

Review Comment Table

Board:	WLWB
Review Item:	Nighthawk Gold Corp - Type B WL and Type A LUP Amendment (W2018L2-0003 & W2018C0007)
File(s):	W2018C0007 W2018L2-0003
Proponent:	Nighthawk Gold Corp.
Document(s):	W2018L2-0003 - Nighthawk - Amendment Application - Cover Letter - Mar 10 20 (350 KB) W2018L2-0003 - Nighthawk - Amendment Application - Form - Mar 10 20 (485 KB) W2018L2-0003 - Nighthawk - Amendment Application - Engagement Log - Mar 12 21 (298 KB) W2018L2-0003 - Nighthawk - Water Use Plan V4.0 - Mar 10 21 (2056 KB) W2018L2-0003 - Nighthawk - Draft Water Licence (non-federal) - Mar 15 21 (412 KB) W2018C0007 - Nighthawk - Amendment Request - Cover Letter - Mar 10 12 (350 KB) W2018C0007 - Nighthawk - Amendment Request - Engagement Log - Mar 12 21 (298 KB) W2018C0007 - Nighthawk - Draft Land Use Permit - Mar 15 21 (358 KB)
Item For Review Distributed On:	Mar 15 at 12:02 Distribution List
Reviewer Comments Due By:	Apr 6, 2021
Proponent Responses Due By:	Apr 13, 2021
Item Description:	<p>Nighthawk Gold Corp. (Nighthawk or the Applicant) submitted a complete application to amend Water Licence W2018L2-0003 (Licence) and a request to amend Land Use Permit W2018C0007 (Permit). The Applicant is requesting to update the Complete Application referenced in Part A, condition 1a of the Licence and Part C, condition 7 of the Permit to allow Nighthawk to conduct exploration activities on newly acquired leases (NT-3656, NT-3538, NT-3655, NT-3380). Nighthawk has also submitted Version 4.0 of the Water Use Plan for Board approval to add additional Water Sources as per Part D, condition 3 of the Licence.</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. Reviewers may also wish to consider providing an overarching recommendation regarding whether the Board should approve the submission, to provide context for the comments and recommendations and assist the Board with its decision. Notices of intent to file a claim for water compensation must also be submitted by the review comment deadline. If reviewers seek clarification on the submission, they are encouraged to correspond directly with the Applicant prior to submitting comments and recommendations.</p> <p>Under the Preliminary Screening Requirement Regulations, the Board must conduct a preliminary screening for a proposed development, unless it is exempt from preliminary screening in accordance with the Exemption List Regulations. Reviewers are encouraged to provide comments and recommendations (e.g., on impacts and mitigation measures) to assist with the Board's preliminary screening determination. The Board's most recent preliminary screening determination for W2010L1-0002 and W2018C0007 are available on our public Registry.</p>

Contact Information:	<p>A draft Licence and draft Permit have been developed by Board staff to allow reviewers to comment on possible amended conditions. These draft materials are not intended to limit in any way the scope of reviewers' comments. The Board is not bound by the contents of the draft Licence or Permit and will make its decision at the close of the proceeding on the basis of all the evidence and arguments filed by all parties.</p> <p>Please be advised that comments made by reviewers regarding impacts of this proposed amendment to wildlife and wildlife habitat in this preliminary screening will inform the GNWT Minister of Environment and Natural Resources' determination regarding whether a Wildlife Management and Monitoring Plan will be required for this Project as per section 95 of the Wildlife Act.</p> <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>
Contact Information:	<p>Anneli Jokela 867-765-4588 Meaghan MacIntyre-Newell 867-765-4584</p>

