

Permits

From: Jen Potten
Sent: Monday, December 7, 2015 11:23 AM
To: achodenekoe.fanni@northwestel.net; achodenekoe.kdeneron@northwestel.net; baptiste.metchooyeah@denetha.ca; brad_McInnes@gov.nt.ca; Carl_Lafferty@gov.nt.ca; carrie.breneman@outlook.com; Catherine_BraunRodriguez@gov.nt.ca; CAU-UCA@aandc.gc.ca; chief@dehgahgotie.ca; chief@jmrfn.com; chief@liidliikue.com; chief@sambaakefn.com; chief_nahadeh@yahoo.ca; christian.bertelsen@cannor.gc.ca; christine@planitnorth.ca; Christopher.Aguirre@tc.gc.ca; Colin_merz@gov.nt.ca; dahti_tsetso@dehcho.org; david.alexander@cannor.gc.ca; DMorris@kaska.ca; doug_carr@gov.nt.ca; EC.EA.NWT@ec.gc.ca; Emma.Pike@aandc-aadnc.gc.ca; enviro@natcl.ca; erika.marteleira@ec.gc.ca; Erin_Anderson@gov.nt.ca; exec@slema.ca; executivedirector@dehcho.org; fisheriesprotection@dfo-mpo.gc.ca; fpmcpres@northwestel.net; Glen_Mackay@gov.nt.ca; gnwt_ea@gov.nt.ca; hrnc@northwestel.net; Iqbal_Arshad@gov.nt.ca; Jarret_Hardisty@gov.nt.ca; jdonihee@willmsshier.com; Jeremy_Roberts@gov.nt.ca; Julian Morse; joachimb@dehcholands.org; joe.pastion@denetha.ca; joe_heron@gov.nt.ca; Jon.Tsetso@pc.gc.ca; Jon_Posynick@gov.nt.ca; Jen Potten; Julie.Marentette@dfo-mpo.gc.ca; kaageetu_chief@northwestel.net; kate_witherly@gov.nt.ca; kris@cpaws.org; landsnresources@katlodeeche.com; laurie_mcgregor@gov.nt.ca; Laurie_Nadia@gov.nt.ca; Lindsay_Armer@gov.nt.ca; Lindsey Cymbalisty; lisa.lowman@ec.gc.ca; Lorraine_Seale@gov.nt.ca; Marie.Adams@cannor.gc.ca; mark_davy@gov.nt.ca; Matthew.Spence@cannor.gc.ca; melissa.pinto@ec.gc.ca; metisnation52@northwestel.net; monica_wendt@gov.nt.ca; Nathen_Richea@gov.nt.ca; Norman_McCowan@gov.nt.ca; NTCARD@aandc-aadnc.gc.ca; NWTLands@aandc-aadnc.gc.ca; Olivia_Lee@gov.nt.ca; pat_knutson@gov.nt.ca; patrick_clancy@gov.nt.ca; Paul_Green@gov.nt.ca; Permits; predvers@ssimicro.com; preliminaryscreening@reviewboard.ca; president.nwtmn@northwestel.net; receptionist@nahadeh.org; rhonda_batchelor@gov.nt.ca; rm@dehgahgotie.ca; Robert_Jenkins@gov.nt.ca; Russell_Teed@gov.nt.ca; sao@vofs.ca; Scott_Stewart@gov.nt.ca; shin.shiga@nsma.net; SjoerdvanderWielen@tlichocom; sophieb@dehcholands.org; Steven_Shen@gov.nt.ca; stu_niven@gov.nt.ca; Susan.Abernethy@wscn.nt.ca; Tyree Mullaney; Wendy_Bidwell@gov.nt.ca; wpfn@northwestel.net; zabeynevitt@tlichocom; tmartin@alvarezandmarsal.com; Beveridge, Callum
Subject: MV2015L2-0003 - NATCL - ENR Response to MVLWB Request for Comment - AANDC and NATCL IRs
Attachments: ENR Response to MVLWB Request for Comment - NATCL IRs - Dec 6 2015.pdf

AANDC and NATCL –

Please find attached a response submitted to the Board by the GNWT-ENR on December 6, 2015 regarding your responses to the Information Requests of November 12 and 23, 2015. This was the only response provided by this morning's deadline. It is also posted to the public registry.

