



General Water Licence Application
(Application for a new Water Licence)

Nahanni Construction Ltd.
Lupin Winter Access

Application Submission Date: **October 7, 2019**

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NUNAVUT IMALIRIYIN KATIMAYIT
NUNAVUT WATER BOARD
OFFICE DES EAUX DU NUNAVUT



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GENERAL WATER LICENCE APPLICATION (APPLICATION FOR NEW WATER LICENCE)

The applicant is referred to the NWB's Guide 4: Guide to Completing and Submitting a Water Licence Application for a New Licence for more information about this application form.

LICENCE NO: (for NWB use only)													
1. APPLICANT (PROPOSED LICENSEE) CONTACT INFORMATION (name, address) Kenny Ruptash Nahanni Construction Ltd. PO Box 2076 Yellowknife, NT X1A 2P6 Phone: 867 873-2975 Fax: _____ e-mail: kenny@nahannincl.com	2. APPLICANT REPRESENTATIVE CONTACT INFORMATION if different from Block 1 (name, address) Sharleen Hamm Sharleen Hamm Consulting Ltd. 102-17910 55 Ave Surrey, BC V3S 6C8 Phone: 604-996-1110 Fax: _____ e-mail: regulatory@nahannincl.com (Attach authorization letter)												
3. NAME OF PROJECT (including the name of the project location) Lupin Winter Access													
4. LOCATION OF UNDERTAKING Project Extents Coordinates for start and end points of the road are provided. <table border="1"><tbody><tr><td>NW</td><td>-111.234159398</td><td>65.779171217</td></tr><tr><td>NE</td><td></td><td></td></tr><tr><td>SE</td><td>-109.719437488</td><td>65.030828286</td></tr><tr><td>SW</td><td></td><td></td></tr></tbody></table> Camp Location(s) N/A Latitude: _____ Longitude: _____		NW	-111.234159398	65.779171217	NE			SE	-109.719437488	65.030828286	SW		
NW	-111.234159398	65.779171217											
NE													
SE	-109.719437488	65.030828286											
SW													

5. MAP - Attach a topographical map, indicating the main components of the undertaking.
Refer to Appendix A.

NTS Map Sheet No.: _____ Map Name: _____ Map Scale: _____
76E Contwoyto Lake 1:700,000
76F Nose Lake 1:700,000

Note that this is a transboundary project and is licenced in the Northwest Territories (see Section 6 of this Application). One of the water sources, Pellatt Lake is a transboundary lake.

6. NATURE OF INTEREST IN THE LAND - Check any of the following that are applicable to the proposed undertaking (at least one box under the 'Surface' header must be checked).

Sub-surface

☐ Mineral Lease from Nunavut Tunngavik Incorporated (NTI)
Date (expected date) of issuance: _____ Date of expiry: _____

☐ Mineral Lease from Indian and Northern Affairs Canada (INAC)
Date (expected date) of issuance: _____ Date of expiry: _____

Surface

☒ Crown Land Use Authorization from Indian and Northern Affairs Canada (INAC)
Date (expected date) of issuance: **18 Mar 2019** Date of expiry: **17 Mar 2024**
N2019F0001

☒ Inuit Owned Land (IOL) Authorization from Kitikmeot Inuit Association (KIA)
Date (expected date) of issuance: **6 Mar 2019** Date of expiry: **5 Mar 2021**
KTL219F001

☐ IOL Authorization from Kivalliq Inuit Association (KivIA)
Date (expected date) of issuance: _____ Date of expiry: _____

☐ IOL Authorization from Qikiqtani Inuit Association (QIA)
Date (expected date) of issuance: _____ Date of expiry: _____

☐ Commissioner's Land Use Authorization
Date (expected date) of issuance: _____ Date of expiry: _____

☒ Other: **Mackenzie Valley Land and Water Board**
Date (expected date) of issuance: **28 Feb 2019** Date of expiry: **27 Feb 2024**
MV2018F0024

Name of entity(s) holding authorizations:
Nahanni Construction Ltd.

