



Mackenzie Valley Land and Water Board
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August 17, 2015

File: MV2015L2-0019

Distribution List

Dear Sir/Madam:

**Public Hearing Cancelled - Application to renew Water Licence –
North American Tungsten Corporation Ltd. – Cantung Mine**

The public hearing scheduled for August 26 and 27, 2015 has been cancelled. North American Tungsten Corporation Ltd. and all other parties to the public hearing have indicated they do not need to appear before the Mackenzie Valley Land and Water Board (Board). No other notices of intent to appear at the public hearing were received by the Board.

A revised work plan is attached, which includes a second round of information requests and review of a draft Water Licence, followed by closing statements. All parties, including NATCL, are asked to submit information requests to the Board by 5:00 pm, **Thursday August 27, 2015**. Any party to the proceeding, including the Proponent, may issue information requests to any other party to the proceeding. Information requests cannot be directed to the Board.

If you have any questions regarding this Application or this process, please call me at (867) 766-7468 or email jpotten@mvlwb.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "J.Potten".

Jen Potten
A/Team Leader

Attached: Amended Work Plan – August 17, 2015

**MVLWB Work Plan for North American Tungsten Corporation Ltd.
Application for Water Licence Renewal MV2015L2-0003**

Dated: August 17, 2015

Purpose of the Work Plan

To outline the processes and timelines to be followed for North American Tungsten Corporation Ltd.'s (NATCL or Proponent) Water Licence (WL) Application MV2015L2-0003 for the Cantung Mine.

Background

On April 21, 2015, NATCL submitted an Application to renew WL MV2002L2-0019, which is set to expire on January 29, 2016. On March 16, 2015, the Mackenzie Valley Land and Water Board (Board) approved NATCL's Dry Stack Tailings WL Amendment Application and forwarded it to the Minister for approval. The Minister approved the Amendment Application on June 12, 2015, and the Amended Licence was issued by the Board on June 16, 2015.

Scope of the Proceeding

The primary objective of this proceeding is to update and modernize NATCL's existing Licence, and renew the term. NATCL has committed to develop an Aquatic Effects Monitoring Program for the Cantung Mine, and has also committed to update and finalize the Interim Closure and Reclamation Plan. NATCL has provided a work plan and timeline for development and submittal of these plans.

Guiding Principles

The following principles will guide the Work Plan throughout this licencing process:

- The license renewal process shall be carried out in a timely manner and shall have regard to the protection of the environment in consideration of the impacts of the proposed undertaking and the importance of conservation to the wellbeing and way of life of the aboriginal peoples of Canada (Section 35 of the *Constitution Act*, 1982);
- The Board will review NATCL's Application and consider potential licence conditions based on evidence and rationale submitted by the company or any other party; and
- The Board will review NATCL's Application and consider potential licence conditions in order to meet the Board's mandate and applicable policies and to ensure consistency in decision-making throughout the Mackenzie Valley.

Work Plan Objectives

The Work Plan is to achieve the following objectives:

- Compile a broad range of input through the review process;
- Ensure adequate information is gathered to complete the licence renewal process;
- Facilitate a thorough, inclusive, and timely licence review process; and
- Establish adequate WL conditions to ensure protection of the environment.

Opportunities for Community Engagement

- The Board required NATCL to engage with communities and aboriginal organizations regarding the licence renewal Application prior to its submission;
- The Board will distribute the licence renewal Application to reviewers – including aboriginal organizations, governments, and communities – for review using the Online Review System (ORS);
- The Board will include a notification(s) regarding the review process in the newspaper;

- The Board will coordinate a technical session(s) to address specific issues that require more focused review and discussion;
- The Board will hold a public hearing; and,
- The Board will hold any other consultation or engagement activity that the Board considers appropriate.

Materials Circulated for Comment by Parties

During the course of this proceeding, Board staff will review all evidence filed by the parties. These efforts are intended to identify issues or concerns which must be addressed in the licence and to resolve them, if possible, before the close of the proceeding. In order to focus these discussions, staff will prepare and circulate a draft licence for comment. This process allows parties to address the proposed terms and conditions for the licence in their presentations to the Board and to prepare argument setting out their positions with respect to these provisions at the close of the proceeding.

These staff efforts to develop and circulate a draft licence should focus discussion on appropriate terms and conditions for this authorization. The Board is not bound by the contents of any of these draft materials and will make its decision at the close of the proceeding on the basis of all the evidence and arguments filed by all parties.

Task	Responsible Party*	Date Due (Date Completed)
Application Submitted	Proponent	(April 21, 2015)
Application deemed complete & sent for review	MVLWB staff	(April 27, 2015)
Reviewer comments due on Application Package	Reviewers	(May 26, 2015)
Proponent response to Reviewer comments on Application Package	Proponent	(June 9, 2015)
Technical sessions	All Parties	(June 17, 2015)
Deadline to respond to Information Requests	All Parties	(June 25, 2015)
Pre-hearing Conference	All Parties	(July 7, 2015)
Deadline for Interventions	Interveners	(July 14, 2015)
Proponent response to Interventions	Proponent	(July 23, 2015)
Deadline for Intervener Public Hearing presentations	Interveners	(July 30, 2015)
Proponent Public Hearing presentation due	Proponent	(August 6, 2015)

Public Hearings	All Parties	August 26-27, 2015
Public Hearing Undertakings due 2 nd round of Information Requests from interveners and Proponent	All Parties	August 27, 2015
Responses to 2 nd round of Information Requests from Intervenors and Proponent	All Parties	September 3, 2015
Circulate Draft WL**	MVLWB staff	September 10, 2015
Reviewer comments due on Draft WL	Reviewers	September 24, 2015
Proponent response to reviewer comments on Draft WL due	Proponent	October 1, 2015
Deadline for Closing Arguments from Intervenors Deadline for Closing Statements from Intervenors	Intervenors	October 8, 2015
Deadline for Closing Arguments from Proponent Deadline for Closing Statements from Proponent	Proponent	October 15, 2015
WL and RFD sent to GNWT-ENR Minister for approval	MVLWB staff	Early November, 2015
Final WL Decision from GNWT-ENR Minister	ENR Minister	Up to 90 days

* MVLWB – Mackenzie Valley Land and Water Board; GNWT-ENR – Government of the Northwest Territories – Environment and Natural Resources; WL – Water Licence; RFD – Reasons for Decision

** Prepared by Board staff for discussion and comment by the parties.