You now have an opportunity to respond to this GNWT-ENR letter. Please provide a response by Wednesday December 9, 2015, by 5pm mountain time. After this time the record for this proceeding will be closed for consideration by the Board.

Please let Julian or myself know if you have questions or comments.

Thanks-

Jen

Jen Potten, EP
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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.



From: Robert Jenkins [mailto:Robert_Jenkins@gov.nt.ca]
Sent: December-06-15 4:20 PM
To: Jen Potten <jpotten@mvlwb.com>
Cc: Emma Pike (Emma.Pike@aandc-aadnc.gc.ca) <Emma.Pike@aandc-aadnc.gc.ca>; Mohan Denetto (Mohan.Denetto@aandc-aadnc.gc.ca) <Mohan.Denetto@aandc-aadnc.gc.ca>; Jeffrey Mackey (Jeffrey.Mackey@aadnc-aandc.gc.ca) <Jeffrey.Mackey@aadnc-aandc.gc.ca>; Joanna Ankersmit (Joanna.Ankersmit@aadnc-aandc.gc.ca) <Joanna.Ankersmit@aadnc-aandc.gc.ca>; Mark Warren <Mark_Warren@gov.nt.ca>; Ian Blackstock <Ian_Blackstock@gov.nt.ca>; iwblackstock@icloud.com; Erin Kelly <Erin_Kelly@gov.nt.ca>; Ernie Campbell <Ernie_Campbell@gov.nt.ca>; Shannon Cumming <Shannon_Cumming@gov.nt.ca>; Rebecca Chouinard <rchouinard@mvlwb.com>; Willard Hagen <whagen@mvlwb.com>; Julian Morse <jmorse@mvlwb.com>; tmartin@alvarezandmarsal.com; Kate Hearn <Kate_Hearn@gov.nt.ca>; Shaleen Woodward <Shaleen_Woodward@gov.nt.ca>
Subject: ENR Response to MVLWB Request for Comment - AANDC and NATCL IRs

Ms. Potten,

Please find attached comments on the AANDC and NATCL responses to the November 12 and 23, 2015, Board information requests.

Regards,

Robert

Robert Jenkins
Director, Water Resources
Department of Environment and Natural Resources
Government of the Northwest Territories
(867) 765-6731
Robert_Jenkins@gov.nt.ca



Northwest
Territories Environment and Natural Resources

December 6, 2015

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

Dear Ms. Potten,

Re: **Request for Comments: Information Request Responses of Aboriginal Affairs and Northern Development Canada (AANDC) and North American Tungsten Corporation Limited (NATCL) – Water Licence MV2015L2-0003**

Thank you for your email of November 30, 2015, in which the Mackenzie Valley Land and Water Board (MVLWB) requested comments from interested parties on the AANDC and NATCL responses to Board information requests issued to these organizations on November 12 and 23, 2015.

As the MVLWB is aware, on November 18, 2015, the Cantung Mine Site became a New site Requiring Remediation under section 6.28 of the Devolution Final Agreement. Accordingly, the site is now a federal area under the *Mackenzie Valley Resource Management Act* (MVRMA), and Canada is responsible for any required government-led stabilization or remediation of the site.

The Department of Environment and Natural Resources (ENR) has reviewed the responses to the Board issued information requests provided by NATCL and AANDC on November 29, 2015. The GNWT concurs that in respect of a federal area, section 72.12(2) of the MVRMA identifies that the financial capacity requirements of section 72.03(5)(d) "apply, with any modifications that the circumstances require, in respect of a renewal of, or an amendment to, a licence."

Further, the GNWT agrees with the statement put forth by Canada, within its November 29th response, that "A renewed licence would make the acquisition of the site by a new operator a simpler, less costly and more attractive proposition, thus increasing the likelihood that the site will not become a burden on the taxpayers of the Mackenzie Valley or Canada." It is important to note that any prospective assignee of the renewed

licence will require an assessment of its financial capability to undertake the requirements of that licence, in accordance with section 72.14(2) of the MVRMA.

Thank you for the opportunity to provide input on this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'R. Jenkins', is positioned above the printed name.

Robert Jenkins
Director, Water Resources