

Reviewer Comments and Proponent Responses

Board:	MVLWB
Review Item:	Pine Point Mining Limited Confirmation and Exploration Program - Type A Permit and Licence Applications Draft Licence and Permit Conditions
File(s):	MV2020L8-0012 MV2020C0017
Proponent:	Pine Point Mining Limited
Document(s):	Draft Licence Conditions (0.82 B) Draft Permit Conditions (0.34 B)
Item For Review Distributed On:	July 19, 2021 3:04 PM Distribution List
Reviewer Comments Due By:	August 10, 2021
Proponent Responses Due By:	August 18, 2021
Item Description:	<p>The draft Water Licence and Land Use Permit for Pine Point Mining Limited’s (PPML’s) Confirmation and Exploration Program have been developed by Board staff using the MVLWB’s current Standard Water Licence Conditions Template and Standard Land Use Permit Conditions Template, to allow reviewers to comment on possible conditions. Yellow highlighting indicates that Board staff are seeking input on conditions; green highlighting indicates wording to be finalized by the Board. These draft materials are not intended to limit, in any way, the scope of reviewers’ comments. Please note that the complete public reviews for the Applications and Applicant’s Responses to Technical Session Information Requests for PPM’s Confirmation and Exploration Program can be found through the Board’s Old Online Review System.</p> <p>The Board is not bound by the contents of the draft Licence and will make its decision at the close of the proceeding on the basis of all the evidence and arguments filed by all parties. Please note that review comments and recommendations on the draft Licence must not introduce new evidence at this point in the proceeding.</p> <p>Using the Online Review System (ORS), reviewers are invited to submit comments and recommendations on the documents linked below by the review comment deadline specified. Please clearly indicate which condition you are commenting on.</p>

Contact Information:	<p>All documents that have been uploaded to this review are also available on our public Registry. If you have any questions or comments about the ORS or this review, please contact Board staff identified below.</p> <p>Please note that there is a separate Pine Point Mining Limited environmental assessment proceeding for Mining and Milling activities at Pine Point with the Mackenzie Valley Review Board (EA2021-01). There is no MVLWB Licence or Permit number associated with this environmental assessment. Pine Point Mine Project - EA2021-01 Review Board</p> <p>Jen Potten 867-766-7468 Katherine Harris (867) 766-7470 Kim Murray (867) 766-7458</p>
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Environment and Climate Change Canada (ECCC) – Victoria Shore				
No	Topic	Reviewer Comments	Reviewer Recommendations	Proponent Response
1	ECCC Cover Letter	ECCC Cover Letter		
2	Draft Water Licence; Part A: Scope and Defined Terms; 1. b) and c)	<p>The Scope for 1.b) does not include the option for compatible water to be transferred from pit to aquifer, which is an option included in the March 12, 2021 Technical Session IR Responses (IR #2).</p> <p>1.c) includes the option of transferring compatible water to a nearby aquifer; however, the water licence application appears to reference all injections going into the same aquifer.</p> <p>ECCC suggests that the wording for 1.b) and 1.c) be amended such that the scope is aligned with the intent of proposed activities.</p>		PPML has indicated that pit water may be transferred to a nearby well. PPML agrees that this activity can be included in Part A, Section 1.
3	Draft Water Licence; Defined Terms: Drawdown	The definition focuses on surface waterbodies, and will apply to the pits. The investigations also include drawdown of		The definition Watercourse provided in the Licence already includes Groundwater, and is aligned with the

		groundwater (Water Withdrawal Plan Section 3.2), and this definition may be broadened to include that. Adding groundwater would fit with the reporting requirements in Schedule 1 Item 1.j) iii and v. and Schedule 4 Item 1.f) i.		Waters Regulations. However, PPML suggests that the definition of Drawdown also mentions open pits, for greater clarity. The suggested definition is ‘the partial removal of water from an existing Watercourse, pit, or portion thereof, by pumping.
4	Draft Water Licence; Defined Terms: Maximum Average Concentration	This term may be further defined as the average of all analytical results at a sampling point when there are less than four samples taken.		PPML agrees with the recommendation.
5	Draft Water Licence; Schedule 4 Items 1.b)	<p>There is no guidance in the licence on how the monitoring parameters will be evaluated prior to using the water for dust suppression. It may be useful to include a reference to meeting EQC, or have the Water Management Plan describe standards for use. Once pit water quality has been tested and deemed appropriate for use as a dust suppressant, the main concern will be application that may result in road materials washing into any adjacent waterbodies. It is unclear what would constitute a Spill if water migrates off the road; this may depend on it washing any sediments off, but volume and path would be factors in the level of concern.</p> <p>The utility of toxicity testing to provide timely or useful information for dust suppression water is questionable if mitigation is in place to minimize the potential for entry into water, and if chemistry indicates low levels of parameters in the water to be used.</p>		PPML does not propose any thresholds for water use for dust suppression activities. There is provision with Schedule 4 Item 1(b) to develop processes for management and application of dust suppression water. PPML is responding to requests from Indigenous communities to implement dust control to protect wildlife habitat. PPML provided a technical memorandum that summarized historical pit water quality with a comparison to natural waterbodies in the area (see Appendix B to the Water Withdrawal Plan Version 1.1. Technical Memorandum – Response to Mackenzie Valley Land and Water Board Regarding Question Regarding Utilization of Pit Waters Pine Point Mine Site for Dust Suppression Activities). Based on the

				<p>memorandum, and the fact that the dust suppression activities are expected to involve periodic applications of relatively low volumes of water during summer and fall months when precipitation is low, PPML is of the opinion that this is a low-risk activity. PPML agrees with ECCC that toxicity testing for dust suppression water is not appropriate.</p>
6	<p>Draft Permit Conditions; Part C: Condition 52</p>	<p>ECCC has the authority to protect migratory birds included in the Migratory Bird Convention Act and for the protection and recovery of migratory birds that are also Species at Risk (SAR) under the federal Species at Risk Act (SARA).</p> <p>ECCC notes that Section 79 of the SARA outlines the responsibility of the authorities to ensure that measures are taken to avoid or lessen the effects of a project on listed wildlife species and that those measures are monitored.</p> <p>ECCC notes that PPML is developing a Wildlife Management and Monitoring Plan which is not required to include migratory birds, and in particular, SAR migratory birds.</p> <p>ECCC has previously submitted comments to the board on the potential impacts of the project on Whooping Crane, currently listed as “Endangered” under the SARA, and their</p>	<p>ECCC recommends that the Mackenzie Valley Land and Water Board add “including the development of a plan for Whooping Crane in consultation with ECCC.” to condition 52. This plan will detail measures to be taken to avoid or lessen the effects of the project and outline how those measures will be monitored in accordance with s.79 of the SARA.</p>	<p>PPML disagrees that Section 79 of SARA applies, as an environmental assessment has not been initiated. ECCC have not provided a rationale for why this information should be provided in a stand-alone plan for Whooping Crane, rather than the Wildlife Management and Monitoring Plan (WMMP), to be approved under the Wildlife Act and where this information belongs. Creating a stand-alone plan specifically for Whooping Crane will create significant duplication with the existing WMMP and create confusion for both reviewer and environmental monitors, likely leading to less effective protection of Whooping Crane rather than better. ECCC has reviewed and provided comments on the WMMP, including means of improving the protection of Whooping Cranes and reporting of</p>

