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Reasons for Decision

Reference/File Number:	W2016E0004 (Type A Land Use Permit) W2021L8-0001 (Type B Water Licence)
Permittee/Licensee:	Government of the Northwest Territories Department of Infrastructure (GNWT-INF)
Subject:	Land Use Permit Amendment Request, Water Licence Application, and Quarry Operations Plan V5.0

Decision from the Wek'èezhìi Land and Water Board Meeting of June 22, 2021

1.0 Decision

On June 22, 2021, the Wek'èezhìi Land and Water Board (WLWB or the Board) met and considered a Type B Water Licence Application, an Amendment Request for Type A Land Use Permit W2016E0004, and the Quarry Operations Plan Version 5.0 from the Government of the Northwest Territories Department of Infrastructure (GNWT-INF or the Applicant). The purpose of these submissions is to allow for the development of a quarry at KM 80 to support the Construction of the Tł̨chq̨ All-Season Road (TASR or the Project).

The Board conducted a preliminary screening of the Application according to subsection 124(1) of the *Mackenzie Valley Resource Management Act (MVRMA)*.¹ Based on the evidence provided, the Board was satisfied the screening had been completed according to section 125 of the MVRMA and decided not to refer the project to environmental assessment.

In consideration of the Application, reviewer comments and proponent responses, the Board has decided the following:

1. If the Board does not receive a notice of referral to environmental assessment by July 2, 2021, the Board will issue GNWT-INF's Amended Land Use Permit W2016E0004 on July 3, 2021.

¹ See WLWB Online Registry (www.wlwb.ca) for [W2021L8-0001 – TASR – LUP Amendment and Type B WL App – Quarry KM80 – PS Determination and Reasons for Decision – Jun 22_21](#)

2. If the Board does not receive a notice of referral to environmental assessment or receive any notices to file claims for compensation by July 2, 2021, the Board will issue GNWT-INF's Water Licence W2021L8-0001 on July 3, 2021, subject to the terms and conditions contained therein.
3. If the Board does not receive a notice of referral to environmental assessment by July 2, 2021, the Board will approve Version 5.0 of the Quarry Operations Plan and direct GNWT-INF to conduct additional confirmatory sampling at Quarry KM80 if, and when, changes in material characteristics occur (e.g., weathering, mineralogy, colour, grain-size) and submit for analysis. Results from additional confirmatory sampling should be submitted to the Board as part of the Weekly Environmental Reports.

2.0 Background

The TASR Project is a 97-kilometre (km) long dual-lane gravel highway running from km 196 on Highway 3 near Behchokò, to Whatì, consisting of a 60 metre (m) right-of-way and 16 water crossings that require culverts and bridges. In addition to the Construction, operation, and maintenance of the road and Water crossings, the Project also requires the operation of camps and quarries.

On May 20, 2021, the WLWB received a Land Use Permit Amendment Request and a Type B Water Licence Application from GNWT-INF to authorize the development and use of a quarry at KM 80 to support the Construction of the TASR.² In its Amendment Request, GNWT-INF noted that the quarry at KM 80 replaces prospects 86 and 98 which will no longer need to be developed. GNWT-INF also notes that the quarry at KM 80 has “more suitable aggregates for surface grading at a location closer to where the aggregates are required.”

This quarry at KM 80 is not currently included in the TASR Water Licence (W2020L8-0001) or Permit (W2016E0004). With its submissions, GNWT-INF provided a support letter from the Tłıchǫ Government (TG) for the use of the quarry at KM 80; an engagement record; and Version 5.0 of Quarry Operations Plan that includes Acid Rock Drainage/Metal Leaching Data and an Archaeological Impact Assessment (AIA) Report.³

2.1 Public Review

The Amendment request, Water Licence Application, supporting materials (including Version 5.0 of the Quarry Operations Plan), and a draft Water Licence were distributed for public review on May 20, 2021. Parties were invited to provide comments and recommendations using the Online Review System (ORS) by June 10, 2021. In the Item for Review, Parties were encouraged to provide comments and recommendations (e.g., on impacts and mitigation measures) to assist with the completion of the preliminary screening. Responses to reviewer comments were due June 15, 2021.

