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**Final Activity Report  
April 1, 2020 – March 31, 2021**

**Submitted to:** Indigenous and Northern Affairs Canada, Implementation Branch

**Agreement No:** 1718-HQ-000205

**Submitted by:** Wek'èezhii Land and Water Board

**Submitted on:** July 30, 2021

**BACKGROUND**

The Wek'èezhii Land and Water Board (WLWB or the Board) received funding from INAC in the 2020-21 fiscal year (FY) for core and supplemental operations in the amount of \$2,079,366.00.

This activity report summarizes activities, events, and achievements during the entire fiscal year. In addition, signed audited financial statements and a list of Board decisions related to both core and major mining files are provided.

**DESCRIPTION OF ACTIVITIES**

**The Board and Staff Team**

The Board continues to meet on a regular basis (15 times) to conduct preliminary screenings and review applications for new permits and licences, as well as to consider amendments, renewals, and extensions. The Board also reviews and approves a significant number of submissions required under existing permits, particularly for major mines, including: monitoring programs and reports, construction, design, and as-built reports, final plans, management plans, closure and reclamation plans, reclamation progress reports, and requests to adjust security deposits.

The WLWB currently has twelve staff and an additional shared staff position (with the WRRB) that serve the organization. The WLWB is operating with a full complement of Board Members and has two upcoming expiries; appointment dates and term expiry dates are as follows:

<u>BOARD MEMBER</u>	<u>APPOINTMENT TYPE</u>	<u>DATE APPOINTED</u>	<u>DATE EXPIRES</u>
Joe Mackenzie	Chair	September 6, 2018	September 5, 2021
Alex Nitsiza	Tłjchq	December 14, 2018	December 13, 2021
Mason Mantla	Tłjchq	June 17, 2020	June 16, 2023
Mike Nitsiza	Federal (GNWT)	February 26, 2021	February 25, 2024
Rachel Crapeau	Federal	June 17, 2021	June 16, 2024

Staff carry out their duties at two office locations. The Board's head office is in Wekweètì (as per the Tlìcho Agreement), which looks after administrative coordination and land use permitting, while technical staff for major mining files are located in Yellowknife. The Board's public registry and online review system is completely online, and the recently upgraded ORS includes the ability for individuals to upload audio comments and recommendations to increase accessibility and the provision of Traditional Knowledge into the regulatory process.

In addition to the Board's staff who have technical and scientific backgrounds, the Board requires a significant degree of external and specialized technical support for the major mining files and hydroelectric facilities because of the nature of its work (e.g., analyzing and preparing geochemical and geotechnical predictions, reviewing thermal modelling studies and construction design drawings, preparing and reviewing toxicity modelling, reviewing and preparing statistical analysis, reviewing all aspects of mine closure and reclamation, security liability estimation, reviewing and evaluating aquatic effects monitoring programs, and evaluating a multitude of various management plans).

The Board utilizes the appropriate legal counsel throughout its regulatory operations and during policy development. Board administrative and financial services continue to be provided by a combination of staff and external bookkeeping services. The audit for the 2020-21FY was completed by Crowe Mackay and is also attached to this submission.

### **Regulatory File Activities and Decision Summary**

Please see Appendix 1 for the complete list of Board decisions related to land use permitting and water licensing. The WLWB continues to spend most of its time and resources dedicated to the major-mining files, as evidenced by the 39 decisions related to non-major-mining and 69 decisions related to major-mining. The Board typically has experienced one or two Type A proceedings at a time, however, during the 2020-21FY was managing five simultaneous Type A proceedings in addition to its heavy workload. Each proceeding requires approximately 50% of a full-time staff to manage.

### **Training Activities**

Board members and staff continue to participate in training when offered by the NWT Board Forum, including courses on Administrative Law, Board Orientation, Resource Management, and Public Hearings.

The Board continues its Municipal Water Licence training program each summer in support of water quality sampling and monitoring in the four Tłìchq communities. The Board's support is paramount to assisting the communities with developing capacity and working towards compliance with their Water Licence requirements for sampling and reporting.

Board staff continue to work with the Tłìchq Government to implement an environmental training program for a community-based aquatic effects monitoring program (the Tłìchq Aquatic Effects Monitoring Program – TAEMP). The intent of the project is to monitor potential far-field and cumulative effects related to the proposed NICO mine. With training, environmental monitors can also assist in other community-based monitoring programs or assist with the required municipal water licence monitoring.

The Board also provides in-kind support to the Tłı̨chǫ Government and the Wek'èezhìi Renewable Resources' Marian Watershed Monitoring Program by providing technical staff to travel out on the land and assist with water sampling in various areas of the Wek'èezhìi Management Area.

The WLWB recognizes the importance of and obligation to consider traditional knowledge in Board processes and decisions. Board members and staff typically hold a traditional knowledge session on the land each year, however due to intense workloads and COVID no retreat took place during the 2020-21FY.

### **Collaborative Activities**

The Executive Director and Chair of the Wek'èezhìi Land and Water Board are involved in regular governance meetings with the MVLWB Executive Directors' and Chairs' Committees, respectively. This forum provides a regular opportunity to align operational policies and practices to improve the WLWB's organizational effectiveness, as well as ensuring consistency across the Boards within the Mackenzie Valley.

The LWBs continue to contribute staff to the Areas of Operations (AoO) initiative to develop standard procedures, policies, and guidelines to enhance the clarity, certainty, and consistency of the Boards' regulatory processes. The AoO reflects the five core areas of operation of the LWBs: Outreach, Corporate Excellence, Information and Communication Technology, Collaboration, and Regulatory Improvements. There are various teams within each of these areas that are working on several priorities including the updating of existing policies and guidelines and the development of new ones. The Boards' new guidelines and policies always undergo a public review to ensure appropriate level of engagement from all stakeholders. The Boards and the GNWT are currently working on the development of Guidelines for the collection of Baseline Data.

Based on continued feedback from stakeholders, the Boards continue to upgrade and refine the [Online Review System](#), which provides a real-time, opportunity for the Boards' public review process to be accessible and transparent to all parties. All of the Land and Water Boards and the Mackenzie Valley Impact Review Board (MVEIRB) are using this system. This system has unquestionably contributed to a streamlined regulatory process, which has resulted in other regulatory agencies approaching the Boards to use it to fulfill their own statutory obligations.

The Board continues to have a leading role in providing assistance to and participating in the NWT Board Forum and the Pan-Territorial Regulator's Forum. These initiatives are funded separately by INAC. Board staff are active in the NWT Board Forum planning committee, and are involved in the development, coordination, and review of training proposals and activities throughout the Mackenzie Valley.

Following devolution, the Boards continue to have joint meetings on a quarterly basis with the GNWT departments of Lands and Environment and Natural Resources, as well as Crown-Indigenous Relations and Northern Affairs Canada; as these departments have strong linkages to the Boards (e.g., land tenure, security deposits, inspections, technical reviews of major projects).

The WLWB also continues to host monthly 'MVRMA In A Day' sessions to educate individuals from a variety of organizations (e.g., staff from industry, First Nations, GNWT Health, GNWT Lands,

GNWT ENR, GNWT ITI, OROGO, GNWT and federal Inspectors, public watchdogs, NGOs, Department of Fishers and Oceans, and Environment and Climate Change Canada, etc.) that are interested in learning more about the unique and effective co-management system within the Mackenzie Valley.

**PROGRESS REPORT ON RESULTS AND ACHIEVEMENTS**

In addition to the activities described above, in the 2020-21FY, the Board also:

- continued the regular review of its policies, Rules of Procedure, and practices;
- made all regulatory decisions within legislated timelines;
- ensured public and community involvement in our processes and the consideration of Traditional Knowledge in its decision-making process whenever it was made available;
- provided training opportunities for Board Members and staff to ensure they can carry out their respective responsibilities;
- ensured the appropriate external technical and legal expertise was available when required in order to inform its decision-making process; and
- met and coordinated with other regulatory agencies to work towards an effective and efficient regulatory regime.

**SCHEDULE OF BOARD MEETINGS & EVENTS**

April 16	Board Meeting - Yellowknife
May 6	Board Meeting - Yellowknife
June 4	Board Meeting - Yellowknife
June 18	Board Meeting - Yellowknife
July 7	Board Meeting - Yellowknife
July 28-29	Full MVLWB meeting (strategic planning)
August 19	Board Meeting - Yellowknife
September 23	Board Meeting - Yellowknife
September 24	Mine Site Visit
October 22	Board Meeting - Yellowknife
November 4	MVLWB Chairs' Committee Meeting
November 18	MVLWB Chairs' Committee Meeting
November 19	Board Meeting - Yellowknife
December 7	Board Meeting - Yellowknife
December 9	MVLWB Chairs' Committee Meeting
December 16-18	Diavik Amendment Public Hearing
January 14	Board Meeting - Yellowknife
January 28	Board Meeting - Yellowknife
February 24	MVLWB Chairs' Committee Meeting
February 25	Board Meeting - Yellowknife
March 1	MVLWB Chairs' Committee Meeting
March 8-11	MVRMA Workshop on Well-being
March 18	Board Meeting – Yellowknife
March 23 & 30	Board Forum Training

## **Overall Assessment of the Achievement of the Recipient's Obligations Under the Tłı̨chǫ Agreement and Related Acts of Parliament**

The Board continues to work with our partner organizations, including the Federal, Territorial, and Tłı̨chǫ Governments, the Mackenzie Valley Land and Water Board, and the Mackenzie Valley Environmental Impact Review Board to ensure it fulfills its obligations under the Tłı̨chǫ Agreement and the *Mackenzie Valley Resource Management Act (MVRMA)*.

Please contact the undersigned should you have any questions about this report.

Masi,

A handwritten signature in blue ink, appearing to read 'Ryan Fequet', with a horizontal line extending from the end of the signature.

Ryan Fequet, Executive Director (he/him)  
Wek'èezhìi Land and Water Board

WLWB Decisions for 2020-21

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
1	Apr-16-20	W2015L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	<p>AEMP Design Version 5.1                      Motion:</p> <ol style="list-style-type: none"> <li>1. Not approve Version 5.1;</li> <li>2. Direct DDMI to submit Version 5.2 of the AEMP Design, which includes Recommendations 3, 5, 7, 9, 11, 13, 15, 16, 19, 21, 22, 23, 25, 26 and 27. Board staff also recommend that the Board direct DDMI to work with Board staff to determine a submission date for Version 5.2 of the AEMP Design;</li> <li>3. Direct DDMI to revert back to the Action Level measurement endpoints and actions for Biological Effects as was approved in Version 4.1, with the exception of the statistical comparisons in Action Levels 1 and 2, which should be to the normal ranges as defined in the approved AEMP Reference Conditions Report rather than to the FF area means. These changes are to be included in Version 5.2 of the AEMP Design;</li> <li>4. Encourage DDMI to consider using the upcoming Aquatic Effects Re-evaluation Report as an opportunity to put forth rationale for changes to the biological action levels if it wishes but that it would expect to see a thorough consideration of all the concerns raised during this review;</li> <li>5. Not approve DDMI's proposed effects benchmark for TP and set the effects benchmark for TP to 7.5 µg/L;</li> <li>6. Approve the addition of Stations FFD-1 and FFD-2 starting in the 2020 AEMP season;</li> <li>7. Direct DDMI to include the addition of Stations FFD-1 and FFD-2 in Version 5.2 of the AEMP Design Plan;</li> <li>8. Approve the removal of LDS-2 and LDS-3 starting in the 2020 AEMP season;</li> <li>9. Direct DDMI to reflect the approved removal of Stations FFD-1 and FFD-2 in Version 5.2 of the AEMP Design Plan;</li> <li>10. Approve the increase in the sampling frequency of plankton in the MF area of Lac de Gras to annually starting in the 2020 AEMP season;</li> <li>11. Direct DDMI to reflect the approved increase in the sampling frequency of plankton in the MF area of Lac de Gras to annually in Version 5.2 of the AEMP Design Plan;</li> <li>12. Approve phytoplankton sampling at LDG-48 and LDS-4 annually starting in the 2020 AEMP season;</li> <li>13. Direct DDMI to reflect the approved annual sampling of phytoplankton at LDG-48 and LDS-4 in Version 5.2 of the AEMP Design Plan;</li> <li>14. Approve the increase in sampling frequency at station FF1-2 to annually for water quality, indicators of eutrophication, phytoplankton, and zooplankton, starting in the 2020 AEMP season;</li> <li>15. Direct DDMI to reflect the approved increase in the sampling frequency at station FF1-2 to annually in Version 5.2 of the AEMP Design Plan;</li> </ol>	Not Approve	WL	YES

