



April 8, 2021

Karen Costello  
Nunavut Impact Review Board  
P.O. Box 1360  
Cambridge Bay, NU  
X0B 0C0

**Re: Submission of Phase 2 Proposal Community Engagement Update, Updated Commitment List, and Revised Draft Project Certificate 005**

Dear Ms. Costello,

Since the Public Hearing completed on February 6, 2021 Baffinland has continued to meet with Intervenor, community groups of the North Baffin, and most notably the Hamlet of Pond Inlet where additional new commitments have been made. Attached is an update on community engagement activities since February 6, 2021 (Appendix A) as well as an updated Commitment List and Revised Draft Project Certificate (Appendix B) that reflects new commitments that Baffinland has made as a result of formal submissions from the Hamlet of Pond Inlet and continued discussions between Baffinland and the five impacted communities who have identified additional requests related to the operation and monitoring of the Phase 2 proposal.

It is hoped that by providing the enclosed summary and updated Commitment List, Intervenor, community representatives and the NIRB will have a clear understanding of the progress that has been made towards addressing outstanding issues over the past few months. Baffinland continues to engage with communities and respond to requests or concerns to help build a stronger foundation for the communities to support the Phase 2 proposal. Baffinland encourages the Board to give full consideration to all of its commitments made to date and to incorporate these as part of an amended Project Certificate, should the Project be approved (it is Baffinland's understanding that a list of commitments made during the NIRB process are generally appended to the Project Certificate, to support future tracking). On Baffinland's part, we will engage in conversation with the Qikiqtani Inuit Association to discuss how these new commitments may form part of an amended Inuit Certainty Agreement (ICA) and Mary River Project Inuit Impact and benefit Agreement (IIBA).

It is critically important to Baffinland that the closest communities to the Project benefit from and participate in the decisions related to the development of the Phase 2 Proposal and its operations. In addition to being firm commitments that Baffinland anticipates will be enforceable under the Project Certificate, these commitments demonstrate our flexibility and willingness to adjust and reduce Project activities as needed to respond directly to the wishes expressed by the communities as well as changes observed through Inuit observations and monitoring. This approach establishes the basis for a relationship between the communities and Baffinland that can continue to develop and evolve. Over time, as part of adaptive management further commitments and adjustments can and will be made in response to the changes Inuit experience in relation to the Project or otherwise.

Submission of Phase 2 Proposal Community Engagement and  
Commitment Update

April 8, 2021

Should further commitments be made before or during the upcoming extended Public Hearing scheduled for April 12-April 21, 2021, Baffinland will provide an additional update to the Board for its review and consideration in its decision-making on Phase 2.

Table 1 below provides a listing of the engagement activities that are further explained and outlined in Appendix A. In addition to community engagement activities, Baffinland has continued its work with the Qikiqtani Inuit Association (QIA) on the implementation of the Inuit Certainty Agreement (ICA), which is also included in *Appendix A*.

Table 1- Engagement Activities Since January 2021

| DATE      | COMMUNITY / ORGANIZATION*                     |
|-----------|---|
| 18/2/2021 | Mittimatalik Hunter and Trappers Organization |
| 4/3/2021  | Hamlet of Pond Inlet                          |
| 22/3/2021 | Hamlet of Sanirajak                           |
| 25/3/2021 | Hamlet of Igloolik                            |
| 29/3/2021 | Hamlet of Clyde River                         |
| 30/3/2021 | Hamlet of Arctic Bay                          |
| 30/3/2021 | Hamlet of Pond Inlet                          |
| 6/4/2021  | Hamlet of Grise Fiord                         |
| 7/4/2021  | Hamlet of Pond Inlet                          |

\*Baffinland had planned for a visit to Resolute Bay on April 7, 2021 to meet with the Hamlet Council and Hunter and Trappers Organization but had to cancel the trip due to inclement weather.

A summary of the most recent commitments made to the impacted communities is included below with reference to the corresponding commitment number in the Commitment List (attached). A more detailed listing can be found in the March 11, 2021 memo from Baffinland to the Hamlet of Pond Inlet (attached):

- **Caribou Monitoring**
  - To facilitate caribou monitoring and other Inuit driven research along the North Railway, three observation stations, that will double as emergency shelters, will be constructed at locations to be determined with relevant parties. (24 new positions to be held by Inuit will be created to staff the observation stations) (Commitment #238)
- **Shipping Season**
  - Baffinland has committed to reduce the proposed shipping season to be more in-line with the current project:
    - Baffinland will not start shipping before July 15 (Commitment #239)
    - Baffinland will plan to close the shipping season at October 31 (only limited ice conditions and consultation with MHTO may extend this to November 15) (Commitment #214)
  - Baffinland also highlighted a commitment agreed to with the Department of Fisheries and Oceans Canada to modify transit restrictions in ice, which may also help address Pond Inlet's concerns:
    - Extension of spring shipping period transit restrictions to only stop when the natural ice concentrations have deteriorated to 3/10ths or less (this previously ended on July 31<sup>st</sup>, regardless of ice conditions) (Commitment #213)

Submission of Phase 2 Proposal Community Engagement and  
Commitment Update

April 8, 2021

- Addition of fall shipping period transit restrictions to start with the onset of grey ice (10-15cm) cannot be avoided along the shipping route (Commitment #215)
- Development of a protocol to be followed when sea-ice is being used in Pond Inlet in the spring even when all of the Baffinland conditions for start of the shipping season have been met (Commitment #240)
- **Number of Ore Carriers**
  - The maximum number of ore carriers will be reduced from 176 to 168 annually (Commitment #241)
  - A gradual ramp-up to full shipping capacity, adding 21 ore carriers per year starting in year 1 should Phase 2 be approved; additional ore carrier transits during the construction period will be simulated (i.e. will be loaded with ore, but will not be used to ship more ore than can be hauled via the Tote Road (6Mt)) (Commitment #242)
- **Fuel Type Used by Ore Carriers**
  - Baffinland will, by contract, require that all project vessels are to use only lighter distillate fuel when transiting through the Nunavut Settlement Area to Milne Port. (Commitment #235)
- **Hunter and Harvester Funding**
  - Baffinland will provide an additional \$10,000 per ore carrier required to transport up to 4.2 MT to the Tasiuqtiit Working Group annually. This payment per ship will be indexed against the consumer price all items index for Iqaluit (not seasonally adjusted). Under Phase 2, this total could reach as high as \$1,680,000 per year. These funds may be used by the Working Group to harvest and supply country food to residents of the community as agreed by the MHTO and Hamlet. (Commitment #246)
- **Community Infrastructure**
  - Baffinland will construct and operate a Baffinland office centre in each of the five impacted communities. Each office centre will have Baffinland office space, a training room, engagement walls to share Project updates and information, a medical examination room, country food kitchen and an Elders room. (Commitment #243)
  - A community garage pilot project will be established to provide opportunities for apprentice mechanics and high school co-op students to further develop their skills while filling a critical services gap that exist in the community for vehicle maintenance. The pilot project will be constructed in Sanijarak, with garages or equivalent projects constructed in Arctic Bay, Clyde River, Igloodik and Pond Inlet following the completion of the pilot project. (Commitment #244)
- **Employment and Training**
  - Baffinland will double Inuit employment in each community (Commitment #245)

Each of these items are important commitments to help address issues raised by community groups through the review process. However, Baffinland wishes to emphasize that in sharing these commitments with NIRB it does not intend to suggest that these commitments resolve all issues raised by community groups during the NIRB process, or to communicate any community position regarding support for the Phase 2 proposal. Baffinland anticipates the communities will advise the Board directly as to the extent to which these commitments address their outstanding concerns as well as their position on Phase 2 support.

Baffinland appreciates the continued efforts of Interveners to work with us towards mutually agreeable resolutions to their stated technical concerns. The Phase 2 Proposal represents a significant opportunity

Submission of Phase 2 Proposal Community Engagement and  
Commitment Update

April 8, 2021

for the North Baffin region, Nunavut and Canada. Baffinland understands that to maximize the benefits of the project, appropriate mitigations and contingencies must be included to ensure any potential negative effects are properly managed in a manner that is respectful of Inuit. It is our hope that all of the commitments made in relation to the Phase 2 Proposal made to date demonstrate that Baffinland is listening to Interveners and working hard to achieve an appropriate balance. Baffinland will continue this dialogue and openness to change for the life of the project.

Regards,

A handwritten signature in black ink that reads "Megan Lord-Hoyle".

Megan Lord-Hoyle

Vice-President, Sustainable Development

Cc: Tara Arko, NIRB  
Guillaume Daoust, NIRB  
Cory Barker, NIRB  
Mayor Joshua Arreak, Pond Inlet  
Mayor Merlyn Recinos, Igloolik  
Mayor Jaypeetee Audlakiak, Sanirajak  
Mayor Moses Oyukuluk, Arctic Bay  
Mayor Jerry Natanine, Clyde River  
Jared Ottenhof, QIA  
Lisa Dyer, NPMO  
Lou Kamermans, BIM

# **APPENDIX A**

## **COMMUNITY ENGAGEMENT UPDATE**

To: Nunavut Impact Review Board  
File: 08MN053 (124701)

From: Baffinland Iron Mines  
Date: April 8, 2021

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**Reference: Community Engagement Update****Introduction**

The following memo provides an update to the Nunavut Impact Review Board (“NIRB or the Board”) on Community engagement activities related to the Phase 2 Proposal that have been carried out by Baffinland since the Company’s previous update provided to NIRB on January 18, 2021.

**Summary**

Baffinland would like to thank all community representatives and members of the public who have taken the time to continue to meet and discuss important issues related to the Mary River Project and the ongoing assessment of the Phase 2 Development Project proposal since January 2021 (see Table 1). Continued dialogue and discussion on issues of importance play an integral part in the overall Stakeholder Engagement Plan employed by Baffinland and will be key to maintaining dialogue on the Project well into the future.

The health and safety of Nunavummiut remains a priority for Baffinland and the Company has ensured that all engagement activities undertaken have followed the most current public health advice.

Included as Table 2 is an update on translated documents submitted to NIRB since January 15, 2021.

**Table 1- List of Community Engagements Held since January 2021**

| DATE      | MEETING   | NOTES  |
|-----------|---|--|
| 18/2/2021 | Representatives from the Mittimatalik Hunters and Trappers Organization | Milne Inlet Freshwater Fish Monitoring Program   |
| 4/3/2021  | Hamlet of Pond Inlet  | Hamlet of Pond Inlet Executive Council meeting to discuss Phase 2 and additional commitments from Baffinland |
| 22/3/2021 | Hamlet of Sanirajak   | Council Meeting<br>Public Meeting  |
| 25/3/2021 | Hamlet of Igloolik  | Council Meeting<br>Igloolik Working Group Meeting<br>Public Meeting  |
| 29/3/2021 | Hamlet of Clyde River   | Council Meeting<br>Public Meeting  |
| 30/3/2021 | Hamlet of Arctic Bay  | Council Meeting  |

April 8, 2021

Nunavut Impact Review Board

Page 2 of 5

**Reference: Community Engagement Update**

**Table 1- List of Community Engagements Held since January 2021**

| DATE     | MEETING               | NOTES                            |
|----------|-----------------------|----------------------------------|
|          |                       | Public Radio Show<br>HTO Meeting |
| 6/4/2021 | Hamlet of Grise Fiord | Council and HTO Meeting          |
| 7/4/2021 | Hamlet of Pond Inlet  | Council Meeting                  |

**Table 2- Translated document submitted since January 15, 2021**

| Submission Date | Document Title  | Public Registry Identification # |
|-----------------|---|----------------------------------|
| 2021/01/15      | Memo: Coordination of Socio-Economic Monitoring Programs  | 332507                           |
| 2021/01/15      | Summary of Significance Considerations; and<br>Appendix A – Summary of Key Documents Filed as Part of<br>the Phase 2 Addendum Review Process  | 332508                           |
| 2021/01/18      | BIM Comments on Draft Agenda for the Phase 2 Development<br>Proposal Reconvened Public Hearing Circulated by NIRB on<br>December 7, 2020  | 332534                           |
| 2021/01/18      | Update on Inuit and Community Engagement – Oct 1 to Dec<br>18, 2020; Appendix A – Community Engagement Update –<br>BIM letter to QIA re.<br>Joint Engagement (ICA); and<br>Appendix B – Community Engagement Update | 332535                           |
| 2021/01/18      | Reference Guide to Key Topics   | 332560                           |
| 2021/01/18      | Project Overview Presentation   | 332548                           |
| 2021/01/18      | Consultation Presentation   | 332549                           |
| 2021/01/18      | Atmospheric Environment Presentation  | 332550                           |
| 2021/01/18      | Terrestrial Environment Presentation  | 332551                           |
| 2021/01/18      | Freshwater Presentation   | 332552                           |

April 8, 2021

Nunavut Impact Review Board

Page 3 of 5

**Reference: Community Engagement Update**

|            |  |         |
|------------|--|---------|
| 2021/01/18 | Marine Environment Presentation  | 332553  |
| 2021/01/18 | Socio Economic and Food Security Presentation  | 332554  |
| 2021/01/18 | Human Health and Exposure Potential Presentation   | 332555  |
| 2021/01/18 | Adaptive Management, Management Plans and Monitoring Programs Presentation   | 332556  |
| 2021/01/20 | Community Presentation   | 332635  |
| 2021/01/29 | BIMC Response Re. Oceans North's Draft Report on Acoustic Monitoring (Cover Letter translated)   | 332822  |
| 2021/02/01 | BIMC Review of Ocean North's Open Oil Financial Analysis   | 332850  |
| 2021/03/18 | Update on Inuit and Community Engagement – Oct 1 to Jan 18, 2021 Appendix A – Community Engagement Update – Ltr to NIRB re: Community Engagement; and Appendix B – Inuit Certainty Agreement Implementation Update | 334013  |
| 2021/04/07 | Community Roundtable Presentation  | 334428  |
| 2021/04/08 | Dust Summary Executive Summary   | Pending |

**Qikiqtani Inuit Association**

Baffinland has continued engagement with the Qikiqtani Inuit Association (QIA) on the Phase 2 Proposal and implementation of the Inuit Certainty Agreement (ICA). This has included several engagements between the Presidents of both organizations to address outstanding issues held by the QIA with the Phase 2 Proposal.

Since January, Baffinland and the QIA have made progress drafting Project management plans associated with ICA Schedule 2- Adaptive Management Plan Approval with advancement of the priority plans including the Shipping and Marine Wildlife and Air Quality and Noise Abatement Management Plans. Work also continued on the review of the draft Marine Monitoring and Terrestrial Environmental Effects Monitoring Plans. A summary of work to date to develop the adaptive management elements, including the initial Objectives, Indicators, Thresholds and Responses (referred to as Trigger Action Responses Plans or TARPs) was submitted to the NIRB on March 22, 2021 with Baffinland's responses to



April 8, 2021

Nunavut Impact Review Board

Page 4 of 5

**Reference: Community Engagement Update**

Intervener questions.

Baffinland and QIA have also advanced work related to amending the Mary River Project Inuit Impact and Benefit Agreement (IIBA) in line with the ICA, drafting and amending of IIBA Implementation guides to support ongoing IIBA implementation, and the drafting of Inuit Content Requirements for contracts (ICA Schedule 19 and 20).

### **Hamlet of Pond Inlet**

On February 18, 2021 Baffinland and its technical support held a teleconference with the Mittimatalik Hunters and Trappers Organization (MHTO) to discuss implementation of a fish monitoring program in freshwater bodies north of Milne Inlet, as required under Project Certificate Term and Condition 48(a). The purpose of the meeting was to introduce the MHTO to Minnow (Baffinland technical support) and to begin to collaborate on developing objectives and a study design for fish health monitoring at freshwater bodies near the Port in Milne Inlet. While this meeting was related to the ongoing operations and not Phase 2, Baffinland notes that the MHTO had raised through various interventions during Phase 2 related meetings the importance of progressing this work in the context of the overall Mary River Project.

The meeting was attended by six MHTO representatives who discussed water bodies or importance in the area, the importance of Inuit Qaujimajatuqangit (IQ) being a key part of the program, and overall study design. Several actions items arose from the meeting which included the MHTO committing to the provision of responses to key questions about study design, mapping key areas of importance to be considered in study design. Baffinland and its technical support committed to providing maps and additional information to the MHTO, and to follow-up on a request for more information about a level of iron in fish tissues that may be determined to be unhealthy for human consumption given lack of established guidelines for iron in fish. Work continues between Baffinland and the MHTO to address the actions items and move forward a study design which includes MHTO input. The final draft study design will be discussed with the MHTO to verify MHTO input before it is considered final.

In response to the submissions from the Hamlet of Pond Inlet referencing conditional support for the Phase 2 proposal, Baffinland has exchanged proposals as well as holding follow-up phone calls and meetings with the Mayor and Council. Baffinland previously submitted the proposals to Pond Inlet to the NIRB registry on January 27, 2021. Attached herein is the most recent memo submitted to the Hamlet on March 11, 2021, follow-up letter sent on April 8, 2021, as well as a fact sheet developed which outlines the new commitments. Baffinland has continued work with the Hamlet to better understand the concerns raised, the conditions for support of the Phase 2 proposal and propose remedies to the concerns and in recognition of the conditions of the Hamlet. To that end, Baffinland has developed additional commitments in relation to caribou monitoring, shipping activities, employment and training and advancement of community well-being. Each are described in the March 11 and April 8 letters as well as the fact sheet. It is Baffinland's hope that these commitments are satisfactory to the

April 8, 2021

Nunavut Impact Review Board

Page 5 of 5

**Reference: Community Engagement Update**

Hamlet and meet the conditions for their support of the Phase 2 proposal. Specific updates on the meetings held are summarized below.

On March 4, 2021, following the January-February Phase 2 Public Hearing, Baffinland's Chief Executive Officer and Vice President of Community and Strategic Development traveled to Pond Inlet and held a meeting with the Executive Council. During this meeting the Council and Baffinland discussed the outcomes of the most recent Public Hearing and how the Company and Community could move forward to address outstanding concerns. The Council identified areas which it would like addressed by the Company in relation to the Phase 2 Proposal. On March 11, 2021, Baffinland wrote to the Mayor of Pond Inlet outlining its proposed new commitments to address the Council's outstanding concerns.

Completing its community tour, Baffinland visited Pond Inlet for meetings on April 7, 2021 with the Hamlet Council. The Mayor, five Councilors, and Hamlet staff were in attendance at this meeting. Baffinland provided an overview of the commitments outlined in the Memo of March 11, 2021 and answered questions from the Council which covered the topics of the new commitments, housing, a Pond Inlet based research center, NIRB process for formalizing new commitments, changes to human resources policies to address specific Inuit employee concerns, Cultural training for employees, promotion of career opportunities for Inuit at the Project, and next steps in formalizing new commitments with the Hamlet in writing on or before April 8, 2021 (attached to this memo).

**Hamlet of Sanirajak**

From 7:00-8:00pm on March 22, 2021, Baffinland staff met with the Sanirajak Hamlet Council. The meeting was attended by the Mayor, five (5) counsellors, Hamlet staff, QIA Community director, and QIA staff. Baffinland provided short introductory remarks outlining commitments made during the Phase 2 process, as well as new commitments developed in discussion with the Hamlet of Pond Inlet (*Appendix A.1*), and the ongoing assessment of the Phase 2 Proposal. Meeting participants discussed project benefits, training, employment opportunities, dust concerns, shipping operations, royalties, and discussed Baffinland's responsiveness to community and Inuit concerns.

Beginning shortly after 8:00pm, Baffinland hosted an open public meeting at the Sanirajak Community Hall at which 15 members of the public attended. Baffinland provided short opening remarks and then began a question and answer period with those in attendance. Questions ranged from topics about the Steensby Project and its development schedule, Inuit traditional knowledge and how it has informed the Phase 2 proposal, dust and dust management practices, Inuit and community engagement, ore haul trucks and dust generated along the transportation corridor, shipping and shipping noise, COVID19, wildlife compensation,

**Hamlet of Igloolik**

On March 25 Baffinland held meetings with the Hamlet Council and Igloolik Working Group as well as an

**Reference: Community Engagement Update**

evening public meeting.

At approximately 3:00pm, Baffinland held a meeting with the Mayor and Council. In addition to the Mayor, 4 counsellors, 1 hamlet staff member and a QIA representative were in attendance. Baffinland provided short introductory remarks outlining commitments made during the Phase 2 process, as well as new commitments developed in discussion with the Hamlet of Pond Inlet (*Appendix A.1*), and the ongoing assessment of the Phase 2 Proposal. Meeting participants discussed housing and efforts to address rent and housing issues for Baffinland employees, dust and impacts of dust on the environment and proposed improvements to dust monitoring at the Project, the history of the Mary River Project, concerns about the influence communities have over decision making, the relationship between the community and QIA in decision making related to the ICA, Steensby Project and ice management, and IIBA/ICA programs.

Following the conclusion of the Hamlet meeting, Baffinland held a meeting with the Igloolik Working Group which began shortly after 4:00pm. 7 working group members and a QIA representative participated in this meeting. Baffinland provided short introductory remarks outlining commitments made during the Phase 2 process, as well as new commitments developed in discussion with the Hamlet of Pond Inlet (*Appendix A.1*), and the ongoing assessment of the Phase 2 Proposal. Meeting participants discussed employment and training, pre-employment processes (i.e. medical checks), impacts to wildlife and compensation programs, adaptive management, dust and management of dust from the Project, new Phase 2 measures to address dust, employee support programs, and wildlife/ fish mortality.

In the evening, Baffinland hosted a public meeting. 9 members of the public were in attendance. Baffinland provided short introductory remarks outlining the Phase 2 Proposal, commitments made during the review and process of the ongoing NIRB assessment before turning to a public question and answer session where a total of 25 questions were posed and answered. Questions focused on environmental management and stewardship, including incorporation of traditional knowledge in project management, recruitment policies and corporate culture, training opportunities and training facilities (infrastructure), global iron ore operations and markets, technological innovation in mining operations (i.e. robotic vehicles), COVID19 and impacts on Inuit employment, donations and sponsorships, IIBA programs and royalty sharing, contract practices, Phase 2 employment opportunities, and shipping operations and management.

**Hamlet of Clyde River**

Baffinland staff travelled to Clyde River on March 29 where a meeting with the Hamlet Council and public town hall were held.

Baffinland met with the Mayor and Council starting at approximately 3:00pm. In attendance were 8 councilors, the Mayor and the Chief Administrative Officer. Baffinland provided short opening remarks about the ongoing Phase 2 assessment, and reviewed commitment Baffinland has made throughout the review process. Following the opening remarks questions were asked by meeting attendees and responded to by Baffinland. Questions covered multiple topics including marine mammals and project

**Reference: Community Engagement Update**

impacts from shipping, Company hiring practices, community infrastructure needs, COVID19 and Nunavummiut return to work planning, enforcement of commitments and Baffinland obligations, and increasing Inuit employment.

During the town hall meeting which started at approximately 6:30pm, Baffinland provided short introductory remarks which provided an update on the Phase 2 review process, commitments made through the review process, and the Inuit Certainty Agreement (ICA). Approximately 10 people were in attendance.

Following the opening remarks from Baffinland, a question and answer period occurred in which 17 questions were asked and answered. Questions covered multiple topics including iron ore carrier size and market availability, marine conversation and potential for Project impacts, shipping season duration, housing affordability, dust and dust mitigation measures, ballast water management, shipping route (i.e. Northwest passage), training and employment, COVID19, wildlife monitoring, and responding to concerns from employees. The question and answer period concluded the meeting at approximately 7:45 pm.

**Hamlet of Arctic Bay**

On March 30, Baffinland staff travelled to Arctic Bay here meetings were held with the Hamlet Council and Hunter and Trappers Organization beginning in the afternoon.

A meeting was first held with the Mayor and Hamlet Council. 5 councilors were present as well as the Mayor and Chief Administrative Officer. Baffinland provided short opening remarks which provided an update on the Phase 2 review process and commitments made through the review process. Following the opening remarks, Baffinland responded to questions from the Hamlet Council. Questions ranged from community housing needs, COVID19 and Nunavummiut return to work plan, ship sizes and needs for Phase 2, Inuit involvement in Project operations and decision making, Phase 2 construction timelines, and Inuit employment opportunities if Phase 2 is approved.

Following the conclusion of the Hamlet meeting, Baffinland met with board members from the Ikajutit Hunters and Trappers Organization beginning at approximately 3:30pm. A total of 8 Board members were in attendance. Baffinland provided short opening remarks which provided an update on the Phase 2 review process and commitments made through the review process. Following the opening remarks, Baffinland responded to questions. Questions were on the topics of support for communities (i.e. royalties), historic company commitments, ICA, marine mammal impacts, dust and dust management and mitigation, harvester support programming, wildlife monitoring, shipping plans for Phase 2, and support for community projects.

During this visit to Arctic Bay, Baffinland's Chief Executive Officer and Vice President of Community and Strategic Development held a public radio show in which they provided an update on the Phase 2 Review process and outlined new commitments made by the Company as outlined in the memo to the

April 8, 2021

Nunavut Impact Review Board

Page 8 of 5

**Reference: Community Engagement Update**

Mayor of Pond Inlet on March 11, 2021.

### **Hamlet of Grise Fiord**

On April 6, 2021, Baffinland staff travelled to Grise Fiord for a joint meet of the Hamlet Council and Hunter and Trappers Organization (HTO). A total of seven participants joined the meeting representing the Hamlet Council and HTO. Baffinland provided short opening remarks which provided an update on the Phase 2 review process and commitments made through the review process. Following the opening remarks, Baffinland responded to questions from meeting attendees. These questions ranged on topics from how Baffinland speaks to Inuit about the costs of operations, protests that occurred at the Project, realities in decentralized communities, the quality and uses of Mary River iron ore, COVID19 and community/ employee safety, IIBA structure, involvement of Grise Fiord and Resolute Bay residents in Inuit led monitoring programs, employment opportunities, impacts from shipping to marine mammals and the marine environment, Adaptive Management, IIBA royalties, NIRB processes, and concerns about impacts of mining to the physical environment.

### **Conclusion**

Baffinland remains committed to engaging Inuit throughout the North Baffin Region as the Mary River Project advances. Engagements outlined in this memo build upon the extensive engagement record for the Phase 2 Proposal and Mary River Project. Baffinland is fully committed to continued sustained engagement with Communities and community representatives for the life of the Project and believes it is essential to operating the Mary River Project in an environmentally and socially responsible manner.



**To:** Hamlet of Pond Inlet  
**From:** Baffinland Iron Mines Corporation  
**Date:** March 11, 2021  
**Re:** Additional Phase 2 Actions

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Baffinland has had a consistent and productive dialogue with the Mayor of Pond Inlet since his election in October of 2019. Discussing Phase 2, the potential for impacts on the community of Pond Inlet, and ensuring that Pond Inlet is directly benefiting from the Project have been the at the center of each any every conversation we have had. The Mayor has been clear that Baffinland must be a partner to Pond Inlet, Baffinland must work with the Council to seek common ground and reach compromise to ensure the Mary River Project is developed in an environmentally, and socially responsible way that responds to the concerns raised by Inuit.

It is in the spirit of these discussions and the Mayor's drive to reach compromise on areas where consensus has not been reached, Baffinland provides the following list of additional actions that it commits to the affected communities in relation to the Phase 2 proposal. Baffinland is open to modifying these proposals through discussions with each affected community. All existing commitments remain in place, including those under the Inuit Certainty Agreement (ICA).

Baffinland acknowledges that Inuit have experienced impacts from existing operations at Mary River and that further impacts will occur as a result of the Phase 2 Project. Baffinland believes that these additional actions, the commitments in the ICA, and ongoing implementation of the Mary River Project Inuit Impact and Benefit Agreement (IIBA) will guide the Project to operate in a way that decreases impacts to the greatest extent possible while increasing benefits for Inuit and affected communities.

| Topic      | Actions   |
|------------|---|
| Employment | <ul style="list-style-type: none"><li>• Creation of 27 new positions in each affected community<ul style="list-style-type: none"><li>○ 20 positions in a community based training program.</li><li>○ 7 community based positions:<ul style="list-style-type: none"><li>▪ BCLO;</li><li>▪ Inuit Qaujimajatuqangit Advisor;</li><li>▪ Community Resource Coordinator;</li><li>▪ Inuit Success Team Advisor;</li><li>▪ Community Counsellor;</li><li>▪ Trainer;</li><li>▪ Office Manager.</li></ul></li><li>○ Pond Inlet will have 2 additional positions - a second BCLO and Community Monitoring Coordinator.</li></ul></li><li>• Additional positions would double Inuit employment in each impacted community.</li></ul> |

|                                  |   |
|----------------------------------|---|
| Community Infrastructure         | <ul style="list-style-type: none"> <li>• Construction of a Baffinland office centre in each community <ul style="list-style-type: none"> <li>○ Baffinland office space</li> <li>○ Training room</li> <li>○ Engagement walls to share Project updates and information</li> <li>○ Elders room</li> </ul> </li> </ul>  |
| Training                         | <ul style="list-style-type: none"> <li>• Development of new community-based training programs for each affected community.</li> <li>• Baffinland will engage each affected community about the type of programs that are best suited to support community needs before programs start. These programs will be delivered in each community.</li> </ul>   |
| Community Garage (Pilot Project) | <ul style="list-style-type: none"> <li>• Established by Baffinland to provide opportunities for apprentices and high school co-op placements within affected communities</li> <li>• Garages may fill community service gaps for vehicle maintenance</li> <li>• Baffinland is open to alternative ventures that meet the same objectives (in community training for transferable skills, addressing community service gap)</li> <li>• As a pilot project, Baffinland will facilitate information sharing between affected communities to ensure that this initiative can be enhanced before a second community garage, or equivalent project, is built.</li> </ul> |
| Gradual increase to shipping     | <ul style="list-style-type: none"> <li>• Baffinland to add 21 vessels per year over 4 years (equal to 1.5Mt as per Hamlet of Pond Inlet request of December 29, 2020)</li> <li>• Starts year after Phase 2 approval</li> <li>• Additional ore carriers will be loaded</li> <li>• Baffinland will not continue to increase the # of ships if monitoring indicates a threshold has been exceeded unless the impact is mitigated</li> </ul>  |
| Shipping and Ice-breaking        | <ul style="list-style-type: none"> <li>• Baffinland will reduce the maximum # of ore carriers to 168 annually</li> <li>• Baffinland will not ship more than 6 Mt per year until the rail and second ore dock are constructed</li> <li>• Baffinland will add transit restrictions during the Fall freeze-up period (as agreed to with DFO)</li> </ul>  |
| Shipping Season                  | <ul style="list-style-type: none"> <li>• Start of Shipping – July 15</li> <li>• End of Shipping – Oct 31</li> <li>• Contingency to Nov 15 based on ice conditions and consultation with MHTO</li> <li>• Baffinland will develop a community protocol in years when the community is still using the sea-ice when other conditions (e.g. landfast ice has broken) to commence shipping have been met</li> </ul>  |
| Caribou Monitoring               | <ul style="list-style-type: none"> <li>• Increased level of effort for Height of Land Surveys</li> <li>• Creation of 3 observations stations along rail-line</li> <li>• 12 new monitoring positions for Inuit each year (i.e. 24 Inuit employees)</li> </ul>  |
| Dust                             | <ul style="list-style-type: none"> <li>• Baffinland will develop and fund a monitoring program that is Inuit led to monitor the extent of visual dust in the Project Area as well as a snow sampling program</li> <li>• Baffinland will triple the number of dust collectors at site</li> <li>• Baffinland will conduct a third party major audit that will involve Inuit to identify the greatest sources of dust. Some outcomes include: <ul style="list-style-type: none"> <li>○ If open truck or rail cars are found to be a significant source of dust they will be covered or sealed during transport of ore.</li> </ul> </li> </ul>                        |

|                              |   |
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|                              | <ul style="list-style-type: none"> <li>○ If the mine site primary crushing facility (outdoors) is found to be a significant source of dust, additional dust collection technology or full enclosures will be added</li> <li>○ If the current stockpile spraying is not satisfactory, covers will be added to finished stockpiles.</li> <li>○ All mitigation recommendations referenced from sources identified in the audit that are contributing to higher than expected values will be implemented.</li> <li>○ All other actions identified will be considered</li> </ul>   |
| Black Carbon                 | <ul style="list-style-type: none"> <li>● Baffinland will require all ore carriers, through its contracts, to only use lighter distillate fuels within the Nunavut Settlement Area (NSA), beginning in 2022. This will reduce the amount of black carbon emissions from shipping within the NSA by up to 80% compared to the use of heavy fuel oil.</li> </ul>   |
| Hunter and Harvester Funding | <ul style="list-style-type: none"> <li>● Addressing concerns about food security and income generated from the harvest of country food, Narwhal specifically, has been an ongoing discussion during the Phase 2 Assessment.</li> <li>● Baffinland believes that addressing concerns about this are best achieved by working directly with the Hamlet and MHTO in Pond Inlet through the established Tasiuqtiit Working Group</li> <li>● Baffinland will provide an additional \$10,000 per ore carrier required to transport up to 4.2 MT to the Tasiuqtiit Working Group annually</li> <li>● These funds may be used by the Working Group to harvest and supply country food to residents of the community as agreed by the MHTO and Hamlet.</li> <li>● Baffinland commits a minimum of \$500,000 annually to support this program</li> <li>● Baffinland further commits, that if requested by the Tasiuqtiit Working Group, the Company will support work to design a program to address concerns about country food, food security, and income generated from harvesting using these funds.</li> </ul> |
| Arctic Char Monitoring       | <ul style="list-style-type: none"> <li>● Baffinland will start an Arctic Char monitoring program in Milne Inlet in 2021. <ul style="list-style-type: none"> <li>○ Baffinland will work with the MHTO to design, implement, and interpret the study results, before presenting the results to the community of Pond Inlet and the environmental working groups.</li> </ul> </li> <li>● Baffinland will start an Arctic Char monitoring program in Navy Board Inlet in 2022.</li> </ul>   |
| Inuit Committees             | <ul style="list-style-type: none"> <li>● Baffinland will continue to fund the QIA to develop the Inuit Stewardship Plan, which includes Terms of Reference for the Inuit Committees</li> <li>● The Inuit Committees guarantee a strong and influential role for Inuit from all 5 affected communities</li> </ul>  |
| Respect for Inuit Knowledge  | <ul style="list-style-type: none"> <li>● Baffinland views Inuit Qaujimajatuqangit (IQ) as central to the successful planning and operations of the Project.</li> <li>● The Company has worked hard to respect IQ and integrate what it has learned into the Project.</li> <li>● It is out of our respect for IQ and to better ensure that Inuit from Pond Inlet have a clear role in the sharing of IQ with Baffinland so it can be used to support the Project in the a holistic and respectful manner that Baffinland commits the following:</li> </ul>   |



|                             |   |
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|                             | <ul style="list-style-type: none"> <li>○ Baffinland will seek approval from the Hamlet of Pond Inlet before the Inuit Qaujimajatuqangit(IQ) Management Framework is finalized.</li> <li>○ The IQ framework will guide Baffinland's approach towards, and use of, IQ in the management of the Projects monitoring and mitigation plans.</li> <li>○ Baffinland will respect Inuit views on changes to the land and communities that occur</li> <li>○ Commitments that Baffinland is making are meant to respect that changes have and will occur and that Baffinland must respect Inuit owned land</li> </ul> |
| Pond Inlet Research Station | <ul style="list-style-type: none"> <li>● Baffinland will provide \$300,000 to support the University of Laval's plans for construction of a research station in Pond Inlet.</li> <li>● Baffinland will continue to engage with the University of Laval to determine what Project samples can be tested and analyzed at the station in Pond Inlet so results from Project work can be shared directly with Inuit in Pond Inlet.</li> </ul>   |

## Conclusion

Baffinland wants to have a long term and mutually respectful relationship with the Hamlet Council throughout the life of the Project. We have had successes and we have had challenges, and today we are more confident in what can be achieved through partnership and working together with the Hamlet Council.

Baffinland believes that the commitments listed here, those made under the ICA, and during the Phase 2 Assessment process have made the Phase 2 Project better. We believe that all of these commitments demonstrate that we are listening to Inuit, and acting on concerns that have been raised.

The ongoing dialogue that Baffinland has had with Mayor Arreak, and the Hamlet Council has been invaluable to improving this Project and leading to long term benefits for the North Baffin Communities, and all of Nunavut.













## NEW PHASE 2 COMMITMENTS

Through continued discussions with the Hamlet of Pond Inlet, Baffinland has developed new commitments to support communities, respect the environment, and build opportunities if the Phase 2 Project is approved.

These commitments are in addition to those Baffinland has already made, including the Inuit Certainty Agreement.

### Environmental Protection and Shipping Activities:

- More dust monitoring which includes Inuit and an **independent Audit** to determine what actions the company **MUST** take to reduce dust
- No more than 168 ore carrier trips annually - **Shipping between July 15 and October 31**. Contingency to **Nov 15** based on ice conditions and consultation with MHTO
- **Gradual shipping increase over 4 years** to ensure monitoring is done to make sure full 12 mtpa shipping does not cause significant impacts
- **Ban the use of heavy fuel oil** by Baffinland contracted ore carrier vessels in the Nunavut Settlement Area, beginning in 2022
- Arctic Char monitoring program in Milne Inlet 2021 and Navy Board Inlet 2022. Both programs to be designed with Pond Inlet
- **Install 3 caribou observation stations** along the proposed rail route which will provide careers for 24 Inuit monitors each year

### Additional Investment in People and communities:

- **6** new full time Baffinland positions in Arctic Bay, Clyde River, Igloolik, and Sanirajak
- **8** new full time Baffinland positions in Pond Inlet
- **20 full time** in community trainee positions every 6 months. Program evaluated every three years.
- **Community based** training to support Baffinland and community training needs in affected communities
- **Community Infrastructure** for Baffinland office and training space in affected communities
- **Community Garage** to serve as a pilot project for other communities. It will deliver training for Inuit in automotive trades
- **\$500,000** annual Hunter and Harvester Funding for Pond Inlet to support community driven country food harvesting
- Partnership with Université Laval to support construction of a **research station** in Pond Inlet







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April 8, 2021

Hamlet Council  
Hamlet of Pond Inlet  
Pond Inlet, NU  
[mayor@pondinlet.ca](mailto:mayor@pondinlet.ca)

Dear Mayor and Councilors,

Thank you for welcoming the Baffinland team to Pond Inlet this week to discuss the Phase 2 Proposal and additional monitoring and mitigation measures that Baffinland will bring forward related to the Phase 2 Proposal.

In follow-up to our meeting this week I wanted to re-iterate the commitments Baffinland has developed in line with our conversations. These new commitments are included within the table below and will be formally submitted to the Nunavut Impact Review Board this week to be recognized as commitments under the Phase 2 proposal. To further strengthen these commitments and the ability of Inuit to hold Baffinland accountable for delivery of them, I propose that these commitments also be added to the Inuit Certainty Agreement (ICA) as an amendment and formalized in the amended Mary River Project Inuit Impact and Benefit Agreement (IIBA). Nothing is more important to Baffinland than reassuring all North Baffin Communities that the Company can and will operate the Project in an environmentally and socially responsible manner that also delivers long term benefits to Inuit.

I believe that these additional commitments are made in the spirit of continued collaboration with Inuit, and specifically the Hamlet of Pond Inlet. Our joint efforts throughout the Phase 2 review process have led to an improved Project Proposal that will ensure Inuit play a leading role in project monitoring and decision making.

My team and I, will make ourselves available to you and your council throughout the continued Phase 2 Public Hearing April 12-21, 2021 to discuss any topics with you as required to further discussion related to support for the Phase 2 Proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Penney".

Brian Penney  
Chief Executive Officer

c.c. P.J Akeagok, President, Qikiqtani Inuit Association  
Jeremiah Groves, Qikiqtani Inuit Association  
Stephen Williamson-Bathory, Qikiqtani Inuit Association  
David Stockley, Chief Administrative Officer, Hamlet of Pond Inlet  
Udlu Hanson, Vice President Community and Strategic Development, Baffinland  
Megan Lord-Hoyle, Vice President Sustainable Development, Baffinland

| Topic                            | Actions  |
|----------------------------------|--|
| Employment                       | <ul style="list-style-type: none"> <li>• Creation of 26 new positions in each affected community <ul style="list-style-type: none"> <li>○ 20 positions in a community based training program every 6 months. Program evaluated after 3 years.</li> <li>○ 7 community based positions: <ul style="list-style-type: none"> <li>▪ BCLO;</li> <li>▪ Inuit Qaujimajatuqangit Advisor;</li> <li>▪ Community Resource Coordinator;</li> <li>▪ Inuit Success Team Advisor;</li> <li>▪ Community Counsellor;</li> <li>▪ Trainer;</li> <li>▪ Office Manager.</li> </ul> </li> <li>○ Pond Inlet will have 2 additional positions - a second BCLO and Community Monitoring Coordinator.</li> </ul> </li> <li>• Additional positions would double Inuit employment in each impacted community.</li> </ul> |
| Community Infrastructure         | <ul style="list-style-type: none"> <li>• Construction of a Baffinland office centre in each community <ul style="list-style-type: none"> <li>○ Baffinland office space</li> <li>○ Training room</li> <li>○ Engagement walls to share Project updates and information</li> <li>○ Elders room</li> </ul> </li> </ul>   |
| Training                         | <ul style="list-style-type: none"> <li>• Development of new community-based training programs for each affected community.</li> <li>• Baffinland will engage each affected community about the type of programs that are best suited to support community needs before programs start. These programs will be delivered in each community.</li> </ul>  |
| Community Garage (Pilot Project) | <ul style="list-style-type: none"> <li>• Established by Baffinland to provide opportunities for apprentices and high school co-op placements within affected communities</li> <li>• Garages may fill community service gaps for vehicle maintenance</li> <li>• Baffinland is open to alternative ventures that meet the same objectives (in community training for transferable skills, addressing community service gap)</li> <li>• As a pilot project, Baffinland will facilitate information sharing between affected communities to ensure that this initiative can be enhanced before a second community garage, or equivalent project, is built.</li> </ul>  |
| Gradual increase to shipping     | <ul style="list-style-type: none"> <li>• Baffinland to add 21 vessels per year over 4 years (equal to 1.5Mt as per Hamlet of Pond Inlet request of December 29, 2020)</li> <li>• Starts year after Phase 2 approval</li> <li>• Additional ore carriers will be loaded</li> <li>• Baffinland will not continue to increase the # of ships if monitoring indicates a threshold has been exceeded unless the impact is mitigated</li> </ul>   |
| Shipping and Ice-breaking        | <ul style="list-style-type: none"> <li>• Baffinland will reduce the maximum # of ore carriers to 168 annually</li> <li>• Baffinland will not ship more than 6 Mt per year until the rail and second ore dock are constructed</li> <li>• Baffinland will add transit restrictions during the Fall freeze-up period (as agreed to with DFO)</li> </ul>   |

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| Dust                         | <ul style="list-style-type: none"> <li>• Baffinland will develop and fund a monitoring program that is Inuit led to monitor the extent of visual dust in the Project Area as well as a snow sampling program</li> <li>• Baffinland will triple the number of dust collectors at site</li> <li>• Baffinland will conduct a third party major audit that will involve Inuit to identify the greatest sources of dust. Some outcomes include: <ul style="list-style-type: none"> <li>○ If open truck or rail cars are found to be a significant source of dust they will be covered or sealed during transport of ore.</li> <li>○ If the mine site primary crushing facility (outdoors) is found to be a significant source of dust, additional dust collection technology or full enclosures will be added</li> <li>○ If the current stockpile spraying is not satisfactory, covers will be added to finished stockpiles.</li> <li>○ All mitigation recommendations referenced from sources identified in the audit that are contributing to higher than expected values will be implemented.</li> <li>○ All other actions identified will be considered</li> </ul> </li> </ul>  |
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| Hunter and Harvester Funding | <ul style="list-style-type: none"> <li>• Addressing concerns about food security and income generated from the harvest of country food, Narwhal specifically, has been an ongoing discussion during the Phase 2 Assessment.</li> <li>• Baffinland believes that addressing concerns about this are best achieved by working directly with the Hamlet and MHTO in Pond Inlet through the established Tasiuqtiit Working Group <ul style="list-style-type: none"> <li>• Baffinland will provide an additional \$10,000 per ore carrier required to transport up to 4.2 MT to the Tasiuqtiit Working Group annually. This payment per ship will be indexed against the consumer price all items index for Iqaluit (not seasonally adjusted). Under Phase 2, this total could reach as high as \$1,680,000 per year.</li> </ul> </li> <li>• These funds may be used by the Working Group to harvest and supply country food to residents of the community as agreed by the MHTO and Hamlet.</li> <li>• Baffinland commits a minimum of \$500,000 annually to support this program</li> <li>• Baffinland further commits, that if requested by the Tasiuqtiit Working Group, the Company will support work to design a program to address concerns about</li> </ul> |

|                             |  |
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|                             | country food, food security, and income generated from harvesting using these funds.   |
| Arctic Char Monitoring      | <ul style="list-style-type: none"> <li>• Baffinland will start an Arctic Char monitoring program in Milne Inlet in 2021. <ul style="list-style-type: none"> <li>○ Baffinland will work with the MHTO to design, implement, and interpret the study results, before presenting the results to the community of Pond Inlet and the environmental working groups.</li> </ul> </li> <li>• Baffinland will start an Arctic Char monitoring program in Navy Board Inlet in 2022.</li> </ul>  |
| Inuit Committees            | <ul style="list-style-type: none"> <li>• Baffinland will continue to fund the QIA to develop the Inuit Stewardship Plan, which includes Terms of Reference for the Inuit Committees</li> <li>• The Inuit Committees guarantee a strong and influential role for Inuit from all 5 affected communities</li> </ul>   |
| Respect for Inuit Knowledge | <ul style="list-style-type: none"> <li>• Baffinland views Inuit Qaujimajatuqangit (IQ) as central to the successful planning and operations of the Project.</li> <li>• The Company has worked hard to respect IQ and integrate what it has learned into the Project.</li> <li>• It is out of our respect for IQ and to better ensure that Inuit from Pond Inlet have a clear role in the sharing of IQ with Baffinland so it can be used to support the Project in the a holistic and respectful manner that Baffinland commits the following: <ul style="list-style-type: none"> <li>○ Baffinland will seek approval from the Hamlet of Pond Inlet before the Inuit Qaujimajatuqangit(IQ) Management Framework is finalized.</li> <li>○ The IQ framework will guide Baffinland's approach towards, and use of, IQ in the management of the Projects monitoring and mitigation plans.</li> <li>○ Baffinland will respect Inuit views on changes to the land and communities that occur</li> <li>○ Commitments that Baffinland is making are meant to respect that changes have and will occur and that Baffinland must respect Inuit owned land</li> </ul> </li> </ul> |
| Pond Inlet Research Station | <ul style="list-style-type: none"> <li>• Baffinland will provide \$300,000 to support the University of Laval's plans for construction of a research station in Pond Inlet.</li> <li>• Baffinland will continue to engage with the University of Laval to determine what Project samples can be tested and analyzed at the station in Pond Inlet so results from Project work can be shared directly with Inuit in Pond Inlet.</li> </ul>  |