		habitat and has provided recommendations to develop a plan specific to Whooping Crane. ECCC is of the opinion that a plan would be necessary given the status of the species and the limited range within the territory.		their sightings back to ECCC. This indicates to PPML that ECCC is agreeable to keeping the issue of Whooping Crane within the WMMP. PPML is submitting the WMMP Version 1.1 to the GNWT-ENR for approval, which will include another opportunity for public review. PPML commits to meeting with ECCC during this step to discuss how the WMMP can better address concerns related to Whooping Crane and other species at risk. Finally, PPML refers the MVLWB to the recommendation GNWT-ENR #14, which indicates that the proposed Condition may not fall under the jurisdiction of the Mackenzie Valley Land Use Regulations.
Denínu Kúé First Nation (DKFN) – Marc d’Entremont				
No	Topic	Reviewer Comments	Reviewer Recommendations	Proponent Response
1	Type A Water Licence MV2020L8-0012. Part A: Scope and Defined Terms	c) Drawdown of Groundwater from one aquifer to the same aquifer or a nearby aquifer for hydrogeological testing;	This provision is acceptable as long as water quality parameters are the same or better from the aquifer that was drawn down.	The transfer of groundwater from a source location to a receiver location will be determined based on a compatibility assessment through the approved Water Management Plan (as per Schedule 4 Item 1). Compatibility is to be determined using a range of water quality parameters, and not within the definition of drawdown of groundwater.
2	Type A Water Licence	Water sources in the approved Water	Water bodies selected for the withdrawal	The Water Withdrawal Plan was

	MV2020L8-0012. Part D: Water Use	Withdrawal Plan - identified in Tables 1, 2, 3, 4	of water to support the project should be informed by traditional knowledge and use of the area and include criteria such as ecological function. We recommend these items be included in the revised Water Withdrawal Plan to be submitted 90 days following the date of the licence. Board approval of this plan must include consideration of comments from Indigenous groups.	developed using the MVLWB Method for Determining Winter Water Source Capacity for Small-Scale Developments, which was established to protect the aquatic environment. It is assumed that all aquatic environments provide an important ecological function. Further, PPML proposes to exceed the requirements of the Method for Determining Winter Water Source Capacity for Small-Scale Developments, by extending the water withdrawal limits to the entire year (not just winter). PPML has offered and continues to offer to avoid withdrawal from lakes that have conflicting users, and the Water Withdrawal Plan has been available to DKFN and other Indigenous groups for comment since October 2020 (before it was submitted to the MVLWB). PPML prepared Version 1.1 of the Water Withdrawal Plan following feedback from the DKFN, Fort Resolution Metis Government, Katlodeeche First Nation and the MVLWB during the technical session, and this document is available on the public registry for review (including during the Public Hearing). Based on the above, PPML believes that the MVLWB should approve the Water Withdrawal Plan,
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				and PPML commits to updating the document at the request of any Indigenous government that identifies conflicts with traditional water use.
3	Type A Water Licence MV2020L8-0012. Part D: Water Use	<p>9. Prior to withdrawing Water from Water sources in Tables 2 and 4 of the approved Water Withdrawal Plan, and within 500 m of Water sources Licensee shall:</p> <p>a) Complete field confirmation in accordance with the Board’s Method for Determining Winter Water Source Capacity for Small-Scale Development; and</p> <p>b) Obtain written authorization from an Inspector.</p>	<p>We recommend additional conditions be added to this provision as outlined below:</p> <p>9. Prior to withdrawing Water from Water sources in Tables 2 and 4 of the approved Water Withdrawal Plan, and within 500 m of Water sources Licensee shall:</p> <p>a) Complete field confirmation in accordance with the Board’s Method for Determining Winter Water Source Capacity for Small-Scale Development;</p> <p>b) Identify potential conflicts with the water source and traditional and cultural use activities;</p> <p>c) Complete and assessment of the ecological function of the water course and adjacent aquatic and terrestrial features; and</p> <p>d) Obtain written authorization from an Inspector.</p>	<p>PPML is agreeable to items a) and d). Items b) and c) are unnecessary, as these requirements have already been met. PPML provided a detailed Water Withdrawal Plan to the DKFN and other affected Indigenous groups in October 2020, before the application was made public. PPML requested feedback at the time if any of the proposed water sources had cultural and traditional use, and has continued to do so through the licence review process. Any identified conflicts with water sources should be identified to PPML, so that they can be moved to Tables 5 and 7 within the Water Withdrawal Plan (i.e., waterbodies and water courses that are not considered for use). PPML assumes that all natural water sources provide an ecological function. The Method for Determining Winter Water Source Capacity for Small-Scale Developments was developed to protect aquatic ecosystems. PPML will exceed the requirements of the Method for Determining Winter</p>

				Water Source Capacity for Small-Scale Developments, as detailed in the Water Withdrawal Plan.
4	Type A Water Licence MV2020L8-0012. Part E: Construction	Structure Description and Construction Plan	We request confirmation that this plan includes the description and location of drill rigs.	This standard condition is intended to apply to all non-engineered Water and Waste management structures, unless otherwise authorized by the Inspector (see the MVLWB Standard Water Licence Conditions Template). A drill does not fall under this definition. Regardless, this information will be made publicly available as the Land Use Permit Condition 26(1)(a)(4) requires that PPML provide target areas to the Board and an Inspector. Further, the Engagement Plan indicates that PPML will provide written notification to DKFN and other Indigenous groups 30 days prior to initiating and completing exploration activities.
5	Type A Water Licence MV2020L8-0012. Effluent Quality Criteria	17. The Licensee shall ensure that Sewage Effluent from Sewage Treatment Plant at Surveillance Network Program station 1 has a pH value between [x and y] and meets the following Effluent Quality Criteria (EQC):	We request confirmation as to when the Effluent Quality Criteria will be finalized and how Indigenous groups will be engaged in this step.	Effluent Quality Criteria were proposed by PPML in the Information Request No.4 following the technical session (12 March 2021), and the same criteria were recommended by GNWT-ENR in their Technical Intervention (4 May 2021). The criteria were based those for similar treatment plants in approved water licences. See also GNWT-ENR#7 in this submission.
6	Type A Water Licence	The proposed location(s) of the facilities, with	We request confirmation that this plan	A drill does not fall under the

	MV2020L8-0012. Schedule 3: Construction	GPS coordinates and a map to scale;	includes the location of drill rigs.	definition of a facility. Regardless, the location of drills will be made publicly available as the Land Use Permit Condition 26(1)(a)(4) requires that PPML provide target areas to the Board and an Inspector. Further, the Engagement Plan indicates that PPML will provide written notification to DKFN and other Indigenous groups 30 days prior to initiating and completing exploration activities.
7	Land Use Permit # MV2020C0017. 26(1)(a) Location and Area	2. The Permittee shall not conduct any part of the land-use operation within 300 metres of any privately owned or leased land or structures, including cabins used for traditional activities, unless otherwise approved by the Board.	We recommend that land use operations not occur within 500 m of cabins.	PPML agrees to attempt to avoid known cabins by 300 metres, although in practice this may be difficult as there are cabins within tens of metres of exiting roads at Pine Point. A rationale has not been provided for why the 300 metre buffer should be increased to 500 metres, when in both cases the cabin would be undetectable from the road. PPML can discuss specific cabins or traditional use areas to be avoided if this information is provided by DKFN.
8	Land Use Permit # MV2020C0017. 26(1)(a) Location and Area	4. Prior to the commencement of drilling or metallurgical sampling, the Permittee shall submit the target areas and final drill hole and metallurgical sample locations on a 1:50,000-scale map with coordinates and map datum to the Board and an Inspector.	We recommend the submission of target areas, final drill hole and metallurgical sampling locations occurred 90 days prior to the commencement of drilling activities. Also, clarification is requested if this will include all drill sites planned for the entire program or just drill sites on an annual basis.	The Engagement Plan indicates that PPML will provide written notification to DKFN and other Indigenous groups 30 days prior to initiating and completing exploration activities. The notification will include the drill and metallurgical sampling planned for the drill/sampling program referenced in the notice.

