



## Mackenzie Valley Land and Water Board

7th Floor - 4910 50th Avenue • P.O. Box 2130  
YELLOWKNIFE, NT X1A 2P6  
Phone (867) 669-0506 • FAX (867) 873-6610

April 1, 2010

File: MV2009Q0049

Mr. Ken Fedak  
Mine Manager  
North American Tungsten Corporation Ltd.  
Box 848  
WATSON LAKE YK Y0A 1C0

Fax: (604) 759-0918

Dear Mr. Fedak:

### **Issuance of Type A Land Use Permit Quarry Operation, Cantung Mine**

Attached is Land Use Permit MV2009Q0049 granted by the Mackenzie Valley Land and Water Board (MVLWB) in accordance with the *Mackenzie Valley Resource Management Act*. This Permit has been approved for a period of five years commencing April 1, 2010 and expiring March 31, 2015.

A copy of all related correspondence and documents has been filed on the Public Registry at the office of the MVLWB. Please be advised that this letter, with its attached procedures, inspection reports, and related correspondence, is part of the Public Registry and is intended to keep all interested parties informed of the manner in which the Permit's requirements are being met. All Public Registry material will be considered if an amendment to the Permit is requested.

The full cooperation of North American Tungsten Corporation Ltd. is anticipated and appreciated. If you have any questions or concerns, please telephone (867) 669-0506 or email [permits@mvlwb.com](mailto:permits@mvlwb.com).

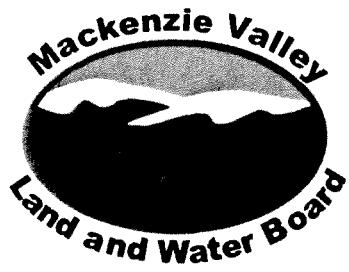
Yours sincerely,

A handwritten signature in black ink, appearing to read "Willard Hagen".

Willard Hagen  
Chair

Copied to: Scott Stewart, A/District Manager, South Mackenzie District, INAC  
Distribution List  
Angela Plautz, Regulatory Officer, MVLWB

Attachments



## Land Use Permit

Permit Class	Permit No	Amendment No
A	MV2009Q0049	

Subject to the Mackenzie Valley Land Use Regulations and the terms and conditions in this Permit, authority is hereby granted to:

North American Tungsten Corporation Ltd.

Permittee

to proceed with the land use operation described in the application of:

Signature Mr. Ken Fedak	Date January 22, 2010
Type of Land Use Operation Quarry Operation	
Location Cantung Mine Site	

This Permit may be assigned, extended, discontinued, suspended, or cancelled pursuant to the Mackenzie Valley Land Use Regulations.

Dated at Yellowknife this 1 day of April, 2010

Signature Chair

A handwritten signature in black ink.

Signature Witness

Commencement Date

April 1, 2010

Expiry Date

March 31, 2015

### ATTENTION

It is a condition of this Permit that the Permittee comply with the provisions of the *Mackenzie Valley Resource Management Act* and Regulations and the terms and conditions set out herein. A failure to comply may result in suspension or cancellation of this Permit.

## **Conditions Annexed to and Forming Part of Land Use Permit # MV2009Q0049**

### **Part A: Scope of Permit**

1. This Permit entitles North American Tungsten Corporation Ltd. to conduct the following activities:

A quarry operation at the Cantung Mine site with the following coordinates:

Minimum latitude N 6,870,839 and maximum latitude N 6,871,249  
Minimum longitude E 540,553 and maximum longitude E 540,941

2. The Permit is issued subject to the conditions contained herein with respect to the use of land for the activities and area identified in Part A, item 1 of this Permit.
3. Compliance with the terms and conditions of this Permit does not absolve the Permittee from the responsibility for compliance with the requirements of all applicable federal, territorial, and municipal legislation.

### **Part B: Definitions**

**“Act”** means the *Mackenzie Valley Resource Management Act*.

**“Board”** means the Mackenzie Valley Land and Water Board established under Part 4 of the *Mackenzie Valley Resource Management Act*.