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**APPENDIX B  
COMMITMENT LIST & REVISED  
DRAFT PROJECT CERTIFICATE,  
CURRENT TO APRIL 8, 2021**

|                      |  |                            |                            |                                      |   |                     |                                 |
|---|--|----------------------------|----------------------------|--------------------------------------|---|---------------------|---------------------------------|
| Summary of Baffinland Commitments for the Phase 2 Expansion Project [current to April 8, 2021; DRAFT] |  |                            |                            |                                      |   |                     |                                 |
| ID#   | FWS ID#  | Intervener                 | Topic                      | Review Phase                         | Commitment  | Commitment Due Date | Notes                           |
| 249   |  |                            |                            |                                      |   |                     |                                 |
| 248   |  |                            |                            |                                      |   |                     |                                 |
| 247   | NEW  | Hamlet of Pond Inlet       | Socio-economic Environment | 7 - Community Engagements            | Baffinland will start an Arctic Char monitoring program in Navy Board Inlet in 2022.  | NA                  | DRAFT - Wording To Be Confirmed |
| 246   | NEW  | Hamlet of Pond Inlet       | Socio-economic Environment | 7 - Community Engagements            | Baffinland will provide an additional \$10,000 per ore carrier required to transport up to 4.2 MT to the Tasiuqtiit Working Group annually. This payment per ship will be indexed against the consumer price all items index for Iqaluit (not seasonally adjusted). Under Phase 2, this total could reach as high as \$1,680,000 per year. These funds may be used by the Working Group to harvest and supply country food to residents of the community as agreed by the MHTO and Hamlet.  | NA                  | DRAFT - Wording To Be Confirmed |
| 245   | NEW  | 5 North Baffin Communities | Socio-economic Environment | 7 - Community Engagements            | Baffinland will commit to the creation of 27 new positions in each impacted community (Arctic Bay, Clyde River, Igloolik, Pond Inlet, and Sanirajak). There will be 20 positions within a community-based training program as well as 7 community-based positions, including a Baffinland Community Liaison Officer (BCLO), Inuit Qaujimajatuqangit Advisor, Community Resource Coordinator, Inuit Success Team Advisor, Community Counselor, Trainer and Office Manager. Pond Inlet will have two additional positions, including a second BCLO and a Community Monitoring Coordinator.  | NA                  | DRAFT - Wording To Be Confirmed |
| 244   | NEW  | 5 North Baffin Communities | Socio-economic Environment | 7 - Community Engagements            | A community garage pilot project will be established to provide opportunities for apprentice mechanics and high school co-op students to further develop their skills while filling a critical services gap that exist in the community for vehicle maintenance. The pilot project will be constructed in Sanirajak, with garages or equivalent projects constructed in Arctic Bay, Clyde River, Igloolik and Pond Inlet following the completion of the pilot project.   | NA                  | DRAFT - Wording To Be Confirmed |
| 243   | NEW  | 5 North Baffin Communities | Socio-economic Environment | 7 - Community Engagements            | Baffinland will construct and operate a Baffinland office centre in each community. Each office centre will have Baffinland office space, a training room, engagement walls to share Project updates and information, a medical examination room, country food kitchen and an Elders room. Office centres will be constructed in Arctic Bay, Clyde River, Igloolik, Pond Inlet, and Sanirajak.  | NA                  | DRAFT - Wording To Be Confirmed |
| 242   | NEW  | 5 North Baffin Communities | Marine Environment         | 7 - Community Engagements            | Baffinland will not transition from approximately 84 to 168 vessels in a single season, instead, Baffinland commits to a gradual ramp-up to full shipping capacity, adding 21 ore carriers per year starting in year 1 after Phase 2 Approval; additional ore carrier transits during the construction period will be simulated (i.e. will be loaded with ore, but will not be used to ship more ore than can be hauled via the Tote Road (6Mt))  | NA                  | DRAFT - Wording To Be Confirmed |
| 241   | NEW  | 5 North Baffin Communities | Marine Environment         | 7 - Community Engagements            | Baffinland will reduce the maximum number of ore carriers from 176 to 168 that can come to Milne Port in a single year  | NA                  | DRAFT - Wording To Be Confirmed |
| 240   | NEW  | 5 North Baffin Communities | Marine Environment         | 7 - Community Engagements            | Baffinland will develop of a protocol to be followed when sea-ice is being used in Pond Inlet in the spring even when all of the Baffinland conditions for start of the shipping season have been met   | NA                  | DRAFT - Wording To Be Confirmed |
| 239   | NEW  | 5 North Baffin Communities | Marine Environment         | 7 - Community Engagements            | Baffinland has committed to reduce the proposed shipping season to be more in-line with the current project:<br>1) Baffinland will not start shipping before July 15<br>2) Baffinland will plan to close the shipping season at October 31 (only limited ice conditions and consultation with MHTO may extend this to November 15)(previously committed under row #214)   | NA                  | DRAFT - Wording To Be Confirmed |
| 238   | NEW  | 5 North Baffin Communities | Terrestrial Environment    | 7 - Community Engagements            | To facilitate caribou monitoring and other Inuit driven research along the North Railway, three observation stations, that will double as emergency shelters, will be constructed at locations to be determined with relevant parties. (24 new positions to be held by Inuit will be created to staff the observation stations)   | NA                  | DRAFT - Wording To Be Confirmed |
| 237   | NEW  | QIA                        | Terrestrial Environment    | 6 - Response to Additional Questions | Baffinland is committed to installing outward facing video cameras mounted on the ore haul trains to record the presence of caribou and to record a caribou mortality incident. Video footage of a caribou mortality and photographs from the incident scene will be assessed as part of Baffinland's incident investigation process. Baffinland will report the incident to the QIA, the Hunters and Trappers Organization, and the Department of Environment for the Government of Nunavut following the currently established steps detailed in Baffinland's Reporting Procedure for Wildlife Incidents.   | NA                  | DRAFT - Wording To Be Confirmed |
| 236   | NEW  | QIA                        | Terrestrial Environment    | 6 - Response to Additional Questions | Baffinland is committed to modifying the railway over time to include greater lengths at 1:3, as necessary. The drivers of these extensions will include the results of regional monitoring programs led by the Government of Nunavut, local programs led by Baffinland and/or QIA (through the CRLU monitoring program), and the lived experience of Inuit that travel the area and observe caribou interacting with the railway. Baffinland, working with Inuit and the TEWG will develop a Caribou Crossing Construction Decision Matrix to define the exact process that will be used to make additional modifications to the railway for the purpose of caribou crossings. This would be similar to the Additional Level Crossing Construction Decision Matrix submitted in October 2019, describing the process to add additional land use crossings. | NA                  | DRAFT - Wording To Be Confirmed |
| 235   | ECCC-1 NEW<br>ECCC-FC4<br>WWF-FWS-06<br>WWF-FWS-08 | ECCC<br>WWF                | Atmospheric Environment    | 6 - Response to Additional Questions | Should Phase 2 be approved, Baffinland will require all ore carriers, through its contracts, to use lighter distillate fuels (MGO or equivalent) within the Nunavut Settlement Area (NSA) starting in 2022. With this commitment, scrubbers serve no purpose and will also not be used within the Nunavut Settlement Area.  | NA                  | DRAFT - Wording To Be Confirmed |

| ID# | FWS ID# | Intervener | Topic                   | Review Phase                         | Commitment   | Commitment Due Date | Notes                           |
|-----|---------|------------|-------------------------|--------------------------------------|--|---------------------|---------------------------------|
| 234 | NEW     | QIA        | Atmospheric Environment | 6 - Response to Additional Questions | <p>Baffinland will develop and fund a Community Based Monitoring (CBM)program out of Pond Inlet that is Inuit led to monitor the extent of visual dust in the Project Area as well as a snow sampling program</p> <p>The CBM program could include a combination of snow coring and visual observation collection, as well as geochemical and satellite imagery analysis. Baffinland has already commenced with a pilot program that included snow sampling at multiple locations in and around the Milne Port development area, and compared the metals concentrations against Health Canada established drinking water and aesthetic guidelines. A final report on this pilot program will be shared in an information package on dust Baffinland is preparing to submit with its response to questions through the Phase 2 review. The final report will include a next steps section specific to establishing the community based component of this program, to be funded and administered by Baffinland until QIA is prepared to take over the program under the Inuit Stewardship Plan.</p>  | NA                  | DRAFT - Wording To Be Confirmed |
| 233 | NEW     | QIA        | Atmospheric Environment | 6 - Response to Additional Questions | <p>Baffinland will triple the number of dust collectors across the Project.</p> <p>Similar to the process for locating the 6 additional dust collectors along the Tote Road in 2018 as part of the Production Increase Proposal, Baffinland will look to work with QIA and representatives from the community of Pond Inlet to determine the best locations to place additional dust collectors across the mine site, including around the quarry, ship loader and port activities at Milne Port. These stations could be established this Spring and contribute to the comprehensive audit of dust sources across the Project.</p>  | NA                  | DRAFT - Wording To Be Confirmed |
| 232 | NEW     | QIA        | Atmospheric Environment | 6 - Response to Additional Questions | <p>Baffinland will implement additional mitigations at Milne Port if Dustreat (stockpile spray) does not appear to reduce fugitive dust in 2021.</p> <p>Performance monitoring of DusTreat applications will be evaluated using data obtained from existing dustfall monitoring programs and remote sensing of dust deposition using available satellite imagery. Should monitoring indicate that Dustreat has not been effective in reducing dust around Milne Port, Baffinland will work with QIA to investigate and agree to additional mitigation measures. These may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Modifications to the application process for Dustreat;</li> <li>• Evaluation and implementation of alternative spray technologies/products;</li> <li>• Installation of wind fencing around the Milne Port stockpiles; and</li> <li>• Stockpile covers (tarp like product)</li> </ul> <p>Additional mitigations for dust at Milne Port will be provided to QIA by mid-March as part of the adaptive management update to the Air Quality and Noise Abatement Management Plan, a plan selected by QIA for approval as part of the Inuit Certainty Agreement. The comprehensive audit to be initiated this year will likely add to the potential mitigations to include in our base operating plans as well as our adaptive management plans.</p> | NA                  | DRAFT - Wording To Be Confirmed |
| 231 | NEW     | QIA        | Atmospheric Environment | 6 - Response to Additional Questions | <p>Baffinland will consider covering open boxes of haul trucks and/or rail cars, and enclosing the Mine Site crushers as part of the independent audit.</p> <p>Should the indepdent dust audit indicate that covering the open boxes of ore haul trucks and/or rail cars, or enclosing the primary crushing facility at the Mine Site would lead to meaningful reductions in dust, they will be implemented. Should the outcome of the audit not require the pre-emptive application of these mitigations, they will be integrated into Baffinlands Adaptive Management Plan as responses to passing moderate or high level thresholds, as agreed to with the QIA, and by extention the Inuit Committee.</p>   | NA                  | DRAFT - Wording To Be Confirmed |
| 230 | NEW     | QIA        | Atmospheric Environment | 6 - Response to Additional Questions | Baffinland will fund an independent audit of all present and future (Phase 2) dust sources across the Project to ensure the proper dust controls are in place. This will include an evaluation of existing and proposed dust controls for the purpose of identifying where improvements or additional measures are required. To ensure the audit fully considers the knowledge and concerns of Inuit, and that Baffinland is accountable for implementing the recommendations that follow from the audit, Baffinland will seek to establish a joint Project Charter with the QIA and designated representatives from the impacted communities. The project charter will outline the audit goals, roles and responsibilities, approach to the use of IQ, major milestones, timelines, risks, etc. Any onsite inspections by the auditors will be attended by designated community representatives to provide their insights at each audit location.   | NA                  | DRAFT - Wording To Be Confirmed |
| 229 | NEW     | QIA        |                         | 6 - Response to Additional Questions | Baffinland will work with QIA and the impacted communities to develop a final IQ Management Framework, subject to co-approval of QIA and the impacted communities. If the communities agree, their approval could be facilitated through the Inuit Committee for the Mary River Project.   | NA                  | DRAFT - Wording To Be Confirmed |
| 228 | NEW     | QIA        | Marine Environment      | 5 - Public Hearing 2021              | Baffinland commits to a retrospective analysis of the behavioural responses of narwhal to vessels travelling both southbound and northbound, and integrating this analysis in future monitoring  | NA                  | DRAFT - Wording To Be Confirmed |
| 227 | NEW     | QIA        | Marine Environment      | 5 - Public Hearing 2021              | Baffinland commits to investigating additional mitigation measures with respect to the Botnica and Sara Desgagne.  | NA                  | DRAFT - Wording To Be Confirmed |
| 226 | NEW     | QIA        | Marine Environment      | 5 - Public Hearing 2021              | Baffinland commits to providing Passive Acoustic Monitoring Results from fall 2019 and early-summer 2020, at the latest, 30 days from the release of the NIRBs Recommendation Report to the Minister.  | NA                  | DRAFT - Wording To Be Confirmed |

| ID# | FWS ID#           | Intervener | Topic                   | Review Phase            | Commitment  | Commitment Due Date | Notes  |
|-----|-------------------|------------|-------------------------|-------------------------|---|---------------------|--|
| 225 | NEW               | QIA        | Marine Environment      | 5 - Public Hearing 2021 | Baffinland commits to developing a ringed seal monitoring plan that incorporates Inuit perspectives into the design, planning and implementation phases. Additionally Baffinland commits to including Inuit OITRs for ringed seal, which will include low, moderate and high risk thresholds and responses into the Adaptive Management Plan for the Marine Monitoring Plan.  | NA                  | DRAFT - Wording To Be Confirmed                      |
| 224 | NEW               | QIA        | Marine Environment      | 5 - Public Hearing 2021 | Baffinland commits to reporting on observed behavioural responses of ringed seal collected through the Ship-Based Observer Monitoring Program during the shoulder seasons.  | NA                  | DRAFT - Wording To Be Confirmed                      |
| 223 | QIA-01<br>QIA-02  | QIA        | Terrestrial Environment | 5 - Public Hearing 2021 | <p>Baffinland commits to working with the TEWG and the Inuit Committee to update the Caribou Protection Measures in the Terrestrial Environment Mitigation and Management Plan (TEMMP) for the Mary River Project within 6 months of the issuance of an amended Project Certificate 005 . Baffinland commits to funding a caribou-focused IQ study with invite to the HTOs and supported by the QIA within 6 months of the issuance of an amended Project Certificate 005. These timelines are contingent on the QIA forming the Inuit Committee at least 6 months’ prior the date of agreement.</p> <p>The IQ study will be scoped to ensure that it builds upon existing well-documented IQ, and includes verification of this information with Inuit knowledge holders. The results of this study will be used by QIA, the HTOs, the Inuit Committee and Baffinland to further update the Caribou Protection Measures, develop a Caribou Protection Map and project protection zones, and inform monitoring, mitigations and thresholds established through the Inuit Committee and the TEWG.</p>  | NA                  | DRAFT - Wording To Be Confirmed                      |
| 222 | QIA-01<br>QIA-02  | QIA        | Terrestrial Environment | 5 - Public Hearing 2021 | Baffinland is committed to coming to agreement on railway monitoring. A multi-dimensional approach to monitoring is proposed which would involve Inuit staff working under the Inuit Stewardship Plan monitoring according to Inuit interests as informed by the Inuit Committee, and, QIA technical staff. Baffinland commits to coming to agreement on a railway monitoring plan within 6 months of the issuance of an amended Project Certificate 005. This timeline is contingent on the QIA forming the Inuit Committee at least 6 months’ prior the date of agreement.  | NA                  | DRAFT - Wording To Be Confirmed                      |
| 221 | QIA-40            | QIA        | Atmospheric Environment | 5 - Public Hearing 2021 | Baffinland will provide a Climate Change Strategy within 30 days of the issuance of a positive NIRB Recommendation  | NA                  | DRAFT - Wording To Be Confirmed                      |
| 220 | GN-02             | GN         | Terrestrial Environment | 5 - Public Hearing 2021 | Baffinland will work with the TEWG and Inuit Committee to develop a preliminary threshold for caribou group size that would trigger the temporary suspension of road and/or rail traffic. The threshold will be based on monitoring outcomes, operating experience, community input, and further discussion with the TEWG and Inuit Committee.  | NA                  | This commitment will be implemented post PC approval |
| 219 | DFO 3.4.4 NEW (7) | DFO        | Marine Environment      | 5 - Public Hearing 2021 | Baffinland commits to collect acoustic data near the floe edge during the 2021 or 2022 shipping season. Baffinland will collaborate with Inuit and DFO on the development of the draft program following the process as outlined in DFO 3.3.3 (NEW).  | NA                  | This commitment will be implemented post PC approval |
| 218 | DFO 3.4.4 NEW (6) | DFO        | Marine Environment      | 5 - Public Hearing 2021 | Host dedicated workshops throughout 2021 to identify, develop and review objectives, indicators, thresholds and responses to be applied in Baffinland’s adaptive management of project activities in the marine environment, including icebreaking. Baffinland and the MEWG will review these objectives, indicators, thresholds and responses bi-annually to determine if they are still sufficient, or if more suitable measures may exist (as supported by literature, Project monitoring, updated national or international guidelines, and/or measures applied for similar projects, if relevant to Project conditions). This includes working with the MEWG to improve the existing monitoring and reporting for the Early Warning Indicator(s); and working with the MEWG to review and ensure that existing EWIs are effective and select new or additional EWIs, where needed. If and when they are available, DFO will provide the MEWG with indicators and values used by DFO for the purposes of stock assessment and management of narwhal or other marine mammals. Monitoring methodologies for the selected indicators will be informed by DFO and Inuit in advance of submission to the MEWG. These recommendations and the implementation of monitoring will begin no later than the 2022 shipping season. | NA                  | This commitment will be implemented post PC approval |
| 217 | DFO 3.4.4 NEW (5) | DFO        | Marine Environment      | 5 - Public Hearing 2021 | Conduct monitoring using remote technology during ice breaking and shoulder season shipping activities, as a component of DFO 3.5 NEW, to detect and monitor ship strikes and sea ice.  | NA                  | This commitment will be implemented post PC approval |
| 216 | DFO 3.4.4 NEW (4) | DFO        | Marine Environment      | 5 - Public Hearing 2021 | <p>Provide, in a report:</p> <ul style="list-style-type: none"> <li>• Confirm whether icebreaker vessels were used in spring and fall shoulder season transits;</li> <li>• Baffinland will provide daily ice conditions for days icebreakers were used; and</li> <li>• Updated noise exposure calculations for a half-transit vs full-transit scenario for the shoulder seasons once acoustic monitoring from the 2019 shoulder seasons has been processed.</li> </ul> <p>Based on DFO’s review of information provided in point 4, if DFO determines that use of half-transit scenario exceeds established thresholds for duration of exposure to noise disturbance for marine mammals, then Baffinland will not operationalize the use of half-transits in either or both seasons</p>   | NA                  | This commitment will be implemented post PC approval |

| ID# | FWS ID#                                     | Intervener | Topic                   | Review Phase                               | Commitment   | Commitment Due Date | Notes  |
|-----|---|------------|-------------------------|--|--|---------------------|--|
| 215 | DFO 3.4.4 NEW (3)                           | DFO        | Marine Environment      | 5 - Public Hearing 2021                    | Beginning in 2021, apply the following transit restriction mitigations in the fall: <ul style="list-style-type: none"> <li>• When a continuous sailing route of open water and/or new ice (&lt;10cm) occurs between the entrance of Pond Inlet and Milne Port, then icebreaker transits and other unescorted vessels in the RSA may proceed under open-water operating conditions.</li> <li>• A maximum of two transits or four half transits will occur per day (24-h period) where grey ice (10-15cm) cannot be avoided along the shipping route.</li> <li>• No breaking of landfast ice along the shipping route.</li> </ul> <p>For the purpose of this commitment, the following terms are defined as:</p> <ul style="list-style-type: none"> <li>• Open-water: <ol style="list-style-type: none"> <li>i. for the commencement of annual shipping season: for the purposes of the project, this is uninterrupted transits through ice concentration of 3/10 or less.</li> <li>ii. For the close of the annual shipping season: for the purposes of the project, this is uninterrupted transits through new ice depths of less than 10 cm.</li> </ol> </li> <li>• Half-transit: the equivalent of half or less of the distance between Milne Port to the eastern edge of the RSA (73 W longitude).</li> </ul> | NA                  | This commitment will be implemented post PC approval |
| 214 | DFO 3.4.4 NEW (2)                           | DFO        | Marine Environment      | 5 - Public Hearing 2021                    | 2. Plan to complete shipping by no later than October 31st of any given year. On an exceptional basis, Baffinland may ship up until November 15th, provided a complete and operational adaptive management plan is in place.   | NA                  | This commitment will be implemented post PC approval |
| 213 | DFO 3.4.4 NEW (1)                           | DFO        | Marine Environment      | 5 - Public Hearing 2021                    | Apply spring transit restriction mitigations described in the Assessment of Icebreaking Activities as long as ice concentrations, as defined by the Canadian Ice Service, of greater than 3/10 persist along the Northern Shipping Route, or meet the obligations of applicable commitments to others if more conservative, to determine the earliest date for commencing the shipping season. Initiation of this commitment will begin in 2021.   | NA                  | This commitment will be implemented post PC approval |
| 212 | NEW   | MHTO QIA   | Atmospheric Environment | 5 - Public Hearing 2021                    | Baffinland continues to implement dust mitigation solutions at the Milne Port ore stockpiles and has retained a third party consultant to further review the effectiveness of the DusTreat application. Through this investigation and consultation with the QIA and MHTO alternatives to the current mitigation measures will be evaluated as contingency. As this work is ongoing for the current operation Baffinland proposes to host a workshop with interested parties in Q2 2021.   | NA                  | This is an operational commitment                    |
| 211 | QIA-01<br>QIA-02                            | QIA        | Terrestrial Environment | 5 - Public Hearing 2021                    | Baffinland commits to working with the TEWG and the Inuit Committee to update the Caribou Protection Measures for the Mary River Project within 6 months post-PC. Baffinland commits to funding a caribou-focused IQ study with the HTOs and QIA with 6 months post-PC. The IQ study will be scoped to ensure that it builds upon existing well-documented IQ, and includes verification of this information with Inuit knowledge holders. The results of this study will be used by QIA, the HTOs, the Inuit Committee and Baffinland to further update the Caribou Protection Measures, develop a Caribou Protection Map and project protection zones, and inform monitoring, mitigations and thresholds established through the Inuit Committee and the TEWG.   | NA                  | This commitment will be implemented post PC approval |
| 210 | GN-TRC24                                    | GN         | Marine Environment      | 5 - Public Hearing 2021                    | Section 10.3.2 of the Spill at Sea Response Plan will be updated to reflect a requirement for coordination with the Government of Nunavut's Department of Environment and Emergency Management Office in the mobilization of emergency wildlife teams for the purpose of preventing wildlife contamination. Special consideration will be given to polar bear deterrence, which could be facilitated by helicopter or emergency response vessels. The feasibility of implementing catch and relocation as a deterrence for polar bear will be coordinated with the Department of Environment based on the circumstances of the spill.  | NA                  | This commitment will be implemented post PC approval |
| 209 | DFO 3.6.8 NEW<br>QIA-43<br>QIA-44<br>QIA-45 | DFO QIA    | Marine Environment      | 4 - Post September 2020 Technical Meetings | Updated commitment wording in relation to DFO 3.6.8 NEW:<br><br>Baffinland continues to maintain that the identification of high-risk biological species or groupings of species of concern is the primary responsibility of DFO. Despite this, Baffinland is committed to supporting the development of a trigger list of high biological risk species or groupings of species of concern and associated response plans through the process outlined in response to DFO 3.6.9 and DFO 3.6.10 and to refining that list with DFO on an ongoing basis starting in 2021.   | NA                  | This commitment will be implemented post PC approval |
| 208 | DFO 3.6.7 NEW<br>QIA-43<br>QIA-44<br>QIA-45 | DFO QIA    | Marine Environment      | 4 - Post September 2020 Technical Meetings | Updated commitment wording in relation to DFO 3.6.7 NEW:<br><br>Baffinland commits to updating the marine monitoring plan (MMP) in consultation with MEWG members and this will be completed prior to the start of the 2022 shipping season and prior to any Phase 2 shipping. The updated MMP will detail the revised MEEMP sampling design which includes greater seasonal and spatial coverage and increased sampling effort and sample sizes to address DFO concerns related to achieving sufficient statistical power for detection of project effects (≥0.8, as per recommendations in DFO 2020, pages 4-7). The updated MMP will include clear protocols for determining identity and status of species collected as part of this program.  | NA                  | This commitment will be implemented post PC approval |

| ID# | FWS ID#                                     | Intervener | Topic                  | Review Phase                               | Commitment  | Commitment Due Date | Notes  |
|-----|---|------------|------------------------|--|---|---------------------|--|
| 207 | QIA-43<br>QIA-44<br>QIA-45                  | QIA        | Marine Environment     | 4 - Post September 2020 Technical Meetings | The risk-based methodology and associated ballast water compliance sampling plan to be developed in relation to DFO-3.6.5 will include a component for the monitoring of contaminants from each port and treatment type to assess potential chemical risks (e.g., from foreign ports or treatment residuals). Further risk-based assessment of contaminants will be conducted, using methodology and approaches developed in relation to DFO 3.6.5, in the event project vessels switch from exchange plus treatment to just treatment of ballast water.  | NA                  | This commitment will be implemented post PC approval |
| 206 | DFO 3.6.4 NEW<br>QIA-43<br>QIA-44<br>QIA-45 | DFO<br>QIA | Marine Environment     | 4 - Post September 2020 Technical Meetings | Updated commitment wording in relation to DFO 3.6.4 NEW:<br><br>Baffinland will consider discontinuing exchange plus treatment requirements should treatment systems efficacy reach a point that makes the benefits of an exchange plus treatment system negligible. This decision will be made in consultation with TC and DFO and will be based on a consideration of factors outlined in DFO 2019 (i.e. if ballast water organism concentration or composition, environmental conditions, shipping patterns, proportion of voyages meeting the D-2 standard, or available data describing these conditions changes in the future, and updates to global research on ballast systems). In this event Baffinland will update ballast water dispersion modelling to more accurately reflect the spectrum of salinity, temperature, and discharge volumes that can be expected to be discharged at Milne Port under Phase 2 operations if prior exchange were to be discontinued. Baffinland will conduct a risk-based assessment of contaminants that could be released into Milne Inlet in the event project ore vessels switch from exchange plus treatment to just treatment of their ballast water. | NA                  | This commitment will be implemented post PC approval |
| 205 | DFO 3.6.3 NEW<br>QIA-43<br>QIA-44<br>QIA-45 | DFO<br>QIA | Marine Environment     | 4 - Post September 2020 Technical Meetings | Updated commitment wording in relation to DFO 3.6.3 NEW:<br><br>Baffinland will require all vessels calling on Milne Port that treat their ballast under the D2 Standard to also perform a ballast water exchange prior to treatment. By 2024, for ore carriers originating from Canadian waters (i.e., domestic trips) Baffinland will only charter vessels equipped with treatment systems, and will require those vessels to treat their ballast under the D2 Standard and to also perform a ballast water exchange prior to treatment. For ships unable to conduct exchange as specified in Canadian Ballast Water Regulations (e.g. ships on Canadian domestic trips), exchange is to be conducted as specified in revised ABWEZs for Eastern Arctic as per DFO CSAS advice (see DFO 2015, Stewart et al. 2015 and Goldsmit et al. 2019). This updated commitment will be reflected in the 2021 Standing Instructions to Masters.  | NA                  | This commitment will be implemented post PC approval |
| 204 | DFO 3.6.2 NEW<br>QIA-43<br>QIA-44<br>QIA-45 | DFO<br>QIA | Marine Environment     | 4 - Post September 2020 Technical Meetings | Updated commitment wording in relation to DFO 3.6.2 NEW:<br><br>Baffinland commits to record the Milne Port anchorage and associated coordinates where compliance testing and discharge occurs in the ballast water testing forms, completed by Baffinland's environmental monitors. Baffinland will also report the duration and volume that occurs at each discharge point concurrent with biological testing that will be conducted to support the risk based methodology under DFO 3.6.5, and for one additional year following commissioning of the second ore dock, if required. A dataset with discharge coordinates and the durations and volumes of discharges at each discharge point will be provided to MEWG members as part of annual reporting.   | NA                  | This commitment will be implemented post PC approval |
| 203 | DFO 3.6.1 NEW<br>QIA-43<br>QIA-44<br>QIA-45 | DFO<br>QIA | Marine Environment     | 4 - Post September 2020 Technical Meetings | Updated commitment wording in relation to DFO 3.6.1 NEW:<br><br>Project vessels are limited to releasing ballast water at one of the three anchorage locations at Milne Port, or while berthed at the ore dock. Further, prior to any ballast water discharge D-1 compliance testing must be completed. Instructions to not release ballast water prior to arrival at Milne Port and completion of ballast water testing is provided to all ship operators in Baffinland's Standing Instruction to Masters (SITM). <u>This requirement will remain under Phase 2.</u>   | NA                  | This commitment will be implemented post PC approval |
| 202 | QIA-42                                      | QIA        | Freshwater Environment | 4 - Post September 2020 Technical Meetings | <i>In conjunction with project stakeholders, Baffinland will develop a Terms of Reference for a Freshwater Environment Working Group (FEWG). Respecting the heightened regulatory oversight in relation to the freshwater environment, the FEWG will meet on an as needed basis to discuss items to be agreed upon by members of the FEWG. In person meetings, if required, will be coordinated with the planning of Marine and Terrestrial Environment Working Group meetings, where possible. A draft Terms of Reference will be submitted for review by March 31, 2021.</i>  | NA                  | <b>DRAFT - Wording To Be Confirmed</b>               |
| 201 | QIA-42                                      | QIA        | Freshwater Environment | 4 - Post September 2020 Technical Meetings | Baffinland collects and reports data on fish presence, catch per unit effort, and fork length from 30-60 crossing sites along the Tote Road annually. Baffinland commits to adding observations regarding physical condition of fish (e.g., lesions, injuries, activity level). Baffinland and QIA will determine an appropriate approach to analysis and development of a metric for monitoring fish health for the 2022 reporting period. The program will be evaluated every three (3) years to determine if monitoring locations may be reduced due to no observations of project related-impacts.  | NA                  | This commitment will be implemented post PC approval |

| ID# | FWS ID#       | Intervener | Topic                  | Review Phase                               | Commitment  | Commitment Due Date | Notes  |
|-----|---------------|------------|------------------------|--|---|---------------------|--|
| 200 | QIA-41        | QIA        | Freshwater Environment | 4 - Post September 2020 Technical Meetings | Baffinland is prepared to adopt a more precautionary moderate risk threshold for lake sedimentation. The current moderate risk threshold for lake sedimentation is 1 mm, adopted from the FEIS. Baffinland will adopt the lake sedimentation rate predicted in the FEIS of 0.54mm, which is about half the current threshold, at the moderate risk level. Exceedance of the 0.54mm moderate risk level will trigger additional study to validate the thresholds relative to impacts on arctic char eggs. A low risk threshold of 0.15 mm will also be applied that will trigger corresponding low risk response actions. Data will be collected and reported in 2021 to characterize sediment grain size.   | NA                  | This commitment will be implemented post PC approval |
| 199 | PCA-03        | PCA        | Marine Environment     | 4 - Post September 2020 Technical Meetings | See Commitments to DFO 3.6.6 NEW  | NA                  | This commitment will be implemented post PC approval |
| 198 | DFO 3.7 NEW   | DFO        | Marine Environment     | 4 - Post September 2020 Technical Meetings | <p>Baffinland recognizes that DFO disagrees with the determinations of the Combined Effects Assessment located in Table 22 of Baffinland's Marine Mammal Monitoring Technical Memorandum updated in May 2020 (document # 1663724-186-TM-Rev2-38000). DFO is concerned that the combined effects assessment does not adequately consider uncertainty and potential interactions between combined effects, nor does it consider combined effects outside of the Regional Study Area.</p> <p>To account for residual uncertainty in the effects assessment, Baffinland has made several commitments related to the strengthening of monitoring programs, as well as the implementation of pilot projects to better detect and monitor effects of the project on the marine environment. Implementation of these commitments will be developed in collaboration with DFO, Inuit, and relevant organizations to ensure that all recommendations and concerns are addressed and accounted for. If results of the monitoring programs indicate that there are significant or meaningful impacts to the marine environment, Baffinland commits to undertake investigations to determine the cause of the impact, and will identify any mitigations or other adaptive management strategies to address the impact for review and recommendations by Inuit and the MEWG. Recommendations from MEWG members will be treated consistent with the decision-making requirements as outlined in the forthcoming updated MEWG Terms of Reference.</p> | NA                  | This commitment will be implemented post PC approval |
| 197 | DFO 3.6.6 NEW | DFO        | Marine Environment     | 4 - Post September 2020 Technical Meetings | <p>BIM commits to ensuring that vessels arriving to Milne Port and Steensby Port are following IMO International Guidelines for Biofouling Management (and any associated updates to these Guidelines) by including adherence to these Guidelines as a requirement in vessel procurement contracts.</p> <ul style="list-style-type: none"> <li>• Baffinland will include in its contracts with ship owners a requirement to follow IMO Guidelines for Biofouling Management</li> <li>• Baffinland will require each vessel to maintain a Biofouling Management Plan and Biofouling Record Book consistent with Appendix 1 and 2 of the IMO Guidelines</li> <li>• Baffinland will provide a copy of the management plans and record books for each vessel in its Annual Report to the MEWG.</li> <li>• Initiation of this commitment will begin in 2021.</li> </ul>  | NA                  | This commitment will be implemented post PC approval |
| 196 | DFO 3.6.6 NEW | DFO        | Marine Environment     | 4 - Post September 2020 Technical Meetings | <p>BIM will develop a robust monitoring program design with input from DFO and other relevant parties that describes its plan for conducting ROV surveys of vessels to evaluate the extent of biofouling on ship hulls arriving in Milne Port prior to the 2022 shipping season.</p> <p>The sampling design will include appropriate sampling effort (with respect to number of vessels and coverage of each vessel) to evaluate differences in extent of biofouling across vessels with different biofouling management measures and histories to provide data for risk assessments to guide future monitoring and management of high risk vessels. Targets for sampling efforts will be established in consultation with DFO and submitted for review and recommendations from Inuit and the MEWG. Recommendations from MEWG members will be treated consistent with the decision-making requirements as outlined in the forthcoming updated MEWG Terms of Reference.</p> <p>This monitoring program will also be applied to vessels calling at Steensby Port as soon as shipping commences for the southern route</p>  | NA                  | This commitment will be implemented post PC approval |
| 195 | DFO 3.6.6 NEW | DFO        | Marine Environment     | 4 - Post September 2020 Technical Meetings | Based on new information gathered through vessel biofouling monitoring, a review of vessels Biofouling Management Plans and Record Books and, where known, a review of vessels sailing history relative to variables that could influence the extent of hull fouling and have already been well described in the literature (e.g., Coutts 1999; Coutts & Taylor 2004; Ruiz & Smith 2005), BIM will develop a risk assessment and establish a risk-based sampling plan to guide future monitoring and management of high risk vessels. This risk assessment and risk-based sampling plan will be developed in consultation with DFO, and submitted to the MEWG (of which DFO is a member) for review and recommendations. Recommendations from MEWG members will be treated consistent with the decision-making requirements as outlined in the forthcoming updated MEWG Terms of Reference  | NA                  | This commitment will be implemented post PC approval |



| ID# | FWS ID#       | Intervener | Topic              | Review Phase                               | Commitment  | Commitment Due Date | Notes  |
|-----|---------------|------------|--------------------|--|---|---------------------|--|
| 194 | DFO 3.6.6 NEW | DFO        | Marine Environment | 4 - Post September 2020 Technical Meetings | <p>Biological sampling (i.e., collection of genetic material, tissue samples, and/or whole organisms) of vessel biofouling would contribute to the identification and monitoring of aquatic invasive or non-indigenous species that have the potential to propagate in northern waters as a result of the Project’s shipping activities. BIM will revisit the state of technology and methods used to assess and conduct biological sampling of vessel biofouling and submit a report, to the MEWG by the end of 2021, on options that exist to conduct this work. It is not expected that this report will consider diving as a means to conduct the biological sampling.</p> <ul style="list-style-type: none"> <li>• Once a feasible and safe technology or method has been determined with the MEWG, a pilot program will be run during the next shipping season to determine if it is suitable. If it is not, the report will be revisited and a new technology or method will be selected for another pilot program to be implemented during the next shipping season.</li> <li>• Based on the results of the pilot program, it will be confirmed with the MEWG whether a technically and economically feasible technology or methods exist. If the MEWG agrees by consensus that the program stands to provide valuable data, BIM will update its MMP to include a biological sampling component for biofouling in advance of the next shipping season. The updated monitoring plan will be provided to the MEWG for review and comment before it is finalized.</li> <li>• BIM will revise and update its risk assessment and risk-based sampling plan (see 3, above) once a robust set of biological data has been collected. This will be reviewed by the MEWG prior to the next shipping season. Recommendations from MEWG members will be treated consistent with the decision-making requirements as outlined in the forthcoming updated MEWG Terms of Reference.</li> </ul> <p>Any feasible technology or method for biological sampling applied at Milne Port will also be applied at Steensby Port.</p>  | NA                  | This commitment will be implemented post PC approval |
| 193 | DFO 3.6.6 NEW | DFO        | Marine Environment | 4 - Post September 2020 Technical Meetings | <p>In the event that modifications to biofouling management practices are proposed, Baffinland will consult with DFO and other relevant parties to determine if updates to the risk assessment and risk-based sampling plan are required. Updates to the assessment and the sampling plan will be submitted to the MEWG for review and recommendations prior to implementation. Recommendations from MEWG members will be treated consistent with the decision-making requirements as outlined in the forthcoming updated MEWG Terms of Reference.</p>  | NA                  | This commitment will be implemented post PC approval |
| 192 | DFO 3.5 NEW   | DFO        | Marine Environment | 4 - Post September 2020 Technical Meetings | <p>Baffinland has indicated that it is only feasible to have Marine Wildlife Observer’s present on the MSV Botnica. Noting that having MWO’s present on ships may not be feasible at all times due to safety concerns, and that certain environmental conditions may limit visibility, Baffinland commits to develop a pilot project using remote technology to monitor for ship strikes along the shipping route within the Nunavut Settlement Area. The intent of the pilot project is to determine the efficacy of mitigation to prevent ship strikes and of monitoring to detect ship strikes and any near misses.</p> <p>To solicit early feedback from DFO in advance of developing and submitting the methodology and parameters for the monitoring program to the MEWG, DFO will provide reports from all comparable studies conducted by DFO 8 months in advance of the start of the program and will identify what aspects of these programs DFO is recommending Baffinland integrate into the program design. Where relevant, Baffinland will incorporate the guidance provided by DFO into the study design prior to distributing it to the MEWG for review. Methodology and parameters for the monitoring program will be submitted to the MEWG (of which DFO is a member) for review and recommendations. Recommendations from MEWG members will be treated consistent with the decision-making requirements as outlined in the forthcoming updated MEWG Terms of Reference.</p> <p>The monitoring program will run for three years, and will begin one year in advance of Phase 2 shipping operations, with a report submitted to DFO and MEWG members each year the program is implemented. The report will include the following information:</p> <ol style="list-style-type: none"> <li>1. The number of hours and ships on which the program ran</li> <li>2. Types and size of vessels on which the program ran</li> <li>3. Timing during the shipping season when the program was run</li> <li>4. The number of vessels that were called to Milne Port relative to Project certificate limits</li> <li>5. If distance of animals to the vessels can be calculated, a discussion of relative CPAs.</li> <li>6. Relevant environmental conditions that may affect detection or increase potential likelihood of an encounter with marine mammals If the program is collecting information related to Project effects on the marine environment that is not otherwise being collected through other programs.</li> <li>7. Discussion of cost/value of the Project.</li> </ol> <p>After the third year, Baffinland will submit an overview report on the program, to the MEWG for review. This report will document and discuss the benefits of the project and any challenges faced.</p> <p>If the pilot program confirms ship strikes and/or near misses are occurring the project will be extended and included as a component of the MMP, in consultation with the MEWG, of which DFO is a member. Otherwise, the program will be discontinued as a permanent component of the MMP based on the above listed factors, though the program may be implemented again periodically based on advice from the MEWG or</p> | NA                  | This commitment will be implemented post PC approval |

| ID# | FWS ID#                | Intervener | Topic                   | Review Phase                               | Commitment  | Commitment Due Date           | Notes   |
|-----|------------------------|------------|-------------------------|--|---|-------------------------------|---|
| 191 | DFO 3.4.3 NEW          | DFO        | Marine Environment      | 4 - Post September 2020 Technical Meetings | <p>Baffinland commits to run an annual end of season clearance survey. The survey will occur within 7 days following the close of the shipping season. Determination on the need for the end of season surveys will be where ice conditions warrant the survey, and in collaboration with MHTO and DFO. Baffinland commits to provide GIS coordinates and a description of group size(s) of narwhal along the aerial survey tracks. In addition, Baffinland will document ice conditions along the aerial survey tracks in order to inform changes in ice conditions and/or areas of greater risk for entrapment. This data will be provided to DFO as part of the fall shoulder season shipping reports as committed to under DFO 3.2.1 (NEW).</p> <p>A reporting structure will be determined in collaboration with MHTO, DFO, and other relevant boards and organizations in the event an ice entrapment is observed during the annual end of season clearance survey, as will procedures for determining if the event is a natural or project-related event, and associated response actions. This reporting structure is essential to determine the best course of action should an ice entrapment occur. After five years of annual end of season clearance surveys once Phase 2 shipping is operational, Baffinland and DFO will collaborate to analyze the data acquired from these surveys to determine what has been learned about any potential ice entrapments, and if the annual surveys should continue to proceed.</p> | NA                            | This commitment will be implemented post PC approval  |
| 190 | DFO 3.4.2 NEW          | DFO        | Marine Environment      | 4 - Post September 2020 Technical Meetings | Baffinland recognizes that DFO disagrees with the certainty assigned to the potential for ice entrapments of marine mammals in the Phase 2 FEIS Addendum. To address DFO's concerns about uncertainty, Baffinland has committed to run annual end of season clearance surveys (DFO 3.6.2) and develop a response plan for the potential event of an ice entrapment (DFO 3.4.3 NEW).   | NA                            | This commitment will be implemented post PC approval  |
| 189 | DFO 3.4.1 NEW          | DFO        | Marine Environment      | 4 - Post September 2020 Technical Meetings | <p>Baffinland commits to update the Marine Monitoring Plan (MMP) to include a specific section relevant to icebreaking and shoulder season shipping activities in advance of the 2021 shipping season. Through the ICA, Baffinland is also committed to the development initial Indicators for the MMP in collaboration with QIA by December 2020. These initial OITR's will then be subject to review by Inuit (through the Inuit Committee) and regulators (through the MEWG) before finalization (no later than August 30, 2021).</p> <p>In advance of the 2021 shipping season, BIM can also commit to providing an updated draft MMP that will include a placeholder for a dedicated section specific to icebreaking and shoulder season activities. A full update to the MMP will occur following receipt of a positive decision from the Minister. Updates to the MMP will be actively worked on with the MEWG in 2021 (following a decision). A final MMP would then be in place for the 2022 shipping season. Recommendations from MEWG members on survey methodologies and initial indicators will be treated consistent with the decision-making requirements as outlined in the forthcoming updated MEWG Terms of Reference.</p>  | NA                            | This commitment will be implemented post PC approval  |
| 188 | CIRNAC-01 NEW          | CIRNAC     | Freshwater Environment  | 3 - September 2020 - Technical Meetings    | <p>CIRNAC requests that Baffinland commits to the providing the following information during the Water Licence Amendment process, subject to Nunavut Water Board requirements.</p> <p>i. Baffinland shall provide a heat balance and relationship of the heat generation associated with the exothermic reaction of PAG waste rock deposited and soluble sulphates and demonstrate that the current design of the waste rock facility will maintain permafrost conditions in the long term (closure and beyond).</p> <p>ii. Baffinland shall perform an oxygen balance of the waste rock facility and correlate it with soluble sulphates. This will provide understanding of the process of ARD generation and the performance of the waste rock facility.</p>   | NA                            | This issue is resolved for environmental assessment purposes and will be further addressed during water license |
| 187 | CIRNAC-01a NEW         | CIRNAC     | Terrestrial Environment | 3 - September 2020 - Technical Meetings    | Baffinland shall develop a detailed site program to monitor the thaw consolidation and soil deformation under the structures/embankments constructed as part of the Phase 2 Project. The monitoring results shall be compared with the Final Environmental Impact Statement Addendum predictions and appropriate mitigation measures shall be identified and incorporated into the adaptive management approach.  | NA                            | This commitment will be implemented post PC approval  |
| 186 | CIRNAC-03 NEW          | CIRNAC     | Freshwater Environment  | 3 - September 2020 - Technical Meetings    | <p>CIRNAC requests that Baffinland commits to the providing the following information during the Water Licence Amendment process, subject to Nunavut Water Board requirements.</p> <p>i. Baffinland shall develop reliable criteria for identification of PAG rock that clearly accounts for uncertainty in the 0.2% total sulphur threshold and the presence of acidic soluble sulphates upon projected life of mine tonnages of PAG and Non-Acid Generating (NAG) rock.</p> <p>ii. Baffinland shall incorporate these criteria, clearly stated ranges in projected life of mine PAG and NAG rock tonnages and the resultant necessary contingencies and methods of validation that need to be incorporated into engineering design, environmental monitoring and management strategies for the Waste Rock Management Plan and Interim Closure and Reclamation Plan. These documents are to be submitted for review during the Water Licence Amendment process, subject to Nunavut Water Board requirements.</p> <p>iii. Baffinland shall review the performance of these plans and provide evidence of the effectiveness of these plans by demonstrating compliance with the management measures and that the desired outcomes of mitigation are achieved on an annual basis.</p>   | NA                            | This issue is resolved for environmental assessment purposes and will be further addressed during water license |
| 185 | DFO-3.6.4<br>DFO-3.6.6 | DFO        | Marine Environment      | 3 - September 2020 - Technical Meetings    | Baffinland and DFO will provide an update on DFO Comment 3.6.4 and 3.6.6 following bilateral discussions  | On or before October 16, 2020 | Update will be provided during the Community Roundtable   |

| ID# | FWS ID#                                | Intervener | Topic                      | Review Phase                            | Commitment   | Commitment Due Date           | Notes   |
|-----|--|------------|----------------------------|---|--|-------------------------------|---|
| 184 | ECCC-3 NEW<br>ECCC-4 NEW<br>ECCC-6 NEW | ECCC       | Freshwater Environment     | 3 - September 2020 - Technical Meetings | Baffinland will address ECCC's outstanding concerns, as identified in their letter to the NIRB on September 4, 2020, through the Nunavut Water Board Water License amendment process for Phase 2   | NA                            | This issue is resolved for environmental assessment purposes and will be further addressed during water license   |
| 183 | HPI                                    | HPI        | Corporate Environment      | 3 - September 2020 - Technical Meetings | Baffinland will provide a list of participants to each Hamlet and HTO from the North Baffin impacted communities who were present in the North Baffin community meetings reported in the February 2020 community update submission to the NIRB.  | On or before October 16, 2020 | Update will be provided during the Community Roundtable   |
| 182 | MHTO                                   | MHTO       | Marine Environment         | 3 - September 2020 - Technical Meetings | Baffinland will look into the feasibility of installing acoustic monitoring equipment at the floe edge.  | Complete                      | Baffinland can install acoustic monitoring equipment at the floe edge. Baffinland has already committed to engage with DFO and Inuit prior to development of acoustic monitoring programs (DFO 3.3.3 NEW). No further commitment is required. |
| 181 | GN-TRC24                               | GN         | Marine Environment         | 3 - September 2020 - Technical Meetings | <del>Baffinland will support a revised Term and Condition 103 that reflects and incorporates the commitment made in relation to GN-TRC24. This commitment will be reflected in an updated commitment list.</del><br><br><del>"Baffinland will provide maps with its Annual Reports that illustrate tracks taken by each Project related ship within the RSA and Baffin Bay, relative to recorded ice coverage. (3) Every 3 years Baffinland will conduct an analysis of ship tracks through Baffin Bay in relation to sea ice to assess the extent of Project shipping's interaction with sea ice in Baffin Bay. Results to be reported in the Annual Report." (June commitment from Baffinland) (GN comment TRC 24)</del> | NA                            | Replaced by updated commitment, line 210  |
| 180 | QIA-08                                 | QIA        | Socio-economic Environment | 3 - September 2020 - Technical Meetings | Baffinland and the QIA will work to provide more details on the CRLU Risk Community strategy (QIA 08), including a review of the commitment wording to ensure that it is clear that Baffinland will be working with Inuit on the development of this strategy.   | On or before October 16, 2020 | Update will be provided during the Community Roundtable   |
| 179 | GN-TRC24                               | GN         | Marine Environment         | 3 - September 2020 - Technical Meetings | Baffinland is committed to preparing a memo which includes a fuel spill risk assessment on polar bears, consistent with the risk assessment framework applied in Section 10 of the Phase 2 Addendum.   | Complete                      |   |
| 178 | IGW<br>HB-HTO                          | IGW<br>HB  | Corporate Environment      | 3 - September 2020 - Technical Meetings | Baffinland will work with the communities of Igloolik and Sanijarak to establish monitoring programs in relation to the Southern Transportation Corridor to Steensby Inlet following a decision to move forward with that component of the Project   | NA                            | This commitment will be implemented post PC approval  |
| 177 | IWG                                    | IWG        | Atmospheric Environment    | 3 - September 2020 - Technical Meetings | Baffinland will integrate IQ into its analysis of satellite photo data, once available, of dust dispersion in relation to the Mary River Project   | NA                            | Initiative under existing Project   |
| 176 | IWG<br>NrCan                           | IWG        | Terrestrial Environment    | 3 - September 2020 - Technical Meetings | Baffinland will share the results of the Route 3 Geotechnical Program, currently planned to begin in October 2020, with the Igloolik Working Group and Natural Resources Canada  | NA                            | Results will be shared as they become available   |
| 175 | MHTO                                   | MHTO       | Corporate Environment      | 3 - September 2020 - Technical Meetings | For the duration of the Phase 2 Review Baffinland will prepare and provide public records of all engagement and consultation meetings with MHTO, which include the number of people in attendance, a record of questions comments and concerns raised, as well as copy of any materials provided by Baffinland or other parties as applicable.   | NA                            | Ongoing for the remainder of the Phase 2 Review   |
| 174 | MHTO                                   | MHTO       | Marine Environment         | 3 - September 2020 - Technical Meetings | Baffinland commits to reviewing proposed ecological triggers from the MHTO for the fall season if they can be provided with dates and corroborating data for IQ.   | TBD                           | Contingent on submission of ecological triggers and rationale by MHTO   |
| 173 | GN<br>DFO                              | GN         | Corporate Environment      | 3 - September 2020 - Technical Meetings | Baffinland will provide a technical memo providing additional details on Operational Flexibility.  | On or before October 16, 2020 |   |