7. NUNAVUT PLANNING COMMISSION (NPC) DETERMINATION

Indicate the land use planning area in which the project is located.

<input type="checkbox"/> North Baffin	<input type="checkbox"/> Keewatin
<input type="checkbox"/> South Baffin	<input type="checkbox"/> Sanikiluaq
<input type="checkbox"/> Akunnig	<input checked="" type="checkbox"/> West Kitikmeot

Is a land use plan conformity determination required?

☐ Yes

☒ No

If Yes, indicate date issued and attach copy

If No, provide written confirmation from NPC confirming that a land use plan conformity review is not required.

See attached indications from the NPC from Jan 14, 2019 and Sept 27, 2019, File #148975 (Appendix B).

8. NUNAVUT IMPACT REVIEW BOARD (NIRB) DETERMINATION

Is an Article 12 Part 4 screening determination required?

☐ Yes

☒ No

If Yes, indicate date issued and attach copy

If No, provide written confirmation from NIRB confirming that a screening determination is not required.

The original application required screening by the NIRB. This was issued on Mar 4, 2019 (#19RN005; see Appendix C). A subsequent amendment in project scope, increasing the water use volume and so requiring a type B licence, was determined to be exempt from screening.

9. DESCRIPTION OF UNDERTAKING – List and attach plans and drawings or project proposal.

The Applicant plans to construct and operate apportion of the existing Tibbitt to Contwoyto Winter Road from the Ekati turnoff in NWT to the Lupin Mine in NU, to support resupply for ongoing reclamation at the Lupin Mine.

To do so, the Applicant may withdraw up to 299 m³/day of water for construction and maintenance of a winter road, and seasonal operation, including on-ice portions and portages. Portages may require snow fill and/or ice bridges.

Where necessary, water may be withdrawn from adjacent lakes and either applied directly to the work area, being the lake ice road surface and/or portages, or stored in a water truck (approx.. 15,000 L) and then administered where needed on the ice road surface and/or at portages by crews of 2-3 people. Depending on site conditions, portages may be constructed by compacting snow with a snow cat or equivalent, and applying water to create a durable surface.

10. OPTIONS – Provide a brief explanation of the alternative methods or locations that were considered to carry out the project.

No alternative locations have been considered. The project is located within an established transportation corridor.

Alternative methods include allowing the ice thickness to naturally increase without flooding, and to use only snowfills at portages. While these may be feasible, onsite conditions vary from year to year, and so the Applicant wishes to have the flexibility to use water to support ice road and portage construction as required.

- 11. CLASSIFICATION OF PRIMARY UNDERTAKING** - Indicate the primary classification of undertaking by checking one of the following boxes.

- | | |
|-----------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| <input type="checkbox"/> Industrial | <input type="checkbox"/> Agricultural |
| <input type="checkbox"/> Mining and Milling (includes exploration/drilling/exploration camps) | |
| <input type="checkbox"/> Conservation | |
| <input type="checkbox"/> Municipal (includes camps/lodges) | <input type="checkbox"/> Recreational |
| <input type="checkbox"/> Power | <input checked="" type="checkbox"/> Miscellaneous (describe below): |
- Winter road construction**

See Schedule II of *Northwest Territories Waters Regulations* for Description of Undertakings.

Information in accordance with applicable Supplemental Information Guidelines (SIG) must be submitted with a New Water Licence Application. Indicate which SIG(s) are applicable to your application.

Refer to Appendix D.

- | |
|--------------------------------------------------------------------------------------|
| <input type="checkbox"/> Hydrostatic Testing |
| <input type="checkbox"/> Tannery |
| <input type="checkbox"/> Tourist / Remote Camp |
| <input type="checkbox"/> Landfarm & On-Site Storage of Hydrocarbon Contaminated Soil |
| <input type="checkbox"/> Onshore Oil and Gas Exploration Drilling |
| <input type="checkbox"/> Mineral Exploration / Remote Camp |
| <input type="checkbox"/> Advanced Exploration |
| <input type="checkbox"/> Mine Development |
| <input type="checkbox"/> Municipal |
| <input checked="" type="checkbox"/> General Water Works |
| <input type="checkbox"/> Power |

- 12. WATER USE** - Check the appropriate box(s) to indicate the type(s) of water use(s) being applied for.

