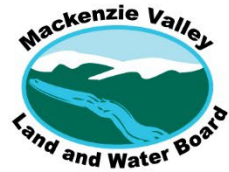


Land and Water Boards of the Mackenzie Valley



Land and Water Boards of the Mackenzie Valley
DRAFT Standard Water Licence Conditions and Schedules – Version 2.0:
Responses to Review Comments and Recommendations

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Instructions and Notes for Reviewing this Document

#	Condition	Condition Title	Rationale (Green Column)	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	<p>Final condition with any significant changes identified. Minor corrections (e.g., to typographical errors) are not included. To focus on the changes and review comments, only new and revised conditions are included in this table, so condition numbers may not match the final version.</p> <ul style="list-style-type: none"> - For new conditions that were proposed prior to the public review, new and revised wording is set out in red text. - For changes that were made following the public review, new and revised wording is set out in blue text, and a blue line is drawn through deleted or replaced text. <p>Green highlighting is used to identify any areas where staff will need to fill in or choose text to customize the condition when preparing a draft licence.</p>	<p>An identity tag for the condition for quick reference.</p>	<p>A description of the purpose of the restrictions, limitations, or requirements imposed by the condition.</p> <ul style="list-style-type: none"> - For new conditions that were proposed prior to the public review, new and revised wording is set out in red text. - For changes that were made following the public review, new and revised wording is set out in blue text, and a blue line is drawn through deleted or replaced text. 	<p>Review comments and recommendations are compiled in these two columns next to the applicable condition(s). A short form of the reviewer name is used to identify the comments and associated recommendations.</p>		<p>Additional information about revisions made both prior to and following the public review is provided in this column. Responses to reviewer recommendations are aligned with the relevant comment, where applicable.</p>

Review Comment Summary Table

Although the public review was limited to the new draft schedules, some reviewers also submitted comments on existing conditions in Version 1.0 of the *Standard Water Licence Conditions and Schedules* (Standard Licence Conditions). General comments on Version 1.0 of Standard Licence Conditions and the new draft Schedules are set out in the table below. Specific comments are addressed with the relevant condition in the body of the [Licence](#) or in the [Schedules](#) themselves, rather than in this table.

Topic	Reviewer	Reviewer Comments	Reviewer Recommendations	Responses to Recommendations
General Comments on Existing Standard Conditions				
General	ADKFN	ADKFN notes that this template for Water License conditions is generic and these standard conditions are not always suitable as written for all water licenses. As such ADKFN does not consent to the proposed standard conditions for any given license they are included in, and reserve the right to request amendments or variations to any condition listed in the DRAFT Standard Water Licence Conditions Schedules that is included in a draft license for a specific project.	ADKFN recommends that the Board modifies the note on page 2 of the Standard Water Licence Conditions - DRAFT Schedules document to clarify that all conditions, terms and schedules included in this template are subject to variation depending on the specific nature of any given license application and the input and requests of any impacted First Nations.	<p>The <i>Standard Licence Conditions Template</i> includes conditions that will apply to the full range of types and sizes of projects. Not all conditions will be included in every licence. Neither the <i>Standard Conditions Templates</i> (for permits and licences) nor the <i>Standard Process for New Conditions</i> limit the LWBs' discretion in setting the conditions of a licence or permit. As noted in all of these documents, the LWBs may use new, revised, and/or project-specific conditions.</p> <p>In developing the licence conditions for each project, the Board will always consider the project details and the evidence gathered during the regulatory process from all parties. During the regulatory process for new licences, amendments, and renewals, parties are typically provided the opportunity to submit comments and recommendations on a draft licence prior to the Board's decision.</p> <p>Ultimately, issuance of a water licence is always accompanied by the Board's</p>

Topic	Reviewer	Reviewer Comments	Reviewer Recommendations	Responses to Recommendations
				Reasons for Decision, which describe the Board's rationale for the requirements and limitations set out in the licence.
General	KBL	It is noted that any condition requiring to meet the "satisfaction of the Inspector" is subjective and there are many potential issues should the satisfaction of an inspector be unreasonable. There is no recourse within this wording for the proponent.	KBL recommends the addition of "reasonable" for conditions that require meeting inspector satisfaction to allow the proponent the ability to appeal when inspector satisfaction is unreasonable.	<p>Adding 'reasonable' to this type of condition would not increase objectivity, since 'reasonable' is still a subjective term. This type of condition does not prevent a licensee from discussing an issue with the Inspector. The legislation also sets out processes for requesting a review of a violation notice if a licensee chooses not to comply with an Inspector's order.</p> <p>The LWBs note that, due a limited legislative ability to delegate authority for water use and waste disposal to the Inspectors, this terminology is only used in a limited way in licences. Where it is included, it is intended to allow the flexibility to accommodate on-site conditions that cannot be easily accounted for in the licence.</p>
General Comments on Draft Schedules				
General	Dominion	Thank you for the opportunity to provide comments on these DRAFT Standard Water Licence Conditions Schedules. Dominion Diamond Mines ULC staff have reviewed the material and have no comments.	N/A	-
General	GRRB	Thank you for giving the GRRB the opportunity to provide feedback on the draft Standard Water License Conditions. Our staff have reviewed them and we do not have any comments at this time.	We have no comments at this time.	-

Topic	Reviewer	Reviewer Comments	Reviewer Recommendations	Responses to Recommendations
Adaptive Management	CIRNAC-CARD	<p>There are several Plans that require a description of how monitoring will be evaluated and what actions may be taken in response to monitoring results. This essentially feels like many Plans require an Adaptive Management section. Might it be less administratively burdensome to have a specific Adaptive Management Plan, as opposed to AM sections in multiple plans?</p>	<p>Evaluate if Adaptive Management should be for a section of multiple plans, or whether Adaptive Management should be its own Plan.</p>	<p>The LWBs agree that the standard response framework included in the Schedules is a component of adaptive management. In the past, the LWBs did consider the overall adaptive management plan approach and drafted Adaptive Management Plan Guidelines for public review. Based on public feedback, the LWBs ultimately determined that including the response framework in individual management plans makes it easier to directly evaluate the proposed monitoring and response actions against specific structures, operational procedures, and mitigation measures.</p> <p>The LWBs note that the information requirements set out in the Standard Schedules may not apply to all projects, or to all management plans required for a project. The LWBs will develop the information requirements for a project based on the evidence gathered during the regulatory process.</p>
Greenhouse Gas Emissions	GNWT-ENR	<p>In reference to the following:</p> <p>“Conditions applying to construction:</p> <p>A description of how climate change projections and considerations have been incorporated into the design”</p>	<p>It is recommended the Proponent should provide estimated GHG emissions for the current calendar year and project its emissions for the following calendar year.</p>	<p>As discussed during the legislative amendments processes for the Waters Act, GHG emissions are not within the scope of the LWBs' regulatory authority. It is the LWBs' understanding that the GNWT is planning to develop air permitting</p>

Topic	Reviewer	Reviewer Comments	Reviewer Recommendations	Responses to Recommendations
		It would be useful to provide proponents with agreed upon data or models to be used so that there is some standardization of climate projection used.		regulations, and that GHG emissions would be regulated and reported on through that permitting process.
Climate Change Considerations	GNWT-ENR	<p>In reference to the following:</p> <p>“Conditions applying to construction:</p> <p>A description of how climate change projections and considerations have been incorporated into the design”</p> <p>It would be useful to provide proponents with agreed upon data or models to be used so that there is some standardization of climate projection used.</p>	ENR proposes working with the MVLWB to provide specific guidance on climate change considerations.	The LWBs agree that more specific guidance would be useful for applicants and licensees. The LWBs have agreed to collaborate with the GNWT-ENR's Climate Change Division on 'policy development, information, requirements, and tools to integrate climate change considerations' under the NWT Climate Change and Strategic Framework Action Plan.
	GNWT-ENR	<p>In reference to the following:</p> <p>“Conditions applying to water and wastewater management plan:</p> <p>A description of how climate change has been considered, including any linkages to other plans required under this Licence; and”</p> <p>It would be useful to provide proponents with specific guidelines on items they must consider (e.g. mitigation and adaptation)</p>		
	GNWT-ENR	<p>In reference to the following:</p> <p>“Conditions applying to water and waste management – erosion, sedimentation and permafrost degradation:</p> <p>A description of how climate change has been considered, including any linkages to other plans required under this Licence; and”</p>		

Topic	Reviewer	Reviewer Comments	Reviewer Recommendations	Responses to Recommendations
		It would be useful to provide proponents with specific guidelines on items they must consider (e.g. mitigation and adaptation).		
	GNWT-ENR	<p>In reference to the following:</p> <p>“Explosives Management Plan</p> <p>A description of how climate change has been considered, including any linkages to other plans required under this Licence; and”</p> <p>It would be useful to provide proponents with specific guidelines on items they must consider (e.g. mitigation and adaptation).</p>		
	GNWT-ENR	<p>In reference to the following:</p> <p>“The Waste Rock Management Plan:</p> <p>A description of how climate change has been considered, including any linkages to the Waste”</p> <p>It would be useful to provide proponents with specific guidelines on items they must consider (e.g. mitigation and adaptation).</p>		
	GNWT-ENR	<p>In reference to the following:</p> <p>“Tailings Management Plan</p> <p>A description of how climate change has been considered, including any linkages to the Tailings Containment Facilities Design and Construction Plan(s) and other plans required under this Licence; and”</p> <p>It would be useful to provide proponents with specific guidelines on items they must consider (e.g. mitigation and adaptation).</p>		
	GNWT-ENR	In reference to the following:		

Topic	Reviewer	Reviewer Comments	Reviewer Recommendations	Responses to Recommendations
		<p data-bbox="551 167 975 196">“Operations and Maintenance Plan</p> <p data-bbox="551 245 1303 350">A description of how climate change has been considered, including any linkages to the [insert facility name] Design and Construction Plan and other plans required under this Licence”</p> <p data-bbox="551 399 1330 464">It would be useful to provide proponents with specific guidelines on items they must consider (e.g. mitigation and adaptation).</p>		

Part A: Scope and Defined Terms

Scope:

	Scope	Condition Title	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
1.	<p>This Licence entitles the Licensee to use Water and deposit Waste for [enter type of licence based on code] activities at the [enter name of Project].</p> <p>The scope of this Licence includes the following:</p> <ul style="list-style-type: none"> a) [enter list of activities]; b) Withdrawal of Water for [enter purpose]; c) Dewatering of [enter all or a portion of XXX Water source] to [enter location/facility]; d) Depositing of Waste to [enter location/facility]; e) Construction, operation, and maintenance of [enter type/name of Watercourse crossing(s): e.g., bridge, pipeline, etc.]; f) Construction, operation and maintenance of [enter type/name of Watercourse training(s): e.g., barge landing, culverts, etc.]; g) Construction, operation, and maintenance of [enter type/name of flood control structures]; 	<p>SCOPE</p>	<p>The purpose of this condition is to describe the scope of the Project Licence, which includes the activities that have been subject to Part 5 of the MVRMA and that the Licensee is entitled to conduct.</p> <p>The scope of all licences will include (a) and (k); however, (b) through (j) will only be included as appropriate. Project-specific details will be filled in throughout this condition.</p>			<p>Administrative correction to rationale to match condition.</p>

	Scope	Condition Title	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	<p>h) Construction, operation, and maintenance of [enter type/name of Watercourse diversion structure];</p> <p>i) Construction, operation, and maintenance of [enter: Dams and/or dykes];</p> <p>j) Construction, operation and maintenance of [enter name of facility/structure]; and</p> <p>k) Progressive Reclamation and associated Closure and Reclamation activities.</p>					
2.	<p><u>Option 1:</u></p> <p>The scope of the Project Licence is as described in the Preliminary Screening Determination for [enter licence number], dated [enter full date of most recent preliminary screening for the project].</p> <p>OR</p> <p><u>Option 2:</u></p> <p>The scope of the Project Licence is as described in [enter location of information, i.e., "Table X: Final Scope of Development"] in the Report of</p>	<p>SCOPE – PRELIMINARY SCREENING</p> <p>OR</p> <p>SCOPE – POST ENVIRONMENTAL ASSESSMENT</p>	<p>The intent of this condition is to reference the scope as described in the Land and Water Board’s Preliminary Screening Determination, or the Review Board’s Report of Environmental Assessment (or both, as the case may be).</p>			<p>1) Administrative update to the condition to correctly reference the scope that would be described in the Preliminary Screening or EA/EIR.</p> <p>2) A third option was added to combine Options 1 and 2 for projects that were screened due to changes following an EA/EIR.</p>

	Scope	Condition Title	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	<p>Environmental Assessment [enter MVEIRB file number].</p> <p>OR</p> <p><u>Option 3:</u></p> <p>The scope of the Project is as described in [enter location of information, i.e. "Table X: Final Scope of Development"] in the Report of Environmental Assessment [enter MVEIRB file number], and the Preliminary Screening Determination for [enter licence number], dated [enter full date of most recent preliminary screening for the project].</p>					
3.	<p><u>Option 1:</u></p> <p>This Licence is issued subject to the conditions contained herein with respect to the use of Water and the deposit of Waste in any Waters or in any place under any conditions where such Waste or any other Waste that results from the deposits of such Waste may enter any Waters. Any change made to the <i>Mackenzie Valley Resource Management Act</i> and/or the Mackenzie Valley Federal Areas Waters Regulations that affects licence conditions and defined terms will</p>	<p>LEGISLATION SUBJECT TO CHANGE</p>	<p>The intent of this condition is to ensure the Licensee complies with all applicable legislation for the life of the Licence.</p>			<p>Administrative correction to legislative reference.</p>

	Scope	Condition Title	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	<p>be deemed to have amended this Licence.</p> <p>OR</p> <p><u>Option 2:</u></p> <p>This Licence is issued subject to the conditions contained herein with respect to the use of Water and the deposit of Waste in any Waters or in any place under any conditions where such Waste or any other Waste that results from the deposits of such Waste may enter any Waters. Any change made to the Mackenzie Valley Resource Management Act and/or the Mackenzie Valley Federal Areas Waters Regulations Waters Act and/or Waters Regulations that affects licence conditions and defined terms will be deemed to have amended this Licence.</p>					

Defined Terms:¹

	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
Construction – any activities undertaken during any phase of the Project to construct, build, upgrade , or replace any			In response to GNWT-ENR’s comments on the STRUCTURE DESCRIPTION AND