**“Inspector”** means an Inspector designated by the Minister under the *Mackenzie Valley Resource Management Act*.

### **Part C: Conditions Applying to All Activities (the headings correspond to subsection 26(1) of the Mackenzie Valley Land Use Regulations)**

#### **26(1)(a) Location and area**

1. The Permittee shall not conduct this land use operation on any lands not designated in the accepted application. PLANS
2. The Permittee shall not conduct a quarry operation within 30 metres of the ordinary high water mark of any water body, unless otherwise authorized in writing by an Inspector. LOCATION OF QUARRY OPERATION

#### **26(1)(b) Time**

3. The Permittee shall advise an Inspector at least ten days prior to the completion of the land use operation of:
  - a) The plan for removal or storage of equipment and materials; and
  - b) When final clean-up and restoration of the land used will be completed.REPORTS BEFORE REMOVAL

4. The Permittee's Field Supervisor shall contact an Inspector at (867) 695-2626 at least 48 hours prior to the commencement of this land use operation and shall provide in writing the following information: IDENTIFY AGENT

- a) Name(s) of the person(s) in charge of the field operation to whom notices, orders, and reports may be served;
- b) Alternates; and
- c) All methods for contacting the above person(s).

5. The Board and/or Inspector reserve the right to impose closure of any area to the Permittee in periods when dangers to natural resources are severe. CLOSURE

#### **26(1)(c) Type and size of equipment**

6. The Permittee shall not use any equipment except of the type, size, and number that is listed in the accepted application or as approved by the Inspector. ONLY APPROVED EQUIPMENT

#### **26(1)(d) Methods and techniques**

7. The Permittee shall not clear areas larger than identified in the accepted application. MINIMIZE AREA CLEARED

#### **26(1)(e) Type, location, capacity, and operation of all facilities**

8. The Permittee shall ensure that the land use area is kept clean at all times. CLEAN WORK AREA

#### **26(1)(f) Control or prevention of the ponding of water, flooding, erosion, slides, and subsidence of land**

9. The Permittee shall slope the sides of excavations and embankments, except in solid rock, to a horizontal/vertical ratio of 2 horizontal to 1 vertical. EXCAVATIONS AND EMBANKMENTS

10. The Permittee shall slope the sides of waste material piles to a gradient specified in writing by an Inspector. WASTE MATERIAL PILES

11. The land use operation shall not cause obstruction to any natural drainage. NATURAL DRAINAGE

12. The Permittee shall install erosion control structures as the land use operation progresses. PROGRESSIVE EROSION CONTROL

13. The Permittee shall not move any equipment or vehicles unless the ground surface is in a state capable of fully supporting the equipment or vehicles without rutting or gouging. VEHICLE MOVEMENT FREEZE-UP

14. The Permittee shall slope the sides of waste material piles to a horizontal/vertical ratio of 2 horizontal to 1 vertical unless otherwise authorized in writing by an Inspector. WASTE MATERIAL PILES

**26(1)(g) Use, storage, handling, and ultimate disposal of any chemical or toxic material**

15. The Permittee shall not use chemicals in connection with the land use operation that were not identified in the accepted application. APPROVAL OF CHEMICALS
16. The Permittee shall dispose of all combustible waste petroleum products by incineration or removal. WASTE PETROLEUM DISPOSAL
17. The Permittee shall report spills immediately to the 24-hour Spill Report Line, (867) 920-8130, in accordance with instructions contained in the "NT-NU Spill Report" form. REPORT CHEMICAL AND PETROLEUM SPILLS

**26(1)(h) Wildlife and fish habitat**

18. The Permittee shall minimize damage to wildlife and fish habitat in conducting this land use operation. HABITAT DAMAGE
19. The Permittee shall not remove vegetation or soil or operate heavy equipment within 100 metres of any water body unless otherwise authorized in writing by an Inspector. HABITAT DAMAGE

**26(1)(i) Storage, handling, and disposal of refuse**

20. The Permittee shall remove all non-combustible garbage and debris, including plastics, from the land use area to an approved waste disposal facility. REMOVE GARBAGE

