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August 22, 2026

File: MV2026L2-0006

Mark Cliffe-Phillips
Mackenzie Valley Review Board
200 Scotia Centre
Box 938, 5102-50th Avenue
Yellowknife NT X1A 2N7

Sent by email

Dear Mark Cliffe-Phillips,

Re: North American Tungsten Corporation Ltd. – Notice of Preliminary Screening Determination – Renewal Application for Water Licence – Mining and Milling – Cantung Mine, NT

The Mackenzie Valley Land and Water Board (Board) met on August 20, 2026, and considered the Application package from North American Tungsten Corporation Ltd. (NATCL) for Water Licence (Licence) MV2026L2-0006 for mining and milling at the Cantung Mine site (Project) in accordance with the *Mackenzie Valley Resource Management Act* (MVRMA).

The Board completed a preliminary screening of the Project on October 5, 2023,¹ and NATCL has not proposed changes to the Project. Accordingly, the Board has determined that the Project is exempt from preliminary screening under Part 1, Schedule 1, section 2 of the Exemption List Regulations to the MVRMA. Consequently, no further preliminary screening was conducted. The Board's Preliminary Screening Determination and Reasons for Decision is attached.

¹ See MVLWB Online Registry www.mvlwb.com for [NATCL - Notification - Preliminary Screening Determination and RFD - Oct 6 23](#).

Please contact Kathy Racher via [email](#) or at (867) 766-7457 with any questions or concerns regarding this letter.

Yours sincerely,

A handwritten signature in blue ink that reads "Tanya MacIntosh". The signature is fluid and cursive, with the first name "Tanya" being more prominent than the last name "MacIntosh".

Tanya MacIntosh
Chair, Mackenzie Valley Land and Water Board

BCC'd to: Cantung/NATCL ORS Distribution List
Todd Martin – NATCL
Erika Nissen – Resource Management Officer (Inspector), CIRNAC
Megan Larose – Environmental Specialist (Inspector), CIRNAC
Mike Roesch – Senior Program Manager, CIRNAC

Attached: Preliminary Screening Determination and Reasons for Decision



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Preliminary Screening Determination and Reasons for Decision

Water Licence Renewal Application	
File Number	MV2026L2-0006
Company	North American Tungsten Corporation Ltd.
Project	Mining and Milling Renewal Application
Location	Cantung Mine, NT
Activity	Mining and Milling
Date of Decision	August 20, 2026

1.0 Decision

In accordance with subsection 124(1) of the [Mackenzie Valley Resource Management Act](#) (MVRMA), the Mackenzie Valley Land and Water Board (MVLWB/Board) met on August 20, 2026, to make a preliminary screening determination on the type A Water Licence (Licence) renewal Application from North American Tungsten Corporation Ltd. (NATCL) (Applicant) for Licence MV2026L2-0006¹ for mining and milling activities at the Cantung Mine site (Project).

The Project was previously licensed prior to June 22, 1984, and the Application do not include abandonment, decommissioning, or significant alterations to the Project. Accordingly, pursuant to section 157.1 of the [MVRMA](#), the Board has determined that Part 5 of the MVRMA does not apply, and no preliminary screening is required.

The Board's determinations, including reasons for its decisions, are detailed in sections [3.0](#) and [4.0](#).

¹ See MVLWB Online Registry [NATCL - Type A Licence Renewal - Application Form - Jun 26 26](#).

2.0 List of Defined Terms and Acronyms

Applicant	North American Tungsten Corporation Ltd.
Application	The complete application package submitted by the Applicant for Water Licence MV2026L2-0006.
CCAA	<i>Companies' Creditors Arrangement Act</i>
CIRNAC	Crown-Indigenous Relations and Northern Affairs Canada
DCFN	Dehcho First Nations
GNWT	Government of the Northwest Territories
Licence	Water Licence
LWBs	Land and Water Boards of the Mackenzie Valley
MVLWB or Board	Mackenzie Valley Land and Water Board
MVRMA	<i>Mackenzie Valley Resource Management Act</i>
ORS	Online Review System (www.new.onlinereviewsystem.ca)
Party	As per the LWB <i>Rules of Procedure</i> , an applicant, a person, or an organization participating in the regulatory proceeding for the Application.
Project	Cantung Mine, Mining and Milling which is the proposed development (as defined in Part 5 of the MVRMA). ²
Review Board	Mackenzie Valley Environmental Impact Review Board

