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Work Plan

File Number	W2022L2-0001
Applicant	Arctic Canadian Diamond Company Ltd.
Project	Ekati, Renewal Application
Location	Lac de Gras, NT
Activity	Mining and Milling
Date of Work Plan	November 21, 2022
Work Plan Version	Version 1

Purpose of the Work Plan

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

Background

On November 1, 2022, the Applicant submitted a Renewal Application for a type A Water Licence (Licence) (the Application Package) for the Project to the Wek'èezhì Land and Water Board (Board). On November 7, 2022, the Applicant submitted additional information as requested, and on November 8, 2022, the Application Package was deemed complete.

Scope of the Project

The proposed scope of the Project includes the already licenced Mining and Milling activities for the Ekati Diamond Mine at Lac de Gras, as well as new or additional uses of water from Upper Exeter Lake, Ursula Lake, Lac de Gras, and Lac du Sauvage, as outlined in the Application Package. An underwater remote mining trial at Lynx Pit is also being proposed in this renewal.

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 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). 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	November 1, 2022
Additional Information Submitted	Applicant	November 7, 2022
Application Package Complete and Distributed for Review with Draft Work Plan	Board staff	November 8, 2022
Deadline for Comments on Draft Work Plan	All Parties	November 18, 2022
Deadline for Comments on Application Package and for Notices of Compensation Claims	Reviewers	December 22, 2022
Deadline for Applicant's Responses to Comments	Applicant	January 19, 2023
Preliminary Screening Determination	Board	February, 2023
Technical Session	All Parties - Yellowknife	March 13-16, 2023
Distribute Technical Session Information Requests	Board Staff	March 16, 2023
Deadline for Responses to Information Requests	All Parties	March 23, 2023
Pre-Hearing Conference	All Parties WLWB Office/Zoom	March 30, 2023
Deadline for Interventions and for Compensation Claims	Interveners and Compensation Claimants	April 27, 2023
Deadline for Applicant's Response to Interventions	Applicant	May 9, 2023
Deadline for Interveners' Public Hearing Presentations	Interveners	May 16, 2023
Deadline for Applicant's Public Hearing Presentation	Applicant	May 18, 2023
Public Hearing	All Parties – Behchokō Sportsplex	May 29-June 2, 2023
Distribute Public Hearing Undertakings	Board Staff	June 6, 2023
Deadline for Public Hearing Undertakings	All Parties	June 14, 2023

Task	Responsible Party	Date Due (Date Completed)
Draft Licence Distributed for Review	Board Staff	June 28, 2023
Deadline for Comments on Draft Licence	Reviewers	July 12, 2023
Deadline for Applicant's Comments on Draft Licence	Applicant	July 19, 2023
Deadline for Closing Arguments	Reviewers	July 26, 2023
Deadline for Applicant's Closing Arguments	Applicant	August 2, 2023
Board Meeting	Board	August/September, 2023
Board Recommendation to the Minister	Board	September 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.