



Mackenzie Valley Land and Water Board
7th Floor - 4922 48th Street
P.O. Box 2130
YELLOWKNIFE NT X1A 2P6
Phone (867) 669-0506
FAX (867) 873-6610

MVLWB Work Plan for the De Beers Canada Inc. – Snap Lake Mine
Application for Water Licence MV2019L2-0004

Purpose of the Work Plan

To outline the processes and timelines to be followed for the April 2019 Application for Water Licence (Licence) MV2019L2-0004 for the De Beers Canada Inc. (De Beers) closure and reclamation of the Snap Lake Mine (Project).

Background

On April 1, 2019 De Beers submitted an Application for Licence MV2019L2-0004 to conduct activities associated with the closure and reclamation of the Snap Lake Mine. On April 12, 2019, the Mackenzie Valley Land and Water Board (MVLWB or the Board) deemed the Licence Application complete.

Scope of the Project

The scope of this Project includes the closure and post-closure phases of the Snap Lake Mine as outlined in De Beers' Application submitted on April 1, 2019 and subsequently submitted supporting documents.

Guiding Principles

The following principles will guide the Work Plan of the MVLWB throughout this licencing processes:

- The processes shall be carried out in a timely manner and shall have regard to the protection of the environment in consideration of the impacts of the proposed undertaking and the importance of conservation to the wellbeing and way of life of the Aboriginal peoples of Canada (Section 35 of the *Constitution Act, 1982*);
- The Board will review De Beers' April 2019 Application and consider potential Licence conditions based on the evidence and rational submitted by the company or any other party; and
- The Board will review De Beers' April 2019 Application and consider potential Licence conditions in order to meet the Board' mandate and applicable policies and to ensure consistency in decision-making throughout the Mackenzie Valley.

Work Plan Objectives

The Work Plan is to achieve the following objectives:

- Compile a broad range of input through the review processes;
- Ensure adequate information is gathered to complete the licensing processes;
- Facilitate a thorough, inclusive, and timely Licence review processes; and
- Establish adequate Licence conditions to ensure protection of the environment.

Opportunities for Community Engagement

- The Board required De Beers to engage with communities and Aboriginal organizations regarding the Licence Application prior to its submissions;
- The Board will distribute the Application to reviewers – including Aboriginal organizations, governments, and communities – for review using the Land and Water Board Online Review System;
- The Board will include a notification(s) regarding the review process in the newspaper;
- The Board will coordinate a technical session(s) to address specific issues that require more focused review and discussion;
- The Board will hold a public hearing and provide notice to the public of this, in advance, in the newspaper; and
- The Board will hold any other consultation or engagement activity that the Board considers appropriate.

Materials Circulated for Comment by Parties

During the course of these proceedings, Board staff will review all evidence filed by the parties. These efforts are intended to identify issues or concerns which must be addressed in the Licence and to resolve them, if possible, before the close of the proceedings. In order to focus these discussions, staff will update and re-circulate a draft of the Licence for comment. This process allows parties to address the proposed terms and conditions for the Licence in their presentations to the Board and to prepare arguments setting out their positions with respect to these provisions at the close of the proceedings.

These staff efforts to develop and circulate a draft Licence should focus discussion on appropriate terms and conditions for the authorization. The Board is not bound by the contents of any of these draft materials and will make its decision at the close of the proceedings on the basis of all the evidence and arguments filed by all parties.

The table on the following page sets out the main process steps in the Board’s Work Plan and indicates the responsible party for each, as well as the anticipated completion date for each item.

Regulatory Process Timelines

Table 1 below sets out the regulatory process tasks and timelines for the April 2019 Application. Subsection 47(1) of the *Waters Act* requires the MVLWB to make a decision on a water licence application within a period of nine months after the day on which an application is deemed complete and the review process begins. Based on section 28 of the *Federal Interpretation Act*, this is equivalent to 275 calendar days. The MVLWB Day Count stops whenever the Board requires the Proponent to provide information for the regulatory process to continue (signified by the red shading in the table below). Once that information has been provided, the MVLWB Day Count resumes (signified by the green shading in the table below). Significant milestones have also been bolded in the table below.

Table 1: Regulatory process timeline

Item #	Task	Responsible Party	MVLWB Day Count (275 Max)	April Renewal Due Date (Date Completed)
1.	Application Submitted	Proponent		April 1, 2019
2.	Application deemed complete	MVLWB staff	11	April 12, 2019
3.	Application and Draft Work Plan sent out for review	MVLWB staff	11	April 12, 2019
4.	Comments due on the Draft Work Plan	Reviewers and Proponent	22	April 23, 2019
5.	Reviewer comments due on Application	Reviewers	46	May 17, 2019
6.	Proponent responses to Reviewer comments on Application	Proponent	46	May 30, 2019
7.	Preliminary Screening	MVLWB	53	June 6, 2019
8.	Technical session	All Parties	58-60	June 11-13, 2019
9.	Circulate Information Requests from Technical Session	MVLWB staff	64	June 17, 2019
10.	Deadline to respond to Information Requests	All Parties	64	July 2, 2019
11.	Pre-Hearing Conference	All Parties	84	July 22, 2019
12.	Deadline for Interventions	Interveners	99	August 6, 2019
13.	Proponent response to Interventions	Proponent	99	August 19, 2019
14.	Deadline for Intervener Public Hearing presentations	Interveners	106	August 27, 2019
15.	Proponent Public Hearing presentation due	Proponent	113	September 3, 2019
16.	Public Hearing	All Parties	135	September 25, 2019
17.	Circulate Public Hearing Undertakings	MVLWB staff	142	October 2, 2019
18.	Public Hearing Undertakings due	All Parties	142	October 16, 2019
19.	Circulate Draft Licence	MVLWB staff	156	October 30, 2019
20.	Reviewer comments due on Draft Licence	Reviewers	170	November 13, 2019
21.	Proponent response to reviewer comments on Draft Licence	Proponent	170	November 20, 2019
22.	Deadline for Closing Arguments from Interveners	Interveners	177	November 27, 2019
23.	Deadline for Closing Arguments from Proponent	Proponent	184	December 4, 2019
24.	Board decision on Application	MVLWB	-	Mid-December 2019
25.	Water Licence sent to the GNWT Minister for review	Board staff	-	Mid January 2020
26.	Final decision from the GNWT Minister	Minister	Up to 90 days	Mid April 2020

Please note that the Work Plan has been created based on the information available and is subject to change at any time.