| ID# | FWS ID#                              | Intervener | Topic   | Review Phase                            | Commitment  | Commitment Due Date           | Notes  |
|-----|--------------------------------------|------------|---|---|---|-------------------------------|--|
| 172 | MHTO                                 | MHTO       | Freshwater Environment                        | 3 - September 2020 - Technical Meetings | Baffinland commits to work with the MHTO to achieve the objective of PC Term and Condition 48(a)  | NA                            | Initiative under existing Project  |
| 171 | MHTO                                 | MHTO       | Terrestrial Environment                       | 3 - September 2020 - Technical Meetings | Baffinland will meet with the MHTO to discuss their specific objectives with respect to local caribou monitoring programs   | TBD                           | Based on agreement to meet by MHTO   |
| 170 | MHTO-6 GN-01                         | MHTO       | Terrestrial Environment                       | 3 - September 2020 - Technical Meetings | Baffinland is committed to an annual maximum of 6MT throughput during the construction period for Phase 2.  | NA                            | This commitment will be implemented post PC approval   |
| 169 | MHTO-4a                              | MHTO       | Marine Environment                            | 3 - September 2020 - Technical Meetings | Baffinland commits to working with MHTO to better understand any issues relating to sea ice use between October 15 and October 31.  | TBD                           | Based on agreement to meet by MHTO   |
| 168 | PCA-04b                              | PCA        | Marine Environment                            | 3 - September 2020 - Technical Meetings | Baffinland will update the definition of sea ice concentration at which regular shipping activities can proceed as 3/10 ice cover.  | NA                            | This commitment will be implemented post PC approval<br><br>Resolution is pending resolution of outstanding DFO issues |
| 167 | QIA-20 QIA-21                        | QIA        | Atmospheric Environment                       | 3 - September 2020 - Technical Meetings | Baffinland will consider rail car coverings as part of a suite of potential response actions through the development of adaptive management objectives, indicators, thresholds, and responses for rail operation and dust. These OITRs will be developed in consultation and with agreement from the QIA.   | NA                            | This commitment will be implemented post PC approval   |
| 166 | HPI                                  | HPI        | Corporate Environment                         | 3 - September 2020 - Technical Meetings | Baffinland commits to provide the January EA Workshop to each Hamlet and HTO from the North Baffin communities who participated in, with the caveat that this summary report will be unverified by participants.  | On or before October 16, 2020 |  |
| 165 | QIA-01 QIA-02                        | QIA        | Terrestrial Environment                       | 3 - September 2020 - Technical Meetings | Baffinland commits to compile all commitments related to caribou in a single document for review by relevant parties  | Complete                      | This has been achieved through reorganization of this commitment list  |
| 164 | QIA-01 DFO-3.4 NEW PCA-02 WWF-FWS-03 | QIA        | Terrestrial Environment<br>Marine Environment | 3 - September 2020 - Technical Meetings | Baffinland will provide an updated draft revised terms of references for the marine and terrestrial working groups, including notes provided by other parties, by October 16.   | On or before October 16, 2020 | Initiative under existing Project  |
| 163 | QIA-01 QIA-02                        | QIA        | Terrestrial Environment                       | 3 - September 2020 - Technical Meetings | Baffinland is committed to using Inuit input to finalize wildlife crossings, land user crossings (subject to Transport Canada regulations and acceptance), slope designs, and adaptive management (i.e. future rail improvements or mitigation measures).   | NA                            | This commitment will be implemented post PC approval   |
| 162 | QIA-01 QIA-02                        | QIA        | Terrestrial Environment                       | 3 - September 2020 - Technical Meetings | Baffinland is committed to coming to agreement on railway monitoring. A multi-dimensional approach to monitoring is proposed which would involve Inuit staff working under the Inuit Stewardship Plan monitoring according to Inuit interests as informed by the Inuit Committee, and, QIA technical staff. | NA                            | This commitment will be implemented post PC approval   |
| 161 | QIA-01 QIA-02                        | QIA        | Terrestrial Environment                       | 3 - September 2020 - Technical Meetings | Baffinland is committed to evaluating the Railway Operation and Maintenance Plan against the Adaptive Management Plan and Checklist, and subsequent updates.  | NA                            | This commitment will be implemented post PC approval   |
| 160 | QIA-01 QIA-02                        | QIA        | Terrestrial Environment                       | 3 - September 2020 - Technical Meetings | Baffinland is committed to having QIA's approval of the Interim Closure and Reclamation Plan (ICRP) prior to the NWB Public Hearing for Phase 2 Water License Amendments.   | NA                            | This issue is resolved for environmental assessment purposes and will be further addressed during water license        |
| 159 | QIA-01 QIA-02                        | QIA        | Terrestrial Environment                       | 3 - September 2020 - Technical Meetings | Baffinland will be solely responsible for all railway and rail feature construction costs, and all associated maintenance, should Adaptive Management Plan measures be triggered and identify that a modification to the rail must be made in accordance with adaptive management principles.               | NA                            | This commitment will be implemented post PC approval   |

| ID# | FWS ID#          | Intervener | Topic                      | Review Phase                            | Commitment  | Commitment Due Date           | Notes   |
|-----|------------------|------------|----------------------------|---|---|-------------------------------|---|
| 158 | QIA-02<br>GN-03  | QIA        | Terrestrial Environment    | 3 - September 2020 - Technical Meetings | Baffinland will provide the full cut and fill profile of the north rail in relation to the potential caribou movement corridors to the QIA and GN. The figures will be colour-coded to show cut and fill profiles categorized into <1 m, 1-2 m, and >2 m profiles.  | On or before October 16, 2020 |   |
| 157 | QIA-08           | QIA        | Socio-economic Environment | 3 - September 2020 - Technical Meetings | Baffinland commits to develop a risk communication strategy focused on the gathering and dissemination of information to Inuit related to the Baffinland Iron Ore Mines Project, and linkages between the Project and human health and ecological risk assessment topics. The strategy will focus on , but not be limited to, building capacity within community groups to understand the mining process, elements of the mining process and how substances produced from the mining process move in the environment. Baffinland will work with communities to develop this program to ensure it is relevant to Inuit.  | NA                            | This commitment will be implemented post PC approval  |
| 156 | QIA-09           | QIA        | Terrestrial Environment    | 3 - September 2020 - Technical Meetings | Baffinland commits to working with QIA and the North Baffin Communities to develop revegetation standards based on IQ for reclamation and revegetation including meeting standards for cultural use and addressing community concerns with respect to re-establishing use of critical areas   | NA                            | This commitment will be implemented post PC approval  |
| 155 | QIA-20<br>QIA-21 | QIA        | Freshwater Environment     | 3 - September 2020 - Technical Meetings | Baffinland has agreed to a process to work with QIA to consider waterbodies of heightened importance and a tiered approach to compensation in the Water Compensation Agreement Process.   | NA                            | This issue is resolved for environmental assessment purposes and will be further addressed during water license |
| 154 | QIA-38           | QIA        | Socio-economic Environment | 3 - September 2020 - Technical Meetings | Baffinland commits to providing Inuit employees with a childcare subsidy  | NA                            | This commitment will be implemented post PC approval  |
| 153 | QIA-38           | QIA        | Socio-economic Environment | 3 - September 2020 - Technical Meetings | Baffinland commits to providing support to communities to ensure adequate childcare facilities become available   | NA                            | This commitment will be implemented post PC approval  |
| 152 | QIA-38           | QIA        | Socio-economic Environment | 3 - September 2020 - Technical Meetings | Baffinland commits to working with QIA to develop quantitative measurable objectives that will provide greater insight into the mitigation of negative social impacts and the promotion of positive benefits  | NA                            | This commitment will be implemented post PC approval  |
| 151 | QIA-38           | QIA        | Socio-economic Environment | 3 - September 2020 - Technical Meetings | Baffinland commits to funding QIA and the communities development of a social monitoring program to greater insight into the mitigation of negative social impacts and the promotion of positive benefits?  | NA                            | This commitment will be implemented post PC approval  |
| 150 | QIA-38           | QIA        | Socio-economic Environment | 3 - September 2020 - Technical Meetings | Baffinland is committed to working with QIA and to allow QIA with approval of socioeconomic objectives, indicators, thresholds and responses as part of Baffinland's adaptive management principles.  | NA                            | This commitment will be implemented post PC approval  |
| 149 | QIA-40           | QIA        | Atmospheric Environment    | 3 - September 2020 - Technical Meetings | <del>Baffinland will provide an update on the development of the Climate Change Strategy 15 days prior to a Public Hearing. A full draft is expected by December 31, 2020 and a final copy by June 30, 2021. Baffinland will endeavor to meet the requested timeline, but this should not be viewed as a barrier to moving forward with a Public Hearing as this is an ongoing operational commitment.</del>  | NA                            | Replaced by updated commitment  |
| 148 | QIA-41           | QIA        | Freshwater Environment     | 3 - September 2020 - Technical Meetings | Baffinland is prepared to adopt a more precautionary moderate risk threshold for lake sedimentation. The current moderate risk threshold for lake sedimentation is 1 mm, adopted from the FEIS. Baffinland will adopt the lake sedimentation rate predicted in the FEIS of 0.54mm, which is about half the current threshold. A low risk threshold of 0.15 mm will also be applied that will trigger corresponding low risk response actions.   | NA                            | This commitment will be implemented post PC approval  |
| 147 | QIA-42           | QIA        | Freshwater Environment     | 3 - September 2020 - Technical Meetings | The commitment made under QIA 42 will be amended to reflect the following: Metrics on fish health (fish presence, catch per unit effort, fish length and fork length) are collected from 60 crossing sites along the Tote Road and reported annually to DFO, as well as in the Annual Report for Operations to the QIA and NWB, as well as the Annual Report for the NIRB. Baffinland already monitors water quality and sediment quality as part of the Tote Road Monitoring Program, and we commit to add observations regarding physical condition of fish (e.g., lesions, injuries). Baffinland and QIA will determine an appropriate approach to analysis for the 2021 reporting period. | NA                            | This commitment will be implemented post PC approval  |
| 146 | QIA-42           | QIA        | Freshwater Environment     | 3 - September 2020 - Technical Meetings | Baffinland commits to coordinating freshwater focused workshops to address specific freshwater issues. Baffinland does not support the implementation of a regular occurring freshwater working group.  | NA                            | This issue is resolved for environmental assessment purposes and will be further addressed during water license |

| ID# | FWS ID#  | Intervener | Topic                         | Review Phase                                  | Commitment  | Commitment Due Date | Notes  |
|-----|--|------------|-------------------------------|---|---|---------------------|--|
| 145 | QIA-42<br>MHTO<br>HPI  | QIA        | Freshwater<br>Environment     | 3 - September<br>2020 - Technical<br>Meetings | Baffinland commits to providing QIA, MHTO and HPI a copy of the comprehensive lessons learned report (for the Tote Road crossings) when it is sen to DFO as part of the Phase 2 FAA.  | NA                  | This commitment will be implemented post PC approval                                     |
| 144 | QIA-45   | QIA        | Marine<br>Environment         | 3 - September<br>2020 - Technical<br>Meetings | <p>Details of the DFO led sampling program to be carried out at Milne Port in 2021 will be shared through the Marine Environment Working Group prior to the 2021 shipping season.</p> <p>Baffinland notes that QIA has requested the details to be shared prior to a Public Hearing. This is contingent on the completion of the initial draft by DFO, and preliminary review by Baffinland, before it can be released for public review. Baffinland and DFO will endeavor to meet the requested timeline, but this should not be viewed as a barrier to moving forward with a Public Hearing.</p>  | NA                  | Tentatively before the Final Hearing, not a requirement                                  |
| 143 | QIA-47<br>QIA-48   | QIA        | Marine<br>Environment         | 3 - September<br>2020 - Technical<br>Meetings | Baffinland commit to working with community organizations and community members to address any issues arising with respect to sea ice use and potential inference from shipping activity  | NA                  | This commitment will be implemented post PC approval                                     |
| 142 | QIA-47<br>QIA-48   | QIA        | Marine<br>Environment         | 3 - September<br>2020 - Technical<br>Meetings | Baffinland commits to include a checklist of information with regard to Inuit use of sea ice in its various forms (not just use of the floe edge) in the start and close of shipping season determinants report committed to DFO in relation to DFO 3.2.1 NEW.  | NA                  | This commitment will be implemented post PC approval                                     |
| 141 | QIA-51   | QIA        | Marine<br>Environment         | 3 - September<br>2020 - Technical<br>Meetings | <p>Baffinland commits to provide a supplementary submission that documents actual vessel noise signatures as recorded during PAM, a comparison with the modelled noise outputs used in the assessment, and a discussion on how any differences, if they exist, affect the impact assessment or inform opportunities for mitigation and adaptive management.</p> <p>Baffinland notes that QIA has requested the details to be shared prior to a Public Hearing. Baffinland will endeavor to meet the requested timeline, but this should not be viewed as a barrier to moving forward with a Public Hearing.</p>   | NA                  | Tentatively before the Final Hearing, not a requirement                                  |
| 140 | WWF  | WWF        | Marine<br>Environment         | 3 - September<br>2020 - Technical<br>Meetings | WWF has proposed Baffinland restrict the dumping from ore carriers of treated and untreated sewage and greywater in the RSA and restricting the use of open loop scrubbers. Baffinland is evaluating the feasibility of this proposal for Phase 2 and will provide an update prior to a Public Hearing.   | NA                  | This commitment will be implemented post PC approval                                     |
| 139 | WWF-08   | WWF        | Atmospheric<br>Environment    | 3 - September<br>2020 - Technical<br>Meetings | Baffinland commits to tracking and reporting annually GHG emissions for its operations, and upon evaluation of existing data, subsequently pursue efforts to set multi-year energy use and GHG emissions targets, that aim to ensure continual performance improvements over time, and achieve alignment with industry best practice, in the next draft of the Climate Action Plan.   | NA                  | This commitment will be implemented post PC approval                                     |
| 138 | MHTO-5d<br>WWF   | MHTO       | Corporate<br>Environment      | 3 - September<br>2020 - Technical<br>Meetings | Baffinland commits to integrating independent relevant community based monitoring into phase 2 adaptive management, and mitigation measures when available and shared with Baffinland for inclusion. This could be integrated under the Inuit Stewardship Plan or brought forward through other venues by community participants in the environmental and socio-economic working groups. Baffinland will incorporate results of relevant community based monitoring that have been brought forward to it in future environmental assessments should they be developed.  | NA                  | This commitment will be implemented post PC approval                                     |
| 137 | General  | General    | Corporate<br>Environment      | 3 - September<br>2020 - Technical<br>Meetings | Baffinland commits to including information on activities and modifications made to the Project resulting from input from the Inuit Committee, the Inuit Stewardship Plan, the Inuit Social Oversight Committee, and any Culture Resource and Land Use assessments and monitoring results in their Annual Report to NIRB.   | NA                  | This commitment will be implemented post PC approval                                     |
| 136 | QIA-08   | QIA        | Socio-economic<br>Environment | 3 - September<br>2020 - Technical<br>Meetings | <p>Baffinland is committed to fully resourcing an Inuit-led country food baseline study for Pond Inlet and integrating the results into Project management, monitoring and compensation systems, including reconsideration of mitigations and compensation programs proposed by Baffinland in relation to food security based on the results of the Pond Inlet Country Food Baseline Study. This work will be Inuit-led and administered by the QIA, and supported by Baffinland.</p> <p>This information will inform long-term project monitoring consistent with the vision and principles of the Inuit Stewardship Plan and the Adaptive Management Plan. This project may also provide a basis against which the Wildlife Compensation Fund and Baffinland's other food security initiatives can be assessed over time. Baffinland will fund this study to completion.</p>  | NA                  | Implementation is ongoing, completion not required for environmental assessment purposes |
| 135 | QIA-01<br>QIA-02<br>QIA-04<br>QIA-07<br>QIA-11<br>QIA-38<br>QIA-46<br>QIA-49 | QIA        | Corporate<br>Environment      | 3 - September<br>2020 - Technical<br>Meetings | <p>Baffinland will work with the QIA to jointly develop and approve the Adaptive Management Plan and associated sub-plans for the Mary River Project. This process will also include the development of Inuit Objectives, Indicators, Thresholds, and Responses, which will involve the impacted communities through the Inuit Committee and Inuit Social Oversight Committee. The Inuit Social Oversight Committee will support decision making if additional responses are required due to the monitoring results.</p> <p>Key areas for which QIA, based on Inuit input, will have adaptive management approvals are, but not limited to, the marine, terrestrial and social environments. This process will ensure that both Inuit Qaujimaqtuqangit and western science will be applied to project operations and management decisions. Baffinland will fund Inuit participation in this initiative as well as activities needed to implement Adaptive Management responses for the life of the Project.</p> | NA                  | Implementation is ongoing, completion not required for environmental assessment purposes |

| ID# | FWS ID#  | Intervener | Topic                      | Review Phase                            | Commitment  | Commitment Due Date | Notes  |
|-----|--|------------|----------------------------|---|---|---------------------|--|
| 134 | QIA0-2<br>QIA-03<br>QIA0-7<br>QIA-10<br>QIA-11<br>QIA-38                     | QIA        | Corporate Environment      | 3 - September 2020 - Technical Meetings | <p>Baffinland will support the development of an independent, Inuit-led Inuit Committee. The Inuit Committee will be administered by the QIA and shall be comprised of members nominated from the five Project impacted Communities.</p> <p>The Inuit Committee will direct the monitoring of the Inuit Stewardship Plan's Culture, Resource, and Land Use stream to capture the Inuit experience and will support decision making if additional responses are required due to the monitoring results. The Inuit Committee will also have a role in identifying Inuit objectives, indicators, thresholds and responses to be built into the Project's Adaptive Management Plan. Baffinland will fund the ISP and Inuit Committee for the life of the Project. QIA will administer the ISP for the life of the Project.</p>  | NA                  | Implementation is ongoing, completion not required for environmental assessment purposes |
| 133 | QIA-02<br>QIA-09<br>QIA-11<br>QIA-38<br>QIA-46<br>QIA-49                     | QIA        | Socio-economic Environment | 3 - September 2020 - Technical Meetings | <p>Baffinland and QIA agree to complete an additional Inuit-driven CRLU Assessment in consultation with the impacted communities, prior to major construction activities related to Phase 2.</p> <p>It is expected that this work will result in modifications and additions to mitigation, monitoring, adaptive management, and compensation measures, to be reflected in the Adaptive Management Plan and associated Environmental Management Plans. This will include updating Objectives, Indicators, Thresholds and Responses used in Project monitoring and Management. Baffinland will fund this work to completion.</p>   | NA                  | Implementation is ongoing, completion not required for environmental assessment purposes |
| 132 | QIA-22<br>QIA-30<br>QIA-53   | QIA        | Corporate Environment      | 3 - September 2020 - Technical Meetings | <p>Changes in project scope, which could reasonably require amendment of the Project Certificate would result in the following obligations being initiated prior to the filing of a formal proposal to amend the project certificate:</p> <p>(a) Baffinland commits to carry out a Culture Resource and Land Use assessment conducted with QIA and Impacted communities, prior to the submission of an FEIS or FEIS Addendum.</p> <p>(b) Baffinland commits to carry out a Cumulative Effects Assessment conducted with QIA and Impacted communities, prior to the submission of an FEIS or FEIS Addendum.</p> <p>(c) Baffinland commits to review and renegotiation of the IIBA consistent with IIBA Article 22.4.</p> <p><del>(d) Parties come to agreement on increases to IIBA Implementation Costs.</del></p>  | NA                  | Implementation is ongoing, completion not required for environmental assessment purposes |
| 131 | QIA-03<br>QIA-04<br>QIA-05<br>QIA-09<br>QIA-10<br>QIA-38<br>QIA-46<br>QIA-49 | QIA        | Corporate Environment      | 3 - September 2020 - Technical Meetings | <p>Baffinland will support Inuit to conduct independent, proactive monitoring of the Project for the purpose of mitigating adverse impacts and enhancing beneficial outcomes in a manner that captures the direct experiences of Inuit. A project management plan (the Inuit Stewardship Plan) will be developed by QIA, with input from an Inuit Committee and an Inuit Social Oversight Committee made up of members from the five Project impacted Communities.</p> <p>The Inuit Stewardship Plan will have two separate but linked streams:</p> <ul style="list-style-type: none"> <li>• Culture, Resource, and Land Use Stream</li> <li>• Social Stream</li> </ul> <p>Each stream will include dedicated monitoring led by Inuit monitors:</p> <ul style="list-style-type: none"> <li>• The Culture, Resources and Land Use Monitoring Program, with a focus on gathering data from impacted communities and through direct observations of changes on the land, waters, ice and wildlife</li> <li>• The Social Stream will see impacted community members trained to gather information about impacts on community well-being</li> </ul> <p>Information from both monitoring streams, and input from the two Committees, will directly inform the Project management system. Baffinland will fund the ISP for the life of the Project. QIA will administer the ISP for the life of the Project.</p> | NA                  | Implementation is ongoing, completion not required for environmental assessment purposes |
| 130 | QIA-38   | QIA        | Socio-economic Environment | 3 - September 2020 - Technical Meetings | <p>Baffinland will support the development of an independent, Inuit-led Inuit Social Oversight Committee (ISOC). The Inuit Social Oversight Committee will be overseen and administered by QIA and shall be comprised of members nominated from the impacted communities. The Inuit Social Oversight Committee will direct the monitoring of the ISP's social stream to capture the Inuit experience and will support decision making if additional responses are required due to the monitoring results.</p> <p>Baffinland will work with QIA and the impacted Inuit communities to develop an enhanced, Inuit-driven, social monitoring program related to the Project. This monitoring program focused on community wellbeing will address a known monitoring gap and complement other forms of monitoring related to the project. Baffinland will fund the ISP and ISOC for the life of Project.</p>  | NA                  | Implementation is ongoing, completion not required for environmental assessment purposes |
| 129 | QIA-6<br>QIA-20  | QIA        | Terrestrial Environment    | 3 - September 2020 - Technical Meetings | <p>Baffinland commits to adopt Route 3 for the final rail alignment and is committed to bearing the costs of transitioning to this alternative route. Baffinland agrees that technical issues associated with Route 3 will be addressed at the cost and risk of Baffinland and will not be used as the basis for reverting to Route 1.</p>  | NA                  | This commitment will be implemented post PC approval                                     |

| ID# | FWS ID#          | Intervener | Topic                  | Review Phase  | Commitment  | Commitment Due Date | Notes  |
|-----|------------------|------------|------------------------|---|---|---------------------|--|
| 128 | QIA-20<br>QIA-21 | QIA        | Freshwater Environment | 03 - September 2020 - Technical Meetings                    | Baffinland is committed, within the next year, to support an Inuit-led IQ study on water values in the Project-affected area, and to integrate the results into a revised water compensation agreement that establishes a tiered approach to compensation for substantial effects on water that increases compensation for impacts on waterbodies deemed by Inuit to be of heightened importance. In addition, a finding of a waterbody of heightened importance will increase the amount of monitoring focus such waterbodies receive, where a project impact pathway can be established. Monitoring will be carried out either through Baffinland's scientific monitoring or the new Inuit-led Culture, Resources and Land Use Monitoring Program.  | NA                  | Implementation is ongoing, completion not required for environmental assessment purposes |
| 127 | DFO 3.1.2 NEW    | DFO        | Marine Environment     | 02 - February 2020 - Response to Updated Technical Comments | Baffinland can confirm that it will not surpass the number of vessels described and assessed in the Phase 2 FEIS Addendum to ship an additional 20% of ore over 12 Mtpa in the maximum operational flexibility scenario. For clarity, this is a limit of 176 ore carriers, 12 freight vessels and 12 fuel vessels.  | NA                  | This commitment will be implemented post PC approval                                     |
| 126 | DFO 3.10.1 NEW   | DFO        | Marine Environment     | 02 - February 2020 - Response to Updated Technical Comments | Baffinland will provide a detailed water withdrawal plan that includes an in-depth risk analysis informed by site specific fish and fish habitat features for the waterbodies chosen for water withdrawal as supplemental information to water licensing and any DFO Request for Review submission.   | NA                  | This commitment will be implemented post PC approval                                     |
| 125 | DFO 3.10.2 NEW   | DFO        | Marine Environment     | 02 - February 2020 - Response to Updated Technical Comments | Baffinland will conduct a thorough localized assessment on the waterbodies selected for water withdrawal in order to adequately assess the potential impacts on the fish habitat resulting from 20% of the 10-year dry unit runoff water withdrawal on fish-bearing watercourses and connecting waterbodies. This assessment will include an assessment of the effects to littoral/shore/riparian areas from the proposed water withdrawal, the specific withdrawal locations proposed for each waterbody including fish habitat in the area and updated rationale on how this level of withdrawal will be an environmentally protective threshold. This content will be included as supplemental information to water licensing and regulatory permit applications made to DFO.  | NA                  | This commitment will be implemented post PC approval                                     |
| 124 | DFO 3.10.3 NEW   | DFO        | Marine Environment     | 02 - February 2020 - Response to Updated Technical Comments | Baffinland will provide additional rationale/ assessment to support the assertion that 40% of the 10-year dry unit runoff water withdrawal from non-fish-bearing streams will not negatively affect downstream fish-bearing waterbodies. This content will be included as supplemental information to water licensing and regulatory permit applications made to DFO.   | NA                  | This commitment will be implemented post PC approval                                     |
| 123 | DFO 3.2.1 NEW    | DFO        | Marine Environment     | 02 - February 2020 - Response to Updated Technical Comments | <p>Baffinland commits to provide a summary of the following information as part of its annual reporting requirements, and in preliminary field reports within 35 days of Spring shoulder season shipping activities commencing and 15 days of Fall shoulder season activities ending:</p> <ul style="list-style-type: none"> <li>i. marine monitoring programs,</li> <li>ii. determinants for opening and closing the shipping season,</li> <li>iii. ecological and cultural (or "Inuit use") factors that influence shipping activities</li> <li>iiii. other information, as requested by DFO and other regulators and key stakeholders, relevant to the marine environment</li> </ul> <p>The requirement for, and format of, these reports will be included in the final Marine Monitoring Plan, should Phase 2 be approved. Additional information requested after submission of the preliminary field report is to be provided by Baffinland as a memo within 35 days and will be included in Annual Reporting.</p> | NA                  | This commitment will be implemented post PC approval                                     |
| 122 | DFO 3.2.2 NEW    | DFO        | Marine Environment     | 02 - February 2020 - Response to Updated Technical Comments | <p>Baffinland commits to updating the Draft Early Shipping Season-Operational Guide, to better characterize considerations used in determining the nominal shipping season.</p> <p>See response to DFO 3.2.2 for the commitment to report on determinants of opening and closing the shipping season.</p>   | NA                  | This commitment will be implemented post PC approval                                     |
| 121 | DFO 3.3.3 NEW    | DFO        | Marine Environment     | 02 - February 2020 - Response to Updated Technical Comments | Baffinland commits to collecting acoustic data in the RSA using AMARs to characterize the degree of conservatism in the sound propagation modelling, at an appropriate frequency for the duration of the Phase 2 construction and operation periods. Baffinland will collaborate with Inuit and DFO on the development of the draft program prior to submission to the MEWG for additional advice and recommendations. Recommendations from MEWG members will be treated consistent with the consensus-based decision requirements of the final updated MEWG Terms of Reference. Baffinland commits to updating the marine monitoring plan (MMP) with this long-term monitoring plan, should Phase 2 be approved.   | NA                  | This commitment will be implemented post PC approval                                     |



| ID# | FWS ID#        | Intervener | Topic              | Review Phase   | Commitment  | Commitment Due Date | Notes   |
|-----|----------------|------------|--------------------|--|---|---------------------|---|
| 120 | DFO 3.4.1 NEW  | DFO        | Marine Environment | 02 - February 2020<br>- Response to Updated Technical Comments | DFO and BiM are still working to update commitment wording from 3.4.1.1. DFO does not currently agree with the wording provided for 3.4.1.1. DFO continues to request that a specific monitoring plan for icebreaking/shoulder season be developed and will continue to work with BiM to find agreed upon wording for DFO 3.4.1 NEW.<br><br><del>Baffinland has provided a draft Marine Monitoring Plan (MMP) as part of the Phase 2 review process. Should Phase 2 be approved, Baffinland will update this Plan to reflect all relevant commitments and terms and conditions.</del>   | NA                  | Replaced by new commitment                                      |
| 119 | DFO 3.4.1 NEW  | DFO        | Marine Environment | 02 - February 2020<br>- Response to Updated Technical Comments | <del>Rather than develop a separate, stand-alone monitoring plan specific to icebreaking as suggested by DFO, Baffinland will include a specific section relevant to icebreaking and shoulder season shipping activities in the MMP. Survey methodology and indicators (including rationale) will be determined in consultation with the MEWG, of which DFO is a member. Recommendations from MEWG members will be treated consistent with the consensus based decision requirements of the final updated MEWG Terms of Reference.</del>  | NA                  | Replaced by new commitment                                      |
| 118 | DFO 3.4.1 NEW  | DFO        | Marine Environment | 02 - February 2020<br>- Response to Updated Technical Comments | <del>An updated draft MMP will be provided to the MEWG for comment and the NIRB within 180 days of issuance of an amended Project Certificate, should Phase 2 be approved. Baffinland commits to continue working with DFO and the MEWG to finalize the Plan.</del>   | NA                  | Replaced by new commitment                                      |
| 117 | DFO 3.4.3 NEW  | DFO        | Marine Environment | 02 - February 2020<br>- Response to Updated Technical Comments | <del>Baffinland commits to produce a response plan for the potential event of an ice entrapment, should this be observed during the annual end-of-season clearance surveys. This plan will include action level triggers and associated response actions. This plan will be developed in consultation with the MHTO and DFO, understanding that these two groups are ultimately responsible for determining the appropriate course of action should an entrapment event occur.</del>  | NA                  | Replaced by new commitment                                      |
| 116 | DFO 3.5 NEW    | DFO        | Marine Environment | 02 - February 2020<br>- Response to Updated Technical Comments | <del>Baffinland will prepare and submit to DFO a literature review of ship-based marine mammal remote monitoring systems. This literature review will include a summary of commercially available remote wildlife monitoring systems that could be installed on vessels to supplement existing marine mammal monitoring programs and enhance detection of ship strikes on marine mammals. The remote monitoring systems identified in this literature review will inform adaptive management, should the need be triggered. For clarity, in the event of a ship strike on a marine mammal, a single event, although unlikely based on present mitigations (i.e. speed restrictions), would trigger an adaptive management response.</del> | Complete            | Replaced by new commitment                                      |
| 115 | DFO 3.5 NEW    | DFO        | Marine Environment | 02 - February 2020<br>- Response to Updated Technical Comments | Baffinland will implement an incidental marine mammal monitoring program with vessel operators calling on Milne Port, which will request incidental observations of marine mammals to be recorded and relayed to Baffinland. In support of this program, Baffinland will develop educational materials for vessel crew to assist in marine mammal identification and data recording. Baffinland will provide a draft of the materials and program for review by the MEWG before they are finalized.   | NA                  | This commitment will be implemented post PC approval            |
| 114 | DFO 3.6.1 NEW  | DFO        | Marine Environment | 02 - February 2020<br>- Response to Updated Technical Comments | Project vessels are limited to releasing ballast water at one of the three anchorage locations at Milne Port, or while berthed at the ore dock. Further, prior to any ballast water discharge D-1 compliance testing must be completed. Instructions to not release ballast water prior to arrival at Milne Port and completion of ballast water testing is provided to all ship operators in Baffinland's Standing Instruction to Masters (SITM). This requirement will remain under Phase 2.  | NA                  | This commitment will be implemented post PC approval            |
| 113 | DFO 3.6.10 NEW | DFO        | Marine Environment | 02 - February 2020<br>- Response to Updated Technical Comments | Baffinland commits to work with the MEWG and DFO to establish species-specific Rapid Response Plans. Rapid Response Plans will be developed for species identified as high risk through ongoing NIS monitoring in the receiving environment, the ROV (or any other future) biofouling monitoring program, results yielded from the 2021 biological ballast water sampling pilot program (and any ongoing ballast monitoring), examination of existing invasive species databases and lists in key ecoregions where vessels calling originate from (as per Goldsmit et al., 2020 Global Change Biology),<br><del>and based on ranking of potential risk using the Canadian Marine Invasive Screening Tool.</del>                           | NA                  | This commitment will be implemented post PC approval            |
| 112 | DFO 3.6.2 NEW  | DFO        | Marine Environment | 02 - February 2020<br>- Response to Updated Technical Comments | <del>Baffinland commits to record the Milne Port anchorage and associated coordinates where compliance testing and discharge occurs in the ballast water testing forms, completed by Baffinland's environmental monitors. A dataset with discharge coordinates will be provided to MEWG members as part of annual reporting requirements.</del>   | NA                  | Replaced by new commitment wording incorporating input from QIA |

| ID# | FWS ID#                    | Intervener          | Topic              | Review Phase   | Commitment  | Commitment Due Date | Notes   |
|-----|----------------------------|---------------------|--------------------|--|---|---------------------|---|
| 111 | DFO 3.6.3 NEW              | DFO                 | Marine Environment | 02 - February 2020<br>- Response to Updated Technical Comments | <del>Baffinland will require all vessels calling on Milne Port that treat their ballast under the D2 Standard to also perform a ballast water exchange prior to treatment. For ships unable to conduct exchange as specified in Canadian Ballast Water Regulations (e.g. ships on Canadian domestic trips), exchange is to be conducted as specified in revised ABWEZs for Eastern Arctic as per DFO CSAS advice (see DFO 2015, Stewart et al. 2015 and Goldsmit et al. 2019). This updated commitment will be reflected in the 2020 Standing Instructions to Masters.</del>  | NA                  | Replaced by new commitment wording incorporating input from QIA |
| 110 | DFO 3.6.4 NEW              | DFO                 | Marine Environment | 02 - February 2020<br>- Response to Updated Technical Comments | <del>Baffinland will consider discontinuing exchange plus treatment requirements should treatment systems efficacy reach a point that makes the benefits of an exchange plus treatment system negligible. This decision will be made in consultation with TC and DFO, and will be based on a consideration of factors outlined in DFO 2019 (i.e. if ballast water organism concentration or composition, environmental conditions, shipping patterns, proportion of voyages meeting the D-2 standard, or available data describing these conditions change in the future, and updates to global research on ballast systems). In this event Baffinland will update ballast water dispersion modelling to more accurately reflect the spectrum of salinity, temperature, and discharge volumes that can be expected to be discharged at Milne Port under Phase 2 operations if prior exchange were to be discontinued.</del>   | NA                  | Replaced by new commitment wording incorporating input from QIA |
| 109 | DFO 3.6.5 NEW<br>TC-02 NEW | DFO 3.6.5 NEW<br>TC | Marine Environment | 02 - February 2020<br>- Response to Updated Technical Comments | <p>Transport Canada appreciates the efforts by BIM to ensure current regulations are followed with respect to their plans for ballast water management. Given the learning curve associated with use of ballast water treatment systems, for Phase 2, Transport Canada (TC) in consultation with Fisheries and Oceans Canada (DFO), recommends, in conjunction with present management measures and sampling and testing protocols being proposed/adopted by BIM, that BIM implement a ballast water compliance sampling plan based on a risk-based targeting methodology to be developed in consultation with DFO and TC. This approach will be supported by additional commitments provided in response to the DFO 3.6 NEW series of recommendations related to ballast water, hull fouling and aquatic invasive species.</p> <p>Such a risk-based methodology should be applied to evaluate the risk of all vessel ballast water management (D1, D2) with subsequent salinity and D-2 biological compliance sampling conducted on vessels identified as high or very high risk. The respective risk-based methodology and associated ballast water compliance sampling plan will be developed in consultation with DFO and TC following completion of DFO's Project-specific sampling conducted on a subset of vessels calling to Milne Port. The risk-based methodology and associated ballast water compliance sampling plan should include a consideration of other compliance initiatives or research being undertaken elsewhere by TC relative to implementation of the D-2 standard.</p> <p>Sampling conducted that supports building a body of knowledge for D-2 treatment systems, beyond biological compliance sampling conducted on high risk and very high risk tanks, should not compromise Baffinland's ability to transport annual ore quantities as approved under a modified Project Certificate No 005. Understanding that the rationale for this program is tied to a learning curve associated with the use of ballast water treatment systems, the compliance sampling program and risk based methodology will be adapted as deemed necessary based on the results of the program.</p> | NA                  | This commitment will be implemented post PC approval            |
| 108 | DFO 3.6.6 NEW              | DFO                 | Marine Environment | 02 - February 2020<br>- Response to Updated Technical Comments | <del>Baffinland remains committed to conducting ship hull biofouling monitoring surveys using an ROV on ore carriers, with focused efforts on areas of the hull and niche areas where biofouling has the greatest potential to occur (e.g. chain lockers, stern tube, rope guard, bottom, rubber side, etc.). The projected number of ore carriers that will be sampled annually will be determined in consultation with the MEWG, of which DFO is a member. Recommendations from MEWG members will be treated consistent with the consensus-based decision requirements of the final updated MEWG Terms of Reference.</del>  | NA                  | Replaced by new series of commitments to DFO                    |
| 107 | DFO 3.6.7 NEW              | DFO                 | Marine Environment | 02 - February 2020<br>- Response to Updated Technical Comments | <p><del>Baffinland commits to updating the marine monitoring plan (MMP) in consultation with MEWG members and this will be completed prior to the start of the Phase 2 increased shipping season. The updated MMP will detail the revised MEEMP sampling design which includes greater seasonal and spatial coverage and increased sampling effort and sample sizes to address DFO concerns related to achieving sufficient statistical power for detection of project effects (≥0.8) (as per recommendations in DFO 2020, pages 4-7).</del></p> <p><u>Background</u><br/>The Aquatic Invasive Species (AIS) Monitoring Program is a biological screening program (species ID, presence/absence data); as such, it does not involve any statistical analysis. The updated MMP will include clear protocols for determining identity and status of species collected as part of this program (as per recommendations in DFO 2019 and DFO 2020 and comments on disposition table provided in June (DFO 3.8.1) and November (DFO 3.10.4). The sampling effort for the AIS Monitoring Program is currently very rigorous.</p>   | NA                  | Replaced by new commitment wording incorporating input from QIA |
| 106 | DFO 3.6.8 NEW              | DFO                 | Marine Environment | 02 - February 2020<br>- Response to Updated Technical Comments | <del>Baffinland continues to maintain that the identification of high-risk biological species or groupings of species of concern is the primary responsibility of DFO. Despite this, Baffinland is committed to supporting the development of a trigger list of species and associated response plans through the process outlined in response to DFO 3.6.9 and 3.6.10, and to refining that list with DFO following Phase 2 approval.</del>  | NA                  | Replaced by new commitment wording incorporating input from QIA |

| ID# | FWS ID#                | Intervener    | Topic                   | Review Phase   | Commitment   | Commitment Due Date           | Notes   |
|-----|------------------------|---------------|-------------------------|--|--|-------------------------------|---|
| 105 | DFO 3.6.9 NEW          | DFO           | Marine Environment      | 02 - February 2020<br>- Response to Updated Technical Comments | Baffinland commits to follow the most updated version of DFO's AIS Rapid Response Framework in the event that a nonindigenous species is introduced and/or becomes established.  | NA                            | This commitment will be implemented post PC approval  |
| 104 | DFO 3.8 NEW            | DFO           | Marine Environment      | 02 - February 2020<br>- Response to Updated Technical Comments | Baffinland will provide decision criteria and decision matrix for the selection of water crossing methods for fish bearing watercourses in support of any regulatory permit applications made to DFO.  | NA                            | This commitment will be implemented post PC approval  |
| 103 | DFO 3.9.1 NEW          | DFO           | Marine Environment      | 02 - February 2020<br>- Response to Updated Technical Comments | Baffinland will analyze monitoring reports related to the Tote Road existing watercourses crossings and provide comprehensive lessons learned report (for the Tote Road crossings) that would include strategic analysis of what will be done differently to ensure the fish-passage issue will be mitigated, avoided and addressed. This report will be included as part of any regulatory applications made to DFO.  | NA                            | This commitment will be implemented post PC approval  |
| 102 | DFO 3.9.2 NEW          | DFO           | Marine Environment      | 02 - February 2020<br>- Response to Updated Technical Comments | Baffinland will provide an updated hydrological assessment of proposed watercourses crossings that includes, but is not limited to, crossing selection and design criteria, flow rates, velocities and discharge, and fish passage. This content will be included as part of any regulatory permit applications made to DFO.   | NA                            | This commitment will be implemented post PC approval  |
| 101 | ECCC-1 NEW<br>ECCC-FC4 | ECCC          | Atmospheric Environment | 02 - February 2020<br>- Response to Updated Technical Comments | Baffinland commits to investigate and implement black carbon reduction measures, where feasible, and provide a preliminary mitigation measure feasibility assessment 30 days prior to a Public Hearing, and a follow up report in the 2020 Annual Report (which wouldn't be until 2021). The feasibility assessment will consider the use of distillate fuels as a reduction measure for local black carbon emissions.<br><br><del>Baffinland to provide the preliminary feasibility assessment 30 days prior to a Public Hearing, and a follow up report in the 2020 Annual Report (which wouldn't be until 2021)</del> | On or before October 16, 2020 | Updated commitment wording included here  |
| 100 | CIRNAC-05              | CIRNAC        | Freshwater Environment  | 01 - November 2019 - Public Hearing                            | Baffinland shall complete thermal modeling of the Waste Rock Facility and include the results in the Waste Rock Management Plan prior to the conclusion of Water Licence Amendment process, subject to NWB requirements.   | NA                            | This issue is resolved for environmental assessment purposes and will be further addressed during water license |
| 99  | CIRNAC-07              | CIRNAC        | Freshwater Environment  | 01 - November 2019 - Public Hearing                            | Baffinland shall confirm the origin of elevated concentrations of aluminum, mercury and copper in Shake Flask Extraction test results for rock materials sourced from quarry and borrow pits for road / railway construction, and develop and implement an appropriate water quality monitoring and management strategy for railway corridor rock quarries as part of water licensing. The monitoring results shall be compared with the FEIS Addendum predictions and appropriate mitigation measures shall be identified and implemented.  | NA                            | This commitment will be implemented post PC approval; CIRNAC 2 NEW aligns with response to CIRNAC-07.           |
| 98  | DFO 3.10.2 TC-02       | DFO 3.10.2 TC | Marine Environment      | 01 - November 2019 - Public Hearing                            | <del>Baffinland will revise the Ballast Water Management Plan to include a requirement for all vessels to conduct ballast water exchanges (with or without D2 treatment systems) prior to calling on Milne Port, until such a time that ballast water treatment systems are compliant with the D2 standards set by the IMO. Should Baffinland wish to discontinue the practice of exchange plus treatment, Baffinland will provide updated ballast water modelling that reflects the range of salinity that may be present in the ballast water tanks where no exchange occurs.</del>                                    | NA                            | Replaced by DFO 3.6 NEW Commitments   |
| 97  | DFO 3.10.5             | DFO           | Marine Environment      | 01 - November 2019 - Public Hearing                            | <del>Baffinland will update the AIS monitoring program to describe the process it follows for identifying high-risk biological species discovered through its sampling programs.</del>   | NA                            | Replaced by DFO 3.6 NEW Commitments   |
| 96  | DFO 3.10.6             | DFO           | Marine Environment      | 01 - November 2019 - Public Hearing                            | <del>Baffinland will work with DFO to develop a management and response approach in the event a non-indigenous species is identified during monitoring. This response approach will be added an attachment to the AIS monitoring program.</del>  | NA                            | Replaced by DFO 3.6 NEW Commitments   |

| ID# | FWS ID#    | Intervener | Topic              | Review Phase                        | Commitment   | Commitment Due Date | Notes   |
|-----|------------|------------|--------------------|-------------------------------------|--|---------------------|---|
| 95  | DFO 3.3    | DFO        | Marine Environment | 01 - November 2019 - Public Hearing | Baffinland will implement the following requirement for vessels serving the Mary River Project: Once advised of the presence and location of bowhead whales, Masters of project ships operating within the RSA will be instructed to exercise due caution in order to minimize the likelihood of interaction with the mammals. In such events, Masters will be authorized to adjust speed or alter course within safe and prudent navigational constraints to avoid to the extent possible interaction with bowhead whales.  | NA                  | Baffinland notes that the surveillance measures implemented in the Gulf of St Lawrence, as referenced by DFO, are to spot right whales and implement the 10 knot speed restriction. This additional mitigation measure is not required in the RSA as a blanket 9 knot speed limit is in place for the entire season. The only mitigation measure more restrictive than the speed limit is a 15 day shut down for non-tended fixed gear fisheries. Again, this is not applicable to Mary River operations. Baffinland strongly urges DFO to consider the commitment provided above and work with Baffinland to implement it.   |
| 94  | DFO 3.4    | DFO        | Marine Environment | 01 - November 2019 - Public Hearing | Environmental and ecological criteria for the opening of the shipping season is described in the Shoulder Season Shipping Operational Guide. The following clarifications will be added to the Shoulder Season Shipping Operational Guide to reflect the environmental and ecological conditions for closing the shipping season.<br><div> <div></div> <div>Environmental - The formation of fastice along the shipping route will trigger the end of the shipping season.</div> <div></div> <div>Ecological - There are no ecological triggers to close the shipping season, however, monitoring and adaptive management will be applied to ensure no significant impacts occur.</div> </div> | NA                  | Seals - During the Fall Season<br>Seals are just beginning to establish breathing holes in the 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 general area of the 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. Shipping would not overlap with the denning period.<br>Narwhal- The fall shoulder season will overlap with the outmigration of narwhal throughout October and November. Aerial surveys are planned each year to confirm no entrapment events have occurred, and to inform adaptive management, should it be required. |
| 93  | DFO 3.5.1. | DFO        | Marine Environment | 01 - November 2019 - Public Hearing | During Phase 2 Operations, Baffinland commits to using the walrus haul out buffer zone guidelines set by the US Fish and Wildlife Service (USFWS) and the US Federal Aviation Administration (FAA).  | NA                  | This commitment will be implemented post PC approval  |

| ID# | FWS ID#                | Intervener | Topic              | Review Phase                        | Commitment   | Commitment Due Date | Notes   |
|-----|------------------------|------------|--------------------|-------------------------------------|--|---------------------|---|
| 92  | DFO 3.5.2              | DFO        | Marine Environment | 01 - November 2019 - Public Hearing | <p>Baffinland will not break ice in closed embayment's and inlets where landfast ice exists. Should other areas of high seal density be encountered along the shipping route during the shoulder season, the Ship Board Observer Program will record and report this for potential adaptive management actions. This may include notices to Masters of project ships operating within the RSA to exercise due caution in order to minimize the likelihood of interaction with the mammals. In such events, Masters will be authorized to adjust speed or alter course within safe and prudent navigational constraints to avoid to the extent possible interactions with high density seal areas.</p> <p>See other commitments related to the SBO Program in response to DFO 3.5.3 and 3.5.6.</p>  | NA                  | This commitment will be implemented post PC approval  |
| 91  | DFO 3.5.3              | DFO        | Marine Environment | 01 - November 2019 - Public Hearing | <p>Baffinlands Ship Board Observer Program will confirm the current predictions that no seal strikes will occur as a result of project shipping. Should monitoring demonstrate that the predictions are incorrect, Baffinland will implement adaptive management measures in consultation with the MHTO and MEWG.</p>  | NA                  | Baffinland will not provide an updated estimate of ship strikes on seals based on a study that covers a period in time and location that are fundamentally different from what is proposed under Phase 2. |
| 90  | DFO 3.5.4              | DFO        | Marine Environment | 01 - November 2019 - Public Hearing | <p>Baffinland is not proposing to ship during sensitive lifecycle periods for seal, which typically occur in the months between March and May. No additional mitigation measure is necessary for the current Shoulder Season Shipping Guide.</p>   | NA                  | This commitment will be implemented post PC approval  |
| 89  | DFO 3.5.5              | DFO        | Marine Environment | 01 - November 2019 - Public Hearing | <p>☐ Before commencing shipping, Baffinland must receive written confirmation from the MHTO that the floe edge is no longer being used by community members. No transits to Milne Port will be permitted until confirmation is received.</p> <p>☐ Baffinland will not break ice during ringed seal denning, pupping, nursing or mating periods and will manage its vessel traffic during the Eclipse Sound narwhal summer stock spring migratory period.</p> <p>☐ Furthermore, Baffinland has established several precedent-setting mitigations to minimize potential effects on ringed seal as a result of ice breaking activities, including:</p> <p>☐ Restricting the number of transits during the early shoulder season where ice concentrations above 3/10 cannot be avoided.</p> <p>☐ Implementation of speed restrictions (9 knots) that are more conservative than Government of Canada guidelines for speed reduction to 10 knots.</p> <p>☐ Local Inuit Marine Wildlife Observers (MWOs) will be stationed on all icebreaker transits in the RSA and are responsible for alerting vessel Master and crew to observed potential risk of ship strikes on pinnipeds and other marine mammals, or record other signs of disturbance to marine wildlife.</p> <p>Implementation of a 40-km buffer zone around the floe edge at the entrance of the RSA to reduce interactions between Project vessels and marine mammals (vessels entering the RSA during the spring shoulder season must wait 40 km to the east of the RSA until clearance from the Port Captain is obtained to enter the RSA).</p> | NA                  | This commitment will be implemented post PC approval  |
| 88  | DFO 3.5.6              | DFO        | Marine Environment | 01 - November 2019 - Public Hearing | <p>Baffinland will updated the Marine Monitoring Program to make it clear what behavioral indicators are recorded during the Ship Board Observer Program. These indicators include breaching, flipper slapping, lob tailing, diving, fluking, blowing, resting, looking, feeding, hauled-out, milling, swimming, surfacing. Other recorded information includes initial distance from vessel, minimum distance from vessel (i.e. closest point of approach), and bearing from vessel and movement direction. These methods and indicators are currently described in annual Ship Board Observer Reports.</p>   | NA                  | This commitment will be implemented post PC approval  |
| 87  | DFO 3.6.2<br>DFO 3.6.6 | DFO        | Marine Environment | 01 - November 2019 - Public Hearing | <p>Baffinland is committed to undertaking an end-of-season aerial survey of the LSA for each year shoulder season shipping occurs, to confirm no narwhal entrapment events have occurred. Baffinland will work directly with the Mittimatilik HTO in implementation of this survey.</p> <p><u>Background</u></p> <p>Mitigation measures are limited, Baffinland has proposed having an icebreaker re-enter the RSA to create an exit pathway, assuming it is safe to do so. it is uncertain if this is a desirable action from the communities perspective. There is also an issue of identifying a natural event from a project affected one. Baffinland suggests the MEWG is an appropriate forum to investigate such an event occurs in the future, and development adaptive mitigation measures, should they be necessary. Baffinland's commitment to annual aerial surveys is for the life of the project.</p>  | NA                  | This commitment will be implemented post PC approval  |
| 86  | DFO 3.7.2              | DFO        | Marine Environment | 01 - November 2019 - Public Hearing | <p>Empirical data on ship noise levels have now been collected as part of JASCO's passive acoustic monitoring program for the Project. These data have been analyzed to calculate LRR for these additional areas in the RSA (Eclipse Sound, North Milne Inlet, Koluktoo Bay). Calculations of LRR associated with ship transits at these representative locations will be presented in a 'technical memorandum' or 'technical response', scheduled for delivery to DFO on February 17, 2020. The technical memorandum will include an analysis to estimate the LRR estimations for Phase 2 shipping operations based on the empirical results calculated for 2018 and 2019 shipping operations.</p>  | NA                  | This commitment will be implemented post PC approval  |