WLWB Decisions for 2020-21

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
				<p>16. Approve including the non-lethal survey (i.e., CPUE and length-frequency distribution) for small bodied fish during comprehensive years and direct DDMI to reflect this approval in Version 5.2 of the AEMP Design Plan;</p> <p>17. Defer its decision on the change in the frequency of the Slimy Sculpin study to the 2017 to 2019 Aquatic Effects Re-evaluation Report;</p> <p>18. Direct DDMI to include a thorough consideration of how data collected through the non-lethal relative abundance survey (i.e., length, weight, and condition) could be used in the Response Framework if the lethal survey did not take place as part of the 2017 to 2019 Aquatic Effects Re-evaluation Report;</p> <p>19. Direct DDMI to update Version 5.2 of the AEMP Design to reflect that the change in the frequency of the Slimy Sculpin study is not yet approved and will be further considered as part of the 2017 to 2019 Aquatic Effects Re-evaluation Report;</p> <p>20. Direct DDMI to fully consider and outline the ways in which the AEMP results with respect to mercury may lead to a mercury in Lake Trout survey as part of the 2017 to 2019 Aquatic Effects Re-evaluation Report. DDMI should include the results of its power analysis of Slimy Sculpin mercury concentrations as part of this discussion;</p> <p>21. Approve including the data from LDG-48 in the statistical gradient analysis during comprehensive years, when data for the FFB and FFA areas are available and direct DDMI to reflect this approval in Version 5.2 of the Design;</p> <p>22. Approve the removal of ‘age’ from the ‘fish health and abundance’ measurement endpoints, and direct DDMI to reflect this removal in Version 5.2 of the AEMP Design Plan;</p> <p>23. Approve the change to the assessment endpoint of “Maintenance of a benthic invertebrate community characteristic of an oligotrophic lake” and direct DDMI to reflect this approval in Version 5.2 of the AEMP Design Plan;</p> <p>24. Direct DDMI to propose a plan for incorporating fish abnormalities into the WOE assessment as part of the 2017 to 2019 Aquatic Effects Re-evaluation Report;</p> <p>25. Approve the addition of total invertebrate density as a nutrient exposure endpoint for the fish community ecosystem component in the WOE assessment and direct DDMI to reflect this approval in Version 5.2 of the AEMP Design Plan;</p> <p>26. Approve the following changes to the WOE and direct DDMI to reflect them in Version 5.2 of the AEMP Design:</p> <ul style="list-style-type: none"> <li>• addition of soluble reactive silica as a nutrient exposure endpoint for all ecosystem components; and</li> <li>• removal of the following fish health biological response endpoints: Population Structure - Survival, Population Structure –Size, Growth – Size at Age, Reproductive Investment – Age 1+ Abundance, and Pathology – Occurrence</li> </ul>			

**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
				[e.g., parasitism)]; and 27. Direct DDMI to include the commitments described in Attachment 1 in Version 5.2 of the AEMP Design Plan; and 28. Direct staff to finalize the Draft Decision Letter and Reasons for Decision for review and approval by the Chair.			
2	Apr-16-20	W2020J0002	Diavik Diamond Mines (2012) Inc. (DDMI)	Land Use Permit Application – Community Based Monitoring Camp Motion: 1. Determine that the Application submitted by DDMI is exempt from preliminary screening in accordance with the Exemption List Regulations; 2. Issue Type B Land Use Permit W2020J0002 on Thursday, April 16, 2020, for a period of five years; and 3. Approve the Draft Reasons for Decision for Type B Land Use Permit W2020J0002.	Approve	LUP	NO
3	Apr-16-20	W2015D0005	Dominion Diamond Mines ULC	Land Use Permit Extension Request – Lynx WRSA Motion: 1. Approve Dominion’s extension request to Land Use Permit W2015D0005 for a period of two years; and 2. Approve the Draft Board Decision Letter.	Approve	LUP	NO
4	Apr-16-20	W2016E0004/W2016L8-0001	Government of the Northwest Territories Department of Infrastructure (GNWT-INF)	WMMP Version 3.4 and Construction Plan Version 1.1 – Conformity Check Motion: 1. Approve Version 3.4 of the Wildlife Management and Monitoring Plan; 2. Approve Version 1.1 of the Construction Plan; and 3. Approve the draft Decision Letter.	Approve	WL/LUP	NO
5	Apr-16-20	W2015C0003/W2015C0004	GGL Resources Corp.	Land Use Permit Extension Requests – Fishback Project and CH Project Motion: 1. Approve GGL’s extension request to Land Use Permits W2015C0003 and W2015C0004 each for a period of two years; and 2. Approve the Draft Board Decision Letter.	Approve	LUP	NO
6	May-6-20	W2015L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	Waste Rock Management Plan Version 10 Motion: 1. Approve WRMP Version 10, and require Revisions #1 through #5 in WRMP Version 10.1; 2. Update Schedule 6, Condition 5.c to include the following: 1. Definitions, with rationale, for Action Levels for all active water bodies within the Drainage Control and Collection System and all detected seepage/runoff. 2. For each Action Level, a description of how exceedances of the Action Level will be assessed and generally which types of responses may be taken by the	Approve	WL	YES



**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
				Licensee if the Action Level is exceeded.			
7	May-6-20	W2015L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	<p>Engagement Plan Version 3.0</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Approve Version 3.0 of the Engagement Plan.</li> <li>2. Direct DDMI to include two additional columns to the Engagement Record Template (Appendix B): "Overview of Issue(s) Resolved" and "Overview of Issue(s) Unresolved" in the next version of the Plan.</li> <li>3. Direct DDMI to indicate that face-to-face meetings are its primary method of engagement when attempting to resolve issues and/or for dispute resolutions in in the next version of the Plan.</li> <li>4. Require DDMI to include in the next version of the Plan a statement in Section 4.5 that states it will commit to engage with applicable communities once per year.</li> <li>5. Require DDMI to include in Appendix A in the next version of the Plan under the primary methods for "Amendment or Renewal of Water Licence and Application for New Land Use Permit or Water Licence" Indigenous Language Reports and Community Meetings.</li> <li>6. Require DDMI to include in Appendix A in the next version of the Plan under the primary methods for "Amendment to Environmental Management Plans and Programs (as required)" Community meetings, Workshops, Technical meetings, and, Written comments/responses.</li> <li>7. Require DDMI to include/update the requested information from the Tłı̨chų Government's comments 1 and 2 in the next Version of the Engagement Plan.</li> <li>8. Direct staff to finalize the Draft Decision Letter and Reasons for Decision for review and approval by the Chair.</li> </ol>	Approve	WL	YES
8	May-6-20	W2016L8-0001	The Government of the Northwest Territories Department of Infrastructure (GNWT-INF)	<p>Permafrost Management Plan Version 2.0</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. to approve Version 2.0 of the Permafrost Management Plan; and</li> <li>2. to approve the draft decision letter provided in attachment #1.</li> </ol>	Approve	WL	NO
9	May-6-20	W2015X0006	Crown Indigenous Relations and Northern Affairs Canada - Contaminants and Remediation	<p>Land Use Permit Extension Request</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Approve CIRNAC-CARD's extension request for Land Use Permit W2015X0006 for a period of two years; and</li> <li>2. Approve the Draft Board Decision Letter.</li> </ol>	Approve	LUP	NO

**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
10	May-6-20	W2020C0003	BFR Copper and Gold Inc.	<p>Land Use Permit Application Motion:</p> <ol style="list-style-type: none"> <li>1. Include a statement in the Issuance Letter for BFR Copper and Gold Inc. that the Tłı̨çhǫ Wenek’e (Land Use Plan) will apply when the existing interests expire or terminate;</li> <li>2. Determine that the Application submitted by BFR Copper &amp; Gold Inc. is exempt from preliminary screening in accordance with the Exemption List Regulations;</li> <li>3. Issue Type A Land Use Permit W2020C0003 for a period of five years;</li> <li>4. Approve Version 1.0 of the Waste Management Plan;</li> <li>5. Inform BFR Copper and Gold Inc. that should an incinerator be required that an updated Waste Management Plan is to be submitted for Board approval as per condition #41 of the Permit;</li> <li>6. Approve the Spill Prevention and Response Plan and require BFR Gold Inc. to submit Version 1.1 of the Plan within 60 days of Permit issuance. Version 1.1 is to be titled “Spill Contingency Plan, Version 1.1” and is to be updated with the contact information outlined in GNWT-Lands Inspector comment 7;</li> <li>7. Approve Version 1.0 of the Closure and Reclamation Plan; and</li> <li>8. Approve the Draft Issuance Letter and Reasons for Decision for BFR’s Type A Land Use Permit W2020C0003.</li> </ol>	Approve	LUP	NO
11	May-6-20	W2013D0007/ W2017D0004/ W2012L2- 0001/W2016FO 007	Dominion Diamond Mines ULC	<p>Land Use Permit Amendment Applications and Discontinuance of Land Use Permit Motion:</p> <ol style="list-style-type: none"> <li>1. Determine the amendment applications for Land Use Permits W2013D0007 and W2017D0004 are exempt from Preliminary Screening, as per the Exemption List Regulations of the MVRMA, Part 1, Schedule 1, section 2.</li> <li>2. Approve the Amendment Request and issue Land Use Permit W2013D0007 with the revised condition #37: The Licensee shall post and maintain a security deposit for the Jay Project with the Minister as follows: a) Prior to the commencement of the land-use operation, the Permittee shall deposit with the Minister a security deposit in the amount of \$659,280; b) Prior to construction of Jay Dyke, the Permittee shall deposit with the Minister a security deposit in the amount of \$2,430,994; and c) Prior to the beginning of Jay open pit mining, the Permittee shall deposit with the Minister a security deposit in the amount of \$8,000,466</li> <li>3. Approve the Amendment Request and issue Land Use Permit W2017D0004 with the revised condition #27: Prior to the commencement of the land-use operation, the Permittee shall deposit with the Minister a security deposit in the amount of \$1,397,982.</li> </ol>	Approve	LUP	YES

**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
				<p>4. Update Schedule 2 with the following revised condition to align with the Board’s February 19, 2020 Decision:</p> <p>1. In accordance with subsection 35(1) of the Act and Part C of this Licence, the Licensee shall post and maintain:</p> <p>a) a security deposit of CDN \$260,568,843; and</p> <p>b) additional security deposits on the following schedule:</p> <p>i. At least 60 days prior to completion of 60% Sable pit mining by volume, the Licensee shall post and maintain an additional CDN \$2,864,913.</p> <p>ii. At least 60 days prior to commencement of Jay dyke construction, the Licensee shall post and maintain an additional CDN \$4,591,701.</p> <p>iii. At least 60 days prior to commencement of Jay open pit mining, the Licensee shall post and maintain an additional CDN \$3,155,704.</p> <p>5. Direct Dominion to submit a Final Plan in accordance with subsection 29(1) of the Mackenzie Valley Land Use Regulations (MVLUR).</p> <p>6. Amend the expiration date for Land Use Permit W2016F007 as per Dominion’s April 20, 2020 request, and in accordance with section 37 of the MVLUR (see Attachment 6).</p> <p>7. Direct Board staff to prepare Reasons for Decision subject to final review and approval by the Chair.</p>			
12	May-6-20	W2012L2-0001	Dominion Diamond Mines ULC	<p>Ekati – Spill Contingency Plan Version 13</p> <p>Motion:</p> <p>1. Approve Dominion’s Spill Contingency Plan Version 13.0; and</p> <p>2. Approve the Draft Board Decision Letter.</p>	Approve	WL	YES
13	Jun4-20	W2015L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	<p>Terms of Reference – PK to Mines Workings Amendment Application</p> <p>Motion:</p> <p>1. If at the time of the Minister’s decision,</p> <p>a. no changes have been made to the EA Measure related to the Panel, approve the ToR and direct DDMI to submit Version 1.1 of the ToR to include Recommendations #2 through #11; or</p> <p>b. there are changes to the EA Measure related to the Panel, require DDMI to submit Version 1.1 of the ToR to include any necessary updates related to changes with the EA measure and to include Recommendations #2 through #11.</p> <p>2. Approve the addition of a section of the ToR that includes the following guiding principles:</p> <ul style="list-style-type: none"> <li>• The Panel will be independent of DDMI, the WLWB, or any other Parties, and will provide their recommendations impartially based solely on their expertise and experience.</li> <li>• The Panel will be transparent, providing adequate evidence to support review comments and recommendations.</li> <li>• The Panel will work to achieve consensus among IRP members about review</li> </ul>	Approve	WL	YES