- | | |
|-----------------------------------------------------------------------|---------------------------------------------------------------------|
| <input type="checkbox"/> To obtain water for camp/ municipal purposes | <input type="checkbox"/> To divert a watercourse |
| <input type="checkbox"/> To obtain water for industrial purposes | <input type="checkbox"/> To modify the bed or bank of a watercourse |
| <input type="checkbox"/> To cross a watercourse | <input type="checkbox"/> Flood control |
| <input type="checkbox"/> To alter the flow of, or store water | |
- ☒ Other: **Winter road construction**

- 13. QUANTITY AND QUALITY OF WATER INVOLVED** - For each type of water use indicated in Block 12, provide the source of water, the quality of the water source and available capacity, the estimated quantity to be used in cubic meters per day, method of extraction, as well as the quantities and qualities of water to be returned to source.

Name of water source(s) (show location(s) on map):

Contwoyto Lake, Pellatt Lake.

Describe the quality of the water source(s) and the available capacity:

Source water quality is expected to be characteristic of typical Arctic lakes. Source lakes are very large; withdrawal volumes will be <10% of the available water in each lake. Water used for ice road construction on lakes will remain on the lakes as ice cover.

Provide the overall estimated quantity of water to be used:

Up to 299 m³/day

Provide the estimated quantity(s) of water to be used from each source:

Up to 299 m³/day, withdrawn intermittently as needed throughout construction

Indicate the estimated quantities to be used for each purpose (camp, drilling, etc.):

Up to 299 m³/day for winter road construction

Describe the method of extraction(s): **pump with screened intake**

Estimated quantity(s) of water returned to source(s) **up to 299 m³/day, when flooding lake surface.**

Describe the quality of water(s) returned to source(s):

Pristine. Water used will be either applied directly back to the snow or ice surface, or, if stored temporarily before use, will be stored in a dedicated water truck.

- 14. WASTE** – Check the appropriate box(s) to indicate the types of waste(s) generated and deposited.

- | | |
|--------------------------------------------------|---------------------------------------------------------|
| <input type="checkbox"/> Sewage | <input type="checkbox"/> Waste oil |
| <input type="checkbox"/> Solid Waste | <input type="checkbox"/> Greywater |
| <input type="checkbox"/> Hazardous | <input type="checkbox"/> Sludges |
| <input type="checkbox"/> Bulky Items/Scrap Metal | <input type="checkbox"/> Contaminated soil and/or water |
| <input type="checkbox"/> Animal Waste | |

X Other (describe): In the event of a spill, spent spill response materials may be generated. Any other solid waste generated on site is expected to be minimal and will be disposed of offsite at authorized facilities such as the Lupin Mine (see Appendix E).

- 15. QUANTITY AND QUALITY OF WASTE INVOLVED** – For each type of waste indicated in Block 14, describe its composition, quantity in cubic meters/day, method of treatment and method of disposal.

Type of Waste	Composition	Quantity Generated	Treatment Method	Disposal Method
Spent spill response materials	Various absorbent materials	Various	-	Backhaul for disposal offsite

- 16. OTHER AUTHORIZATIONS** – In addition to the sub-surface and surface land use authorizations provided in Block 6, indicate any other authorizations required in relation to the proposed undertaking. For each provide the following:

1.

Authorization: **Approval Without a Licence (in process)**

Administering Agency: **Nunavut Water Board**

Project Activity: **Early season withdrawal to support winter road construction in advance of receipt of Type B water licence.**

Date (**expected date**) of issuance: **Dec 1, 2019** Date of expiry: **Nov 30, 2024**

- 17. PREDICTED ENVIRONMENTAL IMPACTS OF UNDERTAKING AND PROPOSED MITIGATION MEASURES** - Describe direct, indirect, and cumulative impacts related to water and waste.