| ID# | FWS ID#   | Intervener | Topic                   | Review Phase                        | Commitment  | Commitment Due Date | Notes  |
|-----|---|------------|-------------------------|-------------------------------------|---|---------------------|--|
| 85  | DFO 3.7.4   | DFO        | Marine Environment      | 01 - November 2019 - Public Hearing | An analyses will be conducted using data collected during the 2019 shipping season to characterize the degree of conservatism in the sound propagation modelling that has been conducted. Additional AMARs have been deployed and will collect data during the Fall 2019 and Spring 2020 seasons to further this analysis. See response to DFO 3.8.4 for commitment to long term acoustic monitoring.   | NA                  | This commitment will be implemented post PC approval; See commitment to DFO 3.8.4 for long term acoustic monitoring. |
| 84  | DFO 3.8.4   | DFO        | Marine Environment      | 01 - November 2019 - Public Hearing | Baffinland will continue to undertake acoustic monitoring supportive of its operations in accordance with terms and conditions of the existing Project Certificate No. 005.   | NA                  | This commitment will be implemented post PC approval   |
| 83  | DFO 3.9.1   | DFO        | Marine Environment      | 01 - November 2019 - Public Hearing | Baffinland will implement an incidental marine mammal monitoring program with vessel operators calling on Milne Port, which will request incidental observations of marine mammals to be recorded and relayed to Baffinland. In support of this program, Baffinland will develop educational materials for vessel crew to assist in marine mammal identification and data recording. Baffinland will provide a draft of the materials and program for review by the MEWG before they are finalized.   | NA                  | This commitment will be implemented post PC approval   |
| 82  | DFO-3.10.3;<br>DFO-3.10.4, TC-02;<br>QIA-45, DFO-3.10.4, QIA-44 | DFO        | Marine Environment      | 01 - November 2019 - Public Hearing | <del>Baffinland will implement a pilot ballast water biological monitoring program for ships calling on Milne Port. This program will be designed to reflect a more appropriately scoped form of a ballast water sampling protocol provided by DFO to Baffinland in 2017. This program will include sampling from one ballast tank on a total of five vessels per shipping season. Baffinland remains committed to continue conducting temperature and salinity test sampling of one randomly selected ballast water tank for all vessels calling to Milne Port, and biological sampling in the marine receiving environment to monitor for non-native species in Milne Port and at Ragged Island.</del>  | NA                  | Replaced by DFO 3.6 NEW Commitments  |
| 81  | DFO-3.12  | DFO        | Freshwater Environment  | 01 - November 2019 - Public Hearing | Baffinland will include the requested information in the application for the Fisheries Act Authorization.   | NA                  | This commitment will be implemented post PC approval   |
| 80  | DFO-3.13.1  | DFO        | Freshwater Environment  | 01 - November 2019 - Public Hearing | Baffinland will include the requested information in the application for the Fisheries Act Authorization.   | NA                  | This commitment will be implemented post PC approval   |
| 79  | DFO-3.13.2  | DFO        | Freshwater Environment  | 01 - November 2019 - Public Hearing | Baffinland will include the requested information in the application for the Fisheries Act Authorization.   | NA                  | This commitment will be implemented post PC approval   |
| 78  | DFO-3.14.1  | DFO        | Freshwater Environment  | 01 - November 2019 - Public Hearing | Baffinland will include the requested information in the application for the Fisheries Act Authorization.   | NA                  | This commitment will be implemented post PC approval   |
| 77  | DFO-3.14.2  | DFO        | Freshwater Environment  | 01 - November 2019 - Public Hearing | Baffinland will include the requested information in the application for the Fisheries Act Authorization.   | NA                  | This commitment will be implemented post PC approval   |
| 76  | DFO-3.14.3  | DFO        | Freshwater Environment  | 01 - November 2019 - Public Hearing | Baffinland will include the requested information in the application for the Fisheries Act Authorization.   | NA                  | This commitment will be implemented post PC approval   |
| 75  | ECCC-FC1<br>HC-FC-02  | ECCC       | Atmospheric Environment | 01 - November 2019 - Public Hearing | <p>Final language to be developed with BIMC. Proposed by BIM:</p> <p>Baffinland will provide all quality assured measured air quality and meteorological data in an annual report and compare to applicable criteria as outlined in the revised Air Quality and Noise Abatement Plan (AQNAMP) for the project. The annual report will include all raw data, averages in graphical and tabular form as most relevant to the data set, comparison to relevant criteria and visual presentation including wind roses and comparisons to previous year's data. In relation to photography, if major dusting events are observed, they will be photographed and included in the annual report. Also, the available satellite imagery will be reviewed and included if considered relevant. The use of satellite imagery will be evaluated on an ongoing basis to confirm whether it adds value or provides any relevant context to the dust fall evaluations. As the revised AQNAMP will be updated to detail these reporting requirements specifically, additional requirements in the Terms and Conditions of the Project are not deemed necessary. As per recent discussions, the 2020 CAAQS would be used for comparison purposes only with the objective to "keep clean areas clean" with respect to ambient air quality while the Project Standards are based on Nunavut Standards where available, or otherwise the most stringent available from a Provincial or other Territorial Government. Appendix G includes memos describing dustfall management action triggers for the protection of human health and vegetation. Baffinland will reflect the commitment to annual reporting in the final AQNAMP for the Phase 2 Proposal and subsequently does not believe a new Term and Condition is required.</p> <p><del>Baffinland will reflect the commitments provided in its response in the Air Quality and Noise Abatement Management Plan following the issuance of an amended Project Certificate. In the interim these commitments will be captured in a commitment register, to be provided to the Board during the Public Hearings. Baffinland does not object to having relevant terms and conditions modified to reflect this commitment.</del></p> | NA                  | This commitment will be implemented post PC approval   |

| ID# | FWS ID#                         | Intervener | Topic                         | Review Phase                        | Commitment   | Commitment Due Date | Notes   |
|-----|---------------------------------|------------|-------------------------------|-------------------------------------|--|---------------------|---|
| 74  | ECCC-FC2                        | ECCC       | Atmospheric Environment       | 01 - November 2019 - Public Hearing | Baffinland commits to investigate and implement NOX reductions measures, where feasible, and report on this in the 2020 annual air quality report (to be submitted by March 31, 2021).   | NA                  | This commitment will be implemented post PC approval  |
| 73  | ECCC-FC3<br><del>HC-FC-02</del> | ECCC       | Atmospheric Environment       | 01 - November 2019 - Public Hearing | <p>Final language to be developed with BIMC. Proposed by BIM:</p> <p>Baffinland is committed to updating the AQNAMP in consultation with ECCC and other interested interveners and has undertaken a number of discussions in relation to this commitment. The revised AQNAMP will include the following (which is consistent with ECCC's recommendations):</p> <ul style="list-style-type: none"> <li>• Monitor PM2.5 and TSP using continuous monitors at: <ul style="list-style-type: none"> <li>o The sites that already monitor NO<sup>2</sup> and SO<sup>2</sup> at both Milne Port and the Mine Site.</li> <li>o Seasonally at at least one new location on or close to the Project Boundary at both the Milne Port and Mine Site considering prevailing wind direction during the peak dust season and locations of sensitive receptors (camp locations). These will be seasonal as permanent power is not available near the boundaries thus the systems will run on solar power as feasible during the summer.</li> </ul> </li> </ul> <p>The revised AQNAMP will also include the following recommended items:</p> <ul style="list-style-type: none"> <li>• Presentation of the predicted concentrations in the AQNAMP as a range of absolute concentrations.</li> <li>• Investigation of ways to mitigate the emissions from the stockpiles as warranted.</li> <li>• Include management actions for the stockpiles in Section 4 of the AQNAMP as well as Table 5-2, and Table 5-3.</li> <li>• Define the management action trigger levels for both the 24-hour and annual averaging periods for all species (Table 5-1, Table 5-2, and Table 5-3).</li> <li>• Define the frequency at which air quality and meteorological data is reviewed that allows for timely response for implementation of corrective actions in response to exceedances of triggers.</li> <li>• Include details on how the air quality data and meteorological data will be analyzed together during the investigation of exceedance of trigger levels and necessary management actions.</li> <li>• Confirm the trigger levels for dustfall and include corrective actions associated with collected dustfall data.</li> <li>• Include 24-hour and annual Total Suspended Particulate data in the dustfall management action trigger levels and describe how it will be used as a tool for determining potential causes of elevated dustfall.</li> <li>• Include the wind roses from onsite meteorological stations, maps showing where these potential monitoring stations are located, discussion on the rational for the site locations, and discussion on how emissions from the stockpiles would be captured by these monitoring stations.</li> </ul> <p>The recommendations outlined above will be captured in a management plan update register, which Baffinland will use to track changes and additions to management plans committed to during the final review of the Phase 2 Proposal. Baffinland suggests that this register, submitted to the Board on the record before the close of the Public Hearing, is a more appropriate means of ensuring the requested updates to the AQNAMP are made, that an amendment to an existing Term and Condition.</p> <p><del>Baffinland will reflect the commitments provided in its response in the Air Quality and Noise Abatement Management Plan following the issuance of an amended Project Certificate. In the interim these commitments will be captured in a commitment register, to be</del></p> | NA                  | This commitment will be implemented post PC approval  |
| 72  | <del>ECCC-FC4</del>             | ECCC       | <del>Marine Environment</del> | 01 - November 2019 - Public Hearing | <del>Baffinland commits to investigate and implement black carbon reduction measures, where feasible, and report on this in the 2020 annual air quality report (to be submitted by March 31, 2021). The investigation will consider the use of distillate fuels as a reduction measure for local black carbon emissions.</del>   | NA                  | Replaced by ECCC-01 NEW Commitment  |
| 71  | ECCC-FC-5                       | ECCC       | Marine Environment            | 01 - November 2019 - Public Hearing | Baffinland remains committed to updating the Phase 1 Waste Rock Management Plan and evaluating the appropriateness of the 0.2% cutoff for PAG classification, irrespective of the Phase 2 approvals process.   | NA                  | This issue is resolved for environmental assessment purposes and will be further addressed during water license |
| 70  | ECCC-FC6<br>WWF-FWS 06          | ECCC       | Marine Environment            | 01 - November 2019 - Public Hearing | Baffinland commits to conduct additional Arctic diesel fuel spill modelling to account for shoulder season shipping and update the SSRP as necessary (Appendix G). This will occur prior to the 2021 shipping season.  | NA                  | This commitment will be implemented post PC approval  |
| 69  | GN-01                           | GN         | Corporate Environment         | 01 - November 2019 - Public Hearing | Baffinland is no longer pursuing trucking of iron ore in excess of 6Mtpa during the Phase 2 construction period. This commitment will require modification.  | NA                  |   |

| ID# | FWS ID#                        | Intervener | Topic                      | Review Phase                        | Commitment   | Commitment Due Date | Notes  |
|-----|--------------------------------|------------|----------------------------|-------------------------------------|--|---------------------|--|
| 68  | GN-02<br>WWF-FWS 07<br>MHTO-03 | GN         | Terrestrial Environment    | 01 - November 2019 - Public Hearing | <p>Baffinland is committed to work with the GN to develop a mutually agreed upon research agreement (also referred to as the Research and Relationship Agreement) that includes the following aspects, which are based on GN's internal budgeting and community consultation schedules for its North Baffin Regional Monitoring Program:</p> <ul style="list-style-type: none"> <li>• By July 30 of each year, the GN to share a preliminary proposal with Baffinland (the "GN Preliminary Proposal") outlining the planned activities that may be carried out as part of its North Baffin Regional Monitoring Program for the twelve-month period commencing on January 1 of the following year, which would be subject to any future revisions arising as a result of consultation by the GN with communities and the Qikqtani Inuit Association.</li> <li>• By October 1 of each year, the GN to share a final proposal with Baffinland (the "GN Final Proposal") based on the GN Preliminary Proposal and including any revisions as a result of consultation.</li> <li>• Baffinland would provide its total annual financial contribution to GN on or before November 30 of each year following review and acceptance by Baffinland of a GN Final Proposal. The financial contribution could include monetary and/or in-kind support.</li> <li>• Collaboration as possible regarding scientific peer-reviewed research into mitigative measures or potential disturbance effects, as related to the Mary River Project.</li> <li>• GN will provide Baffinland with reports on work carried out under its North Baffin Regional Monitoring Program.</li> <li>• GN-generated data needed to support Baffinland's assessment, monitoring and mitigation programs for the Mary River Project (which would remain Baffinland's sole responsibility) will be released upon request by GN to Baffinland, in accordance with the terms and conditions of the Research and Relationship Agreement.</li> </ul>  | NA                  | Baffinland and the Government of Nunavut commit to complete a caribou research agreement and data sharing agreement prior to the Public Hearing for Phase 2. Should this not be possible, an Agreement in Principle will be developed to identify a timeline for the anticipated completion of both agreements. The caribou research agreement is currently with BIM for review. |
| 67  | GN-03                          | GN         | Terrestrial Environment    | 01 - November 2019 - Public Hearing | <p>Baffinland commits to build the North Railway with the general specifications for the purposes of increasing caribou permeability</p> <ul style="list-style-type: none"> <li>☐ Use of Type 8 over Type 12 fill material for the entire alignment</li> <li>☐ For embankment heights under 4 meters the slope ratio will be 1V:2H; for embankment heights over 4 meters the slope ratio will remain 1V:1.5H</li> </ul> <p>Baffinland commits to a pilot program that will investigate the effectiveness of gentler slopes on caribou crossing. To evaluate this pilot program, Baffinland will support regional studies of caribou movements to assess caribou responses to the railway. The assessment of this pilot program's success shall be based on results from studies that have statistical power to detect Project effects exceeding those predicted in the FEIS addendum. The details of this program include:</p> <ul style="list-style-type: none"> <li>☐ The gentler slopes will be built with a slope ratio of 1V:3H</li> <li>☐ The total amount of fill required to build the North Railway will remain unchanged from currently proposed i.e. the fill material required to build sections with a slope of 1:3 will be acquired by reverting other areas previously allocated a 1V:2H slope (at an embankment height of 4m and below) back to a 1V:1.5H slope</li> <li>☐ The pilot program will include a minimum of 10km of 1V:3H slopes</li> <li>☐ Members of the Terrestrial Environment Working Group will be required to identify and agree on the areas to build the gentler (1V:3H) slopes, and where to revert back to the steeper (1V:1.5H) slopes.</li> <li>☐ The pilot program shall not prevent fish passage or cause serious harm to fish.</li> <li>☐ This program will be implemented prior to and during the North Railway's construction.</li> </ul> <p>This program will not preclude Baffinland's implementation of its Additional Level Crossing Decision Matrix.</p> | NA                  | This commitment will be implemented post PC approval   |
| 66  | GN-04                          | GN         | Terrestrial Environment    | 01 - November 2019 - Public Hearing | Baffinland will update the Additional Level Crossing Construction Decision Matrix to include advice from the Terrestrial Environment Working Group (TEWG).   | NA                  | This commitment will be implemented post PC approval   |
| 65  | GN-05                          | GN         | Terrestrial Environment    | 01 - November 2019 - Public Hearing | <p>Suggested Modified Commitment 65.</p> <p>BIMC will update the Terrestrial Environment Mitigation and Monitoring Plan to reflect that it will undertake research to estimate the Zone(s)-of-Influence (ZOI) and disturbance coefficients (DC) exerted by the Project on caribou, and shall provide to NIRB updated estimates of cumulative habitat losses for caribou, at least every 5 years. This research will take into account differences in caribou behaviour at lower and higher population levels in a manner that allows for equal consideration of IQ and science.</p> <p><del>BIMC will update the Terrestrial Environment Mitigation and Monitoring Plan to reflect that it will undertake research to estimate the Zone(s)-of-Influence (ZOI) and disturbance coefficients (DC) exerted by the Project on caribou, and shall provide to NIRB updated estimates of cumulative habitat losses for caribou, at least every 5 years.</del></p>   | NA                  | This commitment will be implemented post PC approval   |
| 64  | GN-06                          | GN         | Socio-economic Environment | 01 - November 2019 - Public Hearing | <p>1. The Proponent shall work with the GN through their MOU to promote greater female employment at the Mary River Project, with the goals of a) employing and retaining more women with the Project including in more senior level positions, and b) attracting more women into the mining industry more generally.</p> <p>2. The Proponent will assess the ongoing implementation of current and proposed gender-specific initiatives, including their successes and challenges, in conjunction with monitoring female employment rates at the Project through its Socio-Economic Monitoring Plan. The Proponent will report to the QSEMC and SEMWG, as appropriate, on the effectiveness of these gender-specific initiatives.</p>   | NA                  | This commitment will be implemented post PC approval   |



| ID# | FWS ID#  | Intervener | Topic                      | Review Phase                        | Commitment  | Commitment Due Date | Notes  |
|-----|----------|------------|----------------------------|-------------------------------------|---|---------------------|--|
| 63  | GN-07    | GN         | Socio-economic Environment | 01 - November 2019 - Public Hearing | <p>1. The Proponent will update its Workplace Harassment Policy and Workplace Harassment and Violence Program and include a component on sexual harassment that addresses the unique nature of sexual harassment in the workplace and supports the specific needs of sexual harassment victims. The Government of Nunavut will be engaged in this process. This update will occur within 6 months of amended Project Certificate issuance.</p> <p>2. The Proponent will update its employee orientation program to reflect the revisions in the Workplace Harassment and Violence Program, including components related to sexual harassment in the workplace and bystander intervention. This update will occur within 6 months of amended Project Certificate issuance.</p> <p>3. The Proponent will work with the GN to establish a sub-committee through their MOU to review implementation of Company policies and initiatives regarding sexual harassment in the workplace, subject to all applicable privacy laws, and to explore potential new ways to address this issue at the Mary River Project. The proponent and GN will move forward on this issue through the MOU within 6 months of issuance of the Project Certificate. Baffinland Human Resource Staff will be available to specifically address this topic through the MOU subcommittee as and when required.</p>   | NA                  | This commitment will be implemented post PC approval |
| 62  | GN-08    | GN         | Socio-economic Environment | 01 - November 2019 - Public Hearing | <p>1. The Proponent shall work with the GN through their MOU to promote employment opportunities with the Mary River Project across all Qikiqtani communities, consistent with relevant provisions of the Mary River Inuit Impact and Benefit Agreement. Initiatives may include training opportunities in non-point of hire communities, posting employment and training opportunities in all Qikiqtani communities, communicating with unsuccessful job applicants, and continuing to provide travel for all Inuit Baffinland employees from across the Qikiqtani Region to a point of hire community.</p>  | NA                  | This commitment will be implemented post PC approval |
| 61  | GN-09    | GN         | Socio-economic Environment | 01 - November 2019 - Public Hearing | <p>1. Baffinland will submit to NIRB a Safety Protocol and a Communications Plan prior to construction of the North Railway or within 18 months of issuance of the Project Certificate; and a Safety Protocol and a Communications Plan prior to operation of the North Railway. The protocols and plans will include:</p> <p>Safety Protocol and Communications Plan – prior to railway construction or within 18 months of Project Certificate issuance:</p> <ol style="list-style-type: none"> <li>Complete a risk register prior to construction</li> <li>Address safety issues related to both the road and rail, during the construction period</li> <li>Be implemented by the Company, its contractors, and non-Project land users</li> <li>Integrate Baffinland's existing Hunter and Visitor Site Access Procedure</li> <li>Communicate to land users the rules and procedures for using the Tote Road and other project roads, visiting the project site, and the risks associated with the road and the North Railway during the construction period</li> <li>Include Rules of the Road, such as speed limits, signs on the road, right of way protocols, safety restrictions regarding the discharge of firearms in proximity to the road and rail construction areas, etc.</li> <li>Identify potential hazards on the road such as mine traffic, snow drifts, steep hills, sharp corners, construction areas, and washouts</li> <li>Identify the location of safety features such as rail crossings, emergency shelters and safe access routes to the Mine Site and Milne Port</li> <li>Identify the location of safety features such as emergency shelters and safe access routes to the Mine Site and Milne Port, and construction shelters and accommodations</li> <li>Be developed in consultation with the North Baffin Communities, with a particular focus on the Communities of Pond Inlet and Igloolik</li> <li>Identify the means and frequency of communicating the safety protocol, and to whom the information will be communicated</li> </ol> <p>Safety Protocol and Communications Plan – prior to railway operation</p> <ol style="list-style-type: none"> <li>Complete a risk register prior to operation</li> <li>Address safety issues related to both the road and rail, during operations</li> <li>Be implemented by the Company, its contractors, and non-Project land users</li> <li>Integrate Baffinland's existing Hunter and Visitor Site Access Procedure</li> <li>Communicate to land users the rules and procedures for using the Tote Road and other project roads, crossing the North Railway, visiting the project site, and the risks associated with the road and the North Railway</li> <li>Include Rules of the Road, such as speed limits, signs on the road, right of way protocols, safety restrictions regarding the discharge of firearms in proximity to the road and rail</li> <li>Identify potential hazards on the road such as mine traffic, snow drifts, steep hills, sharp corners, and washouts</li> <li>Identify potential hazards with the rail line such as train traffic, sharp corners, loading and unloading areas</li> <li>Identify the location of safety features such as rail crossings, emergency shelters and safe access routes to the Mine Site and Milne Port</li> <li>Identify the location of safety features such as emergency shelters and safe access routes to the Mine Site and Milne Port, and construction</li> </ol> | NA                  | This commitment will be implemented post PC approval |
| 60  | HC-FC-01 | HC         | Socio-economic Environment | 01 - November 2019 - Public Hearing | Baffinland commits to investigate and implement NOX reductions measures, where feasible, and report on this in the 2021 annual air quality report (to be submitted by March 31, 2021).  | NA                  | This commitment will be implemented post PC approval |

| ID# | FWS ID#  | Intervener | Topic                      | Review Phase                        | Commitment  | Commitment Due Date | Notes  |
|-----|----------|------------|----------------------------|-------------------------------------|---|---------------------|--|
| 59  | HC-FC-02 | HC         | Socio-economic Environment | 01 - November 2019 - Public Hearing | <p>Baffinland will reflect the commitments provided in its response in the Air Quality and Noise Abatement Management Plan following the issuance of an amended Project Certificate. In the interim these commitments will be captured in a commitment register, to be provided to the Board during the Public Hearings. Baffinland does not object to having relevant terms and conditions modified to reflect this commitment.</p> <p>Baffinland commits to:</p> <ul style="list-style-type: none"> <li>• Submit all air quality and meteorological monitoring data as part of the annual reports and compare the monitoring data to the Canadian Ambient Air Quality Standards, where applicable.</li> <li>• Include any photos taken of dust on snow in the annual reports</li> <li>• Present the predicted concentrations in the annual reports as a range of absolute concentrations</li> </ul> <p>Baffinland will:</p> <ul style="list-style-type: none"> <li>• Complete the Air Quality and Noise Abatement Management Plan in consultation with HC and other interested interveners.</li> <li>• Monitor PM2.5 and Total Suspended Particulates using continuous monitors at both Milne Port and the Mine site where monitoring already :</li> <li>• The sites that already monitor NO2 and SO2 at both Milne Port and the Mine Site.</li> <li>• New locations on or close to the Project Boundary at both the Milne Port and Mine Site.</li> <li>• Update Air Quality and Noise Abatement Management Plan with the proposed changes.</li> </ul> <p>Baffinland will update the Air Quality and Noise Abatement Management Plan with the following text: "Use the existing continuous air quality monitors on site to validate the predictions of NO2 and other air quality contaminants in the EIS moving forward. Share results through reporting mechanisms, such as the annual report. Should exceedances occur beyond the EIS predictions, include an updated human health risk assessment in the annual report."</p> | NA                  | This commitment will be implemented post PC approval                                     |
| 58  | HC-FC-03 | HC         | Socio-economic Environment | 01 - November 2019 - Public Hearing | <p>Baffinland will continue with monitoring of COPCs reported in the country foods risk assessment during all phases (including closure). If increases in a specific COPC are confirmed to be occurring outside or inside (in the closure phase) of the Potential Development Area (PDA) and if country foods could be influenced by those changes, Baffinland will update the human health risk assessment model with the new data. Decisions related to extending the monitoring program to any relevant country foods would be made based on consideration of risk assessment outcomes.</p> <p>Updated modelling would be triggered by changes from any of the monitoring stations where harvesting could occur. Any remodeling effort should also consider changes (or lack thereof) using a distance gradient approach from the edge of PDA: Near (0–100 m); Far (101 –1,000 m); and Control (&gt;1,000 m) and more ecologically relevant distant stations (i.e., those stations located between 100 m and 1,000 m from the PDA boundary). Consideration of change at PDA (closure phase), near sites (0 – 100m) and far sites (100 – 1,000 m), relative to baseline data, and environmental quality guidelines, in conjunction with statistical analyses, would be used to identify the need for supplementary risk assessment modelling.</p>   | NA                  | This commitment will be implemented post PC approval                                     |
| 57  | HPI      | HPI        | Socio-economic Environment | 01 - November 2019 - Public Hearing | Baffinland will undertake to encourage students and youth to consider possible careers with Baffinland.   | NA                  | Implementation is ongoing, completion not required for environmental assessment purposes |
| 56  | HPI      | HPI        | Socio-economic Environment | 01 - November 2019 - Public Hearing | <p>Baffinland will undertake to promote access to employment for Inuit women.</p> <p>Following the Technical Meeting held in Iqaluit April 8-10, 2019, Baffinland committed to working with the GN through the implementation of the MOU to promote female employment at Mary River.</p>  | NA                  | Implementation is ongoing, completion not required for environmental assessment purposes |
| 55  | HPI      | HPI        | Socio-economic Environment | 01 - November 2019 - Public Hearing | As part of Baffinland's early engagement in the planning stages for the Phase 2 Project, Mittimatalik raised concerns with respect to year round icebreaking resulting in Baffinland's commitment not to ship in land fast ice  | NA                  | Implementation is ongoing, completion not required for environmental assessment purposes |
| 54  | HPI      | HPI        | Socio-economic Environment | 01 - November 2019 - Public Hearing | To further Baffinland's goal of meaningful consultation and engagement it has committed to the development of community-specific engagement guidelines. The development of these guidelines will serve to improve the two-way dialogue between the Company and Inuit.   | NA                  | This commitment will be implemented post PC approval                                     |
| 53  | HPI      | HPI        | Socio-economic Environment | 01 - November 2019 - Public Hearing | Baffinland remains committed to ongoing engagement with Mittimatalik throughout the Project's lifetime. As noted in Baffinland's new IQ Management Framework (Baffinland, 2019a), the Company is in the process of developing community-specific consultation guidelines for the North Baffin communities; these will be developed in consultation with individual communities in the near future. As the guidelines are developed, they will be appended to Baffinland's Community and Stakeholder Engagement Plan (TSD-28, Appendix Z).   | NA                  | Implementation is ongoing, completion not required for environmental assessment purposes |
| 52  | HPI      | HPI        | Socio-economic Environment | 01 - November 2019 - Public Hearing | <del>Pending approval of the Phase 2 Proposal, Baffinland has committed to provide \$1.2 million/year to each of the five North Baffin communities for the life of the mine (\$6 million/year total). These amounts are intended to support socio-economic opportunities, cultural opportunities, and hunter support opportunities.</del>   | NA                  | Replaced by ICA Commitments  |

| ID# | FWS ID# | Intervener | Topic                      | Review Phase                        | Commitment   | Commitment Due Date | Notes   |
|-----|---------|------------|----------------------------|-------------------------------------|--|---------------------|---|
| 51  | HPI-1   | HPI        | Socio-economic Environment | 01 - November 2019 - Public Hearing | Baffinland will conduct a review of internal procedures related to the conduct of community- focused research and identify areas for potential improvement. Baffinland will update its IQ Management Framework with information on research ethics and will provide clear direction on the procedures to be followed when applying for, securing, renewing, and reporting on research licensing. Baffinland will continue to engage the Nunavut Research Institute (NRI) in this process and will additionally provide NRI with annual IQ work plans for review and comment. | NA                  | This commitment will be implemented post PC approval  |
| 50  | HPI-10  | HPI        | Socio-economic Environment | 01 - November 2019 - Public Hearing | Baffinland is committed to using best efforts to improve its Inuit employment record each year, whether the MIEG has been met or not.  | NA                  | Implementation is ongoing, completion not required for environmental assessment purposes  |
| 49  | HPI-11  | HPI        | Socio-economic Environment | 01 - November 2019 - Public Hearing | <del>Baffinland commits to working with the Hamlet of Mittimatalik: <br/>a) to establish community specific engagement guidelines, and <br/>b) to ensure the active participation and representation of Mittimatalik on the Inuit Advisory Panel.</del>  | NA                  | Replaced by ICA Commitments   |
| 48  | MHTO-2a | MHTO       | Terrestrial Environment    | 01 - November 2019 - Public Hearing | Baffinland will undertake geotechnical drilling to further establish technical feasibility for Route 3, but at this time based on a preliminary review Baffinland does not anticipate that such drilling will reveal any fundamental issues with the route. This work will be carried out prior to construction.   | NA                  | Baffinland has selected Route 3 as its preferred deviation alignment. There are no Post PC Amendment conditions required to finalize selection, including the results of geotechnical drilling. |
| 47  | MHTO-2b | MHTO       | Socio-economic Environment | 01 - November 2019 - Public Hearing | Baffinland has committed to the development of Community-specific engagement guidelines. Baffinland believes that the development and implementation of these guidelines will serve to improve the two-way dialogue between the Company and Inuit. These guidelines will be developed in consultation with the MHTO, as well as North Baffin community representatives. As the guidelines are developed, they will be appended to Baffinland's Community and Stakeholder Engagement Plan.  | NA                  | This commitment will be implemented post PC approval  |
| 46  | MHTO-3  | MHTO       | Terrestrial Environment    | 01 - November 2019 - Public Hearing | Baffinland is committed to continual improvement of its terrestrial monitoring program design, data analysis, and integration of Inuit perspectives and IQ.  | NA                  | Implementation is ongoing, completion not required for environmental assessment purposes  |
| 45  | MHTO-4a | MHTO       | Marine Environment         | 01 - November 2019 - Public Hearing | Baffinland confirms it is committed to consultation with the MHTO regarding shipping plans.  | NA                  | Implementation is ongoing, completion not required for environmental assessment purposes  |
| 44  | MHTO-5c | MHTO       | Marine Environment         | 01 - November 2019 - Public Hearing | Baffinland is not proposing any additional shipping routes under the Phas 2 Proposal. This includes the use of Navy Board Inlet and the Northwest Passage.   | NA                  |   |
| 43  | MHTO-5e | MHTO       | Marine Environment         | 01 - November 2019 - Public Hearing | Baffinland commits to continue to evaluate the feasibility of the development of a laboratory in Pond Inlet, in consultation with MHTO.  | NA                  | This commitment will be implemented post PC approval<br><br>See also DFO-3.10.3, QIA-44 (re pilot ballast water biological monitoring program)  |
| 42  | MHTO-6  | MHTO       | Socio-economic Environment | 01 - November 2019 - Public Hearing | With the discontinuation of ore haulage under Phase 2, it is possible for Baffinland to develop a policy that ensures the safety of all land users to travel the Tote Road with recreational vehicles, and that of Baffinland employees. Baffinland will look to engage the MHTO in the development of this policy, as well as the timeline for its implementation.  | NA                  | This commitment will be implemented post PC approval  |
| 41  | MHTO-7a | MHTO       | Socio-economic Environment | 01 - November 2019 - Public Hearing | Baffinland is committed to incorporating Inuit knowledge into its identification of indicators and development of thresholds. One example where this is currently being done is at the MEWG, which the MHTO is a member of, which is currently working on the development of early warning indicators for marine mammals.  | NA                  | This commitment will be implemented post PC approval  |

| ID# | FWS ID#   | Intervener | Topic                      | Review Phase                        | Commitment   | Commitment Due Date | Notes   |
|-----|---|------------|----------------------------|-------------------------------------|--|---------------------|---|
| 40  | NRCan-01  | NRCan      | Terrestrial Environment    | 01 - November 2019 - Public Hearing | <p>Baffinland commits to:</p> <ul style="list-style-type: none"> <li>☐ Conducting the summer 2019 mapping program in areas where the railway corridor deviates from the Tote Road, including along the Route 1 deviation alignment. This summer mapping program was completed in summer 2019.</li> <li>☐ Conducting the winter 2019/2020 drilling program along the deviation route, following the proposed Route 3 deviation alignment, and near the port terminus to obtain additional information on subsurface conditions to inform the final design.</li> <li>☐ Conducting a pre-drilling program, to be completed by the railway contractor and supervised by BIM's Engineer during the construction period. Boreholes will be advanced into permafrost along the rail alignment prior to the railway earthworks. Boreholes will be used to delineate zones of ice-rich and ice-pore permafrost and to determine the required permafrost treatment prior to making cuts and placing fill for the embankments.</li> <li>☐ Installing thermistors and other monitoring instruments along the rail alignment including along the Route 3 deviation during the pre-drilling programs to establish baseline conditions prior and during rail construction.</li> </ul>   | NA                  | This commitment will be implemented post PC approval  |
| 39  | NRCan-02  | NRCan      | Terrestrial Environment    | 01 - November 2019 - Public Hearing | <p>Baffinland commits to:</p> <ul style="list-style-type: none"> <li>☐ Implementing the recommendations to accommodate the 30-year design life provided in the project memorandum 'Analysis of Proposed Rail Line Cut Sections and Port Area Structures Considering a Mine Life of 30 Years' (Hatch, 2019) including those related to pile length embedment and number of piles required for foundations.</li> <li>☐ Continue to refine the thermal, stability and creep analysis incorporating new data collected during geotechnical investigations and from instrumentation along the railway corridor, along the Route 3 deviation alignment as well the rail alignments outside the rail deviation, to support final design of embankments and bridges.</li> <li>☐ Consider local factors (such as snow accumulation and presence of water bodies) in the 2D thermal modelling to support final design of embankments, cuts and bridges.</li> <li>☐ Establish instrumentation along the rail alignment, including along the Route 3 deviation alignment, prior to and during construction to improve characterization of baseline ground conditions, support final design, evaluate impacts due to construction and railway performance, and to inform the implementation of mitigation /maintenance measures when triggers are reached.</li> </ul> | NA                  | This commitment will be implemented post PC approval  |
| 38  | PCA-02  | PCA        | Marine Environment         | 01 - November 2019 - Public Hearing | Baffinland commits to amend the Terms of Reference for the MEWG in collaboration with MEWG Members.  | NA                  | <p>This commitment will be implemented post PC approval</p> <p>Resolution is pending resolution of outstanding DFO issues</p> |
| 37  | PCA-04c   | PCA        | Marine Environment         | 01 - November 2019 - Public Hearing | Should Phase 2 be approved, Baffinland will continue to engage DFO and Parks Canada through the MEWG for the purposes of ensuring our proposed mitigation and monitoring programs are robust, effective, and responsive.   | NA                  | <p>This commitment will be implemented post PC approval</p> <p>Resolution is pending resolution of outstanding DFO issues</p> |
| 36  | QIA-01  | QIA        | Terrestrial Environment    | 01 - November 2019 - Public Hearing | Baffinland commits to support a harvester's survey as described by QIA in QIA-01, however, such a study must be led by harvesters, not Baffinland.   | NA                  | This commitment will be implemented post PC approval;   |
| 35  | QIA-01,<br>QIA-03,<br>QIA-05,<br>QIA-08,<br>QIA-10,<br>QIA-11 | QIA        | Socio-economic Environment | 01 - November 2019 - Public Hearing | <del>Baffinland and QIA will jointly develop a culturally appropriate component of the Culture, Resources and Land-Use ("CRLU") monitoring program that addresses harvest surveys. Adaptive management measures will be informed by the results of the surveys and the CRLU monitoring program. This development will be completed within 12 months of the issuance of the amendment to the Project Certificate—implementing Baffinland's Phase 2 proposal to align with the development and implementation of the CRLU monitoring program.</del>  | NA                  | <p>Replaced by ICA Commitments</p> <p>BIM and QIA to determine integration with Inuit Stewardship Plan</p>                    |
| 34  | QIA-01<br>QIA-02  | QIA        | Terrestrial Environment    | 01 - November 2019 - Public Hearing | <del>Baffinland will continue to comply with the existing QIA caribou protection measures and will work with relevant IPG's as well as the TEWG and Inuit Advisors to develop a Caribou Protection Map and project protection zones, if and where appropriate to enhance caribou protection. Development of any Caribou Protection Map or project protection zones will take into account all relevant available IQ and scientific information, including results of an IQ study of caribou use with HTOs and QIA to be carried out through the CRLU Monitoring Program;</del>   | NA                  | Replaced by updated commitment, line 211  |

| ID# | FWS ID#       | Intervener | Topic                      | Review Phase                        | Commitment  | Commitment Due Date | Notes  |
|-----|---------------|------------|----------------------------|-------------------------------------|---|---------------------|--|
| 33  | QIA-02        | QIA        | Terrestrial Environment    | 01 - November 2019 - Public Hearing | Based on input provided during the Crossing Selection Workshop from HTO participants representing Pond Inlet, Igloodik, as well as QIA and GN, the following modifications have been proposed for the design of the North Railway to aid in caribou crossing: <ul style="list-style-type: none"> <li>• 30 level crossings to be installed at locations identified by community representatives during the workshop (subject to Transport Canada and Community Acceptance).</li> <li>• A smoother fill material (Type 8 - 6 inches or less in size) will be used along the entire railway embankment (change from Type 12 - 24 inches or less).</li> <li>• A gentler slope (1:2 ratio) will be used for all portions of the railway embankment between 2 and 4 meters (change from 1:1.5).</li> <li>• A gentler slope will be created at the edges of crossings to assure approach from any angle is safe.</li> <li>• 4 additional plate arch culverts will be installed in areas where the railway embankment is high enough to allow an underpass (10 plate arch culverts were already proposed at fish bearing water crossings, which may also serve to allow passage for terrestrial wildlife throughout the year).</li> </ul> | NA                  | This commitment will be implemented post PC approval             |
| 32  | QIA-02        | QIA        | Terrestrial Environment    | 01 - November 2019 - Public Hearing | Baffinland commits to the following mitigation measures with respect to the operation of the railway to reduce interference with caribou: <ul style="list-style-type: none"> <li>☐ Temporary speed restrictions may be implemented in areas where caribou have been observed over the previous 24hrs.</li> <li>☐ Permanent speed restrictions of 30km/hr will be applied to sections with steep hills for train safety.</li> <li>☐ If large groups of migratory caribou are moving through the area, rail operations will be temporarily</li> <li>☐ suspended to allow caribou to cross the rail line.</li> <li>☐ In white out conditions, train crews will be required to travel at a speed suitable to stop before hitting an object based on sight distance, i.e. if you can see 50m ahead you need to be able to stop in 25m.</li> </ul>  | NA                  | This commitment will be implemented post PC approval             |
| 31  | QIA-03        | QIA        | Socio-economic Environment | 01 - November 2019 - Public Hearing | <del>Baffinland will carry out engagement with the 5 North Baffin communities during 2020 in order to identify, together with Inuit and in consultation with QIA, the specific metrics that Inuit identify should be monitored as part of the CRLU program, and to identify, together with Inuit and in consultation with QIA, thresholds for change that should trigger adaptive management by the company.</del><br><del>Baffinland would report on changes and trends in monitoring, based on previous reports. Baffinland will consider adaptive management actions and consult with the community on the best path forward in relation to any changes to CRLU identified through the CRLU monitoring program. For clarity, Baffinland would not only consider adaptive management in the event that effects exceed the FEIS addendum estimations but instead would have regard to triggers for action identified through consultation with the community.</del>  | NA                  | Replaced by ICA Commitments                                      |
| 30  | QIA-04        | QIA        | Marine Environment         | 01 - November 2019 - Public Hearing | Baffinland commits to developing a ringed seal monitoring plan that incorporates Inuit perspectives into the design, planning and implementation phases.  | NA                  | This commitment will be implemented post PC approval             |
| 29  | QIA-07        | QIA        | Socio-economic Environment | 01 - November 2019 - Public Hearing | <del>Baffinland commits to integrating IQ into the objectives of its terrestrial and marine environmental management plans. Reporting will focus on the topics as outlined in the QIA's original technical comment:</del><br><del>1. Show respect to animals;</del><br><del>2. Leave animals alone unless hunting them;</del><br><del>3. Animals are to be used, not wasted;</del><br><del>4. Each animal has its own habitat; and</del><br><del>5. Protect animal habitat.</del>   | NA                  | Replaced by ICA Commitments                                      |
| 28  | QIA-08        | QIA        | Socio-economic Environment | 01 - November 2019 - Public Hearing | <del>Baffinland commits to develop a risk communication strategy focused on gathering and dissemination of information to Inuit related to the Baffinland Iron Ore Mines Project, and linkages between the Project and human health and ecological risk assessment topics. The strategy will focus on building capacity within community groups to understand the mining process, elements of the mining process and how substances produced from the mining process move in the environment.</del>   | NA                  | BIM and QIA to determine integration with Inuit Stewardship Plan |
| 27  | QIA-21        | QIA        | Freshwater Environment     | 01 - November 2019 - Public Hearing | <del>Implementation of the Water Compensation Agreement, particularly with respect to the integration of IQ, will require a collaborative effort between Baffinland and the QIA to which Baffinland remains fully committed. As a Water Compensation Agreement is required under Section 63 of the Nunavut Waters and Surface Rights Tribunal Act and Article 20 (Part 3) of the Nunavut Land Claims Agreement, Baffinland maintains that a process to establish compensation in respect of Inuit Water Rights exists and will be adhered to outside of the Project Certificate amendment process.</del>  | NA                  | Replaced by ICA Commitments                                      |
| 26  | QIA-22        | QIA        | Corporate Environment      | 01 - November 2019 - Public Hearing | Unless otherwise approved by the NIRB, in any given day, the total number of ore haul truck transits along the Milne Inlet Tote Road should not exceed 280 for the duration of the Phase 2 construction period.   | NA                  | This commitment will be implemented post PC approval             |
| 25  | QIA-24 QIA-26 | QIA        | Corporate Environment      | 01 - November 2019 - Public Hearing | The final monitoring plan for the operations phase of the railway will be finalized following completion of the construction monitoring phase, when data collected has been analyzed and final recommendations can be provided. Adaptive management will be incorporated into the rail geotechnical monitoring program, to the extent practical.  | NA                  | This commitment will be implemented post PC approval             |

| ID# | FWS ID#                              | Intervener | Topic                      | Review Phase                        | Commitment   | Commitment Due Date | Notes  |
|-----|--------------------------------------|------------|----------------------------|-------------------------------------|--|---------------------|--|
| 24  | QIA-31                               | QIA        | Corporate Environment      | 01 - November 2019 - Public Hearing | Regarding the North Railway, Baffinland is committed to providing a construction plan that indicates specific monitoring locations and site-specific conditions that would lead to additional monitoring locations, and what construction monitoring results would trigger additional monitoring during operations which will be provided through the water licensing and Commercial Lease. These monitoring programs are currently being incorporated into an update to the Surface Water and Aquatic Ecosystems Management Plan that will be provided to the Nunavut Water Board in advance of the NWB technical meeting on November 12-13, 2019.  | NA                  | This commitment will be implemented post PC approval                                     |
| 23  | QIA-33<br>QIA-34<br>QIA-35<br>QIA-36 | QIA        | Socio-economic Environment | 01 - November 2019 - Public Hearing | Baffinland will work with QIA to develop an updated Inuit Training Plan that covers the period between Phase 2 construction and the first three years of operations. This plan will provide updates on programs that will be offered and how Baffinland intends to maximize Inuit engagement with the Project. This updated plan will be developed within six months of issuance of the amended Project Certificate.   | NA                  | This commitment will be implemented post PC approval                                     |
| 22  | QIA-37<br>QIA-39                     | QIA        | Socio-economic Environment | 01 - November 2019 - Public Hearing | Baffinland commits to continue to work with QIA to mitigate negative impacts and enhance positive Project opportunities and benefits through the Mary River IIBA.  | NA                  | Implementation is ongoing, completion not required for environmental assessment purposes |
| 21  | QIA-38                               | QIA        | Socio-economic Environment | 01 - November 2019 - Public Hearing | <del>Baffinland commits to the development of socio-economic monitoring thresholds and actions, in consultation with the Mary River Socio-Economic Monitoring Working Group (SEMWG). Once finalized, these will be reflected in an updated Socio-Economic Monitoring Plan.</del>   | NA                  | Replaced by ICA Commitments  |
| 20  | QIA-41                               | QIA        | Freshwater Environment     | 01 - November 2019 - Public Hearing | The Tote Road Monitoring Program will be expanded to include the future railway development, both in proximity to the existing Tote Road Monitoring Program locations and along the rail route deviation from the Tote Road. Baffinland has committed to long-term monitoring of water quality within the Northern Transportation Corridor with the Tote Road Monitoring Program to assess the potential for project-related effects on water quality. Until monitoring of water quality indicates the potential for the Project to have an effect on water quality, the expansion of monitoring to include sediment quality and biota in Phillips Creek is not necessary. Should impacts to Arctic char populations be identified through the AEMP studies, the source of these effects will be evaluated though review of all potential variables including sedimentation. <del>Baffinland will continue to utilize the 1mm threshold for sedimentation effects.</del> | NA                  | This commitment will be implemented post PC approval                                     |
| 19  | QIA-42                               | QIA        | Freshwater Environment     | 01 - November 2019 - Public Hearing | Baffinland has committed to continue to address existing fish passage issues on the Tote Road, and to address fish passage issues on the railway during the design phase, with verification monitoring post-construction. Baffinland will evaluate fish passage along the alternative rail line but this may not be done before the November NWB technical meetings. This c is mainly an issue for the Fisheries Act authorization.  | NA                  | This commitment will be implemented post PC approval                                     |
| 18  | QIA-43                               | QIA        | Terrestrial Environment    | 01 - November 2019 - Public Hearing | Baffinland has committed to conducting a desktop review of available data to evaluate the hydrological, geomorphological and sediment transport regime at the Project site.  | NA                  | This commitment will be implemented post PC approval                                     |
| 17  | QIA-45                               | QIA        | Marine Environment         | 01 - November 2019 - Public Hearing | <del>Baffinland has committed to implementing a pilot ballast water biological monitoring program for ships currently only subject to the D1 standard (open water exchange). This program has been designed to reflect a more appropriately scoped form of a ballast water sampling protocol provided by DFO to Baffinland in 2017 and will include sampling from one ballast tank on a total of five vessels per shipping season. Baffinland remains committed to continue conducting temperature and salinity test sampling of one randomly selected ballast water tank for all vessels calling to Milne Port, and biological sampling in the marine receiving environment to monitor for non-native species in Milne Port and at Ragged Island.</del>   | NA                  | Replaced by DFO 3.6 NEW Commitments  |
| 16  | QIA-46                               | QIA        | Marine Environment         | 01 - November 2019 - Public Hearing | Baffinland will continue to work with members of the MEWG on the selection of appropriate Early Warning Indicators (EWIs) for noise impacts on marine mammals, for implementation prior to the start of Phase 2 shipping.  | NA                  | Implementation is ongoing, completion not required for environmental assessment purposes |
| 15  | QIA-47                               | QIA        | Marine Environment         | 01 - November 2019 - Public Hearing | Baffinland provided a detailed Draft Communication Protocol as part of the Phase 2 submission. The communication protocol is considered a live document, and will be updated on an annual basis, as needed, based on feedback about the effectiveness of the communication system received by MHTO during annual pre- and end-of-season shipping meetings. Additional communication tools or frequencies may also be adjusted ad hoc throughout the shipping season to address real-time concerns, which would again be captured in annual updates to the protocol as needed.  | NA                  | Implementation is ongoing, completion not required for environmental assessment purposes |
| 14  | QIA-48,<br>TC-04                     | QIA        | Marine Environment         | 01 - November 2019 - Public Hearing | Baffinland will ensure there is a consistent description of ice conditions amongst its relevant management plans and standards of practice and that these terms are translated to Inuktitut for use more generally. Baffinland commits to providing dates and information on the conditions under which the shipping season was opened and closed each season in its Annual Report to NIRB.  | NA                  | Implementation is ongoing, completion not required for environmental assessment purposes |
| 13  | QIA-50                               | QIA        | Marine Environment         | 01 - November 2019 - Public Hearing | Baffinland formally commits to not having vessels go into the North Water Polynya (Pikialasorsuaq), subject to vessel safety. This commitment will be recognized in the Shipping and Marine Wildlife Management Plan and the Standing Instructions to Masters.   | NA                  | This commitment will be implemented post PC approval                                     |
| 12  | QIA-53                               | QIA        | Marine Environment         | 01 - November 2019 - Public Hearing | BIM does recognize that there may be interactions between its vessels and other activity outside the RSA and agrees to participate as a key stakeholder in regional federal government initiatives and programs including federal initiatives aimed at evaluating regional cumulative effects in the Eastern Canadian Arctic.  | NA                  | This commitment will be implemented post PC approval                                     |

| ID# | FWS ID#            | Intervener | Topic                   | Review Phase                        | Commitment   | Commitment Due Date | Notes  |
|-----|--------------------|------------|-------------------------|-------------------------------------|--|---------------------|--|
| 11  | TC-01              | TC         | Corporate Environment   | 01 - November 2019 - Public Hearing | Baffinland will contact Transport Canada's NPP Office prior to the submittal of any information to confirm regulatory requirements under the CNWA, should the project be approved to proceed.  | NA                  | This commitment will be implemented post PC approval |
| 10  | TC-02<br>DFO 3.6.5 | TC         | Marine Environment      | 01 - November 2019 - Public Hearing | <p>Transport Canada appreciates the efforts by BIM to ensure current regulations are followed with respect to their plans for ballast water management. Given the learning curve associated with use of ballast water treatment systems, for Phase 2, Transport Canada (TC) in consultation with Fisheries and Oceans Canada (DFO), recommends, in conjunction with present sampling and testing protocols being proposed/adopted [NTD - will be summarized in complete package] by BIM, that BIM implement a ballast water compliance sampling plan based on a risk-based targeting methodology to be developed in consultation with DFO and TC.</p> <p>Such a risk-based methodology should be applied to evaluate the risk of all vessel ballast water management (D1, D2) with subsequent salinity and D-2 biological compliance sampling conducted on vessels identified as high or very high risk. The respective risk-based methodology and associated ballast water compliance sampling plan will be developed in consultation with DFO and TC following completion of DFO's Project-specific sampling conducted on a subset of vessels calling to Milne Port. The risk-based methodology and associated ballast water compliance sampling plan should include a consideration of other compliance initiatives or research being undertaken elsewhere by TC relative to implementation of the D-2 standard.</p> <p>Sampling conducted that supports building a body of knowledge for D-2 treatment systems, beyond biological compliance sampling conducted on high risk and very high risk tanks, should not compromise Baffinland's ability to transport annual ore quantities as approved under a modified Project Certificate No 005. Understanding that the rationale for this program is tied to a learning curve associated with the use of ballast water treatment systems, the compliance sampling program and risk based methodology will be adapted as deemed necessary based on the results of the program</p> | NA                  | This commitment will be implemented post PC approval |
| 9   | TC-04              | TC         | Corporate Environment   | 01 - November 2019 - Public Hearing | For the purposes of shoulder season vessel traffic management, Baffinland considers uninterrupted transits through ice concentrations of 3/10 or less as the open water shipping season. This will be considered in any relevant management plans or operating procedures.   | NA                  | This commitment will be implemented post PC approval |
| 8   | TC-05              | TC         | Marine Environment      | 01 - November 2019 - Public Hearing | Baffinland will make the recommended change from TC-05 to the Spill at Sea Response Plan (SSRP).   | NA                  | This commitment will be implemented post PC approval |
| 7   | TC-06              | TC         | Marine Environment      | 01 - November 2019 - Public Hearing | Baffinland will update the SSRP to designate additional Tier 2 response equipment at Milne Port to enable a dual response as proposed by Transport Canada.   | NA                  | This commitment will be implemented post PC approval |
| 6   | TC-07              | TC         | Marine Environment      | 01 - November 2019 - Public Hearing | Baffinland agrees that the use of lifeboats should be avoided and will be removed as part of the spill response equipment on pages 88 and 103 of the SSRP.   | NA                  | This commitment will be implemented post PC approval |
| 5   | TC-08              | TC         | Marine Environment      | 01 - November 2019 - Public Hearing | Baffinland will update the SSRP to make it clear no oil discharge is permitted in Arctic waters per the ASSPPR.  | NA                  | This commitment will be implemented post PC approval |
| 4   | WWF-FWS 01         | WWF        | Marine Environment      | 01 - November 2019 - Public Hearing | <p>Baffinland is committed to the development of Early Warning Indicators but must reiterate this is not a conventional undertaking and all members of the MEWG are expected to provide meaningful input.</p> <p>As Phase 2 levels of shipping are not expected to occur before 2024 Baffinland is confident that Early Warning Indicators will be developed by that time based on a rigorous investigation of IQ and Inuit perspectives, scientific literature, and the expert opinions of MEWG members.</p>  | NA                  | This commitment will be implemented post PC approval |
| 3   | WWF-FWS 02         | WWF        | Corporate Environment   | 01 - November 2019 - Public Hearing | The NIRB has already initiated the development of the Mary River Monitoring Framework for attachment to Project Certificate 005, circulating a draft Appendix A Framework for public comment in 2017. Baffinland supports this initiative and will continue to participate in the development process following the completion of the Phase 2 reconsideration process.   | NA                  | This commitment will be implemented post PC approval |
| 2   | WWF-FWS 04         | WWF        | Marine Environment      | 01 - November 2019 - Public Hearing | Baffinland commits to take part in a Marine Spatial Planning exercise, should an appropriate regional body lead the initiative.  | NA                  | This commitment will be implemented post PC approval |
| 1   | WWF-FWS 08         | WWF        | Atmospheric Environment | 01 - November 2019 - Public Hearing | Baffinland is committed to developing a comprehensive Climate Change Strategy. A critical component of this strategy will relate to the marine environment, where important developments are occurring at the international level that our world class fleet of vessels and ship contractors are poised to comply with, including the 2020 Sulphur Cap and a potential ban on Heavy Fuel Oil in the Arctic.  | NA                  | This commitment will be implemented post PC approval |



April 9, 2021

**RE: Draft Revised Project Certificate No. 005 for Phase 2**

Baffinland Iron Mines Corporation (Baffinland) is pleased to provide the Nunavut Impact Review Board (NIRB) with its updated comments and suggested revisions to Project Certificate No. 005 for the Mary River Project (the Project). This document replaces the previous version of this document which was shared with NIRB in January 2021. This document has been updated to respond to reflect comments from the Government of Nunavut provided directly to Baffinland, Fisheries and Oceans Canada and Crown Indigenous Relations and Northern Affairs Canada (as reflected in their final written submissions), and additional suggestions related to comments made by Qikiqtani Inuit Association in response to written questions (recognizing that QIA has indicated they intend to provide comments on the Draft Project Certificate as part of their Final Written Submission, and several of the commitments made to QIA are currently in draft with wording to be confirmed).

