



Province of British Columbia

# Major Mines Permitting Office (MMPO) Project Charter

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Project Name
Date

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## I. Document Control

Date	Author	Version	Change Reference
		V 1.0	Initial Document
		V 1.1	Added Formatting

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## 1 PURPOSE

The purpose of this Project Charter is to provide a shared understanding of the coordinated authorization process for Major Mine Projects as it applies to **Project Name**. The Project Charter also outlines the scope and objectives of the process, major risks and the roles and responsibilities of all Project Stakeholders and First Nations.

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## 2 BACKGROUND

*Project Specific Background: include a brief summary on Project location, Proponent, First Nations, EAO review process if applicable and any other relevant information*

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## 3 FIRST NATION ENGAGEMENT

*Project Specific Background: include a brief summary on the status of First Nations engagement, applicable agreements, collaboration commitments and any other unique considerations.*

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## 4 PROJECT SCOPE

This Charter applies to the administration of the coordinated authorizations process. The coordinated authorizations process is an inter-agency process for the coordination of the provincial review of NRS authorizations and the harmonization of First Nations consultations in relation to mining activities relevant to section 10 of the *Mines Act* and other provincial approvals related to the Project.

The Mine Review Committee (MRC) is the advisory committee established in accordance with section 9 of the *Mines Act* by the Chief Inspector of Mines to review applications for mine and reclamation permits for the Project and by such review assist the chief inspector in carrying out the chief inspector's duties under the *Mines Act*. In addition to *Mines Act* applications, the MRC reviews applications for other provincial permits required for the construction and operation of the mine. The MRC's role is to determine the application requirements for each permit necessary for the construction and operation of the Project, undertake the technical review of each permit application, and provide recommendations in relation to the relevant permits to the respective Statutory Decision Makers.

The coordinated authorization review process is composed of the following four phases:

### 4.1 Pre-Application

The application phase is a critical step for ensuring the review process is understood by all, that all the required authorizations have been identified and that the identification and scoping of issues and information requirements have been thoroughly discussed and agreed to by the MRC. Application information requirements consist of the requirements outlined in Provincial guidance (i.e. Joint Application Information Requirements for *Mines Act* and *Environmental Management Act* Permits and its associated Information Requirements Table (IRT)), specific items raised during permitting pre-application meetings and permitting information requirements highlighted during the EA review, if applicable. The emphasis placed on the pre-application phase supports the development of high-quality, complete applications and reduces the risk of delays further in the permitting process (i.e. screening and review).

#### 4.2 Application Screening

The complete draft application packages are submitted and distributed to the MRC for initial screening review. MRC members undertake a screening level review of the application to ensure all requirements identified during the pre-application phase have been included in sufficient detail to allow a meaningful review of the applications. If the application is not accepted due to deficiencies regarding the application information requirements, the Proponent must address the deficiencies, revise and resubmit the application(s).

#### 4.3 Application Review

MRC members undertake a full review of the applications, identify issues and may request additional information from the Proponent. Typically this process will take place over 2-3 rounds of comments from the MRC and responses from the Proponent. First Nations engagement and public review and comment also occur during the review phase. All items identified by the MRC are tracked by the Major Mine Permitting Office (MMPO) through to resolution. The goal of the MRC Chair and MRC members is to work collaboratively with the Proponent and strive to complete the application review stage in a timely manner.

#### 4.4 Decision

The MRC is an advisory committee to SDMs and does not have any decision-making authority. At the end of the MRC's review of the permit applications, the MRC Chair will prepare a report summarizing the work of the MRC and submit it to the appropriate SDMs to support their decision making. The MRC summary report contains information summarizing the review process undertaken to address each statutory requirement (including a summary of First Nations and public consultation), details of all of the issues raised and how they were addressed or a rationale for issues that were not addressed, and specific matters that may need to be taken into consideration by each SDM in making their

respective decisions. A separate First Nations consultation report will be prepared for SDMs, identifying First Nations interests and suggested mitigations, providing details of the consultation process, and providing an assessment of the completeness of the process in satisfying the Provincial Government’s legal obligations to consult and accommodate.

