

March 16, 2023

Mr. Mason Mantla
Chairperson
Wek'èezhii Land and Water Board
#1, 4905-48th Street
Yellowknife, NT
X1A 3S3

RE: W2016D0003 Land Use Permit Renewal for Sable Development - Request for a 5-Year Term

Arctic Canadian Diamond Company Ltd. (Arctic Canadian) is pleased to submit the attached Land Use Permit (LUP) application for the Sable Development. This renewal application is for a 5-year term, and the new LUP will replace [W2016D0003](#) which is set to expire on May 11, 2023. Arctic Canadian is applying for a preliminary screening exemption because the project has not been modified and there are no proposed changes to the LUP.

Activities at the Sable Development currently permitted by W2016D0003 are:

- a) extraction of waste rock and kimberlite ore from the Sable Pit;
- b) construction of waste rock storage areas;
- c) construction of a kimberlite ore storage pad;
- d) construction of activities associated with water sedimentation pond and water containment dam;
- e) construction of site roads and lay down areas;
- f) construction and operation of supporting infrastructure;
- g) storage of fuels;
- h) use of machinery and equipment to support operations; and
- i) establishment of temporary camp.

The current Sable Development LUP, W2016D0003, has been in place since May 2016 and was extended for two years in May 2021. Sable is currently in production and mining of the open pit is ongoing. Construction of site facilities, the Two Rock Sedimentation Pond, the water containment dam, site roads, and lay down areas have all been completed. Construction and removal of the temporary fish salvage camp has been completed.

Included in this application are the following documents:

- Land Use Permit Application Form
- Area maps
- Certification of Compliance of an Extra-Territorial Corporation
- Engagement Log with copy of Pre-Engagement Letter for this application
- Engagement Summary



ARCTIC CANADIAN DIAMOND COMPANY

Naturally Beautiful. Mined Right.

Please forward any comments or concerns with this application to the undersigned at dustin.chaffee@arcticcanadian.ca or (867) 446-8786.

Sincerely,

Dustin Chaffee
Regulatory Applications Manager

Record #: HSE RCD ENV 1825
Document Owner: Environment Department
Date: 03-10-2023

Land and Water Boards of the Mackenzie Valley



LAND USE PERMIT APPLICATION FORM

Subsection 19(2) and Schedule 2 of the [Mackenzie Valley Land Use Regulations](#)

Use an "X" to indicate which Board the Application is being made to:	Mackenzie Valley Land and Water Board:		Sahtu Land and Water Board:	
	Wek'èezhìi Land and Water Board:	X	Gwich'in Land and Water Board:	

To complete this Form, please refer to the MVLWB [Guide to the Land Use Permitting Process](#) (Guide) and fill in the grey fields; attach additional pages, as necessary. Indicate N/A in the grey fields for Items or parts of Items that are not applicable. An application package checklist is provided in the Guide. Review the following MVLWB guidance for formatting your Application Package:

- [Document Submission Standards](#)
- [Standard Outline for Management Plans](#)

If applicable, provide the existing or current Land Use Permit file number:	W2016D0003		
Use an "X" to indicate if this Application is accompanied by an Application for a Water Licence:	Water Licence – in a non-federal area:		
	Water Licence – in a federal area:		

1. NAME AND CONTACT INFORMATION – APPLICANT

Applicant's Name:	Dustin Chaffee		
Position:	Regulatory Applications Manager		
Company Name:	Arctic Canadian Diamond Company Ltd.		
Mailing Address:	900-606 4 Street SW		
Community:	Calgary	Telephone:	(403) 910-1933
Prov/Terr:	AB	Email:	Dustin.Chaffee@arcticcanadian.ca
Postal Code:	T2P 1T1	Other:	

2. NAME AND CONTACT INFORMATION – APPLICANT’S HEAD OFFICE

Include a Certificate of Corporate Registration from the Government of the Northwest Territories in your Application Package.

Use an “X” to indicate this information is the same as Item 1 above:			X
Name:			
Position:			
Company Name:			
Mailing Address:			
Community:			
Prov/Terr:		Telephone:	
Postal Code:		Email:	
Field Supervisor:		Other:	

3. NAME AND CONTACT INFORMATION – CONTRACTORS AND SUB-CONTRACTORS

Include relevant names, responsibilities, and contact information. An additional table should be added for each contractor and sub-contractor.