Comments and recommendations were received from the Government of the Northwest Territories Department of Lands (GNWT-Lands) Inspector, GNWT Prince of Wales Northern Heritage Centre (GNWT-

² See WLWB Online Registry for [W2016E0004 – TASR – LUP Amendment and Type B WL Application – Quarry KM80 – May 20 21](#)

⁴ See WLWB Online Registry for [W2021L8-0001 - TASR Quarry KM 80 – Review Summary and Attachments – Jun 15 21](#)

PWNHC), and Environment and Climate Change Canada (ECCC). The Wek'èezhii Renewable Resources Board (WRRB) commented indicating it had no recommendations at this time. Board staff also submitted a question. Reviewer recommendations and proponent responses are available on the WLWB Online Registry.⁴

3.0 Reasons for Decision

3.1 Permit Eligibility

As per section 18 of the Mackenzie Valley Land Use Regulations (MVLUR), eligibility must be determined before the Board can issue a permit. As part of its Application, GNWT-INF obtained a letter from the TG in support of this Quarry.⁵ Based on the supporting information provided, Board staff believe that eligibility requirements under section 18 of the MVLUR have been satisfied.

3.2 Requirements of subsection 61 of the MVRMA

Pursuant to subsection 61(2) of the MVRMA, the Board may not issue a licence or permit except in accordance with any applicable land use plan. The Review Board stated in the Report of EA that “the Project appears to be consistent with the Tłjchq Land Use Plan.”⁶ No evidence was received to contradict the findings of the Review Board and it is understood that the support letter from the TG confirms that the TASR Project with the quarry at KM 80 is still in accordance with the Tłjchq Wenek'e (Tłjchq Land Use Plan). The Board believes the requirements of subsection 61(2) have been met.

3.3 Preliminary Screening

In accordance with subsection 124(1) of the MVRMA, the Board must conduct a preliminary screening of the Application. As per section 125(1) of the MVRMA, the Board distributed the Preliminary Screening Determination to the Review Board and the TASR Distribution List on June 22, 2021.⁷ The Board did not receive a referral to Environmental Assessment during the 10-day pause period; therefore, as discussed in section 3.4 and 3.5 of this Reasons for Decision (RFD), the Board is issuing the amended Permit W2016E0004 and Licence W2021L8-0001.

3.4 Land Use Permit

GNWT-INF is requesting to amend its W2016E0004 Permit to allow the development of a quarry at KM 80 to support the construction of the TASR. This change would be through an update to the complete application referenced in Part C, Condition 7; no Permit conditions would require changes to their wording and as such, no draft permit was distributed for public review. The GNWT-Inspector commented that no new Permit conditions would be required for the proposed Amendment (GNWT-Inspector comment 1). No other reviewer comments or recommendations were received from reviewers regarding the Permit.

⁴ See WLWB Online Registry for [W2021L8-0001 - TASR Quarry KM 80 – Review Summary and Attachments – Jun 15 21](#)

⁵ See WLWB Online Registry for [W2016E0004 – TASR – LUP Amendment and Type B WL Application – Quarry KM80 – May 20 21](#)

⁶ See the Mackenzie Valley Environmental Impact Review Board's Public Registry for the [Report of Environmental Assessment and Reasons for Decision](#)

⁷ See WLWB Online Registry for [W2021L8-0001 – TASR – LUP Amendment and Type B WL App – Quarry KM80 – PS Determination and Reasons for Decision – Jun 22 21](#)

3.4.1 Overall Permit Decision

After reviewing the Request, as well as all reviewer comments and proponent responses submitted during the public review, the Board has decided to issue the amended Type A Land Use Permit.

- **Decision #1: If the Board does not receive a notice of referral to environmental assessment, the Board will issue the Amended Type A Land Use Permit W2016E0004 on July 3, 2021.**

3.5 Water Licence

Complete applications post-EA for a Type A Permit and Type B Water Licence were submitted to the Board on January 7, 2019. At the time, GNWT-INF identified 21 potential quarry or borrow sites to support the Construction of the TASR Project. On May 30, 2019, the Board issued Type A Land Use Permit W2016E0004 and Type B Water Licence W2016L8-0001.^{8,9,10} In November 2020, that licence was replaced by a Type A Licence W2020L8-0001 (the current licence) for reasons issued at the time.¹¹ Quarrying activities were scoped into both of these licences.

