

## Reviewer Comments and Proponent Responses

Project: Grad Project  
 Board: Sahtu Land and Water Board  
 Proponent: Rackla Metals Inc

File Number: S25C-003  
 Review Comments Due: March 10, 2025  
 Proponent Responses Due: March 17, 2025

No.	Topic	Reviewer Comment	Reviewer Recommendation	Proponent Response
Environment and Climate Change Canada (ECCC) - Jessica Kassar				
1	General: Project activities in Bank Swallow habitat within its range	<p>The Project falls within the breeding range of the Bank Swallow and may affect important habitat features for the species. The Bank Swallow, listed as Threatened under SARA, is a colonial species that nests in burrows dug into near vertical faces of exposed sand or soil. The Bank Swallow exhibits high nest site fidelity and will reuse nesting sites and burrows. The residence description for the Bank Swallow is available on the SARA registry here:  <a href="https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry/residence-descriptions/bank-swallow.html">https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry/residence-descriptions/bank-swallow.html</a>                      Excavation, construction activities and application of erosion control measures in these areas during the nesting period can inadvertently kill or disturb Bank Swallows, destroy their residence or critical habitat, and may also affect other migratory bird species.</p>	<p>ECCC recommends the Proponent:</p> <ul style="list-style-type: none"> <li>a) Take precautions to avoid disturbance to nesting Bank Swallows;</li> <li>b) Ensure staff and contractors are made aware of potential presence and conservation status of the Bank Swallow;</li> <li>c) Prevent Bank Swallows from nesting in areas where operations will be carried out during the breeding season by contouring piles to have slopes of less than 70 degrees prior to their arrival in the spring and by creating suitable nesting habitat in inactive areas with vertical faces of at least 70 degrees; and</li> <li>d) Take particular care in selecting erosion prevention and control measures and implement those measures prior to the nesting season. Proponents are encouraged to consult the attached pamphlet and contact ECCC (cwsnorth-scfjord@ec.gc.ca) for further advice.</li> </ul>	<p>Rackla confirms that the company will:</p> <ul style="list-style-type: none"> <li>a) Take precautions to avoid disturbance to nesting Bank Swallows. Noting that the drill program will be at least 3 km from the riverbank of the unnamed tributary of the South Nahanni River, 23 km from the South Nahanni River and at high altitude of greater than 1700 m.</li> <li>b) Ensure staff and contractors are made aware of potential presence and conservation status of the Bank Swallow.</li> <li>c) Prevent Bank Swallows from nesting in areas where operations will be carried out according to the directions from ECCC.</li> <li>d) Take particular care in selecting erosion prevention and control measures and implement those measures prior to the nesting season of mid-April to late August.</li> <li>e) contact ECCC at cwsnorth-scfjord@ec.gc.ca for further advice.</li> </ul>
2	General: Project activities in Barn Swallow	<p>The Project falls within the breeding range of the Barn Swallow and may affect important habitat features for the species. The Barn Swallow, listed as</p>	<p>ECCC recommends the Proponent:</p> <ul style="list-style-type: none"> <li>a) Take precautions to avoid disturbance to nesting Barn Swallows; and</li> </ul>	<p>Rackla confirms that the company will take precautions to avoid disturbance of nesting Barn Swallows and inform staff and contractors of the potential presence and</p>

	habitat within its range	Threatened under SARA, nests on vertical surfaces beneath overhangs on buildings, bridges, culverts and other structures. They nest in close proximity to open habitats such as farmlands, wetlands, roads and/or large forest clearings. The Barn Swallow exhibits high nest site fidelity and dependence on existing structures for nesting. The residence description for the Barn Swallow is available on the SARA registry here: <a href="https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry/residence-descriptions/barn-swallow.html">https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry/residence-descriptions/barn-swallow.html</a>	b) Ensure staff and contractors are made aware of potential presence and conservation status of the Barn Swallow. Proponents are encouraged to contact ECCC (cwsnorth-scfnorth@ec.gc.ca) for further advice.	conservation status of the Barn Swallow. Wildlife Plan has been updated.
