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February 26, 2021

File: W2018L2-0003

Denise Lockett
Nighthawk Gold Corp.

Patrick Clancy
Government of the Northwest Territories
Environment and Natural Resources

Victoria Shore
Environment and Climate Change Canada

Longinus Ekwe
Tłıchq Government

Sent via email

Dear Denise Lockett, Patrick Clancy, Victoria Shore, and Longinus Ekwe,

Re: Information Request for Nighthawk's Interim Closure and Reclamation Plan Version 3.3 (W2018L2-0003)

Nighthawk Gold Corp. (Nighthawk) submitted its interim Closure and Reclamation Plan (CRP) Version 3.3 to the Wek'èezhì Land and Water Board (WLWB or the Board) on August 28, 2020.¹ The interim CRP was distributed for public review through the Board's Online Review System (ORS) and reviewers provided recommendations that Nighthawk responded to on December 21, 2020. As per rule #61 of the Board's Rules of Procedure,² an Information Request is being issued to Nighthawk, the Government of the Northwest Territories – Environment and Natural Resources (GNWT-ENR), Environment and Climate Change Canada (ECCC), and the Tłıchq Government (TG) to obtain clarity and the additional information outlined below to assist the Board in its decision-making process on Version 3.3 of the interim CRP.

Information Request to Nighthawk

Schedule of Closure Activities

Board staff asked several questions regarding Section 5.3 of the CRP (Future Progressive Reclamation; WLWB staff comment 43). These questions relate to environmental conditions that would trigger commencement of reclamation of the rock piles. In Nighthawk's response, it stated that if rock piles are left in their current configuration, water quality will be similar to current conditions. Nighthawk also

¹ See WLWB Online Registry (www.wlwb.ca) for [W2018L2-0003 – Nighthawk – ICRP Version 3.3 – Aug 28_20](#)

² [MVLWB Rules of Procedure, Including Public Hearings \(2018\)](#)

acknowledged that pH has been outside of the acceptable range in the Licence Effluent Quality Criteria (EQC) at SNP Station 5-10 and that metal concentrations have exceeded chronic guidelines for the protection of aquatic life at SNP station 5-4 in Lardass Lake. Nighthawk has not provided a response to what environmental conditions would trigger the reclamation of the rock piles to begin (i.e., independent of a decision on operations at Colomac) and what the long-term environmental effects of leaving the rock piles in their current configuration would be, if any.

- a) Describe how Nighthawk has evaluated whether the current water quality and plan to maintain the Damoti Site in temporary closure for an undefined period would have acceptable effects on the Receiving Environment. If Nighthawk has determined that maintaining current site conditions would not have acceptable effects on the Receiving Environment, describe proposed mitigation measures along with the proposed timing for implementation with rationale; and
- b) If water quality were to change during temporary closure, can Nighthawk describe what, if any environmental conditions would trigger commencement of remediation of the Damoti site; independent of the decision to commence operations at Colomac.

Information Request to GNWT-ENR, ECCC, and the TG

Proposed Change in Closure Activity for the Rock Piles

In many responses to comments and recommendations, Nighthawk references discussions that took place outside of the Board's process to resolve comments and recommendations from various Parties (e.g., ECCC comment 1, GNWT-ENR comment 8, and TG comment 6). It is Board staff's understanding that after reviewer recommendations were submitted, Nighthawk engaged with reviewers to discuss recommendations about the selected closure activity for the rock pile. In its responses and as a result of these discussions, Nighthawk has indicated a change in the proposed selected closure activity for the waste rock pile (i.e., consolidation of the rock piles with installation of a low-flux cover with a geosynthetic liner) and that this change in proposed closure activity has addressed many reviewer recommendations. Engaging with reviewers to discuss recommendations and resolve outstanding issues is always helpful and encouraged; however, confirmation that Nighthawk's response to reviewer recommendation reflects discussions with Parties has not been received.

- a) Please provide confirmation that Nighthawk's responses provided to your organization's recommendations within the ORS, reflect the discussions that your organization had with Nighthawk related to the change of the selected closure activity for the waste rock.

The Board requests that all Parties submit responses to this information request on or before 5 pm MST on March 12, 2021. Should Nighthawk have any questions, please feel free to contact me by email or by phone at (867) 765-4589.

Sincerely,



Ryan Fequet
Executive Director, Wek'èezhii Land and Water Board

BCC: Nighthawk Distribution List