Comment Summary

Nighthawk Gold Corp. (Proponent)			
ID	Topic	Reviewer Comment/Recommendation	Proponent Response
1	General File	Comment (doc) Cover Letter of Respons to Review Comments Recommendation	
GNWT - ENR - EAM (Environmental Assessment and Monitoring): Central Email GNWT			
ID	Topic	Reviewer Comment/Recommendation	Proponent Response
3	General File	Comment (doc) ENR Letter with Comments and Recommendations Recommendation	
1	Topic: Water Licence Amendment	Comment The cover letter provided by Nighthawk states: "For Licence W2018L2-0003 Nighthawk is requesting to update the Complete Application referenced in Part A, Condition 1(a) to include Mining Leases NT- 3656, NT-3538, NT-3655, and NT-3380. No changes to any Licence conditions are required." Recommendation 1) ENR supports Nighthawk's request as there are no changes to the Water Licence conditions requested.	Apr 8: Thank you for reviewing and commenting on the amendment application.
2	Topic: Water Use Plan	Comment ENR understands that the updates to the Water Use Plan include additional lakes that are in the area of properties purchased by Nighthawk. Since the method of determining available water for use has not changed, ENR supports the updated Water Use Plan. Recommendation 1) ENR supports the updated Water Use Plan.	Apr 8: Thank you for reviewing and commenting on the amendment application.
GNWT - Lands - North Slave Region: Cheryl Larocque			
ID	Topic	Reviewer Comment/Recommendation	Proponent Response

1	W2018C0007 - NIGHTHAWK GOLD CORP - AMENDMENT - COMMENTS LETTER	<p>Comment (doc) Please see attached letter.</p> <p>Recommendation Please see attached letter.</p>	<p>Apr 8: Thank you for reviewing and commenting on the amendment application.</p>
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GNWT - Lands - North Slave Region: Clint Ambrose

ID	Topic	Reviewer Comment/Recommendation	Proponent Response
1	Land Use Permit Operating Conditions	<p>Comment The amendment application has been reviewed;</p> <p>Recommendation No new land use permit operating conditions are required for the inclusion of additional sub-surface Mining Leases in the Kim-Cass land use area.</p>	<p>Apr 8: Thank you for reviewing and commenting on the amendment application.</p>

Tlicho Government: LONGINUS EKWE

ID	Topic	Reviewer Comment/Recommendation	Proponent Response
1	General	<p>Comment Tlicho Government (TG) has reviewed the Nighthawk Gold Corp - Type B WL and Type A LUP Amendment (W2018L2-0003 & W2018C0007) application and has no comment at this time.</p> <p>Recommendation None</p>	<p>Apr 8: Thank you for reviewing and commenting on the amendment application.</p>

Wek' eezhii Renewable Resources Board: Laura Meinert

ID	Topic	Reviewer Comment/Recommendation	Proponent Response
1	WRRB Cover Letter	<p>Comment (doc) Cover letter attached.</p> <p>Recommendation N/A</p>	<p>Apr 8: Thank you for reviewing and commenting on the amendment application.</p>
2	WMMP Update	<p>Comment Nighthawk did not submit an updated Wildlife Management and Monitoring Plan (WMMP) with their Type B WL and Type A LUP Amendment. As this project requires a Type B WL, it likely requires a WMMP as per the Government of the Northwest Territories's WMMP Process and Content Guidelines. A WMMP for Nighthawks; associated Indin Lake Gold Property already exists; however, it does not include the new properties included in this Amendment;</p> <p>Recommendation The WRRB recommends that Nighthawk Gold Corp update their WMMP for the Indin Lake Gold Project (Version 3.0) to include the Kim and Cass Zones.;</p>	<p>Apr 8: The WMMP was reviewed and submitted with the original application in 2018. As the exploration activities and extents of the land use permit have not changed, Nighthawk's position is that the current version of the WMMP (Version 3.1) remains suitable for the Project, is not specific to the particular leases and claims within the land use permit boundaries, and does not require updates at this time. Nighthawk notes that the GNWT Environment and Natural Resources review of the WMMP following the 2018 application stated that 'ENR is of the opinion that the scope, nature, areal extent, scale and/or timing of the proposed project are such that the likelihood of impacts to NWT-listed or pre-listed species at risk is minimal.' (GNWT-ENR letter to WLWB regarding</p>