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

	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
<p>structures, facilities, or components of, or associated with, the <u>development of</u> the Project.</p>			<p>CONSTRUCTION PLAN condition about how changes such as upgrades and replacements of structures are approved, this definition has been revised to explicitly include upgrades and replacements, so that it is clear that these types of changes must be approved by the Board through the submission of revised plans under the REVISIONS condition.</p> <p>Additionally, the reference to ‘the development of the Project’ has been removed to ensure it is clear that the definition applies during all phases of a project. This is also consistent with the intent of the changes made in response to GNWT-ENR’s comment.</p>
<p>Effluent – a Wastewater Discharge.</p>	<p><u>KBL</u>: The definition for effluent is confusing in sections of the approval given the definition. First in the definitions, Wastewater is defined as “any Water that is generated by Undertaking activities or on-site, and which contains Waste, and may include but is not limited to, Runoff, Seepage, Sewage, and Effluent”. If you substitute the definition for Effluent, it doesn’t make sense ‘Wastewater is Wastewater Discharge’. The use of “Effluent” is used more than just in relation to wastewater discharge. For example: Part F Condition 34 does not make sense given this definition “The License ensure that Effluent</p>	<p><u>KBL</u>: KBL recommends that the definition of Effluent be revised to ensure it makes sense with how it is used in all Water Licence conditions.</p>	<p>The LWBs note that this comment appears to be referencing a specific licence; however, the LWBs acknowledge the general concepts expressed in the recommendation.</p> <p>Although the LWBs' <i>Water and Effluent Quality Management Policy</i>, and the <i>MVLWB/GNWT Guidelines for Effluent Mixing Zones</i> do not define effluent, the standard definition is consistent with the concepts in these documents, the definition of Effluent Quality Criteria, and how the term is used in licence conditions. The LWBs acknowledge that there is some overlap between the definitions for effluent and wastewater; however, effluent is included in the definition for wastewater to clarify that effluent is still considered wastewater even when EQC are</p>

	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	(wastewater discharge) discharged from the Water Retention Pond...". There are numerous conditions where if you substitute the definition for Effluent it does not mean the same thing.		met. Additionally, not all wastewater is discharged or has discharge criteria; 'Effluent' is used in the licence conditions in reference to wastewater that is discharged. No changes have been made to this definition.
Engineer of Record - a qualified Professional Engineer who is responsible for the design and performance of the [enter name of Tailings Containment Facility or name of Dam(s)].			This definition has been expanded to include dams other than tailings dams for consistency with the notes at the top of the Tailings Containment Facility Dams subsection of Part E.
Hazardous Waste - a Waste which, because of its quantity, concentration, or characteristics, may be harmful to human health or the environment when improperly treated, stored, transported, or discharged.	<u>KBL</u> : KBL is concerned that the definition used for hazardous waste is not in line with the definition that is used by GNWT-ENR in the Guideline for Hazardous Waste Management (2017).	<u>KBL</u> : KBL recommends that the Board consider revising the definition of Hazardous Waste to be in line with the existing definition which will help avoid confusion.	The current definition is consistent with the LWBs' <i>Guidelines for Developing a Waste Management Plan</i> . When these Guidelines are updated, the LWBs will consider revising this definition. Although the GNWT's definition includes a specific list, it also includes 'any other waste deemed hazardous,' which is consistent with the LWB's broader definition for hazardous waste.

	Condition	Condition Title	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	Part B: General Conditions					
	The Licensee may propose changes at any time by submitting revised [enter document types included in the conditions of this Licence: plans, programs, manuals, or studies that require Board approval] to the Board, for approval, a minimum of 90 days prior to the proposed implementation date for the changes. The Licensee shall not implement the changes until approved by the Board.	REVISIONS	<p>The intent of this condition is to clarify the process for revising submissions, and to highlight that revisions must be approved by the Board <u>before</u> changes are implemented. This condition applies to all types of submissions that require Board approval (e.g., design and construction plans, water and wastewater management plans, O&M plans, monitoring plans, etc.).</p> <p>Ninety days is the typical timeline for the public review and Board decision process; however, Licensees are encouraged to submit proposed revisions earlier.</p>			In response to GNWT-ENR’s comments on the STRUCTURE DESCRIPTION AND CONSTRUCTION PLAN condition about how changes such as upgrades and replacements of structures are approved, the rationale for this condition has been revised, so that it is clear that these types of changes must be approved by the Board through the submission of revised construction plans. This revision is linked to the revision of the ‘Construction’ definition above.
	The Licensee shall comply with the Engagement Plan , once approved.	ENGAGEMENT PLAN	This condition reflects the requirements of the MVLWB Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits and Engagement and Consultation Policy .	<u>ADKFN</u> : ADKFN prefers a requirements for a detailed engagement plan to be developed that formalizes ADKFN involvement in the scope of activities authorized by a water license. This should be a critical condition of license	<u>ADKFN</u> : ADKFN requests that the MVLWB include a requirement in the standard conditions for proponents to collaborate with affected First Nations, like ADKFN, and secure affected First Nations approval of the Engagement Plan prior to	All applicants must submit an Engagement Record and Plan with their application. The Record and Plan must be developed in accordance with the MVLWB Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits , and are

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			<p>An Engagement Plan is required as part of a complete application and will be considered by the Board at the time the Licence is issued. The Board's decision on the Plan will be communicated in its issuance decision letter.</p>	<p>approvals incorporating ADKFN's jurisdiction over its Traditional Territory. However, we also note the reality that engagement plans can be developed and finalized without the involvement or approval of ADKFN.</p>	<p>submission to the MVLWB and commencing activities authorized by the license.</p>	<p>circulated for public review with the application. Although the LWBs do not require that the applicant's Engagement Plan be approved by affected parties, the Guidelines state that the Plan should be developed in collaboration with affected parties.</p> <p>The LWBs are currently in the process of updating their <i>Consultation and Engagement Policy</i> and will undertake a similar update to the Guidelines in the future. During these processes, there will be opportunities to provide input on the Policy and Guidelines.</p> <p>The LWBs also note that the Review Board is working with interested parties, including the LWBs, to develop new <i>Environmental Impact Assessment Initiation Guidelines</i>. In its 2020 <i>Perspectives Paper - Evolving Environmental Impact Assessment in the Mackenzie Valley and</i></p>

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						<i>Beyond</i> , the Review Board stated that the second draft of the Guidelines will emphasize the importance of collaborative project planning. Once the Review Board's Guidelines are complete, it is the LWBs' intent to ensure engagement expectations are as consistent as possible.
	Part C: Security					
	The Licensee shall post and maintain a security deposit with the Minister in accordance with Schedule X . The Licensee shall not commence Project activities until the security deposit has been accepted by the Minister.	POST SECURITY DEPOSIT	The Board's authority to require Licensees to post and maintain security with the Minister is granted under paragraph 60(1.1)(e) of the Mackenzie Valley Resource Management Act (federal areas) and subsection 35 (1) of the Waters Act (non-federal areas). Once posted, the security must be maintained until it is refunded. Security deposit amounts are set out in the associated Schedule to allow the Board to review and adjust the security as necessary to reflect updates to the	<u>GNWT-ENR</u> : On July 12, 2019, ENR submitted a letter on standard Water Licence conditions (p.9) which noted that over the years there has been much discussion about whether security should be in the body of the Water Licence or in a Schedule to the Licence. There has also been discussion over the amount of security approved by the Boards over the years. The issue is in previous instances where a Board may have set security lower than that estimated by the GNWT (or Landowner), which results in contingent liability for the	<u>GNWT-ENR</u> : 1) ENR recommends that the Board consider placing the security deposit requirements within the body of the Water Licence.	The LWBS are aware of GNWT-ENR's position on the location of the security deposit requirements in licences; however, the LWBs have not changed their position on this matter. The LWBs will continue to participate in legislative amendment discussions with other interested parties, which may provide formal resolution to this issue as noted. Through new and revised LWB guidelines and standards, the LWBs have been making efforts to improve clarity around

	Condition	Condition Title	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
			<p>closure cost estimate (see the ADJUSTED SECURITY AMOUNT condition).</p> <p>Note that the Board does not have the authority to include requirements in the Licence for posting security with other landowners; however, other landowners may require security under other authorizations. If security for a Project is required and held by a landowner other than the Minister, the Board will consider this in determining the amount of security required under the Licence.</p> <p>The Board determines the amount of the security deposit during licencing based on the estimated costs of closing and reclaiming the site (i.e., the Closure Cost Estimate). The Closure Cost Estimate is most often developed based on the Closure and Reclamation Plan for the Project.</p>	<p>GNWT (or Landowner). When this occurs where the GNWT is responsible for the sites, these liabilities fall to the taxpayers of the NWT.</p> <p>In response to ENR's comments on standard Water Licence conditions, the Board noted that placing security in schedules allows them to efficiently adjust the detailed security requirements, if and when appropriate, during the term of the Licence without opening up the entire Licence. They also noted that the Board conducts its standard public review and decision process for security adjustments, which provides an opportunity for all parties to make recommendations regarding the proposed changes. While ENR appreciates the Board's position on the convenience of having security in schedules, our position remains that including security in the body of a Water Licence</p>		<p>expectations for closure cost estimates, and security requirements and processes. Additionally, the LWBs issue Reasons for Decision for all licence issuances and decisions, which include rationale for any security requirements or adjustments. Where the security amounts set by the LWBs differ from recommendations made by the applicant, the landowner or land manager, and/or other parties, the differences are explained.</p> <p>By replacing 'Project activities' with 'activities in this Condition, the LWBs are accounting for the need to allow on-going activities to continue in the case of renewals, amendments, and adjustments, while still requiring that any additional security required be posted before commencing new, expanded, or altered activities as specified in the Schedule and the Board's Reasons for Decision.</p>

	Condition	Condition Title	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
			<p>Guidance on developing Closure Cost Estimates is provided in the MVLWB/GNWT/INAC Guidelines for Closure and Reclamation Cost Estimates for Mines. Although these Guidelines were developed for mining projects, the information provided can be applied to all types of projects.</p>	<p>would provide the ability for final approval of the security amount by the Minister of ENR for certain Water Licences (i.e. Type A and Type B where a public hearing was held).</p> <p>ENR is interested in continuing discussions with the Land and Water Boards and other interested parties on this issue. Further, ENR has proposed and will continue to propose amendments to the legislation to assist in clarifying requirements and authorities related to the setting of security.</p>		
	Part D: Water Use					
	<p><u>Option 1:</u></p> <p>The Licensee shall only obtain [if needed, enter: fresh or raw] Water for the Project from the [enter Water source]. The Licensee may withdraw up to [enter quantity of Water Use (m³/unit of time e.g., day/year)] of Water from this source.</p> <p>OR</p>	WATER SOURCE AND MAXIMUM VOLUME	<p>Water sources, total Water Use, and Water Use from each source must be identified in a Water licence application.</p> <p>The intent of this condition is to ensure the Licensee only takes Water from approved Water sources, and to ensure the Licensee</p>			<p>A third option has been added to address water sources and volumes for split-interest projects.</p>

	Condition	Condition Title	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations																				
	<p><u>Option 2:</u></p> <p>The Licence shall only obtain [if needed, enter: fresh or raw] Water for the Project as set out in the following table.</p> <table border="1" data-bbox="182 412 720 951"> <thead> <tr> <th data-bbox="182 412 252 768">Water Source Name</th> <th data-bbox="252 412 344 768">Location and Coordinates</th> <th data-bbox="344 412 499 768">Type of Watercourse (e.g., river, lake, etc.)</th> <th data-bbox="499 412 588 768">Purpose of Water Use</th> <th data-bbox="588 412 720 768">Maximum Quantity (m³ per day or year)</th> </tr> </thead> <tbody> <tr> <td data-bbox="182 768 252 824"></td> <td data-bbox="252 768 344 824"></td> <td data-bbox="344 768 499 824"></td> <td data-bbox="499 768 588 824"></td> <td data-bbox="588 768 720 824"></td> </tr> <tr> <td data-bbox="182 824 252 881"></td> <td data-bbox="252 824 344 881"></td> <td data-bbox="344 824 499 881"></td> <td data-bbox="499 824 588 881"></td> <td data-bbox="588 824 720 881"></td> </tr> <tr> <td data-bbox="182 881 252 951"></td> <td data-bbox="252 881 344 951"></td> <td data-bbox="344 881 499 951"></td> <td data-bbox="499 881 588 951"></td> <td data-bbox="588 881 720 951"></td> </tr> </tbody> </table> <p>OR</p> <p><u>Option 3:</u></p> <p>The Licensee shall only obtain [if needed, enter: fresh or raw] Water for the Project from the [enter Water source]. The Licensee may only withdraw up to combined total of [enter quantity of Water Use (m³/unit of time e.g. day/year)] of Water for the Project, as defined in this Licence, and the project</p>	Water Source Name	Location and Coordinates	Type of Watercourse (e.g., river, lake, etc.)	Purpose of Water Use	Maximum Quantity (m ³ per day or year)																	<p>does not exceed the maximum authorized Water withdrawal volume for each Water source.</p> <p>If the Project includes winter Water withdrawal, the MAXIMUM UNDER-ICE WATER WITHDRAWAL VOLUME will also be included, and the Licensee should be aware that the maximum volume that can be withdrawn during under-ice conditions may be lower.</p> <p>Note that this condition addresses the use of Water directly from Watercourses, not from recycling or repurposing of Wastewater. Wastewater sources for recycling Water within the Project will be considered through the Water and Wastewater Management Plan and/or the WASTEWATER USE condition.</p> <p>The third option is only intended for split-interest projects.</p>			
Water Source Name	Location and Coordinates	Type of Watercourse (e.g., river, lake, etc.)	Purpose of Water Use	Maximum Quantity (m ³ per day or year)																						

	Condition	Condition Title	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	defined in Water Licence [enter file number]					
	The Licensee shall only withdraw Water from authorized Water sources with a minimum depth of three metres.	MINIMUM WATER SOURCE DEPTH	<p>This condition is intended to protect aquatic habitat and is consistent with the Water source depth criteria set out in the <i>MVLWB/GNWT Method for Determining Available Winter Water Use Capacity for Small-Scale Projects</i>, as applicable.</p> <p>This condition is intended to be used when depth information is not available during the regulatory proceeding (e.g., numerous small Watercourses are proposed as potential Water sources), and depth must be verified prior to Water use. This condition will not be included when Water source depth is known.</p>			This is a new condition to set out the minimum water source depth in accordance with the <i>LWB Method for Determining Available Winter Water Use Capacity for Small-Scale Projects</i> . This new condition is only intended for small-scale projects with many potential water sources, where detailed information about the water sources is not known at the time of the application.
	<p><u>Option 1:</u></p> <p>In any single ice-covered season, the Licensee shall not withdraw greater than 10% of the available Water volume of any</p>	MAXIMUM UNDER-ICE WATER WITHDRAWAL VOLUME	Water withdrawal under ice-covered conditions can affect aquatic habitat by depleting oxygen and reducing littoral habitat			This condition and the associated rationale have been updated to reflect the new <i>LWB Method for Determining Available</i>

	Condition	Condition Title	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations						
	<p>Watercourse, as calculated using the appropriate maximum expected ice thickness and bathymetric data, or, where bathymetric data is not available, in accordance with the MVLWB/GNWT Method for Determining Available Winter Water Use Capacity for Small-Scale Projects.</p> <p>OR</p> <p><u>Option 2:</u></p> <p>In any single ice-covered season, the Licensee shall not withdraw greater than the following quantity(ies):</p> <table border="1" data-bbox="236 797 669 1040"> <thead> <tr> <th data-bbox="236 797 440 919">Water Source(s)</th> <th data-bbox="440 797 669 919">Quantity (m³)</th> </tr> </thead> <tbody> <tr> <td data-bbox="236 919 440 980"></td> <td data-bbox="440 919 669 980"></td> </tr> <tr> <td data-bbox="236 980 440 1040"></td> <td data-bbox="440 980 669 1040"></td> </tr> </tbody> </table>	Water Source(s)	Quantity (m ³)						<p>areas. The intent of this condition is to ensure the Licensee does not exceed the maximum withdrawal volume for each Water source during ice-covered periods. The Licensee should be aware that this volume may be less than what is authorized under the WATER SOURCE AND MAXIMUM VOLUME condition.</p> <p>The first option is intended to be used when Water source capacity information is not available during the regulatory proceeding, and the Licence authorizes potential Water sources whose depth and use capacity must be confirmed prior to winter Water use (e.g., after issuance, bathymetric data will be collected, or the capacity and depth will be calculated and verified, respectively, in accordance with the MVLWB/GNWT Method for Determining Available Winter Water Use Capacity</p>			<p><i>Winter Water Use Capacity for Small-Scale Projects.</i></p>
Water Source(s)	Quantity (m ³)											