Name:	Not applicable		
Position:			
Company Name:			
Mailing Address:			
Community:		Telephone:	
Prov/Terr:		Email:	
Postal Code:		Other:	

	Use an “X” to indicate that contractor and/or subcontractor information is not available at this time.
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4. LOCATION OF ACTIVITIES

Use the grey fields below to provide or reference the following information:

Traditional Place Name:

Maps and Geographic Information System (GIS) Data: Include a map in your Application Package identifying local geographic features, watercourses and water sources, project structures, and location(s) of any proposed waste deposits. Provide geographic coordinates (latitude and longitude) of project features, and the maximum and minimum project boundary in degrees, minutes, seconds, or decimal degrees. Include GIS data in your Application Package, if applicable. Refer to the MVLWB [Geospatial Data Submission Standards](#) for providing geographic information.

Minimum latitude:	64° 52' 24" N	Maximum latitude:	64° 50' 51" N
Minimum longitude:	110° 34' 04" W	Maximum longitude:	110° 29' 38" W

NTS Map Sheet No.: Provide the map sheet number:

Land Types: Use an “X” to indicate the type(s) of the land on which the activities are proposed:

Free Hold/ Private:		Commissioner’s/ Territorial Lands:	X	Federal Land:		Municipal Land:	
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5. ELIGIBILITY

Refer to section 18 of the [Mackenzie Valley Land Use Regulations](#). Use an “X” to indicate which one applies:

18(a)(i):	X	18(a)(ii):		18(a)(iii):		18(b):	
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6. RIGHTS AND/OR CONTRACTS TO SUPPORT ELIGIBILITY

Contact Indigenous, federal, and territorial governments, and other parties to ensure all appropriate rights, authorizations, permissions, dispositions, and contracts have been obtained or are in the process of being obtained (e.g., mineral exploration rights, quarry permits, licences of occupation, leases, access agreements and authorizations, etc.). List and provide confirmation of other authorizations that relate to the proposed activities; reference these in your Application Package (e.g., rights, permits, licences, etc.).

- 121 Crown Mineral Leases all in good standing
- Surface lease 76D/15-4-4 for Sable Pit and Facilities (administered by GNWT Lands Administration)
- Prospector’s Licence #N34704
- Water Licence W2020L2-0004
- Various Management Plans, policies, and procedures that include the activities as applied for under this LUP application
- Previously issued Land Use Permit W2016D0003 (expires May 11, 2023) for these activities
- Ekati Mine Engagement Plan

7. PERMIT TYPE AND CRITERIA

Refer to sections 4 and 5 of the [Mackenzie Valley Land Use Regulations](#). Use an “X” to indicate which permitting criteria apply:

Type A				Type B				Type C	
4(a)(i):	X	4(b)(i):		5(a)(i):		5(b)(i):		(SLWB and WLWB only):	
4(a)(ii):	X	4(b)(ii):		5(a)(ii):		5(b)(ii):			
4(a)(iii):	X	4(b)(iii):		5(a)(iii):					
4(a)(iv):	X	4(b)(iv):		5(a)(iv):					
4(a)(v):	X			5(a)(v):					
				5(a)(vi):					

8. PROJECT DESCRIPTION

Include a project description in your Application Package, or for small-scale projects, describe the proposed activities in the grey field provided below. Include the name and type (e.g., lake, river) of water source(s), and the purpose and quantity of water to be used (rates, volumes (m³/day)). Indicate the total number of hectares to be used in each phase of the project, as well as through the life of the project.

The full project description was submitted as part of the original LUP application for the Sable Development. The March 2016 document can be found [here](#) on the Board Registry. Project Description is covered in detail in Section 5.

9. CAMP

Describe the proposed camp size and layout. Indicate the number of person-days; explain, with rationale, any variations in the number of people that may be on site over the life of the project.

As stated in section 5(b) of the original March 2016 LUP application for the Sable Development, [found here](#), a permanent camp was not set up at the Sable Development. Employees working in the Sable Development are transported to and from the existing Main Camp or Misery Camp.

As per the original 2016 Sable Development LUP application, a temporary on-the-land camp was constructed in Summer 2016 for the Sable Lake and Two Rock Lake fish salvage activities. The fish salvage activities were completed in Fall 2016, and the temporary camp was removed. Establishment of this temporary camp is no longer a requirement of this Project.

10. ROADS AND ACCESSES

Provide detailed information about the construction, location, and decommissioning of any roads and accesses.

