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MVLWB Work Plan for Pine Point Mining Limited – Confirmation and Exploration Program Applications for Water Licence MV2020L8-0012 and Land Use Permit MV2020C0017

Purpose of the Work Plan

To outline the processes and timelines to be followed for the Water Licence (Licence) Application MV2020L8-0012 and Land Use Permit (Permit) Application MV2020C0017 for the Pine Point Mining Limited (PPML) – Confirmation and Exploration Program. Please note that there is a separate Environmental Assessment proceeding for the Mining and Milling activities for PPML with the Mackenzie Valley Review Board ([EA2021-01](#)).

Background

On November 27, 2020, PPML applied for new Licence MV2020L8-0012 and Permit MV2020C0017 for their confirmation and exploration program at Pine Point, NT. On December 7, 2020, the Mackenzie Valley Land and Water Board (MVLWB or the Board) deemed the Applications complete.

To accommodate the additional time required for PPML to respond to reviewer's comments on the Responses to Information Requests, the Work Plan (Version 2) has been revised to ensure Parties have all the information required prior to submitting its interventions.

On April 20, 2021, Version 3 of the Work Plan was revised to include an additional day for the public hearing.

Scope of the Project

The scope of this Project includes exploration by drilling or pitting to find additional mineral deposits, definition core drilling of the known mineral deposits to establish the extent and grade of the mineralization, geotechnical investigations by core drilling and test pitting, collection of metallurgical test samples of rock by small scale quarrying and collection of pit water samples, establishing groundwater recharge and discharge rates for existing pits and water reinjection wells, use of heavy machinery and vehicles, construction and maintenance of camps, and fuel storage. The scope is outlined in PPML's Project Description submitted on November 27, 2020.

Guiding Principles

The following principles will guide the Work Plan of the MVLWB throughout this licencing and permitting process:

- The process 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 PPML's applications and consider potential Licence and Permit conditions based on evidence and rationale submitted by the company or any other party;

- The Board may also consider changes it considers appropriate to meet its mandate, applicable policies, and to ensure consistency in decision-making throughout the Mackenzie Valley; and
- The Board will actively continue to monitor compliance with existing Permit and Licence requirements.

Work Plan Objectives

The Work Plan is to achieve the following objectives:

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

Opportunities for Community Engagement

- The Board requires PPML to engage with communities and aboriginal organizations regarding the licence and permit Applications prior to their submission;
- The Board will distribute the licence and permit Applications to reviewers including aboriginal organizations, governments, and communities – for review using the LWB 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 this proceeding 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 permit and to resolve them, if possible, before the close of the proceeding. In order to focus these discussions, staff will prepare and circulate a draft of the licence and permit for comment. This process allows parties to address the proposed terms and conditions for the licence and permit in their presentations to the Board and to prepare argument setting out their positions with respect to these provisions at the close of the proceeding.

These staff efforts to develop and circulate a draft licence and permit should focus discussion on appropriate terms and conditions for these authorizations. The Board is not bound by the contents of any of these draft materials and will make its decision at the close of the proceeding 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. Subsection 22(2) of the Mackenzie Valley Land Use Regulations requires the MVLWB to make a decision on the land use permit application

within a period of 42 days after receipt of the complete 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)	Due Date (Date Completed)
1	Applications Submitted	Proponent	0	27-Nov-20
2	Applications deemed complete	MVLWB staff	0	7-Dec-20
3	Applications sent out for review	MVLWB staff	0	7-Dec-20
4	Reviewer comments due on Application	Reviewers	43	19-Jan-21
5	Proponent responses to Reviewer comments on Applications	Proponent	43	2-Feb-21
6	Technical Session Day 1 and 2 (two half days)	All Parties	65	24-Feb-21
			66	25-Feb-21
7	Circulate Information Requests from Technical Session	MVLWB staff	67	26-Feb-21
8	Deadline to respond to Information Requests	All Parties	67	12-Mar-21
9	Circulate responses to Information Requests for review	MVLWB staff	71	16-Mar-21
10	Responses to Information Requests - Review Comments Due	Reviewers	78	23-Mar-21
11	Responses to Information Requests - Proponent Responses Due	Proponent	78	30-Mar-21
12	Additional Responses to Information Requests - Proponent Responses Due	Proponent	78	20-Apr-21
13	Deadline for Interventions	Interveners	92	4-May-21
14	Pre-Hearing Conference	All Parties	92	5-May-21
15	Proponent response to Interventions	Proponent	92	11-May-21
16	Deadline for Intervener Public Hearing presentations	Interveners	107	26-May-21
17	Proponent Public Hearing presentation due	Proponent	114	2-Jun-21
18	Public Hearing Day 1-3	All Parties	127	15-Jun-21
			128	16-Jun-21
			129	17-Jun-21

Item #	Task	Responsible Party	MVLWB Day Count (275 Max)	Due Date (Date Completed)
19	Circulate Public Hearing Undertakings	MVLWB staff	134	22-Jun-21
20	Public Hearing Undertakings due	All Parties	134	12-Jul-21
21	Circulate Draft Licence	MVLWB staff	148	26-Jul-21
22	Reviewer comments due on Draft Licence	Reviewers	163	10-Aug-21
23	Proponent response to reviewer comments on Draft Licence	Proponent	163	17-Aug-21
24	Deadline for Closing Arguments from Interveners	Interveners	177	31-Aug-21
25	Deadline for Closing Arguments from Proponent	Proponent	177	9-Sept-21
26	Board decision on Applications	MVLWB	-	Mid October, 2021
27	Water Licence sent to the GNWT Minister for review	Board staff	-	Late October, 2021
28	Final decision from the GNWT Minister	Minister	Up to 90 days	Mid January, 2022

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