	Condition	Condition Title	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
			<p><i>for Small-Scale Projects, as applicable).</i></p> <p>The second option is intended to be used when Water source depth and use capacity has been established prior to issuance, either from bathymetric data or in accordance with the Method.</p> <p>Where bathymetric data is or will be available, applicants and licensees should use the Fisheries and Oceans Canada (DFO) <u><i>Protocol for Winter Water Withdrawal from Ice-covered Waterbodies in the Northwest Territories and Nunavut.</i></u></p> <p>This Condition is not intended to be used for lotic Water sources such as rivers and streams; project-specific conditions will usually be required for these types of Water sources.</p> <p>Applicants should contact DFO to determine the maximum under-ice Water</p>			

	Condition	Condition Title	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
			withdrawal volume. A general best-practice maximum of 10% will be applied if an applicant cannot provide detailed information during the licencing process.			
	Part E: Construction					
	The Licensee shall ensure that all Hydrocarbon-Contaminated Soil Treatment Facilities are designed, constructed, maintained, monitored, and closed to meet or exceed the MVLWB/IWB/GNWT <i>Guideline for Design, Operation, Maintenance, and Closure of Petroleum Hydrocarbon-Contaminated Soil Treatment Facilities in the Northwest Territories.</i>	HYDROCARBON-CONTAMINATED SOIL TREATMENT FACILITIES – GENERAL	The intent of this condition is to ensure the Licensee builds, maintains, monitors, and closes Hydrocarbon-Contaminated Soil Treatment Facilities in accordance with the MVLWB/IWB/GNWT <u>Guideline for Design, Operation, Maintenance, and Closure of Petroleum Hydrocarbon-Contaminated Soil Treatment Facilities in the Northwest Territories.</u> This condition will apply whether the Facilities are engineered or not.			This condition and the associated rationale were updated to correctly reflect the scope of the Guideline.
	The Licensee shall only use material that is clean and free of contaminants and is from a source that has been authorized in writing by an Inspector.	CONSTRUCTION MATERIAL – SOURCE(S)	This condition may be included for small projects where no concerns about construction materials have been identified during the licencing process. This	<u>KBL</u> : There is no definition for “Clean” in the regulations. Also, given that there is not a lot of material readily available, the reuse of treated soils that meet	<u>KBL</u> : Recommend that the wording be revised to “the Licensee shall only use material that is clean and free of contaminants or meets the appropriate Land	As noted in the rationale for this condition, if an applicant proposes to re-use certain types of materials for specific purposes in the application, this general

	Condition	Condition Title	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
			<p>condition would not be included when construction plans are required in the Licence.</p> <p>If treated materials will be re-used for Construction, this condition will not be included, and specific criteria must be set out in a management plan or project-specific condition.</p> <p>Note that this condition does not allow the Inspector to authorize quarrying locations.</p>	<p>the appropriate land use requirements is a good way to reuse treated soil and manage costs. The use of “clean and free of contaminants” makes the use of treated soil difficult.</p>	<p>Use Criteria as per the GNWT-ENR Environmental Guideline for Contaminated Site Remediation (as amended) and is from a source that has been authorized in writing by an inspector.”</p>	<p>condition would not be included, and specific criteria would be set out in a project-specific condition or through a management plan. The rationale for this condition has been revised to clarify that this condition would not be used if construction plans are required.</p> <p>Additionally, this condition and the associated rationale have been revised to ensure it is clear that the Inspector cannot authorize new quarry locations.</p>
	<p>Unless otherwise authorized in writing by an Inspector, a minimum of 90 days prior to the commencement of Construction of all structures, excluding Engineered Structures, intended to contain, withhold, divert, or retain Water or Wastes, the Licensee shall submit to the Board, for approval, a Structure Description and Construction Plan. The Plan shall be in accordance with the requirements of Schedule X, Condition x. The Licensee shall not commence Construction of the structure(s) prior to Board approval of the Plan.</p>	<p>STRUCTURE DESCRIPTION AND CONSTRUCTION PLAN</p>	<p>This condition requires the Licensee to submit descriptions and Construction plans for Water and Waste management structures that are not designed by a Professional Engineer but may still have potential effects on the Receiving Environment.</p> <p>This condition is intended to apply to all non-engineered Water and Waste management structures,</p>	<p><u>GNWT-ENR</u>: The term 'construction' (p. 4 of 41) may typically imply the construction of a new structure (even for non-engineered ones). In the past, there have been instances where existing facilities were upgraded significantly (eg. Fort Liard sewage lagoon) but were not captured by the Water Licence process. Instead, this major 'upgrade' process (i.e. sewage lagoon expansion</p>	<p><u>GNWT-ENR</u>: ENR recommends that the above suggested changes be added, or as deemed appropriate by the Board.</p>	<p>The definition of 'Construction' is broad and is not limited to new structures, but the definition has been revised to remove the reference to the 'development of the Project' and to include 'upgrade' and 'replace' to improve clarity.</p> <p>All proposed changes must be approved through the submission of revised plans (design, management, etc., as applicable to the proposed</p>

	Condition	Condition Title	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
			<p>unless otherwise authorized by the Inspector. For very small or temporary structures with low risk to the Receiving Environment, the Inspector may determine that a Structure Description and Construction Plan is not necessary. The Licensee is encouraged to discuss planned structures and associated risks with the Inspector in advance of submitting this Plan.</p> <p>Detailed information requirements are set out in the Schedule, which will always include a requirement for the Licensee to provide rationale for why the structure does not need to be engineered. Depending on the evidence gathered during the public review, the Board may determine that the structure should be engineered and direct the Licensee to submit a Design and Construction Plan (for an Engineered Structure).</p>	<p>now covering (in part) former covered SWDF cells), was not reviewed through the regulatory process as it would normally for a new construction, as it was presented by the Proponent as an upgrade.</p> <p>One way to address this could be by adding 'upgrade and/or replacement', in Part E Condition 5 (or whichever condition associated with this schedule) that:</p> <p>“A minimum of 90 days prior to the commencement of Construction, Upgrade or Replacement of any Engineered Structures, the Licensee shall submit to the Board, for approval, a Design and Construction Plan. The Plan shall be in accordance with the requirements of Schedule 2, Condition 1. The Licensee shall not commence Construction of the Engineered Structure(s) prior to Board approval of the Plan.</p>		<p>change) under the REVISIONS condition in Part B, which is consistent with the removal of the Modifications section. The rationale for the REVISIONS condition has been also updated to clarify that this condition applies to construction plans. Further the rationale for several of the conditions in Part E have been updated to ensure that the types of changes that require revised plans are clear.</p> <p>The rationale for this condition has also been updated in response to comments on the Schedule for this condition.</p>

	Condition	Condition Title	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
			<p>If changes to a structure (including alterations, upgrades, repairs, and/or replacement) are proposed after the Structure Description and Construction Plan is approved and/or after the Structure has been constructed, the Licensee must submit a revised Structure Description and Construction Plan to the Board, for approval, prior to implementing the proposed changes, as per the REVISIONS condition.</p>			
	<p>A minimum of 90 days prior to the commencement of Construction of any Engineered Structures [not referred to in Part E, Condition 12], the Licensee shall submit to the Board, for approval, a Design and Construction Plan. The Plan shall be in accordance with the requirements of [Schedule X, Condition x]. The Licensee shall not commence Construction of the Engineered Structure(s) prior to Board approval of the Plan.</p>	<p>DESIGN AND CONSTRUCTION PLAN</p>	<p>The intent of this condition is to ensure the Licensee submits the Design and Construction Plans for Engineered Structures. Design and Construction Plans for these structures require Board approval; however, the detailed Design Drawings, which must be signed and stamped by a Professional Engineer, do not require approval and should be submitted separately as per the</p>	<p><u>CIRNAC-CARD</u>: Engineered designs are often created under the assumption that the real world/field conditions are sufficiently understood to support such a design. However, it is common that during implementation/construction of a design that field conditions will not support some component(s) of the design.</p> <p>Former water licences</p>	<p><u>CIRNAC-CARD</u>: Re-establish the authority of Inspectors to authorize "field fit" during construction. This will prevent construction delays and reduce additional administration of a Plan that has already been approved.</p>	<p>The structures authorized through a licence are water or waste management structures, and under the applicable legislation, the LWBs have limited ability to transfer their authority regarding water use and waste deposit to the Inspectors. Additionally, it should be noted that Inspectors and Board staff are usually not engineers and cannot be expected to have the expertise necessary</p>

	Condition	Condition Title	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
			<p>DESIGN DRAWINGS condition. Although the Drawings are not submitted for Board approval, it can be helpful for reviewers to be able to consider both of these submissions together. By conducting adequate engagement prior to submission, the Licensee will reduce the potential need to spend additional time and effort revising the Plan and Drawings as a result of the public review.</p> <p>Detailed information requirements for Design and Construction Plans are set out in the Schedule. In some cases, information requirements may be specific to particular Engineered Structures.</p> <p>If changes to an Engineered Structure (including alterations, upgrades, repairs, and/or replacement) are proposed after the Construction and Design Plan is approved and/or after the Structure has been constructed, the Licensee</p>	<p>allowed for "field fit" to be approved by an Inspector when a design required a revision in order to be implemented. This prevented a lengthy review period, which halts construction during an already short construction season.</p>		<p>to make decisions regarding design deviations.</p> <p>The LWBs, however, acknowledge the need for field deviations from the design during construction. Field deviations from the design should be described, with rationale, in the As-Built Reports (see the AS-BUILT REPORT – ENGINEERED STRUCTURE(S) condition). These deviations should be made in consultation with, and under the supervision of, the responsible engineer.</p> <p>The rationale for this Condition has been revised as per the response to recommendations on the STRUCTURE DESCRIPTION AND CONSTRUCTION PLAN condition above.</p>

	Condition	Condition Title	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
			<p>must submit a revised Construction and Design Plan to the Board, for approval prior to implementing the proposed changes, as per the REVISIONS condition.</p>			
	<p>A minimum of 90 days prior to the commencement of Construction of any Engineered Structures [not referred to in Part E, Condition 12], the Licensee shall submit to the Board, Design Drawings stamped and signed by a Professional Engineer. A minimum of 90 days prior to implementing any proposed changes to the Design Drawings, the Licensee shall submit revised Design Drawings to the Board.</p>	<p>DESIGN DRAWINGS</p>	<p>The intent of this condition is to ensure there is a detailed record of the design for future reference by the Board and the Inspector, and to ensure there is sufficient information for Closure and Reclamation Planning should the Project be abandoned. The Drawings also allow a comparison against as-built information submitted as per AS-BUILT REPORTS – ENGINEERED STRUCTURES. These Drawings are to be submitted separately from the Design and Construction Plan(s), because Board approval of the Drawings is not required.</p> <p>This condition may also be used as a stand-alone condition where a full</p>			<p>The rationale for this Condition has been revised as per the response to recommendations on the STRUCTURE DESCRIPTION AND CONSTRUCTION PLAN condition above.</p>

	Condition	Condition Title	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
			<p>Design and Construction Plan is not required.</p> <p>If changes to an Engineered Structure (including alterations, upgrades, repairs, and/or replacement) are proposed after the submission of the Design Drawings and/or after the Structure has been constructed, the Licensee must submit revised Design Drawings to the Board prior to implementing the proposed changes. This is specified directly in this condition, because the general REVISIONS condition only applies to documents that are for Board approval.</p>			
	<p>A minimum of 30 days prior to the commencement of Construction of [enter name of specific Engineered Structure(s)], the Licensee shall submit to the Board, a Design and Construction Plan. The Plan shall be in accordance with the requirements of [Schedule X, Condition Y]. A minimum of 30 days prior to implementing any proposed changes to the Plan, the Licensee shall submit a revised Plan to the Board.</p>	<p>DESIGN AND CONSTRUCTION PLAN – [enter name(s) of specific Engineered Structure(s), where applicable]</p>	<p>The intent of this condition is to ensure the Licensee submits the Engineer’s Design and Construction Plans for any specific Engineered Structures where Board approval is not required for the Plans. This will be determined on a case-by-case basis during the regulatory process. It may apply for smaller</p>			<p>The rationale for this Condition has been revised as per the response to recommendations on the STRUCTURE DESCRIPTION AND CONSTRUCTION PLAN condition above.</p>

	Condition	Condition Title	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
			<p>Projects or Engineered Structures, where Board approval is determined to be unnecessary. It may also apply for larger Projects or Engineered Structures for which an expert panel has been established.</p> <p>If changes to the Engineered Structures (including alterations, upgrades, repairs, and/or replacement) identified in this condition are proposed after the submission of the Construction and Design Plan and/or after the Structure has been constructed, the Licensee must submit a revised Construction and Design Plan to the Board prior to implementing the proposed changes. This is specified directly in this condition, because the general REVISIONS condition only applies to documents that are for Board approval.</p>			

Condition	Condition Title	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations																		
Part F: Waste and Water Management																							
Effluent Quality Criteria																							
<p>The Licensee shall ensure that [enter type of Effluent] from [enter structure/facility] at Surveillance Network Program station [enter SNP station number] has a pH value between [x and y] and meets the following Effluent Quality Criteria (EQC):</p> <table border="1" data-bbox="236 659 669 1365"> <thead> <tr> <th rowspan="3">Parameter</th> <th colspan="3">EQC</th> </tr> <tr> <th colspan="2">mg/L</th> <th rowspan="2">mg</th> </tr> <tr> <th>Maximum Average Concentration</th> <th>Maximum Grab Concentration</th> <th>Annual Loading Limit</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Parameter	EQC			mg/L		mg	Maximum Average Concentration	Maximum Grab Concentration	Annual Loading Limit									<p>EFFLUENT QUALITY CRITERIA</p>	<p>This condition sets out Effluent Quality Criteria that define the maximum allowable concentrations (e.g., mg/L), quantities (e.g., kg/year), or limits (e.g., pH range) of any contaminant or parameter in the Discharge which, in the Board’s opinion, has the potential to adversely affect Water quality in the Receiving Environment.</p> <p>EQC are set by the Board based on the evidence gathered through the regulatory process. More information is available in the MVLWB Water and Effluent Quality Management Policy, and the MVLWB/GNWT Guideline for Effluent Mixing Zones.</p>	<p><u>ADKFN</u>: ADKFN has previously expressed concern over the proposed effluent quality criteria included in draft water licenses.</p>	<p><u>ADKFN</u>: In the standard conditions, along with effluent quality criteria for contaminants that may be acutely or chronically toxic to aquatic life, ADKFN recommends a focus on criteria for contaminants that have the potential to biomagnify and bioaccumulate. We make this request due to the increased risk these contaminants have to the health of ADKFN members via country food consumption and to the health of fish and wildlife which are harvested. These may be dependent on the speciation of the contaminants as well as certain biophysical conditions in the downstream receiving environment, and these factors should be considered in determining risks associated with effluent</p>	<p>The <i>Standard Water Licence Conditions Template</i> does not provide guidance on how EQC are to be developed. General information about how the LWBs develop EQC is available in the MVLWB <i>Water and Effluent Quality Management Policy</i> and <i>Guidelines for Effluent Mixing Zones</i>; however, EQC are established for a project based on the evidence gathered through the regulatory process. All parties are invited to make recommendations regarding EQC during the regulatory proceeding for a project to ensure they are established at a level that protects the desired use of the watercourse.</p>
Parameter		EQC																					
		mg/L		mg																			
	Maximum Average Concentration	Maximum Grab Concentration	Annual Loading Limit																				

