



Resource and Land Management
PO Box 1500
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Yellowknife, Northwest Territories X1A 2R3

January 29, 2025

Anneli Jokela, Acting Executive Director
Wek'èezhìi Land and Water Board
#1 – 4905 48th Street
Yellowknife, Northwest Territories X1A 3S3

RE: W2020L8-003 Rayrock Remediation Project – Type A Water Licence Amendment: Crown-Indigenous Relations and Northern Affairs Canada - Resource and Land Management – Closing Arguments

Dear Anneli Jokela;

Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) - Resource and Land Management (RLM) is providing its closing arguments to the Wek'èezhìi Land and Water Board (WLWB) as part of the regulatory proceeding for the CIRNAC - Contaminants and Remediation Division (CARD) application to amend the Type A water licence for the Rayrock Remediation Project. These closing arguments take into consideration all the documents and information provided up to January 16, 2025, including the Type A water licence amendment application, discussions at the October 2024 technical session, information provided through Information Requests, interventions and responses to interventions, and comments made through the online review system (ORS).

CIRNAC-CARD has requested the following amendments to their Type A water licence:

- Amendment of Part E, Condition 17, to increase the effluent quality criteria (EQC) for total suspended solids (TSS).
- Amendment to Part C, Condition 1, to include water use from Sherman Lake to facilitate winter road construction.
- Inclusion of a containment structure into the project activities that will act as secondary containment for camp wastewater.

CIRNAC-RLM has participated throughout the regulatory proceeding as follows:

- Provided comments through the ORS on the documents submitted as part of the application to amend the Type A water licence for the Rayrock Remediation Project.
- Attended the October 29, 2024 Technical Session.
- Provided comments through the ORS on the draft Type A water licence developed by WLWB staff.



- CIRNAC-RLM did not submit an intervention or request to appear in front of the WLWB; the public hearing scheduled for December 9, 2024 was cancelled.

CIRNAC-RLM is supportive of the proposed Type A water licence amendment to include water use from Sherman Lake to facilitate winter road construction, and to include the wastewater containment structure into the scope of project activities for camp wastewater secondary containment, and considers our comments related to these requested amendments resolved. While CIRNAC-RLM is generally supportive of CIRNAC-CARDs request to increase the EQC for TSS from a maximum grab concentration (MGC) of 15 mg/L to a MGC of 25 mg/L; it is suggested that additional mitigation and monitoring be considered going forward as described in our January 9, 2025 ORS comments on the draft Type A water licence. As such, CIRNAC-RLM offer the following recommendations for the WLWB to consider:

- CIRNAC-RLM recommend that the Board consider amending the EQC for TSS to include a MGC of 25 mg/L and a maximum average concentration of 15 mg/L.
- CIRNAC-RLM support additional Surveillance Network Program (SNP) station(s) to verify the effectiveness of the TSS EQC during periods of discharge as predicted by CIRNAC-CARDs environmental risk evaluation. Should the WLWB determine it is an appropriate option, CIRNAC-RLM recommends SNP stations be established at 100 metres and 250 metres from the point of discharge and included in the Aquatic Effects Monitoring Program.

Thank you to the WLWB for the opportunity to participate in this review process and thank you to the CIRNAC-CARD Project team and the other parties for their participation. CIRNAC-RLM looks forward to the recommendations made by the WLWB for consideration by the Minister.

Should you have any questions or concerns, please do not hesitate to contact the undersigned.

Regards,

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