowledge/Inuit Qaujimagatuqangit (TK/IQ), Work Related Training, Inuit Associations, Education and Skills, Narwhals, Marine Wildlife Monitoring, Terrestrial Wildlife Monitoring, Environmental Assessment Process, Shipping Impacts, Marine Physical Environment Monitoring, Communities and Community Organizations, Employment of Women, Ground Transportation Noise, Rail, Inuit Lifestyles and Traditions, Terrestrial Travel, Camps and Harvesting, Food Security, Caribou, Steensby, Road, IIBA, Blasting, Shipping, Direct Benefits, Royalties, Other Marine Mammals, Inuit Organizations, Community Infrastructure, Air Transportation, Community and Social Stability, Contracting Opportunities, Entrepreneurial Capacity, Impacts on Terrestrial Habitat, Polar Bear, Seals, Walruses	Y	2019-10-08 - Pond Inlet Youth - Radio Show	No response required.	N/A		N/A
151	Qikiqtani Inuit Association (QIA)	General	N/A	Multiple community comments and concerns in response to the Phase 2 project description, including narwhal migration response to both cruise and Baffinland ships, coastal buildings vibrating while Project ships passed, questions in relation to rail vs road usage, and clarifications of the NIRB approvals process.	N	2016-11-29 - MEWG - Meeting #9	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
153	Qikiqtani Inuit Association (QIA)	General	N/A	Response to QIA correspondence sent to Baffinland and the Nunavut Planning Commission as it relates to the Public Hearing set to take place in Pond Inlet, Nunavut on December 4-5, 2017. Hearing is to listen to concerns related to Baffinland's request to amend the North Baffin Regional Land Use Plan re: Rail	N	2017-12-04/05- NPC NBRLUP Amendment- Public Hearing- Pond Inlet	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A

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154	Terrestrial Environment Working Group (TEWG)	General		Project team comment: Project team provided an overview of the existing approved Terrestrial Environment Management and Monitoring Plan. Following presentation, member asked if there is a GN initiative for ships coming in to Iqaluit for the monitoring of invasives, Project team member responded that there are no existing invasive species protocols. Caribou crossings additionally discussed.	Y	2013-03-04 - TEWG - Meeting #1	Currently, Baffinland conducts a Non-Indigenous Species and Aquatic Invasive Species (NIS/AIS) Monitoring Program at Milne Port and plans to continue the Northern programs at Steensby Port when it is operational.			TCs 76, 89, 90
155	Transport Canada	General	N/A	Transport Canada asked how familiar the Project was with the alignment trail, the Project team responded that there had been two rounds of drilling, however the biggest unknown is that there are no physical assets that have been built there	N	2019-02-01 - Transport Canada - Rail Design Phase II	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
156	Transport Canada	General	N/A	Transport Canada asked if the railway will be using new locomotives, or if the locomotives are currently operating in G&W fleet. The Project team responded that the locomotives were initial test locomotives used to test Tier IV, and have between 0 and 5000 hours of use already.		2019-02-01 - Transport Canada - Rail Design Phase II				None
157	Transport Canada	General	N/A	Transport Canada asked if the Project was proposing any impact detection equipment on the locomotives, commenting that that gyroscopes are used down South to detect high impacts such as broken rail. The Project team responded that there had been discussions with rail operators in the past, where detectors could be installed on the rolling stock so that an ore cart could collect data. There would be minimal additional cost, but the detector would add a lot of back up data. For rolling stock, a maintenance facility at the port would connect to the rail operating center where personnel would manage day to day operations.		2019-02-01 - Transport Canada - Rail Design Phase II				None

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158	Transport Canada	General	N/A	The Project team commented that the meeting is about rail design and that the future technical meetings will be more about the management plans in the commitment registry.		2019-02-01 - Transport Canada - Rail Design Phase II	No response required.	N/A		N/A
159	Transport Canada	General	N/A	The Project team discussed fuel suitable for Arctic conditions, and monitoring the locomotive response through the seasons		2019-02-01 - Transport Canada - Rail Design Phase II	No response required.	N/A		N/A
160	Transport Canada	General	N/A	The Project team discussed use of pandrol clips and switches in the design of the rail		2019-02-01 - Transport Canada - Rail Design Phase II				None
161	Transport Canada	General	N/A	Consult with potentially affected communities and groups, particularly the Hunters and Trappers Organizations regarding the identification of Project vessel anchor sites and potential areas of temporary refuge for Project vessels along the shipping routes within the Nunavut Settlement Area. Feedback from the consultation should be incorporated.		2019-02-01 - Transport Canada - Rail Design Phase II				None
162	Transport Canada	General	N/A	The Project team discussed the alignment of the rail design, in maintaining locomotives, easing stresses on the tracks, minimizing resistance. 1 curve that is 500m and the rest are all above 500 m radius, 5 degree curvature, the bulk of them are at 700 m radius and bigger.	N	2019-02-01 - Transport Canada - Rail Design Phase II	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
163	Transport Canada	General	N/A	The Project team discussed the geotechnical work that had been completed to date, including bridge design, drilling phases, steel selection. Four bridges to be built with pile foundations, two being adfreeze piles, two being rock bearing.		2019-02-01 - Transport Canada - Rail Design Phase II				None
164	Transport Canada	General	N/A	The Project team discussed the rail operations from the bulk material handling perspective. Front end loading will occur at the mine from small stockpiles replenished by crushers, with a rotary car dumper at the Port.	Y	2019-02-01 - Transport Canada - Rail Design Phase II				None

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165	Transport Canada	General	N/A	The Project team noted that they will need to have 10.2 Mt stockpiled before the shipping season starts, to meet shipping targets.	N	2019-02-01 - Transport Canada - Rail Design Phase II	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
166	Transport Canada	General	N/A	Transport Canada asked for clarification on rail operation speeds.	Y	2019-02-01 - Transport Canada - Rail Design Phase II	The Project team confirmed that early documents stated that the locomotives would be designed for 75 km/hr, but the design has been updated to operate at 60 km/hr.			None
167	Transport Canada	General	N/A	Transport Canada asked for clarification regarding trains and tonnage. The Project team responded that Phase 2 has been designed to achieve 12 Mtpa. This will include a 3 train design, 1 front and 1 back locomotive, distributed power, 64 car length.	N	2019-02-01 - Transport Canada - Rail Design Phase II	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
168	Transport Canada	General	N/A	Transport Canada clarified that the Project is not planning on using different ties on high curvature areas, the Project team confirmed that they are just planning on using wood ties, with additional ballasts installed on curvatures less than 800 m.		2019-02-01 - Transport Canada - Rail Design Phase II				None
169	Transport Canada	General	N/A	Transport Canada asked what the maximum degree of curvature was planned, the Project team responded that the sharpest curve is a 500 m radius, a 5 degree curvature.		2019-02-01 - Transport Canada - Rail Design Phase II				None

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170	Transport Canada	General	N/A	The Project team summarized their design plans, which includes a set of typicals, drawings for grade crossings, tote road deviations, typical rail detail, signage detail, bridge drawings (4 bridges along the alignment), drawings for the rail alignment itself (plan, profile, cross sections), schematic diagrammatic figures showing where the key assets will be. Schematics have been designed for an 80 car train to start, with the ability to expand to a 95 car train.		2019-02-01 - Transport Canada - Rail Design Phase II				None
171	Transport Canada	General	N/A	Transport Canada asked about a section of the rail design, seeking clarification that the design follows the river. The Project team confirmed that the portion runs through a river valley, with areas of fill and cut, avoiding cutting in an ice rich section through km 60-70.	N	2019-02-01 - Transport Canada - Rail Design Phase II	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
172	Transport Canada	General	N/A	Transport Canada and the Project team discussed incorporating sidings in to the model design. The Project team noted that there are three sidings now in the model design.		2019-02-01 - Transport Canada - Rail Design Phase II				None
173	Transport Canada	General	N/A	Transport Canada asked if there would be OCS train control, the Project team confirmed that there would be. The Project team continued that rail control is to be remote, using a rail operator out of Montreal. A rolling stock workshop would be able to do all major repair and replacement work. The intent is to have everything on site, as to limit flying anything to site at a large expense. The Project team will work to develop a comprehensive list of spare equipment with suppliers.		2019-02-01 - Transport Canada - Rail Design Phase II				None
175	Transport Canada	General	N/A	Transport Canada asked for confirmation that the train is designed for 75 km/hr, but would be operating at 60 km/hr.		2019-08-21 - Transport Canada Meeting	The Project team confirmed that the train would be operating at 60 km/hr.			None
176	Transport Canada	General	N/A	Transport Canada asked if the train would be designed for 75 km/hr and operate at 60 km/hr, or if it would be both designed and operated at 60 km/hr.		2019-08-21 - Transport Canada Meeting	The Project confirmed that the train will be designed, maintained, and operated at 60 km/hr.			None

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177	Transport Canada	General	N/A	Transport Canada noted that two planned bridges are end bearing, and two are friction-bearing, followed by asking if any bridges would be using spread footings. The Project team responded that none of the bridges would be using spread footings.		2019-02-01 - Transport Canada - Rail Design Phase II				None
180	Transport Canada	General	N/A	Transport Canada asked what the Project's relationship with GWCI is, asking if the Project owns everything and the GWCI operates. The Project responded that they have looked at multiple configurations, and currently the best configuration is the Project owns everything and GWCI will operate and perform maintenance.		2019-02-01 - Transport Canada - Rail Design Phase II				None
182	Transport Canada	General	N/A	Transport Canada asked for confirmation that the technical meeting is anticipated to be pushed back to April. The Project team responded that, while not official, the meeting would most likely be pushed.	N	2019-02-01 - Transport Canada - Rail Design Phase II	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
184	Transport Canada	General	N/A	Transport Canada advises the Project team to be cautious, as the rail proposal will be the most northern railway and the Project team will continue to receive questions.	N	2019-02-01 - Transport Canada - Rail Design Phase II	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
188	Transport Canada	General	N/A	Transport Canada raised concerns about the operating schedule and the narrow shipping season, asking about the window for rail maintenance, shutdown lengths, and the size of stockpiles. The Project team responded that 80% of stockpiling will occur outside of the shipping season. Slower rail operations are anticipated during the shipping season, and a 12 day shutdown is included in the simulation. Detailed simulation work has been completed.		2019-02-01 - Transport Canada - Rail Design Phase II				None

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189	Transport Canada	General	N/A	Transport Canada asked questions regarding communication between road users and the rail control center. The Project team responded that there would be a significant reduction of road traffic, but there would still be light vehicles, freight and fuel. Currently there is communication between ore haul trucks and light vehicles.		2019-08-21 - Transport Canada Meeting				None
190	Transport Canada	General	N/A	Transport Canada requested access to the Project's CWR practices, to review the preferred rail laying temperature, response to broken rails, destressing methods. Transport Canada is looking for additional details on how operations will be planned.		2019-02-01 - Transport Canada - Rail Design Phase II				None
191	Transport Canada	General	N/A	Transport Canada asked what the impact of snow drifting will be on the track. The Project team responded by summarizing ongoing work, and stating that exercises are ongoing with Operations, Hatch, and rail operators to identify areas of high drifting.		2019-02-01 - Transport Canada - Rail Design Phase II				None
192	Transport Canada	General	N/A	Transport Canada asked to see the assumptions made by the track modulus, asking if assumptions were conservative. The Project team responded that they have had a number of questions about the modelling program, and that previous answers may address the question.		2019-02-01 - Transport Canada - Rail Design Phase II				None
193	Transport Canada	General	N/A	After reviewing preliminary drawings, Transport Canada asked if elevation and profiles would be provided for sections with gradients exceeding 2.5%. The Project responded that there is a detailed set of plans and profiles in 20m intervals, and that a response had been made to a technical request that had been made regarding braking.		2019-02-01 - Transport Canada - Rail Design Phase II				None
194	Transport Canada - Rail Safety	General	N/A	Transport Canada asked if crushing activities would be moved to Port.		2018-10-11 - Transport Canada Rail Safety Meeting	Crushing facilities will remain at Mary River and become enclosed.			None

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195	Transport Canada - Rail Safety	General	N/A	Transport Canada asked if there would be utility crossings.		2018-10-11 - Transport Canada Rail Safety Meeting	The Project team confirmed that there would be utilities at the port and mine, at effluent discharge, power generation, etc. Utility crossings are not expected to be installed along the rail way line.			None
196	Transport Canada - Rail Safety	General	N/A	Transport Canada commented that they would need to get involved in the Project's assessments, noting that TC does not have a research wing. The Project team asked if they would be able to submit a draft design to receive feedback, specifically in relation to 300mm shoulder widths.		2018-10-11 - Transport Canada Rail Safety Meeting				None
197	Transport Canada - Rail Safety	General	N/A	Transport Canada commented that they will receive a Notice of Railway Works, and that if the Project is planning on completing novel work outside of normal practice, TC would like to know ahead of time as it will raise concern. The Project team responded that there is not a specific railway design in Canada, and that the reduction of shoulder width from the CP standard of 700m to 300m was decided during the feasibility study period. The Project team asked if this would be a concern to TC.		2018-10-11 - Transport Canada Rail Safety Meeting				None
198	Transport Canada - Rail Safety	General	N/A	Transport Canada commented that a certificate of fitness must be obtained prior to the submission of a Notice of Railway Works.		2018-10-11 - Transport Canada Rail Safety Meeting	The Project team responded that they will ensure that they have all the correct milestones.			None
199	Transport Canada - Rail Safety	General	N/A	Transport Canada asked if the rail operator company would keep it's own banner, noting that rules go with the ROC, and the ROC goes with the operator. The Project team responded that they are planning on setting up the operator as it's own legal entity.		2018-10-11 - Transport Canada Rail Safety Meeting				None
200	Transport Canada - Rail Safety	General	N/A	Transport Canada commented that it would be a good idea to use a Canadian rail operator.		2018-10-11 - Transport Canada Rail Safety Meeting	Baffinland owns and operates the Mary River Project, however, the South Railway components of the Approved Project will be operated and maintained by an experienced North American rail operator.			None

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201	Transport Canada - Rail Safety	General	N/A	Transport Canada commented that 60 days notice is required for a Notice of Railway, and that an organization or private person may object to railway plans with a safety concern. If there is merit to the concern, TC would get involved and other processes would start. The Project team responded that Pond Inlet is the closest community, 180 km from the Project. There has been extensive consultation, and the land is owned by NTI. The Project expressed interest whether there are consultation requirements, or if objections would go through a review period.		2018-10-11 - Transport Canada Rail Safety Meeting				None
202	Transport Canada - Rail Safety	General	N/A	Transport Canada asked if Hatch is the firm completing the engineering. The Project team asked if TC would be interested in seeing the rail design, and if they had any input.		2018-10-11 - Transport Canada Rail Safety Meeting	Baffinland has procured Ausenco and Systra as engineers for the South Railway.			None
203	Transport Canada - Rail Safety	General	N/A	Transport Canada commented that the railway company's rules need to be approved prior to ROC application submission. Transport Canada offered to send the Project team a draft document which outlines processes and timelines for new rail companies. For rule approval, documents must be submitted to TC for approval, and there is a consultations with unions that must be completed prior to ROC processing.		2018-10-11 - Transport Canada Rail Safety Meeting	No response required.	N/A		N/A
204	Transport Canada - Rail Safety	General	N/A	Transport Canada suggested that the Project team submit a draft Railway Operating Certificate (ROC), as to allow for back and forth communication prior to the final submission. This may reduce holdups in processing the final application. The Winnipeg TC office would be the regional point of contact.		2018-10-11 - Transport Canada Rail Safety Meeting				None
205	Transport Canada - Rail Safety	General	N/A	Transport Canada asked if the Project would be purchasing equipment, and that it would be operated by the railway entity, or if the railway entity would own the equipment. The Project team confirmed that the new entity will own the equipment.		2018-10-11 - Transport Canada Rail Safety Meeting				None

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206	Transport Canada - Rail Safety	General	N/A	The Project team asked Transport Canada if they will need a Railway Operating Certificate (ROC) prior to notice of railway works, Transport Canada responded that the Project team will need CTA approval to build, then Notice of Railway Works. An ROC isn't required yet, an ROC can be requested before the track is built.		2018-10-11 - Transport Canada Rail Safety Meeting	No response required.	N/A		N/A
207	World Wildlife Federation (WWF)	General	N/A	Multiple community comments and concerns in response to the Phase 2 project description, including narwhal migration response to both cruise and Baffinland ships, coastal buildings vibrating while Project ships passed, questions in relation to rail vs road usage, and clarifications of the NIRB approvals process.	Y	2016-11-29 - MEWG - Meeting #9	Some of the key mitigation measures in place to manage impacts from shipping include: - Ore carriers transiting the shipping route have a modern design that is expected to limit noise. - All vessels will maintain constant speed and course, when possible, to minimize the likelihood of collision with marine mammals. - Idling of vessel engines will be minimized when docked at Steensby Port The Steensby Railway has been approved by NIRB under PC No.005.			TCs 76, 109, 110, 111
208	Arctic Bay	General	N/A	Community member asked if the Phase 2 increase in tonnage will be sourced from the same pit, and if the Project would be building another loading dock. The Project team responded that the current presentation is focused on the difference between current operations and those proposed in Phase 2.	Y	2019-01-14 - Impact and Mitigation Workshop #1	Greater production and transportation of ore from Mary River will require the development of Deposits 2 and 3, which are located directly next to Deposit 1. To extend the life of mine, Baffinland will need to bring online Deposits 2 and 3 in its immediate future.			None

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209	Arctic Bay	General	N/A	Community member asked when the construction of the second ore dock would occur, the Project team responded that ideally construction would occur over the summer, however it would require fisheries authorization in addition to NIRB approval.	N	2019-01-14 - Impact and Mitigation Workshop #1	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
211	Arctic Bay	General	N/A	Member asked if northern rail route (Milne Port) would be closed once Steensby route is constructed.	Y	2018-06-13 - Arctic Bay - Workshop	Baffinland is planning to end ore transportation along the Tote Road and Northern Shipping Route, once the Steensby Component of the Project is constructed and operational.			None
216	Hall Beach	General	N/A	Community member asked when the Project expected the Steensby Inlet phase to start, the Project team responded that the Steensby project will start once there is financing for it, noting that it will cost \$5B and the northern railway is only \$1B.	N	2017-06-02 - Hall Beach - HTO and Hamlet Meeting	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
217	Igloolik	General	N/A	Community member requested update on Railway Project or Steensby Inlet development.	Y	2014-02-20 - Igloolik - Town Hall	Project team responded that Baffinland is committed to the Railway Project, and that most of the railway projects around the world use rail to transport iron ore. The development is dependant on global economic conditions and the market price of ore.	No follow up action required		None
219	Igloolik	General	N/A	Community member asked for clarification that the Steensby Project is now stalled or off the table. The Project team confirmed that the Steensby Project is set aside due to financing. 12 Mtpa would not be able to be shipped by truck.	N	2017-06-01 - Igloolik - Hamlet Meeting	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A

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220	Igloolik	General	N/A	Community member asked when the railway line would be built to Steensby Inlet, the Project team responded that it is dependant on the regulatory process, and when the Project is able to generate enough capital. Some developments and expansion at Milne Port is taking in to account construction materials for the Steensby Inlet expansion.	N	2018-06-14 - Igloolik - Workshop	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
221	Pond Inlet	General	N/A	Pond Inlet Deputy Mayor stated that they would like to see Steensby get built and Milne Inlet project not go forward, as this would lessen the impact being felt by Pond Inlet community members.	N	2019-07-02 - Community Meetings in Mary River	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
224	Ikajutit	General	N/A	Community member stated they'd heard of the Steensby rail in the past, but not the Milne Port rail, and asked if the Steensby line was no longer planned. The Project team stated that the Steensby line is approved, however given the economy it is not financially feasible. It is not possible to make revenue via trucking on the Tote Road, so the updated plan is to build a railway to Milne Port	N	2017-05-31 - Arctic Bay - HTO Meeting	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
227	Igloolik	General	N/A	Community member asked about the construction of a port in Igloolik.	Y	2017-06-01 - Igloolik - HTO Meeting	The Port will be built at Steensby Inlet.	No follow up action required		N/A
229	Mittimatalik Hunters and Trappers Organization	General	N/A	Community member asked a series of questions regarding the Steensby project, including asking for clarification on the shipping season, and asking which route ships will take. The Project team responded that the shipping will begin in June 2017, subject to NIRB approval. The season will span June to March, 9 months of the year. The ships will travel through Eclipse Sound to the Port. Smaller vessels for transshipping will go from Port to the transshipping location and transfer ore to a larger ship which will then travel to Europe. The difficulty with a northern route via Navy Board is large icebergs.	N	2014-02-17 - Baffinland Community Tour Pond Inlet - Pond Inlet/HTO Meeting	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A

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230	Pond Inlet	General	N/A	Community member asked for clarification on shipping volume approvals- Steensby has been approved for 18 Mtpa, however Baffinland was requesting to ship 12 Mtpa.	Y	2018-06-12 - Pond Inlet - Workshop	Baffinland’s approval included infrastructure descriptions, which could accommodate up to 30 million tonnes per annum of ore production when Steensby is operational. This level of production does not require any additional activity levels or infrastructure that has not previously been reviewed and approved by the NIRB.			TC 179
231	Igloolik	General	N/A	Community member commented that when the Project was first proposed, it included the Steensby rail proposal, however the proposal is no longer financially possible. The community member asked if the rail transportation would be viable once the Project ships out the proposed 12 Mtpa. The Project responded that the expansion to 12 Mtpa includes the construction of a railway, and that if the proposal is not approved the mine will have to close as there is no revenue currently being generated. The Project also reflected on the price of ore, noting that the price fluctuates and has been very low recently.	N	2016-11-24 - Igloolik - Public Forum/Meeting	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
232	Pond Inlet	General	N/A	Community member commented that Pond Inlet will experience the highest effects, and should have proportional IIBA benefits as a result. Member also commented they do not want winter shipping through Eclipse Sound, and is in favor of winter shipping through Navy Board Inlet.	N	2016-05-09 - Pond Inlet - Verification Meeting	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A

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233	Pond Inlet	General	N/A	Summary of topics discussed at community meeting: Inuit Employment, Youth Employment, Traditional Knowledge/Inuit Qaujimagatuqangit (TK/IQ), Work Related Training, Inuit Associations, Education and Skills, Narwhals, Marine Wildlife Monitoring, Terrestrial Wildlife Monitoring, Environmental Assessment Process, Shipping Impacts, Marine Physical Environment Monitoring, Communities and Community Organizations, Employment of Women, Ground Transportation Noise, Rail, Inuit Lifestyles and Traditions, Terrestrial Travel, Camps and Harvesting, Food Security, Caribou, Steensby, Road, IIBA, Blasting, Shipping, Direct Benefits, Royalties, Other Marine Mammals, Inuit Organizations, Community Infrastructure, Air Transportation, Community and Social Stability, Contracting Opportunities, Entrepreneurial Capacity, Impacts on Terrestrial Habitat, Polar Bear, Seals, Walruses	Y	2019-06-04 - Pond Inlet - Community Meeting, Community Tour	No response required.	N/A		N/A
234	Pond Inlet	General	N/A	Summary of topics discussed during radio show : Inuit Employment, Youth Employment, Traditional Knowledge/Inuit Qaujimagatuqangit (TK/IQ), Work Related Training, Inuit Associations, Education and Skills, Narwhals, Marine Wildlife Monitoring, Terrestrial Wildlife Monitoring, Environmental Assessment Process, Shipping Impacts, Marine Physical Environment Monitoring, Communities and Community Organizations, Employment of Women, Ground Transportation Noise, Rail, Inuit Lifestyles and Traditions, Terrestrial Travel, Camps and Harvesting, Food Security, Caribou, Steensby, Road, IIBA, Blasting, Shipping, Direct Benefits, Royalties, Other Marine Mammals, Inuit Organizations, Community Infrastructure, Air Transportation, Community and Social Stability, Contracting Opportunities, Entrepreneurial Capacity, Impacts on Terrestrial Habitat, Polar Bear, Seals, Walruses	Y	2019-10-08 - Pond Inlet Youth - Radio Show	No response required.	N/A		N/A

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231128_Igloolik HTO Steensby Update_Draft_EL.docx	Igloolik	General	N/A	The HTO recommended looking at starting shipping in January instead of February, as they said it should not be much different in Jan vs Feb.	Y	2023-11-28 - Igloolik - Steensby Community Workshop and Radio Show	Baffinland thanks the participant for sharing this information and will take it into consideration.	N/A		N/A
231128_Igloolik HTO Steensby Update_Draft_EL.docx	Igloolik	General	N/A	A community member asked a number of questions regarding shipping routes, the number/size of ships, proximity of shipping routes to islands and bird sanctuaries, the shipping window, and use of small vs large vessels.	Y	2023-11-28 - Igloolik - Steensby Community Workshop and Radio Show	There will be a combination of large, regular, and ice breaking ships, and that the number of ships discussed in previous meetings was in reference to the number of transits (each time a vessel goes back and forth). No icebreakers are used at Pond Inlet or Milne Port, as ice breakers were used in open water but not near shore. The Project completed shipping at the end of October as the HTO did not approve a shipping season extension.			TCs 104, 179
231128_Igloolik HTO Steensby Update_Draft_EL.docx	Igloolik	Safety	N/A	A community member expressed concern and asked for further information about the construction of a tunnel built near Cockburn Lake.	Y	2023-11-28 - Igloolik - Steensby Community Workshop and Radio Show	The Project team responded by displaying a 3D tunnel model and confirmed that the tunnel will be 300m and 1 km, being built using dynamite.			None
231128_Igloolik HTO Steensby Update_Draft_EL.docx	Igloolik	Safety	N/A	A community member commented that they were in favour of the railroad, noting it would be the first railroad in Nunavut. The community member asked if they would be able to see the large machines and drills, or travel south to tour drills and crushers.	Y	2023-11-28 - Igloolik - Steensby Community Workshop and Radio Show	The Project team thanked the community member for the comment and noted they would discuss it further internally.			None

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231128_Igloolik HTO Steensby Update_Draft_EL.docx	Igloolik	Railway noise and vibrations	N/A	A community member asked why an Earth Boring Machine cannot be used during tunneling, noting that it would be less intrusive than blasting.	Y	2023-11-28 - Igloolik - Steensby Community Workshop and Radio Show	An HTO member inquired as to why Tunnel Boring Machines (TBMs) are not planned for use in tunnel construction. This is due to a number of technical constraints with these machines, including: - The long length of the machines make them unsuitable for the construction of the shorter tunnels along the Steensby railway - The TBMs are only suitable for construction of tunnels deep underground (greater than 150m)	No follow up action required		None
231128_Igloolik HTO Steensby Update_Draft_EL.docx	Igloolik	General	N/A	A community member commented that their opinion of the Project had changed, and that they were now in favour of the Project. The community member noted that there are still many issues to share with the Project, and that they appreciate the Project being willing to listen to their concerns.	Y	2023-11-28 - Igloolik - Steensby Community Workshop and Radio Show	The Project team thanked the community member for the comment.	No follow up action required		None

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231128_Igloolik HTO Steensby Update_Draft_EL.docx	Igloolik	Safety	N/A	A key community concern is the use of explosives. The community also suggested beginning shipping in January instead of February.	Y	2023-11-28 - Igloolik - Steensby Community Workshop and Radio Show	Baffinland will comply with the DFO Guidelines for the Use of Explosives In or Near Canadian Fisheries Waters. Furthermore, Baffinland has conducted blasting modelling, which confirm that blasting during tunnel construction will occur far enough away from the waterline that overpressure impacts in the water will be less than the DFO threshold. Baffinland will verify the model assumptions around blast sizes with the contractor, and monitor throughout construction to ensure impacts are mitigated. Some mitigation measures may impact reduction of the size and timing of the blasts to reduce overpressure impacts. The Project team thanked the community member for the comment on shipping and will take it into consideration.			TCs 44, 48, 116, 117
231128_Igloolik HTO Steensby Update_Draft_EL.docx	Igloolik	General	N/A	A community member commented that there had been an icebreaker in the past that wanted to test out a passage with 'land fast ice', and expressed that they want to avoid putting people in danger.	Y	2023-11-28 - Igloolik - Steensby Community Workshop and Radio Show	The shipping season for Steensby was originally approved to be year-round, however Baffinland has recently been working to develop a schedule that will allow us to begin operations with a shorter than year-round shipping schedule. The current plan is to use an 8 month shipping season (July to February). This reduced shipping season has been developed based on Inuit feedback, as it avoids some sensitive seal life-cycle stages and the heaviest ice periods.			TC 179

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231129_Sanirajak Hamlet HTO Mary River Update_Draft_EL.docx	Sanirajak	General	N/A	A community member asked when Steensby operations will begin, and asked if there will be two ore carriers at the same time.	Y	2023-11-29 - Sanirajak - Steensby Community Workshop	The Project team responded that the shipping season will begin in July and end in February. It will be possible to have two carriers in the Steensby area as they travel in convoy.			None
231129_Sanirajak Hamlet HTO Mary River Update_Draft_EL.docx	Sanirajak	General	N/A	A community member commented that they were waiting on whale blubber to be delivered from the Project charter plane, but that there had been complications and they were worried the blubber would go bad.	Y	2023-11-29 - Sanirajak - Steensby Community Workshop	The Project team responded that the blubber has to go through Mary River first, and that they have not received the information they needed from the HTO in Arctic Bay. The Project asked the community member to contact the Arctic Bay HTA and then to provide the Project with additional information regarding weight and packaging.	No follow up action required		None
231129_Sanirajak Hamlet HTO Mary River Update_Draft_EL.docx	Sanirajak	Safety	N/A	A community member commented that previous plans had the crusher located near the shore, now it is in land. There is not much area for the blasting to happen in the middle of the land.	Y	2023-11-29 - Sanirajak - Steensby Community Workshop	The Project team thanked the community member for the comment and noted they would discuss it further internally.			None
231129_Sanirajak Hamlet HTO Mary River Update_Draft_EL.docx	Sanirajak	General	N/A	A community member stated that the phase 1 deposit is estimated to last for 30 years, and now phase 2 and 3 are planned. They asked is there was any predictions on total length of operations.	Y	2023-11-29 - Sanirajak - Steensby Community Workshop	The Project team responded that in 2012 they had predicted that deposit 1 would last for 21 years, and that has now been updated to 30 years. The Project will be a multi-generational mine.			None
231129_Sanirajak Hamlet HTO Mary River Update_Draft_EL.docx	Sanirajak	Physical Environment	Marine Environment	A community member asked for clarification regarding the number of ships- will the 121 projected ships include ice breakers, sealifts, or only ore carriers. The member also asked if there was a backup plan for the shipping route, in the event of shallow water complications.	Y	2023-11-29 - Sanirajak - Steensby Community Workshop	The Project team responded that the 121 ships are just ore carriers, there will be ice breakers and sealifts in addition to them. The number of other vessels may shift year to year. Vessels will only use the approved route unless there is a major safety concern.			TC 179

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231129_Sanirajak Hamlet HTO Mary River Update_Draft_EL.docx	Sanirajak	General	N/A	A community member commented that communities would appreciate being updated to any changes regarding the Steensby operations.	Y	2023-11-29 - Sanirajak - Steensby Community Workshop	The Project team responded that there would possibly be changes in operations due to vessels, and that communities would have to be informed prior to making changes.	Baffinland will continue to engage with the communities and stakeholders on the Steensby Component		TC 163
231129_Sanirajak Hamlet HTO Mary River Update_Draft_EL.docx	Sanirajak	Physical Environment	Marine Environment	A community member asked about the use of sustainable fuel on ships.	Y	2023-11-29 - Sanirajak - Steensby Community Workshop	The Project team responded that there is currently attempts to use more clean energy to reduce pollution at Mary River. They are working with different shipping companies to identify potential low pollution and reduced emission options. The Project is using a modern vessel that is fuel efficient.			TC 3
231130_Sanirajak HTO Meeting.docx	Sanirajak	General	N/A	A community member asked if it will be possible to deliver the crushing facility Milne Port to Mary River on the Tote Road, with the concern that the road is narrow.	Y	2023-11-30 - Sanirajak - Steensby Community Workshop	The Project responded that the crusher at Milne will be broken down to smaller pieces before being transported to Mary River via the Tote Road.	No follow up action required		None
231130_Sanirajak HTO Meeting.docx	Sanirajak	Physical Environment	Marine Environment	A community member asked for more detail about the potential Steensby shipping season, The Project team asked the community member when they thought would be a good month to start shipping, the member suggested a shipping season of November to February.	Y	2023-11-30 - Sanirajak - Steensby Community Workshop	The Project responded that while they are approved to ship year round, they plan to limit their shipping, with shipping from July to February.	No follow up action required		TC 179
231130_Sanirajak HTO Meeting.docx	Sanirajak	Physical Environment	Marine Environment	A community member expressed support for the previous comment suggesting the shipping season begins in January.	Y	2023-11-30 - Sanirajak - Steensby Community Workshop	The Project responded that while they are approved to ship year round, they plan to limit their shipping, with shipping from July to February.	No follow up action required		TC 179

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231201_Pond Inlet Hamlet HTO Mary River Update.docx	Pond Inlet	General	N/A	for clarification regarding usage of both Milne and Steensby ports. They asked if Milne Port/Eclipse Sound would be used exclusively for sealifts, if any consultation had been completed as to what changes have been made and if Pond Inlet wants to be involved. Additional questions included asking if there will be an agreement on environmental effects, and commenting that they wanted to hear about Igloolik and Hall Beach.	Y	2023-12-01 - Pond Inlet - Steensby Community Workshop	The Project team responded that there has been ongoing engagement for these projects, and that the final plan for Steensby has not been finalized. Expectations for Steensby are being discussed with working groups, and the shipping routes will be discussed with the seven impacted communities.			TC 163
231201_Pond Inlet Hamlet HTO Mary River Update.docx	Pond Inlet	General	N/A	A community member asked what activities would be completed at Steensby Inlet, with main concerns relating to big equipment and crushing.	Y	2023-12-01 - Pond Inlet - Steensby Community Workshop	The Project team responded that the crusher will be at Mary River, stockpiling of ore will occur on Steensby Island near the harbour where the iron will be shipped.			TC 188

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231204_Sanirajak Radio Show.docx	Sanirajak	General	N/A	A community member called in and asked, regarding shipping route, if it would be safer for ships to slow down near Rowley Island to Steensby. There is no documented Project response.	Y	2023-12-04 - Sanirajak - Steensby Community Engagement Radio Show	IQ was used to identify areas where shipping would have impacts on marine life and local use. As such, the shipping route through Northern Foxe Basin was moved east of Rowley and Koch Islands. This shipping route avoids important walrus habitat and will be less disruptive to wildlife and community use. The shipping route through Hudson Strait was also moved south of Mill Island, to avoid important areas for wildlife and local use. Baffinland will apply its Adaptive Management Plan to all construction activities and operations, including the need to seek QIA agreement on adaptive management plans related to narwhal, seal, Arctic char, caribou, dust, culture, resources and land use. Baffinland’s monitoring programs will continue to include Inuit from the closest communities, and management plans and monitoring programs will continue to evolve based on direct engagement with Inuit.			TC 179
231204_Sanirajak Radio Show.docx	Sanirajak	General	N/A	A number of community members called in to express support for the Project.	Y	2023-12-04 - Sanirajak - Steensby Community Engagement Radio Show	Baffinland thanks the community members for their comments.	N/A		None

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ltr_response-to-QIA-comments.docx	Qikiqtani Inuit Association (QIA)	General	N/A	The Project team submitted a letter to the QIA thanking them for their feedback on the Application for Approval to Construct a Railway Line with the Canadian Transportation Agency (CTA).	Y	2023-10-06 - QIA Correspondence	No response required.	N/A		None
G.11-Risk-assessment-workshop-report.pdf	Risk Assessment Workshop Participants, Various Community Members	General	N/A	Participants in the Risk Assessment Workshop expressed the following point: Shipping impacts are less likely if limited to the ice free period	Y	2019-01-14/17 - Community Risk Assessment Workshop #1 - Mary River Mine Site	Based on further review of the Project's shipping requirements to commence operations, ice conditions in Foxe Basin, and consideration of Inuit views raised through previous reviews and ongoing engagement, Baffinland is planning to commence operations with suspended shipping during the heaviest ice periods, between mid-February and mid-June of each year in the Southern Transportation Corridor.			TC 178
G.11-Risk-assessment-workshop-report.pdf	Risk Assessment Workshop Participants, Various Community Members	General	N/A	Participants in the Risk Assessment Workshop expressed the following point: Shipping will be safer in inlet and if ships keep to the shipping routes.	Y	2019-01-14/17 - Community Risk Assessment Workshop #1 - Mary River Mine Site	The shipping route to Milne Inlet was developed with guidance from experienced Vessel Masters retained by Baffinland. Ultimately deviations from the shipping route may occur for the safety of the ship, crew and cargo, and the protection of the environment. Baffinland must report on incidences of significant deviations from the nominal shipping routes for traffic to/from Milne Port and Steensby Port, with corresponding discussion regarding justification for deviations and any observed environmental impacts.			TC 120, 178

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G.11-Risk-assessment-workshop-report.pdf	Risk Assessment Workshop Participants, Various Community Members	General	N/A	Participants in the Risk Assessment Workshop expressed the following point: After the mining is completed, there may be consequences that people find out about after the fact.	Y	2019-01-14/17 - Community Risk Assessment Workshop #1 - Mary River Mine Site	Baffinland adheres to an Interim Closure and Reclamation Plan (BAF-PH1-830-P16-0012) which details a Final Closure and Reclamation Plan. Post closure monitoring will continue until closure principles of long-term safety of the site, no long term active care requirements, physical stability and chemical stability have been shown to be met by monitoring results. These activities may be periodic. It is currently estimated post closure monitoring and follow-up inspections will be conducted for a period of fifteen (15) years based on impacts assessment determinations described in the FEIS.			TC 40
G.11-Risk-assessment-workshop-report.pdf	Risk Assessment Workshop Participants, Various Community Members	General	N/A	Participants in the Risk Assessment Workshop expressed the following point: Ships vibrate when leaving port with a heavy load- this is felt by land users and disturbs wildlife and people camping on the land along Milne Inlet. More understanding is needed to assess and mitigate this impact.	Y	2019-05-7/9 - Community Risk Assessment Workshop #3 - Mary River Mine Site	Some of the key mitigation measures in place to manage impacts from shipping during the Steensby Component include: - Ore carriers transiting the shipping route have a modern design that is expected to limit noise. - All vessels will maintain constant speed and course, when possible, to minimize the likelihood of collision with marine mammals. - Idling of vessel engines will be minimized when docked at Steensby Port.			TCs 109, 110, 112

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G.11-Risk-assessment-workshop-report.pdf	Risk Assessment Workshop Participants, Various Community Members	General	N/A	Participants in the Risk Assessment Workshop expressed the following point: Baffinland needs to work with Pond Inlet to understand and schedule their activities (every community is different).	Y	2019-05-7/9 - Community Risk Assessment Workshop #3 - Mary River Mine Site	Baffinland engages with seven Qikiqtani communities, including hamlets, HTOs and the general public in Arctic Bay, Clyde River, Igloolik, Kimmirut, Kinngait, Pond Inlet and Sanirajak. Baffinland engages with these communities on a range of topics, based on the community's interest and impacts, including: • Ongoing operations • Terrestrial environment • Marine environment • Shipping • Socio-economic environment			TC 163
G.11-Risk-assessment-workshop-report.pdf	Risk Assessment Workshop Participants, Various Community Members	General	N/A	Participants in the Risk Assessment Workshop suggested the following comment regarding impact mitigation: Inuit see the changes. Inuit need to be involved in the monitoring.	Y	2019 Community Risk Assessment Workshop Summary	Baffinland's monitoring programs will continue to include Inuit from the closest communities, and management plans and monitoring programs will continue to evolve based on direct engagement with Inuit.			TCs 4, 162

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G.11-Risk-assessment-workshop-report.pdf	Risk Assessment Workshop Participants, Various Community Members	General	N/A	Participants in the Risk Assessment Workshop suggested the following comment regarding impact mitigation: More work is needed to ensure that ships follow the rules	Y	2019 Community Risk Assessment Workshop Summary	The shipping route to Milne Inlet was developed with guidance from experienced Vessel Masters retained by Baffinland. Ultimately deviations from the shipping route may occur for the safety of the ship, crew and cargo, and the protection of the environment. Baffinland must report on incidences of significant deviations from the nominal shipping routes for traffic to/from Milne Port and Steensby Port, with corresponding discussion regarding justification for deviations and any observed environmental impacts.			TC 120
G.11-Risk-assessment-workshop-report.pdf	Risk Assessment Workshop Participants, Various Community Members	General	N/A	Participants in the Risk Assessment Workshop suggested the following comment regarding impact mitigation: Would like to see alternate shipping routes, further to the south	N	2019 Community Risk Assessment Workshop Summary	This comment is specific to the Northern Transportation Corridor which will not be used for commercial shipping of ore once the Steensby Component is operational.	This comment is specific to the Northern Transportation Corridor which will not be used for commercial shipping of ore once the Steensby Component is operational.		N/A
G.11-Risk-assessment-workshop-report.pdf	Risk Assessment Workshop Participants, Various Community Members	General	N/A	Participants in the Risk Assessment Workshop suggested the following comment regarding impact mitigation: Need mitigation and monitoring of pollution (garbage) from the ships	Y	2019 Community Risk Assessment Workshop Summary	In accordance with MARPOL and the Arctic Waters Pollution Prevention Act, no solid waste materials or garbage is to be disposed of in Canadian waters. As no facility exists to dispose of foreign or Canadian ship waste materials or garbage at Milne Port, such materials will either be incinerated or retained onboard and later disposed of in accordance with Canadian and International regulations.	No follow up action required		None

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G.11-Risk-assessment-workshop-report.pdf	Risk Assessment Workshop Participants, Various Community Members	General	N/A	Participants in the Risk Assessment Workshop suggested the following comment regarding impact mitigation: Need Inuit participation in monitoring	Y	2019 Community Risk Assessment Workshop Summary	Baffinland’s monitoring programs will continue to include Inuit from the closest communities, and management plans and monitoring programs will continue to evolve based on direct engagement with Inuit.			TC 162
G.6 Community Engagement Workshop	Community Engagement Workshop Participants, Various Community Members	General	N/A	Was consideration given with regard to construction of the railway originally whereby you'd built it by a certain point and truck the rest of the way. What would happen if you built the railway that rejoins the Tote Road, and loads on the railway there?	N	2020-01-28/30 - Baffinland's Phase 2 Proposal Workshop - Mary River Mine Site	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
G.6 Community Engagement Workshop	Community Engagement Workshop Participants, Various Community Members	General	N/A	If the railway was built to Steensby, would you still continue operating the north railway to Milne Inlet?	N	2020-01-28/30 - Baffinland's Phase 2 Proposal Workshop - Mary River Mine Site	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
G.6 Community Engagement Workshop	Community Engagement Workshop Participants, Various Community Members	General	N/A	With the route planned towards Steensby Inlet, I imagine the railway will be year round, and the Milne Inlet North Railway, will be only in the summer?	N	2020-01-28/30 - Baffinland's Phase 2 Proposal Workshop - Mary River Mine Site	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
G.6 Community Engagement Workshop	Community Engagement Workshop Participants, Various Community Members	General	N/A	Is the Steensby line a completely different line? Or will it be part of north line too?	N	2020-01-28/30 - Baffinland's Phase 2 Proposal Workshop - Mary River Mine Site	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the Northern Railway proposed in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A

Communication Number/Source Document	Stakeholder Group	Preliminary Interest	Sub Interest	Communication Summary	s.98/Steensby Railway Relevance (Y/N)	Event Date/Name	Response to Comment	Follow-up Actions	Reference to s.98	Summary of Relevant Project Certificate Terms and Conditons
G.7 Mary River Phase 2 Proposal Rail Alignment Summary Report	Community Engagement Workshop Participants, Various Community Members	General	N/A	How the rail alignment was selected and why the MHTOs proposed route had not been further assessed by Baffinland	N	2016-18 - Phase 2 Consultations	This comment is specific to the alignment proposed for the Northern Railway in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the alignment proposed for the Northern Railway in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
G.7 Mary River Phase 2 Proposal Rail Alignment Summary Report	Community Engagement Workshop Participants, Various Community Members	General	N/A	It was noted that had Pond Inlet been informed that Baffinland would not build the railway to Steensby Inlet until a railway to Milne was completed, Pond Inlet would not have supported approval of the ERP.	N	2016-18 - Phase 2 Consultations	This comment is specific to the proposed Northern Railway in Phase 2 which is no longer considered in the development of the Mary River Project.	This comment is specific to the proposed Northern Railway in Phase 2 which is no longer considered in the development of the Mary River Project.		N/A
G.7 Mary River Phase 2 Proposal Rail Alignment Summary Report	Community Engagement Workshop Participants, Various Community Members	General	N/A	One participant referenced that an elevated rail line would be preferred	Y	2016-18 - Phase 2 Consultations	The rail for the Mary River Project will be required to move very heavy loads of material and an elevated structure is not a feasible option for safe operation.	No follow up action required		None
Steensby Engagement Report_Final with Appendices	Hamlet and HTO	General	N/A	Are the ore carrying ships (capesize) traversing too slowly? For their size, when I compare it this area of our waterways.	Y	2024-03-12 - Kimmirut Steensby Engagement	The vessels are mandated to not exceed 9 knots in Eclipse Sound. This is optimized for moving ice in the area if need be. No ice breaking is conducted in the Northern Transportation Corridor. For Steensby, more assessments will be completed to determine speed including information shared by Inuit Knowledge Holders.	No follow up action required		None

Communication Number/Source Document	Stakeholder Group	Preliminary Interest	Sub Interest	Communication Summary	s.98/Steensby Railway Relevance (Y/N)	Event Date/Name	Response to Comment	Follow-up Actions	Reference to s.98	Summary of Relevant Project Certificate Terms and Conditions
Steensby Engagement Report_Final with Appendices	Hamlet and HTO	General	N/A	We know a huge amount of material is extracted. What is the material ore used for? Military applications, civil, ship building material, what purpose does it serve?	Y	2024-03-12 - Kimmirut Steensby Engagement	We’ve been asked by Inuit knowledge holders in communities to see if we can reserve some steel for knives as an example, but when it is shipped overseas, we do not know what it is used for.	No follow up action required		None
Steensby Engagement Report_Final with Appendices	Hamlet and HTO	General	N/A	When Steensby becomes operational, and the ore carrying is conducted through Davis Strait, from the Hudson Bay, we want to influence the path of the ships to border the waterways from Northern Quebec and Nunavut. To be as far from our coastal islands like the Big Island and our harvesting activities.	Y	2024-03-12 - Kimmirut Steensby Engagement	As an example the distance from Pond Inlet to the ship path is 18 km because of the inlet, the path for Kinngait is as far away as 44 km, while Kimmirut will be 69 km based on what has been studied. A further example is the original design included travel north of Salisbury Islands outside of Kinngait, but because we heard the community desires, we have moved south of it. Also in terms of Eider nesting grounds, whether the ship wakes will impact the lower elevated Islands, we recorded those concerns and reviewed our plans accordingly. That includes traveling east of Rowley Island across from Igloolik and Sanirajak. Because the mine is inside Nunavut, our path is through Nunavut waters.	No follow up action required		TC 178

Communication Number/Source Document	Stakeholder Group	Preliminary Interest	Sub Interest	Communication Summary	s.98/Steensby Railway Relevance (Y/N)	Event Date/Name	Response to Comment	Follow-up Actions	Reference to s.98	Summary of Relevant Project Certificate Terms and Conditons
Steensby Engagement Report_Final with Appendices	Hamlet and HTO	General	N/A	Before the ship carrying activities commence from Steensby, we are curious about baseline studies in this area, with Baffinland and others that operate unto themselves with the wildlife.	Y	2024-03-12 - Kimmirut Steensby Engagement	Baffinland is conducting baseline studies along the shipping route, including but not limited to the railway, taking Inuit knowledge to the core of scientific wildlife studies. We are using studies conducted by contractors who are independent of the company to inform our monitoring of wildlife and the environment. We hire independent contractors that hire Inuit wildlife and environmental monitors. We have operated with this model since 2006 to ensure that we satisfy the absolute inclusion of Inuit in every step in the development of the project.			TC 99
Steensby Engagement Report_Final with Appendices	Hamlet and HTO	General	N/A	My question is about the 69km distance from the shipping route. What is the distance from the Raglan mine, which we know comes closer than that into Nunavut waters, do they follow the same rules? I often wonder if the sea levels is an issue that they cannot traverse in their own waters.	Y	2024-03-12 - Kimmirut Steensby Engagement	Thank you for the comment. We do not have information on Raglan Mine at this moment and can review this information if it becomes available at a later date. We appreciate your feedback.	No follow up action required		None
Steensby Engagement Report_Final with Appendices	Hamlet and HTO	General	N/A	Will the activities related to Steensby infrastructure benefits proceed after construction commences?	Y	2024-03-12 - Kimmirut Steensby Engagement	Once the construction is started, communities will start to receive direct benefits.	No follow up action required		None
Steensby Engagement Report_Final with Appendices	Hamlet and HTO	General	N/A	Dumptrucks that are operated to Milne Inlet, what about the amount of trains being delivered.	Y	2024-03-12 - Kimmirut Steensby Engagement	A train with engine at each end with 110 cars about 1.2 km long, about the same length as the airport runway here, will carry ore about 6 times a day. Somedays 5 or even 7 given the conditions and variables during different seasons. The average is 6.5 half times per day.	No follow up action required		None

Communication Number/Source Document	Stakeholder Group	Preliminary Interest	Sub Interest	Communication Summary	s.98/Steensby Railway Relevance (Y/N)	Event Date/Name	Response to Comment	Follow-up Actions	Reference to s.98	Summary of Relevant Project Certificate Terms and Conditions
Steensby Engagement Report_Final with Appendices	Hamlet and HTO	General	N/A	The bigger ships (Capesize) expected to be ten from what we understand? Is this information correct. That was the last we were informed from Baffinland Representatives that 10 Capesize carriers will be used.	Y	2024-03-12 - Kimmirut Steensby Engagement	There has not been any definitive decisions on how many Steensby component Capesize ships would be used, but to reiterate our approved 121 ships through the southern corridor.	No follow up action required		None
Steensby Engagement Report_Final with Appendices	Hamlet and HTO	General	N/A	There would be ships passing through everyday, and we’ve been informed that ships will pass through this area every second day?	Y	2024-03-12 - Kimmirut Steensby Engagement	121 ships are approved for a total of 242 transits. We are not allowed to exceed that threshold. We anticipate that we will in high probability not even reach that amount due to various conditions including ice, or other operational factors that are not known at this time.	No follow up action required		TC 179

Communication Number/Source Document	Stakeholder Group	Preliminary Interest	Sub Interest	Communication Summary	s.98/Steensby Railway Relevance (Y/N)	Event Date/Name	Response to Comment	Follow-up Actions	Reference to s.98	Summary of Relevant Project Certificate Terms and Conditions
Steensby Engagement Report_Final with Appendices	Hamlet and HTO	General	N/A	Have not seen a building at Tujjaaraarjuit (Mills Island), but I do know one exists - Will a building be moved, or erected at the island for monitoring purposes?	Y	2024-03-12 - Kimmirut Steensby Engagement	These are the sort of discussions we will want to have with you when we started discussing more details on the shipping route. This is the start of these preliminary discussions, we want to know from what you expect as an organization, for example what Pond Inlet HTO requested a shipping post observation station, Baffinland made an observation post at Bruce Head Inlet for observing narwhal behavior to shipping. To add to your understanding of that said structure the Federal government has a scientific research outpost located at Tujjaaraarjuit, that building is available to the people of Kinngait when needed, perhaps even anticipated for future wildlife monitoring as well. This is one of the ideas we can look at, moving forward.			None
Steensby Engagement Report_Final with Appendices	Hamlet and HTO	General	N/A	I cannot imagine the size of 6 Mt would appear like physically, I would hazard a guess what 30 MT would even be possible to fathom. Can you provide a physical representation in the future what the 6 million tonnes looks like in actual size? A: We will get back to you on this.	Y	2024-03-12 - Kimmirut Steensby Engagement	We will get back to you on this.	Baffinland followed up, 6 Mt is approximately equivalent to the size of 85 of the 8-storey Frobisher Inn in Iqaluit.		None
Steensby Engagement Report_Final with Appendices	Hamlet and HTO	General	N/A	How is wastewater managed? Is it like here where it is just dumped into a pond?	Y	2024-03-12 - Kimmirut Steensby Engagement	We have sewage treatment plants at the Mary River Mine Site and Milne Port site that we use to treat sewage and gray water before releasing to the environment.	No follow up action required		TC 46

Communication Number/Source Document	Stakeholder Group	Preliminary Interest	Sub Interest	Communication Summary	s.98/Steensby Railway Relevance (Y/N)	Event Date/Name	Response to Comment	Follow-up Actions	Reference to s.98	Summary of Relevant Project Certificate Terms and Conditons
Steensby Engagement Report_Final with Appendices	Hamlet and HTO	General	N/A	It would be great if our community receives a wastewater treatment plant, and for our road dust control, will be nice to get asphalt roads.	Y	2024-03-12 - Kimmirut Steensby Engagement	The responsibility of wastewater and road infrastructure is from CGS and the hamlet, Mayor advised that a wastewater treatment plant is in the works from the territorial government.	No follow up action required		None
Steensby Engagement Report_Final with Appendices	Hamlet and HTO	General	N/A	Baffinland has Inuit knowledge holders for every community except for Kinngait? Is that a consideration?	Y	2024-03-12 - Kimmirut Steensby Engagement	We are currently requesting one from this community that the HTO and Hamlet will agree with a recommendation of a suitable candidate, that will require a criminal record check. We look forward to your shared views as to who that could be that end.	No follow up action required		
Steensby Engagement Report_Final with Appendices	Hamlet and HTO	General	N/A	Icebreakers could open shipping all year round?	Y	2024-03-12 - Kimmirut Steensby Engagement	We are approved for year round shipping, but taking Inuit concerns Baffinland will be shipping 8 months of the year. We are not allowed to break ice at Eclipse Sound. But we do have ice breakers available when land fast ice is broken up.	No follow up action required		TC 179

APPENDIX 3

FEDERAL TOUR LETTER

January 28, 2025

Lisa Dyer, Director General
Northern Projects Management Office

Re: Follow up re Federal Consultation Tour re Pending Applications for Activity Specific Authorizations for the Steensby Components

Baffinland appreciated the opportunity to attend the federal consultation tour (the **Tour**) that occurred from Dec. 9 to 11, 2024 in Igloolik, Sanirajak, and Pond Inlet and to answer questions about the Mary River Project as directed by the Northern Projects Management Office (**NPMO**).

The focus of the Tour was on the issuance of the remaining activity specific authorizations required to proceed with the Steensby Port and Railway components of the Mary River Project (the **Steensby Component**). We understand NPMO is currently preparing a “What We Heard” Report.

1. Additional Information re Topics Discussed During Tour

A number of important topics were discussed by participants during the Tour. Baffinland has heard similar feedback during its direct consultations with the communities on the Mary River Project, including the Steensby Components, since engagement began in 2008. Our more recent Steensby Component focused engagements have also included these discussion topics including discussions on how Baffinland has taken these topics into consideration through the NIRB approval of the Project and on-going operations. Baffinland strives to continuously incorporate community knowledge and advice in the Mary River Project, including how we operate. Baffinland also observed that participants asked some questions that were general to the Mary River Project as it currently operates and not necessarily targeted at the Steensby Component.

The fact that a topic was raised by a participant during the Tour does not necessarily mean that the topic is outstanding or has not been addressed as part of the regulatory approvals that have already been issued for the Mary River Project (including in particular Project Certificate No. 005, the primary overall Project approval). It is likely, and understandable given the long operating history and high number of accommodation measures that have been developed to date, that many Tour participants are not aware of all of these measures that are already in place which were developed to help address community concerns and incorporate Inuit feedback into the Project. It is also understandable that these topics would be raised in

discussions given that not all elements of the Steensby Components of the Project have been constructed and operated yet.

Further information on the following topics raised by participants during the Tour are presented in Attachment 1 to this letter (this list is based on Baffinland's notes):

- walrus and seal
- fisheries
- QIA-led Tusaqtavut studies
- Inuit participation in Project monitoring
- ballast water and invasive species
- caribou
- crossings/bridges
- geotechnical
- Inuit access to Mary River soapstone
- spill response
- climate change
- benefits for communities
- archaeology/cultural sites
- dust

2. *Baffinland Consultation and Engagement Activities in Relation to Federal Authorizations*

In addition to consultation led by other parties (NIRB, NWB, QIA, Federal government), Baffinland has conducted its own extensive community engagement program in relation to the development of federal authorization applications. This program has been summarized and presented in Annual NIRB Monitoring Reports as well as federal authorization applications as required under applicable legislation and/or guidelines. For ease of reference, the following table provides a summary of application sections and supporting documents for each authorization:

Table 1. Engagement Summaries Included in Steensby Authorization Applications

Application	Document Title	Reference
Marine Fisheries Act Authorization	Community Engagement on Fisheries Offsetting – Steensby Component (Knight Piésold 2023)	Appendix A-1
	Steensby Component Engagement – Q4 2023	Appendix A-2
	Notification Letter to Coral Harbour – Update on Steensby Component	Appendix A-5
	Invitation Letter to Hamlet of Kimmirut and Mayukalik HTA – Mary River Project Update Meeting	Appendix A-6

Application	Document Title	Reference
	Invitation Letter to Hamlet of Kinngait and Aiviq HTO – Mary River Project Update Meeting	Appendix A-7
	Notification Letters to Igloolik, Sanirajak, Arctic Bay, Kimmirut, Kinngait, Pond Inlet and Clyde River – Steensby Fisheries Offsetting Plans	Appendix A-8
Freshwater Fisheries Act Authorization	Community Fisheries Offsetting Report	Appendix B1
	Community Letters of Engagement	Appendix B2
Application for Approval to Construct a Railway Line	Canadian Transportation Agency Section 98 Application – Stakeholder Engagement Report	Supporting Document (SD) 69
	Mary River Phase 2 Proposal Rail Alignment Summary Report	SD 76
	Written notices to Igloolik and Sanirajak regarding the planned scope of activities for Steensby Rail and Steensby Port field studies, 2021-2023	SD 77
	Community Risk Assessment Workshops – Final Report	SD 78
	2024 Steensby Elders Engagement	SD 82
Navigation Protection Program Applications – Freshwater and Marine	Steensby Community Engagement Report_Final with Appendices	Steensby Community Engagement Report_Final with Appendices
	Community Engagement Report (Freshwater FAA Appendix B1)	Community Engagement Report (Freshwater FAA Appendix B1)
	Land Use Report (FEIS 03-Appendix 4C)	Land Use Report (FEIS 03-Appendix 4C)
	Summary of Community-based Research Undertaken for the Mary River Project (FEIS 04-Appendix 2B)	Summary of Community-based Research Undertaken for the Mary River Project (FEIS 04-Appendix 2B)

3. Next Steps Under Project Certificate re Steensby Component Management Plans

As shared by NPMO during the Tour, the Mary River Project was approved by the Nunavut Impact Review Board (**NIRB**) in 2012, and Baffinland has already been granted a number of government approvals which include the Steensby Component. Project Certificate No. 005 reflects the outcome of a deep consultation process, including public hearings held in Igloolik, Iqaluit and Pond Inlet that were attended by over 150 people and included representatives from Nunavut communities impacted by the Mary River Project. The NIRB process included incorporation of feedback from a dedicated Inuit working group led by QIA. This process led to comprehensive Project Certificate Terms and Conditions that directly incorporated community views and preferences on the Project Design, as well as commitments that are incorporated in the Project Certificate.

There are comprehensive annual monitoring programs already in place that the NIRB oversees under the Project Certificate and NuPPAA, in addition to working groups which include participants from each of the impacted communities, and provide meaningful feedback into the Project's mitigation and monitoring programs on an ongoing basis.

There is also the Mary River Project Inuit Impact Benefit Agreement (**IIBA**) in place between Baffinland and QIA (per Article 26 of the Nunavut Agreement), which ensures the project provides benefits to Inuit and included additional measures to help limit negative impacts.

Baffinland heard that some Tour participants may be interested in actively participating in the process for developing the final plans that are required for the Steensby Components under the Project Certificate. Baffinland has been working with communities on the Steensby Components and intends to continue to incorporate Inuit feedback from our work together as we develop the Steensby management plans. We are working closely with QIA to implement this mechanism. Furthermore, Baffinland has several existing processes to integrate Inuit feedback, including environmental working groups, the Annual Project Review Forum (**APRF**) and ongoing community engagement conducted by Baffinland's Inuit engagement team. This process to obtain Inuit input is conducted as intended by the NIRB approval. Management plans will also reflect the outcome of any activity-specific authorizations, permits and approvals received for the Steensby Component. Baffinland will implement mitigations and monitoring programs that are developed, in addition to the adaptive management systems that are intended to address Inuit feedback and unanticipated effects, should they occur.

We hope this information is helpful to NPMO as you proceed with finalization of the "What We Heard Report". Baffinland would be pleased to provide further information in relation to these and any other topics of interest to NPMO as needed.

Regards,

A handwritten signature in black ink, appearing to read "Lou Kamermans".

Lou Kamermans
Senior Director, Sustainable Development
Baffinland Iron Mines Corporation

Cc:

- Christopher Aguirre, Manager, Aboriginal Consultations & Major Resource Development, Transport Canada
- Melissa Alexander, Senior Project Manager, NPMO
- José Audet Lecouffe, Team Lead, Department of Fisheries and Oceans
- Gregory Black, Navigable Waters Protection Officer, Transport Canada
- Paul Harper, Senior Biologist, Department of Fisheries and Oceans
- Assol Kubeisinova, Manager, Regulatory Review, QIA

January 28, 2025

- Luc Chamberland, Director, Rail and Marine Determinations Directorate, Canadian Transportation Agency
- Jason Tsang, Senior Manager, Engineering Advisory Services & Rail/Marine Determinations, Canadian Transportation Agency
- Natasha Wisintainer, Land Administrator Specialist, CIRNAC

Encl.

- ***Attachment 1. Summary of Topics Raised by Participants During the Federal Consultation Tour***
- ***Attachment 2. Relevant Terms, Conditions and Commitments for Topics Raised during the Federal Tour***

Attachment 1.

Summary of Topics Raised by Participants During the Federal Consultation Tour

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1. Walrus and Seal

A. Summary of Feedback Shared During Tour

A summary of the verbal feedback heard by Baffinland in relation to this topic during the Tour is provided below. The comments were generally made in Inuktitut by participants and translated into English by local interpreters.

Baffinland recorded one comment regarding walrus in Pond Inlet:

"Grew up near Igloolik, has walrus, I know areas that have walrus hunting, right next to Baffin Island, there is an island that shows up at low tide and disappears at high tide, around that area walrus like to feed, I know it will be severely impacted due to the proposed shipping, I am wondering what about walrus, has there been any policy about accidental walrus kills, even bowhead, we haven't been party to discussions."

Baffinland recorded six comments regarding walrus and seal in Sanirajak:

"... I'm not as concerned about the fish being impacted by ships, if there's too many fish maybe the ship could wait until they go somewhere else, some of the channels in shallow areas, there's lots of fish, if you were to go on the point area, that would have less impact on the fish, when they go to shallow waters, walruses, seals, other mammals, if the ships are not going to be chasing the seals, walrus, narwhals, they get used to the sounds and not too much impact, as long as they don't start following the animals, they will be less impacted. Inuit people when they are hunters, when they start shooting into the water they run away, but with ships there are continuous noises, not sudden noises."

"... after the Milne Inlet route to Pond Inlet, we've learned a lot, the original plan was to ship year-round, icebreaking, that was a concern to us after we found out the impacts through Milne Inlet. The number and the duration of the ships was year-round, and cut back to 8 months of the year, Foxe Basin, unique shallow waters, walrus, what we are famous for, fermented walrus meat, they will be impacted by climate change too, but they'll be impacted to the point there will be major consequences. As the other gentleman said nobody goes to Baffin Island anymore, but the walrus go there, that is our livelihood, once it's gone, it might be irreversible impacts that is a concern for us... Walrus is a major animal for us, it goes through Hudson Strait, the sea mammals, whales of different species, bowhead, into our waters, this past summer there were ~100 sightings in a day, they go through Fury and Hecla Strait to Committee Bay, 242 ships each year is going to lead to irreversible impacts."

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"Where walrus are located, you'll have to make sure to see what impacts there are on walrus and beluga, find out if there is any calving done by beluga or narwhal in this area, I don't know what mammals give birth where, they probably have birthing places for sea mammals."

"In Nova Scotia, Halifax I have seen the shoreline, and if they release the water beneath the ship... it's all black, all polluted, I am just wondering, if the ships start having that route here, will the we not be able to eat our clams anymore? Are we going to see blackish, greyish seawater? Want next generation to eat walrus and sea mammals, our diet in each region is different."

"Just wanted to show my concern regarding Steensby Inlet operations, over the years I have heard public feedback, my only concern was the marine life, is it going to affect our walrus, and everything in it, what if they start taking different routes, what if they don't arrive near Hall Beach anymore, since the modern world has started to grow rapidly, some of us don't have hunters in our household, some hunters give away their catch, some sell, some buy traditional foods, that never happened before, it would be really beneficial for a hunter to attend this kind of meeting, to see if they can give their own feedback on how it could affect marine life and land animals. I am hoping when the ship routes are progressing over the years, I hope it will not affect the mammals, this is my huge concern if they travel farther away from Sanirajak."

"...concerning the route, Cape Dorset waters to Foxe Basin, towards Steensby, walrus, seals, bearded seals are within these waters, walrus from Cape Dorset, they migrate from Cape Dorset area to Foxe Basin area towards Naujaat, Coral Harbour, and the eider ducks move in, walrus start dispersing to these different regions, this for sure will impact, not just Steensby, the mammals where they migrate from, it is not the case today that nobody is hunting, Igloodik still go over there to hunt walrus in summertime, for dog food, they continue to hunt to this day, the sea ice, the ship going over there, they will impact pupping grounds... what are those plans for the impacted lands and animals, and the long term benefits..."

Baffinland recorded three comments on walrus and seal in Igloodik:

"When there's country food on the floor, a small child will go and ask to be fed. Now we do not eat country food, a lot of people eat southern food, a lot of junk food, but people that will still eat country food when it is available, even walrus, when I went down I saw people who had caught seals, they can even eat right after they catch."

"...trying to use Pond Inlet as an example, their wildlife has been tampered with, and with these ships that you're talking about, they are huge, and they are going to be going down and taking ore and going wherever, but the wildlife here is also going to be

hampered. We live on an island, what will we do in the case of something happening like with Pond Inlet happens here, their whales are gone, hardly any more seals, you probably heard about it. Is the same thing going to happen here, usually I say no to what they request, but my requests are never heard."

"...we have blue cheese walrus meat, the shipping route goes through where we hunt our walrus close to Rowley Island, between Brae Island and North/South Spicer Island... Pond Inlet do not use our walrus, only Hall Beach and Igloolik make igunaq."

B. NIRB Review Conclusions and Mitigations related to Seal and Walrus

Summary of NIRB Review Process Residual Effects Assessment and Prediction Confidence

As set out in the 2012 FEIS, Baffinland conducted an extensive assessment of the marine environment, which relied on multiple lines of evidence, including available literature, IQ shared with Baffinland by Inuit, direct field research (e.g. aerial surveys), desktop studies (e.g. models, risk assessments), land use studies (e.g. Mary River Land use Study) and expert opinion. The assessment, considering this information, drew the following conclusions with respect to the Projects potential effects on walrus and seal, respectively:

"Based on the available evidence on ringed seal responses to on-ice industrial activity and vessel traffic, the planned mitigation measures, the overall health and population size of ringed seals in the RSA, and the baseline data used in the assessment, there is a high level of certainty in the predictions of residual effects (Table 8-5.4). No significant residual environmental effects are predicted for this indicator species." (FEIS, Volume 8, Section 5.6.4)

"Based on the available evidence of walrus responses to vessel traffic, including icebreaking, the baseline data used in the assessment, the planned mitigation measures, the location of the port sites and shipping routes relative to walrus haulout sites, winter feeding areas, and potential calving areas, there is a high level of certainty in the residual effects predictions (Table 8-5.9). No significant residual environmental effects are predicted for this indicator species." (FEIS, Volume 8, Section 5.7.4)

In the Final Hearing Report for the Mary River Project, the Nunavut Impact Review Board considered marine wildlife and marine habitat in Section 4.12 by providing a summary of the views of the Proponent, the views and concerns of Interested Parties and the views of the Board to draw specific conclusions and recommendations, which materialized in a draft Project

Certificate 005, which was approved by the Ministers and issued in final on December 28, 2012.¹

Summary of relevant requirements from the NIRB Review Process and recognized under Project Certificate No. 005 and other existing approvals/agreements

The 2012 FEIS proposed a number of mitigations related to walrus and seal through the assessment in Marine Effects Assessment at Volume 8, and the Shipping and Marine Wildlife Management Plan at Appendix 10D-10. The following table summarizes the mitigations for marine mammals included in the 2012 FEIS:

Table 2. 2012 FEIS Marine Mammal Mitigation Measures

Project Activity	Mitigation Measure(s)	Species
Construction Phase		
Dock construction: blasting (Steensby only), drilling (Steensby only), dredging, and vessel traffic near dock sites	- Docks to be designed to minimize footprint - Blasting control plan as per DFO blasting guideline (e.g., Wright and Hopky, 1998); meeting 100 kPa overpressure limit - Monitoring for marine mammals in the blasting safety zone (500 m) - Drilling in late April/early May. Reduce vessel idling at dock site - Bubble curtain system - Blasting in late May to avoid pupping and nursing periods - Acoustic seal deterrent to prevent seals from entering the blast zone - Use of bear monitors for on-ice activities	Ringed Seal, Bearded Seal, Walrus, Beluga, Narwhal, Bowhead Whale, Polar Bear
Vessel traffic to/from Milne and Steensby ports	- Maintain constant speed and course when possible - Reduce vessel idling. Vessel to be designed to limit noise output	Ringed Seal, Bearded Seal, Walrus, Beluga, Narwhal, Bowhead Whale, Polar Bear
Aircraft Overflights	- Maintain altitude of 450 m over marine waters when possible - Aircrafts prohibited from flying over marine mammals for sightseeing or photography - Aircraft prohibited from flying over walrus haulouts for sightseeing or photography - Walrus haulouts to be identified on maps prior to flights	Ringed Seal, Bearded Seal, Walrus, Beluga, Narwhal, Bowhead Whale, Polar Bear
Operation of worker camps	- Educate workers on bear safety - Work areas to be kept clean of garbage, food scraps and toxic materials	Polar Bear

¹ Note there have been subsequent amendments to Project Certificate No. 5, most recently in 2023.

	• Use of bear deterrent devices	
Operations Phase		
Vessel traffic to/from Milne Port (open-water period only)	• Maintain constant course and speed when possible • Reduce vessel idling time at dock • Vessel to be designed to limit noise output • Reduce vessel speed in Milne Inlet	Ringed Seal, Bearded Seal, Walrus, Beluga, Narwhal, Bowhead Whale, Polar Bear
Vessel traffic to/from Steensby Port, including ice management at the dock	• Reduce vessel idling time at dock • Minimize footprint of ice disturbance at ore dock and along shipping route • Reduce vessel speed in pack ice and landfast ice • Shipping lane in landfast ice to be delimited with markers • Vessel to be designed to limit noise output • Marine mammal observers to be on select vessels to identify response and behaviors from shipping activities by marine mammals • Commence ice breaking activity prior to period of lair and breathing hole creation • Maintain constant course and speed when possible	Ringed Seal, Bearded Seal, Walrus, Beluga, Narwhal, Bowhead Whale, Polar Bear
Aircraft Overflights	• Maintain altitude of 450 m over marine waters when possible • Aircrafts prohibited from flying over marine mammals for sightseeing or photography • Aircraft prohibited from flying over walrus haulouts for sightseeing or photography • Walrus haulouts to be identified on maps prior to flights	Ringed Seal, Bearded Seal, Walrus, Beluga, Narwhal, Bowhead Whale, Polar Bear
Operation of worker camps	• Educate workers on bear safety • Work areas to be kept clean of garbage, food scraps and toxic materials • Use of bear deterrent devices	Polar Bear
Closure Phase		
Vessel traffic: sealift removal of equipment and materials	• Maintain constant speed and course when possible • Reduce vessel idling • Vessel to be designed to reduce noise output • Reduce vessel speed in Milne Inlet	Ringed Seal, Bearded Seal, Walrus, Beluga, Narwhal, Bowhead Whale, Polar Bear
Operation of worker camps	• Educate workers on bear safety • Use of bear deterrent devices	Polar Bear

In addition to the mitigations listed above, which form a part of the evidentiary record on which the Nunavut Impact Review Board and the Ministers based their approval of the Mary River Project, Project Certificate 005 also provides specific direction on the Southern Shipping Route at Term and Condition 178 to address community concerns (see Attachment 2 enclosed). Subject to safety considerations and the potential for conditions, as determined by the crew of transiting vessels, to result in route deviations, the Proponent shall require project vessels to maintain a route to the south of Mill Island to prevent disturbance to walrus and walrus habitat on the northern shore of Mill Island. Prior to the issuance of Project Certificate 005, Baffinland had already proposed to alter the nominal Southern Shipping Route to follow south of Mill Island instead of north, and east of Rowley Island instead of west. In both cases those decisions were informed by community feedback and priorities to reduce disturbance on known walrus haul outs and areas of high harvesting concentrations.

Follow Up Monitoring, Supplemental Baseline and Project Certificate Terms and Conditions

While the FEIS 2012 residual effects assessments demonstrated the Project, with mitigations, was unlikely to have a significant effect on walrus or seal with a high degree of certainty, Baffinland is committed to ongoing marine effects monitoring for the life of the Project. This is also required under Project Certificate 005 and as a matter of best practice.

Baffinland will develop and implement a comprehensive marine environmental monitoring programs for the Steensby Component during all its phases, including pre-construction, construction, operation and closure.

Several examples of where Project Certificate 005 requires this are included here for reference (see Attachment 2 enclosed for more details):

- Terms and Conditions 99 and 101. Outline the required marine environmental monitoring for the Steensby Component, including supplemental baseline data collection on walrus and seal abundance, distribution and habitat in Steensby Inlet.
- Term and Condition 119. Baffinland is already collecting supplemental baseline data on ringed seal birth lair abundance and distribution through aerial surveys done in 2021 and 2024. Results of supplemental baseline collection, along with close collaboration and engagement with Communities, QIA, Marine Environment Working Group (MEWG) and NIRB, will feed into the development and update of Steensby Construction and Operation Management Plans.
- Term and Condition 148. Requires Baffinland to undertake monitoring of the Project's harvesting interactions and how this relates to food security for the residents of North Baffin.
- Appendix B Commitment 005. Baffinland will work with the Hamlets and HTOs of Igloodik and Sanirajak to carry out additional baseline studies for marine, terrestrial, and avian wildlife related to Steensby.

Since 2021 Baffinland has been conducting fieldwork in support of various environmental authorizations required to develop specific elements of the Steensby Component of the Project. Table 3 provides a list of supplemental marine environment baseline programs that have been run since 2021, and that are planned prior to the commencement of significant ship traffic to Steensby Port.

Table 3. Steensby Supplemental Baseline Studies Related to the Marine Environment

Topic	Description	Year
Ongoing/Completed Studies		
Marine Mammal	Ringed Seal Aerial surveys	2021, 2024
Marine Environment	Aerial ice survey	2023
Marine Environment	Steensby Inlet Fast Ice Study	2024
Marine Environment	Fuel Spill Dispersion Modelling	2024-2025
Marine Environment	Airborne Noise Modelling – Construction of Steensby Port Facility	2025
Marine Environment	Underwater Noise Modelling - Construction of Steensby Port Facility – Marine Environment	2025
Future Studies		
Marine Environment	Surveys of marine water and sediment quality, marine vegetation, benthic invertebrates, fish and fish habitat, and other aspects	2026
Marine Mammal	Marine Mammal Season Aerial Surveys (Density and Distribution)	2026
Marine Mammal	Walrus abundance and distribution survey	2026

Baffinland will integrate the outcomes of supplemental fieldwork into applicable environmental management plans as required, and submit them in its Annual Report to the Nunavut Impact Review Board.

C. Additional Monitoring and Mitigations and Management Plans Required under the Project Certificate and/or Other Approvals Relevant to Walrus and Seal

Baffinland continues to refine its environmental management plans planned for the Steensby Component of the Project based on the operations that have occurred since the original approval of the Mary River Project, and based on additional focused community and regulator engagements.

With respect to shipping activities, Baffinland has developed an industry leading marine monitoring program and mitigation plan for the Northern Shipping Route. Baffinland has proposed to work directly with communities and regulators through the Marine Environment

Working Group and other forums to review the original Shipping and Marine Wildlife Management Plan for the Southern Shipping Route, with a view to adapting lessons learned from the Northern Shipping Route, as feasible and appropriate.

In addition to the Shipping and Marine Wildlife Management Plan, other environmental management plans to be developed and applicable to the Steensby Component marine infrastructure and activities includes:

- Construction Environmental Management Plan
- Environmental Protection Plan
- Marine Monitoring Plan
- Ballast Water Management Plan

The Adaptive Management Plan will also apply to this topic. The Shipping and Marine Wildlife Management Plan will follow the system for adaptive management outlined in the Adaptive Management Plan. This requires the prior establishment of monitoring objectives, indicators, thresholds and responses based on low, moderate and high levels of risk. This system is designed to detect changes in the environment early enough to investigate before they present a more serious risk to the environment. Should it be determined that the change is reasonably Project related, Baffinland can implement one or more actions already identified in the Shipping and Marine Wildlife Management Plan, or a new mitigation not previously considered.

All environmental management plans will be subject to ongoing review and updates for the life of the Project. With respect to marine environment management plans, Baffinland will be supported by the advice of the Marine Environment Working Group, which includes HTO representatives from all impacted communities, and direct community engagement. Baffinland will report on the efficacy of its environmental management plans on a regular basis through its regulatory reporting obligations, as well as through its community engagement program.

D. Summary of Regulatory Application components which address this topic**Summary of FAA Application components which address this topic**

Baffinland also heard from Inuit that avoidance of walrus and seal habitat during shipping was a topic of interest during its direct engagements (Marine FAA Appendix A, S.98 Application Supporting Document 69) and took care to address this item specifically in Fisheries Act Application. QIA also asked several questions in relation to seal and walrus, specifically related to potential impacts of the Project on haulout habitat for seals and walruses.

Mitigation Measures

In the Marine FAA Application, the following mitigation measures are proposed to address these concerns:

- **Vessel restrictions** (Marine FAA Vol.1, Section 7.2.9): Several measures will be implemented in alignment with Baffinland's Shipping and Marine Wildlife Management Plan, such as:
 - As safe navigation allows, Project vessels will transit along the established nominal shipping route.
 - Idling will be kept to a minimum in an effort to decrease underwater noise.
 - Vessels will maintain a constant course and speed when in transit.
 - When marine mammals appear to be trapped or disturbed by vessel movements, the vessel will implement appropriate measures to mitigate disturbance, including stoppage of movement until wildlife move away from the immediate area.
 - All vessels will not be operated in such a way as to separate an individual member(s) of a group of marine mammals from other members of the group.
 - All Project vessels will be provided with standard instructions to not approach within 300 m of a walrus or polar bear observed on sea ice.
 - Ships transiting along the shipping route through Hudson Strait will travel south of Mill Island, in part to avoid the known walrus haul-out location on the north side of the island.
 - Any accidental contact with marine mammals will be reported to DFO as per the *Marine Mammal Regulations*.
- **Icebreaking Restrictions** (Marine FAA Vol.1, Section 7.2.9.1): Measures will be implemented during icebreaking operations to limit the effect on fish and marine mammals, such as:
 - Icebreaking will commence as soon as sea ice begins to form during the fall freeze-up period between September and October. At this time, ringed seals are just beginning to establish breathing holes in the sea ice as part of their development of an overwinter territory, but this is not considered a critical life cycle period. Seals may avoid establishing breathing holes along the shipping route during this period, but this would be limited to the general swath of the nominal ship path, which is minimal in extent. Seals do not start denning until January when enough snow is available on the ice for them to build a den. The objective of the proposed mitigation involving icebreakers following the same general shipping track when approaching Steensby Port (from the start of ice freeze-up) is to dissuade ringed seals from frequenting sea ice habitats along the nominal shipping route including establishing overwinter territories and/or denning lairs (i.e., pupping areas) in these areas.
 - The shipping lane into Steensby Port will be delineated with markers that will identify the boundaries of previous vessel tracks and act as a guide for the next vessel.
 - Icebreaking tugs and ore carriers will restrict their area of operation to the extent practical, so that the total areas of broken landfast ice at the Steensby Port is limited.

- Designated waiting areas for vessels will be established for Project vessels when waiting for an icebreaker escort in order to avoid important marine mammal habitat areas.
- Marine mammal observers will be stationed on select icebreaking vessels to observe for the presence of marine mammals and implement any corrective actions associated with vessel travel, in addition to recording potential marine mammal response and behaviours from icebreaking activities.
- When marine mammals appear to be trapped or disturbed by vessel movements, the vessel will implement appropriate measures to mitigate disturbance, including stoppage of movement until wildlife move away from the immediate area.
- **Design selection** (Marine FAA, Volume 1, Section 7.2.1)
 - Avoidance of in-water blasting: Changes were made to the port infrastructure design and construction approach to eliminate the need for use of in-water explosives. These modifications reduce the potential injury or death to fish and marine mammals due to blasting.
 - Avoidance of in-water works: Modifications to the design of the Ore Doc to eliminate requirements for in-water installation of any infrastructure. The infrastructure will be constructed through a push-out method, which will reduce the potential injury or death to fish and marine mammals due to underwater noise.
- **Construction Environmental Management Plan (CEMP)** (Marine FAA Vol.1, Section 7.2.1) : A Fish and Marine Mammal Protection Measures section in the CEMP describes methods that will be used to mitigate and management effects on marine mammals and their habitats due to changes in water quality, underwater noise and ship strikes during construction.
- **Grey Water and Effluent Discharge Management** (Marine FAA Vol.1, Section 7.2.2):
 - All water discharged to the marine environment will be sampled and tested prior to discharge to confirm it meets the relevant discharge criteria.
 - Vessels arriving for construction will not be permitted to discharge effluent or grey water
 - Vessels arriving for construction are not expected to discharge ballast water.
 - Ore carriers arriving during operational shipping would manage ballast water exchange following an IMO D-2 compliant ballast water treatment system and neutralized prior to discharging.
- **Sediment and Erosion Control** (Marine FAA Vol.1, Section 7.2.3): A SEC Plan will be prepared for all near water and in-water works associated with the construction of the Steensby Port Facility in Steensby Inlet, including sea ice and snow maintenance, silt curtain installation, turbidity monitoring, fish monitoring, nearshore blasting mitigation and pile installation mitigation.

Baffinland is committed to minimizing the environmental effects of construction activities and will work closely with DFO and other agencies to develop monitoring plans and reporting protocols suitable to assess the effectiveness of the mitigation measures and standards. The effectiveness of mitigation measures will be assessed, as outlined in the Marine FAA (Marine FAA Vol. 1, Table 17).

Offsetting Measures

The aforementioned mitigation measures will be implemented during Steensby Port construction to minimize adverse effects on fish and marine mammals. To counteract harmful alternation, disruption and destruction (**HADD**) of fish habitat, as defined by the *Fisheries Act*, Baffinland is proposing marine fish habitat offsetting measures in the FAA applications. In the marine environment Baffinland is proposing a rocky reef, achieved through placement of coarse rock substrate in low to moderate value habitat areas identified near the Steensby Port site. Based on habitat offset monitoring results to date from Baffinland's current operation at Milne Port, those areas proposed for infilling with coarse rock materials are anticipated to be recolonized by marine organisms shortly following installation, eventually leading to localized enhancement of fish productivity and fish habitat in the vicinity of Steensby Port. Overall, the coarse rock infill area is anticipated to result in higher net productivity than the existing condition. The proposed 7.25 ha rocky reef offset habitat is deemed adequate to fully compensate for fish habitat losses due to the Steensby Port construction, and will be subject to an authorization from the Department of Fisheries and Oceans Canada. (Marine FAA Vol. 2, Section 1.2).

Summary of CTA Section 98 Application components which address this topic

Specific details on walrus and seal are not included in the Section 98 application, as this aspect is marine based and not part of the Steensby Railway. However, this Tour follow up document is being given to CTA as part of the Section 98 application, for context should CTA decision makers have interest in this topic. Baffinland included this issue in the summary of interest of localities table submitted as part of the Section 98 Application (see SD-69, Stakeholder Engagement Report).

E. Conclusion

Baffinland acknowledges the statements made by Tour participants on the topic of walrus and seal during the Tour, and appreciates the opportunity for all dialogue on topics of interest. This feedback has been considered in relation to the 2012 FEIS, the outcomes of the NIRB review, the Project Certificate requirements (including terms and conditions, commitments, monitoring programs and management plan updates), ongoing adjustments that have occurred through monitoring, mitigation, community feedback and adaptive management since the Project began, and the measures reflected in the current pending Federal applications.

Baffinland also recognizes that there are established community grievance feedback processes in place, and ongoing community consultation mechanisms led by Baffinland as well as NIRB and Inuit, which will continue to allow us to work closely with Inuit on addressing issues throughout the life of the Project.

As summarized above, taking into account all of these mechanisms, Baffinland remains confident that there are robust measures in place to ensure that Steensby Component activities proceed in a manner that is protective of walrus and seal as well as Inuit cultural and rights-based activities relating to those species.

2. Fish and Fisheries

A. Summary of Feedback Shared During Tour

A summary of the verbal feedback heard by Baffinland in relation to this topic during the Tour is provided below. The comments were generally made in Inuktitut by participants and translated into English by local interpreters.

In Pond Inlet, Baffinland recorded four comments about fish and fisheries:

"There are places where fish are important food sources, we want these to be protected."

"The area around Steensby would be more about Igloolik and Hall Beach, but going back to the promises Baffinland made previously, they will make nice promises but in reality we will lose a lot of fisheries."

"Some of us have grown up near there, I think we have different sets of knowledge particular to those areas, in those areas around Mary River, the lakes there is now accumulation of iron ore, approximately a couple inches on the bottom of lakes."

"Also notice a lot of little lakes along the route that had fish, our original water lake near the airport, used to have a little cabin, it also had fish, the water lake used to have fish, but just want to think about what happened in the past."

In Sanirajak, Baffinland recorded three comments about fish and fisheries:

"...I used to live at Steensby, some people used to live in that area, they know the land because they grew up there, and there are too many fish in one of the lakes, they also know where the water is shallow or deep, lots of fish go in that area, the fish are going to be impacted by ships because that is where they go, I'm not as concerned about the fish being impacted by ships, if there's too many fish maybe the ship could wait until they go somewhere else, some of the channels in shallow areas, there's lots of fish, if you were to go on the point area, that would have less impact on the fish..."

"...8 crossings, its not going to impact any boaters, but you would have travellers, hunters, and habitat for a lot of fish, fish in a lot of those lakes, quite a few in that area with a quota for commercial fishing..."

"We will want help with fish going up the river, I don't know much about it but we are learning through studies, I'm thinking myself, water crossings, they might be impacted, that's what you figured, you could put markers where the fish are going, tagging them, we can study, we can monitor, in Rankin they were putting markers, tagging, and they

do track where they migrate to.” [DFO response - excellent point, we worked with a mine near Rankin Inlet, they are monitoring one of the projects, showing how fish can go up a small waterfall and how far they can go. We will require BIM to monitor the crossings to make sure fish go upstream of them, thank you.]

In Igloolik, Baffinland recorded two comments about fish and fisheries:

“I had a meeting with DFO about Mary River, it flows down to Pond Inlet, it flows down to Steensby Inlet, there are 3 major lakes flowing down, it would be great if the char in those lakes were researched before this thing goes on, like in 20 years we can review it and compare.”

“When I was a kid we used to go to Baffin Island as a family to go on the land for 2 weeks when out of school, that land was always the most beautiful and the best place to hunt, fish was the best around, caribou was the best, now on Baffin Island, people want what they catch, they say it is the best. When we started hearing the animals were going to be affected, getting sick, we were told, we feel that we will be told not to eat those animals because of the contaminants they have ate...”

B. NIRB Review Conclusions and Mitigations related to Fish and Fisheries

Summary of NIRB Review Process Residual Effects Assessment and Prediction Confidence

In the 2012 FEIS, Baffinland conducted an extensive assessment of the freshwater and marine environment, which relied on multiple lines of evidence, including available literature, IQ shared with Baffinland by Inuit, direct field research (e.g. freshwater and marine fish surveys), desktop studies (e.g. models, risk assessments), land use studies (e.g. Mary River Land use Study) and expert opinion. The assessment, considering this information, drew the following conclusions with respect to the Projects potential effects on fish and fisheries:

Steensby Port: “The Level of Confidence for the prediction of residual effects is high. Residual effects, significance, and overall Level of Confidence were based on results of baseline studies, which delineated the presence and distribution of Arctic Char and its habitat use in the LSA, and results of the water quality and quantity assessments. There are limited pathways of potential effects to Arctic Char in the Steensby Port LSA and residual effects are predicted to be confined to relatively localized areas.” (FEIS Volume 7, Section 4.5.8)

Steensby Railway: “The significance of residual effects of the Project on Arctic Char within the Railway/Access Road LSA is summarized in Table 7-4.21. Due to the low magnitude, limited spatial extent, and the reversible nature of the effects, no significant adverse effects are predicted.” (FEIS Volume 7, Section 4.5.8)

Steensby Inlet: “It is anticipated that residual effects of the Project on Arctic char health and condition will be small in magnitude (Level I), confined to the LSA (Level I), frequent or continuous (Level II or III), of short or medium duration (Level I or II), and fully reversible (Level I). As such, the residual effects are predicted to be “not significant”.

There is a moderate to high level of confidence associated with the assessment of effects on Arctic char. The pathways of effects between the Project and Arctic char are well understood, as the issues are common to previous projects and the nature of effects is well established. The baseline data and modelling used to assess residual effects on water and sediment quality were of moderate to high quality and, therefore, a moderate to high level of confidence is placed in the assessment of the effects of these ecosystem components on marine biota. The efficacy of the mitigation measures is also well established, as the techniques have been used in a variety of environments and circumstances. Finally, a conservative approach was applied when uncertainty was considered to be moderate to high.” (FEIS Volume 8, Section 4.6.3)

In the Final Hearing Report for the Mary River Project, the Nunavut Impact Review Board considered the freshwater aquatic environment in Section 4.8 and marine wildlife and marine habitat in Section 4.12 by providing a summary of the views of the Proponent, the views and concerns of Interested Parties and the views of the Board to draw specific conclusions and recommendations, which materialized in a draft Project Certificate 005, which was approved by the Ministers and issued in final on December 28, 2012.

Summary of relevant requirements from the NIRB Review Process and recognized under Project Certificate No. 005 and other existing approvals/agreements

The 2012 FEIS proposed a number of mitigations related to fish and fisheries through the assessment in Freshwater Environment Effects Assessment at Volume 7, Marine Effects Assessment at Volume 8, and the Surface Water and Aquatic Ecosystems Management Plan at Appendix 10D-2. The following table summarizes the mitigations for fish and fish habitat included in the 2012 FEIS.

Table 4. 2012 FEIS Fish and Fish Habitat Mitigation Measures

Mitigation Type	Mitigation Measures
Freshet Mitigation	Extreme flows occurring during the freshet can result in significant erosion and damage to creek crossing structures and fish habitat. Several operating procedures have been developed to mitigate the negative impacts caused by freshet events. These measures include: • Establishing/marketing locations of susceptible crossings so that they can be identified in the spring, prior to snow / ice melt; • Clearing of snow from roads where culverts / crossings are located; • Excavate downstream and upstream of crossing prior to the onset of freshet;

	• Monitor culverts for clearance of snow and ice; • Where snow and ice blockage occur, ensure that the blockage is removed to re-establish adequate flow; • Regular monitoring of crossing conditions to ensure acceptable conditions for fish migration. • Perform repairs / modification to crossing structures as required, based on results of monitoring and assessment of risk.
Fish Habitat Protection	• For locations where there is a problem with culvert outlet scour and erosion, the construction of rocky ramps downstream of the crossings is considered. Occasionally reinstalling culverts is required, or the installation of additional overflow culverts will be required. • During construction of the docks, for all works requiring the use of explosives (blasting) in or near water bodies, the “Guidelines for Use of Explosives In or Near Canadian Fisheries Water, 1998” will be followed. For any locations where the guidelines cannot be conformed with, the DFO will be consulted prior to commencing blasting. • For dock construction (dredging, piling, backfilling), silt curtain may be used to prevent the dispersion of sediments in marine waters. • Use of bubble curtains to attenuate noise in marine water.

In addition to the mitigations listed above, which form a part of the evidentiary record on which the Nunavut Impact Review Board and the Ministers based their approval of the Mary River Project, Project Certificate 005 also provides specific direction on mitigation measures for fish in the freshwater aquatic environment at Terms and Conditions 41- 48 and in the marine environment at Terms and Conditions 116-118 (see Attachment 2 enclosed):

- Terms and Condition 41 requires Baffinland to maintain a minimum 100-meter buffer between any fish bearing water bodies and quarries with potential for acid rock drainage or metal leaching.
- Term and Condition 42 requires Baffinland to maintain a minimum 30-meter buffer between the mining operations and adjacent water bodies.
- Term and Condition 43 requires the submission of a Site Drainage and Silt Control Plan.
- Term and Condition 44 provides measures to mitigate impacts of explosives on freshwater aquatic habitat.
- Term and Condition 45 requires adherence to the no-net-loss principle at all phases of the project to prevent or mitigate fish and fish habitat losses.
- Term and Condition 46 requires Baffinland to ensure that runoff meets discharge requirements.
- Term and Condition 47 requires Project infrastructure in watercourses to not unduly prevent or limit the movement of water in fish bearing streams and rivers.
- Term and Condition 48 requires Baffinland to mitigate the impacts to freshwater aquatic habitats in collaboration with DFO and QIA.

- Term and Condition 116 requires Baffinland to develop mitigation measures to prevent impacts to marine fish and fish habitat from explosives.
- Term and Condition 117 requires Baffinland to ensure that blasting in and near marine water only occurs during periods of open water.
- Term and Condition 118 requires Baffinland to incorporate appropriate mitigation plans for blasting prior to construction.

Follow Up Monitoring and Supplemental Baseline

While the FEIS 2012 residual effects assessments demonstrated the Project, with mitigations, was unlikely to have a significant effect on fish with a moderate to high degree of certainty, Baffinland is committed to ongoing freshwater and marine effects monitoring for the life of the Project. This is required under Project Certificate 005 and as a matter of best practice.

Baffinland will develop and implement comprehensive freshwater and marine environmental monitoring programs for the Steensby Component during all its phases, including pre-construction, construction, operation and closure.

Several examples of where Project Certificate 005 requires this are included here for reference (see Attachment 2 enclosed for details):

- Terms and Conditions 99 and 101. Outline the required marine environmental monitoring for the Steensby Component, including supplemental baseline data collection on Arctic Char abundance, distribution and habitat in Steensby Inlet.
- Term and Condition 113. Requires Baffinland to conduct monitoring of marine fish and fish habitat, which includes but is not limited to, monitoring for Arctic Char stock size and health condition in Steensby Inlet.
- Term and Condition 114. In the event of the development of a commercial fishery in the Steensby Inlet area, Baffinland shall update its monitoring program for marine fish and fish habitat to ensure that the ability to identify Arctic Char stock(s) potentially affected by Project activities and monitor for changes in stock size and structure of affected stocks and fish health (condition, taste) is maintained.
- Term and Condition 115. Outlines how Baffinland should explore offsetting options in the freshwater and marine environments to offset harm to fish associated with Project construction and infrastructure.
- Term and Condition 148. Requires Baffinland to undertake monitoring of the Project's harvesting interactions and how this relates to food security for the residents of North Baffin.
- Appendix B Commitment 005. Baffinland will work with the Hamlets and HTOs of Igloolik and Sanirajak to carry out additional baseline studies for marine, terrestrial, and avian wildlife related to Steensby.

Since 2021 Baffinland has been conducting fieldwork in support of various environmental authorizations required to develop specific elements of the Steensby Component of the Project.

The following is a list of supplemental baseline programs that have been conducted since 2021, and those that are planned prior to the commencement of Steensby construction.

Table 5. Steensby Supplemental Baseline Studies

Topic	Description	Year
Ongoing/Completed Studies		
Freshwater	Steensby Port Arctic Char Otolith Analysis	2021
Freshwater	Steensby Port and Railway Freshwater Habitat Surveys: Non-Fish Bearing Sites 2021-2023	2021-2023
Freshwater	Potential Offsetting Sites: 2023 Freshwater Habitat Surveys	2023
Freshwater	Fish Passage Assessment – Steensby Component	2023
Hydrology	Water Withdrawal Notification and Hydrological Assessment – Steensby Component	2023
Freshwater	Steensby Railway freshwater biota and habitat field surveys	2024
Marine Environment	Marine environment habitat survey of the intertidal zone in Steensby Port area	2024
Marine Environment	Fuel Spill Dispersion Modelling	2024-2025
Marine Environment	Airborne Noise Modelling – Construction of Steensby Port Facility	2025
Marine Environment	Underwater Noise Modelling - Construction of Steensby Port Facility – Marine Environment	2025
Future Studies		
Marine Environment	Surveys of marine water and sediment quality, marine vegetation, benthic invertebrates, fish and fish habitat, and other aspects	2026
Freshwater	Aquatic monitoring baseline study of waterbodies along the rail corridor and the freshwater environment at Steensby Port. Key data to be collected includes: hydrology, habitat, water quality, primary productivity, benthic invertebrate community, benthic invertebrate biomass, fish community, fish tissue quality, and non-lethal evaluation of fish health	2025-2026

Baffinland will integrate the outcomes of supplemental fieldwork into applicable environmental management plans as required, and submit them in its Annual Reports to the Nunavut Impact Review Board and to the Nunavut Water Board, as relevant.

C. Additional Monitoring and Mitigations and Management Plans Required under the Project Certificate and/or Other Approvals Relevant to Fish and Fisheries

Baffinland continues to refine its environmental management plans planned for the Steensby Component of the Project based on the operations that have occurred since the original approval of the Mary River Project, and based on additional focused community and regulator engagements.

Baffinland's Nunavut Water Board (NWB) Type 'A' Water Licence, the scope of which includes the Steensby Component, outlines fish protection requirements such as blasting monitoring and control measures, mesh screens on water intake hoses and limitations on in-stream activities. Continually, under the Water Licence Baffinland must implement several management plans relevant to fish and fisheries, including:

- Surface Water and Aquatic Ecosystem Management Plan
- Environmental Protection Plan
- Fresh Water Supply, Sewage and Wastewater Management Plan
- Spill Contingency Plan

Other environmental management plans applicable to the Steensby Component freshwater and marine infrastructure activities to be updated and developed include:

- Construction Environmental Management Plan
- Marine Monitoring Plan

The Adaptive Management Plan will also apply to this topic. The Surface Water and Aquatic Ecosystem Management Plan will follow the system for adaptive management outlined in the Adaptive Management Plan. This requires the prior establishment of monitoring objectives, indicators, thresholds and responses based on low, moderate and high levels of risk. This system is designed to detect changes in the environment early enough to investigate before they present a more serious risk to the environment. Should it be determined that the changes is reasonably Project related, Baffinland can implement one or more actions already identified in the Surface Water and Aquatic Ecosystem Management Plan, or a new mitigation not previously considered.

All environmental management plans will be subject to ongoing review and updates for the life of the Project. With respect to environment management plans relevant to monitoring of fish and fisheries, Baffinland will be supported by the advice of the Marine Environment Working Group, which includes HTO representatives from all impacted communities, and direct community engagement. Baffinland will report on the efficacy of its environmental management plans on a regular basis through its regulatory reporting obligations, as well as through its community engagement program.

D. Summary of Regulatory Application components which address this topic

Summary of FAA Application components which address this topic

Baffinland also heard from Inuit that protection of fish and fisheries was a core interest during its direct engagements (Freshwater FAA Appendix B, Marine FAA Appendix A, S.98 Application Supporting Document 69) and took care to address this item specifically in its applications.