	Condition	Condition Title	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
					from the site. Finally, based on bioaccumulation/biomagnification potential, loadings of these contaminants to the downstream receiving environment should be considered as a factor in criteria limits.	
	Part G: Aquatic Effects Monitoring					No review comments were provided regarding these sections, and no significant changes were made in these sections following the public review.
	Part H: Spill Contingency Planning					
	Part I: Closure and Reclamation					
	Within 90 days of completing Closure and Reclamation of the Project or As directed by the Board, the Licensee shall submit to the Board for approval, a Post-Closure and Reclamation Monitoring and Maintenance Plan . The Plan shall be in accordance with the requirements of Schedule X, Condition Y .	POST-CLOSURE AND RECLAMATION MONITORING AND MAINTENANCE PLAN	The Post-Closure and Reclamation Monitoring and Maintenance Plan may be required by the Board as soon as the need for post-Closure and Reclamation monitoring is identified (for example, following Progressive Reclamation of the first major Project component). The timing for the Post-Closure Monitoring and Maintenance Plan for a project site will be project-			This Condition and the associated rationale have been revised as follows in response to GNWT-ENR's comments on the draft Schedule for Closure and Reclamation and based on advice from the LWB Closure Team: 1) Removed 'reclamation' from the Plan title for clarity even though closure and reclamation are not otherwise used separately in the licence conditions. The

	Condition	Condition Title	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
			<p>specific and will be determined by the Board alongside the development of the CRP. Although closure and reclamation are not defined separately in licences because they are not clearly distinct phases, this Plan will likely be required and implemented after some or all closure activities are complete, but before reclamation activities are complete. This Plan may need to be revised and resubmitted as Closure and Reclamation progresses.</p> <p>The monitoring described in this Plan should be based on the approved CRP, and should include consideration of the completed Closure and Reclamation activities and any deviations from the approved CRP.</p> <p>Specific information requirements are set out in the Schedule.</p>			<p>revised rationale explains that closure and reclamation are not defined separately in licences, nor are they distinct phases.</p> <p>2) Revised the timing of the PCMMP submission to rest solely with the Board in order to avoid linking the submission date to an unclear milestone.</p>

Schedule X: Conditions Applying to Security

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
1.	<p><u>Option 1: Single Deposit – New Licences, Amendments, Renewals, and Security Adjustments</u></p> <p>The amount of security referred to in Part C, Condition X, shall total \$XX.</p> <p><u>Option 2: Phased Amounts, Amendments, Security Adjustments, and Renewals</u></p> <p>The amount of security referred to in Part C, Condition X, shall total \$XX, as per the following schedule:</p> <p>EXAMPLES:</p> <ul style="list-style-type: none"> a) Within X days of the effective date of this Licence, \$XX or an additional \$XX; b) Following issuance of this Licence, \$XX; c) Within X days of issuance of this Licence, \$XX or an additional \$XX; d) Prior to commencement of [enter: activity, Construction of X, etc.], an additional \$XX; e) [60 or 90] days prior to commencement of [enter: activity, Construction of X, etc.], an additional \$XX; 	<p>This Condition sets out the amount of the security deposit that must be posted by the Licensee as per Part C.</p> <p>Option 1 will be used for new licences with a single deposit.</p> <p>Variations and combinations of Option 2 will be used for new licences with phased deposits, and for security adjustments, and renewals and amendments with additional and/or phased deposits. For renewals, Option 2(a) will be used to reflect any security that has already been posted as required under the previous licence and must be transferred to the new licence after issuance; this will also be reflected in the Board’s Reasons for Decision. For amendments and security adjustments, Option 2(b) will be used to reflect existing security that has already been posted and will be maintained.</p> <p>Options 2(a) and (c) differentiate between amounts associated with the effective date and the issuance date, respectively, because the issuance date will be</p>	<p>GNWT-ENR: As noted in ENR’s July 12, 2019 letter on standard Water Licence conditions (p.10), ENR noted that there was reference to the Licensee posting the adjusted amount with the Minister (or Landowner) within the timeframe set by the Board and that this condition requires that the proponent submit a security to the GNWT (or Landowner). It was and remains to be our position that this timeframe is not binding on the GNWT (or Landowner).</p> <p>ENR notes that a Water Licence only binds the Licensee, not the GNWT (or Landowner), in their responsibilities. It is legislated that the Minister of ENR accepts the form of security posted by the Licensee. From time to time, a review of the form may take longer than a timeframe established by the Board. Therefore, the Water Licence must be clear that the timeframe is intended to ensure that any increase in security be provided to the GNWT (or Landowner) within the timeframe set by the Board.</p>	<p>GNWT-ENR: ENR recommends that the Water Licence must be clear that the timeframe is intended to ensure that any increase in security be provided by the Licensee to the GNWT (or Landowner) within the timeframe set by the Board.</p>	<p>The LWBs are aware that a licence only binds the licensee. All of the timelines in the standard conditions are clearly set out for the licensee and do not attempt to impose timelines on the Minister or the Board. In developing these timelines, however, the Board does attempt to account for typical timelines for response from the Minister or the Board, because in some cases, the licensee may not commence certain or all activities until the Minister or the Board has responded. This consideration often applies to timelines for posting security.</p> <p>This Condition and the associated rationale have also been revised to improve clarity for security adjustments, and for licence renewals and amendments with existing security and/or new security requirements.</p>

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
		<p>different than the effective date for amendment sand adjustments. Both dates are set out on the cover page for amendments; the issuance date for updated licences is set out in the decision letter.</p>	<p>In the details of the security schedule template, there is reference to a “timeline to accommodate the review and acceptance of the security by the Minister”. ENR maintains its previous position that the Licence can only bind conditions on the Licensee, and not the GNWT (or Landowner) in their responsibilities. Therefore, any conditions on timeline must be specifically addressed to the Licensee.</p>		

Schedule X: Conditions Applying to Construction

This Schedule was entirely new for the purposes of the public review; however, most of the conditions in this Schedule are based on existing licenses, so in this particular Schedule, red text is only used to demonstrate new conditions or to identify changes to the information requirements in conditions that are already used by the LWBs. Blue text is used to identify changes made after the public review.

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
1.	The Structure Description and Construction Plan referred to in Part E, Condition 1 shall include, but not be limited to, the following:	This Condition sets out the information requirements for Structure Description and Construction Plans for non-engineered water and waste management structures. The level of detail provided should be appropriate to the scale and nature of the structure. The Plan should include information about the facilities as a whole, including the structure(s) and any associated supporting infrastructure.			
	a) Information regarding the facilities:		<p><u>CIRNAC-CARD:</u> Both plans in the Construction Section indicate the requirement to provide a description of the facilities to be constructed, including the purpose of the facilities. It is not clear which "facilities" would need to be included in these plans. The term "facilities" is too general.</p> <p><u>GNWT-ENR:</u> Item 1 a. (under Schedule X: Conditions Applying to Construction (p. 4 of 41)) is referring to 'facilities' only, but may also be applied to part(s) of facilities, such as a structure.</p> <p>The rationale specifies that this condition was relating to non-engineered structure.</p>	<p><u>CIRNAC-CARD:</u> Please define "facilities" to specify the scope of facilities that are intended to be captured under these plans.</p> <p><u>GNWT-ENR:</u> ENR recommends that the following descriptive term be added for precision, to Condition 1 a) of the Schedule X: Conditions Applying to Construction, as 'Information regarding the facilities or non-engineered structure:'</p>	The terms 'structure' and 'facilities' are used in this way for consistency with the defined term 'Engineered Structure' and the defined terms for specific engineered structures (e.g., Tailings Containment Facilities, Sewage Disposal Facilities, etc.). Facilities encompass the structure (whether engineered or non-engineered) and any associated supporting infrastructure (e.g., pipelines) that may not necessarily be directly considered part of the structure; however, the main structure is usually the identifying feature. The rationale has been revised to clarify the expectation for both this Plan and for the Design and Construction Plan.

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	i. A description of the facilities to be constructed, including the purpose of the facilities;				
	ii. The proposed location(s) of the facilities, with GPS coordinates and a map to scale;				
	iii. Relevant background information for the area beneath the footprint of the facilities, including the results of any investigations;				
	iv. Construction specifications and performance parameters;				
	v. A description of any operations and maintenance requirements associated with the facilities; and				
	vi. An explanation of why the facilities do not need to be designed by a Professional Engineer.				
	b) Information regarding the Construction of the facilities:				
	i. A Construction schedule, including sequencing information;				
	ii. A description of the materials required for				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	<p>Construction, including, but not limited to:</p> <ul style="list-style-type: none"> a. sources; b. quantities; c. physical characteristics; and d. geochemical characteristics. 				
	<p>iii. A description of any potential effects on the Receiving Environment associated with Construction of the facilities; and</p>				
	<p>iv. A description of any mitigation measures that will be undertaken to minimize the potential impacts identified as per (b)(iii).</p>				
	<p>c) Information regarding monitoring during Construction, including:</p>				
	<p>i. A description of any monitoring that will be conducted to determine the potential impacts to the Receiving Environment and the effectiveness of the mitigation measures described as per (b)(iv), including, but not limited to:</p>				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	a. locations; b. parameters; c. frequencies; and d. rationale.				
	ii. Linkages to other monitoring programs required in this Licence.				
	d) A description of how monitoring will be evaluated and what actions may be taken in response to monitoring results.				
2.	The Design and Construction Plans referred to in Part E, Condition X shall include, but not be limited to, the following:	This Condition sets out the information requirements for Design and Construction Plans for Engineered Structures. The Plan should include information about the facilities as a whole, including the engineered structure(s) and any associated supporting infrastructure. Some licences may only have a general schedule condition for all Design and Construction Plans, while others may require a general condition and/or conditions for specific Engineered Structures.			
	a) Information regarding the design of the facilities:	If information about more than one design option was described and considered during the regulatory process (for example, different types	<u>GNWT-ENR</u> : Item 2 a. (under Schedule X: Conditions Applying to Construction (p. 6 of 41)) is referring to ‘facilities’ only. The rationale specifies that these conditions were relating to engineered structures.	<u>GNWT-ENR</u> : ENR recommends that the following descriptive term be added for precision, to Condition 2 a) of the Schedule X: Conditions Applying to Construction, as ‘Information regarding the facilities or engineered structure:’	The rationale has been revised to include clarification regarding ‘facilities.’ Please refer to the response above for the Structure Description and Construction Report (Condition 1(a)) for more details.
	i. A description of the facilities to be constructed;				
	ii. The proposed location(s) of the facilities, with GPS				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	coordinates and a map to scale;	<p>or thicknesses of covers), the Plan should include a design alternatives analysis that demonstrates how the final design was selected. This requirement may not be applicable for all projects or all project structures – it is more common for larger projects and projects that were subject to an EA as part of the regulatory process. Unless necessary, the analysis generally should not include new design alternatives that were not considered during the regulatory process, since they may require preliminary screening, and possibly an amendment process if a new design alternative is likely to be implemented.</p>			
	<p>iii. Relevant background information for the area beneath the footprint of the facilities, as deemed adequate by the Professional Engineer responsible for the design, including:</p> <p>a. the results and data from geotechnical and geochemical investigations; hydrogeological investigations; and programs to characterize soil, rock, Groundwater, ground ice, and ground temperature conditions to the depth expected to be affected by the facilities; and</p> <p>b. any other relevant information.</p>				Minor updates were made to this condition to ensure all available background information is provided.
	<p>iv. A design alternatives analysis;</p>		<p><u>GNWT-ENR:</u></p> <p>Regarding design and construction plans, there is a new requirement for a design alternatives analysis. It isn't clear if this will be a requirement of all plans or will</p>	<p><u>GNWT-ENR:</u></p> <p>ENR requests clarification on whether design alternatives analysis will be a requirement of all design and construction plans.</p>	This information requirement will not necessarily be included in all licences and may not be applicable to all project structures. The intent is only for the licensee to include this for structures where design alternatives were presented and considered

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
			<p>be dependent on the specific facility.</p> <p>As well, it is noted that this approach could be used related to preliminary screening exemptions. ENR cautions that including an option with an alternatives analysis does not indicate that it was within the scope of the preliminary screening. Also, the plan will be submitted to the Board after the Water Licence is issued, and after the completion of Part 5 of the MVRMA, and therefore may not have been included.</p>	<p>ENR notes that the inclusion of an option as an alternative within a management plan does not, in and of itself, indicate that it was covered off under Part 5 of the MVRMA.</p>	<p>during the regulatory process prior to issuance of the licence; new design alternatives that were not considered during the regulatory process should not be included in this analysis, since they would likely require preliminary screening, and possibly an amendment process if a new design alternative is likely to be implemented. This expectation has been clarified in the rationale.</p>
v.			<p><u>CIRNAC-CARD</u>: It is not clear what a "design alternatives analysis" is comprised of.</p>	<p><u>CIRNAC-CARD</u>: Please add clarity regarding the content of a design alternatives analysis.</p>	<p>The type of analysis will depend on the nature of the structure, but it will typically include a comparison of several different factors for two or more design options for the structure.</p>
vi.	<p>Design specifications and performance parameters [if required by this Licence, enter: and quantifiable performance objectives as established by the Engineer of Record];</p>				<p>The revisions link this requirement to the QUANTIFIABLE PERFORMANCE OBJECTIVES condition if applicable.</p>
vii.	<p>Stability analyses;</p>				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	viii. A description of how the design has been optimized for Closure and Reclamation;				This requirement replaces a previous requirement in licences to optimize structures for closure. As a component of a licence condition, this requirement was vague and not quantifiable or enforceable. As a component of an approved plan, the details provided by the licensee are enforceable.
	ix. A description of how climate change projections and considerations have been incorporated into the design;				Climate change information requirements have been added for all design and management plans. This information requirement is consistent with current LWB expectations.
	x. A description of any instrumentation that will be installed as part of the facilities, including locations and rationale; and				
	xi. A description of any operations and maintenance requirements associated with the design of the facilities.				
	b) Information regarding the Construction of the facilities:				
	i. A Construction schedule, including sequencing information;				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	ii. A description of the materials required for Construction, including, but not limited to: <ul style="list-style-type: none"> a. sources; b. quantities; c. physical characteristics; and d. geochemical characteristics. 		<u>GNWT-ITI</u> : It is not clear if this condition applies to "earth" materials only or if it is meant to include commercial construction materials as well.	<u>GNWT-ITI</u> : Clarify intent.	<p>It is not the LWBs' intent to encompass commercial construction materials such as nails, timber, etc. in this Condition. The licence conditions are intended to be interpreted within the scope of the LWBs' jurisdiction.</p> <p>This terminology has been used consistently in the past (in permit and licence conditions and schedules) without interpretation issues. Additionally, the requirement for geochemical characteristics implies that this Condition does not apply to commercial construction materials.</p>
	iii. A description of any potential effects on the Receiving Environment associated with Construction of the facilities; and				<p>This Condition has been revised to limit this description to effects associated with construction. Potential effects associated with the operation and closure of the facilities should be described in other plans. Note that the overall potential effects over the life of the facilities will have been presented in the application and considered in the preliminary screening.</p>
	iv. A description of any mitigation measures that will be undertaken to minimize the potential impacts identified above.				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	c) Information regarding monitoring during Construction and operation , including:				<p>Basic monitoring information requirements in plans have been standardized based on a compilation of various specific and non-specific monitoring requirements from design and management plan schedules in licences recently issued by the LWBs. Project-specific monitoring requirements can be established based on this framework as needed.</p> <p>The monitoring set out here could include operational monitoring if no post-construction management or O&M plan will be in place for the facilities.</p>
	i. A description of any monitoring that will be conducted to detect potential impacts to the Receiving Environment and evaluate the effectiveness of the mitigation measures described above, including, but not limited to: <ul style="list-style-type: none"> a. locations; b. parameters; c. frequencies; and d. rationale. 				
	ii. Linkages to other monitoring programs required in this Licence.				
	d) Information regarding responses to monitoring results during Construction, including:				Revised to reflect current standardized response framework information requirements, which replace the adaptive management language that has typically been used in the past for these types of design plans.
	i. Definitions, with rationale, for Action Levels applicable to the performance of the mitigation measures; and		GNWT-ENR: Regarding design and construction plans, there is a requirement regarding the addition of action levels within	GNWT-ENR: ENR supports Board staff's intent to minimize monitoring and response framework overlap	The SNP is usually limited to water quality/quantity monitoring, and the AEMP is designed to detect effects in the aquatic receiving environment. A