**26(1)(j) Protection of historical, archaeological, and burial sites**

21. The Permittee shall not operate any vehicle within 30 metres of a known or suspected archaeological site. OPERATE VEHICLE
22. The Permittee shall ensure that all persons working under authority of the Permit are aware of these conditions concerning archaeological land use activity. NOTIFICATION TO EMPLOYEES
23. Should a suspected historical or archaeological site or burial ground be discovered, the Permittee shall immediately suspend operations on the site or burial ground and notify either the Mackenzie Valley Land and Water Board at (867) 669-0506 or the Inspector. CONTACTS

**26(1)(k) Objects and places of recreational, scenic, and ecological value.**

*Intentionally left blank.*

<b>26(1)(l) Security deposit</b>	
24. All costs to remediate the area under this Permit are the responsibility of the Permittee.	RESPONSIBILITY FOR REMEDIATION COSTS
<b>26(1)(m) Fuel storage</b>	
25. The Permittee shall not allow petroleum products to spread to surrounding lands or into water bodies.	FUEL CONTAINMENT
26. The Permittee shall ensure that adequate contingency plans and spill kits are in place, prior to commencement of operations, to respond to any potential spills.	SPILL RESPONSE
<b>26(1)(n) Methods and techniques for debris and brush removal</b>	
27. The Permittee shall clear and maintain a strip of land at least 5 metres in width, clear of all flammable material, between windrows of debris and brush and the edge of undisturbed forest.	FIREGUARDS
28. The Permittee shall totally dispose of all debris and brush by burning.	BURN BRUSH
29. Prior to the expiry date of the Permit, the Permittee shall complete total disposal of all debris and brush cleared.	BRUSH DISPOSAL/ TIMING
<b>26(1)(o) Restoration of the lands</b>	
30. Prior to the expiry date of this Permit, the Permittee shall save the organic soil stripped from the excavation area and place the organic soil over the disturbed area.	SAVE AND PLACE ORGANIC SOIL
31. Prior to the expiry date of this Permit, the Permittee shall complete all clean-up and restoration of the lands used.	CLEAN-UP
<b>26(1)(p) Display of permits and permit numbers</b>	
32. The Permittee shall keep on hand, at all times during this land use operation, a copy of the Permit.	COPY OF PERMIT
<b>26(1)(q) Matters not inconsistent with the regulations</b>	
33. The Permittee shall ensure that all persons working under the authority of this Permit are aware of and will adhere to the conditions as stated in this Permit.	NOTIFICATION TO ALL EMPLOYEES/ CONTRACTORS
34. The Permittee shall not conduct activities related to any amendments to this Permit until the Board approves the amendments. The Permittee shall submit all amendment requests to an Inspector prior to board approval and prior to commencement of the proposed amended activity(ies).	PRIOR NOTIFICATION

DISTRIBUTION LIST by Fax**North American Tungsten – Dehcho****FIRST NATIONS**

Chief Isador Simon	TthedzehK'edeli First Nation (JMR)		867-809-2002 or 809-2071
Chief Liard McMillan	Liard First Nation		<a href="mailto:lmcmillan@kaska.ca">lmcmillan@kaska.ca</a> 867-536-2332
Alex Morrison , General Manager	Liard First Nation – Whitehorse, YT		867-668-6831
Chief Gordon Peter	Ross River Dena Council		867-969-2405
Chief Hammond Dick	Kaska Tribal Council		867-536-2806
Chief Joachim Bonnetrouge	Deh Gah Got'ie Dene Council (Ft Prov.)		867-699-3134
A/Chief Albert Moses	Pehdzeh Ki First Nation (Wrigley)	23	867-581-3229
Chief Jim Antoine	Liildlii Kue First Nation (Ft Simpson)	25	867-695-2665
Grand Chief Sam Gargan	Dehcho First Nations	35	867-695-2038
Chief Fred Tesou	Nahanni Butte First Nation	36	867-602-2910
Chief Steven Kotchea	Acho Dene Koe First Nation (Fort Liard)	37	867-770-4004
Chief Dolphus Jumbo	Sambaa K'e Dene Band (Trout Lake)	38	867-206-2828
Chief James Ahnassay	Dene Tha' First Nation		780-321-3886