Mitigation Measures

In the FAA Applications, the following mitigation measures are proposed to address these concerns:

- **Grey water and effluent discharge management.** Implementation of a Fresh Water Supply, Sewage and Wastewater Management Plan and adherence to Baffinland's Type 'A' Water Licence with the NWB. (Marine FAA Vol.1, Section 7.2.2)
- **Sediment and erosion control.** Implementation of a Sediment and Erosion Control Plan for all near water and in-water works. (Marine FAA Vol. 1, Section 7.2.3)
- **Construction environmental monitoring.** Independent environmental monitors (IEMs) will be contracted by Baffinland in consultation with DFO to monitor the construction phase of the Steensby Railway and Port. The presence of fish will be monitored by IEMs during in-water works. If a large aggregation of fish is observed in the work area, and there is a high potential for injury to the fish, workers will be instructed to immediately stop works until fish are no longer observed within the work area. (Marine FAA Vol. 1, Section 7.2.4; Freshwater FAA, Section 7.1.)
- **Fish passage (construction).** Silt curtains will be placed so they maintain fish passage through the work area. (Marine FAA Vol. 1, Section 7.2.5)
- **Fish salvages.** If necessary, fish and invertebrates will be relocated (i.e. from infilled areas) to areas with similar habitat. (Marine FAA Vol. 1, Section 7.2.6)
- **Blasting mitigation.** Monitoring of water bodies as prescribed in the Type 'A' Water Licence, implementation of DFO *Guidelines for the Use of Explosives in or Near Canadian Fisheries Waters* and underwater monitoring will be conducted during blasting activities to confirm the exclusion zones are protective of marine mammal and fish injury. (Marine FAA Vol. 1, Section 7.2.7; Freshwater FAA 5.1.5)
- **Pile installation mitigation.** Measures to reduce impacts on fish from impact pile installation. (Marine FAA Vol. 1, Section 7.2.8)
- **Vessel restrictions.** Restrictions on vessels to prevent damage to fish habitat (Marine FAA Vol. 1, Section 7.2.9)
- **Spill prevention and response.** Implementation of management plans to prevent and respond to potential spills in the marine and freshwater environment. (Marine FAA Vol. 1, Section 7.2.10)
- **Aquatic invasive species mitigation.** Minimize effects from potential transport of non-native or invasive species by means of ballast or hull fouling. (Marine FAA Vol. 1, Section 7.2.11)
- **Fish passage (infrastructure).** Culverts and bridges have been designed to minimize intrusion into water bodies and reduce multiple crossings of the same watercourse. The design focuses on control of the rates of water flow in the vicinity of, and through, all

crossings in order to control erosion and debris flow and to prevent ponding and damming. Additional bridges over fish-bearing waters and larger diameter culverts have been incorporated into the design of the Steensby Railway in order to facilitate fish migration. This design improvement was implemented from feedback received from communities and stakeholders. (Freshwater FAA, Section 5.1.3.1)

Baffinland is committed to minimizing the environmental effects of construction activities and will work closely with DFO and other agencies to develop monitoring plans and reporting protocols suitable to assess the effectiveness of the mitigation measures and standards (Freshwater FAA, Section 7). The effectiveness of mitigation measures will be assessed, as outlined in the Marine FAA (Marine FAA Vol. 1, Table 17).

Offsetting Measures

The aforementioned mitigation measures will be implemented during Steensby Railway and Port construction to minimize adverse effects on fish. Continually, to counteract harmful alternation, disruption and destruction (**HADD**) of fish habitat, as defined by the *Fisheries Act*, Baffinland is proposing both marine and freshwater fish habitat offsetting measures in the FAA applications.

In the marine environment Baffinland is proposing a rocky reef, achieved through placement of coarse rock substrate in low to moderate value habitat areas identified near the Steensby Port site (Marine FAA Vol. 2, Section 1.2).

For the freshwater environment, Baffinland is proposing a combination of offsetting measures such as barrier removals, channel enhancements, freshwater rocky reefs, translocation of fish and community-based initiatives.

The proposed marine and freshwater offset habitat is intended to fully compensate for fish habitat losses due to the Steensby Port and Steensby Railway construction. It will be subject to authorizations from the Department of Fisheries and Oceans Canada.

Summary of CTA Section 98 Application components which address this topic

As outlined in the S.98 Application, the location of the Steensby Railway has been extensively studied and developed by Baffinland, based on the substantial input and advice provided by Inuit, Inuit organizations, communities, and territorial and governmental representatives through the NIRB, NPC, and NWB processes, to, amongst other things: (i) minimize the potential impact and intrusion of the Steensby Railway on the local geography and wildlife; (ii) address the interests of the communities; and (iii) ensure that the railway can be operated safely and efficiently. As a result, the alignment of the Steensby Railway has been chosen to, in part, minimize intrusion into water bodies and reduce multiple crossings of the same watercourse, thereby minimizing the impact on fish and fish habitat.

The water crossings along the Steensby Railway will interact with an estimated 119 fish-bearing rivers and streams, and encroach at 26 fish-bearing lakes and ponds. There are only two fish species—namely, Arctic Char (*Salvelinus alpinus*) and Ninespine Stickleback (*Pungitius pungitius*)—present in the waterbodies within proximity of the Steensby Railway. As described above, Baffinland has applied to the DFO to obtain all remaining authorizations for the Steensby Railway water crossings as required under the *Fisheries Act*.

Furthermore, to reduce its impact on fish and fisheries, Baffinland has incorporated additional bridges over fish-bearing waters and larger diameter culverts into the design of the Steensby Railway in order to facilitate fish migration. More information is provided in the Background to the Application Brief at Part 2 [Location of the Steensby Railway], Part 3 [Alternative Alignments], and Part 7 [Environmental Assessment].

E. Conclusion

Baffinland acknowledges the statements made by Tour participants on the topic of fish and fisheries during the Tour, and appreciates the opportunity for all dialogue on topics of interest. This feedback has been considered in relation to the 2012 FEIS, the outcomes of the NIRB review, the Project Certificate requirements (including terms and conditions, commitments, monitoring programs and management plan updates), ongoing adjustments that have occurred through monitoring, mitigation, community feedback and adaptive management since the Project began, and the measures reflected in the current pending Federal applications.

Baffinland also recognizes that there are established community grievance feedback processes in place, and ongoing community consultation mechanisms led by Baffinland as well as NIRB and Inuit, which will continue to allow us to work closely with Inuit on addressing issues throughout the life of the Project.

As summarized above, taking into account all of these mechanisms, Baffinland remains confident that there are robust measures in place to ensure that Steensby Component activities proceed in a manner that is protective of fish and fisheries as well as Inuit cultural and rights-based activities relating to those species.

3. QIA-Led Tusaqtavut Reports

A. Summary of Feedback Shared During Tour

A summary of the verbal feedback heard by Baffinland in relation to this topic during the tour is provided below. It should be noted that the comments were generally made in Inuktitut by participants and translated into English by local interpreters.

One participant in Igloolik provided the NPMO with a copy of a QIA plain language summary of the Tusaqtavut reports.

B. NIRB Review Conclusions and Proposed Mitigations related to Tusaqtavut Reports

N/A (the Tusaqtavut Study Reports were not part of the 2012 NIRB Review and were prepared for use in the subsequent Phase 2 NIRB Review).

C. Monitoring and Mitigations and Management Plans Required under the Project Certificate and/or Other Approvals Relevant to Tusaqtavut Reports

The Tusaqtavut Study Reports were incorporated by Baffinland in its applications and are reflected in a desktop review of IQ and traditional knowledge for the Marine and Freshwater FAAs. These reports provided Inuit knowledge on species occurrences and distribution, important habitat areas, habitat use and important hunting/harvesting/fishing sites in the Steensby Component area. This information served as a key input in the development of the FAA applications. Much of the information about past and present use validates and confirms other IQ studies that were carried out by Baffinland previously (including the IQ Mapbook that formed the basis for the Project Certificate).

Note however that the Igloolik Tusaqtavut report reflects summaries of interviews with 26 Igloolik residents carried out in May 2019. It is important to recognize that over 5 and a half years have passed since then and there are many new project improvements now established, which were developed to address Inuit feedback and directly improve Inuit experience with the current Project.

Some of the new measures that are now in place that did not exist at the time the Tusaqtavut studies were carried out include:

- An Inuit led independent dust audit committee has been formed to respond to Inuit concerns about dust, and Baffinland is implementing their recommendations to reduce dust emissions from the Mary River Project. This is a commitment that was included in the Project Certificate through an amendment process in 2022. It is also worth noting that proceeding with the Steensby

Railway will significantly reduce dust along the Tote Road, which is a key concern identified by Inuit in relation to the Mary River Project as it is currently operated.

- In response to Inuit concerns regarding integration of IQ and proper interpretation, Baffinland has dedicated employees in each of the seven communities to increase pathways for IQ collection and facilitate two-way communication between the communities and Baffinland. These roles include:
 - Inuit Knowledge Holders (IKHs): the IKHs support Baffinland with understanding what hunters are saying and any concerns the communities may have regarding the project.
 - Community Relations Guides (CRGs): the CRGs help Baffinland understand what community members are saying. Their role includes communicating Project updates through meetings, on the radio and sharing information informally within their community.
 - IQ Integration Manager: based in Igloolik, the IQ Integration Manager plays a key role in interpreting western science conducted by Baffinland and conveys the information to the community in an accessible format in collaboration with an Inuk Scientist.

These roles all work together to play a vital part in communicating project updates and fostering a deeper understanding of the project among hunters and communities. They are critical in guiding Baffinland's senior management in decision-making, facilitating knowledge transfer between community members and Baffinland staff and guiding effective collection and use of IQ.

- Baffinland's Nunavut-based Northern Affairs Team leads all community engagement. This team, led by Inuit, delivers engagement in Inuktitut first, with interpretation to English when required. Baffinland is committed to working with the Hamlet and HTO of Igloolik on a number of commitments made in Project Certificate Appendix B, including (see Attachment 2 enclosed):
 - Commitment #005: Baffinland will work with the Hamlets and HTOs of Igloolik and Sanirajak to carry out additional baseline studies for marine, terrestrial, and avian wildlife related to Steensby.
 - Commitment #007: Baffinland confirms that it is committed to full consideration of the dust audit suggestions, and will implement accepted recommendations from the Independent Dust Audit at its earliest opportunity.
 - Commitment #008: Baffinland will engage with Igloolik to develop community infrastructure commitments – including significant infrastructure projects such as road paving and women and youth centers – with an aim to realize benefits to Igloolik:
 - Businesses;
 - Women;

- Youth; and
- Hunters.

D. Summary of Regulatory Application components which address this topic**Summary of FAA Application components which address this topic**

The Tusaqtavut Study Reports were incorporated by Baffinland in its application and are reflected in a desktop review of IQ and traditional knowledge for the Marine and Freshwater FAAs (Freshwater FAA, Section 4.5 – Inuit Qaujimajatuqangit; Marine FAA, Section 5.1.1 – Desktop Review). These reports provided Inuit knowledge on species occurrences and distribution, important habitat areas, habitat use and important hunting/harvesting/fishing sites in the Steensby Component area. This information served as a key input in the development of the FAA applications. Much of the information about past and present use validates and confirms other IQ studies that were carried out by Baffinland previously (including the IQ Mapbook that formed the basis for the Project Certificate).

Summary of CTA Section 98 Application components which address this topic

Baffinland submitted a detailed Stakeholder Engagement Report as part of this Application (SD-69, Stakeholder Engagement Report). The report provides an overview of how Baffinland has been integrating IQ in the Project design, which includes a discussion of consideration of the Tusaqtavut Studies.

E. Conclusion

Baffinland acknowledges the statements made by Tour participants on the topic of QIA-led Tusaqtuvut studies during the Tour, and appreciates the opportunity for all dialogue on topics of interest. This feedback has been considered in relation to the 2012 FEIS, the outcomes of the NIRB review, the Project Certificate requirements (including terms and conditions, commitments, monitoring programs and management plan updates), ongoing adjustments that have occurred through monitoring, mitigation, community feedback and adaptive management since the Project began, and the measures reflected in the current pending Federal applications.

Baffinland also recognizes that there are established community grievance feedback processes in place, and ongoing community consultation mechanisms led by Baffinland as well as NIRB and Inuit, which will continue to allow us to work closely with Inuit on addressing issues throughout the life of the Project.

As summarized above, taking into account all of these mechanisms, Baffinland confirms that the feedback provided through the QIA-led Tusaqtuvut studies has been incorporated into the applications and that important mitigations have been implemented since the Tusaqtuvut study interviews took place in Igloolik in 2019, which address topics identified in those reports.

4. Inuit participation in Project monitoring

A. Summary of Feedback Shared During Tour

A summary of the verbal feedback heard by Baffinland in relation to this topic during the Tour is provided below. The comments were generally made in Inuktitut by participants and translated into English by local interpreters.

In Pond Inlet Baffinland recorded one comment on this topic:

“Monitoring is not always the same, people who are either very enthusiastic and others who are lazy to monitor, depends on the person if they feel impacted normally, that will impact how you feel about it, compared to an outsider.”

In Igloolik Baffinland recorded one comment on this topic:

“Are there Inuit on the monitoring program?” [Note Baffinland responded during the tour to confirm that the Site Environment team has Inuit members, consultants have Inuit team members, and QIA environmental monitors are on site]

“We are not here just to say no, we are here to listen, here to see, want our voices to be heard, want to know what animals are being affected in that area. People that have passed have said that animals in that area are the best animals to catch, even better than the ones we can catch here, I believe that. I understand we are not just saying no, we want to be included when it comes to consultations, when they have questions, we do not just want pamphlets, these have already been given to us, we do not have a say in what is written to us. Baffinland was given this and they are just showing us, must monitor and consult before.”

B. NIRB Review Conclusions and Mitigations related to Inuit Participation in Project Monitoring

Summary of NIRB Review Process Residual Effects Assessment and Prediction Confidence

In the 2012 FEIS, Baffinland conducted an extensive assessment of the socio-economic environment, including livelihood and employment, which relied on multiple lines of evidence, including available literature, interviews with residents of the LSA workers and family members, discussions with community representatives, topic-specific workshops in communities, as well as meetings and interviews with government officials. The assessment of wage employment as it relates to creation of jobs in the LSA and employment of LSA residents drew the following conclusions with respect to the Projects potential effects on wage employment:

“Job creation is a positive effect that will be experienced by way of the six point-of-hire communities. The effect may be experienced across the community as an opportunity for residents across the demographic spectrum. The availability of jobs may have beneficial effects even for those not employed; for example, it may encourage students to see the value of education or consider the livelihood paths they wish to pursue. Based on the high magnitude and continuous frequency of labour demand, the positive effect of Project job creation on wage employment is assessed to be significant. This assessment is in line with community perceptions about the Project.” (FEIS, Volume 4, Section 4.4.3)

In the Final Hearing Report for the Mary River Project, the Nunavut Impact Review Board considered livelihood and employment in Section 5.3 by providing a summary of the views of the Proponent, the views and concerns of Interested Parties and the views of the Board to draw specific conclusions and recommendations, which materialized in a draft Project Certificate 005, which was approved by the Ministers and issued in final on December 28, 2012.

Summary of relevant requirements from the NIRB Review Process and recognized under Project Certificate No. 005 and other existing approvals/agreements

Baffinland will develop and implement a comprehensive environmental monitoring programs for the Steensby Component during all its phases, including pre-construction, construction, operation and closure. Several examples of where Project Certificate 005 provides specific direction on Inuit participation in monitoring programs are included here for reference (see Attachment 2 enclosed):

- Term and Condition 126. Monitoring programs shall be designed to ensure that local users of the marine area in communities along the shipping route have opportunity to be engaged throughout the life of the Project in assisting with monitoring and evaluating potential project-induced impacts and changes in marine mammal distributions.
- Term and Condition 162. Reasonable efforts shall be made to engage Elders and community members of the North Baffin communities 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.
- Term and Condition 163. Baffinland shall continue to engage and consult with the communities of the North Baffin region to ensure they are kept informed about the Project activities, and management and monitoring plans continue to evolve in an informed manner.

Inuit participation in monitoring programs provide valuable knowledge and skill sets for program implementation. Inuit participants have been involved in the annual monitoring

programs at all levels since Project inception (with the exception of 2020 due to COVID-19 restrictions) and will continue to be involved during Steensby construction and operation. For example, in 2023 there were:

- Twelve Inuit Shipping Monitors in Pond Inlet for the shipping season
- Eight Inuit participants in terrestrial monitoring programs
- Fifteen Inuit participants in marine monitoring programs
- Three Inuit participants in the Steensby archaeology program. Additionally, an Elder from Igloolik, Natalino Piugattuk, toured archaeological excavations at the Mary River Mine Site, participated in a helicopter survey of the Steensby Rail alignment, including the planned Steensby Port site, as well as landing at eight different archaeology sites.
- Baffinland's Site Environment Team has seven Inuit technicians and specialists as well as four QIA environmental monitors.

Additionally, Baffinland leads the Marine Environment Working Group (**MEWG**) and Terrestrial Environment Working Group (**TEWG**). Both the MEWG and TEWG include members from the five North Baffin HTOs. As the Steensby Component develops, representatives from the HTOs in Kinngait and Kimmirut will be invited to attend working group meetings. These working groups serve as a platform for Inuit to be presented with annual monitoring results and be involved in program development.

C. Additional Monitoring and Mitigations and Management Plans Required under the Project Certificate and/or Other Approvals Relevant to Inuit Participation in Monitoring

The complementary measures proposed by Baffinland in the FAAs provide opportunities for Inuit participation (Marine FAA Vol. 2 Section 3.9, Freshwater FAA Section 8.3). For instance, community involvement in stream enhancements and beach clean-ups (Marine FAA Appendix A-1, Freshwater FAA Appendix B1). Participation of Inuit in offsetting and complementary measures will be highly encouraged by Baffinland.

D. Summary of Regulatory Application components which address this topic

Summary of FAA Application components which address this topic

As outlined above, the implementation of complementary measures for the marine and freshwater FAAs offsetting will provide opportunity for Inuit participation through involvement in stream enhancement, beach clean-ups and community-based research projects (Marine FAA Vol. 2 Section 3.9, Freshwater FAA Section 8.3).

Summary of CTA Section 98 Application components which address this topic

The Section 98 Application includes an overview of employment on the Mary River Project. In response to comments from the localities about the need for employment and other economic benefits and opportunities, Baffinland communicated to localities that the construction of the Steensby Components of the Mary River Project will create an overall increase in employment opportunities with the Mary River Project and will also increase the benefits to Qikiqtani Inuit under the Mary River IIBA. The construction of the Steensby Components will bring better financial stability to the Mary River Project and, in turn, stabilize employment and contracting opportunities. Baffinland has also committed that no Inuit will lose their jobs as a result of the transition from trucking to railway and, as described in the Background to the Application Brief at **Part 1, Section III.1D** [*Summary of Regulatory History of the Mary River Project*] (starting at page 40), the Steensby Component will also support the timely sharing of benefits with Qikiqtani Inuit under the Mary River IIBA.

Furthermore, Baffinland shared some of the key data related to Inuit benefits and employment. To date, through the Mary River IIBA and other community partnerships, Baffinland has cumulatively paid more than \$164 million in financial benefits to Qikiqtani Inuit, provided over \$150 million in wages to Inuit employees and contractors, reached over \$1.79 billion in contracts awarded to Inuit firms, provided over \$3.8 million through its Sponsorship and Donation Program, seen over 650 graduates of pre-employment training programs, and delivered over 229,000 hours of training to Inuit employees, amongst other socio-economic benefits.

Baffinland estimates that the total value of financial benefits which will flow to Inuit and Nunavut over the life of the Mary River Project (including the Steensby Railway) will exceed \$5 billion CAD in direct payments to the Governments of Nunavut and Canada, and to Inuit Organizations, including QIA and Nunavut Tunngavik Inc. (NTI), as well as more than \$1 billion CAD paid directly to Inuit through employment at the Mary River Project.

E. Conclusion

Baffinland acknowledges the statements made by Tour participants on the topic of Inuit direct involvement in monitoring during the Tour, and appreciates the opportunity for all dialogue on topics of interest. This feedback has been considered in relation to the 2012 FEIS, the outcomes of the NIRB review, the Project Certificate requirements (including terms and conditions, commitments, monitoring programs and required management plan updates), ongoing adjustments that have occurred through monitoring, mitigation, community feedback and adaptive management since the Project began, and the measures reflected in the current pending Federal applications.

Baffinland also recognizes that there are established community grievance feedback processes in place, and ongoing community consultation mechanisms led by Baffinland as well as NIRB

and Inuit, which will continue to allow us to work closely with Inuit on addressing issues throughout the life of the Project.

As summarized above, taking into account all of these mechanisms, Baffinland remains confident that there are robust measures in place to ensure that Steensby Component activities proceed in a manner that will ensure that Inuit continue to have opportunities to directly participate in Project monitoring, including monitoring of the Steensby Component.

5. Ballast Water and Invasive Species

A. Summary of Feedback Shared During Tour

A summary of the verbal feedback heard by Baffinland in relation to this topic during the Tour is provided below. It should be noted that the comments were generally made in Inuktitut by participants and translated into English by local interpreters.

Baffinland recorded the following comment on this topic in Sanirajak:

"...when [ships] go to the port, they pour out water out to the sea, the water that they pour out, is it affecting the fish?"

Baffinland recorded the following two comments on this topic in Igloodik:

"Ballast water, a couple days ago there was a DFO person who said there were some organisms that came off a ship, they used chlorine to kill them off, I am concerned about invasive species, the chemical that was being used, being poured out into our waters. Invasive species, and the chlorine being used to kill off the organisms. I wonder if there is a better way to take off the ballast water before Nunavut waters." [Note our understanding is that DFO was in the community in prior weeks to discuss topics specific to ballast water, which may have caused confusion among some participants relating to the topics that were the subject of the Tour]

"Not too satisfied with chlorine being added from the ships, a lot of ships to put chlorine in the water, it kills, I wouldn't want to eat chlorinated fish. That's like 120 ships being poured out, a lot of ballast water being poured out."

B. NIRB Review Conclusions and Mitigations related to Ballast Water and Invasive Species

Summary of NIRB Review Process Residual Effects Assessment and Prediction Confidence

In the 2012 FEIS, Baffinland conducted an extensive assessment of the marine environment, which relied on multiple lines of evidence, including available literature, direct field research (e.g. fish surveys), desktop studies (e.g. models, risk assessments), land use studies (e.g. Mary River Land use Study) and expert opinion. The assessment, considering this information, drew the following conclusions with respect to the Projects potential effects on fish and benthic biota in marine environment from ballast water discharge at Steensby Inlet:

"...no effects on fish habitat in Steensby Inlet are anticipated from the discharge of ballast water... Benthic biota in Steensby Inlet are exposed annually to salinity

levels within the range of the ballast, and it is reasonable to expect that the species present would be able to adjust to the minimal shift in salinity imposed by the ballast.” (FEIS Volume 8, Section 4.5.3)

“There is a moderate to high level of confidence associated with the assessment of Project-related effects on marine fish habitat... Modelling was used to determine the spatial distribution of fugitive ore dust deposition and ballast water discharged from ore carriers.” (FEIS Volume 8, Section 4.5.4)

In the Final Hearing Report for the Mary River Project, the Nunavut Impact Review Board considered marine wildlife and marine habitat in Section 4.12 by providing a summary of the views of the Proponent, the views and concerns of Interested Parties and the views of the Board to draw specific conclusions and recommendations, which materialized in a draft Project Certificate 005, which was approved by the Ministers and issued in final on December 28, 2012.

Summary of relevant requirements from the NIRB Review Process and recognized under Project Certificate No. 005 and other existing approvals/agreements

The 2012 FEIS proposed mitigation related to ballast water discharge through the assessment in Marine Effects Assessment at Volume 8, and the Shipping and Marine Wildlife Management Plan at Appendix 10D-10. This plan outlines the rules and procedures, mitigation and management measures which reflect Baffinland’s environmental commitments with respect to shipping activities along the Southern Shipping Route. The management plan was designed to minimize potential effects of the Mary River Project on the marine environment, including potential effects from transportation of NIS or AIS by means of ballast water or hull fouling. All ships will exchange ballast water in accordance with the *Ballast Water Control and Management Regulations* from Transport Canada. Baffinland will conduct both a mid-ocean exchange and use an International Maritime Organization (IMO) and Canadian Coast Guard approved Ballast Water Treatment System (BWTS) to mitigate introduction of non-native species.

In addition to the mitigations discussed above, which form a part of the evidentiary record on which the Nunavut Impact Review Board and the Ministers based their approval of the Mary River Project, Project Certificate 005 also provides specific direction on the exchange of ballast water at Terms and Conditions 86 – 91 (see Attachment 2 enclosed).

- Term and Condition 86 requires to update ballast water discharge impact predictions to inform sampling sites and monitoring.
- Term and Condition 87 requires Baffinland to develop a detailed monitoring program at a number of sites over the long term to evaluate changes to marine habitat and organisms and to monitor for non-native introductions resulting from Project-related shipping.
- Term and Condition 88 requires Baffinland to provide an updated risk analysis of ballast water discharge before commercial shipping.

- Term and Condition 89 requires Baffinland to develop and implement an effective ballast water management program.
- Term and Condition 90 require Baffinland to incorporate provisions to comply with the International Convention for the Control and Management of Ship's Ballast Water and Sediment (2004) in its Shipping and Marine Mammals Management Plan.
- Term and Condition 91 requires Baffinland to develop a detailed monitoring plan for Steensby for fouling that complies with all applicable regulatory requirements, and includes sampling areas on ships where antifouling treatment is not applied such as the areas where non-native species are most likely to occur.

Follow Up Monitoring and Supplemental Baseline

While the FEIS 2012 residual effects assessments demonstrated the Project, with mitigations, was unlikely to have a significant effect with moderate to high degree of certainty, Baffinland is committed to ongoing marine effects monitoring for the life of the Project. This is required under Project Certificate 005 and as a matter of best practice.

Baffinland will develop and implement a comprehensive marine environmental monitoring programs for the Steensby Component during all its phases, including pre-construction, construction, operation and closure.

Several examples of where Project Certificate 005 requires this are included here for reference (see Attachment 2 enclosed):

- Term and Condition 87. Baffinland shall develop a detailed monitoring program at a number of sites over the long term to evaluate changes to marine habitat and organisms and to monitor for non-native introductions resulting from Project-related shipping.
- Term and Condition 91. Baffinland shall develop a detailed monitoring plan for Steensby for fouling that complies with all applicable regulatory requirements, and includes sampling areas on ships where antifouling treatment is not applied such as the areas where non-native species are most likely to occur.
- Terms and Conditions 99 and 101. Outline the required marine environmental monitoring for the Steensby Component, including establish a shipping season, inter-annual baseline in Steensby Inlet that enables effective monitoring of physical and chemical effects of ballast water releases.
- Term and Condition 148. Requires Baffinland to undertake monitoring of the Project's harvesting interactions and how this relates to food security for the residents of North Baffin.
- Appendix B Commitment 005. Baffinland will work with the Hamlets and HTOs of Igloodik and Sanirajak to carry out additional baseline studies for marine, terrestrial, and avian wildlife related to Steensby.

Since 2021 Baffinland has been conducting fieldwork in support of various environmental authorizations required to develop specific elements of the Steensby Component of the Project. Prior to the commencement of significant ship traffic to Steensby Port, a baseline marine environmental effects program will collect supplemental data on marine water and sediment quality, marine vegetation, benthic invertebrates, fish and fish habitat, and other aspects of the marine environment.

Baffinland will integrate the outcomes of supplemental fieldwork into applicable environmental management plans as required, and submit them in its Annual Reports to the Nunavut Impact Review Board.

C. Additional Monitoring and Mitigations and Management Plans Required under the Project Certificate and/or Other Approvals Relevant to Ballast Water and Invasive Species

Baffinland continues to refine its environmental management plans planned for the Steensby Component of the Project based on the operations that have occurred since the original approval of the Mary River Project, and based on additional focused community and regulator engagements.

With respect to shipping activities, Baffinland has developed an industry leading marine environmental effects and aquatic invasive species (AIS)/Non-indigenous species (NIS) monitoring program and mitigation plan for the Northern Shipping Route. The Baffinland NIS/AIS monitoring program represents the most comprehensive monitoring program for NIS/AIS conducted by a marine port in Canada. Baffinland has proposed to work directly with communities and regulators through the Marine Environment Working Group and other forums to review the original Shipping and Marine Wildlife Management Plan for the Southern Shipping Route, with a view to adapting lessons learned from the Northern Shipping Route, as feasible and appropriate.

In addition to the Shipping and Marine Wildlife Management Plan, other environmental management plans to be developed and applicable to the Steensby Component marine infrastructure and activities includes:

- Ballast Water Management Plan
- Construction Environmental Management Plan
- Environmental Protection Plan
- Marine Monitoring Plan

The Adaptive Management Plan will also apply to this topic. The Shipping and Marine Wildlife Management Plan will follow the system for adaptive management outlined in the Adaptive Management Plan. This requires the prior establishment of monitoring objectives, indicators, thresholds and responses based on low, moderate and high levels of risk. This system is designed to detect changes in the environment early enough to investigate before they present

a more serious risk to the environment. Should it be determined that the change is reasonably Project related, Baffinland can implement one or more actions already identified in the Shipping and Marine Wildlife Management Plan, or a new mitigation not previously considered.

All environmental management plans will be subject to ongoing review and updates for the life of the Project. With respect to marine environment management plans, Baffinland will be supported by the advice of the Marine Environment Working Group, which includes HTO representatives from all impacted communities, and direct community engagement. Baffinland will report on the efficacy of its environmental management plans on a regular basis through its regulatory reporting obligations, as well as through its community engagement program.

D. Summary of Regulatory Application components which address this topic

Summary of FAA Application components which address this topic

The aforementioned Shipping and Marine Wildlife Management Plan (FEIS Appendix 10D-10, Marine FAA Appendix E) outlines the rules and procedures, mitigation and management measures which reflect Baffinland's environmental commitments with respect to shipping activities along the Southern Shipping Route.

Mitigations as defined in the Shipping and Marine Wildlife Management Plan are applicable for Steensby Construction and Operation. The Marine FAA outlines these measures and considers them effective in mitigation of AIS/NIS (Marine FAA Vol. 1, Table 17). Measures include:

- Ballast water exchange plus ballast water management system (treatment) and mandatory compliance check before releasing
- Anti-fouling coatings meet regulations, applied to appropriate surfaces of vessel
- Visual inspection of vessels, maintenance of anti-fouling systems
- NIS/AIS monitoring

Project vessels during the construction phase are primarily domestic vessels and are not anticipated to release ballast water in Steensby Inlet. Baffinland requires all vessels arriving at Steensby or Milne Ports to meet Canadian and, where applicable, international standards to minimize hull fouling (Marine FAA Vol. 1, Section 6.2.1.5).

Summary of CTA Section 98 Application components which address this topic

Specific details on ballast water and invasive species are not included in the Section 98 application, as this activity is wholly marine based and not part of the Steensby Railway. However, this Tour follow up document is being given to CTA as part of the Section 98 application, for context should CTA decision makers have interest in this topic.

E. Conclusion

Baffinland acknowledges the statements made by Tour participants on the topic of ballast and invasive species, and appreciates the opportunity for all dialogue on topics of interest. This feedback has been considered in relation to the 2012 FEIS, the outcomes of the NIRB review, the Project Certificate requirements (including terms and conditions, commitments, monitoring programs and management plan updates), ongoing adjustments that have occurred through monitoring, mitigation, community feedback and adaptive management since the Project began, and the measures reflected in the current pending Federal applications. This is also a topic that is subject to extensive legal and technical requirements that apply industry-wide.

Baffinland also recognizes that there are established community grievance feedback processes in place, and ongoing community consultation mechanisms led by Baffinland as well as NIRB and Inuit, which will continue to allow us to work closely with Inuit on addressing issues throughout the life of the Project.

As summarized above, taking into account all of these mechanisms, Baffinland remains confident that there are robust measures in place to ensure that Steensby Component activities proceed in a manner that will prevent changes to the marine environment as a result of ballast water exchange, and in turn will prevent negative impacts on any related Inuit rights.

6. Caribou

A. Summary of Feedback Shared During Tour

A summary of the verbal feedback heard by Baffinland in relation to this topic during the Tour is provided below. The comments were generally made in Inuktitut by participants and translated into English by local interpreters.

In Sanirajak, Baffinland recorded 3 comments on caribou:

“Only problem is that sometimes we go caribou hunting to that area from this area, you have to use tags, but nowadays not too many people go hunting to Baffin Island anymore.”

“We have concerns about the railroad, there was a caribou study, there are studies from Baker Lake, that is a concern for us, right now there are low caribou, I would like to have camera stations at regular intervals in a grid pattern to see if the migration is impacted by the construction of the railroad, so you don’t need to fly to do a study, we have the technology.”

“Since I was a child I have been going back and forth, when the caribou come back in the springtime nowadays in Sanirajak live close to the sea, and when the caribou move on

the shoreline, we know how they travel. Steensby has been used by the community, especially Sanirajak people, use that place a lot more than other places on Baffin Island - mentioned wildlife might be impacted by dust, and the caribou."

In Pond Inlet, Baffinland recorded one comment regarding caribou:

"I am thankful as I recently came by the area around Steensby by skidoo, used to go there by helicopter as I did snow removal contract work, it has less wind protection than this area around here, snow characteristics are very different, becomes very hard compared to more protected areas, could be more complicated for operations or wildlife, because the locomotive will not be able to stop immediately especially if there is caribou, it would be beneficial if a caribou was killed, to send it to the closest community, I believe the speed was listed as 60 km/h, I checked a skidoo at that speed and its quite fast, 3 or 4 of us."

In Igloolik, Baffinland recorded one comment regarding caribou:

"I agree with what my colleague just said, as a board member of the HTO, when I was a kid we used to go to Baffin island as a family to go on the land for 2 weeks when out of school, that land was always the most beautiful and the best place to hunt, fish was the best around, caribou was the best, now on Baffin Island, people want what they catch, they say it is the best. When we started hearing the animals were going to be affected, getting sick, we were told, we feel that we will be told not to eat those animals because of the contaminants they have ate, we will hear from Pond Inlet, even though we do not hunt animals on the island, let's just forget about it, it should not be like that, we should look after them. We want to eat country food all the time, it's getting difficult."

B. NIRB Review Conclusions and Mitigations related to Caribou

Summary of NIRB Review Process Residual Effects Assessment and Prediction Confidence

In the 2012 FEIS, Baffinland conducted an extensive assessment of caribou, which relied on multiple lines of evidence, including available literature, IQ shared with Baffinland by Inuit, direct field research (e.g. aerial surveys), desktop studies (e.g. models, risk assessments), land use studies (e.g. Mary River Land use Study) and expert opinion. The assessment, considering this information, drew the following conclusions with respect to the Project's potential effects on caribou:

"The Project is expected to result in not significant changes to factors that could act to influence caribou population dynamics. Population dynamics of caribou herd can be influenced if project activities that significantly change the numbers of

births, deaths, emigration, or immigration. The Project is expected to cause not significant changes to north Baffin Island caribou mortality, habitat loss, or reduced health; therefore, there is no pathway to an effect on caribou population dynamics from project effects. Consequently, changes to caribou population dynamics are not anticipated.” (FEIS, Volume 6, Section 5.2.3)

In the Final Hearing Report for the Mary River Project, the Nunavut Impact Review Board considered caribou in Section in 4.9 by providing a summary of the views of the Proponent, the views and concerns of Interested Parties and the views of the Board to draw specific conclusions and recommendations, which materialized in a draft Project Certificate 005, which was approved by the Ministers and issued in final on December 28, 2012.

Summary of relevant requirements from the NIRB Review Process and recognized under Project Certificate No. 005 and other existing approvals/agreements

The 2012 FEIS proposed a number of mitigations related to caribou through the assessment in Caribou Effects Assessment at Volume 6, and the Terrestrial Environment Mitigation and Monitoring Plan at Appendix 10D - 11. The following table summarizes the mitigations for Caribou included in the 2012 FEIS:

Table 6. 2012 FEIS Caribou Mitigation Measures

Mitigation Type	Mitigation Measure(s)
Habitat Mitigation	• Minimizing the Project footprint to the extent possible, thus minimizing the direct loss of habitat or the reduction of habitat effectiveness (indirect habitat loss). • Limit sensory disturbances where possible throughout the year. • Dust suppression on mine roads during the growing season. • Reclamation of disturbed areas. • Cessation of all non-essential activities in the Cockburn Lake area (the location of most caribou calving sites) between 15 May – 15 June (e.g., planning construction activities to avoid this area during the calving season). • No increase in mine construction or operational activity 15 May – 15 July and where possible, planning maintenance shut-downs to correlate with calving season.
Movement Mitigation	• Snow management that will grade snow banks along the Railway and roadways so that caribou can easily cross the transportation corridor without being blocked by steep snow banks. • The Railway embankment will be constructed of finer fill material and graded at the five trails that might result in a barrier to caribou movement across the Railway embankment. Finer fill will replicate natural trail conditions, preventing leg entrapment, and gentler gradients will reduce the visual barrier of the embankments. Railway operators will be made aware of the crossing areas, and will be required to report any caribou sighting along the railway. • A large railway bridge will be constructed at the Cockburn Lake caribou water crossing; the bridge will be tall enough (10 m agl) to allow caribou to pass underneath.

	• Using IQ knowledge provided by hunters and elders, if migratory caribou start to move through the RSA again, then the leading caribou will be allowed to cross over the railway undisturbed so that others will follow. • On-site review of caribou trail crossings and implement adjustments to structure of embankments with QIA-identified elders and hunters. • New trail crossings can be modified with gentler slopes to facilitate caribou movement when caribou deflections are detected. • If caribou mortality were to increase as a direct result of the project, the effects can be readily mitigated by increasing traffic controls including seasonal traffic limitations of both the tote road (during years of equipment mobilization) and rail. Timing and duration of limitations will be determined by repeated on-site observations of caribou behaviour along the transportation corridors as the project proceeds through construction and operation. • Use of Railway with consistent trainset passes to which caribou are expected to adapt.
Mortality Mitigation	• Use of railway with consistent trainset passes to which caribou are expected to adapt. • Wildlife right-of-way policy on Project roads. • Signage of known caribou crossings through Project infrastructure. • Radio communication between train operators to bring attention to presence of animals on or near Railway. • Adjusting speed limits for trucks and trains that will allow caribou time to get off the road or rail, and will increase the chance of a truck being able to stop before colliding with a caribou. • The train is expected to operate 300 days per year, so there could be times when schedules could be altered. • Removal of carcasses from transportation corridors to discourage further collisions (e.g., scavengers on Railway). • Notwithstanding the accommodation provided for Traditional Inuit Activities (Human Resource Management Plan SD-SEMP-003), Baffinland has a No Hunting/No Fishing policy for its employees.
Health Mitigation	The primary pathway of Project-related health effects on caribou is expected to be dustfall. Dust suppression and other mitigation measures related to air quality are detailed in the Air Quality and Noise Abatement Management Plan. These mitigation measures are detailed in Section 15 of this letter.
Other Mitigation	• Baffinland maintains an active employee induction program. This induction program is designed to increase awareness of employees to health, safety and environmental issues at the site. The program addresses wildlife encounters, behavior to discourage wildlife habituation, waste management and other practices likely to impact wildlife and birds. During site orientation, employees will be provided with the best practices for waste management on site, and will be instructed on the purpose and benefits of avoiding wildlife, where possible.

In addition to the mitigations listed above, which form a part of the evidentiary record on which the Nunavut Impact Review Board and the Ministers based their approval of the Mary River Project, Project Certificate 005 also provides specific direction on caribou to address community concerns (see Attachment 2 enclosed):

- Term and Condition 52, requires Baffinland to initiate design, and develop the timeline to test and implement means of deterring caribou from pits and other hazardous areas.
- Term and Condition 53, requires Baffinland to demonstrate consideration for a. Steps taken to prevent caribou mortality and injury as a result of train and vehicular traffic, monitoring and mitigation measures at points where the railway, roads, trails and flight paths pass through caribou calving areas, evaluation of the effectiveness of proposed

caribou crossings over the railway, development of a surveillance system along the railway corridor to identify the presence of caribou and protocols for documentation and reporting of all caribou collisions and mortalities.

- Term and Condition 54, requires Baffinland to update the Terrestrial Environmental Management and Monitoring Plan which includes monitoring for caribou presence, details of monitoring and mitigation activities, and details of a comprehensive hunter harvest survey to determine the effect on caribou populations and potential effects on caribou behavior resulting from increased human access.
- Project Certificate Commitment 20 requires the installation of ploughs on the sides of locomotives in order to ensure that the rail line is kept clear of snow during Railway operations.
- Project Certificate Commitment 15 requires the creation of crossings along the Railway track which facilitate the passage of caribou. This condition was developed from a Pond Inlet community member who expressed concern that the rail line would block traditional routes and steep embankments, but commented that if crossing were possible, it would be good. Project team agreed that crossings are needed.
- Project Certificate Commitment 73 requires implementing traffic controls along the Railway if it is determined that the caribou mortality rate is impacted by the Railway. This condition was developed due to concerns from the communities on the unpredictability of effects of Railway on caribou migration, mortality, calving, etc. and uncertainty regarding whether caribou crossings will work, whether caribou will be attracted to train tracks, reactions to tunnels and likelihood of trains hitting caribou
- Term and Condition 171 requires Baffinland to include in its Terrestrial Wildlife Management and Monitoring Plan a commitment to establish deterrents along the railway at any areas where caribou could use the embankment.
- Project Certificate, Amendment 5, Appendix B, B1 002 requires Baffinland to continue to implement the following mitigation measures to reduce or avoid impacts to terrestrial wildlife (Relevant species: Caribou, Wolf) as a result of operations:
 - Mitigation measures that will reduce the likelihood of reduced habitat effectiveness for caribou
 - Mitigation measures that will reduce the likelihood of the Project being a barrier to caribou movement
 - Mitigation measures implemented to reduce the likelihood of the Project increasing caribou mortality risk

Follow Up Monitoring and Supplemental Baseline

While the 2012 FEIS residual effects assessments demonstrated the Project, with mitigations, was unlikely to have a significant effect on caribou with a high degree of certainty, Baffinland is committed to ongoing caribou effects monitoring for the life of the Project. This is required under Project Certificate 005 and as a matter of best practice.

Baffinland will develop and implement a comprehensive caribou monitoring programs for the Steensby Component during all its phases, including pre-construction, construction, operation and closure.

Several examples of where Project Certificate 005 and other agreements requires this are included here for reference:

- Term and Condition 35 requires Baffinland to undertake monitoring of baseline metal levels in organ tissue from caribou harvested within the local study area, prior to commencing operations. The Proponent is strongly encouraged to coordinate with local Hunters and Trappers Organizations regarding procurement of harvested caribou organs.
- Term and Condition 36 requires Baffinland to establish an on-going monitoring program for vegetation species used as caribou forage (such as lichens) near Project development areas.
- Term and Condition 170, requires Baffinland to update the Terrestrial Wildlife Management and Monitoring Plan, plans for increased caribou monitoring efforts including weekly winter track surveying and summer and fall surveys undertaken on foot twice per month.
- Project Certificate, Amendment 5, Appendix B, B1 064a requires Baffinland to resource a study carried out by QIA of North Baffin caribou. QIA has hired an Inuit Stewardship Plan (ISP) manager and support staff and is undertaking the North Baffin Caribou IQ Study as part of the ISP.

Since 2021 Baffinland has been conducting fieldwork in support of various environmental authorizations required to develop specific elements of the Steensby Component of the Project. The following is a list of supplemental baseline programs that have been run since 2021, and that are planned prior to the commencement of the Steensby railway.

Table 7. Steensby Caribou Supplemental Baseline Studies

Topic	Description	Year
Ongoing/Completed Studies		
Terrestrial	Terrestrial Environment – 2021 Annual Monitoring Report, which includes satellite based dust monitoring of the Steensby Port area	2022
Terrestrial	2023 Late-Winter Aerial Caribou Survey Summary Report	2023
Future Studies		
Terrestrial	Southern North Baffin Caribou Range Collaring Program	2025
Terrestrial	Vegetation ELC Mapping, Ecosite Surveys, Rare Plant Surveys	2025
Terrestrial	Wildlife and Wildlife Habitat Surveys	2025

Baffinland will integrate the outcomes of supplemental fieldwork into applicable environmental management plans as required, and submit them in its Annual Reports to the Nunavut Impact Review Board.

C. Additional Monitoring and Mitigations and Management Plans Required under the Project Certificate and/or Other Approvals Relevant to Caribou

Baffinland continues to refine its environmental management plans planned for the Steensby Component of the Project based on the operations that have occurred since the original approval of the Mary River Project, and based on additional focused community and regulator engagements. IQ continues to shape the Steensby Component and has informed several aspects of project planning. IQ was used to identify the location of historical caribou routes that interact with the railway and identify areas where caribou could cross. There will be regular dialogue with communities and Knowledge Holders to understand how caribou interact with the rail line.

Management Plans for Steensby Construction and Operation specific to caribou protection will include:

- Construction Environmental Management Plan
- Environmental Protection Plan
- Terrestrial Environment Mitigation and Management Plan.

The Adaptive Management Plan will also apply to this topic. Baffinland will use their adaptive management response framework to evaluate caribou monitoring results against objectives and thresholds. This system is designed to detect changes in the environment early enough to investigate before they present a more serious risk to the environment. Should it be determined that the changes are reasonably Project related, Baffinland can implement one or more actions already identified, or a new mitigation not previously considered. Adaptive management is also specifically required under Project Certificate TC 71 for caribou, 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.

All environmental management plans will be subject to ongoing review and updates for the life of the Project. With respect to marine environment management plans, Baffinland will be supported by the advice of the Terrestrial Environment Working Group, which includes HTO representatives from all impacted communities, and direct community engagement. Baffinland will report on the efficacy of its environmental management plans on a regular basis through its regulatory reporting obligations, as well as through its community engagement program.

D. Summary of Regulatory Application components which address this topic

Summary of FAA Application components which address this topic

Although the freshwater FAA application focuses on impact to fish and fish habitat, consideration of caribou in terms of caribou crossings along the railway is considered. In Section 4.5 – Inuit Qaujimajatuqangit of the freshwater FAA, IQ related to caribou has been considered. More specifically, fishing is identified as an important part of Inuit diet and culture, and the information gathered reveals that fishing activities often coincide with summer caribou hunting activities (Freshwater FAA, Section 4.5). This information has been considered in the proposed offsetting measures.

Summary of CTA Section 98 Application components which address this topic

As part of the CTA Section 98 Application, further details regarding the railway caribou crossing design have been developed. In addition to the mitigation measures described within the NIRB review process, the following design requirements have been created for the Steensby Railway as detailed in CTA S.98 Application, Section III.2B.iii and SD-73. Caribou Protection Measures:

- Slope of the crossing approaches - A gentle slope with a gradient of 3h:1v has been proposed at these crossing locations to facilitate the safe passage of Caribou over the railway tracks. This slope will allow for ease of movement and reduce the risk of accidents.
- Ballast Protection - To protect the integrity of the ballast shape and slopes, a ballast protection will be installed, as depicted in the typical cross-section. This protection will help prevent erosion and maintain the stability of the railway tracks, ensuring continued safe passage for trains.
- Removal of Wood Planking - In consideration of winter conditions and potential hazards for Caribou, the wood planking between the two rails has been removed. This decision was made to mitigate slippery surfaces during icy conditions, reducing the risk of accidents for both Caribou and railway operations.
- Monitoring and Maintenance Plan - A comprehensive monitoring and maintenance plan will be implemented to track Caribou passage and assess the effectiveness of the crossing design. Regular inspections will be conducted to identify any necessary corrective actions and ensure the ongoing safety of both Caribou and railway operations.
- In response to potential safety concerns for both Caribou and railway operations, some of these crossings have been relocated to more suitable, easier and safer locations.

E. Conclusion

Baffinland acknowledges the statements made by Tour participants on the topic of caribou during the Tour, and appreciates the opportunity for all dialogue on topics of interest. This feedback has been considered in relation to the 2012 FEIS, the outcomes of the NIRB review, the Project Certificate requirements (including terms and conditions, commitments, monitoring programs and management plan updates), ongoing adjustments that have occurred through

monitoring, mitigation, community feedback and adaptive management since the Project began, and the measures reflected in the current pending Federal applications.

Baffinland also recognizes that there are established community grievance feedback processes in place, and ongoing community consultation mechanisms led by Baffinland as well as NIRB and Inuit, which will continue to allow us to work closely with Inuit on addressing issues throughout the life of the Project.

This is an item that also has special consideration in the Inuit Impact Benefits Agreement with QIA, including on the topic of wildlife compensation.

As summarized above, taking into account all of these mechanisms, Baffinland remains confident that there are robust measures in place to ensure that Steensby Component activities proceed in a manner that is protective of caribou as well as Inuit cultural and rights-based activities relating to those species.

7. Crossing/ bridges

A. Summary of Feedback Shared During Tour

A summary of the verbal feedback heard by Baffinland in relation to this topic during the Tour is provided below. The comments were generally made in Inuktitut by participants and translated into English by local interpreters.

Two comments in Sanirajak were recorded by Baffinland on water crossings:

"We will want help with fish going up the river, I don't know much about it but we are learning through studies, I'm thinking myself, water crossings, they might be impacted, that's what you figured, you could put markers where the fish are going, tagging them, we can study, we can monitor, in Rankin they were putting markers, tagging, and they do track where they migrate to." [DFO response - excellent point, we worked with a mine near Rankin Inlet, they are monitoring one of the projects, showing how fish can go up a small waterfall and how far they can go. We will require BIM to monitor the crossings to make sure fish go upstream of them, thank you].

"...8 crossings, its not going to impact any boaters, but you would have travellers, hunters, and habitat for a lot of fish, fish in a lot of those lakes, quite a few in that area with a quota for commercial fishing... The fish, 8 crossings that would impact the habitat of fish, mitigations in place..."

B. NIRB Review Conclusions and Mitigations related to Crossings/Bridges

Baffinland conducted an extensive assessment of the freshwater environment, which relied on multiple lines of evidence, including available literature, direct field research (e.g. fish surveys), desktop studies (e.g. models, risk assessments), land use studies (e.g. Mary River Land use Study) and expert opinion. The assessment, considering this information, drew the following conclusions with respect to the potential effects of railway crossings and bridges on fish:

Steensby Railway: "The significance of residual effects of the Project on Arctic Char within the Railway/Access Road LSA is summarized in Table 7-4.21. Due to the low magnitude, limited spatial extent, and the reversible nature of the effects, no significant adverse effects are predicted... The Level of Confidence in the significance rating is High." (FEIS Volume 7, Section 4.5.8)

Steensby Port: "Due to the low magnitude, limited spatial extent, and reversibility of residual effects, no significant adverse effects are predicted... The Level of Confidence for the prediction of residual effects is High." (FEIS Volume 7, Section 4.5.8)

In the Final Hearing Report for the Mary River Project, the Nunavut Impact Review Board considered freshwater aquatic environment in Section 4.8 by providing a summary of the views of the Proponent, the views and concerns of Interested Parties and the views of the Board to draw specific conclusions and recommendations, which materialized in a draft Project Certificate 005, which was approved by the Ministers and issued in final on December 28, 2012.

Summary of relevant requirements from the NIRB Review Process and recognized under Project Certificate No. 005 and other existing approvals/agreements

The 2012 FEIS proposed a number of mitigations related to potential impacts from crossings and bridges through the assessment in Freshwater Environment Effects Assessment at Volume 7 and the Surface Water and Aquatic Ecosystems Management Plan at Appendix 10D-2. The following summarizes the mitigations for fish and fish habitat included in the 2012 FEIS:

Table 8. 2012 FEIS Fish and Fish Habitat Mitigation Measures

Mitigation Type	Mitigation Measures
Freshet Mitigation	Extreme flows occurring during the freshet can result in significant erosion and damage to creek crossing structures and fish habitat. Several operating procedures have been developed to mitigate the negative impacts caused by freshet events. These measures include: • Establishing/marketing locations of susceptible crossings so that they can be identified in the spring, prior to snow / ice melt; • Clearing of snow from roads where culverts / crossings are located; • Excavate downstream and upstream of crossing prior to the onset of freshet; • Monitor culverts for clearance of snow and ice; • Where snow and ice blockage occur, ensure that the blockage is removed to re-establish adequate flow; • Regular monitoring of crossing conditions to ensure acceptable conditions for fish migration. • Perform repairs / modification to crossing structures as required, based on results of monitoring and assessment of risk.
Fish Habitat Protection	• For locations where there is a problem with culvert outlet scour and erosion, the construction of rocky ramps downstream of the crossings is considered. Occasionally reinstalling culverts is required, or the installation of additional overflow culverts will be required. • During construction of the docks, for all works requiring the use of explosives (blasting) in or near water bodies, the "Guidelines for Use of Explosives In or Near Canadian Fisheries Water, 1998" will be followed. For any locations where the guidelines cannot be conformed with, the DFO will be consulted prior to commencing blasting. • For dock construction (dredging, piling, backfilling), silt curtain may be used to prevent the dispersion of sediments in marine waters. • Use of bubble curtains to attenuate noise in marine water.

In addition to the mitigations listed above, which form a part of the evidentiary record on which the Nunavut Impact Review Board and the Ministers based their approval of the Mary River Project, Project Certificate 005 also provides specific direction mitigation measures for the freshwater aquatic environment, including biota and habitat at Term and Conditions 41- 48 (see Attachment 2 enclosed).

- Terms and Condition 41 requires Baffinland to maintain a minimum 100-meter buffer between any fish bearing water bodies and quarries with potential for acid rock drainage or metal leaching.
- Term and Condition 42 requires Baffinland to maintain a minimum 30-meter buffer between the mining operations and adjacent water bodies.
- Term and Condition 43 requires the submission of a Site Drainage and Silt Control Plan
- Term and Condition 44 provides measures to mitigate impacts of explosives on freshwater aquatic habitat.
- Term and Condition 45 requires adherence to the no-net-loss principle at all phases of the project to prevent or mitigate fish and fish habitat losses.
- Term and Condition 46 requires Baffinland to ensure that runoff meets discharge requirements.
- Term and Condition 47 requires Project infrastructure in watercourses to not unduly prevent or limit the movement of water in fish bearing streams and rivers.
- Term and Condition 48 requires Baffinland to mitigate the impacts to freshwater aquatic habitats in collaboration with DFO and QIA.

Follow Up Monitoring and Supplemental Baseline

While the residual effects assessments demonstrated the Project, with mitigations, was unlikely to have a significant effect with a high degree of certainty, Baffinland is committed to ongoing freshwater effects monitoring for the life of the Project. This is required under Project Certificate 005 and as a matter of best practice.

Baffinland will develop and implement comprehensive freshwater environment monitoring programs for the Steensby Component during all its phases, including pre-construction, construction, operation and closure.

Several examples of where Project Certificate 005 requires this are included here for reference (see Attachment 2 enclosed):

- Term and Condition 99. Enhance the baseline for affected freshwater systems, which includes control sites to detect Project-related changes before they cause significant harm.
- Term and Condition 114. In the event of the development of a commercial fishery in the Steensby Inlet area, Baffinland shall update its monitoring program for marine fish and fish habitat to ensure that the ability to identify Arctic Char stock(s) potentially affected

by Project activities and monitor for changes in stock size and structure of affected stocks and fish health (condition, taste) is maintained.

- Term and Condition 148. Requires Baffinland to undertake monitoring of the Project's harvesting interactions and how this relates to food security for the residents of North Baffin.

Since 2021 Baffinland has been conducting fieldwork in support of various environmental authorizations required to develop specific elements of the Steensby Component of the Project. The following is a list of supplemental baseline programs that have been run since 2021, and that are planned prior to the commencement of Steensby construction.

Table 9. Steensby Supplemental Baseline Studies

Topic	Description	Year
Ongoing/Completed Studies		
Freshwater	Steensby Port Arctic Char Otolith Analysis	2021
Freshwater	Steensby Port and Railway Freshwater Habitat Surveys: Non-Fish Bearing Sites 2021-2023	2021-2023
Freshwater	Potential Offsetting Sites: 2023 Freshwater Habitat Surveys	2023
Freshwater	Fish Passage Assessment – Steensby Component	2023
Hydrology	Water Withdrawal Notification and Hydrological Assessment – Steensby Component	2023
Freshwater	Steensby Railway freshwater biota and habitat field surveys	2024
Future Studies		
Freshwater	Aquatic monitoring baseline study of waterbodies along the rail corridor and the freshwater environment at Steensby Port. Key data to be collected includes: habitat, water quality, primary productivity, benthic invertebrate community, benthic invertebrate biomass, fish community, fish tissue quality, and non-lethal evaluation of fish health	2025-2026

Baffinland will integrate the outcomes of supplemental fieldwork into applicable environmental management plans as required, and submit them in its Annual Reports to the Nunavut Impact Review Board and to the Nunavut Water Board, as relevant.

C. Additional Monitoring and Mitigations and Management Plans Required under the Project Certificate and/or Other Approvals Relevant to Crossings/Bridges

Baffinland continues to refine its environmental management plans planned for the Steensby Component of the Project based on the operations that have occurred since the original approval of the Mary River Project, and based on additional focused community and regulator engagements.

Baffinland's Nunavut Water Board (NWB) Type 'A' Water Licence, the scope of which includes the Steensby Component, outlines requirements for stream crossings to minimize approach grades. Approaches shall be stabilized during construction and upon completion to control runoff, erosion and siltation to water bodies. Continually, under the Water Licence, Baffinland must implement several management plans relevant to crossings and bridges, including:

- Surface Water and Aquatic Ecosystem Management Plan
- Environmental Protection Plan

An environmental management plan applicable to the Steensby Component freshwater infrastructure activities to be developed includes the Construction Environmental Management Plan.

The Adaptive Management Plan will also apply to this topic. The Surface Water and Aquatic Ecosystem Management Plan will follow the system for adaptive management outlined in the Adaptive Management Plan. This requires the prior establishment of monitoring objectives, indicators, thresholds and responses based on low, moderate and high levels of risk. This system is designed to detect changes in the environment early enough to investigate before they present a more serious risk to the environment. Should it be determined that the changes is reasonably Project related, Baffinland can implement one or more actions already identified in the Surface Water and Aquatic Ecosystem Management Plan, or a new mitigation not previously considered.

All environmental management plans will be subject to ongoing review and updates for the life of the Project. With respect to environment management plans relevant to monitoring of water crossings, Baffinland will be supported by the advice of the Environmental Working Groups, which includes HTO representatives from all impacted communities, and direct community engagement. Baffinland will report on the efficacy of its environmental management plans on a regular basis through its regulatory reporting obligations, as well as through its community engagement program.

D. Summary of Regulatory Application components which address this topic

Summary of FAA Application components which address this topic

Baffinland also heard from Inuit that protection of fish at water crossings was a core interest during its direct engagements (Freshwater FAA Appendix B; Marine FAA Appendix A; S.98

Application Supporting Document 69) and took care to address this item specifically in its applications.

In the FAA Applications, the following mitigation measures are proposed to address these concerns:

- **Sediment and Erosion Control.** Implementation of a Sediment and Erosion Control Plan for all near water and in-water works. (Marine FAA Vol. 1, Section 7.2.3)
- **Construction environmental monitoring.** Independent environmental monitors (IEMs) will be contracted by Baffinland in consultation with DFO to monitor the construction phase of the Steensby Railway and Port. The presence of fish will be monitored by IEMs during in-water works. If a large aggregation of fish is observed in the work area, and there is a high potential for injury to the fish, workers will be instructed to immediately stop works until fish are no longer observed within the work area. (Marine FAA Vol. 1, Section 7.2.4; Freshwater FAA, Section 7.1.)
- **Fish passage (infrastructure).** Culverts and bridges have been designed to minimize intrusion into water bodies and reduce multiple crossings of the same watercourse. The design focuses on control of the rates of water flow in the vicinity of, and through, all crossings in order to control erosion and debris flow and to prevent ponding and damming. Additional bridges over fish-bearing waters and larger diameter culverts have been incorporated into the design of the Steensby Railway in order to facilitate fish migration. This design improvement was implemented from feedback received from communities and stakeholders. (Freshwater FAA, Section 5.1.3.1)

Baffinland is committed to minimizing the environmental effects of construction activities and will work closely with DFO and other agencies to develop monitoring plans and reporting protocols suitable to assess the effectiveness of the mitigation measures and standards (Freshwater FAA, Section 7). The effectiveness of mitigation measures will be assessed, as outlined in the FAA and as required by DFO.

Offsetting Measures

The aforementioned mitigation measures will be implemented during Steensby Railway construction to minimize adverse effects on fish. To counteract harmful alteration, disruption and destruction (**HADD**) of fish habitat, as defined by the *Fisheries Act*, Baffinland is proposing both freshwater fish habitat offsetting measures in the freshwater FAA application. Baffinland is proposing a combination of offsetting measures such as barrier removals, channel enhancements, freshwater rocky reefs, translocation of fish and community-based initiatives. The proposed offset habitat is intended to fully compensate for fish habitat losses due to the Steensby Railway construction. It will be subject to authorizations from the DFO.

Summary of CTA Section 98 Application Components Which Address this Topic

The Steensby Railway alignment will require 42 bridges and at least 258 culverts. As part of the CTA Section 98 Application, further details regarding the Steensby Railway bridges and culvert design has been provided. In addition to the mitigation measures described within the NIRB review process, the following design requirements have been created for the Steensby Railway as detailed in CTA S.98 Application, Section III.5B.i.b and in SD-22 Railway Design Brief:

Bridges:

- Fish passage: Bridge crossings over fish habitats will be assessed for fish passage requirements. Stream velocities after construction will be compared with those before construction. If the velocity has increased substantially after construction, lining material and boulders will be used to increase roughness and provide rest locations for fish. If special concern arises at a particular crossing location, additional channel enhancements such as rock clusters and habitat refuge pools will be incorporated into the design.
- Vertical clearance: The vertical clearance for the bridges will be 0.5 m between the levels of peak flow (Q200 + CC 40%) and the lower part of the bridge decks. Scour protection will be provided for all bridge structures. The 1:200 years peak flows and climate change factor (40%) will be used to assess flow and scour potential. Granular material shall be sized and used as rip-rap apron protection based on individual watercourse flows at each bridge site location based on a bridge waterway hydraulics report.

Culverts:

- Fish passage:
 - Culverts will be installed at the same slope as the existing stream and the length of the culvert will be minimized as a lack of light discourages fish passage. Methods to provide light will be considered for culverts longer than 50m located on streams with marginal to important fish habitat classifications.
 - Channelization for the culvert may increase the flow velocity. This can be mitigated by placing rocks and boulders in the culvert. Rocks and boulders increase the friction, reduce velocity, and provide resting locations for fish travelling upstream. Boulders may be bolted in place.
 - Culverts in fish bearing crossings will be embedded by at least 40% (or 20% for Pipe arch) to increase the wetted width.
 - Steep culverts with high velocities may cause the movement of rocks within the culvert. Baffles, and baffle inserts, may be installed to keep rocks in the culvert, increase the roughness and provide rest locations for fish. In addition, boulders should be placed downstream to provide resting locations for fish as they travel upstream to the culvert.
- Dimensions: Culverts should be designed to convey 1:200-year peak flows assuming the bottom half of the culvert is filled with ice and debris.

- Vertical clearance: The current culvert design has been based on the Q200 flow rates plus 40%.

Erosion Protection: Erosion protection will be installed at all culverts except those located in bedrock. Rip rap aprons will be installed, and lengths and widths will vary depending on the class of culvert.

E. Conclusion

Baffinland acknowledges the statements made by Tour participants on the topic of crossings and related topics during the Tour, and appreciates the opportunity for all dialogue on topics of interest. This feedback has been considered in relation to the 2012 FEIS, the outcomes of the NIRB review, the Project Certificate requirements (including terms and conditions, commitments, monitoring programs and management plan updates), ongoing adjustments that have occurred through monitoring, mitigation, community feedback and adaptive management since the Project began, and the measures reflected in the current pending Federal applications.

Baffinland also recognizes that there are established community grievance feedback processes in place, and ongoing community consultation mechanisms led by Baffinland as well as NIRB, and Inuit which will continue to allow us to work closely with Inuit on addressing issues throughout the life of the Project.

This is an item that also has special consideration in the Inuit Impact Benefits Agreement with QIA, including on the topic of wildlife compensation and Inuit access, as well as the Water Compensation Agreement with QIA, which ensures that Inuit are compensated for impacts on water and related rights as a result of the Project.

As summarized above, taking into account all of these mechanisms, Baffinland remains confident that there are robust measures in place to ensure that Steensby Component activities proceed in a manner that is protective of Inuit access, waters, fish and fisheries and caribou as well as Inuit cultural and rights-based activities relating to those species and environmental components.

8. Geotechnical

A. Summary of Feedback Shared During Tour

A summary of the verbal feedback heard by Baffinland in relation to this topic during the Tour is provided below. The comments were generally made in Inuktitut by participants and translated into English by local interpreters.

Baffinland recorded one comment in Sanirajak relating to geotechnical (i.e. how will Baffinland make sure the ground is good enough to build the railway):

- “Will the ground be certified?”

B. NIRB Review Conclusions and Mitigations related to Landforms and Soils

Summary of NIRB Review Process Residual Effects Assessment and Prediction Confidence

Baffinland conducted an extensive assessment of the landforms, soil and permafrost, which relied on multiple lines of evidence, including available literature, direct field research (e.g. geological exploration), desktop studies (e.g. models, risk assessments), geotechnical investigation studies and expert opinion. The assessment, considering this information, drew the following conclusions with respect to the Projects potential effects on landforms, soil and permafrost:

“The Project will have a not significant residual effect on sensitive landforms. The Project will affect sensitive landforms within the PDA but the extent of the effect relative to the RSA is minor. The Mine Site, the Railway and Steensby Port will be built so that they do not disturb sensitive landforms outside the PDA. Effects to Sensitive Landforms are limited to the PDA. No cumulative effects are expected.”

In the Final Hearing Report for the Mary River Project, the Nunavut Impact Review Board considered landforms, soil and permafrost in Section 4.6 by providing a summary of the views of the Proponent, the views and concerns of Interested Parties and the views of the Board to draw specific conclusions and recommendations, which materialized in a draft Project Certificate 005, which was approved by the Ministers and issued in final on December 28, 2012.

Summary of relevant requirements from the NIRB Review Process and recognized under Project Certificate No. 005 and other existing approvals/agreements

The 2012 FEIS proposed a number of mitigations related to geotechnical design through the assessment in Sensitive Landforms Effects Assessment at Volume 6. The following table summarizes the geotechnical mitigation measures included in the 2012 FEIS:

Table 10. 2012 FEIS Getotechnical Mitigation Measures

Project Activity	Mitigation Measure(s)
Road construction and maintenance	• The wearing surface of the roads will be designed based on the loads from the specific design vehicle for the road and shall be profiled to drain water from the surface to appropriately designed ditches adjoin the road. Ditches and settlement ponds shall be designed to cope with the peak flow specified with the required return period event. • Roads are constructed for all-season use. Roads will be designed to minimize the potential for ground ice melting, erosion, and ponding of water and to enable rapid discharge of water through the road embankment via existing

	drainages and creeks/streams (e.g., by appropriately designed and constructed culverts). • Roads will be regularly graded to prevent rutting (furrow creation). Active borrow sites will be maintained to secure access to sand and gravel as required (see Appendix 10D-6: Borrow Pit and Quarry Management Plan) • Roads and creek crossings are inspected regularly for signs of degradation and maintenance requirements. The maintenance department keeps a registry of all road maintenance work.
Creek and River Crossings	• All bridges and culvert crossings have been designed for an appropriate hydraulic event return period with allowance made for ice accumulation.
Construction of structural foundations over ice rich or thaw sensitive permafrost ground	• geotechnical investigations • optimize structure locations to avoid problem areas • use footings/piles founded on bedrock where possible • use spread footings placed on gravel pads, insulated or chilled with thermal syphon • use adfreeze piles for spread footings with air space between the building and the ground surface
Storm water /runoff management and drainage water pooling near infrastructure foundations	• maintain surface grading of the entire site to prevent ponded water • provide drainage ditches and diversion berms as necessary • berms may be lined with geotextile.
Failure of ice-rich overburden slope above open pit.	• Geotechnical investigations • cut slopes will be designed to address stability issues. • ice rich slope will be constructed with thermal and erosion protection barrier • diversion ditches may be used where seasonal flows can affect the slope
Stability of Waste Rock Dumps, Ore stockpiles of waste rock material	• adequate design of slopes • surface ice and snow should be removed from the footprint during the winter prior to placement of waste rock. • a stability buttress may be required at the toe in some locations to prevent minor localized stability issues due to thaw. • Management of surface runoff to minimize thermal effects and erosion. • Ongoing monitoring of the slopes. Cracks will be monitored and repaired as required to minimize inflow of surface water and subsequent ice wedge formation. • drainage control measures
Impoundment Structures (tank farms and ponds)	• Locate stormwater and sewage effluent polishing ponds away from ice-rich soils • line stormwater ponds which collect and treat runoff from the waste rock stockpile and ore stockpiles • Line bulk fuel storage facility (tank farm)
Solid Waste Site	• Permafrost may aggregate into the pad (rise up) over time but won't increase active layer thickness (may actually decrease thickness) • Ensure adequate fill over soils with low bearing capacity
Machine and Equipment Pads	• Permafrost may aggregate into the pad (rise up) over time but won't increase active layer thickness (may actually decrease thickness) • Ensure adequate fill over soils with low bearing capacity

In addition to the mitigations listed above, which form a part of the evidentiary record on which the Nunavut Impact Review Board and the Ministers based their approval of the Mary River Project, Project Certificate 005 also provides specific direction on geotechnical design to address community concerns (see Attachment 2 enclosed):

- Term and Condition 25 requires Baffinland to undertake the additional geotechnical investigations to identify sensitive landforms, modify engineering design for Project infrastructure, develop and implement preventative and/or mitigation and monitoring measures to minimize the impacts of the Project's activities and infrastructure on sensitive landforms.
- Term and Condition 26 requires Baffinland to develop and implement a comprehensive erosion management plan to prevent or minimize the effects of destabilization and erosion that may occur due to the Project's construction and operation.
- Term and Condition 27 requires Baffinland to include within its public consultation report information related to the sentiments expressed by affected communities about the impacts that changes to the topography and landscape have had on the aesthetic value of the Project area.
- Term and Condition 29 requires Baffinland to provide to the respective regulatory authorities, for review and acceptance, for-construction engineering design and drawings, specifications and engineering analysis to support design in advance for constructing those facilities.

Baffinland has designed and developed the infrastructure for the Steensby Railway to ensure that it meets the geotechnical requirements for railway operations in arctic conditions, and also to account for the anticipated effects of climate change in the region. Baffinland will monitor permafrost integrity along the railway, and implement preventative measures to ensure that the integrity of the permafrost is maintained. In summary the geotechnical designs include the following to account of climate change effects:

- Planned and executed supplemental field and laboratory campaigns, including ground-penetrating radar surveys, additional boreholes in proposed cut or high-fill areas on ice-rich permafrost, and UAV photogrammetry surveys.
- Digitally mapped geomorphic terrain conditions and identified areas at risk of being affected by climate change along the proposed alignment.
- Performed advanced geotechnical and geothermal analyses to achieve the appropriate design recommendations.
- Following the guidance provided in CAN/BNQ 2501-500, and considering historic climate trends, CMIP6-SSP5 8.5 avg. was used for climate change projections.

Follow Up Monitoring and Supplemental Baseline

While the residual effects assessments demonstrated the Project, with mitigations, was unlikely to have a significant effect on sensitive landforms with a high degree of certainty, Baffinland is

committed to ongoing permafrost effects monitoring for the life of the Project. This is required under Project Certificate 005 and as a matter of best practice.

Baffinland will develop and implement a comprehensive permafrost monitoring program for the Steensby Component during all its phases, including pre-construction, construction, operation and closure. Several examples of where Project Certificate 005 and other agreements requires this are included here for reference (see Attachment 2 enclosed):

- Project Certificate TC 28 requires Baffinland to monitor the effects of the Project on the permafrost along the railway and all other Project affected areas including the Tote Road and must implement effective preventative measures to ensure that the integrity of the permafrost is maintained.

Geotechnical investigations have been carried out to identify sensitive landforms, and these areas are avoided when possible. Since the FEIS 2012 and the issuance of the Project Certificate an additional geotechnical field program was completed in 2023. The 2023 Geotechnical Investigation Report provides a summary of the results. This program was used to collect geotechnical information along the railway corridor to further improve confidence in the quantity and types of soils/rock within the construction area. The following is a list of supplemental baseline programs that have been run since 2021, and that are planned prior to the commencement of the Steensby railway.

Table 11. Steensby Landforms, Soils and Permafrost Supplemental Baseline Studies

Topic	Description	Year
Ongoing/Completed Studies		
Geotechnical	2023 Geotechnical Investigation Report – Steensby Rail Alignment	2023
Bathymetry	Multibeam Bathymetric Survey in Steensby Inlet – Marine Survey Operations Report	2023
Future Studies		
Geotechnical	Geotechnical Investigations to support detailed engineering design	TBC

Baffinland will integrate the outcomes of supplemental fieldwork into applicable environmental management plans as required, and submit them in its Annual Reports to the Nunavut Impact Review Board and to the Nunavut Water Board, as relevant.

C. Additional Monitoring and Mitigations and Management Plans Required under the Project Certificate and/or Other Approvals Relevant to Landforms, Soils and Permafrost

Baffinland continues to refine its environmental management plans planned for the Steensby Component of the Project based on the operations that have occurred since the original approval of the Mary River Project, and based on additional focused community and regulator engagements. There will be continuous dialogue with communities and Knowledge Holders to understand concerns with rail line.

Management Plans for Steensby Construction and Operation relevant to monitoring the ground conditions:

- Construction Environmental Management Plan
- Environmental Protection Plan
- Roads Management Plan
- Railway Maintenance Management Plan

The Adaptive Management Plan will also apply to this topic. Baffinland will use their adaptive management response framework to evaluate permafrost monitoring results against objectives and thresholds. This system is designed to detect changes in the environment early enough to investigate before they present a more serious risk to the environment. Should it be determined that the change is reasonably Project related, Baffinland can implement one or more actions already identified, or a new mitigation not previously considered.

All environmental management plans will be subject to ongoing review and updates for the life of the Project. Baffinland will report on the efficacy of its environmental management plans on a regular basis through its regulatory reporting obligations, as well as through its community engagement program.

D. Summary of Regulatory Application components which address this topic

Summary of CTA Section 98 Application components which address this topic

As part of the CTA Section 98 Application, the railway design has been developed considering the specific climatic conditions of the region. In addition to the mitigation measures described within the NIRB review process, the following requirements have been considered for the geotechnical design:

- Air convention embankments have been adopted which take advantage of the cold weather during winter to maintain or even reduce the thickness of the active layer.
- A winter construction only approach has been adopted for the construction of earthwork to minimize the disturbance to permafrost in the foundations of the railway embankment and the natural terrain. This approach will also benefit from frozen water crossings during construction.
- Limited compaction capabilities have been accounted for in design.

- Specifications have been added concerning the protection of regular earth fill material from seasonal moisture changes prior to construction to promote proper compaction avoiding future deformation.
- The high shear strength of permafrost soils/rock has been exploited for the design of temporary cut-slopes that are steeper than usually possible elsewhere.
- Retaining structures (**GRS**) have been selected that are able to tolerate high deformation, by utilizing blasted rockfill.
- Locally available blasted rockfill from along the alignment at the rock cut areas and the predetermined borrow sites has been used as a main construction material. Widening of rock cut areas has been evaluated for construction access, providing a better management of rockfall and drainage as well as providing more rock fill materials.
- A steel-pile substructure bridge design was adopted for bridge foundations.
- The active & permafrost thermal regimes were modelled using a gap-analysis & risk-based approach.
- Ice impacts including ice jacking of pile foundation systems has been considered.
- Hydrological models such as HEC-RAS were employed for peak flow estimates in the determination of riprap and other scour-hazard & ice-protection countermeasures.
- Material durability and strength both during piling installation and in services have been examined.
- Finally, sequenced construction methodology of pile installation and substructure construction (welding, mixing slurry, site access, etc.) was incorporated in design to address sensitivity and ground behavioral response in Arctic regions.

Summary of FAA Application components which address this topic

Geotechnical considerations are an important part of both marine and freshwater FAAs as they are critical for the development of Port infrastructure and Railway crossings. As part of the FAA applications, the railway design has been developed considering the specific climatic conditions of the region. In addition to the mitigation measures described within the NIRB review process, the following requirements have been considered for the geotechnical design and best practices for construction in permafrost Freshwater FAA (Section 5.3.4 – Best Practices for Construction in Permafrost):

- Culverts and bridges have been designed to accommodate the 1:200-year flood event plus a contingency for ice buildup.
- Conduct comprehensive geotechnical site investigations help identify areas where the risk associated with excessive settlement is the greatest
- Construction methods and equipment will be appropriate for Arctic conditions and terrain consisting of permafrost, rock, and various soil types.
- construction methods and equipment will be appropriate for Arctic conditions and terrain consisting of permafrost, rock, and various soil types
- Excavations will be reduced, especially in areas of known ice-rich permafrost.

- Prior to embankment construction, ground disturbance will be reduced, and vegetative or organic cover left in place to provide increased protection of the thermal regime.
- In areas where excavation is required, the foundations will be over excavated and backfilled with non-freeze/thaw susceptible fill to reduce frost heaving and settlement.
- Slopes will be flattened as necessary when being constructed in ice-rich or thaw sensitive materials and will be protected with thermal and erosion protection material, if required.
- In areas of thaw-sensitive active layer, stabilization berms may be used to reduce the effect of permafrost degradation at the toe of slopes.
- For high embankment fills on ice-rich materials, the side slopes may be flattened substantially, or stabilization berms constructed to reduce the creep deformation potential.
- To reduce the rate of creep settlement, embankments thicker than three metres should be constructed with flattened side slopes or with toe buttresses.
- For construction during the summer, woven geotextile may be required over unstable ground.
- Proper runoff collection and diversion drainage systems will be used to control runoff and erosion from affecting the modified thermal regime. As part of basic design, thermal modeling will be conducted for each typical embankment condition and configuration to identify the actual permafrost protection measures required and to predict the nature of the active layer and the effect that construction will have on the thermal regime over the life of the Project. The thermal modeling will incorporate potential warming trends resulting from climate change based on world-recognized global warming scenarios.
- Thaw settlements and surface sloughing of cut slopes is expected, particularly during the thaw seasons immediately following construction. The behaviour of both cut slopes and embankment fills will be monitored throughout these thaw seasons and remedial measures will be implemented as necessary.
- For example, it is expected that many of the cut slopes will need to be monitored as thaw settlements occur. Silt fences and other erosion protection measures will be installed as necessary to prevent siltation of adjacent drainage courses and waterbodies.
- Reduce changes to the hydrologic drainage patterns.
- Reduce the potential for the accumulation of snow drifting and snowbanks or mitigate during operations with snow fencing or other measures, to avoid resultant changes to the thermal regime.

E. Conclusion

Baffinland acknowledges the statements made by Tour participants on the topic of geotechnical matters, and appreciates the opportunity for all dialogue on topics of interest. This feedback has been considered in relation to the 2012 FEIS, the outcomes of the NIRB review, the Project Certificate requirements (including terms and conditions, commitments, monitoring programs

and required management plan updates), ongoing adjustments that have occurred through monitoring, mitigation, community feedback and adaptive management since the Project began, and the measures reflected in the current pending Federal applications.

Baffinland also recognizes that there are established community grievance feedback processes in place, and ongoing community consultation mechanisms led by Baffinland as well as NIRB and Inuit, which will continue to allow us to work closely with Inuit on addressing issues throughout the life of the Project.

As summarized above, taking into account all of these mechanisms, Baffinland remains confident that there are robust measures in place to ensure that Steensby Component activities proceed in a manner that meets all applicable technical standards relating to engineering and construction and addresses the comments shared on the Tour.

9. Inuit access to Mary River soapstone

A. Summary of feedback shared during Tour

A summary of the verbal feedback heard by Baffinland in relation to this topic during the tour is provided below. It should be noted that the comments were generally made in Inuktitut by participants and translated into English by local interpreters.

Baffinland recorded one comment on access to soapstone in Sanirajak:

“They built some buildings between Steensby and Mary River, are those buildings going to be used? Close to Mary River, there is a soapstone quarry, can a cabin be built close to the soapstone quarry so that people can go get some carving stone there.”

B. NIRB Review Conclusions and Mitigations related to Inuit Access to Soapstone

Baffinland conducted an extensive assessment of the landforms, soil and permafrost, which relied on multiple lines of evidence, including available literature, direct field research (e.g. geological exploration), desktop studies (e.g. models, risk assessments), geotechnical investigation studies and expert opinion. The assessment, considering this information, drew the following conclusions with respect to the Projects potential effects on landforms, soil and permafrost, including soapstone quarries:

“The Project will have a not significant residual effect on sensitive landforms. The Project will affect sensitive landforms within the PDA but the extent of the effect relative to the RSA is minor. The Mine Site, the Railway and Steensby Port will be

built so that they do not disturb sensitive landforms outside the PDA. Effects to Sensitive Landforms are limited to the PDA. No cumulative effects are expected.”

In the Final Hearing Report for the Mary River Project, the Nunavut Impact Review Board considered landforms, soil and permafrost in Section 4.6 by providing a summary of the views of the Proponent, the views and concerns of Interested Parties and the views of the Board to draw specific conclusions and recommendations, which materialized in a draft Project Certificate 005, which was approved by the Ministers and issued in final on December 28, 2012.

Follow Up Monitoring and Supplemental Baseline

Inuit use and access to carving stone is protected under the Nunavut Land Claims Agreement Part 9. The IIBA ensures that Inuit shall enjoy all rights to carving stone on Inuit Owned Lands and Crown lands within the Project Area. If access to carving stone in the Project area is denied due to Project activities, Baffinland is required to work with QIA to ensure Inuit can gain access (S.98 Application Supporting Document 72). The aforementioned soapstone quarry is located outside of the Project Development Area and is accessible by Inuit.

Furthermore, HTO cabins are accessible at the Mine Site for land users and are located in relative proximity to the soapstone quarry. Inuit who travel through the site will continue to be accommodated by escorted travel over the Tote Road and the provision of food, fuel and equipment repairs as per Baffinland’s Hunter and Visitor Site Access Procedure (S.98 Application Supporting Document 79).

C. Additional Monitoring and Mitigations and Management Plans Required under the Project Certificate and/or Other Approvals Relevant to Inuit Access to Soapstone

As outlined above, the provisions in the IIBA ensure that Inuit shall enjoy all rights to carving stone on Inuit Owned Lands and Crown lands within the Project Area. If access to carving stone in the Project area is denied due to Project activities, Baffinland is required to work with QIA to ensure Inuit can gain access (S.98 Application Supporting Document 72).

The Adaptive Management Plan will also apply to this topic. Baffinland will use their adaptive management response framework to evaluate access to known carving stone areas. This system is designed to detect changes in the environment early enough to investigate before they present a more serious risk to the environment. Should it be determined that the changes is reasonably Project related, Baffinland can implement one or more actions already identified, or a new mitigation not previously considered.

The IIBA is subject to ongoing review and updates for the life of the Project. Baffinland will work with QIA to review this document as required and stipulated in the IIBA.

D. Summary of Regulatory Application components which address this topic

Neither the CTA Section 98 or FAA Applications address this topic specifically, but this Baffinland response to items raised during the Tour is being provided to CTA and DFO for their interest and to confirm this item of concern has been addressed.

E. Conclusion

Baffinland acknowledges the statements made by Tour participants on the topic of soapstone access during the Tour, and appreciates the opportunity for all dialogue on topics of interest. This feedback has been considered in relation to the 2012 FEIS, the outcomes of the NIRB review, the Project Certificate requirements (including terms and conditions, commitments, monitoring programs and management plan updates), ongoing adjustments that have occurred through monitoring, mitigation, community feedback and adaptive management since the Project began, and the measures reflected in the current pending Federal applications.

Baffinland also recognizes that there are established community grievance feedback processes in place, and ongoing community consultation mechanisms led by Baffinland as well as NIRB and Inuit, which will continue to allow us to work closely with Inuit on addressing issues throughout the life of the Project.

This is an item that has special consideration in the Inuit Impact Benefits Agreement with QIA.

As summarized above, taking into account all of these mechanisms, Baffinland remains confident that there are robust measures in place to ensure that Steensby Component activities proceed in a manner that addresses the need for continued Inuit access to soapstone, and is protective of Inuit rights related to that topic.

10. Spill Response***A. Summary of Feedback Shared During Tour***

A summary of the verbal feedback heard by Baffinland in relation to this topic during the Tour is provided below. The comments were generally made in Inuktitut by participants and translated into English by local interpreters.

Baffinland recorded one comment on this topic in Igloodik:

"Are there Inuit on the monitoring program? Things seem good all the time, the government would put a stop to it, because the foxes are red, animals are red, if it were in the south that would not be allowed. We do not want our land to become like the south, garbage, oil spills"

Baffinland recorded three comments on this topic in Sanairajak:

"In Nova Scotia, Halifax I have seen the shoreline, and if they release the water beneath the ship, I started wondering when I was visiting, I saw those huge clams, we eat a lot of clams, I saw 10 inch long clams, I wanted to take a few and bring them home, but I was not allowed, there are at least 30-60 feet long, it's all black, all polluted, I am just wondering, if the ships start having that route here, will the we not be able to eat our clams anymore? Are we going to see blackish, greyish seawater? Want next generation to eat walrus and sea mammals, our diet in each region is different."

"Ship's route to Steensby will go in front of the town in Foxe Basin in wintertime, there are shallow waters east of Rowley Island where the proposed route is, it is a concern, ice can damage anything, if there is an accident with a ship, run aground in shallow waters, cleaning measures, emergency procedures, would you have the equipment to deal with that, contain the damage, last year there was an accident going to Steensby for the group who ran aground, ships can do that too, run aground, I want this to be heard."

"Can we get a spill response kit at Steensby?" [Note this was confirmed]

B. NIRB Review Conclusions and Mitigations Related to Spill Response

Summary of NIRB Review Process Residual Effects Assessment and Prediction Confidence

In the 2012 FEIS, Baffinland conducted an extensive assessment on the possible malfunction and accidents related to the Project, which relied on multiple lines of evidence, including available literature, desktop studies (e.g. models, risk assessments) and expert opinion. The assessment, considering this information, with several fuel spill scenarios considered not significant due to the likelihood and potential impact shown in Table 9-3.8, Volume 9 of the FEIS. The only exception was the diesel spill along the shipping route scenario which did have a potential significant impact, the following conclusions was made for a diesel spill along shipping route scenario:

"A significant effect identified is the potential for a large fuel spill to occur along the shipping route. While unlikely to occur and depending upon location and other factors such as weather, a diesel spill by a tanker in the open water could result in a moderate magnitude effect to most marine environmental components and a

high magnitude effect to seabirds. A large spill, depending upon the location and sensitivity of the area, could have a large extent (Level II or possibly Level III) but effects are short lived due to the volatility of the diesel fuel (Level I duration). For light diesel fuel, the effects are reversible.” (FEIS, Volume 9, Section 3.9)

In the Final Hearing Report for the Mary River Project, the Nunavut Impact Review Board considered spill response in Section in 6.1 by providing a summary of the views of the Proponent, the views and concerns of Interested Parties and the views of the Board to draw specific conclusions and recommendations, which materialized in a draft Project Certificate 005, which was approved by the Ministers and issued in final on December 28, 2012.

Summary of relevant requirements from the NIRB Review Process and recognized under Project Certificate No. 005 and other existing approvals/agreements

The 2012 FEIS proposed a number of mitigations related to spill through the assessment in Malfunctions and Accidents Assessment at Volume 9, the Emergency and Spill Contingency Plan at Appendix 10C – 1, Milne Port Oil Pollution Emergencies Plan at Appendix 10C – 2, Hazardous Materials and Hazardous Waste Management Plan Appendix 10C – 5, Wastewater Management Plan Appendix 10D – 3, and Spill Emergency Response Plan at Appendix 3B. The following table summarizes the mitigations for spills included in the 2012 FEIS:

Table 12. 2012 FEIS Spill Mitigation Measures

Spill Type	Mitigation Measure(s)
Fuel spill from shipping operations	- Baffinland will follow the guidelines for the Operation of Tankers and Barges in Canadian Arctic Waters (Interim): provide an increased standard of protection (above other Canadian waters) from oil spills. The guidelines address the construction of vessels, operation, crew training, required oil cleanup equipment and the need for an Emergency Response Plan approved by the Canadian Coast Guard (Transport Canada, 1997a). - Baffinland will follow the Arctic Waters Oil Transfer Guidelines: describe the approved procedures for transferring petroleum products in Arctic waters, including requirements for safety, fire fighting and emergency equipment, assessment of weather conditions, responsibilities, communication, emergency stop procedures and spill response equipment (Transport Canada, 1997b). - Baffinland will follow the Arctic Shipping Pollution Prevention Regulations: sets out shipping requirements through the Arctic, including vessel construction requirements. - Baffinland will follow the Arctic Waters Pollution Prevention Regulations: defines equipment standards, inspections transfer operations requirements and shipboard emergency plans. - Baffinland will follow the Oil Pollution Prevention Regulations: indicates liability associated with the deposit of waste in Arctic waters. - Baffinland will follow the Response Organizations and Oil Handling Regulations: oil tankers must engage a spill response organization if larger than 150 gross registered tonnage.

	Vessels must also have on board an Oil Pollution Emergency Plan (SOPEP) and shipping companies are required to maintain an arrangement with a certified response organization, such as the Eastern Canada Response Corporation for eastern Canada.
Spill from fuel or hazardous material stored on site	- Fuel storage tanks are constructed within the confined of a secondary containment sized to retain 110 % of the content of the largest fuel tanks. - Double wall ISO-containers are used for temporary storage. Temporary storage and refuelling stations are constructed on impermeable surfaces. - The Waste Management Plan describes the procedures in place for the handling of all waste materials while the Emergency Response and Spill Contingency Plan (Volume 3, Appendix 3B) details the response procedures to be followed in the event of a spill. The Steensby Port and the Milne Port OPEP details the procedures for fuel handling at the ports. - Material Safety Data Sheet (MSDS) will be available on-site for all hazardous materials transported, handled and stored at all locations of the Project sites. Hazardous materials are stored in appropriate containers placed within a lined/impermeable secondary containment structure. Secondary containments are designed and dimensioned to contain spills and are equipped with sumps for recovery of liquids/runoff or contaminated materials. Detailed operating procedures have been developed for the handling, transportation, use and disposal of hazardous chemicals and wastes (refer to Environmental Protection Plan).
Spill from ship to shore fuel transfer	- The shipping contractor will establish appropriate loading and off-loading procedures using the Arctic Waters Pollution Prevention Act, Arctic Shipping Pollution Prevention Regulation and the Regulation for the Prevention of Pollution from Ships and Dangerous Chemicals to prevent or quickly contain any spills or releases of fuel during ship-to-land transfers. - Both ports will have Transport Canada-approved Oil Pollution Emergency Plans (OPEPs) as required under the Oil Handling Facilities Regulations of the Canada Shipping Act; this Act also requires that every vessel have a Transport Canada-approved Shipboard Oil Pollution Emergency Plan (SOPEP) to address accidental releases of fuel. - The operations and response structure at the Port facilities have been designed for rapid response to a spill. All equipment and resources are strategically placed near the beach front, directly at the port operation site. Responders, workboats and other support equipment are on standby during all operations and will be on scene within one hour of a spill. Equipment and resources are required to contain and control diesel, up to the minimum spill size of 3.5 m³, as determined in accordance with Section 2 of the Oil Handling Facilities Standards. - In the event of a spill, on-water recovery will be initiated immediately upon containment of free-floating product. The skimming capacities at the Port facilities are capable of recovery of several times the estimated spill volume. - The ports bulk fuel storage facilities will be equipped with appropriate spill response equipment, which provides resident capability for the response to spills in accordance with the scenarios developed under this Oil Pollution Emergency Plan. Containment and recovery equipment inventories exceed the facility category planning standards and are especially appropriate for the potential spill volumes as outlined in the scenarios contained in the OPEP. Routine training exercise will be carried out to assess the effectiveness of the spill response procedures; and improvements will be made as required.

In addition to the mitigations listed above, which form a part of the evidentiary record on which the Nunavut Impact Review Board and the Ministers based their approval of the Mary River Project, Project Certificate 005 also provides specific direction on spill mitigation to address community concerns (see Attachment 2 enclosed):

- Term and Condition 92 requires Baffinland to ensure that it maintains the necessary equipment and trained personnel to respond to all sizes of potential spills associated with the Project in a self sufficient manner.
- Term and Condition 94, Requires Baffinland to consult directly with affected communities regarding its plans for over-wintering of fuel in Steensby Inlet, with discussion topics to include descriptions of the duration of proposed activities, vessel type, spill preparedness and emergency response protocols, environmental impact predictions and answers to community member questions.
- Term and Condition 97, prior to the commercial shipping of iron ore requires Baffinland to conduct fuel spill dispersion modeling.
- Term and Condition 98, requires Baffinland to incorporate the results of revised fuel spill dispersion modeling into its impact predictions for the marine environment and its spill response and emergency preparedness plans.
- Term and Condition 100, requires Baffinland to update its Shipping and Marine Wildlife Management Plan, to include avoidance of polynyas and mitigation measures designed for potential fuel spills along the shipping lane during the winter months, with consideration for the impact of spilled fuel on marine mammals when they might be less mobile or able to avoid contact with spilt fuel or fumes.
- Term and Condition 173, requires Baffinland to employ best practices and meet all regulatory requirements during all ship-to-shore and other marine-based fuel transfer events.
- Term and Condition 174, requires Baffinland to provide spill response equipment and annual training to Nunavut communities along the shipping route to potentially improve response times in the event of a spill.
- Project Certificate, Appendix A Commitment 106 requires Baffinland to seek and utilize external expertise to assist them with the development of emergency response planning and training specific the Emergency Response Team, which will be stationed at site at all times. This training would include spill response training.
- Project Certificate, Appendix A Commitment 109 requires Baffinland to meet on a regular basis with the emergency response and preparedness working group to review emergency preparedness.
- Project Certificate, Appendix A Commitment 110 Baffinland to ensure that adequate resources are allocated to the development and deployment of emergency and spill response capabilities.
- Project Certificate, Appendix A Commitment 111, requires Baffinland to have Shipboard Oil Pollution Emergency Plans (SOPEPs) in place which meets or exceeds the international standards set out in the Port State Control Memorandum of Understanding, as well as trained personnel on board to respond to spills.

- Project Certificate, Appendix A Commitment 112, requires Baffinland to commit to ensuring that all spills are reported in accordance with the relevant spill contingency planning and reporting regulations and guidelines.
- Project Certificate, Appendix A Commitment 113, requires Baffinland to commit to exploring and implementing measures designed to recover residual fuel from spills under the surface of sea ice.

Follow Up Monitoring and Supplemental Baseline

A significant effect identified is the potential for a large fuel spill to occur along the shipping route. While unlikely to occur and depending upon location and other factors such as weather, a diesel spill by a tanker in the open water could result in a moderate magnitude effect to most marine environmental components and a high magnitude effect to seabirds. A large spill, depending upon the location and sensitivity of the area, could have a large extent (Level II or possibly Level III) but effects are short lived due to the volatility of the diesel fuel (Level I duration). For light diesel fuel, the effects are reversible.

The other spill scenarios residual effects assessments were considered unlikely to have a significant effect with a high degree of certainty, Baffinland is committed to ongoing effects monitoring for the life of the Project. This is required under Project Certificate 005 and as a matter of best practice.

Baffinland will develop and implement comprehensive spill response and emergency preparedness plans for the Steensby Component during all its phases, including pre-construction, construction, operation and closure.

Several examples of where Project Certificate 005 and other agreements requires this are included here for reference (see Attachment 2 enclosed):

- Term and Condition 98, requires Baffinland to incorporate the results of revised fuel spill dispersion modeling into its impact predictions for the marine environment and its spill response and emergency preparedness plans.
- Term and Condition 100, requires Baffinland to update its Shipping and Marine Wildlife Management Plan, to include avoidance of polynyas and mitigation measures designed for potential fuel spills along the shipping lane during the winter months, with consideration for the impact of spilled fuel on marine mammals when they might be less mobile or able to avoid contact with spilt fuel or fumes.
- Project Certificate, Appendix A Commitment 111, requires Baffinland to have Shipboard Oil Pollution Emergency Plans (SOPEPs) in place which meets or exceeds the international standards set out in the Port State Control Memorandum of Understanding, as well as trained personnel on board to respond to spills.

- Project Certificate, Appendix A Commitment 112, requires Baffinland to commit to ensuring that all spills are reported in accordance with the relevant spill contingency planning and reporting regulations and guidelines.

Additional modelling and studies related to spill and spill prevention are ongoing and planned in the near future, as outlined in Table 5.

Table 13. Steensby Studies on Spills and Spill Prevention

Topic	Description	Year
Ongoing/Future Studies		
Spill Response	Steensby Spill Modelling	2024-2025
Shipping	Risk Analysis	2025

Baffinland will integrate the outcomes of supplemental studies into applicable environmental management plans as required, and submit them in its Annual Reports to the Nunavut Impact Review Board and to the Nunavut Water Board, as relevant.

C. Additional Monitoring and Mitigations and Management Plans Required under the Project Certificate and/or Other Approvals Relevant to Spill Response

Baffinland continues to refine its environmental management plans planned for the Steensby Component of the Project based on the operations that have occurred since the original approval of the Mary River Project, and based on additional focused community and regulator engagements. Baffinland's preparedness strategy emphasizes regulatory compliance, proactive planning, effective management plans, and maintaining well-trained on-site emergency response teams. For fuel spill responses, Baffinland committed to involving North Baffin communities in spill response exercises during construction and operations. Baffinland will maintain a self-sufficient emergency response capacity for operational incidents. Until this fleet becomes fully operational, Baffinland will rely on the Canadian Coast Guard for search and rescue and assistance with accidental events during ship transit to port sites.

Management Plans for Steensby Construction and Operation relevant to spill and emergency response:

- Construction Environmental Management Plan
- Environmental Protection Plan
- Hazardous Materials and Hazardous Waste Management Plan
- Steensby Port Oil Pollution Emergencies Plan
- Milne Port Oil Pollution Emergencies Plan
- Emergency and Spill Contingency Plan

The Adaptive Management Plan will also apply to this topic. Baffinland will use their adaptive management response framework to evaluate caribou monitoring results against objectives and thresholds. This system is designed to detect changes in the environment early enough to investigate before they present a more serious risk to the environment. Should it be determined that the changes are reasonably Project related, Baffinland can implement one or more actions already identified, or a new mitigation not previously considered.

All environmental management plans will be subject to ongoing review and updates for the life of the Project. With respect to spill management plans, Baffinland will be supported by the advice of the Terrestrial Environment Working Group and Marine Environment Working Group, which includes HTO representatives from all impacted communities, and direct community engagement. Baffinland will report on the efficacy of its environmental management plans on a regular basis through its regulatory reporting obligations, as well as through its community engagement program.

D. Summary of Regulatory Application components which address this topic

Summary of FAA Application components which address this topic

Baffinland also heard from Inuit that they were concerned about the risk of spills associated with a fuel barge (Marine FAA, Appendix A) and took care to address this item specifically in Fisheries Act Application. QIA also asked questions in relation to the potential frequency, magnitude and dispersal patterns of spills in the vicinity of Steensby Port and along the shipping route (Marine FAA, Appendix A).

Mitigation Measures

In the Marine FAA Application, the following mitigation measures are proposed to address these concerns:

- **Construction Environmental Management Plan** (Marine FAA Vol.1, Section 7.2.1): Several mitigation measures are outlined in the Deleterious Section of the plan to prevent spills and associated adverse effects to the aquatic environment.
- **Spill Prevention and Response** (Marine FAA Vol.1, Section 7.2.10): The deposition of deleterious substances into the marine environment will be mitigated by the application of the following management plans:
 - Environmental Protection Plan
 - Emergency Response and Spill Contingency Plan
 - Oil Pollution Prevention Plan
 - Waste Management Plan
 - Spill at Sea Response Plan
- **Spill Prevention** (Marine FAA Vol.1, Section 7.2.10.1): Several measures are outlined to describe spill prevention measures to be implemented during construction works, such as storing fuel and other deleterious substances in secondary containment located a

minimum of 31 m from any waterbody, storing hazardous wastes in lined and bermed facilities, emergency spill response equipment to be stored on site.

