

# Land and Water Boards of the Mackenzie Valley



## APPLICATION FOR LICENCE, AMENDMENT OF LICENCE, OR RENEWAL OF LICENCE IN FEDERAL AREAS

Subsection 6(1) and Schedule III of the [Mackenzie Valley Federal Areas Waters Regulations](#)

Use an "X" to indicate which Board the Application is being made to:	Mackenzie Valley Land and Water Board:	X	Sahtu Land and Water Board:	
	Wek'èezhìi Land and Water Board:		Gwich'in Land and Water Board:	

To complete this form, please refer to the MVLWB [Guide to the Water Licensing Process](#) (Guide) and fill in the grey fields; attach additional pages, as necessary. Indicate N/A in the grey fields for Items or parts of Items that are not applicable. An application package checklist is provided in the Guide. Review the following MVLWB guidance for formatting your Application Package:

- [Document Submission Standards](#)
- [Standard Outline for Management Plans](#)

If applicable, provide the existing or current Water Licence number:	MV2015L2-0003		
Use an "X" to indicate if this Application is accompanied by another Application for a Water Licence in a non-federal area and/or a Land Use Permit.	Water Licence:		
	Land Use Permit:	X	

### 1. NAME AND CONTACT INFORMATION – APPLICANT

Applicant's Name:	Todd Martin		
Position:	Court-Appointed Monitor		
Company Name:	North American Tungsten Corporation Ltd.		
Mailing Address:	c/o Alvarez & Marsal Canada Inc. 902-925 West Georgia St.		
Community:	Vancouver	Telephone:	604-638-7440
Prov/Terr:	BC	Email:	tmartin@alvarezandmarsal.com
Postal Code:	V6C 3L2	Other:	

## 2. NAME AND CONTACT INFORMATION – APPLICANT’S HEAD OFFICE

Include a Certificate of Corporate Registration from the Government of the Northwest Territories to your Application Package.

Use an “X” to indicate this information is the same as Item 1 above:		X	
Name:			
Position:			
Company Name:			
Mailing Address:			
Community:		Telephone:	
Prov/Terr:		Email:	
Postal Code:		Other:	

## 3. LOCATION OF PROJECT

Use the grey fields below to provide or reference the following information:

Traditional Place Name:

Townsite historically referred to as Tungsten

Maps and Geographic Information System (GIS) Data: Include a map in your Application Package, identifying local geographic features, watercourses and water sources, project structures, and location(s) of any proposed waste deposits. Provide geographic coordinates (latitude and longitude) of project features, and the maximum and minimum project boundary in degrees, minutes, seconds, or decimal degrees. Include GIS data in your Application Package, if applicable. Refer to the MVLWB [Geospatial Data Submission Standards](#) for providing geographic information.

Minimum latitude:	61.8621245	Maximum latitude:	62.0461869
Minimum longitude:	127.9550654	Maximum longitude:	128.3556083

NTS Map Sheet No.: Provide the map sheet number:

105H16 Tungsten

Land Types: Use an “X” to indicate the type(s) of land on which the activities are proposed:

Free Hold/ Private:		Commissioner’s/ Territorial Lands:		Federal Land:	X	Municipal Land:	
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## 4. DESCRIPTION OF PROJECT

Describe the proposed activities in the grey field provided below and contact Board staff to determine whether additional information will be required. For proposed amendments to authorized activities, specify: the nature of the amendment, the condition(s) to be amended, and the rationale for the amendment.

See attached *Project Description*.

## 5. TYPE OF UNDERTAKING

Refer to Schedule II of the [Mackenzie Valley Federal Areas Waters Regulations](#). Use an "X" to indicate which one type of undertaking applies:

1	Industrial	
2	Mining and milling	X
3	Municipal	
4	Power	
5	Agriculture	
6	Conservation	
7	Recreation	
8	Miscellaneous	(describe):

## 6. WATER LICENSING CRITERIA

Refer to Schedules IV to VIII of the [Mackenzie Valley Federal Areas Waters Regulations](#). Use an "X" to indicate which criteria apply:

	Type B	Type A
To obtain water	X	
To cross a watercourse	X	
To modify the bed or bank of a watercourse	X	
Flood control		
To divert water	X	
To alter the flow of, or store, water		
To deposit waste		
Other		(describe):

## 7. PROPOSED QUANTITY OF WATER INVOLVED

Describe the purpose of each proposed water use, name, and type (e.g., lake, river) of the water source, the location, and the quantity of water that would be used in the grey fields below. Add more rows as needed.