WLWB Decisions for 2020-21

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
				<p>comments and recommendations.</p> <ul style="list-style-type: none"> <li>• The Panel will work collaboratively and in a respectful manner, with a willingness to listen and understand all perspectives/opinions and relevant issues.</li> </ul> <ol style="list-style-type: none"> <li>3. Require a minimum of three Panel members</li> <li>4. Send an Information Request to all parties, asking Parties to provide a any additional names for potential Panel members</li> <li>5. To send an Information Request to all Parties, asking for their prioritized list from the finalized list of potetntial candidates</li> <li>6. The Panel Chair section of the Panel ToR be updated to include the statements proposed by DDMI in response to EMAB comment 3 to further clarify the Panel’s reporting relationships</li> <li>7. The ‘Panel Duties’ section of the Panel ToR be updated to include the statements proposed by DDMI in response to TG comment 6</li> <li>8. The Panel ToR be amended to state: “The Panel may be required to participate in Technical Sessions and a Public Hearing as part of the Water Licence Amendment Process. The Board will decide the Panel’s roles and responsibilities at the Technical Session and Public Hearing.”;</li> <li>9. The Panel ToR be updated to include the statement proposed by DDMI in response to EMAB comment 7</li> <li>10. The ‘Communications’ section of the Panel ToR be updated to include the following statement: “The Panel must be supplied with all information they deem necessary to complete their mandate and scope.”</li> <li>11. That the ‘Dispute Resolution’ section of the ToR be updated to read: “The Panel will operate by consensus but if an issue arises where a consensus cannot be achieved, each Panel member shall set out his or her views in any report submitted to the WLWB. If the nature of a dispute between Panel members is such that it hinders the completion of the Panel report, any member of the Panel may notify the WLWB in writing. In the latter case, the WLWB will determine the process for resolution.”</li> <li>12. Direct DDMI to fix any typos prior to submission of the next version of the ToR to the Board; and</li> <li>13. Direct staff to prepare and finalize the Draft Decision Letter and Reasons for Decision for approval by the Chair</li> </ol>			
14	Jun-4-20	W2016E0004/W 2016L8-0001	The Government of the Northwest Territories Department of Infrastructure	<p>Quarry Ops Plan Version 4.0</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Approve Version 4.0 of the Quarry Operations Plan;</li> <li>2. Direct the GNWT-INF to include details of how representative samples were generated as well as provide a map of locations where testing occurred in the decision letter;</li> </ol>	Approve	LUP/WL	NO

**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
			(GNWT-INF)	3. Approve the Draft Decision Letter (see Attachment #4).			
15	Jun-4-20	W2018L3-0001	Community Government of Gameti	Water Supply Facility O&M Plan, Version 3.1 Motion: 1. Approve Version 3.1 of the Water Supply Facility Operation and Maintenance Plan; and 2. Approve the Draft Decision Letter in Attachment #3.	Approve	WL	NO
16	Jun-18-20	W2016L8-0001	The Government of the Northwest Territories Department of Infrastructure (GNWT-INF)	Type B Water Licence Amendment – Preliminary Screening Motion: 1. Make the following determination: Based on the information provided in the application and the public review, it is not the Board’s view that the proposed on-site sewage lagoon and water well might have a significant adverse impact on the environment or might be a cause of public concern and therefore, has decided to not refer the Project to Environmental Assessment; and 2. Approve and finalize the Notice of Preliminary Screening Determination and Reasons for Decision for distribution on June 18, 2020 (see Attachment #3).	Approve	WL	NO
17	Jun-18-20	Nighthawk Gold Corporation	W2018L2-0002/W2018L2-0003	Water Licence Amendment Motion: 1. Determine the proposed maximum water use of 299 m3/day between both Water Licences W2018L2-0002 and W2018L2-0003 is exempt from preliminary screening in accordance with the Exemption List Regulations of the MVRMA, Part 1, Schedule 1, section 2; 2. Amend Part D of Type B Water Licence W2018L2-0002 to replace Condition 1, with the following two conditions: a) The Licensee may only withdraw up to a combined total of 299m3 per day of Water for the Project, as defined in this Licence and the project defined in Water Licence W2018L2-0003; and b) The Licensee may only withdraw water from the Water Sources identified in the approved Water Use Plan, as specified in Part D, Condition 3; 3. Amend Part D of Type B Water Licence W2018L2-0003 to replace Condition 1, with the following two conditions: a) The Licensee may only withdraw up to a combined total of 299m3 per day of Water for the Project, as defined in this Licence and the project defined in Water Licence W2018L2-0002; and b) The Licensee may only withdraw water from the Water Sources identified in the approved Water Use Plan, as specified in Part D, Condition 3; 4. Issue the amended Type B Water Licences W2018L2-0002 and W2018L2-0003; 5. Not approve Version 3.0 if the Water Use Plan; 6. Require Nighthawk to submit Version 3.1 of the Water Use Plan with the following updates: a) References to maximum water use that reflect the maximum of 299m3/day	Approve	WL	NO

**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
				for both Licences; and b) Land designations in Figure 1; 7. Clarify that Nighthawk is to continue operating under the approved Water Use Plan (i.e., Version 2.1) until an updated Water Use Plan is approved by the Board; and 8. Approve the Draft Issuance Letter and Draft Reasons for Decisions for the amendment to Water Licences W2018L2-0002 and W2018L2-0003.			
18	Jun-18-20	W2014L3-0002	Community Government of Behchoko	Landfarm Soil Use Request Motion: 1. Approve CGB's request to use treated landfarm soil from piles 1, 2, and 3 as intermediate temporary cover for the former Solid Disposal Waste Facility; 2. Remind CGB that a Closure and Reclamation Plan is required at least six months prior to closure of any of the Sewage or Solid Waste Disposal Facilities, including the landfarm; and 3. Approve the Draft Decision Letter and Reasons for Decision provided in Attachment 3.	Approve	WL	NO
19	Jun-18-20	W2012L2-0001	Dominion Diamond Mines ULC	Waste Management Plan Version 6.0 Motion: 1. Approve Dominion's Waste Management Plan Version 6.0; and 2. Approve the Draft Reasons for Decision.	Approve	WL	YES
20	Jun-18-20	W2015L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	NIWTP Operations Plan Version 2.1 Motion: 1. Approve Version 2.1 of the NIWTP Operations Plan; and 2. Approve the Draft Decision Letter provided in Attachment 1.	Approve	WL	YES
21	Jun-18-20	W2013C0002	BFR Copper and Gold Inc.	Final Clearance for Permit W2013C0002 Motion: 1. Grant Final Clearance to BFR Copper & Gold Inc. for Land Use Permit W2013C0002 and determine that a refund of \$250.00 dollars for un-used land use fees is appropriate; and 2. Approve the Draft Final Clearance Letter (see Attachment 2).	Approve	LUP	NO
22	Jul-9-20	W2016L8-0001	The Government of the Northwest Territories Department of Infrastructure (GNWT-INF)	Type B Water Licence Amendment Motion: 1. Approve the Type B Water Licence amendment and issue the amended Water Licence W2016L8-0001; and 2. Approve the Draft Reasons for Decision and Issuance Letter for Type B Water Licence W2016L8-0001, subject to final administrative, technical, and legal review.	Approve	WL	NO

**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
23	Jul-9-20	W2019Q0003	Northwest Territories Power Corporation (NTPC)	<p>Land Use Permit Amendment Request (W2019Q0003)</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>Determine that the Request submitted by Northwest Territories Power Corporation is exempt from preliminary screening in accordance with the Exemption List Regulations;</li> <li>Approve the Amendment Request to Type A Land Use Permit W2019Q0003;</li> <li>Approve Version 2.0 of NTPC's Engagement Plan;</li> <li>Approve Version 2.0 of NTPC's Reclamation Plan; and</li> <li>Require NTPC to submit to the Board and GNWT-ENR-EAM the missing geospatial data for the planned project footprint and all the relevant geospatial data for the realized project footprint as soon as it is available.</li> <li>Approve the Reasons for Decision (see Attachment 3).</li> </ol>	Approve	LUP	NO
24	Jul-28-20	W2017L3-0001	Community Government of Wekweeti	<p>Type B Water Licence Amendment Preliminary Screening</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>Determine the following: Based on the information provided in the application and the public review, it is the Board's view that the proposed development is not likely to have a significant adverse impact on air, water or renewable resources or might be a cause of public concern and therefore, has decided not to refer the Project to Environmental Assessment; and</li> <li>Approve the Draft Notice of Preliminary Screening and Reasons for Decision for distribution on July 28, 2020.</li> </ol>	Approve	WL	NO
25	Jul-28-20	W2012L2-0001	Dominion Diamond Mines ULC	<p>Jay AEMP and Response Framework Version 1.1</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>Not approve Version 1.1 of the Jay AEMP Design and Response Framework;</li> <li>Direct Dominion to submit Version 1.2 of the Jay AEMP Design Response Framework to include Revisions A to I;</li> <li>Direct staff to work with Dominion to establish a submission date for Version 1.2 of the Jay AEMP Design and Response Framework;</li> <li>Defer its decision on incorporation of sediment into the Response Framework during its consideration of the Ekati main site AEMP Re-evaluation; and</li> <li>Direct staff to finalize the Draft Reasons for Decision for review and approval by the Chair.</li> </ol>	Approve	WL	YES
26	Jul-28-20	W2015L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	<p>2019 Seepage Survey</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>Approve the 2019 Seepage Survey Report; and</li> <li>Approve the draft Reasons for Decision (see Attachment 2).</li> </ol>	Approve	WL	YES

**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
27	Jul-28-20	W2017C0002	Diavik Diamond Mines (2012) Inc. (DDMI)	<p>Drilling Additive Request</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Approve the use of Drilling Polymer (AMC CR 650), Bentonite Powder (Halliburton BORE-GEL), Bentonite chips (Halliburton BENTONITE PELLETS 3/8 inch), and Calcium Chloride (NEDMAG Calcium Chloride Prills 94-97%) as drilling additives for exploratory drilling;</li> <li>2. Remind DDMI that no Toxic Material, as defined in the Permit, be disposed of in a Sump, as per Conditions 35 and 36 of the Permit;</li> <li>3. Remind DDMI that as per Condition 32 of the Permit, The Permittee shall not use any Drilling Fluids, muds, or additives that were not identified in the complete application, unless the MSDSs are provided to the Board and Inspector and usage of the chemical(s) is authorized in writing by the Board; and</li> <li>4. Approve the Draft Reasons for Decision provided in Attachment 2.</li> </ol>	Approve	LUP	YES
28	Jul-28-20	W2015L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	<p>PK to Mine Workings Amendment – Panel Members for Water Quality Monitoring Independent Review Panel</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Appoint the following members to the Panel to meet the REA Measure 4 requirement of having expertise in hydrodynamic water quality modeling: <ul style="list-style-type: none"> <li>• Dr. Scott Wells; and</li> <li>• Dr. Scott Tinis</li> </ul> </li> <li>2. Appoint the following members to the Panel to meet the REA Measure 4 requirement of having expertise in extra-fine PK or clay hydrodynamics: <ul style="list-style-type: none"> <li>• Dr. Shahid Azam</li> </ul> </li> <li>3. Direct staff to prepare and finalize the draft Reasons for Decision for review approval by the Chair.</li> </ol>	Approve	WL	YES
29	Jul-28-20	W2015W0007	Kerry Smith	<p>Land Use Permit Extension</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Approve Kerry Smith’s extension request for Land Use Permit W2015W0007; and</li> <li>2. Approve the Draft Board Decision Letter (see Attachment 3).</li> </ol>	Approve	LUP	NO
30	Jul-28-20	W2019C0002	Equity Metals Corporation	<p>Land Use Permit Amendment</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Determine that the Request submitted by Equity Metals Corporation is exempt from preliminary screening in accordance with the Exemption List Regulations;</li> <li>2. Approve the Amendment Request to Type A Land Use Permit W2019C0002;</li> <li>3. Approve Version 3.0 of Equity Metals Engagement Plan; and</li> <li>4. Approve the Draft Reasons for Decision.</li> </ol>	Approve	LUP	NO



**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
31	Jul-28-20	W2018L2-0002/W2018L2-0003	Nighthawk Gold Corporation	<p>Water Use Plan Version 3.1 – Conformity Check</p> <p>Motion:</p> <p>5. Approve Version 3.1 of the Water Use Plan; and</p> <p>6. Approve the Draft Decision Letter provided in Attachment 1.</p>	Approve	LUP/WL	NO
32	Aug-19-20	W2015L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	<p>PKC Facility Plan Version 5.0</p> <p>Motion:</p> <p>1. Approve Version 5.0 of the PKC Facility Plan</p> <p>2. Require DDMI to revise the PKC Facility Plan as follows:</p> <p>a. Add the following statement: “DDMI will maintain the entire Phase 7 downstream rockfill elevation above 465.8 metres.”</p> <p>b. Add the following statements:</p> <p>i. Beginning 45 days prior to freshet 2021 and biweekly thereafter until freshet 2021 has ended, DDMI will submit to the Board a description of the current status of the water balance, current PKC Facility and Pond 3 storage capacities in comparison to the storage capacity required to safely manage the EDF and IDF, a description of planned water management activities, and confirmation that DDMI expects to be able to meet all related Licence conditions and PKC Facility Plan requirements during freshet 2021.</p> <p>ii. DDMI will notify the Board and the Inspector as soon as possible if any of the triggers in its TARP are activated, describe the trigger, identify what actions will be taken and state when they will be implemented; and</p> <p>iii. DDMI will test the emergency response plan (ERP) prior to 2021 freshet.</p> <p>c. Include a statement that in the case of a temporary or early shutdown prior to or during freshet 2021, the company will apply the same resources and diligence to monitor and maintain the PKC Facility and implement the TARP as it would during operations.</p> <p>d. Refer to the inflow design flood (IDF) when discussing the minimum freeboard in the PKC Facility Plan. This may require revisions in several locations in the Plan.</p> <p>e. State that Pond 3 will be managed so that it will not pass the IDF.</p> <p>f. Make the following edits:</p> <p>i. Update the summary to reflect the current Version number of the PKC Facility Plan (GNWT – ENR Comment 1);</p> <p>ii. Update the page numbers for Figure 6 and Table 1 in the Table of Contents (GNWT-ENR Comment 2);</p> <p>iii. Add clarification regarding the “northwest corner” of the facility (GNWT-ENR Comment 3);</p> <p>iv. Update Figure 2 to clearly show the “northwest corner” of the facility (GNWT-ENR Comment 3);</p> <p>v. Update Table 1 and Section 1.3 to reflect A21 pipe mining status (GNWT-ENR</p>	Approve	WL	YES