- **Spill Response** (Marine FAA Vol.1, Section 7.2.10.2): Daily inspections of equipment during the construction phase to evaluate that the equipment remains in good working condition and poses minimal risk of equipment failure and/or spillage, as well as implementation of comprehensive spill response measures during construction works and in the event of any spill in the marine environment.

The Adaptive Management Plan will also apply to this topic. Baffinland will use their adaptive management response framework to evaluate spill response. This system is designed to detect changes in the environment early enough to investigate before they present a more serious risk to the environment. Should it be determined that the changes is reasonably Project related, Baffinland can implement one or more actions already identified, or a new mitigation not previously considered.

Summary of CTA Section 98 Application components which address this topic

Baffinland will implement a Railway Emergency Response Plan, which is included as part of the S.98 Application (SD-25). As outlined in the Application and the Plan, the Steensby Railway operations will include a spill collection system which consists of a 30-meter-long containment pit covering both tracks and the island fueling station at the Steensby Port.

Baffinland's existing Spill Contingency Plan (BAF-PH1-830-P16-0036SD-26003626) identifies the potential for accidental release of hazardous material to the environment and provides spill scenarios and identifies protocols for prevention, response and recovery. Prior to the implementation of rail operations, this plan will be updated to incorporate additional potential risks of release related to rail operations. Site specific response plans in the case of a spill or derailment at the four proposed bridge locations will also be incorporated into Baffinland's Spill Contingency Plan.

E. Conclusion

Baffinland acknowledges the statements made by Tour participants on the topic of spills prevention during the Tour, and appreciates the opportunity for all dialogue on topics of interest. This feedback has been considered in relation to the 2012 FEIS, the outcomes of the NIRB review, the Project Certificate requirements (including terms and conditions, commitments, monitoring programs and management plan updates), ongoing adjustments that have occurred through monitoring, mitigation, community feedback and adaptive management since the Project began, and the measures reflected in the current pending Federal applications.

Baffinland also recognizes that there are established community grievance feedback processes in place, and ongoing community consultation mechanisms led by Baffinland as well as NIRB

and Inuit, which will continue to allow us to work closely with Inuit on addressing issues throughout the life of the Project.

As summarized above, taking into account all of these mechanisms, Baffinland remains confident that there are robust measures in place to ensure that Steensby Component activities proceed in a manner that addresses the need for appropriate spill prevention and response measures to be in place for the life of the Project, in particular given the potential for this topic to impact on Inuit rights.

11. Climate Change

A. Summary of Feedback Shared During Tour

A summary of the verbal feedback heard by Baffinland in relation to this topic during the Tour is provided below. The comments were generally made in Inuktitut by participants and translated into English by local interpreters.

Baffinland recorded one comment that appeared to pertain to climate change in Igloolik:

"What I said earlier, right now country food can now freeze outside, once it starts melting, a lot of country food will have to be thrown out, it will have spoiled. Only a few children or young people eat country now, far too many eat store bought foods, once spring melt starts, you'll see a lot thrown out in the dump. Want this to be known, we are struggling to have access to country food."

To the extent these comments also relate to potential for impacts on availability of country food/ food security, see also Topic 1 (walrus and seal), Topic 2 (fish and fisheries) and Topic 6 (caribou).

B. NIRB Review Conclusions and Mitigations related to Caribou

Summary of NIRB Review Process Residual Effects Assessment and Prediction Confidence

In the 2012 FEIS, Baffinland conducted an extensive assessment of the climate change, which relied on multiple lines of evidence, including available literature, desktop studies (e.g. models, risk assessments), land use studies (e.g. Mary River Land use Study) and expert opinion. The assessment, considering this information, drew the following conclusions with respect to the Projects potential effects on climate change:

"Because of Nunavut's small population and manufacturing base, total GHG emissions are very low. The Project would be the first major mining operation in Nunavut, so annual GHG emissions of the mine would be more than double of total territorial emissions in 2008.

On a national level, the emissions from the project are very small, and compared with global emissions they are insignificant." (FEIS, Volume 5, Section 1.3)

In the Final Hearing Report for the Mary River Project, the Nunavut Impact Review Board considered climate change in Section 4.1 by providing a summary of the views of the Proponent, the views and concerns of Interested Parties and the views of the Board to draw specific conclusions and recommendations, which materialized in a draft Project Certificate 005, which was approved by the Ministers and issued in final on December 28, 2012.

Summary of relevant requirements from the NIRB Review Process and recognized under Project Certificate No. 005 and other existing approvals/agreements

The 2012 FEIS proposed a number of mitigations related to climate change through the assessment in Climate Effects Assessment at Volume 5, and Potential Effects of Climate Change on The Project at Section 2.2 Volume 9.

The following table summarizes the mitigations for climate change included in the 2012 FEIS:

Table 14. 2012 FEIS Mitigation Measures for Structures to Account for Climate Change

Climate Change Impact	Mitigation Measure(s)
Milne Inlet Tote Road – Upgrades	No specific measures were taken into account for climate change beyond those for construction on permafrost
Milne Inlet Tote Road – Water Crossings	A 1:100 year storm event was used for design of all water crossings
Railway – Embankment	Embankment thickness and over-excavation depths in ice-rich materials increased based on a 50 % greater thickness of active layer
Railway – Water Crossings (Bridges)	Designed culverts and bridges to a higher return period of 1:200
Railway – Auxiliary Facilities	Loading and unloading facilities and the workshop will be located on bedrock or piles to account for the increased thickness of the active layer. The unheated inspection shed will be sited on run of quarry rock fill. Telecommunication towers will be located on bedrock or piles into bedrock where possible; towers installed on thaw sensitive soils will be monitored for subsidence during thawing months; further, specific operating instructions will dictate how everyone is to act in the case of a tower failure; redundancy measures will be in place.
Port Facilities	Docks can account for the fluctuation in sea levels (higher or lower) due to climate change. Water depth at ports due to lower predicted water levels at Steensby Port will be sufficient for ships.
Open Pit Mine	Thermal Barrier on ice-rich overburden slopes should be of adequate thickness to account for increase to active layer thickness
Waste Rock Stockpile	Potentially-acid generating (PAG) rock will be buried sufficiently deep within the pile to account for increase in active layer thickness
Airstrips and Access Roads	Thermal barrier (non-frost/thaw sensitive fill) thickness increased to account for increases active layer depth
Building foundations	Ad freeze pile calculations to account for slightly warmer permafrost and deeper active layer. Thermal barriers and foundation pads thicker.

In addition to the mitigations listed above, which form a part of the evidentiary record on which the Nunavut Impact Review Board and the Ministers based their approval of the Mary River Project, Project Certificate 005 also provides specific direction on this topic to address community concerns (see Attachment 2 enclosed):

- Term and Condition 2 requires 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.
- Term and Condition 3 requires Baffinland to provide interested parties with evidence of continued initiatives undertaken to reduce greenhouse gas emissions.
- Term and Condition 4 requires Baffinland to endeavour to include the participation of Inuit from affected communities and other communities in Nunavut when undertaking climate-change related studies and research.
- Term and Condition 6 requires Baffinland to provide the results of any emissions calculations conducted to determine the level of sulphur dioxide (SO₂) emissions, nitrogen oxide (NO_x) emissions and greenhouse gases generated by the Project using fuel consumption or other relevant criteria as a basis.

Follow Up Monitoring and Supplemental Baseline

While the residual effects assessments demonstrated the Project, with mitigations, was unlikely to have a significant effect on climate change with a high degree of certainty, Baffinland is committed to ongoing climate change effects monitoring for the life of the Project. This is required under Project Certificate 005 and as a matter of best practice.

Baffinland will develop and implement a comprehensive permafrost and sea ice monitoring programs, area of the Project most likely to be impacted by climate change, for the Steensby Component during all its phases, including pre-construction, construction, operation and closure.

Several examples of where Project Certificate 005 and other agreements requires this are included here for reference (see Attachment 2 enclosed):

- Term and Condition 1 requires Baffinland to use GPS monitoring or a similar means of monitoring at both Steensby Port and Milne Port, with tidal gauges to monitor the relative sea levels and storm surges at these sites.
- Term and Condition 28 requires Baffinland to monitor the effects of the Project on the permafrost along the railway and all other Project affected areas including the Tote Road and must implement effective preventative measures to ensure that the integrity of the permafrost is maintained. Changes to permafrost being a likely impact from climate change.

Since 2021 Baffinland has been conducting fieldwork in support of various environmental authorizations required to develop specific elements of the Steensby Component of the Project. The following is a list of supplemental baseline programs that have been run since 2021, and that are planned prior to the commencement of the Steensby Railway (Table 5).

Table 15. Steensby Studies on Climate Change Project Impacts (Sea Ice and Permafrost)

Topic	Description	Year
Ongoing/Completed Studies		
Ice Study	Steensby Inlet Iron Ore Shipping Project – Fixed Wing Survey	2023
Ice Study	Steensby Inlet Fast Ice Study	2024
Geotechnical	2023 Geotechnical Investigation Report – Steensby Rail Alignment including permafrost	2023

Baffinland will integrate the outcomes of supplemental fieldwork into applicable environmental management plans as required, and submit them in its Annual Reports to the Nunavut Impact Review Board and to the Nunavut Water Board, as relevant.

C. Additional Monitoring and Mitigations and Management Plans Required under the Project Certificate and/or Other Approvals Relevant to Climate Change

Baffinland continues to refine its environmental management plans planned for the Steensby Component of the Project based on the operations that have occurred since the original approval of the Mary River Project, and based on additional focused community and regulator engagements.

Management Plans for Steensby Construction and Operation specific to climate change will include:

- Construction Environmental Management Plan
- Environmental Protection Plan
- Air Quality and Noise Abatement Management Plan
- Climate Change Strategy

The Adaptive Management Plan will also apply to this topic. Baffinland will use their adaptive management response framework to evaluate climate change data against objectives and thresholds. This system is designed to detect changes in the environment early enough to investigate before they present a more serious risk to the environment. Should it be determined that the change is reasonably Project related, Baffinland can implement one or more actions already identified, or a new mitigation not previously considered.

To address climate change concerns, Baffinland has implemented and identified measures to mitigate climate change and reduce emissions. This includes transitioning from trucking to rail transport of ore which will be implemented with the Steensby Component. Baffinland will continue to use their adaptive management response framework to evaluate climate change monitoring results against objectives and thresholds.

All environmental management plans will be subject to ongoing review and updates for the life of the Project. With respect to climate change management plans, Baffinland will be supported by the advice of all impacted communities, and direct community engagement. Baffinland will report on the efficacy of its environmental management plans on a regular basis through its regulatory reporting obligations, as well as through its community engagement program.

D. Summary of Regulatory Application components which address this topic

Summary of FAA Application components which address this topic

Climate change was considered and integrated as part of the FAA applications. In the Freshwater FAA, all culvert installations were designed on the basis of a 200-year return period flow plus an additional 40% upsizing to account for climate change. Further to this, flows were adjusted upward by 20% in the Fish Passage Assessment to account for climate change, which builds in conservatism to the calculated velocities (Freshwater FAA, Appendix H).

In the Marine FAA, it is noted that although it is expected that the changes in sea ice-cover due to climate change will not significantly affect the shipping operations in the Foxe Basin, climate change considerations have been integrated in the planning and design of the Steensby Component (Marine FAA, Section 5.4.1.5). Baffinland will incorporate adaptive measures, as required.

Summary of CTA Section 98 Application components which address this topic

As outlined in the S.98 Application, there are numerous environmental advantages arising from the transition of trucking to rail transportation including, notably, a decrease in both greenhouse gas and dust emissions.

Baffinland has designed and developed the infrastructure for the Steensby Railway to ensure that it meets the geotechnical requirements for railway operations in arctic conditions, and also to account for the anticipated effects of climate change in the region (e.g. warming and thawing of permafrost). As described in the Extreme Cold Weather Conditions for Steensby Railway Report of the Section 98 Application (SD-65), the following steps have been undertaken as part of the geotechnical detailed design efforts incorporating the effects of climate change:

- Planned and executed supplemental field and laboratory campaigns, including ground-penetrating radar surveys in the northern portion of the alignment and at stream crossing as, additional boreholes in proposed cut or high-fill areas on ice-rich permafrost, and UAV photogrammetry surveys.

- Digitally mapped geomorphic terrain conditions and identified areas at risk of being affected by climate change along the proposed alignment.
- Performed advanced geotechnical and geothermal analyses to achieve the appropriate design recommendations. Specifically, conducting complex thermal modeling incorporating the effects of climate change to predict the behavior of foundation soils under proposed infrastructure elements, including railway embankments, bridges, tunnels, cuts, and drainage systems over the predicted 50-year useful life of the project.
- Following the guidance provided in CAN/BNQ 2501-500, and considering historic climate trends, CMIP6-SSP5 8.5 avg. was used for climate change projections.

The potential temperature variations and extremes have been projected by incorporating future climate projections into planning. This proactive approach enabled the adaptation of new rail laying temperature ranges and strategies to effectively address future climate conditions. Some of the measures integrated in the design include:

- **Track structure:** A flexible track design structure was adopted to accommodate ground movement and minimize stress on the railway superstructure. This includes using longer rail sections, installing expansion joints at critical locations, and implementing flexible fastening systems to absorb thermal expansion and contraction without causing damage.
- **Drainage:** Considerations based on the climate simulations have been included. The projected average annual precipitation for Baffin Island, under the high emissions scenario, indicates that precipitation increases by 40% for the period 2051 to 2080 and 57% for the last 30 years of this century. Given that the proposed railway culverts and bridges are designed for a service life of 50 years, an increase of 40% has been considered in the design flows.
- **Tunnels:** Provision for extending insulation throughout the entire length of the tunnel has been considered in the definition the functional section. Thermistor monitoring is incorporated in the design which will function throughout the rail line's operating phase. The results from this monitoring will provide the information needed to triggering the installation of additional insulation in response to possible climate change effects.
- **Tunnel and Portal Design:** Monitoring measures of tunnel and portals have been proposed to evaluate performance regarding the design during the construction phase. Geotechnical recommendations during construction works have been provided to mitigate risks related to weathering conditions and climate change, among other aspects. Due to continuous exposure to extreme weather conditions and climate change, tunnel and portal designs have integrated risks related to extreme weather conditions during the operation phase, in a risk assessment analysis, which also indicates prevention and mitigation measures. (S.98 Application, SD-65)

E. Conclusion

Baffinland acknowledges the statements made by Tour participants on the topic of climate change, and appreciates the opportunity for all dialogue on topics of interest. This feedback has been considered in relation to the 2012 FEIS, the outcomes of the NIRB review, the Project Certificate requirements (including terms and conditions, commitments, monitoring programs and management plan updates), ongoing adjustments that have occurred through monitoring, mitigation, community feedback and adaptive management since the Project began, and the measures reflected in the current pending Federal applications.

Baffinland also recognizes that there are established community grievance feedback processes in place, and ongoing community consultation mechanisms led by Baffinland as well as NIRB and Inuit, which will continue to allow us to work closely with Inuit on addressing issues throughout the life of the Project.

As summarized above, taking into account all of these mechanisms, Baffinland remains confident that there are robust measures in place to ensure that Steensby Component activities proceed in a manner that addresses climate change, in particular given the potential for this topic to impact on Inuit rights.

12. Benefits for communities

A. Summary of Feedback Shared During Tour

A summary of the verbal feedback heard by Baffinland in relation to this topic during the Tour is provided below. The comments were generally made in Inuktitut by participants and translated into English by local interpreters.

Baffinland recorded one comment in Sanirajak on community benefits:

"...question to Baffinland, those impacts, what are those plans for the impacted lands and animals, and the long term benefits. Basically you pulled the wool over the Pond Inlet people, gave them gas money, we are educated, we do know what is going on, I'll give you gas money, that's pointless, you just go for a ride and it goes back to government. What will the community get to replace something they no longer can hunt? For example this community has dusty roads and we will be in the same situation, things that have to be improved, fishing, routes, the future, ex a high school, these things improve, rather than just giving them something to buy them off."

Baffinland recorded two comments in Igloolik on community benefits:

"I care for you guys at Baffinland and do my best to help you guys. As residents of Igloolik there aren't many people working in the community, Baffinland is a place where we can work, I see people are trying to stop the project, why do you want Baffinland not to keep going, we can only hunt walrus, seal, and we can only hunt caribou on the mainland, not Baffin Island. We are stuck in this place, we are allowed to hunt, the people who we should worry about are those who are unemployed, even though us elders will be gone soon, younger people should be able to help them find work at Baffinland. Thank you for coming and letting me talk."

"We have never mentioned royalties, are we not allowed to say anything about that. In 2014, NTI president was given a free plane ticket to the Olympics and I was not. I suggest we have an NTI card, use it for the affected communities, and give us a preferred continuing shares. Not just our locals, free Christmas turkey, we want hospitals, men's shelter, women's shelter, arena, things like that."

B. NIRB Review Conclusions and Mitigations related to Benefits for Communities

Summary of NIRB Review Process Residual Effects Assessment and Prediction Confidence

In the FEIS 2012, Baffinland conducted an extensive assessment of the socio-economic environment, which relied on multiple lines of evidence, including available literature, direct field research (e.g. community engagement), desktop studies, land use studies (e.g. Mary River Land use Study) and expert opinion. The assessment, considering this information, drew the following conclusions with respect to the Projects' effects on benefits for communities:

“Through its contributions made under the IIBA, as well as payments of royalty, rents, and taxes, the Project will have a significant beneficial effect on the Benefits, Royalties, and Taxation VSEC... No adverse residual effects are assessed with regard to the Benefits, Royalty, and Taxation VSEC.” (FEIS Volume 4, Section 12.5)

In the Final Hearing Report for the Mary River Project, the Nunavut Impact Review Board considered benefits, royalty and taxation in Section 5.8 by providing a summary of the views of the Proponent, the views and concerns of Interested Parties and the views of the Board to draw specific conclusions and recommendations, which materialized in a draft Project Certificate 005, which was approved by the Ministers and issued in final on December 28, 2012.

Summary of relevant requirements from the NIRB Review Process and recognized under Project Certificate No. 005 and other existing approvals/agreements

The Mary River IIBA between Baffinland and the QIA fulfils the requirements of the Nunavut Agreement set out in Article 26 and applies to the entire Mary River Project, including the Steensby Component. The IIBA identifies mitigation measures to address issues raised by Inuit about the Project and establishes significant financial compensation and benefits to Inuit (S. 98 Application, Supporting Document 72).

In addition to the IIBA, whose future implementation formed a part of the evidentiary record on which the Nunavut Impact Review Board and the Ministers based their approval of the Mary River Project, Project Certificate 005 also provides specific direction on community benefits in TCs 151, 156 and 160. Appendix B Commitments detail how Baffinland will engage with Igloolik to develop community infrastructure commitments, such as road paving and women and youth centres (Commitment 008), as well as fund the Pond Inlet Training Centre (Commitments 014 - 015).

- Term and Condition 151 requires Baffinland to investigate measures and programs that would help employees with homeownership or access to affordable housing options.
- Term and Condition 156 requires Baffinland to assist with supporting recreation programs and opportunities within the potentially affected communities.
- Term and Condition 160 requires the GN and QIA to ensure that Project benefits are distributed across impacted communities.

Follow Up Monitoring and Supplemental Baseline

While no adverse residual effects with regard to benefits, royalties and taxation were demonstrated in the FEIS, Baffinland is committed to ongoing socio-economic monitoring for the life of the Project. This is required under Project Certificate 005 and as a matter of best practice.

Baffinland will develop and implement a comprehensive socio-economic environment monitoring programs for the Steensby Component during all its phases, including pre-construction, construction, operation and closure.

Several examples of where Project Certificate 005 requires this are included here for reference (see Attachment 2 enclosed):

- Term and Condition 129. Baffinland and the Qikiqtaaluk Socio-Economic Monitoring Committee (QSEMC) should identify areas for inclusion into a collaborative monitoring framework that includes socio-economic priorities related to the Project, communities, and the North Baffin region as a whole.
- Term and Condition 130. Baffinland should consider establishing and coordinating with smaller socio-economic working groups to meet Project specific monitoring requirements.
- Term and Condition 169. Baffinland shall provide an annual monitoring summary to the NIRB on the monitoring data related to the regional and cumulative economic effects (positive and negative) associated with the Project and any proposed mitigation measures being considered necessary to mitigate the negative effects identified.

Since 2021 Baffinland has been conducting fieldwork in support of various environmental authorizations required to develop specific elements of the Steensby Component of the Project. An in-community supplemental baseline socio-economic monitoring program is planned for 2026.

Baffinland will integrate the outcomes of all supplemental fieldwork into applicable environmental management plans as required, and submit them in its Annual Reports submitted to the Nunavut Impact Review Board.

C. Additional Monitoring and Mitigations and Management Plans Required under the Project Certificate and/or Other Approvals Relevant to Community Benefits

Baffinland continues to refine its environmental management plans planned for the Steensby Component of the Project based on the operations that have occurred since the original approval of the Mary River Project, and based on additional focused community and regulator engagements.

With respect to community benefits, Baffinland implements a Socio-Economic Monitoring Plan which will be applied during the Steensby Component. In addition to the Socio-Economic Monitoring Plan, other management plans to be developed and applicable to the human environment of the Steensby Component activities includes:

- Inuit Training Plan
- Community and Stakeholder Engagement Plan

The Adaptive Management Plan will also apply to this topic. The Socio-Economic Monitoring Plan will follow the system for adaptive management outlined in the Adaptive Management Plan. This requires the prior establishment of monitoring objectives, indicators, thresholds and responses based on low, moderate and high levels of risk. This system is designed to detect changes in the environment early enough to investigate before they present a more serious risk. Should it be determined that the changes are reasonably Project related, Baffinland can implement one or more actions already identified in the Socio Economic Monitoring Plan, or a new mitigation not previously considered.

All environmental management plans will be subject to ongoing review and updates for the life of the Project. With respect to the Socio-Economic Monitoring Plan, Baffinland will be supported by the advice of the Socio-Economic Monitoring Working Group and direct community engagement. Baffinland will report on the efficacy of its environmental management plans on a regular basis through its regulatory reporting obligations, as well as through its community engagement program.

D. Summary of Regulatory Application components which address this topic

Summary of FAA Application components which address this topic

The complementary measures proposed in Baffinland's FAAs (Marine FAA Vol. 2 Section 3.9, Freshwater FAA Section 8.3) aim to benefit communities by conducting research on fisheries significant to Inuit, with opportunities for their participation. Additionally, communities have expressed interest in beach clean-ups at various sites near the Steensby Port site and Sanirajak to address fuel drums, camp remnants, and other waste materials, ultimately benefitting communities and land users (Marine FAA Appendix A-1, Freshwater FAA Appendix B1).

Summary of CTA Section 98 Application components which address this topic

The detailed information on benefits discussed below was included in the Section 98 Application (Section III.1G, Line 54) as this was identified as an interest of localities during engagement (S.98 Supporting Document 69).

Baffinland is the largest private employer in the Qikiqtani region and is one of the largest private employers in Nunavut. Baffinland has committed to maximizing Inuit employment in its

operations and to delivering other long-term socio-economic benefits to the community, including through the IIBA. Over \$150 million in wages have been paid to Inuit employees and contractors since operations began.

As of August 2024, over \$164 million has been paid to Qikiqtani Inuit under the IIBA, along with \$1.79 billion in contracts awarded to Inuit firms. Additionally, Baffinland has contributed \$3.8 million through its Sponsorship and Donation Program, supported over 650 pre-employment training program graduates, and delivered more than 229,000 hours of training to Inuit employees.

In 2023 alone, Baffinland and its partners contributed over \$1.5 million toward social, recreational, educational and cultural initiatives in communities such as Arctic Bay, Clyde River, Igloolik, Pond Inlet, Sanirajak, and Iqaluit. This included payments of \$270,000 to the Tasiuqtiit Working Group for community wellness initiatives and \$500,000 in sponsorships and community donations. Baffinland also supports school-based programs like the School Lunch Program and laptop donations.

Baffinland estimates that the total value of financial benefits which will flow to Inuit and Nunavut over the life of the Project (including the Steensby Railway) will exceed \$5 billion CAD in direct payments to the Governments of Nunavut and Canada, and to Inuit Organizations, including QIA and Nunavut Tunngavik Inc., as well as more than \$1 billion CAD paid directly to Inuit through employment at the Project.

These estimates do not reflect other monetary and non-monetary benefits which will flow to Qikiqtani Inuit, other Nunavummiut, and Canadians generally as a result of the Mary River Project, such as the opportunities and training that generations of Qikiqtani Inuit and other Nunavummiut will experience as a result of the Mary River Project. The Steensby Component will bring better financial stability to the Mary River Project and, in turn, stabilize employment and contracting opportunities.

E. Conclusion

Baffinland acknowledges the statements made by Tour participants on the topic of benefits to Inuit, and appreciates the opportunity for all dialogue on topics of interest. This feedback has been considered in relation to the 2012 FEIS, the outcomes of the NIRB review, the Project Certificate requirements (including terms and conditions, commitments, monitoring programs and management plan updates), ongoing adjustments that have occurred through monitoring, mitigation, community feedback and adaptive management since the Project began, and the measures reflected in the current pending Federal applications.

Baffinland also recognizes that there are established community grievance feedback processes in place, and ongoing community consultation mechanisms led by Baffinland as well as NIRB

and Inuit, which will continue to allow us to work closely with Inuit on addressing issues throughout the life of the Project.

The Inuit Impact Benefit Agreement and Water Compensation Agreement are key mechanisms that address this topic.

As summarized above, taking into account all of these mechanisms, Baffinland remains confident that there are robust measures in place to ensure that Steensby Component activities proceed in a manner that provides for significant benefits to Inuit.

13. Archaeology/ cultural sites

A. Summary of Feedback Shared During Tour

A summary of the verbal feedback heard by Baffinland in relation to this topic during the Tour is provided below. The comments were generally made in Inuktitut by participants and translated into English by local interpreters.

In Pond Inlet, Baffinland recorded three comments re archaeological/culturally important sites:

“Archaeological sites where Inuit did construction of these sites, I know of 2 sites that have suffered damage, they are 2 sites where they covered a previous campsite, there used to be a camping site where Inuit used to go spotting for caribou, they have completely levelled that, little things like that, I’ve tried to ask questions about that, but I am not sure who particularly addresses that.”

“The contractors should hear from the communities, they should be part of the consultations, if they don’t hear everything they may inadvertently run over archaeological sites or things like that.”

“I know where my father was born, its right where the proposed dock is, that’s where they had their camp, because it has walrus, caribou and fish, they wanted to be in proximity to all those wildlife resources, the area where there is a grave will be disturbed, maybe an archaeologist or someone who can preserve it, maybe they can take pictures prior to any construction. If you show the pictures to the community, we can tell you what that parcel of land holds or why it is important.”

B. NIRB Review Conclusions and Mitigations related to Cultural Resources

Summary of NIRB Review Process Residual Effects Assessment and Prediction Confidence

In the 2012 FEIS, Baffinland conducted an extensive assessment of the archaeology and cultural sites, which relied on multiple lines of evidence, including available literature, direct field research (e.g. archeological surveys), land use studies (e.g. Mary River Land use Study) and expert opinion. The assessment, considering this information, drew the following conclusions with respect to the Projects potential effects on archaeology and cultural sites:

“The Project will involve the avoidance, protection and mitigation of archaeological sites in accordance with an Archaeological Mitigation Plan

approved by CLEY, and a protection plan to reduce the potential for unintentional destruction of archaeological sites.

With the implementation of the mitigation and protection plans, the Project is expected to have negligible residual effect on the disturbance or removal of archaeological sites, and on the cultural resources VSEC.” (FEIS, Volume 4, Section 9.7)

In the Final Hearing Report for the Mary River Project, the Nunavut Impact Review Board considered cultural sites in Section 5.7 by providing a summary of the views of the Proponent, the views and concerns of Interested Parties and the views of the Board to draw specific conclusions and recommendations, which materialized in a draft Project Certificate 005, which was approved by the Ministers and issued in final on December 28, 2012.

Summary of relevant requirements from the NIRB Review Process and recognized under Project Certificate No. 005 and other existing approvals/agreements

The 2012 FEIS proposed a number of mitigations related to archaeology through the assessment in Cultural Resource Effects Assessment at Volume 4, and the Cultural and Heritage Resource Protection Plan at Appendix 10F - 2. The following table summarizes the mitigations for cultural resources included in the 2012 FEIS:

Table 16. 2012 FEIS Cultural Resources Mitigation Measures

Project Area	Mitigation Measure(s)
Milne Port	Direct effects sites are proposed to be mitigated by systematic data recovery (SDR). The area east of the lease area (an east of the unnamed creek) is a proposed exclusion zone, to be off limit by Project staff (employees and contractors). No further action is proposed for the sites with potential indirect effects as they are considered to be far enough away from Project activity, in particular camps, to avoid human disturbance.
Milne Inlet Tote Road	Fifty-seven sites were identified on the Milne Inlet Tote Road. Twenty-five sites were mitigated during the years of 2007, 2008 and 2011. Of the remaining 32 sites, 15 are located in an area less than 35m from the center of the road in a zone of potential direct effects, and are proposed to undergo SDR. The remaining 17 are in a zone further than 35m and fencing and periodic monitoring is recommended.
Mine Site	Two sites were found in this area. One has already been mitigated. The remaining site could have a potentially indirect effect and has been proposed to undergo SDR.
Railway	Twenty-one sites were found that could have potential direct effects and nine were identified with potential indirect effects. No sites have been mitigated along the proposed railway corridor to date. Seven of the sites with potential direct effects are proposed to undergo accurate mapping and 13 to undergo further SDR.
Steensby Port	Ninety-seven sites have been identified in Steensby Port. Twenty-eight were mitigated in 2008, 2010 and 2011. Of the 69 remaining, 27 are outside the footprint of Steensby Port, mostly located along the south shore of the Ikpikitturjuaq Bay, and will be avoided through the

	establishment of an exclusion zone. Two sites are to be protected by fencing and periodic monitoring. Forty sites are subject to direct impact and are proposed to be mitigated in 2012.

In addition to the mitigations listed above, which form a part of the evidentiary record on which the Nunavut Impact Review Board and the Ministers based their approval of the Mary River Project, Project Certificate 005 and other agreements also provides specific direction on cultural resources to address community concerns (see Attachment 2 enclosed):

- Project Certificate TC 162 requires Baffinland to 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.
- Project Certificate Appendix A Commitment 97 requires Baffinland to having Inuit Elders visit the Steensby site to assist in identifying and ensuring that archaeological sites in the area not impacted by project activities. In August 2024, over 160 Elders and land users visited Steensby in an event organized by Baffinland.
- Project Certificate Appendix A Commitment 98 requires Baffinland to provide training to its employees regarding the protection of archeological resources within the project area.

Follow Up Monitoring and Supplemental Baseline

The 2012 FEIS residual effects assessments demonstrated the Project, with mitigations, was unlikely to have a significant effect on archeological sites with a high degree of certainty. Baffinland continues to undertake archaeology surveys along the planned Steensby Rail alignment and Port to mitigate and minimize impacts of construction and operations on culturally significant sites.

Multiple archaeological sites have already been identified, and the majority of archeological surveys along the Steensby Component have been complete. The options for mitigation actions are provided within the Cultural Heritage Resource Protection Plan. In summary, the archeological resources can either be avoided or mitigated (excavated). All archeological work completed in each year requires a permit from the Government of Nunavut, Department of Culture and Heritage and all artifacts go to the Inuit Heritage Trust.

Since 2021 Baffinland has been conducting fieldwork in support of various environmental authorizations required to develop specific elements of the Steensby Component of the Project. The following is a list of archeological surveys that have been complete since 2021, and that are planned prior to the commencement of the Steensby railway.

Table 17. Steensby Archeological Surveys

Topic	Description	Year
Ongoing/Completed Studies		
Archaeology	Summary of Baffinland’s 2023 Data Collection Programs and Planning	2023
Archaeology	2024 Archaeology Activities – Steensby Component of the Mary River Project	2024
Archaeology	Archaeology surveys of Steensby area along quarries, planned winter road and Railway alignment.	2024
Archaeology	Protection and mitigation of archaeological sites to allow preservation of archaeological resources.	2026

Baffinland will integrate the outcomes of supplemental fieldwork into applicable environmental management plans as required.

C. Additional Monitoring and Mitigations and Management Plans Required under the Project Certificate and/or Other Approvals Relevant to Cultural Resources

Baffinland continues to refine its environmental management plans planned for the Steensby Component of the Project based on the operations that have occurred since the original approval of the Mary River Project, and based on additional focused community and regulator engagements.

Management Plans for Steensby Construction and Operation specific to the topic of archaeology will include:

- Construction Environmental Management Plan
- Environmental Protection Plan
- Socio-economic Monitoring Plan
- Cultural Heritage Resource Protection Plan

Baffinland will continue to retain qualified project archaeologists as required by the Project to develop mitigation plans as part of archaeological permit applications submitted to Government of Nunavut Department of Cultural Heritage (**GNDCH**) for review. Permit applications will be required when archaeological work is ongoing, which will include a description of the sites and the mitigation method to be applied. GNDCH is ultimately responsible for the issuing of archaeological permits, wider consultation with other stakeholders is also required, including approval of permit applications by the Inuit Heritage Trust. All mitigation requests must be approved by GNDCH prior to any disturbance of cultural resources. GNDCH will then issue a permit to the qualified archaeologist prior to any site disturbance or data recovery program implementation.

The IIBA also requires Baffinland to respect the archaeological record of Nunavut and the requirements of the Nunavut Agreement.

The Adaptive Management Plan will also apply to this topic. Baffinland will use their adaptive management response framework to evaluate cultural resources. This system is designed to detect changes in the environment early enough to investigate before they present a more serious risk to the environment. Should it be determined that the changes is reasonably Project related, Baffinland can implement one or more actions already identified, or a new mitigation not previously considered.

D. Summary of Regulatory Application components which address this topic

Summary of FAA Application components which address this topic

Specific details on archaeology are not included in the FAA applications, as this activity does not directly interact with fish and fish habitat. However, this Tour follow up document is being given to DFO, for context should DFO decision makers have interest in this topic.

Summary of CTA Section 98 Application components which address this topic

An overview of the 2024 archaeology activities is provided in the S.98 Application (SD-81). In 2024, Baffinland archaeologists conducted a 3-week archaeological survey program along the planned Steensby Railway and potential Winter Road routes. The aerial survey was conducted by flying low-level helicopter transects over planned development areas. Archaeologists landed and recorded 60 new archaeology sites. No artifacts were collected and no mitigation measures were enacted in 2024. Mitigative work, including installation of protective fencing or excavation of any new or existing archaeology sites will occur in 2026 or later, under subsequent Class II Permit(s).

Including the 60 new sites recorded in 2024, there are a total of 328 documented archaeological sites within the Mary River Project Area, including the Milne Port Site, the Mine Site, Steensby Port Site, and the two transportation corridors: the Northern Transportation Corridor (Tote Road) and the Southern Transportation Corridor (Steensby). The Southern Transportation Corridor contains 207 archaeology sites along the Steensby Railway and at the Port Site. Archaeologists have surveyed a 200m-wide corridor along the entire Steensby Railway and all associated construction and port infrastructure, although the potential always remains for new sites to be discovered accidentally or through modifications to construction plans.

Archaeological sites can be mitigated in three ways; Avoidance, Protection (fences), or Systematic Data Recovery (excavation). Of the 207 sites recorded along the Steensby Corridor and at Steensby Port, 41 have already been mitigated through Systematic Data Recovery. As Systematic Data Recovery is a destructive process, the Territorial Archaeology Office prioritizes

Avoidance wherever possible, followed by Protection, and only where reasonably unavoidable, Systematic Data Recovery. Baffinland's goal is to avoid and protect as many archaeology sites as possible, however, some additional excavation will be required.

E. Conclusion

Baffinland acknowledges the statements made by Tour participants on the topic of archaeology and cultural sites, and appreciates the opportunity for all dialogue on topics of interest. This feedback has been considered in relation to the 2012 FEIS, the outcomes of the NIRB review, the Project Certificate requirements (including terms and conditions, commitments, monitoring programs and management plan updates), ongoing adjustments that have occurred through monitoring, mitigation, community feedback and adaptive management since the Project began, and the measures reflected in the current pending Federal applications. This is also a topic that is subject to robust federal and Nunavut legal requirements, including under the Nunavut Agreement.

Baffinland also recognizes that there are established community grievance feedback processes in place, and ongoing community consultation mechanisms led by Baffinland as well as NIRB and Inuit, which will continue to allow us to work closely with Inuit on addressing issues throughout the life of the Project.

The Inuit Impact Benefit Agreement is a key mechanism that addresses this topic.

As summarized above, taking into account all of these mechanisms, Baffinland remains confident that there are robust measures in place to ensure that Steensby Component activities proceed in a manner that is protective of archaeology and cultural sites and of Inuit rights associated with these topics.

14. Dust

A. Summary of Feedback Shared During Tour

A summary of the verbal feedback heard by Baffinland in relation to this topic during the tour is provided below. It should be noted that the comments were generally made in Inuktitut by participants and translated into English by local interpreters.

In Pond inlet Baffinland recorded the following comment re dust:

"For example at Milne Inlet the whole area is now reddish because of the dust, eventually it will get blown all over the place, I hope there will be more dust suppression methods so we don't deal with the same thing over here. Especially around the stockpiles, dust suppression."

In Igloolik Baffinland recorded the following comment re dust:

"you see how red that is, it's just a small picture, I'm sure it is a bigger area with dust coverage, the taste might be different, it should be ok if we eat the snow, we do not want water with a different taste, with dust cover, animals do not want it to be covered in dust. We do not want the land to be red. Even though we say that, you do not seem to care. The money outweighs the food."

B. NIRB Review Conclusions and Mitigations related to Dust

Summary of NIRB Review Process Residual Effects Assessment and Prediction Confidence

In the 2012 FEIS, Baffinland conducted an extensive assessment on dust, which relied on multiple lines of evidence, including available literature, direct field research (e.g. air quality monitoring), desktop studies (e.g., models, risk assessments), and expert opinion. The assessment, considering this information, drew the following conclusions with respect to the Projects potential effects on caribou:

"Air quality parameter concentrations in excess of their respective thresholds are predicted, though these exceedances are generally confined to the LSAs, and are generally reversible. Effects of the Project on air quality are predicted to be not significant." (FEIS, Volume 5, Section 2.7)

In the Final Hearing Report for the Mary River Project, the Nunavut Impact Review Board considered air quality in Section 4.2 by providing a summary of the views of the Proponent, the views and concerns of Interested Parties and the views of the Board to draw specific conclusions and recommendations, which materialized in a draft Project Certificate 005, which was approved by the Ministers and issued in final on December 28, 2012.

Summary of relevant requirements from the NIRB Review Process and recognized under Project Certificate No. 005 and other existing approvals/agreements

The 2012 FEIS proposed a number of mitigations related to air quality through the assessment in air quality Effects Assessment at Volume 5, and the Air Quality and Noise Abatement Management Plan at Appendix 10D - 1. The following table summarizes the mitigations for dust included in the 2012 FEIS:

Table 18. 2012 FEIS Dust Mitigation Measures

Project Activity	Mitigation Measure(s)
Life of Project	• Procurement Policy - Baffinland's procurement procedures will incorporate air emissions and noise standards for the purchase of all equipment and machinery used at the Project. Emission and noise standards will be based on Nunavut or Canadian regulatory guidelines, or best available technologies. • Best Management Practices - For all Project phases, Baffinland HSE Management Framework requires application of best management practices for environmental protection. • Fuel Supply - Throughout the life of the project, Baffinland will endeavour to secure sources of fuel low in contaminants (low sulphur fuel). • Scheduled Maintenance Program- Mobile equipment and stationary combustion equipment (generators, boilers, and waste incinerators) will be subjected to a routine maintenance schedule to ensure that emissions are in line with emission criteria and vendor's specifications on emissions. • Occupational Health and Safety - At all times, workplace conditions will be in compliance with OSHA standards for workplace ambient air quality and noise. When and where necessary, employees will be provided with hearing protection and respiratory masks for work in dusty environments. Health and safety procedures and standards will be strictly enforced throughout the life of the Project. • Waste Segregation for Incinerator Operation - The incineration of plastic can lead to the formation of dioxin and furans. Where practical, plastic will be separated from the waste stream and disposed of at the landfill. The procurement policy for food stuffs will also target avoidance of using plastics for packaging. Open-air burning will be limited and allowed only once necessary authorizations have been obtained. • Vehicle Traffic - Vehicle traffic at the mine site and the Tote Road to Milne Port is expected to be the major contributor to dust generation. Dust generation will be more pronounced during summer months and is not likely to be an issue during winter or the freshet period. To minimize dust generated by vehicular traffic during the summer, Baffinland will: • use granular material for road construction and maintenance

	• limit speed of vehicle on all roads • use dust suppressant as required.
Construction and Closure Phases	• The use of coarse granular material for road construction • watering roads, as necessary, to reduce visible plumes when it is practical to do so (e.g., when temperatures are above freezing) • using other dust suppressants as appropriate • using well-defined haul routes to minimize disturbed surfaces • limiting traffic to essential use over construction areas • limiting speed over construction areas • minimizing drop distances (i.e., using adjustable stackers) for stockpiling activities.
Operations Phase – Mine Site	• most bulk material transfer points are enclosed and emissions controlled by baghouses (dust collectors) • railway transport in lieu of extensive haul roads • crushers and screens are enclosed and emissions controlled by baghouses (dust collectors) • exhaust stacks for power generators will be clustered within one to two stack diameters of each other to enhance plume rise, thereby reducing ground-level concentration of air contaminants.
Operations Phase – Steensby Port	• most bulk material transfer points are vented and emissions controlled by dust collectors • exhaust stacks for power generators will be clustered within one to two stack diameters of each other to enhance plume rise, thereby reducing ground-level concentration of air contaminants • reduced vehicle speed on roads.
Operations Phase - Milne Port	Best management practices for dust control will be followed during construction. An Air Quality and Noise Abatement Management Plan is included in FEIS Appendix 10D-1. These practices may include: • Watering of roads and/or application of approved dust suppressants, as necessary, to reduce visible plumes when temperatures are above freezing; • Observe appropriate speed limits; and • Concrete batch plant equipped with industry standard dust collection.

In addition to the mitigations listed above, which form a part of the evidentiary record on which the Nunavut Impact Review Board and the Ministers based their approval of the Mary River Project, Project Certificate 005 also provides specific direction on dust to address community concerns (see Attachment 2 enclosed):

- Term and Condition 11 requires Baffinland will develop and implement an Incineration Management Plan that takes into consideration the recommendations provided in Environment Canada's Technical Document for Batch Waste Incineration (2010).

- Term and Condition 12 requires Baffinland prior to commencing any incineration of on-site Project wastes, The Proponent shall conduct at least one stack test immediately following the commissioning of each temporary and permanent incinerator.
- Term and Condition 187 requires Baffinland to resource an annual audit of dust impacts and mitigations associated with project activities to be completed by a third party acceptable to the responsible parties. The dust audit shall evaluate effectiveness of current measures and if necessary, contain recommendations and options to reduce the spread and impacts of dust from project activities.
- Term and Condition 188 requires Baffinland to establish a program to identify high risk conditions for dust dispersal, and a plan for additional measures to be taken at the times the conditions are present, which may include the use of additional dust suppression and operational staged decreases in dust generating site activities.
- Project Certificate Appendix A Commitment 2 requires Baffinland to develop and implement mitigation measures which control fugitive dust emissions.
- Project Certificate, Amendment 5(2023), Appendix B, B2 002 requires Baffinland to 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.

Follow Up Monitoring and Supplemental Baseline

While the residual effects assessments demonstrated the Project, with mitigations, was unlikely to have a significant effect on caribou with a high degree of certainty, Baffinland is committed to ongoing caribou effects monitoring for the life of the Project. This is required under Project Certificate 005 and as a matter of best practice.

Baffinland will develop and implement a comprehensive caribou monitoring programs for the Steensby Component during all its phases, including pre-construction, construction, operation and closure. Several examples of where Project Certificate 005 and other agreements requires this are included here for reference (see Attachment 2 enclosed):

- Term and Condition 10 requires Baffinland to update Dust Management and Monitoring Plan to address and/or include the following:
 - specific plans for monitoring dust along the first few kilometres of the rail corridor leaving the Mary River mine site
 - specific adaptive management measures to be considered should monitoring indicate that dust deposition from trains transporting
 - specific plans for monitoring dustfall at intervals along and in the vicinity of the Milne Inlet Tote Road
 - specific adaptive management measures to be considered if monitoring indicates that dust deposition from traffic on the Milne Inlet Tote Road is greater than initially predicted.

- Project Certificate Appendix A Commitment 60 requires Baffinland to monitor 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.
- Project Certificate Appendix A Commitment 66 requires Baffinland to develop and implement of a monitoring program during the construction and other phases of the Mary River Project.

Since 2021 Baffinland has been conducting fieldwork in support of various environmental authorizations required to develop specific elements of the Steensby Component of the Project. The following is a list of supplemental baseline programs that have been run since 2021, and that are planned prior to the commencement of the Steensby railway.

Table 19. Steensby Air Quality Supplemental Baseline Studies

Topic	Description	Year
Ongoing/Completed Studies		
Terrestrial	Terrestrial Environment – 2021 Annual Monitoring Report, which includes satellite based dust monitoring of the Steensby Port area	2022
Air Quality	Updated Air Quality Modelling Report for Steensby Component	2024

Baffinland will integrate the outcomes of supplemental fieldwork into applicable environmental management plans as required, and submit them in its Annual Reports to the Nunavut Impact Review Board.

C. Additional Monitoring and Mitigations and Management Plans Required under the Project Certificate and/or Other Approvals Relevant to Dust

Baffinland continues to refine its environmental management plans planned for the Steensby Component of the Project based on the operations that have occurred since the original approval of the Mary River Project, and based on additional focused community and regulator engagements.

Management Plans for Steensby Components specific to dust will include:

- Construction Environmental Management Plan
- Environmental Protection Plan
- Air Quality and Noise Abatement Management Plan
- Terrestrial Environment Mitigation and Monitoring Plan
- Environmental Monitoring Plan

The Adaptive Management Plan will also apply to this topic. Baffinland will use their adaptive management response framework to evaluate air quality monitoring results against objectives and thresholds. This system is designed to detect changes in the environment early enough to investigate before they present a more serious risk to the environment. Should it be determined that the changes are reasonably Project related, Baffinland can implement one or more actions already identified, or a new mitigation not previously considered.

All environmental management plans will be subject to ongoing review and updates for the life of the Project. With respect to air quality management plans, Baffinland will be supported by the advice of the Terrestrial Environment Working Group, which includes HTO representatives from all impacted communities, and direct community engagement. Baffinland will report on the efficacy of its environmental management plans on a regular basis through its regulatory reporting obligations, as well as through its community engagement program.

D. Summary of Regulatory Application components which address this topic

Summary of FAA Application components which address this topic

The FAA Applications include information about dust. In the Freshwater FAA, it is outlined that Dust suppression water sources are planned along the Steensby Railway as part of the construction phase of the Steensby Component. Eleven dust suppression water sources have been identified and a hydrological assessment of these water withdrawals is presented in Appendix E. In terms of mitigation measures, all water intakes will be equipped with fish screens in accordance with DFO's Interim code of practice: End-of-pipe fish protection screens for small water intakes in freshwater (Freshwater FAA, Section 3.3.2 – Dust Suppression).

In the marine FAA, the implementation of appropriate management practices for erosion control, including dust control is outlined (Marine FAA, Section 7.2.3 Sediment and Erosion Control).

Summary of CTA Section 98 Application components which address this topic

As outlined in the Section 98 Application, there are numerous environmental advantages arising from the transition of trucking to rail transportation including, notably, a decrease in both greenhouse gas and dust emissions. While Baffinland is already taking meaningful steps to reduce dust in collaboration with an Inuit-led Dust Audit Committee, transitioning ore transport from a Northern trucking operation to the Steensby Railway will significantly reduce dust emissions along the Tote Road. The Dust Audit Committee is comprised of nominated representatives from the hamlets and their Hunter and Trappers' associations including Pond Inlet, Igloolik, Clyde River, Sanirajak and Arctic Bay, as well as representatives from the QIA and facilitators and engineering subject matter experts from Nunami Stantec and CWA Engineers Inc.

Baffinland will extend its dust management system for the Mary River Mine to the Steensby Components as applicable. These dust management systems have been developed based on input from localities during the monitoring and Project Certificate commitment processes described in above.

E. Conclusion

Baffinland acknowledges the statements made by Tour participants on the topic of dust, and appreciates the opportunity for all dialogue on topics of interest. This feedback has been considered in relation to the 2012 FEIS, the outcomes of the NIRB review, the Project Certificate requirements (including terms and conditions, commitments, monitoring programs and management plan updates), ongoing adjustments that have occurred through monitoring, mitigation, community feedback and adaptive management since the Project began, and the measures reflected in the current pending Federal applications.

Baffinland also recognizes that there are established community grievance feedback processes in place, and ongoing community consultation mechanisms led by Baffinland as well as NIRB and Inuit, which will continue to allow us to work closely with Inuit on addressing issues throughout the life of the Project.

As summarized above, taking into account all of these mechanisms, Baffinland remains confident that there are robust measures in place to ensure that Steensby Component activities proceed in a manner that addresses concerns regarding project-generated dust, in particular given the potential for this topic to impact on Inuit rights.

Attachment 2.

Relevant Project Certificate Terms, Conditions and Commitments for Topics
Raised during the Federal Tour

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1 WALRUS AND SEAL

A. NIRB Project Certificate No. 005 Terms and Conditions

REVISED Term and Condition No.	<i>99 Modified for the Sustaining Operations Proposal</i>
Category:	Marine Environment – Supplemental Baseline Assessments
Responsible Parties:	The Proponent, Marine Environment Working Group
Project Phase:	Construction and Operations
Objective:	To supplement and update baseline information and improve predictions for potential impacts to marine wildlife.
Term or Condition:	The Proponent, working with the Marine Environment Working Group, shall consider and identify priorities for conducting the following supplemental baseline assessments: a. Establish shipping season, inter-annual baseline in Steensby Inlet and Milne Inlet that enables effective monitoring of physical and chemical effects of ballast water releases, sewage outfall, and bottom scour by ship props, particularly downslope and downstream from the docks. This shall include the selection and identification of physical, chemical, and biological community/indicator components. The biological indicators shall include both pelagic and benthic species but with emphasis on relatively sedentary benthic species (e.g., sculpins). b. The collection of additional baseline data: i. in Steensby Inlet on walrus, beluga, bearded seal anadromous Arctic Char abundance, distribution ecology and habitat use; and ii. In Milne Inlet on narwhal, bowhead and anadromous Arctic Char abundance, distribution ecology and habitat use. c. Enhance baseline data on marine wildlife (fish, invertebrates, birds, mammals, etc.) and to provide more details on species abundance and distribution found in the Project area. This shall include, but not be limited to the following: iii. Aerial surveys for basking ringed seals throughout the landfast ice of Steensby Inlet and at an appropriate control location; iv. Shore-based observations of pre-Project narwhal and bowhead whale behavior in Milne Inlet that continues throughout operations at an appropriate frequency throughout the Proponent's ore shipping operations via Milne Inlet. Enhance the baseline for affected freshwater systems, which includes control sites to detect Project-related changes before they cause

	significant harm.
Reporting Requirements:	The Proponent shall provide a summary discussion of its implementation of this term and condition (including results of monitoring, adaptive management strategies, consultation, and contribution efforts) to the NIRB through the Proponent's annual monitoring report. Updated plans developed from monitoring, adaptive management, and engagement shall be provided to the NIRB throughout the monitoring year as they are finalized.

REVISED Term and Condition No.	101 Modified for the Sustaining Operations Proposal
Category:	Marine Environment – Monitoring
Responsible Parties:	The Proponent, Marine Environment Working Group
Project Phase:	Construction and Operations
Objective:	To monitor for potential impacts to marine wildlife and marine habitat.

Term or Condition:	The Proponent shall incorporate into the appropriate monitoring plans the following items: a. A monitoring program that focuses on walrus use of Steensby Inlet and their reaction to disturbance from construction activities, aircraft, and vessels; b. Efforts to involve Inuit in monitoring studies at all levels; c. Monitoring protocols that are responsive to Inuit concerns; d. Marine monitoring protocols are to consider the use of additional detecting devices to ensure adequate monitoring through changing seasonal conditions and daylight; e. Schedule for periodic aerial surveys as recommended by the Marine Environment Working Group; f. Periodic aerial surveys for basking ringed seals throughout the landfast ice of Steensby Inlet, and a suitable control location. Surveys shall be conducted at an appropriate frequency to detect change inter-annual variability; g. Shore-based observations of pre-Project narwhal behavior in Milne Inlet, that continues throughout operations at an appropriate frequency throughout the Proponent's ore shipping operations via Milne Inlet; h. Conduct landfast ice monitoring for the duration of the Project Operations phase, which will include: i. The number of ship transits that are able to use the same track; and, ii. The area of landfast ice disrupted annually by ship traffic; and iii. Monitoring strategy focused on assessing and mitigating interaction between humans and wildlife at the port site(s).
Reporting Requirements:	The Proponent shall provide a summary discussion of its implementation of this term and condition (including results of monitoring, adaptive management strategies, consultation, and contribution efforts) to the NIRB through the Proponent's annual monitoring report. Updated plans developed from monitoring, adaptive management, and engagement shall be provided to the NIRB throughout the monitoring year as they are finalized.

Term and Condition No.	119
Category:	Marine Environment – Ringed Seals
Responsible Parties:	The Proponent, Marine Environment Working Group
Project Phase:	Construction
Objective:	To prevent impacts to ringed seals from icebreaking associated with Project shipping.

Term or Condition:	The Proponent shall, in conjunction with the Marine Environment Working Group, monitor ringed seal birth lair abundance and distribution for at least two years prior to the start of icebreaking to develop a baseline, with continued monitoring over the life of the project as necessary to test the accuracy of the impact predictions and determine if mitigation is needed. Monitoring shall also include a control site outside of the Project's zone of influence.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	148
Category:	Economic Development and Self-Reliance, and Contracting and Business Opportunities – Food security
Responsible Parties:	The Proponent, Members of the QSEMC
Project Phase:	Construction and Operations
Objective:	To improve understanding of the interactions between the Project and Inuit harvesting and how this relates to food security for residents of the North Baffin.
Term or Condition:	The Proponent is encouraged to undertake collaborative monitoring in conjunction with the Qikiqtaaluk Socio-Economic Monitoring Committee's monitoring program which addresses Project harvesting interactions and food security and which includes broad indicators of dietary habits.
Reporting Requirements:	To be developed following approval of the Project by the Minister

Term and Condition No.	178
Category:	Alternatives Analysis – Mill Island shipping route consideration
Responsible Parties:	The Proponent, Qikiqtani Inuit Association, Nunavut Impact Review Board, Marine Environment Working Group
Project Phase:	Construction, Operations, Temporary Closure /Care and Maintenance
Objective:	To prevent disturbance to walrus and walrus habitat on the northern shore of Mill Island.
Term or Condition:	Subject to safety considerations and the potential for conditions, as determined by the crew of transiting vessels, to result in route deviations, the Proponent shall require project vessels to maintain a route to the south of Mill Island to prevent disturbance to walrus and walrus habitat on the northern shore of Mill Island.

Reporting Requirements:	Where project vessels are required to transit to the north of Mill Island owing to environmental or other conditions, an incident report is to be provided to the Marine Environment Working Group and the NIRB within 30 days, noting all wildlife sightings and interactions as recorded by shipboard monitors. The Proponent shall summarize all incidences of deviations from the nominal shipping route as presented in the FEIS to the NIRB annually, with corresponding discussion regarding justification for deviations and any observed environmental impacts.

A. Project Certificate (2012), Appendix A Commitments

No.	Subject	Commitment	Issue raised by (Date of Commitment)	Project Phase/ Timing
27	Marine (Shipping Vessel)	Baffinland is committed to meeting with the community of Igloolik once the vessels used to transport ore for the Mary River Project are selected.	Igloolik (July 19, 2012)	construction
29	Marine (Shipping Route)	Baffinland is committed to ensuring that normal shipping activities will be confined to the Nunavut Settlement Area on the north side of the Hudson Strait where conditions are favorable to shipping and to incorporating the necessary mitigation measures to ensure that shipping does not impact marine wildlife and that community concerns are addressed from an operational standpoint	Baffinland (July 16, 2012)	all
30	Marine (Shipping Notification)	Baffinland is committed to providing shipping notification on a regular and consistent basis to relevant communities prior to shipping and construction activities for the Mary River Project	NIRB (July 16, 2012)	All
31	Marine (Shipping Speed)	Baffinland is committed to ensuring that the vessels used to transport ore from the Mary River Project are of appropriate class and specification, and will operate in a	Baffinland (July 17, 2012)	design/ operations

		manner that is consistent with applicable regulations and guidelines.		
33	Marine (Shipping)	Baffinland is committed to implementing appropriate mitigation measures including but not limited to, periodic suspension of shipping if Baffinland determines that shipping-related activities are negatively impacting the project area	Baffinland (July 16, 2012)	operations
41	Stakeholders	Baffinland is committed to participating in ongoing initiatives, including working with stakeholders, to address all issues related to the Mary River Project.	Baffinland (July 23, 2012)	All
46	Working Group	Baffinland is committed to participating in formal, stakeholder working groups, such as terrestrial environment and marine environment working groups, as established within and/or outside of the scope of the IIBA, to gain input, insight, advice and oversight from stakeholders throughout the life of the project and to ensure that adaptive management principles are applied accordingly.	Baffinland (July 16, 2012)	All
57	Management Plans	Baffinland is committed to updating its management plans to reflect new information, new practices and changes to operating conditions.	Baffinland (July 17, 2012)	All
66	Monitoring	Baffinland is committed to the development and implementation of a monitoring program during the construction and other phases of the Mary River Project.	EC (July 23, 2012)	construction/al
80	Monitoring (Marine Shipping)	Baffinland is committed to working with the stakeholders to undertake studies along the marine shipping route to determine the effects of shipping on marine wildlife and	Baffinland (July 16, 2012; July 20, 2012); Coral Harbour	all

	Impacts on Wildlife)	mammals, including ship strikes, for the purposes of collecting baseline information, confirming uncertainties, collecting ongoing data, and identifying and implementing future adaptive management strategies.	Community Member (July 19, 2012)	
81	Monitoring (Seals)	Baffinland is committed to monitoring seals on land-fast ice and to limit any potential negative impacts, including reducing the amount of ice disturbed.	Grise Fiord (July 19, 2012)	operation
83	Monitoring Plan (Ship Strikes)	Baffinland is committed to developing and implementing a Ship Strike Monitoring Plan to capture relevant data for use in adaptive management strategies.	DFO (July 20, 2012)	All
84	Monitoring (Marine Shipping Impacts on Environment)	Baffinland is committed to monitoring the potential effects of shipping on the marine environment along the shipping route or other areas potentially impacted by the project's shipping activities	Baffinland (July 23, 2012)	all
101	Mitigation (Compensation to Hunters)	Baffinland is committed to implementing mitigation measures which offset the inconvenience and hardship created for Inuit hunters and travelers that have traditionally used the areas encompassed by the shipping route	NIRB (July 17, 2012)	operations

B. Project Certificate Amendment No. 5 (2023) - Appendix B Commitments

BIM ID#	Comment ID#	Intervener(s)	Commitment
005	Igloolik HTA-1	Hamlet of Igloolik Igloolik Hunters and Trappers Association	Baffinland will work with the Hamlets and HTOs of Igloolik and Sanirajak to carry out additional baseline studies for marine, terrestrial, and avian wildlife related to Steensby. This could begin as early as 2023.

2 FISH AND FISHERIES

A. NIRB Project Certificate No. 005 Terms and Conditions

Term and Condition No.	41
Category:	Freshwater Aquatic Environment – Setbacks
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To mitigate impacts of runoff into freshwater aquatic habitat.
Term or Condition:	Unless otherwise approved by regulatory authorities, the Proponent shall maintain a minimum 100-metre naturally-vegetated buffer between the high-water mark of any fish-bearing water bodies and any permanent quarries with potential for acid rock drainage or metal leaching.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	42
Category:	Freshwater Aquatic Environment – Setbacks
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To mitigate impacts of runoff into freshwater aquatic habitat.
Term or Condition:	The Proponent shall maintain minimum a 30-metre naturally-vegetated buffer between the mining operation and adjacent water bodies.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	43
Category:	Freshwater Aquatic Environment – Drainage
Responsible Parties:	The Proponent
Project Phase:	Construction
Objective:	To mitigate impacts of runoff into freshwater aquatic habitat.
Term or Condition:	Prior to the start of construction, the Proponent must submit a Site Drainage and Silt Control Plan to the appropriate regulatory authorities for approval.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	44

Category:	Freshwater Aquatic Environment – Explosives
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To mitigate impacts of explosives on freshwater aquatic habitat.
Term or Condition:	The Proponent shall meet or exceed the guidelines set by Fisheries and Oceans Canada for blasting thresholds and implement practical and effective measures to ensure that residue and by-products of blasting do not negatively affect fish and fish habitat.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	45
Category:	Freshwater Aquatic Environment – General
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To mitigate impacts to freshwater aquatic habitat.
Term or Condition:	The Proponent shall adhere to the No-Net-Loss principle at all phases of the project to prevent or mitigate direct or indirect fish and fish habitat losses.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	46
Category:	Freshwater Aquatic Environment – Drainage
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To mitigate impacts to freshwater aquatic habitat.
Term or Condition:	The Proponent shall ensure that runoff from fuel storage and maintenance facility areas, sewage and wastewater other facilities responsible for generating liquid effluent and runoff meet discharge requirements.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	47
Category:	Freshwater Aquatic Environment – Watercourses
Responsible Parties:	The Proponent

Project Phase:	Construction
Objective:	To prevent blockages or restrictions to fish passage.
Term or Condition:	The Proponent shall ensure that all Project infrastructure in watercourses are designed and constructed in such a manner that they do not unduly prevent and limit the movement of water in fish bearing streams and rivers.
Reporting Requirements:	To be developed following approval of the Project by the Minister.
Term and Condition No.	48
Category:	Freshwater Aquatic Environment – Explosives
Responsible Parties:	The Proponent, Qikiqtani Inuit Association, Fisheries and Oceans Canada
Project Phase:	Construction, Operations
Objective:	To mitigate impacts to freshwater aquatic habitat.
Term or Condition:	The Proponent shall engage with Fisheries and Oceans Canada and the Qikiqtani Inuit Association in exploring possible Project specific thresholds for blasting that would exceed the requirements of Fisheries and Oceans Canada's Guidelines for the Use of Explosives In or Near Canadian Fisheries Waters (D.G. Wright and G.E. Hopky, 1998).
Reporting Requirements:	To be developed following approval of the Project by the Minister.

REVISED Term and Condition No.	<i>99 Modified for the Sustaining Operations Proposal</i>
Category:	Marine Environment – Supplemental Baseline Assessments
Responsible Parties:	The Proponent, Marine Environment Working Group
Project Phase:	Construction and Operations
Objective:	To supplement and update baseline information and improve predictions for potential impacts to marine wildlife.
Term or Condition:	The Proponent, working with the Marine Environment Working Group, shall consider and identify priorities for conducting the following supplemental baseline assessments: a. Establish shipping season, inter-annual baseline in Steensby Inlet and Milne Inlet that enables effective monitoring of physical and chemical effects of ballast water releases, sewage outfall, and bottom scour by ship props, particularly downslope and downstream from the docks. This shall include the selection and identification of physical, chemical, and biological community/indicator components. The biological indicators shall include both pelagic and benthic species but with emphasis on relatively sedentary benthic species (e.g., sculpins). b. The collection of additional baseline data: i. in Steensby Inlet on walrus, beluga, bearded seal anadromous Arctic Char abundance, distribution ecology and habitat use;

	and ii. In Milne Inlet on narwhal, bowhead and anadromous Arctic Char abundance, distribution ecology and habitat use. c. Enhance baseline data on marine wildlife (fish, invertebrates, birds, mammals, etc.) and to provide more details on species abundance and distribution found in the Project area. This shall include, but not be limited to the following: v. Aerial surveys for basking ringed seals throughout the landfast ice of Steensby Inlet and at an appropriate control location; vi. Shore-based observations of pre-Project narwhal and bowhead whale behavior in Milne Inlet that continues throughout operations at an appropriate frequency throughout the Proponent's ore shipping operations via Milne Inlet. Enhance the baseline for affected freshwater systems, which includes control sites to detect Project-related changes before they cause significant harm.
Reporting Requirements:	The Proponent shall provide a summary discussion of its implementation of this term and condition (including results of monitoring, adaptive management strategies, consultation, and contribution efforts) to the NIRB through the Proponent's annual monitoring report. Updated plans developed from monitoring, adaptive management, and engagement shall be provided to the NIRB throughout the monitoring year as they are finalized.

REVISED Term and Condition No.	101 Modified for the Sustaining Operations Proposal
Category:	Marine Environment – Monitoring
Responsible Parties:	The Proponent, Marine Environment Working Group
Project Phase:	Construction and Operations
Objective:	To monitor for potential impacts to marine wildlife and marine habitat.
	The Proponent shall incorporate into the appropriate monitoring plans the following items: a. A monitoring program that focuses on walrus use of Steensby Inlet and their reaction to disturbance from construction activities, aircraft, and vessels; b. Efforts to involve Inuit in monitoring studies at all levels; c. Monitoring protocols that are responsive to Inuit concerns; d. Marine monitoring protocols are to consider the use of additional detecting devices to ensure adequate monitoring through changing seasonal conditions and daylight; e. Schedule for periodic aerial surveys as recommended by the

Term or Condition:	Marine Environment Working Group; f. Periodic aerial surveys for basking ringed seals throughout the landfast ice of Steensby Inlet, and a suitable control location. Surveys shall be conducted at an appropriate frequency to detect change inter-annual variability; g. Shore-based observations of pre-Project narwhal behavior in Milne Inlet, that continues throughout operations at an appropriate frequency throughout the Proponent's ore shipping operations via Milne Inlet; h. Conduct landfast ice monitoring for the duration of the Project Operations phase, which will include: i. The number of ship transits that are able to use the same track; and, iv. The area of landfast ice disrupted annually by ship traffic; and v. Monitoring strategy focused on assessing and mitigating interaction between humans and wildlife at the port site(s).
Reporting Requirements:	The Proponent shall provide a summary discussion of its implementation of this term and condition (including results of monitoring, adaptive management strategies, consultation, and contribution efforts) to the NIRB through the Proponent's annual monitoring report. Updated plans developed from monitoring, adaptive management, and engagement shall be provided to the NIRB throughout the monitoring year as they are finalized.

Term and Condition No.	113
Category:	Marine Environment – Arctic Char
Responsible Parties:	The Proponent, Marine Environment Working Group
Project Phase:	Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To prevent impacts to marine fish in Steensby Inlet and Milne Inlet
Term or Condition:	The Proponent shall conduct monitoring of marine fish and fish habitat, which includes but is not limited to, monitoring for Arctic Char stock size and health condition in Steensby Inlet and Milne Inlet, as recommended by the Marine Environment Working Group.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	114
Category:	Marine Environment – Arctic Char

Responsible Parties:	The Proponent, Marine Environment Working Group
Project Phase:	Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To prevent impacts to marine fish in Steensby Inlet and Milne Inlet.
Term or Condition:	In the event of the development of a commercial fishery in the Steensby Inlet area or Milne Inlet-Eclipse Sound areas, the Proponent, in conjunction with the Marine Environment Working Group, shall update its monitoring program for marine fish and fish habitat to ensure that the ability to identify Arctic Char stock(s) potentially affected by Project activities and monitor for changes in stock size and structure of affected stocks and fish health (condition, taste) is maintained to address any additional monitoring issues identified by the MEWG relating to the commercial fishery.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	115
Category:	Marine Environment – Arctic Char
Responsible Parties:	The Proponent
Project Phase:	Construction and Operations
Objective:	To prevent impacts to marine fish in Steensby Inlet and Milne Inlet.
Term or Condition:	The Proponent is encouraged to continue to explore off-setting options in both the freshwater and marine environment to offset the serious harm to fish which will result from the construction and infrastructure associated with the Project.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	116
Category:	Marine Environment – Blasting
Responsible Parties:	The Proponent, Fisheries and Oceans Canada
Project Phase:	Construction
Objective:	To prevent impacts to marine fish and fish habitat from explosives.
Term or Condition:	Prior to construction, the Proponent shall develop mitigation measures to minimize the effects of blasting on marine fish and fish habitat, marine water quality and wildlife that includes, but is not limited to compliance with the Guidelines for the Use of Explosives In or Near Canadian Fisheries Waters (Wright and Hopky, 1998) as modified by Fisheries and Oceans Canada for use in the North and as revised from time to time.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	117
Category:	Marine Environment – Blasting
Responsible Parties:	The Proponent, Fisheries and Oceans Canada
Project Phase:	Construction
Objective:	To prevent impacts to marine fish and fish habitat from explosives.
Term or Condition:	The Proponent shall ensure that blasting in, and near, marine water shall only occur during periods of open water. Blasting in, and near, fish-bearing freshwaters shall, to the greatest degree possible, only occur in open water. If blasting is required during ice-covered periods, it must meet requirements established by Fisheries and Oceans Canada.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	118
Category:	Marine Environment – Blasting
Responsible Parties:	The Proponent
Project Phase:	Construction
Objective:	To prevent impacts to marine fish and fish habitat from explosives.
Term or Condition:	The Proponent shall incorporate into the appropriate mitigation plan prior to construction, thresholds for the use of specific mitigation measures meant to prevent or limit marine wildlife disturbance, such as bubble curtains for blasting, and nitrate removal.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	148
Category:	Economic Development and Self-Reliance, and Contracting and Business Opportunities – Food security
Responsible Parties:	The Proponent, Members of the QSEMC
Project Phase:	Construction and Operations
Objective:	To improve understanding of the interactions between the Project and Inuit harvesting and how this relates to food security for residents of the North Baffin.
Term or Condition:	The Proponent is encouraged to undertake collaborative monitoring in conjunction with the Qikiqtaaluk Socio-Economic Monitoring Committee's monitoring program which addresses Project harvesting interactions and food security and which includes broad indicators of dietary habits.
Reporting Requirements:	To be developed following approval of the Project by the Minister

A. Project Certificate (2012), Appendix A Commitments

No.	Subject	Commitment	Issue raised by (Date of Commitment)	Project Phase/Timing
1	Environmental Design (Incorporation of Knowledge)	Baffinland is committed to incorporating the relevant changes in the site layout for infrastructure and design that will take into account the results of continuing environmental advances so as to address engineering concerns related to the Mary River Project	Baffinland (July 16, 2012)	engineering/ all
5	Regulatory Requirement	Baffinland is committed meeting or exceeding all regulatory requirements that relate to the Mary River Project, including significant reporting to provide details on the project's performance.	Baffinland (July 16, 2012)	All
6	Environmental Design (Contact Water)	Baffinland is committed to collecting and treating, if required, contact water generated from mining activities to ensure that relevant effluent criteria are met as established in the water licence.	Baffinland (July 16, 2012)	all
41	Stakeholders	Baffinland is committed to participating in ongoing initiatives, including working with stakeholders, to address all issues related to the Mary River Project.	Baffinland (July 23, 2012)	All
54	Fish Habitat Monitoring	DFO is committed to ongoing involvement in assisting Baffinland to develop a robustly designed and long-term monitoring program for	NTI (July 23, 2012)	All

		verifying impact prediction, demonstrating the efficacy of mitigation measures, and adjusting those measures as needed.		
57	Management Plans	Baffinland is committed to updating its management plans to reflect new information, new practices and changes to operating conditions	Baffinland (July 17, 2012)	All
66	Monitoring	Baffinland is committed to the development and implementation of a monitoring program during the construction and other phases of the Mary River Project.	EC (July 23, 2012)	construction/all

B. Project Certificate Amendment No. 5 (2023) - Appendix B Commitments

BIM ID#	Comment ID#	Intervener(s)	Commitment
005	Igloolik HTA-1	Hamlet of Igloolik Igloolik Hunters and Trappers Association	Baffinland will work with the Hamlets and HTOs of Igloolik and Sanirajak to carry out additional baseline studies for marine, terrestrial, and avian wildlife related to Steensby. This could begin as early as 2023.

3 TUSAQTAVUT STUDIES

Project Certificate Amendment No. 5 (2023) - Appendix B Commitments

BIM ID#	Comment ID#	Intervener(s)	Commitment
005	Igloolik HTA-1	Hamlet of Igloolik Igloolik Hunters and Trappers Association	Baffinland will work with the Hamlets and HTOs of Igloolik and Sanirajak to carry out additional baseline studies for marine, terrestrial, and avian wildlife related to Steensby. This could begin as early as 2023.
007	Igloolik HTA-1	Hamlet of Igloolik Igloolik HTA	Baffinland confirms that it is committed to full consideration of the dust audit suggestions, and will implement accepted recommendations from the Independent Dust Audit at its earliest opportunity.
008	Igloolik HTA-1	Hamlet of Igloolik Igloolik HTA	Baffinland will engage with Igloolik to develop community infrastructure commitments – including significant infrastructure projects such as road paving and women and youth centers – with an aim to realize benefits to Igloolik: • businesses; • women; • youth; and • hunters.

4 INUIT PARTICIPATION IN PROJECT MONITORING

A. NIRB Project Certificate No. 005 Terms and Conditions

Term and Condition No.	126
Category:	Marine Environment – Public Engagement
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To incorporate local input into monitoring data collection.
Term or Condition:	The Proponent shall design monitoring programs to ensure that local users of the marine area in communities along the shipping route have opportunity to be engaged throughout the life of the Project in assisting with monitoring and evaluating potential project-induced impacts and changes in marine mammal distributions.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	162
Category:	Culture, Resources and Land Use – Public consultation
Responsible Parties:	The Proponent, Elders and community members of the North Baffin Communities
Project Phase:	Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To ensure the ongoing and consistent involvement of Elders and community members in developing and revising monitoring and mitigation plans.
Term or Condition:	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.
Reporting Requirements:	To be developed following approval of the Project by the Minister

Term and Condition No.	163
Category:	Culture, Resources and Land Use – Public consultation
Responsible Parties:	The Proponent, North Baffin communities
Project Phase:	Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring

Objective:	To involve communities in the development and evolution of management and monitoring plans.
Term or Condition:	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.
Reporting Requirements:	To be developed following approval of the Project by the Minister

B. Project Certificate No. 005 Appendix A Commitments

No.	Subject	Commitment	Issue raised by (Date of Commitment)	Project Phase/Timing
53	IIBA (Inuit Input into Monitoring)	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	Baffinland (July 17, 2012)	All
80	Monitoring (Marine Shipping Impacts on Wildlife)	Baffinland is committed to working with the stakeholders to undertake studies along the marine shipping route to determine the effects of shipping on marine wildlife and mammals, including ship strikes, for the purposes of collecting baseline information, confirming uncertainties, collecting ongoing data, and identifying and implementing future adaptive management strategies.	Baffinland (July 16, 2012; July 20, 2012); Coral Harbour Community Member (July 19, 2012)	All
104	Inuit Monitoring Officers	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).	NTI (July 19, 2012)	all

5 BALLAST WATER AND INVASIVE SPECIES

A. NIRB Project Certificate No. 005 Terms and Conditions

Term and Condition No.	86
Category:	Marine Environment – Ballast Water
Responsible Parties:	The Proponent
Project Phase:	Construction
Objective:	To update ballast water discharge impact predictions.
Term or Condition:	Prior to commercial shipping of iron ore, the Proponent shall use more detailed bathymetry collected from Steensby Inlet and Milne Inlet to model the anticipated ballast water discharges from ore carriers. The results from this modeling shall be used to update ballast water discharge impact predictions and should account for density dependent flow and annual timescales over the project life. Additional sampling should also be undertaken to validate the model and to inform sampling sites and the monitoring plan.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	87
Category:	Marine Environment – Ballast Water
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To prevent invasive species introductions resulting from Project shipping.
Term or Condition:	The Proponent shall develop a detailed monitoring program at a number of sites over the long term to evaluate changes to marine habitat and organisms and to monitor for non-native introductions resulting from Project-related shipping. This program needs to be able to detect changes that may have biological consequences and should be initiated several years prior to any ballast water discharge into Steensby Inlet and Milne Inlet to collect sufficient baseline data and should continue over the life of the Project.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	88

Category:	Marine Environment – Ballast Water
Responsible Parties:	The Proponent
Project Phase:	Construction
Objective:	To prevent invasive species introductions resulting from Project shipping.
Term or Condition:	Prior to commercial shipping of iron ore and in conjunction with the Marine Environment Working Group, the Proponent shall provide an updated risk analysis regarding ballast water discharge to assess the adequacy of treatment and implications on the receiving environment. This risk analysis shall consider, but not be limited to: a. Invasive species; b. Seasonal oceanography; c. Ballast water quality and quantity; d. Receiving water quality; e. Residual physical, chemical, and/or biological effects; and Any risk assessment analysis regarding ballast water exchange and treatment efficacy in arctic waters.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	89
Category:	Marine Environment – Ballast Water
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To prevent impacts to marine water quality resulting from ballast water exchange.
Term or Condition:	The Proponent shall develop and implement an effective ballast water management program that may include the treatment and monitoring of ballast water discharges in a manner consistent with applicable regulations and/or exceed those regulations if they are determined to be ineffective for providing the desired and predicted results. The ballast water management program shall include, without limitation, a provision that requires ship owners to test their ballast water to confirm that it meets the salinity requirements of the applicable regulations prior to discharge at the Milne Port, and a requirement noting that the Proponent, in choosing shipping contractors will, whenever feasible, give preference to contractors that use ballast water treatment in addition to ballast water exchange.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	90

Category:	Marine Environment – Ballast Water
Responsible Parties:	The Proponent
Project Phase:	Construction
Objective:	To prevent impacts to marine water quality resulting from ballast water exchange.
Term or Condition:	The Proponent shall incorporate into its Shipping and Marine Mammals Management Plan provisions to achieve compliance with the requirements under the International Convention for the Control and Management of Ship's Ballast Water and Sediment (2004) or its replacement and as implemented by the <i>Canadian Ballast Water and Control Regulations</i> as may be amended from time to time.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	91
Category:	Marine Environment – Ballast Water
Responsible Parties:	The Proponent
Project Phase:	Construction
Objective:	To prevent impacts to marine water quality in Steensby Inlet and Milne Inlet.
Term or Condition:	The Proponent shall develop a detailed monitoring plan for Steensby Inlet and Milne Inlet for fouling that complies with all applicable regulatory requirements and guidelines as issued by Transport Canada, and includes sampling areas on ships where antifouling treatment is not applied such as the areas where non-native species are most likely to occur.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

REVISED Term and Condition No.	99 Modified for the Sustaining Operations Proposal
Category:	Marine Environment – Supplemental Baseline Assessments
Responsible Parties:	The Proponent, Marine Environment Working Group
Project Phase:	Construction and Operations
Objective:	To supplement and update baseline information and improve predictions for potential impacts to marine wildlife.

Term or Condition:	The Proponent, working with the Marine Environment Working Group, shall consider and identify priorities for conducting the following supplemental baseline assessments: a. Establish shipping season, inter-annual baseline in Steensby Inlet and Milne Inlet that enables effective monitoring of physical and chemical effects of ballast water releases, sewage outfall, and bottom scour by ship props, particularly downslope and downstream from the docks. This shall include the selection and identification of physical, chemical, and biological community/indicator components. The biological indicators shall include both pelagic and benthic species but with emphasis on relatively sedentary benthic species (e.g., sculpins). b. The collection of additional baseline data: i. in Steensby Inlet on walrus, beluga, bearded seal anadromous Arctic Char abundance, distribution ecology and habitat use; and ii. In Milne Inlet on narwhal, bowhead and anadromous Arctic Char abundance, distribution ecology and habitat use. c. Enhance baseline data on marine wildlife (fish, invertebrates, birds, mammals, etc.) and to provide more details on species abundance and distribution found in the Project area. This shall include, but not be limited to the following: vii. Aerial surveys for basking ringed seals throughout the landfast ice of Steensby Inlet and at an appropriate control location; viii. Shore-based observations of pre-Project narwhal and bowhead whale behavior in Milne Inlet that continues throughout operations at an appropriate frequency throughout the Proponent's ore shipping operations via Milne Inlet. Enhance the baseline for affected freshwater systems, which includes control sites to detect Project-related changes before they cause significant harm.
Reporting Requirements:	The Proponent shall provide a summary discussion of its implementation of this term and condition (including results of monitoring, adaptive management strategies, consultation, and contribution efforts) to the NIRB through the Proponent's annual monitoring report. Updated plans developed from monitoring, adaptive management, and engagement shall be provided to the NIRB throughout the monitoring year as they are finalized.

REVISED Term and Condition No.	101 Modified for the Sustaining Operations Proposal

Category:	Marine Environment – Monitoring
Responsible Parties:	The Proponent, Marine Environment Working Group
Project Phase:	Construction and Operations
Objective:	To monitor for potential impacts to marine wildlife and marine habitat.
Term or Condition:	The Proponent shall incorporate into the appropriate monitoring plans the following items: a. A monitoring program that focuses on walrus use of Steensby Inlet and their reaction to disturbance from construction activities, aircraft, and vessels; b. Efforts to involve Inuit in monitoring studies at all levels; c. Monitoring protocols that are responsive to Inuit concerns; d. Marine monitoring protocols are to consider the use of additional detecting devices to ensure adequate monitoring through changing seasonal conditions and daylight; e. Schedule for periodic aerial surveys as recommended by the Marine Environment Working Group; f. Periodic aerial surveys for basking ringed seals throughout the landfast ice of Steensby Inlet, and a suitable control location. Surveys shall be conducted at an appropriate frequency to detect change inter-annual variability; g. Shore-based observations of pre-Project narwhal behavior in Milne Inlet, that continues throughout operations at an appropriate frequency throughout the Proponent's ore shipping operations via Milne Inlet; h. Conduct landfast ice monitoring for the duration of the Project Operations phase, which will include: i. The number of ship transits that are able to use the same track; and, vi. The area of landfast ice disrupted annually by ship traffic; and vii. Monitoring strategy focused on assessing and mitigating interaction between humans and wildlife at the port site(s).
Reporting Requirements:	The Proponent shall provide a summary discussion of its implementation of this term and condition (including results of monitoring, adaptive management strategies, consultation, and contribution efforts) to the NIRB through the Proponent's annual monitoring report. Updated plans developed from monitoring, adaptive management, and engagement shall be provided to the NIRB throughout the monitoring year as they are finalized.

Term and Condition No.	148

Category:	Economic Development and Self-Reliance, and Contracting and Business Opportunities – Food security
Responsible Parties:	The Proponent, Members of the QSEMC
Project Phase:	Construction and Operations
Objective:	To improve understanding of the interactions between the Project and Inuit harvesting and how this relates to food security for residents of the North Baffin.
Term or Condition:	The Proponent is encouraged to undertake collaborative monitoring in conjunction with the Qikiqtaaluk Socio-Economic Monitoring Committee's monitoring program which addresses Project harvesting interactions and food security and which includes broad indicators of dietary habits.
Reporting Requirements:	To be developed following approval of the Project by the Minister

A. Project Certificate (2012), Appendix A Commitments

No.	Subject	Commitment	Issue Raised By (Date of Commitment)	Project Phase/ Timing
33	Marine (Shipping)	Baffinland is committed to implementing appropriate mitigation measures including but not limited to, periodic suspension of shipping if Baffinland determines that shipping-related activities are negatively impacting the project area.	Baffinland (July 16, 2012)	Operations
41	Stakeholders	Baffinland is committed to participating in ongoing initiatives, including working with stakeholders, to address all issues related to the Mary River Project	Baffinland (July 23, 2012)	All
57	Management Plans	Baffinland is committed to updating its management plans to reflect new information, new practices and changes to operating conditions.	Baffinland (July 17, 2012)	all
66	Monitoring	Baffinland is committed to the development and implementation of	EC (July 23, 2012)	construction/all

		a monitoring program during the construction and other phases of the Mary River Project		
84	Monitoring (Marine Shipping Impacts on Environment)	Baffinland is committed to monitoring the potential effects of shipping on the marine environment along the shipping route or other areas potentially impacted by the project's shipping activities.	Baffinland (July 23, 2012)	All
85	Monitoring (Marine Ballast Water Discharge)	Baffinland is committed to monitoring benthic community and water quality in Steensby Inlet to verify effects of ballast dispersal predication.	DFO/EC (July 19, 2012)	Operations
86	Mitigation (Marine Ballast Water Discharge)	Baffinland is committed to screening and treating ballast water from the ships associated with the Mary River Project to meet or exceed all regulatory requirements prior to release into the marine environment. In so doing, Baffinland will prevent or minimize the introduction of invasive species into Nunavut's marine environment. Upon release, Baffinland is committed to monitoring impacts of ballast water effluent in areas proximal to the discharge/ exchange points	NTI/QIA (July 19, 2012)	Operations
87	Monitoring (Marine Ballast Water Discharge)	Baffinland is committed to monitoring the discharge of ballast water from vessels to ensure that it meets or exceeds applicable regulations, guidelines and discharge	QIA (July 16, 2012)	operations

		criteria and to meet or exceed international standards set for ballast water and any ballast water guidelines approved by Transport Canada.		

B. Project Certificate Amendment No. 5 (2023) - Appendix B Commitments

BIM ID#	Comment ID#	Intervener(s)	Commitment
005	Igloolik HTA-1	Hamlet of Igloolik Igloolik Hunters and Trappers Association	Baffinland will work with the Hamlets and HTOs of Igloolik and Sanirajak to carry out additional baseline studies for marine, terrestrial, and avian wildlife related to Steensby. This could begin as early as 2023.

6 CARIBOU

A. NIRB Project Certificate No. 005 Terms and Conditions

REVISED Term and Condition No.	35 Modified for the Sustaining Operations Proposal
Category:	Vegetation – Monitoring
Responsible Parties:	The Proponent, local Hunters and Trappers Organizations, the Terrestrial Environment Working Group
Project Phase:	Construction and Operations
Objective:	To determine baseline and monitor metal levels in foraging caribou or other terrestrial wildlife species (selected by the Proponent in consultation with the Terrestrial Environment Working Group).
Term or Condition:	The Proponent shall undertake monitoring of baseline metal levels in organ tissue from caribou harvested within the local study area, prior to commencing operations. The Proponent is strongly encouraged to coordinate with local Hunters and Trappers Organizations regarding procurement of harvested caribou organs. By one (1) year of issuance of the Project Certificate, the Proponent shall develop and implement an updated monitoring plan to identify metal levels in caribou or other terrestrial wildlife species (selected by the Proponent in consultation with the Terrestrial Environment Working Group).
Reporting Requirements:	The Proponent shall provide a summary discussion of its implementation of this term and condition (including the results of the monitoring, adaptive management strategies, and contribution efforts undertaken) to the NIRB through the Proponent's annual monitoring report. Updated plans are expected to be submitted to the NIRB throughout the monitoring year as they are finalized.

Term and Condition No.	36
Category:	Vegetation – Monitoring
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations
Objective:	To monitor for project-induced effects to foraging caribou.
Term or Condition:	The Proponent shall establish an on-going monitoring program for vegetation species used as caribou forage (such as lichens) near Project development areas, prior to commencing operations.
Reporting Requirements:	To be included in the Annual Report submitted to the NIRB.

Term and Condition No.	52

Category:	Terrestrial Wildlife and Habitat - Caribou
Responsible Parties:	The Proponent, TEWG
Project Phase:	Construction
Objective:	To ensure best practices are used for caribou protection.
Term or Condition:	Within 3 months of issuance of the Project Certificate, the Proponent shall initiate design, and develop the timeline to test and implement means of deterring caribou from pits and other hazardous areas. A review of best practices and techniques will be undertaken at other Northern mines where interactions with caribou occur. Considerations should include temporary ribbon placement, inukshuks, or fencing and subsequent monitoring for effectiveness. These activities shall be reported back to the Terrestrial Environment Working Group.
Reporting Requirements:	To be developed following approval of the Project by the Minister; results to be reported back to the Terrestrial Environment Working Group.

Term and Condition No.	53
Category:	Terrestrial Wildlife and Habitat - Caribou
Responsible Parties:	The Proponent
Project Phase:	Construction
Objective:	To mitigate impacts to caribou from Project-related traffic.
Term or Condition:	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, Milne Inlet Tote Road and associated access roads. i. Specific measures intended to address the reduced effectiveness of visual protocols for the Milne Inlet Tote Road and access roads/trails during times of darkness and low visibility must be included. b. Monitoring and mitigation measures at points where the railway, roads, trails and flight paths pass 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, Milne Inlet Tote Road and access roads 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. e. 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.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	54
Category:	Terrestrial Wildlife and Habitat - Caribou
Responsible Parties:	The Proponent
Project Phase:	Construction – within six (6) months of issuance of Project Certificate
Objective:	To Update the Terrestrial Environmental Management and Monitoring Plan

Term or Condition:	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 Tote Road 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 Tote Road. Using the result of this information, an early warning system for caribou on the railway and Tote Road shall be developed for operation. e. Details of monitoring thresholds related to level of mitigation and management; and f. Details of a comprehensive hunter harvest survey to determine the effect on caribou populations and potential effects on caribou behaviour resulting from increased human access caused by

Term and Condition No.	170
Category:	Accidents and Malfunctions – Terrestrial Wildlife Management and Monitoring Plan
Responsible Parties:	The Proponent
Project Phase:	Construction
Objective:	Updates to plan in order to better understand the potential for, and to minimize possible caribou-railway interactions.
Term or Condition:	The Proponent shall include in an updated Terrestrial Wildlife Management and Monitoring Plan, plans for increased caribou monitoring efforts including weekly winter track surveying and summer and fall surveys undertaken on foot twice per month.
Reporting Requirements:	To be developed following approval of the Project by the Minister

Term and Condition No.	171
Category:	Accidents and Malfunctions – Terrestrial Wildlife Management and Monitoring Plan
Responsible Parties:	The Proponent
Project Phase:	Pre-Construction
Objective:	Updates to plan in order to minimize potential for caribou-railway interactions.
Term or Condition:	The Proponent shall include within its updated Terrestrial Wildlife Management and Monitoring Plan, a commitment to establish deterrents along the railway and Tote Road 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.
Reporting Requirements:	To be developed following approval of the Project by the Minister

Project Certificate 2012, Appendix A Commitments

No.	Subject	NIRB Final Hearing Report 2012 Commitments	Issue raised by (Date of Commitment)	Project Phase/ Timing
15	Design (Railway-Caribou)	Baffinland is committed to creating crossings along the Railway track which facilitate the passage of caribou.	Baffinland (July 23, 2012)	operations
20	Railway (Track Clearing)	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.	Cape Dorset (July 19, 2012)	operations
73	Railway (Caribou Mortality)	Baffinland is committed to implementing traffic controls along the Railway if it is determined that the caribou mortality rate is impacted by the Railway.	Baffinland (July 16, 2012)	operations

A. Project Certificate (2012), Appendix A Commitments

No.	Subject	Commitment	Issue raised by (Date of Commitment)	Project Phase/ Timing
15	Design (Railway/Caribou)	Baffinland is committed to creating crossings along the Railway track which facilitate the passage of caribou.	Baffinland (July 23, 2012)	operations
16	Design (Railway Traffic Crossings)	Baffinland is committed to designing the rail track to allow for snow machine and ATV crossings at points intersecting with identified travel routes	Baffinland (July 17, 2012)	engineering/ design
17	Design (Hunter Consultation on Traffic Crossings)	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 ship track and Railway using designated (or other) crossings.	QIA (July 18, 2012)	All
40	Monitoring (Abandonment and Restoration)	Baffinland is committed to undertaking environmental effects monitoring during the mine life mine as well as after closure	NIRB (July 23, 2012)	all
41	Stakeholders	Baffinland is committed to participating in ongoing initiatives, including working with stakeholders, to address all issues related to the Mary River Project.	Baffinland (July 23, 2012)	all
46	Working Group	Baffinland is committed to participating in formal, stakeholder working groups, such as terrestrial environment and marine environment working groups, as established within and/or outside of the scope of the IIBA, to gain input,	Baffinland (July 16, 2012)	All/49

		insight, advice and oversight from stakeholders throughout the life of the project and to ensure that adaptive management principles are applied accordingly		
49	Working Group (Caribou)	GN is committed to developing, with the terrestrial working group, ways to monitor caribou within the project area during sensitive life cycle periods.	NTI (July 24, 2012)	all
50	Research (North Baffin Caribou Herd)	GN is committed to undertaking further research to determine the status, health, population and other variables associated with the North Baffinland caribou herd	QIA (July 20, 2012)	all
53	IIBA (Inuit Input into Monitoring)	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	Baffinland (July 17, 2012)	All
57	Management Plans	Baffinland is committed to updating its management plans to reflect new information, new practices and changes to operating conditions.	Baffinland (July 17, 2012)	All
58	Monitoring	Baffinland is committed to contributing to regional monitoring and information gathering.	NIRB (July 16, 2012)	All
66	Monitoring	Baffinland is committed to the development and implementation of a monitoring program during the construction and other phases of the Mary River Project	EC (July 23, 2012)	construction/all

69	Terrestrial (Monitoring)	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	Baffinland (July 16, 2012)	operations
70	Terrestrial (Management Plan)	Baffinland is committed to developing and implementing a Terrestrial Environment Management Plan and track progress of the plan to assist in guiding adaptive management strategies slated for implementation at the Mary River Project	Baffinland/GN (July 16, 2012)	operations
71	Railway (Caribou Mortality)	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.	QIA (July 16, 2012; July 17, 2012)	operations
72	Railway (Caribou Mortality)	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	Arctic Bay Community Member (July 19, 2012)	all
73	Railway (Caribou Mortality)	Baffinland is committed to implementing traffic controls along the Railway if it is	Baffinland (July 16, 2012)	Operations

		determined that the caribou mortality rate is impacted by the Railway		
74	Monitoring (Wolves)	Baffinland is committed to monitoring the effects of the Mary River Project on wolf and wolf denning areas	Baffinland (July 23, 2012)	all
102	Employment (Access to Harvesting)	Baffinland is committed to ensuring that, during key harvesting periods, Inuit employees are given priority to utilize vacation time over southern workers	CCG/NIRB - Board (July 17, 2012)	All
103	Land Use (Hunter Trapper Support)	Baffinland is committed to establishing policies related to Inuit visitation and wildlife harvesting for Inuit employees that is consistent with Baffinland's policies and which also allows for the secure storage of firearms.	Baffinland (July 18, 2012)	All

B. Project Certificate Amendment No. 5 (2023) - Appendix B Commitments

BIM ID#	Comment ID# ¹⁰	Intervener(s)	Commitment
002	N/A	N/A - Included as part of Production Increase Proposal Renewal based on engagement by Baffinland	Baffinland will continue to implement the following mitigation measures to reduce or avoid impacts to terrestrial wildlife (Relevant species: Caribou, Wolf) as a result of operations (Mine site, Tote Road, and Milne Port): - Mitigation measures that will reduce the likelihood of reduced habitat effectiveness for caribou include: - Sensory disturbances will be limited where possible throughout the year. This can include a quarry blasting program that can restrict blasting when migrating caribou and other wildlife may be negatively affected.

			○ Active caribou calving sites (as identified by observations from area hunters, Project biologists or observed by aircraft pilots) will be avoided between May 15 and July 15. Where possible, there will be no increase in construction or operational activity within 3 km of the calving sites during this period. ○ In the Cockburn Lake Area (identified during baseline studies as having the highest occurrence of caribou calving sites), all non-essential activities will cease between May 15 and July 15 (e.g., construction activities will be planned to avoid this area during the calving season). ○ If any females (one or more) are observed within 3 km of a planned Project activity such as drilling or road construction from May 15 through July 15, then the activity location will be moved or the activity deferred as appropriate and, if possible, until a later date when caribou are not present. Should a female caribou or a female with a calf or calves approach within 3 km of Project activities (between May 15 and July 15), the animals will be observed on the ground. If it is obvious that they are being disturbed, the activity will cease until they have moved away by at least 3 km. • If caribou approach a Project activity site before work commences, the animals will be observed on the ground, and if it is obvious that they are being disturbed (e.g., hesitating to cross work site, running in the opposite direction, visibly agitated), work will not commence until they have moved on. If caribou approach a Project site while work is in progress, caribou will be observed for signs of disturbance. If the caribou are disturbed, the activity will be modified or cease until the caribou have moved away or they are guided away from the worksite. • At such a time when caribou begin to be encountered regularly along the Tote Road, a wildlife monitor will be present on-site during the calving season to detect calving activities near the Tote Road, monitor cow/calf

			behaviour in relation to traffic, designate a temporary no-stopping zone, guide traffic, and document measures taken to reduce sensory disturbance to calving caribou. • Mitigation measures that will reduce the likelihood of the Project being a barrier to caribou movement include: ○ Snow management activities will, throughout the winter season, maintain a snowbank height less than 1 m with smooth tops along the Tote Road. ○ Identified trail crossings along the Tote Road where the physical structure might be a barrier to caribou movement will be constructed of finer fill material to replicate natural trail conditions, preventing leg entrapment, and gentler gradients to reduce the visual barrier of the embankments. Any additional (i.e., beyond those already identified) trail crossings identified during construction or operation will also be modified with gentler slopes and finer fill if caribou deflections are detected. In the context of caribou movement monitoring, deflection is defined as “caribou that fail to cross the Tote Road after approaching it.” ○ Wildlife signage could be posted at trail crossings along the Tote Road. Operators will be made aware of the crossing areas along the Tote Road, and daily observations will be reported so operators are aware of a potential presence at crossing sites and other areas. • Based on IQ knowledge provided by hunters and elders and/or site-staff observations, if migratory caribou start to move through the RSA, then the leading caribou will be allowed to cross over the Tote Road undisturbed so that others will follow. • Truck drivers will be provided with wildlife awareness training, including known crossing locations. Drivers will operate in accordance with the Caribou Decision Framework – Tote Road (Figure 3.2 of Terrestrial Environment Mitigation and Monitoring Plan) (NIRB

			Registry No. 330302). • All site personnel entering and exiting the Tote Road will notify site dispatch and/or security. Notifications to road users will include mandatory wildlife reporting. • Mitigation measures implemented to reduce the likelihood of the Project increasing caribou mortality risk include: ○ Wildlife right-of-way policy on Project roads ○ All site personnel entering and exiting the Tote Road will notify site dispatch and/or security. Notifications to road users will include mandatory wildlife reporting. ○ Reporting and documentation of all mortalities and near misses is mandatory, and follow-up investigations will be conducted for all mortality events. ○ When caribou are observed on roads a “caribou advisory” will be issued through the site radio network to alert operators and drivers that caribou are in the area and to maintain extra vigilance while driving in accordance with Baffinland’s Caribou Decision Frameworks. ○ Speed limits along Project roads are set at a maximum of 55 km/hr, in combination with the Caribou Decision Framework – Tote Road (Figure 3.2). Slow speeds and vehicle operator response to animal presence will allow caribou time to get off the road and will increase the chance of a truck being able to stop before colliding with a caribou. ○ Any carcasses will be removed from transportation corridors to discourage further collisions (e.g., scavengers). ○ A no-hunting policy for Project personnel will be implemented (notwithstanding the accommodation provided for traditional Inuit activities [Human Resource Management Plan ○ SD-SEMP-003])). All site personnel are prohibited from transporting firearms to site. ○ Whenever practical and not causing a human safety

			issue, a stop work order will be used when wildlife in the area may become endangered (i.e., risk of physical injury or death) by the work being undertaken.
064	QIA ID-23	QIA	Baffinland will support and fund a study of North Baffin caribou based on Inuit Qaujimajatuqangit, 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. Until Project Protection Zones are confirmed through the process identified above, Baffinland agrees to implement additional mitigation measures within interim Project Protection Zones, to be delineated and agreed by Baffinland and QIA (with input from the TEWG) based on existing IQ, western science, historical data, and project monitoring to date. The parties agree development of interim Project Zones shall occur by April 30th, 2023 or a date otherwise agreed upon by the TEWG. a) Blasting restrictions within a specified distance to caribou calving and post-calving habitat during the caribou calving period and immediately post-calving, when caribou are present. This restriction should not apply in a manner that prevents essential mining activities at Deposit No. 1 from occurring within the Mary River Mine Site Project Development Area; b) Helicopter operation restrictions within a specified horizontal and/or vertical distance to calving and post-calving habitat during the caribou calving period and immediately post-calving, together with heightened measures that will apply when caribou are present. This restriction should not apply in a manner that fetters

			environmental monitoring and research, unless caribou are present and associated mitigation measures dictate otherwise; c) Revisions to the Caribou Decision Tree, which is used to manage traffic along the Tote Road in the presence of caribou based on their proximity to the road and behaviour (i.e. stationary feeding, moving towards/away from the road). These revisions will include application of a modified Caribou Decision Tree to include decision trees to inform blasting and helicopter operations. Given concerns about current avoidance of the Project area by caribou, Baffinland agrees to work with the TEWG to identify the additional details required to implement the mitigations outlined in bullets a, b and c. For greater clarity, activities carried out to respond to or address urgent matters of health and safety are exempted from the above described interim measures. Baffinland and QIA further agree that the work to advance these interim measures shall be initiated immediately upon approval of the 2022 PIP, and that they be developed and put in place not later than April 30th, 2023 (i.e. prior to the next calving season). If warranted, additional mitigation measures, including avoidance of disturbance during other sensitive periods and restrictions to hauling along the Tote Road during caribou migration, will be determined in collaboration with the MHTO and TEWG as informed by development of the ISP. Baffinland will resource QIA work associated with this commitment through its funding of the Inuit Stewardship Plan (see QIA-ID-08).