Purpose of Water Use	Name and Type of Water Source	Location	Geographic Coordinates		Proposed Water Use Volume/Rate, including units
			Latitude	Longitude	
Domestic	Flat River	Cantung Mine site	61° 58.355'N	128° 14.180'W	Up to 299 m <sup>3</sup> /day

For each water source identified in the table above, provide a comparison of total proposed water use to the available capacity. Add more rows as needed.

Water Source	Capacity of Water Source, including units	Other Users of the Water Source	Comparison of Total Proposed Water Use to Available Capacity
Flat River	137,080,687 m <sup>3</sup> flowed through the monitoring station at 4-45 on the Flat River in 2021	None known	0.027% of the Flat River volumes is proposed to be used annually

## 8. PROPOSED WASTE MANAGEMENT METHODS

Use the grey field below to provide or reference the following information:

**Waste Management Plan:** Include a Waste Management Plan in your Application Package, if applicable, or for small-scale activities, describe proposed waste management activities in the grey field provided below. A template for the Plan is available in the MVLWB [Guidelines for Developing a Waste Management Plan](#).

If waste is proposed to be disposed of off-site within the NWT, written confirmation (e.g., an email, letter, etc.) from the facility/facilities indicating they will accept the waste is required. Include it/these in your Application Package. Please note this information will be required by the Board prior to commencement of activities.

**Municipalities:** Complete the relevant Operations and Maintenance Plans using the available [Templates](#) and include them in your Application Package. Please refer to Sections 4-8 of Environment and Climate Change Canada's [Solid Waste Management for Northern and Remote Communities: Planning and Technical Guidance Document](#).

**EQC and AEMP:** For activities that involve the deposit of waste into water, provide proposed effluent quality criteria (EQC) in accordance with the MVLWB [Water and Effluent Quality Management Policy](#) and MVLWB/GNWT [Guidelines for Effluent Mixing Zones](#). Please refer to the MVLWB/GNWT [Guidelines for Effluent Mixing Zones](#) when mixing zones are being considered. Please refer to the MVLWB/GNWT [Guidelines for Aquatic Effects Monitoring Programs](#) for more information regarding the development of AEMP programs.

See attached *Waste Management Plan*.

## 9. EXISTING WATER USERS AFFECTED BY THIS PROJECT

Describe pre-Application engagement efforts with any existing water users and associated possible claims for water compensation or compensation agreements. Include the names and locations of existing water users (e.g., persons or organizations) in the grey fields below. An additional table should be added for each water user.

Name:	
Community:	
Province/Territory:	
Describe Engagement Completed:	

## 10. POTENTIAL ENVIRONMENTAL IMPACTS OF THE PROJECT AND PROPOSED MITIGATIONS

If the proposed project, or parts of the proposed project, may be exempt from preliminary screening, describe the rationale for the exemption in the grey field below. Include the date of the most recent screening, and/or the environmental assessment or impact review number.

There have been multiple past preliminary screenings of various activities related to the Cantung Mine associated with the following authorizations:

- MV2010C0055;
- MV2012S0011;
- MV2012C0014;
- MV2014D0012;
- MV2014C0015;
- MV2009Q0049;
- MV2019S0009;
- MV2002L2-0019.

Further, the application for the current water licence, MV2015L2-0003, was exempt from screening.

Given this, and that the scope of work under the renewed water licence is not introducing any new activities, it is NATC's opinion that the application is exempt from screening and an assessment of impacts is not required.