Part B, Condition 5 of the Type A Licence requires that Project activities be confined to the locations described in the Water Licence application. The quarry locations covered by the current licence do not include the new quarry that GNWT-INF is proposing at KM 80. It was not among any of the sites listed in the water licence application received by the Board. Given these circumstances, and the specific wording of Part B, Condition 5, it is the Board's view that the current licence does not apply to the quarry at KM 80. As a result, it is the Board's view that the new quarry and its effects on water resources need to be addressed by both a water licence and Part 5 of the MVRMA. This "regulatory gap" is a specific and unique situation. The options available to address the regulatory gap are an amendment to the current type A Water Licence or the issuance of a new Type B licence. Either of these options attracts a preliminary screening in order to ensure that Part 5 of the Act is satisfied. Part 5 of the MVRMA was addressed by the Board's Preliminary Screening Determination (as discussed in section 3.3 of these Reasons for Decision).¹²

From a regulatory perspective, the Board is confident that a Type B licence can address the unique requirements arising from this new quarry proposal and, if necessary, manage the effects of quarrying on water resources at KM 80. The Board notes that the TASR is an ongoing project and the Board acknowledges the benefits of addressing this regulatory need expeditiously. In the Board's view, the limited scope of the new activities proposed for the quarry at KM 80 is important and does not meet the threshold for a Type A Licence by itself. Moreover, the comprehensive framework already in place to manage construction activities for the TASR mitigates in favour of an efficient process for bringing the quarry at KM 80 under a licensing framework which will allow quarrying activity at an early date.

⁸ See WLWB Online Registry for [W2016E0004 – TASR – Land Use Permit – May 30 19](#)

⁹ See WLWB Online Registry for [W2016L8-0001 – TASR – Water Licence – May 30 19](#)

¹⁰ See WLWB Online Registry for [W2016L8-0001 – TASR – Land Use Permit and Water Licence Applications – Reasons for Decision – May 30 19](#)

¹¹ See WLWB Online Registry for [W2020L8-0001 – TASR – Type A Water Licence – RFD and Recommendation to Minister – Oct 5 20](#)

¹² See WLWB Online Registry for [W2021L8-0001 – TASR – LUP Amendment and Type B WL App – Quarry KM80 – PS Determination and Reasons for Decision – Jun 22 21](#)

Consequently, and in order to remove any doubts about the regulatory framework applicable to the new quarry, GNWT-INF was encouraged to apply for a new Type B licence to cover this quarry. For the reasons set out above, it is the Board's view that a new Type B licence is sufficient to ensure that water resources in the vicinity of KM 80 are managed and conserved. GNWT-INF complied with the Board's suggestion and filed an application for a Type B licence.

This is a unique situation, but it is the Board's view that the quarry at KM 80 must be managed in the same way as the other quarries included in the TASR authorizations and that the need for regulatory certainty mitigates in favour of a new "B" licence for this quarry.

3.5.1 General Principles for Water Licence W2021L8-0001

The scope, definitions, and conditions set forth in the Licence were developed in order to address the Board's statutory responsibilities and the concerns that arose during the regulatory process. In developing the draft Licence, changes were made to be consistent with and to acknowledge GNWT-INF's existing Type A Water Licence W2020L8-0001. Further discussion on the development of the Licence is included in section 3.5.3 of this RFD.

3.5.2 Determinations Relating to Water Licence W2021L8-0001

Existing Licensees

No Parties, or existing Licensees, raised concern with the potential for the changes to the TASR Project to affect existing Licensees. Therefore, after reviewing the submissions filed on the Public Registry, the Board is satisfied that, with respect to paragraph 26(5)(a) of the *Waters Act*, the granting of this Licence to the GNWT-INF will not adversely affect, in a significant way, any existing Licensee, provided the conditions of the Licence are complied with.

Existing Water Users

Paragraph 26(5)(b) of the *Waters Act* prohibits the issuance of a licence unless the Board is satisfied that appropriate compensation has been or will be paid by the Applicant to people who were, at the time when the Applicant filed its application with the Board, members of the classes of water users, depositors, owners, occupiers, or holders listed under paragraph 26(5)(b) who would be adversely affected by the use of waters or deposit of waste proposed by the Applicant. The Board received no claims for compensation by July 2, 2021.¹³ Provided that compliance with the Water Licence conditions is achieved, the Board does not believe that any users or persons listed in paragraph 26(5)(b) of the *Waters Act* will be adversely affected by the use of waters or the deposit of Waste proposed by the Applicant.

¹³ A Notice of Application for the Water Licence was distributed on June 18, 2021 to allow existing water users, depositors, owners, occupiers, or holders listed under paragraph 226(5)(b) to make claims for compensation.