Appendix 1 itemizes the permits that have been identified as being required in relation to the Project and Appendix 2 shows the Coordinated Permit Application Review Schedule.

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## 5 SCOPE BOUNDARIES

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<b>In Scope</b>	<b>Out of Scope</b>
<ul style="list-style-type: none"> <li>• Determination of required authorizations, defining requirements for complete and high quality applications, and the development of a Coordinated Permit Application Review Schedule for these authorizations.</li> <li>• Review of application by the MRC.</li> <li>• Technical issues/matters related to permitting for the Project.</li> <li>• Coordinated review of applications as outlined in the Guide to Coordinated Authorizations for Major Mines Guidebook (December 2013) administered through the MMPO.</li> <li>• Management of MRC Development/delivery of a committee report for Statutory Decision Makers (SDMs).</li> <li>• Consultation with affected First Nations on Project components and all required permits.</li> <li>• Development of accommodation measures where appropriate and necessary to support the coordinated consultation and permitting.</li> <li>• Coordination with the EA process and consultations insofar as possible.</li> </ul>	<ul style="list-style-type: none"> <li>• Comprehensive Land Use Planning.</li> <li>• Non-project related reconciliation of aboriginal rights and title claims.</li> <li>• Permit monitoring and compliance.</li> <li>• The Proponents obligations under federal, municipal or regional government regulatory requirements including, but not limited to, statutes, regulations or bylaws.</li> <li>• Any confidential agreements negotiated between First Nations and the Proponent.</li> </ul>

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## 6 OBJECTIVES

1. Produce high quality applications for the required authorizations and permits under the coordinated authorizations process as outlined in the Guide to Coordinated Authorizations for Major Mines (Version 2.0, December 2013) and as per the Project Permit List in Appendix 1.
2. Conduct a thorough pre-application review of the application information requirements with the Proponent through an assigned Project Director, Project Lead and Mine Review Committee (MRC).
3. Conduct timely pre-application, screening and review phases for *provincial* permit applications submitted by the Proponent. In support of this objective, MMPO will administer a Project Management approach throughout each phase of the Project (pre-application, screening, review and decision) by creating a collaboratively developed Project Schedule with agreed upon and achievable timelines, issue tracking tools and follow up processes for Project issues, risks, deliverables and milestones.
4. Address Project-related issues and risks with all Project participants. In support of this objective, actions, risks, issues and resolutions from MRC and consultation discussions will be recorded and tracked.
5. Clearly define the accountabilities of the Proponent and the Provincial Government for the review of required authorizations for the Project.

