

Staff Report

Applicant: North American Tungsten Corporation Ltd.	
Location: Cantung Mine, NT	Application: MV2015L2-0003
Date Prepared: November 8, 2016	Meeting Date: November 17, 2016
Subject: Engagement Plan	

1. Purpose/Report Summary

The purpose of this Report is to present to the Mackenzie Valley Land and Water Board (MVLWB/the Board) an Engagement Plan submitted by North American Tungsten Corporation Ltd. (NATCL) as required by Part B, item 14 of Water Licence MV2015L2-0003 (the Licence).

2. Background

- May 12, 2016 – Engagement Work Plan approved by the Board, along with a request from NATCL to change the submission deadline for the Engagement Plan to October 4, 2016;
- October 4, 2016 – Engagement Plan submitted;
- October 7, 2016 – Engagement Plan distributed for review;
- October 27, 2016 – Reviewer comments due and received;
- November 3, 2016 – Proponent response due and received; and
- **November 17, 2016 – Engagement Plan presented to the Board for decision.**

3. Discussion

On May 12, 2016, the Board approved an Engagement Work Plan submitted by NATCL in accordance with Part B, Item 13 of their Licence, and changed the submission deadline for the Engagement Plan, required by Part B, Item 14 of the Licence to October 4, 2016. NATCL had requested that the Engagement Work Plan be considered by the Board to satisfy Part B, Item 14 of the Licence, and that they not be required to submit an engagement plan. The Board determined that the Engagement Work Plan did not adhere to the Board's *Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits* (Engagement Guidelines), and therefore did not satisfy Part B, Item 14. NATCL was directed to submit an Engagement Plan which adhered to the Board's Engagement Guidelines by October 4, 2016. NATCL has complied with that direction, and their Engagement Plan is now before the Board for decision.

4. Comments

Part B, Item 14 of the Licence requires submittal of an engagement plan by October 4, 2016. Engagement Plan is defined in the licence as follows:

Engagement Plan - a document, developed in accordance with this Licence and the Board's June 2013, *Engagement and Consultation Policy* and the *Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits*, that clearly describes proposed engagement activities during the life of the Project.

Board staff has reviewed NATCL's Engagement Plan and is of the opinion that the Plan has been developed in accordance with the Board's Engagement Policy and Guidelines. Board staff has included analysis of NATCL's Engagement Plan, in comparison with requirements of the Engagement Guidelines, summarized in Table 1 below:

Table 1: Engagement Plan Completeness

	Components of the Engagement Plan as required in the Engagement Guidelines	Board staff analysis of the adequacy of NATCL's Engagement Plan in addressing the component
a)	Describe the goals and the methods of engagement	Adequate. Section 3.2 of the Plan clearly outlines the goals and methods of engagement.
b)	Outline a frequency of engagement that allows for relevant and timely information sharing	Adequate. Table 2, on page 7 of the Plan clearly articulates the frequency of planned engagement activities.
c)	Establish a process that allows the affected party to raise concerns or issues	Adequate. NATCL commits to establishing a "communities working group", which will bring affected parties and the company together on a regular basis to discuss concerns and issues.
d)	Allow opportunities for, when appropriate, community meetings to take place to be inclusive of perspectives from all sectors of the community, including women, youth, and Elders	Adequate. The Plan makes reference to community meetings, and outlines processes for communities to provide feedback.
e)	Ensure the proponent has procedures in place to understand and respond to issues as they arise	Adequate. The Plan references frequent meetings with Affected Parties, and establishment of the "communities working group" will ensure NATCL is accountable to Affected Parties.

f)	Provide the opportunity for relationships to be built proactively, not just when issues occur	Adequate. The Plan clearly outlines frequent and ongoing engagement practices, not just responding to issues raised, but proactively engaging with Affected Parties.
----	---	--

5. Reviewer Comments

Comments and recommendations on the Engagement Work Plan were received from the following reviewers:

- Dehcho First Nations; and
- Government of the Northwest Territories, Environment and Natural Resources (No comment).

The reviewer comment summary table (attached) presents the comments received during review of the Engagement Plan. No concerns with approval of the Plan were raised by reviewers.

6. Security

Security in the amount of \$27,950,000 is currently required by the Licence, with subsequent amounts of \$1.1M and \$1.9M due following specific construction triggers, for a total of \$30,950,000. Security will not be affected by the Board's decision on the Engagement Plan.