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
			<p>the management plan. It isn't clear how this relates to existing monitoring and response framework requirements included with the Surveillance Network Program (monitoring) and Aquatic Effects Monitoring Program (monitoring and response frameworks). These mechanisms encompass all activities on site including construction of site facilities. However, it is noted that Board staff have indicated that they will minimize overlap with other plans.</p>	<p>between plans, especially in relation to the AEMP</p>	<p>monitoring and response framework in a design or management plan is not necessarily limited to water monitoring and could include operational monitoring or monitoring for design or performance criteria for a system or structure. If there is overlap between some of the plan monitoring and other monitoring programs, the licensee is not expected to duplicate the monitoring and should reference the other plan/program(s).</p>
	<p>ii. For each Action Level, a description of how exceedances of the Action Level will be assessed and, generally, which types of actions may be taken by the Licensee if the Action Level is exceeded.</p>				
	<p>e) A Quality Control Plan stamped by a Professional Engineer, a component of which includes a plan for a Professional Engineer to supervise and field check Construction activities.</p>		<p><u>GNWT-ITI</u>: This section says "includes a plan for a Professional Engineer to supervise and field check"...</p> <p>This statement could be either interpreted to allow/disallow a technician/EIT/trained person</p>	<p><u>GNWT-ITI</u>: Provide clarification unless it is intended to be left open for interpretation.</p>	<p>This Condition does not specify whether or when the engineer must be on site during the construction period, since this may not be necessary for all projects or all project structures. The Quality Control Plan, which will be project-and/or structure-</p>

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
			to physically supervise the work "under the supervision of an engineer" who might not be physically present. Clarifying this condition wouldn't leave it up to the interpretation of the permittee and/or engineer.		specific, should specify how and when the engineer will supervise the construction.

Schedule X: Conditions Applying to Waste and Water Management

This Schedule was entirely new for the purposes of the public review; however, most of the conditions in this Schedule are based on existing licenses, so in this particular Schedule, red text is only used to demonstrate new conditions or to identify changes to the information requirements in conditions that are already used by the LWBs.

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
1.	The Water and Wastewater Management Plan , referred to in Part F, Condition X of this Licence shall include, but not be limited to, the following information:	This Condition sets out the information requirements for a Water and Wastewater Management Plan. The level of detail provided should be appropriate to the scale and nature of a project. There may be some overlap with other plans (e.g., facility O&M Plans, Tailings Management Plan, Waste Rock Management Plan), since specific facilities will have Water and Wastewater management systems. An overview of the entire Project should be presented here, with linkages to other relevant plans.			The rationale has been updated to address GNWT-ENR's comments about where monitoring details and action levels should be described (see Waste Rock Management Plan, Condition 4(a)(v) below in this Schedule). Note that some degree of cross-referencing/linking will be required between these plans, regardless of where the details are required.
	a) Information regarding Water and Wastewater management, including:				
	i. A summary, of all the Water and Wastewater streams and management system(s); A summary, with appropriate maps or diagrams, of the components of the Water management system and all the Water and Wastewater streams that report to it;	If the Project requires other management plans, the details of monitoring and action levels will typically be required in those plans, with linkages noted in this Plan as per (c)(ii).	<u>GNWT-ENR</u> : In the past, additional review time was required to request that maps outlining the wastewater stream be outlined all the way to the receiving environment, and that SNP monitoring locations also be included [if not already requested under requirements of the SNP section – or a SNP map].	<u>GNWT-ENR</u> : ENR recommends that the above described details be added for clarity, if/as necessary.	This Condition has been revised to reflect this recommendation.
	ii. Maps and/or diagrams of all the Water and Wastewater streams, management systems, and monitoring locations, from Water sources	Reporting on the activities conducted under this Plan is			

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	through to the Receiving Environment;	included in the Annual Water Licence Report Schedule. This Plan is typically not required for municipalities, since this information is provided through O&M plans.			
	iii. A description of the processes and facilities intended for the purposes of obtaining Water from [insert Water source(s)] for use at the Project;				
	iv. A description of the processes and facilities for the collection, storage and management of surface Runoff generated on site;				
	v. A description of the processes and facilities for the collection, storage and management of any Wastewater resulting from the Project, including a description of procedures that will be employed to minimize the quantity of Wastewater;				
	vi. A description of the processes and facilities for the treatment and Discharge of Effluent to the Receiving Environment, including a description of procedures that will be employed to minimize the quantity of Effluent discharged to the Receiving Environment; and				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	<p>vii. A description of the processes and facilities for the collection, storage, and management of any Water or Wastewater related to the Waste Rock Storage Areas, including:</p> <p>a. Identification of all potential sources of drainage from each storage site and the distance to the downstream Receiving Environment;</p> <p>b. A detailed description, including a map or diagram, of the structures intended to contain, withhold, divert, or retain Water or Wastes related to the Waste Rock Storage Facilities, and their predicted performance in terms of flow, capacity, and Water quality parameters;</p> <p>c. A summary of proposed measures for controlling runoff and Seepage Water volume, routing, and quality; and</p>				<p>To compile all of the detailed water and wastewater management information in one place, this list of information requirements was transferred here from the Waste Rock Management Plan, so it is new to this Plan, but is not a new set of standard information requirements. A summary of water and wastewater management related to Waste Rock and linkages to this Plan are still required in the Waste Rock Management Plan.</p>

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	d. Any linkages to activities described in the Waste Rock Management Plan.				
	viii. Predicted overall Water balance for the Project, including: <ul style="list-style-type: none"> a. Detailed Water balances for [list specific facilities if required]; b. A description of when the Water balance will be recalculated; and c. A description of when changes to the Water balance will require updates to the Water and Wastewater Management Plan. 				This Condition has been revised to include a requirement for a description of when changes to the water balance will require changes to the Plan. Annual reviews of management plans are required, but this Plan should not be updated only to account for minor updates to the water balance that don't affect water management. Water balance reporting is already required in the Annual Water Licence Report, so updates to water balance predictions should only be made when the Water Management Plan is updated for other reasons, or when changes to the water balance are significant enough to affect how water is managed.
	ix. A description of how climate change has been considered, including any linkages to other plans required under this Licence; and				Climate change information requirements have been added for all design and management plans. This information requirement is consistent with current LWB expectations.
	x. Any other information required to describe how Water and Wastewater will be managed such that the objectives listed in Part F, Condition 1 will be met.				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	b) Information related to Drawdown /Dewatering activities, including:		<u>GNWT-ITI</u> : It is not clear if this is intended to apply to water bodies and/or groundwater.	<u>GNWT-ITI</u> : Clarify intent.	<p>The definition of 'Watercourse' includes groundwater, so this Condition could be used for any type of dewatering or drawdown, but it is primarily intended to apply to surface watercourses.</p> <p>The term 'drawdown' has been removed from this Condition, since 'Dewatering' is the defined term in the Template for both complete and partial removal of water; however, the defined terms and the conditions in a licence will reflect any project-specific terminology.</p>
	i. Volume of water produced by Dewatering from each Water source;				
	ii. A schedule for Dewatering, including daily flow rates;				
	iii. Pumping methods, including locations of intake and outflow structures;				
	iv. The frequency, location, and procedures for monitoring flow rates;				
	v. The design of the pipeline, diffusers, and related facilities, with appropriate maps or diagrams of the components;				
	vi. A description of, and any mitigation measures for, any predicted hydrological or				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	water quality impacts to downstream Watercourse(s); and				
	vii. The procedures for inspecting any erosion along the affected Watercourse(s).				
	c) Information regarding monitoring, including:				Basic monitoring information requirements for management plans have been standardized based on a compilation of various specific and non-specific monitoring requirements from design and management plan schedules in licences recently issued by the LWBs. Project-specific monitoring requirements can be established based on this framework as needed.
	i. Details of the monitoring, including rationale, that will be undertaken for each component of the Water and Wastewater management systems, including: <ul style="list-style-type: none"> a. monitoring locations, parameters, frequencies and duration, methods, and types of instrumentation; and b. a map to scale, with monitoring locations; 				The map has been removed here because it is now addressed in 1(a)(ii) above.

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	c. predicted performance values for monitoring parameters based on expected facility design.				
	ii. Linkages to other monitoring programs required under this Licence; and				
	iii. Any other information about monitoring that will be performed to meet the objectives listed in Part F, Condition 1.				
	d) Information regarding responses to monitoring results, including:				While response framework information requirements have been included for some plans in some licences in the past, standardized requirements have been developed based on licences recently issued by the LWBs and the general framework set out in the LWB/GNWT's <i>Guidelines for Aquatic Effects Monitoring Programs</i> . Response frameworks will often be required in management plans unless there is rationale for not needing action levels in a particular plan (e.g., small projects, or project-specific rationale). The purpose is to establish an early warning system and appropriate general responses to prevent effects in the receiving environment. Generally, however, response plans (like those required for AEMPs) are not necessary unless a project-specific need is
	i. A description of how the Licensee will link the results of monitoring to those corrective actions necessary to ensure that the objectives listed in Part F, Condition 1 are met. This description shall include: <ul style="list-style-type: none"> a. Definitions, with rationale, for Action Levels applicable to the performance of the water management system; and b. For each Action Level, a description of how exceedances of the 				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	Action Level will be assessed and, generally, which types of actions may be taken by the Licensee if the Action Level is exceeded.				identified – reporting in the Annual Water Licence Report is adequate.
	ii. Action Level exceedances and actions taken during the year shall be reported in the Annual Report as per Part B, Condition X and Schedule 1, Condition X.				Removed, because reporting is required for each plan in the Annual Water Licence Report standard schedule.
	e) Information regarding contingency planning, including:				Contingency planning information requirements have been added to all management plans. This ensures that licensees and Inspectors have pre-approved response options immediately available in situations where a timely response is necessary. This reflects the limited legislated ability of the LWBs to sub-delegate their authority to the Inspectors for water use and waste deposit.
	i. A description of reasonably foreseeable scenarios; and				
	ii. For each scenario identified in (e)(i) above: a. A description of response action options; and b. A risk-based analysis of response action options, identifying preferred options and alternate options.				
2.	The Erosion and Sedimentation Management Plan referred to in Part F,	This Condition sets out the information requirements for	<u>CIRNAC-CARD</u> : The requirement to provide a SEC management plan at the outset of the project is limited to projects where "significant	<u>CIRNAC-CARD</u> : Please clarify what constitutes "significant erosion...risk."	Permafrost degradation has been incorporated to this Plan. Where permafrost exists, degradation is often linked to erosion and sedimentation

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	<p>Condition X shall include, but not be limited to, the following information:</p>	<p>an Erosion and Sedimentation Management Plan.</p> <p>This Plan will only may be required if significant erosion, sedimentation, and/or permafrost degradation potential or risk is identified in the regulatory process and the preliminary screening. In some cases, a separate Permafrost Protection Plan may be required; however, permafrost protection for engineered structures will typically be incorporated into the Design and Construction Plan.</p> <p>Reporting on the activities conducted under this Plan is included in the Annual Water Licence Report Schedule.</p>	<p>erosion, sedimentation, and/or permafrost degradation potential or risk" exists. The requirements in the schedule are extensive and may be onerous. The risk of SEC issues may be difficult to predict to any degree of certainty, due to the dynamic environmental conditions on NWT sites, including freshet flows, lack of information on local geomorphology, and the final design after field-fitting of remediation works (that often include backfills or covers made with local sediments, which may lack cohesion and stability due to the nature of the soils, ie. glacial tills, eskers, etc). The term "significant" here is unclear and may lead to predictive plans that lack precise detail and are not useful.</p>		<p>control. Permafrost can be removed from this Condition if there is no permafrost (continuous or discontinuous) in the project area.</p> <p>It is not reasonable for the LWBs to set a specific threshold for when this Plan will be required, since the level of acceptable risk will depend on many project-specific factors. When sedimentation, erosion, and/or permafrost degradation are identified as potential project impacts, the LWBs will establish the need for an Erosion and Sedimentation Management Plan and/or a separate Permafrost Protection Plan, and the information requirements for the Plan(s), based on the evidence gathered during the regulatory process. Accordingly, the rationale for this Condition has been revised to emphasize the importance of the project-specific evidence, rather than a set threshold, in determining when this Plan may be required. It is also possible that a requirement for one of these Plans may not initially be included</p>