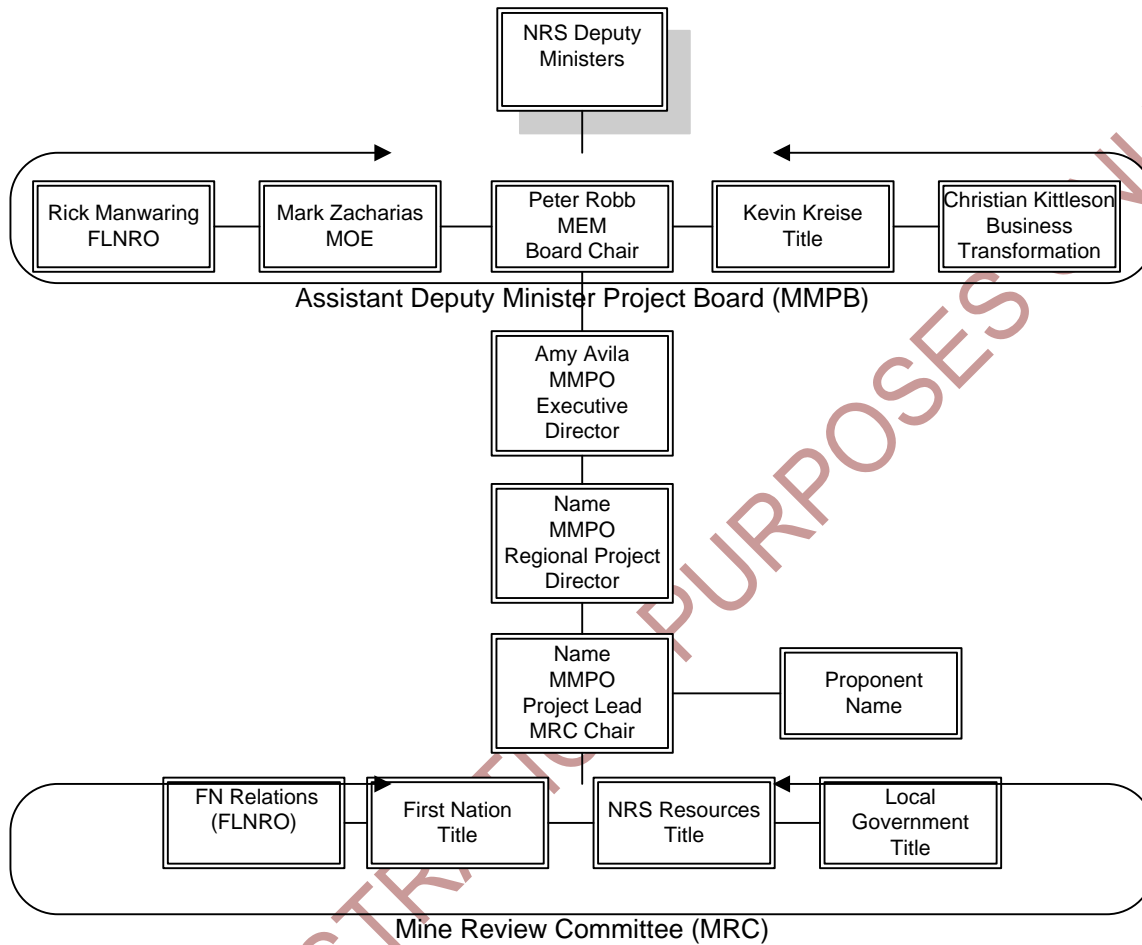


## 7 MAJOR DELIVERABLES & MILESTONES

Process Phase	Milestone	Deliverable*
Pre-application	Project Kick-off	<ul style="list-style-type: none"> <li>Project Description</li> </ul>
	MRC Membership and Terms of Reference Confirmed	<ul style="list-style-type: none"> <li>MRC Members List</li> <li>MRC Terms of Reference</li> </ul>
	MRC Pre-application Meetings Complete	<ul style="list-style-type: none"> <li>Draft Permit List</li> <li>Project Charter</li> <li>Risk Register</li> <li>FN Engagement Letter</li> <li>Coordinated Permit Application Review Schedule</li> <li>Application Information Requirements</li> <li>Information Requirements Table</li> <li>Pre-application Issue Tracking Table</li> </ul>
Application Screening	Application Screening Starts	<ul style="list-style-type: none"> <li>Application Package including: <ul style="list-style-type: none"> <li>Application Document</li> <li>IRT</li> <li>Pre-Application Issue Tracking Table (if applicable)</li> </ul> </li> <li>For new permits, Proponents to include a summary of Project changes from the EA</li> <li>For amendments to existing permit, Proponents to include a summary of current permit conditions and deliverables that may intersect, be impacted by or are related to the new proposal.</li> </ul>
	Application Screening Ends	<ul style="list-style-type: none"> <li>MRC Screening Comments</li> <li>Proponent Responses to Screening Comments (if applicable)</li> <li>Screening Decision Issued and provided in writing to MMPO</li> </ul>

Application Review	Application Review Starts	<ul style="list-style-type: none"> <li>• Proponent Application Package (Revised if necessary based on screening comments)</li> </ul>
	Application Review Ends	<ul style="list-style-type: none"> <li>• MRC Review Comments</li> <li>• Proponent Comment Responses</li> <li>• Review Issue Tracking Table</li> </ul>
Reporting	Decision Package Ready for Submission to SDM	<ul style="list-style-type: none"> <li>• Complete Risk Register</li> <li>• Change Log</li> <li>• Complete Issue Tracking Table</li> <li>• MRC Summary Report</li> <li>• First Nations Consultation Report</li> <li>• Final Draft Permits</li> </ul>
Decision	SDM Decision on Permit Package	<ul style="list-style-type: none"> <li>• Permit Decisions</li> </ul>
* Responsibilities for Deliverables are Outlined in the Roles and Responsibilities Section Below		

## 8 PROJECT TEAM ORGANIZATIONAL CHART



## 9 ROLES AND RESPONSIBILITIES - RACI MATRIX

The RACI Matrix assists in the identification of roles and assigning of cross-functional responsibilities to a Project deliverable or activity.