Water Quality Standards

Insofar as subparagraph 26(5)(c)(i) of the *Waters Act* is concerned, the Board is of the view that compliance with the Licence conditions will ensure the Waste produced by the Construction and operation of the TASR Project will be treated and disposed of in a manner which will maintain water quality consistent with applicable standards and the Board's *Water and Effluent Quality Management Policy*.¹⁴

Effluent Quality Standards

Consistent with subparagraph 26(5)(c)(ii) of the *Waters Act*, the Board is satisfied that the conditions of the Licence are consistent with the Board's *Water and Effluent Quality Management Policy* and will protect the receiving waters and environment.

Financial Responsibility of the Applicant

The Board must satisfy itself of the financial responsibility of the Applicant under paragraph 26(5)(d) of the *Waters Act*. The Applicant is the territorial government. With respect to land use permits, the GNWT is exempt from posting security as per section 94 of the MVRMA. A similar exemption is typically applied to Water Licences for the Federal and Territorial governments.

For the purposes of Water Licence W2021L8-0001, the Board has not received any information to suggest the territorial government does not have adequate financial responsibility to meet the requirements of paragraph 26(5)(d). The Board is thus satisfied the GNWT has the financial capacity to meet the requirements of the Licence for the term of the Licence granted. Therefore, the Board is satisfied that the requirements under paragraph 26(5)(d) have been met.

Requirements of subsection 27(2) of the *Waters Act*

It is the opinion of the Board that compliance with the conditions of the Licence will ensure that any potential adverse effects on other water users, which might arise as a result of the issuance of the Licence, will be minimized.

Requirements of subsection 62 of the MVRMA

The TASR Project was subject to an EA conducted by the Review Board. The Review Board received the decision on final measures from the responsible Minister and the Tłı̄chq Government on October 29, 2018.¹⁵ The final list of Measures includes Measures which are within the jurisdiction of the WLWB and as per section 62 of the MVRMA, such Measures must be reflected in conditions set out in any licence or permit issued by the WLWB. In the Reasons for Decision for the issuance of the GNWT-INF's Water Licence W2016L8-0001, the Board identified those Licence conditions that, in their view, satisfy the intent of the Report of EA Measures relevant to the Board's jurisdiction.¹⁶ Those conditions have been replicated in this licence and the Board believes that Licence W2021L8-0001 will continue to satisfy the Measures.

¹⁴ See WLWB 'Policies and Guidelines' webpage for MVLWB (2011) [Water and Effluent Quality Management Policy](#)

¹⁵ See the Mackenzie Valley Environmental Impact Review Board's Public Registry for [EA-1617-01](#)

¹⁶ See WLWB Online Registry for [W2016L8-0001 – TASR – Land Use Permit and Water Licence Applications – Reasons for Decision – May 30, 19](#)

3.5.3 Water Licence W2021L8-0001 Terms and Conditions

Scope and Conditions

The scope and conditions for the Licence were drafted to be consistent with the current TASR Licence (W2020L8-0001) but were limited to focus only on activities related to quarrying. Since no water is proposed for the quarry, there is no section in the licence for water use. Additionally, the conditions for applicable management and monitoring plans were revised to acknowledge that GNWT-INF has pre-existing approved management plans it is required to comply with under Permit W2016E0004 and Water Licence W2020L8-0001. No comments or recommendations were received from Reviewers on the draft Water Licence. As such, the draft Licence that was distributed for review has been finalized with minor administrative changes. The Board adopts its reasons for W2016L8-0001 and W2020L8-0001 for all conditions which remain unchanged.

Term of Licence

To ensure all the activities under the Type B W2021L8-0001 authorization are consistent with the main TASR Water Licence W2020L8-0001 and to allow flexibility for unforeseen delays, the Board has aligned the expiry date of Licence W2021L8-0001 with the May 29, 2026 expiry of W2020L8-0001.

Decision to Issue Water Licence W2021L8-0001

Subject to the conditions set out in the Licence, and for the reasons set out in this Reasons for Decision, the Board believes the Appurtenant Undertaking, including the Waste disposal associated with the quarry at KM 80 for the TASR Project, can be completed by the Licensee while providing for the conservation, development, and utilization of Waters in a manner that will provide the optimum benefit for all Canadians, and in particular for the residents of Wek'èezhìi.