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
			<p><u>GNWT-ENR</u>: Information required for the Sediment and Erosion Control Plan now include information on permafrost. It is noted in the rationale that in some cases, a separate Permafrost Protection Plan may be required. It isn't clear when this may occur.</p> <p>In addition, it isn't clear if a Permafrost Protection Plan is required, which information should be required.</p>	<p><u>GNWT-ENR</u>: ENR requests that Board staff provide additional clarification on when permafrost would or would not be included within the Sediment and Erosion Control Plan and whether standard information would be required for a Permafrost Protection Plan.</p>	<p>in a licence, but could be added during an amendment or renewal proceeding when more information has become available.</p> <p>The LWBs note that sedimentation and erosion can create serious issues for both a project and the receiving environment if sedimentation and erosion potential is not adequately evaluated during the project planning stages. Accordingly, it is in the applicant's best interests to identify potential sedimentation and erosion concerns, develop appropriate mitigation measures, and describe them in the application package.</p> <p>To date, the LWBs have not commonly required a separate Permafrost Protection Plan, so a standard schedule condition has not been developed for this Plan; however, the structure and information requirements in a condition for this Plan would be similar to the Erosion and Sedimentation Management Plan.</p>
	<p>a) Information regarding erosion, sedimentation, and permafrost degradation potential and management, including:</p>				
	<p>i. A summary of the areas identified as susceptible to</p>				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	erosion, sedimentation, and permafrost degradation;				
	ii. Maps and/or diagrams, including: <ul style="list-style-type: none"> a. Locations of areas susceptible to erosion, sedimentation, and permafrost degradation; b. Locations of erosion and sedimentation management structures; c. Locations of erosion and sedimentation control equipment and supplies; and d. Monitoring locations. 		<p><u>GNWT-ENR</u>: While maps are included as a requirement of the Sediment and Erosion Control Plan, the only requirement is indicating monitoring locations. Another useful addition to the map would be the location of sediment and erosion control equipment that is installed (e.g. silt fencing). An example can be seen in Enbridge’s plan for the Line 21 replacement near Fort Simpson (MV2017L1-0002) as well as where additional equipment can be found. This would be similar to requirements outlined in a Spill Contingency Plan but specific to equipment related to sediment and erosion control.</p>	<p><u>GNWT-ENR</u>: ENR recommends that the map within the Sediment and Erosion Control Plan also include the location of the installation of sediment and erosion control equipment as well as additional equipment storage.</p>	This Condition has been revised to reflect this recommendation.
	iii. A description of the process and criteria for assessing the risk of erosion, sedimentation, and/or permafrost degradation;				
	iv. A description of the best management practices that will be employed for different levels of assessed risk; and				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	v. A description of Water management during [list activities];				This addition has been included as a consideration for projects where there is no Water and Wastewater Management Plan required for the project, and water management will be necessary to prevent erosion and sedimentation associated with particular activities (e.g., excavation during remediation projects).
	vi. A description of how climate change has been considered, including any linkages to other plans required under this Licence; and				Climate change information requirements have been added for all design and management plans. This information requirement is consistent with current LWB expectations.
	vii. Any other information required to describe how erosion and sediment release into the Receiving Environment, and permafrost degradation will be minimized.				
	b) Information regarding monitoring, including;		CIRNAC-CARD: The Erosion and Sedimentation Management Plan requires predicted performance values for monitoring parameters based on expected facility design. It is not clear what is intended by the term "performance values". This could be interpreted as general values, such as "decreasing over time", or "within the range of baseline conditions". This could also be interpreted as requiring statistical predictive modeling,	CIRNAC-CARD: Please clarify what constitutes "predicted performance values".	It is not the LWBs' intent to provide specific direction on what the performance values should be. The performance values will depend on the nature of the proposed mitigation measures, so the licensee may propose general or specific values in this Plan, as appropriate to the proposed measure. For well-established mitigation measures or technologies, the licensee may be able to establish performance values based on best practice standards or guidelines.

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
			which would likely be very data intensive and perhaps unrealistic in many circumstances.		
	<p>i. Details of the monitoring, including rationale, that will be undertaken with respect to the effectiveness and maintenance of erosion and sediment management practices, including;</p> <p>a. monitoring locations, parameters, frequencies, methods, and types of instrumentation; and</p> <p>b. predicted performance values for monitoring parameters based on expected facility design.</p>				Basic monitoring information requirements for management plans have been standardized based on a compilation of various specific and non-specific monitoring requirements from design and management plan schedules in licences recently issued by the LWBs. Project-specific monitoring requirements can be established based on this framework as needed.
	ii. Linkages to other monitoring programs required under this Licence; and				
	iii. Any other information about monitoring that will be performed to meet the objectives in Part F, Condition 1.				
	c) Information regarding responses to monitoring results, including:				While response framework information requirements have been included for some plans in some licences in the past, standardized requirements have been
	i. A description of how the Licensee will link the results of				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	<p>monitoring to those corrective actions necessary to ensure that the objectives listed in Part F, Condition 1 are met.</p> <p>This description shall include:</p> <ul style="list-style-type: none"> a. Definitions, with rationale, for Action Levels applicable to the performance of erosion and sedimentation control measures; and b. For each Action Level, a description of how exceedances of the Action Level will be assessed and generally, which types of actions will be taken for the Action Levels exceeded. 				<p>developed based on licences recently issued by the LWBs and the general framework set out in the LWB/GNWT's <i>Guidelines for Aquatic Effects Monitoring Programs</i>. Response frameworks will often be required in management plans unless there is rationale for not needing action levels in a particular plan (e.g., small projects, or project-specific rationale). The purpose is to establish an early warning system and appropriate general responses to prevent effects in the receiving environment. Generally, however, response plans (like those required for AEMPs) are not necessary unless a project-specific need is identified – reporting in the Annual Water Licence Report is adequate.</p>
	<p>ii. Action Level exceedances and actions taken during the year shall be reported in the Annual Report as per Part B, Condition X and Schedule 1, Condition X.</p>				<p>Removed, because reporting is required for each plan in the Annual Water Licence Report standard schedule.</p>
	<p>d) Information regarding contingency planning, including:</p>				<p>Contingency planning information requirements have been added to all management plans. This ensures that licensees and Inspectors have pre-approved response options immediately available in situations where a timely response is necessary. This reflects the limited legislated ability of the LWBs to sub-delegate their authority to the</p>
	<p>i. A description of reasonably foreseeable scenarios; and</p>				
	<p>ii. For each scenario identified in (d)(i) above:</p>				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	<ul style="list-style-type: none"> a. A description of response action options; and b. A risk-based analysis of response action options, identifying preferred options and alternate options. 				Inspectors for water use and waste deposit.
3.	The Explosives Management Plan referred to in Part F, Condition X of this Licence shall include, but not be limited to, the following:	This Condition sets out the information requirements for an Explosives Management Plan.			
	a) Information regarding explosives management, including:	Reporting on the activities conducted under this Plan is included in the Annual Water Licence Report Schedule.			
	i. A description of the facilities used for management and storage of explosives;				This information requirement was added for consistency with other management plan information requirements.
	ii. Maps and diagrams of the facilities and monitoring locations;				
	iii. A description of the mitigation approaches to be employed with respect to storage, handling, blasting, disposal, and spills;				'Disposal' has been added to address waste and cover the full life cycle of explosive materials.
	iv. The predicted ammonium nitrate dissolution rate;				
	v. A description of how climate change has been considered, including any linkages to other				Climate change information requirements have been added for all design and management plans. This

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	plans required under this Licence; and				information requirement is consistent with current LWB expectations.
	vi. Any other information required to describe how explosives will be managed such that the objectives listed in Part F, Condition 1 will be met.				
	b) Information regarding monitoring, including;				Basic monitoring information requirements for management plans have been standardized based on a compilation of various specific and non-specific monitoring requirements from design and management plan schedules in licences recently issued by the LWBs. Project-specific monitoring requirements can be established based on this framework as needed.
	i. Details of the monitoring, including rationale, that will be undertaken to evaluate whether the mitigation approaches for storage, handling, and blasting procedures are effective, including; <ul style="list-style-type: none"> a. monitoring locations, parameters, frequencies, methods, and types of instrumentation; and b. predicted performance values for monitoring parameters based on expected facility design. 				
	ii. Linkages to other monitoring programs required under this Licence; and				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	iii. Any other information about monitoring that will be performed to meet the objectives in Part F, Condition 1.				
	c) Information regarding responses to monitoring results, including:				While response framework information requirements have been included for some plans in some licences in the past, standardized requirements have been developed based on licences recently issued by the LWBs and the general framework set out in the LWB/GNWT's <i>Guidelines for Aquatic Effects Monitoring Programs</i> . Response frameworks will often be required in management plans unless there is rationale for not needing action levels in a particular plan (e.g., small projects, or project-specific rationale). The purpose is to establish an early warning system and appropriate general responses to prevent effects in the receiving environment. Generally, however, response plans (like those required for AEMPs) are not necessary unless a project-specific need is identified – reporting in the Annual Water Licence Report is adequate.
	i. A description of how the Licensee will link the results of monitoring to those corrective actions necessary to ensure that the objectives listed in Part F, Condition 1 are met. This description shall include: <ul style="list-style-type: none"> a. Definitions, with rationale, for Action Levels applicable to the performance of the mitigation measures; and b. For each Action Level, a description of how exceedances of the Action Level will be assessed and generally, which types of actions will be taken for the Action Levels exceeded. 				
	d) Information regarding contingency planning, including:				Contingency planning information requirements have been added to all

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	i. A description of reasonably foreseeable scenarios; and				management plans. This ensures that licensees and Inspectors have pre-approved response options immediately available in situations where a timely response is necessary. This reflects the limited legislated ability of the LWBs to sub-delegate their authority to the Inspectors for water use and waste deposit.
	ii. For each scenario identified in (d)(i) above: a. A description of response action options; and b. A risk-based analysis of response action options, identifying preferred options and alternate options.				
4.	The Waste Rock Management Plan referred to in Part F, Condition X of this Licence shall include, but not be limited to, the following:	This Condition sets out the information requirements for a Waste Rock Management Plan. Reporting on the activities conducted under this Plan is included in the Annual Water Licence Report Schedule.			
	a) Information regarding Waste Rock management, including:				
	i. A description of the facilities used for the management and storage of Waste Rock, ore, overburden , and till, including:				This Condition has been revised for consistency with other revisions regarding map information requirements.

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	<ul style="list-style-type: none"> a. appropriate maps or diagrams, including monitoring locations; and b. descriptions of the construction methods that will be used to limit generation of acidic drainage and/or Metal Leaching. 				
	<ul style="list-style-type: none"> ii. An annual schedule for till storage, ore stockpiling, and Waste Rock production, over the term of this Licence, including: <ul style="list-style-type: none"> a. Sources, tonnage, volume and destination of each rock type; and b. A description of when changes to the schedule will require updates to the Waste Rock Management Plan. 				This Condition has been revised to include a requirement for a description of when the schedule will require changes to the Plan. This is similar to water balance information requirements in the Water and Wastewater Management Plan. Annual reviews of management plans are required, but this Plan should not be updated only to account for minor updates to the schedule that don't affect waste rock management. Reporting is already required in the Annual Water Licence Report, so updates to the schedule should only be made when the Waste Rock Management Plan is updated for other reasons, or when changes to the schedule are significant enough to affect how rock is managed.
	<ul style="list-style-type: none"> iii. A description of the operational procedures that will be used to segregate and 				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	manage the Waste Rock and ore;				
	<p>iv. <u>Option 1:</u></p> <p>A description of the geochemical criteria for classifying, managing, and placing Waste Rock and ore, including linkages to the Geochemical Characterization and Monitoring Plan referred to in Part F, Condition X;</p> <p>OR</p> <p><u>Option 2:</u></p> <p>A description of geochemical characterization and management, including:</p> <ul style="list-style-type: none"> a. A characterization of rock types (mineralogy and geology of typical rock units), including assessment of potential for Acid/Alkaline Drainage and Metal Leaching; b. A description of the potential uses for each rock type; c. A description of the geochemical criteria for classifying, managing, and 				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	<p>placing Waste Rock and ore; and</p> <p>d. A description of the sampling program and analytical methods that will be used to support the operational classification and management of all rock types.</p>				
	<p>v. A summary of Water and Wastewater management for the Waste Rock Storage Facilities, with linkages to the Water and Wastewater Management Plan;</p> <p>A summary of Water management procedures, including:</p> <p>a. Identification of all potential sources of drainage from each storage site and the distance to the downstream Receiving Environment;</p> <p>b. A detailed description, including a map or diagram, of the structures intended to contain, withhold, divert, or retain Water or Wastes related to the Waste Rock Storage Facilities, and their</p>		<p><u>GNWT-ENR:</u> Seepage management has been moved from the Waste Rock Management Plan to the Water and Wastewater Management Plan; however, ENR notes that the monitoring section for the Waste Rock Management Plan includes seepage quality and quantity. It is not clear which management plan is meant to include the seepage quality and quantity monitoring, or if it's intended to be included in both.</p>	<p><u>GNWT-ENR:</u> ENR recommends that the Board clarify which plan is meant to include seepage quality and quantity and revise the Schedules template accordingly.</p>	<p>To compile all of the detailed water and wastewater management information in one place, the detailed list of information requirements for water management was transferred to the Water and Wastewater Management Plan. Information about water and waste management for all site components should be included in the Water and Wastewater Management Plan, since this Plan ties all of the site components together. Monitoring details and action levels should be in the specific management plans, because monitoring is not necessarily limited to water or wastewater (waste rock geochemistry, for example). The rationale for the Water and Wastewater Management Plan has been updated to reflect this; however, note that the monitoring details and action levels could be in the Water and Wastewater Management Plan if there are no separate</p>

