



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.

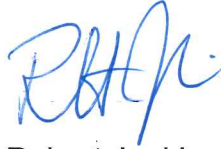
The Department of Environment and Natural Resources (ENR) has reviewed the responses to the Board issued information requests provided by NATCL and AANDC on November 29, 2015. The GNWT concurs that in respect of a federal area, section 72.12(2) of the MVRMA identifies that the financial capacity requirements 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