Wek'èezhìı Land and Water Board

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Northwest Territories Power Corporation

Water Licence W2023L4-0001

Pursuant to the *Waters Act* and the Waters Regulations,
the Wek'èezhìı Land and Water Board grants this Water Licence to:

Northwest Territories Power Corporation
(Licensee)

of 4 Capital Drive, HAY RIVER, NT X0E 1G2
(Mailing Address)

hereinafter called the Licensee, to proceed with the following undertaking, subject to the annexed definitions and conditions contained therein:

Location:	Within the Snare River Watershed: Snare Rapids; Snare Falls; Snare Cascades; Snare Forks
Water Management Area:	NORTHWEST TERRITORIES 01
Purpose:	Power
Type:	Type A
Quantity of Water not to be exceeded:	See Part D, Conditions 1 and 2
Effective Date:	XX XX, XXXX
Expiry Date:	XX XX, XXXX

Chair
Wek'èezhìı Land and Water Board

Witness

Minister of Environment and Climate Change

Commented [WB1]: General explanation of changes included in the Draft Licence:

NTPC submitted draft Licence Conditions with the Application that included new conditions, Land and Water Board Standard Conditions, and conditions from the current Water Licences.

Anything highlighted in yellow identifies definitions and conditions specific to the Project that NTPC has proposed be added to the Licence and/or modified from the current Licences.

Anything highlighted in blue identifies conditions Board staff have proposed be added to or removed from the Licence, and/or modified from the current Licences based on the record of the proceeding to date.

Any text bolded in comment bubbles identify specific items that Board staff are seeking input on.

In addition, small editorial changes have been made with tracked changes through the document by Board staff.

Comments from WLWB staff are identified by the abbreviation WB.

Commented [WB2]: Updated to reflect new proposed Water Uses.

Commented [WB3]: NTPC has proposed a term of 39 years, while GNWT-ECC had made recommendations for 25 years. The Board will address the expiry date in the Board's Reasons for Decision.

Type A Water Licence W2023L4-0001

Northwest Territories Power Corporation – Snare Hydro Facility

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	Part A: Scope and Defined Terms	
	Scope:	**Condition Title**
1.	This Licence entitles the Licensee to use Water for Power Generation activities at the Snare River Hydroelectric System. The scope of this Licence includes the following: a) Storage and diversion of water for hydroelectric generation in the Power Generation Facilities at Snare Rapids, Snare Falls, Snare Cascades, and Snare Forks ~~generation plants and associated structures~~; b) Withdrawal of Water for Camp Use at Snare Rapids; c) Withdrawal of Water for use at day-use buildings ~~facilities across~~ for the Project; ~~c)~~d) Withdrawal of Water for roads and site maintenance, and fire and dust suppression; ~~d)~~e) Withdrawal of Water for winter road construction and maintenance ~~portages, and fire and dust suppression~~; ~~e)~~f) Operation and maintenance of 5B, Snare Falls, Snare Cascades, and Snare Forks Spillways, and all side Dams across the Project; ~~f)~~g) Operation and maintenance of all bridges and culverts across the Project; and ~~g)~~h) Progressive Reclamation and associated Closure and Reclamation activities.	**SCOPE**
2.	The scope of the Project is as described in the Preliminary Screening Determinations for W2023L4-0001 dated October 13, 2023, and January 24, 2024.	**SCOPE – PRELIMINARY SCREENING**
3.	This Licence is issued subject to the conditions contained herein with respect to the use of Water and the Deposit of Waste in any Waters or in any place under any conditions where such Waste or any other Waste that results from the Deposit of such Waste may enter any Waters. Any change made to the *Waters Act* and/or Waters Regulations that affects licence conditions and defined terms will be deemed to have amended this Licence.	**LEGISLATION SUBJECT TO CHANGE**
4.	Compliance with this Licence does not relieve the Licensee from responsibility for compliance with the requirements of any applicable federal, territorial, Tłı̨chǫ, or municipal legislation.	**LEGISLATIVE COMPLIANCE**

Commented [WB4]: Addition proposed by Board staff for clarity.

Commented [WB5]: NTPC included Water Use in the scope of the draft conditions with the Application. Board staff propose to specify the Water Use as described in the Application.

Defined Terms [1]
Board – the Wek'èezhìı Land and Water Board established under Part 3 of the *Mackenzie Valley Resource Management Act.*
Closure Criteria - standards that measure the success of selected closure activities in meeting closure objectives. Closure criteria may have a temporal component (e.g., a standard may need to be met for a pre-defined number of

[1] Defined terms are capitalized throughout the License, including when used in other definitions.

years). Closure criteria can be site-specific or adopted from territorial/federal or other standards and can be narrative statements or numerical values.

Closure Objectives - statements that describe what the selected closure activities are aiming to achieve; they are guided by the closure principles. Closure objectives are typically specific to project components, are measurable and achievable, and allow for the development of closure criteria.

Closure and Reclamation – the process and activities that facilitate the return of areas affected by the Project to viable and, wherever practicable, self-sustaining ecosystems that are compatible with a healthy environment and human activities.

Closure and Reclamation Plan (CRP) – a document, developed in accordance with this Licence, that clearly describes the Closure and Reclamation for the Project.

Construction – any activities undertaken during any phase of the Project to construct, build, upgrade, or replace any structures, facilities, or components of, or associated with, the Project.

Dam – a structure that meets the definition of a Dam as per the *Dam Safety Guidelines* and is intended to contain, withhold, divert, or retain Water or Waste.

Dam Class – the category of dam based on its failure consequences, as described in the *Dam Safety Guidelines.*

Dam Safety Engineer – a qualified Professional Engineer whose role is to ensure all Dams and related hydraulic structures are maintained and operated in a manner that minimizes risks to public safety, the environment, and NTPC Operations, and in alignment with the Dam Safety Guidelines.

Dam Safety Guidelines – the Canadian Dam Association (CDA) *Dam Safety Guidelines,* including the CDA *Dam Safety Guidelines Technical Bulletins*.

Deposit of Waste – a deposit of Waste in any Water or in any other place under conditions in which the Waste, or any other Waste that results from the deposit of that Waste, may enter any Waters.

Discharge – a direct or indirect deposit or release of any Water or Wastewater to Water to the Receiving Environment.

Effluent – a Wastewater Discharge.

Emergency Preparedness Plan (EPP) - a document that contains procedures for dealing with emergencies at the Dams and associated facilities; and includes communication directories and inundation maps showing upstream and downstream water levels and arrival times of floods.

Engagement Plan – a document, developed in accordance with the LWB *Engagement and Consultation Policy* and the *Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits*, that clearly describes how, when, and which engagement activities will occur with an affected party during the life of the Project.

Commented [WB6]: During the Technical Session, NTPC indicated that the term "Dam Safety Engineer" is preferred for the Facility over the defined term for "Engineer of Record" in the Standard Conditions. NTPC proposed a definition for the Dam Safety Engineer in a response to an Information Request from the Technical Session and updated it further in response to the Tłı̨chǫ Government's Intervention, as proposed here.

Commented [WB7]: NTPC did not include this Standard Definition in the draft conditions with the Application; however, Board staff propose including this because "Deposit of Waste" is used in Part A, Condition 3.

Commented [WB8]: Board staff propose to retain a definition for the Emergency Preparedness Plan (EPP) as adapted from the definitions in the current Water Licences. In the Application, NTPC initially proposed to remove the EPP from the Licence; however, in response to Public Review comments, NTPC responded that the EPP could be retained in the Licence for Board approval.

Engineered Structure – any structure or facility related to Water Use or the disposal or Deposit of Waste that is associated with the Project and designed by a Professional Engineer, including but not limited to: the Snare Rapids 5B Spillway, Dams, and power generation facilities; the Snare Falls Dams, spillway, and power generation facilities; the Snare Forks Dams, spillway, and power generation facilities; and the Snare Cascades Dam, spillway, and power generation facilities.
Freeboard – the vertical distance between the still Water or Wastewater line and the lowest elevation of the effective Water or Wastewater containment crest on the upstream slope of a containment structure.
Greywater – all liquid Waste from showers, baths, sinks, kitchens, and domestic washing facilities, but does not include Toilet Waste.
Groundwater – as defined in section 1 of the Waters Regulations: all water in a zone of saturation below the land surface, regardless of its origin.
Hazardous Waste - a Waste which, because of its quantity, concentration, or characteristics, may be harmful to human health or the environment when improperly treated, stored, transported, or disposed of.
~~**Hydrocarbon-Contaminated Soil Treatment Facilities** – the area(s) and Engineered Structures designated to contain and treat hydrocarbon-contaminated sediments and soil.~~
Inspector – an Inspector designated by the Minister under subsection 65(1) of the *Waters Act*.
Licensee – the holder of this Licence.
Mackenzie Valley Federal Areas Waters Regulations – the regulations proclaimed pursuant to section 90.3 of the *Mackenzie Valley Resource Management Act*.
Metal Leaching – the release of metals and metalloids in leachate, Seepage, or drainage from rock or other materials associated with the Project.
Minister – the Minister of the Government of the Northwest Territories (GNWT) – Environment and ~~Natural Resources~~Climate Change.
NWTPC Datum at Snare Cascades – an assumed (relative) elevation of 189.20 metres /620.7 feet with an absolute elevation of 194.37 metres / 637.7 feet, which is assigned to the top of the steel pin (No.11) embedded in bedrock adjacent to the upper entrance to the Powerhouse.
NTPC Datum at Snare Falls - an assumed (relative) elevation of 204.52 metres / 671.0 feet s with an absolute elevation of 208.74 metres, which is assigned to the top of the steel pin (Pin No. 5) embedded into a concrete walkway adjacent to the Northwest corner of the Snare Falls intake structure and spillway gates.
NTPC Datum at Snare Forks - an assumed (relative) elevation of 175.26 metres / 575.0 feet with an absolute elevation of 179.78 metres, which is assigned to the top of the steel pin (Pin No. 12) embedded into the concrete floor adjacent to the South corner of the Snare Forks plant intake gate house and adjacent to the entrance door.

Commented [WB9]: Board staff propose adding the Snare Cascades components given NTPC indicated in the Public Review that Snare Cascades should be added to the definition of Engineered Structure.

Commented [WB10]: NTPC did not include this Standard Definition in the draft conditions with the Application; however, Board staff propose including this because "Freeboard" is used in other definitions and is included in the current Licences.

Commented [WB11]: NTPC included this Standard Definition in the draft conditions with the Application; however, during the Technical Session, NTPC indicated that no such facilities exist at the Site, and therefore Board staff have proposed to not include this definition.