9	Land Use Permit # MV2020C0017. 26(1)(a) Location and Area	8. The Permittee shall not construct parallel lines or roads, unless an existing line or road cannot be used.	If an existing line cannot be used, we recommend the permittee provide rationale for this determination.	PPML intends to use existing roads, as it reduces costs and environmental impacts. This concern is addressed by the Wildlife Management and Monitoring Plan, where pre-clearing surveys may suggest alternate travel routes to use existing disturbances or avoid sensitive wildlife habitat. This information will be provided within the Wildlife Management and Monitoring Plan Annual Report.
10	Land Use Permit # MV2020C0017. 26(1)(a) Location and Area	11. The Permittee shall post signs and notices to avoid conflict with recreational users.	We recommend the location of these signs be determined in consultation with Indigenous groups.	PPML currently has signs posted in the area. PPML can commit to discussing future locations for signs based on the planned activities in consultation with Indigenous groups.
11	Land Use Permit # MV2020C0017. 26(1)(b) Time	16. At least ten days prior to the completion of the land-use operation	We request confirmation if this condition refers to the whole operation or operation an annual basis.	PPML confirms that this standard condition applies to the whole operation. The Engagement Plan clarifies that PPML will notify all Parties of the start and end of annual activities.
12	Land Use Permit # MV2020C0017. 26(1)(b) Time	c) when the Final Plan will be submitted.	We request clarification on what final plan this condition is referring to. Is it the Closure and Reclamation Plan that is identified in the water license?	No comment.
13	Land Use Permit # MV2020C0017. 26(1)(b) Time	31. The Permittee shall, where flowing water from a Borehole is encountered: a) plug the Borehole in such a manner as to permanently prevent any further outflow of water; and b) immediately report the occurrence to the Board and an Inspector.	We recommend this condition align with the similar condition that is within the draft water license.	PPML believes that this standard permit condition is appropriate considering the jurisdiction of the Mackenzie Valley Land Use Regulations.

14	Land Use Permit # MV2020C0017. 26(1)(h) Wildlife and Fish Habitat	52. The Permittee shall take all reasonable measures to prevent damage to wildlife and fish Habitat during this land-use operation.	We recommend that potential reasonable measures be included in the permit to ensure fish and wildlife habitat within the project area, including critical habitat for species at risk, is accurately identified. A reasonable measure includes the evaluation of boreal caribou habitat, by professional biologists and Indigenous monitors, assessment of this habitat (e.g., poor or good quality) and the documentation and tracking of this habitat. In this way the permittee can accurately state this amount of habitat that is avoided or impacted. For impacted habitat, reasonable measures can include provisions to reclaim this habitat or reclaim habitat elsewhere if other land uses (e.g., mine construction, traditional land use) if identified for the specific area. In this regard, PPML can commit to working within the Range Planning Framework and Indigenous groups to ensure habitat levels are not impacted beyond thresholds.	Without a specific permit condition presented, neither PPML nor other reviewers can comment on this proposal. PPML refers to GNWT-ENR#14 and clarification from the Board Chair during the Public Hearing, which indicate that this request exceeds the jurisdiction of the Mackenzie Valley Land Use Regulations. Regardless, PPML has addressed these concerns through the Wildlife Management and Monitoring Plan, to be approved under the Wildlife Act by GNWT-ENR. The Wildlife Management and Monitoring Plan includes a caribou habitat resource selection function, and measures to document habitat types and the presence of caribou prior to removing vegetation. Reclamation of habitat will be required under the Closure and Reclamation Plan, but must also require input from affected communities and land users, and other developers in the area (such as the Timberworks forestry proposal).
15	Land Use Permit # MV2020C0017. 26(1)(i) Storage, Handling, and Disposal of Refuse or Sewage	58. The Permittee shall, where a suspected archaeological or historical site, or burial ground is discovered: a) immediately suspend operations on the site; and b) notify the Board at (867) 669-0506 or an	We recommend this condition include notifying nearby Indigenous groups.	PPML wishes to remain in compliance with the Archaeological Sites Act, and should therefore have the ability to discuss suspected archaeological sites with regulatory agencies first. PPML is willing to update the Engagement

		Inspector at (867) 872-2558, and the Prince of Wales Northern Heritage Centre at (867) 767-9347 ext. 71251 or ext. 71255.		Plan to include notification to nearby Indigenous groups when an archeological site is suspected or identified.
16	Land Use Permit # MV2020C0017. 26(1)(n) Methods and Techniques for Debris and Brush Disposal	80. The Permittee shall progressively dispose of all brush and trees; all disposal shall be completed prior to the end of this land use operation	We recommend this condition be explicit to say that disposal cannot include the burning of brush and trees. These materials should be mulched and stored for reclamation purposes.	Open burning is not planned for brush and trees. PPML agrees that using the brush and trees for mulching and reclamation is preferred. The Waste Management Plan outlines procedures for open burning of camp waste (Section 4.3). PPML supports the clarification to this standard condition that brush and trees should not be burnt.
17	Land Use Permit # MV2020C0017. 26(1)(q) Biological and Physical Protection of the Land	90. The Permittee shall not move any equipment or commence any drilling when one or more caribou is within five hundred (500) metres. Caribou and all wildlife shall be given the right of way at all times.	We recommend this condition align with the provisions of the Wildlife Management and Monitoring Plan.	This non-standard condition was proposed by PPML and aligns with the Wildlife Management and Monitoring Plan (where details are provided on how this will be achieved). PPML notes that GNWT-ENR do not consider this condition to be within the scope of the Mackenzie Valley Land Use Regulations.
GNWT-ENR (Environment and Natural Resources) – Patrick Clancy				
No	Topic	Reviewer Comments	Reviewer Recommendations	Proponent Response
1	Draft Water Licence and Land Use Permit Reivew	ENR Cover Letter	N/A	
2	Topic: Scope – Pit to Well Testing	As per the memo submitted by Pine Point Mining Ltd. (PPML) in April 2021, hydrogeological testing will include pit to well water transfers. This was further described in PPML's Response to Interventions. ENR notes	1) ENR recommends that the Board include drawdown of pit lake surface water to a nearby aquifer in the scope of the Water Licence.	PPML agrees with this recommendation.

		that the scope of the Water Licence does not include pit to well testing.		
3	Topic: Scope – Watercourse Crossings	Board staff are seeking input on whether the “Construction, operation, and maintenance of temporary watercourse crossings” should be included in the scope of the Water Licence as PPML did not specify the type of crossing. ENR notes that while this condition was included in the Draft Licence Conditions submitted by PPML with their initial Type A Water Licence application, the temporary watercourse crossings don’t appear to be described anywhere else in the application. ENR notes that it would be helpful if PPML could provide this information. ENR can then provide input on this item in our Closing Arguments.	1) ENR recommends that PPML specify the type of watercourse crossing referenced in the draft Water Licence.	PPML disagrees that the specifics of temporary crossings should be identified in the Water Licence. PPML anticipates that temporary watercourse crossings may include the use of temporary clear span bridges or ice bridges/snow fills, as appropriate. Any temporary crossings would meet appropriate regulatory guidelines such as GNWT (2015) and DFO (2020) as appropriate. GNWT (Government of the Northwest Territories). 2015. Northern Land Use Guidelines. Access: Roads and Trails. https://www.lands.gov.nt.ca/sites/lands/files/resources/nlug_roadstrails_2015_english_16_sept_2015.pdf DFO (Fisheries and Oceans Canada). 2020. Interim code of practice: temporary stream crossings. https://www.dfo-mpo.gc.ca/pnw-ppe/codes/temporary-crossings-traversees-temporaires-eng.html
4	Topic: Drawdown and Watercourse Definitions	Board staff are seeking input on the definition of Drawdown. ENR notes that in order for the current definition of Drawdown to be applicable for this Water Licence, it must include pit lakes, as the drawdown of water from pit lakes is part of the scope of this Licence. ENR notes that the definition of	1) ENR recommends that the definition for Drawdown be revised to include pit lakes as part of the definition.	PPML agrees, as stated in the response to ECCC#3.