RACI represents: **R** - Responsibility, **A** - Accountable, **C** - Consulted, and **I** - Informed

RACI Definitions:

- **Responsibility** = person or role responsible for ensuring that the item is completed
- **Accountable** = person or role responsible for actually doing or completing the item
- **Consulted** = person or role whose subject matter expertise is required in order to complete the item
- **Informed** = person or role that needs to be kept informed of the status of item completion

<b>Project Deliverable (or Activity)</b>	<b>Proponent</b>	<b>ADM Project Board</b>	<b>Executive Director</b>	<b>Project Director</b>	<b>Project Lead</b>	<b>FN Consultation Advisor</b>	<b>MRC</b>
<b>Pre-application Phase</b>							
Ensure that resources and staff are in place to participate in detailed permit-level mine planning and design coordinated authorization process.	R/A		I	I	I		
Develop a detailed description of the Project	R/A	I	I	I	I	I	I
Lead the MRC in jointly developing the list of Project application information requirements.							
Develop a Table of Concordance outlining how the Project application requirements will be met.	R/A	I	I	I	A		A
Establish an Issues Tracking Table	R/A		I	I	A		C
Decide which permits to bundle together with the Mines Act (MA) and Environmental Management Act (EMA) Applications	R/A			I	A		C
Establish relationships with First Nations and engages in procedural aspects of consultation, as required.	R/A			I	C	C	I
Establish the Project-Specific MRC and MRC Terms of Reference.	I	I	C	R	A		C
Establish the Coordinated Permit Application Review Schedule and the Project Charter.	C	I	C	R	A		I
Assign appropriate resources to the Project review to support agreed upon timelines and the Coordinated Permit Application Review Schedule .		R	A	C			

Complete Application Package	R/A			C	A		C
<b>Project Deliverable (or Activity)</b>	<b>Proponent</b>	<b>ADM Project Board</b>	<b>Executive Director</b>	<b>Project Director</b>	<b>Project Lead</b>	<b>FN Consultation Advisor</b>	<b>MRC</b>
<b>Screening Phase</b>							
Submit Application Package	R/A		I	I	C		I
Approve Project Charter and Permit Review Schedule.		R/A	C	C			
Ensure the applications contain all information required to conduct a meaningful review, as outlined in agency-specific information requirements and pre-application issues tracking table, and request clarification on any deficiencies.	I		I	C	C		R/A
<b>Review Phase</b>							
Manage the Coordinated Authorizations Process and responsible for Project oversight and Project management accountability.			R	C	A		
Coordinate the MRC including timely submission of comments and responses to questions and requests for clarification and additional information between both the Proponent and the MRC participants.				R	A		C
Manage the Coordinated Permit Application Review Schedule with the Proponent and MRC.	C		I	R	A		C
Coordinate final Project reporting to SDMs.	C		I	R	A		C
Coordinate First Nations consultation for the Project on behalf of all NRS agencies that will be issuing decisions related to the Project.			I	R	C	A	
Prepare the First Nation Consultation report on behalf of MMPO for submission to SDMs.	I		I	R	A	A	C
Coordinate discussions with First Nations at any non-technical forums and appropriately documents all discussions.	I		I	R	A	A	C
Conduct a complete and thorough review of the information provided in the applications, submitting all questions, comments and request for additional information or clarification to the MRC Chair according to the agreed upon timelines in the Coordinated Permit Application Review Schedule .	I		I	C	A		R/A
Review and respond to the Proponent's responses to comments, questions, clarifications and requested additional information	I		I	C	A		R/A
Collect and distribute information as requested by the MRC to fulfill application requirements. Address issues and information requests raised by the MRC within the scope of review and within established time lines.	R/A		I	I	C		

