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Work Plan

File Number	W2020L2-0004, W2021X0004 & W2021D0005
Applicant	Arctic Canadian Diamond Company Ltd.
Project	Point Lake – Amendment Application for W2020L2-0004 and new Applications for W2021X0004 & W2021D0005
Location	Lac de Gras, NT
Activity	Mining and Milling
Date of Work Plan	September 20, 2021
Work Plan Version	Version 3

Purpose of the Work Plan

To outline the processes and timelines to be followed for this regulatory proceeding.

Background

On May 31, 2021, the Arctic Canadian Diamond Company Ltd. (Arctic) submitted an application to amend Water Licence W2012L2-0001 (Licence)¹ and two complete applications for Type A Land Use Permits (Permits)^{2, 3} for the Ekati Diamond Mine Point Lake Project to the Wek'èezhì Land and Water Board (Board). On June 2, 2021, the Applicant submitted additional information as requested, and on Jun 10, 2021, the Application Package was deemed complete.

Scope of the Project

Arctic is proposing to fish-out and dewater Point Lake to allow for open pit mining of the Point Lake Kimberlite Pipes. This would include installation of dewatering infrastructure, construction of a waste rock storage area, installation of minewater pipelines, construction of roads, construction of a utility area, and open pit mining. Once the area is mined, Arctic will then conduct closure and reclamation including covering of the WRSA, flooding of the Point Lake open pit, and reclamation of remaining site infrastructure.

¹ See WLWB Online Registry (www.wlwb.ca) for [W2012L2-0001 – Ekati – Point Lake – Amendment Application – May 31 21](#)

² See WLWB Online Registry for [Ekati – Point Lake – Early Works Permit Application – May 31 21](#)

³ See WLWB Online Registry for [Ekati – Point Lake – Permit Application – May 31 21](#)

Guiding Principles

The following principles will guide the Board's regulatory proceeding:

- The Board will carry out the regulatory proceeding in a timely manner and in accordance with the Boards' *Rules of Procedure*;
- The Board shall consider the impacts of the proposed Project on and the importance of conservation to the wellbeing and way of life of the Indigenous peoples of Canada (section 35 of the *Constitution Act, 1982*);
- The Board will review the Application Package and develop the licence and permits based on the evidence and rationale submitted by the Applicant and other Parties; and
- The Board will develop the licence and permits in accordance with the Board's mandate and applicable policies to ensure protection of the environment and, where possible, consistency in decision-making throughout the Mackenzie Valley.

Work Plan Objectives

The Work Plan objectives are to:

- Compile a broad range of input through the review process;
- Ensure adequate information is gathered to complete the Board's regulatory proceeding; and
- Facilitate a thorough, inclusive, and timely regulatory proceeding.

Opportunities for Community Engagement

- The Board requires the Applicant to engage with potentially affected parties – including communities and Indigenous organizations and governments – regarding the Application Package prior to submission;
- The Board will distribute the Application Package for public review using the LWB Online Review System (ORS) and will place a notification(s) regarding the review process in the newspaper;
- The Board will coordinate a technical session to address specific issues that require more focused review and discussion;
- The Board will hold a public hearing and will place a notification regarding the hearing in the newspaper; and
- The Board will hold any other consultation or engagement activity that the Board considers appropriate.

Regulatory Proceeding Timelines

Subsection 47(1) of the *Waters Act* requires the Board 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 Board's day count stops whenever the Board requires the Applicant to provide information for the regulatory proceeding to continue (signified by the red shading in the table below). Once that information has been provided, the Board's day count resumes (signified by the green shading in the table below).

The Work Plan table below sets out the main process steps and indicates the responsible Party and the anticipated completion date for each item. Significant milestones are indicated in bold text.

Work Plan

Task	Responsible Party	Date Due (Date Completed)
Application Package Submitted	Applicant	Monday, May 31, 2021
Application Package Complete and Distributed for Review with Draft Work Plan	Board staff	Thursday, June 10, 2021
Deadline for Comments on Draft Work Plan	All Parties	Thursday, June 24, 2021
Deadline for Comments on Application Package and for Notices of Compensation Claims	Reviewers	Thursday, July 15, 2021
Deadline for Applicant's Responses to Comments	Applicant	Thursday, July 29, 2021
Preliminary Screening Determination	Board	August 2021
If Preliminary Screening decision it to continue with the regulatory process, then draft work plan follows below		
Circulate draft agenda for technical session	Board staff	Friday, August 27, 2021
Comments due on draft agenda for technical session	All Parties	Thursday, September 2, 2021
Circulate agenda for technical session	Board staff	Monday, September 6, 2021
Technical Session	All Parties (Chateau Nova)	Tuesday – Thursday, September 7-9, 2021
Distribute Technical Session Information Requests	Board Staff	Friday, September 10, 2021
Deadline for Responses to Information Requests	All Parties	Friday, September 17, 2021
Deadline for Review of IR Responses	All Parties	Monday, October 4, 2021
Deadline for Response to IR Review	Applicant	Tuesday, October 12, 2021
Pre-Hearing Conference	All Parties	Monday, October 18, 2021
Deadline for Interventions and for Compensation Claims	Intervenors	Thursday, October 28, 2021
Deadline for Applicant's Response to Interventions	Applicant	Friday, November 12, 2021

Task	Responsible Party	Date Due (Date Completed)
Deadline for Interveners' Public Hearing Presentations	Interveners	Monday, November 15, 2021
Deadline for Applicant's Public Hearing Presentation	Applicant	Wednesday, November 17, 2021
Circulate Public Hearing agenda and presentations	Board staff	Thursday, November 18, 2021
Public Hearing	All Parties (Behchokò Sportsplex)	Tuesday – Friday, November 23-26, 2021
Distribute Public Hearing Undertakings	Board Staff	Friday, November 26, 2021
Deadline for Public Hearing Undertakings	All Parties	Friday, December 3, 2021
Draft Licence and Permit(s) Distributed for Review	Board Staff	Tuesday, December 14, 2021
Deadline for Reviewer Comments on Draft Licence and Permit(s)	Reviewers	Tuesday, January 11, 2022
Deadline for Applicant's Comments on Draft Licence and Permit(s)	Applicant	Tuesday, January 18, 2022
Deadline for Interveners' Closing Arguments	Interveners	Tuesday, February 1, 2022
Deadline for Applicant's Closing Arguments	Applicant	Tuesday, February 8, 2022
Board Meeting	Board	March 2022
Board Recommendation to the Minister	Board	April 2022
Minister's Decision	Minister	Within 45 days of WLWB Recommendation. The Minister may extend time limit of Decision by up to 45 days.

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