Commented [WB12]: Proposed update by Board staff to reflect the amalgamation of the Environment and Natural Resources and Waters Departments of the GNWT.

Commented [WB13]: Board staff propose to include this definition as provided by NTPC in response to Undertaking #1.

NTPC Datum at Snare Rapids - an assumed (relative) elevation of 223.86 metres / 734.5 feet with an absolute elevation of 227.97 metres, which is assigned to the top of the steel pin (Pin No. 1) embedded into the concrete floor adjacent to the Southwest corner of the Snare Rapids plant intake gate house and adjacent to the entrance door.

Ordinary High-Water Mark – the usual or average level to which a Watercourse rises at its highest point and remains for sufficient time so as to change the characteristics of the land. In flowing Watercourses (rivers, streams), this refers to an active channel/bank-full level, which is often the 1:2-year flood flow return level. In inland lakes, wetlands or marine environments, it refers to those parts of the Watercourse bed and banks that are frequently flooded by Water so as to leave a mark on the land and where the natural vegetation changes from predominantly aquatic vegetation to terrestrial vegetation (excepting Water tolerant species). For reservoirs, this refers to normal high operating levels (full supply level).

Potentially Acid Generating Rock – any rock that has the potential to produce Acid Rock Drainage.

Commented [WB14]: Board staff propose to include this Standard Definition because NTPC has proposed to use this term in the Schedule requirements for the Geochemical Characterization and Management Plan.

Power Generation Facilities at Snare Cascades - the Snare Cascades Forebay, power canal dyke, tailrace, intake and associated structures. powerhouse.

Power Generation Facilities at Snare Falls - the Snare Falls Dam and Spillway, Snare Falls forebay, intake structure, North and South Saddle Dams, Snare Falls Spillway Bridge, power tunnel and penstock, power house, tail race, and associated structures.

Power Generation Facilities at Snare Forks - the Strutt Lake Dam and Freeboard Dam Extension, intake structure, Snare Forks Main Dam, Snare Forks forebay, North Dyke, Dyke Number 1, Dyke Number 2, Dyke Number 3, Snare Forks Spillway Weir and channel, Snare Forks Bridge, power tunnel and penstock, powerhouse, tail race, and associated structures.

Power Generation Facilities at Snare Rapids - the Big Spruce Reservoir, intake structure, Snare Rapids Main Dam, Side Dam 4, Spillway 5B and Dam, Side Dam 9B, Snare Rapids forebay, Snare Rapids Spillway Bridge, power tunnel and penstock, powerhouse, tail race, and associated structures.

Professional Engineer – a person registered with the Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists to practice as a Professional Engineer in the Northwest Territories as per the territorial *Engineering and Geoscience Professions Act* and whose professional field of specialization is appropriate to address the components of the Project at hand.

Progressive Reclamation – Closure and Reclamation activities conducted during the operating phase of the Project.

Project – the undertaking described in Part A, Conditions 1 and 2.

Receiving Environment – the natural environment that, directly or indirectly, receives any Waste from the Project.

Receiving Water – the Water in the Receiving Environment that receives any direct or indirect Deposit of Waste from the Project.

Reclamation Research – literature reviews, laboratory or pilot-scale tests, engineering studies, and other methods of resolving uncertainties and answering questions pertaining to environmental risks for the purpose of providing data and information that will reduce uncertainties for closure options, selected closure activities, and/or closure criteria.
Remediation – the removal, reduction, or neutralization of substances, Wastes, or hazardous materials from a site in order to prevent or minimize any adverse effects on the environment and public safety, now or in the future.
Reservoir - a body of water which is impounded by one or more dams, inclusive of its shores and banks, ~~and any facility or installation necessary for its operations~~; within the Snare Cascades Power Generation Facilities it means the main reservoir is Big Spruce Lake with smaller reservoirs upstream of the Snare Falls, Snare Cascades and Snare Forks facilities.
Runoff – the overland flow of Water or Wastewater that occurs when precipitation, meltwater, or other Water is not absorbed by the land.
Seepage – any Water or Waste that drains, passes through, or escapes from any structure designed to contain, withhold, divert, or retain Water or Waste.
Septic Fields Special Study – a study to verify that the septic fields for the Project are not depositing waste, either directly or indirectly into the Receiving Water.
Sewage – all Toilet Wastes and Greywater.
Sewage Disposal Facilities – the area(s) and structures designated to contain and treat Sewage.
Snare Hydroelectric Facility - includes the Power Generation Facilities, and associated roads, camps, airstrip, transmission lines and other associated structures on the Snare River.
Solid Waste Disposal Facilities – the area(s) and structures designated to contain solid Waste.
Spill Contingency Plan (SCP) – a document developed for the Project in accordance with INAC's *Guidelines for Spill Contingency Planning.*
Sump – a human-made excavation or a natural depression designated for depositing Water and/or Waste.
Surveillance Network Program (SNP) – a monitoring program required by this Licence and detailed in Schedule 1.
Toilet Wastes – all human excreta and associated products, not including Greywater.
Traditional Knowledge – the cumulative, collective body of knowledge, experience and values built up by a group of people through generations of living in close contact with nature. It builds upon the historic experiences of a people and adapts to social, economic, environmental, spiritual, and political change.

Commented [WB15]: Board staff propose to include this Standard definition given NTPC agreed to include the Standard Condition for RECLAMATION RESEARCH REPORT in response to Information Request #2 from the Technical Session.

Commented [WB16]: Board staff propose to remove this portion of the definition to avoid ambiguity, given the Power Generation Facilities are defined in the Licence.

Commented [WB17]: Board staff propose to include this definition to reflect NTPC's response to Information Request #3 from the Technical Session.

Unauthorized Release – a release to the Receiving Environment of any Water or Waste not authorized under this Licence.	
Waste – as defined in section 1 of the *Waters Act:* a) a substance that, if added to water, would degrade or alter or form part of a process of degradation or alteration of the quality of the water to an extent that is detrimental to its use by people or by an animal, fish or plant, or b) water that contains a substance in such a quantity or concentration, or that has been so treated, processed or changed, by heat or other means, that it would, if added to other water, degrade or alter or form part of a process of degradation or alteration of the quality of that water to the extent described in paragraph (a), and includes c) a substance or water that, for the purposes of the *Canada Water Act*, is deemed to be waste, d) a substance or class of substances prescribed by regulations made under subparagraph 63(1)(b)(i), e) water that contains a substance or class of substances in a quantity or concentration that is equal to or greater than a quantity or concentration prescribed in respect of that substance or class of substances by regulations made under subparagraph 63(1)(b)(ii), and f) water that has been subjected to a treatment, process or change prescribed by regulations made under subparagraph 63(1)(b)(iii).	
~~**Waste Disposal Facilities** – the area(s) and structures designated for the disposal of Waste, including, but not limited to, the [enter as relevant: Sewage Disposal Facilities, Solid Waste Disposal Facilities, Hydrocarbon Contaminated Soil Treatment Facility].~~	
Waste Management Plan (WMP) – a document, developed in accordance with the MVLWB *Guidelines for Developing a Waste Management Plan,* that describes the methods of Waste management for the Project from Waste generation to final disposal.	
Wastewater – any Water that is generated by Project activities or originates on-site, and which contains Waste, and may include, but is not limited to, Runoff, Seepage, Sewage, Minewater, and Effluent.	
Water – as defined in section 1 of the *Waters Act*: water under the administration and control of the Commissioner, whether in a liquid or frozen state, on or below the surface of land.	
Watercourse – as defined in section 1 of the Waters Regulations: a natural watercourse, body of Water or Water supply, whether usually containing Water or not, and includes, but is not limited to, Groundwater, springs, swamps, and gulches.	
Water Management Area – a geographical area of the Northwest Territories established by section 2 and Schedule A of the Waters Regulations.	
Waters Regulations – the regulations proclaimed pursuant to section 63 of the *Waters Act*.	
Water Supply Facilities – the area(s) and structures designed to collect, and supply Water for the Project.	

Commented [WB18]: NTPC included the term "Unauthorized Discharge" in the draft conditions with the Application. Board staff have updated the wording to reflect the current Standard Conditions.

Commented [WB19]: NTPC had included the Standard Definition in the draft conditions submitted with the Application; however, during the Technical Session NTPC indicated that no solid waste disposal facilities exist at the site, and therefore Board staff have proposed to not include this definition.

Commented [WB20]: Board staff propose to include this Standard Definition because this term is used on the cover page of Water Licences.

Commented [WB21]: Board staff propose to include this Standard Definition given NTPC identified in the Public Hearing and in response to Undertaking #4 that it has Water Supply Facilities.

Water Use – as defined in section 1 of the *Waters Act*: a direct or indirect use of any kind, including, but not limited to,

a) a diversion or obstruction of waters,
b) an alteration of the flow of waters, and
c) an alteration of the bed or banks of a river, stream, lake or other body of water, whether or not the body of water is seasonal,

but does not include a use connected with shipping activities that are governed by the *Canada Shipping Act*, 2001.

	Part B: General Conditions	
	Condition	**Condition Title**
1.	The Licensee shall ensure a copy of this Licence is maintained on site at all times.	**COPY OF LICENCE**
2.	The Licensee shall take every reasonable precaution to protect the environment.	**PRECAUTION TO PROTECT ENVIRONMENT**
3.	In conducting its activities under this Licence, the Licensee shall make every reasonable effort to consider and incorporate any scientific information and Traditional Knowledge that is made available to the Licensee.	**INCORPORATE SCIENTIFIC INFORMATION AND TRADITIONAL KNOWLEDGE**
4.	In each submission required by this Licence or by any directive from the Board, the Licensee shall identify all recommendations based on Traditional Knowledge received, describe how the recommendations were incorporated into the submission, and provide justification for any recommendation not adopted.	**IDENTIFY TRADITIONAL KNOWLEDGE**
5.	All references to policies, guidelines, codes of practice, statutes, regulations, or other authorities shall be read as a reference to the most recent versions, unless otherwise noted.	**REFERENCES**
6.	The Licensee shall ensure all submissions to the Board: a) Are in accordance with the LWB *Document Submission Standards* and, if applicable, *Geospatial Data Submissions Standards*; and ~~b) Include a conformity statement or table which identifies where the requirements of this Licence or other directives from the Board are addressed; and~~ ~~c)~~b) Include any additional information requested by the Board.	**SUBMISSION FORMAT ~~AND CONFORMITY~~**
7.	The Licensee shall ensure management plans are submitted to the Board in a format consistent with the LWB *Standard Outline for Management Plans*, unless otherwise specified.	**MANAGEMENT PLAN FORMAT**
8.	The Licensee shall comply with all plans, including revisions, approved pursuant to the conditions of this Licence.	**COMPLY WITH SUBMISSIONS AND REVISIONS**
9.	The Licensee shall conduct an annual review of all plans and make any revisions necessary to reflect changes in operations, contact information, or other details. No later than March 31 each year, the Licensee shall send a notification letter to the Board, listing the documents that have been reviewed and do not require revisions.	**ANNUAL REVIEW**

Commented [WB22]: Board staff propose to not include a reference to including a conformity statement or table with submissions because this is a requirement of the Land and Water Board's *Document Submission Standards*.