			W2018C0005 and W2018X0007, 16 November 2018). Nighthawk will continue to review the WMMP annually and make updates as required. Nighthawk will report on wildlife observations and interactions in the Water Licence Annual Report. This report will show that wildlife interactions have been extremely limited, particularly as most activity occurs within the disturbed footprint of the Colomac mine. No wildlife incidents occurred in 2019 or 2020.
WLWB: Meaghan MacIntyre-Newell			
ID	Topic	Reviewer Comment/Recommendation	Proponent Response
1	Water Use Plan, Figure 2A	<p>Comment Nighthawk submitted an updated Water Use Plan for approval to include Water Sources in support of the drilling activities on newly acquired mineral leases. Nighthawk has included additional Water Sources that appear partially (Echo Lake, VL1, Lex Lake) or entirely (VL2, VL5, VL6, and VL21) located on lands Nighthawk does not have a mineral lease or claim for (i.e., NT-3462). It is unclear if Nighthawk is requesting that this area be included in a preliminary screening and if so, in consideration of which activities and associated potential impacts.</p> <p>Recommendation Is Nighthawk requesting that the preliminary screening for the Permit and Licence amendment include the area encompassed by NT-3462? If yes, please describe potential activities in this area and any potential impacts.</p>	<p>Apr 8: Nighthawk is aware that exploration can only proceed within mining lease and mineral claim areas, and is not requesting preliminary screening for Mineral Lease NT-3462. Water sources outside or bordering on Nighthawk's leases and claims were included in the Water Use Plan for transparency with other water users in the area. Nighthawk will update the Water Use Plan to exclude lakes VL2, VL5, VL6, and VL21, as these lakes are not within and do not border Nighthawk's claims and leases.</p>
2	Water Use Plan, Figure 2A	<p>Comment Figure 2A outlines proposed Water Sources entirely outside of the area covered by Nighthawk's mineral leases and claims (i.e., NT-3462). It is unclear what the Water Sources entirely outside of Nighthawk's leases will be used for and how the water would be obtained.</p> <p>Recommendation Describe what the water from these sources will be used for and the methods used to withdraw water from these sources.</p>	<p>Apr 8: See response to WLWB-1.</p>



8 April 2021

Mr. Ryan Fequet, Executive Director
Wek'eezhii Land and Water Board
#1-4905 48th St.
Yellowknife, NWT X1A 3S3
Via email: mmacintyre-newell@wlwb.ca |

**RESPONSE TO QUESTIONS RAISED FOR LAND USE PERMIT AND WATER LICENCE APPLICATION
AMENDMENTS FOR THE NIGHTHAWK GOLD CORP AT INDIN LAKE GOLD PROPERTY**

Dear Mr. Fequet;

As you know, Nighthawk Gold Corp. (Nighthawk) recently submitted a complete application to amend Water Licence W2018L2-0003 as well as a request to amend Land Use Permit W2018C0007. Nighthawk requested to update the Complete Application referenced in Part A, condition 1a of the Licence and Part C, condition 7 of the Permit to allow for exploration activities on newly acquired leases (NT-3656, NT-3538, NT-3655, NT-3380).

Nighthawk has also submitted Version 4.0 of the Water Use Plan for Board approval to add additional Water Sources as per Part D, condition 3 of the Licence.

The deadline for reviewer comments was April 6, 2021 and the deadline for Nighthawk's response is April 13, 2021. In anticipation of the Board's meeting on April 22, 2021, Nighthawk has responded with the attached response to reviewer's comments and questions.

Nighthawk Gold Corp. would like to thank reviewers for the opportunity to engage once again and to obtain their thoughtful feedback and questions.

Regards,

Nighthawk Gold Corp.

Denise Lockett,
Manager
Stakeholder Relations, Licensing and Permitting



April 6, 2021

Joseph Mackenzie
Chair
Wek'èezhì Land and Water Board
#1-4905 48th Street
Yellowknife, NT
X1A 3S3

Dear Mr. Mackenzie,

**Re: Nighthawk Gold Corp.
Water Licence Amendment Application - W2018L2-0003
Land Use Permit Amendment Request - W2018C0007
Mineral Exploration on Newly Required Leases and Additional
Water Sources
Request for Comment**

The Department of Environment and Natural Resources (ENR), Government of the Northwest Territories has reviewed the amendments at reference based on its mandated responsibilities under the *Waters Act* and provides the following comments and recommendations for the consideration of the Board.

