

**From:** [Longinus Ekwe](#)  
**To:** [Kassandra DeFrancis](#)  
**Cc:** [Violet Camsell-Blondin](#); [Brett Wheler](#); [Patty Ewaschuk](#); [Jessica Pacunayen](#)  
**Subject:** RE: Work Plan for Type A Water Licence Amendment and Type A Land Use Permit Applications  
**Date:** May 7, 2024 11:55:48 AM  
**Attachments:** [image001.png](#)

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Hi Kassandra,

The Tłıchǫ Government (TG) has reviewed the proposed work plan by the Board for the Ekati – Sable Underground project -Type A Water Licence Amendment and Type A Land Use Permit Applications regulatory process.

We do not have any major schedule conflict at this time, should we identify any major schedule conflict(s) in future TG will notify the Board.

Masi.



**Longinus Ekwe**

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**From:** webmaster@onlinereviewssystem.ca <webmaster@onlinereviewssystem.ca>

**Sent:** Thursday, April 25, 2024 3:05 PM

**To:** Longinus Ekwe <longinusekwe@tlicho.com>

**Subject:** Invitation to Submit Recommendations for Type A Water Licence Amendment and Type A Land Use Permit Applications

## Invitation to submit recommendations for Type A Water Licence Amendment and Type A Land Use Permit Applications

**Wek'èezhìi Land and Water Board**

**Project Name:** Sable Underground Project

**Proponent Name:** Arctic Canadian Diamond Company Ltd.

**File Number:** W2022L2-0001

## Item Description

Arctic Canadian Diamond Company Ltd. (Arctic) submitted an application package on April 16, 2024, for proposed underground mining at the Sable Development of the Ekati Mine. This application package includes:

- a complete application to amend Type A Water Licence W2022L2-0001 to include underground mining at Sable (the Project) in the scope of the Licence and update conditions to reflect the Project;
- a complete Type A Land Use Permit Application (W2024D0005) for mining at Sable for a term of five (5) years. This Permit would replace the existing Land Use Permit for mining (i.e., W2023D0002) and incorporate underground activities at the Sable Development. Arctic requested that the current Permit for the Sable open pit project (i.e., W2023D0002) be discontinued upon issuance of the new Permit; and
- a complete early works Type A Land Use Permit Application (i.e., W2024D0006) for a term of two (2) years for the initial construction phase of the Project.

On April 24, 2024, the Board determined that there are clear linkages between the Land Use Permit Applications and the Application to Amend Water Licence (Licence) W2022L2-001, including the potential environmental impacts and mitigation measures. The Board thus [decided](#) to invoke paragraph 22(2)(b) of the Mackenzie Valley Land use Regulations.

**Using the Online Review System (ORS), reviewers are invited to submit comments and recommendations on the documents linked below by the review comment deadline specified. Reviewers may also wish to consider providing an overarching recommendation regarding whether the Board should approve the Application, to provide context for the comments and recommendations and assist the Board with its decision. Notices of intent to file a claim for water compensation must also be submitted by the review comment deadline. If reviewers seek clarification on the Application, they are encouraged to correspond directly with the Applicant prior to submitting comments and recommendations.**

In its Application, Arctic proposed draft conditions for the Water Licence and included draft Permits. Reviewers can comment on possible conditions. These draft materials are not intended to limit in any way the scope of reviewers' comments. The Board is not bound by the contents of these drafts and will make its decision at the close of the proceeding on the basis of all the evidence and arguments filed by all Parties.

Board staff are requesting reviewers provide recommendations on the track-changed early works Permit (W2024D0006) as this Permit may be considered by the Board at an earlier time. Reviewers will have an opportunity to provide feedback on the draft Licence and draft mining Permit (W2024D0005) later in the regulatory process as outlined in the draft Work Plan.

