



<sup>3</sup> Letter from J. Skoglund, Canzincos, to R. Dwyer, NWB, Response to comments for Amendment and Renewal of Type A Water Licence for the Nanisivik Mine Project.

[ftp://ftp.nwb-oen.ca/registry/1%20INDUSTRIAL/1A/1AR%20-%20Remediation/1AR-NAN1419/1%20APPLICATION/2019%20Amend\\_Renewal/](ftp://ftp.nwb-oen.ca/registry/1%20INDUSTRIAL/1A/1AR%20-%20Remediation/1AR-NAN1419/1%20APPLICATION/2019%20Amend_Renewal/)

Based on the scope and nature of undertaking, the Application has been deemed to be a complete application for the Amendment and Renewal of Type “A” Water Licence. As such, it will require a public hearing as required by the Nunavut Waters and Nunavut Surface Rights Tribunal Act (NWNSTRA). All public hearing matters will be carried out in accordance with the Board’s *Rules of Practice and Procedure for Public Hearing* dated May 11, 2005 (NWB Rules).

#### **NWB Notice of Application and Commencement of Technical Review**

The NWB has determined through the completeness and preliminary assessment, which took into consideration the Application, Interveners’ submissions, and the Board’s initial review, that the Application submitted by Canzinco generally constitutes an administratively and materially complete Application in accordance with the Guides<sup>4</sup>. The Board has therefore decided that the Application can proceed to the next stage(s) of the licensing process, subject to any outstanding pre-licensing considerations that may be associated with the Application. The NWB retains the rights, however, to request additional information and studies pursuant to s.s. 48(2) of the NWNSTRA or to issue additional guidelines for the provision of information pursuant to s.s. 48(3) of the NWNSTRA, if it becomes necessary.

In accordance with s.s. 55(1) of the NWNSTRA, the **Board gives notice of the Application** and invites interested persons to make representation to the Board no later than **August 16, 2019** (3:00 p.m., MST). Notice of the Application will also be forwarded to the council of each municipality in the area(s) most affected by the Application and shall be published in a newspaper of general circulation in the area(s) affected or, if there is no such newspaper, in such other manner as the Board considers appropriate. Parties are advised that the consequences of failure to respond are outlined in s. 59 and s.s. 60(2) of the NWNSTRA<sup>5</sup>.

By copy of this letter to the distribution list, all interested parties or persons are requested to complete a thorough technical assessment of the Application for the Amendment and Renewal of Type “A” Water License 1AR-NAN1419, available from the NWB Public Registry or by directly contacting Johan Skoglund, Canzinco at [johan.skoglund@nyrstar.com](mailto:johan.skoglund@nyrstar.com).

#### **Next Steps in the Process**

The next steps in the Board’s consideration of the Application by Canzinco in respect of the Nanisivik Mine Project, have been outlined as follows for the information of all parties. Please note that the Board reserves the right to revise the next steps and timelines if circumstances dictate:

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<sup>4</sup> The minimum information requirements set out in the NWB Guidance Documents  
Guide 4 – Completing and Submitting a Water Licence Application for a New Licence, July 2015  
Guide 7 – Licensee Requirements following the Issuance of a Water Licence, July 2015

<sup>5</sup> Section 59: In the circumstances described in paragraph 58(b), an applicant need not compensate the person under section 58 if the person fails to respond to the notice of application given under subsection 55(1) within the time period

**Steps Preceding Technical Meeting**

<b>July 26, 2019:</b>	Commencement of the technical review period; parties are asked to provide their technical review comments
<b>August 16, 2019:</b>	Submission of technical review comments and representations to the Board
<b>August 26, 2019:</b>	Canzincos to provide response(s) to technical review comments  Parties given an opportunity to review responses from Canzincos
<b>August 29, 2019:</b>	Circulation of draft agenda for the Technical Meeting.
<b>September 04, 2019:</b>	Submission of Proponent's and parties' presentations for the proposed technical meeting (including translated versions).
<b>September 06, 2019:</b>	Circulation of final agenda for the Technical Meeting.

**Steps including and following Technical Meeting**

**1. Technical Meeting-Pre-Hearing Conference (TM-PHC): September 12-13, 2019**

Rule 14 of the NWB Rules permits the Board, through its staff or in conjunction with staff, to hold a Technical Meeting (TM) and Pre-hearing Conference (PHC) with interested parties, either in writing, by teleconference, or in person.

The Board has directed the staff of the NWB, in accordance with the NWB Rules, to hold the TM/PHC for the Application, by teleconference, on the week of **September 9, 2019** (tentatively on **September 12-13, 2019**). Interested persons should note that in advance of the date on which the TM/PHC will be held the NWB will issue correspondence that will confirm dates and provide other relevant details.

**2. Pre-Hearing Conference (PHC) Decision**

Following the TM/PHC, the NWB will issue a PHC decision and may outline the technical commitments of the Applicant and the administrative and procedural requirements for a Public Hearing.

**Public Hearing (PH) Notice**

Sub-section 55(2) of the NWNSRTA requires that a minimum notice period of sixty (60) days be provided for a Public Hearing (PH). As with the Technical Meeting / Pre-hearing Conference, the Board has the ability to conduct its Public Hearing in writing, by teleconference, or in person. Once the Board has received all information requested through this process and is satisfied that the Public Hearing should proceed, the type or place, date, and time of the hearing will be determined, and a notice will be published by the Board in advance of the Public Hearing and in a manner that promotes public awareness and participation in the hearing.

### 3. Public Hearing Decision

Following the Public Hearing, the Board will issue a final written decision with reasons (final decision). The final decision will be provided to the Minister of Crown-Indigenous Relations and Northern Affairs (CIRNA) for the Minister's decision. Interested and intervening parties will also be provided with a copy of the Board's final decision as well as the Minister's decision.

Throughout the technical review phase, interested parties are encouraged to work cooperatively with Canzinco to discuss issues in advance of the proposed Technical Meeting / Pre-hearing Conference. The NWB, however, requests to be kept informed of any issues and any agreement reached between the parties on specific issues related to the Application. The Board also asks that all technical review comments, particularly for matters such as air quality, noise, and wildlife, be provided within the limits of the NWB's jurisdiction over the use of waters and the deposit of waste in waters or that may enter waters.

**All submissions pertaining to this file should be provided to the NWB's Manager of Licensing by email to [licensing@nwb-oen.ca](mailto:licensing@nwb-oen.ca) prior to Friday, August 16, 2019 (3:00 p.m., MST).**

If you have any questions regarding procedural matters related to the file, please contact Richard Dwyer, Licensing Manager, at [richard.dwyer@nwb-oen.ca](mailto:richard.dwyer@nwb-oen.ca) or by phone at (867) 360-6338 (ext. 27). For any Technical inquiries, please contact Mohammad Ali Shaikh, Technical Advisor at [ali.shaikh@nwb-oen.ca](mailto:ali.shaikh@nwb-oen.ca) or by phone at 867-360-6338, ext. 33.

Sincerely,

Stephanie Autut  
Executive Director  
Nunavut Water Board

SA/as/rqd

Cc: Nanisivik Distribution List