Topic: Water Licence Amendment

Comment(s):

The cover letter provided by Nighthawk states: "For Licence W2018L2-0003 Nighthawk is requesting to update the Complete Application referenced in Part A, Condition 1(a) to include Mining Leases NT- 3656, NT-3538, NT-3655, and NT-3380. No changes to any Licence conditions are required."

Recommendation(s):

- 1) ENR supports Nighthawk's request as there are no changes to the Water Licence conditions requested.

Topic: Water Use Plan

Comment(s):

ENR understands that the updates to the Water Use Plan include additional lakes that are in the area of properties purchased by Nighthawk. Since the method of determining available water for use has not changed, ENR supports the updated Water Use Plan.

Recommendation(s):

1) ENR supports the updated Water Use Plan.

Comments and recommendations were provided by ENR technical experts in the Water Management and Monitoring Division and were coordinated and collated by the Environmental Assessment and Monitoring Section (EAM), Environmental Stewardship and Climate Change Division.

Should you have any questions or concerns, please do not hesitate to contact Patrick Clancy, Environmental Regulatory Analyst at (867) 767-9233 Ext: 53096 or email patrick.clancy@gov.nt.ca.

Sincerely,



Patrick Clancy
Environmental Regulatory Analyst
Environmental Assessment and Monitoring Section
Environmental Stewardship and Climate Change Division
Department of Environment and Natural Resources
Government of the Northwest Territories



April 1, 2021

Ms. Anneli Jokela
Wek'eezhii Land and Water Board (WLWB)
PO Box 32
WEKWEETI, NT X0E 1W0

Dear Ms. Jokela:

Land Use Permit No. W2018C0007 - Nighthawk Gold Corp. - Amendment

Government of the Northwest Territories (GNWT) reviewed the request for amendment dated March 15, 2021 and recommends that the amendment be granted.

On March 15, 2021, our Inspector, Clint Ambrose, provided his comments for your consideration.

Comments received from the Mining Recorder's Office indicate that the 4 mineral leases are in the name of Geomark Exploration Ltd. Considering there is an Option Agreement (Agreement) between the two companies, the Agreement will confirm eligibility under Section 18 of the MVLUR.

Thank you for the opportunity to comment on this amendment. Should you have any questions or concerns, please contact our Inspector, Clint Ambrose, at (867) 767-9188.

Sincerely,

Scott Stewart
Regional Superintendent
North Slave Region

c. North Slave Region (Yellowknife), Department of Lands, GNWT

cc



March 31, 2021

Anneli Jokela
Regulatory Manager
Wek'èezhì Land and Water Board
#1-4905 48th Street
Yellowknife, NT, X1A 3S3

Re: Nighthawk Gold Corp (Nighthawk) - Type B WL and Type A LUP Amendment

Dear Ms. Jokela;

The following comments are submitted to the Wek'èezhì Land and Water Board (WLWB) on behalf of the Wek'èezhì Renewable Resources Board (WRRB) to be considered during the review of the Nighthawk's Type B Water Licence (WL) and Type A Land Use Permit (LUP) Amendment (WLWB W2018L2-0003 & W2018C0007).

Nighthawk did not submit an updated Wildlife Management and Monitoring Plan (WMMP) with their Type B WL and Type A LUP Amendment. As this project requires a Type B WL, it likely requires a WMMP as per the Government of the Northwest Territories' [WMMP Process and Content Guidelines](#). A WMMP for Nighthawks' associated Indin Lake Gold Property already exists; however, it does not include the new properties included in this Amendment. The WRRB recommends that Nighthawk Gold Corp update their WMMP for the Indin Lake Gold Project (Version 3.0) to include the Kim and Cass Zones.

The WRRB has no other concerns with the amendment. If you have any questions regarding these comments, please feel free to contact our office.

Sincerely,

A handwritten signature in black ink that reads "Jody Pellsissey" with a stylized arrow pointing to the right at the end of the name.

Jody Pellsissey
Executive Director

cc. Joseph Judas, Chair
Wek'èezhìi Renewable Resources Board

Violet Camsell-Blondin, Manager
Lands Regulation, Tłıchǫ Government