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## Work Plan

File Number	Water Licence MV2023L1-0013 and Land Use Permit MV2023P0036
Applicant	Westcoast Energy Inc.
Project	New Applications
Location	Shih t'ah, NT, Pointed Mountain Pipeline Abandonment Project
Activity	Type A Industrial and Pipeline
Date of Work Plan	September 10, 2024
Work Plan Version	3

### Purpose of the Work Plan

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

### Background

On November 17, 2023, the Applicant submitted Applications for a type A Water Licence (Licence) and a type A Land Use Permit (Permit) (the Application Package) for the Project to the Mackenzie Valley Land and Water Board (Board). On January 29, February 8, and February 15, 2024, the Applicant submitted additional information as requested, and on February 19, 2024, the Application Package was deemed complete.

**On September 10, 2024, the Board announced that the Public Hearing was cancelled under subsection 41(3) of the *Waters Act*. The Work Plan was updated to reflect this change.**

### Scope of the Project

The scope of the Project includes the abandonment of the NWT section of the Pointed Mountain Pipeline as outlined in the Application Package:

- Removing the above ground equipment at four locations in the NWT (PM-1, PM-2, PM-3, PM-4);
- Removing a section of exposed pipe at PM-4A;
- Removing the test posts along the pipeline ROW where accessible; and
- Remediation of petroleum hydrocarbon contaminated soil at PM-1.

### 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 Permit based on the evidence and rationale submitted by the Applicant and other Parties; and
- The Board will develop the Licence and Permit 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 carry out engagement with potentially affected parties (including communities and Indigenous governments) early and well in advance of the Application;
- The Board will distribute the Application Package, a draft Work Plan, and a draft Licence and Permit 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 **OR** workshop 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 17, 2023)
Additional Information Submitted	Applicant	(January 29, 2024)
Additional Information Submitted	Applicant	(February 8, 2024)
Additional Information Submitted	Applicant	(February 15, 2024)
<b>Application Package Complete and Distributed for Review with Draft Work Plan</b>	<b>Board staff</b>	<b>(February 19, 2024)</b>
Deadline for Comments on Draft Work Plan	All Parties	(February 29, 2024)
<b>Deadline for Comments on Application Package and for Notices of Compensation Claims</b>	<b>Reviewers</b>	<b>(April 9, 2024)</b>
Deadline for Applicant's Responses to Comments	Applicant	(April 23, 2024)
<b>Technical Session</b>	<b>All Parties Explorer Kat D/E</b>	<b>(May 22-23, 2024)</b>
Distribute Technical Session Information Requests	Board staff	(May 24, 2024)
Deadline for Responses to Information Requests	All Parties	(June 4, 2024)
<b>Deadline for Interventions and for Compensation Claims</b>	<b>Interveners and Compensation Claimants</b>	<b>(August 7, 2024)</b>
Deadline for Applicant's Response to Interventions	Applicant	(August 21, 2024)
<b>Pre-Hearing Conference</b>	<b>All Parties [Virtual]</b>	<b>(August 23, 2024)</b>
<b>Public Hearing</b>	<b>All Parties Location TBD</b>	<b>Cancelled</b>
Distribute Public Hearing Undertakings	Board staff	<b>Cancelled</b>
Deadline for Public Hearing Undertakings	All Parties	<b>Cancelled</b>
Draft Licence and Permit Distributed for Review*	Board staff	September 16, 2024
Deadline for Comments on Draft Licence and Permit*	Reviewers	October 1, 2024
Deadline for Applicant's Comments on Draft Licence and Permit*	Applicant	October 8, 2024

Task	Responsible Party	Date Due (Date Completed)
Deadline for Closing Arguments*	Reviewers	October 15, 2024
Deadline for Applicant's Closing Arguments*	Applicant	October 22, 2024
Board Meeting	Board	November 2024
<b>Board Recommendation to the Minister</b>	<b>Board</b>	<b>Nov/Dec 2024</b>
Minister's Decision	Minister	Up to 90 days

\* No new evidence can be submitted in these steps of the proceeding without a Request for Ruling (see Rules 37 and 38 in the LWB [Rules of Procedure](#)).

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 <sup>1</sup>	Mar 7_24	To reflect comments from Parties regarding the draft Work Plan. <sup>2, 3, 4</sup>
1	April 12_24	Administrative update to correct Application comment response deadline to match the date advertised on the ORS. <sup>5</sup>
2	May 9_24	Added in location of Technical Session and identified areas in the table, via an asterix, where new evidence cannot be submitted.
3	September 10_24	The Board announced that the Public Hearing was cancelled under subsection 41(3) of the <i>Waters Act</i> . The Work Plan was updated to reflect this change.

<sup>1</sup> See MVLWB Online Registry [www.mvlwb.com](http://www.mvlwb.com) for [Westcoast - Work Plan V1 - Mar6\\_24](#).

<sup>2</sup> See MVLWB Online Registry for [Westcoast - Westcoast Draft Work Plan Comments - Feb29\\_24](#).

<sup>3</sup> See MVLWB Online Registry for [Westcoast - GNWT-ECC Draft Work Plan Comments - Feb29\\_24](#).

<sup>4</sup> See MVLWB Online Registry for [Westcoast - Naha Dehe Dene Band Draft Work Plan comments - Feb29\\_24](#).

<sup>5</sup> See MVLWB Online Review System for [Westcoast - Pointed Mountain Pipeline Abandonment Project](#).