

Shannon Allerston

To: Shelagh Montgomery
Subject: RE: Time Limit Extension Request - Giant Mine Proceeding

From: Carpentier2, Michel (AADNC/AANDC) <michel.carpentier2@canada.ca>
Sent: Friday, June 05, 2020 17:35
To: Shelagh Montgomery <smontgomery@mvlwb.com>
Subject: Re: Time Limit Extension Request - Giant Mine Proceeding

Hi Shelagh,

Thank you very much for your letter.

Know that I'm working on our response urgently.

Have a great weekend.

Michel

Sent from my iPhone

On Jun 5, 2020, at 3:35 PM, Shelagh Montgomery <smontgomery@mvlwb.com> wrote:

Dear Minster Vandal,

I am writing on behalf of the Board to seek a 2-month extension to the time limit for the MVLWB's proceeding for the type A water licence for the Giant Mine Remediation Project. As indicated in a similar request submitted to CIRNAC staff in late March 2019 when we requested an extra 6 weeks, the Giant Mine proceeding is unlike any other type A water licence because of its close proximity to the City of Yellowknife and the massive scale of the undertaking. From the outset it was anticipated to require more than the legislated 9 months, and current challenges associated with COVID-19 have only added to that. Board staff have updated the Work Plan for the proceeding to indicate where we are at in the process (see attached). As of today, the 9-month count will fall on June 30th.

The primary reasons for seeking the additional time, until the end of August 2020, are highlighted below:

- 1) Delay in the re-appointment of the MVLWB Chair, Mavis Cli-Michaud – her term expired March 23, 2020 and we were notified of her re-appointment on May 7, 2020.
- 2) Delays in the re-appointment process for Camilia Zoe-Chocolate, one of the Panel members for the Giant Mine proceeding – her term expired on March 21, 2020 and her nomination by the GNWT wasn't put forward until early March at which time there were processing delays as a result of COVID-19. She has not been re-appointed yet.
- 3) Lack of supplemental funding to continue the proceeding – a request was submitted to CIRNAC in early March 2020 for additional funding. We are awaiting a decision on that and cannot schedule meetings with the Board until we hear.

- 4) An additional round of Information Requests was issued to the Giant Mine Remediation Project Team in May to seek clarification on various issues raised during the review of the draft conditions for the water licence and land use permit. That process is ongoing.
- 5) There were 23 Claims for Water Compensation submitted to the Board in relation to the water licence application. This is unprecedented in the history of the Land and Water Boards and as a result has required much more legal analysis, support and time than was anticipated.
- 6) As a result of restrictions associated with COVID-19, Board staff have had to look into alternative means of holding meetings for the Board to deliberate and issue its decisions. This has taken extra time and requires some training for Board members and staff in order to effectively and efficiently use the new technology.

While we are seeking a 2-month extension, we believe that if we hear in the very near term about the funding request mentioned above that we will be able to complete the proceeding within a shorter timeframe.

We appreciate your attention in this matter and would be happy to discuss further if you wish.

Kind regards,

Shelagh

Shelagh Montgomery, PhD

Executive Director

Mackenzie Valley Land and Water Board

7th Floor, 4922 48th St. | PO Box 2130 | Yellowknife, NT | Canada | X1A 2P6

ph 867.766.7457 | cell 867.445.2587 | fax 867.873.6610

smontgomery@mvlwb.com | www.mvlwb.com

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<GMRP - Work Plan and Day Count - V7 - External - plan only.pdf>