**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
				<p>Comment 4);</p> <p>vi. Add a definition for the acronym “EDF” (GNWT-ENR Comment 9); and</p> <p>vii. Replace the statement “Water cannot be pumped from collection ponds to the PKC pond when water levels in the PKC are at or above the normal operating level of El 464.6 m” with “Water cannot be pumped from collection ponds to the PKC pond when water levels in the PKC are at or above the normal operating level of 0.4 m below the lowest point of the dam crest liner. This is currently 464.6m and will become 468.6m.” (WLWB comment 12). This statement accommodates the dam raise to 469 metres, as agreed to by DDMI.</p> <p>3. Direct DDMI to work with Board staff to determine a submission date for Version 5.1 of the PKC Facility Plan.</p> <p>4. Direct staff to finalize the Draft Decision Letter and Reasons for Decision for review and approval by the Chair</p>			
33	Aug-19-20	W2015L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	<p>Waste Management Plan Version 3.0</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Approve Version 3.0 of the Waste Management Plan;</li> <li>2. Require DDMI to include the revisions outlined in Recommendations 3, and 4, as part of the next version of the Waste Management Plan. At the latest, these revisions should be incorporated as part of the next annual review of the Waste Management Plan if no update to the Plan occurs prior to then;</li> <li>3. Require DDMI to include its response to GNWT-ENR comment 13 in the next version of the Waste Management Plan;</li> <li>4. Require DDMI to include the commitments and clarification edits outlined below in Section 4.4 in the next version of the Waste Management Plan; and</li> <li>5. Direct staff to finalize the Draft Reasons for Decision for review and approval by the Chair.</li> </ol>	Approve	WL	YES
34	Aug-19-20	W2018L3-0001	Community Government of Gameti	<p>WSF Characterization and Testing Plan</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Approve the WSF Characterization and Testing Plan and direct CGG to submit Version 1.1 of the WSF CTP to include Revisions #1 through #4;</li> <li>2. Require the CGG to submit Version 1.1 of the WSF CTP no later than March 31, 2021;</li> <li>3. Remind the CGG to include a revision history table when it submits Version 1.1 of WSF CTP in the draft decision letter;</li> <li>4. Direct the CGG to consider the revisions required for the Community Government of Wekweèti’s WSF O&amp;M Plan when it submits Version 3.2 of the WSF O&amp;M Plan. The CGG should propose revisions to the WSF O&amp;M Plan based on its consideration or provide rationale in the cover letter for why revisions to the Wekweèti WSF do not apply; and</li> <li>5. Direct Board staff to prepare and finalize the Decision Letter and Reasons for</li> </ol>	Approve	WL	NO

**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
				Decision for review and approval by the Chair.			
35	Aug-19-20	W2017L3-0001	Community Government of Wekweeti	<p>Type B WL Amendment and Version 3.0 of the WSF O&amp;M Plan</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Issue the amended Type B Water Licence W2017L3-0001;</li> <li>2. Direct CGW to submit a WSF CTP as per Part D, Condition 11 of the amended Licence to include the information required in Attachment #5 of CGG’s WSF CTP Staff Report;</li> <li>3. Direct CGW to submit a letter within a month of this decision being communicated outlining when the WSF CTP will be submitted;</li> <li>4. Add total phosphorous to the list of parameters to monitor at SNP stations 001-2 and 001-3 in the amended Wekweèti Water Licence;</li> <li>5. Approve Version 3.0 of the WSF O&amp;M Plan and require the CGW to submit Version 3.1 once commissioning of the WSF is complete. Version 3.1 is to include the following revisions:                             <ol style="list-style-type: none"> <li>a. remove all references to flocculants/flocculator tanks, or coagulants;</li> <li>b. include a disclaimer at the beginning of the manual indicating that although references are made to coagulants and flocculants, there is no plan to use them at this time. Prior to using coagulants, the Community Government will update the O&amp;M Plan and ensure it receives the appropriate regulatory authorizations; and</li> <li>c. include the mitigations to control surface erosion and prevent residuals from entering waterbodies as described in response to ECCC comment 2 of Version 3.0 of the WSF O&amp;M Plan.</li> </ol> </li> <li>6. Direct CGW to consider the revisions required for the Community Government of Gamèti’s Spill Contingency Plan when it conducts the annual review of its Spill Contingency Plan. The CGW should submit Version 3.0 of the Spill Contingency Plan to either include chemicals stored at the WSF and considerations related to the wastewater storage tank for the WSF or provide rationale in the cover letter why these changes are not required; and</li> <li>7. Direct Board staff to prepare and finalize the Decision Letter and Reasons for Decision for review and approval by the Chair.</li> </ol>	Approve	WL	NO
36	Aug-19-20	W2017L3-0002	Community Government of Whatì	<p>SDF O&amp;M Plan Version 3.0</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Approve the Sewage Disposal Facility Operation and Maintenance Plan Version 3.0;</li> <li>2. Require the CGW to submit Version 3.1 of the SDF O&amp;M Plan to include a Sludge Removal Plan detailing triggers for sludge removal and sludge management. The Sludge Removal Plan should address ECCC comment 2 and TG comment 1;</li> <li>3. Require Version 3.1 to be submitted 90 days prior to the removal of sludge</li> </ol>	Approve	WL	NO

**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
				and no later than March 31, 2021; and 4. Direct Board staff to finalize the Reasons for Decision Draft for review and approval by the Chair.			
37	Aug-19-20	W2016F0007	Dominion Diamond Mines ULC	Jay Early Works Land Use Permit – Final Clearance Motion: 1. Grant Final Clearance to Dominion Diamond Mines ULC for Land Use Permit W2016F0007; and 2. Approve the Draft Final Clearance Letter (see Attachment 2).	Approve	LUP	YES
38	Sept 23_20	W2015L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	A21 Undergroud – Type A WL Amendment Application Motion: 1. Approve the Draft Recommendation Letter to the Minister, Reasons for Decision for the amendment of W2015L2-0001, and Water Licence W2015L2-0001, subject to final technical, administrative, and legal review; 2. Approve the Draft Summary of Evidence related to Chapter 23.4 of the Tłı̄chǫ Land Claims and Self-Government Agreement; 3. Forward the amended Water Licence W2015L2-0001 for the Minister’s approval, along with the Summary of Evidence related to Chapter 23.4 of the Tłı̄chǫ A21 Undergroud – Type A WL Amendment Application Motion: 1. Approve the Draft Recommendation Letter to the Minister, Reasons for Decision for the amendment of W2015L2-0001, and Water Licence W2015L2-0001, subject to final technical, administrative, and legal review; 2. Approve the Draft Summary of Evidence related to Chapter 23.4 of the Tłı̄chǫ Land Claims and Self-Government Agreement; 3. Forward the amended Water Licence W2015L2-0001 for the Minister’s approval, along with the Summary of Evidence related to Chapter 23.4 of the Tłı̄chǫ Land Claims and Self-Government Agreement; and 4. Subject to the Minister’s decision: a. Approve the Draft Issuance Letter (Attachment 5) and issue amended Water Licence W2015L2-0001; and, b. Direct DDMI to update the Waste Rock Management Plan, ninety (90) days prior to Construction of the A21 Underground Project.	Approve	WL	YES
39	Sept 23_20	W2015L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	Terms of Reference for Expert Panel – Conformity Motion: 1. Approve Approve the updated version of the ToR; and 2. Approve the draft Decision Letter.	Approve		YES

**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
40	Sept 23_20	W2020L8-0001	The Government of the Northwest Territories Department of Infrastructure (GNWT-INF)	<p>Type A Water Licence Application</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Determine the following: Based on the information provided in the application and the public review, it is the Board’s view that the increase in Water use will not have a significant adverse impact on the environment or be a cause of public concern and therefore, has decided to not refer the Project to Environmental Assessment;</li> <li>2. Approve the Draft Notice of Preliminary Screening Determination and Reasons for Decision for distribution on September 23, 2020;</li> <li>3. If the Board does not receive a notice of referral to Environmental Assessment by October 3, 2020:               <ol style="list-style-type: none"> <li>a. approve the Draft Letter to the Minister, Reasons for Decision, and Water Licence W2020L8-0001 subject to final legal, technical, and administrative review; and</li> <li>b. forward Water Licence W2020L8-0001 and Reasons for Decision on October 4, 2020 for the Minister’s approval;</li> </ol> </li> <li>4. If the Board does not receive a notice of referral to Environmental Assessment by October 3, 2020, and subject to the Minister’s decision:               <ol style="list-style-type: none"> <li>a. Approve the Draft Issuance Letter and issue Water Licence W2020L8-0001; and</li> <li>b. direct GNWT-INF to revise and submit applicable management plans to include changes detailed in the Reasons for Decision along with any other changes, at the latest, when it conducts its annual review of plans as required by Part B, Condition 8 of the Licence</li> </ol> </li> </ol>	Approve	WL	NO
41	Sept 23_20	W2012L2-0001	Dominion Diamond Mines ULC	<p>Covid-Related Changes to Programs</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Approve sampling changes to the AEMP Design as outlined in Stage 2.</li> <li>2. Approve the implementation of Dominion’s requested 2020-2022 AEMP Re-evaluation recommendations in the 2020 open-water season and clarify that this does not constitute approval moving forward and these changes remain to be fully considered as part of the Board’s decision regarding the 2020-2022 AEMP Design Plan and 2019 AEMP Re-evaluation;</li> <li>3. Direct Dominion to address any deviations from the approved AEMP Design Plan, including data gaps, in the 2020 annual AEMP Report. This would include clarification on the sampling which did occur in the 2020 open-water season;</li> <li>4. Direct Dominion to conduct a complete sediment sampling program in 2021.</li> <li>5. Approve the changes to the hydrometric monitoring program for the 2020 open-water season only;</li> <li>6. Approve the updated list of SNP stations requested for temporary deactivation for the 2020 open-water sampling season;</li> </ol>	Approve	WL	YES

**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
				<p>7. Approve the seepage sampling outlined in Dominion’s Request for the 2020 open-water sampling season;</p> <p>8. Approve the landfill audit change outlined in Dominion’s Request for the 2020 open-water sampling season;</p> <p>9. Communicate Board staff’s interpretation of the Licence regarding discharge from the Two Rock Sediment Pond to Horseshoe Lake in the cover letter of the Reasons for Decision; and Direct Dominion to do the following: If planned Discharge differs from the approved Two Rock Outfall Report, Dominion is to submit an updated Two Rock Outfall Report for approval, prior to Discharge from the Two Rock Sedimentation Pond.</p> <p>10. Direct Board staff to finalize the Reasons for Decision for review and approval by the Chair.</p>			
42	Sept 23_20	W2015C0008	Benton Resources Inc.	<p>Providence Lake Project (Benton) – Land Use Permit – 1 year Extension Request Motion:</p> <p>1. Approve Benton Resources Inc.’s extension request for Land Use Permit W2015C0008 for a period of two years; and</p> <p>2. Direct Board staff to finalize the Decision Letter and Reasons for Decision for review and approval by the Chair.</p>	Approve	LUP	NO
43	Sept 23_20	2020L8-0003/W2020X0005	Crown Indigenous Relations and Northern Affairs Canada - Contaminants and Remediation	<p>Rayrock Remediation Project (CIRNAC-CARD) – Type A Water Licence and Land Use Permit Applications – 22(B) Motion:</p> <p>1. As per paragraph 22(2)(b) of the Mackenzie Valley Land Use Regulations, informs the proponent that further investigations are required in order to align the timelines for considering the Land Use Permit and Water Licence Applications at the same time; and</p> <p>2. Identify any conflicts with the proposed Public Hearing dates, acknowledging that they are still subject to change.</p>	Approve	WL	YES
44	Oct 22_20	N1L4-0150/W2014L4-0001	Northwest Territories Power Corporation (NTPC)	<p>NTPC and DPC – Dam Safety Review Motion: To send a letter to NTPC with the following information:</p> <p>1. Inform NTPC that the Board has been updated on the Dam Safety Review report and Implementation Plan and that the Board has no follow-up requirements at this time.</p> <p>2. Remind NTPC that for the next Dam Safety Review (in five years), there are Licence conditions specific to the Dam Safety Review, which are above and beyond the CDA Guidelines and should be communicated to the dam safety review engineer before they start the review.</p> <p>3. Remind NTPC to include updates on outstanding issues from DSRs in each Annual Report.</p> <p>4. Remind NTPC that the Dam Safety Review report and Implementation Plan is due 60 days after the Dam Safety Review inspection.</p>	Approve	WL	NO

