



**Fort Resolution Métis  
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**RE: Pine Point Mining Limited - Land Use Permit and Water License Confirmation  
and Exploration Program Application Closing Comments**

Fort Resolution Métis Government (or “FRMG”) is pleased to submit our written closing comments for the Pine Point Mining Limited Water License MV2020L8-0012 and Land Use Permit MV2020C0017 Confirmation and Exploration Program.

Please see the attached for our closing comments. FRMG appreciates the opportunity to speak for the constitutionally protected Aboriginal rights and interests of our Métis members through this hearing process.

Thank you,

Arthur Beck, President  
Fort Resolution Métis Government

**ORIGINAL SIGNED**

CC: Andrew Williams, Pine Point Mining Limited, [acwilliams@live.ca](mailto:acwilliams@live.ca)

## Fort Resolution Métis Government Closing Comments on Pine Point Mining Limited Water License MV2020L8-0012 and Land Use Permit MV2020C0017 Confirmation and Exploration Program Hearing

Fort Resolution Métis Government (FRMG) has reviewed all available information pertaining to the proposed Water License amendment with the exception of the Wildlife Management and Monitoring Plan, which is currently being reviewed. Accordingly, we are providing the summary of recommendations sought by FRMG, and a brief rationale for each recommendation. FRMG acknowledges that PPML is working to resolve our concerns, and it should be noted that the summary presented describes the current status of ongoing negotiations and relationship building.

### Engagement

In FRMG's intervention and at the public hearing, FRMG had raised concerns on the adequacy of PPML's engagement of FRMG members. Until recently, FRMG members were not directly or meaningfully engaged by PPML in the Application process, which prompted the following recommendation:

**FRMG Recommendation 2: The MVWLB to require the Proponent to work directly with FRMG to revise the Engagement Plan and delay approval of the plan until revisions are made – Resolved.**

However, we are pleased that following recent negotiations, PPML has committed to updating the Engagement Plan and providing the revised version for review by FRMG. PPML has also confirmed its commitment to working with FRMG to identify methods of providing ongoing communication on the CEP to FRMG members. Additionally, we look forward to the fulfillment of PPML's commitment to holding Community engagement sessions proposed for early October. It is FRMG's expectation that any future amendments will require PPML to undertake meaningful engagement early on in the regulatory process.

### Water Management

#### *Criteria for Determining Compatibility*

The Government of North West Territories and FRMG raised concerns on the compatibility criteria proposed by PPML for water transfers during dewatering tests, as criteria proposed did not account for the high variabilities in water quality parameters of source and receiving environments. To address these concerns, PPML updated their Groundwater Management Plan proposing a secondary step that included additional parameters (concentrations of nine metals). However, FRMG raised the additional concern about the uncertainty on whether the natural variability of each metal had been considered.

**FRMG Recommendation 4: FRMG recommends that the secondary step for determining water source compatibility should use an approach that clearly represents the natural variability of each parameter found in water sources on site.- Resolved.**

During recent discussions, PPML confirmed the plan to use an approach for water source compatibility that clearly represents the natural variability of each parameter found in water sources on site. Additionally, the Water Management Plan condition of the Water License issued by the Mackenzie Valley Land and Water Board (“MVLWB” or the “Board”) has incorporated the recommendation from GNWT that water quality criteria compatibility test results be included with the standard conditions. FRMG agrees with this determination and considers this recommendation resolved.

*Presence of Chemoclines*

FRMG also had concerns related to the presence of chemoclines during pumping for water transfers.

**FRMG Recommendation 8: FRMG recommends that PPML ensures that pumping methodology accounts for the existence of any chemoclines (in respect of TDS or metal concentrations used for the compatibility criteria) that may affect the expected water quality transferred to a receiving pit**

PPML stated during the Public Hearings that they would update the Groundwater Management Plan to include a pumping methodology that accounts for chemoclines and recently confirmation their commitment. As stated in our comments on the draft Water License, FRMG is requesting the provision of ample opportunity to review water quality data prior to any Inspector approval. FRMG requires that water quality data be provided with at least 10 days afforded to conduct a review. PPML has committed to providing relevant information on any updates to plans.

