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February 18, 2022

W2021L2-0005, W2021L2-0004, W2021C0009

To all Parties,

**RE: Information Requests Resulting from Nighthawk Technical Workshop – Water Licence Amendment Applications and Land Use Permit Application**

The Wek'èezhì Land and Water Board (WLWB) would like to thank all Parties who participated in the Technical Workshop from February 15-17, 2022, to discuss Nighthawk Gold Corp (Nighthawk) Type A Water Licence Amendment Applications (W2015L2-0005 and W2021L2-0004) and Land Use Permit Application (W2021C0009). The session was beneficial in helping to identify and clarify issues raised by Parties and has contributed to a better understanding of the information on the record.

There were several requests for specific information made by Parties during the Technical Workshop. In an effort to ensure that sufficient evidence is on the record so Parties can make comprehensive submissions to the Board and allow the Board to make an informed decision, the WLWB is requesting the following information from the identified Parties no later than February 28, 2022.

**IR #1 for Nighthawk:**

Nighthawk to provide a cost-benefit analysis of management/mitigation options for SNP 5-10, including, but not limited to, (a) a liner for 5-10 pond; (b) temporary rock pile cover; and (c) any additional options Nighthawk has evaluated. Note that the cost-benefit analysis should consider the need for additional SNP sampling stations (as per IR #4) in the bog east of the site should no further management/mitigation measures be implemented at SNP 5-10.

**IR #2 for Nighthawk:**

Nighthawk to provide a high-level water balance for SNP 5-10 quantifying the volume of water that could be flowing towards the bog as opposed to the central drainage pathway, (i.e., not accounted for by losses through evapotranspiration and surface flow).

**IR #3 for Nighthawk:**

Nighthawk to confirm scope of the licence and permit applications (e.g., bulk sampling, pumping of water from decline to settling pond, use of explosives, closure and reclamation).

**IR #4 for Nighthawk:**

Nighthawk to identify potential SNP sample locations along the flowpath both (approximately) northeast and due east of SNP 5-10 into bog. These potential stations are to allow for both field measurements and water chemistry data to be collected, and are intended to characterize impacts of discharges from 5-10 through the subsurface to that bog.

**IR #5 for Nighthawk:**

Nighthawk to provide potential management/mitigation actions available if (a) water quality objectives and/or chronic toxicity testing indicated deleterious effects were to be exceeded at SNP stations 5-4 and 5-5; and (b) EQC were exceeded at SNP station 5-6 and/or acute toxicity testing at that location were to indicate deleterious effects.

**IR #6 for Nighthawk:**

To provide multiple transects of topography surrounding 5-10, including identification of 5-10 and entrance to the bog with the intent of identifying any potential surface or subsurface flow paths that serve as a connection between SNP 5-10 and the bog. Nighthawk to further provide a discussion of the underlying subsurface material beneath SNP 5-10 and the bog along those transects, if possible.

**IR #7 Nighthawk:**

Propose Schedule requirements for the Water Management Plan.

**IR #8 Nighthawk:**

Provide table of proposed Water Sources from Water Use Plan in Microsoft Word. This table is to include corrected units.

**IR #9 for Nighthawk:**

Provide map of water sources to be used in engagement.

**IR #10 for Nighthawk:**

Provide table which compares MDMER limits with maximum historical measured concentrations at SNP 5-6 and modelled worst-case concentrations in Site discharge during closure, i.e., spring flush or uncovered rock pile.

**IR #11 for Nighthawk:**

To provide discussion of the proposed chronic effects trigger of an IC25 of 30% or less in the Receiving Environment, and propose a more conservative threshold (e.g., LC25 of 100%).

**IR #12 for Nighthawk:**

To identify gaps in the current RECLAIM estimate that would be addressed through the upcoming CRP submission.

**IR #13 for Nighthawk:**

To comment on the proposed and historical condition [Water Balance] (i.e., Part F, Condition 2 of [Non-federal](#) and [Federal](#) Licences) and whether it is applicable to the current application(s). If so, please provide clarity on what potential Discharge this condition would apply to.

**IR #14 for Nighthawk:**

To propose a nitrate EQC and what SNP stations it would apply to; if explosives were transported to, stored at, and/or used at site.

**IR #15 for Nighthawk:**

To propose how details associated with explosives management will be provided (e.g., Explosives Management Plan) and the timing for the proposed submission (e.g., 90 days prior to explosives being transported to site).

**IR #16 for Nighthawk:**

To confirm the expected amount of waste to be incinerated per year, and whether this amount would be below 26 tonnes/year (i.e., subject to annual incinerator stack testing as per the Canada-wide Standards).

**IR #17 for Nighthawk:**

To clarify the proposed term of the Licence.

**IR #18 for Nighthawk:**

To provide updated draft authorizations to reflect proposed changes to application (e.g., scope of licence, term of licence) and commitments made to-date. Nighthawk should consult the MVLWB's standard conditions (i.e., [water licence](#) and [land use permit](#) conditions) and utilize them in proposed authorizations where appropriate.

Sincerely,



Executive Director, WLWB

BCC to: Nighthawk Distribution List

Denise Lockett, Nighthawk