7 CROSSINGS/BRIDGES

A. NIRB Project Certificate No. 005 Terms and Conditions

Term and Condition No.	41
Category:	Freshwater Aquatic Environment – Setbacks
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To mitigate impacts of runoff into freshwater aquatic habitat.
Term or Condition:	Unless otherwise approved by regulatory authorities, the Proponent shall maintain a minimum 100-metre naturally-vegetated buffer between the high-water mark of any fish-bearing water bodies and any permanent quarries with potential for acid rock drainage or metal leaching.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	42
Category:	Freshwater Aquatic Environment – Setbacks
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To mitigate impacts of runoff into freshwater aquatic habitat.
Term or Condition:	The Proponent shall maintain minimum a 30-metre naturally-vegetated buffer between the mining operation and adjacent water bodies.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	43
Category:	Freshwater Aquatic Environment – Drainage
Responsible Parties:	The Proponent
Project Phase:	Construction
Objective:	To mitigate impacts of runoff into freshwater aquatic habitat.
Term or Condition:	Prior to the start of construction, the Proponent must submit a Site Drainage and Silt Control Plan to the appropriate regulatory authorities for approval.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	44

Category:	Freshwater Aquatic Environment – Explosives
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To mitigate impacts of explosives on freshwater aquatic habitat.
Term or Condition:	The Proponent shall meet or exceed the guidelines set by Fisheries and Oceans Canada for blasting thresholds and implement practical and effective measures to ensure that residue and by-products of blasting do not negatively affect fish and fish habitat.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	45
Category:	Freshwater Aquatic Environment – General
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To mitigate impacts to freshwater aquatic habitat.
Term or Condition:	The Proponent shall adhere to the No-Net-Loss principle at all phases of the project to prevent or mitigate direct or indirect fish and fish habitat losses.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	46
Category:	Freshwater Aquatic Environment – Drainage
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To mitigate impacts to freshwater aquatic habitat.
Term or Condition:	The Proponent shall ensure that runoff from fuel storage and maintenance facility areas, sewage and wastewater other facilities responsible for generating liquid effluent and runoff meet discharge requirements.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	47
Category:	Freshwater Aquatic Environment – Watercourses
Responsible Parties:	The Proponent

Project Phase:	Construction
Objective:	To prevent blockages or restrictions to fish passage.
Term or Condition:	The Proponent shall ensure that all Project infrastructure in watercourses are designed and constructed in such a manner that they do not unduly prevent and limit the movement of water in fish bearing streams and rivers.
Reporting Requirements:	To be developed following approval of the Project by the Minister.
Term and Condition No.	48
Category:	Freshwater Aquatic Environment – Explosives
Responsible Parties:	The Proponent, Qikiqtani Inuit Association, Fisheries and Oceans Canada
Project Phase:	Construction, Operations
Objective:	To mitigate impacts to freshwater aquatic habitat.
Term or Condition:	The Proponent shall engage with Fisheries and Oceans Canada and the Qikiqtani Inuit Association in exploring possible Project specific thresholds for blasting that would exceed the requirements of Fisheries and Oceans Canada's Guidelines for the Use of Explosives In or Near Canadian Fisheries Waters (D.G. Wright and G.E. Hopky, 1998).
Reporting Requirements:	To be developed following approval of the Project by the Minister.

REVISED Term and Condition No.	<i>99 Modified for the Sustaining Operations Proposal</i>
Category:	Marine Environment – Supplemental Baseline Assessments
Responsible Parties:	The Proponent, Marine Environment Working Group
Project Phase:	Construction and Operations
Objective:	To supplement and update baseline information and improve predictions for potential impacts to marine wildlife.
Term or Condition:	The Proponent, working with the Marine Environment Working Group, shall consider and identify priorities for conducting the following supplemental baseline assessments: C. Establish shipping season, inter-annual baseline in Steensby Inlet and Milne Inlet that enables effective monitoring of physical and chemical effects of ballast water releases, sewage outfall, and bottom scour by ship props, particularly downslope and downstream from the docks. This shall include the selection and identification of physical, chemical, and biological community/indicator components. The biological indicators shall include both pelagic and benthic species but with emphasis on relatively sedentary benthic species (e.g., sculpins). D. The collection of additional baseline data: a. in Steensby Inlet on walrus, beluga, bearded seal anadromous Arctic Char abundance, distribution ecology

	and habitat use; and b. In Milne Inlet on narwhal, bowhead and anadromous Arctic Char abundance, distribution ecology and habitat use. E. Enhance baseline data on marine wildlife (fish, invertebrates, birds, mammals, etc.) and to provide more details on species abundance and distribution found in the Project area. This shall include, but not be limited to the following: ix. Aerial surveys for basking ringed seals throughout the landfast ice of Steensby Inlet and at an appropriate control location; x. Shore-based observations of pre-Project narwhal and bowhead whale behavior in Milne Inlet that continues throughout operations at an appropriate frequency throughout the Proponent's ore shipping operations via Milne Inlet. Enhance the baseline for affected freshwater systems, which includes control sites to detect Project-related changes before they cause significant harm.
Reporting Requirements:	The Proponent shall provide a summary discussion of its implementation of this term and condition (including results of monitoring, adaptive management strategies, consultation, and contribution efforts) to the NIRB through the Proponent's annual monitoring report. Updated plans developed from monitoring, adaptive management, and engagement shall be provided to the NIRB throughout the monitoring year as they are finalized.

Term and Condition No.	114
Category:	Marine Environment – Arctic Char
Responsible Parties:	The Proponent, Marine Environment Working Group
Project Phase:	Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To prevent impacts to marine fish in Steensby Inlet and Milne Inlet.
Term or Condition:	In the event of the development of a commercial fishery in the Steensby Inlet area or Milne Inlet-Eclipse Sound areas, the Proponent, in conjunction with the Marine Environment Working Group, shall update its monitoring program for marine fish and fish habitat to ensure that the ability to identify Arctic Char stock(s) potentially affected by Project activities and monitor for changes in stock size and structure of affected stocks and fish health (condition, taste) is maintained to address any additional monitoring issues identified by the MEWG relating to the commercial fishery.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	148
Category:	Economic Development and Self-Reliance, and Contracting and Business Opportunities – Food security
Responsible Parties:	The Proponent, Members of the QSEMC
Project Phase:	Construction and Operations
Objective:	To improve understanding of the interactions between the Project and Inuit harvesting and how this relates to food security for residents of the North Baffin.
Term or Condition:	The Proponent is encouraged to undertake collaborative monitoring in conjunction with the Qikiqtaaluk Socio-Economic Monitoring Committee's monitoring program which addresses Project harvesting interactions and food security and which includes broad indicators of dietary habits.
Reporting Requirements:	To be developed following approval of the Project by the Minister

A. Project Certificate (2012), Appendix A Commitments

No.	Subject	Commitment	Issue raise by (Date of Commitment)	Project Phase/ Timing
15	Design (RailwayCaribou)	Baffinland is committed to creating crossings along the Railway track which facilitate the passage of caribou.	Baffinland (July 23, 2012)	operations
16	Design (Railway Traffic Crossings)	Baffinland is committed to designing the rail track to allow for snow machine and ATV crossings at points intersecting with identified travel routes.	Baffinland (July 17, 2012)	engineering/ design
17	Design (Hunter Consultation on Traffic Crossings)	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 ship track and	QIA (July 18, 2012)	all

		Railway using designated (or other) crossings.		
41	Stakeholders	Baffinland is committed to participating in ongoing initiatives, including working with stakeholders, to address all issues related to the Mary River Project.	Baffinland (July 23, 2012)	All
53	IIBA (Inuit Input into Monitoring)	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.	Baffinland (July 17, 2012)	all
57	Management Plans	Baffinland is committed to updating its management plans to reflect new information, new practices and changes to operating conditions.	Baffinland (July 17, 2012)	all
66	Monitoring	Baffinland is committed to the development and implementation of a monitoring program during the construction and other phases of the Mary River Project.	EC (July 23, 2012)	construction/all
71	Railway (Caribou Mortality)	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	QIA (July 16, 2012; July 17, 2012)	operations

72	Railway (Caribou Mortality)	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.	Arctic Bay Community Member (July 19, 2012)	all
73	Railway (Caribou Mortality)	Baffinland is committed to implementing traffic controls along the Railway if it is determined that the caribou mortality rate is impacted by the Railway.	Baffinland (July 16, 2012)	operations

8 GEOTECHNICAL

A. NIRB Project Certificate No. 005 Terms and Conditions

Term and Condition No.	25
Category:	Landforms – Additional Geotechnical Investigations
Responsible Parties:	The Proponent
Project Phase:	Construction
Objective:	To mitigate impacts to sensitive landforms.
Term or Condition:	The Proponent shall undertake the additional geotechnical investigations to identify sensitive landforms, modify engineering design for Project infrastructure, develop and implement preventative and/or mitigation and monitoring measures to minimize the impacts of the Project's activities and infrastructure on sensitive landforms.
Reporting Requirements:	Plan to be provided to the NIRB for review and comment at least 60 days prior to commencement of construction activities.

Term and Condition No.	26
Category:	Landforms and Soils – Erosion Management Plan
Responsible Parties:	The Proponent
Project Phase:	Construction
Objective:	To develop appropriate measures for preventing destabilization and erosion.
Term or Condition:	The Proponent shall develop and implement a comprehensive erosion management plan to prevent or minimize the effects of destabilization and erosion that may occur due to the Project's construction and operation.
Reporting Requirements:	Plan to be provided to the NIRB for review and comment at least 60 days prior to commencement of construction activities.

Term and Condition No.	27
Category:	Landforms, Geology and Geomorphology – Natural Aesthetics
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To mitigate impacts to natural aesthetics.
Term or Condition:	The Proponent shall include within its public consultation report information related to the sentiments expressed by affected communities about the impacts that changes to the topography and landscape have had on the aesthetic value of the Project area.
Reporting Requirements:	To be developed following approval of the Project by the Minister

REVISED Term and Condition No.	28 Modified for the Sustaining Operations Proposal
Category:	Landforms, Geology and Geomorphology – Permafrost
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To ensure that permafrost integrity is maintained.
Term or Condition:	The Proponent shall monitor the effects of the Project on the permafrost along the railway and all other Project affected areas including the Tote Road and must implement effective preventative measures to ensure that the integrity of the permafrost is maintained.
Reporting Requirements:	During construction and operations, the Proponent shall on an annual basis, provide information regarding the results of monitoring and identifying any mitigation measures undertaken in fulfillment of this Term and Condition in the Proponent's annual report to the Nunavut Impact Review Board. Subsequently, once monitoring has demonstrated that the area(s) assessed are stable, the Proponent shall provide information regarding monitoring results and any updates to mitigation measures every two (2) years in the Proponent's annual report.

Term and Condition No.	29
Category:	Landforms, Geology and Geomorphology – Design Plans
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations
Objective:	To confirm constructed components meet design as assessed.
Term or Condition:	The Proponent shall provide to the respective regulatory authorities, for review and acceptance, for-construction engineering design and drawings, specifications and engineering analysis to support design in advance for constructing those facilities. Once project facilities are constructed, the Proponent shall provide copies of the as-built drawings and design to the appropriate regulatory authorities.
Reporting Requirements:	To be developed following approval of the Project by the Minister

A. Project Certificate (2012), Appendix A Commitments

No.	Subject	Commitment	Issue raised by (Date of Commitment)	Project Phase/Timing
1	Environmental Design (Incorporation of Knowledge)	Baffinland is committed to incorporating the relevant changes in the site layout for infrastructure and design that will take into account the results of continuing environmental advances so as to address engineering concerns related to the Mary River Project.	Baffinland (July 16, 2012)	engineering/ al

9 INUIT ACCESS TO MARY RIVER SOAPSTONE

This topic is addressed in the IIBA.

10 SPILL RESPONSE

A. NIRB Project Certificate No. 005 Terms and Conditions

Term and Condition No.	92
Category:	Marine Environment – Spill Prevention
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To ensure adequate spill response capacity.
Term or Condition:	The Proponent shall ensure that it maintains the necessary equipment and trained personnel to respond to all sizes of potential spills associated with the Project in a self sufficient manner.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	94
Category:	Marine Environment – Spill Prevention
Responsible Parties:	The Proponent
Project Phase:	Construction
Objective:	To promote public awareness of Project activities.
Term or Condition:	The Proponent shall consult directly with affected communities regarding its plans for over-wintering of fuel in Steensby Inlet, with discussion topics to include descriptions of the duration of proposed activities, vessel type, spill preparedness and emergency response protocols, environmental impact predictions and answers to community member questions.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	97
Category:	Marine Environment – Spill Prevention
Responsible Parties:	The Proponent
Project Phase:	Construction
Objective:	To prevent impacts to the marine environment along the shipping route.
Term or Condition:	Prior to the commercial shipping of iron ore, the Proponent shall conduct fuel spill dispersion modeling that will, at a minimum, consider:

Term and Condition No.	98

Category:	Marine Environment – Spill Prevention
Responsible Parties:	The Proponent
Project Phase:	Construction
Objective:	To prevent impacts to the marine environment along the shipping route.
Term or Condition:	The Proponent shall incorporate the results of revised fuel spill dispersion modeling into its impact predictions for the marine environment and its spill response and emergency preparedness plans.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	100
Category:	Marine Environment – Supplemental Baseline Assessments
Responsible Parties:	The Proponent, Marine Environment Working Group
Project Phase:	Construction
Objective:	To supplement baseline information and improve predictions for potential impacts to marine wildlife.
Term or Condition:	The Proponent shall update its Shipping and Marine Wildlife Management Plan, to include avoidance of polynyas and mitigation measures designed for potential fuel spills along the shipping lane during the winter months,

Term and Condition No.	173
Category:	Accidents and Malfunctions – Use of best practices
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Closure
Objective:	To provide additional spill contingency measures for spills in marine areas.
Term or Condition:	The Proponent shall employ best practices and meet all regulatory requirements during all ship-to-shore and other marine-based fuel transfer events.
Reporting Requirements:	To be determined following approval of the Project by the Minister

Term and Condition No.	174
Category:	Accidents and Malfunctions – Community level spill response
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Closure
Objective:	To improve community ability to assist in spill response.

Term or Condition:	The Proponent and the Canadian Coast Guard are required to provide spill response equipment and annual training to Nunavut communities along the shipping route to potentially improve response times in the event of a spill.
Reporting Requirements:	To be determined following approval of the Project by the Minister

Project Certificate 2012, Appendix A Commitments

No.	Subject	Commitment	Issue raised by (Date of Commitment)	Project Phase/ Timing
106	Emergency Response Plans	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.	Baffinland (July 17, 2012)	all
109	Emergency Response	Baffinland is committed to meeting on a regular basis with the emergency response and preparedness working group to	QIA (July 17, 2012)	all
110	Emergency/Spill Response Planning	Baffinland is committed to ensuring that adequate resources are allocated to the development and deployment of emergency and spill response capabilities.	NTI (July 19, 2012)	all
		Baffinland is committed to requiring that all project vessels have Shipboard Oil Pollution Emergency Plans (SOPEPs) in place which meets or exceeds the international standards set out in the Port State Control Memorandum of Understanding, as well as trained personnel on		

111	Marine Regulatory (Spill Prevention Plans)	board to respond to spills. Baffinland will be self-sufficient for spill response and will contract the services of an established Response Organization to enable the Company to escalate response capabilities to deal with spills of up to 10,000 tonnes. This Response Organization will have expertise in recovery and cleanup of spills along coast line and involving wildlife.	Baffinland (July 19, 2012) NIRB (July 23, 2012)	all
112	Spills (Fuel)	Baffinland is committed to ensuring that all spills are reported in accordance with the relevant spill contingency planning and reporting regulations and guidelines.	AANDC (July 19, 2012)	all
113	Spills (Fuel)	Baffinland is committed to exploring and implementing measures designed to recover residual fuel from spills under the surface of sea ice.	CCG (July 19, 2012)	all

11 CLIMATE CHANGE

NIRB Project Certificate No. 005 Terms and Conditions

Term and Condition No.	1
Category:	Meteorology and Climate – Climate Monitoring
Responsible Parties:	The Proponent
Project Phase:	Construction and Operations
Objective:	To provide feedback on the impacts that climate change might be having on the port facilities.
Term or Condition:	The Proponent shall use GPS monitoring or a similar means of monitoring at both Steensby Port and Milne Port, with tidal gauges to monitor the relative sea levels and storm surges at these sites.
Reporting Requirements:	The Proponent shall summarize and supply these monitoring results to NIRB in the annual project report.

Term and Condition No.	2
Category:	Meteorology and Climate – Climate Change Validation and Studies
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To provide feedback on the impacts that climate change might be having on the Project.
Term or Condition:	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.
Reporting Requirements:	The Proponent shall provide new or revised assessments and studies to the NIRB, the affected communities, relevant regulatory authorities, and interested parties.

Term and Condition No.	3
Category:	Meteorology and Climate – Green House Gas Emissions
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To confirm that the Proponent is exploring and implementing concrete steps to reduce greenhouse gases.

Term or Condition:	The Proponent shall provide interested parties with evidence of continued initiatives undertaken to reduce greenhouse gas emissions.
Reporting Requirements:	The Proponent shall include relevant information in the Annual Report submitted to the NIRB.

Term and Condition No.	4
Category:	Climate Change – Consultation on Climate
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To promote public awareness and engagement of affected groups.
Term or Condition:	The Proponent shall endeavour to include the participation of Inuit from affected communities and other communities in Nunavut when undertaking climate-change related studies and research.
Reporting Requirements:	To be developed following approval of the Project by the Minister.

Term and Condition No.	6
Category:	Meteorology and Climate – Emissions
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To provide feedback on the Project's emissions.
Term or Condition:	The Proponent shall provide the results of any emissions calculations conducted to determine the level of sulphur dioxide (SO ₂) emissions, nitrogen oxide (NO _x) emissions and greenhouse gases generated by the Project using fuel consumption or other relevant criteria as a basis.
Reporting Requirements:	To be included in the Annual Report submitted to the NIRB

12 BENEFITS FOR COMMUNITIES

NIRB Project Certificate No. 005 Terms and Conditions

Term and Condition No.	129
Category:	Population Demographics – Qikiqtaaluk Socio-Economic Monitoring Committee
Responsible Parties:	The Proponent, members of the QSEMC
Project Phase:	Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	Description of the general monitoring framework to be developed in consultation with the Qikiqtaaluk Socio-Economic Monitoring Committee.
Term or Condition:	The Proponent is strongly encouraged to engage in the work of the Qikiqtaaluk Socio-Economic Monitoring Committee along with other agencies and affected communities, and it should endeavour to identify areas of mutual interest and priorities for inclusion into a collaborative monitoring framework that includes socio-economic priorities related to the Project, communities, and the North Baffin region as a whole.
Reporting Requirements:	To be determined following approval of the Project by the Minister

Term and Condition No.	130
Category:	Population Demographics – Project-specific monitoring
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	Recognizing that some Project-specific socio-economic monitoring initiatives may be best addressed in smaller more focused working groups, this is encouraged where possible.
Term or Condition:	The Proponent should consider establishing and coordinating with smaller socio-economic working groups to meet Project specific monitoring requirements throughout the life of the Project.
Reporting Requirements:	To be determined following approval of the Project by the Minister

Term and Condition No.	151
Category:	Economic Development and Self-Reliance, and Contracting and Business Opportunities – Access to housing
Responsible Parties:	The Proponent
Project Phase:	Construction and Operations

Objective:	To investigate ways that economic development and self-reliance may improve access to housing by employees.
Term or Condition:	The Proponent is encouraged to investigate measures and programs designed to assist Project employees with homeownership or access to affordable housing options.
Reporting Requirements:	To be developed following approval of the Project by the Minister

Term and Condition No.	156
Category:	Human Health and Well-Being – Support initiatives
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To assist with fostering well-being within point-of-hire communities.
Term or Condition:	The Proponent is encouraged to assist with the provision and/or support of recreation programs and opportunities within the potentially affected communities in order to mitigate potential impacts of employees' absences from home and community life.
Reporting Requirements:	To be developed following approval of the Project by the Minister

Term and Condition No.	160
Category:	Community Infrastructure and Public Services – Distribution of benefits
Responsible Parties:	The Proponent, Qikiqtani Inuit Association, Government of Nunavut
Project Phase:	Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To ensure the distribution of benefits is done in a way that off-sets Project-related impacts to infrastructure or services.
Term or Condition:	The Government of Nunavut and the Qikiqtani Inuit Association are encouraged to cooperate to ensure in a broad sense, that Project benefits are distributed across impacted communities and across various demographic groups within these communities in a manner that best offsets any Project-related impacts to infrastructure or services.
Reporting Requirements:	To be developed following approval of the Project by the Minister

Term and Condition No.	169
Category:	Governance and Leadership – Monitoring economic effects
Responsible Parties:	The Proponent

Project Phase:	Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To maintain transparency inform communities in relation to economic benefits associated with the Project.
Term or Condition:	The Proponent provide an annual monitoring summary to the NIRB on the monitoring data related to the regional and cumulative economic effects (positive and negative) associated with the Project and any proposed mitigation measures being considered necessary to mitigate the negative effects identified.
Reporting Requirements:	To be developed following approval of the Project by the Minister

A. Project Certificate (2012), Appendix A Commitments

No.	Subject	Commitment	Issue Raised By (Date of Commitment)	Project Phase/Timing
89	Employment (Hiring Practices MOU)	Baffinland is committed to hiring practices that are consistent with the terms and conditions in the memorandum of understanding for the IIBA.	NIRB (July 19, 2012)	All
90	Employment (Hiring Practices)	Baffinland is committed to hiring Inuit at all levels in the company for the Mary River Project and intends to put a targeted recruitment program in place to ensure that Inuit, especially Inuit of the North Baffin Region, are hired.	NIRB (July 17, 2012)	All
91	Employment (Preferential Hiring)	Baffinland is committed to the preferential hiring of employees from the defined points of hire, which include the communities of Pond Inlet, Igloolik, Hall Beach,	Baffinland (July 18, 2012)	All

		Arctic Bay and Iqaluit. Baffinland may consider other points of hire if it deems that there are sufficient numbers individuals available in those communities who want to work at the project.		
92	Employment (Targeted Training)	Baffinland is committed to implementing a targeted training plan to build capacity among Inuit to fulfill positions within the organization; some of the capacity building initiatives include refresher training, work ready training and education support programs.	Baffinland (July 17, 2012)	All
93	Cross-cultural Training	Baffinland is committed to providing a cross-cultural training to both Inuit and non-Inuit employees and to institute ant discriminatory policies and mechanisms to minimize any potential cultural conflicts in the workplace	NIRB (July 17, 2012)	all
94	Employment (Targeted Training)	Baffinland is committed to providing training linked to specific job positions and to endeavor to implement jobcreation partnerships with interested organizations.	Baffinland (July 23, 2012)	All
95	Employment (Community Based Job Searching)	Baffinland is committed to distributing information related to available employment at the Mary River Project through its website,	Baffinland (July 18, 2012)	All

		community newspapers and other methods of advertising.		
96	Employment (Employee Counseling)	Baffinland is committed to instituting and providing a professional employee assistance and counseling program to assist employees and their family members both at site and at home communities. As part of this program, Baffinland is committed to hiring at least one Inuit Elder to be stationed at each of the the Milne and Mary River sites at all phases of the project to assist in counseling	NIRB (July 17, 2012; July 23, 2012)	All
102	Employment (Access to Harvesting)	Baffinland is committed to ensuring that, during key harvesting periods, Inuit employees are given priority to utilize vacation time over southern workers.	CCG/NIRB - Board (July 17, 2012)	All
103	Land Use (Hunter Trapper Support)	Baffinland is committed to establishing policies related to Inuit visitation and wildlife harvesting for Inuit employees that is consistent with Baffinland's policies and which also allows for the secure storage of firearms.	Baffinland (July 18, 2012)	all
105	Employment (Language)	Baffinland is committed to ensuring employees who are unilingual Inuktitut speakers will not face barriers to employment at the Mary River Project by	NIRB/GN/QIA (July 23, 2012)	all

		hiring Inuktitut translators. Baffinland is also committed to providing work training programs and other relevant employment information in both Inuktitut and English.		

B. Project Certificate Amendment No. 5 (2023) - Appendix B Commitments

BIM ID#	Comment ID#	Intervener(s)	Commitment
008	Igloolik HTA-1	Hamlet of Igloolik Igloolik HTA	Baffinland will engage with Igloolik to develop community infrastructure commitments – including significant infrastructure projects such as road paving and women and youth centers – with an aim to realize benefits to Igloolik: • businesses; • women; • youth; and hunters.
014	QIA ID-3	QIA	Baffinland agrees to pay \$1,858,500 (2022 CAD) to QIA for engineering and planning costs for Pond Inlet Regional Training Centre by November 15 th , 2022.
015	QIA ID-4	QIA	Baffinland agrees to pay \$10,000,000 (2018 CAD) for the Pond Inlet Training Centre to be paid as follows prior to inflation adjustment: October 15, 2022 - \$1,500,000; November 15, 2022 - \$1,500,000; December 15, 2022 - \$2,000,000; January 15, 2023 - \$1,500,000; February 15, 2023 - \$1,500,000; and March 15, 2023 - \$2,000,000. All payments in this Appendix B shall be adjusted to 2022 CAD.

13 ARCHAEOLOGY/CULTURAL SITES

A. NIRB Project Certificate No. 005 Terms and Conditions

Term and Condition No.	162
Category:	Culture, Resources and Land Use – Public consultation
Responsible Parties:	The Proponent, Elders and community members of the North Baffin Communities
Project Phase:	Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To ensure the ongoing and consistent involvement of Elders and community members in developing and revising monitoring and mitigation plans.
Term or Condition:	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.
Reporting Requirements:	To be developed following approval of the Project by the Minister

B. Project Certificate No. 005 (2012), Appendix A Commitments

No.	Subject	Commitment	Issue raised by (Date of Commitment)	Project Phase/ Timing
97	Archaeological Resources	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.	Baffinland (July 23, 2012)	Pre-construction
98	Archaeological Resources	Baffinland is committed to providing training to its employees regarding the protection of archeological resources within the project area.	NTI (July 17, 2012)	all

14 DUST

B. NIRB Project Certificate No. 005 Terms and Conditions

Term and Condition No.	10
Category:	Air Quality –Dust Management and Monitoring Plan
Responsible Parties:	The Proponent
Project Phase:	Construction
Objective:	To prevent impacts to air quality from dust dispersion.
Term or Condition:	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. c) Outline specific plans for monitoring dustfall at intervals along and in the vicinity of the Milne Inlet Tote Road to determine the amount and extent of dustfall. d) Identify the specific adaptive management measures to be considered if monitoring indicates that dust deposition from traffic on the Milne Inlet Tote Road 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.
Reporting Requirements:	To be provided to the NIRB for review and comment at least 60 days prior to commencement of construction activities.

Term and Condition No.	11
Category:	Air Quality – Incineration Management Plan
Responsible Parties:	The Proponent
Project Phase:	Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To mitigate impacts to air quality from incineration activities.
Term or Condition:	The Proponent shall develop and implement an Incineration Management Plan that takes into consideration the recommendations provided in Environment Canada’s Technical Document for Batch Waste Incineration (2010).

Reporting Requirements:	Updated Incineration Management Plan to be provided to the NIRB at least 60 days prior to the commencement of construction activities.

Term and Condition No.	12
Category:	Air Quality – Incineration
Responsible Parties:	The Proponent
Project Phase:	Construction
Objective:	To mitigate impacts to air quality from incineration activities.
Term or Condition:	Prior to commencing any incineration of on-site Project wastes, The Proponent shall conduct at least one stack test immediately following the commissioning of each temporary and permanent incinerator.
Reporting Requirements:	Stack test results to be reported to the NIRB and Environment Canada annually as required.

Term and Condition No.	187 New condition for Production Increase Proposal Renewal
Category:	Terrestrial Environment – Dust Audit
Responsible Parties:	The Proponent, Qikiqtani Inuit Association, Government of Nunavut, Government of Canada, Hamlets and Hunters and Trappers Organizations of the Impacted Communities (Pond Inlet, Arctic Bay, Clyde River, Sanirajak, Igloolik)
Project Phase:	Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring
Objective:	To consistently assess and monitor impacts of dust from project activities for the purpose of assessing the efficacy of project mitigation measures and to examine alternative mitigation and management options.

Term and Condition No.	188 New condition for Production Increase Proposal Renewal
Category:	Terrestrial Environment – High Risk Conditions for Dust Dispersion
Responsible Parties:	The Proponent, Qikiqtani Inuit Association, Government of Nunavut, Government of Canada, Hamlets and Hunters and Trappers Organizations of the Impacted Communities (Pond Inlet, Arctic Bay, Clyde River, Sanirajak, Igloolik)
Project Phase:	Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring

Objective:	To establish a program to identify high risk conditions for dust dispersal, and a plan for additional measures to be taken at the times the conditions are present, which may include the use of additional dust suppression and operational staged decreases in dust generating site activities. Baffinland, working with the TEWG will establish site specific thresholds for conditions that may increase dust dispersion (i.e., wind speed), and corresponding mitigations to implement when thresholds are met.
Term or Condition:	The Proponent working with the TEWG is required to develop a program for identification of conditions with high risk for dust dispersal and plan for additional mitigation measures that shall be applied at the times the conditions are present. The program shall also include the use of dust suppressants.
Reporting Requirements:	The program shall be developed and implemented with the advice of the TEWG not later than December 31, 2022 with annual reports on implementation and any modifications to this plan presented through annual reporting.

C. Project Certificate (2012), Appendix A Commitments

No.	Subject	Commitment	Issue raised by (Date of Commitment)	Project Phase/ Timing
2	Design (Fugitive Dust)	Baffinland is committed to developing and implementing mitigation measures which control fugitive dust emissions.	Igloolik Community Member (July 19, 2012)	engineering/ design
60	Air Quality (Fugitive Dust from Railway Shipping)	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.	EC (July 16, 2012)	all
66	Monitoring	Baffinland is committed to the development and implementation of a monitoring program during the construction and other phases of the Mary River	EC (July 23, 2012)	construction/ all

		Project.		

D. Project Certificate Amendment No. 5 (2023) - Appendix B Commitments

Commitment no.	Intervener	Relevant SOP Technical Comment(s)	Commitment
2	QIA	QIA AE-4	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.

APPENDIX 4

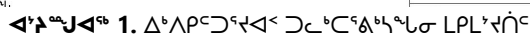
INTERESTS OF LOCALITIES

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Baffinland - Steensby Railway - CTA s.98 Application
Summary of Interests of Localities
(expressed by Indigenous Communities and Other Localities)
and Measures Undertaken to Address Interests
As of Dec. 2024

The enclosed Table 1 presents a summary of the feedback, issues, and interests identified during engagement activities with Indigenous communities, groups and others (including territorial and federal regulators with jurisdiction over the Mary River Project), expressed through direct engagements with Baffinland Iron Mines Corporation (**Baffinland**), engagement through public regulatory processes established by the Nunavut Impact Review Board (**NIRB**) and engagement opportunities organized by other government authorities (including the federal consultation tour that was held in Igloolik, Sanirajak and Pond Inlet in December 2024).

Table 1 provides a comprehensive outline of how the interests of Indigenous groups and other localities expressed to date have been addressed.

Identifying Indigenous Communities

Per the Stakeholder Engagement Report (SD-69, Section 3 – Description of Localities), the primary Indigenous communities and groups that have provided feedback in relation to the Steensby Component of the Mary River Project, with a direct relationship to the location of the Steensby Railway, inclusive of the terminus of the Steensby Railway and associated activities, include:

- Nunavut Tunngavik Inc. (**NTI**) (the designated Inuit organization for Nunavut per the Nunavut Agreement)
- Qikiqtani Inuit Association (**QIA**) (the regional Inuit organization designated by NTI for the Qikiqtani region of Nunavut (where the Mary River Project is located))
- Inuit residents of impacted Nunavut communities (namely, Arctic Bay, Clyde River, Igloolik, Sanirajak, Kinngait, Kimmirut, Pond Inlet) [note that as the majority of residents (over 90%) in each of these potentially impacted communities are Inuit, concerns shared by individuals from those communities and by Hamlet representatives have been treated as interests expressed by an Indigenous group]
- The Hamlets and Hunters and Trappers Organizations of Arctic Bay, Clyde River, Igloolik, Sanirajak, Kinngait, Kimmirut and Pond Inlet

The comments and/or concerns reflected in Table 1 are not necessarily shared among all participating Indigenous individuals, communities and groups. Reviewers should not assume issues identified are universally held views amongst all Inuit individuals, groups or communities. Inuit are recognized as a

diverse group that do not necessarily share the same views on every topic (though our understanding is that there are many generally shared Inuit values such as the importance of wildlife, Inuit cultural activities and environmental protection). However, all comments shared with Baffinland by Inuit individuals or groups were treated as an Indigenous interest that required due respect and consideration and a thoughtful response. Where appropriate, Baffinland has identified sub-groups (e.g. QIA, individual Inuit) that shared the specific identified interest in the tables below.

Where additional interests were identified by non-Indigenous individuals, communities or groups, these topics are also summarized in this table. This approach is also described in more detail in the Stakeholder Engagement Report SD-69, Section 3 – Description of Localities.

Overview of Content of Table 1

Guidance from CTA was taken into account in developing Table 1. A brief summary of the general content included in each column is provided below for reference:

- **Column A: General Topic** *Description of overall general subject area applicable to interest expressed.*
- **Column B: Specific Issue** *Where closely related feedback was given on an overall general topic, the specific details are provided here.*
- **Column C: Context of Issue** *Description of the issue and context of where and when the issue was raised, including whether the issue was initially expressed as part of the 2012 NIRB Project Certificate process (i.e., pre-2012), or is a 'new' issue, expressed after 2012. For clarity, the interests identified in this column constitute the most current understanding of interests as of the time of the submission of the Table and reflected in the Stakeholder Engagement Report, with the exception of interests identified during the Crown community engagement tour held in December 2024.*
- **Column D: How Issue is Addressed in FEIS, 2012** *Description of section(s) in FEIS, 2012 included in Section 98 Application that address the issue, including references to relevant baseline information, anticipated project effects/impacts, the significance of such effects/impacts, taking into account the application of mitigation measures, management and monitoring plans, contingency plans, offsetting, etc.*
- **Column E: How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements** *Description of the outcomes of the NIRB's assessment of the 2012 FEIS (including relevant Project Certificate terms and conditions), Baffinland commitments, and*

relevant Inuit Impact Benefit Agreement (IIBA) provisions.

- **Column F: Additional Information Relevant to Issue Developed Since 2012 Shared in Section 98 Application** *Description of any relevant additional or updated baseline/ monitoring activities and/or studies conducted since 2012 and outcomes, additional relevant measures developed since 2012 NIRB review and mechanisms in place to adjust mitigation/adaptive measures.*
- **Column G: Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues** *This column describes current status of relevant mitigation and monitoring measures and next steps, aspects that may be considered outstanding by Indigenous Groups or other participants, and identification of topics that are expected to be an ongoing issue of focus for the life of the Project. Where a topic has limited to no direct link with the location of the railway, this is noted.*
- **Column H: Summary of Issue and Overall Response** *This column presents an overall high level summary of the issue, how the issue is addressed by the monitoring and mitigation measures described in the Section 98 application (including any applicable management plans and relevant adaptive management measures) and a conclusion statement and evaluation of current status.*

Summary List of Interests Raised by Indigenous Groups and Other Localities

For ease of reference, the topics presented in Table 1 are generally aligned with the Stakeholder Engagement Report (SD-69) and the Table of Commitments (SD-2), as well as specific topics identified by CTA staff.

The list of interests and issues provided in Table 1 includes:

A. Physical Environment

- Freshwater
 - Water crossings (this item includes consideration of both construction and operations, passage to be maintained along the railway for the life of Project)
 - Quality of water sources
 - Freshwater monitoring
- Air Quality
 - Dust and impacts of dust on vegetation
 - Dust and impacts of dust on water bodies
 - Climate change and GHG emissions
- Permafrost
 - Permafrost melt

B. Effects on Community and Individuals

- Safety and Emergency Response
 - Emergency response, communication of rail accidents and train stopping distance
 - Public Safety
- Effects on Hunters and Land Users/ Community Lifestyles
 - Impacts resultant of noise and vibration
 - Caribou crossings and snowmobile / ATV crossings (this item includes consideration of both construction and operations, passage to be maintained along the railway for the life of Project)
 - Interruption of hunting, effects on hunters and land users, community lifestyles (including consideration of potential for food security impacts)
- Mine and Railway Closure Planning
 - Long term closure planning
 - Closure of quarries and camps

C. Wildlife

- Caribou
 - Restriction of movement and caribou crossings
 - Potential train speeds to impact caribou
 - Potential for installation of wildlife cameras along railway route to monitor caribou migration patterns
- Fish
 - Fish migration, fish spawning and impacts to Arctic Char
- Other Wildlife
 - Mammal (non-caribou) interactions with the railway (e.g. wolves)

D. Indigenous Knowledge/ Inuit Qaujimajatuqangit

- Collection and incorporation of IQ and Inuit experience

E. Cultural and archaeological sites

- Archaeological Sites

F. Employment/Benefits

- Employment opportunities, benefits for communities and training

G. Other Topics

- Key partnerships for the Steensby Railway
- Construction of the Railway

- Alternative Locations
- Quarry Operations, Roads, Laydown Zones, Staging and On-site Pad
- Explosives
- Waste Management and Temporary Facilities
- Adaptive Management
- Baffinland community grievance process
- Passage of time since 2012 FEIS/issuance of original Project Certificate No. 005 in 2012 and further/ongoing opportunities for input into mitigation and monitoring plans before Steensby Component construction and operations

H. Marine

Note marine-related topics have been included in this Table to ensure that the Panel receives information on all topics of interests raised by localities.

However, for Section 98 purposes (i.e. evaluation as to whether the location of the railway is “reasonable”) it is important for the Panel to understand the context that the location of Steensby Railway infrastructure is approximately 200m from the closest marine area (see Figure 1 below) and there are no direct linkages between the Steensby Railway and the marine environment. No part of the Steensby Railway is located within, over or directly adjacent to the marine environment. The project activities that relate more directly to the marine environment are components such as the Steensby Port, and shipping activities through Steensby Inlet and the Southern Shipping Route.

It is important to note that all railway alignments require a terminus at a marine port on northern Baffin Island. As described in the Section 98 Application, there are no roads that connect the Mary River Mine to the rest of Nunavut or Canada. The location of the railway will not impact the need for a port – a port will be needed regardless. The Mary River mine is located in the centre of the northern half of Baffin Island. Of the alternative marine port locations, considered in the original alternatives assessment (see Part 3 of the Approval to Construct a Railway Application), the final Steensby Port location was selected in close collaboration with Inuit and Inuit groups such as QIA. One of the important factors for the selection of the location of the Steensby Port is that neither the Port nor the southern shipping route are in identified Environmentally or Biologically Sensitive Area (EBSA) requiring current or future protection under federal conservation mechanisms. Implementing shipping at Steensby will significantly reduce shipping through Milne Port, in Milne Inlet, which is in the final stages of becoming Tallurutiup Imanga National Marine Conservation Area (TINMCA). The Steensby Port Area and the associated shipping route through the Nunavut Settlement Area do not interact with any marine mammal species or marine habitats that are unique to the North Baffin marine area.

The Steensby Railway infrastructure will also have limited to no interaction with marine-based species. The only species included in the marine component of the 2012 FEIS that has potential to interact with both land and sea project components is polar bears, and as affirmed through the environmental assessment and described further in Table 1, the location of the railway is not expected to interact with polar bears.

Further, the 2012 FEIS evaluated potential for impacts across a very large area of the marine environment, and those measures continue to be updated based on community engagement and ever evolving legal requirements and best practices that are applicable to domestic and international shipping activities. The robust measures have been developed through the NIRB environmental assessment process to address the potential for negative impacts of the Mary River Project on the marine environment are not dependent on the specific location of the Steensby Railway on land.

- Marine mammals (walrus, seals, bowhead whales, polar bears), including any relevant breeding areas
- Icebreaking
- Ballast water/ potential for introduction of invasive species to marine areas

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Abbreviations

AANDC.....	Aboriginal Affairs and Northern Development Canada
AEMP.....	Aquatic Effects Monitoring Plan
Agency.....	<i>Canadian Transportation Agency</i>
AIS/NIS	Aquatic Invasive Species/Non-indigenous species
AMP.....	Adaptive Management Plan
Application	Baffinland's application to the Agency under Section 98 of the CTA
AQNAMP	Air Quality and Noise Abatement Management Plan
BCLO.....	Baffinland Community Liaison Officers
BIM.....	Baffinland Iron Mines Corporation
BMP.....	Best Management Practices
BWMP	Ballast Water Management Plan
CCG.....	Canadian Coast Guard
CREMP.....	Core Receiving Environmental Monitoring Program
CTA	<i>Canada Transportation Act</i>
CSEP	Community and Stakeholder Engagement Plan
DAC.....	Dust Audit Committee
DFO.....	Fisheries and Oceans Canada
EIS.....	Environmental Impact Statement
EMS	Environmental Management System
ERP	Early Revenue Phase
FAA	Fisheries Authorization Act
FEIS.....	Final Environmental Impact Statement
GHG	Greenhouse Gas
GN	Government of Nunavut
HSE	Health, Safety and Environment
HOL.....	Height of Land
HTO	Hunters and Trappers Organization
ICA	Inuit Certainty Agreement
ICRP	Interim Closure and Reclamation Plan
IIBA	Inuit Impact and Benefit Agreement
IMO	International Marine Organization
IQ.....	Inuit Qaujimajatuqangit
ISP.....	Inuit Stewardship Plan
km	Kilometers
LSA.....	Local Study Area

MHTO	Mittimatalik Hunters and Trappers Organization
MMP	Marine Monitoring Plan
Mtpa	Million Tonnes Per Annum
NGO	Non-Government Organizations
NIRB	Nunavut Impact Review Board
NRCan	Natural Resources Canada
NSA	Nunavut Settlement Area
NSR	Net Sales Revenue
NuPPAA	<i>Nunavut Planning and Project Assessment Act</i>
NWB	Nunavut Water Board
OITR	Objectives, Indicators, Threshold and Responses
OPEP	Oil Pollution Emergency Plan
OPPP	Oil Pollution Prevention Plan
PC	Project Certificate
PDA	Project Development Area
QIA	Qikiqtani Inuit Association
RCMP	<i>Royal Canadian Mounted Police</i>
RSA	Regional Study Area
SAR	Search and Rescue
SCP	Spill Contingency Plan
SD	supporting document
SWAEMP	Surface Water and Aquatic Effects Ecosystems Management Plan
TARP	Trigger Action Response Plan
TEMMP	Terrestrial Environment Mitigation and Monitoring Plan
TSP	Total Suspended Particulates
TSS	Total Suspended Solids

Table 1. Detailed Summary of Interests of Indigenous Groups and Other Localities in relation to the Steensby Railway and Responses

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
A. Physical Environment							
A.1 Freshwater							
Freshwater	Water Crossings: Ensuring water crossings are constructed and operated in a way that is protective of fish and fish crossings	Inuit and Inuit groups raised the importance of freshwater protection during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), since 2012 Inuit community members and other community members identified: - Concerns regarding potential for effects on fish and fish passage during construction and operation of water course crossings for Railway In its comments on an advance draft of the Section 98 Application in August 2023, QIA asked - Baffinland to confirm if site specific assessments have been or will be completed for culvert design, to ensure they are appropriately sized and designed to handle local water flow and sediment transport (note Baffinland responded to this request as described in Column F) During the federal consultation tour for the Steensby Component of the Mary River Project held from December 9 to 11, 2024, a Sanirajak	The topic of the railway as a source of potential impacts on freshwater sources from water crossings construction and operation and railway operations is addressed in the FEIS 2012 in several sections (key points from each of these sections are summarized further down in Column D below), including: - Volume 1 Main Document - see Executive Summary, Table 1-12.1 Summary of Residual Biophysical Effects (SD-41) - Volume 2 Consultation, Regulatory Framework and Assessment Methodology – see Table 2-1.3 Key Community Concerns and Baffinland Response SD-41.15) and 2A Public Consultation Record (SD-41.17) and 2B Summary of Community Based Research Undertaken for the Mary River Project (SD-41.19) - Volume 7 Freshwater Environment (SD-41.464), see Section 2.0 Freshwater Quality, Section 3.0 Water and Sediment Quality, and Section 4.0 Freshwater Aquatic Biota and Habitat	The 2012 NIRB Final Hearing Report (SD-43) explains the community and regulatory feedback received on this issue during the environmental assessment, Baffinland’s responses and how the NIRB addressed the topic in Section 4.8.3: - The NIRB indicated that continued monitoring of the potential and direct impacts of the Project on the mortality of arctic char and other freshwater organism will need to be conducted throughout the life of the Project. (this is now reflected in management plans for the Project) - Adequate continual monitoring and adaptive management strategies will need to be instituted to ensure that the potential impacts to the freshwater aquatic environment is prevented or minimized. (this is now reflected in management plans for the Project) - Adequate compensation to affected communities may need to be determined for fish mortalities directly or indirectly attributable to the Project. (this is now	New/Updated Information Provided with Section 98 Application As part of the Section 98 Application, Baffinland has shared its application for its freshwater Fisheries Act Authorizations (SD-38), which includes its proposed offsetting plan to compensate for the fish habitat loss resulting from the railway, including all required crossings. Baffinland will rely on the involvement of local Inuit to ensure the success of the Project and that there is long term value in the added fish habitat. From 2021 to 2023, additional freshwater field programs were conducted, including updated freshwater data along the Steensby Railway and additional hydrological watercourse studies was carried out to support site specific crossing designs, including conventional, aerial (LIDAR), drone and acoustic Doppler current profiler surveys. The result of these studies have been incorporated in Baffinland’s Fisheries Act Authorization Application, which is provided in the Section 98 application as SD-38. The information gathered is used to design the watercourse crossings along the railway, and will help manage construction activities to avoid or reduce effects on the	Current Status Baffinland is not aware of any outstanding items related to this issue other than (1) continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process) and (2) obtaining FAA authorizations for water crossings from DFO. This is a topic that is relevant to the location of the railway, as the railway location interacts with several freshwater resources, including fish bearing waters. However, it is an item of shared jurisdiction with the DFO under the <i>Fisheries Act</i> as well as the NWB under the <i>Nunavut Waters and Nunavut Surface Rights Tribunal Act</i>. The current status of this item is that DFO is currently considering the details of Baffinland’s FAA application, and those authorizations have not been issued. DFO is considering questions regarding culvert size including in relation to sediment release and passage of fish, and this will be a matter addressed under the FAA issued by DFO. During community consultations, CTA noted questions about whether	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on the subject of water crossings based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s position are further summarized here. Railway Components Relevant to Topic To traverse the watersheds along the location of the railway, the Steensby Railway will require more than 300 water crossings along the length of the railway alignment. A total of 42 open span steel bridges and an estimated 258 culverts will be built across the water crossings along the Railway. The bridges and culverts have been designed to minimize intrusion into water bodies. The location of the route was selected to minimize water crossings to the extent practicable. Context of Issue (Column C) Inuit individuals and groups have identified to Baffinland and the federal government that Inuit are holders of indigenous rights in relation to freshwater and fish, under the Nunavut Agreement and Section 35 of the Constitution Act.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
		community member raised concerns about railway crossings impacts to fish habitat and proposed tagging the fish as a monitoring option. Baffinland’s proposed mitigation measures, compliance with Project commitment and the <i>Fisheries Act</i> address this concern, in the manner described in this row. Baffinland’s response to the specific suggestion of tagging fish is described in Column G.	for the general assessment on the freshwater environment. Section 2.2.4 and Section 2.3.2.6 for details on the railway impact assessment on the freshwater environment. Baseline information provided in Appendix 7A - Hydrology Baseline Report (SD-41.465), Appendix 7B - 1 - Water Quality Baseline 2011 (SD-41.466), and Appendix 7C - Freshwater Aquatic Habitat and Fish Baseline Report (SD-41.467) - Volume 9 Cumulative Effects and Other Assessments, Section 1.4.3 Freshwater Aquatic Environment (SD-41.485) - Appendix 3B Drawings Water Crossing (SD-294 to SD-319) The key points included in the references to the FEIS listed above are: - Construction of stream crossings for the Railway has the potential to cause stranding of Arctic Char due to the need for isolation of the watercourses. These effects will be mitigated through the use of appropriate timing windows for construction when possible and through fish salvage operations when required.	addressed in the No Net Loss Plans, included with the FAA applications) - Appropriate regulatory approvals (i.e. Fisheries Act Authorizations, which are now under consideration by DFO) will be required to support real and potential changes to habitat or the loss of habitat resulting from the alterations and disruption in the flow of water. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: - Project Certificate Term and Condition 13: The Proponent is encouraged to work with Fisheries and Oceans Canada at the regulatory phase and to take a precautionary approach when selecting the overpressure threshold to be applied to explosives use for the protection of fish and aquatic life - Project Certificate Term and Condition 14(b): 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	freshwater environment, including fish. A list of the current identified water crossings and representative engineering drawings are available in Steensby Railway Water Crossing List (SD-12), Steensby Railway Crossing Drawings – Bridges (SD-13) and Steensby Railway Crossing Drawings – Culverts (SD-14). These documents were created in 2023 and 2024 as part of detailed engineering to provide additional detail on each crossing design. It should be noted that as of 2024, a total of 42 bridges are proposed along the Steensby Railway, compared to an estimated 31 bridges proposed in the 2012 FEIS. These additional bridges have been proposed based on the latest field data collected to facilitate fish movement, protect water quality, lessons learned from current operations and in response to feedback from Inuit and regulators. The concern expressed by QIA as to whether site specific assessments have been or will be completed for culvert design is understood and addressed in the freshwater FAA Application (SD-38). As described in further detail within the FAA, culverts will be designed in accordance with American Railway Engineering and Maintenance-of-Way Association guidelines and the design criteria for the Steensby Railway. Site specific design drawings are provided in the Steensby Railway Design Drawings (SD-14).	this is a topic considered in relation to construction as well as operations. Baffinland confirms that both of these project phases are being considered. Though there are comprehensive mitigations developed to address the topic of water crossings and water protection developed though the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F), it is acknowledged that the topic of water crossings was raised by an individual in Sanirajak during the December 2024 Federal Tour. It is noted that the individual did not identify dissatisfaction with any of the specific mitigation measures proposed to date that would address their concern, and that the concern does not require additional actions on behalf of Baffinland, other than to continue engaging with the community to inform them on Baffinland’s Environmental Management System. Baffinland also provided a detailed summary which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report. DFO has questions regarding culvert size and design, should be an outstanding concern to facilitate free passage of fish. This is currently being reviewed by DFO and it will be addressed in the FAA to be issued by DFO. Given the overall importance of freshwater protection to Inuit and	Inuit have identified these crossings have the potential to impact the freshwater environment by affecting fish passage during all project phases, affecting water quality and fish through the use of explosives and affecting the quality of drinking water for human consumption. These concerns have been carefully taken into account, set out in this row Baffinland is of the view that with the measures proposed the Steensby Railway can proceed in a way that is protective of these water resources and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) The required crossings were first identified on a preliminary basis through the development of the 2012 FEIS, which formed the basis for approval of the Mary River Project, including the Steensby Railway. Based on a number of mitigation measures and management plans related to protecting fish and fish habitat described in Column D, the 2012 FEIS concluded that there would be no significant effects to fish and freshwater quality through a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E)

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			- Potential for direct mortality of Arctic Char eggs due to placement of Project encroachments in waterbodies will be mitigated through avoidance of infrastructure placement on spawning habitat and adherence to appropriate timing windows. Mitigation measures for all construction activities in fish-bearing waters will be provided in a detailed management plan. - Effects of blasting on Arctic Char and their eggs will be mitigated through development of a detailed blasting management plan, which will follow DFO blasting guidelines (Wright and Hopky 1998). Overall, the 2012 FEIS concluded that with the proposed monitoring and mitigation, the Project will not have significant adverse effects on aquatic ecosystems, freshwater fish and fish habitat including arctic char. A number of mitigation measures were included in the 2012 FEIS to reduce potential effects on water quality, freshwater fish, fish habitat, and other aquatic organisms, including:	and other users of project areas - Project Certificate Term and Condition 16: 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, access roads, port sites, the Milne Tote Road, and other areas of the Project site, 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.¹ - Project Certificate Term and Condition No. 17: The Proponent shall develop and implement effectiveness measures to ensure that effluent from project-related facilities and/or activities, including sewage treatment plants, ore stockpiles, and mine pit, satisfies all discharge criteria requirement established by the relevant regulatory agencies prior to being	New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Baffinland has not relied only on the 2012 FEIS, and has continued to advance relevant initiatives to enhance the original propose monitoring and mitigation programs since that time as follows: Erosion and Sediment Control: Baffinland has developed an Operational Environmental Standard to address Erosion and Sediment Control for the Mary River Project. The latest update occurred in 2021 (see Section 4.9 of SD-27), and will be implemented to address upland erosion and sediment control associated with the Steensby Railway construction. Culvert Installation Criteria: Culverts to be installed along the railway will meet specific criteria to minimize effects on fish and fish habitat and freshwater environment. This will include installing culverts at the same slope or less as existing stream, minimize culvert length, implementing culvert design velocities, as described in the FAA application (SD-38).	other Indigenous group, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the railway. However, for the following reasons, Baffinland is of the view that the current suite of mitigations should be considered sufficient to help address any outstanding concerns. This column also provides an update on ongoing initiatives that relate to this topic. Detailed Response to Issues Raised in Column C: Specifically: - With respect to the specific topic of water course crossings, Baffinland is designing the watercourse crossings to avoid or reduce effects on the freshwater environment, including fish. The crossings are subject to a Fisheries Act Authorization to be issued by the Department of Fisheries and Oceans Canada. - With respect to the specific topic of culvert sizing and potential for sediment deposit, Baffinland is implementing environmental protection measures to install culverts at the same slope as the existing stream, minimize culvert lengths and achieve culvert design velocities to mitigate potential effects to fish and fish habitat. These measures are outlined in the	The NIRB public review resulted in a positive recommendation in 2012 to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of water crossings, fish passage and water quality protection (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update and collect supplemental baseline information to support detailed engineering and applications for a Fisheries Act Authorization (FAA), as outlined in Column F of this row. As described within the Stakeholder Engagement Report (see SD-69, Section 7.4.2), in response to concerns expressed by localities related to water crossings and potential effects on water sources and fish migration and spawning, Baffinland has included additional bridges over fish-bearing waters (e.g. a total of 42 bridges are currently proposed over fish

¹ Note accompanying Project Certificate NIRB commentary – “Commentary: It is understood that the term “consistent with those proposed in the FEIS” requires general consistency only in relation to the type, location and scope of this infrastructure and facilities, but does not limit the ability of the Proponent to refine and optimize the design, placement and construction as may become necessary to reflect site-specific conditions encountered during construction”

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			- Fisheries Act and Fisheries and Oceans Canada (DFO) guidelines to protect fish and fish habitat. Baffinland and its contractors will identify possible alternatives to the use of explosives in or near water throughout the Project. - Railway culverts and bridges for stream and river crossings will be designed to limit barriers to fish movement and where possible, minimum flows will be maintained in streams important for fish habitat. Baffinland proposed various plans relevant to the topic of freshwater crossings, fish protection and freshwater protection in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular: - Environmental Protection Plan (SD-41.492) - Surface Water, Aquatic Ecosystems, Fish and Fish Habitat Management Plan (SD-41.499) - Environmental Monitoring Plan (SD-41.513)	discharged into the receiving environment. - Project Certificate Term and Condition No. 19: The Proponent shall ensure that it develops and implements adequate monitoring and maintenance procedures to ensure that the culverts and Nunavut Impact Review Board Page 24 of 129 Project Certificate No. 005, Amendment 005 other conduits that may be prone to blockage do not significantly hinder or alter the natural flow of water from areas associated with the proposed mine. In addition, the Proponent shall monitor, document and report the withdrawal rates for water removed and utilized for all domestic and industrial purposes. - Project Certificate Term and Condition No. 20: The Proponent shall monitor the effects of explosives residue and related by-products from project-related blasting activities as well as develop and implement effective preventative and/or mitigation measures, including treatment, if necessary, to ensure that the effects associated with the manufacturing, storage, transportation and use of explosives do	DFO Mitigation Measures: Baffinland will adopt the latest mitigation measures published by DFO in 2013 and 2016 to avoid causing harm to fish and fish habitat. These measures relate to construction timing, site selection, contaminant and spill management, erosion and sediment control, shoreline stabilization, and fish protection, as described in the FAA application (SD-38). <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to the freshwater environment include: Regulatory oversight: Compliance with the Nunavut Waters and Nunavut Surface Rights Tribunal Act and Fisheries Act, and associated inspections conducted under the Water Licence and Fisheries Act require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up.Project Certificate Terms and Conditions: Several Terms and	Environmental Protection Plan, as listed in Columns D and E. - With respect to the specific topic of potential for impacts from explosives on water resources along the railway route, the 2012 FEIS concludes ground disturbance and earthworks activities, including blasting, are not expected to result in significant adverse environmental effects on the water and sediment quality. Several environmental management plans will be implemented, as summarized in Column D, E and F. Furthermore, effects of blasting on Arctic Char and their eggs will be mitigated through development of a detailed blasting management plan, which will follow DFO blasting guidelines. - With respect to the idea of tagging fish as a monitoring option to evaluate potential for effects from water crossings, Baffinland will incorporate the Steensby Railway into its monitoring programs, as required under the Project Certificate, and will involve Inuit in the development and implementation of those monitoring programs.	bearing waters, an increase of 11 over the estimated 31 bridges that were originally proposed in the 2012 FEIS) and larger diameter culverts (e.g. sizing increased to accommodate 1 in 200 year storm events, versus an original standard of 1 in 100 year storm events) to facilitate fish movement, as well as protection of water quality (e.g. by reducing potential for sedimentation and erosion events from pooling or blow outs). In its engagement sessions, Baffinland committed to quickly and proactively address Inuit concerns relating to the Project as they arise. This includes concerns relating to water crossings, fish passage and freshwater quality. Baffinland has also incorporated lessons learned from the current project operations in its proposed culvert designs that are included in the pending FAA application, such as selection of culvert size appropriate for this purpose (as referenced above and in column F). Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
				not negatively impact the Project and surrounding areas. • Project Certificate Term and Condition No. 22: The Proponent shall develop a detailed Sediment and Erosion Management Plan to prevent and/or mitigate sediment loading into surface water within the Project area. • Project Certificate Term and Condition No. 26: The Proponent shall develop and implement a comprehensive erosion management plan to prevent or minimize the effects of destabilization and erosion that may occur due to the Project’s construction and operation. • Project Certificate Term and Condition No. 29: The Proponent shall provide to the respective regulatory authorities, for review and acceptance, for-construction engineering design and drawings, specifications and engineering analysis to support design in advance for constructing those facilities. Once project facilities are constructed, the Proponent shall provide copies of the as-built drawings and design to the appropriate regulatory authorities. • Project Certificate Term and Condition No. 33: The	Conditions, such as TC 14(b) listed in column E requires Baffinland to include adaptive management measures in its management plans and operations. • NIRB and NWB Annual Reporting and Management Plan Update Process: The Project Certificate and Type A Water Licence require that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. • Commercial Lease: The Commercial Lease between Baffinland and QIA includes several requirements for water management, including the Water Compensation Agreement. • Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project		Should monitoring reveal that further measures are required in respect of the crossings once constructions, Baffinland would take action under its Adaptive Management Plan. Baffinland’s Section 98 Application shows that it has already taken steps to prevent impacts on freshwater from culverts and crossings during construction and operations. Baffinland has made meaningful efforts to prevent effects to water resources and fish from construction and operation of crossings through its proposed mitigation and monitoring plans and compliance with all government approvals, which include the Project Certificate No. 005, the Type A Water Licence, and the pending Fisheries Act Authorizations and compensation measures including the No Net Loss Plan. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as crossings and water quality concerns. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
				Proponent shall include relevant Monitoring and Management Plans within its Environmental Management System, Terrestrial Environment Management and Monitoring Plan (TEMMP). • Project Certificate Term and Condition No. 44: The Proponent shall meet or exceed the guidelines set by Fisheries and Oceans Canada for blasting thresholds and implement practical and effective measures to ensure that residue and by-products of blasting do not negatively affect fish and fish habitat. • Project Certificate Term and Condition No 45: The Proponent shall adhere to the No-Net-Loss principle at all phases of the project to prevent or mitigate direct or indirect fish and fish habitat losses. • Project Certificate Term and Condition No. 47: The Proponent shall ensure that all Project infrastructure in watercourses are designed and constructed in such a manner that they do not unduly prevent and limit the movement of water in fish bearing streams and rivers. • Project Certificate Term and Condition No. 48: The	Certificate and the Type A Water Licence.		Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
				Proponent shall engage with Fisheries and Oceans Canada and the Qikiqtani Inuit Association in exploring possible Project specific thresholds for blasting that would exceed the requirements of Fisheries and Oceans Canada’s Guidelines for the Use of Explosives In or Near Canadian Fisheries Waters (D.G. Wright and G.E. Hopky, 1998). • Term and Condition No 162: 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. • Term and Condition No. 163: 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			

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
				Proponent’s management and monitoring plans continue to evolve in an informed manner. As acknowledged in the Nunavut Water Board licencing process, Baffinland has also entered into a Water Compensation Agreement with QIA which are intended to compensate Inuit for potential effects from the Project on Inuit water rights, in accordance with Article 20 of the Nunavut Agreement. The Type A Water Licence also includes the following relevant requirements: • Part E, Item 20. The Licensee shall limit any in-stream activity, as much as possible, to low Water periods. In-stream activity is prohibited during fish migration. • Part E, Item 23. The Licensee shall provide to the Board for review, for-construction design drawings for stream culverts, bridges and any other structures, which may impact the quantity, quality and flow of water, at least thirty (30) days prior to construction. • Part E, Item 24. The Licensee shall submit to the Board for review, at least thirty (30) days prior to implementation, copies of separate Blasting Management Plans developed for the mining operation, tunnelling of			

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				the railway and blasting near water bodies as committed to during the Public Hearing.			
	Water quality: Potential for contamination of water sources as a result of the railway and other related activities, including use of explosives near freshwater resources during construction	Inuit and Inuit groups raised the importance of freshwater protection during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), since 2012 Inuit community members and other community members identified: - Concerns regarding potential for effects on water quality and fish due to use of explosives. - Questions whether drinking water from watercourses along the railway route will be safe. In its comments on an advance draft of the Section 98 Application in August 2023 (SD-75), QIA asked: - Please provide further information regarding the quarry operations, specifically concerning monitoring for water drainage (including standing water, runoff, and erosion) and water quality monitoring. (this information was subsequently provided by Baffinland to QIA, per SD-75. During the federal consultation tour for the Steensby Component of the Mary River Project held from December 9 to 11, 2024, a Pond	The topic of the railway as a source of potential impacts on quality of freshwater sources from construction and operation and railway operations is addressed in the FEIS 2012 in several sections. Key conclusions from these sections are set out further below in this column:: - Volume 1 Main Document - see Executive Summary, Table 1-12.1 Summary of Residual Biophysical Effects (SD-41) - Volume 2 Consultation, Regulatory Framework and Assessment Methodology – see Table 2-1.3 Key Community Concerns and Baffinland Response SD-41.15) and 2A Public Consultation Record (SD-41.17) and 2B Summary of Community Based Research Undertaken for the Mary River Project (SD-41.19) - Volume 7 Freshwater Environment (SD-41.464), see Section 2.0 Freshwater Quality, Section 3.0 Water and Sediment Quality, and Section 4.0 Freshwater Aquatic Biota and Habitat for the general assessment on the freshwater environment. Section 2.2.4 and Section 2.3.2.6 for details on the railway impact assessment on the	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Section 4.8.3: - The NIRB indicated that continued evaluation of the potential and direct impacts of the Project on the mortality of arctic char and other freshwater organism will need to be conducted throughout the life of the Project. - Adequate continual monitoring and adaptive management strategies will need to be instituted to ensure that the potential impacts to the freshwater aquatic environment is prevented or minimized. Adequate compensation to affected communities may need to be determined for fish mortalities directly or indirectly attributable to the Project. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: - Project Certificate Term and Condition No. 17: The Proponent shall develop and implement effectiveness measures to ensure that effluent from project-related facilities and/or activities, including sewage treatment plants,	New/Updated Information Provided with Section 98 Application As part of the Section 98 Application, Baffinland has shared its application for its freshwater Fisheries Act Authorizations (SD-38), which includes mitigation measures for potential effects on sediment and water quality by implementing Best Management Practices (BMPs) including DFO “Measures to Avoid Causing Serious Harm to Fish and Fish Habitat” (DFO, 2016). Baffinland will rely on the involvement of local Inuit to ensure the success of the Project and that there is long term value in the added fish habitat. Furthermore, Baffinland has made design improvements to surface water management infrastructure design based on operation experience to reduce the potential for unanticipated spills and water quality exceedances at discharge points (Table 15, S.98 Application). New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Baffinland has not relied only on the 2012 FEIS, and has continued to advance relevant initiatives to enhance the original propose monitoring and mitigation programs since that time as follows.	Current Status Baffinland is not aware of any outstanding items related to this issue other than (1) continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process) and (2) obtaining FAA authorizations from DFO. This is a topic that is relevant to the location of the railway, as the railway location interacts with several freshwater resources, including fish bearing waters. However it is an item of shared jurisdiction with the DFO under the <i>Fisheries Act</i> as well as the NWB under the <i>Nunavut Waters and Nunavut Surface Rights Tribunal Act</i>. The current status of this item is that DFO is currently considering the details of Baffinland’s FAA application and those authorizations have not been issued. There are comprehensive mitigations developed to address the topic of water quality protection developed though the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of water quality was raised by individuals in Pond Inlet and Igloolik	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s conclusion are further summarized here. <u>Railway Components Relevant to Topic</u> To traverse the watersheds along the location of the railway, the Steensby Railway will require more than 300 water crossings along the length of the railway alignment. The location of the route was selected to minimize water crossings to the extent practicable. Construction activities will include blasting for excavation of quarries, cutting along various areas of the railway embankment including tunnels. Furthermore approximately 19 quarries will be utilized along the railway alignment to source rock fill and aggregate for construction. These quarries were identified in the 2012 FEIS through geotechnical investigations along the rail alignment. Context of Issue (Column C) Inuit individuals and groups have identified to Baffinland and the federal government that Inuit are holders of indigenous rights in relation to freshwater and fish, under the Nunavut Agreement and

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		Inlet community member stated that they want waters to be protected as fish are an important food source. A community member in Igloolik raised a concern about potential contamination to water impacting fish which they harvest. Baffinland’s proposed mitigation measures, compliance with Project Certificate terms and conditions and commitments and the <i>Fisheries Act</i> address this concern, in the manner described in this row.	freshwater environment. Baseline information provided in Appendix 7A - Hydrology Baseline Report (SD-41.465), Appendix 7B - 1 - Water Quality Baseline 2011 (SD-41.466), and Appendix 7C - Freshwater Aquatic Habitat and Fish Baseline Report (SD-41.467) • Volume 9 Cumulative Effects and Other Assessments, Section 1.4.3 Freshwater Aquatic Environment (SD-41.485) • Appendix 3B Drawings Water Crossing (SD-294 to SD-319) The key points included in the references to the FEIS listed above are: • Effects of blasting on Arctic Char and their eggs will be mitigated through development of a detailed blasting management plan, which will follow DFO blasting guidelines (Wright and Hopky 1998). • By implementing Best Management Practices (BMPs) water quality impacts will be avoided or reduced to the point where only minor to moderate short-term adverse effects are anticipated. • All structures will be designed, constructed and operated in compliance with <i>Fisheries</i>	ore stockpiles, and mine pit, satisfies all discharge criteria requirement established by the relevant regulatory agencies prior to being discharged into the receiving environment. • Project Certificate Term and Condition No. 20: The Proponent shall monitor the effects of explosives residue and related by-products from project-related blasting activities as well as develop and implement effective preventative and/or mitigation measures, including treatment, if necessary, to ensure that the effects associated with the manufacturing, storage, transportation and use of explosives do not negatively impact the Project and surrounding areas. • Project Certificate Term and Condition No. 22: The Proponent shall develop a detailed Sediment and Erosion Management Plan to prevent and/or mitigate sediment loading into surface water within the Project area. • Project Certificate Term and Condition No. 33: The Proponent shall include relevant Monitoring and Management Plans within its Environmental Management System, Terrestrial Environment Management and	From 2021 to 2023, additional freshwater field programs were conducted, including updated freshwater data along the Steensby Railway and additional hydrological watercourse studies was carried out to support site specific crossing designs, including conventional, aerial (LIDAR), drone and acoustic Doppler current profiler surveys. The result of these studies have been incorporated in Baffinland’s Fisheries Act Authorization Application, which is provided in the Section 98 application as SD-38. The information gathered is used to design the watercourse crossings along the railway, and will help manage construction activities to avoid or reduce effects on the freshwater environment, including fish. Mitigation measures Baffinland has implemented since 2012 include: • Erosion and Sediment Control: Baffinland has developed an Operational Environmental Standard to address Erosion and Sediment Control for the Mary River Project. The latest update occurred in 2021 (see Section 4.9 of SD-27), and will be implemented to address upland erosion and sediment control associated with the Steensby Railway construction. • DFO Mitigation Measures: Baffinland will adopt the latest mitigation measures published by DFO in 2013	during the December 2024 Federal Tour. The individuals did not identify dissatisfaction with any of the specific mitigation measures proposed to date that would address their concern. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland’s Environmental Management System. Baffinland also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report. Given the overall importance of freshwater protection to Inuit and other Indigenous groups, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: Specifically: • With respect to the specific topic of potential for impacts from explosives on water resources along the railway route, the 2012 FEIS concludes ground disturbance and earthworks activities, including blasting, are not expected to result in significant adverse environmental effects on the water and sediment quality. Several environmental	Section 35 of the Constitution Act. Inuit have identified Steensby construction and operations may have the potential to impact the freshwater environment by affecting water quality and fish through the use of explosives, quarrying and affecting the quality of drinking water for human consumption. These concerns have been carefully taken into account, set out in this row Baffinland is of the view that with the measures proposed the Steensby Railway can proceed in a way that is protective of these water resources and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) The required crossings, quarry locations and construction activities including blasting were first identified on a preliminary basis through the development of the 2012 FEIS, which formed the basis for approval of the Mary River Project, including the Steensby Railway. Based on a number of mitigation measures and management plans related to protecting the freshwater environment described in Column D, the 2012 FEIS concluded that there would be no significant effects to fish and freshwater quality through a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			Act authorizations designed to protect water quality as an integral component of fish habitat. - Quarries and borrow sources are generally sited in competent ground conditions away from sensitive receiving waterbodies to avoid the potential for adverse effects. As an additional measure, collection sumps will capture and treat affected contact water to applicable water quality standards prior to discharge. Overall, the 2012 FEIS concluded that with the proposed monitoring and mitigation, the Project will not have significant adverse effects on aquatic ecosystems, freshwater fish and fish habitat including arctic char. A number of proven mitigation measures were included in the 2012 FEIS to reduce potential effects on water quality, freshwater fish, fish habitat, and other aquatic organisms, including: - Fisheries Act and Fisheries and Oceans Canada (DFO) guidelines to protect fish and fish habitat. Baffinland and its contractors will identify possible alternatives to the use of explosives in or near water throughout the Project. - BMPs such as capture and treatment of potentially	Monitoring Plan (TEMMP). - Project Certificate Term and Condition No. 44: The Proponent shall meet or exceed the guidelines set by Fisheries and Oceans Canada for blasting thresholds and implement practical and effective measures to ensure that residue and by-products of blasting do not negatively affect fish and fish habitat. - Term and Condition No 162: 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. - Term and Condition No. 163: 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	and 2016 to avoid causing harm to fish and fish habitat. These measures relate to construction timing, site selection, contaminant and spill management, erosion and sediment control, shoreline stabilization, and fish protection, as described in the FAA application (SD-38). <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to water quality include: Regulatory oversight: Compliance with the Nunavut Waters and Nunavut Surface Rights Tribunal Act and Fisheries Act, and associated inspections conducted under the Water Licence and Fisheries Act require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up. Project Certificate Terms and Conditions: Several Terms and Conditions, such as TC 33 listed in column E requires Baffinland to implement relevant Monitoring and Management Plans within	management plans will be implemented, as summarized in Column D, E and F. Furthermore, effects of blasting on water quality and Arctic Char will be mitigated through development of a detailed blasting management plan, which will follow DFO blasting guidelines. - With respect to the specific potential for impacts from the project on water quality potentially used by Inuit for drinking and fishing, the 2012 FEIS concludes that the Project is not expected to result in any significant adverse effects on water and sediment quality. Furthermore, airborne ore dust generated from ore cars along the Railway during operations is predicted to be minimal, as described in Row A.2 Air Quality. As described in Columns D, E and F, mitigation measures and monitoring programs will be implemented in alignment with the Project Certificate terms and conditions. As required, adaptive management measures will be implemented. - With respect to potential impacts from quarries, the 2012 FEIS concludes that residual effects from quarries and borrow sources are not significant and will be fully reversible. Quarries and borrow sources for the Steensby Railway will be located will be on stable ground and away from sensitive water bodies. As	Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of water crossings, fish passage and water quality protection (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Likewise, Baffinland’s Type ‘A’ Water Licence application formed a part of the NIRB review process and decision to issue Project Certificate 005. The Licence was issued by the NWB in 2015 with specific licence terms on the protection and monitoring of the freshwater environment (as outlined in Column E of this row). These terms are being implemented by Baffinland and are reported on an annual basis in the QIA-NWB Annual Report for Operations. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update and collect supplemental baseline information to support detailed engineering and applications for a

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			contaminated site run-off to applicable water quality standards prior to discharging to the receiving environment and erosion control measures. - Borrow and quarry sites will be located at a minimum distance of 33m from waterbodies. Baffinland proposed various plans relevant to the topic of freshwater quality in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular: - Environmental Protection Plan (SD-41.492) - Surface Water, Aquatic Ecosystems, Fish and Fish Habitat Management Plan (SD-41.499) - Borrow Pit and Quarry Management Plan (SD-41.503) - Environmental Monitoring Plan (SD-41.513)	order that the Proponent’s management and monitoring plans continue to evolve in an informed manner. As acknowledged in the Nunavut Water Board licencing process, Baffinland has also entered into a Water Compensation Agreement with QIA which is intended to compensate Inuit for potential effects from the Project on Inuit water rights, in accordance with Article 20 of the Nunavut Agreement. The Type A Water Licence also includes the following relevant requirements: - Part D, Item 6. The Licensee shall submit to the Board for review, an addendum to the Plan referred to in Part D, Item 6a for any quarry site selected for future development that the plan does not adequately address. If the content of the existing quarry plan referred to under Part D, Item 6a, does not adequately address the proposed activities for the management requirements of the selected Quarry site, the Licensee shall submit to the Board for approval, a site-specific Quarry management plan. - Part D, Item 8. The Licensee shall implement preventive and mitigation measures to prevent any	its Environmental Management System, in which adapative management measures are required by the Project Certificate. NIRB and NWB Annual Reporting and Management Plan Update Process: The Project Certificate and Type A Water Licence require that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. Commercial Lease: The Commercial Lease between Baffinland and QIA includes several requirements for water management, including the Water Compensation Agreement. Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project	described in Columns D, E and F, mitigation measures and monitoring programs will be implemented in alignment with the Project Certificate terms and conditions and Baffinland’s Type ‘A’ Water Licence. As required, adaptive management measures will be implemented.	Fisheries Act Authorization (FAA), as outlined in Column F of this row. As described within the Stakeholder Engagement Report (see SD-69, Section 7.4.2), in response to concerns expressed by localities related to water crossings and potential effects on water sources and fish migration and spawning, Baffinland has included additional bridges over fish-bearing waters (e.g. a total of 42 bridges are currently proposed over fish bearing waters, an increase of 11 over the estimated 31 bridges that were originally proposed in the 2012 FEIS) and larger diameter culverts (e.g. sizing increased to accommodate 1 in 200 year storm events, versus an original standard of 1 in 100 year storm events) to facilitate fish movement, as well as protection of water quality (e.g. by reducing potential for sedimentation and erosion events from pooling or blow outs). In its engagement sessions, Baffinland committed to quickly and proactively address Inuit concerns relating to the Project as they arise. This includes concerns relating to construction activities and freshwater quality. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the

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				Wastes associated with the undertaking from entering any Water bodies. • Part D, Item 9. The Licensee shall locate equipment storage areas on gravel, sand or other durable land, at a distance of at least thirty-one (31) metres above the ordinary High Water Mark of any Water body in order to minimize impacts on surface drainage and Water quality. • Part D, Item 9. The Licensee shall use fill material for construction from approved sources that have been demonstrated by appropriate geochemical analyses to not possess Acid Generating and Metal Leaching properties. • Part D, Item 13. The Licensee shall maintain a minimum thirty-one (31) metre undisturbed buffer zone between the periphery of Quarry sites and the ordinary High Water Mark of any Water body. • Part D, item 15. All surface runoff during all phases of the Project, where flow may directly or indirectly enter a Water body, shall be sampled weekly. • Part D, Item 19. The Licensee shall prevent any	Certificate and the Type A Water Licence.		management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required once construction and operations begin, Baffinland would take action under its Adaptive Management Plan. Baffinland’s Section 98 Application shows that it has already taken steps to prevent impacts on freshwater from blasting and quarrying during construction and operations. Baffinland has made meaningful efforts to prevent effects to water resources and fish from construction and operation of the railway through its proposed mitigation and monitoring plans and compliance with all government approvals, which include the Project Certificate No. 005, the Type A Water Licence, and the pending Fisheries Act authorizations and compensation measures including the No Net Loss Plan. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as quarrying, blasting and water quality concerns. Conclusion Overall, while it is expected that this is a topic that will be of

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				chemicals, fuel or Wastes associated with the undertaking from entering any Water body. - Part D, Item 25. The Licensee shall prevent the deposition of debris or sediment from entering into or onto any Water body, with respect to the construction of access roads, site laydown pads and areas or other earthworks. These materials shall be disposed of at a distance of at least thirty one (31) metres from the ordinary High Water Mark in such a manner that they do not enter the Water. - Part E, Item 22. The Licensee shall not permit machinery to travel up the stream bed and fording of any Water body is to be kept to a minimum and limited to one area. Equipment used should be well cleaned and free of oil and grease and maintained free of fluid leaks. - Part E, Item 24. The Licensee shall submit to the Board for review, at least thirty (30) days prior to implementation, copies of separate Blasting Management Plans developed for the mining operation, tunnelling of the railway and blasting near water bodies as committed to during the Public Hearing.			continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.

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				- Part F, Item 27. The Licensee shall incorporate best management practices including ditches, diversions, sumps and berms where necessary to minimize or prevent surface runoff from entering nearby Water bodies from Quarry and borrow pit sites. - Part I, item 23. The Licensee shall monitor runoff and/or discharge from borrow pits and rock Quarry sites, on a monthly basis, for the following parameters: a. Total Suspend Solid (TSS) b. Oil and Grease c. Ammonia (total NH3-N) d. Nitrate (total NO3-N) e. pH f. Conductivity; and g. Demonstrate to be non-acutely toxic.			
	Freshwater monitoring of potential impacts to fish as a result of railway construction and operation	Inuit and Inuit groups raised the importance of freshwater monitoring during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), since 2012 Inuit community members and other community members identified: Concerns regarding effects on fish and fish passage during construction of water course crossings for Railway	The topic of the railway as a source of potential impacts to the freshwater environment is addressed in the FEIS 2012 in several sections, including: - Volume 1 Main Document - see Executive Summary, Table 1-12.1 Summary of Residual Biophysical Effects and Section 5.2.8 to 5.2.10 for the baseline summary of the fresh water environment (SD-41) - Volume 2 Consultation, Regulatory Framework and Assessment Methodology – see Table 2-1.3 Key Community	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Section 4.5.3: The NIRB acknowledges the mitigation measures that have been developed by Baffinland and recognizes that the freshwater water environment will need to be assessed and monitored throughout the life of the Project and adaptive management strategies be implemented as needed. As well as in Section 4.8.3:	New/Updated Information Provided with Section 98 Application As part of the Section 98 Application, Baffinland has shared its application for its Fisheries Act Authorizations (SD-38), which includes monitoring measures to assess effectiveness of mitigation measures. This includes: Construction environmental monitoring (i.e., details of any mitigation changes, corrective actions, or contingency measures that were followed if mitigation measures and	Current Status Baffinland is not aware of any outstanding items related to this issue other than (1) continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process), (2) obtaining FAA authorizations from DFO and (3) working with QIA and communities to update the Mary River monitoring programs to incorporate Steensby Component. This is a topic that is relevant to the location of the railway, as the railway location interacts with several freshwater resources,	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s conclusion are further summarized here. To traverse the watersheds along the location of the railway, the Steensby Railway will require more than 300 water crossings along the length of the railway alignment. Baffinland has implemented freshwater monitoring programs since inception of the Project and has applied adaptive management

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
		Concerns regarding effects on water quality and fish due to use of explosives During the federal consultation tour for the Steensby Component of the Mary River Project held from December 9 to 11, 2024, a Sanirajak community member raised concerns about railway crossings impacts to fish habitat and proposed tagging the fish as a monitoring option. Baffinland’s proposed monitoring and mitigation measures, compliance with Project commitment and the <i>Fisheries Act</i> address this concern, in the manner described in this row.	Concerns and Baffinland Response SD-41.15) and 2A Public Consultation Record (SD-41.17) and 2B Summary of Community Based Research Undertaken for the Mary River Project (SD-41.19) - Volume 7 Freshwater Environment (SD-41.464), see Section 2.0 Freshwater Quality, Section 3.0 Water and Sediment Quality, and Section 4.0 Freshwater Aquatic Biota and Habitat for the general assessment on the freshwater environment. Section 2.2.4 and Section 2.3.2.6 for details on the railway impact assessment on the freshwater environment. Baseline information provided in Appendix 7A - Hydrology Baseline Report (SD-41.465), Appendix 7B - 1 - Water Quality Baseline 2011 (SD-41.466), and Appendix 7C - Freshwater Aquatic Habitat and Fish Baseline Report (SD-41.467) - Volume 9 Cumulative Effects and Other Assessments, Section 1.4.3 Freshwater Aquatic Environment (SD-41.485) The key points included in the references to the FEIS listed above are: - Freshwater environment monitoring will be	- Adequate continual monitoring and adaptive management strategies will need to be instituted to ensure that the potential impacts to the freshwater aquatic environment is prevented or minimized. Adequate compensation to affected communities may need to be determined for fish mortalities directly or indirectly attributable to the Project. Specific Project Certificate Terms and Conditions that are relevant to address this item are: - Project Certificate Term and Condition No. 19: The Proponent shall ensure that it develops and implements adequate monitoring and maintenance procedures to ensure that the culverts and Nunavut Impact Review Board Page 24 of 129 Project Certificate No. 005, Amendment 005 other conduits that may be prone to blockage do not significantly hinder or alter the natural flow of water from areas associated with the proposed mine. In addition, the Proponent shall monitor, document and report the withdrawal rates for water removed and utilized for all domestic and industrial purposes.	- standards during construction do not function as described) - Independent environmental monitors (IEMs) will be contracted by Baffinland in consultation with DFO to monitor the construction phase of the Steensby Railway and Port. The presence of fish will be monitored by IEMs during in-water works (Freshwater FAA, Section 7.1.) Detailed monitoring plans will be developed in consultation with DFO to identify the appropriate metrics for assessing mitigation measures and standards. As described within paragraph 56 of the Application for Approval to Construct a Railway Line, to support its application for the Fisheries Act Authorization(s) and this Section 98 Application, Baffinland has prepared updated freshwater and marine assessments between 2021 and 2023. The study areas covered the Mary River Mine, Steensby Railway and Steensby Port. This included collection of updated freshwater data along the Steensby Railway and additional hydrological watercourse studies were carried out to support site specific crossing designs, including conventional, aerial (LIDAR), drone and acoustic Doppler current profiler surveys. The result of these studies have been incorporated in Baffinland’s Fisheries Act Authorization Application, which is provided in the Section 98 application as SD-38.	including fish bearing waters. However, it is an item of shared jurisdiction with the DFO under the <i>Fisheries Act</i> as well as the NWB under the <i>Nunavut Waters and Nunavut Surface Rights Tribunal Act</i>. The current status of this item is that DFO is currently considering the details of Baffinland’s FAA application, and those authorizations have not been issued. Furthermore, Baffinland is working with QIA to review the monitoring programs. Under the Mary River IIBA, Baffinland must involve QIA in Project monitoring and mitigation and fund QIA's participation in those processes. There are comprehensive measures developed to address the topic of water quality monitoring developed though the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of freshwater monitoring was raised by individuals in Pond Inlet and Sanirajak during the December 2024 Federal Tour. The individuals did not identify dissatisfaction with any of the specific monitoring measures proposed to date that would address their concern. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland’s Environmental Management System. Baffinland also provided a	to these programs from operational experience. Freshwater monitoring will be applied throughout all phases of Steensby (pre-construction, construction, operation and closure) and adaptive management will continue to be applied when needed. Those programs will comply with Project Certificate Terms and Conditions, DFO authorization conditions, Type A Water Licence and other relevant commitments. Context of Issue (Column C) Inuit individuals and groups have identified to Baffinland and the federal government that Inuit are holders of indigenous rights in relation to freshwater and fish, under the Nunavut Agreement and Section 35 of the Constitution Act. Inuit have identified Steensby construction and operations may have the potential to impact the freshwater environment by affecting water quality and fish through the use of explosives, quarrying and affecting the quality of drinking water for human consumption. Continually, Inuit involvement in monitoring programs has been identified as a topic of importance. These concerns have been carefully taken into account, set out in this row Baffinland is of the view that with the measures proposed the Steensby Railway can proceed in a way that is protective of these water resources and prevents any consequential impacts on Indigenous rights.