3.0 Background and Scope of Screening

Project Description

The Cantung Mine operated for several years including 1962-1986, 2002-2003, 2005, and 2009-2010. Due to the decline in the price of tungsten overtime, the company filed for creditor protection on June 9, 2015, with the Supreme Court of British Columbia (the Court) pursuant to the *Companies' Creditors Arrangement Act* (CCAA), R.S.C. 1985, c. C-36. The Project transitioned to care and maintenance on October 26, 2015, with funding for relevant activities provided by Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC).

On November 16, 2015, the Court granted the NATCL's request for bankruptcy protection and appointed Alvarez & Marsal Canada Inc. as the Project's Monitor. On November 18, 2015, Canada reclassified the site as a "New Site Requiring Remediation" as per the Devolution Agreement. The administration and control of surface land and rights were transferred from the Government of the Northwest Territories (GNWT) to Canada (subsurface rights were retained by the GNWT). Since the Court's initial ruling on bankruptcy protection, the Monitor, Alvarez & Marsal Canada Inc., have sought and been granted several extensions under the CCAA.

In July 2019, the Court granted an order to jointly market and sell the Cantung and nearby Mactung properties to the private sector. The Monitor, on behalf of the Licensee, and in coordination with the GNWT

² "development" is defined in Part 5 of the [MVRMA](#) as:

"any undertaking, or any part or extension of an undertaking, that is carried out on land or water and includes an acquisition of lands pursuant to the *Historic Sites and Monuments Act* and measures carried out by a department or agency of government leading to the establishment of a park subject to the *Canada National Parks Act* or the establishment of a park under a territorial law."

and Canada, undertook a sales and marketing process to secure a successful buyer for the Project. In April 2022, the sales and marketing process was terminated without the selection of a buyer. Since then, a decision has been made to transition the Project from care and maintenance to final closure and reclamation. Previous options of returning the Project to an operational mine or continuing to fund the current phase of care and maintenance are no longer viable.

NATCL currently holds type A Licence MV2023L2-0006 for mining and milling at the Cantung Mine site, expiring January 31, 2027.³ NATCL also holds type A Land Use Permit (Permit) MV2026D0002 for care and maintenance activities of the Cantung Mine site, expiring June 16, 2031.⁴

Regulatory History – Preliminary Screening

On February 1, 2002, NATCL applied to the Board for a Licence (MV2002L2-0019) to replace Licence N3L2-0004 (issued in 1995) for its mining operation on the Flat River.⁵ During the review of this Application, the Board decided that section 157.1 of the MVRMA did not apply as Licence MV2002L2-0019 was not a continuation of the original Licence N3L2-0004 issued in 1975, and that a renewed Licence in effect was a new Licence.⁶ The Board subsequently conducted a preliminary screening of the Application and referred it to the Review Board for Environmental Assessment.⁷

On August 22, 2002 NATCL sought judicial review of the Board's decision to conduct a preliminary screening of the Application, which was dismissed by Justice Schuler of the Supreme Court of the Northwest Territories.⁸ NATCL then filed a Notice of Appeal from the decision of Justice Schuler to the Northwest Territories Court of Appeal on January 9, 2003.⁹ The Court of Appeal overturned Justice Schuler's decision and held that section 157.1 of the MVRMA grandfathers an *undertaking* licensed prior to June 22, 1984 rather than a *licence* issued prior to June 22, 1984.¹⁰

Since Licence MV2002L2-0019 was issued by the Board on November 29, 2003, the Board did conduct several preliminary screenings on applications made by NATCL, associated with the following authorizations: Licence MV2002L2-0019 and Permits MV2014D0012¹¹; MV2009Q0049¹²; MV2010C0055¹³; MV2012S0011¹⁴; MV2012C0014¹⁵; MV2014C0015¹⁶; MV2019S0009¹⁷; and MV2026D0002¹⁸. These

³ See MVLWB Online Registry for [MV2023L2-0006](#).

⁴ See MVLWB Online Registry for [MV2026D0002](#).

⁵ See MVLWB Online Registry for [MV2002L2-0019](#).