<div style="text-align: center;"><b>Role</b></div> <div style="text-align: center;"><b>Project Deliverable (or Activity)</b></div>	Proponent	ADM Project Board	Executive Director	Project Director	Project Lead	FN Consultation Advisor	MRC
<b>Review Phase (continued)</b>							
Advocate for resolving Project-specific barriers and managing risk.		R	C	A			
Initiate Change Management Process if any changes to the Coordinated Permit Application Review Schedule are required.			R	C	A		
Approve high priority change requests (level 3)		R	A	A			
<b>Reporting Phase</b>							
Finalize Issues Tracking Table and Application for Submission to SDM	R/A		I	I	C		
Finalize risk register and change log			I	R	A		
Complete MRC summary report				R	A		
Complete FN Consultation Report				R		A	
Finalize Draft Permits				R		A	A

## 10 RISK ASSESSMENT

<b>Risk Description</b>	<b>Probability</b>	<b>Impact</b>	<b>Risk Mitigation Strategy</b>
The Proponent submits incomplete application materials for screening.	Low	High	Before an application is submitted the Application Information Requirements and First Nations engagement requirements are addressed in details with the MRC.
The Proponent's application doesn't meet the regulatory requirements and does not pass screening.	Moderate	High	Pre-application activities inform the Proponent of the screening requirements and support the application. The technical members of the MRC are the same members that screen applications.
The Proponent does not have the necessary resources to review the information under the timelines proposed.	Moderate	High	The Coordinated Permit Application Review Schedule will be agreed upon by the Proponent and the MRC Chair and will take into account the Proponent's timelines and resources. Changes to the Coordinated Permit Application Review Schedule can be made during the permitting process using MMPO change management procedures.
The Provincial Government does not have the necessary resources to review the information under the proposed timelines.	Low	High	Obtain commitment from Project Board for Project review resourcing to meet the proposed Coordinated Permit Application Review Schedule. Agreed upon changes to the Coordinated Permit Application Review Schedule can be made during the permitting process using MMPO change management procedures.

First Nations do not support Project due to impacts on Aboriginal rights, title, interests or cultural heritage.	Low	High	Early Proponent engagement with First Nations and Proponent development of an Impact Management Benefits Agreement. Provincial Government to enter into Economic and Community Development Agreement negotiations. Provincial Government to develop a robust joint engagement plan with First Nations.
The Proponent is unable to submit additional data deemed necessary by the MRC in a timely fashion to meet Project timelines.	Low	High	The Proponent clearly understands the information required to be submitted with their applications and the timelines to provide it.

## 11 LINKS and DEPENDENCIES

- Provincial Revenue Sharing Negotiations
- First Nation Consultations
- Coordinated Authorizations Process
- MMPO Change Management Process
- MMPO Risk Management Plan
- MMPO Issue Management

## 12 COMMUNICATION

### 12.1 Reporting

Report from	Reporting to	Report Type	Frequency	Purpose
Executive Director	Project Board	Status Report	Monthly	Project Updates Issues and Barriers
Project Lead	Project Director and Executive Director	Status Report	Monthly	Status of Project issues, risks and discussions



MRC	Proponent	Meeting Summaries	As required	Communicate Project-specific application information requirements and application review updates.
Proponent	MRC	Information Requests	As required	Project updates, schedule status and issues/concerns.

### 12.2 Meetings

<b>Meeting</b>	<b>Participants</b>	<b>Frequency</b>	<b>Purpose</b>
Board Meeting	Project Board	Monthly	Project Updates Issues and Barriers
MRC Meeting	MRC Members	As required	Project Updates Process discussions related to Technical review of application
Project Team Meeting	Project Team	Weekly	Updates from Project Board, Project status, risks and issues
First Nations and the Provincial Government	Project Leadership and First Nations	As required	Separate venue to discuss issues/ accommodations that are out of scope from the technical review (MRC)
Established Working Groups/ Sub-Committees	Working Group or Subcommittee Members	As required	Focused on a specific topic/ Project component that requires a separate venue to work through issues in addition to the MRC
Project Meeting	MRC and Proponent	As required	Communicate Project-specific application information requirements and application review updates.