**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
45	Oct 22_20	W2015L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	<p>Diavik – Notice of Modification to the PKC Facility</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Inform DDMI that:                             <ol style="list-style-type: none"> <li>a. the Board will not be reviewing DDMI’s Modification to the Processed Kimberlite Containment (PKC) Facility spillway under Part G, Conditions 1 or 2 of the Water Licence (W2015L2-0001);</li> <li>b. the Board is exploring whether additional steps are necessary to address the unapproved Construction of the spillway; and</li> <li>c. the Board will inform DDMI if the Board determines additional steps are necessary.</li> </ol> </li> <li>2. If Motion #1 is approved, direct staff to Draft a letter reflecting the above for review and approval by the Chair.</li> </ol>	Approve	WL	YES
46	Oct 22_20	W2015L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	<p>Diavik - SNP Update</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Approve DDMI’s request to change the groundwater monitoring frequency at SNP station 1645-33 from every seven days to once a month; and</li> <li>2. Approve the Draft Reasons for Decision</li> </ol>	Approve	WL	YES
47	Oct 22_20	W2015L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	<p>Diavik - Engagement Plan V3.1 - Conformity</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Approve Version 3.1 of the Engagement Plan; and</li> <li>2. Approve the Draft Decision Letter</li> </ol>	Approve	WL	YES
48	Oct 22_20	W2015L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	<p>Diavik - AEMP Design Version 5.2 - Conformity</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Approve Version 5.2 of the AEMP Design Plan; and</li> <li>2. Approve the Draft Decision Letter</li> </ol>	Approve	WL	YES
49	Oct 22_20	W2020F0004	Northern Quality Control	<p>Northern Quality Control – Land Use Permit Application</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Determine the following: Based on the information provided in the application and the public review, it is the Board’s view that the Project will not have a significant adverse impact on the environment or be a cause of public concern and therefore, has decided not to refer the Project to Environmental Assessment;</li> <li>2. Approve the Draft Notice of Preliminary Screening Determination and Reasons for Decision for distribution on October 22, 2020;</li> <li>3. If the Board does not receive a notice of referral to environmental assessment by November 1, 2020, Board staff recommend that the Board issue Land Use Permit W2020F0004 on November 2, 2020, for a term of one (1) year; and</li> <li>4. Direct staff to finalize Draft Reasons for Decision and Issuance Letter for Land Use Permit W2020F0004 for review and approval by the Chair.</li> </ol>		LUP	NO

**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
50	Nov 19_20	W2015L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	DDMI PKC Mod Follow-up Motion: 1. Approve the attached letter to DDMI.	Approve	WL	YES
51	Nov 19_20	W2012L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	DDMI interim Closure and Reclamation Plan – Proponent Response Extension Request Motion: 1. approve DDMI’s extension request for the proponent responses to comments on interim CRP Version 4.1.	Approve	WL	YES
52	Nov 19_20	W2015L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	DDMI WRMP V10.1 Conformity Motion: 1. approve Version 10.1 of the Waste Rock Management Plan; and 2. approve the draft Decision Letter in Attachment 1.	Approve	WL	YES
53	Nov 19_20	W2018C0007	Nighthawk Gold Corporation	Nighthawk Land Use Permit Amendment Motion: 1. Determine the following: Based on the information provided in Nighthawk’s Request and the public review, it is the Board’s view that the proposed Amendment will not have a significant adverse impact on the environment or be a cause of public concern, has decided not to refer the Request to Environmental Assessment; 2. Approve the Draft Notice of Preliminary Screening Determination and Reasons for Decision for distribution on November 19, 2020 (Attachment 3); 3. If the Board does not receive a notice of referral to environmental assessment by November 29, 2020, Board staff recommend that the Board issue the amended Land Use Permit W2018C0007 on November 30, 2020; 4. If the Board does not receive a notice of referral to environmental assessment by November 29, 2020, Board staff recommend that the Board direct Nighthawk to submit an updated version of the Waste Management Plan to reflect the increased camp capacity and incorporate the incinerator management plan within 60 days of issuance of the amended Permit; and 5. Direct staff to finalize Draft Reasons for Decision and Issuance Letter for W2018C0007 for review and approval by the Chair to be issued November 30, 2020.	Approve	LUP	NO
54	Nov 19_20	W2017L3-0002	Community Government of Whati	CGW Solid Waste Facility O&M Plan V4.0 Motion: 1. approve Version 4.0 of the SWF Operation and Maintenance Plan with additional direction; 2. direct CGW to include revisions #1 to #4 when it submits Version 5.0 of the SWF O&M Plan; 3. direct the CGW to review the capacity of the landfill, and any other relevant	Approve	WL	YES



**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
				sections as a result of the opening of the Tłı̨chǫ All-Season Road (TASR), and submit a revised SWF O&M Plan for Board approval once the TASR has opened. If no revisions are required because of the TASR, rationale should be provided in the cover letter of the Plan. This submission is to be submitted no more than a year after the TASR is opened; and 4. direct Board staff to prepare and finalize a draft Reasons for Decision and Decision letter for review and approval by the Chair.			
55	Nov 19_20	W2016E0004/W2016L8-0001	Government of the Northwest Territories Department of Infrastructure (GNWT-INF)	TASR - GNWT-INF – Waste Management Plan V1.3 Motion: 1. approve Version 1.3 of the Waste Management Plan; and 2. approve the draft decision letter provided in Attachment #1.	Approve	WL/LUP	NO
56	Dec 7_21	W2015L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	Diavik – PKMW Amendment – FRMG Request for Ruling Motion: To not approve the Fort Resolution Metis Government as an intevener for the Diavik PK to Mine Workings proceedings, but to accept their submission onto the record.		WL	YES
57	Dec 7_21	W2014L8-0003/W2014L3-0002/W2018L3-0001/W2017L3-0001/W2017L3-0002/W2015L2-0001/W2012L2-0001/W2008L2-0004/W2016L8-0001/W2018L2-0002 and W2018L2-0003/N1L4-0150 and W2014L4-0001		Annual Water Licence Reports Motion: 1. To direct Board staff to continue to work with Licensees to ensure Annual Reports are submitted and conform to their respective Water Licences.	Approve	WL	NO

**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
58	Dec 7_21	W2012L2-0001	Dominion Diamond Mines ULC	<p>Ekati AEMP Format Request</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>Approve Recommendation 22 of the Ekati 2019 AEMP Re-evaluation with the following two additional requirements:                             <ol style="list-style-type: none"> <li>The 2020 AEMP Annual Report is to clarify that the methods are aligned with the previously approved AEMP Design and include the level of detail necessary to accompany Version 6.1 of the AEMP Design; and</li> <li>Part – 1 Annual Report is to include meteorological data summaries as an appendix.</li> </ol> </li> <li>Approve the Draft Reasons for Decision</li> </ol>	Approve	WL	YES
59	Jan 14_21	W2020L8-0003/W2020X0005	Crown Indigenous Relations and Northern Affairs Canada - Contaminants and Remediation	<p>Rayrock Preliminary Screening</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>Determine the following: Based on the information provided in the Applications and the public review, it not the Board’s view that the proposed remediation project and associated activities might have a significant adverse impact on the environment or might be a cause of public concern and therefore, has decided to not refer the Project to Environmental Assessment; and</li> <li>Approve and finalize the Notice of Preliminary Screening Determination and Reasons for Decision for distribution on January 14, 2021.</li> </ol>	Approve	WL/LUP	YES
60	Jan 14_21	W2020L8-0003	Government of the Northwest Territories Department of Infrastructure (GNWT-INF)	<p>GNWT-INF – Type B Water Licence Application</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>Determine the following: Based on the information provided in the Application and the public review, it is the Board’s view that the proposed development is not likely to have a significant adverse impact on air, water or renewable resources or might be a cause of public concern and therefore, has decided not to refer the Project to Environmental Assessment;</li> <li>Approve the Preliminary Screening Determination and its Reasons for Decision for the Type B Water Licence Application W2020L8-0002;</li> <li>Approve the Draft Notice of Preliminary Screening Determination for distribution on January 14, 2021;</li> <li>If the Board does not receive a notice of referral to environmental assessment by January 24, 2021, Board staff recommend that the Board issue Water Licence W2020L8-0002 on January 25, 2021, for a term of two (2) years;</li> <li>Approve the Draft Reasons for Decision for Type B Water Licence W2020L8-0002;</li> <li>Approve Version 1.0 of GNWT-INF’s Engagement Plan;</li> <li>Approve Version 1.0 of GNWT-INF’s Waste Management Plan and direct GNWT-INF to submit Version 1.1 of its Waste Management Plan to include a letter from an approved Solid Waste Facility prior to commencement of the Project;</li> </ol>	Approve	WL	NO

**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
				8. Approve Version 1.0 of GNWT-INF's Spill Contingency Plan; and 9. Direct GNWT-INF to submit Version 1.0 of its Closure and Reclamation Plan for Board approval should any closure or reclamation activities be required as a result of this Project that are not already covered under Land Use Permit MV2017X0008.			
61	Jan 14_21	W2013T0008	Fortune Minerals Limited	Fortune - Land Use Permit Final Clearance Motion: 1. Grant Final Clearance to Fortune Minerals Limited for Land Use Permit W2013T0008; 2. Determine that a refund of \$750.00 dollars for un-used land use fees is appropriate; and 3. Approve the Draft Final Clearance Letter (see Attachment 2).	Approve	LUP	NO
62	Jan 14_21	W2018L2-0002/W2018L2-0003/W2018C0007/W2018X0006	Nighthawk Gold Corporation	Nighthawk WMP V3.2 – Conformity Motion: 1. Approve Version 3.2 of the Waste Management Plan; and 2. Approve the Draft Decision Letter provided in Attachment 1.	Approve	WL/LUP	NO
63	Jan 14_21	W2012L2-0001	Dominion Diamond Mines ULC	Ekati – CRP Workshop – Extension Request Motion: 1. Reject Dominion's request to defer the closure planning workshop; 2. Change the workshop date from March 16, 2021 to the week of March 22, 2021; and 3. Require Dominion to submit information to depict updated closure planning timelines, including an updated version of the schedule submitted by Dominion on February 14, 2019 and approximate dates for upcoming submissions related to all progressive reclamation.	Approve	WL	YES
64	Jan 14_21			DDMI – PKC Modification – DGRB Extension Letter Motion: 1. The Board inform DDMI that that, based on the letter from the Diavik Geotechnical Review Board (DGRB), Diavik is not required to submit the Trigger Action Response Plan (TARP) and that the Board will not be conducting any further technical review of the spillway design. 2. The Board approve the Draft Letter to DDMI.			