Refer to the *Project Description* for further discussion

Unless the project could be exempt from preliminary screening, using the Impact-Mitigation Table below, or the more detailed Table in Appendix F of the [Guide](#), identify all potential impacts and possible mitigations that are relevant to the proposed project, and indicate whether any of the mitigation measures have been developed as a result of input from affected parties. Applicants for type A water licences must use the detailed Table in the Guide; other applicants may choose either the Table below or the Table in the Guide. Possible potential impacts are listed below; however, these lists are not exhaustive and may not apply to all projects. All information provided should reflect the size, scale, and nature of the proposed project. Cumulative impacts and climate change must be considered. Attach additional pages if needed.

<b>Potential Impacts</b> <i>Use an "X" to indicate which apply</i>	<b>X</b>	<b>Potential Project Impacts and Proposed Mitigations</b> <i>Describe the potential impact(s) and the proposed measure(s) to reduce each of these impacts.</i>
<b>ABIOTIC COMPONENTS</b>		
<b>Land</b>		
Soil contamination		
Soil compaction		
Destabilization/erosion		
Change in soil structure		
Inability to support vegetation		
Other		
<b>Water</b>		
<b>Groundwater</b>		
Water table alteration		
Infiltration changes		
Changes in water quality		
Temperature changes		
Other		
<b>Permafrost</b>		
Loss or change in extent		
Changes in seasonal fluctuations		
Change in persistence		
Other		
<b>Surface Water</b>		
Water flow or level changes (permanent, temporary, seasonal)		
Drainage pattern changes		
Temperature changes		
Changes in water quality		
Wetland impairment		
Changes to aquatic habitat (see Biotic section below)		
Other		
<b>Air</b>		
Changes in air quality		
Harm to living things		
Increased greenhouse gases		
Other		
<b>BIOTIC COMPONENTS</b>		
<b>Vegetation</b>		
Direct loss of vegetation		
Loss of Species at Risk or may-be-at-risk plants		

<b>Potential Impacts</b> <i>Use an "X" to indicate which apply</i>	<b>X</b>	<b>Potential Project Impacts and Proposed Mitigations</b> <i>Describe the potential impact(s) and the proposed measure(s) to reduce each of these impacts.</i>
Change in species composition		
Introduction of non-native (invasive) species		
Effects on plant health (dust, metals, toxins)		
Increased risk of fire		
Compaction of vegetation		
Other		
<b>Terrestrial Wildlife Habitat</b>		
Direct loss or removal of habitat, dens, or nests		
Loss or removal of keystone species and/or Species at Risk habitat		
Fragmentation of wildlife corridor		
Direct injury or mortality		
Disturbances to key lifecycle stages: breeding, feeding, nesting, staging		
Effects on population abundance		
Change in species diversity		
Effects on wildlife health (toxins, metals, etc.)		
Changes to migratory movement patterns		
Changes to predator-prey relationships		
Human-wildlife conflicts		
Other		
<b>Aquatic Habitat</b>		
Breeding disturbances		
Change in species diversity		
Effects on health (toxins, metals, sediment, etc.)		
Changes to migratory movement patterns		
Changes to predator-prey relationships		
Effects on population abundance		
Change in species diversity		
Other		
<b>CULTURAL COMPONENTS</b>		
<b>Wildlife Harvesting</b>		
Loss or reduction in game species populations		
Effects on traditional land use, subsistence, and harvesting rights		
Other		
<b>Cultural Integrity and Heritage Resources</b>		
Change to or loss of cultural integrity		
Change to or loss of traditional lifestyle		
Change to or loss of heritage resource		

Potential Impacts <i>Use an "X" to indicate which apply</i>	X	Potential Project Impacts and Proposed Mitigations <i>Describe the potential impact(s) and the proposed measure(s) to reduce each of these impacts.</i>
Other		
<b>Social and Economic Well-being</b>		
Increased human health hazard and risk		
Economic opportunities or losses (employment, training)		
Change in ecological, cultural, social, or economic values identified for protection in approved Land Use Plans		
Impairment of the recreational or traditional uses of the land or water		
Impairment of the aesthetic quality of the land or water		
Changes to the use of the area by other non-Indigenous people (e.g., trappers, outfitters, residents, hunters, forest harvesters, other authorized projects)		
Other		

Spill Contingency Plan: Include a Spill Contingency Plan in your Application Package, if applicable, or for small-scale activities, provide relevant details in the grey field provided below. An example of this Plan can be found in the INAC [Guidelines for Spill Contingency Planning](#).

