



Robin Ikkutisluk <robin.ikkutisluk@nwb-oen.ca>

## comment - Re: 140218 2BE-MOU0914 Distribution Review of Renewal Application - Mouse Lake Project - Kitikmeot Region

2 messages

bnitescu@hornbybay.com <bnitescu@hornbybay.com>

Wed, Feb 19, 2014 at 10:25 AM

To: Robin Ikkutisluk <robin.ikkutisluk@nwb-oen.ca>

Cc: Licensing Department <licensing@nwb-oen.ca>, bevbrady@sympatico.ca, rhudson@wabiexploration.com, phyllis.beaulieu@nwb-oen.ca

Hello Robin,

Thank you for the update on the progress of the application, we are quite happy to see that it advanced to the distribution phase.

I would like to provide a comment or some feedback related to an issue that is in the distribution review document. The paragraph I am referring to is:

"In accordance with S.11.5.10 of the Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada ("NLCA"), prior to the application being fully processed by the NWB the project proposal shall be reviewed by the Nunavut Planning Commission ("NPC"), to determine whether the project proposal is in conformity with an approved land use plan. By copy of this letter, the NWB requests the NPC provide its determination and recommendations to the NWB pursuant to Sections 13.4.2 through 13.4.5 of the NLCA, or written confirmation that the project proposal falls outside the boundaries of an approved land use plan. Also, by copy of this letter to the Nunavut Impact Review Board ("NIRB"), the NWB requests that if the project proposal requires screening, the NIRB provide the NWB with a determination pursuant to Section 13.5.1 of the NLCA. If the project is exempt from screening pursuant to Schedule 12-1 of the NLCA, the NWB requests written confirmation from the NIRB that the project proposal is in fact exempt from screening."

Here is what I would like to comment on:

In the new application form, sections 7 and 8 are formulated in such a way that requires the applicant to contact the NPC and the NIRB and obtain written confirmation from these agencies. We were aware that in the past it was the NWB who was doing this after receiving an application, but noticing the requests for written confirmations in sections 7 and 8 we have tried to address them. The results of our attempts are detailed in the documents that we titled Email Communication with NPC and Email Communication with NIRB.

As you probably have noticed, the NPC has already responded to our request regarding our licence renewal application in a message dated January 13, 2014 and signed by Mr. Christopher Tickner, in which they state that:

"The Nunavut Planning Commission (NPC) has reviewed the attached documents and has determined that the project proposal as described is located outside the boundaries of the two approved land use plans currently administered by the NPC.

No further review is required by the NPC at this time.

Please ensure that any change in scope of the proposed project is forwarded to the NPC so as a determination can be made as to whether a conformity review is required.

The Nunavut Impact Review Board (NIRB) and the Nunavut Water Board (NWB) have been copied with this email for their information."

I wanted to draw your attention to the response that we received already from the NPC, since in the Distribution Review Letter the NWB appears solicit a response relative to our application from the NPC.

With respect to the solicitation we made to the NIRB to comply with the request in section 8 of the application form, we could not obtain a response from NIRB, since they stated clearly that they expect this request to be made by the NWB. Their response is detailed in the Email Communication with NIRB document that we submitted with the application

I hope that by providing this feedback, I draw the attention of the NWB to sections 7 and 8 in the new form, since they appear to create confusion both on the side of the applicant and possibly on the side of the agencies, as to when and who is supposed to request the written confirmation from these agencies, namely the applicant before it submits the application to the NWB, or the NWB after they receive the application from the applicant as it has been done so far.

Best regards,  
Bogdan

Bogdan Nitescu  
Hornby Bay Mineral Exploration Ltd.

Quoting Robin Ikkutisluk <robin.ikkutisluk@nwb-oen.ca>:

NOTICE TO ALL PARTIES:  
NOTE THAT THE DEADLINE FOR COMMENTS IS ON MARCH 18, 2014

The Nunavut Water Board ("NWB") acknowledges receipt, on February 4, 2014, of a renewal application for a Type "B" water licence for water use and waste disposal associated with activities in the Kitikmeot region of Nunavut. The application consists of the following documents:

- Signed Renewal Application Form
- Cover Letters

- Articles of Amendment (Certificate of Name Change)
- Email communication with NWB
- Email communication with NPC
- Email communication with NIRB
- Executive Summary - English
- Executive Summary - Innuinaqtun
- Executive Summary - Inuktitut
- Maps
- List of HBME Mineral Claims
- List of HBME Mining Leases
- Information pertaining to Block 23 of the Application Form
- Spill Contingency Plan
- Abandonment Restoration Plan
- Uranium Exploration Plan
- Cheque for Application Fee
- Cheques for Water Use Fee's Deposit

The application can be obtained from our ftp site under PRUC with  
Username:public,  
Password: registry.

<ftp://nunavutwaterboard.org/1%20PRUC/2%20MINING%20MILLING/2B/2BE%20-%20Exploration/2BE-MOU0914%20Hornby%20Bay%20Mineral/>

The NWB undertook a preliminary review of your application and concluded that it meets the requirements of section 48(1) of the "Nunavut Waters and Nunavut Surface Rights Tribunal Act" ("Act"). However, the NWB retains the right to request additional information and studies pursuant to sections 48(2) of the Act or to issue guidelines for the provision of information pursuant to section 48(3) of the Act. A NWB Technical Advisor may be in touch with you to clarify any technical details related to your application.

In accordance with S.11.5.10 of the "Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in Right of Canada" ("NLCA"), prior to the application being fully processed by the NWB the project proposal shall be reviewed by the Nunavut Planning Commission ("NPC"), to determine whether the project proposal is in conformity with an approved land use plan. By copy of this letter, the NWB requests the NPC provide its determination and recommendations to the NWB pursuant to Sections 13.4.2 through 13.4.5 of the NLCA, or written confirmation that the project proposal falls outside the boundaries of an approved land use plan. Also, by copy of this letter to the Nunavut Impact Review Board ("NIRB"), the NWB requests that if the project proposal requires screening, the NIRB provide the NWB with a determination pursuant to Section 13.5.1 of the NLCA. If the project is exempt from screening pursuant to Schedule 12-1 of the NLCA, the NWB requests written confirmation from the NIRB that the project proposal is in fact exempt from screening.

To ensure this application is dealt with in a timely fashion, the NWB forwards notice of all documentation to regulators and council of the municipality(ies) most affected by the project, inviting interested parties to make representation directly to the NWB\* within 30 days from the date of this letter\*\*. \* The NWB may provide additional procedural instructions once the application has been reviewed by interested parties.