[Refer to Appendix F.](#)

18. WATER RIGHTS OF EXISTING AND OTHER USERS OF WATER

Provide the names, addresses and nature of use for any known persons or properties that may be adversely affected by the proposed undertaking, including those that hold licences for water use in precedent to the application, domestic users, in-stream users, authorized waste depositors, owners of property, occupiers of property, and/or holders of outfitting concessions, registered trapline holders, and holders of other rights of a similar nature.

Advise the Board if compensation has been paid and/or agreement(s) for compensation have been reached with any existing or other users.

[It is understood that the following water licences have been issued for water use from Contwoyto Lake:](#)

- [2AM-LUP1520, water use for mine care and maintenance, Lupin Mines Inc. 76 Richmond Street East, Suite 330 Toronto, ON M5C 1P1](#)
- [2AM-JER1119, water use for winter road construction c/o CIRNAC, P.O.Box 2200 Iqaluit, NU X0A 0H0](#)

[It is understood that there are outpost camps located on Contwoyto Lake.](#)

[Given the size of Contwoyto Lake and the nature and duration of the proposed water use, none of these users are expected to be adversely affected.](#)

19. INUIT WATER RIGHTS

Advise the Board of any substantial affect of the quality, quantity or flow of waters flowing through Inuit Owned Land (IOL), and advise the Board if negotiations have commenced or an agreement to pay compensation for any loss or damage has been reached with one or more Designated Inuit Organization (DIO).

-

- 20. CONSULTATION** – Provide a summary of any consultation meetings including when the meetings were held, where and with whom. Include a list of concerns expressed and measures to address concerns.

[Refer to Appendix G.](#)

21. SECURITY INFORMATION

Provide an estimate of the total financial security for final reclamation equal to the total outstanding reclamation liability for land and water combined sufficient to cover the highest liability over the life of the undertaking. Estimates of reclamation costs must be based on the cost of having the necessary reclamation work done by a third party contractor if the operator defaults. The estimate must also include contingency factors appropriate to the particular work to be undertaken.

Where applicable, the financial security assessment should be prepared in a manner consistent with the principals respecting mine site reclamation and implementation found in the *Mine Site Reclamation Policy for Nunavut*, Indian and Northern Affairs Canada, 2002.

[Refer to Appendix H.](#)

22.	<p>FINANCIAL INFORMATION</p> <p>Provide a statement of financial responsibility.</p> <p>If the applicant is a business entity, provide a list of the officers of the company.</p> <p>If the applicant is a business entity attach a copy of the Certificate of Incorporation or evidence of registration of the company name.</p> <p style="color: blue;">Refer to Appendices I, J & K.</p>
23.	<p>STUDIES UNDERTAKEN TO DATE - List and attach copies of studies, reports, research, etc.</p> <p>-</p>
24.	<p>PROPOSED TIME SCHEDULE – Indicate the proposed start and completion dates for each applicable phase of development (construction, operation, closure, and post closure).</p> <p><u>Construction</u> Proposed Start Date: Dec 2019 Proposed Completion Date: Mar 2024 (month/year) (month/year)</p> <p><u>Operation</u> Proposed Start Date: Jan 2019 Proposed Completion Date: May 2024 (month/year) (month/year)</p> <p><u>Closure</u> Proposed Start Date: Apr 2019 Proposed Completion Date: May 2024 (month/year) (month/year)</p> <p><u>Post - Closure</u> Proposed Start Date: - Proposed Completion Date: - (month/year) (month/year)</p> <p>For each applicable phase of development indicate which season(s) activities occur.</p> <p><u>Construction</u> X Winter <input type="checkbox"/> Spring <input type="checkbox"/> Summer <input type="checkbox"/> Fall <input type="checkbox"/> All season</p> <p><u>Operation</u> X Winter <input type="checkbox"/> Spring <input type="checkbox"/> Summer <input type="checkbox"/> Fall <input type="checkbox"/> All season</p> <p><u>Closure</u> X Winter X Spring <input type="checkbox"/> Summer <input type="checkbox"/> Fall <input type="checkbox"/> All season</p> <p><u>Post - Closure</u> <input type="checkbox"/> Winter <input type="checkbox"/> Spring <input type="checkbox"/> Summer <input type="checkbox"/> Fall <input type="checkbox"/> All season</p>
25.	<p>PROPOSED TERM OF LICENCE</p> <p>Number of years (maximum of 25 years): 5 years</p> <p>Requested Date of Issuance: December 2019 Requested Expiry Date: December 2024 (month/year) (month/year)</p> <p>(The requested date of issuance must be <u>at least</u> three (3) months from the date of application for a type B water licence and <u>at least</u> one (1) year from the date of application for a type A water licence, to allow for processing of the water licence application. These timeframes are approximate and do not account for the time to complete any pre-licensing land use planning or development impact requirements, time for the applicant to prepare and submit a water licence application in</p>