[See attached updated Spill Response Plan.](#)

#### 11. NAME AND CONTACT INFORMATION – CONTRACTORS AND SUB-CONTRACTORS

Include relevant names, responsibilities, and contact information in the grey fields below. An additional table should be added for each contractor and sub-contractor.

Name:			
Responsibilities:			
Company Name:			
Mailing Address:			
Community:		Telephone:	
Prov/Terr:		Email:	
Postal Code:		Other:	

X	Use an "X" to indicate that contractor and/or subcontractor information is not available at this time.
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## 12. STUDIES UNDERTAKEN TO DATE

In the grey field below list any relevant studies that support the proposed activities and include them in your Application Package.

Since the current water licence was issued in 2016, multiple studies have been completed largely to inform permanent closure planning aspects.

Two studies undertaken are relevant to this application: Fifth Cycle EEM Interpretive Report and Final Biological Study, Cantung Mine EEM (RCBioSolutions 2017), which is already posted on the public registry, therefore not included in this submission; Conceptual Site Model Report (Tetra Tech, 2021), which is appended.

## 13. PROPOSED PROJECT SCHEDULE AND TERM

Indicate the proposed project start and completion dates, and the time of year the project activities are planned to occur. Describe any anticipated temporary closure(s) or seasonal shutdowns. Indicate the term requested.

Start Date:	January 27, 2024	Completion Date:	January 26, 2034
Works will continue seasonally, with a greater continuous site presence during freshet and in summer months, and an intermittent presence during winter months as needed, depending on site conditions.			
It is anticipated that final closure licencing will commence in less than 10 years, however, to allow for unforeseen circumstances and related possible delays, a 10 year licence is requested.			
Term of Licence Requested:	10		

## 14. ADDITIONAL SUPPORTING INFORMATION

Use the grey field below to provide or reference the following information:

**Engagement:** Conduct engagement, prepare an Engagement Record and Engagement Plan in accordance with the MVLWB [Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits](#), and include them in your Application Package. Templates are provided in the Guidelines. Please also refer to [Information for Proponents on MVLWB's Engagement Requirements](#).

**Eligibility:** Contact Indigenous, federal, and territorial governments, and other parties to ensure all appropriate authorizations have been obtained or are in the process of being obtained. Obtain permission from the landowner(s), if necessary (e.g., obtain and reference licences of occupation, leases, access authorizations, etc.) and attach it/them to the Application.

**Land Use Plans:** Contact the applicable Land Use Planning Board or the Tłı̨ch̓ Government to discuss conformity with the relevant Land Use Plan(s). Include a Land Use Plan Conformity Table in your Application Package, demonstrating how the project meets the requirements of the Land Use Plan, if applicable.

**Traditional (Environmental) Knowledge (TEK/TK):** Provision of TEK/TK is mandatory for Applications to the Sahtu Land and Water Board. Other applicants are strongly encouraged to include TEK/TK.

Facilities: Include the supporting information required under subsection 6(2) of the [Mackenzie Valley Federal Areas Waters Regulations](#) if the project includes the following: dam(s); storage reservoir(s); watercourse crossing(s); camp(s) or lodge(s); use of water for industrial use or mining and milling; deposit of waste; or handling or storage of petroleum products or hazardous materials.

Closure and Reclamation: Include a Closure and Reclamation Plan in the Application Package, or for small-scale activities, describe the proposed closure and reclamation activities in the grey field provided below. Describe any temporary closure(s) and seasonal shutdowns. Please also refer to the MVLWB/AANDC [Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the Northwest Territories](#) and Environment and Climate Change Canada's [Solid Waste Management for Northern and Remote Communities: Planning and Technical Guidance Document](#).