⁶ North American Tungsten Corp v Mackenzie Valley Land and Water Board, 2003 NWTCA 5.

⁷ See MVLWB Online Registry for [MV2002L2-0019 – NATCL – Preliminary Screening – Jul 03](#).

⁸ *Ibid.*

⁹ *Ibid.*

¹⁰ North American Tungsten Corp v Mackenzie Valley Land and Water Board, 2003 NWTCA 5.

¹¹ See MVLWB Online Registry for [MV2002L2-0019 MV2014D0012 - NATCL – Preliminary Screening Determination – Aug 13 14](#); and [MV2002L2-0019 MV2014D0012 – NATCL Amendment and New LUP – Preliminary Screening – Mar 2 15](#).

¹² See MVLWB Online Registry for [MV2009Q0049 – NATCL – Application – Preliminary Screening Report – Apr 1 10](#).

¹³ See MVLWB Online Registry for [MV2010C0055 – NATCL – Application – Preliminary Screening Report – May 27 11](#).

¹⁴ See MVLWB Online Registry for [MV2012S0011 – NATCL – Application – Preliminary Screening Report – Jun 7 12](#).

¹⁵ See MVLWB Online Registry for [MV2012C0014 – NATCL – Application – Preliminary Screening Report – Jun 20 12](#).

¹⁶ See MVLWB Online Registry for [MV2014C0015 – NATCL – Preliminary Screening Report – Jul 3 14](#).

¹⁷ See MVLWB Online Registry for [MV2019S0009 – NATCL – Issuance – Preliminary Screening Report – Jun 6 19](#).

¹⁸ See MVLWB Online Registry for [NATCL – Notification – Preliminary Screening Determination – Jun 2 26](#).

screenings were necessary as the applications included significant project alterations that were not exempt pursuant to section 157.1 of the MVRMA.

On April 21, 2015, NATCL submitted a renewal application to renew Licence MV2002L2-0019, which expired January 29, 2016. The Board decided that the renewal application was exempt from preliminary screening because of section 157.1 and because no significant alteration of the project was proposed since the previous screening.¹⁹ On January 28, 2016, Licence MV2015L2-0003 was issued by the Board to renew and replace Licence MV2002L2-0019, with the authorization expiring January 27, 2024.²⁰

On July 6, 2023, NATCL submitted a renewal application to renew Licence MV2015L2-0003, which was set to expire January 27, 2024. The Board decided that the renewal application was exempt from preliminary screening because of section 157.1 and because no significant alteration of the project was proposed since the previous screening.²¹ On February 1, 2024, Licence MV2023L2-0006 was issued by the Board to renew and replace Licence MV2015L2-0003, with an expiration date of January 31, 2027.²²

Description of Application

On June 18, 2026, NATCL submitted a renewal Application for a type A Licence (MV2026L2-0006) for mining and milling activities at the Cantung Mine site. In the cover letter, NATCL discussed that the Application was necessary so that NATCL can continue its current licensed activities while the regulatory proceeding for Permit MV2026X0008 and Licence MV2026L8-0004 was ongoing. This proceeding, to conduct closure activities in support of implementing the Closure and Reclamation Plan, is not expected to be completed prior to the expiration of Licence MV2023L2-0006.²³ NATCL requested the same scope and no changes to the terms and conditions as the current Licence MV2023L2-0006, and a term of five years.

The following documents were included with the Application:

- [Application Form](#)
- [Financial Capacity Letter](#)
- [Hazardous Waste Acceptance](#)
- [Certificate of Registration](#)
- [Detailed Figure](#)
- [Overview Figure](#)

¹⁹ See MVLWB Online Registry for [NATCL – Preliminary Screening Exemption Confirmation Letter – Jul 16 15](#).

²⁰ See MVLWB Online Registry for [NATCL – Issuance Letter with conditions – Type A Water Licence – Jan 28 16](#).

²¹ See MVLWB Online Registry for [NATCL – Notification – Preliminary Screening Determination and RFD – Oct 6 23](#).

²² See MVLWB Online Registry for [NATCL – Issuance – Type A Water Licence – Feb 1 24](#).

²³ See MLWB Online Review System for [NATCL – Type A Licence Renewal – Updated Application Form – Jul 24 26](#).