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			conducted throughout the lifetime of the Project. - The culverts installed along the rail and road alignments may experience temporary blockage by ice or debris during Construction, Operation and closure. Once the culverts are in place, they will be frequently monitored. - During the freshet and summer months, any residual explosives washed away by precipitation will report to the waste rock pile; runoff will be channeled to a sedimentation pond, and discharge will be monitored for compliance with MMER water quality limits. Overall, the 2012 FEIS concluded that the Project will not significantly impact aquatic ecosystems, freshwater fish, or fish habitat, including Arctic char, with proposed mitigation and monitoring. Effects on Arctic char and their habitat are expected to be reversible upon mine closure. A number of monitoring measures were included in the 2012 FEIS to monitor potential effects on water quality, freshwater fish, fish habitat, and other aquatic organisms, including: - Monitoring of sediment quality in streams and lakes in accordance with guidance from	- Project Certificate Term and Condition No. 33: The Proponent shall include relevant Monitoring and Management Plans within its Environmental Management System, Terrestrial Environment Management and Monitoring Plan (TEMMP). - Project Certificate Term and Condition No. 48(a): The Proponent shall develop plans to conduct additional surveys for the presence of arctic char in freshwater bodies and ongoing monitoring of arctic char health where applicable, within watersheds proximal to the mine, Tote Road and Milne Inlet Port project development areas. - Project Certificate Term and Condition 99: The Proponent must enhance the baseline for affected freshwater systems, which includes control sites to detect Project-related changes before they cause significant harm. - Term and Condition No 162: 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	As described in response to CTA Request IR.10, Baffinland continuously engages QIA with respect to the Mary River Project. Under the Mary River IIBA, Baffinland must involve QIA in Project monitoring and mitigation and fund QIA's participation in those processes. Furthermore, Baffinland funds QIA to hire and employ Inuit environmental monitors at the mine site. Since 2023, Baffinland and QIA have had focused discussions on the progression of Steensby and opportunities for related collaboration and engagement. As a result of this engagement, topic-specific meetings, including meetings on monitoring and mitigation, are scheduled on an ongoing basis. Baffinland is currently working with QIA to develop a detailed plan to review Baffinland's Environmental Management System (EMS) and associated Environmental Management Plans (EMPs) and associated activities for the proposed construction and operation of the Steensby Component of the Project. New/Updated Relevant Monitoring Measures Developed Since 2012 The Aquatic Effects Monitoring Plan (AEMP) was identified as a follow-up monitoring program Baffinland conducts annual fish population assessments for Arctic char in four lakes near the Mine Site as part of the Project's Core Receiving Environment Monitoring Program	detailed summary which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report. Given the overall importance of the freshwater environment to Inuit and other Indigenous groups, it is expected that this topic will require Baffinland's continual attention and diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: Specifically: - With respect to the idea of tagging fish as a monitoring option to evaluate potential for effects from water crossings, Baffinland will incorporate the Steensby Railway into its monitoring programs, as required under the Project Certificate, and will involve Inuit in the development and implementation of those monitoring programs. - With respect to the topic of freshwater monitoring in general, Baffinland will implement measures to monitor potential effects on water quality, freshwater fish, fish habitat, and other aquatic organisms through management plans described in Columns D, E and F. Monitoring programs will be implemented in alignment with the Project Certificate terms and conditions and	How Issue is Addressed in 2012 FEIS (Column D) The proposed monitoring measures and management plans were identified through the development of the 2012 FEIS, which formed the basis for approval of the Mary River Project, including the Steensby Railway. Based on a number of mitigation measures and management plans related to protecting the freshwater environment described in Column D, the 2012 FEIS concluded that there would be no significant effects to fish and freshwater quality through a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of freshwater monitoring (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Likewise, Baffinland's Type 'A' Water Licence application formed a part of the NIRB review process and decision to issue Project Certificate 005. The Licence was issued by the NWB in

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			Environment Canada for sampling of Arctic lakes with low deposition rates. - Monitoring of water quality in local drainages to confirm predictions of metals concentrations and compliance with Total Suspended Solid (TSS) targets and metals. - Environmental construction monitoring during activities that have the potential to affect water and sediment quality. - Aquatic Effects Monitoring, Environmental Effects Monitoring and routine water quality monitoring to identify potential effects as they arise, and adaptive management to reduce the risk of exceeding the predicted effects level. Baffinland proposed various plans relevant to freshwater monitoring in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular, - Environmental Protection Plan (SD-41.492) - Surface Water, Aquatic Ecosystems, Fish and Fish Habitat Management Plan (SD-41.499) - Environmental Monitoring Plan (SD-41.513)	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. - Term and Condition No. 163: 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. Specific commitments included in the Section 98 Application that are relevant to address this item of concern raised by localities are (per the Table of Commitments SD-2): - Commitment 35: DFO is committed to ongoing involvement in assisting Baffinland to develop a robustly designed and long-term monitoring program for verifying impact prediction, demonstrating the efficacy of mitigation measures, and adjusting those measures as needed. - Commitment 45: Baffinland will work with	(CREMP). Updates were made to the design of the CREMP in Revision 2 of the AEMP to incorporate feedback from the QIA and regulators. <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to the freshwater monitoring include: Regulatory oversight: Compliance with the Nunavut Waters and Nunavut Surface Rights Tribunal Act and Fisheries Act, and associated inspections conducted under the Water Licence and Fisheries Act require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up. Project Certificate Terms and Conditions: Several Terms and Conditions, such as TC 33 listed in column E requires Baffinland to implement relevant Monitoring and Management Plans within its Environmental Management System, in which adaptive management measures are required by the Project Certificate.	Baffinland’s Type ‘A’ Water Licence. As required, adaptive management measures will be implemented.	2015 with specific licence terms on the protection and monitoring of the freshwater environment (as outlined in Column E of this row). These terms are being implemented by Baffinland and are reported on an annual basis in the QIA-NWB Annual Report for Operations. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further freshwater monitoring work has been carried out by Baffinland to update and collect supplemental baseline information to support detailed engineering and applications for a Fisheries Act Authorization (FAA), as outlined in Column F of this row. As described within the Freshwater FAA (SD-38), detailed monitoring plans will be developed in consultation with DFO to identify the appropriate metrics for assessing mitigation measures and standards. Baffinland is committed to quickly and proactively address Inuit concerns relating to the Project as they arise. This includes concerns relating to construction activities and freshwater quality. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is

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			Fresh Water Supply, Sewage and Wastewater Management Plan	the Hamlets and HTOs of Igloolik and Sanirajak to carry out additional baseline studies for marine, terrestrial, and avian wildlife related to Steensby. This could begin as early as 2023. - Commitment 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 will be implemented, if necessary, to adaptively manage impacts on surface water and sediment quality. Baffinland’s Type A Water Licence includes compliance monitoring and routine water quality monitoring which aims to identify potential effects before they arise (Schedule I, Tables 13-15). Additionally, several management plans relevant to freshwater monitoring are implemented under the Water Licence (Part B, Item 14), including: - Environmental Protection Plan (SD-27.0) - Fresh Water Supply, Sewage and Wastewater Management Plan (SD-27.64) - Aquatic Effects Monitoring Plan (SD-27.65)	NIRB and NWB Annual Reporting and Management Plan Update Process: The Project Certificate and Type A Water Licence require that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. Commercial Lease: The Commercial Lease between Baffinland and QIA includes several requirements for water management, including the Water Compensation Agreement.Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate and the Type A Water Licence.		uncertainty - which is why robust monitoring programs are proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required once construction and operations begin, Baffinland would take action under its Adaptive Management Plan. Baffinland’s Section 98 Application shows that it has already taken steps to collect updated freshwater monitoring baseline data, and will continue to implement freshwater monitoring at all stages of the Project. Baffinland has made meaningful efforts to prevent effects to water resources and fish from construction and operation of the railway through its proposed mitigation and monitoring plans and compliance with all government approvals, which include the Project Certificate No. 005, the Type A Water Licence, and the pending Fisheries Act Authorizations and compensation measures including the No Net Loss Plan. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as monitoring programs. Conclusion

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
				Surface Water and Aquatic Ecosystem Management Plan (SD-27.52) Baffinland also implements the Surveillance Network Program (SD-61.42) to monitor snowmelt and surface water runoff at the Mine Site and Milne Port.			Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.
A.2 Air Quality							
Air Quality	Dust and impacts of dust on vegetation	Inuit and Inuit groups raised the importance of air quality protection during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), since 2012 Inuit community members and other community members identified interest in: - Control of fugitive dust from project - Questions about dust contamination of the plants that the animals eat - Evaluation of the potential risk of dust from the mine and rail affecting vegetation, wildlife and people, including small mammals such as lemmings During the federal consultation tour for the Steensby Component of the Mary River Project held from	The topic of the railway as a source of potential impacts of dust on vegetation is addressed in the FEIS 2012 in several sections, including: - Volume 1 Main Document - see Executive Summary, Table 1-12.1 Summary of Residual Biophysical Effects and Section 5.2.2 Air Quality, Noise and Vibration for the baseline summary (SD-41) - Volume 2 Consultation, Regulatory Framework and Assessment Methodology – see Table 2-1.3 Key Community Concerns and Baffinland Response SD-41.15) and 2A Public Consultation Record (SD-41.17) and 2B Summary of Community Based Research Undertaken for the Mary River Project (SD-41.19) - Volume 5 Atmospheric Environment, see Section 2.6 Air Quality for the general air quality	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Section 4.7: - There are currently limited examples of similar projects and/or operations in similar settings to compare to the Project. As a result, the confidence levels of predictions on vegetation made in the FEIS regarding project impact significance may be reduced. This situation emphasizes the need for Baffinland to continue in its efforts to collect additional baseline information throughout the project phases. - The Board’s recommendations and suggested Project Certificate terms and conditions are designed to continue the development of baseline, to establish mechanisms for early and effective	New/Updated Information Provided with Section 98 Application The Section 98 Application also explains these concerns and how it was addressed in the Stakeholder Engagement Report (see SD-69) in section 6.4.3 and section 7.4.3. As described in the Stakeholder Engagement Report, Baffinland will extend the dust management system developed for the current Project to Steensby operations where possible. The Steensby Component of the Project has also been designed with the objective of reducing air contaminants and greenhouse gas emissions wherever possible. Baffinland is legally required to have comprehensive and detailed monitoring programs in place, which results must be reported on annually. Via the NIRB and NWB, annual reporting is subject to a lengthy public comment process, which QIA, federal and territorial government authorities, hunters	Current Status Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process). This is a topic that is relevant to the location of the railway, as the railway and supporting facilities has the potential to produce fugitive dust that may impact vegetation. In relation to the railway itself, the main issue that has been raise regarding dust is a concern that dust will come off of the ore transported by train cars and impact the environment. This is based on recent Inuit experience with ore haulage over the Tote Road where dust has been generated. However, Baffinland has demonstrated through several audits of its activities that dust generated along the Tote Road is due to contact between truck tires and the road. The specific gravity of ore remains too high to be	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on dust and potential for dust to impact vegetation based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s conclusion are further summarized here. <u>Railway Components Relevant to Topic</u> The Steensby Railway is expected to be limited to particles released during the loading of ore cars at the mine site, with no significant windblown dust anticipated during rail transport. Also, there is high confidence that project related activities will not have a significant effect on vegetation abundance and diversity within the Regional Study Area. Context of Issue (Column C) Inuit individuals and groups have identified to Baffinland and the

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
		December 9 to 11, 2024, Pond Inlet and Igloolik community members raised concerns about dust currently generated by the mine and the importance of dust suppression. Baffinland’s proposed mitigation measures, compliance with Project commitment address this concern, in the manner described in this row. Community members did not raise any specific concern relating to dust coming from rail cars.	assessment and Section 2.6.2 for the assessment on the railway construction (SD-41.444), and baseline information Appendix 5C - 1 - Air Quality Baseline Report (SD-41.447) and assessment Appendix 5C - 5 - Air Quality Modelling Contour Plots (SD-41.449) - Volume 6 Terrestrial Environment, see Section 3.2.2 for the potential effects on vegetation (SD-41.445) - Volume 9 Cumulative Effects and Other Assessments, Section 1.4.1 Atmospheric Environment (SD-41.485) The key points included in the references to the FEIS listed above are: - A total of 226 km² (less than 1% i.e. 0.10 % of the RSA) of vegetated habitat could be affected by annual dust deposition. The largest area affected by annual TSP deposition will be at the Mine Site, followed by Steensby Port and then Milne Port. - Plant health may be affected in 0.5 km² of terrestrial habitat surrounding the Mine Site (outside of the PDA) where the threshold of 55 g/m2/a TSP could be exceeded. Due to prevailing winds and less terrestrial habitat in the	monitoring (including third party monitoring) and to support adaptive management to respond to the potential for project effects on vegetation such as a reduction in plant health and the quality of forage plants (due mainly to deposition of dust). Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: - Term and Condition No. 10: The Proponent shall update its Dust Management and Monitoring Plan to include additional items. Also, 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. - Term and Condition No. 54: provide an updated Terrestrial Environmental Management and Monitoring Plan which shall include dust fall	and trappers organizations, NGOs and others participate in. From 2020 to 2023, satellite-based dust monitoring of the Steensby Port area was conducted provided in Appendix G.5.1 of the 2023 NIRB Annual Report for the Mary River Project (SD-60.39-60.42) Vegetation monitoring is already in place at the Project, and will be extended to the Steensby Railway area. With respect to dust on vegetation, Baffinland will extend the dust management system developed for the current Project to Steensby operations where possible. Additionally, research has been conducted to identify which plants are most important to both caribou and people. Ongoing remote sensing monitoring will be extended to the railway once it begins. Dust monitoring results are reviewed by the HTOs, Environment Canada, and the QIA as part of the NIRB annual reports (SD-59 and SD-60). Baffinland will extend the dust management system developed for the current Project to Steensby operations where possible. These are mitigations developed over time, based on community input and monitoring, and include: - Application of crusting sprays on stockpiles to cover and reduce windblown dust through material handling - Minimizing drop distances between stockpiles and conveyors	mobilized by transport conditions. The transition to ore haulage by railway eliminates the current pathway for dust to be generated during transportation, as steel train car wheels only make contact with steel rails. There are comprehensive mitigations developed to address the topic of dust impacts on vegetation developed through the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of dust and dust suppression was raised by an individual in Pond Inlet and Igloolik during the December 2024 Federal Tour. Within these comments, concerns about the effectiveness of Baffinland’s dust suppression methods and dust impacts on food sources were raised. Baffinland has actioned this concern by implement the dustfall monitoring plan which is part of a strategy to reduce overall dust emissions along the entire material handling chain detailed in column F. Also Baffinland has developed the dust audit committee that is a third party review of conducts independent audits and identifies sources of dust, and develops recommendations to reduce dust emissions. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland’s Environmental Management System. Baffinland	federal government that Inuit are holders of indigenous rights in relation to air quality and vegetation health, under the Nunavut Agreement and Section 35 of the Constitution Act. Inuit have identified fugitive dust and its potential health impacts on vegetation, wildlife and people and the effectiveness of dust mitigation measures. These concerns have been carefully taken into account, set out in this row Baffinland is of the view that with the measures proposed the Steensby Railway can proceed in a way that is protective of these water resources and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) The dust mitigation measures were first identified through the development of the 2012 FEIS, which formed the basis for approval of the Mary River Project, including the Steensby Railway. Based on the mitigation measures and management plans related to protecting air quality and dust described in Column D, the 2012 FEIS concluded that there would be no significant effects from dust through a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E)

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			Steensby port area, it is not expected that the 55 g TSP/m²/a threshold will not be exceeded outside of the PDA at Steensby Port During project construction, operation, and closure activities, it is predicted that dust deposition may have an effect on vegetation communities. It is estimated that those effects would be limited to a small portion of vegetated areas in the RSA (<0.01 %), and small proportion of each vegetation class (<0.01 %) The effects would be reversible when the dust-producing activities cease. Overall, the 2012 FEIS concluded that the existing air quality in the Project area reflects a typical remote environment and acknowledged that Project activities could impact air quality. Dust generation along the Railway is expected to be limited to particles released during the loading of ore cars at the mine site, with no significant windblown dust anticipated during rail transport. Also, there is high confidence that project related activities will not have a significant effect on vegetation abundance and diversity within the Regional Study Area. While air quality parameter concentrations may exceed thresholds within local study areas,	(fugitive and Total Suspended Particulates), that addresses methods to reduce risk to caribou forage from dust fall. - Term and Condition No. 187: Requires Baffinland to resource an annual audit of dust impacts and mitigations associated with project activities to be completed by a third party acceptable to the responsible parties. The dust audit shall evaluate effectiveness of current measures and if necessary, contain recommendations and options to reduce the spread and impacts of dust from project activities. - Appendix A, Commitment No 2: Baffinland is committed to developing and implementing mitigation measures which control fugitive dust emissions. - Appendix A, Commitment No 60: 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.	- Installing hoods, shrouds and covers along any outdoor conveyor systems - Minimizing drop distance between ship loader and cargo holds on vessels - Optimization of blasting techniques to reduce dust generation The Steensby Component of the Project also introduces several additional dust mitigation measures. Transfer of ore from the top of the deposit, where it is mined, to the processing facility, options of a conveyor system instead of heavy haul trucks will be considered, reducing dust produced along Mine Site roads. All ore will be crushed and screened entirely within an indoor processing facility at the Mine Site. There will be no processing of ore at Steensby Port. There will be enclosures at ore transfer points at the Mine Site and Steensby Port. Consideration of additional dust management measures for the Steensby Port stockpile are underway. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Baffinland has not relied only on the 2012 FEIS, and has continued to advance relevant initiatives to enhance the original propose monitoring and mitigation programs since that time as follows: Dust Audit Committee (DAC): Developed in 2021, the DAC is a third party committee that conducts independent	also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report. Given the overall importance of air quality protection to Inuit and other Indigenous group, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: Specifically: - With respect to the specific topic of impacts from dust on vegetation, activities will be planned and conducted to minimize the project footprint within the PDA limiting disturbance. Baffinland is also implementing several mitigation measures, as outlined in Columns D to F, to to reduce potential effects of dust on the environment. - With respect to the specific concerns regarding the dust mitigation measures, Baffinland implemented the dustfall monitoring plan which is part of a strategy to identify and measure the effectiveness of dust mitigation measures along the entire material handling chain detailed in column F. Also Baffinland has developed the dust audit committee that is a third party review of conducts	The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of dust impacts on vegetation (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update and improve mitigation measures, as outlined in Column F of this row. As described in the Stakeholder Engagement Report, Baffinland will extend the dust management system developed for the current Project to Steensby operations where possible. The Steensby Component of the Project has also been designed with the objective of reducing air contaminants and greenhouse gas emissions wherever possible. In its engagement sessions, Baffinland committed to quickly and proactively address Inuit concerns relating to the Project as they arise. This includes concerns relating to air quality and vegetation health.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			these effects are predicted to remain localized, generally reversible, and not significant. The assessment also found that low levels of heavy metals in dust, contained mostly at the mine site and port, would not affect the quality of country food or vegetation, including blueberries consumed by caribou. Predicted effects on vegetation health are minimal and reversible once dust-producing activities cease. A number of proven mitigation measures were included in the 2012 FEIS to reduce potential effects on water quality, freshwater fish, fish habitat, and other aquatic organisms, including: - Implementation of the Air Quality and Noise Abatement Management Plan SD-41.498), including an air quality monitoring program, including applying dust suppressants in high-traffic areas. Vegetation health will also be monitored throughout the Project's life, with mitigation of dust effects on vegetation integrated into air quality management strategies. - Project activities will be planned and conducted to minimize the project footprint within the PDA and Project vehicles will stay on the established roads within the PDA during operation, limiting	Appendix B2, Commitment 002: 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.	audits and identifies sources of dust, and develops recommendations to reduce dust emissions. The DAC is required under Appendix B2, Commitment 002 described in Column E Dust Monitoring: The dustfall monitoring program has evolved based on data analysis, interpretation, and input from the Terrestrial Environmental Working Group. Aspects that have been created/improved include passive dustfall monitors, satellite imagery analysis, Integration into receiving environment water quality monitoring, NRCAN passive sampling trials, dust suppression trials throughout material handling chain Dustfall Monitoring Program: Part of a strategy to reduce overall dust emissions along the entire material handling chain, trials were initiated to test dust suppression products. Baffinland has deployed dust monitoring devices at a number of locations, to gain information on dust generation from our activities, as well as to quantify the effectiveness of our mitigations. Crusher Dust Suppression Trial: Applied dust treat	independent audits and identifies sources of dust, and develops recommendations to reduce dust emissions. Baffinland will incorporate the Steensby Railway into its monitoring programs, as required under the Project Certificate, and will involve Inuit in the development and implementation of those monitoring programs.	Baffinland has also incorporated lessons learned from the current project operations mitigation measures and developed additional measures to reduce impact from dust such as the dust audit committee, additional dust monitoring, dustfall monitoring plan and dust suppression trials as referenced above and in column F. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required with respect to dust in relation to vegetation health, Baffinland would take action under its Adaptive Management Plan. Baffinland’s Section 98 Application shows that it has already taken steps to prevent impacts air quality during construction and operations, as outlined in Column F of this row. Baffinland has made meaningful efforts to prevent effects to air quality and vegetation during construction and operation of the project through its proposed mitigation and monitoring plans

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			new disturbance to the PDA. • Use of Dust Collectors: Bulk material transfer points, crushers, and screens are enclosed and controlled using baghouses (dust collectors). • Dust Suppression on Roads and traffic control: Use of water or other suppressants to minimize dust from road surfaces. Also Limiting vehicle speeds and restricting traffic to well-defined routes to reduce dust emissions. Baffinland proposed various plans relevant to this topic in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular, • Air Quality and Noise Abatement Management Plan (SD-41.498) • Environmental Protection Plan (SD-41.492) • Terrestrial Environment Mitigation and Monitoring Plan (SD-41.512) • Environmental Monitoring Plan (SD-41.513)		through a pressurized spray system. Initial results show that DustTreat application reduces measured PM <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to dust and air quality include: • Regulatory oversight: Compliance with Federal and Nunavut regulatory requirements, and associated inspections conducted under the Project Terms and Conditions require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up. • Project Certificate Terms and Conditions: Several Terms and Conditions, such as TC10 listed in column E requires Baffinland to include adaptive management measures in its management plans and operations. • NIRB Annual Reporting and Management Plan Update Process: The Project Certificate		and compliance with all government approvals, which include the Project Certificate No. 005. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as vegetation and air quality concerns. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
					requires that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. • Terrestrial Environmental Working Group: An advisory body that is intended to provide advice, guidance and enforceable recommendations regarding adding to and improving baseline information, mitigation measures for the protection of the terrestrial environment (including vegetation), assessing the accuracy of impact predictions, and the development and implementation of adaptive management plans. • Inuit-Led Dust Audit Committee: This Committee has been established to observe and understand the present and potential future dust sources at Baffinland’s Mary River Project and recommend actions and mitigation measures that can reduce dust production and dispersion. Baffinland continues to report on comments made by the Dust Audit Committee to		

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
					refine its mitigations and improve the aesthetic value of the Project area. • Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.		
	Dust and impacts of dust on water bodies	Inuit and Inuit groups raised the importance of air quality protection during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), since 2012 Inuit community members and other community members asked questions re: • Control of fugitive dust from project No comments were received on this topic on the advance draft of the Section 98 Application shared with QIIA in August 2023. In the federal consultation tour for the Steensby Component of the Mary River Project held from December 9 to 11, 2024, Pond Inlet and Igloolik community members	The topic of the railway as a source of potential impacts of dust on water bodies is addressed in the FEIS 2012 in several sections, including: • Volume 1 Main Document - see Executive Summary, Table 1-12.1 Summary of Residual Biophysical Effects and Section 5.2.2 Air Quality, Noise and Vibration for the baseline summary (SD-41) • Volume 2 Consultation, Regulatory Framework and Assessment Methodology – see Table 2-1.3 Key Community Concerns and Baffinland Response SD-41.15) and 2A Public Consultation Record (SD-41.17) and 2B Summary of Community Based Research Undertaken for the Mary River Project (SD-41.19)	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Section 4.2: • Based on the information presented in the FEIS and the representations made by interested parties, the Board believes that although the quantity of air emissions generated from Project activities and facilities might not be significant from a global or regional perspective, there is the potential that the effects produced and manifested, even from levels of contaminants considered to be insignificant, may be evident because the Project area has not been previously exposed to the anticipated levels of contaminants and as such may be more sensitive to	New/Updated Information Provided with Section 98 Application The Section 98 Application also explains these concerns and how it was addressed in the Stakeholder Engagement Report (see SD-69) in section 6.4.3 and section 7.4.3. As described in the Stakeholder Engagement Report, Baffinland will extend the dust management system developed for the current Project to Steensby operations where possible. The Steensby Component of the Project has also been designed with the objective of reducing air contaminants and greenhouse gas emissions wherever possible. Baffinland is legally required to have comprehensive and detailed monitoring programs in place, which results must be reported on annually. Via the NIRB and NWB, annual reporting is subject to a	Current Status Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process). This is a topic that is relevant to the location of the railway, as the railway and supporting facilities has some potential to produce fugitive dust that may impact water bodies. However, the railway operations will eliminate the current haul trucking operation along the Northern Transportation Corridor which will reduce dust emissions from the Tote Road and is a much more significant contributor to dust emissions from the Project overall. There are comprehensive mitigations developed to address the topic of dust impacts on water	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s conclusion are further summarized here. <u>Railway Components Relevant to Topic</u> Emissions from the Steensby Railway is expected to be limited to particles released during the loading of ore cars at the mine site, with no significant windblown dust anticipated during rail transport. Also, there is high confidence that project related activities will not have a significant effect on water bodies within the Regional Study Area. Context of Issue (Column C)

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
		raised concerns about dust impacts to water and the importance of dust suppression. CTA noted in particular that concerns were raised regarding contamination of lakes from iron ore dust, which could affect fish populations and water quality Baffinland’s proposed mitigation measures, compliance with Project commitment address this concern, in the manner described in this row and also in the letter filed with NMPO on January 28, 2025.	- Volume 5 Atmospheric Environment, see Section 2.6 Air Quality for the general air quality assessment and Section 2.6.2 for the assessment on the railway construction (SD-41.444), and baseline information Appendix 5C - 1 - Air Quality Baseline Report (SD-41.447) and assessment Appendix 5C - 5 - Air Quality Modelling Contour Plots (SD-41.449) - Volume 7 Terrestrial Environment, see Section 3.4.1.7 for the potential effects of dust on water bodies (SD-41.464) - Volume 9 Cumulative Effects and Other Assessments, Section 1.4.1 Atmospheric Environment (SD-41.485) The key points included in the references to the FEIS listed above are: - A portion of dust emissions falling on land will be transported by surface runoff into nearby waters, thereby potentially increasing TSS and metals concentrations in water and sediment. Resultant changes in water and sediment quality are a potential concern to freshwater biota through increased TSS, sedimentation of fish habitat, and	- these effects than predicted in the FEIS. - recognizes that the potential changes in surface water and sediment quality, permafrost/talik distribution, groundwater distribution and flow paths that are directed or indirectly attributable to the facilities and activities associated with the Project remains a concern for the Board and will need to be assessed and monitored throughout the life of the project. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: - Amendment 5, Appendix B2, 023: 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.	lengthy public comment process, which QIA, federal and territorial government authorities, hunters and trappers organizations, NGOs and others participate in. From 2020 to 2023, satellite-based dust monitoring of the Steensby Port area was conducted provided in Appendix G.5.1 of the 2023 NIRB Annual Report for the Mary River Project (SD-60.39-60.42) Water quality monitoring is already in place at the Project, and will be extended to the Steensby Railway area. Ongoing remote sensing monitoring will be extended to the railway once it begins. Results are reviewed by the HTOs, Environment Canada, the QIA and other stakeholders as part of the NIRB annual reports (SD-59 and SD-60). With respect to dust on water bodies, Baffinland will extend the dust management system developed for the current Project to Steensby operations where possible. These are mitigations developed over time, based on community input and monitoring, and include: - Application of crusting sprays on stockpiles to cover and reduce windblown dust through material handling - Minimizing drop distances between stockpiles and conveyors - Installing hoods, shrouds and covers along any outdoor conveyor systems	bodies developed through the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of dust and dust suppression was raised by individuals in Pond Inlet and Igloolik during the December 2024 Federal Tour. Within these comments, concerns about the effectiveness of Baffinland’s dust suppression methods and dust impacts on food sources were raised. Baffinland has actioned this concern by implementing the dustfall monitoring plan which is part of a strategy to reduce overall dust emissions along the entire material handling chain detailed in column F. Also the dust audit committee has been established, which is a third party review of conducts independent audits and identifies sources of dust, and develops recommendations to reduce dust emissions. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland’s Environmental Management System. Baffinland also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report. Given the overall importance of air quality protection to Inuit and other Indigenous group, it is expected	Inuit individuals and groups have identified to Baffinland and the federal government that Inuit are holders of indigenous rights in relation to air quality and the water bodies, under the Nunavut Agreement and Section 35 of the Constitution Act. Inuit have identified fugitive dust and its potential impacts on water bodies, and the effectiveness of dust mitigation measures. These concerns have been carefully taken into account, set out in this row Baffinland is of the view that with the measures proposed the Steensby Railway can proceed in a way that is protective of these water resources and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) The dust mitigation measures were first identified through the development of the 2012 FEIS, which formed the basis for approval of the Mary River Project, including the Steensby Railway. Based on a number of mitigation measures and management plans related to protecting air quality and dust described in Column D, the 2012 FEIS concluded that there would be no significant effects from dust through a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E)

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			sedimentation of incubating fish eggs. - Elevated metals arising from runoff of ore dust deposition at the Mine Site and Steensby Port is expected to result in a Not Significant adverse environmental effect on water and sediment quality in the Mine Site LSA. The Level of Confidence is Medium due to the semi-quantitative nature of the assessment. A number of proven mitigation measures were included in the 2012 FEIS to reduce potential impacts from dust on water bodies, including: - Implementation of the Air Quality and Noise Abatement Management Plan SD-41.498), including an air quality monitoring program, including applying dust suppressants in high-traffic areas. Water quality will also be monitored throughout the Project's life, with mitigation of dust effects on water quality integrated into air quality management strategies. - Project activities will be planned and conducted to minimize the project footprint within the PDA and Project vehicles will stay on the established roads within the PDA during operation, limiting	- Term and Condition No. 10: 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. - Appendix A, Commitment 2: Baffinland is committed to developing and implementing mitigation measures which control fugitive dust emissions.	- Minimizing drop distance between ship loader and cargo holds on vessels - Optimization of blasting techniques to reduce dust generation The Steensby Component of the Project also introduces several additional dust mitigation measures. Transfer of ore from the top of the deposit, where it is mined, to the processing facility, is expected to be done by a conveyor system instead of heavy haul trucks, reducing dust produced along Mine Site roads. All ore will be crushed and screened entirely within an indoor processing facility at the Mine Site. There will be no processing of ore at Steensby Port. There will be enclosures at ore transfer points at the Mine Site and Steensby Port. Consideration of additional dust management measures for the Steensby Port stockpile are underway. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Baffinland has not relied only on the 2012 FEIS, and has continued to advance relevant initiatives to enhance the original propose monitoring and mitigation programs since that time as follows: Dust Audit Committee (DAC): Developed in 2021, the DAC is an independent Inuit led committee made up of representatives from that conducts independent audits and identifies sources of dust, and	that this topic will require Baffinland's continual attention and diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: Specifically: - With respect to the specific topic of impacts from dust on water bodies, activities will be planned and conducted to minimize the project footprint within the PDA limiting disturbance. Baffinland is also implementing several mitigation measures, as outlined in Columns D to F, to to reduce potential effects of dust on the environment. - With respect to the specific concerns regarding the dust mitigation measures, Baffinland implemented the dustfall monitoring plan which is part of a strategy to identify and measure the effectiveness of dust mitigation measures along the entire material handling chain detailed in column F. Also per Column F, Baffinland has developed the DAC that is an Inuit led third party review of conducts independent audits and identifies sources of dust, and develops recommendations to reduce dust emissions. Baffinland will incorporate the Steensby Railway into its monitoring programs, as required under the Project Certificate, and will continue to directly involve Inuit in the development and	The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of dust impacts on water bodies (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update and improve mitigation measures, as outlined in Column F of this row. As described in the Stakeholder Engagement Report, Baffinland will extend the dust management system developed for the current Project to Steensby operations where possible. The Steensby Component of the Project has also been designed with the objective of reducing air contaminants and greenhouse gas emissions wherever possible. In its engagement sessions, Baffinland committed to quickly and proactively address Inuit concerns relating to the Project as they arise. This includes concerns relating to air quality and water quality.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			new disturbance to the PDA. • Road Dust Control at Ports: Reduced vehicle speeds and dust suppressant applications on roads leading to ports. • Ship Emissions Management: Implementation of mitigation measures to minimize airborne dust emissions from shipping activities. • Snow Fences: Use of snow fences or equivalent barriers along roads to limit dust generation and dispersal. • Minimizing soil disturbance during construction and limiting the removal of natural vegetation where possible Baffinland proposed various plans relevant to this topic in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular, • Air Quality and Noise Abatement Management Plan (SD-41.498) • Environmental Protection Plan (SD-41.492) • Terrestrial Environment Mitigation and Monitoring Plan (SD-41.512) • Environmental Monitoring Plan (SD-41.513)		develops recommendations to reduce dust emissions. The DAC was created to fulfil Appendix B2, Commitment 002 described in Column E • Terrestrial Environment Working Group Recommendations: The dustfall monitoring program has evolved based on data analysis, interpretation, and input from the Terrestrial Environment Working Group. Aspects that have been created/improved include passive dustfall monitors, satellite imagery analysis, Integration into receiving environment water quality monitoring, NRCAN passive sampling trials, dust suppression trials throughout material handling chain • Dustfall Monitoring Program: Part of a strategy to reduce overall dust emissions along the entire material handling chain, trials were initiated to test dust suppression products. Baffinland has deployed dust monitoring devices at a number of locations, to gain information on dust generation from our activities, as well as to quantify the effectiveness of our mitigations. • Crusher Dust Suppression Trial: Applied dust treat	implementation of those monitoring programs.	Baffinland has also incorporated lessons learned from the current project operations mitigation measures and developed additional measures to reduce impact from dust such as the dust audit committee, additional dust monitoring, dustfall monitoring plan and dust suppression trials as referenced above and in column F. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required in respect to dust on water bodies, Baffinland would take action under its Adaptive Management Plan. Baffinland’s Section 98 Application shows that it has already taken steps to prevent impacts air quality during construction and operations. Baffinland has made meaningful efforts to prevent effects to air quality and water quality during construction and operation of the project through its proposed mitigation and monitoring plans and compliance with all government approvals, which

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
					through a pressurized spray system. Initial results show that DustTreat application reduces measured PM. <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to dust and impacts of dust on waterbodies include: • Regulatory oversight: : Compliance with the Nunavut Waters and Nunavut Surface Rights Tribunal Act and Fisheries Act, and associated inspections conducted under the Water Licence and Fisheries Act require Baffinland to take require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up. • Project Certificate Terms and Conditions: Several Terms and Conditions, such as TC10 listed in column E requires Baffinland to include adaptive management measures in its management plans and operations. • NIRB Annual Reporting and Management Plan		include the Project Certificate No. 005. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as water quality and air quality concerns. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
					Update Process: The Project Certificate and Type A Water Licence require that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. • Inuit-Led Dust Audit Committee: This Committee has been established to observe and understand the present and potential future dust sources at Baffinland’s Mary River Project and recommend actions and mitigation measures that can reduce dust production and dispersion. Baffinland continues to report on comments made by the Dust Audit Committee to refine its mitigations and improve the aesthetic value of the Project area. • Commercial Lease: The Commercial Lease between Baffinland and QIA includes several requirements for water management, including the Water Compensation Agreement. • • Baffinland Adaptive Management Plan: Baffinland uses the		

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
					outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.		
	Climate change and GHG emissions	Inuit and Inuit groups raised the importance of awareness of potential impacts relating to climate change during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), since 2012 Inuit community members and other community members identified: - Ensuring project has factored potential effects of climate change into design for the long term - Accounting for unpredictable ice conditions that are now resulting from climate change and will further be affected by year round shipping - Greenhouse gas emission modelling due to use of diesel for power taken into account in assessment of effects over the life of the mine	The topic of the railway as a source of potential impacts of climate change is addressed in the FEIS 2012 in several sections, including: - Volume 1 Main Document - see Executive Summary, Table 1-12.1 Summary of Residual Biophysical Effects and Section 5.2.1 Meteorology and Climate for the baseline summary (SD-41) - Volume 5 Atmospheric Environment (SD-41.444), see Section 1.2 Climate Change Forecast for the climate change forecast and Section 1.3 for the Green House Gas Emissions estimate., Assessment information is provided in Appendix 5C - 4 - Air Emission Inventory (SD-41.448) and Appendix 5B - Greenhouse Gas Assessment (SD-41.447) - Volume 9 Cumulative Effects and Other Assessments, Section 1.4.1 Atmospheric Environment (SD-41.485)	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Section 4.1: - NIRB concluded that the impacts of extreme meteorological events on the Project and related considerations for Project design and planning have the potential to create significant challenges for the Project. The NIRB expects Baffinland's future consideration of climate change impacts to include consideration of all likely climate change scenarios. - Baffinland needs to remain committed to revising and updating the current information and predictions to account for any relative variations and changes that had not been anticipated. Given the potential for significant, but unanticipated effects associated with climate change, the Board, urges Baffinland to remain	New/Updated Information Provided with Section 98 Application The Section 98 Application also explains these concerns and how it was addressed in the Stakeholder Engagement Report (see SD-69) in section 7.4.3 and section 7.5.3. As described in the Stakeholder Engagement Report, The Steensby Component of the Project presents an opportunity to work towards a net zero future, as the additional resources provided by a profitable operation allow for ongoing investment in climate research and action plans, including the advancement of Baffinland's Climate Change Strategy. Baffinland will integrate climate change considerations into project planning. Baffinland's Adaptive Management Plan will apply to all construction activities and operations As described within paragraph 120 of the Application for Approval to Construct a Railway Line, Baffinland has designed and developed the infrastructure for the Steensby Railway to ensure that it meets the	Current Status Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process). This is a topic that is relevant to the location of the railway, as the railway and supporting facilities has the potential to produce GHG emissions and be impact by the effects of climate change. However, the railway operations will eliminate the current haul trucking operation along the Northern Transportation Corridor which will reduce GHG emissions from the Tote Road. There are comprehensive mitigations developed to address GHG emissions and the effects of climate change developed through the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of climate change effects on the	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland's conclusion are further summarized here. Railway Components Relevant to Topic The Steensby Railway is expected to reduce emissions for the project as to will eliminate the transfer of ore along the Tote Road via haul trucks. Also, the Project's contributions to climate change are not significant compared to national greenhouse gas emissions, and a cumulative effect on climate change is not expected to occur through the Project's release of greenhouse gases. Overall, Nunavut is an extremely low contributor to greenhouse gas emissions as compared to Southern Canada. Context of Issue (Column C) Inuit individuals and groups have identified concerns related to

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
		No comments were received on this topic on the advance draft of the Section 98 Application provided to QIA in August 2023. In the federal consultation tour for the Steensby Component of the Mary River Project held from December 9 to 11, 2024, Igloolik community member raised concerns about ground conditions. Baffinland’s proposed mitigation measures, compliance with Project commitment address this concern, in the manner described in this row.	The key points included in the references to the FEIS listed above are: - Based on accepted climate change models, it is generally believed that climate change will have little impact on the very cold and deep permafrost conditions over the currently planned life of the project. Geotechnical investigations and studies have been completed, to identify areas of concern related to permafrost and potential geo-hazards that could impact the infrastructure. - Sea ice reduction could have a positive effect on navigation through the Northwest and Northeast Passages, and may increase commercial shipping, transportation of unprocessed mineral resources, and tourism - Appendix 5B of the 2012 FEIS - Greenhouse Gas Assessment (SD-41.447) provides the potential change in climate through the review of long-term climate data from Environment Canada coupled with future climate predictions from Global Climate Models. The FEIS predicts that climate change will lead to increased precipitation and evaporation in the Project area over the coming decades. Despite this, the FEIS	vigilant in updating its assessment of climate change and its related effects on the Project. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: - Term and Condition No. 2: 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. - Term and Condition No. 3: requires Baffinland to provide interested parties with evidence of continued initiatives undertaken to reduce greenhouse gas emissions. - Term and Condition No. 4: The Proponent shall endeavour to include the participation of Inuit from affected communities and other communities in Nunavut when undertaking climate-change related studies and research. - Appendix A, Commitment 18: Baffinland is committed to purchasing	geotechnical requirements for railway operations in arctic conditions, and also to account for the anticipated effects of climate change in the region (e.g. warming and thawing of permafrost). These geotechnical designs are detailed in the Extreme cold weather and climate change for Steensby Railway Project Memo (SD-65). In summary the geotechnical designs include the following to account for potential climate change effects: - Planned and executed supplemental field and laboratory campaigns, including ground-penetrating radar surveys, additional boreholes in proposed cut or high-fill areas on ice-rich permafrost, and UAV photogrammetry surveys. - Digitally mapped geomorphic terrain conditions and identified areas at risk of being affected by climate change along the proposed alignment to achieve the appropriate design recommendations. - Following the guidance provided in CAN/BNQ 2501-500, and considering historic climate trends, CMIP6-SSP5 8.5 avg. was used for climate change projections. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012	project was raised by individuals in Pond Inlet and Igloolik during the December 2024 Federal Tour. Within these comments, concerns about the ground conditions and stability were raised. Baffinland has actioned this concern by implementing the climate change strategy which describes the actions Baffinland will undertake to validate and update climate change impact predictions for the Project and the effects of the Project on climate change. Also, Baffinland has designed and developed the infrastructure for the Steensby Railway to ensure that it meets the geotechnical requirements for railway operations in arctic conditions, and also to account for the anticipated effects of climate change. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland’s Environmental Management System. Baffinland also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report. Given the overall importance of climate change to Inuit and other Indigenous group, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the railway.	climate change and its potential impacts on the project, and greenhouse gas emissions of the project. These concerns have been carefully taken into account, set out in this row Baffinland is of the view that with the measures proposed the Steensby Railway can proceed in a way that mitigates impacts from climate change and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) Climate change was considered throughout Project design and the development of the 2012 FEIS, which formed the basis for approval of the Mary River Project, including the Steensby Railway. Based on a number of mitigation measures and management plans related to reducing emission and mitigating impacts of climate in Column D, the 2012 FEIS concluded that there would be no significant contributions to climate change through a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic climate change (as outlined in Column E of

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			concludes that the Project’s contributions to climate change are not significant compared to national greenhouse gas emissions, and a cumulative effect on climate change will not occur through the Project’s release of greenhouse gases. A number of proven mitigation measures were included in the 2012 FEIS to reduce potential effects from climate change and reduce emissions, including: • Transitioning from trucking to rail transport of ore to reduce GHG emissions • The Project’s engineering design incorporates conservative measures to manage potential climate-related risks, such as changes to permafrost and hydrology, ensuring the stability and safety of rail infrastructure. • Baffinland is committed to securing sources of low-contaminant fuel, specifically low-sulfur diesel, to reduce emissions. • Procurement policies ensure that air emissions and noise standards are factored into purchasing all project-related equipment and machinery. These standards align with Nunavut or Canadian regulations. Baffinland proposed various plans relevant to this topic in Volume 10	the highest tier (per the USA's EPA standards) of locomotive available for use at the Mary River project. (to reduce emissions)	Baffinland has not relied only on the 2012 FEIS, and has continued to advance relevant initiatives to enhance the original propose monitoring and mitigation programs since that time as follows: • Idling Policy: In 2017, Baffinland established an Idling Policy to reduce unnecessary vehicle and equipment idling. This was developed with the specific purpose of reducing air pollution generated as a result of Project activities. • Solar/wind power: From 2013 to 2017, Baffinland used solar/wind power generators to supplement energy requirements at its remote environmental monitoring sites (e.g., Bruce Head Camp). Substantial damage possibly from extreme cold prevented its use as a main energy source at Bruce Head Camp between 2019 and 2021, however both radio and Automatic Identification System relay systems continue to be powered by solar. • Climate Change Strategy: Baffinland developed and submitted its first Climate Change Strategy (The Strategy) to the NIRB on February 12, 2019. The Strategy included a description of the actions the Company will undertake to validate and	Detailed Response to Issues Raised in Column C: Specifically: • With respect to potential effects of climate change on the project, actions detailed in the Climate Change Strategy will validate and update climate change impact predictions for the Project and the effects of the Project on climate change. Several considerations were included in the geotechnical design of the project infrastructure. A summary of these considerations are in Column F. • With respect to greenhouse gas emission and emissions modelling, Baffinland completed a Greenhouse Gas Assessment which provides the potential change in climate through the review of long-term climate data from Environment Canada coupled with future climate predictions from Global Climate Models. Also, several mitigation measures were implemented such as procurement policies, securing low-sulfur diesel, implementing an idling policy. Further details in mitigation measures implemented refer to columns D and F. Baffinland will incorporate the Steensby Railway into its monitoring programs, as required under the Project Certificate, and will involve Inuit in the development and implementation of those monitoring programs.	this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update and improve mitigation measures, as outlined in Column F of this row. As described in the Stakeholder Engagement Report, Baffinland will extend the climate change strategy and geotechnical designs developed for the current Project to Steensby operations where possible. The Steensby Component of the Project has also been designed with the objective of reducing greenhouse gas emissions wherever possible. In its engagement sessions, Baffinland committed to quickly and proactively address Inuit concerns relating to the Project as they arise. This includes concerns relating to air quality and water quality. Baffinland has also incorporated lessons learned from the current project operations mitigation measures and developed additional measures to reduce greenhouse gas emissions such as development of a climate change strategy, an idling policy, and installation of

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular, - Air Quality and Noise Abatement Management Plan (SD-41.498) - Environmental Protection Plan (SD-41.492) - Environmental Monitoring Plan (SD-41.513)		update climate change impact predictions for the Project and the effects of the Project on climate change. - Installation of new low-speed GE generators to reduce combustion emissionsand continued procurement of low-sulfur fuel to reduce emissions. <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to climate change and GHG emissions include: Regulatory oversight: Compliance with Federal and Nunavut regulatory requirements, and associated inspections conducted under the Project Terms and Conditions require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up. Project Certificate Terms and Conditions: Terms and Conditions, such as TC3 listed in column E requires Baffinland to provide interested parties with evidence of continued initiatives		solar/wind power generators as referenced above and in column F. Baffinland has also incorporated lessons learned from the current project operations mitigation measures and developed additional measures to improve geotechnical designs to account of climate change effects such as executing additional field programs, Digitally map geomorphic terrain conditions, and performing advanced geotechnical and geothermal analyses as referenced above and in column F. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required in respect to emissions or ground stability, Baffinland would take action under its Adaptive Management Plan. Baffinland’s Section 98 Application shows that it has already taken steps to prevent emissions and impacts from climate change during construction and operations.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
					undertaken to reduce greenhouse gas emissions. • NIRB Annual Reporting and Management Plan Update Process: The Project Certificate requires that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. • Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.		Baffinland has made meaningful efforts to prevent effects from climate change and reduce emissions during construction and operation of the project through its proposed mitigation and monitoring plans and compliance with all government approvals, which include the Project Certificate No. 005. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as emissions and ground stability. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.
A.3 Permafrost							
Permafrost	Permafrost melt	Inuit and Inuit groups raised the importance of permafrost protection during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements.	The topic of the railway as a source of potential impacts of permafrost is addressed in the FEIS 2012 in several sections, including: • Volume 1 Main Document - see Executive Summary, Table 1-12.1 Summary of Residual Biophysical	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Section 4.6: • The NIRB concluded that the proposed preventative and mitigation measures	New/Updated Information Provided with Section 98 Application The Section 98 Application also explains these concerns and how it was addressed in the Stakeholder Engagement Report (see SD-69) in	Current Status Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
		As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), since 2012 Inuit community members and other community members identified: - Effects if permafrost underlying Railway breaks down unexpectedly - Concern that there hasn't been a Railway constructed in Arctic terrain such as this recently in Canada (noting there is a railway in Yukon) No comments were received on this topic on the advance draft of the Section 98 Application in August 2023. In the federal consultation tour for the Steensby Component of the Mary River Project held from December 9 to 11, 2024, Igloolik community member raised concerns about ground conditions. Baffinland's proposed mitigation measures, compliance with Project commitment address this concern, in the manner described in this row.	Effects and Section 5.2.3 Landforms, Soils and Permafrost for the baseline summary (SD-41) - Volume 5 Atmospheric Environment (SD-41.444), see Section 1.2.3.10 Climate Change Effects to Permafrost - Volume 6 Terrestrial Environment (SD-41.452), see Section 2.0 Landforms, Soils and Permafrost for the general assessment on permafrost and landforms and Section 2.4.1 Soils for the assessment on permafrost. - Volume 9 Cumulative Effects and Other Assessments, Section 2.2 Potential Effects of Climate Change on the Project, Section 1.4.2 Terrestrial Environment (SD-41.485) The key points included in the references to the FEIS listed above are: - Permafrost greatly increases ground stability at depth but at surface it can affect the rates of soil erosion. Changes to the thermal regime resulting from surface disturbance or climate warming can lead to thawing of the permafrost causing instability in infrastructure. - For all infrastructure associate with the Milne Inlet Tote Road, Mine	identified by the Proponent for minimizing the impacts to sensitive landforms, geological features, soils and permafrost are satisfactory. The NIRB advises that the follow-up and complementary initiatives communicated by Baffinland in the FEIS and at the Final Hearing are critical in ensuring that the measures proposed are, and will continue to be, effective in achieving the desired objectives and adequately address concerns related to sensitive landforms, geological features, soil and permafrost. The Proponent should be aware that the Board has concerns about the potential negative impacts that the Railway infrastructure and other facilities could have on the integrity of the permafrost within the Project area. The Board believes that the implications for the Project planning and design process will need to be identified and assessed once new and updated information related to terrain conditions, in particular, permafrost, sensitive landforms, high ice-content soils, ice lenses, thaw-sensitive slopes, and	section 7.4.4. As described in the Stakeholder Engagement Report, with respect to permafrost, the construction methods and equipment will be appropriate for Arctic conditions and terrain consisting of permafrost, rock and various soil types. The embankments have been designed for permafrost considerations and additional allowances have been made to account for climate change effects, including an assumed increased thickness of the active layer. As described within paragraph 120 of the Application for Approval to Construct a Railway Line, Baffinland has designed and developed the infrastructure for the Steensby Railway to ensure that it meets the geotechnical requirements for railway operations in arctic conditions, and also to account for the anticipated effects of climate change in the region (e.g. warming and thawing of permafrost). These geotechnical designs are detailed in the Extreme cold weather and climate change for Steensby Railway Project Memo (SD-65). Railway design takes into account permafrost. The construction methods and equipment will be appropriate for Arctic conditions and terrain consisting of permafrost, rock and various soil types. The embankments have been designed for permafrost considerations and additional allowances have been made to account for climate change effects, including an assumed increased thickness of the active layer.	monitoring and adaptive management process). This is a topic that is relevant to the location of the railway, as permafrost interacts with all project infrastructure. There are comprehensive mitigations developed to address the topic of permafrost protection developed through the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of permafrost was raised by an individual in Igloolik during the December 2024 Federal Tour. It is noted that the individual did not identify dissatisfaction with any of the specific mitigation measures proposed to date that would address their concern. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland's Environmental Management System. Baffinland also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report. Given the overall importance of permafrost protection to Inuit and other Indigenous group, it is expected that this topic will require Baffinland's continual attention and	supporting Baffinland's conclusion are further summarized here. Context of Issue (Column C) Inuit individuals and groups have identified permafrost impacts on ground stability and impacts the project may have on permafrost. These concerns have been carefully taken into account, set out in this row Baffinland is of the view that with the measures proposed the Steensby Railway can proceed in a way that is protective of permafrost and mitigate any impacts from permafrost degradation on the project. How Issue is Addressed in 2012 FEIS (Column D) Based on a number of mitigation measures and management plans related to protecting permafrost described in Column D, the 2012 FEIS concluded that there would be no significant effects on sensitive landforms through a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of permafrost protection (as outlined

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			Site, Railway and Ports monitoring and maintenance will be essential for mitigating problems that may arise associated with degradation of the permafrost. As changes are expected to be limited to within the PDA, the potential residual effect to permafrost is predicted to be not significant. The 2012 FEIS identified that with mitigation the Project will not have a significant effect on sensitive landforms. Infrastructure will be designed to protect the underlying permafrost from degradation due to construction. Continually, potential implications for the stability and safety of infrastructure on permafrost have been taken into account in engineering designs. Geotechnical investigations have been carried out to identify sensitive landforms, and these areas are avoided when possible. Baffinland will monitor permafrost integrity along the railway, and implement preventative measures to ensure that the integrity of the permafrost is maintained. A number of proven mitigation measures were included in the 2012 FEIS to reduce potential effects from permafrost along the railway, including: Excavations will be minimized, especially in areas of known ice rich permafrost.	talik zones becomes available. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: - Term and Condition No. 2: requires Baffinland to undertake the additional geotechnical investigations to identify sensitive landforms, modify engineering design for Project infrastructure, develop and implement preventative and/or mitigation and monitoring measures to minimize the impacts of the Project’s activities and infrastructure on sensitive landforms. - Term and Condition No. 26 requires Baffinland to develop and implement a comprehensive erosion management plan to prevent or minimize the effects of destabilization and erosion that may occur due to the Project’s construction and operation. - Term and Condition No. 27: requires Baffinland to include within its public consultation report information related to the sentiments expressed by affected communities about the impacts that changes to the topography and landscape have had on	New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Baffinland has not relied only on the 2012 FEIS, and has continued to advance relevant initiatives to enhance the original propose monitoring and mitigation programs since that time as follows: Bi-Annual Geotechnical Inspections: Geotechnical inspections were completed by WSP Environment and Infrastructure Limited (WSP) in 2023, for several project facilities and infrastructure. The primary focus of the inspections included inspecting for settlement, cracking, and seepage through the berms, inspecting for conformance with the design basis as presented in "as constructed" and "as-built" drawings, and quarry walls were reviewed for relative stability. Tote road stability evaluation: In 2019 Baffinland retained Tetra Tech to complete an evaluation of the stability and condition of the Tote Road and the historic borrow sources within the Tote Road corridor. <u>Mechanisms in place to adjust mitigation/adaptive measures</u>	diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: With respect to ground stability if permafrost breaks down and concerns about no railway being constructed in the artic, infrastructure will be designed to protect the underlying permafrost from degradation due to construction. Continually, potential implications for the stability and safety of infrastructure on permafrost have been taken into account in engineering designs. With respect to permafrost protection, Baffinland will incorporate the Steensby Railway into its monitoring programs, as required under the Project Certificate, and will involve Inuit in the development and implementation of those monitoring programs.	in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update and collect supplemental baseline information to support detailed engineering, as outlined in Column F of this row. As described within the Stakeholder Engagement Report, in response to concerns expressed by localities related to permafrost, the construction methods and equipment will be appropriate for Arctic conditions and terrain consisting of permafrost, rock and various soil types. The embankments have been designed for permafrost considerations and additional allowances have been made to account for climate change effects, including an assumed increased thickness of the active layer. In its engagement sessions, Baffinland committed to quickly and proactively address Inuit concerns relating to the Project as they arise. This includes concerns relating to permafrost. Current Implementation Status and Identification of Potential for

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			- Prior to embankment construction, ground disturbance will be minimized and vegetative or organic cover left in place to provide the maximum protection of the thermal regime. - In areas where excavation is required, the foundations will be over excavated and backfilled with 1.5m of non-frost/thaw susceptible fill to minimize frost heaving and settlement. - Cut slopes into ice-rich or thaw sensitive materials will be established at a minimum 3H:1V and protected with thermal and erosion protection material if required. - For high embankment fills on ice rich materials, the side slopes may be flattened significantly or stabilization berms constructed to reduce the creep deformation potential. - For summer construction, woven geotextile may be required over thaw unstable ground. Baffinland proposed various plans relevant to this topic in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular, - Environmental Protection Plan (SD-41.492)	the aesthetic value of the Project area. - Term and Condition No. 29: requires Baffinland to provide to the respective regulatory authorities, for review and acceptance, for-construction engineering design and drawings, specifications and engineering analysis to support design in advance for constructing those facilities. - Term and Condition No. 28: requires Baffinland to monitor the effects of the Project on the permafrost along the railway and all other Project affected areas including the Tote Road and must implement effective preventative measures to ensure that the integrity of the permafrost is maintained.	There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to the permafrost include: Regulatory oversight: Compliance with Federal and Nunavut regulatory requirements, and associated inspections conducted under the Project Terms and Conditions require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up. NIRB Annual Reporting and Management Plan Update Process: The Project Certificate requires that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. Bi-Annual Geotechnical Inspections: Geotechnical inspections were completed, for several project facilities and infrastructure. These inspections provide bi-annual review of the permafrost impacts on		Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required with respect to the infrastructure once constructed, Baffinland would take action under its Adaptive Management Plan. Baffinland’s Section 98 Application shows that it has already taken steps to prevent impacts on permafrost during construction and operations. Baffinland has made meaningful efforts to prevent effects from and to permafrost during construction and operations through its proposed mitigation and monitoring plans and compliance with all government approvals, which include the Project Certificate No. 005. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as permafrost and ground stability. Conclusion

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			Environmental Monitoring Plan (SD-41.513)		infrastructure. All recommendation developed from the inspection are used to update management plans accordingly. Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed within the Stakeholder Engagement Plan (SD-74). Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.		Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.
B. Effect on Community and Individuals							
B.1 Safety and Emergency Response							

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
Safety and Emergency Response	Emergency response, communication of rail accidents and train stopping distance	Inuit and Inuit groups raised the importance of emergency response during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), since 2012 Inuit community members and other community members identified: - Ensuring that there is sufficient capacity close by to respond to accidents, spills and malfunctions, with particular concerns expressed regarding responding to spills under ice and the fact that Canadian Coast Guard is only present in the Arctic in the open water season - Request to ensure that communities receive training to be able to do some emergency response tasks No comments were received on this topic in the advance draft of the Section 98 Application shared with QIA in August 2023. During the federal consultation tour for the Steensby Component of the Mary River Project held from December 9 to 11, 2024, a Sanirajak community member raised concerns about emergency response. Baffinland’s proposed mitigation measures, compliance with Project commitment address	The topic of the railway as a source of potential impacts on safety and emergency response planning is addressed in the FEIS 2012 in several sections, including: - Volume 1 Main Document - see Executive Summary, Table 1-12.1 Summary of Residual Biophysical Effects and Section 11.5.1 Emergency Response and Spill Contingency Plan for a summary of these management plans (SD-41) - Volume 10 Environment, Health and Safety (SD-41.489), see Section 6.0 Risk Management and Emergency Response for the general details on the emergency response and Section 7.2.5 Railway Management Plan. Also plans such Appendix 10C - 1 - Emergency and Spill Contingency Plan (SD-41.493), Appendix 10C - 3 - Steensby Port Oil Pollution Emergencies Plan (SD-41.495) and Appendix 10D - 9.2 - Railway Emergency Response Plan (SD-41.509). - Volume 9 Cumulative Effects and Other Assessments, Section 3.4 Railway Operation Related Accidents and Malfunction (SD-41.485) The key points included in the references to the FEIS listed above are:	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Sections 5.6 and 6.1: - The NIRB confirmed the potential for increased demands to be placed upon the health care system, including standard medical care and emergency response and medical care services as well as mental health services. NIRB reiterated its understanding of Baffinland’s plans to provide railway operations and maintenance buildings along the rail line for use by railway personnel as safety and emergency shelters. - Considering that no railway infrastructure has been proposed or built in Nunavut to date, the Board has concerns regarding the potential implications to the safety of Project employees and other land users. The Board has made a previous recommendation that the Proponent work with other agencies to undertake consultation regarding railway operations and safety considerations. - The Board acknowledges Baffinland’s thorough approach to describing a broad range of potential accidents and	New/Updated Information Provided with Section 98 Application The Application also explains these issues and how it was addressed in the Stakeholder Engagement Report (see SD-69) in section 7.9. As described in the Stakeholder Engagement Report, the Railway Emergency Response Plan (SD-41.509) addresses the procedures to be followed in the event of a train accident or derailment. Should there be an accident, there are procedures laid out in the emergency response plans and IIBA that Baffinland will follow. As described within paragraph 234 of the Application for Approval to Construct a Railway, the Steensby Railway will be subject to Baffinland’s “Health, Safety and Environment Management Framework” (the HSE Management Framework). The HSE Management Framework sets out the policies, practices and procedures applicable to all Baffinland employees, contractors and sub-contractors to prevent occupational injury or illness and mitigate potential environmental impacts. Table 11 of the Application for Approval to Construct a Railway includes a list of policies, plans and procedures that are included within the HSE Framework. Each rail car will carry approximately 106 metric tons of ore for a total of 6,784 metric tons transported by each train set. In response to interests raised	Current Status Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process). This is a topic that is relevant to the location of the railway, as safety and emergency response planning is dependant on the location of project infrastructure. There are comprehensive mitigations developed to address the topic of safety and emergency response developed through the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of safety and emergency response was raised by an individual in Sanirajak during the December 2024 Federal Tour. It is noted that the individual did not identify dissatisfaction with any of the specific mitigation measures proposed to date that would address their concern. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland’s HSE Management Framework. Baffinland also provided a detailed summary which explains how existing Project measures including the Project Certificate apply to address the concerns, for	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s conclusion are further summarized here. Context of Issue (Column C) Inuit individuals and groups have identified safety and emergency/spill response planning as concerns. These concerns have been carefully taken into account, set out in this row Baffinland is of the view that with the measures proposed the Steensby Railway can proceed in a way that is safe and prepared for any emergency response scenarios. How Issue is Addressed in 2012 FEIS (Column D) Based on a number of mitigation measures and management plans related to railway safety and emergency/spill response is described in Column D, the 2012 FEIS concluded that Baffinland has assessed the potential for accidents and malfunctions to occur and developed appropriate mitigation and management plans through a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E)

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
		this concern, in the manner described in this row.	- Emergency response with respect to Railway operations involves a focus on incident prevention and preparedness. - Baffinland will be self-sufficient for Search and Rescue operations (SAR) and response to environmental emergencies as it relates to Mary River Project activities, but will share relevant information with the RCMP and GN Department of Justice. - Due to the remoteness of the Project site and the lack of infrastructure, Baffinland has committed to be self-sufficient in terms of emergency response capabilities. - Baffinland will invite external organization (Transport Canada, CCG, community representatives) to participate in the training exercises. A number of proven mitigation measures were included in the 2012 FEIS to improve emergency response preparedness and planning, including: - Methods that will be implemented to prevent train accidents include the track will be controlled by a dispatcher, who will have oversight of all movements by giving specific and exclusive	malfunctions, the effects of these incidents on the environment, and the assessment of options to mitigate the impacts that may occur. After considering all parties’ input as provided in written submissions and at the Final Hearing, the Board is of the opinion that the Proponent has done much to assess the potential for accidents and malfunctions to occur and develop appropriate mitigation and management plans. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: - Appendix A, Commitment 19: Baffinland is committed to having a Railway Emergency Response Plan and trained personnel for responding to Railway specific emergencies. - Appendix A, Commitment 21: Baffinland is committed to carrying out regular maintenance and inspection of the Railway infrastructure in accordance with established guidelines and regulations. - Appendix A, Commitment 22: Baffinland is committed to comply with the Railway Locomotive Inspection and Safety Rules, Railway	pertaining to safety of train operations and safe stopping time, Baffinland indicated the average stopping distance for a loaded train would be 339m to stop, and 229m for an empty train. Should there be an accident, there are procedures laid out in the emergency response plans and in the IIBA that BIM will take. If there is a wildlife incident this will be reported to the QIA and the communities in parallel. The Railway Emergency Response Plan (BAF-PH1-830-P16-0021)22 addresses the procedures to be followed in the event of a train accident or derailment. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Spill Modelling: The Spill at Sea Response Plan is being updated to update the results of additional fuel spill modelling carried out in 2018. They will be used for the development of spill response plans specific to Steensby Port. The OPPP and OPEP for ship to shore fuel transfers at Milne Port are updated on an annual basis and approved by Transport Canada. <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that	consideration as part of the What We Heard Report. Given the overall importance of safety and emergency response to Inuit and other Indigenous groups, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: Specifically: - With respect to sufficient capacity close by to respond to accidents, spills and malfunctions, Baffinland will be self-sufficient for Search and Rescue operations (SAR) and response to environmental emergencies but will share relevant information with the RCMP and GN. - With respect to communities receive training to be able to do some emergency response tasks, Baffinland is committed to seeking and utilizing external expertise to assist them with the development of emergency response planning and training specific the Emergency Response Team, which will be stationed at site at all times. This training would include responding to Railway specific emergencies. Baffinland stated their continued commitment to investing in community-based training initiatives. QIA and community input will largely determine the community-based training agendas and	The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of safety and emergency response (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update and collect supplemental baseline information to support detailed engineering, as outlined in Column F of this row. As described within the Stakeholder Engagement Report, in response to concerns expressed by localities related to railway safety, the Railway Emergency Response Plan (SD-41.509) addresses the procedures to be followed in the event of a train accident or derailment. Should there be an accident, there are procedures laid out in the emergency response plans and in the IIBA that Baffinland will follow. In its engagement sessions, Baffinland committed to quickly and proactively address Inuit concerns

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			authority to vehicle and equipment operators to occupy a section of the track at a specific period. A Computer-Assisted Manual Block System (CAMBS) will give the Dispatcher information to help follow and implement specific sets of operating rules. Other safety systems will include track circuits for the detection of broken rails, installed at appropriate locations along the main line. - Spill procedures and response functions are implemented by Baffinland’s Emergency Response Management Team. An On-site Coordinator is designated to lead the Emergency Response Team. - All responders are trained under the Emergency Response Plan. The number of responders and their specific tasks is estimated in accordance with the spill scenarios and as outlined in the Emergency and Spill Response Plan and the Oil Pollution Emergency Plans for both Milne Port and Steensby Port. Baffinland proposed various plans relevant to emergency response in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular:	Freight Car Inspection and Safety Rules referenced in Transport Canada’s final written submission to the NIRB. - Appendix A, Commitment 14: 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. - Appendix A, Commitment 106: Baffinland is committed to seeking and utilizing external expertise to assist them with the development of emergency response planning and training specific the Emergency Response Team, which will be stationed at site at all times. This training would include responding to Railway specific emergencies. - Appendix A, Commitment 109: Baffinland is committed to meeting on a regular basis with the emergency response and preparedness working group to review emergency preparedness. - Appendix A, Commitment 110: Baffinland is committed to ensuring that adequate resources are allocated to the development and deployment of emergency	relate to the safety and emergency response include: Regulatory oversight: Compliance with Federal and Nunavut regulatory requirements, and associated inspections conducted under the Project Terms and Conditions require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up. NIRB Annual Reporting and Management Plan Update Process: The Project Certificate requires that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed within the Stakeholder Engagement Plan (SD-74).	the development of subsequent community-based training programs. With respect to emergency response and safety, Baffinland will incorporate the Steensby Railway into its management plans, as required under the Project Certificate, and will involve Inuit in the development and implementation of those management plans.	relating to the Project as they arise. This includes concerns relating to emergency response and communication of rail accidents. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust management plans are proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Should monitoring reveal that further measures are required in respect to safety or emergency response, Baffinland would take action under its Adaptive Management Plan. Baffinland’s Section 98 Application shows that it has already taken steps to respond to emergencies during construction and operations. Baffinland has made meaningful efforts to prevent malfunctions and accidents and develop emergency response plans and safety procedures during construction and operations through its proposed mitigation and monitoring plans and compliance with all government approvals, which include the Project Certificate No. 005.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			- Emergency and Spill Contingency Plan (SD-41.493) - Steensby Port - Oil Pollution Emergencies Plan (SD-41.495) - Railway Emergency Response Plan (SD-41.509)	and spill response capabilities. Term and Condition 165: 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. 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.	Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.		Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as safety and emergency response. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.
	Public Safety	Inuit and Inuit groups raised the importance of public safety during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), since 2012 Inuit community members and other community members identified: Ensuring that there is sufficient capacity close by to respond to accidents, spills and malfunctions, with particular concerns expressed regarding responding to spills under ice and the fact that Canadian Coast Guard is only present in the Arctic in the open water season	The topic of the railway as a source of potential impacts on public safety is addressed in the FEIS 2012 in several sections, including: - Volume 1 Main Document - see Executive Summary, Table 1-12.1 Summary of Residual Biophysical Effects and Section 11.2 for a summary of the environmental, health and safety management system. (SD-41) - Volume 2 Consultation, Regulatory Framework and Assessment Methodology – see Table 2-1.3 Key Community Concerns and Baffinland Response SD-41.15) and 2A Public Consultation Record (SD-41.17) and 2B	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Sections 5.7 and 6.1: The NIRB concluded that consultation with affected communities will assist in ensuring Baffinland’s mitigative measures are successful at mitigating impacts to land users and are especially important in educating the affected populations with respect to safety on the land. The NIRB also expressed that post-project authorization consultation is essential to the successful development of the Mary River Project, specifically regarding railway operation and safety.	New/Updated Information Provided with Section 98 Application The Application also explains these issues and how it was addressed in the Stakeholder Engagement Report (see SD-69) in section 7.8. For example, Baffinland will create a detailed safety management and inspection system to monitor and document safe operation of the railway. Baffinland will also enact a safety community strategy to maintain community safety with respect to rail crossings. Although the railway will be private, the trains will adhere to public regulations, including whistling at crossings. As described within paragraph 234 of the Application for Approval to Construct a Railway Line, the	Current Status Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process). This is a topic that is relevant to the location of the railway, as public safety is dependant on the location of project infrastructure. There are comprehensive mitigations developed to address the topic of public safety developed through the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of public of safety was raised by QIA	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s conclusion are further summarized here. Context of Issue (Column C) Inuit individuals and groups have identified safety and emergency/spill response planning as a concern. These concerns have been carefully taken into account, set out in this row Baffinland is of the view that with the measures proposed the Steensby Railway can proceed in a way that is safe and prepared to address public safety concerns.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
		- Handling notification of family members when employees on-site suffer health incident and require treatment or medivac In its comments on an advance draft of the Section 98 Application in August 2023, QIA asked - The impacts anticipated during freshet are not explicitly stated. Baffinland’s definition of what constitutes undesirable or unsafe conditions is not explicitly stated. - Baffinland to provide clarification regarding the anticipated impacts of freshet based on their assessment of the natural environment along the railway path.	Summary of Community Based Research Undertaken for the Mary River Project (SD-41.19) - Volume 10 Environment, Health and Safety (SD-41.489), see Section 1.0 Environment, Health and Safety Management Framework, and Section 9.1 Occupational Health and Safety Management Plan and Section 7.2.5 Railway Management Plan. Also plans such as Appendix 10A - 1 - Environmental, Health and Safety Framework Standard (SD-41.490) and Appendix 10E - Health and Safety Management Plan (SD-41.516). - Volume 9 Cumulative Effects and Other Assessments, Section 3.4 Railway Operation Related Accidents and Malfunction (SD-41.485) The key points included in the references to the FEIS listed above are: - Baffinland’s Health and Safety Management Plan is in place to control health and safety risks of its activities. The Company is committed to leadership and continuous improvement in Environmental, Health and Safety practices for the benefits of its employees, contractors and communities.	Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: - Appendix A, Commitment 22: 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. - Appendix A, Commitment 23: 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. - Appendix A, Commitment 17: 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 ship track and Railway using designated (or other) crossings.	construction of the Steensby Railway will be subject to Baffinland’s “Health, Safety and Environment Management Framework” (the HSE Management Framework). The HSE Management Framework sets out the policies, practices and procedures applicable to all Baffinland employees, contractors and sub-contractors in order to prevent occupational injury or illness and mitigate potential environmental impacts. As described within the Emergency Response Plan (SD-27.9), Baffinland included probable emergencies and response actions for scenarios that are related to public safety. There are clear notification procedures outlining who should be contacted in emergency situations that involve an employee or community member. Table 11 of the Application for Approval to Construct a Railway Line includes a list of policies, plans and procedures that are included within the HSE Management Framework. QIA’s comments on an advance draft of the Section 98 Application in August 2023, is understood and addressed in response to the QIA’s FAA comments (SD-75). During the freshet period, there is a possibility that temporary speed restrictions might be imposed over sections of the railway line as a precaution to address any undesirable geometry concerns. During this period, the track right-of-way (including the rail embankment and waterways) will be subject to intensified daily condition monitoring where the Railway Maintenance Engineer may	during their review of the draft Section 98 application. It is noted that QIA identified concerns about unsafe conditions related to freshet. However, they did not indicate dissatisfaction with any of the specific mitigation measures proposed to date that would address their concern. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with QIA and the communities to inform them on Baffinland’s HSE Management Framework. Given the overall importance of public safety to Inuit and other Indigenous group, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: Specifically: - With respect to sufficient capacity close by to respond to accidents, spills and malfunctions, Baffinland will be self sufficient for Search and Rescue operations (SAR) and response to environmental emergencies but will share relevant information with the RCMP and GN. - With respect to handling notification of family members when employees on-site suffer health incident, Baffinland implements a robust HSE Management Framework,	How Issue is Addressed in 2012 FEIS (Column D) Based on a number of mitigation measures and management plans related to public safe as described in Column D, the 2012 FEIS concluded that the Project will not have significant adverse effects on public safety. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated commitments on the topic of public safety (as outlined in Column E of this row). These commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update and collect supplemental baseline information to support detailed engineering, as outlined in Column F of this row. As described within the Stakeholder Engagement Report, in response to concerns expressed by

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			- Assessment of the risk of train collisions involving other trains, vehicles, humans, or wildlife as low. Safety measures would be enforced to minimize accidents, making collisions an unlikely event with very low risk. Overall, the 2012 FEIS concluded that with the proposed monitoring and mitigation, the Project will not have significant adverse effects on public safety. A number of proven mitigation measures were included in the 2012 FEIS to reduce potential effects on public safety, including: - Baffinland’s emergency response strategy for railway operations focuses on prevention and preparedness. Management plans will be developed in consultation with Transport Canada and the Canadian Transportation Agency. These plans will outline procedures and guidelines for safe operation and maintenance. - For fuel spill responses, Baffinland committed to involving North Baffin communities in spill response exercises during construction and operations. Baffinland will maintain a self-sufficient emergency response		decide to reduce the operating speed, or even to suspend operations, for a determined period if an observed undesirable or unsafe geometry condition exists. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Baffinland Community Liaison Officer: Baffinland has created full-time Baffinland Community Liaison Officer (BCLO) roles in each of the five (5) North Baffin communities. BCLOs provide for regular and ongoing opportunities for the dissemination of Project-related information and receipt of community-based input. Improvements in Communication: Through feedback obtained through various engagement activities such as pre- and end of shipping season meetings, changes in communications have improved over time to better inform communities about Baffinland’s operations. Specifically, shipping has evolved and now includes a multi-pronged approach to communication, including an active Facebook page that is updated throughout each day during the shipping	which outlines notification procedures in the event of emergency situations that involve an employee or a community member. With respect to public safety, Baffinland will incorporate the Steensby Railway into its management plans, as required under the Project Certificate, and will involve Inuit in the development and implementation of those management plans.	localities related to public safety, the Emergency Response Plan (SD-27.9) includes probable emergencies and response actions for scenarios. There are clear notification procedures outlining who should be contacted in emergency situations that involve an employee or community member. In its engagement sessions, Baffinland committed to quickly and proactively address Inuit concerns relating to the Project as they arise. This includes concerns relating to public safety. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust HSE Management Framework is implemented, as required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Should monitoring reveal that further measures are required in respect to public safety, Baffinland would take action under its Adaptive Management Plan. Baffinland’s Section 98 Application shows that it has already taken steps to address public safety during construction and operation, as outlined in Columns F and G. Baffinland has made meaningful efforts to prevent malfunctions and accidents and develop safety

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			capacity for operational incidents. Until this fleet becomes fully operational, Baffinland will rely on the Canadian Coast Guard for search and rescue and assistance with accidental events during ship transit to port sites. Baffinland proposed various plans relevant to the topic in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular: - Emergency and Spill Contingency Plan (SD-41.493) - Steensby Port - Oil Pollution Emergencies Plan (SD-41.495) - Railway Emergency Response Plan (SD-41.509)		season. Over 340 posts were made in 2023. Shipping Monitors: Shipping monitors have been hired since 2019, to track vessel movement and act as the primary liaison between Baffinland and the community. They communicate vessel movement over VHF, Radio, Facebook and answer calls. At the Pond Inlet Office, maps and other visual displays including a TV with live shipping tracks are available for community members to utilize. Twelve (12) shipping monitors were hired in 2023. <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to the public safety include: Regulatory oversight: Compliance with Federal and Nunavut regulatory requirements, and associated inspections conducted under the Project Terms and Conditions require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-		procedures during construction and operations through its proposed mitigation and monitoring plans and compliance with all government approvals, which include the Project Certificate No. 005. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as public safety. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
					compliance and associated follow-up. • NIRB Annual Reporting and Management Plan Update Process: The Project Certificate requires that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. • Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed within the Stakeholder Engagement Plan (SD-74). • Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.		

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B.2 Effects on Hunters and Land Users / Community Lifestyles							
Effects on Hunters and Land Users/ Community Lifestyles	Impacts resultant of noise and vibration	Inuit and Inuit groups raised the importance of considering noise and vibration potential impacts during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. Inuit community members and government participants in the NIRB review (including CTA) have expressed concerns over the impacts of noise and vibration from the railway on caribou and wildlife. See SD-43, 2012 NIRB Hearing Report, Section 4.3.2. During the 2012 NIRB review, the CTA indicated that provided that Baffinland incorporates mitigation measures as proposed within its FEIS, based on the modelling results presented, it was satisfied that the anticipated noise and vibration impacts from construction and operation of the Railway to sensitive receptors would be within acceptable levels. The CTA confirmed during the Hearing that the questions it had raised regarding possible sensitive human receptors to noise from the Railway in its final written submissions to the Board had been answered by Baffinland. An example of this concern raised by an Inuit community member during the Public Hearing is: “Some of us that are widows, our husbands used to...go out hunting	The topic of the railway as a source of noise and vibrations is addressed in the FEIS 2012 in several sections, including: - Volume 1 Main Document - see Executive Summary, Table 1-12.1 Summary of Residual Biophysical Effects and Section 5.2.2 Air Quality, Noise and Vibration for the baseline summary (SD-41) - Volume 5 Atmospheric Environment, see Section 3.3 for the general noise assessment and Section 3.3.1 for the noise effect on caribou (SD-41.444) and baseline data in Appendix 5D-1 Noise Baseline Report (SD-41.450) - Volume 9 Cumulative Effects and Other Assessments, Table 9-1.4 Cumulative Effects Summary (SD-41.485) The key points included in the references to the FEIS listed above are: - An assessments of anticipated noise and vibration associated with the Project was completed. The assessment gave consideration to local study areas , which is noted to be remote in location and presently not influenced by any permanent human	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Section 4.3.3: - the NIRB concluded that relatively few issues remained with regard to noise and vibration following discussions held during the Final Hearing, however, it has identified concerns with employees to be accommodated on site. - The Board feels that minimal noise and vibration monitoring should be undertaken at the Mary River mine site, and at both the Steensby Inlet and Milne Inlet port site accommodations. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: - Term and Condition No. 14: conduct noise and vibration monitoring at Project accommodations sites located at the Mary River mine site, Steensby Inlet Port site, and Milne Inlet Port site. - Term and Condition No. 14 b): Baffinland must demonstrate appropriate adaptive management to project activities that have potential to produce noise and sensory disturbance to wildlife.	New/Updated Information Provided with Section 98 Application The Section 98 Application also explains this issue and how it was addressed in the Stakeholder Engagement Report (see SD-69) in Section 4.2 and 7.11. The main interests were related to the construction and operational noise and vibration connected to the railway, particularly regarding caribou and their behavioural response to operational noise. As outlined in Section 7.11 of the Stakeholder Engagement Report, Baffinland explained that the main sources of noise and vibration during construction will be drilling and blasting where cuts are required along the railway embankment. Drill and blast operations will also be required in the quarries along the railway alignment. As outlined in the FEIS (Column D), vibration effects during construction would be considered minor, would be confined to the areas directly surrounding the proposed mine site and ports, and were therefore considered to be reversible with residual effects considered to be minimal. Per the Annual Reports to NIRB provided in the Application (see SD-49 and SD-50), Baffinland has carried ongoing Project monitoring in accordance with the Project Certificate. As Steensby components have not been constructed to date, these areas	Current Status Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process). This is a topic that is relevant to the location of the railway, as the railway location interacts with travel routes of hunters and land users, which can experience noise and vibration impacts. There are mitigations developed to address the topic of noise and vibrations through the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of noise and vibrations was also raised following the completion of the FEIS. Detailed Response to Issues Raised in Column C: Specifically: With respect to potential impacts of noise and vibration from the railway on caribou and wildlife, Baffinland’s assessment results concluded that noise and vibration impacts from construction and operation of the Railway to sensitive receptors are expected to be within acceptable levels based on the	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s conclusion are further summarized here. Context of Issue (Column C) Inuit individuals and groups have identified concerns with noise and vibration in relation to the Railway and the Port. These concerns have been carefully taken into account, set out in this row Baffinland is of the view that with the measures proposed, the Steensby Railway can proceed in a way that maintains acceptable levels of noise and vibration for sensitive receptors, which may include workers, hunters, land users and wildlife, which prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) The assessment of noise and vibrations in the FEIS considered the local study area, which is noted to be in a remote location and not currently influenced by any permanent anthropogenic generated noise or vibration sources. The FEIS concluded that vibration effects would be not significant during the operations and closure

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
		to the Mary River area and to the Steensby Inlet area also. The trains make a lot of noise from what I see on TV, and how much noise is that going to produce hunting to the Mary River area and to the Steensby Inlet area also.” As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), since 2012 Inuit community members and other community members identified: • Impacts of noise associated with trains • Potential for polar bears to react to shipping noise by staying closer to communities where noise levels are lower • Noise effects associated with shipping especially during ice covered conditions and the unknown effects on marine mammals	generated noise or vibration sources. • The assessment indicated that the residual noise effects of the Project were considered to be minimal and as such, it suggested that follow up monitoring would not be required. The FEIS concluded that vibration effects would be not significant during the operations and closure phases for the Project. During construction, vibration effects would be considered minor, would be confined to the areas directly surrounding the proposed mine site and ports, and were therefore considered to be reversible with residual effects considered to be minimal. Baffinland’s assessment concluded that the potential effects of both noise and vibration to human receptors would not be significant. With regards to potential polar bear interactions with the railway, in the 2012 FEIS, polar bears were assessed as marine mammals and their interactions are predicted to be with shipping and port operations. As such, noise and vibration from the railway is not expected to have significant impacts to polar bears. A number of proven mitigation measures were included in the 2012 FEIS to reduce potential effects on noise and vibrations, including: • Ensure that all internal combustion engines are	This commitment is being implemented through the Adaptive Management Plan (SD-27.76) as well as through feedback gathered via the established regulatory and IIBA processes. • Term and Condition No. 14a): through coordination with the MEWG as may be appropriate, shall demonstrate appropriate adaptive management for construction activities at Milne Inlet that have the potential to disrupt marine mammal species, including pile driving and ore dock construction, are undertaken. • Term and Condition No. 109: Baffinland shall conduct a monitoring program to confirm the predictions in the FEIS with respect to disturbance effects from ships noise on the distribution and occurrence of marine mammals. • Term and Condition No. 110: Baffinland shall immediately develop a monitoring protocol that includes, but is not limited to, acoustical monitoring, to facilitate assessment of the potential short term, long term, and cumulative effects of vessel noise on marine mammals and	have not been included in the general project monitoring programs. With the Application, Baffinland provided updates on key topics carried out by Baffinland and its third-party consultants since 2012, including a memo validating the noise and vibration assessment from the 2012 FEIS (SD-66). This memo outlines additional mitigation measures intended to reduce noise and vibration, including indoor switching and rotary car dumpers. From those measures, no appreciable noise impacts on outdoor receptors would be expected. The memo also confirms that the FEIS results are expected to be aligned with the current expected noise levels between the Mine Site and Steensby Port. The mitigation and monitoring plans established under the Project Certificate continue to be considered robust and as such, no revisions or amendments are proposed at this time in relation to the Section 98 Application. However, Baffinland is committed to work with QIA and participants in the NIRB process as relevant plans are developed to support Steensby construction and operation. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Baffinland has not relied only on the 2012 FEIS, and has continued to advance relevant initiatives to	mitigation measures and modelling results, as presented in Columns D to F. • With respect to potential impacts of noise and vibration from the railway on hunting, there are several mitigation measures in place to reduce noise along the Railway, and based on the FEIS outcomes, impacts from noise and vibration are expected to be within acceptable levels. • With respect to the potential for polar bears to react to shipping noise by staying closer to communities where noise levels are lower, polar bears are not anticipated to be in the vicinity of the Steensby Railway. Based on the 2012 FEIS, polar bears were assessed as marine mammals, and their interactions are predicted to be with shipping and port operations. As such, noise and vibration from the railway is not expected to have significant impacts to polar bears. • With respect to the specific topic of noise effects associated with shipping especially during ice covered conditions and the unknown effects on marine mammals, there are several shipping mitigation measures that will be implemented, as outlined in the marine rows H of this table.	phases. During construction, vibration effects would be considered minor, would be confined to the areas directly surrounding the proposed mine site and ports, and were therefore considered to be reversible and minimal. The assessment concluded that the potential effects of both noise and vibration to human receptors would not be significant. A number of mitigation measures are listed in Column D to reduce potential effects on noise and vibrations. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of noise and vibration (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to monitor noise and vibration, as outlined in

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			fitted with appropriate muffler systems - Take advantage of acoustical screening from existing on-site buildings to shield from noise. - Bulk material conveyors, dust collectors, secondary crushers and screens, Rotary rail dumpers and transfer points are all enclosed Baffinland proposed various plans relevant to the topic in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular: - Environmental Protection Plan (SD-41.492) - Air Quality and Noise Abatement Management Plan (SD-41.498)	marine mammal populations. Term and Condition No. 111: Baffinland shall develop clear thresholds for determining if negative impacts as a result of vessel noise are occurring. Mitigation and adaptive management practices shall be developed to restrict negative impacts as a result of vessel noise.	enhance the original propose monitoring and mitigation programs since that time as follows: - In 2018, several improvements were made to the accommodation facilities to improve noise levels, including the establishment of the new 800-person Sailivik camp in a new location between the mine infrastructure and Sheardown Lake. - A 2020 and 2022 noise monitoring program was conducted in response to concerns raised through TEWG regarding the potential for noise disturbance to impact wildlife interacting with the Project. - Implement indoor switching and rotary car dumpers at the Steensby Railway to reduce noise. <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to noise and vibration include: Regulatory oversight: Compliance with the Federal and Nunavut regulatory requirements, and associated inspections conducted under the Project Terms		Column F and published in the NIRB Annual Reports. With the Application, Baffinland provided, including a memo validating the noise and vibration assessment from the 2012 FEIS (SD-66). This memo outlines additional mitigation measures intended to reduce noise and vibration, including indoor switching and rotary car dumpers. From those measures, no appreciable noise impacts on outdoor receptors would be expected. The memo also confirms that the FEIS results are expected to be aligned with the current expected noise levels between the Mine Site and Steensby Port. Baffinland has also incorporated lessons learned from the current project operations in its mining infrastructure, including improvement to the camp, that will be applied to the Steensby Component (as referenced in Column F). Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff.

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					and Conditions require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up. • Project Certificate Terms and Conditions: Several Terms and Conditions, such as TC14 a and b listed in column E requires Baffinland to include adaptive management measures in its management plans and operations. • NIRB Annual Reporting and Management Plan Update Process: The Project Certificate requires that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. • Terrestrial Environmental Working Group: This advisory body is intended to provide advice, guidance and enforceable recommendations regarding adding to and improving baseline information, mitigation measures for the protection of the terrestrial environment (including impacts from		Should monitoring reveal that further measures are required in respect to noise and vibration, Baffinland would take action under its Adaptive Management Plan. Baffinland’s Section 98 Application shows that it noise and vibration impacts are expected to be not significant and it will implement mitigation measures and monitoring programs. Baffinland has made meaningful efforts to minimize noise and vibration from construction and operation through its proposed mitigation and monitoring plans and compliance with all government approvals, which include the Project Certificate No. 005. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as noise and vibration. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.

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					noise and vibration), assessing the accuracy of impact predictions, and the development and implementation of adaptive management plans. • Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed within the Stakeholder Engagement Plan (SD-74). • Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.		
	Caribou crossings and snowmobile / ATV crossings (note impact of rail operations on crossings i.e. not just construction issue, passage needs to be maintained for life of Project)	Inuit and Inuit groups raised the importance of caribou crossings and snowmobile / ATV crossings during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements.	The topic of caribou crossings and snowmobile / ATV crossings is addressed in the FEIS 2012 in several sections, including: • Volume 1 Main Document - see Executive Summary, Table 1-12.1 Summary of Residual Biophysical Effects and Section 5.2.6	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Section 4.9: • NIRB concluded that infrastructure components of the Project pose potential barriers and impediments	New/Updated Information Provided with Section 98 Application As detailed in Paragraph 52 of the Application to Construct a Railway, the design of the Steensby Railway includes an estimated nine snowmobile/all-terrain vehicle (ATV) crossings which will permit	Current Status Baffinland is not aware of any outstanding items related to this issue other than (1) continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process) and (2)	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s conclusion are further summarized here.

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		As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), since 2012 Inuit community members and other community members identified: - Concerns that caribou will have trouble crossing the railway. Although it is anticipated that the railway embankments are crossable along much of the alignment, Baffinland agreed to a specific mitigation that will see the construction of crossings to facilitate caribou crossings. - Concern about potential for Railway embankments to create hazardous snow conditions - Inuit hunters expressed concern about crossing the alignment and mitigations have been committed to that will see dedicated crossings for snowmobiles/ATVs. In its comments on an advance draft of the Section 98 Application in August 2023, QIA asked - Baffinland states that IQ and aerial surveys have identified (3) key crossing locations where caribou are known to cross the railway alignment and that the railway will be designed in these areas to maintain permeability for caribou. It is unclear when the IQ on caribou crossings was collected	- Terrestrial Wildlife and Habitat (SD-41) - Volume 2 Consultation, Regulatory Framework and Assessment Methodology – see Table 2-1.3 Key Community Concerns and Baffinland Response SD-41.15) and 2A Public Consultation Record (SD-41.17) and 2B Summary of Community Based Research Undertaken for the Mary River Project (SD-41.19) - Volume 4 Human Environment, see Section 10.5 Travel and Camps (SD-41.439) - Volume 6 Terrestrial Environment, see Section 5.0 for the general caribou assessment and Section 5.4.2 Caribou Movement for assessment of caribou movement (SD-41.452) and baseline data Appendix 6F Terrestrial Wildlife Report (SD-41.460), Appendix 6H Energetics of Caribou (SD-41.463) - Volume 9 Cumulative Effects and Other Assessments, Table 9-1.4 Cumulative Effects Summary (SD-41.485) The key points included in the references to the FEIS listed above are: - Identified caribou as the primary indicator species	to terrestrial wildlife movement through the Regional Study Area and upon the caribou populations increasing significantly and the caribou becoming more migratory, these effects may also increase as well. The NIRB supports the position that consequences of continuous use of the linear infrastructures yearlong on caribou survival and behavior are unknown as well as the effectiveness of planned mitigation measures such as the number and design of caribou crossings. Board feels that early, ongoing, consistent consultation with affected communities will assist in ensuring the Proponent’s mitigative measures are successful in all aspects where such are designed to mitigate impacts to land users and are especially important in educating the affected populations with respect to safety on the land. After hearing from members of the public during the Final Hearing, the Board also feels that post-project authorization consultation is essential to the successful development of the Mary River Project.	hunters and other local land users to safely cross the railway at locations determined in consultation with Inuit. The crossings are proposed at locations specifically identified by Inuit where seasonal travel routes can overlap the Steensby Railway alignment. The crossings will use the same size fill material as that required for caribou, and even gentler slopes to approach the rail line, with wooden timbers between the tracks. As detailed in Paragraph 77 of the Application to Construct a Railway, Baffinland outlined that during engagements with Inuit and the communities, Baffinland has identified existing caribou trails in the area surrounding the Steensby Railway and will maintain those trails by constructing portions of the rail embankment with gentler slopes and smoother fill material. Baffinland also The Application also explains this issue and how it was addressed in the Stakeholder Engagement Report (see SD-69) in section 7.3. As detailed in the Stakeholder Engagement Report, IQ identified the importance of maintaining the ability for travel across the railway, and was used to identify ideal locations to establish land user crossings and Caribou. IQ was also used to identify the location of historical caribou routes that interact with the railway and identify areas both key crossing and broad crossing areas based on the presence of caribou trails. While the Steensby Railway general construction and design is not	obtaining an Approval to Construct a Railway from CTA. This is a topic that is relevant to the location of the railway, as the railway location interacts with several caribou and land user travel routes. The current status of this item is that CTA is currently considering the details of Baffinland’s enclosed Approval to Construct a Railway application. CTA is considering questions regarding caribou and land user crossings and reviewing design and other information available in the application on this topic. Baffinland expects that this will be a matter addressed under the Approval to Construct a Railway issued by CTA. There are comprehensive mitigations developed to address the topic of caribou and snowmobile/ATV crossings developed though the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of caribou crossings was raised by an individual in Pond Inlet during the December 2024 Federal Tour. It is noted that the individual did not identify dissatisfaction with any of the specific mitigation measures proposed to date that would address their concern Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging	<u>Railway Components Relevant to Topic</u> Baffinland has incorporated snowmobile/ATV and caribou crossings (and other caribou protection measures) into the design of the Steensby Railway, the locations for which have been determined during engagement with Inuit. The locations and/or number of caribou crossings and snowmobile crossings can be adjusted, if required, based on further ongoing engagement with the North Baffin Localities and the QIA as the Steensby Railway is being constructed. Context of Issue (Column C) Inuit individuals and groups have identified to Baffinland and the federal government that Inuit are holders of indigenous rights in relation to caribou, under the Nunavut Agreement and Section 35 of the Constitution Act. Inuit have identified concerns that the railway, as a linear infrastructure, may impact caribou and land user access. These concerns have been carefully taken into account as set out in this row. Baffinland is of the view that with the measures proposed the Steensby Railway can proceed in a way that will enable Inuit to continue their land use activities, and caribou to cross the Railway without any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D)

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		and whether it is still valid. Baffinland please specify when IQ collection took place for identifying the three (3) caribou crossing locations and whether it believes this information is still valid for siting caribou crossings. During the federal consultation tour for the Steensby Component of the Mary River Project held from December 9 to 11, 2024, a Pond Inlet community member raised concerns about how long it takes for the train to stop if a caribou crosses the Railway while a train is going at 60km/h. Baffinland’s proposed mitigation measures, compliance with Project commitment address this concern, in the manner described in this row.	for assessing potential effects on terrestrial animals, concluding that the main project interaction with caribou would occur when they cross or attempt to cross project roads or the railway. - Baffinland acknowledged that while the Project may interact with travel patterns, the effects would not be significant if proposed mitigation measures were implemented. It emphasized that individuals’ ability to travel and camp in the area would remain largely unaffected, with any impacts confined to specific points of interaction. A number of proven mitigation measures were included in the 2012 FEIS to reduce potential effects on caribou and land users, including: - To mitigate impacts on caribou, crossings will be provided in specific locations (historical trails) to facilitate movement of caribou across the track. Snowbanks will be reduced where needed to allow caribou to cross. - For land users, Baffinland identified several travel routes, primarily used by snowmobiles and some by ATVs that intersect the proposed railway	Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: - Term and Condition NO. 53: shall demonstrate consideration for the evaluation of the effectiveness of proposed caribou crossings over the railway, Milne Inlet Tote Road and access roads as well as the appropriate number. - Term and Condition NO. 58: the annual report to the NIRB, the Proponent shall incorporate a review section which include 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. - Appendix A, Commitment 20: 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. - Appendix A, Commitment 71: 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	expected to present a barrier to caribou, where it is possible site specific areas based on the presence of overlapping trails where caribou have a higher likelihood of crossing in significant numbers, the embankments will be modified to even further reduce the potential for the Steensby railway to act as a barrier. As outlined in paragraph 102 (b) of the Section 98 Application, Baffinland has incorporated snowmobile/ATV and caribou crossings (and other caribou protection measures) into the design of the railway, the locations for which have been determined in consultation with Inuit (SD-73 Caribou Protection Measures). There will be continuous dialogue with communities and Knowledge Holders to understand how caribou interact with the railway throughout the life of the Project and is committed to adding additional crossing areas over time if needed. With the Application, Baffinland provided updates on key topics carried out by Baffinland and its third-party consultants since 2012, including an updated memo addressing crossings (Caribou and Snowmobile Level Crossings along Steensby Railway, SD-64). The specific measures highlighted in the memo are listed in the updated mitigation below. IQ collection for the Mary River Project occurred between 2006 and 2011, through caribou-focused working groups, followed by validation through public meetings,	with the community to inform them on Baffinland’s Environmental Management System. Baffinland also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report. Given the overall importance of caribou and snowmobile/ATV crossings to Inuit and other Indigenous group, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: Specifically: - With respect to the specific concern related to potential difficulty for caribou to cross the railway embankment, Baffinland will establish caribou crossings in specific locations, where historical trails are known to be located. The trail location was established considering IQ and the modified embankments will facilitate movement of caribou across the track. Although the Steensby Railway general construction and design is not expected to present a barrier to caribou, this mitigation measure will reduce potential barriers for crossing. - With respect to the specific concern about potential for	In the 2012 FEIS, caribou was identified as the primary indicator species for assessing potential effects on terrestrial animals, concluding that the main project interaction with caribou would occur when they cross or attempt to cross project roads or the railway. Baffinland acknowledged that while the Project may interact with travel patterns, the effects would not be significant if proposed mitigation measures were implemented. It emphasized that individuals’ ability to travel and camp in the area would remain largely unaffected, with any impacts confined to specific points of interaction. Based on a number of mitigation measures and management plans related to caribou and land users described in Column D, the 2012 FEIS concluded that the effects on travel patterns of caribou and land users would be not significant through a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of caribou and land users crossings (as outlined in Column E of this row). These terms and conditions and commitments are being

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			alignment. While most snowmobile crossings will remain accessible during snow cover, the railway corridor may require hunters to detour to find suitable crossings. To address this, Baffinland includes measures in the Railway Management Plan (SD-41.508), including designing rail tracks to accommodate snow machine and ATV crossings at key travel routes. Baffinland proposed various plans relevant to the topic of caribou and snowmobile crossings in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular: • Environmental Protection Plan (SD-41.492) • Railway Maintenance Management Plan (SD-41.508) • Railway Emergency Response Plan (SD-41.509) • Terrestrial Environment Mitigation and Monitoring Plan (SD-41.512) • Environmental Monitoring Plan (SD-41.513)	mitigate caribou responses to development activities. • Appendix A, Commitment 15: Baffinland is committed to creating crossings along the Railway track which facilitate the passage of caribou. • Appendix A, Commitment 16: Baffinland is committed to designing the rail track to allow for snow machine and ATV crossings at points intersecting with identified travel routes.	as described in Baffinland’s response to the comment on an advance draft of the Section 98 Application in August 2023 is provided in the Response to Qikiqtani Inuit Association Comments on Baffinland Iron Mines Corporation’s Application to the Canadian Transportation Agency for Approval to Construct a South Railway Line (SD-75). As described within the response, Traditional knowledge (Inuit Qaujimajatuqangit) and current local knowledge were the primary source of information on caribou in the Project area. Baffinland integrated the information collected in the effects assessment and also used it to inform identification of mitigation measures. As outlined in the Stakeholder Engagement Report (SD-69), between April and July 2023 Baffinland presented the locations of the caribou general access and key access corridors to Hamlet and HTO representatives from Pond Inlet, Igloolik and Sanirajak. In November 2023, Baffinland advanced verification and site-specific selections for land use and caribou crossings along the Steensby Railway through in community engagements, which included invitation to QIA representatives. Baffinland plans to continue to engage land users and knowledge holders throughout the remainder of the planning and construction period to ensure adequate installation of caribou crossings. This can also continue through operations as new	Railway embankments to create hazardous snow conditions, Baffinland confirmed in the 2012 FEIS that snowbanks will be reduced to minimize hazardous conditions and to allow caribou to cross. • With respect to the specific concern regarding ability of Inuit hunters to cross the Railway, the design of the Steensby Railway includes an estimated nine snowmobile/all-terrain vehicle (ATV) crossings which will permit hunters and other local land users to safely cross the railway at locations determined in consultation with Inuit. The crossings are proposed at locations specifically identified by Inuit where seasonal travel routes can overlap the Steensby Railway alignment. The crossings will use the same size fill material as that required for caribou, and even gentler slopes to approach the rail line, with wooden timbers between the tracks. The detailed measures are summarized in Column D, E and F. • With respect to QIA’s questions regarding when the IQ on caribou crossings was collected and whether it is still valid, the IQ collection for the Mary River Project occurred between 2006 and 2011, through caribou-focused working groups. It was validated through public meetings. In 2023, Baffinland	implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update and collect supplemental baseline information to support detailed engineering and the Application to Construct a Railway, as outlined in Column F of this row. As described within the Stakeholder Engagement Report (see SD-69, Section 7.3), in response to concerns expressed by localities related to caribou and land user travel across the railway, IQ identified the importance of maintaining the ability for travel across the railway, and was used to identify ideal locations to establish land user crossings and Caribou. IQ was also used to identify the location of historical caribou routes that interact with the railway and identify areas both key crossing and broad crossing areas based on the presence of caribou trails. While the Steensby Railway general construction and design is not expected to present a barrier to caribou, where it is possible site specific areas based on the presence of overlapping trails where caribou have a higher likelihood of crossing in significant numbers, the embankments will be

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					information is provided. The rail embankment can be modified with equipment that will be at site for maintaining the railway line, so that if any areas require the installation of new caribou crossings, Baffinland is equipped and prepared to do that. The Steensby Railway has been designed to include caribou protection measures (based on Inuit knowledge, western science, and industry best practices). As outlined in the Row B.1 Safety and Emergency Response, the average stopping distance for a loaded train would be 339m to stop, and 229m for an empty train. Several caribou protection measures have been established. For example, to reduce potential interactions with caribou, Baffinland will extend a version of its “Caribou Decision Framework” to the Steensby Railway. This framework provides guidance on slow-down and stopping procedures and is already in effect for drivers on the Tote Road. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Baffinland has not relied only on the 2012 FEIS, and has continued to advance relevant initiatives to enhance the original propose monitoring and mitigation programs since that time as described below. The specific crossing design features for caribou and snowmobile/ATV crossings were developed since 2012, through the	presented the locations of the caribou crossings and key access corridors to communities. As described in Column D, E and F, within the response, Traditional knowledge (Inuit Qaujimagatuqangit) and current local knowledge were the primary source of information on caribou in the Project area. Baffinland integrated the information collected in the effects assessment and also used it to inform identification of mitigation measures. - Between April and July 2023, Baffinland presented the locations of the caribou general access and key access corridors to Hamlet and HTO representatives and will continue to engage land users and knowledge holders throughout the remainder of the planning and construction period to ensure adequate installation of caribou crossings. This can also continue through operations as new information is provided. The rail embankment can be modified with equipment that will be at site for maintaining the railway line, so that if any areas require the installation of new caribou crossings, Baffinland is equipped and prepared to do that. - With respect to the concerns raised during the Federal Tour in December 2024, about how long it takes for the train to	modified to even further reduce the potential for the Steensby railway to act as a barrier. As outlined in Application, Baffinland has incorporated nine snowmobile/ATV and caribou crossings (and other caribou protection measures) into the design of the railway, the locations for which have been determined in consultation with Inuit. As outlined in Column F, the specific crossing design features for caribou and snowmobile/ATV crossings were developed through the detailed engineering phase of the Steensby Component. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required in respect of the crossings once constructions, Baffinland would take action under its Adaptive Management Plan. As referenced in column G, Baffinland will also continue to engage land users and knowledge holders throughout the remainder of the planning and construction period to ensure

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					detailed engineering phase of the Steensby Component. Design details are described in the Application to Construct a Railway in SD-64, which presents the design proposal for railway level crossings specifically tailored to accommodate Caribou and snowmobile safe passing. The following design features are to be implemented for the caribou level crossings to ensure the safety and wellbeing of Caribou: • Slope of the crossing approaches: A gentle slope with a gradient of 3h:1v has been proposed at these crossing locations to facilitate the safe passage. • Ballast Protection: a ballast protection will be installed to help prevent erosion and maintain the stability of the railway tracks. • Removal of Wood Planking: the wood planking between the two rails has been removed to mitigate slippery surfaces during icy conditions, reducing the risk of accidents for Caribou. • Monitoring and Maintenance Plan: a comprehensive monitoring and maintenance plan will be implemented to track Caribou passage and assess the effectiveness of the crossing design.	stop if a caribou crosses the Railway. The average stopping distance for a loaded train would be 339m to stop, and 229m for an empty train. Several caribou protection measures have been established. For example, to reduce potential interactions with caribou, Baffinland will extend a version of its “Caribou Decision Framework” to the Steensby Railway. This framework provides guidance on slow-down and stopping procedures and is already in effect for drivers on the Tote Road. Baffinland will incorporate the Steensby Railway into its monitoring programs, as required under the Project Certificate, and will involve Inuit in the development and implementation of those monitoring programs.	adequate installation of caribou crossings. This engagement will continue through operations as new information is provided. The rail embankment can be modified with equipment that will be at site for maintaining the railway line, so if any areas require the installation of new caribou crossings, Baffinland is equipped and prepared to do that. Baffinland’s Section 98 Application shows that it has already taken steps to prevent impacts on caribou and land user crossing of the Railway. Baffinland has made meaningful efforts to prevent effects to caribou and land users for crossings through its proposed mitigation and monitoring plans and compliance with all government approvals, which include the Project Certificate No. 005. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as caribou and land user crossings. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has

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					The following design features are to be implemented for the Snowmobile level crossings to ensure the safety of land users (SD-64): - Slope Approaches: The initial 8 meters feature a 2% slope, followed by a 5% slope for the next 10 meters. These gradients are optimized to facilitate safe passage for snowmobiles. - Signage Installation: To enhance visibility and alert users to the presence of the level crossing. - Wood Planks Installation: Wood planks will be installed between the rails to create a smooth surface for snowmobile passage. - Maintenance Plan: A comprehensive maintenance plan will be implemented to ensure the ongoing safety and functionality of the level crossing. <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to the caribou and ATV crossings include: Regulatory oversight: Compliance with Federal and Nunavut regulatory requirements, and		been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.

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					associated inspections conducted under the Project Terms and Conditions require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up. • Project Certificate Terms and Conditions: Several Terms and Conditions, such as the Commitment within Appendix A, Commitment 71 listed in column E requires Baffinland to include adaptive management measures in its management plans and operations. • Terrestrial Environmental Working Group: This advisory body is intended to provide advice, guidance and enforceable recommendations regarding adding to and improving baseline information, mitigation measures for the protection of the terrestrial environment (including impacts from noise and vibration), assessing the accuracy of impact predictions, and the development and implementation of adaptive management plans. • NIRB Annual Reporting and Management Plan		

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					Update Process: The Project Certificate requires that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. • Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed within the Stakeholder Engagement Plan (SD-74). Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.		
	Interruption of hunting, effects on hunters and land users, community lifestyles	Inuit and Inuit groups raised the importance of effects on hunters and land users, community	The topic of the railway as a source of potential hunter and land users	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how	New/Updated Information Provided with Section 98 Application	Current Status	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and

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	(including consideration of potential food security impacts)	lifestyles during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), since 2012 Inuit community members and other community members identified: - Concerns over the impacts on hunting as a result of the Railway. - Close connection of this topic and food security. As an example, during the NIRB community roundtable session, a participant from Igloolik expressed that she thought that Steensby Inlet belonged to the Elders of the region because this area had been their traditional hunting grounds and at one point had served as an outpost camp for Inuit. She further indicated that the people of Igloolik consider the Steensby Inlet area to be their current hunting grounds. During the federal consultation tour for the Steensby Component of the Mary River Project held from December 9 to 11, 2024, an Igloolik community member raised concern about declining availability of country foods for Inuit.	is addressed in the FEIS 2012 in several sections, including: - Volume 1 Main Document - see Executive Summary, Table 1-12.1 Summary of Residual Biophysical Effects and Section 3.3 Socio-Economic Setting for a baseline summary of harvesting activities (SD-41) - Volume 2 Consultation, Regulatory Framework and Assessment Methodology – see Table 2-1.3 Key Community Concerns and Baffinland Response SD-41.15) and 2A Public Consultation Record (SD-41.17) and 2B Summary of Community Based Research Undertaken for the Mary River Project (SD-41.19) - Volume 4 Human Environment, see Section 4.3 Inuit Harvesting Livelihoods – Combined Effects, Section 10.4 Wildlife Harvesting by Inuit for the general assessment on Inuit harvesting, Table 4-4.1 (SD-41.439) and baseline information Appendix 4A Socio-economic Baseline Report (SD-41.440) and Appendix 4C Land Use Report (SD-41.442) The key points included in the references to the FEIS listed above are:	the NIRB addressed it in Section 4.3.3: - the NIRB concluded that, the Project has the potential to result in increased harvesting mortality due to improved access to wildlife via project infrastructure such as the Milne Inlet Tote Road, which would be upgraded for year-round use by Baffinland. However, although there is a public easement on the Milne Inlet Tote Road, the nearest community (Pond Inlet) is a considerable distance away. As a result, while it is reasonable to expect occasional use of this infrastructure by members of the general public who are harvesting within the project area, the NIRB does not expect increased harvesting pressure to be significant due to improved access. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: - Term and Condition No. 186: required to construct and maintain hunters access route(s) in and around the Milne Inlet Tote Road. The specific location of hunters’ access route(s) shall be	The Mary River IIBA (SD-72), amongst other things, codifies the mitigation measures identified by QIA to address issues raised by Inuit in respect of the Mary River Project and establishes significant financial compensation and benefits to Inuit which have the potential to support Inuit in their goals for generations, including hunting activities. Baffinland’s commitments in the Mary River IIBA are legally binding. The Application explains this issue and how it was addressed in the Stakeholder Engagement Report (see SD-69) in section 4.2. Baffinland works with QIA by providing wildlife compensation benefits under the IIBA. Baffin communities can access gasoline under the Harvesters Enabling Program established through the IIBA. Baffinland also made a one-time payment of \$1.3 million to the MHTO for changes in hunting experience. As outlined in Paragraph 322(d) of the Application to Construct a Railway, Baffinland must report any wildlife kills to the QIA and local HTOs, and provide the affected HTO with a financial compensation. Furthermore, Baffinland maintains a \$750,000 Wildlife Compensation Fund, administered by QIA, to compensate for damages to hunters caused by the Project. Inuit can apply to the wildlife compensation fund for loss or damage relating to wildlife suffered as a result, directly or indirectly, of development activity relating to the Mary River Project.	Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process). This is a topic that is relevant to the location of the railway, as the railway location interacts with routes used by land users to hunt. There are comprehensive mitigations developed to address the topic of effects to land users through the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of declining availability of country foods for Inuit was raised by an individual in Igloolik during the December 2024 Federal Tour. It is noted that the individual did not identify dissatisfaction with any of the specific mitigation measures proposed to date that would address their concern. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland’s compensation and benefits in relation to land use. Baffinland also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report.	other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s conclusion are further summarized here. Project Components Relevant to Topic Baffinland provides compensation benefits that support Inuit in practicing land use activities, and also supports with food security through the IIBA and other commitments. Context of Issue (Column C) Inuit individuals and groups have identified to Baffinland and the federal government that Inuit are holders of indigenous rights in relation to caribou, under the Nunavut Agreement and Section 35 of the Constitution Act. Inuit have identified concerns that the railway may impact hunting activities. These concerns have been carefully taken into account as set out in this row. Baffinland is of the view that with the measures proposed the Steensby Railway can proceed in a way that will be protective of caribou and other wildlife, and will enable Inuit to continue their land use activities, and there are measures in place to compensate for any impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) Changes in caribou mortality and interaction of the Project with land

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			- Baffinland predicted that the Project would interact with existing land uses by Inuit. - In relation to increased mortality due to additional hunting pressure, as caribou harvesting in the Regional Study Area is primarily a winter activity using snowmobiles, local harvesters will likely not have increased access via the roads and railway infrastructure. In addition, project personnel will be prohibited from hunting at project sites, and accordingly, Baffinland predicted that access to harvesting is not expected to have a significant effect on mortality since there will be no increased hunter access provided by the Project. On this basis, Baffinland predicted that the Project will not have a significant effect on overall north Baffin Island caribou mortality A number of proven mitigation measures were included in the 2012 FEIS to reduce potential effects on caribou mortality and land user access, including: - To limit the effect on Inuit caribou harvesting include the company policy prohibiting non-Inuit and Inuit workers from harvesting while on Project sites.	confirmed based upon input from the Mittimatalik Hunters and Trappers Organization and the Qikiqtani Inuit Association. - Appendix A, Commitment 103: to establish policies re Inuit visitation to Project area. - Appendix A, Commitment 102: prioritize vacation requests of Inuit during hunting season. Specific IIBA Conditions that are relevant to address this item are: - Condition 13.1, page 96: preserves hunter access to traditional hunting areas. - Condition 13.3.1, page 96: offsets potential Project impacts on Inuit travel and access, including providing fuel, food, shelter to hunters and supporting identification of safe routes. - Condition 17.7.2, page 96: Harvesters Enabling Program	With regards to food security, in 2023, Baffinland and its business partners (including, for example, Arctic co-op) also contributed over \$1.5 million through quarterly benefits, food banks, and other initiatives. It is also important to emphasize that taking into account the suite of wildlife protection measures in place for the Project, there are no anticipated significant effects to caribou arising from the project, and so the project is expected to have a positive effect on food security only (in terms of providing economic opportunities to Inuit.) New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Baffinland continues to work on its engagement with hunters in relation to the Project and is funding the development of the Inuit Stewardship Program, which is managed by QIA. The Inuit Stewardship Program will provide a new pathway to receive Inuit feedback about Mary River Project effects and incorporate the information received into monitoring and adaptive management actions, where needed. Baffinland has also developed and implemented a Hunter and Visitor Site Access Procedure (SD-79), which recognizes that the Mary River Project Area has traditionally been, and continues to be utilized by hunters and visitors of the North Baffin Region. In accordance with	Given the overall importance of hunting, land use activities and food security to Inuit and other Indigenous group, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: Specifically: - With respect to the concerns related to the impacts of the Railway on hunting, Baffinland works with QIA by providing wildlife compensation benefits under the IIBA. Baffinland also proposed measures to support land use activities, including providing meals and additional fuel as required by travellers re-routed around Project areas. As described in Column D and E, there are several Project Certificate Terms and Conditions, Commitments and IIBA Conditions intended to support Inuit in practicing land use activities. - With respect to the specific topic of declining availability of country food to Inuit, the NIRB concluded that it does not expect increased harvesting pressure as a result of the Mary River Project. Furthermore, Baffinland provides compensation benefits that support Inuit in practicing land use activities, and also supports with food security, as outlined in Column D and E.	users was assessed in the 2012 FEIS, which formed the basis for approval of the Mary River Project, including the Steensby Railway. Baffinland predicted that the Project would interact with existing land uses by Inuit. However, the Project is not expected to contribute to increased mortality due to additional hunting pressure on caribou. Based on a number of mitigation measures and management plans related to land use described in Column D, the 2012 FEIS concluded that there would be no significant effect on overall north Baffin Island caribou mortality through a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of land use (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and

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			- Measures proposed to support these activities include check-in procedures at Project sites and a focus on public safety for the Milne Inlet Tote Road and the Railway. - Baffinland will provide meals and additional fuel as required by travellers re-routed around Project areas. - As a precautionary measure, Baffinland will undertake a monitoring program and an adaptive management plan as described in the Shipping and Marine Mammals Management Plan (Volume 10, Appendix 10D-10) (SD-41.510). Where effects to marine mammals result in limitations to harvesting, compensation agreed upon within the IIBA will be provided. Baffinland proposed various plans relevant to the topic of land use in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular: - Environmental Protection Plan (SD-41.492) - Railway Maintenance Management Plan (SD-41.508) - Railway Emergency Response Plan (SD-41.509)		Article 13 of the IIBA, Baffinland welcomes the safe arrival and visitation of Inuit who are travelling through the Project area. Baffinland also recognizes that Inuit enrolled in the Nunavut Agreement have a right of access under the Nunavut Agreement for the purpose of harvesting. This procedure aims at maintaining the safety and well-being of site personnel and those visiting Project sites during their travels. Overall, the mitigation and monitoring plans established under the Project Certificate continue to be considered robust and as such, no revisions or amendments are proposed at this time in relation to the Section 98 Application. Baffinland is committed to continuing to work with QIA and participants in the NIRB process as relevant plans are developed to support Steensby construction and operation. <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to the effects on hunting include: Regulatory oversight: Compliance with Federal and Nunavut regulatory requirements, and associated inspections conducted under the Project Terms and Conditions require		Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 Baffinland provided several benefits and compensation that support Inuit in practicing land use activities, and also supports with food security, as outlined in Column D and E. Examples of measures in place include maintaining Baffinland maintaining a \$750,000 Wildlife Compensation Fund, funding gasoline under the Harvesters Enabling Program, a one-time payment of \$1.3 million to the MHTO for changes in hunting experience, and compensation to affected HTO in the event of a wildlife kill. Baffinland continues to work on its engagement with hunters in relation to the Project and is funding the development of the Inuit Stewardship Program, which provides a new pathway to receive Inuit feedback about the Mary River Project effects and incorporate the information received into monitoring and adaptive management actions, where needed. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed

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			• Terrestrial Environment Mitigation and Monitoring Plan (SD-41.512) • Environmental Monitoring Plan (SD-41.513)		Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up. • NIRB Annual Reporting and Management Plan Update Process: The Project Certificate requires that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. • Terrestrial Environmental Working Group: This advisory body is intended to provide advice, guidance and enforceable recommendations regarding adding to and improving baseline information, mitigation measures for the protection of the terrestrial environment (including impacts to hunters), assessing the accuracy of impact predictions, and the development and implementation of adaptive management plans. • Qikiqtaaluk Socio-Economic Monitoring Committee (QSEMC) and Mary River Socio-		and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required in respect to hunting and food security, Baffinland would take action under its Adaptive Management Plan. Baffinland’s Section 98 Application shows that it has already taken steps to prevent impacts on land users during construction and operations. Baffinland has made meaningful efforts to prevent effects to hunting and food security through its proposed mitigation and monitoring plans and compliance with all government approvals and agreements, which include the Project Certificate No. 005 and the IIBA. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as hunting and food security. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application

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					Economic Monitoring Working Group (MRSEMWG): This advisory body is intended to provide advice, guidance on the socio-economic mitigation and management programs. Baffinland develops an annual Socio-Economic Monitoring Report for the Project which is reviewed by both groups. Wherever possible, the feedback received from the QSEMC and SEMWG are integrated into the Project and applied to operations. • Inuit Impact and Benefit Agreement (IIBA): As stated in column E the IIBA includes a wildlife compensation agreement. Baffinland and the QIA are committed to updating the IIBA and are currently working together to add adaptive management responses related to wildlife. • Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed within the Stakeholder Engagement Plan (SD-74).		are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.