Commented [WB23]: Board staff propose this Standard Condition be included in the Licence to ensure that the Licensee regularly reviews the Project's management plans, programs, and manuals to ensure they are up to date.

10.	The Licensee may propose changes at any time by submitting revised plans, programs, or studies to the Board, for approval, a minimum of 90 days prior to the proposed implementation date for the changes. The Licensee shall not implement the changes until approved by the Board.	**REVISIONS**
11.	The Licensee shall revise any submission and submit it as per the Board's directive.	**REVISE AND SUBMIT**
12.	If any date for any submission falls on a weekend or holiday, the Licensee may submit the item on the following business day.	**SUBMISSION DATE**
13.	The Licensee shall comply with the **Schedules**, which form part of this Licence, and any updates to the Schedules as may be made by the Board.	**COMPLY WITH SCHEDULE(S)**
14.	The Licensee shall comply with the **Surveillance Network Program** set out in Schedule 1, and any updates to the Surveillance Network Program as may be made by the Board.	**COMPLY WITH SURVEILLANCE NETWORK PROGRAM**
15.	The Schedules, the Surveillance Network Program, and any compliance dates specified in this Licence may be updated at the discretion of the Board.	**UPDATES TO SCHEDULES AND COMPLIANCE DATE(S)**
16.	The Licensee shall comply with all directives issued by the Board in respect of the implementation of the conditions of this Licence.	**COMPLY WITH BOARD DIRECTIVES**
17.	The Licensee shall ensure signs are posted for all active Surveillance Network Program stations. All sign(s) shall be located and maintained to the satisfaction of an Inspector.	**POST SURVEILLANCE NETWORK PROGRAM SIGN(S)**
18.	The Licensee shall install, operate, and maintain meters, devices, or other such methods for measuring or calculating the volumes of Water used ~~and Waste disposed of~~ to the satisfaction of an Inspector.	**MEASURE WATER USE ~~AND WASTE DISCHARGED~~**
19.	Beginning March 31, 2025 and no later than every March 31 thereafter, the Licensee shall submit an **Annual Water Licence Report** to the Board and an Inspector**.** The Report shall be in accordance with the requirements of Schedule 2, Condition 1.	**ANNUAL WATER LICENCE REPORT**
20.	The Licensee shall comply with the **Engagement Plan**, once approved.	**ENGAGEMENT PLAN**
21.	Within 90 days following the effective date of this Licence, the Licensee shall submit to the Board, for approval, a revised Engagement Plan. ~~The~~	**ENGAGEMENT PLAN – REVISED**

Commented [WB24]: Given this Standard Condition applies to all types of submissions that require Board approval, Board staff propose to include programs and studies given those documents are proposed in the Licence.

Commented [WB25]: NTPC proposed in the draft conditions with the Application to remove this wording from the Standard Condition; however, during the Public Review, when questioned on why this was removed NTPC agreed this wording should be included.

Commented [WB26]: NTPC proposed this wording in the draft conditions submitted with the Application because flow can be calculated at Snare and because there is no deposit of Waste.

Commented [WB27]: Board staff propose including this Standard Condition given discussions at the Public Hearing on potential revisions required for the Engagement Plan.

While Board staff propose including this Standard Condition, it may not be necessary in the Final Licence depending on the Board's Decision. The need for a revised Engagement Plan will be determined by the Board based on the record for the proceeding.

	~~Licensee shall not commence Project activities prior to Board approval of the Plan.~~	
22.	On December 31st beginning in 2033, and every 10 years thereafter, the Licensee shall submit a Climate Change Report that describes how climate change has or is predicted to affect: a) environmental impacts of the Snare Hydroelectric Facility; and b) the efficacy of the Licence conditions and whether any changes to the Licence should be considered.	**CLIMATE CHANGE REPORT**
	~~The Licensee shall comply with the **Public Safety Plan,** once approved.~~	**~~PUBLIC SAFETY PLAN~~**
~~22.~~23.	The Licensee shall immediately provide written notification to the Board and an Inspector of any non-compliance with the conditions of this Licence.	**NOTIFICATION – NON-COMPLIANCE WITH CONDITIONS**
~~23.~~24.	The Licensee shall immediately provide written notification to the Board of any non-compliance with a Board directive issued in respect of the implementation of the conditions of this Licence.	**NOTIFICATION – NON-COMPLIANCE WITH DIRECTIVES**
~~24.~~25.	The Licensee shall ensure that a copy of any written authorization issued to the Licensee by an Inspector is provided to the Board.	**COPY – WRITTEN AUTHORIZATION**
	Part C: Security	
	Intentionally left blank.	
	Part D: Water Use	
1.	The Licensee shall only divert ~~obtain~~ Water for the Project from the Snare River for the purpose of ~~diversion for~~ hydroelectric generation. The Licensee may use up to 200 cubic metres per second (m^3/s) of Water from this source.	**WATER SOURCE FOR DIVERSION**

Commented [WB28]: Proposed condition for a Climate Change Report to reflect one of the Tłı̨chǫ Government's recommendations in its Intervention. In its response to Interventions, NTPC indicated it did not think a specific condition was necessary because in its opinion the Water licence conditions and schedule provide opportunity for review of operations in response to climate change.

Board staff are seeking input from Parties on this condition, including the timeline for submission.

Commented [WB29]: In the draft conditions submitted with the Application, NTPC proposed to include a requirement for Board approval of the Public Safety Plan (PSP) to replace the Emergency Preparedness Plan (EPP) because the Public Safety Plan covered the EPP; however, based on Public Review comments, NTPC indicated the EPP could be retained for Board approval and it was up to the Board whether the PSP would be for approval. Board staff have proposed to keep the EPP for approval and therefore remove the requirement for the PSP.

Commented [WB30]: Board staff propose including this standard condition as agreed to by NTPC at the Technical Session.

Commented [WB31]: NTPC proposed to add this Standard Condition, modified for the purpose of power generation. Board staff have proposed editorial changes.

2. The Licensee shall only ~~obtain~~ withdraw Water as set out in the following table:

WATER SOURCES AND MAXIMUM VOLUME

Water Source Name	Location	Type of Watercourse (e.g., river, lake, etc.)	Purpose of Water Use	Maximum Quantity (m^3 per day)
Big Spruce Lake	Snare Rapids Camp	Lake	Rapids Camp Use	10 cubic metres per day under normal operations; up to 20 cubic metres per day during major projects.
Snare River	Between Snare Rapids Main Dam and Snare Forks	Lake/river	Day Use Buildings	2 cubic metres per day under normal operations; up to 10 cubic metres per day during major projects.
Snare River	Between Snare Rapids Main Dam and Snare Forks	Lake/river	Roads and site maintenance	5 cubic metres per day under normal operations; up to 50 cubic metres per day during major projects.
Snare River	From Wekweètì winter road junction to Snare Forks	Lake/river	Winter Road construction and maintenance	100 cubic metres per day during construction

Commented [WB32]: Proposed by Board staff to reflect Water Use.

Commented [WB33]: Board staff propose to include the approximate locations of the Water Sources, as NTPC described in the Application.

~~2.~~3. For Water Uses outlined in Part D, Condition 2, ~~T~~the Licensee shall only withdraw Water using the Water Supply Facilities, unless otherwise authorized temporarily in writing by an Inspector.

WATER WITHDRAWAL – FACILITIES

Commented [WB34]: Board staff have proposed this Standard Condition because NTPC confirmed it has Water Supply Facilities in response to Undertaking #4.

~~3.~~4.	Prior to withdrawing Water from the~~an~~ approved Water sources outlined in Part D, Condition 2, the Licensee shall post sign(s) to identify the intake for the Water Supply Facilities. All sign(s) shall be located and maintained to the satisfaction of an Inspector.	**POST WATER INTAKE SIGN(S)**
~~4.~~5.	The Licensee shall construct and maintain the Water intake(s) with a screen designed to prevent impingement or entrainment of fish. The screen shall be in accordance with the best practices outlined in Fisheries and Oceans Canada's *Interim Code of Practice: End-of-Pipe Fish Protection Screens for Small Water Intakes in Freshwater* and *Fish Screen Design Criteria for Flood and Water Truck Pumps*.	**WATER INTAKE SCREEN**
	Part E: Construction	
1.	The Licensee shall ensure that all structures intended to contain, withhold, divert, or retain Water or Waste are designed, constructed, and maintained to minimize the escape of Waste to the Receiving Environment.	**OBJECTIVE – CONSTRUCTION**
2.	The Licensee shall ensure that all structures intended to contain, withhold, divert, or retain Water or Wastes, and which meet the definition of a Dam as per the *Dam Safety Guidelines* are designed, constructed, maintained, and monitored to meet or exceed the *Dam Safety Guidelines*.	**DAMS – GENERAL**
~~3.~~	~~The Licensee shall ensure that all Hydrocarbon Contaminated Soil Treatment Facilities are designed, constructed, maintained, monitored, and closed to meet or exceed the LWB/IWB/GNWT *Guideline for Design, Operation, Maintenance, and Closure of Petroleum Hydrocarbon Contaminated Soil Treatment Facilities in the Northwest Territories*.~~	~~**HYDROCARBON CONTAMINATED SOIL TREATMENT FACILITIES – GENERAL**~~
~~4.~~3.	The Licensee shall ensure that all Engineered Structures are constructed and maintained in accordance with the recommendations of the Professional Engineer responsible for the design, including, but not limited to, recommendations regarding field supervision and inspection requirements.	**ENGINEERED STRUCTURES – GENERAL**
4.	At least 90 days prior to use of quarry rock for Construction, the Licensee shall submit to the Board, for approval, a **Geochemical Characterization and Management Plan.** The Plan shall be in accordance with the requirements of Schedule 3, Condition 1.	**GEOCHEMICAL CHARACHTERIZATION AND MANAGEMENT PLAN**
5.	The Licensee shall ensure that all material used in Construction of the Project meets the geochemical criteria specified in the approved	**CONSTRUCTION MATERIAL – GEOCHEMICAL CRITERIA**

Commented [WB35]: Board staff have proposed this Standard Condition given this links to the previous condition (Water Supply Facilities). However, it is unclear if this would be applicable to all Water sources given some of the sources may be temporary (e.g., during winter road construction).