**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
65	Jan 28_21	W2013D0006, W2013D0007, W2014I0001, W2015D0005, W2016D0003, W2016D0005, W2016F0006, W2017D0004, W2017J0003, W2018C0005, W2012L2-0001, and W2016L8-0003	Dominion Diamond Mines ULC	Ekati Assignments: Motion: 1. Assign the above-mentioned Land Use Permits and Water Licences from Dominion Diamond Mines ULC to Arctic Canadian Diamond Company Ltd. effective January 31, 2021.	Approve	WL/LUP	YES
66	Jan 28_21	W2018C0002	Rover Metals Corporation	Rover – Land Use Permit Amendment Request Motion: 1. Determine the following: Based on the information provided in the Request and the public review, it is the Board’s view that the proposed development will not have a significant adverse impact on the environment or be a cause of public concern and therefore, has decided not to refer the Project to Environmental Assessment; 2. Approve the Draft Notice of Preliminary Screening Determination and Reasons for Decision for the Type A Land Use Permit Amendment W2018C0002 for distribution on January 28, 2021; 3. If the Board does not receive a notice of referral to Environmental Assessment by February 7, 2021, issue Rover’s Amended Land Use Permit W2018C0002 on February 8, 2021; 4. Direct staff to finalize Draft Reasons for Decision and Issuance Letter for the Amended Land Use Permit W2018C0002 for review and approval by the Chair to be issued on February 8, 2021; 5. If the Board does not receive a notice of referral to environmental assessment by February 7, 2021, direct Rover to submit an updated Closure Plan (i.e., Version 2.0) that reflects the clarifications provided in response to questions by Board staff and the finalized Access Agreement with the TG. 6. If the Board does not receive a notice of referral to environmental assessment by February 7, 2021, approve Rover’s Access Road Engagement Plan and direct Rover to submit an updated Engagement Plan (i.e., Version 2.0) that reflects the clarifications provided in response to questions by Board staff and the finalized Access Agreement with the TG. 7. Remind Rover to submit the additional water use information to DFO as required by the Board’s September 27, 2018 Decision Letter, if not done already.	Approve	LUP	NO

**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
67	Feb 25_21	W2012L2-0001	Arctic Canadian Diamond Company Ltd (Arctic)	Ekati – AEMP – 2019 Annual Report Motion: 1. Approve the 2019 AEMP Annual Report; and 2. Direct staff to finalize Draft Reasons for Decision for review and approval by the Chair.	Approve	WL	NO
68	Feb 25_21	W2012L2-0001	Arctic Canadian Diamond Company Ltd (Arctic)	Ekati – Waste Management Plan Version 7.0 and Spill Contingency Plan Version 14 Motion: 1. Approve Arctic’s Spill Contingency Plan Version 14.0; 2. Approve Arctic’s Waste Management Plan Version 7.0; and 3. Approve the Draft Board Decision Letter.	Approve	WL	NO
69	Feb 25_21	W2014L3-0002	Community Government of Behchoko	TASR - Type B Water Licence Cancellation Motion: 1. Cancel Water Licence W2016L8-000; and 2. Approve the Decision Letter and Reasons for Decision in Attachment #2.	Cancel & Approved	WL	NO
70	Feb 25_21	W2014L3-0002	Community Government of Behchoko	TASR – Wildlife Management and Monitoring Program Version 4.2 Motion: 1. Approve Version 4.2 of the Wildlife Management and Monitoring Plan; 2. Direct GNWT-INF include details on the study design (i.e., environmental conditions, temperature, distance from observer, etc.), thermal imaging devices, and methodology in the next Annual Report when thermal imaging takes place; 3. Direct GNWT-INF to include details on the study design (i.e., environmental conditions, temperature, distance from observer, etc.), thermal imaging devices, and methodology used for the thermal imaging device study in Appendix F of the next WMMP; and 4. Approve the draft Decision Letter and Reasons for Decision (see Attachment #4).	Approve	WL	NO
71	Feb 25_21	W2010J0002	Diavik Diamond Mines (2012) Inc. (DDMI)	Diavik – Dam Safety Review - Extension Request Motion: 1. Approve the Draft Letter Re: A21 Dam Safety Review Extension Request	Approve	LUP	NO
72	Feb 25_21	W2016C0002	Fortune Minerals Limited	Diavik – PKC Facility Plan Version 5.1 Motion: 1. Approve Version 5.1 of DDMI’s PKC Facility Plan 2. Approve the Draft Decision Letter in Attachment 1; and 3. Approve the administrative change to the location of SNP Station 1645-16 and incorporate the change in the location in the amended Licence as part of the Water Licence proceeding for the PK to Mine Workings amendment.	Approve	LUP	NO

**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
73	Feb 25_21	W2015L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	<p>Diavik – Processed Kimberlite to Mine Workings Proceeding</p> <p>Motion:</p> <p>1. Board direct staff to Assess each potential additional standard condition (those on the list provided to DDMI in advance) on a case-by-case basis considering the potential increased protection that the condition provides along with the potential operational challenges that DDMI will face.</p>	Approve	WL	YES
74	Mar 18_21	W2012L2-0001	Arctic Canadian Diamond Company Ltd (Arctic)	<p>Ekati - 2019 AEMP Re-evaluation and Version 7.0 of the AEMP Design; and Version 2.0 of the Fish Response Plan</p> <p>Motion:</p> <p>1. Approve Arctic’s 2019 AEMP Re-evaluation Report;</p> <p>2. Accept the staff recommendations made in Table 1 and 2, regarding Arctic’s proposed recommendations for the AEMP Design, Response Framework, and 2019 AEMP Re-evaluation;</p> <p>3. Require Arctic to include the following in Version 3.0 of the Fish Response Plan:</p> <p>a) A summary of the Koala Water Quality Model results related to selenium with an evaluation of the success of its operational management strategies; or</p> <p>b) If the Water Quality Model has not yet been updated, an alternative evaluation of the of the success of its operational strategies;</p> <p>4. Not approve Arctic’s proposed AEMP Design Plan for 2020 to 2022 (i.e., Version 7.0);</p> <p>5. Require Arctic to submit Version 7.1 of the AEMP Design that incorporates the approved Arctic Recommendations (Table 1 and 2) and the changes directed by the Board;</p> <p>6. Direct Arctic to submit a status report and update on its plan to conduct engagement and advance the development of site-specific consumption rates. This update is recommended to be provided within 30 days of the Board’s communication of its Reasons for Decision;</p> <p>7. Approve Version 2.0 of the Fish Response Plan;</p> <p>8. Direct Arctic to submit Version 3.0 of the Fish Response Plan within one year, which advances the site-specific screening values methodology for MAL and HAL comparison. Should this not be possible within that time frame considerations of interim guidelines should be considered; and</p> <p>9. Direct Board staff to finalize the Reasons for Decision for review and approval by the Chair.</p>	Approve	WL	NO
75	Mar 18_21	W2012L2-0001	Arctic Canadian Diamond Company Ltd (Arctic)	<p>Ekati – Sable Outfall Report</p> <p>Motion:</p> <p>1. Approve the attached draft Reasons for Decision (Attachment 4) subject to final administrative and technical review.</p>	Approve	WL	NO

**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
76	Mar 18_21	W2014L3-0002	Community Government of Behchoko	<p>Community Government of Behchokò Community Government of Behchokò – Solid Waste Facility - Closure and Reclamation Plan</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Approve Version 2.0 of the Closure and Reclamation Plan for the former Solid Waste Facility.</li> <li>2. Direct CGB to review its SNP, and within 30 days of the Board’s decision, either:                             <ol style="list-style-type: none"> <li>a. submit a request to change the SNP; or</li> <li>b. provide rationale if the CGB believes that no changes to the SNP are necessary.</li> </ol> </li> <li>3. Direct CGB to submit Version 2.1 of the SWF CRP to the Board with an Implementation Schedule no later than 30 days prior to conducting closure activities of the former SWF.</li> <li>4. Direct CGB to submit a drawing of the borrow source location used for cover materials in an appendix of the CRP (ideally within Version 2.1) or in a subsequent version (Version 2.2) prior to applying the final cover.</li> <li>5. Direct CGB to submit updated drawings, as committed to by CGB/BluMetric in response to GNWT-ENR comments 1, 2, 5, and 6 in an appendix of the CRP (ideally within Version 2.1) or in a subsequent version (Version 2.2) prior to applying the final cover.</li> </ol>	Approve	WL	NO
77	Mar 18_21	W2014L3-0002	Community Government of Behchoko	<p>Community Government of Behchokò - Hazardous Waste Management Plan Version 2.0 and and Spill Contingency Plan Version 2.0</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Approve Version 2.0 of the Hazardous Waste Management Plan;</li> <li>2. Approve Version 2.0 of the Spill Contingency Plan and direct CGB to submit Version 2.1 of the SCP to include the information committed in response to Board staff comment 1 and 2, as well as its response to Board’s staff email on March 8, 2021;</li> <li>3. Direct the CGB to submit Version 2.1 of the SCP be submitted no later than 30 days after the Board’s decision; and</li> <li>4. Direct Board staff to finalize the Draft Reasons for Decision for review and approval by the Chair.</li> </ol>	Approve	WL	NO
78	Mar 18_21	W2010J0002	Diavik Diamond Mines (2012) Inc. (DDMI)	<p>Diavik – CBM Camp Permit – Final Clearance</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Grant Final Clearance to Diavik Diamond Mines (2012) Inc. for Land Use Permit W2010J0002;</li> <li>2. Determine that there is no refund owing or owed for this Permit; and</li> <li>3. Approve the Draft Final Clearance Letter (see Attachment 2).</li> </ol>	Approve	LUP	NO

**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
79	Mar 18_21	W2016C0002	Fortune Minerals Limited	Fortune – Land Use Permit – Two-Year Extension Request Motion: 1. Approve Fortune’s extension to Land Use Permit W2016C0002 for a period of two years; and 2. Approve the Draft Board Decision Letter (see Attachment 3).	Approve	LUP	NO
80	Apr 15-16_21	W2015L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	Diavik – PK to Mine Workings – WL Amendment Motion: 1. Approve the Draft Recommendation Letter to the Minister, Reasons for Decision for the amendment of W2015L2-0001, and Water Licence W2015L2-0001, subject to final technical, administrative, and legal review (Attachments 2, 3 and 4); 2. Forward the amended Water Licence W2015L2-0001 for the Minister’s approval; 3. Subject to the Minister’s decision: a. Approve the Draft Issuance Letter (Attachment 5) and issue amended Water Licence W2015L2-0001; b. Approve DDMI’s October 2020 PKMW Modelling Plan as per Part G, Condition 21(a). c. Direct DDMI to: i. update the Closure Cost Estimate to include the PKMW Project with the next Closure and Reclamation Plan (CRP) or with the next required or requested update to the Closure Cost Estimate (whichever comes first); ii. address the recommendations detailed in Appendix 2 as part of a future submission related to the AEMP for closure. iii. Within 30 days of receiving the Board’s decision, submit a letter that confirms that the reporting of Action Level exceedances with the AEMP Annual Report represents the earliest time practically possible, and if not, to outline the earliest time by which each Action Level for each component of the Response Framework could be reported; and iv. to incorporate the items listed in Appendix 3 and to address the items listed in Appendix 4 of these Reasons for Decision within, or at an earlier opportunity, the next version of the CRP.	Approve	WL	YES
81	Apr 15-16_21	W2021X0001	Tłı̨chǫ Government	Tłı̨chǫ Government – Fibre Optic Land Use Permit Application Motion: 1. Determine the following: Based on the information provided in the Tłı̨chǫ Government’s Application and the public review, it is the Board’s opinion that the proposed Project will not have a significant adverse impact on the environment or be cause of public concern. The Board has therefore decided not	Approve	LUP	NO



**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
				to refer the proposed Project to Environmental Assessment; 2. Approve the Draft Notice of Preliminary Screening Determination and Reasons for Decision for distribution on April 15, 2021; 3. Direct Tłıchq Government to work collaboratively with the Wek'èezhii Renewable Resources Board and GNWT-ENR on Wildlife management aspects; 4. Not require security for the Tłıchq Government's Fibre Line Project; 5. If the Board does not receive a notice of referral to environmental assessment by April 25, 2021, issue Tłıchq Government's Land Use Permit W2021X0001 on April 26, 2021; and 6. Direct staff to finalize the Draft Reasons for Decision and Issuance Letter for Permit W2021X0001 for review and approval by the Chair for issuance on April 26, 2021.			
82	Apr 15-16_21	W2021D0002	Arctic Canadian Diamond Company Ltd (Arctic)	Ekati – Lynx Land Use Permit Renewal Motion: 1. Determine that the Application submitted by Arctic Canadian Diamond Company Ltd. is exempt from preliminary screening in accordance with the Exemption List Regulations; 2. Issue Type A Land Use Permit W2021D0002 for a period of five years; and 3. Direct Board staff to finalize the Reasons for Decision for review and approval by the Chair.	Approve	LUP	NO
83	Apr 15-16_21	W2020L8-0003/W2020X0005	Crown Indigenous Relations and Northern Affairs Canada - Contaminants and Remediation	Kwetłı̨paà (Rayrock) – Preliminary Screening – Water Licence and Land Use Permit Applications Motion: 1. Make the following determination: Based on the information provided in the Applications, Information Requests, and the public review, it is not the Board's view that the new proposed remediation project areas and associated activities might have a significant adverse impact on the environment or might be a cause of public concern and therefore, has decided to not refer the Project to Environmental Assessment; and 2. Approve and finalized the Notice of Preliminary Screening Determination and Reasons for Decision for distribution on April 15, 2021.	Approve	WL/LUP	YES
84	Apr 15-16_21	W2017C0002	Diavik Diamond Mines (2012) Inc. (DDMI)	Diavik – Land Use Permit – Drilling Additive Request Motion: 1. Approve the use of additional drilling additives Calcium Chloride, DD-Express, SANDEXRESS, and Torqueless as drilling additives for exploratory drilling; and 2. Approve the Draft Reasons for Decision.	Approve	LUP	YES