Baffinland notes it has recently made a number of new and significant commitments relating to the gradual ramp up of shipping in the initial years of the Project and other mitigations, shipping season dates, employment positions in communities, community facilities and monitoring as a result of continued discussions with the Hamlet of Pond Inlet. As reflected in the Commitment List dated April 8, 2021, the specific wording of these is pending confirmation by the Hamlet of Pond Inlet. Once wording is confirmed, some or all of these commitments may be incorporated as terms and conditions in a future draft Project Certificate to be filed with the Board.

Generally, the following approach was taken to outline suggested revisions to current terms and conditions where Baffinland has identified an opportunity to clarify the requirements of Project Certificate No. 005 or where the objectives of the term and condition have previously been met:

1. If a suggested revision to an existing term and conditions is proposed, a description of the associated revision has been provided.
2. Where any suggested revisions to remove a term and condition has been made, a rationale to support the recommended change has been provided.
3. Where appropriate, the proposed edits and or new terms and conditions also reflect commitments that were made by Baffinland to interveners to resolve or address certain technical issues during the NIRB Phase 2 reconsideration process.



|                       | Project Certificate Condition No. 1   | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Meteorology and Climate   | <p>Proposed Revision:</p> <p>Suggest to remove PC Condition No. 1.</p> <p>Rationale:</p> <p>PC Condition No. 1 is duplicative of the requirements for PC Condition No. 83. See also suggested revisions to PC Condition No. 2 that has been revised to address monitoring for effects of climate change on the Project and Project infrastructure.</p> |
| Responsible Parties   | The Proponent   |  |
| Project Phase(s)      | All phases  |  |
| 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 Requirement | The Proponent shall summarize and supply these monitoring results to NIRB in the annual project report.   |  |
| Stakeholder Review    | Marine Environmental Working Group (MEWG)   |  |

|                       | Project Certificate Condition No. 2  | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Meteorology and Climate - Climate Change Validation and Studies  | <p>Proposed Revision:</p> <p>The Proponent shall develop a climate change strategy that may include the following:</p> <ul style="list-style-type: none"> <li>conducting studies that identify Project risks as a result of climate change</li> <li>data collection or research that will assist in defining long-term climate trends, such as: <ul style="list-style-type: none"> <li>Monitoring sea levels at Port</li> <li>Weather and temperature changes</li> <li>Permafrost stability</li> <li>Engagement with Inuit communities and other relevant stakeholders on climate change initiatives</li> <li>Investigation of initiatives that may be undertaken to reduce greenhouse gas emissions</li> </ul> </li> </ul> <p>Rationale:</p> <p>Proposed revisions consolidate the requirements of PC Condition No. 2 -4 and provide a more comprehensive approach to climate change planning and monitoring and engagement with other stakeholders throughout the life of the Project.</p> |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | 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 Requirement | The Proponent shall provide new or revised assessments and studies to the NIRB, the affected communities, relevant regulatory authorities, and interested parties.   |  |
| Stakeholder Review    | Nunavut Impact Review Board (NIRB)   |  |

|                       | <b>Project Certificate Condition No. 3</b>   | <b>Baffinland Comments</b>   |
|-----------------------|--|--|
| Category              | Meteorology and Climate - Green House Gas Emissions  | <p>Proposed Revision:</p> <p>Suggest to remove PC Condition No. 3.</p><br><p>Rationale:</p> <p>See proposed revisions to PC Condition No. 2.</p> |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | 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 Requirement | The Proponent shall include relevant information in the Annual Report submitted to the NIRB.   |  |
| Stakeholder Review    | Nunavut Inuit Review Board (NIRB)  |  |

|                       | <b>Project Certificate Condition No. 4</b>   | <b>Baffinland Comments</b>   |
|-----------------------|--|--|
| Category              | Climate Change - Consultation on Climate   | <p>Proposed Revision:</p> <p>Suggest to remove PC Condition No. 4.</p><br><p>Rationale:</p> <p>See proposed revisions to PC Condition No. 2.</p> |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.   |  |
| Stakeholder Review    | Nunavut Impact Review Board (NIRB)   |  |

|                       | <b>Project Certificate Condition No. 5</b>   | <b>Baffinland Comments</b> |
|-----------------------|--|----------------------------|
| Category              | Meteorology and Climate - Weather Monitoring Data  | No Change.                 |
| Responsible Parties   | The Proponent  |                            |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |                            |
| Objective             | To provide families of employees with up to date information.  |                            |
| Term or Condition     | The Proponent shall endeavour to explore and implement reasonable measures to ensure that weather-related information for the various Project sites is readily accessible to the public on a continual basis throughout the life of the Project. |                            |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |                            |
| Stakeholder Review    | N/A  |                            |

|                       | Project Certificate Condition No. 6   | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Meteorology and Climate – Emissions   | <p>Proposed Revision:</p> <p>The Proponent shall provide the results of any emissions calculations conducted to determine the level of sulphur dioxide (SO<sub>2</sub>) emissions, nitrogen oxide (NO<sub>x</sub>) emissions and greenhouse gases generated by the Project using fuel consumption or other relevant criteria as a basis. In cases where exceedances are manifested, the Proponent shall implement the adaptive management plan outlined in the Air Quality and Noise Abatement Management Plan.</p> <p>Rationale:</p> <p>Revised to minimize duplication with PC Conditions No. 8 and 9 and reflect the inclusion of a detailed adaptive management approach to air quality monitoring in the Air Quality and Noise Abatement Management Plan.</p> |
| Responsible Parties   | The Proponent   |  |
| Project Phase(s)      | 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 <sub>2</sub> ) emissions, nitrogen oxide (NO <sub>x</sub> ) emissions and greenhouse gases generated by the Project using fuel consumption or other relevant criteria as a basis. |  |
| Reporting Requirement | To be included in the Annual Report submitted to the NIRB.  |  |
| Stakeholder Review    | N/A   |  |

|                       | Project Certificate Condition No. 7   | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Air Quality – Monitoring  | <p>Proposed Revision:</p> <p>Suggest to remove PC Condition No. 7.</p> <p>Rationale:</p> <p>An updated Air Quality and Noise Abatement Management Plan was submitted as part of the Phase 2 FEIS technical review process that includes continuous and active monitoring of SO<sub>2</sub>, NO<sub>2</sub> and particulates.</p> |
| Responsible Parties   | The Proponent   |  |
| Project Phase(s)      | Construction and Operations   |  |
| Objective             | To provide feedback on the Project’s emissions.   |  |
| Term or Condition     | 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 SO <sub>2</sub> and NO <sub>2</sub> 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. |  |
| Reporting Requirement | The updated plan shall be provided to the NIRB for review and comment at least 60 days prior to commencement of construction activities.  |  |
| Stakeholder Review    | N/A   |  |

|                       | Project Certificate Condition No. 8   | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Air Quality - Greenhouse Gas Emissions  | <p>Proposed Revision:</p> <p>Suggest to remove PC Condition No. 8.</p> <p>Rationale:</p> <p>See proposed revisions to PC Condition No. 6.</p> |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | Construction and Operations   |   |
| Objective             | To provide feedback on the Project’s emissions.   |   |
| Term or Condition     | The Proponent shall demonstrate through monitoring of air quality at the mine site and at the Steensby Inlet and Milne Inlet port sites that SO <sub>2</sub> and NO <sub>2</sub> emissions remain within predicted levels and, where applicable, within limits established by all applicable guidelines and regulations. In cases where exceedances are manifested, the Proponent shall provide an explanation for the exceedance, a description of planned mitigation, and shall conduct additional monitoring to evaluate the effectiveness of mitigative measures. |   |
| Reporting Requirement | To be included in the Proponent’s annual reporting to the NIRB.   |   |
| Stakeholder Review    | None  |   |

|                       | Project Certificate Condition No. 9   | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Air Quality - Greenhouse Gas Emissions  | <p>Proposed Revision:</p> <p>Suggest to remove PC Condition No. 9.</p> <p>Rationale:</p> <p>This essentially duplicates PC Condition No. 6. As such, Baffinland suggests this condition be removed.</p> <p>It is noted that all fuel used by Baffinland employees, and its contractors or sub-contractors on site, is included in calculation of greenhouse gas emissions and reported to ECCC under Section 46 of the Environmental Protection Act. Aircraft emissions would be reported separately by those contractors, and is not within Baffinland’s scope of reporting requirements based on ECCC guidance.</p> |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | Construction and Operations   |   |
| Objective             | To provide feedback on the Project’s emissions.   |   |
| Term or Condition     | The Proponent shall provide calculations of greenhouse gas emissions generated by activities at the Steensby Inlet and Milne Inlet port sites and other Project sources including aircraft associated with the Project. Calculations shall take into consideration, fuel consumption as measured by Baffinland’s purchase and use as well as the fuel use of its contractors and sub-contractors. |   |
| Reporting Requirement | To be included in the Proponent’s annual reporting to the NIRB.   |   |
| Stakeholder Review    | N/A   |   |

|                       | Project Certificate Condition No. 10  | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Air Quality - Dust Management and Monitoring Plan   | <p>Proposed Revision:</p> <p>Construction, Operations</p> <p>Rationale:</p> <p>Updated to reflect that dust fall monitoring will occur throughout the life of the Project.</p> <p>Proposed Revision:</p> <p>The Proponent shall implement its Air Quality and Noise Abatement Management Plan, report all monitoring data to the NIRB annually, and take adaptive management measures described in the Plan if monitoring indicates that dust in the ambient air or dust deposition is resulting in effects that exceed identified thresholds relative to air quality, water quality or vegetation outside the PDA.</p> <p>Rationale:</p> <p>Updated to reflect revisions that were made to the Air Quality and Noise Abatement Management Plan as part of the Phase 2 FEIS technical review, which address a more comprehensive approach to dust deposition mitigation, monitoring and adaptive management development.</p> <p>Proposed Revision:</p> <p>Annual.</p> <p>Rationale:</p> <p>Updated to reflect that dust fall monitoring and management will occur throughout the life of the Project.</p> <p>No Change.</p> |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | Construction  |   |
| Objective             | To prevent impacts to air quality form dust dispersion.   |   |
| Term or Condition     | <p>The Proponent shall update its Dust Management and Monitoring Plan to address and/or include the following additional items:</p> <ul style="list-style-type: none"> <li>Outline the specific plans for monitoring dust along the first few kilometres of the rail corridor leaving the Mary River mine site.</li> <li>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.</li> <li>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.</li> <li>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.</li> </ul> <p>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.</p> |   |
| Reporting Requirement | To be provided to the NIRB for review and comment at least 60 days prior to commencement of construction activities.  |   |
| Stakeholder Review    | Nunavut Water Board, Nunavut Impact Review Board, Qikiqtani Inuit Association, Indigenous and Northern Affairs Canada, Environment and Climate Change Canada  |   |

|                       | Project Certificate Condition No. 11   | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Air Quality - Incineration Management Plan   | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 11.</p> <p>Rationale:<br/>Operation of the incinerator is addressed in the Waste Management Plan for the Project. A separate Incineration Management Plan is not required.</p> |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | 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 Requirement | Updated Incineration Management Plan to be provided to the NIRB at least 60 days prior to the commencement of construction activities.   |   |
| Stakeholder Review    | Nunavut Impact Review Board  |   |

|                       | Project Certificate Condition No. 12   | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Air Quality – Incineration   | <p>Proposed Revision:<br/>Construction, Operations</p> <p>Rationale:<br/>See proposed revisions to term and description below.</p> <p>Proposed Revision:<br/>The Proponent shall conduct at least one stack test immediately following the commissioning of each temporary and permanent incinerator and every five years following commissioning.</p> <p>Rationale:<br/>Updated to reflect previous commitments made to ECCC through the ERP of the Project.</p> |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | 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 Requirement | Stack test results to be reported to the NIRB and Environment Canada annually as required.   |   |
| Stakeholder Review    | Environment and Climate Change Canada, Nunavut Impact Review Board   |   |

|                       | Project Certificate Condition No. 13   | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Noise and Vibration - Use of Explosives  | No Change.          |
| Responsible Parties   | The Proponent, Fisheries and Oceans Canada   |                     |
| Project Phase(s)      | Construction   |                     |
| Objective             | To determine appropriate protection of fish and aquatic life in the Arctic.  |                     |
| Term or Condition     | 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. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |                     |
| Stakeholder Review    | Fisheries and Oceans Canada, Nunavut Water Board, Indigenous and Northern Affairs Canada, Nunavut Impact Review Board, Qikiqtani Inuit Association   |                     |

|                       | Project Certificate Condition No. 14  | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Noise and Vibration - Noise and Vibration Monitoring  | No Change.          |
| Responsible Parties   | The Proponent   |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring  |                     |
| Objective             | To mitigate noise and vibration at Project sites, especially living areas.  |                     |
| Term or Condition     | The Proponent shall 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. Sampling shall be undertaken during the summer and winter months during all phases of Project development. |                     |
| Reporting Requirement | To be included in the Annual Report submitted to the NIRB.  |                     |
| Stakeholder Review    | Nunavut Impact Review Board (NIRB)  |                     |

|                       | Project Certificate Condition No. 14 (a)  | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Noise and Vibration - Noise and Vibration Adaptive Management   | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 14(a).</p> <p>Rationale:<br/>Any in-water works required for the Project will be conducted in accordance with DFO with the requirements of a Fisheries Act Authorizations, including measures to protect marine mammals during construction.</p> |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | Construction  |   |
| Objective             | To mitigate potential impacts of noise to marine wildlife during project construction.  |   |
| Term or Condition     | The Proponent, 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. |   |
| Reporting Requirement | To be included in the Annual Report submitted to the NIRB.  |   |
| Stakeholder Review    | Marine Environmental Working Group (MEWG)   |   |

|                       | Project Certificate Condition No. 14 (b)  | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Noise and Vibration- Noise and Vibration Adaptive Management  | No Change.          |
| Responsible Parties   | The Proponent   |                     |
| Project Phase(s)      | Operations  |                     |
| Objective             | To mitigate potential impacts of noise to wildlife and people during project operations.  |                     |
| Term or Condition     | 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. |                     |
| Reporting Requirement | To be included in the Annual Report submitted to the NIRB.  |                     |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG)  |                     |

|                       | Project Certificate Condition No. 15   | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Noise and Vibration - Noise and Vibration Monitoring   | <p>Proposed Revisions:<br/>Suggest to remove PC Condition No. 15.</p> <p>Rationale:<br/>Proposed revisions to PC Condition No. 163 incorporate the recommendations outlined in PC Condition 15.</p> |
| Responsible Parties   | The Proponent, Qikiqtani Inuit Association, local Hamlet organizations   |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |   |
| Objective             | To enhance public safety when travelling around the Project area.  |   |
| Term or Condition     | 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. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |   |
| Stakeholder Review    | N/A  |   |



|                       | Project Certificate Condition No. 16  | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Hydrology and Hydrogeology - Water Infrastructure   | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 16.</p> <p>Rationale:<br/>PC Condition No. 16 duplicates regulatory requirements included within the Type ‘A’ Water License for the Project, specifically:</p> <ul style="list-style-type: none"><li>• Part D, Item 1 and 2;</li><li>• Part E, Item 23; and</li><li>• Part G.</li></ul> <p>Additional regulatory licenses that mandate established requirements for the management of water related infrastructure for the Project also include:</p> <ul style="list-style-type: none"><li>• DFO Authorizations and Letters of Advice.</li></ul> |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | Construction  |   |
| Objective             | To provide assurance that the potential impacts to flow and quantity of water in the Project area are minimized.  |   |
| Term or Condition     | 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 Inlet 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. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |   |
| Stakeholder Review    | Indigenous and Northern Affairs Canada (INAC), Qikiqtani Inuit Association (QIA), Environment and Climate Change Canada (ECCC), Fisheries and Oceans Canada (DFO), Nunavut Impact Review Board (NIRB), Nunavut Water Board (NWB)  |   |

|                       | Project Certificate Condition No. 17   | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Hydrology and Hydrogeology - Effluent Management   | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 17.</p> <p>Rationale:<br/>PC Condition No. 17 duplicates regulatory requirements included within the Type ‘A’ Water License for the Project, specifically:</p> <ul style="list-style-type: none"><li>• Tables 4 – 15;</li><li>• Part D, item 15; and</li><li>• Part F, Item 17, 18, 20, 21, 22, 23, 24, 25, 26.</li></ul> <p>Additional regulatory licenses that mandate established requirements for the management of water related infrastructure for the Project also include:</p> <ul style="list-style-type: none"><li>• MDMER.</li></ul> <p>Note – if this Condition remains, consider rewording to allow for occasional spills that are effectively addressed.</p> |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |   |
| Objective             | To prevent impacts to water bodies from effluent.  |   |
| Term or Condition     | The Proponent shall develop and implement effective 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 requirements established by the relevant regulatory agencies prior to being discharged into the receiving environment. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |   |
| Stakeholder Review    | Nunavut Water Board, Indigenous and Northern Affairs Canada, Qikiqtani Inuit Association, Nunavut Impact Review Board, Environment and Climate Change Canada   |   |

|                       | Project Certificate Condition No. 18   | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Hydrology and Hydrogeology - Pit Lake Monitoring   | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 18.</p> <p>Rationale:<br/>The Water License includes many conditions regarding closure and reclamation and the requirement to update the Project’s Closure and Reclamation Plan. Specific relevant sections of the Type ‘A’ Water License include:</p> <ul style="list-style-type: none"><li>• Part J; and</li><li>• Schedule B.</li></ul> <p>Additional licenses that mandate established requirements for the management of water related infrastructure for the Project also include:</p> <ul style="list-style-type: none"><li>• Commercial Lease No. Q13C301</li></ul> <p>See also proposed revisions to PC Condition No. 149, which includes a proposal for the establishment of a Mine Closure Working Group.</p> |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring  |   |
| Objective             | To enhance predictions for mine site closure conditions.   |   |
| Term or Condition     | The Proponent shall carry out continued analyses over time to confirm and update, accordingly, the approximate fill time for the mine pit lake identified in the FEIS. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |   |
| Stakeholder Review    | Indigenous and Northern Affairs Canada, Nunavut Water Board, Qikiqtani Inuit Association, Nunavut Impact Review Board  |   |

|                       | Project Certificate Condition No. 19  | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Hydrology and Hydrogeology - Water Infrastructure Monitoring  | <p>Proposed Revision:<br/>Suggest to remove current text of PC Condition No. 19 and replace with following:</p> <p>Category: Northern Transportation Corridor Water Quality Monitoring</p> <p>Responsible Parties: No change</p> <p>Project Phase: Construction, Operations, Temporary Closure /Care and Maintenance, Closure</p> <p>Objective: To monitor potential for Milne Inlet Tote Road and North Railway dustfall effects on water quality in the Northern Transportation Corridor.</p> <p>Term or Condition: The Proponent will expand the Milne Inlet Tote Road monitoring program to include water quality monitoring in specified locations, to assess potential effects of dustfall on waterbodies within the Northern Transportation Corridor.</p> <p>Should monitoring indicate that there is potential for dustfall from Project traffic to have an effect on water quality, the monitoring program may be expanded to include monitoring of sediment quality and biota in Phillips Creek.</p> <p>Should potential impacts to Arctic char populations be identified through the monitoring program (which shall include observations regarding physical condition of fish), the source of these effects will be evaluated through review of all potential variables including sedimentation. The Proponent shall work with QIA to further develop a metric for monitoring the physical condition of fish for implementation in 2022.</p> <p>The program shall be evaluated every three years to determine if monitoring locations may be reduced in the event there are negligible to no observations of Project effects.</p> <p>Reporting Requirement: Annually<br/>Stakeholder Review: Add Qikiqtani Inuit Association</p> <p>Rationale:<br/>Part D, Item 22 and 23, of the Type ‘A’ Water License establishes requirements for the maintenance and operation of other conduits, while monitoring and management of water use volumes are captured under: Part F;</p> <ul style="list-style-type: none"><li>• Part 1, Item 21;</li><li>• Tables 2, 3, 2-3, 12, 13, 14 and 15; and</li><li>• Schedule B.</li></ul> <p>Additional regulatory licenses that mandate established requirements for the management of water related infrastructure for the Project also include:</p> <ul style="list-style-type: none"><li>• DFO Authorizations and Letters of Advice.</li></ul> <p>New proposed text to reflect resolution of QIA-41</p> |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring  |   |
| Objective             | To mitigate impacts to natural water flow.  |   |
| Term or Condition     | The Proponent shall ensure that it develops and implements adequate monitoring and maintenance procedures to ensure that the culverts and 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. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |   |
| Stakeholder Review    | Nunavut Water Board, Indigenous and Northern Affairs Canada, Fisheries and Oceans Canada  |   |

|                       | Project Certificate Condition No. 20  | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Groundwater/Surface Waters – Explosives   | <p>Proposed Revision:</p> <p>Suggest to remove current text of PC Condition No. 20 and replace with following:</p> <p><u>Category:</u> North Railway Construction Monitoring</p> <p><u>Responsible Parties:</u> No change</p> <p><u>Project Phase(s):</u> Construction</p> <p><u>Objective:</u> To ensure that appropriate monitoring of surface water bodies along the North Railway is carried out during construction.</p> <p><u>Term or Condition:</u> The Proponent shall develop a North Railway construction plan that includes monitoring of specified waterbodies for potential dustfall effects during the construction period. The construction plan shall also specify site-specific adaptive management thresholds which would trigger additional monitoring during operations.</p> <p><u>Reporting Requirement:</u> Annually during construction as part of NIRB Annual Report.</p> <p><u>Stakeholder Review:</u> No change</p> <p>Rationale:<br/>PC Condition No. 20 duplicates regulatory requirements included within the Type ‘A’ Water License for the Project, specifically:</p> <ul style="list-style-type: none"> <li>• Part I, Item 23;</li> <li>• Schedule D, Item 1g; and</li> <li>• Schedule 1.</li> </ul> <p>Additional regulatory licenses that mandate established requirements for monitoring the effects of explosive residue and related by-products from blasting activities, including the manufacturing, storage, transportation and use of explosive also includes:</p> <ul style="list-style-type: none"> <li>• MDMER.</li> </ul> <p>Reflects agreed resolution of QIA-31.</p> |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring   |   |
| Objective             | To ensure that the effects associated with the manufacturing, storage, transportation and use of explosives do not negatively impact the areas surrounding the Project.   |   |
| Term or Condition     | 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. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |   |
| Stakeholder Review    | Nunavut Water Board, Qikiqtani Inuit Association, Indigenous and Northern Affairs Canada, Environment and Climate Change Canada   |   |

|                       | Project Certificate Condition No. 21  | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Groundwater/Surface Waters - Aquatic Effects Monitoring Plan and dustfall monitoring  | No Change.          |
| Responsible Parties   | The Proponent   |                     |
| Project Phase(s)      | Construction, Operations  |                     |
| Objective             | To mitigate potential impacts to surface and ground waters.   |                     |
| Term or Condition     | The Proponent shall ensure that the scope of the Aquatic Effects Monitoring Plan (AEMP) includes, at a minimum:<br>Monitoring of non-point sources of discharge, selection of appropriate reference sites, measures to ensure the collection of adequate baseline data and the mechanisms proposed to monitor and treat runoff, and sample sediments<br>Measures for dustfall monitoring designed as follows:<br>To establish a pre-trucking baseline and collect data during Project operation for comparison<br>To facilitate comparison with existing guidelines and potentially with thresholds to be established using studies of Arctic char egg survival and/or other studies recommended by the Terrestrial Environment Working Group (TEWG)<br>To assess the seasonal deposition (rates, quantities) and chemical composition of dust entering aquatic systems along representative distance transects at right angles to the Tote Road and radiating outward from Milne Port and the Mine Site. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |                     |
| Stakeholder Review    | Nunavut Impact Review Board, Indigenous and Northern Affairs Canada, Nunavut Water Board, Qikiqtani Inuit Association   |                     |

|                       | Project Certificate Condition No. 22  | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Groundwater/Surface Waters - Sediment and Erosion Management Plan   | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 22.</p> <p>Rationale:<br/>Establishment of a sediment and erosion management plan to prevent and/or mitigate sediment loading into surface water is captured under the Type ‘A’ Water License, namely sections:</p> <ul style="list-style-type: none"><li>Part D, Item 4 and 25; and</li><li>Part E, Item 2.</li></ul> <p>Additional regulatory licenses that are relevant also include:<br/>DFO Authorizations and any subsequent Letters of Advice; and</p> <ul style="list-style-type: none"><li>MDMER.</li></ul> |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | Construction  |   |
| Objective             | To develop appropriate sediment and erosion controls to prevent impacts to surface waters.  |   |
| Term or Condition     | 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. |   |
| Reporting Requirement | Plan to be provided to the NIRB for review and comment at least 60 days prior to commencement of construction activities.   |   |
| Stakeholder Review    | Nunavut Water Board, Indigenous and Northern Affairs Canada, Nunavut Impact Review Board, Qikiqtani Inuit Association   |   |

|                       | Project Certificate Condition No. 23  | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Groundwater / Surface Waters - Groundwater Monitoring   | No Change.          |
| Responsible Parties   | The Proponent   |                     |
| Project Phase(s)      | Construction  |                     |
| Objective             | To prevent impacts to groundwater quality.  |                     |
| Term or Condition     | The Proponent shall develop and implement a Groundwater Monitoring and Management Plan to monitor, prevent and/or mitigate the potential effects of the Project on groundwater within the Project area. |                     |
| Reporting Requirement | Plan to be provided to the NIRB for review and comment at least 60 days prior to commencement of construction activities.   |                     |
| Stakeholder Review    | Nunavut Water Board, Indigenous and Northern Affairs Canada, Nunavut Impact Review Board  |                     |

|                       | Project Certificate Condition No. 24  | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Groundwater/Surface Waters - Effluent Management  | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 24.</p> <p>Rationale:<br/>Effluent discharge is managed under criteria established in Type ‘A’ Water License, namely sections:</p> <ul style="list-style-type: none"><li>• Part E, Item 1;</li><li>• Part B, Item 14;</li><li>• Tables 4 – 15;</li><li>• Part F, Item 17, 18, 20, 21, 22, 23, 24, 25 and 26; and</li><li>• Schedule 1.</li></ul> <p>Additional regulatory licenses that are relevant also include:</p> <ul style="list-style-type: none"><li>• MDMER.</li></ul> <p>Note – if this Condition remains, consider rewording to allow for occasional spills that are effectively addressed.</p> |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring  |   |
| Objective             | To mitigate impacts to groundwater and surface waters from effluent discharge.  |   |
| Term or Condition     | The Proponent shall monitor as required the relevant parameters of the effluent generated from Project activities and facilities and shall carry out treatment if necessary to ensure that discharge conditions are met at all times. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |   |
| Stakeholder Review    | Nunavut Water Board, Indigenous and Northern Affairs Canada, Qikiqtani Inuit Association, Nunavut Impact Review Board   |   |

|                       | Project Certificate Condition No. 25   | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Landforms - Additional Geotechnical Investigations   | <p>Proposed Revision:</p> <p>The Proponent shall develop a detailed site wide program to monitor the thaw consolidation and strain prediction under the structures/embankments constructed as part of the Phase 2 Project. The monitoring results shall be compared with the FEIS Addendum predictions and appropriate mitigation measures shall be identified and incorporated into the adaptive management approach.</p> <p>Rationale:</p> <p>Biannual geotechnical inspections to monitor for and minimize the impact of the Project’s activities and infrastructure on sensitive landforms is required by the Type ‘A’ Water License, namely sections:</p> <ul style="list-style-type: none"> <li>Part D, Item 10;</li> <li>Part D, Item 18; and</li> <li>Part I, Item 12 and 13.</li> </ul> |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | 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 migration and monitoring measures to minimize the impacts of the Project’s activities and infrastructure on sensitive landforms. |  |
| Reporting Requirement | Plan to be provided to the NIRB for review and comment at least 60 days prior to commencement of construction activities.  |  |
| Stakeholder Review    | Nunavut Water Board, Indigenous and Northern Affairs Canada, Qikiqtani Inuit Association   |  |

|                       | Project Certificate Condition No. 26  | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Landforms and Soils - Erosion Management Plan   | <p>Proposed Revision:</p> <p>Suggest to remove PC Condition No. 26.</p> <p>Rationale:</p> <p>Establishment of a comprehensive erosion management plan to minimize the effects of destabilization and erosion is captured under the Type ‘A’ Water License, namely sections:</p> <ul style="list-style-type: none"> <li>Part D, Item 4, 10 and 25; and</li> <li>Part E, Item 2.</li> </ul> <p>Additional regulatory licenses that are relevant also include:</p> <ul style="list-style-type: none"> <li>Fisheries Act.</li> </ul> |
| Responsible Parties   | The Proponent   |  |
| Project Phase(s)      | 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 Requirement | Plan to be provided to the NIRB for review and comment at least 60 days prior to commencement of construction activities.   |  |
| Stakeholder Review    | Nunavut Water Board, Indigenous and Northern Affairs Canada, Qikiqtani Inuit Association, Fisheries and Oceans Canada, Environment and Climate Change Canada  |  |

|                       | Project Certificate Condition No. 27  | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Landforms, Geology and Geomorphology - Natural Aesthetics   | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 27.</p> <p>Rationale:<br/>A public consultation report has been completed and submitted to NIRB as part of the Phase 2 FEIS Addendum that identifies subjects of concern for the communities, including aesthetics of the landscape.</p> |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.  |   |
| Stakeholder Review    | The Communities of: Artic Bay, Clyde River, Hall Beach, Igloolik and Pond Inlet   |   |

|                       | Project Certificate Condition No. 28   | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Landforms, Geology and Geomorphology - Permafrost  | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 28.</p> <p>Rationale:<br/>Biannual geotechnical inspections to monitor for permafrost degradation and the implementation of mitigation measures to ensure integrity of the permafrost is maintained is managed through the Type ‘A’ Water License, namely in sections:</p> <ul style="list-style-type: none"><li>• Part D, Item 10;</li><li>• Part D, Item 18;</li><li>• Part I, Item 12 and 13; and</li><li>• Schedule B, 1, e, ii.</li></ul> |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | 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 and must implement effective preventative measures to ensure that the integrity of the permafrost is maintained. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |   |
| Stakeholder Review    | Environment Climate Change Canada, Qikiqtani Inuit Association, Nunavut Water Board, Indigenous and Northern Affairs Canada, Nunavut Impact Review Board.  |   |



|                       | Project Certificate Condition No. 29  | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Landforms, Geology and Geomorphology - Design Plans   | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 29.</p> <p>Rationale:<br/>The requirement to provide as-built drawings to regulatory agencies is mandated under the Type ‘A’ Water License for the Project, namely sections:</p> <ul style="list-style-type: none"> <li>• Part B, Item 12;</li> <li>• Part D, Item 1 and 2;</li> <li>• Part E, Item 23;</li> <li>• Part G; and</li> <li>• Schedule D, 1 and c.</li> </ul> <p>Additional licenses that mandate established requirements for the management of water related infrastructure for the Project also include:</p> <ul style="list-style-type: none"> <li>• Commercial Lease No. Q13C301</li> </ul> |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.  |   |
| Stakeholder Review    | Nunavut Water Board (NWB), Nunavut Impact Review Board (NIRB), Indigenous and Northern Affairs Canada (INAC), Qikiqtani Inuit Association (QIA)   |   |

|                       | Project Certificate Condition No. 30  | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Landforms, Geology and Geomorphology - Quarries   | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 30.</p> <p>Rationale:<br/>The requirement to develop site-specific quarry operation and management plans in advance of the development of any potential quarry site or borrow pit is stipulated in the Type ‘A’ Water License under Part D, Item 6.</p> |
| Responsible Parties   | The Proponent   |  |
| Project Phase(s)      | Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring   |  |
| Objective             | To provide oversight on quarry design and management.   |  |
| Term or Condition     | The Proponent shall develop site-specific quarry operation and management plans in advance of the development of any potential quarry site or borrow pit. |  |
| Reporting Requirement | Plans to be provided to the NIRB for review and comment at least 30 days prior to commencement of construction activities.                                |  |
| Stakeholder Review    | Qikiqtani Inuit Association (QIA), Nunavut Water Board (NWB)  |  |

|                       | Project Certificate Condition No. 31   | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Vegetation - Construction and Operations   | No Change.          |
| Responsible Parties   | The Proponent  |                     |
| Project Phase(s)      | Construction, Operations   |                     |
| Objective             | To minimize impacts to vegetation.   |                     |
| Term or Condition     | The Proponent shall ensure that Project activities are planned and conducted in such a way as to minimize the Project footprint. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |                     |
| Stakeholder Review    | Qikiqtani Inuit Association, Indigenous and Northern Affairs Canada, Nunavut Impact Review Board                                 |                     |

|                       | Project Certificate Condition No. 32  | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Vegetation - Construction and Operations  | No Change.          |
| Responsible Parties   | The Proponent   |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring  |                     |
| Objective             | To prevent introduction of invasive species.  |                     |
| Term or Condition     | The Proponent shall ensure that equipment and supplies brought to the Project sites are clean and free of soils that could contain plant seeds not naturally occurring in the area. Vehicle tires and treads in particular must be inspected prior to initial use in Project areas. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |                     |
| Stakeholder Review    | Qikiqtani Inuit Association, Nunavut Water Board, Indigenous and Northern Affairs Canada, Nunavut Impact Review Board   |                     |

|                       | Project Certificate Condition No. 33   | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Vegetation - Monitoring  | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 33.</p> <p>Rationale:<br/>This duplicates requirements of PC Condition No. 38.</p> |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |   |
| Objective             | To facilitate monitoring.  |   |
| Term or Condition     | The Proponent shall include relevant Monitoring and Management Plans within its Environmental Management System, Terrestrial Environment Management and Monitoring Plan (TEMMP). |   |
| Reporting Requirement | To be included in the Annual Report submitted to the NIRB.   |   |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG)   |   |

|                       | Project Certificate Condition No. 34   | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Vegetation - Monitoring  | <p>Proposed Revision:<br/>Construction, Operations, Closure</p> <p>Rationale:<br/>To account for potential environmental monitoring during the closure phase of the Project.</p> <p>Proposed Revision:<br/>To determine if metal concentrations in soil and vegetation exceed CCME and relevant available thresholds.</p> <p>Rationale:<br/>See revisions to Term and Condition.</p> <p>Proposed Revision:</p> <p>The Proponent shall conduct soil and vegetation metal monitoring, particularly for caribou forage (i.e. lichen) or other plants identified as culturally important for harvesting to Inuit to compare metal concentrations in soil and vegetation at varying distance classes from the PDA at an appropriate frequency for monitoring established in the TEMMP.</p> <p>The Proponent shall conduct soil sampling to determine metal levels of soils in areas with culturally important plants in Inuit preferred harvesting areas near any Project infrastructure or activities outside of the PDA at the same frequency as soil monitoring under the TEEMP.</p> <p>Rationale: All vegetation is considered to be impacted within the PDA. Baffinland suggests that vegetation monitoring to be conducted at the same frequency as soil monitoring under the TEEMP, given that increases in soil metal concentration are highly unlikely to be observed on an annual basis and correlation in this data set. Soil monitoring frequency is currently conducted every three years.</p> <p>Proposed Revision:<br/>Annual<br/>Rationale:<br/>A summary of the results of the monitoring program will be provided in the Annual Report to the NIRB.</p> |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | Construction, Operations   |  |
| Objective             | 1. Monitor metals concentrations in both soils and vegetation, particularly caribou forage (i.e., lichen) at varying distances from the PDA to compare metal concentrations in soil and vegetation between near (impacted) and far (control) sites.<br>2. Determine if metal concentrations in soil and vegetation exceed CCME and relevant available threshold levels provided in the literature. |  |
| Term or Condition     | The Proponent shall conduct soil sampling to determine metal levels of soils in areas with berry-producing plants near any of the potential development areas, prior to commencing operations.   |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |  |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG)   |  |

|                       | Project Certificate Condition No. 35  | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Vegetation - Monitoring   | <p>Suggested revision:</p> <p>Provided caribou populations are present in sufficient numbers to carry out such monitoring and harvesters make samples from harvested caribou available to the Proponent, the Proponent shall undertake or support monitoring of baseline metal levels in organ tissue from caribou harvested within the local study area. The Proponent is strongly encouraged to coordinate with local Hunters and Trappers Organizations and the Government of Nunavut regarding procurement of harvested caribou organs.</p> <p>Add Commentary: Recognizes that organ tissue sample is dependent on the availability of caribou and the participation of HTO’s. Also provides flexibility for Baffinland to fund third party support, rather than having to carry out the program directly.</p> |
| Responsible Parties   | The Proponent, local Hunters and Trappers Organizations, Government of Nunavut  |  |
| Project Phase(s)      | Construction and Operations   |  |
| Objective             | To determine baseline metal levels in foraging caribou.   |  |
| 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. |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |  |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG)  |  |

|                       | Project Certificate Condition No. 36  | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Vegetation - Monitoring   | <p>No Change.</p>   |
| Responsible Parties   | The Proponent   |                     |
| Project Phase(s)      | Construction  |                     |
| Objective             | Measure percent plant cover and plant group composition of available caribou forage within the RSA to track potential changes at varying distances from the edge of the PDA through long-term monitoring. |                     |
| Term or Condition     | The Proponent shall establish an ongoing monitoring program for vegetation species used as caribou forage (such as lichens) near Project development areas, prior to commencing operations.               |                     |
| Reporting Requirement | To be included in the Annual Report submitted to the NIRB.  |                     |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG)  |                     |

|                       | Project Certificate Condition No. 37   | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Vegetation - Monitoring  | No Change.          |
| Responsible Parties   | The Proponent, Government of Nunavut Department of Environment   |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |                     |
| Objective             | To prevent establishment of invasive species.  |                     |
| Term or Condition     | The Proponent shall incorporate protocols for monitoring for the potential introduction of invasive vegetation species (e.g. surveys of plant populations in previously disturbed areas) into its Terrestrial Environment and Monitoring Plan. Any introductions of non-indigenous plant species must be promptly reported to the Government of Nunavut Department of Environment. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |                     |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG)   |                     |

|                       | Project Certificate Condition No. 38  | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Vegetation - Adaptive Management  | No Change.          |
| Responsible Parties   | The Proponent   |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring  |                     |
| Objective             | To mitigate impacts to vegetation abundance, diversity, and health.   |                     |
| Term or Condition     | The Proponent shall review, on an annual basis, all monitoring information and the vegetation mitigation and management plans developed under its Environmental Management System, Terrestrial Environment and Monitoring Plan (TEMMP) and adjust such plans as may be required to effectively prevent or reduce the potential for significant adverse project effects on vegetation abundance, diversity and health. |                     |
| Reporting Requirement | To be included in the Annual Report submitted to the NIRB.  |                     |
| Stakeholder Review    | Nunavut Impact Review Board, Terrestrial Environment Working Group (TEWG)   |                     |

|                       | Project Certificate Condition No. 39   | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Vegetation - Reclamation and Revegetation  | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 39.</p> <p>Rationale:<br/>See suggested revisions to PC Condition No. 149., which includes a proposal for the establishment of a Mine Closure Working Group.</p> |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |   |
| Objective             | To prevent erosion and promote progressive revegetation of disturbed areas.  |   |
| Term or Condition     | The Proponent shall develop a progressive revegetation program for disturbed areas that are no longer required for operations, such program to incorporate measures for the use of test plots, reseeding and replanting of native plants as necessary. It is further recommended that this program be directly associated with the management plans for erosion control established for the Project. |   |
| Reporting Requirement | To be provided to the NIRB for review and comment at least 60 days prior to commencement of construction activities.   |   |
| Stakeholder Review    | Nunavut Impact Review Board  |   |

|                       | Project Certificate Condition No. 40  | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Vegetation - Reclamation and Revegetation   | <p>Proposed Revision:<br/>Objective: To ensure that IQ and cultural use are reflected in revegetation strategies</p> <p>Proposed Revision<br/>Term or Condition: The Proponent shall include revegetation strategies in its reclamation plan based on both IQ and western science that support progressive reclamation, promote natural revegetation and recovery of disturbed areas compatible with the surrounding natural environment, and that incorporate cultural use standards and re-establishment of critical areas as identified by the impacted communities.</p> <p>Proposed Revision<br/>Stakeholder Review: QIA</p> <p>Rationale:<br/>See suggested revisions to PC Condition No. 149, which includes a proposal for the establishment of a Mine Closure Working Group. Added language to reflect resolution of QIA-09.</p> |
| Responsible Parties   | The Proponent   |  |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring  |  |
| Objective             | To prevent erosion and promote progressive revegetation of disturbed areas.   |  |
| Term or Condition     | The Proponent shall include revegetation strategies in its Site Reclamation Plan that support progressive reclamation and that promote natural revegetation and recovery of disturbed areas compatible with the surrounding natural environment |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |  |
| Stakeholder Review    | QIA   |  |

|                       | Project Certificate Condition No. 41  | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Freshwater Aquatic Environment - Setbacks   | No Change.          |
| Responsible Parties   | The Proponent   |                     |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.  |                     |
| Stakeholder Review    | Qikiqtani Inuit Association, Nunavut Water Board, Indigenous and Northern Affairs Canada, Nunavut Impact Review Board   |                     |

|                       | Project Certificate Condition No. 42   | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Freshwater Aquatic Environment - Setbacks  | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 42.</p> <p>Rationale:<br/>The Type ‘A’ Water License for the Project stipulates the requirement for a 31m buffer between the mining operation and adjacent water bodies, namely sections:</p> <ul style="list-style-type: none"><li>Part D, Item 9, 13 and 25;</li><li>Part E, Item 17;</li><li>Part F, Item 5 and 12; and</li><li>Part H, Item 2 and 11.</li></ul> |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.   |  |
| Stakeholder Review    | Qikiqtani Inuit Association, Indigenous and Northern Affairs Canada, Nunavut Impact Review Board                                   |  |

|                       | Project Certificate Condition No. 43  | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Freshwater Aquatic Environment - Drainage   | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 43.</p> <p>Rationale:<br/>This PC Condition is duplicative of requirements outlined in the Type ‘A’ Water License, namely sections:</p> <ul style="list-style-type: none"><li>Part D, Item 4, 10 and 25; and</li><li>Part E, Item 2.</li></ul> |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.  |   |
| Stakeholder Review    | Nunavut Water Board, Indigenous and Northern Affairs Canada, Qikiqtani Inuit Association  |   |

|                       | Project Certificate Condition No. 44   | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Freshwater Aquatic Environment - Explosives  | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 44.</p> <p>Rationale:<br/>PC Condition No. 44 duplicates regulatory requirements included within the Type ‘A’ Water License for the Project, specifically:</p> <ul style="list-style-type: none"><li>Part E, Item 24.</li></ul> <p>Additional regulatory licenses that mandate established requirements for blasting activities, includes:</p> <ul style="list-style-type: none"><li>Fisheries Act.</li></ul> |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.   |  |
| Stakeholder Review    | N/A  |  |

|                       | Project Certificate Condition No. 45   | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Freshwater Aquatic Environment - General   | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 44.</p> <p>Rationale:<br/>PC Condition No. 45 duplicates regulatory requirements included within the Type ‘A’ Water License for the Project, specifically:</p> <ul style="list-style-type: none"><li>Part E, Item 2.</li></ul> <p>Additional regulatory licenses that mandate established requirements for blasting activities, includes:</p> <ul style="list-style-type: none"><li>DFO Authorizations.</li></ul> |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.   |  |
| Stakeholder Review    | Fisheries and Oceans Canada  |  |



|                       | Project Certificate Condition No. 46   | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Freshwater Aquatic Environment - Drainage  | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 46.</p> <p>Rationale:<br/>PC Condition No. 46 duplicates regulatory requirements included within the Type ‘A’ Water License for the Project, specifically:</p> <ul style="list-style-type: none"><li>• Tables 4 – 15;</li><li>• Part D, Item 15; and</li><li>• Part F, Item 17, 18, 20, 21, 22, 23, 24, 25, and 26.</li></ul> <p>Additional regulatory licenses that mandate established discharge requirements for effluent from fuel storage and maintenance facility areas, sewage and wastewater facilities includes:</p> <ul style="list-style-type: none"><li>• MDMER.</li></ul> <p>Note – if this Condition remains, consider rewording to allow for occasional spills that are effectively addressed.</p> |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.   |  |
| Stakeholder Review    | Nunavut Water Board, Indigenous and Northern Affairs Canada, Qikiqtani Inuit Association   |  |

|                       | Project Certificate Condition No. 47   | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Freshwater Aquatic Environment - Watercourses  | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 47.</p> <p>Rationale:<br/>PC Condition No. 47 duplicates regulatory requirements regarding the design and construction of Project infrastructure in watercourses included within the Type ‘A’ Water License, specifically:</p> <ul style="list-style-type: none"><li>• Part D, Item 1 and 2;</li><li>• Part E, Item 23;</li><li>• Part G; and</li><li>• Part B, Item 14 &amp; Part E, Item 2 (discusses maintenance and monitoring procedures for culverts and conduits).</li></ul> <p>Additional regulatory licenses that mandate established requirements for blasting activities, includes:</p> <ul style="list-style-type: none"><li>• DFO Authorizations and Letters of Advice.</li></ul> |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.   |   |
| Stakeholder Review    | Nunavut Water Board (NWB), Indigenous and Northern Affairs Canada (INAC), Qikiqtani Inuit Association (QIA), Fisheries and Oceans Canada (DFO)   |   |