Board staff are seeking input on including this condition.

Commented [WB36]: Board staff proposed this additional wording because this is part of the Standard Condition.

Commented [WB37]: NTPC initially included this condition; however, during the Technical Session NTPC explained that Hydrocarbon Contaminated Soil is not treated at site, only stored prior to off-site disposal/treatment. Board staff have therefore proposed not to include this condition.

Commented [WB38]: In NTPC's response to Information Request #5 from the Technical Session, NTPC proposed to submit a Geochemical Characterization and Management Plan, at least 90 days prior to use of quarry rock as construction material within 100 metres of a waterbody. In response to GNWT-ECC's intervention, NTPC agreed that the Plan should be not constrained by a distance from a water body.

Commented [WB39]: Condition adapted from NTPC's proposed draft condition submitted with the Application in consideration of NTPC's response to the Information Request and the Standard Condition.

	Geochemical Characterization and Management Plan referred to in Part E, Condition 4.	
6.	The Licensee shall only use material that is clean and free of contaminants and that has been authorized in writing by an Inspector.	**CONSTRUCTION MATERIAL – SOURCE(S)**
7.	The Licensee shall maintain records of Construction materials for all structures and make them available at the request of the Board or an Inspector.	**CONSTRUCTION RECORDS**
8.	The Licensee shall maintain geochemical records of Construction materials for all structures~~,~~ and make them available at the request of the Board or an Inspector.	**GEOCHEMICAL RECORDS**
9.	A minimum of 90 days prior to the commencement of Construction of any Engineered Structures~~,~~ the Licensee shall submit to the Board, for approval, a **Design and Construction Plan.** The Plan shall be in accordance with the requirements of Schedule 3~~X~~, Condition 2~~X~~. The Licensee shall not commence Construction of the Engineered Structure(s) prior to Board approval of the Plan.	**DESIGN AND CONSTRUCTION PLAN**
10.	A minimum of 90 days prior to the commencement of Construction of any Engineered Structures, the Licensee shall submit to the Board, **Design Drawings** stamped and signed by a Professional Engineer. A minimum of 90 days prior to implementing any proposed changes to the Design Drawings, the Licensee shall submit revised Design Drawings to the Board.	**DESIGN DRAWINGS**
11.	A minimum of ten days prior to the commencement of Construction of any Engineered Structure(s), the Licensee shall provide written notification to the Board and an Inspector. Notification shall include the Construction commencement date, and the name and contact information for the individual responsible for overseeing Construction. Written notification shall be provided to the Board and an Inspector if any changes occur.	**NOTIFICATION – CONSTRUCTION – ENGINEERED STRUCTURES**
12.	The Licensee shall ensure that all Engineered Structures are constructed in accordance with the **Design Drawings** and/or approved **Design and Construction Plan(s)**.	**CONSTRUCT AS DESIGNED – ENGINEERED STRUCTURE(S)**
13.	Within 90 days of the completion of the Construction of each Engineered Structure, the Licensee shall submit to the Board, an **As-Built Report**	**AS-BUILT REPORT – ENGINEERED STRUCTURE(S)**

Commented [WB40]: Board staff propose including this Standard Condition given NTPC agreed to include in response to the GNWT-ECC's Intervention.

Commented [WB41]: NTPC was asked in an undertaking if it would have objections to including this condition, to which it responded that it does not believe this condition is necessary since it would expect to apply for an amendment to the Licence if new Engineered Structures were added to the project. NTPC also did not think it appropriate given maintenance or replacement of existing infrastructure already receives sufficient oversight external to the Board (NTPC's response can be found here: Undertaking #3). The intent of this condition would be for new Engineered Structures or new construction associated with existing Engineered Structures. In the current Licences, changes to existing structures would fall under the requirements of MODIFICATIONS; however, conditions related to MODIFICATIONS are no longer included as Standard Conditions and has been replaced with the condition for REVISIONS. NTPC included the REVISIONS condition in the draft conditions with the Application, but did not specify a design plan for where those revisions would be included and submitted to the Board for approval.

Board staff are seeking input from Parties on this condition.

Commented [WB42]: Board staff have proposed this Standard condition given NTPC indicated this condition was acceptable (response to Information Request #4).

Commented [WB43]: Board staff have proposed this Standard condition given NTPC indicated this condition was acceptable (response to Information Request #4).

Commented [WB44]: Board staff have proposed this Standard condition given NTPC indicated this condition was acceptable (response to Information Request #4).

Commented [WB45]: Board staff have proposed this Standard condition given NTPC indicated this condition was acceptable (response to Information Request #4).

	stamped and signed by a Professional Engineer, which shall include, but not be limited to, the following information: a) final as-built drawings of the Engineered Structure(s), stamped and signed by a Professional Engineer; b) documentation, with rationale, of field decisions that deviate from the **Design and Construction Plans** and/or **Design Drawings**; and c) any data used to support these decisions.	
1.	**Facility Dams**	
14.	The Licensee shall retain a **Dam Safety Engineer** for the Snare Hydroelectric Facility.	**DAM SAFETY ENGINEER**
~~14.~~	~~The Licensee shall ensure that the **Dam Safety Engineer** establishes and annually reviews the Dam Class for Snare Hydroelectric Facility and shall report any changes to the Dam Class in the Annual Engineering Inspection Report referred to in Part F, Condition 7 (Annual Engineering Inspection Report).~~	~~**DAM CLASSIFICATION**~~
15.	The Licensee shall ensure that the Dam Safety Engineer establishes quantifiable performance objectives for the Snare Power Generation Facility and reviews the quantifiable performance objectives annually for the life of the Facility.	**QUANTIFIABLE PERFORMANCE OBJECTIVES**
	Part F: Waste and Water Management	
1.	The Licensee shall manage Waste and Water with the objective of minimizing the impacts of the Project on the quantity and quality of Water in the Receiving Environment through the use of appropriate mitigation measures, monitoring, and follow-up actions.	**OBJECTIVE – WASTE AND WATER MANAGEMENT**
2.	The Licensee shall minimize erosion by implementing suitable erosion control measures that shall be located and maintained to the satisfaction of an Inspector.	**EROSION CONTROL**
	Operation of Structures and Facilities	
3.	The Licensee shall construct, operate, and maintain the Snare Hydroelectric Facility to the design specifications and engineering standards, such that: a) Any constructed structures/facilities are maintained and operated so as to prevent structural failure; b) Any deterioration or erosion of constructed structures/facilities shall be reported immediately to an Inspector;	**SNARE HYDROELECTRIC FACILITY**

Commented [WB46]: Conditions proposed by NTPC based on the Standard Conditions and previous Licences' conditions.

Commented [WB47]: Board staff have proposed to combine the requirements for Dam Classification with the requirements of the Annual Geotechnical Engineering Inspection Report as per the Standard Conditions and for simplicity.

	c) Any deterioration or erosion of constructed structures/facilities that requires repair shall be reported to an Inspector and the Board, and repaired immediately; d) Monitoring of the facility is sufficient to ensure that: i. Quantifiable Performance Objectives, as required in Part E, Condition 15 are being met; and ii. Necessary changes in operation of the facility, including any additional mitigations, are identified.	
4.	The Licensee shall operate the Big Spruce Reservoir so that: a) daily mean water levels do not exceed the elevation of 222.3 metres / 729.3 feet (NTPC Datum); b) daily mean water levels do not fall below the elevation of 217.9 metres / 715.0 feet (NTPC Datum); c) when on September 1 of any year the inflows are below 70.43 cubic metres per second (m^3/s), the daily mean water levels may be lowered in the following year, but shall not fall below the elevation of 217.6 metres / 714.0 feet (NTPC Datum) and, the low water period is between April 15 and August 15, and any applicable Fisheries and Oceans authorizations or requirements are satisfied; and d) during periods of high flow, the maximum water level shall not exceed 222.5 metres / 730.0 feet (NTPC Datum).	**REGULATION OF THE BIG SPRUCE RESERVOIR**
~~4.~~5.	The Licensee shall operate the Snare Falls forebay so that: a) daily mean water levels ~~shall~~ do not exceed the elevation 202.4 metres / 664.0 feet (NTPC Datum); b) daily mean water level do not fall below the elevation of 201.8 metres / 662 feet (NTPC Datum); c) during scheduled maintenance and/or annual inspections, daily mean water levels may be lowered but shall not fall below the elevation of 201.5 metres / 661 feet (NTPC datum) and the period of low water takes place between May 1 and October 31 for a period no longer than 14 consecutive days, and any applicable Fisheries and Oceans authorizations or requirements are satisfied; and; ~~a)~~d) during periods of high flow, the maximum level may vary between 202.4 metres / 664.0 feet and 203.6 metres / 668.0 feet (NTPC Datum).	**REGULATION OF THE SNARE FALLS FOREBAY**
6.	The Snare Cascades Forebay daily mean water level shall not exceed 184.5 metres or fall below 181.88 metres (NTPC Datum).	**REGULATION OF THE SNARE CASCADES FOREBAY**
7.	The Snare Forks forebay regulated daily mean water levels shall not exceed the elevation 175.26 metres / 575.0 feet or fall below the elevation of 173.13 metres / 568.0 feet (NTPC Datum)	**REGULATION OF THE SNARE FORKS FOREBAY**

Commented [WB48]: Board staff propose adding this to the Standard Condition given NTPC included a condition for Quantifiable Performance Objectives for the Snare Hydro Facility (Part E, Condition 15).

Commented [WB49]: NTPC has requested a lower drawdown limit than the current Licences. The condition proposed by NTPC was modified based on the proceeding.

Board staff are seeking input from Parties on this condition.

Commented [WB50]: In response to Information Request #1 from the Technical Session, NTPC indicated that the lower drawdown level can be limited by "when inflows to Bigspruce Reservoir are below 70.43 cubic metres per seconds (i.e., the bottom quartile of historic inflows) on September 1".

Commented[WB51]: In response to Information Request # 1 from the Technical Session, NTPC indicated that the lower drawdown level can be limited to April 15 to August 15.