accordance with any project specific guidelines issued by the NWB, or the time for the applicant to respond to requests for additional information. See the NWB's Guide 5: Processing Water Licence Applications for more information)

- 26. ANNUAL REPORTING** – If not using the NWB's Standardized Form for Annual Reporting, provide details regarding the content of annual reports and a proposed outline or template of the annual report.

The Applicant will use the NWB's Standardized Form for Annual Reporting.

- 27. CHECKLIST** – The following must be included with the application for the water licensing process to begin.

Written confirmation from the NPC confirming that NPC's requirements regarding land use plan conformity have been addressed.

☒ Yes ☐ No If no, date expected _____

Written confirmation from the NIRB confirming that NIRB's requirements regarding development impact assessment have been addressed.

☒ Yes ☐ No If no, date expected _____

Completed General Water Licence Application form.

☒ Yes ☐ No If no, date expected _____

Information addressing Supplemental Information Guideline (SIG) , where applicable (see Block 11)

☒ Yes ☐ No If no, date expected _____

English Summary of Application.

☒ Yes ☐ No If no, date expected _____

Inuktitut and/or Inuinnaqtun Summary of Application.

☒ Yes ☐ No If no, date expected _____

Application Fee of \$30.00 CDN (Payee Receiver General for Canada).

☐ Yes ☒ No

If no, date expected **Oct 15, 2019. Cheque has been sent by mail, and pdf copy of the cheque is attached (Appendix L).**

Water Use Fee Deposit of \$30.00 CDN (Payee Receiver General for Canada). The actual water use fee will be calculated by the NWB based upon the amount of water authorized for use in accordance with the Regulations at the time of issuance of the licence.

☐ Yes ☒ No

If no, date expected **Oct 15, 2019. Cheque has been sent by mail, and pdf copy of the cheque is attached (Appendix L).**

28. SIGNATURE

<u>Kenneth Ruptash</u>	<u>VP Projects</u>		<u>Oct 7, 2019</u>
Name (Print)	Title (Print)	Signature	Date

APPENDICES

Appendix A	Map
Appendix B	NPC Determinations
Appendix C	NIRB Screening Decision Report
Appendix D	SIG-M1 Water Works
Appendix E	Authorization to Use Lupin Facilities
Appendix F	Effects Assessment
Appendix G	Engagement Log
Appendix H	Security Estimate
Appendix I	Statement of Financial Responsibility
Appendix J	List of Company Officers
Appendix K	Certificate of Incorporation
Appendix L	Copy of cheques for fees
Appendix M	Spill Contingency Plan
Appendix N	Abandonment and Restoration Plan
Appendix O	Plain language summary in English, Inuktitut and Inuinnaqtun
Appendix P	Environment and Heritage Resources Protection Plan
Appendix Q	Project Description