7. Conclusion

Board staff has not identified any concerns with approval of NATCL's Engagement Plan as submitted. Board staff is of the opinion that the Engagement Plan has been developed in accordance with the Board's Engagement Policy and Guidelines.

8. Recommendation


Board staff recommends the Board approve the Engagement Plan.

A draft Decision Letter is attached for the Board's consideration.

9. Attachments

- Reviewer Comment Summary Table
- [Engagement Plan](#)
- Draft Decision Letter from the Board

Respectfully submitted,



Julian Morse
Regulatory Officer

Review Comment Table

Board:	MVLWB
Review Item:	NATCL - Engagement Plan (MV2015L2-0003)
File(s):	MV2015L2-0003
Proponent:	North American Tungsten
Document(s):	Engagement Plan (1mb)
Item For Review Distributed On:	Oct 7 at 16:21 Distribution List Oct 7 at 16:21 Distribution List
Reviewer Comments Due By:	Oct 27, 2016
Proponent Responses Due By:	Nov 3, 2016
Item Description:	<p>North American Tungsten Corporation Ltd. (NATCL) submitted their Engagement Plan on October 4, 2016. This Plan is required by Water Licence MV2015L2-0003, Part B, item 14 and is for Board approval.</p> <p>Reviewers are invited to submit questions, comments, and recommendations on this submission using the Online Review System (ORS) by the review comment deadline specified below.</p> <p>All documents that have been uploaded to this review are also available on our public registry.</p>
General Reviewer Information:	<p>The following organizations have also had this information faxed to them:</p> <p>Fort Liard Metis Local #67 Ernie McLeod President (867)770-4573; Fort Simpson Métis Local #52 Marie Lafferty President (867)695-2040; Hay River Metis Council Karen Lafferty President (867)874-4472; hrmc@northwestel.net;</p>
Contact Information:	Jen Potten 867-766-7468 Julian Morse 867-766-7453

Comment Summary

Dehcho First Nations: Carrie Breneman				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Decision
1	Contact List	<p>Comment On page 11 of the engagement plan, NATCL lists key contact information for DFN, LKFN and NDDDB. This contact information includes email address for chiefs only.</p> <p>Recommendation DFN recommends that NATCL add staff resource management coordinators to the contact list. This includes Dahti Tsetso for Dehcho First Nations (dahti_tsetso@dehcho.org) and Dean Holman for Liidlii Kue First Nation (resources@liidliikue.com). DFN recommends that NATCL follow-up with NDDDB, if NDDDB staff should be added to the NATCL engagement contact list.</p>	<p>Oct 31: For the purposes of the Engagement Plan, NATC prefers to list only high-level contact information, due to possible staff turnover or organizational changes requiring an update to the Plan. However, NATC does maintain separate additional contact information for other staff in the various communities. For this reason NATC does not propose to amend the engagement plan to include these individuals. However, NATC appreciates the guidance provided to include DFN, LKFN and NDDDB Resource Management Coordinators in communications with these organizations and confirms that these individuals are included in NATC's additional contact lists.</p>	Satisfactory Response
GNWT - ENR: Central Email GNWT				
ID	Topic	Reviewer Comment/Recommendation	Proponent Response	Board Decision
1	General File	<p>Comment (doc) ENR Letter - No Comments or Recommendations at this time.</p> <p>Recommendation</p>		Noted



October 27, 2016

Jen Potten
Regulatory Officer
Mackenzie Valley Land and Water Board
7th Floor – 4910 50th Avenue
P.O. Box 2130
Yellowknife, NT
X1A 2P6

Dear Ms. Potten,

**Re: North American Tungsten Corporation Ltd.
Water Licence – MV2015L2-0003
Engagement Plan
Request for Comment**

The Department of Environment and Natural Resources (ENR), Government of the Northwest Territories has reviewed the plan at reference based on its mandated responsibilities under the *Environmental Protection Act*, the *Forest Management Act*, the *Forest Protection Act*, the *Species At Risk (NWT) Act*, the *Waters Act* and the *Wildlife Act* and has no comments or recommendations for the consideration of the Board at this time.

Should you have any questions or concerns, please do not hesitate to contact Patrick Clancy, Environmental Regulatory Analyst at (867) 767-9233 Ext: 53096 or email patrick.clancy@gov.nt.ca.

Sincerely,

Patrick Clancy
Environmental Regulatory Analyst
Environmental Impact Assessment Section
Conservation, Assessment and Monitoring Division
Department of Environment and Natural Resources
Government of the Northwest Territories