



Nunavut Impact Review Board (NIRB)
PO Box 1360
Cambridge Bay, NU
X0B 0C0

June 24th, 2025

Subject: Parks Canada's Comments on Baffinland Iron Mines Corporation's Mary River Project 2024 Annual Report

Dear NIRB,

Parks Canada appreciates the opportunity to provide comments on the Mary River Project 2024 Annual Report submitted by Baffinland Iron Mines Corporation (BIMC) to the Nunavut Impact Review Board (NIRB) as requested by the NIRB in the June 5, 2025, correspondence. Parks Canada is providing comments attached in the table below, with respect to Effects Monitoring and Compliance monitoring.

Our concerns and recommendations regarding the annual aerial surveys of the regional study area during the open water season (leg 2) remain unchanged from last year (Parks Canada-01). Additionally, we are concerned with the decision to alter the program without consulting other members of the Marine Environmental Working Group (MEWG) (Parks Canada-02). Furthermore, we wish to emphasize that monitoring of Ragged Island has not been conducted for several years due to logistical or time constraints, and no measures have been implemented to address these issues (Parks Canada-03).

Parks Canada also notes that we support comments, relevant to the marine environment, provided by the Department of Fisheries and Oceans, Transport Canada, and Environment and Climate Change Canada.

If you have any questions, please contact Marie-Claude Martel at marie-claude.martel@pc.gc.ca.

Sincerely,

Jenna Boon

Field Unit Superintendent, Nunavut
Parks Canada Agency

Comment Number	Parks Canada-01
Subject/Topic	Interpretation of the 2023 narwhal abundance estimated in a delayed shipping season.
References	Response to Comments on Baffinland's 2023 Annual Report to the NIRB
Review Comment	As demonstrated in 2023, Parks Canada disagrees with BIMC interpretation of the results and the 2023 BIMC PC-01 response. The single year 2023 abundance estimate for Eclipse Sound cannot be used as a reference to justify reducing the aerial survey.
Conclusion/Requests	Parks Canada recommends maintaining annual aerial surveys of the RSA during the open water season (leg 2) to see if there may be longer-term trends that subsequent surveys could detect.

comment Number	Parks Canada -02
Subject/Topic	Marine Environment Working Groups (MEWG) decision-making process
References	<ul style="list-style-type: none"> • Response to Comments on Baffinland’s 2023 Annual Report to the NIRB • Minutes for MEWG Meeting, January 9, 2025 (Meeting ID: M-01092025) • Oceans North – Recommendations Related to Baffinland’s 5-Year Monitoring Plan, March 12, 2025 • Parks Canada – Recommendations for Monitoring Plan, March 13, 2025 • Fisheries and Oceans Canada – Position Statements on Narwhal Monitoring Program Baseline and Five-Year Monitoring Program, March 14, 2025 • Qikiqtani Inuit Association – BIMC 5-Year Monitoring Plan Comments, March 14, 2025 • Minutes for MEGW Meeting on Baffinland’s 5-Year Monitoring Plan, March 20, 2025 (Meeting ID: M-2003025)
Review Comment	<p>T&C 101 in the Project Certificate states that the proponent is to “Schedule for periodic surveys as recommended by the Marine Environment Working Group.”</p> <p>2024</p> <ul style="list-style-type: none"> • The changes proposed by the proponent in 2024 regarding the frequency of marine monitoring programs at Milne Port and along the Northern shipping route were not discussed with the MEWG in a timely manner to allow for meaningful input from its members. • When MEWG members expressed their disagreement with these changes, BIMC requested that they follow the draft Terms of Reference process and dispute resolution. • In response to comments in 2023 (PC-02), Baffinland stated that it is open to working with the MEWG should they wish to put forward a formal recommendation grounded in sound rationale for continuing annual aerial surveys. <p>2025</p> <ul style="list-style-type: none"> • During the MEWG meeting in January 2025, members were advised to prepare recommendations for the March MEWG meeting specifically concerning the BIMC 5-Year Monitoring Plan. • MEWG members and observers (Qikiqtani Inuit Association, Fisheries and Oceans Canada, Parks Canada and Oceans North) submitted comments and recommendations to BIMC prior to the March MEWG meeting specifically concerning the BIMC 5-Year Monitoring Plan. • No discussion took place during the March MEWG meeting. BIMC did not allow questions during the presentation and abruptly ended the meeting without a question period.