		<p>“watercourse” is: “a natural watercourse, body of water or water supply, whether usually containing water or not, and includes groundwater, springs, swamps, and gulches.”</p> <p>As this definition does not include pit lakes, the definition of Drawdown should be revised accordingly.</p>		
5	Topic: Revised Water Management Plan Submission	<p>Board staff seek input on Part F, Condition 6 regarding the submission timeline of the revised Water Management Plan (previously referred to as the Groundwater Management Plan). The Draft Water Licence currently states: “Within 90 days following the effective date of this Licence, the Licensee shall submit to the Board, for approval, a revised Water Management Plan.”</p> <p>ENR notes that at the Public Hearing, PPML stated that they would be prepared to submit a revised version of this plan the day after Licence issuance (Public Hearing Transcript, Day 1 p.164 line 8-15), with locations confirmed 30 days in advance of conducting any hydrogeological assessments (PPML Public Hearing Presentation).</p> <p>ENR maintains the recommendation in the GNWT Intervention that the Water Management Plan be submitted within 60 days following the effective date of the Licence.</p>	1) ENR recommends that the Water Management Plan be submitted within 60 days of Water Licence issuance.	PPML prefers to keep the 90 days as in the draft Water Licence issued by the MVLWB.
6	Topic: Water Source and Maximum Volume	Part D, Condition 3 includes a table that sets out maximum withdrawal limits for water	1) ENR recommends that the quantity of water used for each individual water	2)The Method for Determining Available Winter Water Use Capacity

		sources grouped by the purpose of the water use. ENR notes that maximum withdrawal limits should be set for each individual water source and must be tracked accordingly. This applies to other conditions such as Schedule 1, Condition 1.f) where the Condition should specify that the monthly and annual quantities in cubic metres of water obtained from each water source should be included in the summary of activities, and not just the total volume of water used from all sources. ENR notes that the Water Licence should also include a condition that winter water withdrawal for each water source does not exceed 10% of available under-ice volumes.	source is tracked to ensure the maximum withdrawal limits for each individual water source are not exceeded. 2) ENR recommends that the Board consult the Method for Determining Available Winter Water Use Capacity for Small-Scale Projects, and ensure the Water Licence includes sufficient information and all appropriate conditions for tracking water use.	for Small-Scale Projects is cited and followed in the Water Withdrawal Plan.
7	Topic: Effluent Quality Criteria	ENR notes that the table for Effluent Quality Criteria (EQC) for sewage effluent from the Sewage Treatment Plant at Surveillance Network Station (SNP) 1 has not yet been finalized by the Board. ENR maintains the recommendation regarding EQC for sewage effluent described in the GNWT's Intervention.	1) ENR recommends that the maximum grab concentration EQC for sewage effluent discharged from the Sewage Treatment Plant be set as follows: <ul style="list-style-type: none"> • Fecal Coliforms = 20 CFU/100 mL • Carbonaceous Biological Oxygen Demand (CBODs) = 25 mg/L • Total Suspended Solids = 25 mg/L • pH = 6 to 9 	PPML agrees with this recommendation.
8	Topic: Compatibility Criteria	As the proposed compatibility criteria are being applied to discharge in the same manner that EQC would be applied, it is ENR's position that it should be regulated in the Water Licence itself, as opposed to a management plan. The hydrogeological	1) ENR recommends that compatibility criteria be included in the body of the Water Licence itself, and not only in the Water Management Plan.	Part F Condition 18 of the draft Water Licence indicates that discharge must meet the compatibility criteria in the Water Management Plan. PPML has developed and evolved the compatibility criteria based on

		<p>testing, which involves the movement and discharge of large volumes of water, was the trigger for the Type A Water Licence and conditions regulating this water use and waste deposit should be included in the Water Licence.</p> <p>The primary scope of a Water Licence under the Waters Act is to regulate water use and the deposit of waste. Depending on the magnitude and type of activity, certain activities require that the Water Licence, and conditions therein, are approved by the Minister of ENR (i.e. Type A Water Licences). As such, ENR stresses that conditions such as discharge criteria of waste into water should remain within the body of the Water Licence for Ministerial approval, and not be removed and placed only into management plans.</p>		<p>feedback through the Water Licence review process, and the finalization of these criteria will be completed through the upcoming approval of the Water Management Plan. As a result, PPML disagrees that the actual criteria should be included in the Water Licence itself, but that the Water Management Plan is the appropriate place to house the criteria. The Water Management Plan will be publicly circulated for review and approved by the MVLWB before groundwater testing may commence.</p>
9	Topic: Dust Suppression	<p>Board staff are seeking input on the schedule requirement and conditions regarding the use of pit water for dust suppression management.</p> <p>ENR notes that as stated in the Response to Undertaking #1,: “It may be appropriate for PPML to include a request to use specific pits for dust suppressant use and receive concurrent approvals” when providing results to the Board and/or Inspector for approval prior to water transfers.</p>	<p>1) ENR recommends that the Licence include a condition stating that PPML must request to use specific pits for dust suppressant use, and receive concurrent approvals when providing results to the Board and/or Inspector for approval, prior to water transfers.</p>	<p>A water licence condition is not required as there is already a provision with Schedule 4 Item 1(b) to develop processes for management and application of dust suppression water. See also the response to ECC#5.</p>
10	Topic: SNP Station 1	<p>ENR notes that it is not sufficient to track the quantity of water used from all combined</p>	<p>1) ENR recommends that each individual water source be designated as an SNP</p>	<p>PPML expects to report water withdrawal by each source as part of</p>

		water sources outlined in Part D, Condition 3, and detailed in the Water Withdrawal Plan as a single volume. The quantity of water used from each water source must be tracked in order to ensure that the maximum withdrawal limits (daily and annual) for each water source are not exceeded. As such, each water source should have its own SNP station designation when being reported.	station during reporting so that the quantity of water used from each individual water source can be measured and reported.	the SNP and associated reporting requirements.
11	Topic: SNP Station 2 and 3	ENR notes that each source and receiving waterbody used in the hydrogeological testing should be assigned its own SNP station ID during reporting so that data from each source and receiving waterbody can be tracked separately. This will allow water quality and volumetric data to be monitored for changes, throughout testing.	1) ENR recommends that each source and receiving waterbody involved in the hydrogeological testing be assigned its own SNP station ID during reporting.	PPML expects to assign each source and receiving waterbody with a unique SNP identifier during reporting. PPML agrees with the proposed SNP2 and SNP3 stations identified for withdrawal and discharge locations.
12	Topic: Monitoring Frequencies	In their response to the GNWT's Intervention recommendation 9, PPML agreed to the following monitoring frequency for source water: Daily field physicochemical (i.e., specific conductivity, pH, and temperature) measurements in the pumped source water, and laboratory analysis of water quality parameters on the last day of pumping. PPML also agreed to the following monitoring frequency for receiver water: Weekly field physicochemical (i.e., specific conductivity, pH, temperature, and dissolved oxygen) measurements and laboratory analysis of water quality parameters in a pit sample three to four days after water transfer is complete.	1) ENR recommends that the monitoring frequencies provided by PPML in their Response to Interventions be included in Annex A – SNP section of the Water Licence.	PPML agrees to the recommendation.