Use an "X" to indicate if this is to be a pioneered road or access:	Yes		Use an "X" to indicate if the route has been laid out or ground-truthed:	Yes	X
	No	X		No	

The primary access road (Sable Haul Road) from the main Ekati camp to the Sable Pit location is covered under a separate LUP, W2016F0006, which is planned to be renewed July 2023. Construction of the road is complete.

11. PROPOSED WASTE MANAGEMENT METHODS

Use the grey fields below to provide or reference the following information:

Waste Management Plan: Include a Waste Management Plan in your Application Package, if applicable, or for small-scale projects, describe the proposed waste management activities in the grey fields provided below. A template for the Plan can be found in the MVLWB [Guidelines for Developing a Waste Management Plan](#).

Waste Type	Management Method(s)
Garbage:	Inert waste will be managed at the Ekati mine landfill. Organic waste will be either incinerated or composted at the Ekati Incinerator/Composter facility. Hazardous waste and liquid waste will be sent off-site to an approved waste receiver in Yellowknife, NT for final disposal. See approved Waste Management Plan for complete details.
Sewage (Sanitary and greywater):	Sewage will be collected from washroom and lunchroom trailer storage tanks and transported from the Point Lake facilities to the main Ekati site for treatment. Sewage at Ekati is treated using an activated sludge system with the effluent pumped to an approved containment facility. See approved Waste Management Plan for complete details.
Brush and trees:	N/A

Overburden (Organic soils, waste material, etc.):	N/A. All overburden has been removed and stored as per the original application.
Other (describe):	

Off-site Disposal: If waste is proposed to be disposed of off-site within the NWT, written confirmation (e.g., an email, letter, etc.) from the facility/facilities indicating they will accept the waste is required. Include it/these in your Application Package. Please note this information will be required by the Board prior to commencement of activities.

12. EQUIPMENT

Identify the types of equipment proposed to be used.

Number	Type/Description	Size (weight in tonnes)	Proposed use
	Refer to original March 2016 application, section 10 , for equipment details.		

13. FUEL

Identify all fuel types proposed to be used.

Type of Fuel	Number of containers	Capacity of containers (e.g., litres, pounds)	Type of container (e.g., barrel, tank, tidy-tank)	Proposed storage or staging location(s)
Diesel:	4 1	500,000 x 4 = 2,000,000 L 50,000 L	Tanks GenSet	Adjacent to maintenance shed
Gasoline:				
Aviation Fuel:				
Propane:				
Other: (describe)				

14. METHODS OF FUEL TRANSFER

Describe the proposed methods to transfer fuel.

All refueling will be conducted following standard practices. Details on fueling practices for the Sable Development can be found in section 13 of the [original LUP application](#).

15. SPILL CONTINGENCY PLAN

Include a Spill Contingency Plan in your Application Package, if applicable, or for small-scale projects, provide relevant details in the grey field provided below. An example of this Plan can be found in the INAC [Guidelines for Spill Contingency Planning](#).

Spills will be managed in accordance with the approved Spill Contingency Plan. The current approved version of the Spill Contingency Plan V15.1 can be found on the [WLWB registry](#).

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16. PROPOSED PROJECT SCHEDULE AND TERM

Indicate the proposed project start and completion dates and the time of year the project activities are planned to occur. Describe any anticipated temporary closure(s) or seasonal shutdowns. Indicate the term requested.

Start Date:	May 11, 2023	Completion Date:	May 10, 2028
Arctic Canadian is requesting a renewal of existing LUP W2016D0003 for a term of 5 years to continue current production activities.			
Term of Permit Requested:	5 years		

17. POTENTIAL ENVIRONMENTAL IMPACTS OF THE PROJECT AND PROPOSED MITIGATIONS

If the proposed project, or parts of the proposed project, may be exempt from preliminary screening, describe the rationale for the exemption in the grey field below. Include the date of the most recent screening, and/or the environmental assessment or impact review number.

This application should be exempt from preliminary screening because no changes are being proposed to the current activities permitted under LUP W2016D0003.

An environmental assessment of the potential effects of Sable Pit development and mining was conducted by the Mackenzie Valley Environmental Impact Review Board (MVEIRB) in 2001. This environmental assessment included the potential effects of the development and mining of the Pigeon and Beartooth pits. The environmental assessment of the three developments determined two potential effects that may cause significant adverse socioeconomic impacts and outlined measures to mitigate those effects. A summary of potential effects and associated mitigation measures are provided in Section 4.0 of the Environmental Assessment Report (http://www.reviewboard.ca/upload/project_document/EA99-004_Report_of_Environmental_Assessment.pdf) and the Ministers Decision and Final Measures (http://www.reviewboard.ca/upload/project_document/EA99-004_Final_ministerial_acceptance_of_the_REA_with_modifications.PDF).