|                       | Project Certificate Condition No. 48   | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Freshwater Aquatic Environment - Explosives  | <p>Proposed Revision:<br/>Category: Freshwater Aquatic Environment</p> <p>Responsible Parties: The Proponent, Qikiqtani Inuit Association, Fisheries and Oceans Canada, Crown-Indigenous Relations and Northern Affairs<br/>Project Phase: No change<br/>Objective: To address concerns raised by the community with respect to potential for impacts of the Project on the freshwater environment<br/>Term or Condition:<br/>Suggest to replace with [During 2021-2022], the Proponent shall coordinate freshwater focused workshops with Inuit in the North Baffin to address specific concerns raised by Inuit in respect of impacts of the Project on freshwater.<br/>Reporting Requirement: In [2021 and 2022] Annual Report, the Proponent is to confirm the specified workshops have taken place, summarize the concerns raised during the workshops, and the measures undertaken by the Proponent in response.<br/>Stakeholder Review: N/A</p> |
| Responsible Parties   | The Proponent, Qikiqtani Inuit Association, Fisheries and Oceans Canada  |  |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.   | <p>Rationale:<br/>PC Condition No. 48 duplicates regulatory requirements included within the Type ‘A’ Water License for the Project, specifically:</p> <ul style="list-style-type: none"><li>• Part E, Item 24.</li></ul> <p>Additional regulatory licenses that mandate established requirements for blasting activities, includes:</p> <ul style="list-style-type: none"><li>• Fisheries Act.</li></ul>  |
| Stakeholder Review    | N/A  |  |

|                       | Project Certificate Condition No. 48(a)  | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Freshwater Aquatic Environment - Arctic char   | <p>No Change.</p>   |
| Responsible Parties   | The Proponent  |                     |
| Project Phase(s)      | Construction, Operations   |                     |
| Objective             | To determine presence and health of arctic char in freshwater aquatic habitat.   |                     |
| Term or Condition     | 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, including but not limited to, Phillips Creek, Tugaat and Qurluktuk. The Proponent shall consult with the MHTO regarding the design, timing, and location of proposed surveys and ongoing monitoring. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |                     |
| Stakeholder Review    | Nunavut Water Board (NWB), Qikiqtani Inuit Association (QIA), Indigenous and Northern Affairs Canada (INAC), Nunavut Impact Review Board (NIRB), Fisheries and Oceans Canada (DFO)   |                     |

|                       | Project Certificate Condition No. 49  | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Terrestrial Wildlife and Wildlife Habitat - Terrestrial Environment Working Group   | No Change.          |
| Responsible Parties   | The Proponent   |                     |
| Project Phase(s)      | All phases  |                     |
| Objective             | To provide environmental oversight.   |                     |
| Term or Condition     | The Proponent shall establish a Terrestrial Environment Working Group ("TEWG") which will act as an advisory group in connection with mitigation measures for the protection of the terrestrial environment and in connection with its Environmental Effects Monitoring Program, as it pertains to the terrestrial environment. Members may consider the draft terms of reference for the TEWG filed in the Final Hearing, but they are not bound by them. The role of the TEWG is not intended to either duplicate or to affect the exercise of regulatory authority by appropriate government agencies and departments. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |                     |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG)  |                     |

|                       | Project Certificate Condition No. 50   | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Terrestrial Wildlife and Habitat - General   | No Change.          |
| Responsible Parties   | The Proponent and other Parties as appropriate   |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |                     |
| Objective             | To ensure appropriate and responsive adaptive management.  |                     |
| Term or Condition     | The Proponent shall continue to develop and implement Project-specific monitoring for the terrestrial environment, and will demonstrate appropriate refinements to design, incorporation of analytical methods and elaboration of methodologies. The monitoring plan shall contain clear thresholds to allow for the assessment of long-term trends and cumulative effects where project interactions are identified. Coordination and cooperation will be required where data collection, analysis and interpretation, or responsibility for mitigation and management requires the efforts of multiple parties (e.g., government, Qikiqtani Inuit Association, communities). |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |                     |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG)   |                     |

|                       | Project Certificate Condition No. 51   | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Terrestrial Wildlife and Habitat - General   | No Change.          |
| Responsible Parties   | The Proponent and/or TWEG  |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |                     |
| Objective             | To promote coordination of monitoring efforts.   |                     |
| Term or Condition     | The Proponent, either directly or as part of the TEWG, shall consider and, where appropriate, cooperate with relevant regional and/or community-based monitoring initiatives that raise issues or produce information pertinent to mitigating project-induced impacts. The Proponent shall give special consideration for supporting regional studies of population health and harvest programs for North Baffin caribou which help address areas of uncertainty for Project impact predictions. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |                     |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG)   |                     |

|                       | Project Certificate Condition No. 52  | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Terrestrial Wildlife and Habitat - Caribou  | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 52.</p> <p>Rationale:<br/>Should Project monitoring identify a need for caribou deterrents from hazardous areas, appropriate mitigation measures will be discussed with the TEWG and implemented to minimize potential effects in accordance with requirements of PC Condition No. 50, 51 and 53.</p> |
| Responsible Parties   | The Proponent, TEWG   |  |
| Project Phase(s)      | 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, Inuksuks, or fencing and subsequent monitoring for effectiveness. These activities shall be reported back to the Terrestrial Environment Working Group. |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister; results to be reported back to the Terrestrial Environment Working Group.  |  |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG)  |  |

|                       | Project Certificate Condition No. 53  | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Terrestrial Wildlife and Habitat - Caribou  | <p>Proposed Revision:</p> <p>Suggest to add:</p> <p>(g) With respect to the construction and operation of the North Railway, enhancement of existing mitigation measures in the appropriate monitoring plans to reduce potential interference with caribou, including incorporation as appropriate of the specific measures included in the Commitment List regarding the operation of the railway and design modifications to aid in caribou crossing:</p> <p>(h) With respect to the construction and operation of the North Railway, the Proponent shall implement a multi-dimensional approach to monitoring involving Inuit staff and incorporating Inuit interests;</p> <p>(i) With respect to the construction of the North Railway, the Proponent shall hold a workshop on wildlife crossing design with Inuit, organized in consultation with the Qikiqtani Inuit Association, the Hamlet of Pond Inlet and the MHTO, and demonstrate in a follow-up report to the NIRB how it has used Inuit input to finalize wildlife crossings, land user crossings, slope designs, and develop appropriate adaptive management measures as captured in relevant management plans. All members of the TEWG will be invited to attend the workshop, which will also consider identification of appropriate specific locations for steeper and gentler slope designs.</p> <p>Rationale:<br/>(g) is suggested to address resolution of QIA-02<br/>(h) is suggested to address resolution of QIA-01 and QIA-02<br/>(i) is suggested to address resolution of QIA-01 and QIA-02</p> |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | Construction  |   |
| Objective             | To mitigate impacts to caribou from Project-related traffic.  |   |
| Term or Condition     | The Proponent shall demonstrate consideration for the following:<br>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.<br>b) 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.<br>c) 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.<br>d) Evaluation of the effectiveness of proposed caribou crossings over the railway, Milne Inlet Tote Road and access roads as well as the appropriate number.<br>e) 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.<br>f) 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 Requirement | To be developed following approval of the Project by the Minister.  |   |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG), QIA   |   |

|                       | Project Certificate Condition No. 54   | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Terrestrial Wildlife and Habitat - Caribou   | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 54.</p> <p>Rationale:<br/>Any necessary updates to the TEMMP not already captured in the updated draft version submitted during the current review process can be captured as commitments.</p> |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | Construction - within six (6) months of issuance of Project Certificate  |   |
| Objective             | To Update the Terrestrial Environmental Management and Monitoring Plan   |   |
| Term or Condition     | <p>The Proponent shall provide an updated Terrestrial Environmental Management and Monitoring Plan which shall include, but not be limited to the following:</p> <ul style="list-style-type: none"><li>a) Details of the methods and rationale for conducting monitoring prior to the commencement of construction;</li><li>b) Monitoring for caribou presence and behavior during railway and Tote Road construction;</li><li>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;</li><li>d) Details of monitoring and mitigation activities, which should be established in collaboration with the Terrestrial Environment Working Group and are expected to include:</li><li>e) Dustfall (fugitive and Total Suspended Particulates), that addresses methods to reduce risk to caribou forage from dustfall;</li><li>f) 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.</li><li>g) Details of monitoring thresholds related to level of mitigation and management; and</li><li>h) 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.</li></ul> |   |
| Reporting Requirement | Plan to be submitted to the NIRB and the TEWG within 6 months of issuance of a Project Certificate.  |   |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG), Nunavut Impact Review Board  |   |

|                       | Project Certificate Condition No. 55  | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Terrestrial Wildlife and Habitat - Wolves   | No Change.          |
| Responsible Parties   | The Proponent, Government of Nunavut Department of Environment  |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring  |                     |
| Objective             | To mitigate potential impacts to wolves.  |                     |
| Term or Condition     | 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 <i>Nunavut Wildlife Act</i> . Consideration must be given to the following:<br>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);<br>Estimating the available (glacio-fluvial materials) esker habitat within the Regional Study Area/PDA and identifying such habitat as ecologically sensitive; Developing “wolf indices” for presence/abundance of wolves (by conducting studies) to set a baseline pre-construction baseline; and<br>Ensuring that wolf monitoring is capable of determining the relative abundance and distribution of wolves in the Project Development Area over time. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |                     |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG)  |                     |

|                       | Project Certificate Condition No. 56  | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Terrestrial Wildlife and Habitat - Wildlife Habitat   | Proposed Revision:<br>Suggest to remove PC Condition No. 56.<br><br>Rationale:<br>See suggested revisions to PC Condition No. 149, which includes a proposal for the establishment of a Mine Closure Working Group. |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring  |   |
| Objective             | To ensure progressive reclamation of disturbed wildlife habitat.  |   |
| Term or Condition     | The Proponent shall develop a strategy for the recovery of terrestrial wildlife habitat in a progressive manner that is consistent with the <i>Nunavut Wildlife Act</i> . Overall, this will require the integration of a decision-making process and the identification of mitigation responses to cumulative impacts on caribou survival, breeding propensity, and population dynamics. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |   |
| Stakeholder Review    | Qikiqtani Inuit Association, Nunavut Water Board, Indigenous and Northern Affairs Canada  |   |

|                       | Project Certificate Condition No. 57  | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Terrestrial Wildlife and Habitat - Reporting  | <p>Proposed Revision:</p> <p>The Proponent shall report annually regarding its terrestrial environment monitoring efforts, with inclusion of the following information:</p> <ul style="list-style-type: none"><li>a) Description of all updates to terrestrial ecosystem baseline data;</li><li>b) A description of the involvement of Inuit in the monitoring program;</li><li>c) An explanation of the annual results relative to the scale of the natural variability of Valued Ecosystem Components in the region, as described in the baseline report;</li><li>e) A detailed presentation and analysis of the distribution relative to mine structures and activities for caribou and other terrestrial mammals observed during the surveys and incidental sightings; Results of the annual monitoring program, including field methodologies and statistical approaches used to support conclusions drawn;</li><li>f) An annual summary of traffic levels on the Milne Inlet Tote Road and rail transits);</li><li>g) An assessment and presentation of annual environmental conditions relative to data collected.</li><li>h) A discussion of any proposed changes to the monitoring survey methodologies, statistical approaches or proposed adaptive management stemming from the results of the monitoring program;</li><li>i) An 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 (if any);</li><li>j) A description of the extent of dustfall based on measured levels of dustfall (fugitive and finer particles such as TSP) on vegetation</li></ul> |
| Responsible Parties   | The Proponent   |  |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring  |  |
| Objective             | To mitigate and monitor for impacts to wildlife.  |  |
| Term or Condition     | <p>The Proponent shall report annually regarding its terrestrial environment monitoring efforts, with inclusion of the following information:</p> <ul style="list-style-type: none"><li>a) Description of all updates to terrestrial ecosystem baseline data;</li><li>b) A description of the involvement of Inuit in the monitoring program;</li><li>c) An explanation of the annual results relative to the scale of the natural variability of Valued Ecosystem Components in the region, as described in the baseline report;</li><li>d) A detailed presentation and analysis of the distribution relative to mine structures and activities for caribou and other terrestrial mammals observed during the surveys and incidental sightings;</li><li>e) Results of the annual monitoring program, including field methodologies and statistical approaches used to</li><li>f) support conclusions drawn; A summary of the chronology and level of mine activities (such as vehicle frequency and type);</li><li>g) An assessment and presentation of annual environmental conditions including timing of snowmelt, green-up, as well as standard weather summaries;</li><li>h) A discussion of any proposed changes to the monitoring survey methodologies, statistical approaches or proposed adaptive management stemming from the results of the monitoring program.</li></ul> |  |
| Reporting Requirement | To be included in the Annual Report submitted to the NIRB.  | <p>Commentary:</p> <p>Certain monitoring described above may not be undertaken in years where caribou are not observed in meaningful numbers in the Project area. In the event this occurs, in order to achieve compliance with this Term and Condition the Proponent shall clearly describe the reasons that such monitoring was not carried out in its Annual Report.</p> <p>Rationale:</p> <p>Proposed revisions provides a more focused scope for reporting on terrestrial environment monitoring activities and inter-annual trends.</p>  |
| Stakeholder Review    | Nunavut Impact Review Board, Terrestrial Environment Working Group (TEWG)   |  |



|                       | Project Certificate Condition No. 58  | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Terrestrial Wildlife and Habitat - Reporting  | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 58 (note TC 58 b, c, d and f incorporated at revised No. 58 above).</p> <p>Rationale:<br/>Reporting requirements are duplicative to several other PC Conditions, including PC Condition No. 10, 34, 36, 37, 50, 51, 53 (b, c, d and d), 55, 57, 67, 74 and 75.</p> |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring  |   |
| Objective             | To mitigate and monitor for impacts to wildlife.  |   |
| Term or Condition     | Within its annual report to the NIRB, the Proponent shall incorporate a review section which includes: <ul style="list-style-type: none"><li>a) An examination for trends in the measured natural variability of Valued Ecosystem Components in the region relative to the baseline reporting;</li><li>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;</li><li>c) A description of the extent of dustfall based on measured levels of dustfall (fugitive and finer particles such as TSP) on lichens and blueberries, and ash content of caribou fecal pellets;</li><li>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;</li><li>e) Any proposed changes to the monitoring survey methodologies, statistical approaches or proposed adaptive management stemming from the results of the monitoring program;</li><li>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.</li></ul> |   |
| Reporting Requirement | To be included in the Annual Report submitted to the NIRB.  |   |
| Stakeholder Review    | Nunavut Impact Review Board, Terrestrial Environment Working Group (TEWG)   |   |

|                       | Project Certificate Condition No. 59  | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Terrestrial Wildlife and Habitat – Aircraft Disturbances  | <p>Proposed Revision:<br/>The Proponent shall ensure that pilots are informed of minimum cruising altitude guidelines and that a daily log or record of flight paths and cruising altitudes of aircraft within all Project Areas is maintained and made available for the Terrestrial Environment Working Group and relevant regulatory authorities such as Transport Canada to monitor adherence and to follow up on complaints.</p> <p>Subject to safety requirements or other appropriate pilot rationale for low altitudes, the Proponent shall require all project related aircraft to maintain a cruising altitude of at least:</p> <ul style="list-style-type: none"><li>• 650 m during point to point travel when in areas likely to have migratory birds;</li><li>• 1100 m vertical and 1500 m horizontal distance from observed concentrations of migratory birds;and</li><li>• 1100 m over the area identified as a key site for moulting snow geese during the moulting period (July-August), and if maintaining this altitude is not possible, maintain a lateral distance of at least at least 1500 m from the boundary of this site.</li></ul> <p>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 to the Project are respectful of wildlife and Inuit harvesting that may occur in and around project areas. This includes the use of established flight corridors, when possible, to avoid areas of significant wildlife importance.</p> <p>Rationale:<br/>Revised to eliminate duplication that currently exists between PC Condition No. 59, 71 and 72 and to enhance enforceability.</p> <p>Proposed Revision:<br/>Construction, Operations, Closure</p> <p>Rationale:<br/>To reflect implementation of mitigation measures, subject to safety requirements, throughout the life of the Project.</p> |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | Construction, Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring  |   |
| Objective             | To mitigate aircraft disturbance to wildlife and Inuit harvesting.  |   |
| Term or Condition     | 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 to the Project are respectful of wildlife and Inuit harvesting that may occur in and around project areas. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |   |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG)  |   |

|                       | Project Certificate Condition No. 60  | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Terrestrial Wildlife and Habitat - Explosives   | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 60 – see related revisions to TC 61 to reduce number of terms and conditions.</p> <p>Rationale:<br/>Restriction of blasting activities when migrating caribou, sensitive local carnivores or birds may be negatively affected is accounted for by PC Condition No. 61.</p> |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | Construction  |   |
| Objective             | To mitigate impacts to wildlife from explosives.  |   |
| Term or Condition     | 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. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |   |
| Stakeholder Review    | N/A   |   |

|                       | Project Certificate Condition No. 61  | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Terrestrial Wildlife and Habitat - Operations (General)   | <p>Proposed Revision:</p> <p>Whenever practical and not causing a human safety issue, a stop work policy shall be implemented when wildlife in the area may be endangered by the work being carried out. An operational definition of ‘endangered’ shall be provided by the Terrestrial Environment Working Group. The Proponent shall develop and implement as part of its operating procedures measures which minimize the effects of blasting on terrestrial wildlife that includes, but is not limited to the restriction of blasting when migrating caribou and other wildlife are in the blasting area.</p> <p>Note revision above is consistent with TEMMP, Section 3.3.1.</p> |
| Responsible Parties   | The Proponent, TEWG   |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring   |   |
| Objective             | To mitigate Project impacts to wildlife.  |   |
| Term or Condition     | Whenever practical and not causing a human safety issue, a stop work policy shall be implemented when wildlife in the area may be endangered by the work being carried out. An operational definition of ‘endangered’ shall be provided by the Terrestrial Environment Working Group. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |   |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG)  |   |

|                       | Project Certificate Condition No. 62   | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Terrestrial Wildlife and Habitat - Operations (General)  | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 62</p> <p>Rationale:<br/>As described in Article 11.4 of the IIBA, “Inuit employees shall be permitted access during their leisure hours, subject to Company policies, to all Project Areas for the purpose of any form of harvesting...in conformity with Subsection 5.7.17 (b) of the NLCA...”. PC Condition No. 124 as currently written contradicts the Proponent’s ability to meet the requirements of the IIBA or the NLCA.</p> <p>See also suggested revisions to PC Condition No. 124.</p> |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |   |
| Objective             | To prevent increased harvesting pressure on wildlife.  |   |
| Term or Condition     | The Proponent shall prohibit project employees from transporting firearms to site and from operating firearms in project areas for the purpose of wildlife harvesting. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |   |
| Stakeholder Review    | N/A  |   |

|                       | Project Certificate Condition No. 63  | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Terrestrial Wildlife and Habitat - Public Engagement  | No Change.          |
| Responsible Parties   | The Proponent, local Hunters and Trappers Organizations   |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring  |                     |
| Objective             | To keep communities up to date with Project operations.   |                     |
| Term or Condition     | The Proponent shall liaise with local Hunters and Trappers Organizations in advance of carrying out terrestrial wildlife surveys. At a minimum, The Proponent shall also meet annually in person with Hunters and Trappers Organizations to discuss wildlife monitoring and mitigation plans and address community concerns regarding wildlife interactions. The Proponent may be required to facilitate these meetings through payment of honoraria and meeting costs. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |                     |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG) and with local Hunter and Trappers Organizations (HTOs)  |                     |

|                       | Project Certificate Condition No. 64   | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Terrestrial Wildlife and Habitat - Waste Management  | No Change.          |
| Responsible Parties   | The Proponent  |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |                     |
| Objective             | To prevent human-carnivore interactions.   |                     |
| Term or Condition     | 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:<br>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.)<br>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). |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |                     |
| Stakeholder Review    | Environment Climate Change Canada, Qikiqtani Inuit Association, Indigenous and Northern Affairs Canada, Nunavut Impact Review Board.   |                     |

|                       | Project Certificate Condition No. 65   | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Birds - Awareness  | No Change.          |
| Responsible Parties   | The Proponent  |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |                     |
| Objective             | To prevent disturbance to birds and bird habitat.  |                     |
| Term or Condition     | The Proponent shall ensure all employees working at project sites receive awareness training regarding the importance of avoiding known nests and nesting areas and large concentrations of foraging and moulting birds. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |                     |
| Stakeholder Review    | Qikiqtani Inuit Association, Nunavut Impact Review Board, Terrestrial Environment Working Group (TEWG)   |                     |

|                       | Project Certificate Condition No. 66  | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Birds - Species at Risk   | <p>Proposed Revision:</p> <p>Is Species at Risk or their nests and eggs are encountered during Project activities or monitoring programs, the Proponent is strongly encouraged to consider avoidance as a primary mitigation measure. The Proponent shall establish clear zones of avoidance on the basis of the species-specific nest setback distances outlined in the Terrestrial Environment Management and Monitoring Plan.</p> <p>Rationale:</p> <p>Revisions allows for enhanced enforceability.</p> <p>Proposed Revision:</p> <p>Annual.</p> <p>Rationale:</p> <p>Reporting on implementation of PC Condition No. 66 would be included in the Annual Report to the NIRB as relevant.</p> |
| Responsible Parties   | The Proponent   |  |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring  |  |
| Objective             | To prevent impacts to sensitive bird species.   |  |
| Term or Condition     | If Species at Risk or their nests and eggs are encountered during Project activities or monitoring programs, the primary mitigation measure must be avoidance. The Proponent shall establish clear zones of avoidance on the basis of the species-specific nest setback distances outlined in the Terrestrial Environment Management and Monitoring Plan. |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |  |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG)  |  |

|                       | Project Certificate Condition No. 67   | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Birds - Species at Risk  | No change.          |
| Responsible Parties   | The Proponent  |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |                     |
| Objective             | To prevent impacts to sensitive bird species.  |                     |
| Term or Condition     | The Proponent shall ensure that the mitigation and monitoring strategies developed for Species at Risk are updated as necessary to maintain consistency with any applicable status reports, recovery strategies, action plans and management plans that may become available during the duration of the Project. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |                     |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG), Environment and Climate Change Canada (ECCC)   |                     |

|                       | Project Certificate Condition No. 68   | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Birds - Project Infrastructure   | <p>Proposed Revision:</p> <p>The Proponent shall ensure appropriate deterrents are installed on communication towers established for the Project. The Proponent should also consider reducing lighting where it may serve as a bird attractant and does not present risks to safe operations:</p> <p>Rationale:</p> <p>It was determined through consultation with ECCC that strobe lights were not a relevant mitigation measure as most birds are in the area during the summer when there is 24 hours of light.</p> |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |  |
| Objective             | To prevent potential injuries to birds.  |  |
| Term or Condition     | The Proponent shall ensure flashing red, red strobe or white strobe lights and guy-wire deterrents are used on communications towers established for the Project. Consideration should also be given to reducing lighting when possible in areas where it may serve as an attractant to birds or other wildlife. |  |
| Reporting Requirement | To be included in the Annual Report submitted to the NIRB.   |  |
| Stakeholder Review    | Environment and Climate Change Canada (ECCC), Terrestrial Environment Working Group (TEWG)   |  |

|                       | Project Certificate Condition No. 69   | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Birds - Construction/Clearing Activities   | No Change.          |
| Responsible Parties   | The Proponent  |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |                     |
| Objective             | To prevent nesting by birds in active Project areas.   |                     |
| Term or Condition     | Prior to bird migrations and commencement of nesting, the Proponent shall identify and install nesting deterrents (e.g. flagging) to discourage birds from nesting in areas likely to be disturbed by construction/clearing activities taking place during the nesting season. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |                     |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG)   |                     |

|                       | Project Certificate Condition No. 70  | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Birds - Construction/Clearing Activities  | No Change.          |
| Responsible Parties   | The Proponent   |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring  |                     |
| Objective             | To prevent impacts to birds and nesting areas.  |                     |
| Term or Condition     | The Proponent shall protect any nests found (or indicated nests) with a buffer zone determined by the setback distances outlined in its Terrestrial Environment Mitigation and Monitoring Plan, until the young have fledged. If it is determined that observance of these setbacks is not feasible, the Proponent will develop nest-specific guidelines and procedures to ensure bird’s nests and their young are protected. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |                     |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG)  |                     |

|                       | Project Certificate Condition No. 71   | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Birds - Flight Altitude Requirements   | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 71 following merge with PC Condition No. 59.</p> <p>Rationale:<br/>See proposed revisions to PC Condition No. 59, which has been updated to incorporate PC Condition No. 71 to reduce duplication.</p> |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |   |
| Objective             | To mitigate aircraft disturbance to birds.   |   |
| Term or Condition     | Subject to safety requirements, the Proponent shall require all project related aircraft to maintain a cruising altitude of at least: <ul style="list-style-type: none"><li>650 m during point to point travel when in areas likely to have migratory birds;</li><li>1100 m vertical and 1500 m horizontal distance from observed concentrations of migratory birds; and</li><li>1100 m over the area identified as a key site for moulting snow geese during the moulting period (July-August), and if maintaining this altitude is not possible, maintain a lateral distance of at least at least 1500 m from the boundary of this site.</li></ul> |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |   |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG)   |   |



|                       | Project Certificate Condition No. 72   | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Birds - Flight Altitude Requirements   | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 72 following merge with PC Condition No. 59.</p> <p>Rationale:<br/>See proposed revisions to PC Condition No. 59, which has been updated to incorporate PC Condition No. 72 to reduce duplication.</p> |
| Responsible Parties   | The Proponent, Transport Canada  |   |
| Project Phase(s)      | Construction, Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |   |
| Objective             | To mitigate aircraft disturbance to birds.   |   |
| Term or Condition     | The Proponent shall ensure that pilots are informed of minimum cruising altitude guidelines and that a daily log or record of flight paths and cruising altitudes of aircraft within all Project Areas is maintained and made available for regulatory authorities such as Transport Canada to monitor adherence and to follow up on complaints. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |   |
| Stakeholder Review    | Qikiqtani Inuit Association, Nunavut Impact Review Board, Transport Canada, Terrestrial Environment Working Group (TEWG)   |   |

|                       | Project Certificate Condition No. 73   | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Birds  | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 73.</p> <p>Rationale:<br/>See proposed revisions to PC Condition No. 74, which incorporate the need to seek feedback from relevant agencies and reduce duplication between the two conditions.</p> |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |   |
| Objective             | To monitor Project-related effects on migratory birds.   |   |
| Term or Condition     | The Proponent shall develop detailed and robust mitigation and monitoring plans for migratory birds, reflecting input from relevant agencies, the Qikiqtani Inuit Organization and communities as part of the Terrestrial Environment Working Group and to the extent applicable the Marine Environment Working Group. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |   |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG), Marine Environment Working Group (MEWG)  |   |

|                       | Project Certificate Condition No. 74   | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Birds - Monitoring   | <p>.</p> <p>Proposed Revision:</p> <p>The Proponent shall continue to develop and update relevant monitoring and management plans for migratory birds on an as-need basis throughout the life of the Project based on input provided by the MEWG and TEWG.</p> <p>The key indicators for follow up monitoring under the TEMMP will include peregrine falcon, gyrfalcon, common and king eider, red knot, seabird migration and wintering, and songbird and shorebird diversity.</p> <p>Rationale:</p> <p>Updated to reflect longer-term monitoring requirements, and incorporate need to ongoing input from TEWG on the effectiveness of monitoring and mitigations measures for migratory birds.</p> <p>Proposed Revision:</p> <p>Annually</p> <p>Rationale:</p> <p>Summarized results of monitoring programs and mitigation measures to be included in the Annual Report to the NIRB.</p> |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |   |
| Objective             | To develop appropriate mitigation and monitoring of impacts to birds.  |   |
| Term or Condition     | The Proponent shall continue to develop and update relevant monitoring and management plans for migratory birds under the Proponent’s Environmental Management System, Terrestrial Environment Mitigation and Monitoring Plan prior to construction. The key indicators for follow up monitoring under this plan will include peregrine falcon, gyrfalcon, common and king eider, red knot, seabird migration and wintering, and songbird and shorebird diversity. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |   |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG)   |   |

|                       | Project Certificate Condition No. 75  | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Birds – Monitoring  | <p>No Change.</p>   |
| Responsible Parties   | The Proponent   |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring  |                     |
| Objective             | To assess the extent of terrestrial habitat loss.   |                     |
| Term or Condition     | The Proponent’s monitoring program shall assess and report, on annual basis, the extent of terrestrial habitat loss due to the Project to verify impact predictions and provide updated estimates of the total project footprint. |                     |
| Reporting Requirement | To be provided within the Annual Report to the NIRB.  |                     |
| Stakeholder Review    | Qikiqtani Inuit Association, Nunavut Impact Review Board, Terrestrial Environment Working Group (TEWG)  |                     |

|                       | Project Certificate Condition No. 76  | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Marine Environment - General  | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 54.</p> <p>Rationale:<br/>Updates to the Marine Monitoring Plan (MMP) were completed and submitted as part of the Phase 2 FEIS technical review. The MMP will be updated as needed to incorporate results of monitoring and adaptive management measures already stipulated in PC Condition No. 85, 87, 99, 101, 103, 106, 110, 113, 119 and 121.</p> |
| Responsible Parties   | The Proponent   |  |
| Project Phase(s)      | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring   |  |
| Objective             | To mitigate potential impacts to the marine environment.  |  |
| Term or Condition     | The Proponent shall develop a comprehensive Environmental Effects Monitoring Program to address concerns and identify potential impacts of the Project on the marine environment. |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |  |
| Stakeholder Review    | Marine Environmental Working Group (MEWG)   |  |

|                       | Project Certificate Condition No. 77  | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Marine Environment - Working Group  | <p>No Change.</p>   |
| Responsible Parties   | The Proponent, Environment Canada, Fisheries and Oceans Canada, the Government of Nunavut, the Qikiqtani Inuit Association and interested parties   |                     |
| Project Phase(s)      | All Phases  |                     |
| Objective             | The MEWG will consult with, and provide advice and recommendations to the Proponent in connection with mitigation measures for the protection of the marine environment, monitoring of effects on the marine environment and the consideration of adaptive management plans. The role of the MEWG is not intended to either duplicate or to affect the exercise of regulatory authority by appropriate government agencies and departments.   |                     |
| Term or Condition     | A Marine Environment Working Group ("MEWG") shall be established to serve as an advisory group in connection with mitigation measures for the protection of the marine environment, and in connection with the Project Environmental Effects Monitoring program, as it pertains to the marine environment. Membership on the MEWG will include the Proponent, Environment Canada, Fisheries and Oceans Canada, Parks Canada, the Government of Nunavut, the Qikiqtani Inuit Association, the Mittimatalik Hunters and Trappers Organization, and other agencies or interested parties as determined to be appropriate by these key members. Makivik Corporation shall also be entitled to membership on the MEWG at its election. The MEWG members may consider the draft terms of reference for the MEWG filed in the Final Hearing, but they are not bound by them. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |                     |
| Stakeholder Review    | Marine Environment Working Group (MEWG)   |                     |

|                       | Project Certificate Condition No. 78   | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Marine Environment - Ice Breaking and Shipping   | <p>Proposed Revision:</p> <p>The Proponent shall update the baseline information for land fast ice using a long-term dataset and with information on inter-annual variation. The analysis for pack and landfast ice shall be updated periodically using annual sea ice data (floe size, cover, concentration).</p> <p>Rationale:</p> <p>Annual tracking of ice decay and formation will continue to occur, however there is no reasonable or foreseeable need to re-analyze this data on an annual basis. Revisions have also addressed management plans that would be updated pending updated land fast ice decay and formation analysis that would result in an operational change.</p> <p>Proposed Revision:</p> <p>As required.</p> <p>Rationale:</p> <p>Annual tracking of ice decay and formation will continue to occur on an annual basis, however there is no reasonable or foreseeable need to re-analyze this data on an annual basis.</p> |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring  |   |
| Objective             | To obtain accurate and current ice information.  |   |
| Term or Condition     | The Proponent shall update the baseline information for land fast 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. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister  |   |
| Stakeholder Review    | N/A  |   |

|                       | Project Certificate Condition No. 79  | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Marine Environment - Ice Breaking and Shipping  | <p>No Change.</p>   |
| Responsible Parties   | The Proponent, Canadian Hydrographic Services   |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring   |                     |
| Objective             | To assist in the development of nautical charts for Canadian waters.  |                     |
| Term or Condition     | 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. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |                     |
| Stakeholder Review    | Canadian Hydrographic Service (CHS)   |                     |

|                       | Project Certificate Condition No. 80   | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Marine Environment - Ice Breaking and Shipping   | No Change.          |
| Responsible Parties   | The Proponent, Canadian Hydrographic Services  |                     |
| Project Phase(s)      | Construction   |                     |
| Objective             | To identify areas of risk along the shipping route.  |                     |
| Term or Condition     | 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 risk. This assessment shall inform mitigation and adaptive management plans. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |                     |
| Stakeholder Review    | Canadian Hydrographic Service (CHS)  |                     |

|                       | Project Certificate Condition No. 81  | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Marine Environment - Shoreline Effects and Sediment Redistribution  | Proposed Revision:<br>Suggest to remove PC Condition No. 81<br><br>Rationale:<br>This PC Condition is duplicative to the requirements under PC Condition No. 84. See also suggested revisions to PC Condition No. 84. |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | Construction  |   |
| Objective             | To mitigate potential shoreline effects from shipping.  |   |
| Term or Condition     | The Proponent shall reassess the potential for ship wake impacts to cause coastal change following any further changes to the proposed shipping routes. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |   |
| Stakeholder Review    | Marine Environmental Working Group (MEWG)   |   |

|                       | Project Certificate Condition No. 82  | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Marine Environment - Shoreline Effects and Sediment Redistribution  | Proposed Revision:<br>If ore carriers are commissioned directly by the Proponent, they are strongly encouraged to have them subjected to sea trials to measure wake characteristics at various vessel speeds and distances from the vessel.<br><br>Rationale:<br>Baffinland does not yet own its own vessels and instead relies on market availability of existing ore carriers. |
| Responsible Parties   | The Proponent   |  |
| Project Phase(s)      | Construction and Operations   |  |
| Objective             | To mitigate potential shoreline effects from shipping.  |  |
| Term or Condition     | The Proponent is strongly encouraged to have its ore carriers subjected to sea trials to measure wake characteristics at various vessel speeds and distances from the vessel. |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |  |
| Stakeholder Review    | Marine Environmental Working Group (MEWG)   |  |

|                       | Project Certificate Condition No. 83  | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Marine Environment - Shoreline Effects and Sediment Redistribution  | <p>Proposed Revision:</p> <p>The Proponent shall install tidal gauges at Steensby and Milne Port to monitor sea levels and storm surges at an appropriate frequency to be determined in consultation with the MEWG, or at a minimum, once every 5 years.</p> <p>Add Commentary:</p> <p>The Proponent collected tidal gauge data in 2014 and 2017-2019 at Milne Port and no observable sea level rise was noted.</p> |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | All phases  |   |
| Objective             | To provide data on tide levels and storm surges.  |   |
| Term or Condition     | The Proponent shall install tidal gauges at Steensby and Milne Port to monitor sea levels and storm surges. |   |
| Reporting Requirement | The Proponent shall summarize and supply these monitoring results to NIRB in the annual Project report.     |   |
| Stakeholder Review    | Nunavut Impact Review Board (NIRB)  |   |

|                       | Project Certificate Condition No. 83(a)  | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Marine Environment - Shoreline Effects and Sediment Redistribution   | <p>Proposed Revision:</p> <p>Suggest to remove PC Condition No. 83 (a) (or alternatively, retain condition and add as Commentary the rationale set out below so that compliance with PC Condition No. 83(a) is confirmed going forward).</p> <p>Rationale:</p> <p>A hydrodynamic modelling report for Milne Port has been completed and the results were submitted as part of the Phase 2 FEIS Addendum.</p> |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | Construction, Operations   |  |
| Objective             | To identify potential for and conduct monitoring to identify effects of sediment redistribution associated with construction and operation of the Milne Port.  |  |
| Term or Condition     | The Proponent shall conduct hydrodynamic modelling in the Milne Inlet Port area to determine the potential impacts arising from disturbance to sediments including re-suspension and subsequent transport and deposition of sediment. The modelling results shall be used to update the marine water and sediment quality monitoring and mitigation program to include activities associated with the construction and operation of the Milne Inlet Port. The monitoring program shall include an ongoing assessment of the potential introduction of metals that bio-accumulate in the marine food chain. |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |  |
| Stakeholder Review    | Marine Environmental Working Group (MEWG)  |  |

|                          | Project Certificate Condition No. 84  | Baffinland Comments   |
|--------------------------|---|---|
| Category                 | Marine Environment - Shoreline Effects and Sediment Redistribution  | <p>Proposed Revision:</p> <p>Suggest to remove PC Condition No. 84 (or alternatively, retain condition and add as Commentary the rationale set out below so that compliance with PC Condition No. 84 is confirmed going forward).</p> <p>Rationale:</p> <p>A ship wake and propeller wash assessment for the Northern portion of the Project has been completed and results were submitted as part of the Phase 2 FEIS Addendum. It is noted that this condition would remain in place to account for the Southern portion of the Project</p> |
| Responsible Parties      | The Proponent   |   |
| Project Phase(s)         | Construction and Operations   |   |
| Objective                | To prevent sediment redistribution along the shipping route   |   |
| Term or Condition        | The Proponent shall update its sediment redistribution modeling once ship design has been completed and sampling should be undertaken to validate the model and to inform sampling sites and the monitoring plan. |   |
| Relevant BIM Commitments | N/A   |   |
| Reporting Requirement    | To be developed following approval of the Project by the Minister   |   |
| Status                   | Not Applicable  |   |
| Stakeholder Review       | None  |   |


|                       | Project Certificate Condition No. 85   | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Marine Environment - Shoreline Effects and Sediment Redistribution   | <p>No Change.</p>   |
| Responsible Parties   | The Proponent  |                     |
| Project Phase(s)      | Construction and Operations  |                     |
| Objective             | To prevent sediment redistribution along the shipping route  |                     |
| Term or Condition     | The Proponent shall develop a monitoring plan to verify its impact predictions associated with sediment redistribution resulting from propeller wash in shallow water locations along the shipping route. If monitoring detects negative impacts from sediment redistribution, additional mitigation measures will need to be developed and implemented. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister  |                     |
| Stakeholder Review    | None   |                     |

|                       | Project Certificate Condition No. 86   | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Marine Environment - Ballast Water   | <p>Proposed Revision:<br/>No Change.</p> <p>Add Commentary:<br/>Ballast water dispersion modelling for the Northern portion of the Project has been completed and results were submitted as part of the FEIS for Phase 2 Project Proposal. This condition remains in place to account for the Southern portion of the Project.</p> |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.   |  |
| Stakeholder Review    | Marine Environmental Working Group (MEWG)  |  |



|                       | Project Certificate Condition No. 87  | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Marine Environment - Ballast Water  | <p>Proposed Revision:<br/>Marine Environment – Aquatic Invasive Species</p> <p>Rationale:<br/>Updated to better reflect monitoring outlined in term and condition</p> <p>Proposed Revision:</p> <p>a) The Proponent shall develop a long term monitoring program to evaluate changes to marine habitat and organisms and to monitor for invasive species introductions resulting from Project-related shipping.</p> <p>b) The Proponent shall develop a monitoring program in collaboration with DFO and Transport Canada to ensure that ballast water will comply with all applicable regulations prior to discharge. This monitoring program shall include a component for the monitoring of contaminants of risk from the vessels Port of origin and treatment systems, as applicable, to assess potential risks to the marine environment associated with discharge.</p> <p>c) The Proponent shall use data collected through the monitoring program described at (b) to support the development and future refinement of a trigger list of high biological risk invasive species or groupings of invasive species of concern and associated response plans in collaboration with DFO starting in 2021.</p> <p>Rationale:<br/>Updated to reflect current phase of the Project (i.e. post-baseline data collection) and commitment to conduct on-board testing of ballast water prior to discharge. International and Domestic regulations may be subject to changes over the life of mine. Flexibility should be allowed for as changes occur.</p> <p>Proposed Revision:<br/>Annually</p> <p>Rationale:<br/>Results of the monitoring programs will be summarized in the Annual Report to the NIRB.<br/>No Change.</p> |
| Responsible Parties   | The Proponent   |  |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.  |  |
| Stakeholder Review    | Marine Environmental Working Group (MEWG)   |  |

|                       | Project Certificate Condition No. 88   | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Marine Environment - Ballast Water   | <p>Proposed Revision:</p><br><br><p>Add Commentary:</p> <p>A risk assessment for the Introduction of Aquatic Invasive Species from Ballast Water for the Northern portion of the Project has been completed and results were submitted as part of the FEIS and FEIS addendum for Phase 2 Project Proposal. This condition remains in place to account for the Southern portion of the Project.</p> |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | 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:<br>Invasive species<br>Seasonal oceanography<br>Ballast water quality and quantity<br>Receiving water quality; e. Residual physical, chemical, and/or biological effects<br>Any risk assessment analysis regarding ballast water exchange and treatment efficacy in arctic waters |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |  |
| Stakeholder Review    | Marine Environment Work Group (MEWG)   |  |

|                       | Project Certificate Condition No. 89  | Baffinland  omments   |
|-----------------------|---|--|
| Category              | Marine Environment - Ballast Water  | <p>Proposed Revisions:<br/>Marine Environment – Aquatic Invasive Species</p> <p>Rationale:<br/>To reflect incorporation of multiple PC Conditions (i.e. 90 and 91) into a singular term and condition.</p> <p>Proposed Revision:<br/>To prevent impacts of the introduction of aquatic invasive species into the marine environment as a result of shipping activities</p> <p>Rationale:<br/>To reflect incorporation of multiple PC Conditions (i.e. 90 and 91) into a singular term and condition.</p> <p>Proposed Revision:<br/>The Proponent shall ensure that all shipping contractors meet the legal requirements of ballast water management, including all applicable regulations.</p> <p>The Proponent shall, in consultation with DFO, develop a ballast water compliance sampling plan that includes clear timelines, information requirements, and considerations for the risk-based methodology and associated ballast water compliance. The plan shall also specify the parameters of discontinuation of exchange plus treatment practices, including factors for consideration and updates to the ballast water dispersion modelling.</p> <p>The Proponent shall update its Standing Instructions to Masters to require all vessels contracted by the Proponent calling on Milne Port that treat their ballast under the D2 Standard to also perform a ballast water exchange prior to treatment. For ships unable to conduct exchange as specified in Canadian Ballast Water Regulations (e.g. ships on Canadian domestic trips), exchange is to be conducted as specified in revised ABWEZs for Eastern Arctic as per DFO CSAS advice (see DFO 2015, Stewart et al. 2015 and Goldsmit et al. 2019).</p> <p>The Proponent shall, in consultation with DFO, develop a biofouling sampling program which includes clear requirements for biofouling management guidelines and practices; timelines and parameters for biofouling monitoring, including biological sampling; and parameters for the biofouling risk assessment and risk-based sampling plan.</p> <p>Rationale:<br/>Revisions have been made to reference applicable regulations for managing the potential introduction of aquatic invasive species, and to minimize duplication that currently exists between PC Condition No. 89, 90 and 91. Specific regulations are not references as their names may change over time. See also proposed revisions to PC Condition No. 87.</p> |
| Responsible Parties   | The Proponent   |  |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.  |  |
| Stakeholder Review    | Transport Canada, Marine Environmental Working Group (MEWG)   |  |

|                       | Project Certificate Condition No. 90   | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Marine Environment - Ballast Water   | Proposed Revision:<br>Suggest to remove PC Condition No. 90.<br><br>Rationale:<br>See proposed revisions to PC Condition No. 89. |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | 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 Canadian Ballast Water and Control Regulations as may be amended from time to time. |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |  |
| Stakeholder Review    | Transport Canada, Marine Environment Working Group (MEWG)  |  |

|                       | Project Certificate Condition No. 91   | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Marine Environment - Ballast Water   | Proposed Revision:<br>Suggest to remove PC Condition No. 91.<br><br>Rationale:<br>See proposed revisions to PC Condition No. 89. |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister  |  |
| Stakeholder Review    | Transport Canada, Marine Environmental Working Group (MEWG)  |  |

|                       | Project Certificate Condition No. 92  | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Marine Environment - Spill Prevention   | <p>Proposed Revision:</p> <p>Suggest to remove PC Condition No. 92.</p><br><p>Rationale:</p> <p>Duplicates regulatory requirements under Canada Shipping Act, 2012 required OPEP-OPPP.</p> <p>No Change.</p> <p>Proposed Revision:</p> <p>Transport Canada and Canadian Coast Guard</p><br><p>Rationale:</p> <p>TC and CCG are the appropriate regulatory authorities to provide guidance on spill response associated with the Project.</p> |
| Responsible Parties   | The Proponent   |  |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.  |  |
| Stakeholder Review    | Marine Environmental Working Group (MEWG)   |  |

|                       | Project Certificate Condition No. 93  | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Marine Environment - Spill Prevention   | <p>No Change.</p>   |
| Responsible Parties   | The Proponent   |                     |
| Project Phase(s)      | Construction  |                     |
| Objective             | To prevent impacts to the marine environment at Steensby Inlet.   |                     |
| Term or Condition     | Prior to construction, based on vessel selection and if so required, the Proponent shall reassess the risk analysis of using vessel-based fuel storage, including the potential environmental impacts of containment failure under a range of winter ice conditions, how a spill might spread and the impact of fuel if it does not volatilize to the atmosphere. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |                     |
| Stakeholder Review    | N/A   |                     |

|                       | Project Certificate Condition No. 94  | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Marine Environment - Spill Prevention   | No Change.          |
| Responsible Parties   | The Proponent   |                     |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.  |                     |
| Stakeholder Review    | Communities of Hall Beach and Igloolik  |                     |

|                       | Project Certificate Condition No. 95   | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Marine Environment - Spill Prevention  | No Change.          |
| Responsible Parties   | The Proponent, Transport Canada  |                     |
| Project Phase(s)      | Construction   |                     |
| Objective             | To prevent impacts to the marine environment at Steensby Inlet.  |                     |
| Term or Condition     | The Proponent shall meet or exceed all regulatory regulations and requirements as apply to the practice of overwintering a fuel vessel at Steensby Inlet, with reporting to the NIRB and Transport Canada. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |                     |
| Stakeholder Review    | N/A  |                     |

|                       | Project Certificate Condition No. 96  | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Marine Environment - Spill Prevention   | <p>Proposed Revision:<br/>Suggest to remove PC Conditions No. 96.</p> <p>Rationale:<br/>This PC Condition duplicates the requirement to report results to NIRB and Transport Canada outlined in PC Condition No. 95.</p> |
| Responsible Parties   | The Proponent   |  |
| Project Phase(s)      | Construction  |  |
| Objective             | To ensure adequate oversight of Project activities is occurring.  |  |
| Term or Condition     | The Proponent will update the NIRB on the results of all compliance monitoring and site inspections undertaken by government agencies for the overwintering of a fuel vessel in Steensby Inlet. |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |  |
| Stakeholder Review    | N/A   |  |

|                       | Project Certificate Condition No. 97   | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Marine Environment - Spill Prevention  | <p>Proposed Revision:<br/>(e) Spill models shall be reexamined and reassessed as required where changes to Project shipping are contemplated that have not been considered through previous assessments.</p> <p>Add Commentary:<br/>Oil spill modelling for the Northern portion of the Project was conducted and results were submitted as part of the FEIS and FEIS addendum for Phase 2 Project Proposal. This condition remains in place to account for the Southern portion of the Project.</p> |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | Construction   |  |
| Objective             | To prevent impacts to the marine environment along the shipping route.   |  |
| Term or Condition     | <p>Prior to the commercial shipping of iron ore, the Proponent shall conduct fuel spill dispersion modeling that will, at a minimum, consider:</p> <p>a) Modeling of oil spills for both the Northern and Southern Shipping Routes, in representative locations, identified by the Proponent, in consultation with the Marine Environment Working Group along both Shipping Routes, and including:</p> <ul style="list-style-type: none"><li>Pinch points;</li><li>The approaches into Steensby Inlet and Milne Inlet;</li><li>Shallow water and shorelines; and,</li><li>Areas that have been identified as having high flows and/or high concentrations of marine mammals, marine fish or seabirds.</li></ul> <p>b) Open water and, where applicable, ice-covered conditions</p> <p>c) Spill volumes up to and including loss of a full tanker cargo</p> <p>d) Differences in the quantity and properties of each type of bulk fuel transported by vessels when they are at, or in transit to, the ports at Steensby Inlet and Milne Inlet</p> |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |  |
| Stakeholder Review    | Transport Canada Marine Safety. Canadian Coast Guard   |  |

|                       | Project Certificate Condition No. 98  | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Marine Environment - Spill Prevention   | <p>No Change.</p>   |
| Responsible Parties   | The Proponent   |                     |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.  |                     |
| Stakeholder Review    | Transport Canada Marine Safety, Canadian Coast Guard  |                     |

