



present, the NWB expects the Technical Meeting to review both the water licence Application and the NIRB's consideration of the Amendment Proposal as per TMAC's suggestion² will be an in person NWB - NIRB coordinated meeting, which is tentatively scheduled for **the week of January 26, 2016**¹ in Cambridge Bay.

The Board's direction on the date, form and place of the Prehearing and Public Hearing Conferences and next steps of the licensing process will be provided only once the Technical Meeting is completed, as these steps in a co-ordinated process are also dependent on the NIRB's review process' timelines. However, parties are reminded that all type "A" water licence applications do require a form of public hearing set out in the Nunavut Waters and Nunavut Surface Rights Tribunal Act (Act) and the Board's Rules of Practice and Procedure for Public Hearing dated May 11, 2005 (NWB Rules).

Completeness of the Application

With regard to the Application the NWB has indicated that its preliminary conformity review has concluded the Application is materially complete and generally acceptable. In arriving at this conclusion, the Board has given consideration to the comments / IRs received during the Completeness Review and IR request period from intervening parties, including AANDC, KIA, NRCan and EC. On this basis, the NWB's determination is that the application, which seeks to amend a Type "A" water licence, has satisfied the requirements of s. 48(1) of the Act. The NWB, however, retains the right to request additional information and studies pursuant to s. 48(2) of the Act or to issue guidelines for the provision of information pursuant to s. 48(3) of the Act.

NPC and NIRB Requirements

In accordance with s. 11.5.10 of the Nunavut Land Claims Agreement (NLCA), a project proposal is required to be reviewed by the Nunavut Planning Commission (NPC) to determine whether it is in conformity with an approved land use plan. Regarding this pre-licence requirement the NWB acknowledges³ that the NPC has indicated that as the Doris North Project is located in an area without an approved land use plan, no NPC Conformity Decision is required.

Recognizing TMAC's request² for the NWB's water licensing process and the NIRB's Project Certificate reconsideration process to proceed as a NWB-NIRB coordinated process, the NWB and the NIRB have coordinated their respective processes to their utmost; including issuing the November 4, 2015 joint correspondence, including a coordinated process map with anticipated timelines and planning for a coordinated NWB-NIRB Technical Meeting in the week of January 25, 2016 in Cambridge Bay.

Regarding the NWB-NIRB coordinated approach, while a project proposal undergoes NIRB review pursuant to Article 12 of the NLCA, the NWB shall not approve any water licence application that forms part of that review until the assessment requirements of Article 12 have been met. Consistent with these requirements, the scheduling of the NWB's Pre Hearing Conference and the NWB's Public Hearing associated with the Application will await the completion of the NIRB's consideration of the Amendment Proposal for the Doris North Project

³ Email from NPC to NWB, Re: 101105 2AM-DOH0713 Amendment 2 Application Review

Certificate No. 003 and (if the Amendment Proposal is approved to proceed) the issuance of revised terms and conditions in Project Certificate No. 003.

Commencement of the Technical Review Period

The formal technical review of the Application commences on the date of the public notice of the Application; however, the Board strongly recommends that interested parties begin their technical review on the information already provided by the Applicant in advance of the publication of the notice in the newspaper, as it is in the best interests of all parties to ensure they engage in timely review and response to the Application. All technical review comments shall be filed in writing to Phyllis Beaulieu, NWB's Manager of Licensing, at licensing@nwb-oen.ca no later than **December 7, 2015**.

Throughout the technical review phase, interested parties are encouraged to work cooperatively with TMAC to discuss minor issues in advance of the proposed technical meeting. The NWB requests to be kept informed of any discussions, resolutions or agreement(s) between the parties on any general or specific issues. The Board also asks that technical review comments, particularly for matters such as air quality, noise and wildlife, provided to the NWB in respect of the Application, recognize the limits of the NWB's jurisdiction, which is based on the use of waters and the deposit of waste in waters, or that may enter waters.

Parties are advised that failing to respond and participate in the NWB licensing process may result in consequences as outlined in ss. 59 and 60(2) of the Act.

Copies of the Application documents and intervener's submissions during the completeness review period are available from the NWB's Public Registry which can be accessed using the following link:

<ftp://ftp.nwb-oen.ca>

Should you have any questions regarding the above, please do not hesitate to contact Sonia Aredes, Technical Advisor, at 867-979- 3079 or by email to sonia.aredes@nwb-oen.ca or David Hohnstein, Director of Technical Services, at (780) 443-4406 or by email to David.Hohnstein@nwb-oen.ca for any technical related questions. For procedural related inquiries and/or request for information, please contact Phyllis Beaulieu, Manager of Licensing, at 867-360-6338 or by email to licensing@nwb-oen.ca.

Sincerely,

David Hohnstein
Director of Technical Services

Cc: tarko@nirb.ca
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