Closure Cost Estimate: Prepare a Closure Cost Estimate and include it in your Application Package. Applicants are encouraged to contact Board staff, prior to applying, to determine which closure-cost-estimate template is most suited to the project activities being applied for. Guidance is provided in section 2.2 of the MVLWB/AANDC/GNWT [Guidelines for Closure and Reclamation Cost Estimates for Mines](#). If your Application is submitted concurrently with a Land Use Permit Application, the estimate should include a breakdown of water- and land-related activities and liabilities.

**Financial Capacity:** Provide information relating to your financial capacity, as outlined in paragraph 72.03(5)(d) of the [Mackenzie Valley Resource Management Act](#). Please note this information will be required by the Board prior to issuance.

**Engagement:** See attached updated *Engagement Plan*. NATC had been engaging with parties since the commencement of Care and Maintenance in 2016; a log of engagements specific to changes to Care and Maintenance following the termination of the Competitive Sales Process in early 2022 and related water licence modifications and renewal is included with this submission.

**Eligibility:** NATC holds the following leases

- Mining
  - NT-2449
  - NT-3129
  - NT-3140
  - NT-3141
  - NT-3145
  - NT-3181
  - NT-3207
- Surface
  - 105H 16-17-14
  - 105H 16-7-12
  - 105H 16-8-8
  - 105H 16-16-8
  - 105H 16-17-13
  - 105I 1-1-13

**Land Use Plans:** There is no approved land use plan in place for the Project area.

**Traditional (Environmental) Knowledge (TEK/TK):** To aide with remediation planning, a *Land Use Survey* for the area in and around the Cantung Mine site was completed by the Naha Dehe Dene Band (2018/2019), as was a *Knowledge, Land Use and Occupancy Study* by the Łíídlı́ Kúé First Nation (2012).

**Facilities:**

6.2.a.: Refer to the *Tailings Storage Facility Operations, Maintenance and Surveillance Manual* for relevant info on the tailings dams.

6.2.b.: Not applicable.

6.2.c.: No new water course crossings are proposed. A description of the watercourse can be found in *Fifth Cycle EEM Interpretive Report and Final Biological Study, Cantung Mine EEM RC BioSolutions* (2017). Flow data is reported monthly under the existing licence.

6.2.d.: Not applicable.

6.2.e.: Refer to the *Waste Management Plan* and the *Landfill Management Plan*.

6.2.f.: Not applicable. No waste deposit to water is planned.

6.2.g.: Refer to the *Spill Response Plan*.

6.2.h.: Refer to the *Care and Maintenance Plan*.

Closure and Reclamation: In mid-2022, a decision was made to proceed to permanent final closure, and closure planning and engagement is ongoing. Accordingly, NATC is providing an updated *Care and Maintenance Plan* with this application, along with a section that addresses risk reduction which has been included based on the feedback received during pre-application engagement. A Closure and Reclamation Plan is therefore not included in this application as this would be duplicative/preliminary given the current final closure planning underway.

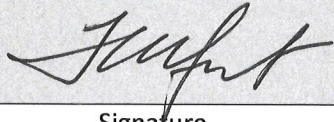
Closure Cost Estimate & Financial Capacity: Please see the attached letter from CIRNAC.

## 15. FEES

Refer to the Guide for assistance with determining applicable fees.

Type of Fee	Amount (\$)
Application fee (if applicable):	\$30.00
Water use fee deposit:	\$1091.39
Total Fees:	\$1121.39

**16. SIGNATURE**

<b>Todd Martin</b>	<b>Court Appointed Monitor, North American Tungsten Corporation Ltd. c/o Alvarez &amp; Marsal Canada Inc.</b>
Applicant's Name (print) or Company Name	Position (print)
	<b>13 March 2023</b>
Signature	Date

Review the application package checklist provided in the Guide, and submit completed applications to the Regulatory Manager or Executive Director identified on the "Contact Us" pages of the respective Land and Water Board ([www.mvlwb.com](http://www.mvlwb.com), [www.wlwb.ca](http://www.wlwb.ca), [www.slwb.com](http://www.slwb.com), [www.glwb.com](http://www.glwb.com)).