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Work Plan

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|--------------------------|---|
| 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 | May 10, 2024 |
| 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 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 | All Parties | Wednesday July 31, 2024 |
| Pre-Hearing Conference | All Parties (Yellowknife/Zoom) | Tuesday August 20, 2024 |
| Deadline for Interventions and for Compensation Claims | Interveners and Compensation Claimants | Wednesday August 28, 2024 |
| Deadline for Applicant's Response to Interventions | Applicant | Wednesday September 4, 2024 |
| Deadline for Interveners' Public Hearing Presentations | Interveners | Monday September 9, 2024 |
| Deadline for Applicant's Public Hearing Presentation | Applicant | Wednesday September 11, 2024 |
| Public Hearing | All Parties Behchokò - TBC | Wednesday September 18, 2024 |
| Distribute Public Hearing Undertakings | Board Staff | Thursday September 19, 2024 |
| Deadline for Public Hearing Undertakings | All Parties | Thursday September 26, 2024 |
| Draft Licence and Permit Distributed for Review | Board Staff | Thursday October 10, 2024 |
| Deadline for Comments on Draft Licence and Permit | Reviewers | Thursday October 24, 2024 |

| Task | Responsible Party | Date Due (Date Completed) |
|---|--------------------------|--------------------------------------|
| Deadline for Applicant’s Comments on Draft Licence and Permit | Applicant | Thursday October 31, 2024 |
| Deadline for Closing Arguments | Reviewers | Tuesday November 12, 2024 |
| Deadline for Applicant’s Closing Arguments | Applicant | Tuesday November 19, 2024 |
| Board Meeting | Board | December 2024/January 2025 |
| Board Recommendation to the Minister | Board | January 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. |