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Work Plan

File Number	W2022L2-0001; W2024D0005; W2024D0006
Applicant	Arctic Canadian Diamond Company Ltd.
Project	Sable Underground - Amendment Application for W2022L2-0001 and new Applications for W2024D0005 and W2024D0006
Location	Ekati, NT
Activity	Mining and Milling
Date of Work Plan	August 7, 2024
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 April 16, 2024, Arctic Canadian Diamond Company Ltd. (the Applicant) submitted an Amendment Application for a type A Water Licence (Licence) and Applications for two Type A Land Use Permits (Permits) (the Application Package) to the Wek'èezhì Land and Water Board (Board) for the Sable Underground Project (the Project). On April 19, the Applicant submitted additional information as requested, and on April 24, 2024, the Application Package was deemed complete.

Scope of the Project

As described in the Application Package, the proposed Sable Underground Project would be an extension of the existing Sable open pit project and would rely on existing mine surface infrastructure and facilities. The primary Project activities include the following:

- continued mining of the Sable kimberlite using underground methods;
- placement of underground waste rock at the existing and permitted Sable waste rock storage areas;
- operational management of minewater during underground mining;
- operational support activities; and
- reclamation of the constructed facilities.

New infrastructure will be located within the open pit or on existing work pads, and includes:

- expansion of or new surface facilities/buildings for emergency response, office, warehousing equipment maintenance, kimberlite stockpiling/transfer, etc.;
- new electrical generator facility with distribution system;
- possible camp (up to 100-person capacity);
- air compressor, fresh air fan air heater; and
- additional dewatering lines.

As well, Arctic has applied for a new permit to allow for Early Works activities that include construction of the following:

- Portal;
- Decline to the first production level; and
- Fresh Air Raise.

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 Land and Water Board (LWB) [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:

- 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 and Permits 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	Tuesday April 16, 2024
Application Package Complete and Distributed for Review with Draft Work Plan	Board staff	Wednesday April 24, 2024
Deadline for Comments on Draft Work Plan	All Parties	Wednesday May 8, 2024
Deadline for Comments on Application Package and for Notices of Compensation Claims	Reviewers	Wednesday May 29, 2024
Deadline for Applicant's Responses to Comments	Applicant	Wednesday June 5, 2024
Preliminary Screening Determination	Board	June 2024
Technical Session	All Parties (Yellowknife - TBC)	Tuesday July 23 and Wednesday July 24, 2024
Distribute Technical Session Information Requests	Board Staff	Wednesday July 24, 2024
Deadline for Responses to Information Requests (IRs) #1, and #3 to #9	Applicant	Wednesday July 31, 2024
Deadline for Responses to IRs #2 and #10	Applicant	Wednesday August 14, 2024
Pre-Hearing Conference	All Parties (Zoom)	Monday August 26, 2024
Deadline for Interventions and for Compensation Claims	Interveners and Compensation Claimants	Wednesday September 4, 2024
Deadline for Applicant's Response to Interventions	Applicant	Wednesday September 11, 2024
Deadline for Interveners' Public Hearing Presentations	Interveners	Monday September 16, 2024
Deadline for Applicant's Public Hearing Presentation	Applicant	Wednesday September 18, 2024
Public Hearing	All Parties Behchokò – Cultural Centre Hall	Wednesday September 25 and Thursday September 26, 2024
Distribute Public Hearing Undertakings	Board Staff	Friday September 27, 2024
Deadline for Public Hearing Undertakings	All Parties	Monday October 7, 2024

Task	Responsible Party	Date Due (Date Completed)
Draft Licence and Permit Distributed for Review	Board Staff	Tuesday October 22, 2024
Deadline for Comments on Draft Licence and Permit	Reviewers	Tuesday November 5, 2024
Deadline for Applicant's Comments on Draft Licence and Permit	Applicant	Wednesday November 13, 2024
Deadline for Closing Arguments	Reviewers	Wednesday November 20, 2024
Deadline for Applicant's Closing Arguments	Applicant	Wednesday November 27, 2024
Board Meeting	Board	January 2025
Board Recommendation to the Minister	Board	January/February 2025
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	May 10, 2024	To reflect comments from Parties regarding the draft Work Plan: change to the Technical Session and subsequent tasks up to the Public Hearing; and change to the Public Hearing to September 18, 2024.
2	August 7, 2024	Arctic requested an extension to its responses to IRs #2 and 10 on August 6, 2024 ¹ which was granted. The subsequent tasks were adjusted to reflect the extension.

¹ See WLWB Online Registry for [Ekati - Licence - Amendment - Technical Session -IR 2 and 10 Extension Request - Aug 6 24.pdf](#)