**WLWB Decisions for 2020-21**

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
85	Apr 15-16_21	W2015L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	<p>Diavik – 2019 AEMP Annual Report</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Approve the 2019 AEMP Annual Report;</li> <li>2. Direct DDMI to include a discussion in the next version of the AEMP Design Plan on whether different criteria for selecting SOIs should be considered when the substance can biomagnify; and</li> <li>3. Direct DDMI to update the Fish Response Plan to include 2019 sampling data within 90 days of the Board’s decision.</li> <li>4. Direct Board staff to finalize the Reasons for Decision for review and approval by the Chair.</li> </ol>	Approve	WL	YES
86	Apr 15-16_21	W2012L2-0001	Arctic Canadian Diamond Company Ltd (Arctic)	<p>Ekati – AEMP – Potassium Action Level Exceedance</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Communicate to Arctic that ongoing use of the approved Potassium Response Plan Version 3.0 is appropriate at this time; and</li> <li>2. Approve the Draft Letter.</li> </ol>	Approve	WL	NO
87	Apr 15-16_21	W2012L2-0001	Arctic Canadian Diamond Company Ltd (Arctic)	<p>Ekati – Old Camp Security Adjustment</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Approve Arctic’s proposed security adjustment (i.e., a \$548,474 refund) and update Schedule 2, Condition 1(a) of Water Licence W2012L2-0001 to reflect the adjusted security deposit to a total value of \$260,020,370.</li> <li>2. Communicate to Arctic that if it wishes to change the reclamation approach to the North Pond from that approved in the OCCRP, this change will require Board approval;</li> <li>3. Communicate to Arctic that the level of documentation provided to demonstrate achievement of closure objectives should not set precedent for that required in future requests;</li> <li>4. Direct Arctic to continue to allocate the security associated with reclamation of the Phase 1 North Pond within the “tailings” RECLAIM tab;</li> <li>5. Direct Board staff to prepare a letter to Senior Management at the GNWT regarding process for evaluating achievement of closure objectives for review and approval by the Board; and</li> <li>6. Direct Board staff to finalize the Reasons for Decision for review and approval by the Chair.</li> </ol>	Approve	WL	NO
88	Apr 22_21	W2018L2-0003/W2018CO007	Nighthawk Gold Corporation	<p>Nighthawk – Land Use Permit Amendment, Water Licence Amendment, and Water Use Plan Version 4.0</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>1. Determine the following: Based on the information provided in Nighthawk’s Application, Request, Water Use Plan Version 4.0 and the public review, it is the Board’s view that the proposed Amendments will not have a significant adverse impact on the environment or be a cause of public concern, has decided not to</li> </ol>	Approve	WL/LUP	NO

WLWB Decisions for 2020-21

#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
				<p>refer the Request to Environmental Assessment;</p> <p>2. Approve the Draft Notice of Preliminary Screening Determination and Reasons for Decision for distribution on April 22, 2021 (Attachment 3);</p> <p>3. If the Board does not receive a notice of referral to environmental assessment by May 2, 2021, issue the amended Type B Water Licence W2018L2-0003 on May 3, 2021;</p> <p>4. If the Board does not receive a notice of referral to environmental assessment by May 2, 2021, approve Version 4.0 of the Water Use Plan on May 3, 2021 but communicate that withdrawal from VL2, VL5, VL6, and VL21 is not authorized;</p> <p>5. Require Nighthawk to submit Version 4.1 of the Water Use Plan to remove references to the following Water Sources: VL2, VL5, VL6, and VL21;</p> <p>6. Remind Nighthawk that all future additions of Water Sources to the Water Use Plan would require an amendment application;</p> <p>7. If the Board does not receive a notice of referral to environmental assessment by May 2, 2021, issue the amended Land Use Permit W2018C0007 on May 3, 2021;</p> <p>8. Request that Nighthawk work collaboratively with the Wek'èezhii Renewable Resources Board on wildlife management aspects and to determine the timing of an updated plan; and</p> <p>9. If the Board does not receive a notice of referral to environmental assessment by May 2, 2021, Approve the Draft Issuance Reasons for Decision for Water Licence W2018L2-0003 and Land Use Permit W2018C0007 for distribution on May 3, 2021 (Attachment 4).</p>			
89	May 6_21	W2020L2-0004	Arctic Canadian Diamond Company Ltd (Arctic)	<p>Ekati – Type A Water Licence Renewal Application</p> <p>Motion:</p> <p>1. Determine that the Renewal Application is exempt from Preliminary Screening, as per the Exemption List Regulations of the MVRMA, Part 1, Schedule 1, section 2;</p> <p>2. Approve the Draft Letter to the Minister, the Reasons for Decision for the renewal of W2020L2-0004, and Water Licence W2020L2-0004, subject to final legal, technical, and administrative review;</p> <p>3. Approve the Draft Summary of Evidence related to Chapter 23.4 of the Tłı̨chǫ Land Claims and Self-Government Agreement (Attachment 3);</p> <p>4. Forward Water Licence W2020L2-0004 for the Minister's approval, along with the Summary of Evidence related to Chapter 23.4 of the Tłı̨chǫ Land Claims and Self-Government Agreement; and</p> <p>5. Subject to the Minister's decision: approve the Draft Issuance Letter and issue Water Licence W2020L2-0004.</p>	Approve	WL	NO

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#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
90	May 6_21	W2016D0003/ W2016D0005/ W2016F0006	Arctic Canadian Diamond Company Ltd (Arctic)	Ekati – Land Use Permit Extensions – Sable Development, Pigeon Pit, and Pigeon and Sable Haul Road Motion: 1. Approve Arctic’s extension to Land Use Permits W2016D0003, W2016D0005, and W2016F0006 for a period of two years each; and 2. Approve the Draft Board Decision Letter (see Attachment 3).	Approve	LUP	NO
91	May 6_21	W2016X0001	GNWT-MACA	GNWT-MACA – Land Use Permit – Final Clearance Motion: 1. Approve the Final Plan and grant Final Clearance to GNWT-MACA for Land Use Permit W2016X0001; 2. Determine that there is no refund owing for this Permit; and 3. Approve the Draft Final Clearance Decision Letter (see Attachment 2).	Approve	LUP	NO
92	May 6_21	W2018L2-0003	Nighthawk Gold Corporation	Nighthawk – Interim Closure and Reclamation Plan – Version 3.3 Motion: 1. Approve Version 3.3 of the interim CRP with direction for the next version of the CRP; 2. Direct Nighthawk to work with Board staff to set a deadline for the next version of the CRP that is no later than December 15, 2022; 3. Approve the closure goal; 4. Approve all closure objectives, subject to Closure Objective Revisions #1 through 4. These revisions are to be reflected in the next version of the CRP; 5. Not approve the closure criteria and direct Nighthawk to engage with all Parties to update the closure criteria prior to submission of the next version of the CRP; 6. Approve the selected closure activity of consolidating the waste rock piles with a low-flux cover and geosynthetic liner and direct Nighthawk to update the selected closure activity for the waste rock piles in the next version of the CRP; 7. Direct Nighthawk to update the contingency options associated with the closure of the waste rock piles in the next version of the CRP to address the potential for the low-flux cover and geosynthetic liner to be unsuccessful; 8. Approve the controlled demolition of the crown pillar and backfilling of the trench and require Nighthawk to include the additional information, referenced in response to TG comment 9 and Board staff comment 14, to address outstanding concerns about portal/decline closure in the next version of the CRP; 9. Direct Nighthawk to evaluate the potential for the selected closure activity to fail, including being a source of ARD and ML, and develop a contingency plan, if necessary in the next version of the CRP; 10. Approve the selected closure activity for the settling pond as proposed by	Approve	WL	NO

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#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
				<p>Nighthawk in response to GNWT-ENR’s recommendations 20-22 and require Nighthawk to reflect this change in the next version of the CRP;</p> <p>11. Direct Nighthawk to update sediment and erosion control, and dust prevention measures, through engagement with the TG, in the next version of the CRP;</p> <p>12. Direct Nighthawk to include a plan for measuring and mitigating hydrocarbon impacted soils found on site during closure and reclamation in the next version of the CRP;</p> <p>13. Direct Nighthawk to include reference to its requirement for following procedures outlined in the WMMP in the next version CRP;</p> <p>14. Approve the selected closure activities for the trails, buildings, and equipment;</p> <p>15. Direct Nighthawk to update the Water Quality Model based on the consolidated rock piles with a low-flux cover and geosynthetic liner in the next version of the CRP;</p> <p>16. Not to approve the proposed mixing zone and direct Nighthawk to update Section 4.8.2.2 of the CRP to include updated water quality modelling results in the next version of the CRP;</p> <p>17. Not to approve the post-closure monitoring and maintenance proposed in Version 3.3 of the interim CRP;</p> <p>18. Direct Nighthawk to engage with Parties on the details of post-closure monitoring and maintenance prior to submission of the next version of the CRP;</p> <p>19. Direct Nighthawk to engage with Parties to refine the proposed triggers for beginning permanent reclamation and incorporate its proposed triggers in the next version of the CRP;</p> <p>20. Direct Nighthawk to engage with Parties to prepare an updated RECLAIM estimate to be submitted within ninety (90) days of the Board’s decision; and</p> <p>21. Direct staff to finalize the Draft Reasons for Decision and Decision Letter for review and approval by the Chair.</p>			
93	Jun 10_21	W2015L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	<p>Diavik – Interim Closure and Reclamation Plan – Version 4.1</p> <p>Motion:</p> <p>1. Approve CRP Version 4.1, with additional direction as outlined in the draft Reasons for Decision;</p> <p>2. Approve Draft RFD subject to final technical, administrative, and legal review;</p> <p>3. Direct staff to prepare a decision letter for approval by the Chair;</p> <p>4. Direct staff to prepare an Information Request to the GNWT regarding closure costs associated with winter access and ore stockpiling (see RFD Security Issue #9 and 16); and</p> <p>5. Direct update Schedule 2 to reflect the Board’s Decision on security.</p>	Approve	WL	YES

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#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
94	Jun 10_21	W2021X0004/ W2021D0005/ W2012L2-0001	Arctic Canadian Diamond Company Ltd (Arctic)	Ekati – Point Lake Project – Further Investigations 22(2)(b) - Land Use Permit Applications and Water Licence Amendment Application Motion: 1. As per paragraph 22(2)(b) of the Mackenzie Valley Land Use Regulations, inform the proponent that further investigations are required in order to align the timelines for considering the two Land Use Permit Applications and Water Licence Amendment Application at the same time.	Approve	WL/LUP	NO
95	Jun 10_21	W2014L3-0002	Community Government of Behchoko	Community Government of Behchokq – Spill Contingency Plan – Version 2.1 Motion: 1. Approve Version 2.1 of the Spill Contingency Plan; and 2. Approve the Draft Decision Letter provided in Attachment #1	Approve	WL	NO
96	Jun 22_21	W2016E0004/W 2021L8-0001	The Government of the Northwest Territories Department of Infrastructure (GNWT-INF)	TASR – Quarry – Water Licence Application and Land Use Permit Amendment Motion: 1. The Board determine the following: Based on the information provided in the Tłı̄chq Government’s Application and the public review, it is the Board’s opinion that the proposed Project will not have a significant adverse impact on the environment or be a cause of public concern. The Board has therefore decided not to refer the proposed Project to Environmental Assessment. 2. The Board approve the Notice Preliminary Screening Determination and Reasons for Decision for distribution on June 22, 2021 (see Attachment #3). 3. If the Board does not receive a notice of referral to environmental assessment or receive any notices to file claims for compensation by July 2, 2021, the Board will issue the Amended Land Use Permit W2016E0004 and Type B Water Licence W2021L8-0001 and Reasons for Decision attached (see Attachment #4-#6) on July 3, 2021. 4. If the Board does not receive a notice of referral to environmental assessment or receive any notices to file claims for compensation by July 2, 2021, the Board will approve Version 5.0 of the Quarry Operations Plan and direct GNWT-INF to conduct additional confirmatory sampling at KM 80 if, and when, changes in material characteristics occur (e.g., weathering, mineralogy, colour, grain-size) and submit for analysis. Results from additional confirmatory sampling should be submitted to the Board as part of the Weekly Environmental Reports.	Approve	LUP/WL	NO
97	Jun 22_21	W2014L4-0001	Northwest Territories Power Corporation (NTPC)	Northwest Territories Power Corp/Dogrib Power Corp – Modification Motion: 1. Determine that the proposed Modification request to raise the concrete core wall of the Snare Cascades Dyke does not require Board approval 2. Approve the Draft Decision Letter provided in Attachment #4.	Approve	WL	NO