3	ECCC Contact Info- Spill Contingency Plan Rackla Metals, Grad Project, NWT	ECCC is a contact for instances involving migratory birds. The telephone contact information the Proponent has on-file for ECCC (867-669-4730) is incorrect. ECCC has management responsibilities for migratory birds under the Migratory Birds Convention Act (MBCA).	ECCC recommends the Proponent notify ECCC's Canadian Wildlife Service via email (cwsnorth-scfnorth@ec.gc.ca) for instances involving interactions and incidents with potential disturbance of individuals or nests and any mortality events of migratory bird species.	Rackla will notify ECCC's Canadian Wildlife Services at cwsnorth-scfnorth@ec.gc.ca if there are interactions or incidents of disturbance of individuals or nests and any mortality events of migratory bird species. Wildlife Plan has been updated.
4	ECCC Letter	N/A	N/A	
<b>No.</b>	<b>Topic</b>	<b>Reviewer Comment</b>	<b>Reviewer Recommendation</b>	<b>Proponent Response</b>
Fisheries and Oceans Canada (DFO) - Ms. Anna-Maija LaFlamme				
1		Rackla Metals Inc, Grad Project, Type A Land Use Permit Application, file number: S25C-003, discusses the projects water withdrawal activities for the duration of the project which have the potential to impact fish and fish habitat.  Direct fish mortality can occur during water withdrawal activities through entrainment/impingement. Entrainment	In order to comply with the Fisheries Act, it is recommended that the Proponent follow DFO's protective measures for fish and fish habitat and standard codes of practice which can be found on DFO's website ( <a href="https://www.dfo-mpo.gc.ca/pnw-ppe/measures-mesures-eng.html">https://www.dfo-mpo.gc.ca/pnw-ppe/measures-mesures-eng.html</a> and <a href="https://www.dfo-mpo.gc.ca/pnw-ppe/practice-pratique-eng.html">https://www.dfo-mpo.gc.ca/pnw-ppe/practice-pratique-eng.html</a> ).	Rackla will review and abide by the DFO's protective measures for fish and fish habitat and standard codes of practice according to DFO's website and ensure that water intake screens are installed on all water intakes. Note that the water source for the drilling operations is at 1560 m elevation, in the high alpine at the origin of a small tributary with a very steep gradient that is 3.0 km horizontally and 560 m vertically above the unnamed tributary of the South Nahanni River.

		<p>occurs when a fish is drawn into a water intake and cannot escape. Impingement occurs when a fish is held in contact with the intake screen and is unable to free itself.</p>	<p>Proponents are also asked to respect the NWT in-water works restricted activity timing windows (Projects Near Water - Northwest Territories Restricted Activity Timing Windows for the Protection of Fish and Fish Habitat (dfo-mpo.gc.ca)) to protect fish during spawning and incubation periods when spawning fish, eggs and fry are vulnerable to disturbance.</p> <p>The proponent should refer to DFO's Interim code of practice: End-of-pipe fish protection screens for small water intakes in freshwater available at <a href="https://www.dfo-mpo.gc.ca/pnw-ppc/codes/screen-ecran-eng.html">https://www.dfo-mpo.gc.ca/pnw-ppc/codes/screen-ecran-eng.html</a> when using fish screens and if the water intake flow is up to 0.150 m<sup>3</sup>/s, or 150 liters per second (L/s).</p> <p>For water withdrawal from watercourses, DFO recommends the proponent follow the Framework for Assessing the Ecological Flow Requirements to Support Fisheries In Canada ( <a href="https://waves-vagues.dfo-mpo.gc.ca/Library/348881.pdf">https://waves-vagues.dfo-mpo.gc.ca/Library/348881.pdf</a>) and demonstrates that water withdrawal rate remains &lt;10% of actual (instantaneous) flow and does not result in flows &lt;30% of mean annual discharge (MAD).</p>	<p>The water source will be melt water from the talus slopes in the high alpine bowl where the drilling is being conducted and measures to avoid death of fish and harmful alteration, disruption or destruction of fish will be taken in compliance with the Fisheries Act. Intakes should be designed, equipped and operated in such a manner that prevents substrate disturbance or entrainment and fish mortality. Fish screens will be applied to the intakes of all pumps. There will be no explosives on or near water maintaining an undisturbed vegetated buffer zone between areas of on-land activity and the high water mark of any water body. Water use will be managed to ensure water intake does not represent more than 10% of available water volume or flow, in alignment with Fisheries and Oceans (DFO) and Land and Water Board (LWB) guidance for the protection of fish and fish habitat.</p> <p>As there are no aquatic species at risk or critical area habitat in our project area, no marine protected area, and we can follow the measures to protect our fish and habitat, a project review is not needed.</p> <p>Rackla will notify the DFO in the occurrence of the death of fish by means other than fishing and/or the harmful alteration, disruption, or the destruction of fish habitat. The notification will be directed to DFO.ARCENTriage-TriageGEARC.MPO@dfo-mpo.gc.ca</p>
