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Work Plan

File Number	W2021L2-0004, W2021L2-0005, W2021C0009
Applicant	Nighthawk Gold Corp.
Project	Nighthawk – Type A Water Licence Application (federal and non-federal) and Type A Land Use Permit Application
Location	Indin Lake, NT
Activity	Mining and milling; mineral exploration
Date of Work Plan	July 21, 2022
Work Plan Version	Version #5

Purpose of the Work Plan

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

Background

On October 26, 2021, the Applicant submitted Applications for two type A Water Licences (federal and non-federal Licences) and a Type A Land Use Permit (Permit) (the Application Package) for the Project to the Wek'èezhì Land and Water Board (Board). On November 3, 2021, Nighthawk submitted an updated Land Use Permit Application which included an update to the RECLAIM estimate. On November 5, 2021, the Application Package was deemed complete.

Scope of the Project

The scope of the Project includes advanced exploration activities at the Indin Lake Gold Property, NT as outlined in the Application Package:

- a) advanced mineral exploration, including the use of water and deposit of waste for a camp, use of satellite camps, and use of water for drilling;
- b) maintenance, reclamation, and closure, including management of waste rock, ore, and underground portal, and any associated Seepage or discharge of water;
- c) construction, maintenance, and use of winter road and access roads;
- d) use and storage of explosives for trenching and bulk sampling if required;
- e) construction, operation, and maintenance of winter roads and spur roads;
- f) use and storage of fuel; and

- g) use of vehicles and equipment.

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 licences and permit based on the evidence and rationale submitted by the Applicant and other Parties; and
- The Board will develop the licences and permit 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 draft Licences and a draft Permit 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 coordinate a technical workshop 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* and subsection 72.18(1) of the MVRMA 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	Tuesday, October 26, 2021
Updated Land Use Permit Application and Associated Information Submitted	Applicant	Wednesday, November 3, 2021
Application Package Complete and Distributed for Review with Draft Work Plan	Board staff	November 5, 2021
Deadline for Comments on Draft Work Plan	All Parties	Thursday, November 18, 2021
Deadline for Comments on Application Package and for Notices of Compensation Claims	Reviewers	Thursday, December 9, 2021
Deadline for Applicant’s Responses to Comments	Applicant	Thursday, December 23, 2021
Preliminary Screening Determination	Board	January, 2022
Circulate Draft Agenda for Technical Workshop	Board staff	Friday, January 28, 2022
Comments Due on Draft Agenda for Technical Workshop	All Parties	Friday, February 4, 2022
Circulate Agenda for Technical Workshop	Board staff	Tuesday, February 8, 2022
Technical Workshop	All Parties (Yellowknife)	Tuesday – Thursday, February 15-17, 2022
Distribute Technical Workshop Information Requests	Board Staff	Friday, February 18, 2022
Deadline for Responses to Information Requests	All Parties	Monday, February 28, 2022
Pre-Hearing Conference	All Parties (Zoom)	Thursday, March 10, 2022
Deadline for Interventions and for Compensation Claims	Interveners and Compensation Claimants	Monday, March 21, 2022

Task	Responsible Party	Date Due (Date Completed)
Deadline for Applicant's Response to Interventions	Applicant	Monday, March 28, 2022
Deadline for Interveners' Public Hearing Presentations	Interveners	Thursday, March 31, 2022
Deadline for Applicant's Public Hearing Presentation	Applicant	Monday, April 4, 2022
Public Hearing	All Parties (Yellowknife)	Tuesday – Wednesday, April 12-13, 2022
Distribute Public Hearing Undertakings	Board Staff	Friday, April 15, 2022
Deadline for Public Hearing Undertakings	All Parties	Friday, April 22, 2022
Information Request (IR) sent to Applicant	Board staff	Monday, April 25, 2022
Deadline for IR Response from Applicant	Applicant	Thursday May 5, 2022
IR Response Distributed for Public Review	Board Staff	Friday May 6, 2022
Deadline for Comments on Information Response	Reviewers	Thursday, May 19, 2022
Deadline for Applicant's Responses	Applicant	Wednesday, June 1, 2022
Draft Licences and Permit Distributed for Review	Board Staff	Wednesday, June 08, 2022
Deadline for Comments on Draft Licences and Permit	Reviewers	Wednesday, June 22, 2022
Deadline for Applicant's Comments on Draft Licences and Permit	Applicant	Wednesday, June 29, 2022
Deadline for Closing Arguments	Reviewers	Monday, July 11, 2022
Deadline for Applicant's Closing Arguments	Applicant	Monday, July 18, 2022
IR sent to Applicant	Board staff	Thursday July 21, 2022
Deadline for IR Response from Applicant	Applicant	Tuesday, August 2, 2022
IR Response Distributed for Public Review	Board Staff	Wednesday, August 3, 2022
Deadline for Comments on Information Response	Reviewers	Tuesday, August 23, 2022

Task	Responsible Party	Date Due (Date Completed)
Deadline for Applicant's Responses	Applicant	Sunday, August 28, 2022
Deadline for submission of or updates to Closing Arguments	Reviewers	Tuesday, September 6, 2022
Deadline for updates to Applicant's Closing Arguments	Applicant	Tuesday September 13, 2022
Board Meeting	Board	September/October, 2022
Board Recommendation to the Minister	Board	October/November, 2020
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	November 19, 2021	Initial Work Plan
2 ²	March 28, 2022	Revised to reflect a two-day Public Hearing.
3 ³	April 25, 2022	Revised to reflect additional steps to consider the April 25, 2022 WLWB Information Request ⁴
4 ⁵	May 26, 2022	Revised to request to extend proponent deadline to respond to ORS comments on Response to April 25, 2022 WLWB Information Request
5	July 21, 2022	Revised to reflect additional steps to consider the July 21, 2022 WLWB Information Request

¹ See WLWB Online Registry www.wlwb.ca/ for [Nighthawk - Non-Federal WL - Work Plan - Nov 22 21.pdf](#)

² See WLWB Online Registry for [Nighthawk - Federal WL - Work Plan - Mar 28 22.pdf](#)

³ See WLWB Online Registry for [Nighthawk - Federal WL - Work Plan - Apr 25 22.pdf](#)

⁴ See WLWB Online Registry for [Nighthawk – Federal WL Application – Information Request to Nighthawk – Apr 25 22](#)

⁵ See WLWB Online Registry for [Nighthawk - Federal WL - Work Plan - May 26 22.pdf](#)