Commented [WB52]: NTPC has requested a lower drawdown limit than the current Licences. The condition proposed by NTPC was modified based on the proceeding.

Board staff are seeking input from Parties on this condition.

Commented [WB53]: In response to Information Request #1 from the Technical Session, NTPC indicated that the lower drawdown level can be limited to planned maintenance for a maximum of 14 calendar days, between May 1 and October 31

8.	The flow in the river channel downstream of the Snare Falls Power Generation Facility can be zero (0) cubic metres per second for a maximum period of 24 hours.	**FLOWS DOWNSTREAM OF SNARE FALLS**
9.	The flow in the river channel downstream of the Snare Forks Power Generation Facility can be zero (0) cubic metres per second for a maximum period of 24 hours.	**FLOWS DOWNSTREAM OF SNARE FORKS**
	~~Exceptions to Part F, Conditions 4, 5, 6, 7, 8, and 9 can only be made with approval from the Board.~~	~~**EXCEPTIONS**~~
	~~If, during the period of this Licence, a failure to comply with conditions specified by Part F, Items 4, 5, 6, 7 or 8 of this Licence occurs, or is foreseeable, the Licensee shall employ the Emergency Preparedness Plan and submit to an Inspector a detailed report on each occurrence not later than thirty (30) days after initially reporting the event.~~	~~**ACTIVATING THE EMERGENCY PREPAREDNESS PLAN**~~
~~5.~~10.	The Licensee shall provide a Reservoir Operation Report in accordance with the requirements of Schedule 4, Condition 1.	**RESERVOIR OPERATION REPORT**
	Inspection of Structures and Facilities	
~~6.~~11.	The Licensee shall conduct monthly inspections of the Dams ~~as described in the Operations, Maintenance and Surveillance Manual~~ or as otherwise directed by an Inspector or the Board. Records of these inspections shall be made available to the Board or an Inspector upon request.	**MONTHLY INSPECTION OF DAMS**
~~7.~~12.	The Licensee shall ensure that geotechnical inspections of all Engineered Structures are conducted annually, and following any events that exceed design criteria, by a Professional Engineer. The Licensee shall: a) A minimum of two weeks prior to the annual inspection, and when events that exceed design criteria occur, provide written notification to an Inspector; and b) Within 90 days of completing the inspection, submit the Professional Engineer's full **Annual Geotechnical Engineering Inspection Report** to the Board and an Inspector. The Report shall include: i. a covering letter from the Licensee outlining an implementation plan to respond to any recommendations made by the Professional Engineer, including rationale for any decisions that deviate from the Professional Engineer's recommendations; ii. a recommendation from the Professional Engineer on whether the timing and frequency of the Dam Safety Review, required by Part F, Condition 14, should be maintained or revised; and ~~ii.~~iii. a summary of any actions taken by the Licensee to address the recommendations made following the previous year's inspection.	**ANNUAL GEOTECHNICAL ENGINEERING INSPECTION**

Commented [WB54]: In the draft conditions provided with the Application, NTPC proposed to include a condition where exceptions could be made with Board approval to the daily mean minimum and maximum water levels, and an exception made to the flow in the river channel downstream of the Snare Falls and Snare Forks Facilities being 0 m3/s for a maximum of 24 hours. In the current Licences, an exception exists for the minimum water levels with Board approval, but there are no such exceptions for the maximum water levels, nor for the flow at 0 m3/s for a maximum of 24 hours. In the draft conditions, it was not clear that NTPC was proposing new "exceptions" (track changes was only used for one of the conditions), and NTPC provided no rationale for why these exceptions were required. Throughout the proceeding, NTPC has indicated that the proposed change to the minimum drawdown level is being requested now in order to avoid the need for Board approvals to the minimum water level in the future (e.g., see page 35 of the Technical Session transcript; page 24 of the Public Hearing transcripts), and therefore exceptions to the water levels were not discussed in the proceeding. As well, given 41(2)(b) of the Waters Act states "a public hearing shall be held by the Board if the Board is considering: b) an amendment to a type A licence pursuant to which the use, flow or quality of waters, or the term of the licence, would be altered", and these conditions are related to use and flow, it is not clear to Board staff that this condition would be in compliance with the Legislation. For these reasons, Board staff propose not to include this condition in the Licence.

Board staff are seeking input from Parties on excluding this condition.

Commented [WB55]: NTPC proposed inclusion of this condition with its Application. Board staff propose not to include it here; rather, Board staff propose to include conditions related to the Emergency Preparedness Plan in Part G below.

Commented [WB56]: NTPC included a condition in the draft conditions with the Application that Dams shall be inspected as described in the Operations, Maintenance, and Surveillance (OMS) Manual. Given NTPC has proposed to remove the requirement to submit the OMS Manual to the Board for approval, Board staff updated the condition with the frequency of the inspections, which was provided during the Technical Session.

Commented [WB57]: NTPC proposed adding this Standard Condition in the draft conditions with the Application, with a change to the name of the Inspection. NTPC did not provide rationale for why they proposed "geotechnical" should be removed from the title, and therefore Board staff have proposed to include "Geotechnical" in the title. Board staff included additional wording under b(ii) because this is part of the Standard Condition, and NTPC had included this condition in a different section of the draft conditions submitted with the application.

~~8.~~13.	A minimum of ten days prior to conducting the Dam Safety Review required under Part F, Condition 15, the Licensee shall provide written notification to the Board and an Inspector. Notification shall include planned dates for the Review, and the name and contact information for the individual responsible for overseeing the Review. Written notification shall be provided to the Board and an Inspector if any changes occur.	**NOTIFICATION – DAM SAFETY REVIEW**
14.	The Licensee shall conduct a Dam Safety Review of all Power Generation Facilities every seven (7) years, or at a frequency approved by the Board. The Dam Safety Review shall be conducted in accordance with the *Dam Safety Guidelines* by a Professional Engineer.	**DAM SAFETY REVIEW**
~~9.~~15.	Prior to January 31 of the year following the year in which the Dam Safety Review was conducted, the Licensee shall submit the Professional Engineer's **Dam Safety Review Report** to the Board. The Report shall be prepared in accordance with the *Dam Safety Guidelines* and shall include: a) a conformity table, indicating how each of the applicable requirements in the *Dam Safety Guidelines* have been met; b) a statement from the Professional Engineer on the safety of the Dam; c) a summary list of findings with prioritized recommendations, prepared by the Professional Engineer; d) a covering letter from the Licensee outlining an implementation plan to respond to any recommendations made by the Professional Engineer, including rationale for any decisions that deviate from the Professional Engineer's recommendations; ~~and~~ e) the status of and rationale for any outstanding recommendations from the previous Dam Safety Review~~.~~	**DAM SAFETY REVIEW REPORT**
	Discharge and Disposal Locations and Rates	
~~10.~~16	Within 90 days following the effective date of this Licence, the Licensee shall submit to the Board, for approval, the **Septic Fields Special Study**. The Study shall be in accordance with the requirements of Schedule 4, Condition 2.	**SEPTIC FIELDS SPECIAL STUDY**
17.	Within 90 days following implementation of the Septic Fields Special Study, or as directed by the Board, the Licensee shall submit to the Board, for approval, a Septic Fields Special Study Report in accordance with Schedule 4, Condition 3.	**SEPTIC FIELDS SPECIAL STUDY – REPORT**
~~11.~~18	The Licensee shall dispose of all Waste as described in the approved **Waste Management Plan**.	**WASTE MANAGEMENT PLAN**

Commented [WB58]: Standard Condition proposed by Board staff given this condition relates to the Dam Safety Review.

Commented [WB59]: NTPC proposed that the frequency of the Dam Safety Reviews be removed from the current Licence because the Dam Safety Guidelines classification of the dams "may change in the future". However, the Standard Condition includes a caveat that the frequency can also be approved by the Board. Therefore, if the frequency changes due to the Dam Safety Guidelines, NTPC could request the Board change the frequency schedule. Staff have proposed the Standard Condition with the frequency.

Commented [WB60]: Board staff have proposed this Standard Condition as NTPC agreed to this during the Technical Session.

Commented [WB61]: In response to Information Request (IR) #3 from the Technical Session, NTPC proposed to submit a special study of the septic fields. Board staff have proposed this condition as per NTPC's response to the IR.

Commented [WB62]: Board staff have proposed this condition based on NTPC's response to Information Request (IR) #3 from the Technical Session.

~~12.~~19	The Licensee shall not dispose of Waste, including Wastewater, to: a) any Watercourse~~,~~; or b) to the ground surface within 100 metres of the Ordinary High-Water Mark of any Watercourse, unless authorized in writing by the Inspector.	**DISPOSAL LOCATION – ORDINARY HIGH-WATER MARK**
	Part G: Aquatic Effects Monitoring	
	Intentionally left blank.	
	Part H: ~~Spill~~ Contingency Planning	
1.	The Licensee shall comply with the Emergency Preparedness Plan, once approved.	**EMERGENCY PREPAREDNESS PLAN (EPP)**
2.	The Licensee shall implement the Emergency Preparedness Plan and notify an Inspector immediately should a failure of any of the structures associated with the Power Generation Facilities occur, or seem likely to occur, which would result in an uncontrolled release of water.	**REPORT EMERGENCIES**
~~1.~~3.	The Licensee shall ensure that Unauthorized Releases associated with the Project do not enter any Water.	**OBJECTIVE – PREVENT WASTE INTO WATER**
~~2.~~4.	The Licensee shall comply with the **Spill Contingency Plan**, once approved.	**SPILL CONTINGENCY PLAN**
~~3.~~5.	Within 90 days following the effective date of this Licence, the Licensee shall submit to the Board, for approval, a revised **Spill Contingency Plan**. The Licensee shall not commence Project activities prior to Board approval of the Plan.	**SPILL CONTINGENCY PLAN – REVISED**
~~4.~~6.	If a spill or an Unauthorized Release occurs or is foreseeable, the Licensee shall: a) Implement the approved Spill Contingency Plan referred to in Part H, Condition 4; b) Report it immediately using the NU-NT Spill Report Form by one of the following methods: • Telephone: (867) 920-8130 • Fax: (867) 873-6924 • E-mail: spills@gov.nt.ca • Online: Spill Reporting and Tracking Database c) Notify the Board and an Inspector immediately; and d) Within 30 days of initially reporting the incident, or within a timeframe authorized by an Inspector, submit a detailed report to the Board and an Inspector, including descriptions of causes,	**REPORT SPILLS**

Commented [WB63]: NTPC proposed a storage distance of 10 metres from the Ordinary High-Water Mark in the draft conditions submitted with the Application; however during the Technical Session, the Inspector commented it would prefer to include the 100 metres distance but include a caveat that the Inspectors can provide written authorization for anything closer. Board staff have reflected this in the Standard Condition and included the distinction between Waste on the ground and waste in any Watercourse.