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					Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.		
B.3 Mine and Railway Closure Planning							
Mine and Railway Closure Planning	Long term closure planning	Inuit and Inuit groups raised the importance of closure planning during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), since 2012 Inuit community members and other community members identified: Given the 3-to-4-year timeline of the railway construction, there is reason to consider challenges such as economic changes or construction delays. Should a major delay occur, it will be pertinent to know whether the Project can continue to	The topic of the railway as a source of potential impacts at closure is addressed in the following sections of the 2012 FEIS: - Volume 3, Section 4 provides an overview of the temporary and final mine closure. - Volume 10, Section 2.3 describes the impacts and mitigation measures during the Closure and Reclamation Phase. - Volume 10, Section 10 describes the Mine Closure and Reclamation Plan. - The Mine Closure and Reclamation Plan was included in the FEIS Appendix 10G (SD-41.520). Sections 5.1.3 and 5.1.4 of the Mine Closure Plan describe the progressive	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed throughout the document for each valued component discussed. Some key notes regarding closure planning include: With respect to minimizing effects during reclamation, Aboriginal Affairs and Northern Development Canada (AANDC) requested that the vegetation monitoring plan and closure and reclamation plan be revised with future versions describing any test plot activity included in the plans, and further, that the Proponent incorporate test plot results into future developments of the re-vegetation strategy.	New/Updated Information Provided with Section 98 Application As described in the Application to Construct a Railway, the long-term success of the project requires a railway to service the mine and lower fixed transportation costs. The railway will increase operating efficiencies and reduce operating costs for the Mary River Project, which is key for the long-term viability of the mine and, in turn, will address the desire expressed by localities for increased employment, financial payments, and other economic opportunities under the Mary River IIBA that are available as a result of the Mary River Project. The Interim Closure and Reclamation Plan (ICRP) has been included in the application and	Current Status Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process). This is a topic that is relevant to the location of the railway, as the long-term closure plan will be dependant on the location of the railway. There are comprehensive mitigations developed to address the topic of long term closure planning developed through the 2012 FEIS, the Project Certificate, the Water Licence and other current approvals/ agreements (see Columns D, E and F). It is acknowledged that the topic of long term closure planning will continue	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s conclusion are further summarized here. Context of Issue (Column C) Inuit individuals and groups have identified concerns related to environmental impacts of long term closure of the Mary River Mine. These concerns have been carefully taken into account. As set out in this row, Baffinland is of the view that with the measures proposed, the Steensby Railway can proceed in a way that is protective of the environment in all phases of the Project, including closure, and prevents any consequential impacts

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
		operate at 4.2 or 6.0 Mtpa past 2028. Baffinland provides a long-term plan for the Mary River Project. This should include a risk assessment regarding the project's viability in the event of unforeseen adverse circumstances or project failure of the railway.	reclamation of Steensby Port and the Railway, including reclamation of quarries, access roads, and construction camps. The key points outlined in the FEIS and the Mine Closure and Reclamation Plan are: - The Closure and Reclamation Phase is expected to last three years, followed by a minimum of five years of post-closure environmental monitoring to verify that the reclamation has successfully met closure and reclamation objectives. - Management systems established during the operation Phase will carry over into decommissioning and closure. - The Mine Closure and Reclamation Plan was prepared during mine planning and permitting prior to the actual construction of the mine and is based on conceptual design level plans and to some degree on assumed future conditions. The purpose of the Preliminary plan is to outline how the mine site and associated facilities are proposed to be reclaimed and identify the possible residual risks to human health and the environment.	- The potential for temporary mine closures to occur, the Board agrees with AANDC's recommendation and feels that the Proponent has not sufficiently assessed the potential impacts of temporary closure on the local and regional economy in question. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: - Term and Condition No. 149: Prior to the commencement of operations, the Proponent is required to undertake an analysis of the risk of temporary mine closure, giving consideration to how communities in the North Baffin region may be affected by temporary and permanent closure of the mine, including economic, social and cultural effects. - Appendix A, Commitment 38: Baffinland is committed to investigating and exploring the potential for native species of flora to be used for re-vegetating areas disturbed within the project area. - Appendix A, Commitment 40: Baffinland is committed to undertaking environmental effects	includes all aspects of the Approved Project. Baffinland continues to work with the QIA and other stakeholders to update the ICRP as the Project progresses. The Steensby Railway, amongst other things will eliminate ore hauling trucks on the Tote Road, will reduce the level of overall interaction that the Mary River Project has with land users and wildlife generally, and is more efficient compared to high-volume trucking. In the coming years, Baffinland plans to drive efficiencies in operations and environmental performance through experience and targeted investments, while also expanding the reserves and better defining the geotechnical and geochemical characteristics of other deposits. Long term Closure plan for the Mary River Project will continue to be communicated through the regulatory application process under NIRB. Any required risk assessments or perspectives will be considered and reported at that time. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Baffinland has not relied only on the 2012 FEIS, and has continued to advance relevant initiatives to enhance the original propose monitoring and mitigation programs since that time as follows:	to be addressed over the life of the Project. Given the overall importance of reclamation and closure to Inuit and other Indigenous group, it is expected that this topic will require Baffinland's continual attention and diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: Specifically: - With regards to potential delays in Steensby construction, Baffinland outlined that the construction of the Railway is critical for the long-term success of the project. The Project has been operating at 4.2 and 6.0 Mtpa for ten years, and Baffinland is focusing on the permitting and financing of the Steensby Component to guarantee its long-term viability. - With regards to the concern related to a long term plan for the Mary River Project and the risk assessment of the Project's viability in the event of unforeseen circumstances, as described in Column F, Baffinland confirmed that the long-term success of the project requires a railway to service the mine and lower fixed transportation costs. Baffinland also submitted	on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) The Closure and Reclamation Phase is expected to last three years, followed by a minimum of five years of post-closure environmental monitoring to verify that the reclamation has successfully met closure and reclamation objectives. Several monitoring and mitigation measures related to closure were presented in the 2012 FEIS, which formed the basis for approval of the Mary River Project, including the Steensby Railway. Based on those mitigation measures and management plans related to closure described in Column D, the 2012 FEIS outlined that planning for the mine site reclamation will be risk based and remain dynamic to take into account results of on-going studies and identified best practices for the site specific conditions as this knowledge base is expanded over the life of the Project. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of closure, (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland,

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			- As the Project is developed through the regulatory and detailed design phases, the Project may undergo some design changes from the conceptual level information currently available and this preliminary mine closure and reclamation working document will require refinement and updating. However, it is anticipated that the major Project components will not change. - Planning for the mine site reclamation will be risk based and remain dynamic to take into account results of on-going studies and identified best practices for the site specific conditions as this knowledge base is expanded. A number of proven mitigation measures and monitoring were included in the 2012 FEIS to reduce impacts at closure, including: - Project related facilities were designed and constructed to minimize the footprint and to be temporary in nature. - During the Operations Phase of the Project, Baffinland will strive to develop partnerships with communities and appropriate businesses, government, and non-government organizations	monitoring during the mine life mine as well as after closure. It should be noted that most of the Terms and Conditions within the Project Certificate are required during all Project phases, including closure. Specific Water Licence Conditions include: - Part C of the Water Licence describes the conditions applying to closure security, including the requirement for Baffinland to provide and maintain adequate closure and reclamation security with the Minister. - Schedule C of the Water Licence includes a description of the Annual Security Review process. The QIA-Baffinland Commercial Lease also requires Baffinland to provide and maintain adequate closure and reclamation security with QIA for disturbances on Inuit Owned Lands.	- In January 2022, Baffinland submitted the updated report 'Temporary Closure Planning: Socio-Economic Considerations for the Mary River Project' to the Nunavut Impact Review Board, which considers risks for temporary mine closure and how communities in the North Baffin region may be affected by it, including economic, social and cultural effects. - In 2019, Baffinland retained Environmental Dynamics Inc. (EDI) to complete a desktop review of available practices and recent advances from Arctic mine reclamation in Canada's northern territories and Alaska, USA. Following this, a field program to assess current conditions and establish test plots was implemented in 2019. The first field component (summer 2019) focused on surveying natural/unassisted revegetation at the Project and establishing a preliminary trial design. The second field component (summer 2021) expanded the number of survey locations and reclamation trial sites. Periodic follow-	a 'Temporary Closure Planning: Socio-Economic Considerations for the Mary River Project' in 2022, which considers risks for temporary mine closure and how it may affect communities in the North Baffin region. Furthermore, under the Water Licence and Commercial Lease, Baffinland is required to provide and maintain adequate closure and reclamation security for the Project.	and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to conduct closure research and update the ICRP. As described in the Application to Construct a Railway, the long-term success of the project requires a railway to service the mine and lower fixed transportation costs. Long term Closure plan for the Mary River Project will continue to be communicated through the regulatory application process under NIRB. In 2022, Baffinland submitted a 'Temporary Closure Planning: Socio-Economic Considerations for the Mary River Project', which considers risks for temporary mine closure and how it may affect communities in the North Baffin region. In 2019, EDI completed a mine reclamation study on behalf of Baffinland to assess current conditions and establish test plots for reclamation trial sites. Follow-up monitoring for those trial sites occurred from 2020-2023. Current Implementation Status and Identification of Potential for

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			(NGOs) that foster sustainable development initiatives in the nearby communities through its Inuit Impact and Benefit Agreement (IIBA) commitments so that the adverse impacts of Project may be offset. • Post closure monitoring will continue until closure objectives have been met or shown by monitoring results. This is estimated to last five years. • Monitoring and follow-up inspections will be conducted to assess the physical and chemical stability of various components after closure and reclamation of the facilities. • Biological monitoring and follow-up inspections will assess the effectiveness of the reclamation. • No facilities are expected to be left as a result of the Project that will require monitoring or management in perpetuity. Baffinland proposed various plans relevant to the topic of closure in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular: • Environmental Protection Plan (SD-41.492) • Mine Closure and Reclamation Plan (SD-41.520)		up monitoring occurred in summer 2020-2023. <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to the long term closure planning include: • Regulatory oversight: Compliance with Federal and Nunavut regulatory requirements including Nunavut Waters and Nunavut Surface Rights Tribunal Act, and associated inspections conducted under the Commerical Lease, Type A Water Licence, Type B Water License, Land Leases and Project Terms and Conditions require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up. • Project Certificate Terms and Conditions: Several Terms and Conditions, such as TC10 listed in column E requires Baffinland to include adaptive management measures in its management plans and operations.		Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required in respect of the crossings once constructions, Baffinland would take action under its Adaptive Management Plan. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as closure and reclamation. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
					• NIRB Annual Reporting and Management Plan Update Process: The Project Certificate requires that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. • The Interim Closure and Reclamation Plan (ICRP): The ICRP includes all aspects of the Approved Project. Baffinland continues to work with the QIA and other stakeholders to update the ICRP as the Project progresses. Closure and reclamation techniques and methodologies for site reclamation will continue to evolve with changes to the understanding of the Project site, stakeholder’s views, and technologies for cost effective reclamation in northern conditions. • Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and		

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
					grievances as detailed within the Stakeholder Engagement Plan (SD-74). Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.		
	Closure of quarries and camps	Inuit and Inuit groups raised the importance of quarries and camp closures during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. In its comments on an advance draft of the Section 98 Application in August 2023, QIA asked The FEIS includes a timeline to close quarries, access roads, camps and for post-construction monitoring activities following commissioning of the railway and before ongoing railway operation. Baffinland please confirm whether the timelines for closing quarries, access roads, camps as well as post-construction monitoring	The topic of the railway as a source of potential impacts at closure is addressed in the FEIS 2012 in several sections, including: - Volume 3, Section 4 provides an overview of the temporary and final mine closure. - Volume 10, Section 2.3 describes the impacts and mitigation measures during the Closure and Reclamation Phase. - Volume 10, Section 10 describes the Mine Closure and Reclamation Plan. - The Mine Closure and Reclamation Plan was included in the FEIS Appendix 10G (SD-41.520). Sections 5.1.3 and 5.1.4 of the Mine Closure Plan describe the progressive reclamation	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed throughout the document for each valued component discussed. Some key notes regarding closure planning include: With respect to minimizing effects during reclamation, Aboriginal Affairs and Northern Development Canada (AANDC) requested that the vegetation monitoring plan and closure and reclamation plan be revised with future versions describing any test plot activity included in the plans, and further, that the Proponent incorporate test plot results into future developments of the re-vegetation strategy.	New/Updated Information Provided with Section 98 Application Baffinland’s response to QIA’s comment is provided in the Response to Qikiqtani Inuit Association Comments on Baffinland Iron Mines Corporation’s Application to the Canadian Transportation Agency for Approval to Construct a South Railway Line (SD-75). The Interim Closure and Reclamation Plan (ICRP) has been included with the Section 98 Application (SD-27.67). Section 6.2 of the ICRP describe the progressive reclamation of quarries, access roads and construction camps for the Project. The ICRP has been updated during the operation of the Project and includes all aspects of the Approved Project. Baffinland	Current Status Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process). This is a topic that is relevant to the location of the railway, as the quarry and camp locations are dependant on the railway location. There are comprehensive mitigations developed to address the topic of quarry and camp closure developed through the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of camp and quarry closure was raised	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s conclusion are further summarized here. Context of Issue (Column C) Inuit individuals and groups have identified concerns related to potential impact of construction quarries and temporary camps on impact the environment, affecting water quality of nearby water bodies. These concerns have been carefully taken into account. As set out in this row, Baffinland is of the view that with the measures proposed the Steensby Railway can proceed in a way that is protective of these water resources and

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
		activities have changed since the FEIS.	of Steensby Port and the Railway, including reclamation of quarries, access roads, and construction camps. - Borrow Pit and Quarry Management Plan was included in the FEIS Appendix 10D (SD-41.503). The key points related to closing of mine quarries, access roads and camps within the Mine Closure and Reclamation Plan are: - The railway construction camps will be decommissioned and include dismantling of the water treatment and sewage treatment systems, where practical, buildings, equipment and machinery will be reused, All fuel storage containers will be drained and removed from the camp sites for disposal at an approved facility, soils suspected of hydrocarbon contamination will be tested and all disturbed areas will be regarded to restore the natural drainage of the area and will be scarified to encourage natural re-vegetation. - Quarries and Borrow Pits - once exhausted or no longer required, sites will be graded to maintain safe side slopes and re-establish the natural drainage of the area.	- The potential for temporary mine closures to occur, the Board agrees with AANDC’s recommendation and feels that the Proponent has not sufficiently assessed the potential impacts of temporary closure on the local and regional economy in question. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: - Term and Condition No. 149: Prior to the commencement of operations, the Proponent is required to undertake an analysis of the risk of temporary mine closure, giving consideration to how communities in the North Baffin region may be affected by temporary and permanent closure of the mine, including economic, social and cultural effects. - Appendix A, Commitment 38: Baffinland is committed to investigating and exploring the potential for native species of flora to be used for re-vegetating areas disturbed within the project area. - Appendix A, Commitment 40: Baffinland is committed	continues to work with the QIA to update the ICRP as the Project progresses. Based on the current construction timeline, temporary compounds will be demobilized from the Project by the sea lift after completion. Temporary compounds are expected to be demobilized by sealift the year following completion of construction, and all temporary bridges and culverts will be removed within the year following completion of construction. Quarries will be cleaned up but not fully closed until mine closure as they would potentially be used for disposal of material. A number of proven mitigation measures are included in the ICRP to reduce impacts from closure of quarries and camps: - Materials from quarries and borrow sources undergo geochemical testing to confirm they are non-reactive/ non-acid generating. Additional testing will be conducted during construction and closure to ensure non-reactivity. - Borrow areas and quarries will be progressively reclaimed to maintain stable side slopes. At closure, sites will be recontoured and backfilled with overburden to restore natural drainage. - Buildings and camp infrastructure will be	by QIA in their comments on an advance draft of the Section 98 Application. In regard to QIA’s comment regarding the timelines for closing quarries, access roads, camps, based on the current construction timeline, temporary compounds will be demobilized from the Project by the sea lift after completion. This temporary construction infrastructure, including bridges and culverts, are expected to be demobilized by sealift the year following completion of construction. Quarries will be cleaned up but not fully closed until mine closure as they would potentially be used for disposal of material. The Mine Closure and Reclamation Plan was included in the FEIS (Appendix 3B). Sections 5.1.3 and 5.1.4 of the Mine Closure Plan describe the progressive reclamation of Steensby Port and the Railway, including reclamation of quarries, access roads, and construction camps. The Interim Closure and Reclamation Plan (ICRP) has been updated during the operation of the Project and includes all aspects of the Approved. Project. Baffinland continues to work with the QIA to update the ICRP as the Project progresses. Given the overall importance of reclamation and closure to Inuit and other Indigenous group, it is expected that this topic will require Baffinland’s continual attention and	prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) The quarries and camps were identified through the development of the 2012 FEIS, which formed the basis for approval of the Mary River Project, including the Steensby Railway. A number of mitigation measures and management plans related to quarries and camps were described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of quarry and camp closures, (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update and

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			Baffinland proposed various plans relevant to the topic of closure in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular: • Environmental Protection Plan (SD-41.492) • Mine closure and Reclamation Plan (SD-41.520) • Borrow Pit and Quarry Management Plan was included in the FEIS Appendix 10D (SD-41.503).	to undertaking environmental effects monitoring during the mine life mine as well as after closure. Specific Water Licence Conditions include: • Part C of the Water Licence describes the conditions applying to closure security, including the requirement for Baffinland to provide and maintain adequate closure and reclamation security with the Minister. • Schedule C of the Water Licence includes a description of the Annual Security Review process.	dismantled and removed as much as possible. Campsite areas will be stabilized and protected from erosion and failure for long-term sustainability. • Post-Closure Monitoring: will include geotechnical stability assessments, environmental site assessments, and fauna/flora monitoring. Compliance with water quality standards will be evaluated under a Closure and Post-Closure Aquatic Monitoring Program. Based on the current construction schedule (see Figure 17 of the Section 98 Application), temporary compounds will be demobilized from the Project by the sea lift after the 3 to 4 years construction period. Quarries will be cleaned up but not fully closed until mine closure as they would potentially be used for disposal of material. The long term closure plan for the Mary River Project will continue to be communicated through future regulatory application processes under NIRB. Any changes in timelines to closure will be considered and reported through relevant regulatory processes, such as the NWB and NIRB annual reporting. <u>New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012</u>	diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: Specifically: • With regards to QIA’s comment related to the closure of temporary construction infrastructure for Steensby, camps will be decommissioned and include dismantling of the water treatment and sewage treatment systems, where practical, buildings, equipment and machinery will be reused. All fuel storage containers will be drained and removed from the camp sites for disposal at an approved facility, soils suspected of hydrocarbon contamination will be tested and all disturbed areas will be regarded to restore the natural drainage of the area and will be scarified to encourage natural re-vegetation. Quarries and Borrow Pits once exhausted or no longer required, sites will be graded to maintain safe side slopes and re-establish the natural drainage of the area. • With regards to QIA question on the timeline for closure of temporary facilitates, based on the current plans as described within the Interim Closure and Reclamation Plan (ICRP), temporary compounds will be demobilized from the Project by the sea lift within a year following completion of construction. All temporary	conduct closure research and update the ICRP. The Interim Closure and Reclamation Plan (ICRP) has been included with the Section 98 Application (SD-27.67). Section 6.2 of the ICRP describe the progressive reclamation of quarries, access roads and construction camps for the Project. The ICRP has been updated during the operation of the Project and includes all aspects of the Approved Project. Baffinland continues to work with the QIA to update the ICRP as the Project progresses. Based on the current construction schedule (see Figure 17 of the Section 98 Application), temporary compounds will be demobilized from the Project by the sea lift after the 3 to 4 years construction period. Quarries will be cleaned up but not fully closed until mine closure as they would potentially be used for disposal of material. Furthermore, since 2019, mine reclamation trials have been conducted and the results can be used into closure planning for quarries, access roads and camps. The long term closure plan for the Mary River Project will continue to be communicated through future regulatory application processes under NIRB. Any changes in timelines to closure will be considered and reported through relevant regulatory processes, such as the NWB and NIRB annual reporting.

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					Baffinland has not relied only on the 2012 FEIS, and has continued to advance relevant initiatives to enhance the original propose monitoring and mitigation programs since that time as follows: In 2019, Baffinland retained Environmental Dynamics Inc. (EDI) to complete a desktop review of available practices and recent advances from Arctic mine reclamation in Canada’s northern territories and Alaska, USA. Following this, a field program to assess current conditions and establish test plots was implemented in 2019. The first field component (summer 2019) focused on surveying natural/unassisted revegetation at the Project and establishing a preliminary trial design. The second field component (summer 2021) expanded the number of survey locations and reclamation trial sites. Periodic follow-up monitoring occurred in summer 2020-2023. <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that	bridges and culverts will also be removed within a year following completion of construction. Quarries will be cleaned up but not fully closed until mine closure as they would potentially be used for disposal of material. The ICRP provides more detail then what was provided within the original Mine Closure and Reclamation Plan included in the FEIS. The ICRP has been updated during the operation of the Project and includes all aspects of the Approved Project, including the reclamation of the temporary infrastructure. Baffinland continues to work with the QIA to update the ICRP as the Project progresses.	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required in respect of the crossings once constructions, Baffinland would take action under its Adaptive Management Plan. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as closure and reclamation. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
					relate to the closure planning include: • Regulatory oversight: Compliance with Federal and Nunavut regulatory requirements, Nunavut Waters and Nunavut Surface Rights Tribunal Act, and associated inspections conducted under the Commerical Lease, Type A Water Licence, Type B Water License, Land Leases and Project Terms and Conditions require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up. • NIRB Annual Reporting and Management Plan Update Process: The Project Certificate requires that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. • The Interim Closure and Reclamation Plan (ICRP): The ICRP includes all aspects of the Approved Project. Baffinland continues to work with the QIA and other stakeholders to update		

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					the ICRP as the Project progresses. Closure and reclamation techniques and methodologies for site reclamation will continue to evolve with changes to the understanding of the Project site, stakeholder’s views, and technologies for cost effective reclamation in northern conditions. • Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed within the Stakeholder Engagement Plan (SD-74). Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.		
C. Wildlife							

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
C.1 Caribou							
Caribou	Restriction of movement and caribou crossings	Inuit and Inuit groups raised the importance of caribou during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), since 2012 Inuit community members and other community members identified: - Inuit community members have expressed concerns over the impacts that the railway may have on caribou movements. “What impact will the railway have on caribou crossing, and on general caribou movement and migration?” “The proposed railway borders migratory routes and this should be considered” “Predictions on caribou movements cannot accurately be made due to human activities and we do not know how the caribou will react to infrastructure, such as railroad tracks.” “The risk for collisions along the railroad with caribou is minor....” this statement is not true mainly because there has never been a railroad in the region, nobody knows if it will or not. There may	The topic of the railway as a source of potential impacts on caribou movements is addressed in the FEIS 2012 in several sections, including: - Volume 1 Main Document - see Executive Summary, Table 1-12.1 Summary of Residual Biophysical Effects and Section 5.2.6 Terrestrial Wildlife and Habitat for a baseline summary (SD-41) - Volume 2 Consultation, Regulatory Framework and Assessment Methodology – see Table 2-1.3 Key Community Concerns and Baffinland Response SD-41.15) and 2A Public Consultation Record (SD-41.17) and 2B Summary of Community Based Research Undertaken for the Mary River Project (SD-41.19) - Volume 6 Terrestrial Wildlife, see Section 5.0 Terrestrial Wildlife and Habitat for general caribou assessment and Section 5.4.2 Caribou Movement for the assessment of caribou movement, (SD-41.452) and baseline data Appendix 6F Terrestrial Wildlife Report (SD-41.460), Appendix 6H Energetics of Caribou (SD-41.463)	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Section 4.9: - To address the specific concerns that the railway could pose potential barriers and impediments to caribou, the NIRB recommended terms and conditions and accepted Baffinland’s commitments, which are all provided in the Application in the Table of Commitments (SD-2). Based on the mitigation and monitoring programs, the NIRB determined the Mary River Project could proceed to the regulatory stage. This decision took into account Baffinland’s significance determinations set out in the 2012 FEIS. - Given the current lows in the caribou population and the high levels of uncertainty regarding effects predictions on this population in this ecosystem, the Board has determined it is appropriate to apply an elevated standard of the precautionary approach to the potential for effects on caribou. - The Board finds that infrastructure components of the Project pose potential	New/Updated Information Provided with Section 98 Application As outlined in paragraph 102 (b) of the Section 98 Application, Baffinland has incorporated snowmobile/ATV and caribou crossings (and other caribou protection measures) into the design of the railway, the locations for which have been determined in consultation with Inuit (SD-73 Caribou Protection Measures). Per the Annual Reports to NIRB provided in the Application (see SD-59 and SD-60), Baffinland has carried ongoing Project monitoring in accordance with the Project Certificate. As Steensby components have not been constructed to date, these areas have not been included in the general project monitoring programs. Per Section 4.2 of the Stakeholder Engagement Report (SD-69), between 2007 and 2013 land use studies identified three key and two broad crossing areas, which were then subject to aerial surveys and walking transects to identify the presence of specific caribou trails. The proposed mitigation to address potential impacts to mobility include the requirement for any trails that cross or approach the Steensby Railway to have modified embankments (if necessary) to ensure the height and slope do not present a barrier to caribou moving	Current Status Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process). This is a topic that is relevant to the location of the railway, as the railway location interacts with caribou migration patterns. The current status of this item is that CTA is considering the details of Baffinland’s enclosed Approval to Construct a Railway application. CTA is considering questions regarding caribou and reviewing design and other information available in the application on this topic. Baffinland expects that this will be a matter addressed under the Approval to Construct a Railway issued by CTA. There are comprehensive mitigations developed to address the topic of caribou migration within the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic caribou migration was raised by an individual in Sanirajak during the December 2024 Federal Tour. The individual did not identify dissatisfaction with any of the specific monitoring measures proposed to date that would address their concern. Baffinland	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s conclusion are further summarized here. <u>Railway Components Relevant to Topic</u> Land use studies identified three key and two broad crossing areas for Caribou. Although the Steensby Railway general construction and design is not expected to present a barrier to caribou, Baffinland is proposing several caribou mitigation measures to address potential impacts to mobility, including the establishment of caribou crossings in specific locations where historical trails are known to be located. The modified embankments will ensure that height and slope do not present a barrier to caribou moving through the landscape. Context of Issue (Column C) Inuit individuals and groups have identified to Baffinland and the federal government that Inuit are holders of indigenous rights in relation to caribou, under the Nunavut Agreement and Section 35 of the Constitution Act. Inuit have identified the railway potential to impact on caribou migration. These concerns have been carefully taken

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		be many caribou being struck by rail because the caribou do not live in farms and are not capable of reading signs. “ In its comments on an advance draft of the Section 98 Application in August 2023, QIA asked: Baffinland states that IQ and aerial surveys have identified (3) key crossing locations where caribou are known to cross the railway alignment and that the railway will be designed in these areas to maintain permeability for caribou. It is unclear when the IQ on caribou crossings was collected and whether it is still valid. In the federal consultation tour for the Steensby Component of the Mary River Project held from December 9 to 11, 2024, a Sanirajak community member raised concerns regarding the railways impact on caribou migration. Baffinland’s proposed mitigation measures, compliance with Project commitment address this concern, in the manner described in this row.	- Volume 9 Cumulative Effects and Other Assessments, Table 9-1.4 Cumulative Effects Summary (SD-41.485) The key points included in the references to the FEIS listed above are: - Caribou are the main indicator species used to assess potential effects on terrestrial animals. The main project interaction with caribou would be when caribou cross (or attempt to cross) project roads or he rail line. - Although it is possible that individual caribou could be involved in collisions with trains these numbers are expected to be limited and will not be significant compared with total numbers in the region. - The cumulative effects assessment concluded that residual effects would also not be significant. Project features including the Milne Inlet Tote Road and the proposed Railway to Steensby Inlet and associated access road, may act cumulatively with the existing road corridor from Nanisivik to Arctic Bay to limit caribou movement. However, the significance of this interaction is considered to be negligible because the road corridor by Arctic Bay has a low traffic	barriers and impediments to terrestrial wildlife movement through the Regional Study Area and as noted by the Canadian Transportation Agency, upon the caribou populations increasing significantly and the caribou becoming more migratory, these effects may also increase as well. - The Board also would like to see clear thresholds to be developed regarding when caribou presence and movement in the vicinity of the Railway triggers immediate attention and changes to railway operations such as reduced speed or limits on train traffic. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: - Term and Condition No. 171: Baffinland shall include within its updated Terrestrial Wildlife Management and Monitoring Plan, a commitment to establish deterrents along the railway and Tote Road embankments at any areas where it is determined that caribou are utilizing the embankments or transportation corridors	through the landscape. If the regional caribou population increases and caribou start to move through the RSA more frequently, as expected based on IQ, these areas will become more heavily used and monitoring of caribou movement will become increasingly important. Operation of the railway will incorporate IQ into activity planning, particularly in movement areas, and future monitoring. The Steensby Railway has been designed to include caribou protection measures (based on Inuit knowledge, western science, and industry best practices). As outlined in the Row B.1 Safety and Emergency Response, the average stopping distance for a loaded train would be 339m to stop, and 229m for an empty train. Several caribou protection measures have been established. For example, to reduce potential interactions with caribou, Baffinland will extend a version of its “Caribou Decision Framework” to the Steensby Railway. This framework provides guidance on slow-down and stopping procedures and is already in effect for drivers on the Tote Road. Since 2021, Baffinland has carried out studies that are relevant to this interest. In particular aerial caribou survey in March 2023 covering the regional study area from Milne Port to Steensby Port to identify the location, number and composition of caribou in relation to current and future Infrastructure (see SD-83). Outcomes of this study confirmed a modest increase in caribou in the area that may benefit from	has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland’s Environmental Management System. Baffinland also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report. QIA also provided comments on the draft Section 98 application regarding the three key crossing locations and concerns about the validity of these locations. Given the overall importance of caribou protection to Inuit and other Indigenous group, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: Specifically: With respect to the specific concerns related to the impacts of the railway on caribou movement, Baffinland will establish caribou crossings in specific locations, where historical trails are known to be located. The trail location was established considering IQ and the modified embankments will facilitate movement of caribou across	into account, set out in this row Baffinland is of the view that with the measures proposed the Steensby Railway can proceed in a way that is protective of these caribou and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) In the 2012 FEIS, caribou was identified as the primary indicator species for assessing potential effects on terrestrial animals, concluding that the main project interaction with caribou would occur when they cross or attempt to cross project roads or the railway. Caribou crossings were first identified on a preliminary basis through the development of the 2012 FEIS, which formed the basis for approval of the Mary River Project, including the Steensby Railway. Based on a number of mitigation measures and management plans related to protecting caribou described in Column D, the 2012 FEIS concluded that there would be no significant effects to caribou through a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of

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			volume, and based on its position near the northern extent of the north Baffin Island caribou range, there is significantly less directional movement of caribou across that road. Future projects, including the Separation Lake hydroelectric project and the development of Deposits No. 2 to 9, will require linear features (roads and transmission lines) that could also act cumulatively with the linear disturbances from the Project to affect caribou movement. Project effects on caribou movement will be monitored and adaptive management will minimize the effects. A number of proven mitigation measures were included in the 2012 FEIS to reduce impacts on caribou and caribou movement, including: • Strict speed limits will be in place for trains, thus decreasing the probability of collision. Trains cannot stop to avoid collisions with caribou, but during seasons when large herds of caribou return, the train can cease operation until caribou move through the area. • Crossings will be provided in specific locations (historical	to facilitate movement and where such movement presents a likelihood of caribou mortality to occur. • Appendix A, Commitment 70: commitment to develop a Terrestrial Environment Mitigation and Management Plan. • Appendix A, Commitment 71: commitment to investigate any caribou mortality resulting from the project and to mitigate caribou impacts through adaptive management. • Appendix A, Commitment 69: commitment to undertake terrestrial wildlife monitoring to verify predictions. • Appendix A, Commitment 73: commitment to implement traffic controls along railway if caribou mortality rate is impacted by railway • Amendment 05, Appendix B, Commitment B1 003: commitment to undertake aerial caribou surveys (added to Project Certificate in 2023) • Amendment 05, Appendix B, Commitment B1 005: commitment to work with the Hamlets and HTOs of Igloolik and Sanirajak to carry out additional baseline studies for terrestrial wildlife related to Steensby (added to	additional monitoring. Baffinland has been actively working with the Government of Nunavut, QIA and HTO chairs through the Terrestrial Environment Working Group on the scope of future field surveys for caribou in the Steensby Railway area. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 • Additional activity suspension procedures for the railway will be developed as required in consultation with the Terrestrial Environment Working Group and communities through rail specific workshops. • Wildlife crossings are being designed to promote expeditious crossing by maintaining a relatively narrow, direct link between trails on either side of the railway. • The mitigation and monitoring plans established under the Project Certificate continue to be considered robust and as such, no revisions or amendments are proposed at this time in relation to the Section 98 Application. However, Baffinland is committed to work with QIA and participants in the NIRB process as relevant plans are developed to support Steensby	the track. Snow banks will be reduced where needed to allow caribou to cross. Additional activity suspension procedures for the railway will be developed as required in consultation with the Terrestrial Environment Working Group and communities through rail specific workshops. Although the Steensby Railway general construction and design is not expected to present a barrier to caribou, this mitigation measure will reduce potential barriers for crossing. • With respect to the specific concerns related to caribou collisions with the train, the 2012 FEIS concluded that although it is possible that individual caribou could be involved in collisions with trains, these numbers are expected to be limited and will not be significant compared with total numbers in the region. To reduce potential interactions with caribou, Baffinland will extend a version of its “Caribou Decision Framework” to the Steensby Railway. This framework provides guidance on slow-down and stopping procedures and is already in effect for drivers on the Tote Road. Caribou mortality will be readily reduced by adjusting speed limits, seasonal traffic limits, regular monitoring of caribou numbers and proximity to transportation corridors, and a no-hunting policy for staff while on-site.	Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of caribou (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update and collect supplemental baseline information to support detailed engineering and the Application to Construct a Railway, as outlined in Column F of this row. In response to concerns expressed by localities related to caribou and potential effects on caribou migration, Baffinland has incorporated snowmobile/ATV and caribou crossings (and other caribou protection measures) into the design of the railway, the locations for which have been determined in consultation with Inuit (SD-73 Caribou Protection Measures). If the regional caribou population increases and caribou start to move through the RSA more frequently, as expected based on IQ, these areas will become more heavily used and monitoring of caribou movement will become increasingly important. Operation of the

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			trails) for easy movement of animals across the track. - Snowbanks will be reduced where needed to allow caribou to cross. - Transitioning to a rail operation to displace an average of 236 daily ore haul truck transits which reduces the chance of caribou and truck collision - The Railway embankment will be constructed of finer fill material and graded at the five trails that might result in a barrier to caribou movement across the Railway embankment. Finer fill will replicate natural trail conditions, preventing leg entrapment, and gentler gradients will reduce the visual barrier of the embankments. Railway operators will be made aware of the crossing areas, and will be required to report any caribou sighting along the railway. - If caribou mortality were to increase as a direct result of the project, the effects can be readily mitigated by increasing traffic controls including seasonal traffic limitations of both the tote road (during years of equipment mobilization) and rail. Timing and duration of	Project Certificate in 2023) - Amendment 05, Appendix B, Commitment B1 018: commitment to work with QIA to develop Inuit objectives, indicators, thresholds and responses for adaptive management related to caribou (added to Project Certificate in 2023) - Amendment 05, Appendix B, Commitment B1 064a: Baffinland to resource a study carried out by QIA of North Baffin caribou. (added to Project Certificate in 2023) Specific IIBA Conditions that are relevant to address this item are: - Condition 17.6.1, page 118: Wildlife compensation fund of \$750,000 to be funded by Baffinland with a claims process implemented by QIA. - Condition 17.8.2, page 119: Wildlife Monitoring program specific to the research interests of Pond Inlet provides opportunity for Inuit to lead research related to caribou movement.	construction and operation <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to caribou include: Regulatory oversight: Compliance with Federal and Nunavut regulatory requirements, and associated inspections conducted under the Project Terms and Conditions require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up. Project Certificate Terms and Conditions: Several Terms and Conditions, such as Appendix A, Commitment 71 listed in column E requires Baffinland to include adaptive management measures in its management plans and operations. NIRB Annual Reporting and Management Plan Update Process: The Project Certificate requires that Baffinland ensure all relevant management plans are	With respect to QIA’s questions regarding when the IQ on caribou crossings was collected and whether it is still valid, the IQ collection for the Mary River Project occurred between 2006 and 2011, through caribou-focused working groups. It was validated through public meetings. In 2023, Baffinland presented the locations of the caribou crossings and key access corridors to communities. As described in Column D, E and F, within the response, Traditional knowledge (Inuit Qaujimajatuqangit) and current local knowledge were the primary source of information on caribou in the Project area. Baffinland integrated the information collected in the effects assessment and also used it to inform identification of mitigation measures. Between April and July 2023, Baffinland presented the locations of the caribou general access and key access corridors to Hamlet and HTO representatives and will continue to engage land users and knowledge holders throughout the remainder of the planning and construction period to ensure adequate installation of caribou crossings. This can also continue through operations as new information is provided. The rail embankment can be modified with equipment that will be at site for maintaining the railway	railway will incorporate IQ into activity planning, particularly in movement areas, and future monitoring. In its engagement sessions, Baffinland committed to quickly and proactively address Inuit concerns relating to the Project as they arise. This includes concerns relating to caribou and caribou migrations. Baffinland has also incorporated lessons learned from the current project operations in its proposed caribou mitigation measures, including the Caribou Management Framework. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required in respect of the crossings once constructions, Baffinland would take action under its Adaptive Management Plan. Baffinland’s Section 98 Application shows that it has already taken steps to prevent impacts on caribou during construction and operations.

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			limitations will be determined by repeated on-site observations of caribou behaviour along the transportation corridors as the project proceeds through construction and operation. Baffinland proposed various plans relevant to the topic of caribou movements in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular: • Environmental Protection Plan (SD-41.492) • Railway Maintenance Management Plan (SD-41.508) • Railway Emergency Response Plan (SD-41.509) • Terrestrial Environment Mitigation and Monitoring Plan (SD-41.512)		updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. • Terrestrial Environmental Working Group: This advisory body is intended to provide advice, guidance and enforceable recommendations regarding adding to and improving baseline information, mitigation measures for the protection of the terrestrial environment (including caribou), assessing the accuracy of impact predictions, and the development and implementation of adaptive management plans. • Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed within the Stakeholder Engagement Plan (SD-74). • Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as	line, so that if any areas require the installation of new caribou crossings, Baffinland is equipped and prepared to do that. • With respect to concerns raised about caribou migration, Baffinland’s monitoring program for caribou include aerial surveys, tracking of incidental observations of caribou, remote motion-sensing cameras set up at select trails that cross or approach the railway, and the potential for a collaring program triggered if abundance monitoring information points to caribou avoidance of RSA. Wildlife monitoring will also be completed by HTO. Caribou Mortality will be monitored by tracking any mortality losses from the project and indirect impacts using a region wide hunter harvest study. Caribou health will also be monitored through the Vegetation Health monitoring program and the hunter-harvest study which will investigate concentration of metal in caribou tissues. These monitoring plans established under the Project Certificate continue to be considered robust and as such, no revisions or amendments are proposed at this time. Baffinland will incorporate the Steensby Railway into its monitoring programs, as required under the Project Certificate, and will involve Inuit in the	Baffinland has made meaningful efforts to prevent effects caribou from construction and operation of crossings through its proposed mitigation and monitoring plans and compliance with all government approvals, which include the Project Certificate No. 005. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as caribou concerns. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.

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					needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.	development and implementation of those monitoring programs.	
	Potential train speeds to impact caribou	Inuit and Inuit groups raised the importance of caribou during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), since 2012 Inuit community members and other community members identified: - Inuit community members have expressed concerns over the impacts that the railway may have on caribou. “The risk for collisions along the railroad with caribou is minor....” this statement is not true mainly because there has never been a railroad in the region, nobody knows if it will or not. There may be many caribou being struck by rail because the caribou do not live in farms and are not capable of reading signs. “ - Based on my understanding of train speed and weight, it would be impossible to stop. My question is, will there be a spotter up	The topic of the railway as a source of potential impacts on caribou movements is addressed in the FEIS 2012 in several sections, including: - Volume 1 Main Document - see Executive Summary, Table 1-12.1 Summary of Residual Biophysical Effects and Section 5.2.6 Terrestrial Wildlife and Habitat for a baseline summary (SD-41) - Volume 2 Consultation, Regulatory Framework and Assessment Methodology – see Table 2-1.3 Key Community Concerns and Baffinland Response SD-41.15) and 2A Public Consultation Record (SD-41.17) and 2B Summary of Community Based Research Undertaken for the Mary River Project (SD-41.19) - Volume 6 Terrestrial Wildlife, see Section 5.0 Terrestrial Wildlife and Habitat for general caribou assessment and Section 5.4.3 Caribou Mortality for the assessment of caribou	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Section 4.9: - To address the specific concerns that the railway could pose potential barriers and impediments to caribou, the NIRB recommended terms and conditions and accepted Baffinland’s commitments, which are all provided in the Application in the Table of Commitments (SD-2). Based on the mitigation and monitoring programs, the NIRB determined the Mary River Project could proceed to the regulatory stage. This decision took into account Baffinland’s significance determinations set out in the 2012 FEIS. - Given the current lows in the caribou population and the high levels of uncertainty regarding effects predictions on this population in this ecosystem, the Board has determined it is appropriate to apply an elevated standard of the	New/Updated Information Provided with Section 98 Application The Steensby Railway has been designed to include caribou protection measures (based on Inuit knowledge, western science, and industry best practices). As outlined in the Row B.1 Safety and Emergency Response, the average stopping distance for a loaded train would be 339m to stop, and 229m for an empty train. Several caribou protection measures have been established. As outlined in paragraph 102 (c) of the Section 98 Application, in order to reduce potential interactions with caribou, Baffinland will extend a version of its “Caribou Decision Framework” to the Steensby Railway. This framework provides guidance on slow-down and stopping procedures, and is already in effect for drivers on the Tote Road. Per the Annual Reports to NIRB provided in the Application (see SD-59 and SD-60), Baffinland has carried ongoing Project monitoring in accordance with the Project Certificate. As Steensby components have not been	Current Status Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process). This is a topic that is relevant to the location of the railway, as the railway location interacts with caribou migration patterns and potential for mortality of caribou. The current status of this item is that CTA is currently considering the details of Baffinland’s enclosed Approval to Construct a Railway application. CTA is considering questions regarding caribou crossings and reviewing design and other information available in the application on this topic. Baffinland expects that this will be a matter addressed under the Approval to Construct a Railway issued by CTA. There are comprehensive mitigations developed to address the topic of caribou migration and caribou mortality within the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s position are further summarized here. <u>Railway Components Relevant to Topic</u> Per the 2012 FEIS, the Project will have a not significant effect on overall north Baffin Island caribou mortality, as mortality on caribou is readily reduced by adjusting speed limits, seasonal traffic limits, regular monitoring of caribou numbers and proximity to transportation corridors, and a no-hunting policy for staff while on-site. To reduce potential interactions with caribou, Baffinland will extend a version of its “Caribou Decision Framework” to the Steensby Railway. This framework provides guidance on slow-down and stopping procedures, and is already in effect for drivers on the Tote Road. Context of Issue (Column C)

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
		front, or something to chase caribou away, or will we be compensated for dead and dying caribou [those hit by the train]? In the federal consultation tour for the Steensby Component of the Mary River Project held from December 9 to 11, 2024, a Pond Inlet community member raised concerns regarding the train speeds and its impact on caribou. Baffinland’s proposed mitigation measures, compliance with Project commitment address this concern, in the manner described in this row.	mortality, (SD-41.452) and baseline data Appendix 6F Terrestrial Wildlife Report (SD-41.460), Appendix 6H Energetics of Caribou (SD-41.463) - Volume 9 Cumulative Effects and Other Assessments, Table 9-1.4 Cumulative Effects Summary (SD-41.485) The key points included in the references to the FEIS listed above are: - Caribou mortality may increase as a direct result of the project through collisions, or indirectly through increased harvesting access. Project related activities could directly cause wildlife mortality through collisions with vehicles (trains, planes, and automobiles) or through problem animal kills; and indirectly cause higher mortality through increased hunter harvest because of easier access into hunting areas or greater knowledge about caribou in the area. Increased mortality because of project infrastructure or activities would result in reduced caribou abundance in the RSA. - We are highly confident that the Project will have a not significant effect on overall north Baffin Island caribou mortality as	precautionary approach to the potential for effects on caribou. - The Board also would like to see clear thresholds to be developed regarding when caribou presence and movement in the vicinity of the Railway triggers immediate attention and changes to railway operations such as reduced speed or limits on train traffic. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: - Term and Condition NO. 171: Baffinland shall include within its updated Terrestrial Wildlife Management and Monitoring Plan, a commitment to establish deterrents along the railway and Tote Road 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. - Appendix A, Commitment 70: commitment to develop a Terrestrial	constructed to date, these areas have not been included in the general project monitoring programs. Per Section 4.2 of the Stakeholder Engagement Report (SD-69), between 2007 and 2013 land use studies identified three key and two broad crossing areas, which were then subject to aerial surveys and walking transects to identify the presence of specific caribou trails. The proposed mitigation to address potential impacts to mobility include the requirement for any trails that cross or approach the Steensby Railway to have modified embankments (if necessary) to ensure the height and slope do not present a barrier to caribou moving through the landscape. If the regional caribou population increases and caribou start to move through the RSA more frequently, as expected based on IQ, these areas will become more heavily used and monitoring of caribou movement will become increasingly important. Operation of the railway will incorporate IQ into activity planning, particularly in movement areas, and future monitoring. Since 2021, Baffinland has carried out studies that are relevant to this interest. In particular aerial caribou survey in March 2023 covering the regional study area from Milne Port to Steensby Port to identify the location, number and composition of caribou in relation to current and future Infrastructure (see SD-83). Outcomes of this study confirmed a modest increase in caribou in the area that may benefit from	acknowledged that the topic of trains speeds impacting caribou was raised by an individual in Sanirajak during the December 2024 Federal Tour. It is noted that strict speed limits will be in place for trains, thus decreasing the probability of collision. Trains cannot always stop to avoid collisions with caribou, but a Caribou Management Framework will be implemented to reduce interactions. The individual did not identify dissatisfaction with any of the specific mitigation measures proposed to date that would address their concern. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland’s Environmental Management System. Baffinland also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report. Given the overall importance of caribou protection to Inuit and other Indigenous group, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: Specifically: With respect to concerns related to the impacts of the	Inuit individuals and groups have identified to Baffinland and the federal government that Inuit are holders of indigenous rights in relation to caribou, under the Nunavut Agreement and Section 35 of the Constitution Act. Inuit have identified the railway potential to impact on caribou mortality. These concerns have been carefully taken into account, set out in this row Baffinland is of the view that with the measures proposed the Steensby Railway can proceed in a way that is protective of these caribou and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) The caribou crossings were first identified on a preliminary basis through the development of the 2012 FEIS, which formed the basis for approval of the Mary River Project, including the Steensby Railway. Based on a number of mitigation measures and management plans related to protecting caribou described in Column D, the 2012 FEIS concluded that there would be no significant effects to caribou through a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E)

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			mortality on caribou is readily reduced by adjusting speed limits, seasonal traffic limits, regular monitoring of caribou numbers and proximity to transportation corridors, and a no-hunting policy for staff while on-site. A number of proven mitigation measures were included in the 2012 FEIS to reduce potential effects caribou and caribou mortality, including: • Strict speed limits will be in place for trains, thus decreasing the probability of collision. Trains cannot stop to avoid collisions with caribou, but during seasons when large herds of caribou return, the train can cease operation until caribou move through the area. • Crossings will be provided in specific locations (historical trails) for easy movement of animals across the track. • Snowbanks will be reduced where needed to allow caribou to cross. • Transitioning to a rail operation to displace an average of 236 daily ore haul truck transits which reduces the chance of caribou and truck collision • Record of collision on Railway and tote road,	Environment Mitigation and Management Plan. • Appendix A, Commitment 71: commitment to investigate any caribou mortality resulting from the project and to mitigate caribou impacts through adaptive management. • Appendix A, Commitment 69: commitment to undertake terrestrial wildlife monitoring to verify predictions. • Appendix A, Commitment 73: commitment to implement traffic controls along railway if caribou mortality rate is impacted by railway • Amendment 05, Appendix B, Commitment B1 003: commitment to undertake aerial caribou surveys (added to Project Certificate in 2023) • Amendment 05, Appendix B, Commitment B1 005: commitment to work with the Hamlets and HTOs of Igloolik and Sanirajak to carry out additional baseline studies for terrestrial wildlife related to Steensby (added to Project Certificate in 2023) • Amendment 05, Appendix B, Commitment B1 018: commitment to work with QIA to develop Inuit objectives, indicators, thresholds and responses for adaptive management related to caribou (added	additional monitoring. Baffinland has been actively working with the Government of Nunavut, QIA and HTO chairs through the Terrestrial Environment Working Group on the scope of future field surveys for caribou in the Steensby Railway area. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Baffinland has not relied only on the 2012 FEIS, and has continued to advance relevant initiatives to enhance the original propose monitoring and mitigation programs since that time as follows: • Additional activity suspension procedures for the railway will be developed as required in consultation with the Terrestrial Environment Working Group and communities through rail specific workshops. • Wildlife crossings are being designed to promote expeditious crossing by maintaining a relatively narrow, direct link between trails on either side of the railway. • The mitigation and monitoring plans established under the Project Certificate continue to be considered robust and as such, no revisions or amendments are proposed at this time in	railway on caribou movement, Baffinland will establish caribou crossings in specific locations, where historical trails are known to be located. The trail locations were established considering IQ and the modified embankments will facilitate movement of caribou across the track. Although the Steensby Railway general construction and design is not expected to present a barrier to caribou, this mitigation measure will reduce potential barriers for crossing. Furthermore, snowbanks will be reduced where needed to allow caribou to cross. As required, additional activity suspension procedures for the railway will be developed in consultation with the Terrestrial Environment Working Group and communities through rail specific workshops. • With respect to concerns about caribou collisions with the train, the Project will have a not significant effect, as identified within the FEIS 2012, on overall north Baffin Island caribou mortality as mortality on caribou is readily reduced by adjusting speed limits, seasonal traffic limits, regular monitoring of caribou numbers and proximity to transportation corridors, and a no-hunting policy for staff while on-site. Furthermore, the average stopping distance for a loaded train would be 339m to stop, and 229m for an empty train. To reduce	The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of caribou (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update and collect supplemental baseline information to support detailed engineering), as outlined in Column F of this row. As described within the Stakeholder Engagement Report (see SD-69, Section 7.4.2), in response to concerns expressed by localities related to caribou and potential effects on caribou mortality, Baffinland has added additional activity suspension procedures for the railway, which will be developed as required in consultation with the Terrestrial Environment Working Group and communities through rail specific workshops. Furthermore, wildlife crossings are being designed to promote expeditious crossing by maintaining a relatively narrow, direct link between trails on either

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			record of all observed wildlife mortality reported by personnel Baffinland proposed various plans relevant to the topic of caribou in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular: - Environmental Protection Plan (SD-41.492) - Railway Maintenance Management Plan (SD-41.508) - Terrestrial Environment Mitigation and Monitoring Plan (SD-41.512)	to Project Certificate in 2023) - Amendment 05, Appendix B, Commitment B1 064a: Baffinland to resource a study carried out by QIA of North Baffin caribou. (added to Project Certificate in 2023) Specific IIBA Conditions that are relevant to address this item are: - Condition 17.6.1, page 118: Wildlife compensation fund of \$750,000 to be funded by Baffinland with a claims process implemented by QIA. - Condition 17.8.2, page 119: Wildlife Monitoring program specific to the research interests of Pond Inlet provides opportunity for Inuit to lead research related to caribou movement.	relation to the Section 98 Application. However, Baffinland is committed to work with QIA and participants in the NIRB process as relevant plans are developed to support Steensby construction and operation <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to the caribou include: Regulatory oversight: Compliance with Federal and Nunavut regulatory requirements, and associated inspections conducted under the Project Terms and Conditions require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up. Project Certificate Terms and Conditions: Several Terms and Conditions, such as Appendix A, Commitment 71 listed in column E requires Baffinland to include adaptive management measures in its	potential interactions with caribou, Baffinland will extend a version of its “Caribou Decision Framework” to the Steensby Railway. This framework provides guidance on slow-down and stopping procedures and is already in effect for drivers on the Tote Road. Baffinland will incorporate the Steensby Railway into its monitoring programs, as required under the Project Certificate, and will involve Inuit in the development and implementation of those monitoring programs.	side of the railway to reduce potential mortality. Baffinland has also incorporated lessons learned from the current project operations in its proposed caribou mitigation measures, such as the adaptation of the Caribou Management Framework currently used on the Tote Road to be suitable for use on the Steensby Railway. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required in respect of the crossings once constructions, Baffinland would take action under its Adaptive Management Plan. Baffinland’s Section 98 Application shows that it has already taken steps to prevent impacts on caribou during construction and operations. Baffinland has made meaningful efforts to prevent effects to caribou through its proposed mitigation and monitoring plans

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
					management plans and operations. • NIRB Annual Reporting and Management Plan Update Process: The Project Certificate requires that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. • Terrestrial Environmental Working Group: This advisory body is intended to provide advice, guidance and enforceable recommendations regarding adding to and improving baseline information, mitigation measures for the protection of the terrestrial environment (including caribou), assessing the accuracy of impact predictions, and the development and implementation of adaptive management plans. • Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and		and compliance with all government approvals, which include the Project Certificate No. 005. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as caribou concerns. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
					grievances as detailed within the Stakeholder Engagement Plan (SD-74). Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.		
	Potential for installation of wildlife cameras along railway route to monitor caribou migration patterns	Inuit and Inuit groups raised the importance of caribou during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), since 2012 Inuit community members and other community members identified: - Inuit community members have expressed concerns over the impacts that the railway may have on caribou movements. “Predictions on caribou movements cannot accurately be made due to human activities and we do not know how the caribou will react to infrastructure, such as railroad tracks.”	The topic of the railway as a source of potential impacts on caribou movements is addressed in the FEIS 2012 in several sections, including: - Volume 1 Main Document - see Executive Summary, Table 1-12.1 Summary of Residual Biophysical Effects and Section 5.2.6 Terrestrial Wildlife and Habitat for a baseline summary (SD-41) - Volume 2 Consultation, Regulatory Framework and Assessment Methodology – see Table 2-1.3 Key Community Concerns and Baffinland Response SD-41.15) and 2A Public Consultation Record (SD-41.17) and 2B Summary of Community Based Research	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Section 4.9: To address the specific concerns that the railway could pose potential barriers and impediments to caribou, the NIRB recommended terms and conditions and accepted Baffinland’s commitments, which are all provided in the Application in the Table of Commitments (SD-2). Based on the mitigation and monitoring programs, the NIRB determined the Mary River Project could proceed to the regulatory stage. This decision took into account Baffinland’s significance determinations set out in the 2012 FEIS.	New/Updated Information Provided with Section 98 Application As outlined in paragraph 102 (b) of the Section 98 Application, Baffinland has incorporated snowmobile/ATV and caribou crossings (and other caribou protection measures) into the design of the railway, the locations for which have been determined in consultation with Inuit (SD-73 Caribou Protection Measures). Per the Annual Reports to NIRB provided in the Application (see SD-59 and SD-60), Baffinland has carried ongoing Project monitoring in accordance with the Project Certificate. As Steensby Components have not been constructed to date, these areas have not been included in the general project monitoring programs.	Current Status Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process). This is a topic that is relevant to the location of the railway, as the railway location interacts with caribou migration patterns. There are comprehensive mitigations developed to address the topic of caribou migration and caribou monitoring within the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of installation of wildlife cameras was raised by an individual in Sanirajak during the December 2024 Federal Tour. It is noted that the use of	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s position are further summarized here. <u>Project Components Relevant to Topic</u> Baffinland implements a robust terrestrial monitoring program, which will be extended to include the Steensby Railway. Baffinland’s monitoring program for caribou will include aerial surveys, tracking of incidental observations of caribou, remote motion-sensing cameras set up at select trails that cross or approach the railway, and the potential for a collaring program triggered if abundance monitoring information points to caribou avoidance of RSA.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
		In the federal consultation tour for the Steensby Component of the Mary River Project held from December 9 to 11, 2024, a Sanirajak community member raised concerns regarding the potential for installing cameras to see if caribou migration is impacted. Baffinland’s proposed mitigation measures, compliance with Project commitment address this concern, in the manner described in this row.	Undertaken for the Mary River Project (SD-41.19) - Volume 6 Terrestrial Wildlife, see Section 5.0 Terrestrial Wildlife and Habitat for general caribou assessment and Section 5.4.2 Caribou Movement for the assessment of caribou movement, (SD-41.452) and baseline data Appendix 6F Terrestrial Wildlife Report (SD-41.460), Appendix 6H Energetics of Caribou (SD-41.463) - Volume 9 Cumulative Effects and Other Assessments, Table 9-1.4 Cumulative Effects Summary (SD-41.485) The key points included in the references to the FEIS listed above are: - As described within the Terrestrial Environment Mitigation and Monitoring Plan, the monitoring program will monitor the effects of railway infrastructure and operations on caribou movements through seasonal track surveys every three years in key movement areas, and remote motion-sensing cameras set up at select trails that cross or approach the railway. If it is deemed necessary, additional monitoring of caribou movements could involve having wildlife	- Given the current lows in the caribou population and the high levels of uncertainty regarding effects predictions on this population in this ecosystem, the Board has determined it is appropriate to apply an elevated standard of the precautionary approach to the potential for effects on caribou. - The Board finds that infrastructure components of the Project pose potential barriers and impediments to terrestrial wildlife movement through the Regional Study Area and as noted by the Canadian Transportation Agency, upon the caribou populations increasing significantly and the caribou becoming more migratory, these effects may also increase as well. - The Board also would like to see clear thresholds to be developed regarding when caribou presence and movement in the vicinity of the Railway triggers immediate attention and changes to railway operations such as reduced speed or limits on train traffic. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are:	Per Section 4.2 of the Stakeholder Engagement Report (SD-69), between 2007 and 2013 land use studies identified three key and two broad crossing areas, which were then subject to aerial surveys and walking transects to identify the presence of specific caribou trails. The proposed mitigation to address potential impacts to mobility include the requirement for any trails that cross or approach the Steensby Railway to have modified embankments (if necessary) to ensure the height and slope do not present a barrier to caribou moving through the landscape. If the regional caribou population increases and caribou start to move through the RSA more frequently, as expected based on IQ, these areas will become more heavily used and monitoring of caribou movement will become increasingly important. Operation of the railway will incorporate IQ into activity planning, particularly in movement areas, and future monitoring. Since 2021, Baffinland has carried out studies that are relevant to this interest. In particular aerial caribou survey in March 2023 covering the regional study area from Milne Port to Steensby Port to identify the location, number and composition of caribou in relation to current and future Infrastructure (see SD-83). Outcomes of this study confirmed a modest increase in caribou in the area that may benefit from additional monitoring. Baffinland has been actively working with the Government of Nunavut, QIA and HTO chairs through the Terrestrial Environment Working Group on the	wildlife camera is already anticipated as a monitoring strategy within the Terrestrial Environment Mitigation and Monitoring Plan as detailed in column D. The individual did not identify dissatisfaction with any of the specific monitoring measures proposed to date that would address their concern. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland’s Environmental Management System. Baffinland also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report. Given the overall importance of caribou protection to Inuit and other Indigenous group, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: Specifically: With respect to concerns related to the impacts of the railway on caribou movement, Baffinland will establish caribou crossings in specific locations, where historical trails are known to be located. The trail locations were established considering IQ and	Context of Issue (Column C) Inuit individuals and groups have identified to Baffinland and the federal government that Inuit are holders of indigenous rights in relation to caribou, under the Nunavut Agreement and Section 35 of the Constitution Act. Inuit have identified the railway potential to impact on caribou migration. These concerns have been carefully taken into account, set out in this row Baffinland is of the view that with the measures proposed the Steensby Railway can proceed in a way that is protective of these caribou and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) The 2012 FEIS included a description of proposed monitoring programs, which formed the basis for approval of the Mary River Project, including the Steensby Railway. Based on a number of mitigation measures and management plans related to protecting caribou described in Column D, the 2012 FEIS concluded that there would be no significant effects to caribou through a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E)

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			monitors visit the 52 identified trails once annually to document recent use (the focus of this work would be to determine if caribou are crossing the transportation infrastructure), and/or having wildlife monitors ride the trail and drive project roads once a month (when daylight allows sufficient visibility) to count the number of caribou in the area. - Caribou Mortality will be monitored by tracking any mortality losses from the project and indirect impacts using a region wide hunter harvest study. Caribou health will also be monitored through the Vegetation Health monitoring program and the hunter-harvest study which will investigate concentration of metal in caribou tissues. - The cumulative effects assessment concluded that residual effects would also not be significant. Project features including the Milne Inlet Tote Road and the proposed Railway to Steensby Inlet and associated access road, may act cumulatively with the existing road corridor from Nanisivik to Arctic Bay to limit caribou movement. However, the	- Term and Condition No. 171: Baffinland shall include within its updated Terrestrial Wildlife Management and Monitoring Plan, a commitment to establish deterrents along the railway and Tote Road 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. - Appendix A, Commitment 70: commitment to develop a Terrestrial Environment Mitigation and Management Plan. - Appendix A, Commitment 69: commitment to undertake terrestrial wildlife monitoring to verify predictions. - Amendment 05, Appendix B, Commitment B1 003: commitment to undertake aerial caribou surveys (added to Project Certificate in 2023) - Amendment 05, Appendix B, Commitment B1 005: commitment to work with the Hamlets and HTOs of Igloolik and Sanirajak to carry out additional baseline studies for terrestrial wildlife related to Steensby (added to	scope of future field surveys for caribou in the Steensby Railway area. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Baffinland has not relied only on the 2012 FEIS, and has continued to advance relevant initiatives to enhance the original propose monitoring and mitigation programs since that time as follows: - Additional activity suspension procedures for the railway will be developed as required in consultation with the Terrestrial Environment Working Group and communities through rail specific workshops. - Wildlife crossings are being designed to promote expeditious crossing by maintaining a relatively narrow, direct link between trails on either side of the railway. - The mitigation and monitoring plans established under the Project Certificate continue to be considered robust and as such, no revisions or amendments are proposed at this time in relation to the Section 98 Application. However, Baffinland is committed to work with QIA and participants in the NIRB	the modified embankments will facilitate movement of caribou across the track. Although the Steensby Railway general construction and design is not expected to present a barrier to caribou, this mitigation measure will reduce potential barriers for crossing. Furthermore, snowbanks will be reduced where needed to allow caribou to cross. As required, additional activity suspension procedures for the railway will be developed in consultation with the Terrestrial Environment Working Group and communities through rail specific workshops. With respect to suggestions to install wildlife cameras to monitor caribou movements, Baffinland’s monitoring program for caribou will include aerial surveys, tracking of incidental observations of caribou, remote motion-sensing cameras set up at select trails that cross or approach the railway, and the potential for a collaring program triggered if abundance monitoring information points to caribou avoidance of RSA. Wildlife monitoring will also be completed by HTO. Caribou Mortality will be monitored by tracking any mortality losses from the project and indirect impacts using a region wide hunter harvest study. Caribou health will also be monitored through the Vegetation Health monitoring program and the	The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of caribou (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update and collect supplemental baseline information to support detailed engineering), as outlined in Column F of this row. As described within the Stakeholder Engagement Report (see SD-69, Section 7.4.2), in response to concerns expressed by localities related to caribou and potential effects on caribou migration, Baffinland has incorporated snowmobile/ATV and caribou crossings (and other caribou protection measures) into the design of the railway, the locations for which have been determined in consultation with Inuit (SD-73 Caribou Protection Measures). If the regional caribou population increases and caribou start to move through the RSA

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			significance of this interaction is considered to be negligible because the road corridor by Arctic Bay has a low traffic volume, and based on its position near the northern extent of the north Baffin Island caribou range, there is significantly less directional movement of caribou across that road. Future projects, including the Separation Lake hydroelectric project and the development of Deposits No. 2 to 9, will require linear features (roads and transmission lines) that could also act cumulatively with the linear disturbances from the Project to affect caribou movement. Project effects on caribou movement will be monitored and adaptive management will minimize the effects. A number of proven mitigation measures were included in the 2012 FEIS to improve caribou monitoring, including: - Collaring program triggered if abundance monitoring information points to caribou avoidance of RSA. - Wildlife monitoring by HTO Baffinland proposed various plans relevant to the topic of caribou movements and monitoring in	Project Certificate in 2023) - Amendment 05, Appendix B, Commitment B1 018: commitment to work with QIA to develop Inuit objectives, indicators, thresholds and responses for adaptive management related to caribou (added to Project Certificate in 2023) - Amendment 05, Appendix B, Commitment B1 064a: Baffinland to resource a study carried out by QIA of North Baffin caribou. (added to Project Certificate in 2023) Specific IIBA Conditions that are relevant to address this item are: - Condition 17.6.1, page 118: Wildlife compensation fund of \$750,000 to be funded by Baffinland with a claims process implemented by QIA. - Condition 17.8.2, page 119: Wildlife Monitoring program specific to the research interests of Pond Inlet provides opportunity for Inuit to lead research related to caribou movement.	process as relevant plans are developed to support Steensby construction and operation <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to the caribou include: Regulatory oversight: Compliance Federal and Nunavut regulatory requirements, and associated inspections conducted under the Project Terms and Conditions require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up. Project Certificate Terms and Conditions: Several Terms and Conditions, such as Amendment 05, Appendix B, Commitment B1 018 listed in column E requires Baffinland to include adaptive management measures in its management plans and operations. NIRB Annual Reporting and Management Plan Update Process: The Project Certificate	hunter-harvest study which will investigate concentration of metal in caribou tissues. These monitoring plans established under the Project Certificate continue to be considered robust and as such, no revisions or amendments are proposed at this time. Baffinland will incorporate the Steensby Railway into its monitoring programs, as required under the Project Certificate, and will involve Inuit in the development and implementation of those monitoring programs.	more frequently, as expected based on IQ, these areas will become more heavily used and monitoring of caribou movement will become increasingly important. Operation of the railway will incorporate IQ into activity planning, particularly in movement areas, and future monitoring. In its engagement sessions, Baffinland committed to quickly and proactively address Inuit concerns relating to the Project as they arise. This includes concerns relating to caribou and caribou migrations. Baffinland has also incorporated lessons learned from the current project operations in its proposed caribou mitigation measures. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required with respect to caribou, Baffinland would take action under its Adaptive Management Plan. Baffinland’s Section 98 Application shows that it has already taken

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			Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular: • Environmental Protection Plan (SD-41.492) • Railway Maintenance Management Plan (SD-41.508) • Terrestrial Environment Mitigation and Monitoring Plan (SD-41.512)		requires that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. • Terrestrial Environmental Working Group: This advisory body is intended to provide advice, guidance and enforceable recommendations regarding adding to and improving baseline information, mitigation measures for the protection of the terrestrial environment (including caribou), assessing the accuracy of impact predictions, and the development and implementation of adaptive management plans. • Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed within the Stakeholder Engagement Plan (SD-74). • Baffinland Adaptive Management Plan: Baffinland uses the		steps to prevent impacts on caribou during construction and operations. Baffinland has made meaningful efforts to prevent effects caribou through its proposed mitigation and monitoring plans and compliance with all government approvals, which include the Project Certificate No. 005. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as caribou concerns. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.

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					outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.		
C.2 Fish							
Fish	Fish protection: Potential impacts on fish migration, spawning and Arctic Char	Inuit and Inuit groups raised the importance of protection of fish during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), since 2012 Inuit community members and other community members identified: - Concerns regarding potential for effects on fish and fish passage during construction and operation of water course crossings for Railway - Concerns regarding effects on water quality and fish due to use of explosives and effects associated with use of metal culverts During the federal consultation tour for the Steensby Component of the Mary River Project held from	The topic of the railway as a source of potential impacts on fish during construction and operation and railway operations is addressed in the FEIS 2012 in several sections, including: - Volume 1 Main Document - see Executive Summary, Table 1-12.1 Summary of Residual Biophysical Effects (SD-41) - Volume 2 Consultation, Regulatory Framework and Assessment Methodology – see Table 2-1.3 Key Community Concerns and Baffinland Response SD-41.15) and 2A Public Consultation Record (SD-41.17) and 2B Summary of Community Based Research Undertaken for the Mary River Project (SD-41.19) - Volume 7 Freshwater Environment (SD-41.464), see Section 2.0 Freshwater Quality, Section 3.0 Water and	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Section 4.8.3: - The NIRB indicated that continued assessment of the potential and direct impacts of the Project on the mortality of arctic char and other freshwater organism will need to be conducted throughout the life of the Project. - Adequate continual monitoring and adaptive management strategies will need to be instituted to ensure that the potential impacts to the freshwater aquatic environment is prevented or minimized. Adequate compensation to affected communities may need to be determined for fish mortalities directly or indirectly attributable to the Project.	New/Updated Information Provided with Section 98 Application As part of the Section 98 Application, Baffinland has shared its application for its freshwater Fisheries Act Authorizations (SD-38), which includes fish protection measures such as retaining a qualified environmental professional to ensure appropriate protocols are applied, and applicable permits for relocating fish will be obtained and to capture any fish trapped within an isolated/enclosed area at the work site and safely relocate them to an appropriate location in the same waters. It should be noted that as of 2024, a total of 42 bridges are proposed along the Steensby Railway, compared to an estimated 31 bridges proposed in the 2012 FEIS. These additional bridges have been proposed based on the latest field data collected to facilitate fish	Current Status Baffinland is not aware of any outstanding items related to this issue other than (1) continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process) and (2) obtaining FAA authorizations from DFO. This is a topic that is relevant to the location of the railway, as the railway location interacts with several freshwater resources, including fish bearing waters. However, it is an item of shared jurisdiction with the DFO under the <i>Fisheries Act</i> as well as the NWB under the <i>Nunavut Waters and Nunavut Surface Rights Tribunal Act</i>. The current status of this item is that DFO is currently considering the details of Baffinland’s FAA application, and those authorizations have not been	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s position are further summarized here. <u>Railway Components Relevant to Topic</u> To traverse the watersheds along the location of the railway, the Steensby Railway will require more than 300 water crossings along the length of the railway alignment. A total of 42 open span steel bridges and an estimated 258 culverts will be built across the water crossings along the Railway. The bridges and culverts have been designed to minimize intrusion into water bodies. The location of the route was selected to minimize water crossings to the extent practicable. Construction activities will include blasting for excavation of quarries,

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		December 9 to 11, 2024, Igloolik and Pond Inlet community members raised a concern that fish are important food sources, and they should be protected. Baffinland’s proposed mitigation measures, compliance with Project commitment and the Fisheries Act address this concern, in the manner described in this row.	Sediment Quality, and Section 4.0 Freshwater Aquatic Biota and Habitat for the general assessment on the freshwater environment. Section 2.2.4 and Section 2.3.2.6 for details on the railway impact assessment on the freshwater environment. Baseline information provided in Appendix 7A - Hydrology Baseline Report (SD-41.465), Appendix 7B - 1 - Water Quality Baseline 2011 (SD-41.466), and Appendix 7C - Freshwater Aquatic Habitat and Fish Baseline Report (SD-41.467) • Volume 8 Marine Environment (SD-41.472), see Section 4.0 Marine Habitat and Biota for the general assessment on the marine environment. Section 4.7 for details on the Steensby Port impact assessment to marine fish. Baseline information provided in Appendix 8A-1 – Oceanography Baseline (SD-41.473). • Volume 9 Cumulative Effects and Other Assessments, Section 1.4.3 Freshwater Aquatic Environment (SD-41.485) • Appendix 3B Drawings Water Crossing (SD-294 to SD-319)	• Appropriate regulatory approvals will be required to support real and potential changes to habitat or the loss of habitat resulting from the alterations and disruption in the flow of water. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: • Project Certificate Term and Condition 13: The Proponent is encouraged to work with Fisheries and Oceans Canada at the regulatory phase and to take a precautionary approach when selecting the overpressure threshold to be applied to explosives use for the protection of fish and aquatic life. • Project Certificate Term and Condition 14(b): 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. • Project Certificate Term and Condition 16: The Proponent shall ensure that the water related infrastructure or facilities	movement, protect water quality, lessons learned from current operations and in response to feedback from Inuit and regulators. Baffinland has also recently modified its plans for construction of the Steensby ore dock to reduce the blasting and dredging activities during port construction. From 2021 to 2023, additional field programs were conducted, including updated freshwater data along the Steensby Railway and additional hydrological watercourse studies was carried out to support site specific crossing designs, including conventional, aerial (LIDAR), drone and acoustic Doppler current profiler surveys. The result of the freshwater studies have been incorporated in Baffinland’s Fisheries Act Authorization Application, which is provided in the Section 98 application as SD-38. The information gathered is used to design the watercourse crossings along the railway and Port infrastructure, and will help manage construction activities to avoid or reduce effects on the marine and freshwater environment. Marine environment baseline information in the Steensby Port area was subject to an extensive field program in 2021 and 2022 to support the development of an application for a Fisheries Act Authorization in relation to all planned marine infrastructure (ore dock, construction dock, tidal pool infill, island cause way, moorings).	issued. DFO is considering questions regarding culvert size including in relation to sediment release and passage of fish, and this will be a matter addressed under the FAA issued by DFO. There are comprehensive mitigations developed to address the topic of fish protection developed though the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of fish protection was raised by individuals in Igloolik and Pond Inlet during the December 2024 Federal Tour. It is noted that the individual did not identify dissatisfaction with any of the specific mitigation measures proposed to date that would address their concern. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland’s Environmental Management System. Baffinland also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report. Given the overall importance of fish to Inuit and other Indigenous group, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the railway.	cutting along various areas of the railway embankment including tunnels. Context of Issue (Column C) Inuit individuals and groups have identified to Baffinland and the federal government that Inuit are holders of indigenous rights in relation to fish, under the Nunavut Agreement and Section 35 of the Constitution Act. Inuit have identified these crossings have the potential to impact the freshwater environment by affecting fish passage during all project phases, as well as affect water quality and fish through the use of explosives and the quality of drinking water for human consumption. These concerns have been carefully taken into account, as set out in this row, Baffinland is of the view that with the measures proposed the Steensby Railway can proceed in a way that is protective of these water resources and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) The required crossings and construction activities, including blasting, were first identified on a preliminary basis through the development of the 2012 FEIS, which formed the basis for approval of the Mary River Project, including the Steensby Railway. Based on a number of mitigation measures and management plans related to protecting fish and fish habitat described in Column D, the 2012

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			The key points included in the references to the FEIS listed above are: - Construction of stream crossings for the Railway has the potential to cause stranding of Arctic Char due to the need for isolation of the watercourses. These effects will be mitigated through the use of appropriate timing windows for construction when possible and through fish salvage operations when required. - Potential for direct mortality of Arctic Char eggs due to placement of Project encroachments in waterbodies will be mitigated through avoidance of infrastructure placement on spawning habitat and adherence to appropriate timing windows. Mitigation measures for all construction activities in fish-bearing waters will be provided in a detailed management plan. - Effects of blasting on Arctic Char and their eggs will be mitigated through development of a detailed blasting management plan, which will follow DFO blasting	that are designed and constructed, including the modification of culverts, diversion of watercourses, and diversion of runoff into watercourses along the railway, access roads, port sites, the Milne Tote Road, and other areas of the Project site, 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.² - Project Certificate Term and Condition No. 20: The Proponent shall monitor the effects of explosives residue and related by-products from project-related blasting activities as well as develop and implement effective preventative and/or mitigation measures, including treatment, if necessary, to ensure that the effects associated with the manufacturing, storage, transportation and use of explosives do not negatively impact the Project and surrounding areas. - Project Certificate Term and Condition No. 33: The	In 2023 Baffinland also completed bathymetric surveys of the Steensby Port area and approach to inform safe marine operation procedures in advance of construction and operations. The results of these studies are available upon request. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Baffinland has not relied only on the 2012 FEIS, and has continued to advance relevant initiatives to enhance the original propose monitoring and mitigation programs since that time as follows: Culvert Installation Criteria: Culverts to be installed along the railway will meet specific criteria to minimize effects on fish and fish habitat and freshwater environment. This will include installing culverts at the same slope or less as existing stream, minimize culvert length, implementing culvert design velocities, as described in the FAA application (SD-38). Water Crossings: Baffinland has incorporated 11 additional bridges over fish-bearing waters and larger diameter culverts into the design of the	Detailed Response to Issues Raised in Column C: Specifically: - With respect to fish protection and fish passage, Baffinland will implement mitigation measures to protect fish in water courses along the Railway, such as the watercourse crossings being designed to avoid or reduce effects on fish. Baffinland is also implementing environmental protection measures to install culverts at the same slope as the existing stream, minimize culvert lengths and achieve culvert design velocities to mitigate potential effects to fish and fish habitat. These measures are subject to a Fisheries Act Authorization to be issued by the Department of Fisheries and Oceans Canada. These measures are outlined in the Environmental Protection Plan, as listed in Columns D and E. - With respect to the comments on water quality and fish due to use of explosives and the use of metal culverts, Baffinland is designing the watercourse crossings to avoid or reduce effects on the freshwater environment, including fish. The crossings are subject to a Fisheries Act	FEIS concluded that there would be no significant effects to fish in the freshwater and marine environments through a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of fish protection (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update and collect supplemental baseline information to support detailed engineering and applications for Fisheries Act Authorizations, as outlined in Column F of this row.

² Note accompanying Project Certificate NIRB commentary – “Commentary: It is understood that the term “consistent with those proposed in the FEIS” requires general consistency only in relation to the type, location and scope of this infrastructure and facilities, but does not limit the ability of the Proponent to refine and optimize the design, placement and construction as may become necessary to reflect site-specific conditions encountered during construction”

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			guidelines (Wright and Hopky 1998). - The Project will have no significant adverse residual effects on anadromous Arctic char in Steensby Inlet. Habitat-related effects include the loss of a negligible amount of habitat contained within infrastructure footprints, possible reduced benthic productivity due to ballast water discharge, and possible avoidance of a small area around the dock sites due to underwater noise. Overall, the 2012 FEIS concluded that with the proposed monitoring and mitigation, the Project will not have significant adverse effects on aquatic ecosystems, freshwater fish and fish habitat including arctic char. A number of proven mitigation measures were included in the 2012 FEIS to reduce potential effects to fish including: - Fisheries Act and Fisheries and Oceans Canada (DFO) guidelines to protect fish and fish habitat. - For locations where there is a problem with culvert outlet scour and erosion, the construction of rocky ramps downstream of the crossings is considered. Occasionally reinstalling culverts is required, or the installation of	Proponent shall include relevant Monitoring and Management Plans within its Environmental Management System, Terrestrial Environment Management and Monitoring Plan (TEMMP). - Project Certificate Term and Condition No. 41: Unless otherwise approved by regulatory authorities, the Proponent shall maintain a minimum 100-metre naturally vegetated buffer between the high-water mark of any fish-bearing water bodies and any permanent quarries with potential for acid rock drainage or metal leaching. - Project Certificate Term and Condition 42: Baffinland to maintain a minimum 30-meter buffer between the mining operations and adjacent water bodies. - Project Certificate Term and Condition No. 44: The Proponent shall meet or exceed the guidelines set by Fisheries and Oceans Canada for blasting thresholds and implement practical and effective measures to ensure that residue and by-products of blasting do not negatively affect fish and fish habitat. - Project Certificate Term and Condition No 45: The	Steensby Railway in order to facilitate fish migration (Approval to Construct, Section II.F.iii., Line 102(d)). DFO Mitigation Measures: Baffinland will adopt the latest mitigation measures published by DFO in 2013 and 2016 to avoid causing harm to fish and fish habitat. These measures relate to construction timing, site selection, contaminant and spill management, erosion and sediment control, shoreline stabilization, and fish protection, as described in the FAA application (SD-38). Blasting Mitigation: to limit potential effects from blasting on freshwater fish in watercourses during the construction of the railway, measures will be taken to maintain blasting below the Department of Fisheries and Oceans’ guideline of 100 kPa (Approval to Construct, Section II.E.iv., Line 82) <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to the protection of fish include:	Authorization to be issued by the Department of Fisheries and Oceans Canada. The 2012 FEIS concludes ground disturbance and earthworks activities, including blasting, are not expected to result in significant adverse environmental effects on the water and sediment quality. Several environmental management plans will be implemented, as summarized in Column D, E and F. Furthermore, effects of blasting on Arctic Char and their eggs will be mitigated through development of a detailed blasting management plan, which will follow DFO blasting guidelines.	As described within the Stakeholder Engagement Report (see SD-69, Section 7.4.2), in response to concerns expressed by localities related to water crossings and potential effects on water sources and fish migration and spawning, Baffinland has included additional bridges over fish-bearing waters (e.g. a total of 42 bridges are currently proposed over fish bearing waters, an increase of 11 over the estimated 31 bridges that were originally proposed in the 2012 FEIS) and larger diameter culverts (e.g. sizing increased to accommodate 1 in 200 year storm events, versus an original standard of 1 in 100 year storm events) to facilitate fish movement, as well as protection of water quality (e.g. by reducing potential for sedimentation and erosion events from pooling or blow outs). Baffinland has also modified its plans for construction of the Steensby Port ore dock to reduce the blasting and dredging activities during port construction. In its engagement sessions, Baffinland committed to quickly and proactively address Inuit concerns relating to the Project as they arise. This includes concerns relating to fish protection. Baffinland has also incorporated lessons learned from the current project operations in its proposed culvert designs that are included in the pending FAA application, such as selection of culvert size appropriate for this purpose (as referenced above and in column F).

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			additional overflow culverts will be required. - During construction of the docks, for all works requiring the use of explosives (blasting) in or near water bodies, the “Guidelines for Use of Explosives In or Near Canadian Fisheries Water, 1998” will be followed. For any locations where the guidelines cannot be conformed with, the DFO will be consulted prior to commencing blasting. - For dock construction (dredging, piling, backfilling), silt curtain may be used to prevent the dispersion of sediments in marine waters. - Use of bubble curtains to attenuate noise in marine water. - Railway culverts and bridges for stream and river crossings will be designed to limit barriers to fish movement and where possible, minimum flows will be maintained in streams important for fish habitat. - Use of the No Net Loss Guiding Principle from DFO. Baffinland proposed various plans relevant to the topic of fish protection in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular:	Proponent shall adhere to the No-Net-Loss principle at all phases of the project to prevent or mitigate direct or indirect fish and fish habitat losses. - Project Certificate Term and Condition No. 47: The Proponent shall ensure that all Project infrastructure in watercourses is designed and constructed in such a manner that they do not unduly prevent and limit the movement of water in fish bearing streams and rivers. - Project Certificate Term and Condition No. 48: The Proponent shall engage with Fisheries and Oceans Canada and the Qikiqtani Inuit Association in exploring possible Project specific thresholds for blasting that would exceed the requirements of Fisheries and Oceans Canada’s Guidelines for the Use of Explosives In or Near Canadian Fisheries Waters (D.G. Wright and G.E. Hopky, 1998). - Term and Condition No. 113: The Proponent shall conduct monitoring of marine fish and fish habitat, which includes but is not limited to, monitoring for Arctic Char stock size and health condition in Steensby Inlet and Milne Inlet, as recommended by the	Regulatory oversight: Compliance with the Nunavut Waters and Nunavut Surface Rights Tribunal Act and Fisheries Act, and associated inspections conducted under the Water Licence and Fisheries Act require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up. Project Certificate Terms and Conditions: Several Terms and Conditions, such as TC 14(b) listed in column E requires Baffinland to include adaptive management measures in its management plans and operations. NIRB and NWB Annual Reporting and Management Plan Update Process: The Project Certificate and Type A Water Licence require that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. Marine Environmental Working Group: This advisory body is intended to provide advice,		Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required in respect of fish protection during construction or operations, Baffinland would take action under its Adaptive Management Plan. Baffinland’s Section 98 Application shows that it has already taken steps to prevent impacts on fish in the marine and freshwater environments during construction and operations. Baffinland has made meaningful efforts to prevent effects to water resources and fish from construction and operation of crossings and the Port through its proposed mitigation and monitoring plans and compliance with all government approvals, which include the Project Certificate No. 005, the Type A Water Licence, and the pending Fisheries Act Authorizations and compensation measures including the No Net Loss Plan.

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			- Environmental Protection Plan (SD-41.492) - Surface Water, Aquatic Ecosystems, Fish and Fish Habitat Management Plan (SD-41.499) - Environmental Monitoring Plan (SD-41.513)	- Marine Environment Working Group. - Term and Condition No. 115: The Proponent is encouraged to continue to explore off-setting options in both the freshwater and marine environment to offset the serious harm to fish which will result from the construction and infrastructure associated with the Project. - Term and Condition No. 116: Prior to construction, the Proponent shall develop mitigation measures to minimize the effects of blasting on marine fish and fish habitat, marine water quality and wildlife that includes, but is not limited to compliance with the Guidelines for the Use of Explosives In or Near Canadian Fisheries Waters (Wright and Hopky, 1998) as modified by Fisheries and Oceans Canada for use in the North and as revised from time to time. - Term and Condition No. 117: The Proponent shall ensure that blasting in, and near, marine water shall only occur during periods of open water. Blasting in, and near, fish-bearing freshwaters shall, to the greatest degree possible, only occur in open water. If blasting is required during ice-	guidance and enforceable recommendations regarding adding to and improving baseline information, mitigation measures for the protection of the marine environment, assessing the accuracy of impact predictions, and the development and implementation of adaptive management plans. Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed within the Stakeholder Engagement Plan (SD-74). Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate and the Type A Water Licence.		Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as fish protection. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
				covered periods, it must meet requirements established by Fisheries and Oceans Canada. • Term and Condition No. 118: The Proponent shall incorporate into the appropriate mitigation plan prior to construction, thresholds for the use of specific mitigation measures meant to prevent or limit marine wildlife disturbance, such as bubble curtains for blasting, and nitrate removal. • Term and Condition No. 162: 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. • Term and Condition No. 163: 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			

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				Project activities, and more importantly, in order that the Proponent’s management and monitoring plans continue to evolve in an informed manner. As acknowledged in the Nunavut Water Board licencing process, Baffinland has also entered into a Water Compensation Agreement with QIA which are intended to compensate Inuit for potential effects from the Project on Inuit water rights, in accordance with Article 20 of the Nunavut Agreement. The Type A Water Licence also includes the following relevant requirements: • Part E, Item 6. The Licensee shall equip all Water intake hoses with screens of an appropriate mesh size, consistent with the requirements of Fisheries and Ocean (DFO) Canada’s Freshwater Intake End-of-Pipe Fish Screen Guidelines (1995), to prevent the entrainment of fish and control withdraw of Water at rates such that fish do not become impinged on the screen. • Part E, Item 20. The Licensee shall limit any in-stream activity, as much as possible, to low Water periods. In-stream activity is prohibited during fish migration.			

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				Part E, Item 24. The Licensee shall submit to the Board for review, at least thirty (30) days prior to implementation, copies of separate Blasting Management Plans developed for the mining operation, tunnelling of the railway and blasting near water bodies as committed to during the Public Hearing.			
C.3 Other Wildlife							
Other Wildlife	Polar bear denning areas along railway route Mammal (non-caribou) interactions with the railway	Inuit and Inuit groups raised the topic of mammal (wolves and polar bears) interactions with the railway in the NIRB assessment completed in 2012, and it continues to be a topic that is raised in post 2012 engagements. As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), since 2012 Inuit community members and other community members identified: - Impacts of flight noise on terrestrial wildlife - Use of explosives during the construction phase During the federal consultation tour for the Steensby Component of the Mary River Project held from December 9 to 11, 2024, a community member in Pond Inlet asked a question about policies and procedures if a polar bear is killed due to Project activities. Baffinland’s proposed mitigation measures, compliance with Project commitments and the IIBA address this concern, in the manner described in this row.	The topic of mammal interactions with the railway is addressed in the 2012 FEIS in several sections, including: - Volume 6 Terrestrial Environment Section 5.3.2 (SD-41.452), Appendix 6F – Terrestrial Wildlife Baseline Report (SD-41.460) - Volume 8 Marine Environment (SD-41.472), see Section 5.0 Marine Mammals for impacts on Polar Bears. Baseline information provided in Appendix 8A-2 - Marine Mammal Baseline (SD-41.474). - Volume 9 Cumulative Effects and Other Assessments, Section 1.4.3 Terrestrial Environment (SD-41.485) The key points included in the references to the FEIS listed above are: - Wolves and foxes are the dominant predators	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Sections 4.9.3 and 4.9.4: - To minimize disturbance to wildlife from aircraft, Baffinland should ensure that flight logs or recorders to with minimum altitudes and separation distances to minimize disturbance and that Baffinland ensure that flight logs or recorders to verify compliance are in place. - Monitoring of the terrestrial environment will be required for the lifetime of the Project. - A specific adaptive management plan applicable to wolves and their habitat should be developed in collaboration with the Government of Nunavut. - A blasting management plan to minimize effects of blasting on the	New/Updated Information Provided with Section 98 Application As outlined in Table 14 of the Approval to Construct Application, there are very low numbers of wolves in the PDA. Therefore, wolf monitoring is not currently feasible due to low numbers. When wolves and/or caribou are consistently observed near the Project area (e.g., based on trends observed from the Height of Land (HOL) monitoring data or incidental monitoring data) or on observations of local harvesters and as reported to Baffinland or the TEWG, the program will be revisited and include monitoring of active wolf dens, as well as abundance and distribution. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Since 2014 Baffinland has implemented a specific Polar Bear Safety Plan (SD-27.14) which	Current Status Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process). This is a topic that is relevant to the location of the railway, as the main line runs for 149km across terrestrial and freshwater environments, allowing for potential interactions with wildlife and their habitat. However, this location for the railway was selected as it minimizes the potential impact and disruption of wildlife. There are comprehensive mitigations developed to address the topic of wildlife protection developed though the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s position are further summarized here. <u>Railway Components Relevant to Topic</u> The Steensby Railway will travel 149km from the Mary River Mine to the Steensby Port site. The main line will traverse terrestrial and freshwater environments, potentially interacting with wildlife and wildlife habitat. However, this location for the railway was selected as it minimizes the potential impact and disruption of wildlife. Continually, the 2012 FEIS predictions and monitoring since Project inception show there are low numbers of wolves in the RSA. If higher numbers of wolves were to be observed in the future, a monitoring program would be revisited.