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No.	Topic	Reviewer Comment	Reviewer Recommendation	Proponent Response
GNWT-ECE - PWNHC (Prince of Wales Northern Heritage Centre) - Danielle Desmarais				
1	Protection of Historical, Archaeological, and Burial Sites	<p>Like many locations in the NWT, this area has seen very little archaeological investigations. We appreciate that the proponent has had an Archaeological Overview Assessment (AOA) completed for the geotechnical investigations proposed for this project. We also appreciate that the proponent has attempted to plan around areas of high archaeological potential.</p> <p>It should be noted though, that the AOA report which has been referenced in this application, was not the final accepted</p>	<p>Include the Standard Conditions for the Protection of Historical, Archaeological, and Burial Sites: Archaeological Buffer - The Permittee shall not operate any vehicle or equipment within 150 metres of a known or suspected historical or archaeological site or burial ground.;</p> <p>Site Disturbance - The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site.;</p> <p>Site Discovery and Notification - The Permittee shall, where a suspected</p>	<p>Rackla Metals submitted the initial Archaeological Overview Assessment (AOA) rather than the revised version, as the company's adjusted exploration plans align more closely with the initial assessment.</p> <p>Additionally, Grad will be permitting an emergency camp in Grad 03, which has been relocated away from areas of high archaeological potential to minimize impact.</p> <p>Furthermore, no vehicles will be present on-site, and Rackla Metals confirms that no archaeological specimens or sites will be knowingly removed, disturbed, or displaced during operations.</p>

		<p>version of the report. The final accepted version of the AOA for this project, now includes a portion of the land area of the proposed emergency camp location in Grad 03, and this may impact the proponents proposed 2025 investigations.</p>	<p>archaeological or historical site, or burial ground is discovered:  a) immediately suspend operations on the site; and  b) notify the Board at (867) 765-4592 or an Inspector at (867) 767-9188, and the Prince of Wales Northern Heritage Centre at 767-9347 ext. 71251 or ext. 71255.;</p> <p>AIA-High Potential - Prior to disturbance in areas of high potential for archaeological or burial sites identified in the Archaeological Overview, the Permittee shall conduct an Archaeological Impact Assessment of the sites where disturbance is planned and shall submit a summary report to the Board and the Prince of Wales Northern Heritage Centre.</p> <p>The condition of Archaeological Overview is not necessary unless new activities/claim areas are added.</p> <p>It is also recommended that the proponent contact our office at the Prince of Wales Northern Heritage Centre to discuss the options of revising the emergency camp location area in Grad 03 (i.e. move proposed area a little further east or elsewhere) OR have an AIA completed before proposed geotechnical investigations begin at that location, possibly during equipment movement to drill/trench location.</p>	<p>In the event that a suspected archaeological or historical site, or a burial ground, is discovered, Rackla Metals staff will:</p> <p>a) Immediately suspend operations at the site.  b) Notify the appropriate authorities, including:</p> <ul style="list-style-type: none"> <li>- The Board at (867) 765-4592</li> <li>- An Inspector at (867) 767-9188</li> <li>- The Prince of Wales Northern Heritage Centre at (867) 767-9347 ext. 71251 or ext. 71255</li> </ul> <p>Prior to any disturbance in areas identified as having high archaeological or burial site potential, as outlined in the AOA, Rackla Metals will conduct an Archaeological Impact Assessment (AIA). A summary report of the findings will be submitted to both the Board and the Prince of Wales Northern Heritage Centre for review.</p>