13	Topic: Draft Land Use Permit Condition #88	<p>Draft Land Use Permit Condition #88 states that: “Prior to the end of the land-use operation, the Permittee shall restore any trails impacted by the land-use operation by removing fallen trees and any other obstructions from the trails.”</p> <p>ENR notes that the intent of this permit condition is “restoration and cleanup of any trapper trails that may have been followed or crossed by the Permittee when carrying out the land-use operation. Failure to restore trails could result in the trapper’s requesting compensation for damaged equipment such as snowmobiles or sleighs. The condition also applies to trails used for recreation and other purposes.”</p> <p>PPML has proposed to use existing linear features to access different exploration sites within the project area; however, it was unclear from the PPML’s application which of these linear features could be considered as actively used “trails” and which may be considered legacy linear disturbances that could be in an advanced state of regeneration.</p> <p>From a boreal caribou habitat restoration perspective, it is recommended that woody debris and fallen trees be pulled back on to the linear feature to minimize line of sight</p>	<p>1) ENR recommends that the Board direct PPML to identify actively used trapper/recreational trails that may be impacted by the project prior to the commencement of construction, and to distinguish these from other legacy linear disturbances that may be used for the project. This could be accomplished as part of PPML’s Engagement Plan, and any such trails should be identified in the Closure and Reclamation Plan that is required as a condition of the Water Licence.</p>	<p>PPML wishes to avoid impacts to traditional activities and trails, and will continue to work directly with the KFN, DKFN and FRMG to stay appraised of traditional activities in the Pine Point area. PPML is open to an update to the Engagement Plan to reflect this, but this addition should perhaps be in the form of a reminder to PPML to ask affected groups for information on traditional land use activities annually. The request by GNWT-ENR to ‘direct PPML to identify actively used trapper/recreational trails’ assumes that local land users will freely share this information. Any changes to the Engagement Plan or the Closure and Reclamation Plan should not leave PPML out of compliance if this information is not shared by land users.</p>
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		and to discourage predators and people from using linear features.		
14	Topic: Draft Land Use Permit Condition #90	<p>Draft Land Use Permit Condition #90 is intended to address disturbance to caribou, and would require the Permittee not to move any equipment or commence any drilling when one or more caribou is within five hundred (500) metres, and that caribou and all wildlife shall be given the right of way at all times.</p> <p>While ENR appreciates the intent of this draft LUP condition, ENR notes that it is related to wildlife, and not wildlife habitat. The Mackenzie Valley Land Use Regulations allow a Land and Water Board to include permit conditions respecting the “protection of wildlife habitat and fish habitat”, but not wildlife itself.</p> <p>ENR believes this condition should be removed from the LUP, and that this mitigation should be included within the Wildlife Management and Monitoring Plan for the project which has been required under s.95 of the Wildlife Act.</p>	1) ENR recommends the removal of Land Use Permit Condition #90.	PPML defers to the MVLWB on this issue.
Fort Resolution Métis Government (FRMG) – Katy Dimmer				
No	Topic	Reviewer Comments	Reviewer Recommendations	Proponent Response
1	Type A Water Licence MV2020L8-0012 (DRAFT). Pine Point Mining Limited -	As per the duty to consult, FRMG requires involvement in all decision-making related to the Project. This includes the opportunity to review any changes made by the Licensee to	FRMG should be provided the opportunity and capacity to review and comment on annual revisions to plans and programs.	All management plans requiring an update will be submitted to the MVLWB. It is expected that the MVLWB will post for public review

	Confirmation and Exploration Program. Part B, Item 9: General Conditions - Annual Review (p.9)	plans and programs during annual reviews.		through the Online Review System.
2	Type A Water Licence MV2020L8-0012 (DRAFT). Pine Point Mining Limited - Confirmation and Exploration Program. Part B, Item 10: General Conditions - Revisions (p.9)	FRMG requires involvement in all decision-making related to the Project, including the opportunity to review any changes made by the Licensee to plans and programs that are submitted to the Board within 90 days of proposed implementation.	FRMG should be provided the opportunity and capacity to review and comment on revisions to plans and programs submitted to the Board within 90 days of proposed implementation.	All management plans requiring an update will be submitted to the MVLWB. It is expected that the MVLWB will post for public review through the Online Review System.
3	Type A Water Licence MV2020L8-0012 (DRAFT). Pine Point Mining Limited - Confirmation and Exploration Program. Part B, Item 19: General Conditions - Annual Water License Report (p.10)	FRMG requires involvement in all decision-making related to the Project, including the opportunity to review Annual Water License Reports.	FRMG should be provided the opportunity to review and comment on Annual Water License Reports.	Annual reports are provided to the MVLWB and posted on the Online Review System for public review
4	Type A Water Licence MV2020L8-0012 (DRAFT). Pine Point Mining Limited - Confirmation and Exploration Program. Part D, Item 9 (p.13-14)	As discussed at the Water Board Hearing regarding this licence, FRMG would like to review locations of water withdrawal before they occur and before written approval is given by the Inspector	include additional sub-item c) [the licensee shall] submit locations of water withdrawals to Indigenous groups in advance of water withdrawal	The location of drills will be made publicly available as the Land Use Permit Condition 26(1)(a)(4) requires that PPML provide target areas to the Board and an Inspector. Further, the Engagement Plan indicates that PPML will provide written notification to FRMG and other Indigenous groups 30 days prior to initiating and

				<p>completing exploration activities. Withdrawal Plan has been available to FRMG and other Indigenous groups for comment since October 2020 (before it was submitted to the MVLWB). PPML prepared Version 1.1 of the Water Withdrawal Plan following feedback from the Fort Resolution Metis Government, Deninu Kué First Nation, Katlodeeche First Nation and the MVLWB during the technical session, and this document is available on the public registry for review (including during the Public Hearing).</p>
5	<p>Type A Water Licence MV2020L8-0012 (DRAFT). Pine Point Mining Limited - Confirmation and Exploration Program. Part D (p.13-14)</p>	<p>FRMG requests that Pine Point monitor and report on source watercourse water levels, water quality, watercourse bed/bank, and fish and fish habitat to verify that Project is minimizing impacts. This may require the establishment of fixed monitoring points and baseline aquatic studies. Evidence of Traditional Knowledge incorporation should be provided.</p>	<p>Please include this information as a condition in Part D and Schedule 4, as appropriate.</p>	<p>PPML will report waste use from each individual source, as is the current practice for our existing water licences. The Water Withdrawal Plan was developed using the MVLWB Method for Determining Winter Water Source Capacity for Small-Scale Developments, which were developed to protect the aquatic environment. PPML proposes to exceed the requirements of the Method for Determining Winter Water Source Capacity for Small-Scale Developments, by extending the water withdrawal limits to the entire year (not just winter). Water withdrawal for drilling operations is typically short-term and mobile, and</p>