After having reviewed the written comments and submissions received by the Board, and having due regard to the facts and circumstances, the merits of the submissions made to it, and to the purpose, scope, and intent of the MVRMA and the Waters Act and Regulations made thereunder, the Board has decided to issue Water Licence W2021L8-0001, subject to the terms and conditions contained therein.

- ***Decision #2: If the Board does not receive a notice of referral to environmental assessment or receive any notices to file claims for compensation by July 2, 2021, the Board will issue GNWT-INF's Water Licence W2021L8-0001 on July 3, 2021, subject to the terms and conditions contained therein.***

3.6 Quarry Operations Plan Version 5.0

In its application, GNWT-INF and its primary contractor, North Star Infrastructure (NSI) indicated that it will follow "all applicable mitigation measures in the existing/approved environmental plans". However, to ensure that the approved Quarry Operations Plan (QOP or the Plan) required under Condition #5 of

Permit W2016E0004 considers the potential use of the new quarry at KM 80, ^{17,18} GNWT-INF submitted QOP Version 5.0 as part of its Land Use Permit Amendment Request and Water Licence Application package.¹⁹

QOP Version 5.0 was received with GNWT-INF's submissions and distributed for public review. As part of the Plan, geochemical analysis and archaeological studies were provided. These are discussed below.

3.6.1 Acid Rock Drainage/Metal Leaching Potential

One of the environmental concerns associated with the use of quarries and borrow sources is the potential for acid rock drainage (ARD) or metal leaching (ML). ARD can occur when exposed or disturbed rock comes into contact with air and water. This acidic water can then leach out metals that are naturally in the rock. Both the acidity and metals are considered potential contaminants to the surrounding environment, affecting water quality, fish, and wildlife habitat. In the Report of Environmental Assessment, GNWT-INF committed to avoiding the use of borrow sources that had been characterized as having moderate/high acid rock drainage or metal leaching potential and would verify this through testing (Appendix D, Table D-1, Commitment 31).²⁰ Section 2.15 of the QOP Version 5.0 describes how GNWT-INF proposes to mitigate the potential risk for ARD and ML. A brief summary and analysis of ARD/ML potential for each borrow source is also outlined in Appendix B, with supporting geotechnical and geochemical data included in Appendices D and E. GNWT-INF proposes to use approximately 50,000 cubic metres (m³) of granular material from the quarry at KM80. According to GNWT-INF (Appendix B of the QOP), there is no potential for Acid Rock Drainage (ARD) and there is low potential for metal leaching. A technical memo from Tetra Tech was provided to support GNWT-INF's conclusions.

During the public review, Board staff requested information from GNWT-INF on how representative samples were generated and where testing of pits occurred on the map (Board staff comment 1). This information was similarly requested for other borrow sources during previous reviews of the QOP.²¹ GNWT-INF responded by stating that the sampling location is at the Pit centre at KM 80+100 and that the representative sample was taken following industry standard sampling procedures.

Overall, it is the Board's view that the geochemical data provided with QOP Version 5.0 supports GNWT-INF's conclusions. Element analysis and Shake Flask Extraction indicate that there is potential for leaching of aluminum and fluoride and that total concentrations of these parameters may exceed Water Quality guidelines in the field,²² particularly if there is erosion of borrow material within and around the pit. The Board notes that the proposed quarry is 40 m away from the closest watercourse, but that the QOP and

¹⁷ See WLWB Online Registry for [W2016L8-0001 – TASR – Water Licence – Schedules Update – August 23 19](#)

¹⁸ See WLWB Online Registry for [W2016E0004 – TASR – Land Use Permit – Amendment 1 – Additional Fuel – Nov 29 19](#)

¹⁹ See WLWB Online Registry for [W2021L8-0001 – TASR Quarry KM80 – LUP Amendment and Type B WL App – QOP V5.0](#) and [AIA – Jun 4 21](#)

²⁰ See the Mackenzie Valley Environmental Impact Review Board (www.reviewboard.ca) Online Registry for [Report of Environmental Assessment and Reasons for Decision](#)

²¹ See WLWB Online Registry for [W2016L8-0001 – TASR – Quarry Operations Plan – Version 3.0 – Information Request – Feb 19 20](#)

²² In the Tetra Tech memo, it states that "Shake Flask Extraction analysis were compared against CCME freshwater aquatic life guidelines (CCME, 2019) and the BC Ministry of the Environment approved water quality (BCAQW) guidelines (BC MEM, 2019)