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	<p>predicted performance in terms of flow, capacity, and Water quality parameters;</p> <p>c. A summary of proposed contingency measures for controlling runoff and Seepage Water volume, routing, and quality; and</p> <p>A summary of any linkages to activities described in the Water and Wastewater Management Plan.</p>				management plans required for a project.
	<p>vi. A description of how climate change has been considered, including any linkages to the Waste Rock Storage Facilities Design and Construction Plan(s) and other plans required under this Licence; and</p>				Climate change information requirements have been added for all design and management plans. This information requirement is consistent with current LWB expectations.
	<p>vii. Any other information required to describe how Waste Rock will be managed such that the objectives listed in Part F, Condition 1 of this Licence are achieved.</p>				
	<p>b) Information regarding monitoring activities:</p>				Basic monitoring information requirements for management plans have been standardized based on a compilation of various specific and non-
	<p>i. Details of the monitoring, including rationale, that will be</p>				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	<p>undertaken to evaluate geotechnical and geochemical stability, thermal characterization, Seepage quality and quantity, and Runoff for all Waste Rock Storage Facilities, including:</p> <p>a. monitoring locations, parameters, frequency, methods, and types of instrumentation; and</p> <p>b. predicted performance values for monitoring parameters based on facility design.</p>				<p>specific monitoring requirements from design and management plan schedules in licences recently issued by the LWBs. Project-specific monitoring requirements can be established based on this framework as needed.</p>
	<p>ii. Linkages to other monitoring programs required under this Licence; and</p>				
	<p>iii. Any other information about the monitoring that will be performed to meet the objectives in Part F, Condition 1.</p>				
	<p>c) Information regarding responses to monitoring results:</p>				<p>While response framework information requirements have been included for some plans in some licences in the past, standardized requirements have been developed based on licences recently issued by the LWBs and the general framework set out in the LWB/GNWT's <i>Guidelines for Aquatic Effects Monitoring</i></p>
	<p>i. A description of how the Licensee will link the results of monitoring to those corrective actions necessary to ensure that the objectives listed in</p>				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	<p>Part F, Condition 1 are met. This description shall include:</p> <ul style="list-style-type: none"> a. Definitions, with rationale, for Action Levels applicable to the performance of erosion and sedimentation control measures; and b. For each Action Level, a description of how exceedances of the Action Level will be assessed and generally, which types of actions will be taken for the Action Levels exceeded. 				<p><i>Programs.</i> Response frameworks will often be required in management plans unless there is rationale for not needing action levels in a particular plan (e.g., small projects, or project-specific rationale). The purpose is to establish an early warning system and appropriate general responses to prevent effects in the receiving environment. Generally, however, response plans (like those required for AEMPs) are not necessary unless a project-specific need is identified – reporting in the Annual Water Licence Report is adequate.</p>
	<p>d) Information regarding contingency planning, including:</p>				<p>Contingency planning information requirements have been added to all management plans. This ensures that licensees and Inspectors have pre-approved response options immediately available in situations where a timely response is necessary. This reflects the limited legislated ability of the LWBs to sub-delegate their authority to the Inspectors for water use and waste deposit.</p>
	<ul style="list-style-type: none"> i. A description of reasonably foreseeable scenarios; and 				
	<ul style="list-style-type: none"> ii. For each scenario identified in (d)(i) above: <ul style="list-style-type: none"> a. A description of response action options; and b. A risk-based analysis of response action options, identifying preferred options and alternate options. 				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
5.	The Geochemical Characterization and Monitoring Management Plan referred to in Part F, Condition X of this Licence shall include, but not be limited to, the following:	This Condition sets out the information requirements for a Geochemical Characterization and Monitoring Plan. Reporting on the activities conducted under this Plan is included in the Annual Water Licence Report Schedule.			Standard contingency planning information requirements have not been added to this plan, because this is a monitoring plan rather than a management plan. Contingency planning will be addressed in the associated management plan(s) (e.g., Waste Rock and Tailings Management Plans).
	a) Information regarding geochemical characterization, including:				
	i. <u>Option 1:</u> A summary of findings from previous geochemical characterization (Acid Rock Drainage/Metal Leaching potential) on [list types of materials (e.g., Waste Rock, Processed Kimberlite, overburden, etc.)], including references and weblinks to previous reports; OR <u>Option 2:</u> A description of geochemical characterization studies to identify PAG materials and/or materials with Metal Leaching potential, including sampling				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	frequencies, rock units, volumes, and test methods;				
	ii. A description of the geochemical characterization of overburden that will be used in Construction [and/or] for Closure and Reclamation, including specific measures to ensure that this material meets or exceeds the geochemical cut-off criteria defined for non-PAG;				
	iii. Criteria, with rationale, for defining: <ul style="list-style-type: none"> a. PAG, non-PAG and Metal Leaching materials; and b. high, moderate, and low risk Waste Rock; 				
	iv. Production schedules showing estimated volumes and tonnages of [list types of materials (e.g., Waste Rock, Tailings, Processed Kimberlite, overburden, etc.)] that will be produced each year over the duration of the Project.				
	b) Information regarding geochemical assessments inspections and supplemental monitoring, including:				The terminology in this subsection has been revised to reflect previous comments on the licence conditions regarding geochemical inspections.

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	i. A description of geochemical assessments inspections, including visual inspections, and supplemental sampling and testing of [list types of materials to be tested (e.g., Waste Rock, Tailings, Processed Kimberlite, overburden, etc.)];				
	ii. A description of sampling and analysis of any Seepage or Runoff found outside of the Water management system (e.g., roads, rock pads etc.), or that does not report directly to an SNP monitoring station;				
	iii. A description of monitoring of the field test cells, including sampling frequency, field measurements, and analytical parameters;				
	iv. Linkages to other monitoring programs required under this Licence; and				
	v. Any other information about the monitoring that will be performed to meet the objectives in Part F, Condition 1.				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	c) Information regarding responses to monitoring results:				While response framework information requirements have been included for some plans in some licences in the past, standardized requirements have been developed based on licences recently issued by the LWBs and the general framework set out in the LWB/GNWT's <i>Guidelines for Aquatic Effects Monitoring Programs</i> . Response frameworks will often be required in management plans unless there is rationale for not needing action levels in a particular plan (e.g., small projects, or project-specific rationale). The purpose is to establish an early warning system and appropriate general responses to prevent effects in the receiving environment. Generally, however, response plans (like those required for AEMPs) are not necessary unless a project-specific need is identified – reporting in the Annual Water Licence Report is adequate.
	i. A description of how the Licensee will link the results of monitoring to those corrective actions necessary to ensure that the objectives listed in Part F, Condition 1 are met. This description shall include: <ul style="list-style-type: none"> a. Definitions, with rationale, for Action Levels applicable to the performance of this Plan with respect to geochemical stability as well as Seepage and Runoff quality and quantity; b. For each Action Level, a description of how exceedances of the Action Level will be assessed and, generally, which types of actions may be taken by the Licensee if the Action Level is exceeded; 				
6.	The Tailings or Processed Kimberlite Management Plan referred to in Part F, Condition X of this Licence shall include, but not be limited to, the following:	This Condition sets out the information requirements for a Tailings or Processed Kimberlite Management Plan. This Condition may also be	GNWT-ENR: ENR notes that the review material includes a schedule for Tailings Management Plans; however, there is no specific mention of processed kimberlite. These terms are defined separately	GNWT-ENR: ENR requests clarification on information requirements related to processed kimberlite as well as co-disposal scenarios as they would relate to the	The intent is to use this Condition as a starting point for a tailings, processed kimberlite, or co-disposal management plan; however, as for all management plans in these standard schedules, revisions would be required to reflect

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
		<p>adapted for co-disposal with waste rock.</p> <p>Reporting on the activities conducted under this Plan is included in the Annual Water Licence Report Schedule.</p>	<p>within the standard Water Licence conditions document, so it is assumed that processed kimberlite would not be categorized as tailings. Is it the Board's intention that the information outlined in the Tailings Management Plan would also be applicable for processed kimberlite? Additionally, in situations where tailings and/or processed kimberlite are co-disposed with waste rock, would this be managed on a project-specific basis to include information requirements for the different waste types?</p>	<p>current list of standard schedule templates</p>	<p>the nature of the waste and project-specific details. The LWBs acknowledge that tailings and processed kimberlite are defined separately, and this Condition should have reflected that differentiation. Accordingly, this Condition and the associated rationale have been revised to reflect this intent. The LWBs note that information requirements for tailings, processed kimberlite, and co-disposal management plans in existing LWB licences were considered in developing this Condition.</p>
	<p>a) Information regarding [Tailings or Processed Kimberlite] management:</p>				
	<p>i. A description, with appropriate maps or diagrams, of the facilities used for [Tailings or Processed Kimberlite] management, including a description of the Waste streams that report to each facility;</p>				
	<p>ii. A schedule showing the expected quantities and destinations for [Tailings or Processed Kimberlite] produced each year, including an evaluation of storage</p>				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	capacity over time for each Containment Facility;				
iii.	<p>A description of [Tailings or Processed Kimberlite] deposition procedures, including:</p> <ul style="list-style-type: none"> a. details on any physical or chemical treatment applied before deposition; b. details on delivery and deposition methods; c. details on any deposition sequencing; d. details on any monitoring and recording conducted to confirm appropriate placement; and e. any other information necessary to describe how [Tailings or Processed Kimberlite] are deposited; 				
iv.	A description of dust control measures for the [Tailings or Processed Kimberlite] Containment Facilities;				
v.	A summary of Water management for the [Tailings or Processed Kimberlite] Containment Facilities, with				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	linkages to the Water and Wastewater Management Plan;				
	vi. A description of how climate change has been considered, including any linkages to the [Tailings or Processed Kimberlite] Containment Facilities Design and Construction Plan(s) and other plans required under this Licence; and				Climate change information requirements have been added for all design and management plans. This information requirement is consistent with current LWB expectations.
	vii. Any other information required to describe how the [Tailings or Processed Kimberlite] will be managed such that the objectives listed in Part F, Condition 1 are achieved.				
	b) Information regarding monitoring, including:				Removed inspections because they are addressed in general conditions for inspection of engineered structures in Part F.
	i. Details and rationale for monitoring and inspections, including: <ul style="list-style-type: none"> a. [list types of monitoring required] for all [Tailings or Processed Kimberlite] facilities; b. monitoring locations, parameters, frequency, 				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations	
	<p>duration, methods, and types of instrumentation;</p> <p>c. a site map to scale with monitoring locations; and</p> <p>d. predicted performance values for monitoring parameters based on expected facility design.</p>					
	ii. Linkages to other monitoring programs required in this Licence; and					
	iii. Any other information about the monitoring that will be performed to meet the objectives in Part F, Condition 1.					
	c) Information regarding responses to monitoring results:					While response framework information requirements have been included for some plans in some licences in the past, standardized requirements have been developed based on licences recently issued by the LWBs and the general framework set out in the LWB/GNWT's <i>Guidelines for Aquatic Effects Monitoring Programs</i> . Response frameworks will often be required in management plans unless there is rationale for not needing action levels in a particular plan (e.g., small projects, or project-specific rationale). The purpose is to establish an early warning system and appropriate
	<p>i. A description of how the Licensee will link the results of monitoring to those corrective actions necessary to ensure that the objectives listed in Part F, Condition 1 of this Licence are met. This description shall include:</p> <p>a. Definitions, with rationale, of Action Levels applicable to the performance of the Tailings or Processed</p>					

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	<p>Kimberlite facilities with respect to monitored parameters; and,</p> <p>b. For each Action Level, a description of how exceedances of the Action Level will be assessed, and generally which types of actions will be taken if the Action Level is exceeded.</p>				<p>general responses to prevent effects in the receiving environment. Generally, however, response plans (like those required for AEMPs) are not necessary unless a project-specific need is identified – reporting in the Annual Water Licence Report is adequate.</p>
	d) Information regarding contingency planning, including:				<p>Contingency planning information requirements have been added to all management plans. This ensures that licensees and Inspectors have pre-approved response options immediately available in situations where a timely response is necessary. This reflects the limited legislated ability of the LWBs to sub-delegate their authority to the Inspectors for water use and waste deposit.</p>
	i. A description of reasonably foreseeable scenarios; and				
	<p>ii. For each scenario identified in (d)(i) above:</p> <p>a. A description of response action options; and</p> <p>b. A risk-based analysis of response action options, identifying preferred options and alternate options.</p>				
7.	<p>The insert facility name Operations and Maintenance Plan referred to in Part F, Condition X of this Licence shall include, but not be limited to, the following:</p>	<p>This Condition sets out the information requirements for an Operations and Maintenance Plan.</p> <p>This Condition will typically not be used for Operations and</p>	<p>CIRNAC-CARD: Not clear what types of facilities a licensee can expect to require an O&M Plan.</p>	<p>CIRNAC-CARD: Please provide rationale for the types of facilities that would require an O&M Plan.</p>	<p>O&M Plans are typically only required for municipal facilities or commercial hydrocarbon-contaminated soil treatment facilities. In most cases, these licensees will be required to use the LWBs' O&M Plan templates; however, for larger or new municipal facilities, the</p>

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
		<p>Maintenance Plans for municipal licences or Hydrocarbon-Contaminated Soil Treatment Facilities, which have applicable templates and guidelines, respectively. It may be used in some cases for larger or new municipal facilities, in which case, some or all of the specific information requirements listed in the applicable LWB O&M Template may be incorporated into this Condition. Although not common, this Condition may also be included for other types of projects to provide more detailed information about the operation of a specific large or complex facility.</p> <p>Reporting on the activities conducted under this Plan is included in the Annual Water Licence Report Schedule.</p>			<p>licence may include an O&M Plan schedule instead.</p> <p>Although not common, an O&M plan may also be required for other types of projects for large or complex facilities, where more detailed operational information is required. Like other plans, the requirement for an O&M Plan for a particular project or facility will be determined based on the evidence gathered during the regulatory process.</p> <p>The rationale for this Condition has been updated to reflect this clarification.</p> <p>The information requirements in each LWB O&M template are specific to the type of facility (solid waste, sewage, or water treatment plant). Although most of them are indirectly addressed by the general information requirements in this schedule Condition, there are some facility-specific O&M requirements that are not. Rather than making this Condition more specific, the rationale has been updated to state that information requirements from the O&M templates may also be included in this Condition as applicable.</p>
	a) Information regarding the facilities and operations, including:		<p><u>GNWT-ENR:</u> Conditions in Item 7 (under Water and Waste Management) referring to Operations and Maintenance Plan (O&M Plan), if not used in association with the Operation and Maintenance Plan template, should also enumerate all main missing components listed in the template.</p>	<p><u>GNWT-ENR:</u> ENR recommends that main components enumerated in the O&M Plan template also be enumerated under Item 7 should the associated condition to which this Schedule is link to not be referring or requesting the municipal O&M template.</p>	

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	i. A description of the [insert facility name] and associated infrastructure;				
	ii. A description of the operating procedures for the [insert facility name];				
	iii. A description of the maintenance procedures and schedules for the [insert facility name]; and				
	iv. A description of how climate change has been considered, including any linkages to the [insert facility name] Design and Construction Plan and other plans required under this Licence.				Climate change information requirements have been added for all design and management plans. This information requirement is consistent with current LWB expectations.
	b) Information regarding surveillance and monitoring, including:				
	i. A description of the surveillance procedures and schedules for the [insert facility name];				
	ii. Details of the monitoring, including rationale, that will be undertaken for each component of the [insert facility name], including: <ul style="list-style-type: none"> a. monitoring locations, parameters, frequencies, 				Basic monitoring information requirements for management plans have been standardized based on a compilation of various specific and non-specific monitoring requirements from design and management plan schedules in licences recently issued by the LWBs.

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations	
	<p>methods, and types of instrumentation;</p> <p>b. a map to scale, with monitoring locations; and</p> <p>c. predicted performance values for monitoring parameters based on expected facility design.</p>				Project-specific monitoring requirements can be established based on this framework as needed.	
	iii. Linkages to other monitoring programs and inspections required under this Licence.					
	c) Information regarding responses to monitoring, including:					While response framework information requirements have been included for some plans in some licences in the past, standardized requirements have been developed based on licences recently issued by the LWBs and the general framework set out in the LWB/GNWT's <i>Guidelines for Aquatic Effects Monitoring Programs</i> . Response frameworks will often be required in management plans unless there is rationale for not needing action levels in a particular plan (e.g., small projects, or project-specific rationale). The purpose is to establish an early warning system and appropriate general responses to prevent effects in the receiving environment. Generally, however, for management plans, response plans (like those required for AEMPs) are not necessary unless a project-specific need is identified –
	<p>i. A description of how the Licensee will link the results of monitoring to those corrective actions necessary to ensure that the objectives listed in Part F, Condition 1 are met. This description shall include:</p> <p>a. Definitions, with rationale, for Action Levels applicable to the performance of the [insert facility name]; and</p> <p>b. For each Action Level, a description of how exceedances of the Action Level will be assessed and, generally, which types of</p>					

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	actions will be taken for the Action Levels exceeded.				reporting in the Annual Water Licence Report is adequate.
	d) Information regarding contingency planning, including: A description of contingency plans for the [insert facility name];				Contingency planning information requirements have been added to all management plans. This ensures that licensees and Inspectors have pre-approved response options immediately available in situations where a timely response is necessary. This reflects the limited legislated ability of the LWBs to sub-delegate their authority to the Inspectors for water use and waste deposit.
	i. A description of reasonably foreseeable scenarios; and				
	ii. For each scenario identified in (d)(i) above: a. A description of response action options; and b. A risk-based analysis of response action options, identifying preferred options and alternate options.				
8.	The Water Quality Monitoring Plan referred to in Part F, Condition X of this Licence shall include, but not be limited to, the following information:	This Condition sets out the information requirements for a Water Monitoring Plan This Plan may be required when an extensive AEMP is not necessary, but supplemental water quality and/or quantity monitoring is needed to identify potential impacts in the aquatic Receiving Environment (e.g., HCSTF or advanced mineral exploration	<u>GNWT-ENR</u> : It may be more appropriate to change the title of the “Water Quality Monitoring Plan” to more simply a “Water Monitoring Plan” as the plan isn’t limited to just water quality. For example, the Water Licence MV2014L8-0006 for Canadian Zinc to construct an all season road requires a “Water Monitoring Plan” that includes components of water quality and quantity.	<u>GNWT-ENR</u> : ENR recommends the Board provide rationale for limiting the plan to water quality, and not water quality and quantity.	The name of this Plan has been revised to reflect this recommendation.