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## 13 CHANGE POLICY

A change may be initiated by the ADM Project Board, Project Director, MRC or the Proponent. Change requests should follow the processes outlined in the Major Mine Permitting Office Change Management Process (Appendix 4).

If the EA application review schedule changes during the coordinated authorizations process, the MMPO will review, and may revise, the permit review schedule in consultation with the MRC and the Proponent.

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## 14 APPROVAL SIGNATURES

**Proponent**

**Chair of Major Mine Permitting Board**

\_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

**Proponent Name**

**Name**, ADM, Ministry of Energy

**Title**

and Mines

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## 15 APPENDICES

Appendix 1: List of Permit Applications to be included in the coordinated authorization process

Appendix 2: Mine Review Committee Membership

Appendix 3: Major Mine Permitting Office Change Management Process

Appendix 4: Permit Application Review Schedule

**Appendix 1: List of Permit Applications to be included in the coordinated authorization process**

<b>Permit Authorization</b>	<b>Agency</b>
<i>Mines Act</i> Permit	Ministry of Energy, Mines and Petroleum Resources
<i>Environmental Management Act</i> Permit	Ministry of Environment and Climate Change Strategy
Occupant Licence to Cut, Area Based	Forests, Lands, Natural Resource Operations & Rural Development
Road Use Permit	Forests, Lands, Natural Resource Operations & Rural Development
<i>Water Sustainability Act</i> Approval for changes in and about a stream and ground water	Forests, Lands, Natural Resource Operations & Rural Development

**Appendix 2: Project Name Mine Review Committee Membership**

Agency/Affiliation	Name	Role (*may vary from project to project)
<b>Provincial Government</b>		
<b>Energy, Mines and Petroleum Resources</b>		Senior Environmental Geoscientist
		Senior Reclamation Inspector
		Manager Reclamation
		Geotechnical Review
		Inspector of Mines, Health and Safety
		Inspector of Mines, Mechanical
		Inspector of Mines, Electrical
		Regional Director
		Inspector of Mines, Occupational
		Inspector of Mines, Occupational
<b>Ministry of Environment and Climate Change Strategy</b>		Project Director, Major Mines Permitting Office
		Senior Project Lead, Major Mines Permitting Office
		Section Head, Authorizations
		Environmental Protection Officer
		Environmental Impact Assessment Biologist
<b>Forests, Lands, Natural Resource Operations &amp; Rural Development</b>		Hydrologist
		Air Quality Meteorologist
		Water Stewardship Section Head
		Forest Tenures Officer
		Habitat Biologist
<b>Environmental Assessment Office</b>		Regional Hydrogeologist
		First Nations Consultation Lead
<b>First Nations</b>		
<b>First Nation Name</b>		Project Assessment Manager
		Manager, Lands Stewardship
		Environment and Archaeological Stewardship Manager
		Regulatory Engagement Coordinator
<b>First Nation Name</b>		Terrestrial Biologist
		Chief
<b>Local Government</b>		Cultural Heritage Coordinator
<b>Local Government or Regional District Name</b>		Mayor
		Councillor

## **Appendix 3: Change Management Process**

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A change may be initiated by the ADM Project Board, Project Lead, MRC Members, or the Proponent. Change request, which could result in an impact to the Permit Application Review Schedule will be actioned according to the MMPO Change Management Process as shown below.

### **Definitions and Interpretation:**

“Change Management Log” means a register that lists all changes to the Project Review Schedule including reasons for change, impact of change and required actions to implement change as defined in the Change Management section below;

“Permit Application Review Schedule” means the detailed work plan agreed to by all parties that includes all steps necessary for the pre-application, application, application review, consultation and permit decisions;

“Provincial Permitting Agencies” means Provincial agencies that will be issuing provincial permits to facilitate the construction, operation, and closure of the Kootenay West Mine Project;

“Statutory Decision Makers” (SDM) means individuals appointed by statute that are responsible for decisions made in accordance with those statutes and administrative law principles and whose discretion in relation to those decisions is exercised independently within the purposes of the statutory power being exercised.