*Minimum Flow Rates For Water Withdrawals*

The Water Withdrawal Plan indicates that withdrawal rates will not exceed 10% of instantaneous flow rate, measured weekly in a given watercourse. The proposal is based on DFO guidance that shows that removing less than 10% of the flow of a watercourse has a low probability of resulting in impacts to ecosystems. However, it was unclear to FRMG if seasonal variations would be taken into consideration. As such, FRMG requested that PPML institute a “cut-off” based on a prior determination of minimum flow rates below which adverse effects to fish populations would occur. In response, PPML confirmed the exclusion of rivers and creeks in the Water Withdrawal Plan and committed to updating the “exclusion list” based on FRMG recommendation..

FRMG further requests that Pine Point monitor, study, and report on fish, waterfowl, and any other species that inhabit created water bodies, e.g., pits, ponds, channels in order to verify the Project minimization of impacts.

## Wildlife Management

### *Direct and Indirect Habitat Impacts to Boreal Caribou*

FRMG has raised concerns regarding potential direct and indirect impacts to boreal caribou and the adequacy of PPML's proposed mitigation measures. For instance, the potential impacts of road activity, noise and dust on boreal caribou, direct mortality risks associated with road use. FRMG has uncertainty on how dust suppression will be monitored, and on the adaptive management threshold-response to limit dust impact on the environment. However, we appreciate PPML's plan to restrict speed limits in order to mitigate a number of these impacts, as well as the commitment to continued engagement and involvement of FRMG in decisions regarding dust suppression methods.

FRMG also acknowledges receipt of the Wildlife Management and Monitoring Plan, which PPML developed to address impacts to wildlife and which FRMG is currently reviewing. Any unresolved concerns will be raised in the comments being prepared, as well as in our ongoing discussions with PPML.

### *Boreal Caribou Habitat Loss*

FRMG is concerned about the direct and indirect loss of boreal caribou habitat, as habitat within the proposed exploration area that has not been permanently altered is considered critical for boreal caribou. As noted in GNWT's IR2, impact to boreal caribou could be significant, notably because the caribou in the Pine Point area may represent a small local population with little chance of rescue from adjacent local populations if their numbers decline. Although the site has been previously disturbed from past mineral exploration on the site, much of the area has been left to regenerate naturally the last major operation and likely provides functional habitat for boreal caribou. However, as earlier stated, FRMG is currently conducting a review of the WMMP for the adequacy of proposed mitigation measures to address potential habitat loss.

### *Pre-Clearing Surveys*

FRMG was concerned with the methods proposed in earlier drafts of the WMMP concerning pre-clearing surveys. FRMG was also concerned that adequate opportunity would not be provided for FRMG members to participate in pre-clearing surveys and that data collection would occur without the benefit of FRMG member traditional knowledge, therefore FRMG had proposed:

**FRMG Recommendation 19: FRMG recommends that PPML provide clear methodology on the pre-clearing survey, including a maximum time between surveys and clear activities is established, sign definition, and threshold for sign age. FRMG knowledge holders are experts on the wildlife in this area. FRMG and other Indigenous monitors should be contracted to conduct any pre-clearing monitoring.**

Since the public hearing PPML has committed to hiring FRMG monitors as part of the CEP. Equally important is the commitment to work with FRMG to understand and

integrate any traditional knowledge, if provided, by FRMG members into the monitoring program. Steps to include Traditional Knowledge will also include a site visit with FRMG Knowledge holders and PPML monitors to share information. Other FRMG outstanding issues with methodology will need to be addressed by review and revisions to WMMP and FRMG reserves our comments to that process. FRMG expects PPML to report to the board on the successful inclusion of FRMG traditional knowledge in the monitoring and management of the CEP.

## **Conclusion**

FRMG is satisfied with the recent steps made by PPML to address the concerns of our members. Further discussions concerning capacity for FRMG participation in the implementation of CEP management and monitoring plans remain. Pine Point is a significant area for FRMG members and FRMG member culture and way of life are closely connected to this land. Continued and respectful engagement from the Proponent is required to ensure that FRMG member concerns are responded to in a timely fashion and appropriately mitigated. FRMG expects the board to hold PPML to their commitments and protect the water and land. FRMG looks forward to addressing remaining concerns for caribou and other wildlife through the GNWT's review process for the WMMP.