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	a) Information regarding site conditions:	projects). Depending on the nature and scale of required monitoring, the monitoring may be described in a Water and Wastewater Management Plan, rather than in a separate Water Monitoring Plan. The need for one or both of these Plans will be determined during the regulatory process.			
	i. A description of the surface hydrology, including appropriate maps and diagrams, as assessed by a Professional Engineer, hydrologist, hydrogeologist, or equivalent professional;	This Plan could include surface water, wastewater, and groundwater. If groundwater monitoring is extensive, a separate Groundwater Monitoring Plan may be required.			The addition of requirements for information about site conditions is consistent with other management and monitoring plan requirements. This information is necessary to assist reviewers and the Board in determining whether the proposed monitoring is appropriate for the site.
	ii. A description of the underlying and surrounding hydrogeology, including appropriate maps and flow diagrams, as assessed by a Professional Engineer, hydrologist, hydrogeologist, or equivalent professional;	Reporting on the activities conducted under this Plan is included in the Annual Water Licence Report Schedule.			Professional Engineers have been removed from the list of professionals in this Condition, since they would not necessarily be qualified to assess hydrology or hydrogeology. Hydrologists and hydrogeologists are not certified/registered professionals in Canada (or the NWT), so these will usually not be defined terms.
	iii. A summary of baseline data including: a. Baseline data collected to date; b. Identification of baseline data gaps; and c. A description of methods for filling in baseline data gaps or methods for approximating baseline conditions if necessary.				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	b) Information regarding monitoring:				
	i. Identification, with rationale, of parameters of concern that should be used as indicators of potential impacts from Project-related activities on the aquatic Receiving Environment;				These information requirements have been limited to the 'aquatic' receiving environment, because this is a Water Monitoring Plan, the legislated purpose of licences is to protect water, and the primary objective of the LWBs' <i>Water and Effluent Quality Management Policy</i> is to protect water quality in the receiving environment.
	ii. A description, with rationale, of the site-specific monitoring activities required to identify impacts from Project-related activities on the aquatic Receiving Environment;				
	iii. A description of monitoring protocols, methodologies, parameters, and frequencies specific to each type of monitoring identified in (b) (ii) above;				
	iv. Site map(s) and attached table or detailed legend, illustrating monitoring and sampling locations; and				
	v. A description of the quality assurance and quality control measures followed for each monitoring type;				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	c) Information regarding responses to monitoring results:				While response framework information requirements have been included for some plans in some licences in the past, standardized requirements have been developed based on licences recently issued by the LWBs and the general framework set out in the LWB/GNWT's <i>Guidelines for Aquatic Effects Monitoring Programs</i> . Response frameworks will often be required in monitoring plans unless there is rationale for not needing action levels in a particular plan (e.g., small projects, or project-specific rationale). The purpose is to establish an early warning system and appropriate general responses to prevent effects in the receiving environment. Generally, however, response plans (like those required for AEMPs) are not necessary unless a project-specific need is identified – reporting in the Annual Water Licence Report is adequate.
	i. A description of how the Licensee will link the results of monitoring to those corrective actions necessary to ensure that the objectives listed in Part F, Condition 1 are met. This description shall include: <ul style="list-style-type: none"> a. Definitions, with rationale, for Action Levels for each parameter of concern; and b. For each Action Level, a description of how exceedances of the Action Level will be assessed and, generally, which types of actions will be taken for the Action Level exceeded. 				
9.	The Groundwater Monitoring Plan , referred to in Part F, Condition X of this Licence shall include, but not be limited to, the following information:	This Condition sets out the information requirements for a Groundwater Monitoring Plan. Depending on the nature and scale of required monitoring, Groundwater monitoring may be described in a Water and Wastewater Management Plan, or an overall Water Quality Monitoring Plan, rather			
	a) Information regarding Groundwater conditions:				
	i. A description of the underlying and surrounding hydrogeology, including appropriate maps and flow diagrams [that depict				The addition of requirements for information about site conditions is consistent with other management and monitoring plan requirements. This

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	<p>seasonal variations and/or interactions between Groundwater and surface Water], as assessed by a Professional Engineer, hydrologist, hydrogeologist, or equivalent professional; and</p>	<p>than in a separate Groundwater Monitoring Plan. The need for any of these Plans will be determined during the regulatory process.</p> <p>Reporting on the activities conducted under this Plan is included in the Annual Water Licence Report Schedule.</p>			<p>information is necessary to assist reviewers and the Board in determining whether the proposed monitoring is appropriate for the site.</p> <p>Professional Engineers have been removed from the list of professionals in this Condition, since they would not necessarily be qualified to assess hydrology or hydrogeology. Hydrologists and hydrogeologists are not certified/registered professionals in Canada (or the NWT), so these will usually not be defined terms.</p>
	<p>ii. A summary of baseline data including:</p> <ul style="list-style-type: none"> a. Baseline data collected to date; b. Identification of baseline data gaps; and c. A description of methods for filling in baseline data gaps or methods for approximating baseline conditions if necessary. <p>A summary of baseline Groundwater monitoring information, and a plan to collect additional information necessary to establish baseline conditions; and</p>		<p><u>GNWT-ENR</u>: Conditions in Item 9 (under Water and Waste Management) referring to Groundwater Monitoring Plan, should also specify that baseline data should be collected upstream.</p>	<p><u>GNWT-ENR</u>: ENR recommends that Condition in Item 9 a) ii be amended to read “A summary of upstream baseline data ..” (or similar).</p>	<p>This Condition has been revised to clarify the expectations for baseline data, which is consistent with the requirements of the Water Monitoring Plan; however, this Condition has not been revised to reflect GNWT-ENR’s recommendation, because as currently worded, it encompasses various types of baseline data. The baseline data will not be limited to upstream locations in all cases. If necessary, this could be specified for a particular project.</p>
	<p>b) Information regarding monitoring:</p>				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	i. Identification, with rationale, of parameters of concern that should be used as indicators of potential impacts from Project-related activities on the aquatic Receiving Environment;				This addition is consistent with the requirements of the Water Monitoring Plan above.
	ii. A description, including detailed rationale, of the site-specific Groundwater monitoring activities required to identify Project-related impacts on Groundwater quality and quantity;				
	iii. The location and purpose, with rationale, of all existing and proposed Groundwater monitoring stations, including a map, as provided by Professional Engineer, hydrologist, hydrogeologist, or equivalent professional;				
	iv. A description of monitoring protocols, methodologies, parameters, and frequencies specific to each type of monitoring identified in item (b)(i) above; and				
	v. A description of the quality assurance and quality control measures followed for each monitoring type;				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	vi. Linkages to other monitoring programs required under this Licence; and				These additions are consistent with requirements for other standard plans.
	vii. Any other information about the monitoring that will be performed to meet the objectives in Part F, Condition 1.				
	c) Information regarding responses to monitoring results:				While response framework information requirements have been included for some plans in some licences in the past, standardized requirements have been developed based on licences recently issued by the LWBs and the general framework set out in the LWB/GNWT's <i>Guidelines for Aquatic Effects Monitoring Programs</i> . Response frameworks will often be required in monitoring plans unless there is rationale for not needing action levels in a particular plan (e.g., small projects, or project-specific rationale). The purpose is to establish an early warning system and appropriate general responses to prevent effects in the receiving environment. Generally, however, response plans (like those required for AEMPs) are not necessary unless a project-specific need is identified – reporting in the Annual Water Licence Report is adequate.
	i. A description of how the results of Groundwater monitoring will be compared to quantity and quality predictions, and used to update predictions as required;				
	ii. A description of how the Licensee will link the results of monitoring to those corrective actions necessary to ensure that the objectives listed in Part F, Condition 1 are met. This description shall include: <ul style="list-style-type: none"> a. Definitions, with rationale, for Action Levels applicable to groundwater quality and quantity; and b. For each Action Level, a description of how exceedances of the Action 				
			<u>GNWT-ENR</u> : Conditions enumerated under Item 9 did not	<u>GNWT-ENR</u> : ENR recommends that conditions	The recommended information would be integrated into the licensee's description

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	<p>Level will be assessed and generally, which types of actions will be taken for the Action Level exceeded.</p>		<p>include reference to the groundwater guidelines that would be selected by the proponent to interpret the results.</p>	<p>under 9 b) be amended to include details on the groundwater guidelines that will be selected/chosen, and the associated requirement for results interpretation against these limits.</p>	<p>of how the monitoring results will be linked to corrective actions to fulfill the requirements of 9(b); if guidelines will be used, the licensee would explain this as part of the rationale for the proposed action levels.</p>

Schedule X: Conditions Applying to Closure and Reclamation

This majority of this Schedule was already approved as part of the existing *Standard Water Licence Condition Template*; however, a new condition was added for the Post-Closure Monitoring and Maintenance Plan, which is presented below. No other changes were made to this Schedule.

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
1.	<p>The Post-Closure and Reclamation Monitoring and Maintenance Plan referred to in Part I, Condition X of this Licence shall include, but not be limited to the following information:</p>	<p>This Condition details the information requirements for Post-Closure and Reclamation Monitoring and Maintenance Plans.</p> <p>The results of the activities carried out under this Plan will be reported as set out in the approved Plan. At a minimum, these results must be reported in the Performance Assessment Report(s).</p>	<p>GNWT-ENR: The Post-Closure and Reclamation Monitoring and Maintenance Plan includes information related to a summary of complete closure activities. It is anticipated that this information would already be provided through closure progress reports. Does the Board anticipate that the Post-Closure and Reclamation Monitoring and Maintenance Plan would be updated each time an additional component of a site is closed? Does the Board anticipate that there would be component-specific plans or an overarching plan that would include all site components?</p>	<p>GNWT-ENR: ENR requests that Board staff clarify how the plan relates to existing information in the Closure and Reclamation Plan and closure progress reports and the anticipated time that this would require updates.</p> <p>ENR requests that Board staff clarify if these plans will be component specific or related to an entire project site.</p>	<p>Very few examples of this Plan exist in licences issued by the LWBs to date. Because CRPs and closure work plans will vary between projects, the LWBs cannot definitively set out a standard stepwise process for how closure and reclamation-related submissions line up. Since the release of Version 1.0 of the Standard Licence Conditions, however, the LWBs' understanding of the role of this Plan has evolved.</p> <p>First, the appropriate timing for the first submission of the Plan, and the need and timing for updates to the Plan, will be project-specific, and in most cases, will not be known at issuance, but rather will need to be determined alongside the development of the CRP. The Board may also need to provide direction regarding revisions in its decision letter on the Plan.</p> <p>Second, despite the proposed name of the Plan, the Plan is not intended to be limited in timing or in scope to the period after full completion of closure and reclamation activities. Although closure and reclamation are not defined separately in licences because they are not clearly distinct phases, this</p>

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
					<p>Plan will likely be required and implemented after some or all closure activities are complete, but before reclamation activities are complete.</p> <p>Ultimately, the intent is for the Plan to address the entire project; however, as noted, it is possible that it could be required before the entire site is closed, and that the development of the Plan will be an iterative process.</p> <p>The associated licence Condition (POST-CLOSURE MONITORING AND MAINTENANCE PLAN) has been revised to reflect the above as follows:</p> <ul style="list-style-type: none"> - The submission timing has been revised to be entirely at the Board's direction to avoid tying the submission date to an unclear milestone. - The title of the Plan has been revised to remove the reference to reclamation. - The rationale has been revised to reflect the current understanding on the Plan's nature and role, and to allow flexibility in timing of the Plan submission.
	a) Information regarding site conditions:				
	i. A summary of completed Closure and Reclamation				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	activities, including links to Closure and Reclamation Completion Reports;				
	iii. A list of the Closure Objectives and Criteria for completed Closure and Reclamation activities;				
	iv. A list of all components, Closure Objectives, and Closure Criteria that require monitoring, surveillance, and/or inspections;				
	i. A list of all components that require geotechnical inspections by a Professional Engineer;				
	v. For all structures identified in (a)(iii) that meet the definition of a Dam: a. A description of the Dam; b. A consequence assessment; and c. The current classification of the Dam.				
	b) Information regarding monitoring:				
	i. A description, including detailed rationale, of the site-specific monitoring activities required to evaluate the				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	Closure Objectives and Criteria for the Project, including links to the approved Closure and Reclamation Plan;				
	ii. A description of monitoring protocols, methodologies, parameters, frequency, and duration specific to each type of monitoring identified in (i) above;				
	iii. Site map(s) and attached table or detailed legend, illustrating monitoring and sampling locations; and				
	iv. A description of the quality assurance and quality control measures followed for each monitoring type.				
	d) Information regarding responses to monitoring results:				
	i. A description of how the Licensee will evaluate the monitoring results against the Closure Objectives and Criteria for the Project;				
	ii. A description of how the Licensee will link the results of monitoring to the implementation of contingencies, revisions to the				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	Plan, and/or other necessary response actions.				
	e) Information regarding surveillance and inspections:				
	i. A description, including detailed rationale, of the method and schedule for surveillance and inspections for each component identified in (a)(iii);				
	ii. A description, including detailed rationale, of the schedule for geotechnical inspections for each component identified in (a)(iv); and				
	iii. A description, including detailed rationale, of the schedule for Dam Safety Reviews for each component identified in (a)(v).				
	f) Information about responses to surveillance and inspections:				
	i. A description of how the Licensee will evaluate the results of surveillance and inspections against the Closure Objectives and Criteria for the Project; and				
	ii. A description of how the Licensee will link the results of surveillance and inspections to the implementation of				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	contingencies, revisions to the Plan, and/or any other necessary response actions.				
	g) Information regarding maintenance:				
	i. A description and schedule of routine maintenance work to be conducted at the site;				
	ii. A description of the expected timeline for routine maintenance, including a description of how the Licensee will determine when routine maintenance is no longer required;				
	iii. A description of reasonably likely non-routine maintenance work that may be required, with linkages to other plans required under this Licence;				
	iv. A description of how and when the Licensee will notify the Board and the Inspector of any proposed non-routine maintenance work;				
	v. A description of any potential impacts to the Receiving Environment during routine maintenance work;				
	vi. A detailed description of any measures used to prevent or				

	Condition	Rationale	Reviewer Comments	Reviewer Recommendations	Notes on Revisions and Responses to Recommendations
	mitigate impacts to the Receiving Environment during routine maintenance work; and				
	vii. A description of any monitoring including, but not limited to, sampling locations, parameters measured and frequencies of sampling to be carried out during maintenance activities to determine impacts to the Receiving Environment.				
	h) A description of how the results of the activities carried out under this Plan will be reported.				