### **Change Management**

1. The ADM Project Board will seek to resolve issues related to the MRC’s ability to meet targets and undertake activities as contemplated in the Permit Application Review Schedule. The Chair of the Major Mine Project Board and participating ADMs are responsible for providing senior executive policy guidance to the MMPO and applicable Provincial Agencies involved in the coordinated authorizations process.
2. The Project Lead or Regional Project Director of the MMPO will notify and work with an equivalent representative within the Proponent’s corporate structure if material is delivered late or incomplete.
3. Any issue arising during the coordinated authorizations process that may impact the Permit Application Review Schedule will require a Permit Schedule Review Change Request to be submitted by the party seeking the change. Change Requests are to be submitted to the MMPO Project Lead prior to the completion date of the milestone or task as contemplated in the Permit Application Review Schedule. Upon receipt of the Change Request, the MMPO Project Lead will consider the request and seek resolution of the issue without impact to the Permit Application Review Schedule. In the event a schedule impact is

unavoidable, the Project Lead will seek the necessary approval for the Change Request in accordance with the level of change as described below.

4. A delay in reaching a milestone or undertaking an activity as contemplated in the Permit Application Review Schedule that does not impact critical timelines related to Project construction and operations and Provincial decisions related to those activities that can likely be mitigated and managed within the parameters of the Permit Application Review Schedule shall be considered a Level 1 Change. Level 1 Changes will require approval by the MMPO Regional Project Director following consultation with the equivalent representative within the Proponent's corporate structure.
5. A delay in reaching a milestone or undertaking an activity as contemplated in the Permit Application Review Schedule which risks impacting critical timelines related to Project construction and operations and Provincial decisions related to those activities that can likely be mitigated and managed within the parameters of the Permit Application Review Schedule shall be considered a Level 2 Change. Level 2 Changes will require approval by the MMPO Project Director following consultation with the equivalent representative within the Proponent's corporate structure. Contributing issues to Level 2 Changes will require monitoring by both Parties in order to avoid Level 3 Changes.
6. A delay in reaching a milestone or undertaking an activity as contemplated in the Permit Application Review Schedule which risks impacting critical timelines related to Project construction and operations and Provincial decisions related to those activities that cannot be managed within the end date or parameters of the Permit Application Review Schedule shall be considered a Level 3 Change. Level 3 Changes will require approval by the ADM Project Board following consultation with the equivalent representative(s) within the Proponent's corporate structure. A Level 3 Change to the Permit Application Review Schedule may include the following actions:
  - a) a reduction of the duration to complete subsequent tasks to ensure the permit decision milestone remains unchanged; or
  - b) extension of the permit decision milestone
7. If it is determined by the appropriate Statutory Decision-maker that the application material was not delivered on time or was incomplete, the MMPO Project Lead will notify the Proponent and the Regional Project Director will notify the ADM Project Board and determine if a Level 1, 2 or 3 Change to the Permit Application Review Schedule will be required. Late or incomplete applications may risk impacting critical timelines related to Project construction and operations, and Provincial decisions related to these activities;
8. If it is determined by the Chair of the MRC that the MRC is unable to meet a deadline outlined in the Project Review Schedule (Appendix 2 to the Project Charter) that risks impacting critical timelines related to Project construction and operations and Provincial decisions related to those activities that cannot be

managed within the end date or parameters of the Permit Application Review Schedule, the Chair will notify the MMPO Regional Project Director to take action as required. Action will include but not be limited to presentation by the Regional Project Director to the ADM Project Board to request a Level 3 change;

9. Any changes (Level 1, 2 or 3) to the Permit Application Review Schedule for any reason will be reflected in an amended Permit Application Review Schedule and documented in the Change Management Log; and
10. The MMPO Project Lead is responsible for maintaining and facilitating any required amendments to the Permit Application Review Schedule and the Change Management Log.

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