

CITY OF YELLOWKNIFE

Giant Mine Water Licence Intervener Submission

January 20-24, 2020

Mackenzie Valley Land and Water Board



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INTRODUCTION

- **The City is pleased that this project is moving forward.**
- **The City is seeking greater certainty and clarity of project actions.**
 - There should be no ambiguity on what actions are being taken and what constitutes a successful reclamation.
- **If the City's concerns are fully addressed the GMRP will have clear commitments with little uncertainty as to what will be undertaken, therefore greatly reducing risk, and increasing value, to citizens of the MacKenzie Valley.**

THE CITY'S GOALS AND VALUES

- **This presentation is provided through the lens of the City of Yellowknife's 2019-2022 Goals and related Values.**
- **Goals, all of which could be supported by this project:**
 - Growing and diversifying our economy;
 - Delivering efficient and accountable government;
 - Ensuring a high quality of life for all, including future generations; and
 - Driving strategic land development and growth opportunities.
- **Values:**
 - Reconciliation, Responsiveness, Solutions-Oriented, Responsible Decision-Making and Multi-Generational

THE CITY'S PERSPECTIVE

- **Our focus is not only 'the project' – but how this project relates to all aspects of the City.**
- **Remediation of Giant Mine is critical to the future of Yellowknife.**
 - This area represents 6.5% of the land in the Yellowknife Municipal Boundary.
 - With Con Mine, more than 18% of the land presently available to the City is currently under remediation.
- **Giant Mine remediation should result in improvement in the quality of life – not simply minimize risk. This project should provide value to the citizens of Yellowknife, the NWT and Canada as a whole. Value is not only monetary or based on development (e.g. recreation)**
- **The City is not trying to be proscriptive – but is trying to collaboratively arrive at what our goals are for this area so that they can drive the remediation needs.**

CITY RECOMMENDATIONS

Addressed

- City's Recommendation # 2 - regarding a Borrow Management Plan to be submitted within 12 months of licensing has been addressed by the GMRP (written submission, Part B, p. 3).

CITY RECOMMENDATIONS

Basis for the remaining recommendations can be broken down into 3 broad themes:

- Greater certainty
- License structure
- Long term site security

Remainder of presentation will highlight the major recommendations. The City reiterates that all recommendations set out in the City's written submission are important.

CITY RECOMMENDATIONS - CERTAINTY

Not Addressed:

- **City's Recommendation # 1 – Emergency Management Agreement**
 - *The City recommends that the Board require conditions in the land use permit that require the Project to complete an agreement that provides for City Emergency Response and appropriate engagement and training with City Public Safety officials and the Yellowknife Fire Department to ensure an effective and efficient emergency response. (written submission, Part B, p. 2)*

- **City's Recommendation #4 - Updated Closure and Reclamation Plan**
 - *That the Project provide an updated closure and reclamation plan complete for approval (written submission, Part C, p. 3).*

CITY RECOMMENDATIONS - CERTAINTY CONT'D

Not Addressed:

➤ City's Recommendation #5(i) - Closure Criteria

- *The MVLWB direct the Project to provide a complete set of Closure Criteria for approval with the updated Closure and Reclamation Plan. (written submission, Part C, p. 5)*

➤ City's Recommendation # 5(ii) - Reclamation Research Plans

- *The City tried to find a way forward with the project, considering RRP's to provide flexibility. (written submission, Part C, p. 5)*

CITY RECOMMENDATIONS - CERTAINTY CONT'D

Not Addressed:

- City's Recommendation # 5(iii) - Post-Final Closure Plan - Component Creation
 - *The MVLWB direct the project to provide a description of how, depending on the results of the existing Reclamation Research Plans (Dam 3 and Wetland Treatment), the project would create a new Mine Component and the process to populate the Objectives and Criteria (written submission, Part C, p. 5)*
- City's Recommendation # 5(iv) - Criteria that focus on achievement rather than design
 - *The MVLWB encourage the project to continue developing Closure Criteria, transitioning from those that are based on intended actions to those based on performance standards. (written submission, Part C, p. 6)*

CITY RECOMMENDATIONS - CERTAINTY CONT'D

Not Addressed:

➤ City's Recommendation # 6 – Baker Creek

- *The MVLWB direct the project to revise the Baker Creek Component to fulfill the promises of the DAR and allowing Baker to fulfill its natural potential. This will be done through submission of new, more rigorous criteria that achieves this. (written submission, Part C, p. 6)*

CITY RECOMMENDATIONS - LICENSE STRUCTURE

Not Addressed:

- City's Recommendation # 8 - Environmental Management Plans
 - *The MVLWB require the 'site-wide' environmental management plans to be submitted for approval a minimum of 6 months prior to construction. Ideally these will be submitted as soon as possible in a phased approach to allow for thorough reviews. (written submission, Part D, p. 7)*
- City's Recommendation # 9 - Annual Water License Report
 - *The MVLWB require the Annual Water License Report to be provided for approval. The composition of the report should be reviewed 1 year after construction starts, with a follow up review 5 years after. (written submission, Part D, p. 7)*

CITY RECOMMENDATIONS - LICENSE STRUCTURE

Not Addressed:

- City's Recommendation # 10 – Notifications
 - *The MVLWB license should require the project to provide notifications for matters involving upset or unexpected conditions. (written submission, Part D, p. 8)*
- City's Recommendation #11 – Review Timelines
 - *The MVLWB and the project work to establish which plans (for approval) are likely to have a critical links to the project schedule and ensure that there is appropriate time for full review and collaborative efforts to resolve concerns or disputes. (written submission, Part D, p. 8)*

CITY RECOMMENDATIONS - LICENSE STRUCTURE

Not Addressed:

- City's Recommendation #12 – Specific Licence and Permit Condition Wording
 - *The City has provided comments on the specific terms and conditions, which have not been updated prior to the hearing. These recommendations stand until a new draft is released. (written submission, Part D, p. 8)*
- City's Recommendation #13 – Dams
 - *The MVLWB incorporate CDA requirements into the Water License, preserving commonality in reporting and requirements (written submission, Part D, p. 9)*

CITY RECOMMENDATIONS - LICENSE STRUCTURE

Not Addressed:

- City's Recommendation #16 – Waste Stream Auditing
 - *The MVLWB require an auditing effort of waste stream segregation to be implemented in Phase I of the project, to be formalized in when the waste management plan is re-submitted for Phase II. (written submission, Part D, p. 12)*

CITY RECOMMENDATIONS - LONG TERM SITE SECURITY

Not Addressed:

➤ City's Recommendation #15 – Management and Land Use

- *The MVLWB direct the project to complete a land use plan for the Giant Mine area, to be commenced within 3 years of license issuance and completed within 8 years. This will be completed by all parties who have interests in the development and management of the Giant Mine area (written submission, Part D, p. 12).*

➤ City's Recommendation #14 – Long Term Funding

- *The MVLWB direct the project to undertake a special study to complete a thorough examination of the different funding models for the lifespan of this license and this project. The study will be undertaken with a steering committee composed of suitably competent members at arms length from the proponents and will be submitted for Board approval. (written submission, Part D, p. 9).*

CLOSING

- City is supportive of this project. It provides important risk management helping to ensure the health and welfare of our citizens.
- After years of repeated challenges on the same issues, we're pleased with some of the progress prior to the technical sessions.

HOWEVER...



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CLOSING

- Progress and cooperation has stalled since. City concerns, most of which are generally readily resolvable, remain outstanding – our citizens deserve more. This is a project that has the potential to change every single resident's life for better or worse.
- The Project's responses to the City's outstanding concerns have mostly refused to acknowledge validity of the concerns and a consequential absence of effort in addressing them. Rather than working to resolve the issue, the project's effort has been in denying their applicability or value.

CLOSING

- The Project has great potential to support the City's goals and values, allowing us to recognize our history but have a healthy and secure future.
- On behalf of our citizens, the City wants to ensure that the project not only reduces the risk of harm – but will provide opportunity to improve the future of the citizens of Yellowknife, the NWT and Canada as a whole.
- To do this, the license needs to provide greater certainty and security for the future. Everything the City has sought furthers these two purposes – let's agree on what a good reclamation is and let's make sure it stays that way. And let's do it in a fair and transparent way, ensuring all Parties are involved.