|                       | Project Certificate Condition No. 99  | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Marine Environment - Supplemental Baseline Assessments  | <p>Proposed Revision:</p> <p>The Proponent, working with the Marine Environment Working Group, shall consider and identify priorities for conducting the following supplemental baseline assessments prior to the commencement of ore carrier shipping for the Southern portion of the Project:</p> <ul style="list-style-type: none"><li>a) Establish shipping season, inter-annual baseline in Steensby 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).</li><li>b) The collection of additional baseline data in Steensby Inlet on walrus, beluga, bearded seal anadromous Arctic Char abundance, distribution ecology and habitat use.</li><li>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.</li><li>d) Enhance the baseline for affected freshwater systems, which includes control sites to detect Project-related changes.</li></ul> <p>Add Commentary:</p> <p>The requirements of collecting baseline data for the Northern Shipping Route have been completed. These have been submitted to NIRB and are also available on Baffinland’s Document Portal (website).</p> <p>Rationale:</p> <p>Current effort for the Northern Shipping Route is focused on environmental effects monitoring (EEM) using a number of different EEM programs that focus on detection of potential Project effects on marine mammals and the marine environment. See also revisions to PC Condition 101.</p> <p>The method for collection of data is removed to allow for flexibility in the design and implementation of monitoring programs based on monitoring report results, input from government agencies and Inuit.</p> |
| Responsible Parties   | The Proponent, Marine Environment Working Group   |  |
| Project Phase(s)      | Construction  |  |
| Objective             | To supplement baseline information and improve predictions for potential impacts to marine wildlife.  |  |
| Term or Condition     | <p>The Proponent, working with the Marine Environment Working Group, shall consider and identify priorities for conducting the following supplemental baseline assessments:</p> <ul style="list-style-type: none"><li>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).</li><li>b) The collection of additional baseline data:</li><li>c) in Steensby Inlet on walrus, beluga, bearded seal anadromous Arctic Char abundance, distribution ecology and habitat use</li><li>d) In Milne Inlet on narwhal, bowhead and anadromous Arctic Char abundance, distribution ecology and habitat use</li><li>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:</li><li>f) Aerial surveys for basking ringed seals throughout the landfast ice of Steensby Inlet and at an appropriate control location</li><li>g) Shore-based observations of pre-Project narwhal and bowhead whale behavior in Milne Inlet that continues at an appropriate frequency throughout the Early Revenue Phase and for not less than three consecutive years</li><li>h) Enhance the baseline for affected freshwater systems, which includes control sites to detect Project-related changes before they cause significant harm.</li></ul> |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |  |
| Stakeholder Review    | Marine Environment Working Group (MEWG)   |  |




|                       | Project Certificate Condition No. 100  | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Marine Environment - Supplemental Baseline Assessments   | No Change.          |
| Responsible Parties   | The Proponent, Marine Environment Working Group  |                     |
| Project Phase(s)      | 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, 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. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |                     |
| Stakeholder Review    | Marine Environment Working Group (MEWG)  |                     |

|                       | Project Certificate Condition No. 101   | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Marine Environment - Monitoring   | <p>Proposed Revision:</p> <p>Term or Condition:</p> <p>The Proponent shall incorporate into the appropriate monitoring plans the following items:</p> <ul style="list-style-type: none"><li>a) A monitoring program that focuses on walrus use of Steensby Inlet and their reaction to disturbance from construction activities, aircraft, and vessels;</li><li>b) Efforts to involve Inuit in monitoring studies at all levels;</li><li>c) Monitoring protocols that are responsive to Inuit concerns;</li><li>d) Marine monitoring protocols are to consider the use of additional detecting devices to ensure adequate monitoring through changing seasonal conditions and daylight;</li><li>e) Consistent use of terminology describing relevant ice conditions in English and translated to Inuktitut.</li><li>f) Clarification respect timing of clearance surveys.</li><li>g) A response plan to be followed in the event of narwhal ice entrapments, including reporting structures, action level triggers and response actions, and developed in discussions with DFO and the MEWG;</li></ul> <p>Reporting Requirement:</p> <p>Add “The Proponent shall provide a summary of the following information as part of its Annual Report to NIRB and in preliminary field reports within 35 days of Spring shoulder season shipping activities commencing and 30 days of Fall shoulder season activities ending:</p> <ul style="list-style-type: none"><li>• planned and completed marine monitoring programs;</li><li>• the specific date on which the shipping season was opened and closed, within the nominal shipping window;</li><li>• determinants for opening and closing the shipping season; and</li><li>• ecological and cultural factors (or “Inuit use”) factors that influence the decision to commence or end shipping activities for the shipping season.</li><li>• GIS coordinates and a description of group size(s) of narwhal observed along end of season aerial clearance survey and associated ice conditions.; and</li><li>• Other information, as reasonably requested by DFO and other key stakeholders, relevant to the marine environment (it is note that additional information requested after submission of the preliminary field report is to be provided by Baffinland as a memo within 35 days and will be included in the Annual Report).”</li></ul> <p>Rationale:</p> <p>Revised to create a more focused Project scope and reduce duplication between PC Condition No. 78, 99 and 101. Specifics on monitoring program design removed to allow flexibility in the design and implementation of monitoring programs based on monitoring report results, input from government agencies and Inuit.</p> <p>To reflect resolution of QIA-04. QIA-47 and QIA-48.</p> |
| Responsible Parties   | The Proponent, Marine Environment Working Group   |   |
| Project Phase(s)      | Construction and Operations   |   |
| Objective             | To monitor for potential impacts to marine wildlife and marine habitat.   |   |
| Term or Condition     | <p>The Proponent shall incorporate into the appropriate monitoring plans the following items:</p> <ul style="list-style-type: none"><li>a) A monitoring program that focuses on walrus use of Steensby Inlet and their reaction to disturbance from construction activities, aircraft, and vessels;</li><li>b) Efforts to involve Inuit in monitoring studies at all levels;</li><li>c) Monitoring protocols that are responsive to Inuit concerns;</li><li>d) Marine monitoring protocols are to consider the use of additional detecting devices to ensure adequate monitoring through changing seasonal conditions and daylight;</li><li>e) Schedule for periodic aerial surveys as recommended by the Marine Environment Working Group;</li><li>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;</li><li>g) Shore-based observations of pre-Project narwhal behavior in Milne Inlet, that continues at an appropriate frequency throughout the Early Revenue Phase (not less than three years);</li><li>h) Conduct landfast ice monitoring for the duration of the Project Operations phase, which will include:</li><li>i) The number of ship transits that are able to use the same track; and,</li><li>j) The area of landfast ice disrupted annually by ship traffic; and</li><li>k) Monitoring strategy focused on assessing and mitigating interaction between humans and wildlife at theport site(s).</li></ul> |   |
| Reporting Requirement | To be provided in the Annual Report to the NIRB.  |   |
| Stakeholder Review    | Marine Environmental Working Group (MEWG), Nunavut Impact Review Board  |   |

|                       | Project Certificate Condition No. 102  | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Marine Environment - Traffic Log and Shipping Information  | Proposed Revision:<br>Suggest to Remove PC Condition No. 102.<br><br>Rationale:<br>This is duplicative of requirements under PC Condition No.164. |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | Construction and Operations  |   |
| Objective             | To promote public awareness of Project shipping activities for the general public.   |   |
| Term or Condition     | 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. |   |
| Reporting Requirement | To be provided in the Annual Report to the NIRB.   |   |
| Stakeholder Review    | N/A  |   |

|                       | Project Certificate Condition No. 103  | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Marine Environment - Traffic Log and Shipping Information  | Proposed Revision:<br>Construction, Operations and Closure.<br><br>Rationale: Shipping activities are not expected to occur during temporary or post-closure phases of the Project.<br><br>Proposed Revision:<br>The Proponent shall report annually to the NIRB regarding project-related ship track and sea ice information, including:<br><br>a) A record of all ship tracks taken along both shipping routes covering the entire shipping season;<br>b) When employing ice-breaking, an overlay of ship tracks onto ice imagery to determine whether ships are effectively avoiding shore leads and polynyas;<br>c) A comparison of recorded ship tracks to the expected nominal shipping route, and probable (if any) extent of year-round shipping during periods of ice cover and open-water;<br>d) An assessment of the level of adherence to the nominal shipping route and the spatial extent of the shipping zone of influence;<br>e) A summary 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, with corresponding discussion regarding justification for deviations and any observed environmental impacts; and<br>f) maps with its Annual Reports that illustrate tracks taken by each Project-related ship within the RSA and Baffin Bay, relative to recorded ice coverage.<br><br>Every 3 years [from 2022] the Proponent will conduct an analysis of ship tracks through Baffin Bay in relation to sea-ice to assess the extent of Project shipping’s interaction with sea-ice in Baffin Bay [and shall provide such analysis to NIRB].<br><br>Rationale:<br>Combining PC Condition No. 104 and 103 reduces current duplicative reporting requirements between the two. Item (e) of PC Condition 103 is suggested to be removed given that relative numbers for marine mammals and seabirds attracted to sea ice would be captured in monitoring requirements for PC 106.<br><br>Additional wording to reflect commitment made by Baffinland to resolve GN-24. |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |  |
| Objective             | To monitor effectiveness of mitigation of shipping impacts to marine wildlife.   |  |
| Term or Condition     | The Proponent shall report annually to the NIRB regarding project-related ship track and sea ice information, including:<br>a) A record of all ship tracks taken along both shipping routes covering the entire shipping season;<br>b) When employing ice-breaking, an overlay of ship tracks onto ice imagery to determine whether ships are effectively avoiding shore leads and polynyas;<br>c) A comparison of recorded ship tracks to the expected nominal shipping route, and probable (if any) extent of year-round shipping during periods of ice cover and open-water;<br>d) An assessment of the level of adherence to the nominal shipping route and the spatial extent of the shipping zone of influence; and<br>e) When employing ice-breaking, marine bird and mammal species and number of individuals attracted to ship tracks in ice. |  |
| Reporting Requirement | To be provided in the Annual Report to the NIRB  |  |
| Stakeholder Review    | Nunavut Impact Review Board  |  |
|                       |  |  |
|                       |  |  |

|                       | Project Certificate Condition No. 104   | Baffinland  Comments  |
|-----------------------|---|--|
| Category              | Marine Environment - Traffic Log and Shipping Information   | <p>Proposed Revisions:</p> <p>The Proponent shall, in consultation with DFO and the MEWG, develop a pilot project using remote technology to monitor for potential ship strikes associated with Project shipping within one year of the issuance of the amended Project Certificate No. 05. The pilot program shall include parameters surrounding discontinuation of the program. The development and review of the pilot program shall take into consideration:</p> <ul style="list-style-type: none"><li>(a) the number of hours and ships on which the program ran;</li><li>(b) the types and size of vessels on which the program ran;</li><li>(c) timing during the shipping season when the program was run;</li><li>(d) the number of vessels utilized;</li><li>(e) any near misses and distance from the ship;</li><li>(f) if there are other factors potentially influencing detection or influence the likelihood of encounters with marine mammals;</li><li>(g) if the program is collecting other valuable information related to the marine environment not captured through other monitoring programs; and</li><li>(h) cost.</li></ul> <p>Rationale:</p> <p>See proposed revisions to PC No. 103, which incorporates the terms and conditions for PC Condition No. 104, but reduces current duplicative reporting requirements.</p> |
| Responsible Parties   | The Proponent   |  |
| Project Phase(s)      | Construction, Operations  |  |
| Objective             | To prevent impacts to marine wildlife from Project shipping activities.   |  |
| 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: <ul style="list-style-type: none"><li>a) 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.</li><li>b) 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.</li></ul> |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |  |
| Stakeholder Review    | N/A   |  |

|                     | Project Certificate Condition No. 105  | Baffinland Comments |
|---------------------|--|---------------------|
| Category            | Marine Environment - Traffic Log and Shipping Information  | <p>No change.</p>   |
| Responsible Parties | The Proponent  |                     |
| Project Phase(s)    | Construction and Operations  |                     |
| Objective           | To prevent impacts to marine wildlife from Project shipping activities.  |                     |
| Term or Condition   | 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:  |                     |
|                     | <ul style="list-style-type: none"><li>a) 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</li><li>b) Reduced shipping speeds where ship-marine mammal interactions are most likely</li><li>c) Identification of alternate shipping routes through Hudson Strait for use when conflicts between the 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.</li></ul> |                     |

|                       |   |  |
|-----------------------|---|--|
| Reporting Requirement | To be developed following approval of the Project by the Minister |  |
| Stakeholder Review    | Marine Environmental Working Group (MEWG)                         |  |

|                       | Project Certificate Condition No. 106   | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Marine Environment - Shipboard Observers  | <p>Proposed Revision:</p> <p>The proponent will develop a surveillance monitoring program to allow for observations between shipping activities and marine wildlife and seabirds. The design of the program should take into account seasons where shipping occurs and the means for observers to effectively carry out assigned duties.</p> <p>Rationale:</p> <p>The proposed modifications to the PC Condition has been updated to reflect feedback received by the MEWG during the ERP of the Project and allows flexibility in the methods to undertake observations based on information learned throughout the ERP and constraints related to contract vessels. Examples of these programs are ship-based and/or shore based observations.</p> <p>Proposed Revision:</p> <p>Annually.</p> <p>Rationale:</p> <p>A summary of results will be provided in the Annual Report to the NIRB.</p> |
| Responsible Parties   | The Proponent   |  |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring  |  |
| Objective             | To ensure that interactions with marine mammals and Project shipping activities are effectively monitored.  |  |
| Term or Condition     | 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 Canada Shipping Act, 2001’s Collision Regulations, and should not interfere with safe navigation of the vessel. |  |
| Reporting Requirement | As needed.  |  |
| Stakeholder Review    | Marine Environment Working Group (MEWG)   |  |

|                       | Project Certificate Condition No. 107  | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Marine Environment - Shipboard Observers   | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 107.</p> <p>Rationale:<br/>Unmanned aerial vehicle (UAV) field tests were conducted in 2014 using DJI Phantom 2 rotary-wing UAVs. Limiting environmental conditions such as cold temperatures and high winds restricted the ability to fly the UAV ahead of the ship during at-sea transits and pose unnecessary safety risks to the vessel and crew, other vessels or small boats in the area, and aircrafts operating in the area.</p> |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | Construction, Operations   |   |
| Objective             | To determine the presence of, and ensure that interactions with marine mammals, seabirds and seaducks are effectively monitored for, along the northern and southern shipping routes, as applicable.   |   |
| Term or Condition     | 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. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |   |
| Stakeholder Review    | Marine Environment Working Group (MEWG)  |   |

|                       | Project Certificate Condition No. 108  | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Marine Environment - Shipboard Observers   | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 108</p> <p>Rationale:<br/>See suggested revisions to PC Condition No. 106.</p> |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | Construction, Operations   |   |
| Objective             | To ensure that interactions with marine mammals, seabirds, and seaducks are effectively monitored for along the southern and northern shipping routes, as applicable.  |   |
| Term or Condition     | 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. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |   |
| Stakeholder Review    | Marine Environment Working Group (MEWG)  |   |

|                       | Project Certificate Condition No. 109   | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Marine Environment - Ship Noise   | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 109</p> <p>Rationale:<br/>See proposed revisions to PC No. 110, which incorporate aspects of term and condition for PC No. 109, eliminating current duplication between these PC Conditions.</p> |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | Construction and Operations   |   |
| Objective             | To prevent impacts to marine mammals from Project shipping activities.  |   |
| Term or Condition     | 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. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |   |
| Stakeholder Review    | Marine Environmental Working Group (MEWG)   |   |

|                       | Project Certificate Condition No. 110  | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Marine Environment - Ship Noise  | <p>Proposed Revision:</p> <p>The Proponent shall develop an acoustic monitoring program that allows for an assessment of the predictions in the FEIS and FEIS addendum (short and long term cumulative) of vessel noise on marine mammals. In consultation with the MEWG, the monitoring program shall be designed to assess against early warning indicators or thresholds that serve to determine if un-predicted impacts as a result of vessel noise are occurring. The monitoring program shall continue over a sufficiently lengthy period to determine the extent to which habituation occurs for narwhal, beluga, bowhead and walrus.</p> <p>A draft acoustic monitoring program shall be circulated to the MEWG within one year of the issuance of the amended Project Certificate No. 05which describes the frequency of monitoring with Autonomous Multichannel Acoustic Recorders.</p> <p>Rationale:<br/>PC Condition has been modified to incorporate components of PC Conditions Nos. 109, 111 and 112, thereby eliminating duplicative reporting requirements.</p> <p>Proposed Revision:<br/>Annually.</p> <p>Rationale:<br/>The results of the acoustic monitoring program will be reported in the Annual Report to NIRB.</p> |
| Responsible Parties   | The Proponent, Marine Environment Working Group  |  |
| Project Phase(s)      | Construction and Operations  |  |
| Objective             | To prevent impacts to marine mammals from Project shipping activities.   |  |
| Term or Condition     | 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. |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |  |
| Stakeholder Review    | Marine Environmental Working Group (MEWG)  |  |

|                       | Project Certificate Condition No. 111  | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Marine Environment - Ship Noise  | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 111</p> <p>Rationale:<br/>See proposed revisions to PC No. 110, which incorporate aspects of term and condition for PC No. 111, eliminating current duplication between these PC Conditions.</p> |
| Responsible Parties   | The Proponent, Marine Environment Working Group  |   |
| Project Phase(s)      | Construction and Operations  |   |
| Objective             | To prevent impacts to marine mammals from Project shipping activities.   |   |
| Term or Condition     | <p>The Proponent 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. This shall include, but not be limited to:</p> <ul style="list-style-type: none"><li>a) Identifications of zones where cumulative noise could be mitigated due to biophysical features (e.g., water depth, distance from migration routes, distance from overwintering areas etc.)</li><li>b) Vessel transit planning, for all seasons, to determine the degree to which cumulative sound impacts can be mitigated through the seasonal use of different zones.</li></ul> |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |   |
| Stakeholder Review    | Marine Environmental Working Group (MEWG)  |   |

|                       | Project Certificate Condition No. 112   | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Marine Environment - Ship Noise   | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 112</p> <p>Rationale:<br/>See proposed revisions to PC No. 110, which incorporate aspects of term and condition for PC No. 112, eliminating current duplication between these PC Conditions.</p> |
| Responsible Parties   | The Proponent, Marine Environment Working Group   |   |
| Project Phase(s)      | Construction and Operations   |   |
| Objective             | To prevent impacts to marine mammals from Project shipping activities.  |   |
| Term or Condition     | <p>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. This shall include, but not be limited to:</p> <ul style="list-style-type: none"><li>a) Identification of zones where noise could be mitigated due to biophysical features (e.g., water depth, distance from migration routes, distance from overwintering areas etc.)</li><li>b) Vessel transit planning, for all seasons</li></ul> <p>A monitoring and mitigation plan is to be developed, and approved by Fisheries and Oceans Canada prior to the commencement of blasting in marine areas</p> |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister   |   |
| Stakeholder Review    | Marine Environmental Working Group (MEWG)   |   |



|                       | Project Certificate Condition No. 113  | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Marine Environment - Arctic Char   | No Change.          |
| Responsible Parties   | The Proponent, Marine Environment Working Group  |                     |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister  |                     |
| Stakeholder Review    | Marine Environmental Working Group (MEWG)  |                     |

|                       | Project Certificate Condition No. 114  | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Marine Environment - Arctic Char   | No Change.          |
| Responsible Parties   | The Proponent, Marine Environment Working Group  |                     |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister  |                     |
| Stakeholder Review    | N/A  |                     |

|                       | Project Certificate Condition No. 115   | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Marine Environment - Arctic Char  | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 115.</p> <p>Rationale:<br/>Any in-water works required for the Project would be conducted in accordance with DFO guidance and requirements established in Fisheries Act Authorizations necessitated by Project activities which includes determination of off-setting options and consultation with Inuit.</p> |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.  |   |
| Stakeholder Review    | Fisheries and Oceans Canada (DFO), Marine Environment Working Group (MEWG)  |   |

|                       | Project Certificate Condition No. 116  | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Marine Environment - Blasting  | <p>Proposed Revision:</p> <p>The Proponent shall engage with Fisheries and Oceans Canada to develop project specific thresholds, mitigation and monitoring for any blasting activities that would exceed the requirements of Fisheries and Oceans Canada’s <i>Guidelines for the Use of Explosives In or Near Canadian Fisheries Waters</i>.</p> <p>Rationale:</p> <p>Revision provides certainty that for all relevant activities, specific thresholds, mitigations and monitoring for any blasting activities would exceed regulatory guidance.</p> |
| Responsible Parties   | The Proponent, Fisheries and Oceans Canada   |   |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.   |   |
| Stakeholder Review    | N/A  |   |

|                       | Project Certificate Condition No. 117  | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Marine Environment - Blasting  | <p>Proposed Revision:</p> <p>Suggest to remove PC Condition No. 117.</p> <p>Rationale:</p> <p>See proposed Revision to PC Condition No. 116.</p> |
| Responsible Parties   | The Proponent, Fisheries and Oceans Canada   |  |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.   |  |
| Stakeholder Review    | Fisheries and Oceans Canada (DFO), Marine Environment Working Group (MEWG)   |  |

|                       | Project Certificate Condition No. 118  | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Marine Environment - Blasting  | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 118</p> <p>.</p> <p>Rationale:<br/>See Proposed Revision to PC Condition No. 166.</p> |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.   |  |
| Stakeholder Review    | N/A  |  |

|                       | Project Certificate Condition No. 119   | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Marine Environment - Ringed Seals   | <p>Proposed Revision:</p> <p>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 winter shipping associated with the Southern shipping route, 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.</p> <p>The Proponent shall develop a ringed seal monitoring plan for the Northern shipping route that incorporates Inuit perspectives into the design, planning and implementation phases.</p> <p>The Proponent shall, in conjunction with the QIA and Impacted Communities, develop a ringed seal monitoring plan that incorporates Inuit perspectives into the design, planning and implementation phases. The plan shall include Inuit OITRs for ringed seal, which will include low, moderate and high risk thresholds and responses which will be incorporated into the adaptive management plan for the Marine Monitoring Plan.</p> <p>Rationale:<br/>Seasonal shipping through the Northern Shipping Route does not overlap with seal parturition, pupping or nursing periods. However, this commitment was made by the Proponent to resolve QIA-04.</p> |
| Responsible Parties   | The Proponent, Marine Environment Working Group   |  |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.  |  |
| Stakeholder Review    | Marine Environment Working Group (MEWG)   |  |

|                       | Project Certificate Condition No. 120   | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Marine Environment - Marine Mammal Interactions   | No Change.          |
| Responsible Parties   | The Proponent   |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring   |                     |
| Objective             | To prevent impacts to marine mammals associated with Project shipping.  |                     |
| Term or Condition     | 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: <div><div>a)</div><div>Wildlife will be given right of way</div><div>b)</div><div>Ships will when possible, maintain a straight course and constant speed, avoiding erratic behavior</div><div>c)</div><div>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.</div></div> |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |                     |
| Stakeholder Review    | Marine Environmental Working Group (MEWG)   |                     |

|                       | Project Certificate Condition No. 121  | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Marine Environment - Marine Mammal Interactions  | <p>Proposed Revision:</p> <p>The Proponent shall immediately report any accidental contact by project vessels with marine mammals or seabird colonies to regulatory authorities in accordance with legislation. The Proponent shall summarize and report annually to the NIRB regarding accidental contact by project vessels with marine mammals or seabird colonies in the Annual Report to NIRB.</p> <p>Rationale:</p> <p>Revisions serve to combine PC Condition No. 121 and 122 and reflect prescriptive reporting requirements already outlined in relevant legislation.</p> <p>Proposed Revision:</p> <p>Annually.</p> <p>Rationale:</p> <p>Any accidental contacts will be summarized and reported in the Annual Report to the NIRB.</p> <p>No Change.</p> |
| Responsible Parties   | The Proponent, Fisheries and Oceans Canada, Environment Canada   |  |
| Project Phase(s)      | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring  |  |
| Objective             | To prevent impacts to marine mammals and seabird colonies associated with Project shipping.  |  |
| Term or Condition     | 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 of the: <div><div></div><div>Date, time and location of the incident;</div><div></div><div>Species of marine mammal or seabird involved;</div><div></div><div>Circumstances of the incident;</div><div></div><div>Weather and sea conditions at the time;</div><div></div><div>Observed state of the marine mammal or sea bird colony after the incident; and,</div><div></div><div>Direction of travel of the marine mammal after the incident, to the extent that it can be determined.</div></div> |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |  |
| Stakeholder Review    | Marine Environment Working Group (MEWG), Fisheries and Oceans Canada (DFO), Environment and Climate Change Canada (ECCC)   |  |

|                       | Project Certificate Condition No. 122   | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Marine Environment - Marine Mammal Interactions   | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 122.</p> <p>Rationale:<br/>See proposed changes to PC Condition No. 121.</p> |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring   |   |
| Objective             | To prevent impacts to marine mammals and seabird colonies associated with Project shipping.   |   |
| Term or Condition     | 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. |   |
| Reporting Requirement | To be provided in the Annual Report to the NIRB.  |   |
| Stakeholder Review    | Marine Environment Working Group (MEWG)   |   |

|                       | Project Certificate Condition No. 123  | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Marine Environment - Marine Mammal Interactions  | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 123.</p> <p>Rationale:<br/>The intent of PC Condition 123 duplicates objectives and reporting requirements associated with PC Conditions 106 and 121. See proposed revisions to PC Condition No. 106 and 121.</p> |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring  |  |
| Objective             | To prevent impacts to marine mammals and seabird colonies associated with Project shipping.  |  |
| Term or Condition     | 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. |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |  |
| Stakeholder Review    | Marine Environment Working Group (MEWG)  |  |

|                       | Project Certificate Condition No. 124   | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Marine Environment - Marine Mammal Interactions   | <p>Proposed Revision:</p> <p>The Proponent shall prohibit non-Inuit Project employees from recreational boating, fishing and harvesting of marine wildlife in Project areas, including Steensby Inlet and Milne Inlet.</p> <p>Rationale:</p> <p>As described in Article 11.4 of the IIBA, “Inuit employees shall be permitted access during their leisure hours, subject to Company policies, to all Project Areas for the purpose of any form of harvesting...in conformity with Subsection 5.7.17 (b) of the NLCA...”.</p> <p>Proposed Revision:</p> <p>Annually</p> <p>Rationale:</p> <p>Baffinland will provide a summary of Inuit employee use of Project areas for the purpose of harvesting during their leisure hours in their Annual Report to the NIRB.</p> |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring   |   |
| Objective             | To prevent impacts to marine mammals and marine fish populations from increased harvesting pressures in Project areas.  |   |
| Term or Condition     | The Proponent shall prohibit project employees from recreational boating, fishing, and harvesting of marine wildlife in project areas, including Steensby Inlet and Milne Inlet. The Proponent is not directed to interfere with harvesting by the public in or near project areas, however, enforcement of a general prohibition on harvesting in project areas by project employees during periods of active employment (i.e. while on site and between work shifts) is required. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |   |
| Stakeholder Review    | Fisheries and Oceans Canada (DFO), Indigenous and Northern Affairs Canada (INAC), Qikiqtani Inuit Association (QIA), Terrestrial Environment Working Group (TEWG)   |   |

|                       | Project Certificate Condition No. 125   | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Marine Environment - Public Engagement  | <p>No Change.</p>   |
| Responsible Parties   | The Proponent   |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring   |                     |
| Objective             | To assess acceptability of acoustic deterrent devices for the general public.   |                     |
| Term or Condition     | Prior to use of acoustic deterrent devices, the Proponent shall carry out consultations with communities along the shipping routes and nearest to Steensby Inlet and Milne Inlet ports to assess the acceptability of these devices. Feedback received from community consultations shall be incorporated into the appropriate mitigation plan. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |                     |
| Stakeholder Review    | N/A   |                     |

|                       | Project Certificate Condition No. 125(a)   | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Marine Environment - Public Engagement   | <p>Suggested Revision:</p> <p>Add “Where it is not practicable or feasible to implement community preferred anchorage sites, the Proponent shall identify such areas of disagreement to the NIRB and provide written rationale.”</p> |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring  |  |
| Objective             | To ensure public acceptability of project vessel anchor sites and reduce potential conflicts between project marine shipping and local harvesting.   |  |
| Term or Condition     | The Proponent shall consult with potentially-affected communities and groups, particularly 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 received from community consultations shall be incorporated into the most appropriate mitigation or management plans. |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |  |
| Stakeholder Review    | Marine Environment Working Group   |  |

|                       | Project Certificate Condition No. 126  | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Marine Environment - Public Engagement   | <p>Proposed Revision:</p> <p>Suggest to remove PC Condition No. 127.</p> <p>Rationale:</p> <p>This PC Condition is duplicative of both the objectives and reporting requirements for PC Condition No. 163 and 164.</p> |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.   |  |
| Stakeholder Review    | Marine Environment Working Group (MEWG)  |  |

|                       | Project Certificate Condition No. 127  | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Marine Environment - Public Engagement   | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 127.</p> <p>Rationale:<br/>This PC Condition is duplicative of both the objectives and reporting requirements for PC Condition No. 163 and 164.</p> |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring  |  |
| Objective             | To promote public awareness and engagement with Project shipping activities.   |  |
| Term or Condition     | The Proponent shall ensure that communities and groups in Nunavik are kept informed of Project shipping activities and are provided with opportunity to participate in the continued development and refinement of shipping related monitoring and mitigation plans. |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |  |
| Stakeholder Review    | Mittimatilik Hunter and Trappers Organization, Marine Environment Working Group (MEWG)   |  |

|                       | Project Certificate Condition No. 128  | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Marine Environment - Public Engagement   | <p>Proposed Revision:<br/>Suggest to remove PC Condition No. 128.</p> <p>Rationale:<br/>See revision to PC Condition No. 115</p> |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | Construction, Operations, Temporary Closure/Care and Maintenance, Closure and Post-Closure Monitoring  |  |
| Objective             | To ensure habitat compensation is acceptable to local communities.   |  |
| Term or Condition     | The Proponent shall consult with local communities as fish habitat off-setting options are being considered and demonstrate its incorporation of input received into the design of the Fish Habitat Off-Setting Plan required to offset the Harmful Alteration, Disruption or Destruction of Fish and Fish Habitat (HADD). |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |  |
| Stakeholder Review    | Fisheries and Oceans Canada, Mittimatalik Hunter and Trapper Organization, Pisiksik Working Group  |  |



|                       | Project Certificate Condition No. 129  | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Population Demographics - Qikiqtaaluk Socio-Economic Monitoring Committee  | No Change.          |
| Responsible Parties   | The Proponent, members of the QSEMC  |                     |
| Project Phase(s)      | 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 Requirement | To be determined following approval of the Project by the Minister.  |                     |
| Stakeholder Review    | Qikiqtaaluk Socio-Economic Monitoring Committee (QSEMC) and Mary River Socio-Economic Monitoring Working Group (SEMWG)   |                     |

|                       | Project Certificate Condition No. 130   | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Population Demographics - Project-specific monitoring   | No Change.          |
| Responsible Parties   | The Proponent   |                     |
| Project Phase(s)      | 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 Requirement | To be determined following approval of the Project by the Minister.   |                     |
| Stakeholder Review    | Qikiqtaaluk Socio-Economic Monitoring Committee (QSEMC) and Mary River Socio-Economic Monitoring Working Group (SEMWG)  |                     |

|                       | Project Certificate Condition No. 131  | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Population Demographics - Monitoring demographic changes   | <p>Population Demographics – Monitoring of socio-economic indicators</p> <p>To monitor a broad range of socio-economic indicators that may be affected by the Project</p> <p>The Proponent is encouraged to work with the Qikiqtaaluk Socio-Economic Monitoring Committee and the Mary River Socio-Economic Monitoring Working Group to monitor the following socio-economic indicators that may be affected by the Project:</p> <ul style="list-style-type: none"><li>a) Demographic changes, including the movement of people into and out of the North Baffin communities and the territory as a whole to assess the potential effect the Project has on migration.</li><li>b) The number of Inuit and non-Inuit employees hired from each of the North Baffin communities, the Kitikmeot and Kivalliq regions, and other provinces/territories, specifying the number from each</li><li>c) The number of non-Canadian foreign employees hired, specifying the locations and number from each foreign point of hire.</li><li>d) The level of education obtained by new employees and whether they resigned from a previous job placement or educational institution in order to take up employment with the Project.</li><li>e) Barriers to employment for women, specifically with respect to childcare availability and costs.</li><li>f) Project harvesting interactions and food security, which includes broad indicators of dietary habits.</li><li>g) Subject to availability through the Nunavut Bureau of Statistics, 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</li><li>h) Pressures on 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.</li><li>i) 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.</li><li>j) 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.</li></ul> <p>Rationale:<br/>This merges together the suggested requirements of 10 separate socio-economic monitoring related Terms and Conditions, including 131, 134, 140, 145, 148, 154, 158, 159, 168, 169. The substance of each previous Term and Condition remains and the composition of the annual Socio-Economic Monitoring Report will not change, however, for compliance tracking purposes this is preferred.</p> <p>Reported annually through the Socio-Economic Monitoring Report</p> |
| Responsible Parties   | The Proponent, members of the QSEMC  |  |
| Project Phase(s)      | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring  |  |
| Objective             | To monitor demographic changes affecting the North Baffin communities and the territory as a whole in order to understand changes and to evaluate the Proponent’s predictions as related to population demographics.   |  |
| Term or Condition     | 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. |  |
| Reporting Requirement | To be determined following approval of the Project by the Minister.  |  |
| Stakeholder Review    | Qikiqtaaluk Socio-Economic Monitoring Committee (QSEMC) and Mary River Socio-Economic Monitoring Working Group (SEMWG)   |  |

|                       | Project Certificate Condition No. 132   | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Population Demographics - Training programs   | No Change.          |
| Responsible Parties   | The Proponent, North Baffin Hamlets, Municipal Training Organization, Government of Nunavut   |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring   |                     |
| Objective             | To develop training programs in ways which contribute to limiting the potential for migration to occur as North Baffin residents seek training and employment opportunities in the larger centre of Iqaluit.  |                     |
| Term or Condition     | The Proponent is encouraged to partner with other agencies such 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. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |                     |
| Stakeholder Review    | Mary River Socio-Economic Monitoring Working Group (SEMWG)  |                     |

|                       | Project Certificate Condition No. 133  | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Population Demographics - Monitoring demographic changes   | <p>Proposed Revision:</p> <p>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, 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 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, 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.</p> <p>Rationale:</p> <p>The Department of Health and Social Services is now the Department of Health.</p> |
| Responsible Parties   | The Proponent, members of QSEMC, Government of Nunavut, Nunavut Housing Corporation  |  |
| Project Phase(s)      | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring  |  |
| Objective             | Training programs may be developed with the goal of limiting the potential for migration to occur as North Baffin residents may choose to seek employment and therefore move from smaller North Baffin communities to the larger centre of Iqaluit   |  |
| Term or Condition     | 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 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. |  |
| Reporting Requirement | To be determined following approval of the Project by the Minister.  |  |
| Stakeholder Review    | Qikiqtaaluk Socio-Economic Monitoring Committee (QSEMC) and Mary River Socio-Economic Monitoring Working Group (SEMWG)   |  |

|                       | Project Certificate Condition No. 134  | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Population Demographics - Employee origin  | <p>Proposed Revision:</p> <p>Suggest to remove PC Condition No. 134.</p><br><p>Rationale:</p> <p>Substance of Term and Condition is added to Term and Condition No. 131</p> |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring  |   |
| Objective             | Project-specific information regarding employee origin is important to comparing predictions of labour availability and employment opportunities with actual levels of employment from various demographic segments over different geographic areas.   |   |
| Term or Condition     | <p>The Proponent shall include with its annual reporting to the NIRB a summation of employee origin information as follows:</p> <ul style="list-style-type: none"> <li>a) The number of Inuit and non-Inuit employees hired from each of the North Baffin communities, specifying the number from each</li> <li>b) The number of Inuit and non-Inuit employees hired from each of the Kitikmeot and Kivalliq regions, specifying the number from each</li> <li>c) The number of Inuit and non-Inuit employees hired from a southern location or other province/territory outside of Nunavut, specifying the locations and the number from each</li> <li>d) The number of non-Canadian foreign employees hired, specifying the locations and number from each foreign point of hire.</li> </ul> |   |
| Reporting Requirement | To be determined following approval of the Project by the Minister.  |   |
| Stakeholder Review    | Qikiqtaaluk Socio-Economic Monitoring Committee (QSEMC) and Mary River Socio-Economic Monitoring Working Group (SEMWG)   |   |

|                       | Project Certificate Condition No. 135  | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Education and Training - Employee work/study programs  | No Change.          |
| Responsible Parties   | The Proponent, Qikiqtani Inuit Association   |                     |
| Project Phase(s)      | Construction and Operations  |                     |
| Objective             | Recognizing the 12-hour work days inherent with work at the Project site, it is not clear how employees would successfully engage in a work/study program offered by the Proponent.  |                     |
| Term or Condition     | The Proponent is encouraged to consider offering additional 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). |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |                     |
| Stakeholder Review    | Mary River Socio-Economic Monitoring Working Group   |                     |

|                       | Project Certificate Condition No. 136  | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Education and Training - Transferable skills and training  | No Change.          |
| Responsible Parties   | The Proponent, Qikiqtani Inuit Association, Government of Nunavut, Municipal Training Organization   |                     |
| Project Phase(s)      | Construction and Operations  |                     |
| Objective             | Offering training which results in certifications that are valid for employment at more than one site or in different fields provides an investment in the long-term employability of Nunavummiut.   |                     |
| Term or Condition     | 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. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |                     |
| Stakeholder Review    | Mary River Socio-Economic Monitoring Working Group   |                     |

|                       | Project Certificate Condition No. 137   | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Education and Training - Transferable skills and training   | No Change.          |
| Responsible Parties   | The Proponent   |                     |
| Project Phase(s)      | Construction  |                     |
| Objective             | Offering training which results in certifications that are valid for employment at more than one site or in different fields provides an investment in the long-term employability of Nunavummiut.  |                     |
| Term or Condition     | 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 provided to the NIRB upon completion and whenever it is revised. |                     |
| Reporting Requirement | The initial listing should be provided to the NIRB at least 60 days prior to the start of construction, an annually thereafter or as may otherwise be required.   |                     |
| Stakeholder Review    | Mary River Socio-Economic Monitoring Working Group  |                     |

|                       | Project Certificate Condition No. 138   | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Education and Training - Inuit employee training  | No Change.          |
| Responsible Parties   | The Proponent, Qikiqtani Inuit Association (QIA)  |                     |
| Project Phase(s)      | Construction  |                     |
| Objective             | Working together with the QIA to prepare effective training programs developed specifically for Inuit will assist in employee preparedness and may improve employee retention |                     |
| Term or Condition     | The Proponent is encouraged to work with the QIA to ensure the timely development of effective Inuit training and work-ready programs   |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister   |                     |
| Stakeholder Review    | Mary River Socio-Economic Monitoring Working Group  |                     |

|                       | Project Certificate Condition No. 139  | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Education and Training - Hiring southern Canadians and foreign employees   | <p>Proposed Revision:</p> <p>Suggest to remove PC No. 139 from the Project Certificate.</p> <p>Rationale:</p> <p>This labour market analysis was completed and submitted following approval of the ERP and an updated analysis was submitted with the Phase 2 FEIS Addendum. A secondary labour market analysis is not required, unless significant changes to Project operations are considered. If this is contemplated, Baffinland will conduct supplementary baseline data collection to update the labour market analysis and share this information with the QSEMC and SEMWG as relevant.</p> |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | Construction   |   |
| Objective             | With the unknown availability of labour from the North Baffin region and Nunavut as a whole to provide employment to the Project, the need to employ southern Canadians or foreign workers may implicate the Proponent’s on-site language, cross-cultural awareness, and other programming. Having information available regarding the sourcing of labour for the Project is important to ensuring the Proponent and others are prepared for any influx of southern or foreign employees.  |   |
| Term or Condition     | 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. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |   |
| Stakeholder Review    | Qikiqtani Inuit Association, Mary River Socio-Economic Monitoring Working Group  |   |

|                       | Project Certificate Condition No. 140  | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Education and Training - Survey of Nunavummiut employees   | <p>Proposed Revision:</p> <p>Suggest to remove PC Condition No. 140.</p><br><p>Rationale:</p> <p>Substance of Term and Condition is added to Term and Condition No. 131.</p> |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | Construction and Operations  |  |
| Objective             | Monitoring the number of employees who leave previous employment in their home communities or who leave some type of formal education in pursuit of employment with the Project is important to evaluate predictions made and the potential impacts to North Baffin communities and education rates. |  |
| Term or Condition     | The Proponent is encouraged to survey Nunavummiut employees as they are hired and 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.             |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |  |
| Stakeholder Review    | Qikiqtaaluk Socio-Economic Monitoring Committee (QSEMC) and Mary River Socio-Economic Monitoring Working Group (SEMWG)   |  |

|                       | Project Certificate Condition No. 141  | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Education and Training - Training of Inuit   | <p>Proposed Revision:</p> <p>Suggest to remove PC Condition No. 141.</p><br><p>Rationale:</p> <p>This PC Condition is duplicative of both the objectives and reporting requirements for PC Condition 138.</p> |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | Construction   |   |
| Objective             | To ensure that effective training is available in a timely manner.   |   |
| Term or Condition     | 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. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |   |
| Stakeholder Review    | Qikiqtani Inuit Association (QIA), Mary River Socio-Economic Monitoring Working Group (SEMWG)  |   |

|                       | Project Certificate Condition No. 142  | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Livelihood and Employment - Employee Cohesion  | No Change.          |
| Responsible Parties   | The Proponent  |                     |
| Project Phase(s)      | Construction and Operations  |                     |
| Objective             | To promote cohesion between employees on site, and between employees and their families.   |                     |
| Term or Condition     | 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. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |                     |
| Stakeholder Review    | Qikiqtani Inuit Association (QIA), Mary River Socio-Economic Monitoring Working Group (SEMWG)  |                     |

|                       | Project Certificate Condition No. 143  | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Livelihood and Employment - Employee family contact  | No Change.          |
| Responsible Parties   | The Proponent  |                     |
| Project Phase(s)      | Construction and Operations  |                     |
| Objective             | To enable and foster connection and contact between employees and family members.  |                     |
| Term or Condition     | The Proponent is encouraged to consider the use of both existing and innovative technologies (e.g. community radio station call-in shows, cell phones, 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. |                     |
| Reporting Requirement | As needed  |                     |
| Stakeholder Review    | N/A  |                     |



|                       | Project Certificate Condition No. 144  | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Livelihood and Employment - Requirements for employment  | No Change.          |
| Responsible Parties   | The Proponent  |                     |
| Project Phase(s)      | Construction and Operations  |                     |
| Objective             | To ensure that the prerequisites and requirements for employment are clear and well known in work readiness programs.  |                     |
| Term or Condition     | 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. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |                     |
| Stakeholder Review    | N/A  |                     |

|                       | Project Certificate Condition No. 145  | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Livelihood and Employment - Barriers to employment for women   | Proposed Revision:<br><br>Suggest to remove PC Condition No. 145.<br><br>Rationale:<br>Substance of Term and Condition is added to Term and Condition No. 131. |
| Responsible Parties   | The Proponent, Government of Nunavut, members of QSEMC   |  |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |  |
| Objective             | To monitor and understand the existence of barriers to employment for women specifically relating to childcare availability and costs.   |  |
| Term or Condition     | 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. |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |  |
| Stakeholder Review    | Qikiqtaaluk Socio-Economic Monitoring Committee (QSEMC) and Mary River Socio-Economic Monitoring Working Group (SEMWG)   |  |

|                       | Project Certificate Condition No. 146   | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Livelihood and Employment - Availability of childcare for Project Employees   | No Change           |
| Responsible Parties   | Government of Nunavut and Qikiqtani Inuit Association   |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring   |                     |
| Objective             | To lessen the barriers to employment as relating to the availability of childcare.  |                     |
| Term or Condition     | The Government of Nunavut and the Qikiqtani Inuit Association are strongly encouraged to investigate the possibility for Project revenue streams to support initiatives or programs, which offset or subsidize childcare for Project employees. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |                     |
| Stakeholder Review    | Mary River Socio-Economic Monitoring Working Group (SEMWG)  |                     |

|                       | Project Certificate Condition No. 147   | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Livelihood and Employment - Affordability of housing  | <p>Proposed Revision:</p> <p>Suggest to remove PC Condition No. 151 from the Project Certificate.</p> <p>Rationale:</p> <p>The Government of Nunavut revised its Public Housing Rent Scale since the Project Certificate was first issued to create more incentive for renters to find gainful employment. Baffinland will continue to investigate this subject with the Government of Nunavut through its Memorandum of Understanding, but this should not be a condition of the Project Certificate.</p> |
| Responsible Parties   | The Proponent, Government of Nunavut and Nunavut Housing Corporation  |  |
| Project Phase(s)      | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring   |  |
| Objective             | To lessen the barriers to maintaining employment as relating to the availability and costs of housing.  |  |
| Term or Condition     | 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. |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |  |
| Stakeholder Review    | Government of Nunavut (Nunavut Housing Corporation; Community and Government Services; Economic Development and Transportation); Mary River Socio-Economic Monitoring Working Group (SEMWG); Qikiqtani Socio-economic Monitoring Committee (QSEMC)  |  |

|                       | Project Certificate Condition No. 148   | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Economic Development and Self-Reliance, and Contracting and Business Opportunities – Food security  | <p>Proposed Revision:</p> <p>Suggest to remove PC Condition No. 148.</p> <p>Rationale:</p> <p>Substance of Term and Condition is added to Term and Condition No. 131.</p> |
| Responsible Parties   | The Proponent, Members of the QSEMC   |   |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.  |   |
| Stakeholder Review    | Qikiqtaaluk Socio-Economic Monitoring Committee (QSEMC) and Mary River Socio-Economic Monitoring Working Group (SEMWG)  |   |

|                       | Project Certificate Condition No. 149   | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Economic Development and Self-Reliance, and Contracting and Business Opportunities – Impacts of temporary closure   | <p>Proposed Revision:<br/>Closure Planning</p> <p>Rationale:<br/>Updated to reflect proposed changes for objective and term and condition of PC Condition No. 149</p>  |
| Responsible Parties   | The Proponent   | No Change.   |
| Project Phase(s)      | Construction  | <p>Proposed Revision:<br/>Construction and Operations</p> <p>Rationale:<br/>To ensure ongoing engagement regarding mitigations for managing effects of a temporary closure on Project employees and or businesses in the North Baffin region throughout the life of the Project.</p>   |
| Objective             | To further the understanding of how a temporary closure may impact on the well-being of the residents and businesses of the North Baffin region.  | No Change.   |
| Term or Condition     | 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. | <p>Proposed Revision:<br/>The Proponent shall work with the QSEMC and SEMWG throughout the life of the Project to determine best practices for managing effects of temporary or permanent closure of the Project on communities in the North Baffin region.</p> <p>Rationale:<br/>To ensure ongoing engagement regarding mitigations for managing effects of a temporary closure on Project employees and or businesses in the North Baffin region throughout the life of the Project.</p> |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  | <p>Proposed Revision:<br/>Annual updates on the efforts of the Working Group to be reported in the Annual Report to NIRB each year.</p> <p>Rationale:<br/>Updated to reflect proposed establishment of Mine Closure Working Group.</p>   |
| Stakeholder _         | Qikiqtani Inuit Association (QIA), Mary River Socio-Economic Monitoring Working Group (SEMWG)   | No Change.   |

|                       | Project Certificate Condition No. 150  | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Economic Development and Self-Reliance, and Contracting and Business Opportunities – Impacts to visitors of Sirmilik National Park   | No Change.          |
| Responsible Parties   | The Proponent, Parks Canada  |                     |
| Project Phase(s)      | Construction and Operations  |                     |
| Objective             | To limit potential of Project impacts upon visitors, researchers and/or beneficiary users of the Sirmilik National Park.   |                     |
| Term or Condition     | The Proponent will ensure the following:<br>a. The Proponent will maintain, where possible, a minimum flying altitude of 2,000 feet over the park, except for approaches to land, take-off or for safety reasons<br>b. The Proponent will ensure that certification of noise compliance is current, where compliance is applicable<br>c. For the purpose of briefing Park visitors, the Proponent will provide Parks Canada (1) prior to commencing the shipping season, with planned daily shipping schedules, and (2) annually, with air traffic information, and (3) to provide updates when significant variations from these are expected<br>d. The Proponent is strongly encouraged to provide due consideration to wilderness experience during its operations in the open water season, especially during the month of August which is typically a time of high use by sea kayakers. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |                     |
| Stakeholder Review    | Parks Canada, Environment Climate Change Canada, Qikiqtani Inuit Association, Indigenous and Northern Affairs Canada, Nunavut Impact Review Board, Parks Canada  |                     |

|                       | Project Certificate Condition No. 151  | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Economic Development and Self-Reliance, and Contracting and Business Opportunities – Access to housing   | Proposed Revision:<br>Suggest to remove PC Condition No. 151 from the Project Certificate.<br><br>Rationale:<br>Access to affordable housing in Nunavut is the responsibility of the Government of Nunavut and the Nunavut Housing Corporation. |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | 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 home ownership or access to affordable housing options. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |   |
| Stakeholder Review    | Nunavut Impact Review Board (NIRB)   |   |

|                       | Project Certificate Condition No. 152   | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Economic Development and Self-Reliance, and Contracting and Business Opportunities – IIBA contract requirements   | No Change.          |
| Responsible Parties   | The Proponent, Qikiqtani Inuit Association  |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring   |                     |
| Objective             | To improve ability of small businesses to access Project contract and sub-contract opportunities.   |                     |
| Term or Condition     | 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. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |                     |
| Stakeholder Review    | Qikiqtani Inuit Association, Mary River Socio-Economic Monitoring Working Group (SEMWG)   |                     |

|                       | Project Certificate Condition No. 153   | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Human Health and Well-Being - Employee and family health and well-being   | No Change.  |
| Responsible Parties   | The Proponent   | No Change.  |
| Project Phase(s)      | Construction, Operations, Closure and Post-Closure Monitoring   | No Change.  |
| Objective             | To provide adequate medical services on site, including those that contribute to the mental health and well-being of all employees.   | Proposed Revision:<br>To support programs that contribute to the mental health and well-being of all employees and their families, as needed.   |
| Term or Condition     | 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. | Proposed Revision:<br>The Proponent is encouraged to provide on-site and support off-site community programs that contribute to the mental health and well-being of all employees and their families as needed.<br><br>Rationale:<br>Combines PC Condition No. 153 and 157. |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  | No Change.  |
| Stakeholder Review    | Nunavut Impact Review Board (NIRB)  | No Change.  |