Erosion and Sediment Control Plan include measures to grade and divert water to mitigate these concerns.²³

Although the Board agrees with the geochemical conclusions included in the QOP, the Board notes the geochemical results are based on only one sample. The Board agrees with the recommendation made by the GNWT's consultant "that the preliminary geochemical evaluation be re-evaluated once the excavation volumes are firmly defined to evaluate additional sample requirements". The QOP states that additional ARD/ML testing will be conducted after every 100,000 m³ of material withdrawn; however, according to Appendix B, only 50,000 m³ are expected to be used. To ensure that GNWT-INF addresses Tetra Tech's recommendation, the Board directs GNWT-INF to conduct additional ARD/ML testing if, and when, changes in material characteristics occur (e.g., weathering, mineralogy, colour, grain-size) and submit the samples for analysis. Results from additional testing should be included in the Weekly Environmental Reports that are forwarded to the Board.

3.6.2 Archaeological Impact Assessment (AIA)

GNWT-INF provided an AIA prepared by Golder as its supporting archaeological materials for the QOP. A summary report of the AIA is a requirement of condition #65 of the W2016E0004 Permit. During the public review, GNWT-PWNHC recommended that the AIA Report be removed from the Public Registry or revised to "omit figures displaying archaeological and fossil site locations" (GNWT-PWNHC comment 1). On June 3, the AIA was removed from the public registry and revised and re-posted on June 4, 2021 to remove sensitive information. No other comments on the AIA were received.

In the AIA, it states that:

An assessment of the quarry pit consisting of pedestrian transects, shovel testing and examination of road cut exposures did not identify any archaeological sites in conflict. As a result, there are no further concerns with development of Quarry Pit KM 80.

Based on the result of the study, the Board does not have any archaeological concerns with the proposed development of the quarry at KM 80. The Board notes that, as per Table 1 of the preliminary screening above, there are several conditions in the W2016E0004 Permit (e.g., Archaeological Buffer, Site Disturbance, Site Discovery and Notification, and Archaeological Site Chance Find Protocol) that continue to mitigate any potential future impacts while development occurs.

3.6.3 Ammonia Management

During the public review, ECCC made recommendations to the ammonia management component of the QOP Version 5.0 (section 4.3) to mitigate potential impacts to nearby waterbodies from using explosives (ECCC comment 1). According to Appendix B of V5.0 of the QOP, the nearest watercourse is located 40 m away from the proposed quarry location. In response to ECCC's comment, GNWT-INF noted that there is

²³ Section 2.8 of the QOP states: Storm and snow melt water will be diverted away from the quarry by a small 0.5 m berm on the upslope edges of the excavation. Section 3.2.2 of the Erosion and Sediment Control Plan states that: With this type of development, the rock face will not likely present long-term erosion problems. Areas around the perimeter of the blasted area may have minor degradation due to erosion. The remedial action will include using on-site gradations of appropriate quarry rock materials to stabilize and enhance erosion concerns. See Online Registry for [W2016L8-0001 – TASR – Erosion and Sediment Control Plan – Version 1.1 – Jul 4 19](#)

“no further blasting anticipated during the 2021 construction seasons as part of any quarry development or expansions” and that the approved Fish and Fish Habitat Protection Plan (V1.1) has “sufficient protection” from blasting activities. There is no blasting required for the quarry at KM 80. The Board does not have any further concerns with regards to potential impacts of ammonia from blasting.

3.6.4 Overall Recommendation

Overall, the Board believes that GNWT-INF has addressed the concerns raised during the regulatory proceeding. The Board does not have any reason not to approve Version 5.0 of the QOP. The Board notes that the QOP Version 5.0 is not only for W2021L8-0001, but also W2020L8-0001 and W2016E0004.

- ***Decision #3: If the Board does not receive a notice of referral to environmental assessment or receive any notices to file claims for compensation by July 2, 2021, the Board will approve Version 5.0 of the Quarry Operations Plan and direct GNWT-INF to conduct additional confirmatory sampling at Quarry KM80 if and when changes in material characteristics occur (e.g., weathering, mineralogy, colour, grain-size) and submit for analysis. Results from additional confirmatory sampling should be submitted to the Board as part of the Weekly Environmental Reports.***

Signed July 3, 2021, on behalf of the Wek'èezhìi Land and Water Board



Witness



Joseph Mackenzie
Chair, Wek'èezhìi Land and Water Board