

Permits

From: Angela Plautz
Sent: Friday, May 20, 2016 10:16 AM
To: Mohan.Denetto@aandc-aadnc.gc.ca
Cc: Carey.Ogilvie@aandc-aadnc.gc.ca; Kathleen.Prendergast@aandc-aadnc.gc.ca; Tyree Mullaney; Rebecca Chouinard; Jen Potten; admin_dkfn@northwestel.net; Alexis_Campbell@gov.nt.ca; apower@ykdene.com; barryt@arcticsafaris.ca; boydw@bathurstinlet.com; Brandon_Bradbury@gov.nt.ca; Carolc.lands@gmail.com; Catherine_BraunRodriguez@gov.nt.ca; CAU-UCA@aandc.gc.ca; Ceo.srfn@northwestel.net; chief.lkdfn@gmail.com; chief.srfn@northwestel.net; chief@slfn196.com; christian.bertelsen@cannor.gc.ca; clint_ambrose@gov.nt.ca; Colin_merz@gov.nt.ca; craigecologynorth@gmail.com; dave.white@aurorageosciences.com; david.alexander@cannor.gc.ca; doug_carr@gov.nt.ca; ec.ea.nwt.ec@canada.ca; Erin_Anderson@gov.nt.ca; esangris@ykdene.com; exec@slema.ca; fieldworker.frmc53@northwestel.net; fisheriesprotection@dfo-mpo.gc.ca; forsmithmetisCouncil@northwestel.net; frmc@northwestel.net; Gary.Woo@neb-one.gc.ca; Glen_Mackay@gov.nt.ca; gnwt_ea@gov.nt.ca; Heather_Beck@gov.nt.ca; Hilary_machtans@golder.com; hrnc@northwestel.net; ima_dkfn@northwestel.net; Iqbal_Arshad@gov.nt.ca; Jayda_Robillard@gov.nt.ca; jblack@ykdene.com; Jeremy_Roberts@gov.nt.ca; jhood@fortsmith.ca; joe_heron@gov.nt.ca; johnny_lennie@gov.nt.ca; Jon_Posynick@gov.nt.ca; Jen Potten; kate_witherly@gov.nt.ca; land@wpfn.ca; lands@denenation.com; lands@slfn196.com; landsnresources@katlodeeche.com; laurie_mcgregor@gov.nt.ca; Lindsay_Armer@gov.nt.ca; lkdfnlands@gmail.com; mark_davy@gov.nt.ca; Matthew.Spence@cannor.gc.ca; mauge@yellowknife.ca; Mike_Vassal@gov.nt.ca; monica_wendt@gov.nt.ca; Nathen_Richea@gov.nt.ca; Norman_McCowan@gov.nt.ca; NTCard@aandc.gc.ca; Olivia_Lee@gov.nt.ca; pat_knutson@gov.nt.ca; patrick_clancy@gov.nt.ca; Paul_Green@gov.nt.ca; Pauline_DeJong@gov.nt.ca; Permits; preliminaryscreening@reviewboard.ca; president.nwtmn@northwestel.net; rcc.nwtmn@northwestel.net; rhonda_batchelor@gov.nt.ca; Robert_Jenkins@gov.nt.ca; Russell_Teed@gov.nt.ca; Sam.Kennedy@aandc.gc.ca; sao@hayriver.com; Scott_Stewart@gov.nt.ca; screeningofficer@eastarm.com; shin.shiga@nsma.net; Steven_Shen@gov.nt.ca; stu_niven@gov.nt.ca; Susan.Abernethy@wscc.nt.ca; Tasha_Hall@golder.com; tim.morton@aandc.gc.ca; tyanna_steinwand@gov.nt.ca; walexander@yellowknife.ca; Wendy_Bidwell@gov.nt.ca; ww.symbion@shawbiz.ca; zabeynevitt@tlichoc.com; rrobillard@pagc.sk.ca; tgiroux@pagc.sk.ca; Candace.Decoste@aandc.gc.ca; CAU-UCA@aandc.gc.ca; emma.pike@aandc.gc.ca; Jane.Amphlett@aandc.gc.ca; joel.gowman@aandc.gc.ca; murray.somers@aandcaandc.gc.ca; natalie.plato@aandc.gc.ca; NTCard@aandc.gc.ca; Ron.Breadmore@aandc.gc.ca; Sam.Kennedy@aandc.gc.ca; stanley.yee@aandc.gc.ca; devin.penney@aandc.gc.ca; tim.morton@aandc.gc.ca; b.murphy@theedge.ca

Subject: Draft Work Plan for the Tundra Mine Remediation Project
Attachments: Letter to INAC - Proposed Work Plan for Renewal Applications - Tundra Mi....pdf; MV2016L8-0003 MV2016X0011- Tundra - WL Renewal - Work Plan - External.docx

Hello Mr. Denetto,

Please see the attached letter regarding the proposed process timeline for the Tundra Mine Remediation Project and the draft Work Plan.

If you have any questions, please contact Tyree Mullaney at 766-7464 or tyree@mvlwb.com.

Thank you,

Angela (for Rebecca Chouinard)

Angela Plautz

Regulatory Policy Advisor

Mackenzie Valley Land and Water Board

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Please note: All correspondence to the Board, including emails, letters, faxes, and attachments are public documents and may be posted to the Public Registry.