|                       | Project Certificate Condition No. 154   | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Human Health and Well-being - Indirect impacts to health and well-being   | <p>Proposed Revision:</p> <p>Suggest to remove PC Condition No. 154.</p> <p>Rationale:</p> <p>Substance of Term and Condition is added to Term and Condition No. 131</p> |
| Responsible Parties   | The Proponent, Government of Nunavut, members of the QSEMC  |  |
| Project Phase(s)      | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring   |  |
| Objective             | To understand the indirect impacts of the Project upon health and well-being.   |  |
| Term or Condition     | The Proponent shall work with the Government of Nunavut and the Qikiqtaaluk Socio-Economic Monitoring Committee to monitor 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. |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |  |
| Stakeholder Review    | Qikiqtaaluk Socio-Economic Monitoring Committee (QSEMC) and Mary River Socio-Economic Monitoring Working Group (SEMWG)  |  |

|                       | Project Certificate Condition No. 155  | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Human Health and Well-being - Employee cohesion  | No Change.   |
| Responsible Parties   | The Proponent  | No Change.   |
| Project Phase(s)      | Construction   | <p>Proposed Revision:</p> <p>Construction, Operations and Closure.</p> <p>Rationale:</p> <p>Ongoing efforts to minimize potential cultural conflicts on site will remain throughout the life of the Project and will be updated as needed to reflect lessons learnt and implementation of enhanced efforts or practices.</p>   |
| Objective             | To encourage the on-site cohesion of employees through cultural-awareness and social programs.   | No Change.   |
| Term or Condition     | 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 | <p>Proposed Revision:</p> <p>The Proponent is encouraged to implement measures to minimize potential cultural conflicts on site.</p> <p>Rationale:</p> <p>Ongoing efforts to minimize potential cultural conflicts on site will remain throughout the life of the Project and will be updated as needed to reflect lessons learnt and implementation of enhanced efforts or practices.</p> |
| Reporting Requirement | To be provided at least 60 days prior to the commencement of any construction activities   | <p>Proposed Revision:</p> <p>Annually.</p> <p>Rationale:</p> <p>A discussions of these efforts will be reported on each year in the Annual Report to NIRB.</p>   |
| Stakeholder Review    | Nunavut Impact Review Board (NIRB)   | No Change.   |

|                       | Project Certificate Condition No. 156   | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Human Health and Well-Being - Support Initiatives   | No Change.          |
| Responsible Parties   | The Proponent   |                     |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister   |                     |
| Stakeholder Review    | Nunavut Impact Review Board (NIRB)  |                     |

|                       | Project Certificate Condition No. 157   | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Human Health and Well-Being - Counseling and treatment programs   | Proposed Revision:   |
| Responsible Parties   | The Proponent   | Suggest to remove PC Condition No. 157.<br><br>Rationale:<br>See Proposed Revisions to PC Condition No. 153. |
| Project Phase(s)      | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring   |  |
| Objective             | To make available, necessary treatment and counseling services for employee and family well-being.  |  |
| Term or Condition     | The Proponent should consider providing counseling and access to treatment programs for substance and gambling addictions as well as which address domestic, parenting, and marital issues that affect employees and/or their families. |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |  |
| Stakeholder Review    | Nunavut Impact Review Board (NIRB)  |  |

|                       | Project Certificate Condition No. 158  | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Community Infrastructure and Public Services – Impacts to health services  | <p>Proposed Revision:</p> <p>Suggest to remove PC Condition No. 158.</p><br><p>Rationale:</p> <p>Substance of Term and Condition is added to Term and Condition No. 131</p> |
| Responsible Parties   | The Proponent, Government of Nunavut   |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring  |   |
| Objective             | To monitor indirect Project impacts to health and social services provided by the Government of Nunavut.   |   |
| Term or Condition     | 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. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |   |
| Stakeholder Review    | Qikiqtaaluk Socio-Economic Monitoring Committee (QSEMC) and Mary River Socio-Economic Monitoring Working Group (SEMWG)   |   |

|                       | Project Certificate Condition No. 159  | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Community Infrastructure and Public Services – Impacts to infrastructure   | <p>Proposed Revision:</p> <p>Suggest to remove PC Condition No. 159.</p><br><p>Rationale:</p> <p>Substance of Term and Condition is added to Term and Condition No. 131</p> |
| Responsible Parties   | The Proponent, Government of Nunavut   |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring  |   |
| Objective             | To monitor Project-related impacts to infrastructure within the Local Study Area communities.  |   |
| Term or Condition     | 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. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |   |
| Stakeholder Review    | Qikiqtaaluk Socio-Economic Monitoring Committee (QSEMC) and Mary River Socio-Economic Monitoring Working Group (SEMWG)   |   |



|                       | Project Certificate Condition No. 160   | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Community Infrastructure and Public Services – Distribution of benefits   | No Change.          |
| Responsible Parties   | The Proponent, Qikiqtani Inuit Association, Government of Nunavut   |                     |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister   |                     |
| Stakeholder Review    | Qikiqtani Inuit Association (QIA) and Government of Nunavut (GN)  |                     |

|                       | Project Certificate Condition No. 161   | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Community Infrastructure and Public Services – Policing   | No Change.          |
| Responsible Parties   | The Proponent, Government of Nunavut, Royal Canadian Mounted Police   |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring   |                     |
| Objective             | To ensure the territorial government and its policing service are adequately prepared to handle any Project-related increases to the need for service and associated impacts.   |                     |
| Term or Condition     | The Government of Nunavut should be prepared for any potential increased need for policing, and ensure that the Royal Canadian Mounted Police is prepared to handle ongoing Project-related demographic changes and subsequent crime prevention that may be needed as a result of the development, operation, and closure of the Project. |                     |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  |                     |
| Stakeholder Review    | Government of Nunavut (GN)  |                     |

|                       | Project Certificate Condition No. 162   | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Culture, Resources and Land Use - Public consultation   | <p>Proposed Revision:</p> <p>Suggest to remove PC Condition No. 162.</p><br><p>Rationale:</p> <p>Remove duplication between PC Condition No. 162 and 163 through edits to PC No. 163.</p> |
| Responsible Parties   | The Proponent, Elders and community members of the North Baffin communities   |   |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.  |   |
| Stakeholder Review    | Qikiqtani Inuit Association (QIA), North Baffin Communities   |   |

|                       | Project Certificate Condition No. 163  | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Culture, Resources and Land Use - Public consultation  | No Change.   |
| Responsible Parties   | The Proponent, North Baffin communities  | No Change.   |
| Project Phase(s)      | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring  | No Change.   |
| Objective             | To involve communities in the development and evolution of management and monitoring plans.  | No Change.   |
| 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. | <p>Proposed Revision:</p> <p>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 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. During these consultations, it is recommended that the Proponent provide information including video, audio, and photographic representation as well as any other aids (e.g. models) that may enhance the general public’s understanding of operations, as well as all safety considerations for members of the public who may be travelling around the project area.</p> <p>Rationale:</p> <p>The intention of establishing ongoing engagement and consultation with the North Baffin communities is to ensure opportunities for two-way dialogue are maintained throughout the life of the Project, specifically with relation to the potential effects of the Project on traditional activities, cultural resources and land use. The term and condition description has also been updated to incorporate recommendations outlined in PC Condition No. 15 to minimize duplicative reporting requirements.</p> |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   | No Change.   |
| Stakeholder Review    | North Baffin Communities   | <p>Proposed Revision:</p> <p>North Baffin Communities and the QIA</p> <p>Rationale:</p> <p>It is understood by the Proponent that consultation with the QIA on Project monitoring is representative of the interests and concerns of the Inuit communities it acts as the Designated Inuit Organization.</p>   |

|                       | Project Certificate Condition No. 164  | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Socio-Economic Impacts – Shipping notification   | <p>Proposed Revision:</p> <p>Add to Reporting Requirement: “The Proponent must report to NIRB any issues identified by North Baffin community members and/or community organizations with respect to potential inference of shipping activity with Inuit sea ice use, and any steps taken by the Proponent in response.”</p> <p>Rationale:</p> <p>To reflect resolution of QIA-47 and QIA-48.</p> |
| Responsible Parties   | The Proponent, Elders and community members of the North Baffin communities  |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring  |   |
| Objective             | In order to inform members of North Baffin communities of planned Project shipping transits such that community members’ planned travel routing may be adjusted to avoid interaction with Project ships and/or ship tracks.  |   |
| Term or Condition     | The Proponent is required to provide notification to communities regarding scheduled ship transits throughout the regional study area including Eclipse Sound and Milne Inlet, real-time data regarding ships in transit and any changes to the proposed shipping schedule to the MEWG and agencies within Pond Inlet on a weekly basis during open water shipping, and to the RSA communities on a monthly basis.   |   |
| Reporting Requirement | The information required shall be provided on a monthly basis at a minimum or more often as the Proponent determines necessary and is to be provided to the Proponent’s community liaison officers and those of the Qikiqtani Inuit Association as well as the Hunters and Trappers Organizations and Hamlet organizations of the North Baffin communities, Coral Harbour, and the NIRB’s Monitoring Officer. Where deviations from the proposed schedule or routing are required, this information shall be provided as soon as possible. |   |
| Stakeholder Review    | Marine Environment Working Group (MEWG)  |   |

|                     | Project Certificate Condition No. 165  | Baffinland Comments   |
|---------------------|--|---|
| Category            | Socio-Economic Impacts - Emergency shelters  | No Change.  |
| Responsible Parties | The Proponent, Elders and community members of the North Baffin communities  | No Change.  |
| Project Phase(s)    | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring  | <p>Proposed Revision:</p> <p>Construction, Operations, Closure.</p> <p>Rationale:</p> <p>It is not reasonable to expect the Proponent to maintain emergency shelters if the Project site is not active. It would place an undue burden on resources where there is no Project effect this term and condition is intended to mitigate.</p> |
| Objective           | In order to provide for human safety precautions in the event of adverse weather or other emergency situations along segments of linear transportation infrastructure. | No Change.  |

|                       | Project Certificate Condition No. 165   | Baffinland Comments   |
|-----------------------|---|---|
| Term or Condition     | 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. | <p>Proposed Revision:</p> <p>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) along the rail line and Milne Inlet Tote Road. These shelters should be placed along the Milne Inlet 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.</p> <p>Rationale:</p> <p>During active phases of the Project (i.e. construction, operations and closure), the frequency of Project personnel travelling along the Tote Road or Rail Line is frequent enough (i.e. multiple transits per day, 24 hours per day) that access to emergency services for land users interacting with the Project site is mitigated through other avenues. Therefore, establishing refuge stations every 1 km is not needed and would result in unnecessary disturbance to the land surrounding Project infrastructure.</p> |
| Reporting Requirement | To be developed following approval of the Project by the Minister.  | No Change.  |
| Stakeholder Review    | Qikiqtani Inuit Association, Nunavut Water Board, Indigenous and Northern Affairs Canada, Nunavut Impact Review Board   | No Change.  |

|                       | Project Certificate Condition No. 166(a) and (b)   | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Socio-Economic Impacts - Public Consultation   | No Change.   |
| Responsible Parties   | The Proponent  | No Change.   |
| Project Phase(s)      | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring  | No Change.   |
| Objective             | To ensure members of the public are able to access shipping information on an as-required basis in order to inform potential users of the scheduled Project activities, which could require deviations to land users’ schedules or routing.  | Add “and to be more generally informed about potential human health and ecological risks relating to the Project.”   |
| Term or Condition     | (a) The Proponent should ensure through its consultation efforts and public awareness campaigns that the public have access to shipping operations personnel for transits into and out of both Steensby Inlet port and Milne Inlet port either via telephone or internet contact, in order that any questions regarding ice conditions or ship movements that could assist ice users in preparing for travel may be answered by Project staff in a timely fashion. | Proposed Revision:<br>(a) The Proponent is strongly encouraged to establish a communications protocol with nearby land-users to ensure that questions regarding ice conditions or ship movements to could assist users in preparing for travel may be answered by Project personnel in a timely fashion.<br><br>(b) The Proponent is strongly encouraged to develop a risk communication strategy in consultation with the with QIA and the Inuit Committee focused on gathering from and dissemination of information to Inuit related to human health and ecological risk assessment topics. The strategy should focus on building capacity within community groups to understand the mining process, elements of the mining process and how substances produced from the mining process move in the environment.<br><br>Rationale:<br>This requirement supports the objective of PC Condition No. 166, but is more pragmatic for management of daily operations during the shipping season. See also requirements of PC Condition No. 164. Address and resolves QIA-08. |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   | No Change.   |
| Stakeholder Review    | N/A  | No Change.   |

|                       | Project Certificate Condition No. 167  | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Benefits, Royalty and Taxation – Partnership Agreements  | Proposed Revision:<br>Suggest to remove PC Condition No. 167 from the Project Certificate.<br><br>Rationale:<br>The Government of Nunavut’s Development Partnership Agreement Policy expired in 2016 and was not renewed. |
| Responsible Parties   | The Proponent, Government of Nunavut   |   |
| Project Phase(s)      | Construction   |   |
| Objective             | The Proponent and the Government of Nunavut develop a formalized partnership agreement.  |   |
| Term or Condition     | The Proponent and the Government of Nunavut are strongly encouraged to, as soon as practical following the issuance of the Project Certificate, enter into discussions to negotiate a Development Partnership Agreement. |   |
| Reporting Requirement | To be developed following approval of the Project by the Minister.   |   |
| Stakeholder Review    | N/A  |   |

|                       | Project Certificate Condition No. 168   | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Governance and Leadership - Monitoring program  | Proposed Revision:<br>Suggest to remove PC Condition No. 168.<br><br>Rationale:<br>Substance of Term and Condition is added to Term and Condition No. 131. |
| Responsible Parties   | The Proponent, members of the QSEMC   |  |
| Project Phase(s)      | Construction, Operations, Temporary Closure / Care and Maintenance, Closure and Post-Closure Monitoring   |  |
| Objective             | Outline variables that are relevant to the Project and which should be adopted by the QSEMC’s monitoring program  |  |
| Term or Condition     | The specific socioeconomic variables as set out in Section 8 of the Board's Report, including data regarding population movement into and out of the North Baffin Communities and Nunavut as a whole, barriers to employment for women, project harvesting interactions and food security, and indirect Project effects such as substance abuse, gambling, rates of domestic violence, and education rates that are relevant to the Project, be included in the monitoring program adopted by the Qikiqtani Socio-Economic Monitoring Committee |  |
| Reporting Requirement | To be developed following approval of the Project by the Minister   |  |
| Stakeholder Review    | Socio-economic monitoring results are presented annually to the Qikiqtaaluk Socio-Economic Monitoring Committee (QSEMC) and Mary River Socio-Economic Monitoring Working Group (SEMWG)  |  |

|                       | Project Certificate Condition No. 169  | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Governance and Leadership – Monitoring economic effects  | Proposed Revision:<br>Suggest to remove PC Condition No. 169.<br><br>Rationale:<br>Substance of Term and Condition is added to Term and Condition No. 131. |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | 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 Requirement | To be developed following approval of the Project by the Minister.   |  |
| Stakeholder Review    | Qikiqtaaluk Socio-Economic Monitoring Committee (QSEMC) and Mary River Socio-Economic Monitoring Working Group (SEMWG)   |  |

|                       | Project Certificate Condition No. 170   | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Accidents and Malfunctions - Terrestrial Wildlife Management and Monitoring Plan  | <p>Proposed Revision:</p> <p>Suggest to remove PC Condition No. 170.</p><br><p>Rationale:</p> <p>Reduce duplication in reporting requirements that currently exists between PC Condition No. 53(d) and 170.</p> |
| Responsible Parties   | The Proponent   |   |
| Project Phase(s)      | 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 Requirement | To be included in the Annual Report submitted to the NIRB.  |   |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG), Nunavut Impact Review Board   |   |

|                       | Project Certificate Condition No. 171   | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Accidents and Malfunctions - Terrestrial Wildlife Management and Monitoring Plan  | <p>Proposed Revision:</p> <p>Suggest to remove PC Condition No. 171.</p><br><p>Rationale:</p> <p>Should Project monitoring identify a need for caribou deterrents along the embankments of transportation corridor, appropriate mitigation measures will be discussed with the TEWG and implemented to minimize potential effects in accordance with requirements of PC Condition No. 50, 51 and 53.</p> |
| Responsible Parties   | The Proponent   |  |
| Project Phase(s)      | 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 Requirement | To be included in the Annual Report submitted to the NIRB.  |  |
| Stakeholder Review    | Terrestrial Environment Working Group (TEWG)  |  |

|                       | Project Certificate Condition No. 172   | Baffinland Comments  |
|-----------------------|---|--|
| Category              | Accidents and Malfunctions – Overwintered fuel vessel   | No Change.<br><br>Proposed revision:<br><br>Suggest to remove PC Condition No. 172.<br><br><br><br>Rationale:<br><br>This requirement is satisfied by PC Condition No. 95. |
| Responsible Parties   | The Proponent   |  |
| Project Phase(s)      | Construction  |  |
| Objective             | To provide evidence that vessel to be used is fit and insured for proposed use.   |  |
| Term or Condition     | The Proponent is encouraged to provide the Government of Nunavut with evidence that the vessel that it intends to use for the overwintering of fuel has been designed and certified for use under the conditions which it is expected to operate, and that it be required to provide copies of the vessel owners’ insurance policies. |  |
| Reporting Requirement | The required information is to be provided to the Government of Nunavut as soon as possible, and at a minimum, at least 60 days prior to the commencement of any construction related shipping.   |  |
| Stakeholder Review    | N/A   |  |

|                       | Project Certificate Condition No. 173   | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Accidents and Malfunctions - Use of best practices  | No Change.  |
| Responsible Parties   | The Proponent   | No Change.  |
| Project Phase(s)      | Construction, Operations, Closure   | No Change.  |
| Objective             | To provide additional spill contingency measures for spills in marine areas.  | No Change.  |
| 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.          | No Change.  |
| Reporting Requirement | To be determined following approval of the Project by the Minister.   | Proposed Revision:<br><br>Annually<br><br><br>Rationale:<br><br>Baffinland provides a summary of best practices for oil spill prevention and management in the Annual Report to the NIRB. |
| Stakeholder Review    | Environment and Climate Change Canada, Qikiqtani Inuit Association, Nunavut Water Board, Indigenous and Northern Affairs Canada, Nunavut Impact Review Board. | No Change.  |



|                       | Project Certificate Condition No. 174  | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Accidents and Malfunctions - Community level spill response  | Proposed Revision:<br>Suggest to remove PC Condition No. 174 from the Project Certificate.  |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | Construction, Operations, Closure  | Rationale:<br>In a January 29, 2015 letter from the Canadian Coast Guard (CCG) to the NIRB, the CCG noted that the provision of spill response equipment and training to communities was the responsibility of CCG. |
| 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 Requirement | To be determined following approval of the Project by the Minister.  |   |
| Stakeholder Review    | Environment Climate Change Canada, Qikiqtani Inuit Association, Nunavut Water Board, Indigenous and Northern Affairs Canada, Nunavut Impact Review Board.  |   |

|                       | Project Certificate Condition No. 175  | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Accidents and Malfunctions – Ship track markers in ice cover   | No Change.  |
| Responsible Parties   | The Proponent, Qikiqtani Inuit Association, Hunters and Trappers Organizations of the North Baffin region and Coral Harbour  | No Change.  |
| Project Phase(s)      | Construction, Operations, Closure and Post-Closure Monitoring  | Proposed Revision:<br>Construction, Operations and Closure.<br><br>Rationale:<br>Shipping is not expected during the Post-Closure phase of the Project.   |
| Objective             | To ensure that measures taken to mark the shipping track(s) during periods of ice cover are effective in advising ice-based travelers, and that, where necessary, revisions to this practice can be made to ensure public safety.  | No Change.  |
| Term or Condition     | The Proponent shall, in coordination and consultation with the Qikiqtani Inuit Association and the Hunters and Trappers Organizations of the North Baffin communities and Coral Harbour, provide updates to its Shipping and Marine Mammals Management Plan to include adaptive management measures it proposes to take should the placement of reflective markers along the ship track in winter months not prove to be a feasible method of marking the track to ensure the safety of ice-based travelers. | No Change.  |
| Reporting Requirement | To be determined following approval of the Project by the Minister.  | Proposed Revision:<br>Following commencement of construction for the Steensby phase of the Project.<br><br>Rationale:<br>Reporting on updates to the SMWMP will occur as needed once winter shipping associated with the Steensby phase of the Project commences. |
| Stakeholder Review    | N/A  | No Change.  |

|                       | Project Certificate Condition No. 176  | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Accidents and Malfunctions - Revised spill modeling  | <p>Proposed Revision:<br/>Suggest to remove PC No. 176 from the Project Certificate.</p> <p>Rationale:<br/>This PC is duplicative of PC Condition No. 97 (item b).</p> |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | Pre-Construction, Construction Operations, Closure   |  |
| Objective             | To improve community ability to assist in spill response.  |  |
| Term or Condition     | The Proponent is required to revise its spill planning to include additional trajectory modeling for areas of Hudson Strait, such as Mill Island, where walrus concentrate, as well as for mid-Hudson Strait during winter conditions as well as for the northern shipping route, including Milne Inlet, Eclipse Sound and Pond Inlet. |  |
| Reporting Requirement | The updated modeling shall be provided to the NIRB, Fisheries and Oceans Canada, and Environment Canada for review at least 3 months prior shipment of bulk fuel to Steensby Inlet or Milne Inlet.   |  |
| Stakeholder Review    | Transport Canada, Canadian Coast Guard, Fisheries and Oceans Canada, Environment and Climate Change Canada   |  |

|                       | Project Certificate Condition No. 177  | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Accidents and Malfunctions - Foreign flagged vessels   | <p>Proposed Revision:<br/>Suggest to remove PC No. 177 from the Project Certificate.</p> <p>Rationale:<br/>Ship owners / operators are responsible for enrolling their foreign flagged vessel with the appropriate program. Baffinland incorporates this requirement into contract terms and conditions with all vessels contracted directly by Baffinland.</p> |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | Construction, Operations, Closure and Post-Closure Monitoring  |   |
| Objective             | To ensure foreign flagged ships operating in Canadian waters are held to the same standard as domestic ships with regard to emergency response planning.   |   |
| Term or Condition     | The Proponent shall enroll any foreign flagged vessels commissioned for Project-related shipping within Canadian waters into the relevant foreign program equivalent to Transport Canada's Marine Safety Delegated Statutory Inspection Program. |   |
| Reporting Requirement | To be determined following approval of the Project by the Minister.  |   |
| Stakeholder Review    | Transport Canada   |   |

|                       | Project Certificate Condition No. 178  | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Alternatives Analysis - Mill Island shipping route consideration   | No Change.          |
| Responsible Parties   | The Proponent, Qikiqtani Inuit Association, Nunavut Impact Review Board, Marine Environment Working Group  |                     |
| Project Phase(s)      | 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 Requirement | 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. |                     |
| Stakeholder Review    | N/A  |                     |

|                       | Project Certificate Condition No. 179  | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Operational Variability  | No Change   |
| Responsible Parties   | The Proponent  | No Change.  |
| Project Phase(s)      | Operations   | No Change.  |
| Objective             | To apply the precautionary principle in respect of potential effects on marine wildlife and marine habitat from changes to shipping frequency that may result from a significant increase in mine production for an extended period of time. | No Change.  |
| Term or Condition     | Baffinland shall not exceed 20 ore carrier transits to Steensby Port per month during the open water season and 242 transits per year in total.  | <p>Proposed Revision:</p> <p>Unless otherwise approved by the NIRB, Baffinland shall not exceed 20 ore carrier transits to Steensby Port per month during the open water season and 242 transits per year in total.</p> <p>Rationale:</p> <p>To be consistent with the conditional wording suggested for PC Conditions 179a and 179b.</p>   |
| Reporting Requirement | To be developed following approval by the Minister.  | <p>Proposed Revision:</p> <p>For each year after the Proponent commences shipping ore via Steensby Inlet under the Phase 2 Proposal, the Proponent shall include in the Annual Report to the NIRB, a summary of the total number of vessels calling on Steensby Port for the previous calendar year.</p> <p>Rationale:</p> <p>For consistency with reporting requirements under PC Condition No. 179a and 179b.</p> |
| Stakeholder Review    | N/A  | No Change.  |

|                     | Project Certificate Condition No. 179a   | Baffinland Comments   |
|---------------------|--|---|
| Category            | Operational Variability/Flexibility  | No Change   |
| Responsible Parties | The Proponent  | No Change   |
| Project Phase(s)    | Operations   | No Change   |
| Objective           | To ensure that there are appropriate limits on the Milne Inlet marine shipping component in order to limit and manage likely project effects, while balancing the need for operational flexibility.  | No Change   |
| Term or Condition   | Until December 31, 2019, the total volume of ore shipped via Milne Inlet may exceed 4.2 million tonnes per year, but must not exceed 6.0 million tonnes in any calendar year. After December 31, 2019 the maximum total volume or ore shipped via Milne Inlet in a calendar year returns to 4.2 million tonnes per year, unless this condition has been further modified under s. 112 of <i>Nunavut Planning and Project Assessment Act</i> , S.C. 2013, c. 14, s.2. | <p>Unless otherwise approved by the NIRB, the total number of ore carriers calling on Milne Port in any calendar year, regardless of whether operational flexibility is exercised, should not exceed 168.</p> <p>Rationale:</p> <p>To date the quantity limits on transport in 179(a) and 179(b) have been a) difficult to comply with as any overage, however minimal, is an immediate compliance issue, and b) not necessarily reflective of the environmental limits established through the relevant assessments (i.e. effects have been within predictions).</p> <p>Further, the current approach (including specific tonnage limits as a condition) is not consistent with NuPPAA requirements regarding project modifications. Currently, any modification of the project which results in an increase in volumes shipped or transported, regardless of environmental significance, will automatically trigger the NIRB amendment environmental assessment process, which is not consistent with NuPPAA. NUPPAA states that additional environmental assessment should only be triggered where there is a “significant modification”:</p> <p>145 If the carrying out of a work or activity is a project within the meaning of subsection 2(1) and modifies a project that has been approved under this Part, that work or activity is, despite paragraphs 74(a) and (b), not subject to an assessment under this Part unless that work or activity is a significant modification to the original project.</p> <p>146 (1) For greater certainty, if the work or activity referred to in section 145 is a significant modification to the original project, it is subject to an assessment under this Part.</p> <p>(2) Any person or body exercising powers or performing duties or functions under this Part in relation to the assessment of the modifying project must consider, and may rely on, any assessment carried out under this Part in relation to the original project.</p> <p>At the time the ERP amendment was issued and section 179(a) and (b) was added to the Project Certificate, there was little available guidance as to how NIRB would interpret what a "significant modification" might be. However, since that time, NIRB has provided policy guidance as to what is considered a “significant modification”, and what approaches the NIRB will pursue based on the nature and scope of the proposed modification. Whether or not a modification of the project is deemed a "significant modification" should be considered by NIRB on a case by case basis consistent with NuPPAA and NIRB policy and with the way that other projects subject to the NIRB process in Nunavut are treated.</p> <p>The proposed changes would provide clarity that Baffinland may operate at a certain level without automatically requiring a project certificate reconsideration process. Baffinland believes a maximum of 176 ore</p> |

|                       | Project Certificate Condition No. 179a  | Baffinland Comments   |
|-----------------------|---|---|
|                       |   | carriers will provide the operational flexibility it requires. This limit is consistent with what was assessed through the Phase 2 FEIS Addendum.   |
| Reporting Requirement | For each year after the Proponent commences shipping ore via Milne Inlet under the Early Revenue Phase Proposal, the Proponent shall include in the Annual Report to the NIRB, a summary of the total amount of ore shipped via Milne Inlet for the previous calendar year. | For each year after the Proponent commences shipping ore via Milne Inlet under the Phase 2 Proposal, the Proponent shall include in the Annual Report to the NIRB, a summary of the total amount of vessels calling on Milne Port for the previous calendar year. |
| Stakeholder Review    | Nunavut Impact Review Board (NIRB)  | No Change   |

|                       | Project Certificate Condition No. 179b   | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Operational Variability/Flexibility  | No Change.  |
| Responsible Parties   | The Proponent  | No Change.  |
| Project Phase(s)      | Operations   | No Change.  |
| Objective             | To ensure that there are appropriate limits on the Milne Inlet Tote Road land transportation component in order to limit and manage likely project effects, while balancing the need for operation flexibility.  | No Change.  |
| Term or Condition     | Until December 31, 2019, the total volume of ore transported by truck on the Milne Inlet Tote Road may not exceed 4.2 million tonnes per year, but must not exceed 6.0 million tonnes in any calendar year. After December 31, 2019, the maximum total volume of ore transported by truck on the Milne Inlet Tote Road in a calendar year returns to 4.2 million tonnes per year, unless this condition has been further modified under s. 112 of the Nunavut Planning and Project Assessment Act, S.C. 2013, c. 14, s. 2. | <p>Unless otherwise approved by the NIRB, the average number of ore truck transits along the Milne Inlet Tote Road in a 24-hour period should not exceed 280 for the duration of the Phase 2 construction period. Following commencement of operation of the North Railway, unless otherwise approved by the NIRB, in any 24-hour period, the total number of ore train transits along the North Railway should not exceed 20.</p> <p>Rationale:<br/>The proposed changes would provide clarity that Baffinland may operate at a certain level without automatically requiring a project certificate reconsideration process. Baffinland believes a maximum of 20 train transits per day will provide the operational flexibility it requires. This limit is consistent with what was assessed through the Phase 2 FEIS Addendum.</p> <p>Revision to address resolution of QIA TC 22.</p> |
| Reporting Requirement | For each year after the Proponent commences transportation of ore via the Tote Road under the Early Revenue Phase Proposal, the Proponent shall include in the Annual Report to the NIRB, a summary of the total amount of ore shipped via the Tote Road for the previous calendar year.   | For each year after the Proponent commences transportation of ore via the North Rail under the Phase 2 Proposal, the Proponent shall include in the Annual Report to the NIRB, a summary of the total amount of ore shipped via the Tote Road for the previous calendar year.   |
| Stakeholder Review    | Nunavut Impact Review Board (NIRB)   | No Change.  |

|                       | Project Certificate Condition No. 179c   | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Operational Variability/Flexibility  | <p>Proposed Revision:<br/>Suggest to remove PC No. 179c from Project Certificate.</p> <p>Rationale:<br/>Should the Phase 2 Project be approved, any commitments related to the environmental management of the marine and terrestrial components of the Northern Transportation Corridor should be recorded and appended to the Public Hearing Report, and subsequently tracked through existing annual compliance monitoring.</p> <p>Baffinland has completed several Performance Audit Reports required under PC Condition No. 179c. In completing this exercise it is apparent that it is duplicative in nature to compliance tracking and reporting already occurring via the Annual Report to the NIRB, the Annual Operations Report to the NWB/QIA, audit inspections and follow up conducted with other regulatory agencies and ongoing engagement and compliance tracking against the IIBA with the QIA.</p> |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | Operations   |  |
| Objective             | To ensure commitments made by the Proponent with respect to the 2018 production increase and delivery of benefits to Inuit are adhered to, and can be determined through a body of evidence.   |  |
| Term or Condition     | The Proponent shall be required to resource and support a third party to conduct performance audits of commitments made by the Proponent in relation to both the IIBA and every Proponent commitment and every terms or condition of the Project Certificate relating to environmental management of the Tote Road component or environmental management related to shipping. The Proponent shall file Performance Audit Reports with the NIRB on or before March 31 and September 30 of each calendar year. |  |
| Reporting Requirement | On a bi-annual basis, the Proponent shall file a Performance Audit Report with the NIRB on or before March 31 and September 30 of each calendar year. This report shall include the findings of the third-party auditor, and Baffinland’s commitment to addressing findings of the auditor. This term and condition will remain in force for the duration of the Mary River Project, unless it is modified under the <i>Nunavut Planning and Project Assessment Act</i> .                                    |  |
| Stakeholder Review    | N/A  |  |

|                       | Project Certificate Condition No. 180  | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Transboundary Effects - Makivik Corporation involvement in the Marine Environment Working Group (MEWG)   | No Change           |
| Responsible Parties   | The Proponent, members of the Marine Environment Working Group   |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |                     |
| Objective             | To enable Makivik Corporation and Nunavik communities near shipping lanes to remain informed and involved in those shipping activities which could affect the marine environment and marine mammals. |                     |
| Term or Condition     | The Marine Environment Working Group established for this Project shall invite a representative from Makivik Corporation to be a member of the Group.  |                     |
| Reporting Requirement | To be developed following approval by the Minister   |                     |
| Stakeholder Review    | Marine Environment Working Group (MEWG)  |                     |

|                       | Project Certificate Condition No. 181  | Baffinland Comments |
|-----------------------|--|---------------------|
| Category              | Transboundary Effects - Marine Environment Working Group (MEWG) reporting  | No Change           |
| Responsible Parties   | The Proponent, members of Marine Environment Working Group   |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |                     |
| Objective             | To enable Makivik Corporation and Nunavik communities near shipping lanes to remain informed and involved in those shipping activities which could affect the marine environment and marine mammals.   |                     |
| Term or Condition     | Regardless of whether Makivik Corporation participates as a member of the Marine Environment Working Group, the Marine Environment Working Group will provide Makivik Corporation with regular updates regarding the activities of the Marine Environment Working Group throughout the Project life cycle. |                     |
| Reporting Requirement | To be developed following approval by the Minister   |                     |
| Stakeholder Review    | Marine Environment Working Group (MEWG)  |                     |

|                       | Project Certificate Condition No. 182   | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Transboundary Effects - Reporting to Marine Environment Working Group (MEWG)  | <p>Proposed Revision:<br/>Suggest to remove PC No. 182 from Project Certificate.</p> <p>Rationale:<br/>Annual reporting of any shipping route deviations in the Annual Report to the NIRB is already required under PC No. 103.</p> |
| Responsible Parties   | The Proponent, Makivik Corporation  |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring  |   |
| Objective             | To enable Makivik Corporation and Nunavik communities near shipping lanes to remain informed and involved in those shipping activities which could affect the marine environment and marine mammals.            |   |
| Term or Condition     | Baffinland shall make available to Makivik Corporation any ship route deviation reports provided to the NIRB in accordance with the terms and conditions set out in Section 4.12.4 of the Final Hearing Report. |   |
| Reporting Requirement | To be developed following approval by the Minister  |   |
| Stakeholder Review    | Marine Environment Working Group (MEWG)   |   |

|                       | Project Certificate Condition No. 183  | Baffinland Comments   |
|-----------------------|--|---|
| Category              | Project monitoring of impacts to marine mammals  | No Change   |
| Responsible Parties   | The Proponent  | Proposed Revision:<br>The Proponent and Fisheries and Oceans Canada.<br><br>Rationale:<br>Implementation of this PC requires ongoing and meaningful participation of DFO in the Project.  |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   | No change proposed.   |
| Objective             | To address concerns associated with the potential for impacts to marine mammals, and compliance and enforcement of terms and conditions in Project Certificate No. 005 relating to ship-based observer programs, noise exposure assessment, and the identification of other mitigation measures that have the potential to further reduce potential impacts to marine mammals.   | Proposed Revision:<br>To address concerns associated with the potential for impacts to marine mammals and the identification of other mitigation methods that have the potential to further reduce potential impacts to marine mammals.<br><br>Rationale:<br>See proposed revisions to the Term and Condition below.  |
| Term or Condition     | <p>The Proponent shall collaborate with the Marine Environment Working Group to develop impact avoidance or mitigation strategies for the protection of the marine environment, and shall implement these strategies.</p> <p>The Proponent shall implement any direction from the Department of Fisheries and Oceans (DFO), issued in furtherance of their mandate, for any avoidance or mitigation measures, including cessation of any activity, for the protection of the marine environment.</p> <p>The Proponent shall every six months provide to DFO a tracking table of:</p> <ul style="list-style-type: none"><li>(i) collective recommendation of the other members of the working group, and</li><li>(ii) any directions from DFO.</li></ul> <p>For each, the table must show the Proponent’s means of implementation. Where any direction or recommendations are not fully implemented, the Proponent shall include the rationale.</p> | <p>Proposed Revision:<br/>The Proponent shall collaborate with the Marine Environment Working Group to develop impact avoidance or mitigation strategies for the protection of the marine environment.</p> <p>The Proponent shall implement any substantiated direction from the Department of Fisheries and Oceans to mitigate impacts to marine wildlife, including cessation of any activity, consistent with their regulatory authority.</p> <p>Rationale:<br/>Revision suggested to provide a reasonable level of operational certainty.</p> |
| Reporting Requirement | Results of the observer program shall be provided in the Annual Report to the Board. Further, Baffinland shall report all data it generates from the implementation of monitoring of marine impacts it is required to implement pursuant to the Terms and Conditions of the Project Certificate.   | No change proposed. This is already completed annually.   |
| Stakeholder Review    | Marine Environment Working Group (MEWG), Department of Fisheries and Oceans (DFO)  | No change proposed.   |



|                       | Project Certificate Condition No. 184  | Baffinland Comments  |
|-----------------------|--|--|
| Category              | Project monitoring of impacts to marine mammals  | No Change  |
| Responsible Parties   | The Proponent  | The Proponent and the MEWG   |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   | No change proposed.  |
| Objective             | To address concerns associated with the potential for impacts to marine mammals, and compliance and enforcement of terms and conditions in Project Certificate No. 005 relating to ship-based observer programs, noise exposure assessments, and the identification of other mitigation methods that have the potential to further reduce potential impacts to marine mammals. | <p>Proposed Revision:</p> <p>To address concerns associated with the potential for impacts to marine mammals and the identification of mitigation methods that have the potential to further reduce those impacts.</p> <p>Rationale:</p> <p>In accordance with PC No. 77, the MEWG is intended to serve as an advisory body to support monitoring of potential Project effects on marine mammals and the development of adaptive management strategies as needed. It is not intended to have any Project Certificate enforcement function. The MEWG is made up of several different Parties, some of which have an enforcement mandate on marine-related topics under their own regulations and statutes, or private agreements with the Proponent (i.e. QIA). It is Baffinland’s understanding that under NuPPAA, CiRNAC is tasked with Project Certificate enforcement</p> |
| Term or Condition     | The Proponent shall collaborate with the Marine Environment Working Group to review the status of compliance with, and implementation of, all of the Terms and Conditions in Project Certificate No. 005 related to marine environmental protection.   | The Marine Environment Working Group shall at least annually discuss the recommendations of the annual NIRB monitoring report relevant to marine topics and any actions proposed or taken by the Proponent in response.  |
| Reporting Requirement | Results of the observer program shall be provided in the Annual Report to the Board. Further, Baffinland shall report annually all data it generates from the implementation of monitoring of marine impacts it is required to implement pursuant to the Terms and Conditions of the Project Certificate.  | <p>Proposed Revision:</p> <p>Baffinland shall confirm to NIRB as part of its Annual Report that this discussion has occurred, and shall provide annual summary reports on all data it generates from the implementation of monitoring of marine impacts required under its marine monitoring plans required by Project Certificate 005.</p> <p>Rationale:</p> <p>Removal of specifics and left to cover all monitoring programs conducted on an annual basis.</p>  |
| Stakeholder Review    | Marine Environment Working Group (MEWG), Department of Fisheries and Oceans (DFO)  | No change proposed.  |

|                       | NEW Project Certificate Condition No. 185   | Baffinland Comments   |
|-----------------------|---|---|
| Category              | Socioeconomic   |   |
| Responsible Parties   | The Proponent, QIA  |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring  |   |
| Objective             | To address concerns associated with monitoring to ensure that Project monitoring captures the Inuit experience and Inuit monitoring is used to support further operational decision making by the Proponent if monitoring results trigger the need for adaptive management actions.   |   |
| Term or Condition     | <p>(a) The Proponent is strongly encouraged to support QIA’s development of an Inuit Social Oversight Committee (ISOC), to be comprised of members nominated from the North Baffin communities. The ISOC is encouraged to help develop an enhanced, Inuit-driven, social monitoring program related to the Project focused on indicators related to community wellbeing.</p> <p>(b) The Proponent is strongly encouraged to support QIA’s development of an Inuit Committee, to be comprised of members nominated from the North Baffin communities. The Inuit Committee is encouraged to help develop monitoring programs based on observations by Inuit of potential culture, resource and land use impacts from the Project and to help develop related adaptive management objectives, indicators, thresholds and responses.</p> <p>The above described Programs are intended to be in addition to and to complement other monitoring required by this Project Certificate. The Proponent is strongly encouraged to use the information gathered through these monitoring programs to help support operational decision making.</p> | To reflect resolution of QIA-02, QIA-03, QIA-04, QIA-05, QIA-07, QIA_09, QIA-10, QIA-11, QIA-38, QIA-49 and QIA-49. See Commitment No. 130 (Commitment List dated 4/8/2021) |
| Reporting Requirement | A summary of activities of the ISOC and Inuit Committee will be included in the Annual Report.  | .   |
| Stakeholder Review    | QIA   |   |

|                       | NEW Project Certificate Condition No. 186  | Baffinland Comments             |
|-----------------------|--|---------------------------------|
| Category              | Freshwater   |                                 |
| Responsible Parties   | The Proponent, QIA, CIRNAC, ECCC, DFO  |                                 |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |                                 |
| Objective             | To address concerns associated with the freshwater environment   |                                 |
| Term or Condition     | The Proponent shall establish a Fresh Environment Working Group (FEWG). Respecting the heightened regulatory oversight in relation to the freshwater oversight, which will be explicitly acknowledged in a corresponding Terms of Reference for the FEWG, the FEWG will meet on an as needed basis to discuss items to be agreed upon by members of the FEWG. In person meetings, if required, will be coordinated with the planning of Marine and Terrestrial Environment Working Group meetings, where possible. | To reflect resolution of QIA-42 |
| Reporting Requirement | A summary of activities of the FEWG will be included in the Annual Report.   | .                               |
| Stakeholder Review    | QIA  |                                 |

|                       | NEW Project Certificate Condition No. 187   | Baffinland Comments |
|-----------------------|---|---------------------|
| Category              | Public Consultation   |                     |
| Responsible Parties   | The Proponent   |                     |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring  |                     |
| Objective             | To support the maintenance of a public right of access to the Milne Inlet Tote Road Public Access Route for the purposes of use of all-terrain vehicles to carry out traditional Inuit activities, in a manner that does not conflict with the continued safe operation of the Mary River Project.  |                     |
| Term or Condition     | <p>In consultation with the Hamlet of Pond Inlet, the MHTO, and the QIA, the Proponent shall develop a Tote Road Public Access Route Management Program to ensure safe use of the Milne Inlet Tote Road Public Access Route by Inuit for the purpose of carrying out traditional Inuit activities. The Milne Inlet Tote Road Public Access Route may take the form of the existing Milne Inlet Tote Road, a parallel trail system or service road or a combination thereof.</p> <p>The Tote Road Public Access Route Management Program shall take into consideration the following, at minimum:</p> <ul style="list-style-type: none"><li>a. safety for all users as highest priority;</li><li>b. the need for the Proponent to regularly utilize the Milne Inlet Tote Road to support continued operation of the Mary River Mine;</li><li>c. developing procedures which continue to support maintaining public access during the construction and operations periods;</li><li>d. the need to limit interactions between mine and non-mine traffic in vicinity of and along the Milne Inlet Tote Road;</li><li>e. Posting of safety signage at appropriate locations in English and Inuktitut;</li><li>f. the need for annual community meetings in Pond Inlet to explain the procedures agreed with the Hamlet of Pond Inlet, MHTO and QIA to ensure use of the Milne Inlet Tote Road and/or Milne Inlet Public Access Route (if areas other than the Milne Inlet Tote Road are developed for this purpose) is limited to safe and controlled use by all terrain vehicles for the purpose of carrying out traditional Inuit activities;</li><li>g. applicable requirements set out in territorial and federal regulations, the Nunavut Agreement and agreements between the Proponent and QIA;</li><li>h. A system to report any accidents or safety incidents to QIA, Hamlet of Pond Inlet and MHTO; and</li><li>i. monitoring.</li></ul> |                     |
| Reporting Requirement | <p>A Draft Tote Road Public Access Route Management Program shall be submitted to the NIRB no later than six months after the issuance of the amended Project Certificate.</p> <p>A Final Tote Road Public Access Route Management Program is to be submitted to NIRB no later than six months prior to the commencement of operation of the North Railway.</p>   | .                   |
| Stakeholder Review    | Hamlet of Pond Inlet, MHTO, QIA   |                     |

|                     | NEW Project Certificate Condition No. 188  | Baffinland Comments |
|---------------------|--|---------------------|
| Category            | Public Consultation  |                     |
| Responsible Parties | The Proponent  |                     |
| Project Phase(s)    | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring |                     |

|                       |   |   |
|-----------------------|---|---|
| Objective             | To support the integration of Inuit Qaujimagatuqangit into the Mary River Project.  |   |
| Term or Condition     | Baffinland will work with QIA and the impacted communities to develop a final Inuit Qaujimagatuqangit Management Framework. | Per BIMC Response to Written Question QIA-30 and BIMC Commitment No. 229 (see Commitment List draft 4/8/2021) |
| Reporting Requirement | Annual Report   | .   |
| Stakeholder Review    | QIA, Impacted Communities   |   |

|                       |  |   |
|-----------------------|--|---|
|                       | <b>NEW Project Certificate Condition No. 189</b>   | <b>Baffinland Comments</b>  |
| Category              | Public Consultation  |   |
| Responsible Parties   | The Proponent  |   |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |   |
| Objective             | To support the integration of Inuit Qaujimagatuqangit into the Mary River Project.   |   |
| Term or Condition     | <p>The Proponent will work with QIA and the Impacted Communities to develop a Community Based Monitoring (CBM) program out of Pond Inlet that is Inuit led to monitor the extent of visual dust in the Project Area as well as a snow sampling program.</p> <p>Baffinland will provide support to QIA in QIA’s development of an Inuit Stewardship Plan, which will support Inuit to conduct independent, proactive monitoring of the Project for the purpose of mitigating adverse impacts and enhancing beneficial outcomes in a manner that captures the direct experiences of Inuit.</p> | <p>Per BIMC Commitment No. 234 (see Commitment List draft 4/8/2021)</p> <p>Per BIMC Commitment No. 131 (see Commitment List draft 4/8/2021)</p> |
| Reporting Requirement | Annual Report  | .   |
| Stakeholder Review    | QIA, Impacted Communities  |   |

|                       |   |  |
|-----------------------|---|--|
|                       | <b>NEW Project Certificate Condition No. 190</b>  | <b>Baffinland Comments</b>                                       |
| Category              | Adaptive Management   |  |
| Responsible Parties   | The Proponent   |  |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring  |  |
| Objective             | To support adaptive management of the Mary River Project. This process will ensure that both Inuit Qaujimagatuqangit and western science will be applied to project operations and management decisions   |  |
| Term or Condition     | The Proponent will work with the QIA and Impacted Communities to jointly develop an Adaptive Management Plan and associated sub-plans for the Project. This process will also include the development of Inuit Objectives, Indicators, Thresholds, and Responses, which will involve the Impacted Communities through the Inuit Committee and Inuit Social Oversight Committee (once formed by QIA) and appropriate engagement with working groups established under the Project Certificate. | Per BIMC Commitment No. 135 (see Commitment List draft 4/8/2021) |
| Reporting Requirement | Annual Report   | .  |
| Stakeholder Review    | QIA, Impacted Communities   |  |

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|--|--|----------------------------|
|  | <b>NEW Project Certificate Condition No. 191</b> | <b>Baffinland Comments</b> |
|--|--|----------------------------|

|                       |  |  |
|-----------------------|--|--|
| Category              | Adaptive Management  |  |
| Responsible Parties   | The Proponent  |  |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring   |  |
| Objective             | To support adaptive management of the Mary River Project. This process will ensure that both Inuit Qaujimajatuqangit and western science will be applied to project operations and management decisions  |  |
| Term or Condition     | <p>The Proponent will work with the QIA and complete an additional CRLU Assessment in consultation with the impacted communities.</p> <p>This additional CRLU Assessment shall be incorporated in any subsequent updates to the Adaptive Management Plan and associated Environmental Management Plans, with particular consideration given to Objectives, Indicators, Thresholds and Responses used in Project monitoring and management.</p> | Per BIMC Commitment No. 133 (see Commitment List draft 4/8/2021) |
| Reporting Requirement | Annual Report  | .  |
| Stakeholder Review    | QIA, Impacted Communities  |  |

|                       |   |  |
|-----------------------|---|--|
|                       | <b>NEW Project Certificate Condition No. 192</b>  | <b>Baffinland Comments</b>   |
| Category              | Marine Environment – Shipping Through Ice   |  |
| Responsible Parties   | The Proponent   |  |
| Project Phase(s)      | Construction, Operations, Temporary Closure /Care and Maintenance, Closure and Post-Closure Monitoring  |  |
| Objective             | To reduce disturbance to marine mammals while shipping through ice  |  |
| Term or Condition     | <p>Baffinland will apply transit restrictions when shipping through ice in the spring and fall period. Transit restrictions in the spring will be based on ice concentrations, while ice stages will be used in the fall.</p> <p>Baffinland shall plan to complete shipping by no later than October 31st of any given year. On an exceptional basis, Baffinland may ship up until November 15th, provided a complete and operational adaptive management plan is in place.</p> | Per BIMC Response to DFO-3.4.4 and BIMC Commitment No. 213, 214 and 215 (see Commitment List draft 4/8/2021) |
| Reporting Requirement | Annual Report   | .  |
| Stakeholder Review    | QIA, Impacted Communities, MEWG   |  |