**COMMUNITIES**

Mayor Duncan Calvin	Village of Fort Simpson	17	867-695-2005
Mayor Tina Gargan	Hamlet of Fort Providence	18	867-699-3360
Mayor Julie Capot-Blanc	Hamlet of Fort Liard		<a href="mailto:Acho.jcb.gmgr@northwestel.net">Acho.jcb.gmgr@northwestel.net</a>

**ABORIGINAL ORGANIZATIONS**

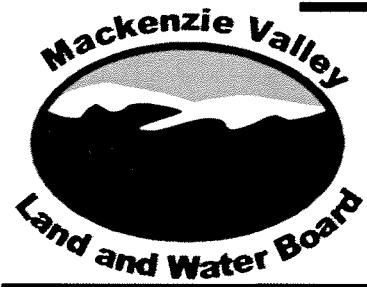
President Albert Lafferty	Fort Providence Métis Council #57		867-699-4319
President Marie Lafferty	Fort Simpson Métis Local #52		867-695-2040
Priscilla Canadian	Fort Providence Resource Management Board	27	867-699-3133
Michael Nadli	Dehcho Land Use Planning Committee	41	867-699-3166
President Ernie McLeod	Fort Liard Métis Local #67	42	867-770-3266

**GOVERNMENT**

Candace Ross	Environment and Conservation – INAC		<a href="mailto:rossc@inac-ainc.gc.ca">rossc@inac-ainc.gc.ca</a>
Julie Jackson	Manager /Aboriginal and Territorial Relations - INAC		<a href="mailto:consultationsupportunit@inac.gc.ca">consultationsupportunit@inac.gc.ca</a> <a href="mailto:james.lawrance@inac.gc.ca">james.lawrance@inac.gc.ca</a>
	Intergovernmental Affairs – INAC		<a href="mailto:intergov@inac-ainc.gc.ca">intergov@inac-ainc.gc.ca</a> 669-2710
Robert Jenkins	Head, Regulatory and Science Advice - Water Resources – INAC		<a href="mailto:Robert.Jenkins@inac.gc.ca">Robert.Jenkins@inac.gc.ca</a>
Scott Stewart	South Mackenzie District Office - INAC		<a href="mailto:Charlene.Coe@inac-ainc.gc.ca">Charlene.Coe@inac-ainc.gc.ca</a> <a href="mailto:Scott.Stewart@inac-ainc.gc.ca">Scott.Stewart@inac-ainc.gc.ca</a>
Angela Norris	Mineral & Petroleum Resources Directorate - INAC		<a href="mailto:norrisa@inac.gc.ca">norrisa@inac.gc.ca</a>
Patrick Clancy	GNWT - ENR		<a href="mailto:Patrick.Clancy@gov.nt.ca">Patrick.Clancy@gov.nt.ca</a>
ENR	<a href="mailto:Gnwt_ea@gov.nt.ca">Gnwt_ea@gov.nt.ca</a>		<a href="mailto:Gnwt_ea@gov.nt.ca">Gnwt_ea@gov.nt.ca</a>
Kris Johnson	GNWT – ITI		<a href="mailto:K.Johnson@gov.nt.ca">K.Johnson@gov.nt.ca</a>
	Environment Canada		<a href="mailto:ec.ea.nwt@ec.gc.ca">ec.ea.nwt@ec.gc.ca</a>
Rick Walbourne	DFO		<a href="mailto:Rick_Walbourne@dfo-mpo.gc.ca">Rick_Walbourne@dfo-mpo.gc.ca</a>
Chuck Blyth	Nahanni National Park Reserve	46	867-695-2446
Katherine Cumming	Parks Canada	47	204-983-0031
Agnieszka Bandura	Industry Canada		<a href="mailto:agnieszka.bandura@ic.gc.ca">agnieszka.bandura@ic.gc.ca</a>