An Engagement Log²⁴ was included in the Application. NATCL noted they engaged with the following Parties:

- Acho Dene Koe First Nation
- Dehcho First Nation (DCFC)
- Fort Simpson Métis Local 52
- Kaska Dena Council
- Liard First Nation
- Łı́ı́ıı Kúé First Nation
- Nahæâ Dehé Dene Band
- Ross River Dena Council

The Engagement Log indicated that NATCL had engaged with Parties about the Application from April 16, 2026, to June 1, 2026, and that no issues requiring resolution were raised.

Description of Application – Preliminary Screening

Under section 157.1 of the [MVRMA](#), Part 5 of the MVRMA does not apply to licences or permits for projects that were previously licensed and/or permitted prior to June 22, 1984, and do not include abandonment, decommissioning, or significant alterations of the project.

The renewal Application does not include abandonment, decommissioning, or significant alterations to the Project.

In the cover letter, NATCL discussed that the Application is for a scope that is the same as the current Licence MV2023L2-0006. In the Application form, NATCL argued that the Application should be exempt from preliminary screening similar to Licence MV2023L2-0006, which was exempt from preliminary screening on September 28, 2023, as per section 157.1 of the MVRMA.²⁵

3.1 Public Record and Regulatory Proceeding

To assist the Board in its preliminary screening determination for the Project, the Board distributed the Application for public review on June 26, 2026, inviting reviewers to provide comments and recommendations on the Applications and the preliminary screening (e.g., on impacts and mitigation measures) using the Online Review System (ORS). Comments were due by July 17, 2026, with responses from the Applicant due July 24, 2026. The Board received comments and recommendations from CIRNAC (Yellowknife), Yellowknives Dene First Nation, GNWT – Environment and Climate Change, Liard First Nation, Environment and Climate Change Canada, and Fisheries and Oceans Canada.²⁶ The Board did not receive comments about the preliminary screening during the review of the Application.

²⁴ See MVLWB Online Registry for [NATCL – Type A Licence Renewal – Engagement Log – Jun 18 26](#).

²⁵ See MVLWB Online Registry for [NATCL – Notification – Preliminary Screening Determination and RFD – Oct 6 23](#).

²⁶ See MVLWB Online Review System for [Cantung Mining and Milling – Type A Renewal Licence Application – Jun 26 26](#).

Since there were no requests to extend the reviewer comment deadline, the Board is satisfied that a reasonable period of notice was given to affected communities and First Nations, as required by subsection 63(2) of the [MVRMA](#).

Pursuant to section 27, paragraphs (a) and (b) of the [Dehcho First Nations \(DCFN\) Interim Measures Agreement](#),²⁷ the Board has determined that written notice was given to the DCFN, and that a reasonable period of time was allowed for DCFN to make representations with respect to the Application.

4.0 Potential Impacts and Proposed Mitigations

Although the Board has determined that the Project is exempt from preliminary screening, the Board will consider the potential impacts and proposed mitigations in establishing the Licence conditions. For Board licences and permits in general, potential impacts can be mitigated through existing, standard, and/or project-specific licence and/or permit conditions. These conditions may include requirements for management and monitoring plans that provide detailed information regarding the implementation of mitigation measures and the evaluation of their effectiveness.

All Parties will have an opportunity to provide recommendations to the Board regarding draft conditions. In finalizing the conditions, the Board will consider these recommendations and all of the evidence provided through the regulatory proceeding.

4.1 Consideration of Public Concern

In addition to considering the potential impacts of the Project, the Board considered whether the Project might be a cause of public concern.

Based on the evidence provided during the regulatory proceeding thus far, the Board did not identify any comments or issues that indicate that the Project is a cause of public concern.

5.0 Conclusion

The Project was previously licensed prior to June 22, 1984, and the Application do not include abandonment, decommissioning, or significant alterations to the Project. Accordingly, pursuant to section 157.1 of the [MVRMA](#), the Board has determined that Part 5 of the MVRMA does not apply. Consequently, no preliminary screening was conducted.

SIGNATURE



Tanya MacIntosh, Chair
Mackenzie Valley Land and Water Board

August 22, 2026

Date

²⁷ See MVLWB Land Claims, IMAs, and Land Use Plans webpage to access the [Dehcho First Nations Interim Measures Agreement](#).