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Pre-Hearing Conference Agenda

Dominion Diamond Mines ULC (Dominion)
W2012L2-0001 Renewal Application

DATE & TIME: Tuesday, February 2, 2021, 10:30 – 12:00 am MST
LOCATION: Zoom Videoconference

The purpose of the Pre-Hearing Conference is to allow Parties to better understand the public hearing process and to provide clarity on the next steps of this proceeding. This meeting is typically attended in-person by both the Proponent and potential Interveners, with their respective legal counsel; however, as a result of the current Covid-19 situation, the Pre-Hearing Conference will proceed via the Zoom videoconference platform. Parties should be prepared to discuss the following:

- Whether they intend to submit an Intervention;
- If so, how many and which representatives will be in attendance at the Public Hearing;
- The major topics that will be addressed in evidence and an indication of how much time will be required to present the Intervention;
- Any preliminary legal issues or matters of clarification that Parties feel should be addressed before the Public Hearing; and
- If no Public Hearing is held, whether they would like to submit final arguments or agree that the Board can proceed to make a decision with the evidence already on the record.

The meeting will follow these agenda topics:

| No. | TOPIC |
|-----|---|
| 1. | WLWB Opening Comments |
| 2. | Roundtable Introductions |
| 3. | Review of Work Plan (attached and available online ¹) |
| 4. | Procedural Details of Hearing |
| 5. | Identification of Preliminary Legal Questions |
| 6. | General Questions and Next Steps |

Please RSVP before 12:00 pm (noon) Mountain Standard Time (MST) on February 1, 2021. Those who RSVP will be sent a meeting invitation with a link to the Zoom meeting.

Attachment: Work Plan

¹ See WLWB Online Registry (www.wlwb.ca) for [Ekati – Renewal – Work Plan – Dec 15 20](#)

**Work Plan for the Water Licence Application:
Dominion Diamond Mines ULC – W2020L2-0004
Ekati Water Licence Renewal**

Work Plan Timeline

See page 3.

Purpose of the Work Plan

To outline the processes and timelines to be followed for the application for Water Licence W2020L2-0004 (renewal of W2012L2-0001) for the Ekati Diamond Mine.

Background

Dominion Diamond Mines ULC (Dominion) submitted a renewal application to the Wek'èezhìi Land and Water Board (WLWB) on November 26, 2020. The existing Licence will be expiring on August 18, 2021. The Applicant is applying for a twenty-six (26) months renewal to the term of its Licence with no other proposed changes to the existing Licence.¹

Scope of the Project

The scope of this project includes water use, diversions, dewatering, and deposits of waste associated with the Ekati Diamond Mine, as described under Part A, condition 1 of the current Water Licence (W2012L2-0001).

Guiding Principles

The following principles will guide the Work Plan of the WLWB throughout this water licence renewal process:

- The licencing and permitting 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 proposed undertaking and the importance of conservation to the well being and way of life of the Indigenous Peoples of Canada (Section 35 of the *Constitution Act, 1982*);
- The Board will review Dominion's application and consider potential conditions based on evidence and rationale submitted by the applicant and other parties;
- The Board will review Dominion's Application and consider potential conditions in order to meet the Board's mandate and applicable policies, and to ensure consistency in decision-making throughout the Mackenzie Valley; and
- The Board will continue to monitor compliance with existing Water 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 water licensing process;
- Facilitate a thorough, inclusive, and timely water licensing process; and
- Establish Water Licence conditions to ensure adequate protection of the environment.

Opportunities for Engagement

- The Board requires the Proponent to engage with communities and Indigenous organizations regarding applications prior to its submission;
- The Board will distribute the application to all reviewers on the Board's 'Ekati distribution list' – including Indigenous 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;

¹ See WLWB Online Registry for
December 15, 2020



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- The Board will hold a public hearing and provide notice to the public of this, in advance, in the newspaper; and
- Any other consultation or engagement activity that the Board considers appropriate.

| Task | Responsible Party | Due/Complete |
|---|--------------------|----------------------------------|
| Application submitted by Proponent | Proponent | Thursday, November 26, 2020 |
| Application distributed for review | WLWB | Friday, December 4, 2020 |
| Comments due on draft work plan | Reviewers | Monday, December 14, 2020 |
| Comments due on application | Reviewers | Tuesday, January 12, 2021 |
| Response to comments on application | Proponent | Tuesday, January 26, 2021 |
| Pre-Hearing Conference | All Parties | Tuesday, February 2, 2021 |
| Deadline for Interventions | Interveners | Wednesday, February 17, 2021 |
| Deadline for Response to Interventions | Proponent | Wednesday, February 24, 2021 |
| Circulate agenda for Public Hearing | WLWB | Thursday, February 25, 2021 |
| Deadline for Interveners Public Hearing presentations | Interveners | Thursday, February 25, 2021 |
| Deadline for Proponent Public Hearing presentations | Proponent | Friday, February 26, 2021 |
| Public Hearing | All Parties | March 3 and 4, 2021 |
| Deadline for Public Hearing Undertakings | All Parties | Thursday, March 11, 2021 |
| Draft Water Licence distributed for Review | WLWB | Monday, March 15, 2021 |
| Deadline for Reviewer comments on Draft Water Licence and Closing Statements | Interveners | Tuesday, March 30, 2021 |
| Deadline for Proponent response to Draft Water Licence and Closing Statements | Proponent | Tuesday, April 6, 2021 |
| Board Meeting | WLWB | May 2021 |
| WLWB Recommendation to the Minister | WLWB | May/June 2021 |



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| | | |
|-------------------------------------|----------|---|
| Timeline for Decision from Minister | Minister | Within 45 days of WLWB Recommendation. The Minister may extend time limit of Decision by up to 45 days. |
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Please note that the Work Plan has been created based on information available and is subject to change at any time.