				<p>often in winter. The PPML water licence annual report for MV2018L2-0003, for example, shows that drill locations are typically less than two days duration. Such short-term drilling uses very limited quantities of water and does not cause the release of waste to water. Drill water is preferably source from the historic open pits, further avoiding impacts to the aquatic environment. The overall environmental impacts to the aquatic environment are negligible and do not necessitate monitoring of the aquatic environment, nor would any aquatic studies be capable of detecting such minor impacts. PPML commits to updating the Water Withdrawal Plan at the request of any Indigenous government that identifies conflicts with traditional water use.</p>
6	Type A Water Licence MV2020L8-0012 (DRAFT). Pine Point Mining Limited - Confirmation and Exploration Program. Part E (p.15-16)	FRMG requires details on any watercourse crossings installed in relation to this scope of activities. At minimum, watercourse selection rationale, plan and profile drawings, installation and removal techniques descriptions, and supporting aquatic studies are required. Evidence of Traditional Knowledge incorporation should be provided.	Please include this information as a condition in Part D and Schedule 4, as appropriate.	<p>Any watercourse crossings installed for the CEP will be temporary and not permanent watercourse crossings. While no specific watercourse crossings are currently planned, PPML anticipates that temporary watercourse crossings may be required and would include the use of temporary clear span bridges or ice bridges/snow fills, as appropriate. Any temporary crossings would meet</p>

				<p>appropriate regulatory guidelines such as GNWT (2015) and DFO (2020) as appropriate. The potential for watercourse crossings is included in Section 6.0 of the Project Description submitted with the application. The potential effects were considered in the Screening-Level Environmental Assessment also submitted with the application. PPML disagrees that the specifics of temporary crossings should be identified in the Water Licence. GNWT (Government of the Northwest Territories). 2015. Northern Land Use Guidelines. Access: Roads and Trails. https://www.lands.gov.nt.ca/sites/lands/files/resources/nlug_roadstrails_2015_english_16_sept_2015.pdf DFO (Fisheries and Oceans Canada). 2020. Interim code of practice: temporary stream crossings. https://www.dfo-mpo.gc.ca/pnw-ppe/codes/temporary-crossings-traversees-temporaires-eng.html</p>
7	Type A Water Licence MV2020L8-0012 (DRAFT). Pine Point Mining Limited - Confirmation and Exploration Program. Part E (p.15-16)	FRMG requires details on any maintenance activities conducted in relation to the industrial wastewater system, ponds, pits, and sump. At minimum, this would include details on sludge removal, dredging, solid and liquid waste handling and disposal, as applicable.	Please include this information as a condition in Part D and Schedule 4, as appropriate.	A possible future sewage treatment plant would necessitate a Design and Construction Plan as per Schedule 3, Item 2. Schedule 3 Item 2(a)(x) already requires that maintenance requirements be included in the Plan. Similarly, any structures constructed to hold waste would require a

				Structure Description and Construction Plan (Schedule 3 Part 1). Waste produced by this process would be described in an updated Waste Management Plan, as per the Guidelines for Developing a Waste Management Plan. Land Use Permit Condition 55 requires that PPML deposit all sewage and greywater as described in the approved Waste Management Plan.
8	Type A Water Licence MV2020L8-0012 (DRAFT). Pine Point Mining Limited - Confirmation and Exploration Program. Part F, Item 20 (p.19-20)	Indigenous groups such as FRMG should be provided ample opportunity to review water quality data prior to any Inspector approval. FRMG could require that water quality data be provided with at least 10 days afforded to review it.	The License should ensure that Indigenous Groups have opportunity to review water quality data at least 10 days prior to any inspector approval.	PPML are amenable to providing the water compatibility test results to Indigenous groups at the same time that it is provided to the Board and the Inspector (as required by the Water Licence Part F Condition 20).
9	Type A Water Licence MV2020L8-0012 (DRAFT). Pine Point Mining Limited - Confirmation and Exploration Program. Part F, Item 20 (p.17-21)	FRMG requests that Pine Point monitor, study, and report on fish, waterfowl, and any other species that inhabit created waterbodies, e.g., pits, ponds, channels in order to verify the Project is minimizing impacts. Evidence of Traditional Knowledge incorporation should be provided.	Please include this information as a condition in Part F and Schedule 4, as appropriate.	Note that the PPML is developing a Wildlife Management and Monitoring Plan, to be approved under the Wildlife Act, and incorporating substantial input from the FRMG. Please refer to the response to FMRG-5 with regards to the environmental impacts of drilling and pumping. See also GNWT-ENR#14, which indicates that the Mackenzie Valley Land Use Regulations do not allow for conditions regarding wildlife.
10	Type A Water Licence MV2020L8-0012	FRMG would like the opportunity to review the Closure and Reclamation Plan upon	FRMG should be provided the opportunity to review and comment on	The Engagement Plan requires PPML to engage with FRMG and other

	(DRAFT). Pine Point Mining Limited - Confirmation and Exploration Program. Part H: Closure and Reclamation (p.24)	submission to the Board	the Closure and Reclamation Plan, as well as revisions (made every three years, or as directed by the Board) and the final Closure and Reclamation Plan.	affected parties prior to the submission of a Closure and Reclamation Plan. The Closure and Reclamation Plan will then be submitted to the MVLWB for approval, when it will be posted to the Online Review System for public review, including by the FRMG. The Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the Northwest Territories also require engagement and incorporation of traditional knowledge.
11	Type A Water Licence MV2020L8-0012 (DRAFT). Pine Point Mining Limited - Confirmation and Exploration Program. Part H: Closure and Reclamation (p.24)	Traditional knowledge should inform the Conservation and Reclamation Plan.	Include a requirement that the Licensee report on how Traditional Knowledge informed the Conservation and Reclamation Plan, including establishing reclamation goals and objectives, reclamation techniques, and research initiatives.	See response to FRMG-10.
12	Type A Water Licence MV2020L8-0012 (DRAFT). Pine Point Mining Limited - Confirmation and Exploration Program. Part H: Closure and Reclamation (p.24)	FRMG requires that details be provided for stripping, storage, and replacement of surficial layers in the Closure and Reclamation Plan, and revisions, to assess reclamation effectiveness. Details should be provided, at minimum, for stripping type(s), stripping dimensions and location(s), storage dimensions and location(s), replacement dimensions and location(s), and a surface layers balance.	Please include this information as a condition in Part H and Schedule 3, as appropriate.	The Closure and Reclamation Plan must be developed using the Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the Northwest Territories. These Guidelines include the recording of volumes and locations of surficial layers. As such, this request is already a requirement and does not need to be included in the Water Licence.

13	Type A Water Licence MV2020L8-0012 (DRAFT). Pine Point Mining Limited - Confirmation and Exploration Program. Schedule 1 item 1.a) (p.25)	<p>This condition requires that Pine Point provide an annual report summarizing activities conducted through the previous year. This is a standard template condition; however, the condition reflects KFN's recommendation that some specific activities be highlighted in this condition. FRMG agrees with this condition, including the additional wording recommended by KFN.</p> <p>FRMG anticipates that maps, figures, and photos will be included with these annual summaries. FRMG also anticipates that annual and cumulative total land and water disturbance metrics and maps will form part of these summaries.</p>	FRMG supports this conditions and does not have any further recommendation on this condition.	PPML has no comments on this Schedule 1 requirement.
14	Type A Water Licence MV2020L8-0012 (DRAFT). Pine Point Mining Limited - Confirmation and Exploration Program. Schedule 1, Item 1 f) (p.25)	Traditional knowledge should inform the Water Withdrawal Plan.	Include a requirement that the Licensee report on how Traditional Knowledge informed the Water Withdrawal Plan and decision-making related to water withdrawal.	Refer to responses DKFN#2 and #3. PPML will certainly consider any traditional knowledge provided with respect to the Confirmation and Exploration Program.
15	Type A Water Licence MV2020L8-0012 (DRAFT). Pine Point Mining Limited - Confirmation and Exploration Program. Schedule 1, Item 1 j) (p.26)	Traditional knowledge should inform the Water Management Plan.	Include a requirement that the Licensee report on how Traditional Knowledge informed the Water Management Plan and decision-making related to hydrogeological testing, water removal & discharge, water quality (including) criteria for compatibility testing.	PPML will consider any traditional knowledge provided through the upcoming review of the Water Management Plan.
16	Type A Water Licence	Traditional knowledge should inform the Spill	Include a requirement that the Licensee	The Spill Contingency Plan (SCP) was

