

**MVLWB Work Plan for North American Tungsten Corporation Ltd.  
Application for Water Licence Renewal MV2015L2-0003**

**Dated: September 1, 2015**

**Purpose of the Work Plan**

To outline the processes and timelines to be followed for North American Tungsten Corporation Ltd.'s (NATCL or Proponent) Water Licence (WL) Application MV2015L2-0003 for the Cantung Mine.

**Background**

On April 21, 2015, NATCL submitted an Application to renew WL MV2002L2-0019, which is set to expire on January 29, 2016. On March 16, 2015, the Mackenzie Valley Land and Water Board (Board) approved NATCL's Dry Stack Tailings WL Amendment Application and forwarded it to the Minister for approval. The Minister approved the Amendment Application on June 12, 2015, and the Amended Licence was issued by the Board on June 16, 2015.

**Scope of the Proceeding**

The primary objective of this proceeding is to update and modernize NATCL's existing Licence, and renew the term. NATCL has committed to develop an Aquatic Effects Monitoring Program for the Cantung Mine, and has also committed to update and finalize the Interim Closure and Reclamation Plan. NATCL has provided a work plan and timeline for development and submittal of these plans.

**Guiding Principles**

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

- The license renewal 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 NATCL's Application and consider potential licence conditions based on evidence and rationale submitted by the company or any other party; and
- The Board will review NATCL's Application and consider potential licence 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;
- Facilitate a thorough, inclusive, and timely licence review process; and
- Establish adequate WL conditions to ensure protection of the environment.

**Opportunities for Community Engagement**

- The Board required NATCL to engage with communities and aboriginal organizations regarding the licence renewal Application prior to its submission;
- The Board will distribute the licence renewal Application 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 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.

| <b>Task</b>  | <b>Responsible Party*</b> | <b>Date Due (Date Completed)</b> |
|--|---------------------------|----------------------------------|
| Application Submitted  | Proponent                 | (April 21, 2015)                 |
| Application deemed complete & sent for review                  | MVLWB staff               | (April 27, 2015)                 |
| Reviewer comments due on Application Package                   | Reviewers                 | (May 26, 2015)                   |
| Proponent response to Reviewer comments on Application Package | Proponent                 | (June 9, 2015)                   |
| <b>Technical sessions</b>                                      | <b>All Parties</b>        | <b>(June 17, 2015)</b>           |
| Deadline to respond to Information Requests                    | All Parties               | (June 25, 2015)                  |
| <b>Pre-hearing Conference</b>                                  | <b>All Parties</b>        | <b>(July 7, 2015)</b>            |
| <b>Deadline for Interventions</b>                              | <b>Interveners</b>        | <b>(July 14, 2015)</b>           |
| Proponent response to Interventions                            | Proponent                 | (July 23, 2015)                  |
| Deadline for Intervener Public Hearing presentations           | Interveners               | (July 30, 2015)                  |
| Proponent Public Hearing presentation due                      | Proponent                 | (August 6, 2015)                 |

| <b>Public Hearings</b>  | <b>All Parties</b> | <b>August 26-27, 2015</b>                           |
|---|--------------------|---|
| Public Hearing Undertakings due<br>2 <sup>nd</sup> round of Information Requests<br>from interveners and Proponent    | All Parties        | (August 27, 2015)                                   |
| Responses to 2 <sup>nd</sup> round of Information<br>Requests from Interveners and<br>Proponent                       | All Parties        | <del>September 3, 2015</del><br>September 10, 2015  |
| Circulate Draft WL**  | MVLWB staff        | <del>September 10, 2015</del><br>September 17, 2015 |
| Reviewer comments due on Draft WL   | Reviewers          | <del>September 24, 2015</del><br>October 1, 2015    |
| Proponent response to reviewer<br>comments on Draft WL due  | Proponent          | <del>October 1, 2015</del><br>October 8, 2015       |
| <del>Deadline for Closing Arguments from<br/>Interveners</del><br>Deadline for Closing Statements from<br>Interveners | Interveners        | <del>October 8, 2015</del><br>October 15, 2015      |
| <del>Deadline for Closing Arguments from<br/>Proponent</del><br>Deadline for Closing Statements from<br>Proponent     | Proponent          | <del>October 15, 2015</del><br>October 22, 2015     |
| WL and RFD sent to GNWT-ENR<br>Minister for approval  | MVLWB staff        | Early November, 2015                                |
| Final WL Decision from GNWT-ENR<br>Minister   | ENR Minister       | Up to 90 days                                       |
| Expiry of Water Licence   |                    | January 29, 2016                                    |

\* MVLWB – Mackenzie Valley Land and Water Board; GNWT-ENR – Government of the Northwest Territories – Environment and Natural Resources; WL – Water Licence; RFD – Reasons for Decision

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