Commented [WB64]: Board staff propose to change title of Part H given this section of the Licence contains conditions for Emergency Preparedness and not just spills.

Commented [WB65]: NTPC proposed to remove the condition for an Emergency Preparedness Plan (EPP) from the current Licences because the Public Safety Plan covered the EPP; however, in its responses during the public review and during the Technical session, NTPC indicated that the EPP can be retained for Board approval.

Commented [WB66]: Board staff propose to retain the requirement to implement the EPP as required in the current Licences. NTPC proposed a similar condition in the draft conditions submitted with the Application.

	response actions, and any changes to procedures to prevent similar occurrences in the future. Written notification shall be provided to the Board and an Inspector if any changes occur.	
~~5.~~7.	The Licensee shall ensure that spill prevention infrastructure and spill response equipment is in place prior to commencement of the Project.	**SPILL PREVENTION AND RESPONSE EQUIPMENT**
~~6.~~8.	The Licensee shall restore all areas affected by spills and Unauthorized Releases to the satisfaction of an Inspector.	**CLEAN UP SPILLS**
~~7.~~9.	The Licensee shall not establish any fuel storage facilities or refueling stations, or store chemicals or Wastes within 100 metres of the Ordinary High-Water Mark of any Watercourse, unless authorized in writing by the Inspector.	**MATERIAL STORAGE – ORDINARY HIGH-WATER MARK**
	Part I: Closure and Reclamation	
1.	Within 18 months following the effective date of this Licence, the Licensee shall submit to the Board, for approval, an **Interim Closure and Reclamation Plan.** The Plan shall be in accordance with the requirements of Schedule 5, Condition 1.	**INTERIM CLOSURE AND RECLAMATION PLAN**
2.	X years ~~following the previous approval~~prior to initiating Progressive Reclamation or temporary closure, or as directed by the Board, the Licensee shall submit to the Board, for approval, a revised **Interim Closure and Reclamation Plan**.	**INTERIM CLOSURE AND RECLAMATION PLAN – REVISED**
3.	Three years prior to the expiry date of this Licence, or a minimum of two years prior to the end of operations, whichever occurs first, the Licensee shall submit to the Board, for approval, a final **Closure and Reclamation Plan**.	**CLOSURE AND RECLAMATION PLAN – FINAL**
4.	The Licensee shall carry out approved Progressive Reclamation as soon as is reasonably practicable.	**PROGRESSIVE RECLAMATION**

Commented [WB67]: NTPC proposed a storage distance of 10 metres from the Ordinary High-Water Mark in the draft conditions submitted with the Application; however, during the Technical Session, the Inspector commented it would prefer to include the 100 metres distance but include a caveat that the Inspectors can provide written authorization for anything closer. Board staff have reflected this in the condition.

Commented [WB68]: Board staff propose to add a condition for the submission of an Interim Closure and Reclamation Plan for approval based on discussions throughout the proceeding.

Board staff are seeking input on the timeline for submission.

Commented [WB69]: Based on the GNWT-ECC's intervention recommendation (#7) and NTPC's agreement with the GNWT's recommendation, Board staff propose including this modified Standard Condition.

Board staff are seeking input on this condition and the timeline for when this should be submitted

Commented [WB70]: NTPC proposed that the Final Closure and Reclamation Plan be submitted two years prior to the end of operations. In response to an Information Request from the Technical Session, NTPC also indicated that the final CRP could be submitted two years prior to expiration of the Licence to "provide alignment with the ramp-up to the renewal process". Board staff have proposed the wording from the Standard Condition as it is unclear why three years prior to expiration would be an issue.

Board staff seek input from parties on the timing of this submission.

5.	The Licensee shall not conduct Progressive Reclamation except as approved by the Board.	**PROGRESSIVE RECLAMATION – CARRY OUT AS APPROVED**
6.	~~Beginning [enter date, including the year] and no later than every [enter date] thereafter, t~~The Licensee shall provide written notification at least 90 days prior to the Board and an Inspector of any approved Progressive Reclamation that will be conducted in the upcoming year. Notification shall include the name and contact information for the individual responsible for overseeing the Progressive Reclamation. Written notification shall be provided to the Board and an Inspector if any changes occur.	**PROGRESSIVE RECLAMATION – NOTIFICATION**
7.	Every three years following the commencement of Reclamation Research, or as directed by the Board, the Licensee shall submit to the Board, for approval, a **Reclamation Research Report**. The Report shall be in accordance with the requirements of Schedule 5, Condition 2.	**RECLAMATION RESEARCH REPORT**
8.	Within 90 days of completing Closure and Reclamation of any specific component of the Project, the Licensee shall submit to the Board a **Closure and Reclamation Completion Report**. The Report shall be in accordance with the MVLWB/AANDC *Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the Northwest Territories*.	**CLOSURE AND RECLAMATION COMPLETION REPORT**
9.	As directed by the Board, the Licensee shall submit to the Board for approval, a **Post-Closure Monitoring and Maintenance Plan**. The Plan shall be in accordance with the requirements of Schedule 5, Condition 3.	**POST-CLOSURE MONITORING AND MAINTENANCE PLAN**
10.	The Licensee shall submit to the Board for approval, a **Performance Assessment Report** as directed by the Board. The Report shall be in accordance with the MVLWB/AANDC *Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the Northwest Territories*. The Licensee shall submit subsequent Reports as directed by the Board.	**PERFORMANCE ASSESSMENT REPORT – COMPONENT-SPECIFIC**

Commented [WB71]: Board staff propose adding the remaining Standard Conditions, as NTPC agreed these be included in the Licence (see response to IR#2).

Commented [WB72]: Board staff propose adapting this Standard Condition given Progressive Reclamation is not currently scheduled. Board staff have proposed that NTPC notify the Board and Inspector at least 90 days prior to any approved Progressive Reclamation to allow the Inspector to plan and arrange transport to site if needed.

Board staff are seeking input on the timing of this notification.

Schedule 1: Surveillance Network Program (SNP)

Commented [WB73]: NTPC has proposed to remove the daily and monthly mean power production measurement from the SNP for the powerhouses because this measurement is "not required under scope of [Water Licence]".

Reporting Requirements

The Licensee shall within thirty (30) days of the end of each quarter being reported, submit to the Board and the Inspector, in an electronic format acceptable to the Board, a Surveillance Network Program (SNP) Quarterly Report (January to March, April to June, July to September, and October to December inclusive). These reports shall contain:

a) Tabular summaries of all SNP data and information for the quarter being reported;
b) Rationale for any data and information that is not provided;
c) The coordinates of all SNP sites reported; and
~~a)~~d) Any other information required by the Inspector.

Surveillance Network Station Descriptions and ~~Sampling~~ Monitoring Requirements

SNP Station information and monitoring requirements are~~is~~ set out below. The location of each Station is approximate and subject to approval from an Inspector.

Station #	Description	Measurement Frequency	Measurements	Units	Status
0150-1	Big Spruce Reservoir Forebay	Daily	Minimum, maximum, and mean forebay water levels	Metres (NTPC Datum)	Active
0150-2	Snare Rapids Powerhouse	Daily	Minimum, maximum, and mean water flow rates	Cubic metres per second	Active
0150-3	5B Spillway	Daily	Minimum, maximum, and mean water flow rates	Cubic metres per second	Active
0150-4	Snare Falls Reservoir Forebay	Daily	Minimum, maximum, and mean forebay water levels	Metres (NTPC Datum)	Active
0150-5	Snare Falls Powerhouse	Daily	Minimum, maximum, and mean water flow rates	Cubic metres per second	Active
0150-6	Snare Falls Spillway	Daily	Minimum, maximum, and mean water flow rates	Cubic metres per second	Active
SC-1	Snare Cascades Forebay	Daily	Minimum, maximum, and mean forebay water levels	Metres (NTPC Datum)	Active

SC-2	Snare Cascades Powerhouse	Daily	Minimum, maximum, and mean water flow rates	Cubic metres per second	Active
SC-3	Snare Cascades Spillway	Daily	Minimum, maximum, and mean water flow rates	Cubic metres per second	Active
0150-7	Snare Forks Reservoir Forebay	Daily	Minimum, maximum, and mean forebay water levels	Metres (NTPC Datum)	Active
0150-8	Snare Forks Powerhouse	Daily	Minimum, maximum, and mean water flow rates	Cubic metres per second	Active
0150-9	Snare Forks Spillway	Daily	Minimum, maximum, and mean water flow rates	Cubic metres per second	Active

Schedule 2: Annual Water Licence Report

	Condition
1.	The **Annual Water Licence Report** referred to in Part B, Condition 19~~X~~ of this Licence shall include, but not be limited to, the following information about activities conducted during the previous calendar year:
	a) A brief summary of Snare Hydroelectric Facility infrastructure and activities;
	b) The monthly and annual quantities in cubic metres of fresh Water obtained from all sources, as required in Part B, Condition 18 (MEASURE WATER USE) of this Licence;
	c) A summary of engagement activities conducted in accordance with the approved **Engagement Plan**, referred to in Part B, Condition 20 of this Licence;
	d) A summary of how Traditional Knowledge was incorporated into decision making;
	e) A summary of Construction activities conducted in accordance with Part E of this Licence;
	f) A summary of major maintenance activities conducted in accordance with this Licence;
	~~c)~~g) The daily minimum, maximum and mean forebay water levels at SNP 0150-1 (Snare Rapids), 0150-4 (Snare Falls), SC-1 (Snare Cascades), and 0150-7 (Snare Forks) (referenced to NTPC Datum);
	~~d)~~h) The daily minimum, maximum, and mean water flow rates through the powerhouses located at SNP 1050-2 (Snare Rapids), 0150-5 (Snare Falls), SC-2 (Snare Cascades), and 0150-8 (Snare Forks);
	~~e)~~i) the daily minimum, maximum, and mean water flow rates over each spillway located at SNP 0150-3 (Snare Rapids), 0150-6 (Snare Falls), SC-3 (Snare Cascades) and 0150-9 (Snare Forks).
	~~f)~~j) Tabular summaries of all data and information generated under the SNP in Schedule 1 of this Licence, in Excel format;
	~~g)~~k) Methods used to collect the data presented in Schedule 1, Conditions 1g to 1i;
	a) A summary of activities conducted in accordance with the approved **Geochemical Characterization and Management Plan**, referred to Part E, Condition 4, including: i. A summary of approved updates or changes to the processes for characterizing and managing Acid Rock Drainage and/or Metal Leaching]; ii. A summary and interpretation of results from the geochemical monitoring performed under the approved Geochemical Characterization and Management Plan; iii. A summary and interpretation of results from seepage monitoring performed under the approved Geochemical Characterization and Management Plan, including:

Commented [WB74]: Proposed wording mirrors standard condition.