	MV2020L8-0012 (DRAFT). Pine Point Mining Limited - Confirmation and Exploration Program. Schedule 1, Item 1 m) (p.26)	Contingency Plan.	report on how Traditional Knowledge informed the Spill Contingency Plan and decision-making related to managing spills.	first made available to FRMG in October 2020. The SCP adheres to the Guidelines for Spill Contingency Planning, and is based on the current operational SCP from MV2018L2-0003, MV2018C0005 and MV2017C0024. As the comments received on the SCP through this water licence review period have been minor (see the Review Comment Table for the initial application, dated 2 February 2021), PPML anticipates that the SCP will be conditionally approved by the MVLWB. Regardless, PPML will consider any additional suggestions for the SCP provided by the FRMG.
17	Type A Water Licence MV2020L8-0012 (DRAFT). Pine Point Mining Limited - Confirmation and Exploration Program. Schedule 1 item 1 i) ix (p.25)	The recommendation from DKFN relating to soil conditions and type of drilling waste mapping has been incorporated into this condition. FRMG believes this condition will support the provision of important data necessary to contextualize waste management activities.	FRMG agrees with this condition and has no further recommendations.	PPML has no comments on this Schedule 1 requirement.
18	Type A Water Licence MV2020L8-0012 (DRAFT). Pine Point Mining Limited - Confirmation and Exploration Program. Schedule 1 item 1 j) (p.26)	This Water Management Plan condition has incorporated the recommendation from GNWT that water quality criteria compatibility test results be included with the standard conditions. FRMG agrees that water quality criteria compatibility tests results need to be included.	FRMG agrees with this condition and has no further recommendations.	PPML has no comments on this Schedule 1 requirement.

19	Type A Water Licence MV2020L8-0012 (DRAFT). Pine Point Mining Limited - Confirmation and Exploration Program. Schedule 1 item 1 n) vi (p.27)	Traditional knowledge should be utilized in reclamation work.	Include a requirement that the licensee report how traditional knowledge was used in reclamation work.	See response to FRMG#10
20	Type A Water Licence MV2020L8-0012 (DRAFT). Pine Point Mining Limited - Confirmation and Exploration Program. Schedule 4 item 1 b) (p.31)	The water management conditions have included items related to the use of pit water for dust suppression. This is an important aspect of Pine Point's activities. Methods for dust suppression is a concern for FRMG and FRMG is therefore supportive of the inclusion of this condition.	FRMG agrees with this condition and has no further recommendations.	PPML has submitted separate comments in regards to Schedule 4 Item 1(b).
21	Type A Water Licence MV2020L8-0012 (DRAFT). Pine Point Mining Limited - Confirmation and Exploration Program. Schedule 4 item 1 c) and d) (p.31)	Item d) includes a requirement that the licensee include in the Water Management Plan information about the "method for developing and validating the total dissolved solid concentration and specific conductivity relationship" as it relates to pits with a chemocline. This relationship is also pertinent to pits without a chemocline	Item 1 d) ii should be moved into Item 1 c) so it is captured under all water bodies used for pump tests rather than just ones with an observed chemocline	PPML is agreeable to this recommendation.
22	Permit MV2020C0017 (DRAFT). Pine Point Mining Limited - Mineral Exploration. Draft Licence Conditions - General (p.4-12)	The draft licence conditions does not include a requirement for compliance to the Wildlife Management Plan for the Project. The WMP has not yet been placed on public record for FRMG review, further comments on the sufficiency WMP are not available until the WMP has been provided to FRMG.	Include a requirement for the Licensee to comply with the Wildlife Management Plan, once approved.	The Wildlife Management and Monitoring Plan is required under Section 95 of the NWT Wildlife Act, so a condition under the land use permit is not required. GNWT-ENR#14 indicates that the Mackenzie Valley Land Use Regulations do not have the authority to include the suggested condition.

23	[object Object]	FRMG agrees with the condition that all reasonable measures to prevent damage to wildlife and fish habitat must be taken during Project life, however there should be reference to the Wildlife Management Plan within the Permit Conditions which outlines those measures in detail. The WMP has not yet been placed on public record for FRMG review, further comments on the sufficiency WMP are not available until the WMP has been provided to FRMG.	Include reference to the measures and mitigations within Wildlife Management Plan, once approved.	The Wildlife Management and Monitoring Plan (WMMP) is required under Section 95 of the NWT Wildlife Act, so a condition under the land use permit is not required. GNWT-ENR#14 indicates that the Mackenzie Valley Land Use Regulations do not have the authority to include the suggested condition. A draft version of the WMMP was provided to the FRMG on 14 July 2021, to receive comments prior to its submission to GNWT-ENR for approval.
24	[object Object]	FRMG agrees with the condition that "The Permittee shall not move any equipment or commence any drilling when one or more caribou is within five hundred (500) metres. Caribou and all wildlife shall be given the right of way at all times." FRMG is supportive of conditions protective of caribou.	FRMG agrees with this condition and has no further recommendations.	PPML defers to the MVLWB on this condition, considering the review provided by GNWT-ENR#14.
Pine Point Mining Limited – Andrew Williams				
No	Topic	Reviewer Comments	Reviewer Recommendations	Proponent Response
1	Land Use Permit Part A: Scope of Permit Part 1(a)	It is possible that not all drills will be equipped with diamond drill bits.	Change to 'Mineral exploration, including drilling'	
2	Land Use Permit Part A: Scope of Permit Part 1(b)	Groundwater samples may be collected.	Change to 'Hydrogeological testing and sampling'	
3	Land Use Permit Part B: Definitions	Definition of Waste	Waste defined under Section 51 of the Act may not be within the jurisdiction of a land use permit. Discharge of waste into water is considered under the water licence.	