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May 20, 2016

File: MV2016X0011/
MV2016L8-0003

Mr. Mohan Denetto
Regional Director General
Indigenous and Northern Affairs Canada
4923-52nd St.
YELLOWKNIFE NT X1A 2R3

mohan.denetto@aandc.gc.ca

Dear Mr. Denetto:

Process Timeline – Tundra Mine Remediation Project – CARD

On May 17, 2016, Indigenous and Northern Affairs Canada (INAC) - Contaminants and Remediation Directorate (CARD) submitted applications to the Mackenzie Valley Land and Water Board (the "Board") for the renewal of type "A" Water Licence MV2009L8-0008 and Land Use Permit MV2009X0019 for the Tundra Mine Remediation Project.

Please find attached the draft Work Plan for this proceeding. The current Water Licence for this Project expires December 16, 2016, and the Board decision for this proceeding is scheduled for late October. As currently planned, this leaves the Minister more than 45 days to consider the Board's decision, as required by subsection 72.18(3) of the *Mackenzie Valley Resource Management Act* (MVRMA), but less than 90 days prior to the expiry of Water Licence MV2009L8-0008, should the Minister decide to extend time limit, as per subsection 72.18(4) of the MVRMA.

Board staff encourages INAC to inform us of any concerns or issues with the proposed draft Work Plan by May 30, 2016. Minor updates to this draft Work Plan might be made prior to its approval by the Board.

If you have any questions, please contact Tyree Mullaney at (867) 766-7464 or tyree@mvlwb.com.

Yours sincerely,

A handwritten signature in blue ink that reads "Rebecca Chouinard".

For
Rebecca Chouinard
Regulatory & Technical Director

Copied to: Carey Ogilvie - CARD
Kathleen Prendergast – INAC
Distribution List

Attached: Draft Work Plan – Tundra Mine Remediation Project Renewal Applications

**MVLWB Work Plan for the Tundra Mine Remediation Project
Application for Water Licence Renewal MV2016L8-0003 and Land Use Permit
MV2016X0011**

Dated: May 18, 2016

Purpose of the Work Plan

To outline the processes and timelines to be followed for the Indigenous Affairs and Northern Development Canada – Contaminants and Remediation Directorate (INAC-CARD or Proponent) – Tundra Mine Remediation Project (Tundra) Water Licence (Licence) Application MV2016L8-0003 Land Use Permit Application (Permit) MV2016X0011.

Background

On May 17, 2016 INAC-CARD submitted an Application to renew Licence MV2009L8-0008, which is set to expire on December 16, 2016 as well as an application for a new Land Use Permit. On May 17, 2016, the Mackenzie Valley Land and Water Board (Board) deemed the Licence and Permit Applications complete.

Scope of the Proceeding

The scope of this Project includes the use of land and water and the disposal of waste associated with remediation activities as outlined in INAC-CARDs Application. These Applications are a continuation of the following existing authorizations for the Tundra Project: Licence MV2009L8-0008 and Permit MV2009X0019.

Guiding Principles

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

- The licensing renewal and permit 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 the Licence and Permit Applications and consider potential licence and permit conditions based on evidence and rationale submitted by the company or any other party; and
- The Board will review the Licence and Permit Applications and consider potential licence and permit 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;
- Ensure adequate information is gather to complete the permit process;
- Facilitate a thorough, inclusive, and timely licence and permit review process; and
- Establish adequate Licence and Permit conditions to ensure protection of the environment.

Opportunities for Community Engagement

- The Board required INAC-CARD to engage with communities and aboriginal organizations regarding the Licence and Permit Applications prior to its submission;
- The Board will distribute the Applications 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 and permit 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	(May 17, 2016)
Application deemed complete and sent for review	MVLWB staff	(May 18, 2016)
Reviewer comments due on Application	Reviewers	June 6, 2016
Proponent response to Reviewer comments on Application	Proponent	June 10, 2016
Technical sessions	All Parties	June 23, 2016
Circulate Information Requests	MVLWB staff	June 24, 2016
Deadline to respond to Information Requests	All Parties	June 28, 2016
Pre-hearing Conference	All Parties	June 30, 2016
Deadline for Interventions	Interveners	July 5, 2016
Proponent response to Interventions	Proponent	July 8, 2016
Deadline for Intervener Public Hearing presentations	Interveners	July 11, 2016

Proponent Public Hearing presentation due	Proponent	July 14, 2016
Public Hearing	All Parties	July 28, 2016
Circulate Public Hearing Undertakings	MVLWB staff	July 29, 2016
Public Hearing Undertakings due	All Parties	August 9, 2016
Circulate Draft License and Permit**	MVLWB staff	August 16, 2016
Closing Statements from Interveners due Reviewer comments due on Draft License and Permit	Reviewers	September 12, 2016
Closing Statements from Proponent due Proponent response to reviewer comments on Draft License and Permit due	Proponent	September 19, 2016
Licence and Permit Decision by MVLWB	MVLWB	Late October 2016
Licence and RFD sent to Minister for approval	MVLWB	Late October 2016
Expiry of current Licence and Permit	-	December 16, 2016

* MVLWB – Mackenzie Valley Land and Water Board

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