Commented [WB75]: Board staff propose including the following Standard schedule Conditions given these could be applicable to the Project and/or were similarly proposed by NTPC in the draft conditions with the Application.

Commented [WB76]: Board staff propose to add Snare Cascades where appropriate to the Schedule conditions.

Commented [WB77]: Board staff propose to include a requirement for a summary of activities related to the Geochemical Characterization and Management Plan, given NTPC proposed to include this Plan in the renewed Licence. This proposed condition follows the Standard Condition.

	Condition
	a. a site map with Seepage locations; b. comparisons to reference locations; c. an analysis of major trends over the year and since Project inception; and d. a summary of recommendations for future Seepage monitoring and/or management actions; ii. A summary of results from investigations or activities related to field test cells; iii. A summary and interpretation of Water quality monitoring results for each of the main source areas and how these compare to predicted values; iv. A summary of any Action Level exceedances; and v. A description of actions taken in response to any Action Level exceedances.
	b) A summary of activities conducted in accordance with the approved **Waste Management Plan**, referred to in Part F, Condition 18 of this Licence, including: i. A summary of approved updates or changes to the process or facilities required for the management of Waste; and ii. Monthly and annual quantities, in cubic metres, of Waste disposed of, by location.
	c) A summary of activities related to the **Annual Geotechnical Engineering Inspections** referred to in Part F, Condition 12 including: i. the status of the most recent Inspection; ii. plans and schedule for the next Dam Inspection; iii. a list of recommendations from the Dam Inspection, NTPC's response to the recommendation, and activities completed in response to the recommendations.
	d) A summary of activities related to the **Dam Safety Review** referred to in Part F, Conditions 14 and 15, including: i. the status of the most recent Dam Safety Review; ii. plans and schedule for the next Dam Safety Review; iii. A status update on the implementation plan for the most recent Dam Safety Review Report ~~a list of recommendations from the Dam Safety Review, NTPC's response to the recommendation, and activities completed in response to the recommendations~~.
	~~a)~~e) A summary of activities conducted in accordance with the approved **Emergency Preparedness Plan**, referred to in Part H, Condition 1 of this Licence, including: i. A summary of approved updates or changes to the processes described in the Emergency Preparedness Plan; an outline of any Emergency Preparedness training exercises completed; ii. ~~ii.~~iii. A description of actions taken in response to implementing the Emergency Preparedness Plan ~~list of~~
	f) A summary of activities conducted in accordance with the approved **Spill Contingency Plan** referred to in Part H, Condition 4, including: i. A summary of any a revisions to the Spill Contingency Plan;

Commented [WB78]: NTPC proposed a Schedule condition for "a summary of approved revisions to the Waste Management Plan"; Board staff have included additional requirements as per the Standard Conditions.

Commented [WB79]: Board staff re-worded this condition as per the Standard Condition.

Commented [WB80]: NTPC proposed to include a summary of approved revisions to the Emergency Preparedness Plan; Board staff propose to include additional conditions similar to the Spill Contingency Plan requirements proposed by NTPC.

Board staff are seeking input on this condition.

	Condition
	ii. An outline of any spill training exercises completed; and iii. A list and description for all Unauthorized Releases, including the date, NWT Spill Number, volume, location, summary of the circumstances and follow-up actions taken, and status (i.e., open or closed), in accordance with the reporting requirements in Part H, Condition 6 of this Licence.
	g) A summary of activities conducted in accordance with the **Interim Closure and Reclamation Plan** referred to in Part I Condition 1 including; i. A summary of approved revisions to the Interim Closure and Reclamation Plan; ii. Details of any Progressive Reclamation undertaken; iii. A summary of Reclamation Research completed; and iv. A summary of engagement conducted regarding Closure and Reclamation.
	~~h)~~l) Any other details on water use or operating procedures requested by the Board on or before November 1st of the year being reported;
	h) A summary of approved revisions to the Operations, Maintenance, and Surveillance Manual;
	i) A summary of inspections by the ~~Water Resources Officers~~ Inspector;
	~~b)~~j) A list of any non-compliance(s) with the conditions of this Licence or any directive from the Board pursuant to the conditions of this Licence;
	~~c)~~k) A summary of actions taken to address concerns, non-conformances, or deficiencies in any reports filed by an Inspector;
	~~d)~~l) A summary of any land use permit applications or extensions related to the Snare Hydroelectric Facility;
	~~e)~~m) A summary of any water licence amendments related to the Snare Hydroelectric Facility;
	~~f)~~n) Any other details requested by the Board by November 1 of the year being reported.

Commented [WB81]: Board staff propose to add these Standard schedule Conditions given NTPC agreed to include the associated Standard Conditions in Part I.

Commented [WB82]: Board staff updated terminology for Inspector.

Schedule 3: Conditions Applying to Construction

	Condition
1.	The **Geochemical Characterization and Monitoring Plan** referred to in Part E, Condition 4 of this Licence shall include, but not be limited to, the following:
	a) Information regarding geochemical characterization, including: i. A description of geochemical characterization studies to identify Potentially Acid-Generating (PAG) materials and/or materials with Metal Leaching potential, including sampling frequencies, rockts, volumes, and test methods; ii. A description of the geochemical characterization of overburden that will be used in Construction and/or for Closure and Reclamation, including specific measures to ensure that this material meets or exceeds the geochemical cut-off criteria defined for non-PAG; iii. Criteria, with rationale, for defining: a. PAG, non-PAG and Metal Leaching materials; and b. high, moderate, and low risk Waste Rock; iv. Production schedules showing estimated volumes and tonnages of construction rock that will be produced each year over the duration of the Project.
	b) Information regarding geochemical assessments and supplemental monitoring, including: i. A description of geochemical assessments, including visual inspections, and supplemental sampling and testing of construction material; ii. A description of sampling and analysis of any Seepage or Runoff found outside of the Water management system (e.g., roads, rock pads etc.), or that does not report directly to an SNP monitoring station; iii. A description of monitoring of the field test cells, including sampling frequency, field measurements, and analytical parameters; iv. Linkages to other monitoring programs required under this Licence; and v. Any other information about the monitoring that will be performed to meet the objectives in Part F, Condition 1.
	c) Information regarding responses to monitoring results: i. A description of how the Licensee will link the results of monitoring to those corrective actions necessary to ensure that the objectives listed in Part F, Condition 1 are met. This description shall include: a. Definitions, with rationale, for Action Levels applicable to the performance of this Plan with respect to geochemical stability as well as Seepage and Runoff quality and quantity; b. For each Action Level, a description of how exceedances of the Action Level will be assessed and, generally, which types of actions may be taken by the Licensee if the Action Level is exceeded;
2.	The **Design and Construction Plans** referred to in Part E, Condition 9 shall include, but not be limited to, the following:

Commented [WB83]: Proposed by NTPC in response to Information Request #5.

Commented [WB84]: Board staff have proposed to include the Standard Condition for Design and Construction Plans, as described in Part E above, and therefore have proposed to add the corresponding schedule requirements. NTPC opposes a condition for Design and Construction Plans, as indicated in its response to Undertaking #3. The condition and subsequent schedule conditions are intended to be applied to new Engineered Structures or new construction associated with existing Engineered Structures. In the previous Licence, changes to existing structures would fall under the requirements of Part C: MODIFICATIONS; however, conditions related to MODIFICATIONS are no longer included as Standard Conditions and has been replaced with the condition for REVISIONS. NTPC included the REVISIONS condition in the draft conditions with the Application, but did not specify a design plan for where those revisions would be included and submitted to the Board for approval.

Board staff are seeking input from Parties on this set of Schedule conditions.

	Condition
	a) Information regarding the design of the facilities: i. A description of the facilities to be constructed; ii. The proposed location(s) of the facilities, with GPS coordinates and a map to scale; iii. Relevant background information for the area beneath the footprint of the facilities, as deemed adequate by the Professional Engineer responsible for the design, including: a. the results and data from geotechnical and geochemical investigations; hydrogeological investigations; and programs to characterize soil, rock, Groundwater, ground ice, and ground temperature conditions to the depth expected to be affected by the facilities; and b. any other relevant information. iv. A design alternatives analysis; v. Design specifications and performance parameters and quantifiable performance objectives as established by the Professional Engineer responsible for the design; vi. Stability analyses; vii. A description of how the design has been optimized for Closure and Reclamation; viii. A description of how climate change projections and considerations have been incorporated into the design; ix. A description of any instrumentation that will be installed as part of the facilities, including locations and rationale; and x. A description of any operations and maintenance requirements associated with the design of the facilities.
	b) Information regarding the Construction of the facilities: i. A Construction schedule, including sequencing information; ii. A description of the materials required for Construction, including, but not limited to: a. sources; b. quantities; c. physical characteristics; and d. geochemical characteristics. iii. A description of any potential effects on the Receiving Environment associated with C~~onst~~ruction of the facilities; and iv. A description of any mitigation measures that will be undertaken to minimize the potential impacts identified above.
	c) Information regarding monitoring during Construction, including: i. A description of any monitoring that will be conducted to detect potential impacts to the Receiving Environment and evaluate the effectiveness of the mitigation measures described above, including, but not limited to: a. locations; b. parameters; c. frequencies; and d. rationale. ii. Linkages to other monitoring programs required in this Licence.

	Condition
	d) Information regarding responses to monitoring results during Construction, including: i. Definitions, with rationale, for Action Levels applicable to the performance of the mitigation measures; and ii. For each Action Level, a description of how exceedances of the Action Level will be assessed and, generally, which types of actions may be taken by the Licensee if the Action Level is exceeded.
	e) A **Quality Control Plan** stamped by a Professional Engineer, a component of which includes a plan for a Professional Engineer to supervise and field check Construction activities.
	f) A new stage-discharge curve for the spillways if the Power Generation Facilities and spillways are being altered, repaired, and/or replaced.

Commented [WB85]: Board staff propose adding this condition because a similar condition exists in the previous Licences, and NTPC agreed a condition for a new stage-discharge curve should be reattained if a modification lead to a change in the current stage-discharge curve (response to WLWB staff comment 14 during the Public Review of the Application).