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2	Responding to response	<p>The proponent responded that "Rackla Metals submitted the initial Archaeological Overview Assessment (AOA) rather than the revised version, as the company's adjusted exploration plans align more closely with the initial assessment."</p> <p>However, Rackla cannot choose which version of an AOA is accepted/can be used, AND the "initial Archaeological Overview Assessment" was only a proposal and was NOT accepted. Therefore, that version cannot be referenced as it is not an official document/was not complete. Additionally, the AOA for this project was not accepted until March 7th, 2025, which is after this LUP application was submitted to the ORS. Therefore, the proponent did not have the AOA to make any decisions about.</p> <p>The proponent also responded that "Grad will be permitting an emergency camp in Grad 03, which has been relocated away from areas of high archaeological potential to minimize impact."</p> <p>It is unclear if the proponent has relocated according to the current High Potential boundaries which are part of the accepted AOA from March 7th, 2025, OR if they intend to have the same boundary that is proposed in this LUP application.</p>	<p>The proponent cannot use the 'initial' proposed version of the AOA for this project and must only reference/use the accepted AOA when identifying what areas have High Potential for archaeological resources.</p> <p>Please contact our office to discuss plans for the emergency camp location, and to ensure that the proponent is working with the correct, accepted version of the AOA for this project.</p> <p>Ph. 867-767-9347, ext.71255 Email <a href="mailto:archaeology@gov.nt.ca">archaeology@gov.nt.ca</a></p>	
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Parks Canada - Audrey Steedman				
1	Access through Nahanni and Nááts'j'ch'oh National Park Reserves (Project Description, 5.1 Access)	The proponent indicates that they “have been in discussions with Parks Canada regarding the acquisition of a Restricted Activity Permit for transportation through sections of the HPAR that passes through the Nahanni and Nááts'j'ch'oh National Park Reserves” for the purpose of accessing XY Camp.	Parks Canada is exploring the possibility of permitting road access on the HPAR, and notes that any use of the HPAR has complex considerations.	The wording in Rackla's project description has changed to reflect this suggestion. The revised project description is attached.
2	Wildlife, Archaeology and Environmental Awareness Plan & Project Description – Appendix B, Impact Mitigation Table	<p>Aerial activity via helicopter has the potential to adversely impact caribou, mountain goats and sheep.</p> <p>Caribou are particularly sensitive in the calving (late May- early June), post-calving, rut (late Sept-early Oct), and post-rut periods. Goats are particularly sensitive from late winter to kidding (January 15-July 15).</p> <p>Project activities are planned from June to early October annually, and weather dependent could be extended mid-May to late-October (LUP application). 4-14 weeks of work are planned (Project Description).</p> <p>Therefore, the timing of the project overlaps with sensitive periods for ungulates.</p> <p>Given the intensity of helicopter use associated with the project, Parks Canada recommends the proponent include mitigations for reducing aerial</p>	<p>- 1. Parks Canada recommends that the proponent schedule work to commence no earlier than July 16, complete work by September 15, and concentrate work between August and early-September, to minimize disturbance during sensitive ungulate timing windows (post-calving/kidding and rut).</p> <p>- 2. Parks Canada recommends a minimum 600m altitude be used for all helicopter flying for the Project, due to the Project timing and flight path spanning sensitive periods and habitat for both the South Nahanni herd and Redstone herd (as per SLUP and Flying in Caribou Country), and that the Awareness Plan and other project documentation be revised to reflect that.</p> <p>- 3. Parks Canada recommends that the proponent update the Wildlife section of the Awareness plan to include the following:</p>	<p>1. Rackla Metals acknowledges the importance of minimizing disturbance to wildlife; however, due to the short and logistically constrained northern exploration season, we plan to conduct work from June through September/early October.</p> <p>To mitigate potential impacts on wildlife during this timeframe, Rackla will:</p> <ul style="list-style-type: none"> <li>· Incorporate enhanced wildlife monitoring to adjust activities in response to observed ungulate presence.</li> <li>· Implement adaptive scheduling where possible to limit activity in particularly sensitive areas during critical wildlife periods.</li> <li>· Educate all field personnel on wildlife awareness and best practices for minimizing disturbances.</li> </ul> <p>2. Rackla Metals will update the Awareness Plan to reflect a minimum 600m flight altitude and ensure compliance with best practices outlined in Flying in Caribou Country. Additional measures will include:</p> <ul style="list-style-type: none"> <li>· Avoiding flight paths over known caribou aggregation areas and adjusting routes based on wildlife sightings.</li> </ul>