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#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
98	Jun 22_21	W2021J0003	Tlicho Government	<p>Tl̨ich̨o Government – Land Use Permit Application</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>Determine the following: Based on the information provided in the Tl̨ich̨o Government’s Application and the public review, it is the Board’s opinion that the proposed Project will not have a significant adverse impact on the environment or be cause of public concern. The Board has therefore decided not to refer the proposed Project to Environmental Assessment;</li> <li>Approve the Draft Notice of Preliminary Screening Determination and Reasons for Decision for distribution on June 22, 2021;</li> <li>Clarify that Section 15 of the TG’s Application is understood as the Spill Contingency Plan for this Permit;</li> <li>To not require security for the Tl̨ich̨o Government’s Ekw̨ò Nàxoèhdee K’è Camps Project; (potential amount of \$10,043.00);</li> <li>If the Board does not receive a notice of referral to environmental assessment by July 2, 2021, Board staff recommend that the Board issue Tl̨ich̨o Government’s Land Use Permit W2021J0003 on July 3, 2021; and</li> <li>If the Board does not receive a notice of referral to environmental assessment by July 2, 2021, Approve the Draft Reasons for Decision and Issuance Letter for Land Use Permit W2021J0003 for distribution on July 3, 2021 (Attachments 6 and 8).</li> </ol>	Approve	LUP	NO
99	Jun 22_21	W2018C0002	Rover Metals Corporation	<p>Rover – Engagement Plan and Closure and Reclamation Plan</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>Approve Version 2.0 of the Engagement Plan and Version 2.0 of the Closure and Reclamation Plan; and</li> <li>Approve the Draft Decision Letter provided in Attachment #1.</li> </ol>	Approve	LUP	NO
100	Jun 22_21	W2012L2-0001	Arctic Canadian Diamond Company Ltd (Arctic)	<p>Ekati – Sediment Sampling Plan</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>Approve the use of Arctic’s proposed EK-core sediment sampling method for the top 1 cm of sediment for AEMP sampling;</li> <li>Direct Arctic to include the updated sediment sampling methods and proposed QA/QC method in the AEMP Design Plan and submit the revised AEMP Design Plan for conformity within 30 days; and</li> <li>Direct staff to finalize the Draft Reasons for Decision.</li> </ol>	Approve	WL	NO
101	Jun 22_21	W2015L2-0001	Diavik Diamond Mines (2012) Inc. (DDMI)	<p>Diavik – 2020 Seepage Survey</p> <p>Motion:</p> <ol style="list-style-type: none"> <li>Approve the 2020 Seepage Survey Report;</li> <li>Direct staff to finalize the Reasons for Decision for review and approval by the Chair;</li> <li>In future Seepage Survey Reports, require DDMI to provide a description of why the results of the QA/QC program relative to the dataset do/do not affect</li> </ol>	Approve	WL	YES

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#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
				<p>interpretation of the dataset, in support of Schedule 6, Condition 7. DDMI should providing a brief summary of the unacceptable RPDs to support this description; and</p> <p>4. Require DDMI to include the following in the next Seepage Survey Report: (1) why the overflow bypassed the DCCS; (2) what changes are required to the current DCCS to prevent this overflow from bypassing E21 Sump in the future (if none, provide the rationale for why not); and (3) if a new SNP station should be created for this depression, including the rationale for why or why not.</p>			
102	Jul 22_21	W2021E0007/W 2021L8-0002	<p>The Government of the Northwest Territories Department of Infrastructure (GNWT-INF)</p>	<p>GNWT-INR – Whatì Access Road - Water Licence and Land Use Permit Applications Motion:</p> <p>1. Determine the following: Based on the information provided in the Government of the Northwest Territories Department of Infrastructure’s Application and the public review, it is the Board’s opinion that the proposed Project is not likely to have a significant adverse impact on air, water, and/or renewable resources, and will not be a cause of public concern. The Board has therefore decided not to refer the proposed Project to Environmental Assessment;</p> <p>2. Approve the Draft Notice of Preliminary Screening Determination and Reasons for Decision for distribution on July 22, 2021 (see Attachment 3-4);</p> <p>3. If the Board does not receive a notice of referral to environmental assessment by August 1, 2021, continue with the regulatory process for Type A Land Use Permit W2021E0007 and Type B Water Licence W2021L8-0002 on August 2, 2021 (see Attachment 8-9); and</p> <p>4. Direct Board staff to finalize the Draft Reasons for Decision and Issuance Letters for GNWT-INF’s Type A Land Use Permit W2021E0007 and Type B Water Licence W2021L8-0002 for approval by the Chair.</p>	Approve	LUP/WL	NO
103	Jul 22_21	W2012L2-0001	<p>Arctic Canadian Diamond Company Ltd (Arctic)</p>	<p>Ekati – Closure Objectives Motion:</p> <p>1. Approve the closure objectives as presented herein for inclusion in the Interim Closure and Reclamation Plan Version 3.1;</p> <p>2. Provide direction to Arctic to provide more information in Version 3.1 of the CRP regarding fish passage between Cell D and E;</p> <p>3. Approve the revised submission date of October 26, 2021 for the Interim CRP Version 3.0;</p> <p>4. Final closure criteria are to be proposed in the Interim CRP Version 3.1 for any mine component closing in the next three years (prior to December 2024);</p> <p>5. Draft criteria are to be proposed in the Interim CRP Version 3.1 for all objectives where final closure criteria are not required;</p> <p>6. Arctic is to engage with Parties to determine when a criteria workshop would</p>	Approve	WL	NO



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#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
				<p>be helpful to inform the development of draft closure criteria (e.g., before submission of Interim CRP Version 3.1 or during the public review of the Interim CRP Version 3.1). The criteria workshop shall be completed prior to completion of the public review of the Interim CRP Version 3.1 and the date shall be coordinated with Board staff;</p> <p>7. Appendix D of the Board’s February 19, 2020 Reasons for Decision required an in-person conversation on how the effective neutralization potential (NP) issue affects closure plans at non-Jay WRSAs (IEMA Comment 14). The Board recognizes that due to various circumstances (e.g., temporary closure and the sale of the mine) that it wasn’t feasible to have this discussion as part of the March 2021 workshop. The Board understands that the results of such a conversation may influence the development of closure criteria so is now requiring this conversation to take place as part, and in advance, of the closure criteria workshop; and</p> <p>8. Approve the draft Reasons for Decision (Attachment 2)</p>			
104	Jul 22_21	W2012L2-0001	Arctic Canadian Diamond Company Ltd (Arctic)	<p>Ekati – 2020 AEMP Annual Report Motion:</p> <ol style="list-style-type: none"> <li>1. Approve the 2020 AEMP Annual Report;</li> <li>2. Direct Arctic to submit a Response Plan for phytoplankton biomass within 90 days of the Board’s decision; and</li> <li>3. Direct staff to draft and finalize the Reasons for Decisions for review and approval by the Chair.</li> </ol>	Approve	WL	NO
105	Jul 22_21	W2012L2-0001	Arctic Canadian Diamond Company Ltd (Arctic)	<p>Ekati – Total Phosphorus Response Plan, Version 2.0 Motion:</p> <ol style="list-style-type: none"> <li>1. Approve Version 2.0 of the Total Phosphorus Response Plan;</li> <li>2. Require Arctic to report on the additional monitoring and success of its mitigation measures, along with recommended next steps. This reporting is to be included as part of the 2021 AEMP Annual Report, along with any recommendations for revising the TP Response Plan if necessary;</li> <li>3. Require Arctic to submit Version 2.1 of the TP Response Plan within 90 days of the Board’s decision being communicated. Version 2.1 is to explore the use of alternative benchmarks to address GNWT-ENR’s concerns, and/or provide further demonstration of the appropriateness of including three consecutive exceedances of the benchmark in the high AL given the potential problems identified with the TP benchmarks;</li> <li>4. Require Version 2.1 of the TP Response Plan to clarify that ‘additional monitoring’ will include a minimum of four open-water season TP samples;</li> <li>5. Require Arctic to provide additional details on the conditions and considerations that would be used by Arctic to avoid Discharging from the KPSF even if EQC are met. These details should be included in Version 2.1 of the TP</li> </ol>	Approve	WL	NO

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				<p>Response Plan;</p> <p>6. Require Arctic to include a discussion of the biological response to mitigations when it addresses 'Recommendation #2' in the 2021 AEMP Annual Report;</p> <p>7. Require Arctic to engage with NSMA regarding its recommendation for involvement of Indigenous parties and that Arctic be required to summary of this discussion, explaining how the recommendation was resolved, in Version 2.1 of the TP Response Plan; and</p> <p>8. Direct staff to finalize the Draft Reasons for Decision.</p>			
106	Jul 22_21	W2021I0006	Arctic Canadian Diamond Company Ltd (Arctic)	<p>Ekati – Misery Power Line – Land Use Permit Application</p> <p>Motion:</p> <p>1. Determine that the Application submitted by Arctic Canadian Diamond Company Ltd. is exempt from preliminary screening in accordance with the Exemption List Regulations;</p> <p>2. Issue Type A Land Use Permit W2021I0006 for a period of five years; and</p> <p>3. Approve the Draft Issuance Letter and Reasons for Decision for Land Use Permit W2021I0006.</p>	Approve	LUP	NO
107	Jul 22_21	W2014L3-0002	Community Government of Behchoko	<p>Community Government of Behchoko – SDF Efficacy Studies &amp; V2.0 of the O&amp;M Plan</p> <p>Motion:</p> <p>1. Approve Version 1.0 of Rae and Edzo Sewage Disposal Facility Efficacy Studies and direct CGB to submit Version 1.1 of the Rae and Edzo Efficacy Studies with revisions outlined in revisions #1 to #3 within 90 days of the Board's decision.</p> <p>2. Approve the draft Surveillance Network Program (in Attachment #3) that includes SNP Station 2021-E6 to monitor wetland conditions that are removed from any historical loadings associated with the SDF. For consistency, this monitoring station shall be monitored for the same parameters and at the same frequency as the other Edzo SDF SNP stations.</p> <p>3. Direct CGB to conduct a study during this open-water season that investigates the causes and implications/effects of EQC exceedances and elevated total phosphorous and un-ionized ammonia of the Edzo SDF. The CGB is to submit a report to the Board following completion of this Study. This report is to include, but not be limited to, the following information:</p> <p>a) A description of how the study was conducted;</p> <p>b) A copy of any results and a summary of findings from sampling conducted as part of the study;</p> <p>c) An analysis of</p> <p>i. the potential external sources (i.e., outside of the SDF) that are contributing to the exceedances and elevated concentrations. If any external sources are found to be contributing to the exceedances, provide a description with timelines of what change(s) are required (e.g., changes to the SNP) to address this;</p>	Approve	WL	NO

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#	Date	File #	Company	Motion	Decision Type	Type (WL/LUP)	Major Mining
				<p>ii. whether exceedances and elevated concentrations result from SDF design and/or operations; and if so, a description of what changes to the design and/or operations are required;</p> <p>d) An analysis of the achievability of the Licence EQC for all parameters. If the analysis finds that EQC are no longer achievable, please describe what changes to the EQC are needed and/or what information is required in order to inform a potential change to the EQC;</p> <p>e) A discussion of any potential effects on Great Slave Lake at the discharge location as a result of elevated levels of total phosphorous and un-ionized ammonia reporting from the Edzo SDF; and</p> <p>f) Any other mitigations or investigations that need to be conducted to address EQC exceedances and elevated levels of total phosphorous and un-ionized ammonia, or to increase the efficiency of the SDFs, including a discussion of available contingencies while other investigations are occurring.</p> <p>4. Approve Version 2.0 of the Sewage Disposal Facility Operation and Maintenance Plan (SDF O&amp;M Plan) and direct the CGB to submit Version 2.1 of the SDF O&amp;M Plan with revisions outlined in revisions A to F within 90 days of the Board's decision.</p> <p>5. Direct CGB to remove the sludge in the Edzo lagoon cells and Cell 1 of the Rae lagoon as per sections 4.4.1 and 3.4.1 of the SDF O&amp;M Plan as soon as possible starting this open-water season. The CGB is to provide a schedule with proposed sludge removal dates in the cover letter of the revised SDF O&amp;M Plan (Version 2.1) and is to submit a letter confirming sludge removal to the Board and the Inspector once sludge removal is completed.</p> <p>6. Approve the draft Surveillance Network Program (in Attachment #3) that includes sampling of free chlorine and total aluminum to the Rae and Edzo SNP SDF stations as recommended by GNWT-ENR comments 8 and 9.</p> <p>7. Reiterate the requirements of Part D, Condition 13 and Schedule 2 and direct CGB to provide a complete characterization of the Rae and Edzo sludge leaving the Water Supply Facilities with a supporting cover letter to the Board within 90 days of the Board's decision;</p> <p>8. Approve a revised Schedule 1 (see attachment #4) to include the submission of field parameters (pH and temperature) and field notes as part of CGB's Annual Report;</p> <p>9. Approve the draft SNP (see attachment #3) to reflect sampling at Frank Channel;</p> <p>10. Direct Board staff to prepare and finalize the draft Reasons for Decision and Decision Letter for review and Chair approval.</p>			

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108	Jul 22_21	W2018L2-0002/W2018L2-0003	Nighthawk Gold Corporation	Nighthawk – Water Use Plan, Version 4.1 - Conformity Motion: 1. Approve Version 4.1 of the Water Use Plan; and 2. Approve the Draft Decision Letter provided in Attachment 2.	Approve	WL	NO
109	Jul 22_21	W2013D0006	Arctic Canadian Diamond Company Ltd (Arctic)	Ekati – Lynx Permit – Final Clearance Motion: 1. Grant Final Clearance to Arctic Canadian Diamond Company Ltd. for Land Use Permit W2013D0006; and 2. Approve the Draft Final Clearance Letter (see Attachment 2).	Approve	LUP	NO