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Work Plan

| | |
|--------------------------|---|
| File Number | W2020L8-0001 |
| Applicant | Government of Northwest Territories – Department of Infrastructure (GNWT-INF) |
| Project | Tłı̄chq̄ All Season Road (TASR) – Water Licence Amendment Application – Water Use |
| Location | Tłı̄chq̄ All Season Road |
| Activity | Miscellaneous – Road Maintenance and Operations |
| Date of Work Plan | May 1, 2023 |
| Work Plan Version | Version 2 |

Purpose of the Work Plan

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

Background

On March 29, 2023, the Applicant submitted an Application to amend its type A Water Licence W2020L8-0001 (Licence) (the Application Package) for the Project to the Wek'èezhì Land and Water Board (Board). On March 31, 2023, the Application Package was deemed complete. The Licence previously allowed for 900 m³/day water withdrawal during construction activities until August 30, 2022, followed by a reduction to 299 m³/day until the expiry of the Licence (i.e., May 29, 2026). During the summer of 2022, the Applicant determined that more than 299 m³/day would be required for the application of calcium chloride for dust suppression purposes on the Tłı̄chq̄ All Season Road (TASR) until the expiry of the Licence.

Scope of the Project

The scope of the Project is to increase the daily allowable water withdrawal from 299 m³ to 900 m³, which GNWT-INF requires for dust suppression purposes for 5 to 10 days between the months of June and August, as outlined in the Application Package.

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 based on the evidence and rationale submitted by the Applicant and other Parties; and
- The Board will develop the licence 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:

- 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, a draft Work Plan, and a draft Licence for public review using the LWB Online Review System (ORS);
- The Board will place a notification(s) regarding the review process in the newspaper;
- The Board will schedule 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). Significant milestones have also been bolded 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.

Work Plan

| Task | Responsible Party | Date Due (Date Completed) |
|--|---|---------------------------------|
| Application Package Submitted | Applicant | Wednesday, March 29, 2023 |
| Application Package Complete and Distributed for Review with Draft Work Plan | Board staff | Friday, March 31, 2023 |
| Deadline for Comments on Draft Work Plan | All Parties | Thursday, April 06, 2023 |
| Deadline for Comments on Application Package and for Notices of Compensation Claims | Reviewers | Thursday, April 13, 2023 |
| Deadline for Applicant's Responses to Comments | Applicant | Friday, April 14, 2023 |
| Preliminary Screening Determination | Board | April, 2023 |
| Pre-Hearing Conference | All Parties [WLWB Office/Zoom] | Monday, April 17, 2023 |
| Deadline for Interventions, Public Hearing Presentations, and for Compensation Claims | Interveners and Compensation Claimants | Thursday, April 27, 2023 |
| Deadline for Applicant's Response to Interventions and Public Hearing Presentation | Applicant | Monday, May 01, 2023 |
| Public Hearing Canceled | All Parties | Monday, May 1, 2023 |
| Draft Licence Distributed for Review | Board Staff | Tuesday, May 2, 2023 |
| Deadline for Comments on Draft Licence and Closing Statements | Reviewers | Tuesday May 09, 2023 |
| Deadline for Applicant's Comments on Draft Licence and Closing Statements | Applicant | Wednesday, May 10, 2023 |
| Board Meeting | Board | May, 2023 |
| Board Recommendation to the Minister | Board | May, 2023 |
| Minister's Decision | Minister | Up to 90 days |

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

Work Plan Revision History

| Version | Date | Rationale for Revision |
|----------------|----------------|---|
| 1 ¹ | April 11, 2023 | To remove "Draft" watermark. |
| 2 | May 1, 2023 | Adjusted the timelines due to cancellation of the Public Hearing. |

¹ See WLWB Online Registry [www.wlwb.ca/] for [GNWT-INF - TASR - WL Amendment - Water Use - Work Plan - Apr 11 23](#).