		<p>disturbance on caribou, mountain goats and sheep.</p> <p>Parks Canada recommends the use of guidelines in Yukon Government's Flying In Sheep Country and Flying in Caribou Country for this purpose.</p> <p>Parks Canada notes that the above guides have been referenced in the wildlife section of the Awareness Plan, however some of the mitigations are unclear, and don't clearly align with the key mitigations in the above guides.</p> <p>Proposed minimum altitude for helicopter flights is unclear. In the Awareness Plan, Wildlife section, item #9, it is unclear when and where the 600m minimum altitude is proposed to apply for this Project. In the Project Description (Appendix B), reference is made to applying minimum altitude identified in the Sahtu Land Use Plan (SLUP). However, it is not specified how the spatial and temporal mitigations for the Redstone herd and South Nahanni herd in the SLUP are interpreted to apply to the Project area and timing.</p>	<p>Additional mitigations for caribou from Flying in Caribou Country:</p> <ul style="list-style-type: none"> <li>- Avoid flying over areas where you have seen caribou in the past.</li> <li>- Avoid flying or alter your flight path to avoid areas important to caribou, especially during sensitive times of the year. For example, caribou aggregate near snow patches post-calving to avoid heat, insects and predators.</li> <li>- Avoid mineral licks by 1 km (2/3 mile) during the spring.</li> <li>- If/when you spot caribou, do not fly towards, follow, hover or circle them.</li> <li>- Ascend to a higher flight path or veer away if you observe running, panic or other startle responses in caribou below. Do not continue along your flight path if you are following behind them.</li> </ul> <p>Additional mitigations for sheep and mountain goats, from Flying in Sheep Country (see guide for further explanation of each mitigation):</p> <ul style="list-style-type: none"> <li>- When possible, fly more than 3.5 km from known sheep and mountain goat ranges.</li> <li>- Plan your route to avoid sensitive areas.</li> <li>- Fly below sheep and goats.</li> <li>- Concentrate your total flying time.</li> <li>- Fly when sheep and goats are active.</li> <li>- Fly at an angle when approaching sheep or goat areas.</li> </ul>	<ul style="list-style-type: none"> <li>· Staff training and briefing sessions to reinforce best practices for wildlife-friendly flight operations.</li> <li>· Real-time wildlife observation reporting to inform adaptive flight planning during operations.</li> </ul> <p>Rackla Metals will incorporate the following into the Wildlife Awareness Plan: For Caribou Mitigation (Flying in Caribou Country)</p> <ul style="list-style-type: none"> <li>· Avoid flying over areas where caribou have been previously observed.</li> <li>· Maintain a 1 km buffer around mineral licks during spring.</li> <li>· Adjust flight paths if caribou are seen, avoiding direct approaches, circling, or following them.</li> <li>· If signs of disturbance (running, panic, etc.) are observed, ascend or reroute immediately to minimize stress.</li> </ul> <p>For Sheep and Goat Mitigation (Flying in Sheep Country)</p> <ul style="list-style-type: none"> <li>· Maintain a 3.5 km distance from known sheep and mountain goat ranges when possible.</li> <li>· Plan routes to avoid sensitive lambing/kidding areas in spring.</li> <li>· When approaching sheep/goat areas, fly at an angle rather than directly overhead.</li> </ul>
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			- Minimise disturbance as much as possible during spring lambing/kidding seasons.	· Minimize total flight time over or near sheep and goat habitat to reduce cumulative disturbance.
3	Spill Response Plan	The creeks within the claim are tributaries of the South Nahanni River, upstream of of Nááts'ihch'oh and Nahanni National Park Reserves. Therefore, Parks Canada should be notified in the event of a spill into a waterbody.	Parks Canada recommends that the proponent update the Spill Response Plan to include Parks Canada contact information in the event of a spill: nahanni.dutyofficer@pc.gc.ca (867) 695-6572	This change has been made and a new Spill Response Plan has been uploaded.