Preliminary Screening (Part 5 of the MVRMA): Under the Preliminary Screening Requirement Regulations, the Board must conduct a preliminary screening for a proposed development, unless it is exempt from preliminary screening in accordance with the Exemption List Regulations. Reviewers are encouraged to provide comments and recommendations (e.g., on impacts and mitigation measures) to assist with the Board's preliminary screening determination. The Board's most recent preliminary screening determinations for this Project are available on the public Registry here: [February 22, 2023](#) [April 19, 2023](#).

Work Plan: A draft work plan for this Application has been developed by Board staff. Board staff are requesting that comments on the draft work plan be submitted by email to the staff identified below by **May 8, 2024**.

Wildlife and Wildlife Habitat: Please be advised that comments made by reviewers regarding impacts of this proposed amendment to wildlife and wildlife habitat in this preliminary screening will inform the GNWT Minister of Environment and Natural Resources' determination regarding whether a Wildlife Management and Monitoring Plan will be required for this Project as per section 95 of the *Wildlife Act*.

All documents that have been uploaded to this review are also available on our public Registry. If you have any questions or comments about the ORS or this review, please contact Board staff identified below.

**Review Comments Due**

May 29, 2024

**Proponent Responses Due**

June 5, 2024

[View Review](#)

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**From:** [GNWT EA](#)  
**To:** [Kassandra DeFrancis](#)  
**Subject:** Sable Underground Project Work Plan Comments  
**Date:** May 8, 2024 2:31:58 PM

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Hello,

Please see below GNWT-ECC comment regarding the Ekati-Sable Underground Project draft workplan. If there are any questions regarding the comment, please reach out to Lee Ross, Regulatory and Science Advisor, with the Regulatory and Permitting Division at [Lee\\_Ross@gov.nt.ca](mailto:Lee_Ross@gov.nt.ca).

**Ekati – Sable Underground Project**  
**Type A Water Licence Amendment - Workplan**  
**W2022L2-0001**  
**RPD Comments**  
**Contact: Lee Ross**

**Topic: Pre-Hearing Conference & Intervention Deadlines**

**Comment:**

The draft work plan outlines that the Pre-Hearing Conference will occur on August 13, 2024 and the deadline for interventions is September 5, 2024. GNWT-ECC notes that having the Pre-Hearing Conference after the deadline for interventions would allow the Board to identify which parties have submitted interventions and allow parties to have a better idea whether they intend to attend the public hearing and how long they require to present their intervention to the Board.

For reference, GNWT-ECC refers to the recent work plans from the MVLWB for [Pine Point Mining Ltd](#) and the [City of Yellowknife](#) where the Pre-Hearing Conference was held a few days after the intervention deadline. As stated above, it is GNWT-ECC's opinion that this allows for a well-informed and effective Pre-Hearing Conference.

GNWT-ECC is supportive of the rest of the dates proposed in the workplan.

**Recommendation:**

**The GNWT-ECC recommends the Pre-Hearing Conference occur after the deadline for interventions.**

Thank you,  
Shakita

Mársı | Kinanāskomitin | Thank you | Merci | Hą́ı' | Quana | Qujannamiik | Quyanainni | Máhsı | Máhsı | Mahsi

**Shakita Jensen** (she/her)  
Environmental Regulatory Analyst

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**From:** [Sabourin, Jennifer \(elle | she, her\) \(ECCC\)](#)  
**To:** [Kassandra DeFrancis](#)  
**Subject:** Draft Workplan - Ekati - Sable Underground Project  
**Date:** May 8, 2024 11:56:35 AM

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Hello Kassandra,

As requested, ECCC is advising the Board of a conflict with the Draft Workplan for the Ekati Sable Underground Type A WL process.

Due to capacity constraints and prior commitments, our water quality experts will not be able to attend the technical sessions on July 17-18, 2024. If a change is being considered, ECCC would prefer the week of July 22<sup>nd</sup> so experts may also attend and participate in the session.

Let me know if this is possible or if you have any questions.

Regards,

Jennifer Sabourin

Environmental Assessment Officer, Environmental Protection Branch  
Environment and Climate Change Canada / Government of Canada  
[jennifer.sabourin@ec.gc.ca](mailto:jennifer.sabourin@ec.gc.ca)

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