



Fisheries and Oceans
Canada

Pêches et Océans
Canada

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August 04, 2026

Your file *Votre référence*
08MN053

Our file *Notre référence*
07-HCAA-CA7-00050

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

Subject: Baffinland Iron Mines Corp. Annual Report 2025 - Mary River Project

Dear Keith Morrison,

The Fish and Fish Habitat Protection Program (the Program) of Fisheries and Oceans Canada (DFO) received the request on June 17, 2026, inviting parties to review and provide comments with respect to their jurisdiction and/or area of expertise. DFO has reviewed the above 2025 Annual Report with regards to our mandate, i.e. the management, protection and conservation of fish and their habitats. The Nunavut Impact Review Board (NIRB) invited parties to respond to the following topics:

1) *Effects Monitoring*

- a) *Whether the conclusions reached by Baffinland in the 2025 Annual Report are valid; and*
- b) *Any areas of significance requiring further supporting information or any changes to the monitoring program which may be required.*

2) *Compliance Monitoring*

- a) *Provide a summary of any compliance monitoring and/or site inspections undertaken in association with the Project, including specifically;*
 - i) *Identify the terms and conditions from the Project Certificate which have been incorporated into any permits, certificates, licenses, or other approvals issued for the Project, where applicable, and report annually to the NIRB on the status of those incorporated terms and conditions;*
 - ii) *A summary of any inspections conducted during the 2025 reporting period, and the results of these inspections; and*
 - iii) *A summary of Baffinland's compliance status with regard to authorizations that have been issued for the Project.*

DFO has briefly reviewed the Baffinland Iron Mine Corp's 2025 Annual Report and DFO is generally agreeable with Baffinland's reporting. DFO appreciates the effort made by Baffinland to work with communities and governments. DFO has attached a table with comments or concerns to provide at this time related to effects monitoring.

Compliance Monitoring

The Proponent currently operates under four *Fisheries Act* Authorizations for the Milne Inlet Tote Road, Milne Inlet Ore Dock, and Milne Inlet Freight Dock (amended to include the offsetting, with another amendment being processed). As a general condition of the Authorizations, Baffinland is required to report on their compliance with all conditions therein to DFO annually. These reports are typically submitted to the NWB and to the NIRB through the Annual Report. Terms and Conditions # 87, 105, 109, 110 and 121 from the Nunavut Impact Review Board's Project Certificate No. 005 for the Mary River Project are directly incorporated into DFO's *Fisheries Act* Authorization for the Milne Inlet Ore Dock. Further reporting would be required related to the proposed Steensby portion of the project.

Unclassified - Non-Classifié

Other terms and conditions from the NIRB Project Certificate No. 005 for the Mary River Project, while not directly incorporated, fall under DFO's mandate and overlap with conditions in Baffinland's existing Fisheries Act Authorizations:

- Milne Inlet Tote Road: Project Certificate No. 005, Terms and Conditions 19, 26, 45, 47, 48(a);
- Milne Inlet Ore Dock: Project Certificate No. 005, Terms and Conditions 45, 76, 88, 99, 101, 106, 113, 115, 123;
- Milne Inlet Freight Dock: Project Certificate No. 005, Terms and Conditions 14 (a), 45, 76, 88, 99, 101, 113, 115, 123, 128.

Milne Inlet Freight Dock (DFO File # 18-HCAA-00160) and Freight Dock Amendment (DFO File # 23-HCAA-00430)

The *Fisheries Act* Authorization for the Milne Inlet Freight Dock required Baffinland to create 2729 Habitat Equivalent Units (HEUs) of fish habitat to offset for the destruction of 2170 HEUs of fish habitat from the Freight Dock construction. As such, Baffinland placed coarse rock substrate around the perimeter of the ore dock and at moorings to create a rocky reef. Baffinland has additional offset habitat creation to be constructed in relation to the freight dock at Milne Port. DFO plans to conduct a site visit in August 2026.

Tote Road (DFO File # 06-HCAA-CA7-00084 and 24-HCAA-00054) and Emergency Tote Road Crossing Repair – CV-216 (25-HCAA-01876)

In 2022, DFO took enforcement action and issued a *Corrective Measures Order*, pursuant to the *Fisheries Act*, requiring Baffinland to develop and submit a targeted Sediment and Erosion Control Plan and a Permanent Crossing Plan for crossings where sediment deposition and barriers to fish passage have previously been reported and identified. DFO conducted site visits of the Mary River Mine Site in August 2025, including inspections of crossings along the Tote Road. DFO found that some of watercourse crossings on the Tote Road remain out of compliance with the federal *Fisheries Act* with sediment and erosion and fish passage concerns. Baffinland is working with DFO on crossing remediations.

Baffinland had remediated some of the crossings identified in the *Corrective Measures Order* issued in February 2024 and has submitted a "Gap Closure Plan" to address the other crossings. DFO will be conducting follow-up site visits of the crossings in August 2026.

If you have any questions with the content of this letter, please contact Paul Harper at 867-444-0983, or by email at Paul.Harper@dfo-mpo.gc.ca. Please refer to the file number referenced above when corresponding with the Program.

Yours sincerely,



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