



**Mackenzie Valley Land and Water Board**  
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## Staff Report

<b>Applicant:</b> North American Tungsten Corporation Ltd.	
<b>Location:</b> Cantung Mine, Tungsten, NT	<b>Application:</b> MV2015L2-0003
<b>Date Prepared:</b> July 1, 2015	<b>Meeting Date:</b> July 16, 2015
<b>Subject:</b> Preliminary Screening Exemption Determination	

### 1. Purpose/Report Summary

The purpose of this Staff Report is to present North American Tungsten Corporation Ltd. (NATCL)'s Water Licence Renewal Application MV2015L2-0003 (the Application) to the Mackenzie Valley Land and Water Board (the Board), to obtain confirmation from the Board on the exemption of this Application from Part 5 of the *Mackenzie Valley Resource Management Act* (MVRMA).

### 2. Background

- April 21, 2015 – Application received;
- April 27, 2015 – Application deemed complete and distributed for review;
- May 28, 2015 – Reviewer comments due;
- June 10, 2015 – NATCL responses to reviewer comments received;
- June 17, 2015 – Technical Session held to discuss technical components of Application; and
- July 16, 2015 – Application presented to Board for preliminary screening exemption confirmation.

### 3. Discussion

NATCL has applied for a renewal of Water Licence MV2002L2-0019, which is set to expire on January 29, 2016. The Application requests a 10-year term to the renewed Licence, with no changes to what is currently licenced. NATCL recently went through an Amendment process for MV2002L2-0019, issued on June 16, 2015, which allows them to transition to dry stack tailings, and involved updating the security amount held under the licence.

Board staff has determined this Application may be exempt from Part 5 of the MVRMA for two reasons. One is that MV2002L2-0019 is a renewal of N3L2-0004, which was issued in 1995 and was a renewal of N3L3-0004, which was originally issued in 1975. Section 157.1 of the MVRMA states that:

“Part 5 does not apply in respect of any licence, permit, or other authorization related to an undertaking that is the subject of a licence or permit issued before June 22, 1984, except a licence, permit, or other authorization for an abandonment, decommissioning, or other significant alteration of the project.”

Secondly, on July 31, 2014, the Board decided that NATCL’s dry stack tailings Amendment Application was not exempt from screening under Section 157.1 because it was a significant alteration of the project, and performed a screening of that application. Schedule 1, section 2 of the Exemption List Regulations states that:

“A development, or a part thereof, for which renewal of a permit, licence, or authorization is requested that

- (a) has not been modified; and
- (b) has fulfilled the requirements of the environmental assessment process established by the *Mackenzie Valley Resource Management Act...*”

#### **4. Reviewer Comments**

No comments specific to preliminary screening were received during review of the Application.

#### **5. Conclusion**

Between the exemption due to grandfathering, and the fact that all new development has been previously screened, Board Staff are of the opinion that NATCL’s renewal application is exempt from screening.

#### **6. Recommendation**

Board staff recommends the Board confirm the Application is exempt from preliminary screening.

#### **7. Attachments**

- [Renewal Application](#)
- [July 31 Preliminary Screening Decision for Dry Stack Tailings Amendment](#)

Respectfully Submitted,



Julian Morse  
Regulatory Officer