Unless the project could be exempt from preliminary screening, using the Impact-Mitigation Table below, or the more detailed Table in Appendix D of the [Guide](#), identify all potential impacts and possible mitigations that are relevant to the proposed project, and indicate whether any of the mitigation measures have been developed as a result of input from affected parties. Possible potential impacts are listed below; however, these lists are not exhaustive and may not apply to all projects. All information provided should reflect the size, scale, and nature of the proposed project. Cumulative impacts and climate change must be considered. Attach additional pages if needed.

Potential Impacts <i>Use an "X" to indicate which apply</i>	X	Potential Project Impacts and Proposed Mitigations <i>Describe the potential impact(s) and the proposed measure(s) to reduce each of these impacts.</i>
ABIOTIC COMPONENTS		
Land		
Soil contamination		
Soil compaction		
Destabilization/erosion		

Potential Impacts <i>Use an "X" to indicate which apply</i>	X	Potential Project Impacts and Proposed Mitigations <i>Describe the potential impact(s) and the proposed measure(s) to reduce each of these impacts.</i>
Change in soil structure		
Inability to support vegetation		
Other		
Water		
Groundwater		
Water table alteration		
Infiltration changes		
Changes in water quality		
Temperature changes		
Other		
Permafrost		
Loss or change in extent		
Changes in seasonal fluctuations		
Change in persistence		
Other		
Surface Water		
Water flow or level changes (permanent, temporary, seasonal)		
Drainage pattern changes		
Temperature changes		
Changes in water quality		
Wetland impairment		
Changes to aquatic habitat (see Biotic section below)		
Other		
Air		
Changes in air quality		
Harm to living things		
Increased greenhouse gases		
Other		
BIOTIC COMPONENTS		
Vegetation		
Direct loss of vegetation		
Loss of Species at Risk or may-be-at-risk plants		
Change in species composition		
Introduction of non-native (invasive) species		
Effects on plant health (dust, metals, toxins)		
Increased risk of fire		
Compaction of vegetation		
Other		
Terrestrial Wildlife Habitat		
Direct loss or removal of habitat, dens, or nests		
Loss or removal of keystone species and/or Species at Risk habitat		

Potential Impacts <i>Use an "X" to indicate which apply</i>	X	Potential Project Impacts and Proposed Mitigations <i>Describe the potential impact(s) and the proposed measure(s) to reduce each of these impacts.</i>
Fragmentation of wildlife corridor		
Direct injury or mortality		
Disturbances to key lifecycle stages: breeding, feeding, nesting, staging		
Effects on population abundance		
Change in species diversity		
Effects on wildlife health (toxins, metals, etc.)		
Changes to migratory movement patterns		
Changes to predator-prey relationships		
Human-wildlife conflicts		
Other		
Aquatic Habitat		
Breeding disturbances		
Change in species diversity		
Effects on health (toxins, metals, sediment, etc.)		
Changes to migratory movement patterns		
Changes to predator-prey relationships		
Effects on population abundance		
Change in species diversity		
Other		
CULTURAL COMPONENTS		
Wildlife Harvesting		
Loss or reduction in game species populations		
Effects on traditional land use, subsistence, and harvesting rights		
Other		
Cultural Integrity and Heritage Resources		
Change to or loss of cultural integrity		
Change to or loss of traditional lifestyle		
Change to or loss of heritage resource		
Other		
Social and Economic Well-being		
Increased human health hazard and risk		
Economic opportunities or losses (employment, training)		
Change in ecological, cultural, social, or economic values identified for protection in approved Land Use Plans		
Impairment of the recreational or traditional uses of the land or water		
Impairment of the aesthetic quality of the land or water		
Changes to the use of the area by other non-Indigenous people (e.g., trappers, outfitters, residents,		

Potential Impacts <i>Use an "X" to indicate which apply</i>	X	Potential Project Impacts and Proposed Mitigations <i>Describe the potential impact(s) and the proposed measure(s) to reduce each of these impacts.</i>
hunters, forest harvesters, other authorized projects)		
Other		

18. CLOSURE AND RECLAMATION

Use the grey field below to provide or reference the following information:

Closure and Reclamation Plan: Include a Closure and Reclamation Plan in the Application Package, if applicable, or for small-scale projects, describe the proposed closure and reclamation activities in the grey field provided below. Describe any temporary closure(s) and seasonal shutdowns. Please also refer to the MVLWB/AANDC [Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the Northwest Territories](#).