**OTHERS**

Erica Janes	CPAWS		<a href="mailto:erica@cpaws.org">erica@cpaws.org</a>
Vern Christensen	MVEIRB		<a href="mailto:vchristensen@mveirb.nt.ca">vchristensen@mveirb.nt.ca</a>
Doug Watt	North American Tungsten Corp		<a href="mailto:cantungenviro@natcl.ca">cantungenviro@natcl.ca</a>
Ken Fedak, Mine Manager	North American Tungsten Corp.		
Jim Male, Assistant Mine Manager	North American Tungsten Corp.		
Joe Acorn	Consultant		<a href="mailto:joeacorn@theedge.ca">joeacorn@theedge.ca</a>



**Mackenzie Valley Land and Water Board**  
7th Floor - 4910 50th Avenue  
P.O. Box 2130  
**YELLOWKNIFE NT X1A 2P6**  
Phone (867) 669-0506  
FAX (867) 873-6610

FILE NUMBER: MV20009Q0049

Date: April 6, 2010

To: Mr. Ken Fedak, Mine Manager

Organization: North American Tungsten Corporation Ltd.

Fax Number: (604) 759-018

Copied To: Scott Stewart, A/District Manager, South Mackenzie District, INAC Distribution List

From: Janna for Willard Hagen, Chair, MVLWB

Number of pages including cover 8

**Remarks:**

- Attached:**  Enclosures
- Issuance letter for Type A Land Use Permit, Quarry Operation, Cantung Mine***  For your information  
 For your comment
- Thank you, Janna***  For your action  
 For your approval
- for Willard Hagen, Chair***

<u>Delivered by</u>	<u>Date</u>
<input checked="" type="checkbox"/> Email/Fax	<u>Apr 6/10</u>
<input type="checkbox"/> Hand Delivered	<u></u>
<input type="checkbox"/> Sent by:	<u>JW</u>

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## Janna Ward - MVLWB

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**From:** Janna Ward - MVLWB [jward@mvlwb.com]  
**Sent:** April-06-10 2:02 PM  
**To:** 'Imcmillan@kaska.ca'; 'Acho.jcb.gmgr@northwestel.net'; 'rossc@inac-ainc.gc.ca'; 'consultationsupportunit@inac.gc.ca'; 'james.lawrence@inac.gc.ca'; 'Intergov@inac-ainc.gc.ca'; 'Robert\_Jenkins@inac.gc.ca'; 'Charlene.Coe'; 'Scott.Stewart@inac-ainc.gc.ca'; 'norrisa@inac.gc.ca'; 'Patrick\_Clancy@gov.nt.ca'; 'gnwt\_ea@gov.nt.ca'; 'K\_Johnson@gov.nt.ca'; 'ec.ea.nwt@ec.gc.ca'; 'Rick\_Walbourne@dfo-mpo.gc.ca'; 'agnieszka.bandura@ic.gc.ca'; 'erica@cpaws.org'; 'vchristensen@mveirb.nt.ca'; 'cantungenviro@natcl.ca'; 'joeacorn@theedge.ca'  
**Cc:** 'Angela Plautz - MVLWB'  
**Subject:** MV2009Q0049-North American Tungsten  
**Attachments:** MV2009Q0049-Issuance of Land Use Permit.PDF

Good afternoon all:

Please find attached a copy of the issuance documents for the above-noted file for your reference.

Thank you,

Janna for

Willard Hagen, Chair, MVLWB

### Janna Ward

Administrative Assistant/Front Desk Reception  
Mackenzie Valley Land and Water Board  
7th Floor, 4922 48th St, PO Box 2130 | Yellowknife, NT | X1A 2P6  
ph 867.669.0506 | fax 867.873.6610  
[jward@mvlwb.com](mailto:jward@mvlwb.com) | [www.mvlwb.com](http://www.mvlwb.com)



## Group Send Report

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