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			within the regional study area (RSA), but they occur at very low densities. Though they are rarely observed, they occur within the RSA during the entire year and there are likely active den sites every year. • Wolf numbers are mostly dependent on caribou abundance, so any effects from the mine or mining activity will likely be not significant compared to the main effect of carnivore response to caribou abundance. • Polar bears were assessed as marine mammals in the 2012 FEIS as their interactions are predicted to be with shipping and port operations. Denning locations and areas of polar bear concentration identified by IQ are not in close proximity to the Steensby Rail alignment (Figure 8-5.10, Volume 8 Marine Environment). A number of proven mitigation measures were included in the 2012 FEIS, including: • Use of animal proof containers for organic, sewage or petroleum based chemical wastes. • Monitoring of den sites that may be disturbed by Project activities. • Minimum flying altitudes to limit aircraft disturbance.	terrestrial environment must be developed prior to construction. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: • Project Certificate Term and Condition No. 55: The Proponent shall develop an adaptive management plan applicable to wolves and wolf habitat in collaboration with the Government of Nunavut- Department of Environment (GN-DOE) to ensure compliance with the Nunavut Wildlife Act. Consideration must be given to the following: a. Monitoring for active wolf dens within a 10 km radius from the mine site, under the direction and prior approval of the GN DOE, and reporting the results through NIRB’s Annual Reports on terrestrial wildlife in the Potential Development Area (PDA). b. Estimating the available (glacio-fluvial materials) esker habitat within the Regional Study Area/PDA and identifying such habitat as ecologically sensitive. c. Developing “wolf indices” for presence/abundance of wolves (by d. conducting studies) to set a baseline pre-	outlines specific mitigation and monitoring measures such as: • Use of polar bear monitors • Food and waste management • Polar bear resistant storage • Communication protocols for polar bear encounters • Deterrence tools and techniques The Polar Bear Safety Plan will continue to be implemented during Steensby construction and operation. <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to terrestrial wildlife include: • Regulatory oversight: Compliance with Federal and Nunavut regulatory requirements, and associated inspections conducted under the Project Terms and Conditions require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up. • Project Certificate Terms and Conditions: Several Terms and Conditions,	policies and procedures for polar bear mortality was raised by an individual in Pond Inlet during the December 2024 Federal Tour. It is noted that the individual did not identify dissatisfaction with any of the specific measures proposed to date that would address their concern. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland’s Environmental Management System and IIBA. Baffinland also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate and IIBA apply to address the concerns, for consideration as part of the What We Heard Report. Given the overall importance of wildlife to Inuit and other Indigenous groups, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C Specifically: • With respect to impacts of flight noise on terrestrial wildlife, Baffinland’s minimum flight altitude restrictions will remain in place to minimize disturbance to wildlife.	Polar bears were assessed as marine mammals in the 2012 FEIS as their interactions with the Steensby Component are predicted to be with shipping and port operations. No part of the Steensby Railway is located within or near the marine environment (see Figure 1). The Steensby Railway will have limited to no interaction with marine-based species, therefore, interactions between polar bears and the rail line are unlikely. Context of Issue (Column C) Inuit individuals and groups have identified to Baffinland and the federal government that Inuit are holders of indigenous rights in relation to wildlife, under the Nunavut Agreement and Section 35 of the Constitution Act. Inuit have identified the railway to have the potential to impact the terrestrial environment by affecting mammals during all project phases, through the use of explosives and aircraft. These concerns have been carefully taken into account, set out in this row Baffinland is of the view that with the measures proposed the Steensby Railway can proceed in a way that is protective of wildlife and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) The location of the railway was first identified through the development of the 2012 FEIS, which formed the basis for approval of the Mary River Project, including the Steensby

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			Baffinland proposed various plans relevant to this topic in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular, • Borrow Pit and Quarry Management Plan (SD-41.365) • Environmental Protection Plan (SD-41.492) • Waste Management Plan (SD-41.501) • Terrestrial Environmental Management and Monitoring Plan (SD-41.512) • Environmental Monitoring Plan (SD-41.513)	construction baseline; and e. Ensuring that wolf monitoring is capable of determining the relative abundance and distribution of wolves in the Project Development Area over time. • Term and Condition No. 59: The Proponent shall ensure that aircraft maintain, whenever possible (except for specified operational purposes such as drill moves, take offs and landings), and subject to pilot discretion regarding aircraft and human safety, a cruising altitude of at least 610 metres during point to point travel when in areas likely to have migratory birds, and 1,000 metres vertical and 1,500 metres horizontal distance from observed concentrations of migratory birds (or as otherwise prescribed by the Terrestrial Environment Working Group) and use flight corridors to avoid areas of significant wildlife importance. The Proponent, in collaboration with the Terrestrial Environment Working Group shall develop a program or specific measures to ensure that employees and subcontractors providing aircraft services	such as Appendix A, Commitment 71 listed in column E requires Baffinland to include adaptive management measures in its management plans and operations. • NIRB Annual Reporting and Management Plan Update Process: The Project Certificate requires that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. • Terrestrial Environmental Working Group: This advisory body is intended to provide advice, guidance and enforceable recommendations regarding adding to and improving baseline information, mitigation measures for the protection of the terrestrial environment, assessing the accuracy of impact predictions, and the development and implementation of adaptive management plans. • Inuit Impact and Benefit Agreement (IIBA): As stated in column E the IIBA includes a wildlife compensation agreement.	• With respect to concerns on the use of explosives during construction, construction noise levels, inclusive of blasting, are expected to be moderate to loud. However, these noise levels will be temporary, short in duration and infrequent. Baffinland will implement a detailed blasting program to minimize the effects of blasting on terrestrial wildlife, as required under Project Certificate Terms and Conditions. • With respect to questions on policies and procedures if a polar bear is killed, Baffinland’s Polar Bear Safety Plan outlines measures for deterrence and prevention of polar bears around Project infrastructure. Furthermore, IQ has identified that polar bear denning areas are not in close proximity to the railway. However, if a polar bear were to be accidentally killed, measures in the IIBA ensure that Inuit hunters are compensated for the loss and salvageable wildlife parts are transported by Baffinland to an affected community.	Railway. Based on a number of mitigation measures and management plans related to protecting terrestrial mammal habitat described in Column D, the 2012 FEIS concluded that effects from mining activities will likely be not significant on wolves through a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of terrestrial mammal protection (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. The Mary River IIBA between Baffinland and the QIA fulfils the requirements of the Nunavut Agreement set out in Article 26 and applies to the entire Mary River Project, including the Steensby Component. The IIBA establishes significant wildlife compensation for Inuit (as outlined in Column E of this row). The IIBA Annual Implementation Report submitted to the Joint Executive Committee describes the progress made by

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				to the Project are respectful of wildlife and Inuit harvesting that may occur in and around project areas. • Term and Condition No. 60: Prior to construction, the Proponent shall develop a detailed blasting program to minimize the effects of blasting on terrestrial wildlife that includes but is not limited to the restriction of blasting when migrating caribou, sensitive local carnivores or birds may be negatively affected. • The Proponent shall ensure that its Environment Protection Plan incorporates waste management provisions to prevent carnivores from being attracted to the Project site(s). Consideration must be given to the following measures: a. Installation of an incinerator beside the kitchen that will help to keep the food waste management process simple and will minimize the opportunity for human error (i.e. storage of garbage outside, hauling in a truck (odours remain in truck), hauling some distance to a landfill site, incomplete combustion at landfill, fencing of landfill, etc.);	Baffinland and the QIA are committed to updating the IIBA and are currently working together to add adaptive management responses related to wildlife. • Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed within the Stakeholder Engagement Plan (SD-74). • Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.		Baffinland, the Joint Executive, Employment and Contracting Committees in IIBA implementation on an annual basis. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, terrestrial monitoring for wolf dens was completed in the first years of the Project, however, there are low numbers of wolves in the PDA. Therefore, wolf monitoring is not currently feasible due to low numbers. If wolves are observed in the future through monitoring (i.e. Height of Land data), incidental observations or observed by local hunters, the program would be revisited and include monitoring of active wolf dens, as well as abundance and distribution. Baffinland follows a Polar Bear Safety Plan and will continue its implementation during the Steensby Component. As described within the Stakeholder Engagement Report (see SD-69, Section 7.5.2), interests raised regarding wildlife were primarily related to caribou, however, the proposed mitigations will also reduce the potential project effects on other wildlife. In its engagement sessions, Baffinland committed to quickly and proactively address Inuit concerns relating to the Project as they arise. This includes concerns relating to terrestrial mammals.

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				b. Installation of solid carnivore-proof skirting on all kitchen and accommodation buildings (i.e., heavy-duty steel mesh that would drop down from the edge of the buildings/trailers and buried about a half meter into the ground to prevent animals from digging under the skirting). - Commitment 002 (Project Certificate Appendix B): Baffinland will continue to implement measures to reduce or avoid impacts to terrestrial wildlife (Relevant species: Caribou, Wolf) as a result of operations (Mine site, Tote Road, and Milne Port). - Commitment 41 (SD-2): Baffinland is committed to monitoring the effects of the Mary River Project on wolf and wolf denning areas. The Mary River IIBA between Baffinland and the QIA fulfils the requirements of the Nunavut Agreement set out in Article 26 and applies to the entire Mary River Project, including the Steensby Component. The IIBA identifies mitigation measures to address issues raised by Inuit about the Project and establishes significant financial compensation and benefits to Inuit. Article 17 of the IIBA outlines wildlife compensation, if wildlife mortality occurs from Project activities:			Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should wolf numbers increased in the PDA, the monitoring program will be revisited and include monitoring for abundance and distribution. Baffinland’s Section 98 Application shows that it has already taken steps to prevent impacts on wildlife from blasting during construction and aircraft disturbance. Baffinland has made meaningful efforts to prevent effects to mammals from construction and operation of through its proposed mitigation and monitoring plans and compliance with all government approvals, which include the Project Certificate No. 005. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as terrestrial mammals and wildlife compensation.

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				- Baffinland must report the incident to the QIA, North Baffin communities and responsible government authority within 5 days (Section 17.2.2) - On receiving notice of a wildlife kill, the QIA 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. Where immediate transport by Baffinland to an affected community is not feasible, the QIA may provide direction for the proper storage of wildlife parts until transportation can be provided (Section 17.2.3). - If a polar bear is killed, the HTO of the affected community may apply for compensation (minimum \$20,000) from Baffinland (Section 17.5.1). The IIBA also outlines the Wildlife Compensation Fund, where: - An initial wildlife compensation fund of \$750,000 was paid by Baffinland with a claims process implemented by QIA (Section 17.6.1) - An Inuk or Inuit may apply to the Wildlife Compensation Fund for compensation for loss or			

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				damage relating to wildlife suffered by such claimant or claimants as a result, directly or indirectly, of development activity related to the Project (Section 17.6.2).			
D. Indigenous Knowledge/ Inuit Qaujimajatuqangit							
D.1 Collection and Incorporation of IQ and Inuit Experience							
Collection and incorporation of IQ and Inuit experience	How IQ and Inuit knowledge are incorporated into Project planning, design, monitoring and mitigation measures. Mechanisms for collection of IQ and Inuit knowledge.	Inuit and Inuit groups raised the importance of collection and incorporation of IQ and Inuit experience during the NIRB assessment completed in 2012, and it continues to be a topic that is raised in post 2012 engagements. As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), Inuit community members and other community members identified various concerns, such as: - The collection and incorporation of IQ and Inuit experiences into project planning, assessments, mitigations and ongoing monitoring and adaptive management. In their comments on the Section 98 Application (SD-75), QIA identified the following concerns: - The IQ Framework and QIA's Inuit Stewardship Plan have not been finalized and therefore have not yet been implemented. It is	The topic of collection and incorporation of IQ and Inuit experience is addressed in the 2012 FEIS in several sections, including: - Volume 1 Main Document - see Executive Summary, Table 1-12.1 Summary of Residual Biophysical Effects and Section 6.3 Inuit Knowledge Studies for a summary of the Inuit knowledge studies (SD-41) - Volume 4 Human Environment (SD-41.439), see Section 11.0 Cultural Well-Being for the general assessment of traditional values and Section 10.5.2 for the assessment of the railway on the resources and land use and Appendix 4C Land Use Report Section 3.0 (SD-41.442). - Volume 9 Cumulative Effects and Other Assessments, Section 1.4.6 Culture, Resources and Land Use (SD-41.485)	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Section 5.7.4: - The NIRB concluded that Baffinland 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. This type of engagement will 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. Specific Project Certificate Terms and Conditions that are relevant to address this item are: - Project Certificate Term and Condition No. 57: The Proponent shall report	New/Updated Information Provided with Section 98 Application Baffinland is committed to engaging with communities and stakeholders to integrate feedback and IQ into the project design and railway alignment. As described within Tables 16 and 17 of the Approval to Construct a Railway Application, IQ has been collected and integrated in the railway alignment between 2006 and 2011, and several IQ workshops and engagement were conducted between 2019 and 2024. As described within paragraph 316 of Approval to Construct a Railway Application, as an outcome of these discussions, Baffinland will continue to involve Inuit and incorporate evolving IQ in the Steensby Railway as the detailed design is being finalized, such as by confirming the final crossing locations for hunters and caribou. The Application also explains these issues and how it was addressed in the Stakeholder Engagement	Current Status Baffinland is not aware of any outstanding items related to this issue other than (1) continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process) and (2) continuing implementation and compliance of the IIBA. This is a topic that is relevant to the location of the railway, as IQ and Inuit knowledge informed the railway location. There are comprehensive mitigations developed to address the topic of IQ and Inuit knowledge developed though the 2012 FEIS, and the Project Certificate and other current approvals/agreements, including the IIBA (see Columns D, E and F). It is acknowledged that the topic of IQ and Inuit knowledge was raised by individuals in Pond Inlet and Igloolik during the December 2024 Federal Tour. It is noted that the individual did not identify dissatisfaction with any of the specific mitigation measures	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland's position are further summarized here. Project Components Relevant to Topic Baffinland is committed to engaging with communities and stakeholders to integrate feedback and IQ into the project design and railway alignment. There are several mechanisms in place to collect IQ, including the Mary River IIBA, the Inuit Stewardship Plan and Baffinland Inuit Knowledge Holders. Baffinland will continue to involve Inuit and incorporate evolving IQ in the Steensby Railway as the detailed design is being finalized, such as by confirming the final crossing locations for hunters and caribou. Context of Issue (Column C)

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
		uncertain whether land user perspectives along the rail alignment will be adequately integrated under current project timelines, especially considering construction may begin prior to implementation of the Inuit Stewardship Plan. Given the uncertainty regarding timelines for completion and implementation of the Inuit Stewardship Plan completion, Baffinland should explain the extra steps it is taking to ensure IQ is properly incorporated into railway alignment. The frequency of updates to the Community and Stakeholder Engagement Plan (CSEP) is not specified and the feedback mechanism for implementing stakeholder input and/or Inuit Qaujimagatuqangit (IQ) is unclear. Baffinland should specify the frequency of CSEP updates and provide details of the feedback mechanism for implementing stakeholder input and / or IQ. In the federal consultation tour for the Steensby Component of the Mary River Project held from December 9 to 11, 2024, Igloolik and Pond Inlet community members raised questions on Inuit participation in monitoring programs. Baffinland’s proposed	The key points included in the references to the FEIS listed above are: - Baffinland’s environmental assessments relied on multiple lines of evidence, including IQ shared with Baffinland by Inuit, land use studies (e.g. Mary River Land use Study), interviews with residents of the LSA workers and family members, discussions with community representatives, topic-specific workshops in communities, review of available literature, direct field research (e.g. freshwater and marine fish surveys), desktop studies (e.g. models, risk assessments), as well as meetings and interviews with government officials. - Baffinland reviewed its Project in relation to the IQ guiding principles provided in Volume 4 Human Environment (SD-41.439) Table 4-11.1. As described in Volume 4 Section 11, a number of special places or spiritual sites and camping areas where people from the various communities would meet were identified. Project infrastructure does not interfere with any of these identified features. Potential effects on cultural well-being,	annually regarding its terrestrial environment monitoring efforts, with inclusion of (b) a description of the involvement of Inuit in the monitoring program. - Term and Condition No. 76: The Proponent shall develop a comprehensive Marine Environmental Effects Monitoring Program to address concerns and identify potential impacts of the Project on the marine environment. The Marine Environmental Effects Monitoring Program shall include (e) a discussion of how relevant Inuit Qaujimagatuqangit, scientific and/or technical knowledge and industry best practices have been incorporated into the Program and have informed the components of the Program. - Term and Condition No. 101: The Proponent shall incorporate efforts to (a) involve Inuit in monitoring studies at all levels, and (b) monitoring protocols that are responsive to Inuit concerns into the appropriate monitoring plans. - Term and Condition No. 126: The Proponent shall design monitoring programs to ensure that local users of the marine area in communities	Report (see SD-69) in Section 7.1. As described in the Stakeholder Engagement Report, IQ was the primary driver of the terrestrial environment effects assessment and helped to identify and refine the optimal alignment and location of likely caribou crossings areas. IQ is integrated into Baffinland’s Health, Safety and Environment Management Framework (HSE), and shapes ongoing adaptive management through the IQ Management Framework and the Adaptive Management Plan (SD-27.72). The list of policies, plans and procedures included in the HSE Management Framework is provided in Table 11 of the Application. The relevant policies and plans can also be found in SD-27. Baffinland’s engagement activities in the communities have been carried out by an Inuit-led team, and communication about the Mary River Project is shared by Inuit team members including Elders fluent in Inuktitut (which is the language many Inuit in the region feel most comfortable expressing themselves in) and English, following and respecting Inuit oral traditions. Engagement opportunities are publicized in a manner that is culturally relevant to Inuit. Furthermore, as outlined in section III.8C of the Approval to Construct a Railway Application, Baffinland has been maintaining Community Liaison Officers, Inuit Knowledge Holders and Community Relations Guides in each of the North Baffin localities, which enable the	proposed to date that would address their concern. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland’s Environmental Management System. Baffinland also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report. Given the overall importance of IQ and Inuit knowledge to Inuit and other Indigenous groups, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: Specifically: With respect to the integration of IQ and Inuit experiences in Project planning and monitoring, Baffinland is committed to engaging with communities and stakeholders to integrate feedback and IQ into the project design and railway alignment. Since 2006, IQ has been collected and integrated in the railway alignment and other aspects of the Project. For example, IQ helped to identify and refine the optimal alignment and location of likely caribou crossings areas. Baffinland will	Inuit individuals and groups have identified concerns related to the collection and incorporation of IQ and Inuit knowledge in the Project. These concerns have been carefully taken into account, set out in this row Baffinland is of the view that with the measures proposed the Steensby Railway can proceed in a way that incorporates IQ and Inuit knowledge and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) Baffinland’s environmental assessments relied on multiple lines of evidence, including IQ shared with Baffinland by Inuit, land use studies, interviews, topic-specific workshops in communities. Overall, the FEIS concluded that the Project will affect Inuit culture and cultural development through its interactions with Inuit cultural values. To a large degree, these interactions will be positive. The opportunities for productive livelihoods based on self-reliance and sharing of resources, learning and sharing experience through supervisory and role-model functions, and for monitoring the environment are all relevant and supportive of these values. This assessment was subject to a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
		mitigation measures, compliance with Project commitments and the IIBA address this concern, in the manner described in this row.	religious and spiritual activities in relation to cultural and historic, sacred and spiritual sites are not anticipated. Overall, the FEIS concluded that the Project would affect Inuit culture and cultural development through its interactions with Inuit cultural values. To a large degree, these interactions will be positive. The opportunities for productive livelihoods based on self-reliance and sharing of resources, learning and sharing experience through supervisory and role-model functions, and for monitoring the environment are all relevant and supportive of these values. Baffinland proposed various plans relevant to this topic in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular, - Environmental Monitoring Plan (SD-41.513) - Stakeholder Engagement Plan (SD-41.517) - Cultural and Heritage Resource Protection Plan (SD-41.518) - Human Resource Management Plan (SD-41.519)	along the shipping route have opportunity to be engaged throughout the life of the Project in assisting with monitoring and evaluating potential project-induced impacts and changes in marine mammal distributions. - Term and Condition No. 162: 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. - Term and Condition No. 163: 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.	integration of Inuit experiences in Project planning and design. Baffinland follows the rules and processes approved by NPC, NIRB and the NWB (and fund QIA’s participation in those processes). Baffinland funds QIA to hire and employ Inuit environmental monitors at the mine site. Working groups, funded by Baffinland, can be created to address any monitoring issues that arise. As an example, Baffinland funds an independent Dust Audit Committee which was established in September 2022 to observe and understand the present and potential future dust sources and recommend dust mitigation measures for Baffinland’s consideration. Baffinland contracted Nunami Stantec to conduct the third-party audit which involves the five most impacted communities; Arctic Bay, Clyde River, Igloolik, Pond Inlet and Sanirajak. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 As described within the Stakeholder Engagement Report (SD-69), since 2019 Baffinland has funded QIA led IQ collection programs in support of the Project, including the series of Tusaqtavut Studies (one for each of the 5 North Baffin communities), a Pond Inlet Country Food Security Report, an IQ Focused North Baffin Caribou Study, a CRLU Assessment and the Inuit Stewardship Plan, inclusive of a Culture, Resource and Land Use Monitoring Program and	continue to involve Inuit and incorporate evolving IQ in the Steensby Railway as the detailed design is being finalized, such as by confirming the final crossing locations for hunters and caribou. Several plans, agreements and initiatives are being implemented to enable IQ collection and involvement of Inuit in monitoring activities, including through the IIBA, Tusaqtavut studies and Inuit Stewardship Program. Furthermore, Baffinland’s engagement activities in the communities have been carried out by an Inuit-led team, which allows for integration of Inuit experience in the Project. - With respect to involvement of Inuit into monitoring, Baffinland funds QIA to hire and employ Inuit environmental monitors at the mine site. Furthermore, Baffinland funds working groups that are created to address any monitoring issues that arise, such as the independent Dust Audit Committee, which was established in 2022 and includes participants from the five key localities. - With respect to the frequency of updates to the Community and Stakeholder Engagement Plan, Baffinland will update the plan on an as-needed basis. - With respect to the mechanisms to collect IQ, Baffinland has developed several plans, agreements and	Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of IQ and Inuit monitoring (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update and collect supplemental information to support detailed engineering and application for the Approval to Construct a Railway to validate the IQ gathered on caribou and land user crossings, as outlined in Column F of this row. As described in the Stakeholder Engagement Report (see SD-69) in Section 7.1, IQ was the primary driver of the terrestrial environment effects assessment, and helped to identify and refine the optimal alignment and location of likely caribou crossings areas. IQ has been collected and integrated in the railway alignment between 2006 and 2011, and several IQ

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				Specific commitments that are relevant to address this item are (per the Table of Commitments SD-2): - Commitment 49: Baffinland will support and fund a study of North Baffin caribou based on Inuit Qaujimjatuqangit, 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. - Commitment 68: Baffinland commits to incorporating IQ and scientific knowledge in monitoring. The Mary River IIBA between Baffinland and the QIA fulfils the requirements of the Nunavut Agreement set out in Article 26 and applies to the entire Mary River Project, including the Steensby Component. The IIBA identifies mitigation measures to address issues raised by Inuit about the Project and establishes significant financial compensation and benefits to Inuit. Schedule 2.2 of the IIBA outlines how Inuit must have the opportunity for equal and meaningful participation in the Project (SD-72).	a Social Monitoring Program. The Inuit Stewardship Plan will provide a new pathway to receive Inuit feedback about Mary River Project effects and incorporate the information received into monitoring and adaptive management actions, where needed. Baffinland and QIA have also agreed to develop Inuit specific objectives, indicators, thresholds and responses related to caribou, Arctic char, narwhal, seal, dust and land use. There is an ongoing process to integrate IQ and other community feedback derived from Baffinland led IQ studies, QIA led studies and a robust community and stakeholder engagement program in the Steensby Rail design. Other measures implemented since 2012 include: - Carry out community engagement activities through an Inuit-led team - Establishment of an independent Dust Audit Committee, which includes Inuit from the localities. <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to the collection and incorporation of IQ and Inuit experience include:	initiatives to collect IQ. For example, IQ is collected pursuant to the IIBA, the QIA-led Tusaqtavut studies and Baffinland funded Inuit Stewardship Program. Baffinland also leads direct IQ gathering initiatives through its local Inuit Knowledge Holders, as outlined in Column E and F.	workshops and engagement were conducted between 2019 and 2024. IQ is integrated into Baffinland’s Health, Safety and Environment Management Framework (HSE), and shapes ongoing adaptive management through the IQ Management Framework and the Adaptive Management Plan (SD-27.72). Baffinland will continue to involve Inuit and incorporate evolving IQ in the Steensby Railway as the detailed design is being finalized, such as by confirming the final crossing locations for hunters and caribou. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required in respect to IQ collection and integration, Baffinland would take action under its Adaptive Management Plan. Baffinland’s Section 98 Application shows that it has already taken steps to integrate IQ in the Project design. There are several

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					• Project Certificate Terms and Conditions: Several Terms and Conditions, such as TC 101 and Commitment 68 listed in column E requires Baffinland to involve Inuit and incorporate IQ in Project monitoring. The Project Certificate also requires Baffinland to implement adaptive management measures for environmental monitoring. If the incorporation of IQ and Inuit input in monitoring programs show that adaptive management is needed, measures would be taken. • NIRB Annual Reporting and Management Plan Update Process: The Project Certificate requires that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners, including the QIA. • Environmental Working Groups: This advisory body is inclusive of the QIA and HTO representatives from the five North Baffin communities and Kinngait/Kimmirut (as needed for discussions on		mechanisms in place to collect IQ, including the IIBA and the Baffinland funded Inuit Stewardship Program. Baffinland also leads direct IQ gathering initiatives through its local Inuit Knowledge Holders Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as IQ integration and Inuit monitoring. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.

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					the Southern Shipping Route). The working groups intend to provide advice, share IQ, guidance and enforceable recommendations regarding adding to and improving baseline information, mitigation measures for the protection of the marine and terrestrial environments, assessing the accuracy of impact predictions, and the development and implementation of adaptive management plans. • Baffinland Community Presence: Baffinland has representation through its Inuit Knowledge Holders and Community Relations Guides in seven communities to increase pathways for IQ collection and facilitate two-way communication between the communities and Baffinland. Community feedback is used to inform Project decisions and mitigation measures. • Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed		

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					within the Stakeholder Engagement Plan (SD-74). • Inuit-led Dust Audit Committee: The Inuit-led Dust Audit Committee is comprised of representatives from the hamlets and HTOs from the five North Baffin communities, the QIA and subject matter experts. The goal of this committee is to identify sources of dust and recommend actions and mitigation measures that can reduce dust production and dispersion. • Inuit Impact and Benefit Agreement (IIBA): Article 16 of the IIBA states how Baffinland 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. • Inuit Stewardship Program (ISP): The QIA is developing the ISP program, funded by Baffinland, which will supplement existing programs by Baffinland to support integration of Inuit experience, feedback and knowledge into the Project.		

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					• Project Monitor: Project Certificate Term and Condition 189 requires Baffinland to carry out all commitments listed in Appendix B to this Project Certificate 005, and refers to an Interim Project Monitor. This role is not currently in place. QIA, CIRNAC and Baffinland have been working with communities on development of a related role which would replace the Interim Project Monitor focused on providing another pathway to incorporate Inuit feedback into the Project. Once established, feedback from the Interim Project Monitor/ Project Monitor would be considered when adjusting the respective management and monitoring plans through the adaptive management process. • Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.		

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E. Cultural and archaeological sites							
E.1 Archaeological Sites							
Archaeological Sites		Inuit and Inuit groups raised the importance of archaeological sites during the NIRB assessment completed in 2012, and it continues to be a topic that is raised in post 2012 engagements. As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), Inuit community members and other community members identified various concerns, such as • Preservation, protection of archaeological resources from damage • Why there is no location in Nunavut for preservation and display of archaeological artifacts from Nunavut’s communities (currently only in Yellowknife) In the federal consultation tour for the Steensby Component of the Mary River Project held from December 9 to 11, 2024, Pond Inlet community members raised concerns about potential impacts to archaeological sites from construction and the need for contractors to hear directly from the communities about the locations of archaeological sites.	The topic of the railway as a source of potential impacts to archaeological sites is addressed in the FEIS 2012 in several sections, including: • Volume 1 Main Document - 4.3. Consultation methods and activities and section 6.2 Baseline studies (SD-41) • Community Concerns and Baffinland Response SD-41.15) and 2A Public Consultation Record (SD-41.17) and 2B Summary of Community Based Research Undertaken for the Mary River Project (SD-41.19) • Volume 4 Human Environment, see Section 9.0 Cultural Resources for the general assessment on the cultural resource assessment, and Section 9.6 Archaeological Sites on the assessment of archeological sites (SD-41.439), Appendix 4C – Land Use Report see Section 3.4.1 Camps and Figures 3.16 and 3.17 for historic camping locations (SD-41.442) and baseline information Appendix 4D Preliminary Archeological Mitigation Plan (SD-41.443)	The NIRB did not explicitly address archaeological sites in the 2012 NIRB Final Hearing Report (SD-43). Section 5.7.3 considers Culture, Resources and Land use generally: • The Board feels that early, ongoing, consistent consultation with affected communities will assist in ensuring the Proponent’s mitigative measures are successful in all aspects where such are designed to mitigate impacts to land users, and are especially important in educating the affected populations with respect to safety on the land. • 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. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: • Project Certificate Term and Condition No. 162: The Proponent should make all reasonable efforts to engage Elders and community members	New/Updated Information Provided with Section 98 Application As part of the Section 98 Application, the Stakeholder Engagement Report (see SD-69 Section 7.6) describes the annual archaeological surveys along the planned Steensby Rail alignment and Port to mitigate and minimize impacts of construction and operations on culturally significant sites. SD-81 2024 Archaeology Program Letter provides a high-level summary of work conducted in 2024 in along the planned rail alignment and port site. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Since 2021 Baffinland has been conducting fieldwork in support of various environmental authorizations required to develop specific elements of the Steensby Component of the Project. As described above annual archeological surveys have been undertaken along the planned Steensby Rail alignment and Port to mitigate and minimize impacts of construction and operations on culturally significant sites. Baffinland developed the Cultural Heritage Resource Protection Plan (BAF-PH1-830-P16-0006) (SD-27.45)	Current Status Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process) This is a topic that is relevant to the location of the railway, as the railway location interacts with archaeological sites. There are comprehensive mitigations developed to address the topic of archaeological and cultural sites developed though the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of potential impacts to archaeological sites from construction was raised by an individual in Pond Inlet during the December 2024 Federal Tour. It is noted that the individual did not identify dissatisfaction with any of the specific mitigation measures proposed to date that would address their concern. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will to continue engaging with the community to inform them on Baffinland’s Environmental	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s position are further summarized here. Context of Issue (Column C) Inuit individuals and groups have identified to Baffinland and the federal government that Inuit are holders of indigenous rights in relation to archaeological sites, under the Nunavut Agreement and Section 35 of the Constitution Act. Inuit have identified concerns about potential impacts to archaeological sites from construction of the railway set out in this row Baffinland is of the view that with the measures proposed the Steensby Railway can proceed in a way that is protective of these archaeological sites and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) The Baffin Region of Nunavut has a rich and visible archaeological heritage dating back many thousands of years. There are many archeological sites both small and more significant, particularly

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			- Volume 9 Cumulative Effects and Other Assessments, Section 1.4.6 Culture, Resources and Land Use (SD-41.485) The Baffin Region of Nunavut has a rich and visible archaeological heritage dating back many thousands of years. There are many archeological sites both small and more significant, particularly around Milne Port and Steensby Port but also along some sections of the rail line. Baffinland’s FEIS indicated that the Mary River Project, in combination with other foreseeable projects and with traditional harvesting activities, is not expected to result in significant negative cumulative effects to archaeological sites. The key points included in the references to the FEIS listed above are: - All previously identified archaeological sites within Project boundaries will either be mitigated through excavation with all information reported and artifacts sent to the Prince of Wales Northern Centre in Yellowknife for preservation, or will be staked, flagged and posted prior to commencement of construction. - Sites at Milne Port and along the Railway that are far from Project activities including camps will not be identified, so as to not bring unnecessary human attention to the sites. - Procedures are in place for dealing with chance finds and	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. Specific commitments that are relevant to address this item of concern raised by localities (per the Table of Commitments SD-2): - Commitment 77: Steensby Elders’ visit, Baffinland is implementing this commitment. In August 2024, over 160 Elders and land users visited Steensby in an event organized by Baffinland. - Commitment 78: training to employees to avoid damaging cultural sites. - Commitment 79: IIBA commitment to comply with heritage protection laws in Nunavut.	which will be applied during the Steensby Component. A number of factors were used to finalize the Railway design. As an example, known archaeological sites were used to select the length and location of the passing sidings. In August 2024, Baffinland facilitated a gathering near Steensby Port. Over 160 Elders and land users from Igloolik and Sanirajak made the journey by boat to visit the land where they had once lived and maintained camps. Baffinland supported this celebratory and ceremonial journey by organizing logistics, providing fuel, food, and arranging transportation for those unable to travel by boat (SD-82 – Steensby Elder Visit). <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to archaeological sites: Regulatory oversight: Compliance with the Nunavut Land Claims Agreement, Government of Nunavut Department of Culture and Heritage and Project Terms and Conditions require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-	Management System. Baffinland also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report. Given the overall importance of archaeological sites to Inuit and other Indigenous group, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: Specifically: - With respect to the specific topic of preservation, protection of archaeological resources from damage, all previously identified archaeological sites within Project boundaries will either be mitigated through excavation with all information reported and artifacts sent to the adequate facilities for preservation, or will be staked, flagged and posted prior to commencement of construction. Sites along the Railway that are far from Project activities including camps will not be identified, so as to not bring unnecessary human attention to the sites. - With respect to the specific topic of why there is no location in Nunavut for preservation and display of archaeological artifacts from	around Milne Port and Steensby Port but also along some sections of the rail line. Baffinland’s FEIS indicated that the Mary River Project, in combination with other foreseeable projects and with traditional harvesting activities, is not expected to result in significant negative cumulative effects to archaeological sites. Based on a number of mitigation measures and management plans related to protecting archaeological sites in Column D, the 2012 FEIS concluded that there would be no significant effects to archaeological sites through a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of archaeological sites (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F)

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			for employees, contractors and visitors to stay away from flagged or posted areas. - All identified archaeological sites with potentially direct effects are proposed to have been mitigated and/or staked and flagged in advance of construction. Therefore the frequency and probability of encountering sites will be low. Because the information from all the mitigated sites will have been retained and remaining sites marked as off limits, the magnitude of the effect has been rated as negligible. - Traditional and current camping locations were identified in the Mary River Land Use Study through workshops and interviews with Inuit. There are few camping locations along the railway route as campsites were selected for accessibility (i.e. using boats) and ability to hunt and gather food, such as caribou, walrus and seal. Therefore, campsites are mostly concentrated along the coastline. There are no significant adverse effects predicted for the disruption and restriction to camping locations. Baffinland proposed various plans relevant to this topic in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular, - Socio-economic Monitoring Plan (BAF-PH1-830-P16-0051) (SD-27.75)		- compliance and associated follow-up.. NIRB Annual Reporting and Management Plan Update Process: The Project Certificate requires that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed within the Stakeholder Engagement Plan (SD-74). Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures	Nunavut’s communities (currently in Yellowknife and Ottawa), the Nunavut Archaeological and Palaeontological Sites Regulations (SOR/2001-220) of the Nunavut Act outline the requirements for a curation repository that is designated by the Inuit Heritage Trust. With respect to the specific topic of concerns about potential impacts to archaeological sites from construction, the Cultural Heritage Resource Protection Plan details how Baffinland staff and contractors manage and report known archaeological sites and chance findings.	In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update and collect supplemental baseline information to support detailed engineering and annual archaeological surveys, as outlined in Column F of this row. Since 2021 Baffinland has been conducting fieldwork in support of various environmental authorizations required to develop specific elements of the Steensby Component of the Project. As described above annual archeological surveys have been undertaken along the planned Steensby Rail alignment and Port to mitigate and minimize impacts of construction and operations on culturally significant sites. Baffinland developed the Cultural Heritage Resource Protection Plan (BAF-PH1-830-P16-0006) (SD-27.45) which will be applied during the Steensby Component. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff.

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			Cultural Heritage Resource Protection Plan (BAF-PH1-830-P16-0006) (SD-27.45)		identified in the Project Certificate.		Should monitoring reveal that further measures are required in respect of archaeological sites Baffinland would take action under its Adaptive Management Plan. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as archaeological sites. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.
F. Employment/Benefits							
F.1 Employment Opportunities, Benefits for Communities and Training							
Employment opportunities, benefits for communities and training	Access to employment and business opportunities for North Baffin communities and organizations, employment opportunities for women, compensation upon mine closure, Inuit training and career progression	Inuit and Inuit groups raised the importance of employment opportunities, benefits and training during the NIRB assessment completed in 2012, and it continues to be a topic that is raised in post 2012 engagements. As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), Inuit community members	The topic of the railway as a source of potential impacts to employment is addressed in the FEIS 2012 in several sections, including: Volume 1 Main Document - see Executive Summary, Table 1-12.1 Summary of Residual Biophysical Effects and section 5.1.4 Livelihood and Employment for the	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Section 5.3.3: The Board reiterated some of the key concerns, including potential for people to abandon jobs within their home community in order to pursue employment with	New/Updated Information Provided with Section 98 Application As part of the Section 98 Application, the Stakeholder Engagement Report (see SD-69 Section 7.12) describes the implementation of employment and procurement initiatives under the IIBA and as described in its commitments to NIRB. Baffinland	Current Status Baffinland is not aware of any outstanding items related to this issue other than (1) continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process) and (2) continuing implementation of the IIBA.	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s position are further summarized here. <u>Project Components Relevant to Topic</u>

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
		and other community members identified various concerns, such as - Support for the mine contingent on employment opportunities and business opportunities being available for community members in the North Baffin - Will Inuit and North Baffin residents in particular be given priority to access job opportunities - Will the Project create job opportunities specifically for women - How will Project employees be compensated when the mine closes In the federal consultation tour for the Steensby Component of the Mary River Project held from December 9 to 11, 2024, an Igloolik community member raised concerns about opportunities for advancement and improvements on Inuit in management roles. A community member from Sanirajak asked about community benefits. Baffinland’s proposed mitigation measures, compliance with Project commitments and the IIBA address this concern, in the manner described in this row.	- baseline summary of North Baffin employment (SD-41) - Volume 2 Consultation, Regulatory Framework and Assessment Methodology – see Table 2-1.3 Key Community Concerns and Baffinland Response (SD-41.15) and 2A Public Consultation Record (SD-41.17) and 2B Summary of Community Based Research Undertaken for the Mary River Project (SD-41.19) - Volume 4 Human Environment (SD-41.439), see Section 4.0 Livelihood and Employment for the general employment and benefit assessment and section 4.7 Impact Statement for a summary of the assessment and proposed mitigation measures. - Volume 9 Cumulative Effects and Other Assessments, Section 1.4.5 Communities (SD-41.485) The key points included in the references to the FEIS listed above are: - The beneficial residual effects of the Project on wage employment of North Baffin residents to be significant and predicted positive effects on the employment of Iqaluit residents. - The Project would be likely to serve as a major economic driver in Nunavut, and that it	the Mary River Project, barriers to employment that are faced by women in particular, and potential impact of increased income upon employees’ or their family’s access to public social housing. - The NIRB noted Baffinland’s plans to provide employee and family assistance support related to financial matters, and to have this provided in Inuktitut, by Inuit counsellors. In Section 5.4.3: - The board reiterated some of the key concerns, including impacts of temporary mine closure, contracting opportunities for small and Inuit-owned businesses and non-direct access to benefits by communities. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: - Project Certificate Term and Condition No. 129: The Proponent is strongly encouraged to engage in the work of the Qikiqtaaluk Socio-Economic Monitoring Committee along with other agencies and affected communities, and it should endeavour to identify areas of	will continue to support Inuit in obtaining Project-related contracts and employment. Baffinland prioritizes the employment and retention of Inuit staff with several initiatives implemented during Operations: - Cultural recognition programs, encompassing cultural awareness initiatives, the promotion of Inuktitut in the workplace. - Provision of the Inuit Cultural Engagement Workshop for all on-site employees, - Operation of the Arnait Action Plan committee, dedicated to reducing barriers to employment. Promoting Inuit women's access to job opportunities within the Project workforce. - Introduction of the Aulatjiit Inuit Leadership Development Program. A program that gives Inuit employees the opportunity to advance to leadership roles. - Career Development Plans for every permanent Inuk employee. As described in paragraph 10, 11 and 71 of the Application for Approval to Construct a Railway Line, Baffinland is the largest private employer in the Qikiqtani region and is one of the largest private employers in Nunavut. To date, through the Mary River IIBA and other community partnerships,	This is a topic that is relevant to the location of the railway, in relation to which localities are in the closest proximity to the railway. It should be noted that the North Baffin Localities are more than 150 kilometers away from the Steensby Railway. There are comprehensive mitigations developed to address the topic of employment opportunities, benefits and training developed though the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of Inuit employment and community benefits were raised by individuals in Igloolik and Sanirajak during the December 2024 Federal Tour. It is noted that the individuals did not identify dissatisfaction with any of the specific mitigation measures proposed to date that would address their concern. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report. Given the overall importance of employment, benefits and training to Inuit and other Indigenous group, it is expected that this topic will require Baffinland’s continual	Baffinland is the largest private employer in the Qikiqtani region and is one of the largest private employers in Nunavut. Baffinland has committed to maximizing Inuit employment in its operations and to delivering other long-term socio-economic benefits to the community, including through the IIBA. Over \$150 million in wages have been paid to Inuit employees and contractors since operations began. Context of Issue (Column C) Inuit individuals and groups have identified concerns related to Inuit employment, community benefits and training. These concerns have been carefully taken into account, set out in this row Baffinland is of the view that with the measures proposed the Steensby Railway can proceed in a way that is protective of these water resources and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) The Project was assessed as generally having beneficial residual effects on wage employment in North Baffin, provide opportunities for women and youth, and provide contracting and business opportunities in Nunavut. This assessment in the 2012 FEIS formed the basis for approval of the Mary River Project, including the Steensby Railway. Based on a number of mitigation measures and management plans related to

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			could promote the development of new local and regional businesses related to the supply of industrial goods and services. • Opportunities for women and youth will be considered in the development of training programs and on-site orientation and policy. Baffinland is encouraged to work with the Government of Nunavut and the Qikiqtaaluk Socio-Economic Monitoring Committee to monitor the barriers to employment for women, specifically with respect to childcare availability and costs. • With specific regard to contracting and business opportunities, the Project would be expected to create a new market for business-to-business contracts, representing a positive effect in the small economies of North Baffin. In addition, Baffinland concluded that the Project would likely have a positive and substantial effect on market opportunities for businesses to provide goods and services for the Project. • Baffinland’s FEIS predicted that after mine closure, long-time employees and those dependent on the income from mine work would likely experience some disruption, however, it further indicated that certain skills would be transferable to other jobs, and that Project employees would have had training and support	• mutual interest and priorities for inclusion into a collaborative monitoring framework that includes socio-economic priorities related to the Project, communities, and the North Baffin region as a whole. • Term and Condition No. 130: The Proponent should consider establishing and coordinating with smaller socio-economic working groups to meet Project specific monitoring requirements throughout the life of the Project. • Term and Condition No. 131: The Qikiqtaaluk Socio-Economic Monitoring Committee is encouraged to engage in the monitoring of demographic changes including the movement of people into and out of the North Baffin communities and the territory as a whole. This information may be used in conjunction with monitoring data obtained by the Proponent from recent hires and/or out-going employees in order to assess the potential effect the Project has on migration. • Term and Condition No. 132: The Proponent is encouraged to partner with other agencies such	Baffinland has cumulatively paid more than \$164 million in financial benefits to Qikiqtani Inuit, provided over \$150 million in wages to Inuit employees and contractors, reached over \$1.79 billion in contracts awarded to Inuit firms, provided over \$3.8 million through its Sponsorship and Donation Program, seen over 650 graduates of pre-employment training programs, and delivered over 229,000 hours of training to Inuit employees, amongst other socio-economic benefits. In 2023 alone, Baffinland and its partners contributed over \$1.5 million toward social, recreational, educational and cultural initiatives in communities such as Arctic Bay, Clyde River, Igloolik, Pond Inlet, Sanirajak, and Iqaluit. This included payments of \$270,000 to the Tasiuqtiit Working Group for community wellness initiatives and \$500,000 in sponsorships and community donations. Baffinland also supports school-based programs like the School Lunch Program and laptop donations. Baffinland estimates that the total value of financial benefits which will flow to Inuit and Nunavut over the life of the Project (including the Steensby Railway) will exceed \$5 billion CAD in direct payments to the Governments of Nunavut and Canada, and to Inuit Organizations, including QIA and Nunavut Tunngavik Inc., as well as more than \$1 billion CAD paid directly to Inuit through employment at the Project.	attention and diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: Specifically: • With respect to the specific topic of employment and business opportunities for Inuit, Baffinland is the largest private employer in the Qikiqtani region. To date, through the Mary River IIBA and other community partnerships, Baffinland has cumulatively provided over \$150 million in wages to Inuit employees and contractors, reached over \$1.79 billion in contracts awarded to Inuit firms, amongst other socio-economic benefits. Baffinland will continue to prioritise Inuit employment and business opportunities, in compliance with Project Certificate Terms and Conditions, commitments and IIBA provisions. • With respect to the specific topic of compensation of employees once the mine closes, the Steensby Component will bring better financial stability to the Mary River Project and, in turn, stabilize employment and contracting opportunities. There are also several non-monetary benefits which will flow to Qikiqtani Inuit, other Nunavummiut, and Canadians generally as a result of the Mary River Project, such as the opportunities and training that generations of Qikiqtani Inuit and other Nunavummiut will	employment and training described in Column D, the comprehensive assessment and subsequent NIRB public review process were completed, as described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the Inuit employment, community benefits and training (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 several benefits have been delivered to Inuit in the form of employment, community benefits and training, as outlined in Column F of this row. Baffinland estimates that the total value of financial benefits which will flow to Inuit and Nunavut over the life of the Project (including the Steensby Railway) will exceed \$5 billion CAD in direct payments to

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			in career planning and financial planning. Baffinland proposed various plans relevant to this topic in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular, Human Resource Management Plan (SD-41.519)	as Hamlet organizations in the North Baffin region, the Municipal Training Organization, and the Government of Nunavut in order to adapt pre-existing, or to develop new programs which encourage Inuit to continue living in their home communities while seeking ongoing and progressive training and development. Programs may include driver training programs offered within Hamlets, providing upgraded equipment to communities for use in municipal works, providing incentives for small businesses to remain operating out of their community of origin, or supplementing existing recreational facilities and programming in North Baffin communities. Term and Condition No. 133: The Proponent is encouraged to work with the Qikiqtaaluk Socio-Economic Monitoring Committee and in collaboration with the Government of Nunavut’s Department of Health and Social Services, the Nunavut Housing Corporation and other relevant stakeholders, design and implement a voluntary survey to be completed by its employees on an annual basis in order to identify	Once constructed, the Steensby Railway will increase operating efficiencies and reduce operating costs for the Mary River Project, which is key for the long-term viability of the mine and, in turn, will address the desire expressed by localities for increased employment, financial payments, and other economic opportunities under the Mary River IIBA that are available as a result of the Mary River Project. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Since 2021 Baffinland has been conducting fieldwork in support of various environmental authorizations required to develop specific elements of the Steensby Component of the Project. An in-community supplemental baseline socio-economic monitoring program is planned for 2026. Baffinland developed a draft Socio-Economic Monitoring Plan (SD-27.75) which will be finalized and applied during the Steensby Component. In addition to the Socio-Economic Monitoring Plan, including measures such as: - Outlining socio-economic monitoring indicators - Steps for data collection, analysis and reporting - Adaptive management to improve socio-economic performance of the Project. Other management plans to be developed and applicable to the	experience as a result of the Mary River Project. After mine closure, the FEIS predicted that long-time employees and those dependent on the income from mine work would likely experience some disruption, however, certain skills would be transferable to other jobs. - With respect to the specific topic of opportunities for advancement and improvements on Inuit in management roles, Baffinland is committed to hiring Inuit at all levels in the company for the Mary River Project and intends to put a targeted recruitment program in place to ensure that Inuit, especially Inuit of the North Baffin Region, are hired. - With respect to the specific topic of community benefits, as highlighted above, Baffinland is the largest private employer in the Qikiqtani region. To date, through the Mary River IIBA and other community partnerships, Baffinland has cumulatively paid more than \$164 million in financial benefits to Qikiqtani Inuit, provided over \$3.8 million through its Sponsorship and Donation Program, seen over 650 graduates of pre-employment training programs, and delivered over 229,000 hours of training to	the Governments of Nunavut and Canada, and to Inuit Organizations, including QIA and Nunavut Tunngavik Inc., as well as more than \$1 billion CAD paid directly to Inuit through employment at the Project. These estimates do not reflect other monetary and non-monetary benefits which will flow to Qikiqtani Inuit, other Nunavummiut, and Canadians generally as a result of the Mary River Project, such as the opportunities and training that generations of Qikiqtani Inuit and other Nunavummiut will experience as a result of the Mary River Project. The Steensby Component will bring better financial stability to the Mary River Project and, in turn, stabilize employment and contracting opportunities. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required in respect of the crossings once constructions, Baffinland would take action under its Adaptive Management Plan.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
				changes of address, housing status (i.e. public/social, privately owned/rented, government, etc.), and migration intentions while respecting confidentiality of all persons involved. The survey should be designed in collaboration with the Government of Nunavut’s Department of Health and Social Services, the Nunavut Housing Corporation and other relevant stakeholders. Non-confidential results of the survey are to be reported to the Government of Nunavut and the NIRB. • Term and Condition No. 134: The Proponent shall include with its annual reporting to the NIRB a summation of employee origin, including (a) the number of Inuit and non-Inuit employees hired from each of the North Baffin communities, (b) the number of Inuit and non-Inuit employees hired from each of the Kitikmeot and Kivalliq regions, (c) the number of Inuit and non-Inuit employees hired from a southern location or other province/territory outside of Nunavut. • Term and Condition No. 135: The Proponent is encouraged to consider offering additional	human environment of the Steensby Component activities includes: • Inuit Training Plan • Community and Stakeholder Engagement Plan <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to employment opportunities, benefits for communities and training include: • Project Certificate Terms and Conditions: Term and Condition 132 listed in column E encourages Baffinland to partner with Inuit organizations and the Territorial Government in order to adapt pre- existing, or to develop new programs which encourage Inuit to continue living in their home communities while seeking ongoing and progressive training and development. • NIRB Annual Reporting and Management Plan Update Process: The Project Certificate requires that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plan listed	Inuit employees, amongst other socio-economic benefits. Furthermore, in 2023 alone, Baffinland and its partners contributed over \$1.5 million toward social, recreational, educational and cultural initiatives in the localities, as described in Column E. Baffinland estimates that the total value of financial benefits which will flow to Inuit and Nunavut over the life of the Project (including the Steensby Railway) will exceed \$5 billion CAD in direct payments to the Governments of Nunavut and Canada, and to Inuit Organizations, including QIA and Nunavut Tunngavik Inc., as well as more than \$1 billion CAD paid directly to Inuit through employment at the Project.	Baffinland has made meaningful efforts to maximize benefits for Inuit through its agreements, commitments and Project Terms and Conditions. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as Inuit employment, community benefits and training. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.

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				options for work/study programs available to Project employees (in addition to study programs at project sites that would be offered to employees when off shift). • Term and Condition No. 136: The Proponent is encouraged to work with training organizations and/or government departments offering mine-related or other training in order to provide additional opportunities for employees to gain meaningful and transferable skills, credentials and certifications especially where such training of employees offered by the Proponent remains valid only at the Mary River Project sites. • Term and Condition No. 137: Prior to construction, the Proponent shall develop an easily referenced listing of formal certificates and licences that may be acquired via on-site training or training during employment at Mary River, such listing to indicate which of these certifications and licences would be transferable to a similar job site within Nunavut. This listing should be updated on an annual basis and is to be	in Column D are updated on a regular basis, and subject to review by interveners, including the QIA. • Qikiqtaaluk Socio-Economic Monitoring Committee (QSEMC) and Mary River Socio-Economic Monitoring Working Group (MRSEMWG): Project Certificate Term and Condition 129 requires Baffinland to engage in the work of the QSEMC along with other agencies. Baffinland also coordinates the Mary River SEMWG (TC 129). The SEMWG is a sub-group of the Regional QSEMC. The SEMWG includes members from the GN, the QIA, CIRNAC, and Baffinland. The working groups intend to support adaptive management by identifying potential areas for improvement in socio-economic monitoring and performance, where appropriate. • Inuit Impact and Benefit Agreement (IIBA): The IIBA states that Inuit must have the opportunity for equitable and meaningful participation in the Project, and the QIA and Baffinland have agreed to maximizing Inuit Participation over time through training,		

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				provided to the NIRB upon completion and whenever it is revised. - Term and Condition No. 138: The Proponent is encouraged to work with the Qikiqtani Inuit Association to ensure the timely development of effective Inuit training and work-ready programs. - Term and Condition No. 139: Prior to commencing construction, the Proponent is requested to undertake and provide the results of a detailed labour market analysis which provides quantitative predictions of the number of employees that may reasonably need to be sourced from southern Canada and from foreign markets, identifying where applicable, the country of origin for the foreign labour. Within 90 days of the issuance of the Project Certificate, the Proponent is required to submit an updated Labour Market Analysis which considers requirements of the ERP as well as hiring points within Nunavut and outside of the North Baffin region and RSA. - Term and Condition No. 140: The Proponent is encouraged to survey Nunavummiut employees as they are hired and	contracting and employment objectives. Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed within the Stakeholder Engagement Plan (SD-74). Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.		

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				specifically note the level of education obtained and whether the incoming employee resigned from a previous job placement or educational institution in order to take up employment with the Project. • Term and Condition No. 141: The Proponent is encouraged to work with the Qikiqtani Inuit Association prior to construction in order to prioritize the provision of training of Inuit to serve as employees in monitoring or other such capacities. • Term and Condition No. 142: The Proponent is encouraged to address the potential direct and indirect effects that may result from Project employees’ on-site use of various Inuktitut dialects as well as other spoken languages, specifically paying attention to the potential alienation of some employees that may occur as a result of language or other cultural barriers. • Term and Condition No. 143: The Proponent is encouraged to consider the use of both existing and innovative technologies (e.g. community radio station call-in shows, cell phones,			

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				video-conferencing, Skype, etc.) as a way to ensure Project employees are able to keep in contact with family and friends and to ward off the potential for feelings of homesickness and distance to impact on employee retention and family stability. • Term and Condition No. 144: The Proponent is encouraged to make requirements for employment clear in its work-readiness and other public information programs and documentation, including but not limited to education levels, criminal records checks, policies relating to drug and alcohol use and testing, and language abilities. • Term and Condition No. 145: The Proponent is encouraged to work with the Government of Nunavut and the Qikiqtaaluk Socio-Economic Monitoring Committee to monitor the barriers to employment for women, specifically with respect to childcare availability and costs. • Term and Condition No. 146: The Government of Nunavut and the Qikiqtani Inuit Association are strongly encouraged to investigate the possibility for Project			

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				revenue streams to support initiatives or programs which offset or subsidize childcare for Project employees. • Term and Condition No. 147: The Proponent is encouraged to work with the Government of Nunavut and the Nunavut Housing Corporation to investigate options and incentives which might enable and provide incentive for employees living in social housing to maintain employment as well as to negotiate for and obtain manageable rental rates. • Term and Condition No. 149: Prior to the commencement of operations, the Proponent is required to undertake an analysis of the risk of temporary mine closure, giving consideration to how communities in the North Baffin region may be affected by temporary and permanent closure of the mine, including economic, social and cultural effects and taking into consideration the potential drop in employment between the construction and operations phases of the Project. • Term and Condition No. 151: The Proponent is encouraged to investigate measures and programs			

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				designed to assist Project employees with homeownership or access to affordable housing options. • Project Certificate Term and Condition No. 152: The Qikiqtani Inuit Association is encouraged to provide the Board and the Qikiqtaaluk Socio-Economic Monitoring Committee with information regarding the effectiveness of any provisions within the Inuit Impact and Benefit Agreement which may require that larger contracts be broken down into smaller size in order that they are reasonably managed by smaller businesses in the North Baffin region, while respecting any confidential or privileged information. • Term and Condition No. 153: The Proponent is encouraged to employ a mental health professional to provide counselling to Inuit and non-Inuit employees in order to positively contribute toward employee health and well-being. • Term and Condition No. 154: The Proponent shall work with the Government of Nunavut and the Qikiqtaaluk Socio-Economic Monitoring Committee to monitor			

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				potential indirect effects of the Project, including indicators such as the prevalence of substance abuse, gambling issues, family violence, marital problems, rates of sexually transmitted infections and other communicable diseases, rates of teenage pregnancy, high school completion rates, and others as deemed appropriate. • Term and Condition No. 155: The Proponent is strongly encouraged to provide the NIRB with an updated report on its development of mitigation measures and plans to deal with potential cultural conflicts which may occur at site as these may become needed. • Term and Condition No. 156: The Proponent is encouraged to assist with the provision and/or support of recreation programs and opportunities within the potentially affected communities in order to mitigate potential impacts of employees’ absences from home and community life. • Term and Condition No. 157: The Proponent should consider providing counseling and access to treatment programs for substance and gambling			

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				addictions as well as which address domestic, parenting, and marital issues that affect employees and/or their families. • Term and Condition No. 158: The Proponent is encouraged to work with the Government of Nunavut and other parties as deemed relevant in order to develop a Human Health Working Group which addresses and establishes monitoring functions relating to pressures upon existing services and costs to the health and social services provided by the Government of Nunavut as such may be impacted by Project-related in-migration of employees, to both the North Baffin region in general, and to the City of Iqaluit in particular. • Term and Condition No. 159: The Proponent is encouraged to work with the Government of Nunavut to develop an effects monitoring program that captures increased Project- related pressures to community infrastructure in the Local Study Area communities, and to airport infrastructure in all point-of-hire communities and in Iqaluit. • Term and Condition No. 160: The Government of			

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				Nunavut and the Qikiqtani Inuit Association are encouraged to cooperate to ensure in a broad sense, that Project benefits are distributed across impacted communities and across various demographic groups within these communities in a manner that best offsets any Project-related impacts to infrastructure or services. Specific commitments that are relevant to address this item of concern raised by localities (per the Table of Commitments SD-2): - Commitment 86: Baffinland is committed to hiring practices that are consistent with the terms and conditions in the memorandum of understanding for the IIBA. - Commitment 87: Baffinland is committed to hiring Inuit at all levels in the company for the Mary River Project and intends to put a targeted recruitment program in place to ensure that Inuit, especially Inuit of the North Baffin Region, are hired. - Commitment 88: Baffinland is committed to the preferential hiring of employees from the defined points of hire, which include the communities of Pond			

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				Inlet, Igloolik, Hall Beach, Arctic Bay and Iqaluit. • Commitment 89: Baffinland is committed to implementing a targeted training plan to build capacity among Inuit to fulfill positions within the organization; some of the capacity building initiatives include refresher training, work ready training and education support programs. • Commitment 90: Baffinland is committed to providing cross-cultural training to both Inuit and non-Inuit employees and to institute anti discriminatory policies. • Commitment 91: Baffinland is committed to providing training linked to specific job positions and to endeavor to implement job-creation partnerships with interested organizations. • Commitment 92: Baffinland is committed to distributing information related to available employment at the Mary River Project through its website, community newspapers and other methods of advertising. • Commitment 94: Baffinland is committed to ensuring employees who are unilingual Inuktitut speakers will not face barriers to employment at the Mary River Project.			

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				The Mary River IIBA between Baffinland and the QIA fulfils the requirements of the Nunavut Agreement set out in Article 26 and applies to the entire Mary River Project, including the Steensby Component. The IIBA identifies mitigation measures to address issues raised by Inuit about the Project and establishes significant financial compensation and benefits to Inuit. Schedule 2.2 and 2.3 of the IIBA state that Inuit must have the opportunity for equitable and meaningful participation in the Project, and the QIA and Baffinland have agreed to maximizing Inuit Participation over time through training, contracting and employment objectives (SD-72).			
G. Other Topics							
G.1 Key Partnerships for the Steensby Railway							
Key partnerships for the Steensby Railway	Concerns around the split of responsibilities and accountability between Baffinland and the railway operator.	The QIA raised the topic of key partnerships in their comments on the advance draft of the Section 98 Application in August 2023 (SD-75): Accountability on part of Baffinland and the contracted railway operator will be essential to any successful partnership in operating this critical piece of project infrastructure. Baffinland please clarify where the division of accountability and responsibilities will be between Baffinland and the contracted railway operator. It is assumed	The topic of key partnerships for the Steensby Railway is addressed in the 2012 FEIS in: - Volume 9 Cumulative Effects and Other Assessments, Section 3 Accidents and Malfunctions (SD-41.485). The key points included in the references to the FEIS listed above are: - Baffinland has an obligation to identify any foreseeable hazards that may arise from the Mary River Project and to assess the risk of harm	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Section 6.1.3: The Proponent should work with other agencies to undertake consultation regarding railway operations and safety considerations.	New/Updated Information Provided with Section 98 Application As outlined in Paragraphs 118 and 179 of the Approval to Construct a Railway Application, Baffinland will operate the Mine Terminal and Steensby Port Terminal, whereas the Steensby Railway main line and Repair Yard will be operated and maintained by a qualified railway operator contracted by Baffinland. The qualified railway operator will also provide train crews and complete track and rolling stock inspection, railway maintenance, signal management, and wayside train monitoring.	Current Status Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process) and ensuring compliance with applicable regulations. This is a topic that is relevant to the location of the railway, as the selection of key partnerships is dependent on the railway location. The key partnerships for the Steensby Railway is an item that is being addressed by CTA through the Certificates of Fitness, which ensure	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s position are further summarized here. Context of Issue (Column C) During the advance draft review of the Approval to Construct a Railway application, QIA asked Baffinland to clarify the division of accountability and responsibility between Baffinland and key partners. This interest has been taken into

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		that Baffinland will retain full responsibility and liability for any performance deficiencies or breaches of contract by the contracted railway operator.	- arising from the identified hazards. - Knowledge of hazards and the evaluation of associated risks are necessary for establishing health, safety and environmental objectives and targets, and for setting priorities to control the risks to employees and others. Hazard identification, risk assessment and control are an on-going process undertaken periodically throughout the Project life cycle. Baffinland proposed various plans relevant to this topic in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular, - Railway Management Plan (SD-41.508) - Railway Emergency Response Plan (SD-41.509)		The inspection and maintenance of the Steensby Railway and Baffinland’s rolling stock will be completed by a qualified railway operator, according to a rigorous schedule. This will include ongoing inspection and maintenance of the railway embankments, tracks, train control and communication equipment, wayside condition monitoring equipment, locomotives, and railcars. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Pursuant to Sections 90 to 94 of the <i>Canada Transportation Act</i>, Baffinland is required to obtain a Certificate of Fitness (CoF) for the proposed construction and operation of the Steensby Railway. Baffinland’s, in collaboration with their insurance broker, Aon, selected the most suitable insurance provider pollution liability policy and the wrap-up liability policy within the certificate of insurance, which would include an all-encompassing policies covering Baffinland’s third-party and general liability exposures for the construction of the Steensby Railway. As Baffinland progresses into operations, an additional Certificate of Fitness will be required that is based on the insurance liabilities that are unique to the operation of the Steensby Railway as opposed to the construction. The division of responsibilities for operating the	that there is adequate insurance in place for all activities related to the construction and operation of the Steensby Railway The current status of this item is that CTA has issued a conditional approval of the construction Certificate of Fitness, pending issuance of the valid insurance policy. It is acknowledged that the topic of key partnerships was raised by QIA during their review of the Approval to Construct a Railway Application. It is noted that the QIA did not identify dissatisfaction with any of the specific measures proposed to date that would address their concern, and that the concern does not require additional actions on behalf of Baffinland, other than obtaining the Certificate of Fitness and continuing to engage with the community to inform them on Baffinland’s Environmental Management System. Detailed Response to Issues Raised in Column C: Specifically: With respect to the specific topic of accountability for key partnerships, Baffinland will operate the Mine Terminal and Steensby Port Terminal, while the Steensby Railway main line and Repair Yard will be operated and maintained by a qualified railway operator contracted by Baffinland. The inspection and maintenance of the Steensby Railway and Baffinland’s rolling stock will also be completed by a	account. As set out in this row, Baffinland is of the view that with the Certificate of Fitness in place, the Steensby Railway can proceed in a way that is protective of the environment and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) The 2012 FEIS identifies the need for Baffinland to identify foreseeable hazards that may arise from the Mary River Project, which formed the basis for approval of the Mary River Project, including the Steensby Railway. The management plans related to Railway Management and Railway Emergency Response listed in Column D, were part of the comprehensive assessment and subsequent NIRB public review process. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with the understanding that Baffinland should work with other agencies to undertake consultation regarding railway operations and safety considerations. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F)

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					railway line will be outlined in the Certificate of Fitness application to the Agency with supporting documentation (i.e. contract or agreement with the railway operator). The Certificate of Fitness will ensure at all times that all activities related to the construction and operation of the railway are adequately insured. <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to key aptrnerships for the Steensby Railway include: • Regulatory oversight: Baffinland is required to obtain a Certificate of Fitness (CoF) for the construction and operation of the Steensby Railway. The Certificate of Fitness will ensure at all times that all activities related to the construction and operation of the railway are adequately insured. Federal regulatory requirements require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up.	qualified railway operator, according to a rigorous schedule. Baffinland will obtain Certificates of Fitness from CTA for construction and operation to ensure the railway is adequately insured at all times.	In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to evaluate key partnerships and although Baffinland will operate the Mine Terminal and Steensby Port Terminal, a qualified railway operation will operate and maintain the Steensby Railway main line and Repair Yard. Baffinland will also obtain a Certificate of Fitness to ensure that all activities related to the construction and operation of the railway are adequately insured. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process) and ensuring compliance with applicable regulations. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as crossings and water quality concerns. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and

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							other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.
G.2 Construction of the Railway							
Construction of the Railway		Inuit and Inuit groups raised the importance of the construction of the railway during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. In its comments on an advance draft of the Section 98 Application in August 2023, QIA asked The disposal of ice-rich soils will occur adjacent to the rail embankment and local depressions will be selected as opposed to slopes where material can run-off. This may not be enough to prevent sediment spills into water bodies. Depending on the location, water bodies may be close in proximity. Special considerations should be taken based on the context at each disposal site. Baffinland confirm whether regular inspections of soil spoil disposal locations to monitor for sediment transport and the	The topic of the railway construction as a source of potential impacts on the environment is addressed in the following section of the 2012 FEIS: - Volume 3 Project Description, and Section 2.5 Railway Construction Phase. (SD-41.22) The construction of the railway is also discussed throughout each interest (noise, caribou movement etc.). For specific concerns and how they are address regarding those interests, please refer to their specific row within this table. The key points included in the references to the FEIS listed above are: - Soil spoils will be disposed of in exhausted quarries as a preferred option, particularly low-lying areas or below-grade excavations within quarries. Quarries represent a disturbed footprint with limited future use and therefore make ideal disposal sites, provided they are not	The 2012 NIRB Final Hearing Report (SD-43) did not specifically reference the disposal of ice-rich soil during construction of the Railway. However, relevant Project Certificate Terms commitments and IIBA conditions that are relevant to address this item are: - Appendix A, Commitment 18: Baffinland is committed to the development and implementation of a monitoring program during the construction and other phases of the Mary River Project. - IIBA Condition 15.2, page 105: 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	New/Updated Information Provided with Section 98 Application Baffinland’s response to this comment is provided in the Response to Qikiqtani Inuit Association Comments on Baffinland Iron Mines Corporation’s Application to the Canadian Transportation Agency for Approval to Construct a South Railway Line (SD-75). As described within the response, Sediment and erosion control measures will be in place, as with any other component of the site, to prevent the discharge of deleterious substances to fish-bearing waters as per Section 36(3) of the Fisheries Act. Sedimentation curtains will be installed over the full length of the rail line, and will be maintained for at least two full years after completion of the construction to ensure all areas have settled down. Monitoring and regular inspections will occur at all fish-bearing crossings to evaluate runoff quality and sediment transport.	Current Status Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process). This is a topic that is relevant to the location of the railway, as impacts from the construction of the railway are dependant on the location of the railway. There are comprehensive mitigations developed to address the construction of the railway developed though the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the construction of the railway was raised by an individual in Sanirajak during the December 2024 Federal Tour. It is noted that the individual did not identify dissatisfaction with any of the specific mitigation measures proposed to date that would address their concern. Baffinland	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s position are further summarized here. Context of Issue (Column C) Inuit individuals and groups have identified concerns related to soil spoil disposal and monitoring and concerns about ground stability. These concerns have been carefully taken into account. As set out in this row, Baffinland is of the view that with the measures proposed, the Steensby Railway can proceed in a way that is protective of these water resources and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) The construction of the railway was described in the 2012 FEIS, which formed the basis for approval of the Mary River Project, including the

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		condition of disposed soil sites, including a photo record, will occur. In the federal consultation tour for the Steensby Component of the Mary River Project held from December 9 to 11, 2024, a Sanirajak community member raised concerns regarding the ground that the railway will be constructed on. Baffinland’s geotechnical drilling address this concern, in the manner described in this row.	planned for use as explosive storage areas during construction. Disposal locations will be approved by the appropriate construction personnel (i.e., engineer, construction superintendent or foreman) who have been given such authority, to avoid unauthorized and indiscriminate disposal - Overburden soils will be transported directly to the disposal site, without short-term storage and re-handling. A number of proven mitigation measures were included in the 2012 FEIS to reduce potential effects from the railway construction, including: - Geotechnical investigations, optimize structure locations to avoid problem areas, use footings/piles founded on bedrock where possible, use spread footings placed on gravel pads, insulated or chilled with thermal syphon, and use and freeze piles for spread footings with air space between the building and the ground surface. - Maintain surface grading of the entire site to prevent ponded water, provide drainage ditches and diversion berms as necessary, and berms	Environmental, Health and Safety Management System (“EHS System”).	The Interim Closure and Reclamation Plan (ICRP) has been included in the application, and includes all aspects of the Approved Project. Within the plan it provides management of soil disposal during construction. Soil spoils will be reused if suitable, stored for reclamation purposes or disposed of in quarries or borrow puts which will be contoured for drainage. A pre closure inspection will be completed to identify any contaminated soils. If any are found the Hazardous Materials and Hazardous Waste Management Plan (SD-27.50) will be followed to remove, treat, and dispose of the soils. Geotechnical inspections will be conducted to assess the stability of reclaimed landforms. These inspections will focus on erosion control, stability of slopes and permafrost integrity. Baffinland continues to work with the QIA and other stakeholders to update the ICRP as the Project progresses. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Since the FEIS 2012 an additional geotechnical field program was completed in 2023. The 2023 Geotechnical Investigation Report (SD-67) provides a summary of the results. This program was used to collect geotechnical information along the railway corridor to further improve confidence in the quantity and types of soils/rock within the construction area.	has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland’s Environmental Management System. Baffinland also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report. Given the overall importance of mitigating impact from the railway construction to Inuit and other Indigenous group, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: Specifically: - With respect to the specific topic disposal of ice-rich soils, Baffinland soil will be disposed of in exhausted quarries as a preferred option. Sediment and erosion control measures will be in place, as with any other component of the site, to prevent the discharge of deleterious substances to fish-bearing waters. - With respect monitoring soil spoils after reclamation, The ICRP has been included in the application, and includes all aspects of the Approved Project. Within the plan it	Steensby Railway. Based on a number of mitigation measures and management plans related to protecting the railway construction described in Column D, a comprehensive assessment and subsequent NIRB public review process were completed. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the construction of the railway (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update and collect supplemental baseline information to support detailed engineering as outlined in Column F of this row. Baffinland will follow the ICRP, which provides details on the management of soil disposal during

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			may be lined with geotextile. Baffinland proposed various plans relevant to the topic of the railway construction in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular: • Environmental Protection Plan (SD-41.492) • Construction Risk Management Report (SD-41.491) • Waste Management Plan (SD-41.501) • Mine closure and Reclamation Plan (SD-41.520)		<u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to the construction of the railway include: • Regulatory oversight: Compliance with the Federal and Nunavut regulatory requirements, including the Nunavut Waters and Nunavut Surface Rights Tribunal Act, and associated inspections conducted under the Commerical Lease, Type A Water Licence, Land Leases and Project Terms and Conditions require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up.. • NIRB and NWB Annual Reporting and Management Plan Update Process: The Project Certificate and Type A Water Licence require that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and	provides management of soil disposal during construction. Soil spoils will be reused if suitable, stored for reclamation purposes or disposed of in quarries or borrow puts which will be contoured for drainage. A pre closure inspection will be completed to identify any contaminated soils. If any are found the Hazardous Materials and Hazardous Waste Management Plan (SD-27.50) will be followed to remove, treat, and dispose of the soils. Geotechnical inspections will be conducted to assess the stability of reclaimed landforms. These inspections will focus on erosion control, stability of slopes and permafrost integrity.	construction. Soil spoils will be reused if suitable, stored for reclamation purposes or disposed of in quarries or borrow puts which will be contoured for drainage. A pre closure inspection will be completed to identify any contaminated soils. If any are found the Hazardous Materials and Hazardous Waste Management Plan (SD-27.50) will be followed to remove, treat, and dispose of the soils. In 2023, an additional geotechnical field program was completed to collect geotechnical information along the railway corridor to further improve confidence in the quantity and types of soils/rock within the construction area. Geotechnical inspections will continue be conducted to assess the stability of reclaimed landforms. These inspections will focus on erosion control, stability of slopes and permafrost integrity. Baffinland has also incorporated lessons learned from the current project operations. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this

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					subject to review by interveners. • Terrestrial Environmental Working Group: This advisory body is intended to provide advice, guidance and enforceable recommendations regarding adding to and improving baseline information, mitigation measures for the protection of the terrestrial environment (including impacts from railway construction), assessing the accuracy of impact predictions, and the development and implementation of adaptive management plans. • Inuit-Led Dust Audit Committee: This Committee has been established to observe and understand the present and potential future dust sources at Baffinland’s Mary River Project and recommend actions and mitigation measures that can reduce dust production and dispersion. Baffinland continues to report on comments made by the Dust Audit Committee to refine its mitigations and improve the aesthetic value of the Project area. • Community Engagement and Complaints Management Process: Inputs from our		row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required in respect to the Railway construction, Baffinland would take action under its Adaptive Management Plan. Baffinland’s Section 98 Application shows that it has already taken steps to prevent impacts from the construction of the railway. Baffinland has made meaningful efforts to prevent effects from the construction of the railway through its proposed mitigation and monitoring plans and compliance with all government approvals. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
					community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed within the Stakeholder Engagement Plan (SD-74). • Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.		
G.3 Alternative Locations							
Alternative Locations		Inuit and Inuit groups raised the importance of the alternative assessment during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. In its comments on an advance draft of the Section 98 Application in August 2023, QIA asked: • Baffinland to confirm whether the alternatives presented in the Section 98 Application have been assessed as alternatives to the Steensby Railway by NIRB and interveners	The alternative assessment is addressed in the FEIS, in Volume 3, Section 6 – Alternatives (SD-41.22), and have therefore been assessed. The key points included in the references to the FEIS listed above are: • Based on these project fundamentals, a thorough assessment of port and land transportation alternatives indicate that a Port at Steensby Inlet is the only economically viable alternative for the location of the Project port facilities.	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Section 6.2: • The Board recognizes the high level of community concern, with respect to the project requirement for year round shipping and the selection of the port site at Steensby Inlet, the Board accepts that based on the alternatives analysis provided by the Proponent and also the independent review conducted by the Qikiqtani Inuit Association	New/Updated Information Provided with Section 98 Application In the Approval to Construct a Railway Application, Baffinland provided a summary of the alternative locations considered by Baffinland in Section III.3A, which summarizes the FEIS study. Baffinland’s response to this comment is provided in the Response to Qikiqtani Inuit Association Comments on Baffinland Iron Mines Corporation’s Application to the Canadian Transportation Agency for Approval	Current Status Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process). This is a topic that is relevant to the location of the railway, as the alternative assessment within the FEIS 2012 was completed to select the location of the railway. There was a comprehensive alternative assessment to address	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference, the key points supporting Baffinland’s position are further summarized here. Context of Issue (Column C) Inuit individuals and groups have identified interest in relation to the location of the railway. Inuit concerns have been carefully taken into account, as set out in this row. Baffinland is of the view that with

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
		during the impact assessment and subsequent reassessments. Baffinland to confirm whether communities have been presented with the alternatives listed in the Section 98 Application during engagement.	- The key determinants for the selection of Steensby Port are (1) favourable ice conditions in the Foxe basin that ensure reliable, year round shipping conditions, (2) favourable bathymetry at Steensby port, and (3) the shortest distance from the Mine Site to the Port location, which maximizes safety and minimizes environmental interactions, capital costs and operating costs associated with the railway operation. - In terms of the railway alignment, the Eastern Route to the east of Angajurjualuk Lake and along Cockburn Lake was selected as the preferred route based upon environmental, geotechnical, cost and constructability considerations. The key determinants include: (1) The proposed railway transportation corridor is removed from communities. (2) The proposed railway corridor does not present major conflicts with land use. (3) The railway corridor does not affect any key wildlife habitat. (4) To the extent possible, the corridor is inland rather than on the	with respect to the port site, that there are no technically and economically feasible alternatives to the preferred alternatives chosen by the Proponent of year round shipping and the deep sea port at Steensby Inlet. - With respect to the shipping route alternatives through Foxe Basin, the Board recognizes that the eastern route as described in the FEIS is the best alternative based on the location of harvest concentrations and community acceptability. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: - Project Certificate Term and Condition 178: Subject to safety considerations and the potential for conditions, as determined by the crew of transiting vessels, to result in route deviations, the Proponent shall require project vessels to maintain a route to the south of Mill Island to prevent disturbance to walrus and walrus habitat on the northern shore of Mill Island.	to Construct a South Railway Line (SD-75). As described within the response, Communities were presented with the alternatives as part of the engagement conducted for the 2012 FEIS. Furthermore, those alternatives have also been presented in the community meetings held between April and July 2023. A list of all rail engagement events between 2015 and 2023 and 2023 Steensby engagement notes and materials are provided in Appendix 1 Engagement Records (SD-69.1). Additional appendices have been added to the CTA Application, which detail engagement with communities these include: - Cockburn Lake Pre-Feasibility Study completed by Baffinland (included as SD-9) - QIA Mary River Rail Feasibility Study (included as SD-41.412) <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to the construction of the alternative lcoations include: Regulatory oversight: Compliance with Federal and Nunavut regulatory requirements, and associated inspections conducted under the Commerical Lease, Type A	this interest as part of the 2012 FEIS, and the Project Certificate (see Columns D, E and F). It is acknowledged that the topic of alternative locations was raised by QIA in their comments on the draft section 98 application. It is noted that QIA did not identify dissatisfaction with any of the specific mitigation measures proposed to date that would address their concern. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland’s Environmental Management System. Baffinland also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report. Given the overall importance of railway location to Inuit and other Indigenous group, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: Specifically: With respect to concerns about alternatives being assessed by NIRB and interveners, all alternatives described in the section 98 application were presented in	the measures proposed, the Steensby Railway can proceed in a way that is protective of the environment and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) The alternative assessment was conducted through the development of the 2012 FEIS, which formed the basis for approval of the Mary River Project, including the Steensby Railway. Based on a number of mitigation measures and management plans related to the railway described within this table, the 2012 FEIS proposed the current railway alignment as the preferred alternative through a comprehensive assessment and subsequent NIRB public review process, for the reasons described in this this table. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated term and condition on the topic of the railway location (as outlined in Column E of this row). The term and condition is being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			scenic coast and avoids known archaeological sites.		Water Licence, Type B Water License, Land Leases and Project Terms and Conditions require Baffinland to take prompt and appropriate action to remedy any event of non- compliance, and to report instances of non- compliance and associated follow-up. • Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed within the Stakeholder Engagement Plan (SD- 74).Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.	the Approved 2012 FEIS, Volume 3, Section 6 – Alternatives. • With respect concerns about alternatives community engagement on the alternatives, communities were presented with the alternatives as part of the engagement conducted for the 2012 FEIS. Furthermore, those alternatives have also been presented in the community meetings held between April and July 2023. A list of all rail engagement events between 2015 and 2023 and 2023 Steensby engagement notes and materials are provided in Appendix 1 Engagement Records (SD-69.1).	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) Communities were presented with the alternatives analysis as part of the engagement conducted for the 2012 FEIS. Furthermore, those alternatives were also presented in the community meetings held between April and July 2023. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) Baffinland has made meaningful efforts to assess the alternative railway locations through engagement with communities, NIRB and interveners and compliance with all government approvals, which include the Project Certificate No. 005. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway location. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
							sufficient for CTA to proceed with issuance of the Section 98 approval.
G.4 Quarry Operations, Roads, Laydown Zones, Staging and On-Site Pad							
Quarry Operations, Roads, Laydown Zones, Staging and On- site Pad		Inuit and Inuit groups raised the importance of impacts from quarries and laydown areas during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. In its comments on an advance draft of the Section 98 Application in August 2023, QIA asked - There are water quality concerns related to the construction of the railway and use of ammonium nitrate fuel oil (ANFO) that may not be adequately forecasted in the FEIS. Water drainage in quarries is acknowledged by BIMC, but there is no mention of monitoring for standing water, erosion, or water quality beyond Acid Rock Drainage (ARD). There is no information about the quantity of explosives required. - Baffinland please provide further information regarding the quarry operations, specifically concerning monitoring for water drainage (including standing water, runoff, and erosion) and water quality monitoring above and beyond ARD.	The topic of the railway as a source of potential impacts from quarries operations and laydown areas is addressed in the FEIS 2012 in several sections, including: - Volume 7 Freshwater Environment Section 3.4.1 Water and Sediment Quality for the assessment on freshwater sediment and water including quarries and other infrastructure (SD-41.464). The key points included in the references to the FEIS listed above are: - The FEIS concluded that with the proposed monitoring and mitigation, the Project will not have significant adverse effects on aquatic ecosystems, freshwater fish and fish habitat. - As a mitigation measure, materials from identified quarries and borrow sources have undergone representative geochemical testing, which has indicated that the material is non-acid generating and non-reactive (Volume 6). Additional testing will be completed to ensure that sources used during	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Section 4.5.3: - Board recognizes that there might be situations where developing quarries with ARD potential becomes inevitable for various reasons, including because ARD/ML material for selected quarry sites might be encountered after the quarry has been developed or because the closest available site does contain such material in minute or varying quantities. In support of the precautionary approach espoused by the Proponent, the parties and the Board throughout this Review, the Board recommends that the setback distance recommended by EC be applied where possible for all quarry sites. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: - Project Certificate Term and Condition 30: The Proponent shall develop site-specific quarry operation and management plans in advance of the	New/Updated Information Provided with Section 98 Application As outlined in paragraph 182 of the Approval to Construct a Railway Application, during the construction of the Steensby Railway, the quarries will include various ditches, diversions and ponds (as required), which will be detailed in quarry plans submitted to be submitted to the Nunavut Water Board in accordance with the Type A Water Licence prior to their development. Baffinland’s response to this comment is provided in the Response to Qikiqtani Inuit Association Comments on Baffinland Iron Mines Corporation’s Application to the Canadian Transportation Agency for Approval to Construct a South Railway Line (SD-75). As described within the response, Baffinland will comply with its Borrow Source and Quarry Management Plan to guide quarry operations (SD-27.66). As needed, site specific measures will be listed in an Addendum to this Plan. Furthermore, there are provisions already outlined in the Water Licence around water quality monitoring that would apply to the quarries developed to support the Steensby Railway construction.	Current Status Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process). This is a topic that is relevant to the location of the railway, as the locations of the supporting infrastructure is dependant on the railway location. There are comprehensive mitigations developed to address the quarry operations, roads, laydown zones, staging and on-site pad developed through the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of water quality in relation to supporting infrastructure was raised by QIA in their comments on the draft section 98 application. It is noted that QIA did not identify dissatisfaction with any of the specific mitigation measures proposed to date that would address their concern. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland’s Environmental	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s position are further summarized here. Context of Issue (Column C) Inuit individuals and groups have identified to Baffinland and the federal government that Inuit are holders of Indigenous rights in relation to the location of the railway and the supporting infrastructure, under the Nunavut Agreement and Section 35 of the Constitution Act. Inuit have identified these quarries, roads, laydown zones, staging and on-site pads have the potential to impact the freshwater environment. These concerns have been carefully taken into account, set out in this row Baffinland is of the view that with the measures proposed the Steensby Railway can proceed in a way that is protective of these water resources and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) Quarries, roads, laydown zones, staging and on-site pads concerns were first identified through the development of the 2012 FEIS,

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			Construction consist of non-reactive material. Baffinland proposed various plans relevant to this topic in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489), in particular the Borrow Pit and Quarry Management Plan (SD-41.503).	development of any potential quarry site or borrow pit. - Appendix A, Commitment 65: Baffinland is committed to developing a Quarry Management Plan for each of the quarries developed for the Mary River Project and to ensure that all quarry materials used are non-acid generating and non-metal leaching in chemical characteristics. The Type A Water Licence also includes the following relevant requirements: - Part D. Item 3: Quarrying activities shall be conducted in accordance with all applicable legislation, guidelines and industry standards including the Northern Land Use Guidelines, Pits and Quarries - Part D. Item 6: The Licensee shall submit to the Board for review, an addendum to the Plan referred to in Part D, Item 5a for any quarry site selected for future development that the plan does not adequately address. If the content of the existing quarry plan referred to under Part D, Item 5a does not adequately address the proposed activities for the management requirements of the selected Quarry site, the	Those provisions are listed in column E of this row. All surface runoff from Quarry activities associated with the Project, where flow may directly or indirectly enter a Water body, shall be sampled Weekly and not exceed the Effluent quality limits under Part D, Item 15. Baffinland will comply with its Borrow Source and Quarry Management Plan to guide quarry operations (Appendix H.2). As needed, site specific measures will be listed in an Addendum to this Plan. Quarrying activities shall be conducted in accordance with all applicable legislation, guidelines and industry standards including the Northern Land Use Guidelines, Pits and Quarries (INAC, 2009). New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 - Continued maintenance of site surface water drainage infrastructure (i.e. culverts) to address sedimentation concerns and improve surface water drainage; - Continued implementation of the Ore Crusher Pad Regrading Strategy to prevent the pooling of water on and around the Crusher Facility pad - Continued implementation of the Ore Stockpile Pad	Management System. Baffinland also provided a detailed summary which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report. Given the overall importance of mitigating impacts from quarry operations, roads, laydown zones, staging and on-site pad to Inuit and other Indigenous group, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: Specifically: With respect to concerns about impacts to water quality from explosives, Baffinland is required to have all surface runoff from Quarry activities associated with the Project, where flow may directly or indirectly enter a Water body, shall be sampled Weekly and not exceed the Effluent quality limits under Part D, Item 15 of the Water Licence. With respect to the specific topic of potential for impacts from explosives on water resources along the railway route, as outlined in Row A1. Freshwater Resources, the 2012 FEIS concludes ground disturbance and earthworks activities, including blasting, are not expected to result in significant adverse environmental effects on the	which formed the basis for approval of the Mary River Project, including the Steensby Railway. Based on a number of mitigation measures and management plans related to protecting freshwater near quarries and other supporting infrastructure. In Column D, the 2012 FEIS concluded that there would be no significant effects through a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of quarry operations, roads, laydown zones, staging and on-site pad (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update and collect supplemental baseline

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				Licensee shall submit to the Board for approval, a site-specific Quarry management plan. - Part D. Item 13: The Licensee shall maintain a minimum thirty-one (31) metre undisturbed buffer zone between the periphery of Quarry sites and the ordinary High-Water Mark of any Water body unless otherwise approved by the Board in writing. The Licensee shall not excavate and/or remove material from any Quarry beyond a depth of one (1) meter above the ordinary High-Water Mark or above the groundwater table, to prevent the potential contamination of groundwater unless otherwise approved by the Board in writing. The Licensee shall construct and operate the Mine Site and associated infrastructure and facilities in accordance with all applicable legislation and industry standards. - Part D. Item 14: All surface runoff from Quarry activities associated with the Project, where flow may directly or indirectly enter a Water body, shall be sampled Weekly and not exceed the Effluent quality limits under Part D, Item 15.	Regrading strategy to prevent the pooling of water on and around the Ore Stockpile Pad; - Baffinland is continuing to work with Fisheries and Oceans Canada (DFO) to address fish passage issues along the Tote Road at specific locations. A Request for Review was submitted to DFO in May 2022, and DFO staff subsequently visited the Mary River Project in June 2022 to inspect the fish-bearing crossing locations along the Tote Road. Throughout 2023, Baffinland continued to develop a plan to address culverts and fish passage issues and to work with DFO as the plan developed. - Erosion and sediment control (ESC) measures, which did not involve in-stream work, was also conducted on multiple culverts on the Tote Road in 2023 to: stabilize road embankments, remediate erosion zones, remove sediment deposits at silt fencing and swales, add rip rap stone to swales with check dams, and install ESC, where required, was completed and monitored; - Implementation of preventative and corrective measures along the Tote Road (i.e. check dams, silt fences,	water and sediment quality. Several environmental management plans will be implemented, including the development of a detailed blasting management plan, which will follow DFO blasting guidelines. With respect to monitoring water drainage, Baffinland is required to monitor runoff and/or discharge from borrow pits and rock Quarry sites, on a monthly basis in compliance with its Water Licence.	information to support detailed engineering. During the construction of the Steensby Railway, the quarries will include various ditches, diversions and ponds (as required), which will be detailed in quarry plans submitted to be submitted to the Nunavut Water Board in accordance with the Type A Water Licence prior to their development. As described within the responses to QIA comments on the draft section 98 application, Baffinland will comply with its Borrow Source and Quarry Management Plan to guide quarry operations (SD-27.66). Furthermore, there are provisions already outlined in the Water License around water quality monitoring that would apply to the quarries developed to support the Steensby Railway construction. Those provisions are listed in column E of this row. All surface runoff from Quarry activities associated with the Project, where flow may directly or indirectly enter a Water body, is sampled Weekly and not exceed the Effluent quality limits listed in the Water License. Baffinland has also incorporated lessons learned from the current project operations in its proposed quarry, road, laydown, staging and on-site pad designs. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G)

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
					excavating culverts of snow and ice, etc.) to address sedimentation concerns during high flow periods; <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to the supporting infrastructure include: • Regulatory oversight: Compliance with Federal and Nunavut regulatory requirements, and associated inspections conducted under the Commerical Lease, Type A Water Licence, Land Leases and Project Terms and Conditions require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up.. • NIRB and NWB Annual Reporting and Management Plan Update Process: The Project Certificate and Type A Water Licence require that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed		It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required in respect of the quarry operations, roads, laydown zones, staging and on-site pad, Baffinland would take action under its Adaptive Management Plan. Baffinland has made meaningful efforts to prevent effects to water resources from quarry operations, roads, laydown zones, staging and on-site pad through its proposed mitigation and monitoring plans and compliance with all government approvals, which include the Project Certificate No. 005, and the Type A Water Licence. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as supporting infrastructure and water quality concerns. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
					in Column D are updated on a regular basis, and subject to review by interveners. • Terrestrial Environmental Working Group: This advisory body is intended to provide advice, guidance and enforceable recommendations regarding adding to and improving baseline information, mitigation measures for the protection of the terrestrial environment (including supporting and temporary infrastructure), assessing the accuracy of impact predictions, and the development and implementation of adaptive management plans. • Inuit-Led Dust Audit Committee: This Committee has been established to observe and understand the present and potential future dust sources at Baffinland’s Mary River Project and recommend actions and mitigation measures that can reduce dust production and dispersion. Baffinland continues to report on comments made by the Dust Audit Committee to refine its mitigations and improve the aesthetic value of the Project area.		of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
					Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed within the Stakeholder Engagement Plan (SD-74). Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.		
G.5 Explosives							
Explosives	See Column C	Inuit and Inuit groups raised the importance of explosive impact mitigation during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), since 2012 Inuit community members and other community members identified:	The topic of the railway as a source of potential impacts from explosives is addressed in the FEIS 2012 in several sections, including: Volume 3 Project Description Section 2.1.9 Explosives Manufacture, Storage, Transportation and Use (SD-41.22) for a summary of the proposed	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Section 4.8.3: The Board recognizes that Baffinland and Fisheries and Oceans Canada reached consensus regarding the timing of discussions related to the detailed design for explosives use and	New/Updated Information Provided with Section 98 Application As outlined in the Section III.6G. of the Approval to Construct a Railway Application, the explosives used for the construction of the Steensby Railway will be produced by the existing emulsion plant at the Mary River Mine and an emulsion plant that will be established at the	Current Status Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process). This is a topic that is relevant to the location of the railway, as the	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s position are further summarized here. Context of Issue (Column C)

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
		- How would the explosive residue on snow that builds up during the winter be prevented from becoming part of the snow melt water that goes into nearby creeks and flowing water or sinking into the ground? - Will people out on the land still be able to drink water from the small ponds nearby areas that are being blasted, or will these water sources be contaminated by blasting activities? In its comments on an advance draft of the Section 98 Application in August 2023, QIA asked: - Baffinland to provide more information about the number of explosives required for the railway project and their potential impact on the environment. Baffinland responded to this, per the information provided in this row.	explosive use for the Project. - The Explosives Management Plan (SD-41.322). The purpose of this Explosives Management Plan is to outline the systems, procedures and best practices to minimize environmental impacts, specifically water quality and wildlife during the period where blasting operations will be conducted. The key points included in the references to the FEIS listed above are: - Within the Explosives Management Plan, it estimates up to 10 million kilograms of explosive product per year for four years during construction, based on 365 operating days per year. While the capability number identified above speaks to the maximum operating capacity, it is forecasted that the plant constructed in the Steensby Port area will manufacture a total of 13 million kilograms of explosive product to support port construction and an additional 13 million kilograms to support the south end of the Steensby Railway	recommends that a precautionary approach be taken when determining the overpressure threshold to be applied to explosives use for the protection of fish and aquatic life. - The Board recommends that Baffinland monitor the effects of explosives residue and related by-products from project-related blasting activities as well as develop and implement effective preventative and mitigation measures, including treatment, if necessary, to ensure that the effects associated with the manufacturing, storage, transportation and use of explosives do not negatively impact the Project and surrounding areas. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: - Term and Condition No. 20: monitor the effects of explosives residue and related by-products from project-related blasting activities as well as develop and implement effective preventative and/or mitigation measures - Term and Condition No. 44: shall meet or exceed the guidelines set by Fisheries and Oceans	Steensby Port. The emulsion plants will produce packaged emulsion for the railway embankment construction. There will be six explosive storage locations along the rail alignment. Explosives storage will follow all applicable laws, including the <i>Explosives Act</i> and the territorial <i>Explosives Use Regulations</i>. Baffinland’s response to this comment is provided in the Response to Qikiqtani Inuit Association Comments on Baffinland Iron Mines Corporation’s Application to the Canadian Transportation Agency for Approval to Construct a South Railway Line (SD-75). As described within the response, all items to be drilled and blasted will use between 0.5 to 1 kg/m3 of explosives depending on the type of material. All blasting within 100 metres of fish bearing waters will be completed in compliance with the DFO Guidelines for the Use of Explosives In or Near Canadian Fisheries Waters. The effects of blasting on the environment have been assessed in the 2012 FEIS. The Explosives Management Plan (SD-41.3322) and FEIS Volume 10 Section 4.3.3 outline the mitigation measures that will be taken to control the nitrate concentrations entering the receiving environment. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 During 2023, surface water runoff downstream of active quarries and	impacts from explosives are dependant on the railway location. There are comprehensive mitigations developed to address the topic of explosives developed through the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). I It is acknowledged that the topic of explosives was raised by QIA in there comment on the draft section 98 application. It is noted that QIA did not identify dissatisfaction with any of the specific mitigation measures proposed to date that would address their concern. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland’s Environmental Management System. Baffinland also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report. Given the overall importance of impacts from explosives to Inuit and other Indigenous group, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: Specifically:	Inuit individuals and groups have identified to Baffinland and the federal government that Inuit are holders of indigenous rights in relation to freshwater, under the Nunavut Agreement and Section 35 of the Constitution Act. Inuit have identified explosives as having a potential impact on the freshwater environment. These concerns have been carefully taken into account. As set out in this row, Baffinland is of the view that with the measures proposed, the Steensby Railway can proceed in a way that is protective of these water resources and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) Explosive use was identified through the development of the 2012 FEIS, which formed the basis for approval of the Mary River Project, including the Steensby Railway. Based on a number of mitigation measures and management plans related to explosives described in Column D, the 2012 FEIS concluded that there would be no significant effects from explosives through a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			right of-way over the four year construction period. - During the freshet and summer months, any residual explosives washed away by precipitation will report to the waste rock pile; runoff will be channeled to a sedimentation pond, and discharge will be monitored for compliance with MMER water quality limits. A number of proven mitigation measures were included in the 2012 FEIS to reduce potential effects on water quality, freshwater fish, fish habitat, and other aquatic organisms, including: - Explosives will be stored in explosives magazines positioned in accordance with the Nunavut Mine Health and Safety Act and Regulations. Detonators and explosives will be stored in separate magazines, and inventory will be strictly controlled by designated supervisors. - Prefabricated magazines will be positioned and appropriately bermed to store explosives between unloading and distribution. - Once the bulk mixing plants have been commissioned, ammonia nitrate (AN) will be delivered in bulk and	Canada for blasting thresholds and implement practical and effective measures to ensure that residue and by-products of blasting do not negatively affect fish and fish habitat. - Term and Condition No. 48: engage with Fisheries and Oceans Canada and the Qikiqtani Inuit Association in exploring possible Project specific thresholds for blasting that would exceed the requirements of Fisheries and Oceans Canada's Guidelines for the Use of Explosives In or Near Canadian Fisheries Waters - Term and Condition No. 60: develop a detailed blasting program to minimize the effects of blasting on terrestrial wildlife that includes but is not limited to the restriction of blasting when migrating caribou, sensitive local carnivores or birds may be negatively affected. - Term and Condition No. 116: develop mitigation measures to minimize the effects of blasting on marine fish and fish habitat, marine water quality and wildlife that includes, but is not limited to compliance with the Guidelines for the Use of Explosives In or Near Canadian Fisheries	mining areas was monitored for the water quality parameters outlined by the Type 'A' Water Licence (NWB, 2015), including parameters related to explosives residue, such as ammonia and nitrate. <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to the explosives include: Regulatory oversight: Compliance with Federal and Nunavut regulatory requirements, and associated inspections conducted under the Type A Water Licence, and Project Terms and Conditions require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up. NIRB and NWB Annual Reporting and Management Plan Update Process: The Project Certificate and Type A Water Licence require that Baffinland ensure all relevant management plans are	With respect explosive residues impact on water bodies, all items to be drilled and blasted will use between 0.5 to 1 kg/m3 of explosives depending on the type of material. All blasting within 100 metres of fish bearing waters will be completed in compliance with the DFO Guidelines for the Use of Explosives In or Near Canadian Fisheries Waters. The effects of blasting on the environment have been assessed in the 2012 FEIS. The Explosives Management Plan (SD-41.3322) and FEIS Volume 10 Section 4.3.3 outline the mitigation measures that will be taken to control the nitrate concentrations entering the receiving environment. Surface water runoff downstream of active quarries and mining areas are monitored for the water quality parameters outlined by the Type 'A' Water Licence (NWB, 2015), including parameters related to explosives residue, such as ammonia and nitrate.	Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of explosives and water quality protection (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update and collect supplemental baseline information to support detailed engineering. As described within the response to QIA comments on the draft section 98 application, all items to be drilled and blasted will use between 0.5 to 1 kg/m3 of explosives depending on the type of material. All blasting within 100 metres of fish bearing waters will be completed in compliance with the DFO Guidelines for the Use of Explosives In or Near Canadian Fisheries Waters. The effects of blasting on the environment have been assessed in the 2012 FEIS. The Explosives Management Plan (SD-41.3322) and FEIS Volume 10 Section 4.3.3 outline the mitigation measures that will be taken to control the nitrate concentrations

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			transported by truck to the permanent storage facilities.	Waters as modified by Fisheries and Oceans Canada for use in the North and as revised from time to time. - Term and Condition No. 117: ensure that blasting in, and near, marine water shall only occur during periods of open water. Blasting in, and near, fish-bearing freshwaters shall, to the greatest degree possible, only occur in open water. If blasting is required during ice-covered periods, it must meet requirements established by Fisheries and Oceans Canada. - Term and Condition No. 118: Incorporate into the appropriate mitigation plan prior to construction, thresholds for the use of specific mitigation measures meant to prevent or limit marine wildlife disturbance, such as bubble curtains for blasting, and nitrate removal. The Type A Water Licence also includes the following relevant requirements: - Part E, Item 24: shall submit to the Board for review, at least thirty (30) days prior to implementation, copies of separate Blasting Management Plans developed for the mining operation, tunnelling of	updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. Terrestrial Environmental Working Group: This advisory body is intended to provide advice, guidance and enforceable recommendations regarding adding to and improving baseline information, mitigation measures for the protection of the terrestrial environment (including impacts from explosives), assessing the accuracy of impact predictions, and the development and implementation of adaptive management plans. Inuit-Led Dust Audit Committee: This Committee has been established to observe and understand the present and potential future dust sources, such as explosives, at Baffinland’s Mary River Project and recommend actions and mitigation measures that can reduce dust production and dispersion. Baffinland continues to report on comments made by the Dust Audit Committee to refine its mitigations and		entering the receiving environment. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required in respect to explosives, Baffinland would take action under its Adaptive Management Plan. Baffinland’s Section 98 Application shows that it has already taken steps to prevent impacts from explosives during construction and operations. Baffinland has made meaningful efforts to prevent effects from explosives during construction and operation of the railway through its proposed mitigation and monitoring plans and compliance with all government approvals, which include the Project Certificate No. 005, the Type A Water Licence, and the pending Fisheries Act Authorizations. Going forward, Baffinland will continue to follow its community engagement protocols to ensure