4	Land Use Permit Part C (2)	Teck Metals has a lease within PPML's Pine Point leases and claims. The Teck lease does not require a buffer.	Lease 085B16009 belonging to Teck Metals should be listed as an exclusion to this condition.	
5	Land Use Permit Part C (27)	According to the Standard Permit Conditions, this condition is for areas with permafrost and unstable soils with high ice content that might erode if melted. Pine Point has discontinuous permafrost and stable soils. As such, this condition is not necessary.	Remove Condition 27.	
6	Land Use Permit Part C (40)	See Recommendation.	Clarify that the minimum ratio of 2:1 is horizontal to vertical	
7	Land Use Permit Part C (41)	Pine Point includes existing roads that are within 100 metres of a Watercourse.	Operating heavy equipment should not be listed as part of this condition	
8	Land Use Permit Part C (71)	Confirm fuel volumes, a per Table 1 of the Project Description.	If this volume is to also include gasoline and aviation fuel, it should be increased to 331,000 litres	
9	Water Licence Part A (1)(f)	See Recommendation.	PPML requests that watercourse crossings be included in the scope of the licence.	
10	Water Licence Part A Definitions	Action Levels definition	As the compatibility assessment will be included in the Water Management Plan and will include thresholds, Action Levels do not need to be defined within the Licence.	
11	Water Licence Part A Definitions	Drawdown definition	The definition of drawdown should include both Watercourses and pits, as suggested by GNWT-ENR#4.	
12	Water Licence Part D (9)(a)	The Water Withdrawal Plan is specific to this Project, and the Plan cites the Board's Method for Determining Winter Water Source Capacity for Small Scale Development. PPML suggest that, for clarity, and to account for summer operations not considered by the	Change (a) to "Complete field confirmation in accordance with the approved Water Withdrawal Plan"	

		Method for Determining Winter Water Withdrawal, the field confirmation be completed according to the Water Withdrawal Plan rather than the Board's Method for Determining Winter Water Source Capacity for Small-Scale Development.		
13	Water Licence Part F (6)	See Recommendation.	PPML agrees to the proposed 90 days.	
14	Water Licence Part F (11)	See Recommendation.	PPML recommends changing the condition to "The Licensee shall conduct inspections of the Sewage Treatment Plant as recommended by the manufacturer or as otherwise directed by an Inspector or the Board. Records of these inspections shall be made available to the Board or an Inspector upon request. "	
15	Water Licence Part F (17)	See Recommendation.	The condition should refer to SNP station 4 not 1.	
16	Water Licence Part F (18)	See Recommendation.	PPML suggests replacing 'discharge' with 'water transfer', to better reflect and be more specific about the activity that is occurring.	
17	Water Licence Part F (19)	See Recommendation.	PPML suggests replacing 'discharge' with 'water transfer', to better reflect and be more specific about the activity that is occurring.	
18	Water Licence Part F (20)	See Recommendation.	PPML recommends that the water quality samples be collected 10 days prior to hydrogeological testing.	
19	Water Licence Part F (20)	For clarity, the 10 day deadline should apply only to commencing testing. The duration of a pause that triggers 'resuming' is not defined.	The first sentence should read 'A minimum of 10 days prior to commencing hydrogeological testing at any particular	

		Should there be an interruption to the testing, the Inspector will be consulted as per the last sentence of the condition.	location, the Licensee shall submit Water quality data for the samples collected in accordance with the approved Water Management Plan to the Board and an Inspector.'	
20	Water Licence Part F (23)(a)	The Spill Contingency Plan does not need to be triggered in the event of an artesian aquifer. Spill Contingency Plans are developed for fuels and hazardous materials, as per the Guidelines for Spill Contingency Planning. Further, there is no minimum amount under the Reportable Quantities for NWT Spills.	Remove the requirement to implement the Spill Contingency Plan for artesian aquifers.	
21	Water Licence Part F (23)(c)	See Recommendation.	The SNP station should be 5 not 1.	
22	Water Licence Schedule 1 (j)(iv)	See Recommendation.	For clarity, suggest changing to 'Total Water transferred, in cubic metres, identified by transfer location'	
23	Water Licence Schedule 1 (j)(v)	See Recommendation.	PPML suggests changing the condition from 'Drawdown and Discharge location' to 'Drawdown and water transfer locations'.	
24	Water Licence Schedule 1 (j)(vii)	See Recommendation.	PPML requests that the term 'Action Levels' be revised to 'Thresholds' for consistency with the terminology in the water compatibility assessment.	
25	Water Licence Schedule 1 (j)(viii)	See Recommendation.	PPML requests that the term 'Action Levels' be revised to 'Thresholds' for consistency with the terminology in the water compatibility assessment.	
26	Water Licence Schedule 4 Item 1(c)(ii)	See Recommendation.	PPML suggests replacing 'discharge' with 'water transfer', to better reflect and be more specific about the activity that is occurring.	

27	Water Licence Schedule 4 Item 1(c)(iii)(c)	See Recommendation.	Schedule 4 Item 1(c)(iii)(c) should refer to Condition 1	
28	Water Licence Schedule 4 Item 1(d)(iii)	See Recommendation.	As suggested above, replace 'discharge' with 'water transfer'	
29	Water Licence Schedule 4 Item 1(e)(i)	See Recommendation.	As suggested above, replace 'discharge' with 'water transfer'	
30	Water Licence Schedule 4 Item 1(f)(i)	See Recommendation.	Schedule 4 item 1(f)(i) should refer to physico-chemical parameters rather than physio-chemical.	
31	Water Licence Schedule 4 Item 1(f)(ii)	PPML does not agree that all pits should be considered as Receiving Environment.	For clarity and to provide for testing regardless of whether the destination water is considered the Receiving Environment, PPML suggests that this be amended to 'Identification, with rationale, of parameters of potential concern.'	
32	Water Licence Schedule 4 Item 1(f)(iii)	See Recommendation.	Item 1 (f)(iii) should probably be moved under Item 1 (c)	
33	Water Licence Schedule 4 Item 1(f)(v)	See Recommendation.	PPML requests that the requirement be updated to 'A description of monitoring to confirm and update, as necessary, the total dissolved solids and conductivity relationship'	
34	Water Licence Annex A, SNP Reference Table, Station 3	See Recommendation.	For clarity, Station 3 should be described as a "Transfer location" rather than "Discharge".	
35	Water Licence Annex A, SNP Reference Table, Station 6	See Recommendation.	Dust Suppression is a process for identification of water source for dust suppression and its application will be described in the Water Management Plan.	

			As such, an SNP site is not required.	
36	Water Licence Annex A SNP Station 2: Location	See Recommendation.	Final locations for SNP2 to be determined following a submission to the Board and Inspector of water quality data from the source and transfer locations, as per Section F Item 20.	
37	Water Licence Annex A SNP Station 2: Sampling Parameters	See Recommendation.	Toxicity testing is only required if water is to be transferred to a location possessing fish.	
38	Water Licence Annex A SNP Station 3: Description	See Recommendation.	SNP Station 3 description should be revised to cite the 'Transfer location', for consistency.	
39	Water Licence Annex A SNP Station 3: Location	See Recommendation.	Final locations for SNP3 to be determined following a submission to the Board and Inspector of water quality data from the source and transfer locations, as per Section F Item 20.	
40	Water Licence Annex A SNP Station 5: Sampling Parameters	See Recommendation.	Toxicity testing is only required if outflow is moving into the receiving environment or to a pit that has fish present.	
41	Water Licence Annex A SNP Station 6	A process for identification of water source for dust suppression and its application will be described in the Water Management Plan.	An SNP site is not required.	
42	Water Licence Annex A, Part A, Footnotes 4	Cesium and rubidium are not of concern at Pine Point and are not included in a standard metals analysis package.	PPML requests that cesium and rubidium be removed from the list of parameters from all SNP stations.	
43	Water Licence Annex A, Part A, Footnotes 5	See Recommendation.	Toxicity testing is only required when fish are present. Footnote 5 should read 'Toxicity test for Surveillance Network Program 2 shall include the following only if fish are present:'	
44	Water Licence Annex A, Part B (2)(a)	See Recommendation.	PPML can provide water levels in pits. In conjunction with the pumping rates and	

			duration, and requirements of SNP2 and SNP3, no other information is required.	
45	Water Licence Annex A, Part C (1)	The requirement for monthly reporting may lead to results being split between two reports when a test is ongoing over a calendar month. Further, monthly reporting should not be required for testing that is anticipated to occur during a limited duration.	PPML recommends changing the Part C Item 1 to "The Licensee shall, within thirty (30) days following the completion of the annual groundwater testing...".	