	<ul style="list-style-type: none"> None of the MEWG members' papers were discussed, and no member had the opportunity to speak. Consequently, the schedule for periodic surveys was not discussed nor recommended by the Marine Environment Working Group. It was a unilateral decision from the proponent.
Conclusion/Requests	<p>Parks Canada acknowledges the absence of an independent chair and the recent introduction of formal recommendations from members.</p> <p>However, recommendations put forward by MEWG members in March 2025 concerning the schedule for periodic surveys (T&C 101) were neither discussed during the meeting (Meeting ID: M-2003025) nor taken into account (no change in the program frequency).</p> <p>Parks Canada do not consider the presentation of a deck as 'discussion'.</p> <p>The decision to reduce the program frequency for marine monitoring programs that were previously recommended by the MEWG, was imposed without discussion. This action is not in compliance with part e of T&C 101 of the Project Certificate and does not adhere to the decision-making process of the MEWG.</p> <p>Parks Canada recommends that the proponent adhere to the established Terms of Reference process and dispute resolution mechanisms of the MEWG before modifying the currently accepted mitigation and monitoring programs or before ignoring MEWG member recommendations. By doing so, the proponent can ensure that MEWG members are informed and have the opportunity to provide input on proposed changes to the program frequency for marine monitoring programs.</p> <p>This is a crucial step in fostering trust and confidence in the new MEWG Terms of Reference dispute resolution mechanisms.</p>

Comment Number	Parks Canada -03
Subject/Topic	No sampling was conducted at Ragged Island
References	<ul style="list-style-type: none"> MEEMP reports 2017 to 2024 Minutes for MEWG Meeting, January 9, 2025 (Meeting ID: M-01092025)
Review Comment	<ul style="list-style-type: none"> In 2017, four new benthic infauna and zooplankton sampling locations were established at Ragged Island specifically for the NIS/AIS monitoring program. In 2019, two oblique zooplankton tow sampling locations were added to the Ragged Island component. No sampling has been conducted at Ragged Island since 2021 due to logistical or time constraints. During the January 2025 MEWG meeting, DFO supported PC and HTO concerns regarding the need for AIS data from Ragged Island. DFO noted that vessels were observed staging at Ragged Island for several days, increasing the potential for hull fouling.

	<ul style="list-style-type: none"> • At the same meeting, WSP explained that although sampling was planned, safety concerns prevented its execution. It was mentioned that Ragged Island was last sampled two years ago, and the risk of AIS/NIS is minimal due to the absence of discharge. BIMC vessels adhere to IMO standards, and fewer vessels anchor at Ragged Island compared to Milne Port. • Additionally, during the January 2025 MEWG meeting: <ul style="list-style-type: none"> • WSP assured that Ragged Island will be considered in future planning with a robust safety plan in place, although specific details were not provided at that time. • Action M-09012025-6: BIMC committed to providing data on the duration of vessel staging at Ragged Island and the proportion of vessels that transited directly to Milne Port compared to those that staged at Ragged Island during the 2024 shipping season. This data will be used to evaluate the risk of hull fouling at Ragged Island.
Conclusion/Requests	<p>Parks Canada requests information regarding the specific years in which sampling occurred on Ragged Island since 2017, as well as the years during which no sampling was conducted. Additionally, Parks Canada seeks justification for the absence of sampling in each missing year and the measures implemented to address the known logistical challenges.</p> <p>Given the importance of obtaining accurate AIS/NIS data from Ragged Island, Parks Canada recommends that sampling be conducted as recommended during past MEWG meetings, with enhanced planning to address the anticipated logistical constraints. It is important to prioritize this effort to ensure comprehensive monitoring and evaluate the risk of hull fouling at Ragged Island.</p>