



7th Floor - 4922 48th Street,
P.O. Box 2130, Yellowknife NT X1A 2P6

Tel: 867-669-0506 Fax: 867-873-6610
www.mvlwb.com

Staff Report

| | |
|--|--|
| Applicant: Crown-Indigenous Relations and Northern Affairs Canada – Giant Mine Remediation Project | |
| Location: Giant Mine Site | File Number: MV2007L8-0031 and MV2019X0007 |
| Date Prepared: July 13, 2022 | Date of Board Meeting: July 21, 2022 |
| Subject: Tailings Management and Monitoring Plan – Extension Request | |

1. Purpose

The purpose of this Report is to present to the Mackenzie Valley Land and Water Board (MVLWB/the Board) an extension request for the submission of the Tailings Management and Monitoring Plan.

2. Background

- October 18, 2007 – Department of Indian and Northern Affairs Canada (DIAND) applied for Type A Water Licence, MV2007L8-0031 to cover the remediation of Giant Mine and ongoing maintenance and monitoring of the site;
- March 31, 2008 – The City of Yellowknife referred Licence Application MV2007L8-0031 to the Mackenzie Valley Environmental Impact Review Board (MVEIRB) for Environmental Assessment;
- August 11, 2014 – The Minister of DIAND provided approval of the EA, including modified measures;
- April 1, 2019 – Post-EA Information Package received and Land Use Permit Application MV2019X0007 received;
- July 28, 2020 – Final Land Use Permit Issuance decision by the Board and recommendations for the Minister on Water Licence issuance;
- September 18, 2020 – Minister’s Decision on Water Licence issuance received and Licence issued;
- December 7, 2020 – Extension request for submission of the Tailings Management and Monitoring Plan received;
- January 14, 2021 – Extension request presented to the Board and new submission date of July 31, 2022 was approved;
- May 30, 2022 – Extension request for submission of the Tailings Management and Monitoring Plan received;
- June 14, 2022 – Extension request distributed for review;
- June 30, 2022 – Comments due and received;
- July 12, 2022 – Responses due and received;
- **July 21, 2022 – Board decision on extension request;**
- August 6, 2025 – Land Use Permit MV2019X0007 expires; and
- September 17, 2040 – Water Licence MV2007L8-0031 expires.

3. Discussion

Project History

The Giant Mine, located in Yellowknife, produced gold from 1948 until 1999. After the mine owner (Royal Oak Mines Ltd.) went into receivership in 1999, the mine was transferred to Indian and Northern Affairs Canada (DIAND). Immediately thereafter, DIAND entered into an agreement by which Miramar Giant Mine Ltd. continued to operate the mine, with the gold ore shipped offsite for processing from 1999 until 2004. Mining ceased in July 2004 and DIAND again took control of the site. The Giant Mine became "orphaned and abandoned" when Miramar Giant Mine Ltd. was assigned into bankruptcy. DIAND, now Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC), has managed the site in a state of care and maintenance since the mine closed in 2004.

Regulatory Procedural History

On October 19, 2007 DIAND Contaminants and Remediation Division (CARD) submitted to the MVLWB their Type A Water Licence Application with accompanying Giant Mine Remediation Plan and supporting documents for the remediation of the Giant Mine Site. On March 31, 2008, however, the City of Yellowknife [referred](#) Licence Application MV2007L8-0031 to the Mackenzie Valley Environmental Impact Review Board (MVEIRB) for Environmental Assessment (EA) on the basis that the proposed activities to take place during the term of the Water Licence would have, in the City's opinion, an adverse impact on the environment within its municipal boundaries. Following the City's referral, EA0809-001 was initiated by MVEIRB. On June 20, 2013, MVEIRB released its [Report of Environmental Assessment \(REA\)](#) for the GMRP and on August 11, 2014, the Minister of DIAND provided approval of the REA, including [modified Measures](#). On April 1, 2019, the GMRP Team submitted its Post-EA Information Package for Water Licence MV2007L8-0031 and Land Use Permit Application MV2019X0007 to the Board. By September 18, 2020, Licence MV2007L8-0031 and Permit MV2019X0007 were issued to CIRNAC – Giant Mine Remediation Project (GMRP).

Description of Extension Request

In accordance with Licence MV2007L8-0031, the GMRP have been directed to submit all revised management and monitoring plans provided with the Post-EA Information Package and Land Use Permit Application for the Board's approval a minimum of 90 days prior to initiating the planned Active Remediation and Adaptive Management (Phase 2) activities.

On December 7, 2020, CIRNAC-GMRP requested a new submission date of July 31, 2022 for the Tailings Management and Monitoring Plan. On January 14, 2021 the extension request was approved.

On June 13, 2022, CIRNAC-GMRP requested a new submission date of September 30, 2022 for the Tailings Management and Monitoring Plan, based on the GMRP's current schedule for Active Remediation, for the following reason:

The Tailings Design Plan has not yet been advanced to a point that would allow for submission of both the Tailings MMP and Design Plan to the MVLWB by July 31, 2022. Submitting the updated Tailings MMP with the Tailings Design Plan as per Part E, Condition 10, would allow for a more meaningful review of both Plans.

The extension request was distributed for review and comments through the Board's Online Review System on June 14, 2022.

4. Comments

By June 30, 2022, comments and recommendations were received from 2 reviewers:

- Environment and Climate Change Canada (ECCC); and
- Fisheries and Oceans Canada (DFO).

There were no objections to the CIRNAC-GMRP extension request.

5. Conclusions

Given the lack of opposition, Board staff have no concerns with recommending approval of the extension request for submission of the Tailings Management and Monitoring Plan.

6. Recommendations

Board staff recommend the Board **make a motion to approve the Extension Request for submission of the Tailings Management and Monitoring Plan under Water Licence MV2007L8-0031 and Land Use permit MV2019X0007** to September 30, 2022.

A draft decision letter is attached for the Board's consideration.

7. Attachments

- [Extension Request](#)
- Review Comment Table
- Draft Decision Letter

Respectfully submitted,



Andrea Cleland
Regulatory Specialist



Shannon Allerston
Regulatory Specialist

Reviewer Comments and Proponent Responses

Project: Giant Mine Remediation Project
Board: Mackenzie Valley Land and Water Board
Organization: DIAND-GIANT

| No. | Topic | Reviewer Comment | Reviewer Recommendation | Proponent Response | Board Decision |
|---|-----------------|---|-------------------------|--|----------------|
| Environment and Climate Change Canada (ECCC) - Jennifer Sabourin | | | | | |
| 1 | General Comment | ECCC has no concerns with the proposed extension request. | N/A | The GMRP thanks ECCC for their review. | Noted. |
| Fisheries and Oceans Canada (DFO) - Tatiana Leclerc-Beaulieu | | | | | |
| 1 | General | DFO has no concerns with the proposed extension | n/a | The GMRP thanks DFO for their review. | Noted. |