Schedule 4: Conditions Applying to Waste and Water Management

	Condition
1.	The **Reservoir Operations Report** referred to in Part F, Condition 10 of this Licence shall:
	a) be submitted under the following frequency: i. twice per year, reporting on six-month periods (January to June and July to December); and ii. within one month of the end of the six-month period being reported;
	b) comply with the Canadian Dam Association's *Dam Safety Guidelines*;
	c) include, but not be limited to, the following:
	i. A summary of the Snare Hydroelectric Facilities regulated under the Licence, including the location, serviced communities, means of transmission, access and generators; ii. summaries of power production in both tabulated and graph format, including: (1) actual energy production for the entire Snare Hydroelectric Facility by month for the six-month period being reported; (2) forecasted energy production for the entire Snare Hydroelectric Facility by month for the six-month period being reported; (3) forecasted energy production for the entire Snare Hydroelectric Facility by month for the upcoming six-month period. iii. summaries of Snare River flows in both tabulated and graph format, including: (1) actual Snare River flows by month for the six-month period being reported; (2) forecasted Snare River flows by month for the six-month period being reported; and (3) forecasted Snare River flows by month for the upcoming six-month period. iv. summaries of the Big Spruce Reservoir levels in both tabulated and graph format including: (1) actual Big Spruce Reservoir water levels by month for the six-month period being reported; (2) forecasted Big Spruce Reservoir water levels by month for the six-month period being reported; (3) forecasted Big Spruce Reservoir water levels by month for the upcoming six-month period. v. precipitation including snowfall accumulations (snow water equivalent) and expected surface run off for the past six-month period; vi. commentary and rationale on any unusual operations or potential Water Licence non-compliance; and vii. recommendations from the previous Reservoir Operation Report and Dam Safety Reviews and Annual Engineering Inspections related to the Reservoir Operation Report and the actions taken to address the recommendations.
~~1.~~2.~~6~~.	The **Septic Fields Special Study** referred to in Part F, Condition 16 of this Licence shall include, but not be limited to, the following:
	a) Description of the septic systems, their locations relative to the Snare River, and operating procedures; ~~;~~
	b) Description of downstream receptors that may be impacted by effluent;~~.~~

Commented [WB86]: NTPC proposed conditions based on the requirements from the previous Licences. Board staff made minor edits to the flow of the conditions.

Commented [WB87]: Proposed to be added to the Licence by NTPC in response to Information Request #3.

	Condition
	c) Identification with rationale, of parameters of concern that should be used as indicators of potential impacts from the septic systems; d) A description, with rationale, of the site-specific monitoring activities and anticipated duration of monitoring required to identify impacts from Project-related activities on the Receiving Environment; e) A description of monitoring protocols, methodologies, parameters, and frequencies, including maps or diagrams of the septic systems and monitoring locations; f) A description of the quality assurance and quality control measures followed; and ~~e)~~g) Reporting schedule.
~~2.~~3.	The **Septic Fields Special Study Report** referred to in Part F, Condition 17 of this Licence shall include, but not be limited to, the following:
	a) Tabular summaries of all data and information generated from implementation of the Septic Fields Special Study; b) An interpretation of the results from the Septic Fields Special Study, including an evaluation of whether a release of effluent has occurred; and ~~a)~~c) Recommendations for follow-up and whether any changes to the Water Licence are necessary.

Commented [WB88]: Board staff have proposed a separate condition for the Septic Fields Special Study Report, and proposed a requirement to comment on whether any changes are necessary to the Licence based on the Report.

Schedule 5: Conditions Applying to Closure and Reclamation

	Condition
1.	The Interim **Closure and Reclamation Plan** referred to in Part I, Condition 1 of this Licence shall include, but not be limited to the following information:
	a) A plain language summary of the Plan;
	b) A description of the overall goals for Closure and Reclamation of the Project, including expected future land use;
	c) A description of the Closure and Reclamation planning team;
	d) A description of engagement related to Closure and Reclamation planning, including a summary of completed and planned engagement, and links to the **Engagement Plan** referred to in Part B, Condition 20 for the Project;
	e) A list of any other regulatory authorizations required for Closure and Reclamation of the Project;
	f) A description of the pre-existing and current Project environment, including, but not limited to: i. climatic conditions; ii. physical conditions; iii. chemical conditions; iv. biological conditions; v. any physical or chemical assessments of soil, water, and permafrost; and vi. traditional uses.
	g) A description of the Project, including, but not limited to: i. site history; ii. Project development; iii. current status of the Project; iv. maps delineating all disturbed areas, borrow material locations, site facilities, hydrological features, and elevation contours; and v. photographs.
	h) A description of each Project component, including, but not limited to: i. Power generation facilities; ii. Dams iii. Spillways iv. Roads and airstrips; v. Accommodation buildings and other buildings; ii. areas affected by spills or Unauthorized Releases; and iii. other areas affected by Project activities.

Commented [WB89]: Proposed by Board staff as discussed through proceeding.

	Condition
	For the Project site, a description of Closure and Reclamation plans, including, but not limited to: i. Closure Objectives and Criteria; ii. preferred Closure and Reclamation option and method for each Project component identified in Condition (h) above; iii. design drawings, signed and stamped by a Professional Engineer, for any Engineered structures; iv. Water management and restoration of natural drainage; v. predicted environmental effects during and after Closure and Reclamation activities; vi. post-closure monitoring, maintenance, and reporting; vii. uncertainties and contingencies; viii. climate change considerations; and ix. Closure and Reclamation Research plans.
	i) A description of any planned Progressive Reclamation;
	j) A plan for Temporary Closure, including, but not limited to the following information: i. Temporary Closure goals and objectives; ii. a description of activities and methods; iii. a description of monitoring, maintenance, and reporting; iv. contingencies; and v. an implementation schedule.
	k) implementation schedule that includes Progressive Reclamation and final Closure and Reclamation activities.
2.	The **Reclamation Research Report** Referred to in Part I, Condition 2 of this Licence shall include, but not be limited to, the following information for each Reclamation Research plan identified in the **Closure and Reclamation Plan**:
	a) A plain language summary of the results, and a plain language interpretation of the significance of the results;
	b) A discussion of whether Reclamation Research planning and implementation remains on schedule;
	c) Analysis and interpretation of the data collected during the reporting period and to date;
	d) An explanation of the significance of the results for Closure and Reclamation planning;
	e) Reclamation Research data for the reporting period; and

Commented [WB90]: NTPC did not propose to include this schedule requirement, and no information had been provided for why this was not included. Given this is part of the Standard Conditions, Board staff propose including this in the Licence.

Commented [WB91]: Baord staff propose to include these Schedule conditions below, given NTPC agreed the Standard Conditions associated with these be included in the Licence (see response to IR#2).

	Condition
	f) An evaluation of the effectiveness of the Reclamation Research plan.
3.	The **Post-Closure Monitoring and Maintenance Plan** referred to in Part I, Condition 3 of this Licence shall include, but not be limited to the following information:
	a) Information regarding site conditions: i. A summary of completed Closure and Reclamation activities, including links to Closure and Reclamation Completion Reports; ii. A list of the Closure Objectives and Criteria for completed Closure and Reclamation activities; iii. A list of all components, Closure Objectives, and Closure Criteria that require monitoring, surveillance, and/or inspections; iv. A list of all components that require geotechnical inspections by a Professional Engineer; v. For all structures identified in (a)(iii) that meet the definition of a Dam: a. A description of the Dam; b. A consequence assessment; and c. The current classification of the Dam.
	b) Information regarding monitoring: i. A description, including detailed rationale, of the site-specific monitoring activities required to evaluate the Closure Objectives and Criteria for the Project, including links to the approved Closure and Reclamation Plan; ii. A description of monitoring protocols, methodologies, parameters, frequency, and duration specific to each type of monitoring identified in (i) above; iii. Site map(s) and attached table or detailed legend, illustrating monitoring and sampling locations; and iv. A description of the quality assurance and quality control measures followed for each monitoring type.
	c) Information regarding responses to monitoring results: i. A description of how the Licensee will evaluate the monitoring results against the Closure Objectives and Criteria for the Project; ii. A description of how the Licensee will link the results of monitoring to the implementation of contingencies, revisions to the Plan, and/or other necessary response actions.
	d) Information regarding surveillance and inspections: i. A description, including detailed rationale, of the method and schedule for surveillance and inspections for each component identified in (a)(iii); ii. A description, including detailed rationale, of the schedule for geotechnical inspections for each component identified in (a)(iv); and iii. A description, including detailed rationale, of the schedule for Dam Safety Reviews for each component identified in (a)(v).

	Condition
	e) Information about responses to surveillance and inspections: i. A description of how the Licensee will evaluate the results of surveillance and inspections against the Closure Objectives and Criteria for the Project; and ii. A description of how the Licensee will link the results of surveillance and inspections to the implementation of contingencies, revisions to the Plan, and/or any other necessary response actions.
	f) Information regarding maintenance: i. A description and schedule of routine maintenance work to be conducted at the site; ii. A description of the expected timeline for routine maintenance, including a description of how the Licensee will determine when routine maintenance is no longer required; iii. A description of reasonably likely non-routine maintenance work that may be required, with linkages to other plans required under this Licence; iv. A description of how and when the Licensee will notify the Board and the Inspector of any proposed non-routine maintenance work; v. A description of any potential impacts to the Receiving Environment during routine maintenance work; vi. A detailed description of any measures used to prevent or mitigate impacts to the Receiving Environment during routine maintenance work; and vii. A description of any monitoring including, but not limited to, sampling locations, parameters measured and frequencies of sampling to be carried out during maintenance activities to determine impacts to the Receiving Environment.
	g) A description of how the results of the activities carried out under this Plan will be reported.

Signed on behalf of the [Enter Name of BOARD]

[Enter NAME of Chair], Chair

[Enter NAME of Witness], Witness

Attachments

Attachment A – Concordance Table of Items Requiring Submission

The table below summarizes the items the Licensee is required to submit as per the Licence conditions. In the event of a discrepancy between this table and the Licence conditions, the Licence conditions shall prevail.

Condition Location	Item	Date
Part X, Condition Y	[name of report, plan, notification, etc.]	[due date]

Attachment B – Revision History Table

The table below summarizes revisions made to the Licence since its effective date (as set out on the Cover Page).

Date	Location of Change	Description of Change
[issuance date of updated or amended Licence]	[Part(s) and/or Condition(s) of Licence]	