



PO Box 32, Wekweètì NT X0E 1W0  
Tel: 867-713-2500 Fax: 867-713-2502

#1-4905 48th Street, Yellowknife NT X1A 3S3  
Tel: 867-765-4592 Fax: 867-765-4593  
[www.wlwb.ca](http://www.wlwb.ca)

### DRAFT Work Plan

<b>File Number</b>	W2012L2-0001, W2021X0004 & W2021D0005
<b>Applicant</b>	Arctic Canadian Diamond Company Ltd.
<b>Project</b>	Point Lake – Amendment Application for W2012L2-0001 and new Applications for W2021X0004 & W2021D0005
<b>Location</b>	Lac de Gras, NT
<b>Activity</b>	Mining and Milling
<b>Date of Work Plan</b>	June 10, 2021
<b>Work Plan Version</b>	Version 1

#### 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)<sup>1</sup> and two complete applications for Type A Land Use Permits (Permits)<sup>2, 3</sup> 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.

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

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

<sup>3</sup> 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
<b>Application Package Complete and Distributed for Review with Draft Work Plan</b>	<b>Board staff</b>	<b>Thursday, June 10, 2021</b>
Deadline for Comments on Draft Work Plan	All Parties	Thursday, June 24, 2021
<b>Deadline for Comments on Application Package and for Notices of Compensation Claims</b>	<b>Reviewers</b>	<b>Thursday, July 8, 2021</b>
Deadline for Applicant's Responses to Comments	Applicant	Thursday, July 22, 2021
<b>Preliminary Screening Determination</b>	<b>Board</b>	<b>August 2021</b>
<b>If Preliminary Screening decision it to continue with the regulatory process, then draft work plan follows below</b>		
Circulate draft agenda for technical session	Board staff	Friday, August 27, 2021
Comments due on draft agenda for technical session	<b>All Parties</b>	Thursday, September 2, 2021
Circulate agenda for technical session	Board staff	Monday, September 6, 2021
<b>Technical Session</b>	<b>All Parties (Chateau Nova)</b>	<b>Tuesday – Thursday, September 7-9, 2021</b>
Distribute Technical Session Information Requests	Board Staff	Friday, September 10, 2021
Deadline for Responses to Information Requests	All Parties	Thursday, September 23, 2021
<b>Pre-Hearing Conference</b>	<b>All Parties</b>	<b>Thursday, September 30, 2021</b>
<b>Deadline for Interventions and for Compensation Claims</b>	<b>Interveners</b>	<b>Thursday, October 28, 2021</b>
Deadline for Applicant's Response to Interventions	Applicant	Thursday, November 11, 2021
Deadline for Interveners' Public Hearing Presentations	Interveners	Monday, November 15, 2021
Deadline for Applicant's Public Hearing Presentation	Applicant	Tuesday, November 16, 2021

<b>Task</b>	<b>Responsible Party</b>	<b>Date Due (Date Completed)</b>
Circulate Public Hearing agenda and presentations	Board staff	Wednesday, November 17, 2021
<b>Public Hearing</b>	<b>All Parties (Behchokò Sportsplex)</b>	<b>Tuesday – Thursday, November 23-25, 2021</b>
Distribute Public Hearing Undertakings	Board Staff	Friday, November 26, 2021
Deadline for Public Hearing Undertakings	All Parties	Tuesday, December 7, 2021
Draft Licence and Permit(s) Distributed for Review	Board Staff	Tuesday, December 21, 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
<b>Board Meeting</b>	<b>Board</b>	<b>March/April 2022</b>
<b>Board Recommendation to the Minister</b>	<b>Board</b>	<b>April 2022</b>
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.