Closure Cost Estimate: Prepare a Closure Cost Estimate and include it in your Application Package. Applicants are encouraged to contact Board staff, prior to applying, to determine which closure-cost-estimate template is most suited to the activities being applied for. Guidance is provided in section 2.2 of the MVLWB/INAC/GNWT [Guidelines for Closure and Reclamation Cost Estimates for Mines](#). If the Application is submitted concurrently with a Water Licence Application, the estimate should include a breakdown of water- and land-related activities and liabilities.

There is an approved Interim Closure and Reclamation Plan in place for the Ekati Diamond Mine. Please see the following links on the Online Registry:

[Part 1](#)

[Part 2](#)

The current approved Closure Cost Estimate can be found on the Online Registry at the following link: Closure Cost Estimate

No changes are being requested to the approved ICRP or Closure Cost Estimate with this application.

19. ADDITIONAL SUPPORTING INFORMATION

Use the grey field below to provide or reference the following information:

Engagement: Conduct engagement, prepare an Engagement Record and Engagement Plan in accordance with the MVLWB [Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits](#), and include them in your Application Package. Templates are provided in the Guidelines. Please also refer to [Information for Proponents on MVLWB's Engagement Requirements](#).

Land Use Plans: Contact the applicable Land Use Planning Board or the Tłı̨chǫ Government to discuss conformity with the relevant land use plan(s). Include a Land Use Plan Conformity Table in your Application Package, demonstrating how the project meets the requirements of the Land Use Plan, if applicable.

Traditional (Environmental) Knowledge (TEK/TK): Provision of TEK/TK is mandatory for applications to the SLWB. Other applicants are strongly encouraged to include TEK/TK.

Studies Undertaken to Date: List any relevant studies that support the proposed activities and include them in your Application Package.

Please see attached Engagement Log and Engagement Summary document specific to this application. The Engagement Plan v. 4.1 can be found at the following link on the Online Registry:

[Engagement Plan v. 4.1](#)

No changes are being proposed to the activities permitted under existing W2016D0003 for the Sable Development.

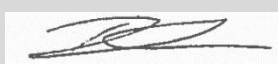
20. FEES

Refer to the [Guide](#) for assistance in determining relevant fees.

Type of Fee	Amount (\$)
Application fee (if applicable):	\$150
Land-use fees (for federal areas only):	\$
Total Fees:	150\$

21. SIGNATURE

Dustin Chaffee	Regulatory Applications Manager
Applicant's Name (print) or Company Name	Position (print)

	March 10, 2023
Signature	Date

Review the application package checklist provided in the Guide, and submit completed applications to the Regulatory Manager or Executive Director identified on the "Contact Us" pages of the respective Land and Water Board (www.mvlwb.com, www.wlwb.ca, www.slwb.com, www.glwb.com).



Government of Northwest Territories / Gouvernement des Territoires du Nord-Ouest

BUSINESS CORPORATIONS ACT
CERTIFICATE OF COMPLIANCE OF AN
EXTRA-TERRITORIAL CORPORATION

LOI SUR LES SOCIÉTÉS ACTIONS
CERTIFICAT DE CONFORMITÉ D'UNE SOCIÉTÉ
PAR ACTIONS EXTRATERRITORIALE

I HEREBY CERTIFY THAT

JE CERTIFIE PAR LA PRÉSENTE QUE

ARCTIC CANADIAN DIAMOND COMPANY LTD.

a body corporate incorporated
under the laws of

une personne morale constituée
En vertu des lois

BRITISH COLUMBIA

registered under Part XXI of the
Business Corporations Act of the
Northwest Territories, has filed with the
Registrar of Corporations, the required
annual returns and is, with respect to the
filing of annual returns, in good standing
on the records of the Registrar.

enregistrée en vertu de la partie XXI de la
Loi sur les sociétés par actions
des Territoires du Nord-Ouest,
a déposé auprès du registraire des sociétés
par actions le rapport annuel exigé et
rencontre les exigences du registraire
relatives au dépôt des rapports annuels.



Dated 2021-01-19
Fait le

REGISTRAR OF CORPORATIONS
REGISTRAIRE DES SOCIÉTÉS PAR ACTIONS