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
				the railway and blasting near water bodies as committed to during the Public Hearing.	improve the aesthetic value of the Project area. Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed within the Stakeholder Engagement Plan (SD-74). Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.		there are ongoing opportunities for Inuit feedback on the railway, including on topics such as crossings and water quality concerns. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.
G.6 Waste Management and Temporary Facilities							
Waste Management and Temporary Facilities	See Column C	Inuit and Inuit groups raised the importance of waste management during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements.	The topic of waste management and temporary facilities during construction is addressed in the FEIS 2012 in several sections, including: Volume 3 Project Description Section 2.1 Construction Overview	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Section 4.5.3: The NIRB indicated that continued assessment of the potential and direct impacts of the Project on the mortality of arctic	New/Updated Information Provided with Section 98 Application Baffinland’s response to this comment is provided in the Response to Qikiqtani Inuit Association Comments on Baffinland Iron Mines Corporation’s	Current Status Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process).	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s position are further summarized here.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
		In its comments on an advance draft of the Section 98 Application in August 2023, QIA asked - It is unclear who is responsible for waste management, Baffinland or the railway contractor. - Baffinland to provide a comprehensive plan outlining responsibilities and obligations for temporary facilities and on-site accommodations shared between Baffinland and the contracted railway operator.	(SD-41.22) for details on the temporary facilities and waste management during construction. The key points included in the references to the FEIS listed above are: - handling, storage, transportation and disposal of wastes generated by the Project will be conducted in a safe, efficient, and environmentally-compliant manner designed to limit the risk of adverse environmental effects and access to wildlife; protect the health and safety of site personnel; limit the generation of waste; and reduce costs associated with closure of waste handling, storage, and treatment facilities. A number of proven mitigation measures were included in the 2012 FEIS to reduce potential effects on water quality, freshwater fish, fish habitat, and other aquatic organisms, including: - Management of surface runoff to minimize thermal effects and erosion. - Ongoing monitoring of the slopes. Cracks will be monitored and repaired as required to minimize inflow of surface water	- char and other freshwater organism will need to be conducted throughout the life of the Project. - Adequate continual monitoring and adaptive management strategies will need to be instituted to ensure that the potential impacts to the freshwater aquatic environment is prevented or minimized. Adequate compensation to affected communities may need to be determined for fish mortalities directly or indirectly attributable to the Project. - Appropriate regulatory approvals will be required to support real and potential changes to habitat or the loss of habitat resulting from the alterations and disruption in the flow of water. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: - Project Certificate Term and Condition 11: shall develop and implement an Incineration Management Plan that takes into consideration the recommendations provided in Environment Canada’s Technical Document for Batch Waste Incineration. - Project Certificate Term and Condition 46: runoff from fuel storage and	Application to the Canadian Transportation Agency for Approval to Construct a South Railway Line (SD-75). As described within the response, Baffinland will implement its Waste Management Plan (SD-27.56) during the construction of Steensby Component, which outlines roles and responsibilities for Baffinland and contractors (Section 4). Ultimately, the Baffinland COO and General Manager are responsible for the providing oversight for the management of the Project’s waste management facilities. All contractors will be responsible for sorting and disposing of their waste as outlined in the Plan. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 - Improved Waste Handling & Monitoring: Since 2012, Baffinland introduced training programs for landfill and incinerator operations, strict monitoring of hazardous waste disposal, and adaptive management strategies for continual improvements in waste reduction and recycling. - Stronger Environmental Protection Measures: Baffinland added ground temperature and leachate monitoring to prevent contamination, waste sorting guidelines to ensure proper disposal, and wildlife attraction prevention protocols.	This is a topic that is relevant to the location of the railway, as the Waste Management and Temporary Facility locations are dependant on the railway location. There are comprehensive mitigations developed to address the waste management and temporary facilities developed though the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of waste management and temporary facilities was raised by an individual by QIA in their comments on the draft section 98 application. It is noted that the individual did not identify dissatisfaction with any of the specific mitigation measures proposed to date that would address their concern. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland’s Environmental Management System. Baffinland also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report. Given the overall importance of waste management to Inuit and other Indigenous group, it is expected that this topic will require Baffinland’s continual attention and	Context of Issue (Column C) Inuit individuals and groups have identified to Baffinland and the federal government that Inuit are holders of indigenous rights in relation to the aquatic and terrestrial environment, under the Nunavut Agreement and Section 35 of the Constitution Act. Inuit have identified the waste from the project may have potential impacts to aquatic and terrestrial environment. These concerns have been carefully taken into account. As set out in this row, Baffinland is of the view that with the measures proposed, the Steensby Railway can proceed in a way that is protective of these resources and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) The waste management and temporary facilitates were first identified through the development of the 2012 FEIS, which formed the basis for approval of the Mary River Project, including the Steensby Railway. Based on a number of mitigation measures and management plans related to managing waste described in Column D, the 2012 FEIS concluded that there would be no significant effects through a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			and subsequent ice wedge formation. Baffinland proposed various plans relevant to this topic in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD41.489). In particular, - Hazardous Materials and Hazardous Waste Management (SD-41.497) - Waste Management Plan (SD-41.501) - Wastewater Management Plan (SD-41.500)	maintenance facility areas, sewage and wastewater other facilities responsible for generating liquid effluent and runoff meet discharge requirements. - Project Certificate Term and Condition 64: shall ensure that its Environment Protection Plan incorporates waste management provisions to prevent carnivores from being attracted to the Project site(s). As acknowledged in the Nunavut Water Board licensing process, Baffinland has also entered into a Water Compensation Agreement with QIA which are intended to compensate Inuit for potential effects from the Project on Inuit water rights, in accordance with Article 20 of the Nunavut Agreement. The Type A Water Licence also includes the following relevant requirements: - Part F, Item 13. The Licensee shall remove any Waste generated from temporary and permanent shelters along the Tote Road and along the railway corridor for treatment at appropriately licenced Waste Management Facilities. - Part F, Item 16: The Licensee shall provide to the Board for review, at least sixty (60) days prior	<u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to the waste management and temporary facilities include: Regulatory oversight: Compliance with Federal and Nunavut regulatory requirements, and associated inspections conducted under the Commerical Lease, Type A Water Licence, Type B Water License, Land Leases and Project Terms and Conditions require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up.. NIRB and NWB Annual Reporting and Management Plan Update Process: The Project Certificate and Type A Water Licence require that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners.	diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: Specifically: With respect to the specific topic of who is responsible for waste management, Baffinland will implement its Waste Management Plan (SD-27.56) during the construction of Steensby Component, which outlines roles and responsibilities for Baffinland and contractors (Section 4). Ultimately, the Baffinland COO and General Manager are responsible for the providing oversight for the management of the Project’s waste management facilities. All contractors will be responsible for sorting and disposing of their waste as outlined in the Plan.	Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of waste management (as outlined in Column E of this row). Furthermore, the Type A Water Licence also includes requirements for waste management. These terms and conditions and requirements are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report and the QIA/NWB Annual Report for Operations. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update and collect supplemental baseline information to support detailed engineering. As described within the response, Baffinland will implement its Waste Management Plan (SD-27.56) during the construction of Steensby Component, which outlines roles and responsibilities for Baffinland and contractors (Section 4). Ultimately, the Baffinland COO and General Manager are responsible for the

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
				to installation, detailed specifications and operational requirements for the Sewage storage tanks proposed for the Railway camps.	• Terrestrial Environmental Working Group: This advisory body is intended to provide advice, guidance and enforceable recommendations regarding adding to and improving baseline information, mitigation measures for the protection of the terrestrial environment (including waste management and temporary infrastructure), assessing the accuracy of impact predictions, and the development and implementation of adaptive management plans. • Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed within the Stakeholder Engagement Plan (SD-74). • Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to		providing oversight for the management of the Project’s waste management facilities. All contractors will be responsible for sorting and disposing of their waste as outlined in the Plan. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required in respect waste management, Baffinland would take action under its Adaptive Management Plan. Baffinland has made meaningful efforts to prevent effects waste management through its proposed mitigation and monitoring plans and compliance with all government approvals, which include the Project Certificate No. 005, and the Type A Water Licence. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as waste management.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
					monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate		Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.
G.7 Adaptive Management							
Adaptive Management	See Column C	Inuit and Inuit groups raised the importance of adaptive or change management during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), since 2012 Inuit community members and other community members identified: - Monitoring systems must be robust and must include community input and communication back to communities to be effective In its comments on an advance draft of the Section 98 Application in August 2023, QIA asked - Baffinland to confirm the AM framework, including the Inuit Stewardship Plan, will be applied to the Southern Shipping Route once operational.	The topic of adaptive management is addressed in the FEIS 2012 in several sections, including: - Volume 2 Consultation, Regulatory Framework and Assessment Methodology, Section 3.7 Mitigation Measures (SD 41.15). - Volume 9 Cumulative Effects and Other Assessments, Section 1.2.7 Adaptive Management (SD-41.485) - Volume 10 Environmental, Health and Safety Management, Section 1.6.7 Continuous Improvement and Adaptive Management. (SD-41.489) As described in Volume 10 of the FEIS, Baffinland’s environmental management system and its associated management plans are Life Of Project Management Plans.	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it: - Section 4.2.3, The Board agrees with the concerns expressed by the Government of Nunavut, Canadian Transportation Agency, Environment Canada, and members of the public regarding dust emissions along the Railway. The Board recognizes that Baffinland has committed to monitor dust along the first few kilometres of the rail corridor leaving the Mary River mine site, but feels that additional monitoring and adaptive management measures should be provided and implemented in order to address potential impacts, especially to vegetation and caribou. - Section 4.5.3, The Board believes that the mitigation and	New/Updated Information Provided with Section 98 Application As part of the Section 98 Application, the updated draft Adaptive Management Plan (AMP) (SD-47.76) describes how adaptive management strategies that have been incorporated into the operation Project since 2012. The following sections how Baffinland has enhanced the AMP to involve community members and ensure accountability: - Section 1.4 Roles and Responsibilities details how the QIA and Baffinland are jointly responsible for developing and approving the adaptive management elements for monitoring programs and Inuit Objectives, Indicators, Thresholds and Responses for the AMP. - Section 1.5 The Role of IQ and Community Involvement in Adaptive	Current Status Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process) This is a topic that is relevant to the location of the railway, as the railway is part of the overall Mary River Project There are comprehensive mitigations developed to address the topic of adaptive management developed though the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of adaptive management was raised by the QIA during the December 2024 Federal Tour. It is noted that the individual did not identify dissatisfaction with any of the specific mitigation measures	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s position are further summarized here. Context of Issue (Column C) Inuit individuals and groups have identified concerns about potential environmental impacts that will require adaptive management resulting from the construction of the railway. As set out in this row, Baffinland is of the view that with the measures and adaptive management proposed, the Steensby Railway can proceed in a way that is protective of and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D)

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
		During the federal consultation tour for the Steensby Component of the Mary River Project held from December 9 to 11, 2024, concerns were raised by community members related to understanding the projects interaction with the environment. The use of adaptive management and how it is woven into the environmental monitoring programs was highlighted as a mitigation measure to many concerns.	They apply from the onset of the exploration Phase, through pre-development activities, construction, Operations and Closure Phases of the Project. As such, the application of the continuous improvement principle and adaptive management ensures that the environmental management plans are appropriate for the level of activities on site at all times. Baffinland proposed an Adaptive Management Plan (SD 27.76) in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-41.489).	management plans developed to mitigate impacts the impact associated with effluent discharged from Project related facilities and activities into the receiving freshwater water environment will need to be assessed throughout the life of the Project and adaptive management strategies implemented as needed. Section 4.6.3, The Proponent should be aware that the Board has concerns about the potential negative impacts that the Railway infrastructure and other facilities could have on the integrity of the permafrost within the Project area. The Board believes that the implications for the Project planning and design process will need to be identified and assessed once new and updated information related to terrain conditions, in particular, permafrost, sensitive landforms, high ice-content soils, ice lenses, thaw-sensitive slopes, and talik zones becomes available. In addition, consideration should always be given to maintenance and monitoring measures to ensure that adaptive	Management describes how direct and indirect oversight from Inuit will be incorporated into the management of the Project. - Adaptive management is also anticipated to benefit from formal Inuit oversight, whether direct (e.g., the Inuit Committee), or indirect through various levels of involvement in the EMS (participation in monitoring programs, environmental working groups, public engagements, etc.). - Section 3.8 Inuit Stewardship, the Inuit Stewardship Plan (ISP) is a Project monitoring and management plan authored and administered by QIA, with input from the Inuit Committee and the Inuit Social Oversight Committee for the Mary River Project (the Project), impacted communities, and Baffinland, resourced by Baffinland, and implemented by Inuit. Inuit and Inuit institutions	proposed to date that would address their concern. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland’s Environmental Management System. Baffinland also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report. Given the overall importance of adaptive management to Inuit and other Indigenous group, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: With respect to the topic of monitoring systems must be robust and must include community input and communication back to communities to be effective. The Inuit Stewardship Plan (ISP) is a Project monitoring and management plan authored and administered by QIA, with input from the Inuit Committee for the Project, impacted communities, and Baffinland, resourced by Baffinland, and implemented by Inuit. Inuit and Inuit	Baffinland’s environmental management system and its associated management plans are life of Project Management Plans. They apply from the onset of the exploration Phase, through pre-development activities, construction, Operations and Closure Phases of the Project. As such, the application of the continuous improvement principle and adaptive management ensures that the environmental management plans are appropriate for the level of activities on site at all times. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of adaptive management (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update and

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
				management strategies are effective and potential Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: - Project Certificate Term and Condition 10: The Proponent shall update its Dust Management and Monitoring Plan to address and/or include the identification of 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. SD-43 explains this issue and how the NIRB addressed it in Sections 4.11.3 and 6.3.2, the NIRB indicated that the information collected through project monitoring must be used to supplement existing data gaps, and compared against	responsibly manage Inuit monitoring interests in the Project. The ISP describes how Inuit monitoring activities tie into the adaptive management system and other management, mitigation, and monitoring plans, and how Inuit monitoring relates to the protection and promotion of Inuit rights defined under the Nunavut Agreement and described under legal agreements with Baffinland related to management and stewardship of Inuit owned lands and resources. The concept of community-based monitoring will be an integral pillar of the ISP. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Baffinland continues to update the AMP and updating relevant Environmental Management Plans with adaptive management measures, including Trigger Action Response Plans (TARP Tables) which will be added to relevant Management Plans with thresholds and indicators developed by Inuit and Inuit communities as well as Baffinland. <u>Mechanisms in place to adjust mitigation/adaptive measures</u>	institutions responsibly manage Inuit monitoring interests in the Project. With respect to the topic of Baffinland to confirm the adaptive management framework, including the Inuit Stewardship Plan, and how it will be applied to the Southern Shipping Route once operational. Baffinland confirmed that the adaptive management framework, including the Inuit Stewardship Plan, will be applied to the Southern Shipping Route, which includes the Steensby Railway, once operational.	improve the adaptive management process, as outlined in Column F of this row. Baffinland continues to update the AMP and updating relevant Environmental Management Plans with adaptive management measures, including Trigger Action Response Plans (TARP Tables) which will be added to relevant Management Plans with thresholds and indicators developed by Inuit and Inuit communities as well as Baffinland. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required to mitigate the impacts of the railway Baffinland would take action under its Adaptive Management Plan. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as adaptive management.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
				predictions made within the Final EIS to allow for responsive adaptive management by the Baffinland and regulators. Specific commitments/ terms and conditions/IIBA provisions included in the Section 98 Application that are relevant to address this item of concern raised by localities are (per the Table of Commitments SD-2): - Project Certificate Term and Condition 4: The Proponent shall endeavor to include the participation of Inuit from affected communities and other communities in Nunavut when undertaking climate-change related studies and research. Community engagement will inform updates to the Adaptive Management Plan (SD-27.72). - Commitment 36: Commitment to develop a Terrestrial Environment Mitigation and Management Plan and adaptive management strategies. - Commitment 37: Commitment to investigate any caribou mortality resulting from the project and to mitigate caribou impacts through adaptive management. - Commitment 38: Commitment to	There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. These mechanisms provide NIRB, communities and interveners further/ongoing opportunities for input into mitigation and monitoring plans for the Project and for the Steensby Component construction and operations. The mechanisms for each component can be found in their respective rows within this table.		Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
				undertake terrestrial wildlife monitoring to verify predictions and support adaptive management strategies. • Commitment 46: commitment to work with QIA to develop Inuit objectives, indicators, thresholds and responses for adaptive management related to caribou (added to Project Certificate in 2023) • Commitment 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 will be implemented, if necessary, to adaptively manage impacts on surface water and sediment quality. • Commitment 53: Baffinland must demonstrate appropriate adaptive management to project activities that have potential to produce noise and sensory disturbance to wildlife.			
G.8 Baffinland Community Grievance Process							

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
Baffinland community grievance process	See Column C	Inuit and Inuit groups raised the importance of providing feedback on the project during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. As identified in Section 2.4 of the Stakeholder Engagement Report (SD-69), the Community and Stakeholder Engagement Plan (CSEP) (BAF-PH1-830-P16-0025; SD 74) was developed by Baffinland to ensure the interests of localities are respected and incorporated into the Project. Section 7 of the CSEP provides an overview of Grievance Mechanisms that are used to respond to external concerns or feedback from localities. In its comments on an advance draft of the Section 98 Application in August 2023, QIA asked - BIMC please specify frequency of CSEP updates and provide details of the feedback mechanism for implementing stakeholder input and / or IQ. During the federal consultation tour for the Steensby Component of the Mary River Project held from December 9 to 11, 2024, the grievance feedback process was identified by Baffinland as a mechanism for Inuit and Inuit groups to provide input in the Project: - Baffinland also recognizes that there are established community grievance feedback processes in place, and ongoing	The topic of the railway as a source of potential concerns for Inuit and communities is addressed in the FEIS 2012 in several sections, including: - Volume 1 Main Document - see Section 11.10 Stakeholder Engagement Plan(SD-41) - Volume 10 Environmental, Health and Safety Management – see Section 9.2 Stakeholders Engagement Plan (SD 41.489) and Appendix 10F-1 Stakeholder Engagement Plan (SD-41.517) As described in Appendix 10J-1 Section 6.1, the Complaints Management Procedures (predecessor to the Community Grievance Process) described the process by which Baffinland would manage complaints regarding the railway. The procedures are listed below: - Maintain the identity of all complainants and the complaints they raise as confidential; - Assign a Complaints Number to all complaints; - Document all complaints in a Complaints Register; - Document all verbal complaints on a Complaints Form and indicate that it was submitted verbally; - Screen out unfounded complaints and address legitimate complaints;	Although the 2012 NIRB Final Hearing Report (SD-43) does not explicitly describe how complains or grievances related to the railway should be addressed, the report does note that Baffinland must log complaints related to project concerns from Stakeholders and government agencies. The Community and Stakeholder Engagement Plan (CSEP) (BAF-PH1-830-P16-0025; SD 74) was developed by Baffinland to ensure the interests of localities are respected and incorporated into the Project. Section 7 of the CSEP provides an overview of Grievance Mechanisms that are used to respond to external concerns or feedback from localities.	New/Updated Information Provided with Section 98 Application Baffinland’s response to this comment is provided in Section 2.4 of the Stakeholder Engagement Report (SD-69), the Community and Stakeholder Engagement Plan (CSEP) (BAF-PH1-830-P16-0025; SD 74) was developed by Baffinland to ensure the interests of localities are respected and incorporated into the Project. Section 7 of the CSEP provides an overview of Grievance Mechanisms that are used to respond to external concerns or feedback from localities. Other stakeholder input and/or IQ can be integrated in the Project using the methodology outlined in the draft IQ Framework, which was submitted to the NIRB and QIA for public review in May 2023. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 As outlined in SD-74, the CSEP is reviewed as needed, to reflect changes in personnel, policy or project activities. <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to the the grievance process include: Project Certificate Terms and Conditions: Several	Current Status Baffinland is not aware of any outstanding items related to this issue other than (1) continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process) and (2) continuing implementation and compliance of the IIBA. This is a topic that is relevant to the location of the railway, as community comments and grievances helped inform the location of the railway. There are comprehensive mitigations developed to address the topic of the community grievance process developed though the 2012 FEIS, and the Project Certificate and other current approvals/agreements, including the IIBA (see Columns D, E and F). It is acknowledged that the topic of the community grievance process was raised by the QIA during the December 2024 Federal Tour. It is noted that the individual did not identify dissatisfaction with any of the specific mitigation measures proposed to date that would address their concern. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland’s Environmental Management System. Baffinland also provided a detailed summary to NPMO which explains how existing Project	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s position are further summarized here. Project Components Relevant to Topic Baffinland is committed to engaging with communities and stakeholders to integrate feedback into the project design and railway alignment as well as to address comments or grievances that arise from the construction and/or operation of the railway. The Community and Stakeholder Engagement Plan (CSEP) (BAF-PH1-830-P16-0025; SD 74) was developed by Baffinland to ensure the interests of localities are respected and incorporated into the Project. Section 7 of the CSEP provides an overview of Grievance Mechanisms that are used to respond to external concerns or feedback from localities. Context of Issue (Column C) Inuit and Inuit groups raised the importance of providing feedback on the project during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012. This feedback have been carefully taken into account, set out in this row Baffinland is of the view that with the measures and grievance process proposed the Steensby

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
		community consultation mechanisms led by Baffinland as well as NIRB and Inuit, which will continue to allow us to work closely with Inuit on addressing issues throughout the life of the Project.	• Prioritize complaints according to magnitude (severity, geographic extent, number of people affected) of effect • Notify complainants of the proposed action(s) to rectify the complaint or the reasons why a complaint will not be acted upon; • Consult with complainant for further explanation on complaint, when necessary; • Involve organizations and/or community groups, where necessary, to manage complaints (i.e., Hamlets, Qikiqtani Inuit Association); • Document the action(s) taken to address complaints and the dates when they were both initiated and addressed; and • Document follow-up action with details including, why the need for follow-up, who will be responsible, • what is expected from the follow-up and when follow-up reports are expected. • Baffinland proposed the Community and Stakeholder Engagement Plan (CSEP) (BAF-PH1-830-P16-0025; SD 74) plans relevant to the topic of Baffinland community grievance process in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489).		Terms and Conditions, such as Commitment 46 listed in column E requires Baffinland to include adaptive management measures in its management plans and operations. • NIRB Annual Reporting and Management Plan Update Process: The Project Certificate requires that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. • Qikiqtaaluk Socio-Economic Monitoring Committee (QSEMC) and Mary River Socio-Economic Monitoring Working Group (MRSEMWG): This advisory body is intended to provide advice, guidance on the socio-economic mitigation and management programs. Baffinland develops an annual Socio-Economic Monitoring Report for the Project which is reviewed by both groups. Wherever possible, the feedback received from the QSEMC and SEMWG are integrated into the Project and applied to operations.	measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report in January 2025, which was also provided to CTA as part of the Application. Given the overall importance of engagement and ability to provide feedback and concerns related the Project to Inuit and other Indigenous groups, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: Specifically: • With respect to the topic of the frequency of CSEP updates and the details of the feedback mechanism for implementing stakeholder input and / or IQ integrate feedback and IQ into the project design and railway alignment. Since 2006, IQ has been collected and integrated in the railway alignment and other aspects of the Project. For example, IQ helped to identify and refine the optimal alignment and location of likely caribou crossings areas. Baffinland will continue to involve Inuit and incorporate evolving IQ in the Steensby Railway as the detailed design is being finalized, such as by confirming the final crossing locations for hunters and caribou. Several plans, agreements and initiatives are	Railway can proceed in a way that is protective of and prevents any consequential impacts on Indigenous right How Issue is Addressed in 2012 FEIS (Column D) As described in Appendix 10J-1 Section 6.1 the Complaints Management Procedures (predecessor to the Community Grievance Process) described the detailed process by which Baffinland would manage complaints regarding the railway. Overall, the FEIS concluded that the Project will affect Inuit culture and cultural development through its interactions with Inuit cultural values. To a large degree, these interactions will be positive. The opportunities for productive livelihoods based on self-reliance and sharing of resources, learning and sharing experience through supervisory and role-model functions, and for monitoring the environment are all relevant and supportive of these values. This assessment was subject to a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
					• Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed within the Stakeholder Engagement Plan (SD-74). • Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.	being implemented to enable IQ collection and involvement of Inuit in monitoring activities, including through the IIBA, Tusaqtavut studies and Inuit Stewardship Program. Furthermore, Baffinland’s engagement activities in the communities have been carried out by an Inuit-led team, which allows for integration of Inuit experience in the Project. Baffinland also recognizes that there are established community grievance feedback processes in place, and ongoing community consultation mechanisms led by Baffinland as well as NIRB and Inuit, which will continue to allow us to work closely with Inuit on addressing issues throughout the life of the Project. Baffinland will update the Community and Stakeholder Engagement Plan on an as-needed basis.	commitments on the topic of Inuit feedback (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update the Community and Stakeholder Engagement Plan (CSEP) (BAF-PH1-830-P16-0025; SD 74) to ensure the interests of localities are respected and incorporated into the Project. Section 7 of the CSEP provides an overview of the updated Grievance Mechanisms that are used to respond to external concerns or feedback from localities Baffinland’s response to this comment is provided in Section 2.4 of the Stakeholder Engagement Report (SD-69), the Community and Stakeholder Engagement Plan (CSEP) (BAF-PH1-830-P16-0025; SD 74) was developed by Baffinland to ensure the interests of localities are respected and incorporated into the Project. Section 7 of the CSEP provides an overview of Grievance Mechanisms that are used to respond to external concerns or feedback from localities. Baffinland will continue to involve Inuit feedback and grievances in the

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
							Steensby Railway as the detailed design is being finalized and during the life of the Project. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required to mitigate the impacts of the railway Baffinland would take action under its Adaptive Management Plan. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the railway, including on topics such as adaptive management. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
							sufficient for CTA to proceed with issuance of the Section 98 approval.
G.9 Passage of Time since 2012 FEIS							
Passage of time since 2012 FEIS	Passage of time since 2012 FEIS/issuance of original Project Certificate No. 005 in 2012 and further/ongoing opportunities for input into mitigation and monitoring plans before Steensby Component construction and operations	Inuit and Inuit groups raised the importance of providing feedback on the project during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagement. As identified in Section 2.3 Summary of Engagement Efforts of the Stakeholder Engagement Report (SD-69), engagements with localities over the last 18 years in relation to a railway connection between the Mary River Mine and a Port facility have been robust. In the period between 2007 and 2013 engagement activities were extensive and focused on developing the Steensby Railway alignment, which was approved by multiple Nunavut Institutions of Public Government and other territorial and federal agencies and is reflected in this Section 98 Application. Between 2014 and 2022 Baffinland explored a North Railway extension to Milne Port, which allowed the company to continue to progress discussions with the communities and other interested stakeholders around railway design and operation mitigations generally. In 2021 Baffinland began final design work related to the Steensby Railway, integrating direction from the final approvals received in 2012 and 2013, as well as the lessons learned	Issues related to further/ongoing opportunities for input into mitigation and monitoring plans before the Steensby Component construction and operations is covered through the updates to the existing environmental management plans with the adaptive management process. The topic of adaptive management is addressed in the FEIS 2012 in several sections, including: - Volume 2 Consultation, Regulatory Framework and Assessment Methodology, Section 3.7 Mitigation Measures (SD 41.15). - Volume 9 Cumulative Effects and Other Assessments, Section 1.2.7 Adaptive Management (SD-41.485) - Volume 10 Environmental, Health and Safety Management, Section 1.6.7 Continuous Improvement and Adaptive Management. (SD-41.489) As described in Volume 10 of the FEIS, Baffinland’s environmental management system and its associated management plans are	The Project Certificate is a life of project approval and has no expiry. Per Column D, in the 2012 NIRB Report, the NIRB took into consideration key issues such as cumulative effects and adaptive management. The terms and conditions also require Baffinland to carry out monitoring continuously throughout the Project and to carry out specified updates prior to proceeding with Steensby Components. Plans included under the Project Certificate are subject to public review and comment and submission to NIRB, and will be shared through the NIRB public registry (in addition to any direct engagement that Baffinland takes in relation to updating the current mitigation and monitoring plans for the Steensby Components, as described in Column F and G. Examples where the Project Certificate includes update requirements before Baffinland proceeds with Steesby Components include: TC2: 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	New/Updated Information Provided with Section 98 Application As described in the Application Brief, NIRB carried out subsequent assessments of the Mary River Project in 2014 (for the Early Revenue Phase) and 2018, 2022, and 2023 (for the PIP Amendments). While those applications did not propose any modifications to the Steensby Railway, each of them considered and updated the 2012 FEIS residual effects conclusions as appropriate in their application materials to NIRB. These materials formed the basis for NIRB’s environmental assessment, each of which resulted in positive decisions by the Minister and the issuance of amendments to the Project Certificate by NIRB. All these changes to the Mary River Project were fully assessed by Baffinland and NIRB, following the process established by the Nunavut Agreement and NuPPAA, before they proceeded. Furthermore, NIRB also carries out an annual monitoring process to evaluate Baffinland’s status of implementation of the Project Certificate. This annual monitoring process includes, and is subject to, a detailed public review and comment period and ends with the	Current Status Baffinland will continue to comply with Project Certificate Terms and Conditions (including the monitoring and adaptive management process). This is a topic that is relevant to the location of the railway, as the railway is part of the overall Mary River Project There are comprehensive mitigations developed to address the topic of adaptive management developed though the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of further/ongoing opportunities for input into mitigation and monitoring plans before the construction and operation of the railway was raised by the QIA during the December 2024 Federal Tour. Baffinland will continue engaging with the community and QIA on plan updates for Steensby, and to inform them on Baffinland’s Environmental Management System. Baffinland also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate apply to address the	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s position are further summarized here. Context of Issue (Column C) Inuit individuals and groups have identified to Baffinland and the federal government that Inuit are holders of indigenous rights in relation to adaptive management, and the further/ongoing opportunities for input into mitigation and monitoring plans under the Nunavut Agreement and Section 35 of the Constitution Act. Inuit have identified concerns about potential environmental impacts that will require adaptive management resulting from the construction of the railway set out in this row Baffinland is of the view that with the measures and adaptive management proposed the Steensby Railway can proceed in a way that is protective of and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D)

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
		from the exploration of the North Railway extension. Beginning in 2021 Baffinland began to re-engage the communities and interested stakeholders on the Steensby Railway specifically, outlining the Project background and path forward, and seeking perspectives and advice on the remaining authorizations, project design and environmental management. During the federal consultation tour for the Steensby Component of the Mary River Project held from December 9 to 11, 2024, concerns were raised by Igloolik community members related to the passage of time since the 2012 FEIS, the relevance of studies done in 2012 and understanding the projects interaction with the environment. The use of adaptive management and how it is woven into the environmental monitoring programs was highlighted as a mitigation measure to many concerns.	life of Project management plans. They apply from the onset of the exploration Phase, through pre-development activities, construction, Operations and Closure Phases of the Project. As such, the application of the continuous improvement principle and adaptive management ensures that the environmental management plans are appropriate for the level of activities on site at all times. Baffinland proposed an Adaptive Management Plan (SD 27.76) in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-41.489). In particular:	the Project on climate change in the Local Study Area and Regional Study Area as defined in the Proponent’s Final Environmental Impact Statement. [Note per Column F, this is being complied with] • TC7: The Proponent shall update its Air Quality and Noise Abatement Management Plan to provide for continuous monitoring at land-based monitoring stations designed to capture operations phase ship-generated SO2 and NO2 emissions at Steensby Port and Milne Port. Continuous monitoring is to be carried out through several shipping seasons at each port as required to determine that emissions are at acceptable levels. [Note this work is underway and updates to the Plan will be submitted to NIRB, following the NIRB process] • TC13: The Proponent is encouraged to work with Fisheries and Oceans Canada at the regulatory phase and to take a precautionary approach when selecting the overpressure threshold to be applied to explosives use for the protection of fish and aquatic life. [Note this topic is addressed in	annual issuance of a NIRB Monitoring Report. Through this monitoring process, environmental and socioeconomic information relating to the Mary River Project is subject to continuous update and public review. As part of the Section 98 Application, the updated draft Adaptive Management Plan (AMP) (SD-47.76) describes how adaptive management strategies that have been incorporated into the operation Project since 2012. The following sections how Baffinland has enhanced the AMP to involve community members and ensure accountability: • Section 1.4 Roles and Responsibilities details how the QIA and Baffinland are jointly responsible for developing and approving the adaptive management elements for monitoring programs and Inuit Objectives, Indicators, Thresholds and Responses for the AMP. • Section 1.5 The Role of IQ and Community Involvement in Adaptive Management describes how direct and indirect oversight from Inuit will be incorporated into the management of the Project. ◦ Adaptive management is also anticipated to benefit from formal Inuit oversight,	concerns, for consideration as part of the What We Heard Report, which was also provided to CTA in January 2025. Given the overall importance of adaptive management and continued engagement and project oversight to Inuit and other Indigenous groups, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the railway. Detailed Response to Issues Raised in Column C: Specifically: • With respect to the specific topic of Baffinland to confirm the adaptive management framework, will be applied to the Southern Shipping Route once operational. Baffinland confirm that the adaptive management framework will be applied to the Southern Shipping Route once operational. • With respect to the topic of passage of time since the 2012 FEIS, NIRB carried out subsequent assessments of the Mary River Project in 2014 (for the Early Revenue Phase) and 2018, 2022, and 2023 (for the PIP Amendments). While those applications did not propose any modifications to the Steensby Railway, each of them considered and updated the 2012 FEIS residual effects conclusions. These materials formed the basis for NIRB’s environmental assessment,	Baffinland’s environmental management system and its associated management plans are Life of Project Management Plans. They apply from the onset of the exploration Phase, through pre-development activities, construction, Operations and Closure Phases of the Project. As such, the application of the continuous improvement principle and adaptive management ensures that the environmental management plans are appropriate for the level of activities on site at all times. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The Project Certificate is a life of project approval, and it does not expire. The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on the topic of adaptive management (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F)

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
				the FAA application SD-38] • TC29 : The Proponent shall provide to the respective regulatory authorities, for review and acceptance, for-construction engineering design and drawings, specifications, and engineering analysis to support design in advance for constructing those facilities. Once project facilities are constructed, the Proponent shall provide copies of the as-built drawings and design to the appropriate regulatory authorities. [Note Baffinland will comply with this requirements for the Steensby Components] • TC45: The Proponent shall adhere to the No-Net-Loss principle at all phases of the project to prevent or mitigate direct or indirect fish and fish habitat losses. [Note this topic is addressed in the FAA application SD-38] • TC46: The Proponent shall ensure that runoff from fuel storage and maintenance facility areas, sewage and wastewater other facilities responsible for generating liquid effluent and runoff meet discharge requirements. [Note per the Application, all crossings and culverts	- whether direct (e.g., the Inuit Committee), - or indirect through various levels of involvement in the EMS (participation in monitoring programs, environmental working groups, public engagements, etc.). • Section 3.8 Inuit Stewardship, the Inuit Stewardship Plan (ISP) is a Project monitoring and management plan authored and administered by QIA, with input from the Inuit Committee and the Inuit Social Oversight Committee for the Mary River Project (the Project), impacted communities, and Baffinland, resourced by Baffinland, and implemented by Inuit. Inuit and Inuit institutions responsibly manage Inuit monitoring interests in the Project. The ISP describes how Inuit monitoring activities tie into the adaptive management system and other management,	each of which resulted in positive decisions by the Minister and the issuance of amendments to the Project Certificate by NIRB. Furthermore, NIRB also carries out an annual monitoring process to evaluate Baffinland’s status of implementation of the Project Certificate. This annual monitoring process includes, and is subject to, a detailed public review and comment period and ends with the annual issuance of a NIRB Monitoring Report. Through this process, the Mary River Project is subject to continuous update and public review. Per column E, the NIRB certificate has no expiry and is in effect for the life of Project.	In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update Steensby baseline information and improve the adaptive management process, as outlined in Column F of this row. Baffinland continues to update the AMP and updating relevant Environmental Management Plans with adaptive management measures, including Trigger Action Response Plans (TARP Tables) which will be added to relevant Management Plans with thresholds and indicators developed by Inuit and Inuit communities as well as Baffinland. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why a robust monitoring program is proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required to mitigate the impacts of the railway Baffinland would take action under its Adaptive Management Plan. Going forward, Baffinland will continue to follow its community engagement protocols to ensure

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				are designed to address this] • TC47: The Proponent shall ensure that all Project infrastructure in watercourses are designed and constructed in such a manner that they do not unduly prevent and limit the movement of water in fish bearing streams and rivers [Note per the Application, all crossings and culverts are designed to address this] • TC78: The Proponent shall update the baseline information for landfast ice using a long-term dataset (28 years), and with information on inter-annual variation. The analysis for pack and landfast ice shall be updated annually using annual sea ice data (floe size, cover, concentration) and synthesized and reported in the most appropriate management plan. [Note this is being complied with] • TC80: Prior to commercial shipping of iron ore, the Proponent shall conduct a detailed risk assessment for Project-related shipping accidents, noting areas along the ship tracks where vessels may be particularly vulnerable to environmental conditions such as sea ice, and any seasonal differences in	mitigation, and monitoring plans, and how Inuit monitoring relates to the protection and promotion of Inuit rights defined under the Nunavut Agreement and described under legal agreements with Baffinland related to management and stewardship of Inuit owned lands and resources. The concept of community-based monitoring will be an integral pillar of the ISP. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Baffinland has conducted several Steensby-related information updates, such as updated freshwater and marine field programs, hydrological studies, dust monitoring, caribou surveys, archaeological surveys, geotechnical surveys, Inuit land use studies (as described in detail in Column F throughout this table) Baffinland continues to update the AMP and relevant Environmental Management Plans with adaptive management measures, including Trigger Action Response Plans (TARP Tables) which will be added to relevant Management Plans with thresholds and indicators developed by Inuit and Inuit communities as well as Baffinland.		there are ongoing opportunities for Inuit feedback on the railway, including on topics such as adaptive management. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented to the Panel in the Section 98 Application are sufficient for the Panel to determine that this interest has been addressed to a degree sufficient for CTA to proceed with issuance of the Section 98 approval.

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				risk. This assessment shall inform mitigation and adaptive management plans. [Note this is being complied with] • TC83: The Proponent shall install tidal gauges at the Steensby Inlet Port and Milne Inlet Port sites to monitor relative sea level and storm surges. [Note this is being complied with] •TC86: Prior to commercial shipping of iron ore, the Proponent shall use more detailed bathymetry collected from Steensby Inlet and Milne Inlet to model the anticipated ballast water discharges from ore carriers. The results from this modeling shall be used to update ballast water discharge impact predictions and should account for density dependent flow and annual timescales over the project life. Additional sampling should also be undertaken to validate the model and to inform sampling sites and the monitoring plan. [Note this is being complied with] • TC87: The Proponent shall develop a detailed monitoring program at a number of sites over the long term to evaluate changes to marine habitat and organisms and to monitor for non-native	<u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. These mechanisms provide NIRB, communities and interveners further/ongoing opportunities for input into mitigation and monitoring plans for the Project and for the Steensby Component construction and operations. The combination of these mechanisms follow a very similar process to the original FEIS 2012 assessment, such as collection of monitoring data, assessing monitoring results, engagement with various stakeholders/interveners on the monitoring a mitigation measures, and creating mitigation measure based off results. Therefore with these mechanisms, the concerns from localities regarding the passage of time from the issuance of original Project Certificate has been and will be addressed throughout the life of the Project. The mechanisms for each component can be found in their respective rows within this table and are also provide below in summary: • Regulatory oversight: Compliance with Federal and Nunavut regulatory requirements, and associated inspections conducted under the Commerical Lease, Type A Water Licence, Type B Water License, Land		

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				introductions resulting from Project-related shipping. This program needs to be able to detect changes that may have biological consequences and should be initiated several years prior to any ballast water discharge into Steensby Inlet and Milne Inlet to collect sufficient baseline data and should continue over the life of the Project [Note this is being complied with] • TC91: The Proponent shall develop a detailed monitoring plan for Steensby Inlet and Milne Inlet for fouling that complies with all applicable regulatory requirements and guidelines as issued by Transport Canada, and includes sampling areas on ships where antifouling treatment is not applied such as the areas where non-native species are most likely to occur. [Note this is being complied with]	Leases and Project Terms and Conditions require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up. • Project Certificate Terms and Conditions: Several Terms and Conditions, listed in column E for each respective row requires Baffinland to implement relevant Monitoring and Management Plans within its Environmental Management System, in which adapative management measures are required by the Project Certificate. • NIRB and NWB Annual Reporting and Management Plan Update Process: The Project Certificate and Type A Water Licence require that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. • Bi-Annual Geotechnical Inspections: Geotechnical inspections were completed, for several project facilities and		

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					infrastructure. These inspections provide bi-annual review of the permafrost impacts on infrastructure. All recommendation developed from the inspection are used to update management plans accordingly. • Terrestrial Environmental Working Group: This advisory body is intended to provide advice, guidance and enforceable recommendations regarding adding to and improving baseline information, mitigation measures for the protection of the terrestrial environment, assessing the accuracy of impact predictions, and the development and implementation of adaptive management plans. • Marine Environmental Working Group: This advisory body is intended to provide advice, guidance and enforceable recommendations regarding adding to and improving baseline information, mitigation measures for the protection of the marine environment, assessing the accuracy of impact predictions, and the development and implementation of		

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					adaptive management plans. • Qikiqtaaluk Socio-Economic Monitoring Committee (QSEMC) and Mary River Socio-Economic Monitoring Working Group (MRSEMWG): advisory body is intended to provide advice, guidance on the socio-economic mitigation and management programs. Baffinland develops an annual Socio-Economic Monitoring Report for the Project which is reviewed by both groups. Wherever possible, the feedback received from the QSEMC and SEMWG are integrated into the Project and applied to operations. • Inuit-Led Dust Audit Committee: This Committee has been established to observe and understand the present and potential future dust sources at Baffinland’s Mary River Project and recommend actions and mitigation measures that can reduce dust production and dispersion. Baffinland continues to report on comments made by the Dust Audit Committee to refine its mitigations and improve the aesthetic value of the Project area.		

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					• Inuit Stewardship Program: QIA is also developing a program, funded by Baffinland, currently referenced as the Inuit Stewardship Program. This program would supplement existing programs by Baffinland to support integration of Inuit experience, feedback and knowledge into the Project. • NIRB’s Cumulative Effects Assessment Framework: As outlined in Section III.7H of the Approval to Construct a Railway Application, the NIRB is developing an updated Cumulative Effects Assessment Framework to support the development of future assessments. NIRB will give special consideration to the topic of cumulative effects in relation to the established monitoring programs. Should any updates to monitoring programs relevant to the Steensby Railway be made as a result of the NIRB monitoring process, Baffinland will promptly report such updates to the Agency. • Project Monitor: Project Certificate Term and Condition 189 requires Baffinland to have a Interim Project Monitor. This role is not currently		

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					in place. QIA, CIRNAC and Baffinland have been working with communities on development of a related role which would replace the Interim Project Monitor focused on providing another pathway to incorporate Inuit feedback into the Project. • Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed within the Stakeholder Engagement Plan (SD-74). • Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.		

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H. Marine							
H.1 Marine Mammals							
Marine Mammals	Marine mammals: Potential impacts of shipping on marine mammals (walrus, seals, bowhead whales), including breeding areas	Inuit and Inuit groups raised the importance of marine mammals during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), since 2012 Inuit community members and other community members identified: - Impacts to marine mammals from year round shipping (i.e., abandonment of areas adjacent to the shipping lane) - Ensuring sufficient marine mammal monitoring - Shipping during pupping/calving/denning times of the year - Impacts of using navigational aids (i.e., Sonar) - Impacts to Inuit harvesting of marine mammals During the federal consultation tour for the Steensby Component of the Mary River Project held from December 9 to 11, 2024, Sanirajak and Igloodik community members raised concerns about shipping impacts on marine mammals and being able to continue harvesting walrus and seal when the Southern	The topic of Steensby shipping operations as a source of potential impacts on marine mammals is addressed in the FEIS 2012 in several sections, including: - Volume 1 Main Document - see Executive Summary, Table 1-12.1 Summary of Residual Biophysical Effects (SD-41) - Volume 2 Consultation, Regulatory Framework and Assessment Methodology – see Table 2-1.3 Key Community Concerns and Baffinland Response (SD-41.15) and 2A Public Consultation Record (SD-41.17) and 2B Summary of Community Based Research Undertaken for the Mary River Project (SD-41.19) - Volume 8 Marine Environment (SD-41.472), see Section 2.0 Sea Ice, Section 3.0 Water and Sediment Quality, and Section 4.0 Marine Habitat and Biota, Section 5.0 Marine Mammals for a general assessment of impacts to the marine environment. Baseline information provided in Appendix 8A-1 - Oceanography Baseline (SD-41.473), Appendix 8A-2 - Marine Mammal Baseline (SD-41.474), 8C-	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Section 4.12.3: - The NIRB indicated that continued baseline data collection through a stringent monitoring and adaptive management program will be required throughout the Project. - Local users of the marine area located in communities along the shipping route will need to be engaged throughout the life of the project to assist with monitoring and evaluating potential project-induced impacts and to identify any changes to marine mammal distribution. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: - Term and Condition No. 76: The Proponent shall develop a comprehensive Marine Environmental Effects Monitoring Program to address concerns and identify potential impacts of the Project on the marine environment. - Term and Condition No. 99: The Proponent, working with the Marine Environment Working	New/Updated Information Provided with Section 98 Application As part of the Section 98 Application (Table 15), Baffinland provided information on design improvements made from operational experience to reduce the disturbance to marine environment for the Steensby Component. Measures will be taken such as: - Removal of underwater dredging and blasting from the construction plan. - Underwater rock knoll in the vicinity of the ore dock that could have been an underwater hazard to ore carriers does not need to be removed in current plan. New/Updated Information Provided in Steensby Authorization Applications The Marine FAA Application outlines mitigation measures to protect marine mammals during construction and operation. These measures will be implemented through the Shipping and Marine Mammals Management Plan (SD-41.510) and Construction Environmental Management Plan for Steensby Port Construction. Examples of mitigation measures	Current Status Baffinland is not aware of any outstanding items related to this issue other than (1) continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process) and (2) obtaining FAA authorizations for port construction from DFO. The Steensby Railway does not have any direct linkages with the marine environment (see Figure 1) and will have limited to no interaction with marine mammals. This is an item under jurisdiction of the DFO under the <i>Fisheries Act</i>. The current status of this item is that DFO is currently considering the details of Baffinland’s Marine FAA application, and this authorization have not yet been issued. There are comprehensive mitigations developed to address the topic of marine mammals developed though the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of marine mammal monitoring was raised by an individual in Sanirajak during the December 2024 Federal Tour. It is noted that the individual	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s position are further summarized here. <u>Railway Components Relevant to Topic</u> The Steensby Railway will connect the Mary River Mine to Steensby Port. From here, vessels will travel along the southern shipping route through Foxe Basin into Hudson Strait, and then on to world markets. The southern shipping route was determined based on community feedback, Inuit Knowledge, and environmental studies. The shipping route through Northern Foxe Basin was moved east of Koch Island and to the South of Mill Island, away from a known walrus haulout location on the North Side of the island. Context of Issue (Column C) Inuit individuals and groups have identified to Baffinland and the federal government that Inuit are holders of indigenous rights in relation to marine mammals, under the Nunavut Agreement and Section 35 of the Constitution Act. Inuit have identified shipping

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		Shipping Route is active. A Pond Inlet community member asked a question about policies if there was an accidental kill of a marine mammal. Baffinland’s proposed mitigation measures and compliance with Project commitments address this concern, in the manner described in this row.	1 Underwater Noise Modelling for Steensby Inlet, Foxe Basin and Hudson Strait (SD-41.478), Appendix 8C-3 Composite Marine Mammal Audiogram and Noise Plots Marine Mammal Effects Analysis (SD-41.480), Appendix 8C-4 Assessment of Underwater Noise from Pile Driving (SD-41.481), Appendix 8C-5 Composite Marine Mammals Audiogram and Noise Plots for Vibratory Pile Driving (SD-41.482) and Appendix 8D-1 - Aircraft Airborne Noise Analysis Relative to Known Walrus Haulout Sites (SD-41.483). - Volume 9 Cumulative Effects and Other Assessments, Section 1.4.4 Marine Environment (SD-41.485). The key points included in the references to the FEIS listed above are: - The Project is predicted to have no significant residual effects for any marine mammal species. Follow-up monitoring will be undertaken to ensure that marine mammals do not incur significant disturbance effects from shipping. Residual effects are considered reversible. Overall, the 2012 FEIS concluded that with the proposed monitoring and mitigation, the Project will not	Group, shall consider and identify priorities for conducting the following supplemental baseline assessments, including in Steensby Inlet: - Term and Condition No. 100: The Proponent shall update its Shipping and Marine Wildlife Management Plan, to include avoidance of polynyas and mitigation measures designed for potential fuel spills along the shipping lane during the winter months, with consideration for the impact of spilled fuel on marine mammals when they might be less mobile or able to avoid contact with spilt fuel or fumes. - Term and Condition No. 101: The Proponent shall incorporate into the appropriate monitoring plans, including a monitoring program that focuses on walrus use of Steensby Inlet and their reaction to disturbance from construction activities, aircraft, and vessels; periodic aerial surveys for basking ringed seals throughout the landfast ice of Steensby Inlet, and a suitable control location. Surveys shall be conducted at an appropriate frequency to detect change inter-annual variability; Conduct landfast ice monitoring for the duration of the Project Operations phase.	proposed in the Marine FAA include: - All Project vessels will be provided with standard instructions to not approach within 300 m of a walrus or polar bear observed on sea ice. - All vessels will not be operated in such a way as to separate an individual member(s) of a group of marine mammals from other members of the group. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Baffinland is in the process of collecting supplemental baseline information for the Steensby Component and has conducted several studies on the marine environment since 2020. The results will be used to inform management and monitoring plans for Steensby construction and operation. - Ice conditions and ship access to the Steensby Inlet port site (2020). - Ringed Seal Aerial Surveys (2021 and 2024) - Physical Oceanography Program (2021 to 2022) - Fixed wing survey (2023) - Multibeam Bathymetric Survey in Steensby Inlet (2023) - Steensby Inlet Fast Ice Study (2024) - Underwater Noise Modelling – Construction of Steensby Port (2025)	did not identify dissatisfaction with any of the specific mitigation measures proposed to date that would address their concern. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland’s Environmental Management System. Baffinland also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report. Given the overall importance of marine mammals to Inuit and other Indigenous group, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the southern shipping route. Detailed Response to Issues Raised in Column C: Specifically: With respect to impacts to marine mammals from year-round shipping and shipping during pupping/calving/denning times of the year, Baffinland will follow the Shipping and Marine Mammals Management Plan to implement mitigation and management measures to minimize potential effects of shipping on marine	activities impact the marine environment by affecting marine mammals during all project phases. These concerns have been carefully taken into account, set out in this row. Baffinland is of the view that with the measures proposed the Steensby Component can proceed in a way that is protective of these marine resources and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) The southern shipping route was identified through the development of the 2012 FEIS, which formed the basis for approval of the Mary River Project, including the Steensby Component. Based on a number of mitigation measures and management plans related to protecting marine mammals described in Column D, the 2012 FEIS concluded that there would be no significant effects to marine mammals through a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on marine mammal monitoring and mitigation (as outlined in Column E of this row).

Interest (A)	Specific Issue(s) (B)	Context of Issue (s) (C)	How Issue is Addressed in FEIS, 2012 (D)	How Issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (E)	Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (F)	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (G)	Summary of Issue and Overall Response (H)
			have significant adverse effects on marine mammals. A number of proven mitigation measures were included in the 2012 FEIS to reduce potential effects on marine mammals: • Dock structures were designed to minimize the footprint in the marine environment. • Ore carriers will have a modern design that is expected to reduce noise output. • All vessels will maintain a constant course and speed whenever possible to reduce the potential for collisions. • Vessels will minimize idling of engines when docked at Steensby Port. • Except during takeoff and landing, Project aircraft will be operated at a minimum altitude of 450 m over marine areas, when weather conditions allow. In addition, aircraft will be prohibited from flying low for sightseeing or photography. • Blasting will occur late in the ice-cover season (late May) to eliminate the likelihood of marine mammals occurring nearby. • Vessel speed in areas of pack ice (approximately 13 km/h) will be lower than speeds during the open-water season (approximately 26 km/h), thereby reducing the	• Term and Condition No. 102: The Proponent shall ensure that routing of project vessels is tracked and recorded for both the southern and northern shipping routes, with data made accessible in real time to communities in Nunavut and Nunavik. • Term and Condition No. 103: The Proponent shall report annually to the NIRB regarding project-related ship track and sea ice information • Term and Condition No. 104: Subject to safety considerations and the potential for conditions as determined by the crew of transiting vessels, to result in route deviations, the Proponent shall require, for shipping to/from Steensby Port, project vessels to maintain a route to the south of Mill Island to prevent disturbance to walrus and walrus habitat on the northern shore of Mill Island. Where project vessels are required to transit to the north of Mill Island owing to environmental or other conditions, an incident report is to be provided to the Marine Environment Working Group and the NIRB within 30 days, noting all wildlife sightings and interactions as recorded	• Airborne Noise Modelling – Construction of Steensby Port (2025) Several mitigation measures for the Northern Shipping Route have been implemented upon engagement with Inuit and the Marine Environment Working Group well as adaptive management after years of experience in operational shipping. Although several of the measures implemented in the Northern Shipping Route are not applicable to the Steensby area due to differences in the environment, Baffinland will continuously engage with communities along the Southern Shipping Route on mitigation measures and implement adaptive management. <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to marine mammals include: • Regulatory oversight: Compliance with Federal and Nunavut regulatory requirements, including DFO Fisheries Act and associated inspections conducted under the Project Terms and Conditions require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-	mammals. Continual engagement with Inuit on mitigation measures and adaptive management will be undertaken to effectively mitigate potential impacts to marine mammals from shipping. • With respect to ensuring sufficient marine mammal monitoring, as outlined in the Project Certificate Terms and Conditions, Baffinland will conduct supplemental baseline studies on marine mammals prior to construction. During construction, operations and closure, Baffinland will conduct extensive marine mammal monitoring programs. Should monitoring reveal that further measures are required, Baffinland would take action under its Adaptive Management Plan. Inuit will be involved in the development and implementation of those monitoring programs. • With respect to impacts of using navigational aids, Baffinland’s Project Certificate Terms and Conditions require a vessel noise monitoring program to assess the potential short term, long term, and cumulative effects of vessel noise on marine mammals and marine mammal populations. A Passive	These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update and collect supplemental baseline information to support detailed engineering for the Marine FAA application, and provide input into monitoring and management plans as outlined in Column F of this row. As described within the Stakeholder Engagement Report (see SD-69, Section 7.5.3), no issues of concern relating to the marine environment were raised by localities in relation to the railway construction or its operations. However, in response to concerns raised by localities around shipping, Baffinland moved the shipping route east of Rowley and Koch Islands. This shipping route avoids important walrus habitat and will be less disruptive to wildlife and community use. The shipping route through Hudson Strait was also moved south of Mill Island, to avoid important areas for wildlife and local use, however, transiting to the north of Mill Island is still possible for matters of navigational safety.

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			likelihood of wildlife collisions during periods when their movements are restricted by ice. - A blasting plan will be designed by an explosives contractor and in consultation with DFO to ensure that the 100-kPa waterborne acoustic overpressure threshold is met and minimized, and a bubble curtain will be employed as necessary. It is anticipated that an Environmental Monitor and Inuit knowledgeable about marine mammals and will be on site during blasting operations to assess the area for marine mammal presence. Baffinland proposed various plans relevant to the topic of shipping and marine mammals in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular: - Environmental Protection Plan (SD-41.492) - Environmental Monitoring Plan (SD-41.513) - Shipping and Marine Mammals Management Plan (SD-41.510) - Steensby Port Oil Pollution Emergencies Plan (SD-41.495)	by shipboard monitors. The Proponent shall summarize all incidences of significant deviations from the nominal shipping routes for traffic to/from Milne Port and Steensby Port as presented in the FEIS and FEIS Addendum to the NIRB annually, with corresponding discussion regarding justification for deviations and any observed environmental impacts. Term and Condition No. 105: The Proponent shall ensure that measures to reduce the potential for interaction with marine mammals, particularly in Hudson Strait and Milne Inlet, are identified and implemented prior to commencement of shipping operations. These measures could include, but are not limited to changes in the frequency and timing (including periodic suspensions) of shipping during winter months in Hudson Strait and during the open water season in Milne Inlet, i.e., when interactions with marine mammals are likely to be the most problematic; Reduced shipping speeds where ship-marine mammal interactions are most likely; and Identification of alternate shipping routes through Hudson Strait for use when conflicts between the	compliance and associated follow-up. Project Certificate Terms and Conditions: Several Terms and Conditions, such as TC 100 listed in column E, requires Baffinland to implement relevant Monitoring and Management Plans within its Environmental Management System, in which adaptive management measures are required by the Project Certificate. NIRB Reporting and Management Plan Update Process: The Project Certificate requires that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners. Marine Environmental Working Group: This advisory body is intended to provide advice, guidance and enforceable recommendations regarding adding to and improving baseline information, mitigation measures for the protection of the marine environment, assessing the accuracy of impact predictions, and the development and	Acoustic Monitoring program was conducted in 2014-2015 and 2018-2023 to evaluate potential Project-related effects to marine mammals from shipping noise. Results were reported on in Baffinland's NIRB Annual Reports. With respect to impacts to Inuit harvesting of marine mammals, Baffinland will continuously engage with communities and hunters along the Southern Shipping Route on their observations and effectiveness of mitigation measures. Should areas be identified where adaptive management is required, it will be implemented. Continually, the Mary River IIBA between the QIA and Baffinland establishes significant financial compensation and benefits to Inuit. Article 9 of the IIBA discusses maritime shipping and Article 17 describes the Wildlife Compensation fund put in place support harvesters who directly experience marine impacts associated with project shipping.	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why there are robust marine monitoring programs proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required in respect once shipping begins, Baffinland would take action under its Adaptive Management Plan. Baffinland's Section 98 Application shows that it has already made design improvements from operational experience to reduce the disturbance to marine environment for the Steensby Component. Baffinland has made meaningful efforts to prevent effects to marine mammals from construction and shipping operations through its proposed mitigation and monitoring plans and compliance with all government approvals, which include the Project Certificate No. 005 and the pending Marine Fisheries Act Authorization. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on shipping,

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				proposed routes and marine mammals could arise. Repeated winter aerial survey results showing marine mammal distribution and densities in Hudson Strait would greatly assist in this task. • Term and Condition No. 106: The Proponent shall ensure that shipboard observers are employed during seasons where shipping occurs and provided with the means to effectively carry out assigned duties. The role of shipboard observers in shipping operations should be taken into consideration during the design of any ore carriers purpose-built for the Project, with climate controlled stations and shipboard lighting incorporated to permit visual sightings by shipboard observers during all seasons and conditions. Any shipboard lighting incorporated should be in accordance with the <i>Canada Shipping Act, 2001's Collision Regulations</i>, and should not interfere with safe navigation of the vessel. • Term and Condition No. 107: The Proponent shall revise the proposed “surveillance monitoring” to improve the likelihood of detecting strong marine mammal, seabird or seaduck responses occurring too far ahead of	implementation of adaptive management plans. • Inuit Impact and Benefit Agreement (IIBA): As stated in column E the IIBA includes a wildlife compensation agreement. Baffinland and the QIA are committed to updating the IIBA and are currently working together to add adaptive management responses related to wildlife. • Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed within the Stakeholder Engagement Plan (SD-74). • Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures		including on topics such as marine mammals. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented address this interest to a sufficient degree. Note this topic has been included in this Table to ensure that the Panel receives information on all topics of interests raised by localities during engagement and consultation in making its decision under Section 98 as to whether the location of the railway is reasonable. However, it is important for the Panel to understand that the location of Steensby Railway approximately 200m from the closest marine area (see Figure 1) and there are no direct linkages between the Steensby Railway and the marine environment. No part of the Steensby Railway is located within or near the marine environment. The Steensby Railway will have limited to no interaction with marine-based species.

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				the ship to be detectable by observers aboard the ore carriers. A baseline study early in the shipping operations could employ additional surveillance to detect potential changes in distribution patterns and behavior. At an ambitious scope, this might be achieved using unmanned aircraft flown ahead of ships, or over known areas of importance for seabirds or haul-out sites in the case of walruses, in accordance with the requirements of their Special Flight Operations Certificate. • Term and Condition No. 108: The Proponent shall ensure that data produced by the surveillance monitoring program is analysed rigorously by experienced analysts (in addition to being discussed as proposed in the FEIS) to maximize their effectiveness in providing baseline information, and for detecting potential effects of the project on marine mammals, seabirds and seaducks in the Regional Study Area. It is expected that data from the long-term monitoring program be treated with the same rigor. • Term and Condition No. 109: The Proponent shall conduct a monitoring program to confirm the predictions in the FEIS with respect to disturbance	identified in the Project Certificate.		

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				effects from ships noise on the distribution and occurrence of marine mammals. The survey shall be designed to address effects during the shipping seasons, and include locations in Hudson Strait and Foxe Basin, Milne Inlet, Eclipse Sound and Pond Inlet. The survey shall continue over a sufficiently lengthy period to determine the extent to which habituation occurs for narwhal, beluga, bowhead and walrus. • Term and Condition No. 110: The Proponent shall immediately develop a monitoring protocol that includes, but is not limited to, acoustical monitoring, to facilitate assessment of the potential short term, long term, and cumulative effects of vessel noise on marine mammals and marine mammal populations. The Proponent is expected to work with the Marine Environment Working Group to determine appropriate early warning indicator(s) that will ensure rapid identification of negative impacts along the southern and northern shipping routes. • Term and Condition No. 111: The Proponent shall develop clear thresholds for determining if negative impacts as a result of vessel noise are occurring.			

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				Mitigation and adaptive management practices shall be developed to restrict negative impacts as a result of vessel noise. • Term and Condition No. 112: Prior to commercial shipping of iron ore, the Proponent, in conjunction with the Marine Environment Working Group, shall develop a monitoring protocol that includes, but is not limited to, acoustical monitoring that provides an assessment of the negative effects (short and long term cumulative) of vessel noise on marine mammals. Monitoring protocols will need to carefully consider the early warning indicator(s) that will be best examined to ensure rapid identification of negative impacts. Thresholds shall be developed to determine if negative impacts as a result of vessel noise are occurring. Mitigation and adaptive management practices shall be developed to restrict negative impacts as a result of vessel noise. • Term and Condition No. 119: The Proponent shall, in conjunction with the Marine Environment Working Group, monitor ringed seal birth lair abundance and distribution for at least two years prior to the start of icebreaking			

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				to develop a baseline, with continued monitoring over the life of the project as necessary to test the accuracy of the impact predictions and determine if mitigation is needed. Monitoring shall also include a control site outside of the Project's zone of influence. • Term and Condition No. 120: The Proponent shall ensure that, subject to vessel and human safety considerations, all project shipping adhere to the following mitigation procedures while in the vicinity of marine mammals: a. Wildlife will be given right of way; b. Ships will when possible, maintain a straight course and constant speed, avoiding erratic behavior; and c. When marine mammals appear to be trapped or disturbed by vessel movements, the vessel will implement appropriate measures to mitigate disturbance, including stoppage of movement until wildlife have moved away from the immediate area. • Term and Condition No. 121: The Proponent shall immediately report any accidental contact by project vessels with marine mammals or seabird colonies to Fisheries and			

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				Oceans Canada and Environment Canada respectively, by notifying the appropriate regional office. • Term and Condition No. 122: The Proponent shall summarize and report annually to the NIRB regarding accidental contact by project vessels with marine mammals or seabird colonies through the applicable monitoring report. • Term and Condition No. 123: The Proponent shall provide sufficient marine mammal observer coverage on project vessels to ensure that collisions with marine mammals and seabird colonies are observed and reported through the life of the Project. The marine wildlife observer protocol shall include, but not be limited to, protocols for marine mammals, seabirds, and environmental conditions and immediate reporting of significant observations to the ship masters of other vessels along the shipping route, as part of the adaptive management program to address any items that require immediate action. • Term and Condition No. 126: The Proponent shall design monitoring programs to ensure that local users of the marine area in communities along			

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				the shipping route have opportunity to be engaged throughout the life of the Project in assisting with monitoring and evaluating potential project-induced impacts and changes in marine mammal distributions. • Term and Condition No 162: 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. • Term and Condition No. 163: 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. The Mary River IIBA between Baffinland and the QIA fulfils the requirements of the Nunavut Agreement set out in Article 26 and			

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				applies to the entire Mary River Project, including the Steensby Component. The IIBA identifies mitigation measures to address issues raised by Inuit about the Project and establishes significant financial compensation and benefits to Inuit (SD-72). Article 9 of the IIBA discusses maritime shipping and Article 17 describes the Wildlife Compensation fund put in place support harvesters who directly experience marine impacts associated with project shipping.			
H.2 Icebreaking							
	Icebreaking: concerns around impacts of icebreaking on marine mammals, the physical environment and travel routes	Inuit and Inuit groups raised concerns about ice breaking during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), since 2012 Inuit community members and other community members identified: - Loss of ice during year round shipping with the potential to limit winter travel routes amongst North Baffin communities - Potential for marine wildlife to be attracted to open water and suffer adverse consequences when ice breaking opens lanes During the federal consultation tour for the Steensby Component of the Mary River Project held from December 9 to 11, 2024, a	The topic of icebreaking operations as a source of potential impacts on the marine environment is addressed in the FEIS 2012 in several sections, including: - Volume 1 Main Document - see Executive Summary, Table 1-12.1 Summary of Residual Biophysical Effects (SD-41) - Volume 2 Consultation, Regulatory Framework and Assessment Methodology – see Table 2-1.3 Key Community Concerns and Baffinland Response (SD-41.15) and 2A Public Consultation Record (SD-41.17) and 2B Summary of Community Based Research Undertaken for the Mary River Project (SD-41.19) - Volume 3 Project Description, Appendix 3G Ice and Marine Shipping Assessment (SD-41.435) - Volume 4 Human Environment, see Section	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Section 4.11.3: - The NIRB indicated that continued baseline data collection through a stringent monitoring and adaptive management program will be required throughout the Project. - Local users of the marine area located in communities along the shipping route will need to be engaged throughout the life of the project to assist with monitoring and evaluating potential project-induced impacts and to identify any changes to marine mammal distribution. In Section 5.7.3: - The NIRB acknowledges that travel routes have the potential to be impacted and that Baffinland will need to continually engage with the	New/Updated Information Provided in Steensby Authorization Applications The Marine FAA Application outlines mitigation measures to protect the marine environment during construction and operation. These measures will be implemented through the Shipping and Marine Mammals Management Plan (SD-41.510) and Construction Environmental Management Plan for Steensby Port Construction. New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Baffinland is in the process of collecting supplemental baseline information for the Steensby Component and has conducted several studies on the marine environment since 2020. The results will be used to inform management and monitoring plans for Steensby construction and operation.	Current Status Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process). The Steensby Railway does not have any direct linkages with the marine environment (see Figure 1) and will have limited to no interaction with marine mammals and sea ice. Baffinland’s 2012 FEIS proposed and assessed 12-month shipping along the Southern Shipping Route, including ice breaking, which formed a part of the evidentiary record on which the Nunavut Impact Review Board and the Ministers based their approval of the Mary River Project, Project Certificate 005.	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s position are further summarized here. <u>Railway Components Relevant to Topic</u> The Steensby Railway will connect the Mary River Mine to Steensby Port. From here, vessels will travel along the southern shipping route through Foxe Basin into Hudson Strait, and then on to world markets. The southern shipping route was determined based on community feedback, Inuit Knowledge, and environmental studies. Context of Issue (Column C) Inuit individuals and groups have identified to Baffinland and the

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		community member in Sanirajak raised a concern about icebreaking. Baffinland’s proposed mitigation measures and compliance with Project commitments address this concern, in the manner described in this row.	10.5 Travel and Camps (SD-41.439), Appendix 4C – Land Use Report (SD-41.442) - Volume 8 Marine Environment (SD-41.472), see Section 2.0 Sea Ice, Section 4.0 Marine Habitat and Biota, Section 5.0 Marine Mammals for a general assessment of impacts to the marine environment. Baseline information provided in Appendix 8A-1 - Oceanography Baseline (SD-41.473), Appendix 8A-2 - Marine Mammal Baseline (SD-41.474), Appendix 8A-3 - Analysis of Polynya-like Features in Foxe Basin and Hudson Strait (SD-41.475). - Volume 9 Cumulative Effects and Other Assessments, Section 1.4.4 Marine Environment (SD-41.485). The key points included in the references to the FEIS listed above are: - Year-round shipping to Steensby Port is approved. A dedicated fleet of cape-sized icebreaking ore carriers and some non-icebreaking ore carriers and conventional ships will be used during the open-water season. - Icebreaking is not anticipated as part of Steensby Port construction. During	communities of North Baffin on shipping operations. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are: - Term and Condition No. 76: The Proponent shall develop a comprehensive Marine Environmental Effects Monitoring Program to address concerns and identify potential impacts of the Project on the marine environment. - Term and Condition No. 78: The Proponent shall update the baseline information for landfast ice using a long-term dataset (28 years), and with information on inter-annual variation. The analysis for pack and landfast ice shall be updated annually using annual sea ice data (floe size, cover, concentration) and synthesized and reported in the most appropriate management plan. - Term and Condition No. 79: The Proponent shall provide the Canadian Hydrographic Services with bathymetric data and other relevant information collected in support of Project shipping where possible, to assist in the development of nautical charts for Canadian waters. - Term and Condition No. 80: Prior to commercial shipping of iron ore, the Proponent shall conduct a detailed risk assessment for Project-	- Ice conditions and ship access to the Steensby Inlet port site (2020). - Ringed Seal Aerial Surveys (2021 and 2024) - Physical Oceanography Program (2021 to 2022) - Fixed wing survey (2023) - Multibeam Bathymetric Survey in Steensby Inlet (2023) - Steensby Inlet Fast Ice Study (2024) - Underwater Noise Modelling – Construction of Steensby Port (2025) - Airborne Noise Modelling – Construction of Steensby Port (2025) Several mitigation measures for the Northern Shipping Route have been implemented upon engagement with Inuit and the Marine Environment Working Group well as adaptive management after years of experience in operational shipping. Although several of the measures implemented in the Northern Shipping Route are not applicable to the Steensby area due to differences in the environment, Baffinland will continuously engage with communities along the Southern Shipping Route on mitigation measures and implement adaptive management. <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project	There are comprehensive mitigations developed to address the topic of ice breaking developed though the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of ice breaking was raised by an individual in Sanirajak during the December 2024 Federal Tour. It is noted that the individual did not identify dissatisfaction with any of the specific mitigation measures proposed to date that would address their concern. Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland’s Environmental Management System. Baffinland also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate apply to address the concerns, for consideration as part of the What We Heard Report. Given the overall importance of sea ice and marine mammals to Inuit and other Indigenous group, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the southern shipping route. Detailed Response to Issues Raised in Column C: Specifically, With respect to the loss of ice limiting winter	federal government that Inuit are holders of indigenous rights in relation to marine mammals and travel across sea ice, under the Nunavut Agreement and Section 35 of the Constitution Act. Inuit have identified ice breaking activities impact the marine environment by affecting marine mammals during all project phases. These concerns have been carefully taken into account, set out in this row Baffinland is of the view that with the measures proposed the Steensby Component can proceed in a way that is protective of these marine resources and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) The year-round southern shipping route was proposed and assessed through the development of the 2012 FEIS, which formed the basis for approval of the Mary River Project, including the Steensby Component. Based on a number of mitigation measures and management plans related to ice breaking described in Column D, the 2012 FEIS concluded that there would be no significant effects from ice breaking through a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E)

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			construction ice management and icebreaking activities will be limited to the ice break-up and freeze-up periods and would therefore avoid the sensitive life cycle periods for ringed seal. - Polynya-like features in the vicinity of the shipping route are recurring and as such are not likely to be areas of regular concentration by marine mammals. Vessel traffic will have a negligible effect on polynyas or adjacent pack ice. - Land users travelling across landfast ice in Steensby Inlet will be required to detour to avoid the ship track. Safe detour routes around the ship’s track in the area of the Port and along part of the landfast ice will be marked for safety purposes. Food and fuel will be available along the detour route at the Steensby Port site to offset the extra distance land users have to travel. Overall, the 2012 FEIS concluded that the residual effects of annual icebreaking will be the physical alteration of a maximum cumulative annual total of 136 km² of landfast ice within Steensby Inlet. This represents 4.0 % of the landfast ice within the Inlet and less than 0.5 % of landfast ice within	related shipping accidents, noting areas along the ship tracks where vessels may be particularly vulnerable to environmental conditions such as sea ice, and any seasonal differences in risk. This assessment shall inform mitigation and adaptive management plans. - Term and Condition No. 100: The Proponent shall update its Shipping and Marine Wildlife Management Plan, to include avoidance of polynyas and mitigation measures designed for potential fuel spills along the shipping lane during the winter months, with consideration for the impact of spilled fuel on marine mammals when they might be less mobile or able to avoid contact with spilt fuel or fumes. - Term and Condition No. 101: The Proponent shall incorporate into the appropriate monitoring plans, including a monitoring program that focuses on walrus use of Steensby Inlet and their reaction to disturbance from construction activities, aircraft, and vessels; periodic aerial surveys for basking ringed seals throughout the landfast ice of Steensby Inlet, and a suitable control location. Surveys shall be conducted at an appropriate frequency to detect change inter-annual	where needed. Mechanisms that relate to ice breaking include: Regulatory oversight: Compliance with Federal and Nunavut regulatory requirements, including the Fisheries Act, Canada Shipping Act and associated inspections conducted under the Project Terms and Conditions require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report instances of non-compliance and associated follow-up. Project Certificate Terms and Conditions: Several Terms and Conditions, such as TC 100 listed in column E, requires Baffinland to implement relevant Monitoring and Management Plans within its Environmental Management System, in which adaptive management measures are required by the Project Certificate. NIRB Reporting and Management Plan Update Process: The Project Certificate requires that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated	travel routes for land users, Baffinland has identified a detour route to avoid the ship track. Safe detour routes around the ship’s track in the area of the Port and along part of the landfast ice will be delineated with markers for safety. To compensate for the extra distance land users will need to travel, food and fuel will be available along the detour route at the Steensby Port site. - With respect to concerns around impacts on marine mammals, icebreaking vessels will minimize the width of the shipping lane (to <1.5 km) by transiting along the same track as much as possible. Tugs and ore carriers will restrict their area of operation to the extent practical, so that the total area of broken landfast ice at the Steensby Port is limited. - With respect to general concerns around ice breaking, several environmental management plans will be implemented, as summarized in Column D, E and F. The Shipping and Marine Mammals Management Plan aims to mitigate potential effects of shipping on the marine environment. Continual engagement with Inuit on mitigation measures and	The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on ice breaking operations (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to update and collect supplemental baseline information to meeting Protect Certificate conditions and support detailed engineering for the Marine FAA application, and provide input into monitoring and management plans as outlined in Column F of this row. As described within the Stakeholder Engagement Report (see SD-69, Section 7.5.3), no issues of concern relating to the marine environment were raised by localities in relation to the railway construction or its operations. However, in response to concerns on ice breaking, Baffinland ships will reduce speed and minimize the width of the shipping lane.

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			Foxe Basin and the RSA. This effect is an unavoidable result of shipping at Steensby Port. Effects on integrity of the landfast sea ice from shipping are predicted to be not significant because they will be small in magnitude, confined to within the LSA, long in duration, and fully reversible following Project closure. However, follow-up monitoring will be undertaken to ensure that marine mammals do not incur significant disturbance effects from shipping. Baffinland acknowledges that shipping and port activities will affect travel across ice in Steensby Inlet. The detour will be used by a small number of people, and only in the winter. Combined with the proposed mitigation measures, adaptive management and compensation measures, the effect is assessed to be not significant. A number of proven mitigation measures were included in the 2012 FEIS to reduce impacts of icebreaking: - All vessels will maintain a constant course and speed whenever possible to reduce the potential for collisions. - Vessel speed in areas of pack ice (approximately 13 km/h) will be lower than speeds during the open-water season (approximately 26 km/h), thereby reducing the likelihood of wildlife collisions during periods when their movements are restricted by ice.	variability; Conduct landfast ice monitoring for the duration of the Project Operations phase. - Term and Condition No. 103: The Proponent shall report annually to the NIRB regarding project-related ship track and sea ice information - Term and Condition No. 104: Subject to safety considerations and the potential for conditions as determined by the crew of transiting vessels, to result in route deviations, the Proponent shall require, for shipping to/from Steensby Port, project vessels to maintain a route to the south of Mill Island to prevent disturbance to walrus and walrus habitat on the northern shore of Mill Island. Where project vessels are required to transit to the north of Mill Island owing to environmental or other conditions, an incident report is to be provided to the Marine Environment Working Group and the NIRB within 30 days, noting all wildlife sightings and interactions as recorded by shipboard monitors. The Proponent shall summarize all incidences of significant deviations from the	on a regular basis, and subject to review by interveners. Marine Environmental Working Group: This advisory body is intended to provide advice, guidance and enforceable recommendations regarding adding to and improving baseline information, mitigation measures for the protection of the marine environment, assessing the accuracy of impact predictions, and the development and implementation of adaptive management plans. Audits: Under Project Certificate TC 179(c) a third party bi-annual performance audit is required. Every term and condition on environmental management related to shipping is audited for performance. The audit reports are filed with the NIRB by March 31 and September 30 annually. Inuit Impact and Benefit Agreement (IIBA): As stated in column E the IIBA includes a wildlife compensation agreement. Baffinland and the QIA are committed to updating the IIBA and are currently working together to add adaptive	adaptive management will be undertaken to effectively mitigate potential impacts to the marine environment from shipping and ice breaking activities.	Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why there are robust marine monitoring programs proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row). Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required in respect once ice breaking begins, Baffinland would take action under its Adaptive Management Plan. Baffinland’s Section 98 Application shows that it has already made design improvements from operational experience to reduce the disturbance to marine environment for the Steensby Component. Baffinland has made meaningful efforts to prevent effects to the marine environment from ice breaking through its proposed mitigation and monitoring plans and compliance with all government approvals, which include the Project Certificate No. 005. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the Steensby

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			- Icebreaking vessels can minimize the width of the shipping lane (to <1.5 km) by transiting along the same track as much as possible. - Commence icebreaking activity prior to period of ringed seal lair and breathing hole creation. - The shipping lane into Steensby Port will be delineated with markers that will identify the boundaries of previous vessel tracks and act as a guide for the next vessel. - Icebreaking tugs and ore carriers will restrict their area of operation to the extent practical, so that the total area of broken landfast ice at the Steensby Port is limited. - Fuel, food and shelter will be provided at Steensby Port to offset the additional costs for traveling around Steensby Port and shipping route. Baffinland proposed various plans relevant to the topic of shipping and marine mammals in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular: - Environmental Monitoring Plan (SD-41.513) - Shipping and Marine Mammals Management Plan (SD-41.510)	nominal shipping routes for traffic to/from Milne Port and Steensby Port as presented in the FEIS and FEIS Addendum to the NIRB annually, with corresponding discussion regarding justification for deviations and any observed environmental impacts. - Term and Condition No. 105: The Proponent shall ensure that measures to reduce the potential for interaction with marine mammals, particularly in Hudson Strait and Milne Inlet, are identified and implemented prior to commencement of shipping operations. - Term and Condition No. 106: The Proponent shall ensure that shipboard observers are employed during seasons where shipping occurs and provided with the means to effectively carry out assigned duties. The role of shipboard observers in shipping operations should be taken into consideration during the design of any ore carriers purpose-built for the Project, with climate controlled stations and shipboard lighting incorporated to permit visual sightings by shipboard observers during all seasons and conditions. Any shipboard lighting incorporated should be in	management responses related to wildlife. Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed within the Stakeholder Engagement Plan (SD-74). Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures identified in the Project Certificate.		Component, including on topics such as marine mammals. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented address this interest to a sufficient degree. Note this topic has been included in this Table to ensure that the Panel receives information on all topics of interests raised by localities during engagement and consultation in making its decision under Section 98 as to whether the location of the railway is reasonable. However, it is important for the Panel to understand that the location of Steensby Railway approximately 200m from the closest marine area (see Figure 1) and there are no direct linkages between the Steensby Railway and the marine environment. No part of the Steensby Railway is located within or near the marine environment. The Steensby Railway will also have limited to no interaction with marine-based species and sea ice.

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				accordance with the <i>Canada Shipping Act, 2001's Collision Regulations</i>, and should not interfere with safe navigation of the vessel. • Term and Condition No. 107: The Proponent shall revise the proposed “surveillance monitoring” to improve the likelihood of detecting strong marine mammal, seabird or seaduck responses occurring too far ahead of the ship to be detectable by observers aboard the ore carriers. A baseline study early in the shipping operations could employ additional surveillance to detect potential changes in distribution patterns and behavior. At an ambitious scope, this might be achieved using unmanned aircraft flown ahead of ships, or over known areas of importance for seabirds or haul-out sites in the case of walruses, in accordance with the requirements of their Special Flight Operations Certificate. • Term and Condition No. 108: The Proponent shall ensure that data produced by the surveillance monitoring program is analysed rigorously by experienced analysts (in addition to being discussed as proposed in the FEIS) to maximize their effectiveness in providing baseline information, and			

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				for detecting potential effects of the project on marine mammals, seabirds and seaducks in the Regional Study Area. It is expected that data from the long-term monitoring program be treated with the same rigor. • Term and Condition No. 109: The Proponent shall conduct a monitoring program to confirm the predictions in the FEIS with respect to disturbance effects from ships noise on the distribution and occurrence of marine mammals. The survey shall be designed to address effects during the shipping seasons, and include locations in Hudson Strait and Foxe Basin, Milne Inlet, Eclipse Sound and Pond Inlet. The survey shall continue over a sufficiently lengthy period to determine the extent to which habituation occurs for narwhal, beluga, bowhead and walrus. • Term and Condition No. 110: The Proponent shall immediately develop a monitoring protocol that includes, but is not limited to, acoustical monitoring, to facilitate assessment of the potential short term, long term, and cumulative effects of vessel noise on marine mammals and marine mammal populations. The Proponent is expected to			

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				work with the Marine Environment Working Group to determine appropriate early warning indicator(s) that will ensure rapid identification of negative impacts along the southern and northern shipping routes. • Term and Condition No. 119: The Proponent shall, in conjunction with the Marine Environment Working Group, monitor ringed seal birth lair abundance and distribution for at least two years prior to the start of icebreaking to develop a baseline, with continued monitoring over the life of the project as necessary to test the accuracy of the impact predictions and determine if mitigation is needed. Monitoring shall also include a control site outside of the Project’s zone of influence. • Term and Condition No. 121: The Proponent shall immediately report any accidental contact by project vessels with marine mammals or seabird colonies to Fisheries and Oceans Canada and Environment Canada respectively, by notifying the appropriate regional office. • Term and Condition No. 122: The Proponent shall summarize and report annually to the NIRB regarding accidental contact by project vessels			

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				with marine mammals or seabird colonies through the applicable monitoring report. • Term and Condition No. 126: The Proponent shall design monitoring programs to ensure that local users of the marine area in communities along the shipping route have opportunity to be engaged throughout the life of the Project in assisting with monitoring and evaluating potential project-induced impacts and changes in marine mammal distributions. • Term and Condition No 162: 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. • Term and Condition No. 163: 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			

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				the Proponent’s management and monitoring plans continue to evolve in an informed manner. The Mary River IIBA between Baffinland and the QIA fulfils the requirements of the Nunavut Agreement set out in Article 26 and applies to the entire Mary River Project, including the Steensby Component. The IIBA identifies mitigation measures to address issues raised by Inuit about the Project and establishes significant financial compensation and benefits to Inuit (SD-72). Article 9 of the IIBA discusses maritime shipping and Article 17 describes the Wildlife Compensation fund put in place support harvesters who directly experience impacts associated with project shipping.			
H.3 Ballast Water							
	Ballast water/ potential for introduction of invasive species to marine areas	Inuit and Inuit groups raised concerns on ballast water and the potential introduction of invasive species during the NIRB assessment completed in 2012, and it continues to be an issue that is raised in post 2012 engagements. As identified in Table 5-3 of the Stakeholder Engagement Report (SD-69), since 2012 Inuit community members and other community members identified: The potential for the release of ballast water to affect water quality in Steensby Inlet or result in the introduction of invasive species or	The topic of ballast water release and potential introduction of aquatic invasive species (AIS)/Non-native species (NIS) is addressed in the FEIS 2012 in several sections, including: - Volume 1 Main Document - see Executive Summary, Table 1-12.1 Summary of Residual Biophysical Effects (SD-41) - Volume 2 Consultation, Regulatory Framework and Assessment Methodology – see Table 2-1.3 Key Community Concerns and Baffinland Response (SD-41.15) and 2A Public Consultation Record (SD-41.17) and 2B	The 2012 NIRB Final Hearing Report (SD-43) explains this issue and how the NIRB addressed it in Section 4.12.3: A precautionary approach must be taken for discharge of ballast water due to the pristine environment. Continued monitoring to supplement existing data gaps and compare results to the FEIS must be done by the Proponent to allow for responsive adaptive management. Specific Project Certificate Terms and Conditions and/or commitments that are relevant to address this item are:	New/Updated Information Provided in Steensby Authorization Applications The Marine FAA Application outlines mitigation measures for ballast water discharge during operation. It is expected that construction vessels will not discharge ballast water as they will be arriving domestically. Mitigation measures will be implemented during operation through the Shipping and Marine Mammals Management Plan (SD-41.510), Ballast Water Management Plan (SD-27.57) and Marine Environmental Effects Monitoring Plan (SD-27.58).	Current Status Baffinland is not aware of any outstanding items related to this issue other than continuing compliance with Project Certificate Terms and Conditions (including the monitoring and adaptive management process). The Steensby Railway does not have any direct linkages with the marine environment (see Figure 1) and will have limited to no interaction with this environment. It is an item under jurisdiction of Transport Canada under the <i>Canada Shipping Act</i> and the International Maritime Organization’s International	Baffinland is confident it has objectively addressed the interests identified by Indigenous groups and other localities on this subject based on the information provided in the preceding columns. For ease of reference the key points supporting Baffinland’s position are further summarized here. <u>Railway Components Relevant to Topic</u> The Steensby Railway will connect the Mary River Mine to Steensby Port. From here, vessels will travel along the southern shipping route through Foxe Basin into Hudson Strait, and then on to world markets. Foreign vessels entering

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		release of bacteria/viruses During the federal consultation tour for the Steensby Component of the Mary River Project held from December 9 to 11, 2024, Sanirajak and Igloolik community members raised concerns about fish and water quality being impacted from the release of chlorinated water. Baffinland’s proposed mitigation measures and compliance with Project commitments address this concern, in the manner described in this row.	Summary of Community Based Research Undertaken for the Mary River Project (SD-41.19) - Volume 8 Marine Environment (SD-41.472), see Section 2.0 Sea Ice, Section 3.0 Water and Sediment Quality, and Section 4.0 Marine Habitat and Biota, Section 5.0 Marine Mammals for a general assessment of impacts to the marine environment. Section 3.5.2.3 assesses impacts of ballast water discharge. Baseline information provided in Appendix 8A-1 - Oceanography Baseline (SD-41.473), Appendix 8A-2 - Marine Mammal Baseline (SD-41.474), Appendix 8B-1 Ballast Water Discharge at Steensby Inlet (SD-41.476) - Volume 9 Cumulative Effects and Other Assessments, Section 1.4.4 Marine Environment (SD-41.485). The key points included in the references to the FEIS listed above are: - In Steensby Inlet, discharge of ballast waters will occur year-round during the operation and closure phases of the Project. During open-water conditions, it is anticipated that ballast	- Project Certificate Term and Condition No. 76: The Proponent shall develop a comprehensive Marine Environmental Effects Monitoring Program to address concerns and identify potential impacts of the Project on the marine environment. - Term and Condition No. 86: Prior to commercial shipping of iron ore, the Proponent shall use more detailed bathymetry collected from Steensby Inlet and Milne Inlet to model the anticipated ballast water discharges from ore carriers. The results from this modeling shall be used to update ballast water discharge impact predictions and should account for density dependent flow and annual timescales over the project life. Additional sampling should also be undertaken to validate the model and to inform sampling sites and the monitoring plan. - Term and Condition No. 87: The Proponent shall develop a detailed monitoring program at a number of sites over the long term to evaluate changes to marine habitat and organisms and to monitor for non-native introductions resulting from Project-related shipping. This program needs to be able to detect changes that may have biological consequences and should be	New/Updated Relevant Mitigation and Monitoring Measures Developed Since 2012 Baffinland has implemented a Ballast Water Management Plan (BWMP) (SD-27.57) since 2019 for Milne Inlet to reflect a 6 Mtpa operation. This plan will continue to be implemented for Steensby operations and will be updated as required. The BWMP outlines the management, monitoring, controls and adaptive management Baffinland implements to manage ballast water discharge at Milne Port, such as: - Ensuring foreign vessels comply with all relevant Regulations and Ballast Water Management (BWM) Convention - In accordance with the Canada Shipping Act (2011) and the BWM Convention (2017), all international vessels must have a specific BWMP, maintain a Ballast Water Record Book and an International Ballast Water Management Certificate - Conducting pre-arrival and on-board inspections - Conducting ballast water testing Baffinland has developed an industry leading marine environmental effects and aquatic invasive species (AIS)/Non-indigenous species (NIS) monitoring program and mitigation plan for the Northern Shipping Route. The	Convention for the Control and Management of Ships’ Ballast Water and Sediment. Baffinland’s 2012 FEIS proposed and assessed shipping activities for the Southern Shipping Route, including ballast water management, which formed a part of the evidentiary record on which the Nunavut Impact Review Board and the Ministers based their approval of the Mary River Project, Project Certificate 005. There are comprehensive mitigations developed to address the topic of ballast water management developed though the 2012 FEIS, and the Project Certificate and other current approvals/agreements (see Columns D, E and F). It is acknowledged that the topic of ballast water was raised by individuals in Igloolik and Sanirajak during the December 2024 Federal Tour. It is noted that the individual did not identify dissatisfaction with any of the specific mitigation measures proposed to date that would address their concern Baffinland has considered this feedback and is of the view that the existing mitigation measures are adequate to address the issue raised. Baffinland will continue engaging with the community to inform them on Baffinland’s Environmental Management System. Baffinland also provided a detailed summary to NPMO which explains how existing Project measures including the Project Certificate apply to address the	Canadian Waters are required to exchange ballast water in open seas, away from coastal waters. This exchange aims to release non-native species, preventing them from colonizing in Canadian coastal waters. When ore carriers reach Steensby Port they will discharge ballast water to maintain stability whilst loading ore. Context of Issue (Column C) Inuit individuals and groups have identified to Baffinland and the federal government that Inuit are holders of indigenous rights in relation to marine wildlife, under the Nunavut Agreement and Section 35 of the Constitution Act. Inuit have identified ballast water discharge may impact the marine environment by introducing NIS/AIS or impacting water quality. These concerns have been carefully taken into account, set out in this row Baffinland is of the view that with the measures proposed the Steensby Component can proceed in a way that is protective of the marine environment and prevents any consequential impacts on Indigenous rights. How Issue is Addressed in 2012 FEIS (Column D) Steensby Component shipping activities were proposed and assessed in the 2012 FEIS, which formed the basis for approval of the Mary River Project, including the Steensby Component. Based on a number of mitigation measures and management plans related to ballast water management

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			discharge will begin once ships move into protected waters in northern Foxe Basin or Steensby Inlet. Ships will retain full complements of ballast during periods of ice cover to facilitate icebreaking and, therefore, the full load of ballast will be discharged at dock side during those periods. Ballast water onboard ore carriers accessing Steensby Inlet will be taken on in the North Atlantic or Labrador Sea. The ballast water concentrations are predicted to be low within Steensby Inlet after a year, reaching a cumulative concentration of 0.07 % and a onetime maximum of 0.4 %. The anticipated changes in temperature and salinity are less than 0.07 %, and therefore no effects on water quality in Steensby Inlet are anticipated from the discharge of ballast water. Overall, the 2012 FEIS concluded that with the proposed monitoring and mitigation, the environmental effect of the discharge of ballast water on water and sediment quality in Steensby Inlet is predicted to be not significant. It is predicted that ballast water discharge will lead to negligible increases in fish tissue metal concentrations, and therefore also	initiated several years prior to any ballast water discharge into Steensby Inlet and Milne Inlet to collect sufficient baseline data and should continue over the life of the Project. - Term and Condition No. 88: Prior to commercial shipping of iron ore and in conjunction with the Marine Environment Working Group, the Proponent shall provide an updated risk analysis regarding ballast water discharge to assess the adequacy of treatment and implications on the receiving environment. - Term and Condition No. 89: The Proponent shall develop and implement an effective ballast water management program that may include the treatment and monitoring of ballast water discharges in a manner consistent with applicable regulations and/or exceed those regulations if they are determined to be ineffective for providing the desired and predicted results. The ballast water management program shall include, without limitation, a provision that requires ship owners to test their ballast water to confirm that it meets the salinity requirements of the applicable regulations prior to discharge at the Milne Port, and a requirement noting that the Proponent, in choosing shipping	Baffinland NIS/AIS monitoring program represents the most comprehensive monitoring program for NIS/AIS conducted by a marine port in Canada. Baffinland has proposed to work directly with communities and regulators through the Marine Environment Working Group and other forums to review the original Shipping and Marine Wildlife Management Plan for the Southern Shipping Route, with a view to adapting lessons learned from the Northern Shipping Route, as feasible and appropriate. Baffinland is also working with DFO on a risk based biological ballast water testing system at Milne Port that should be applicable to Steensby Port once operations commence. Continually, Baffinland is in the process of collecting supplemental baseline information for the Steensby Component and has conducted several studies on the marine environment since 2020. The results will be used to inform management and monitoring plans for Steensby construction and operation. - Ice conditions and ship access to the Steensby Inlet port site (2020). - Ringed Seal Aerial Surveys (2021 and 2024) - Physical Oceanography Program (2021 to 2022) - Fixed wing survey (2023) - Multibeam Bathymetric Survey in Steensby Inlet (2023) - Steensby Inlet Fast Ice Study (2024)	concerns, for consideration as part of the What We Heard Report. Given the overall importance of the marine environment and fish to Inuit and other Indigenous group, it is expected that this topic will require Baffinland’s continual attention and diligence throughout the life of the southern shipping route. Detailed Response to Issues Raised in Column C: Specifically, - With respect to concerns on impacts to water quality from ballast water discharge, effluent dispersion modelling for ballast water discharge at Steensby Port was completed for the FEIS. The assessment predicted that impacts of discharge of ballast water on water quality will not be significant. Baffinland will continue to implement the Ballast Water Management Plan, including conducting ballast water salinity testing on foreign flag vessels. - With respect to concerns on the introduction of AIS/NIS, Baffinland will follow the IMO’s D-2 standard for the exchange and treatment of ballast water prior to discharge at Steensby Port. The process of exchanging ballast water in	described in Column D, the 2012 FEIS concluded that there would be no significant effects from ballast water discharge through a comprehensive assessment and subsequent NIRB public review process, for the reasons described in Column D. How issue is Addressed by NIRB Project Certificate No. 005 and Other Relevant Project Requirements (Column E) The NIRB public review resulted in a positive recommendation to federal Ministers and the issuance of Project Certificate 005 with specific dedicated terms and conditions and commitments on ballast water management (as outlined in Column E of this row). These terms and conditions and commitments are being implemented by Baffinland, and status of implementation is reported on an annual basis in the NIRB Annual Report. Additional Information Relevant to Issue Developed Since 2012 and Shared in Section 98 Application (Column F) In addition to the information shared in Column D and E, since 2012 further work has been carried out by Baffinland to manage ballast water, such as implementation of the Ballast Water Management Plan, as outlined in Column F of this row. As described within the Stakeholder Engagement Report (see SD-69,

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			have negligible effects on Arctic char health. A number of proven mitigation measures were included in the 2012 FEIS to reduce potential impacts from ballast water discharge: - Ore carriers will be subject to the <i>Ballast Water Control and Management Regulations</i> administered by Transport Canada under the <i>Canada Shipping Act</i>. Ships are required to exchange ballast water before entering Canadian waters when arriving from foreign waters. - Baffinland is also committed to conducting both a mid-ocean exchange using an International Maritime Organization (IMO) approved Ballast Water Treatment System, which exceeds regulatory requirements. Baffinland proposed various plans relevant to the topic of shipping and marine mammals in Volume 10 of the 2012 FEIS, Environmental Health and Safety Management (SD-489). In particular: - Environmental Monitoring Plan (SD-41.513) - Shipping and Marine Mammals Management Plan (SD-41.510)	contractors will, whenever feasible, give preference to contractors that use ballast water treatment in addition to ballast water exchange. - Term and Condition No. 90: The Proponent shall incorporate into its Shipping and Marine Mammals Management Plan provisions to achieve compliance with the requirements under the International Convention for the Control and Management of Ship's Ballast Water and Sediment (2004) or its replacement and as implemented by the <i>Canadian Ballast Water and Control Regulations</i> as may be amended from time to time. - Term and Condition No. 91: The Proponent shall develop a detailed monitoring plan for Steensby Inlet and Milne Inlet for fouling that complies with all applicable regulatory requirements and guidelines as issued by Transport Canada, and includes sampling areas on ships where antifouling treatment is not applied such as the areas where non-native species are most likely to occur. - Term and Condition No 162: 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	- Underwater Noise Modelling – Construction of Steensby Port (2025) - Airborne Noise Modelling – Construction of Steensby Port (2025) Prior to the commencement of significant ship traffic to Steensby Port, a baseline marine environmental effects program will collect supplemental data on marine water and sediment quality, marine vegetation, benthic invertebrates, fish and fish habitat, and other aspects of the marine environment will be completed. <u>Mechanisms in place to adjust mitigation/adaptive measures</u> There are several mechanisms in place to adjust mitigation/adaptive measures at the Mary River Project where needed. Mechanisms that relate to ballast water management include: Regulatory oversight: Compliance with Federal and Nunavut regulatory requirements, including the Fisheries Act, Canada Shipping Act, Ballast Water Control and Management Regulations and associated inspections conducted under the Project Terms and Conditions require Baffinland to take prompt and appropriate action to remedy any event of non-compliance, and to report	international waters followed by treatment significantly reduces any potential for the arrival of NIS into the Project area. The current Ballast Water Management Plan will be expanded to apply to Steensby Port. Baffinland, in consultation with the Marine Environment Working Group and communities through shipping specific workshops will evaluate the mitigations currently in practice at Milne Port for their feasibility with respect to Steensby Port. Baffinland will continue to implement the marine environmental effects and aquatic invasive species (AIS)/Non-indigenous species (NIS) monitoring program. The Baffinland NIS/AIS monitoring program represents the most comprehensive monitoring program for NIS/AIS conducted by a marine port in Canada.	Section 7.5.3), no issues of concern relating to the marine environment were raised by localities in relation to the railway construction or its operations. However, in response to concerns on ballast water discharge, Baffinland follows Canada's adoption of the IMO's D-2 standard for the exchange and treatment of ballast water prior to discharge at Steensby Port. The process of exchanging ballast water in international waters followed by treatment significantly reduces any potential for the arrival of NIS into the Project area. The current Ballast Water Management Plan will be expanded to apply to Steensby Port. Baffinland, in consultation with the Marine Environment Working Group and communities through shipping specific workshops will evaluate the mitigations currently in practice at Milne Port for their feasibility with respect to Steensby Port. Baffinland is also working with DFO on a risk based biological ballast water testing system at Milne Port that should be applicable to Steensby Port once operations commence. Current Implementation Status and Identification of Potential for Outstanding/Ongoing Issues (Column G) It is acknowledged that even with all of the measures in place, there is uncertainty - which is why there are robust marine monitoring programs proposed and required under Project Certificate No. 005 (including in the management plans described in Column D of this row).

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				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. • Term and Condition No. 163: 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.	instances of non-compliance and associated follow-up. • Project Certificate Terms and Conditions: Several Terms and Conditions, such as TC 90 listed in column E, requires Baffinland to implement relevant Monitoring and Management Plans within its Environmental Management System, in which adapative management measures are required by the Project Certificate. • Audits: Under Project Certificate TC 179(c) a third party bi-annual performance audit is required. Every term and condition on environmental management related to shipping is audited for performance. The audit reports are filed with the NIRB by March 31 and September 30 annually. • NIRB Reporting and Management Plan Update Process: The Project Certificate requires that Baffinland ensure all relevant management plans are updated based on monitoring results. The management plans listed in Column D are updated on a regular basis, and subject to review by interveners.		Monitoring programs will continue to include Inuit staff. Should monitoring reveal that further measures are required in respect once ballast water discharge begins, Baffinland would take action under its Adaptive Management Plan. Baffinland’s Section 98 Application shows that it has already made design improvements from operational experience to reduce the disturbance to marine environment for the Steensby Component. Baffinland has made meaningful efforts to prevent effects to the marine environment from ballast water discharge through its proposed mitigation and monitoring plans and compliance with all government approvals, which include Project Certificate No. 005. Going forward, Baffinland will continue to follow its community engagement protocols to ensure there are ongoing opportunities for Inuit feedback on the Steensby Component, including on topics such as ballast water management. Conclusion Overall, while it is expected that this is a topic that will be of continued interest to Inuit and other localities throughout the life of the Project, Baffinland submits that the measures presented

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					• Marine Environmental Working Group: This advisory body is intended to provide advice, guidance and enforceable recommendations regarding adding to and improving baseline information, mitigation measures for the protection of the marine environment, assessing the accuracy of impact predictions, and the development and implementation of adaptive management plans. • Community Engagement and Complaints Management Process: Inputs from our community engagement programs are used and integrated in the Project, including prompt management of complaints and grievances as detailed within the Stakeholder Engagement Plan (SD-74). • Baffinland Adaptive Management Plan: Baffinland uses the outcomes from all of the above sources to adjust its Project over time as needed in response to monitoring results and feedback from Inuit and stakeholders through the Adaptive Management Plan and specific adaptive management measures		address this interest to a sufficient degree. Note this topic has been included in this Table to ensure that the Panel receives information on all topics of interests raised by localities during engagement and consultation in making its decision under Section 98 as to whether the location of the railway is reasonable. However, it is important for the Panel to understand that the location of Steensby Railway approximately 200m from the closest marine area (see Figure 1) and there are no direct linkages between the Steensby Railway and the marine environment. No part of the Steensby Railway is located within or near the marine environment. The Steensby Railway will also have limited to no interaction with the marine environment.

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					identified in the Project Certificate.		