

23 December 2020

Joseph Mackenzie
Chair
Wek'èezhii Land and Water Board
#1, 4905 – 48th Street
Yellowknife, NT
X1A 3S3

Re: W2012L2-0001 – Interim Closure and Reclamation Plan Version 3.0, Request for Extension to Workshop Date (Decision D)

Dear Mr. Mackenzie:

As part of the Wek'èezhii Land and Water Board (the Board) February 19, 2020 Reasons for Decision on the Interim Closure and Reclamation Plan Version 3.0 (ICRP 3.0), Decision D indicated the requirement for the completion of a workshop as follows:

Decision D: Prior to the submission of the interim CRP Version 3.1, a workshop is required to address outstanding issues set out in Appendix D. The workshop is to be held on or before November 16, 2020.

ICRP 3.0 represents a comprehensive representation of the planned closure of the Ekati Diamond Mine. Dominion Diamond Mines ULC (Dominion) has received partial approval for the document and contents. The Board identified the need for additional information, revisions, and further engagement on ICRP 3.0. As a result, aspects of ICRP 3.0 were not approved, including:

- All proposed closure objectives and criteria
- Research Plan 1: Wildlife Safety
- Research Plan 4: Pigeon Waste Rock Storage Area Closure Cover
- Research Plan 5: Waste Kimberlite Seepage
- Research Plan 6: Jay Waste Rock Storage Area Co-placement
- The proposed reduction of scope for reclamation activities which facilitate fish habitat to select pit lakes

The Board determined that a workshop would be the best venue to work through some of the outstanding issues. Further engagement on related closure planning will allow for discussion on specific issues that remain outstanding and work toward achieving a consensus. Dominion seeks to move forward in a direction that further engagement on these topics can take place in a format that is safe for all participants and effectively advances closure criteria to an approved state.

Dominion understands the need for the completion of the workshop and the high importance of this document to all stakeholders, however in the context of continued uncertainties surrounding the COVID-19 pandemic and the applicable Public Health Orders that are in place in the Northwest Territories regarding travel and indoor gatherings, on May 6, 2020 the Board granted an extension request moving the workshop date to March 16, 2021.

Due to the significant importance of ICRP 3.0 to all parties, Dominion is now requesting an additional four-month extension to ensure that all engagement requirements can be met, moving the workshop date to no later than the end of July 2021. At this time, a four-month extension seems reasonable to allow for Dominion to engage with all required stakeholders to ensure that the structure of the upcoming workshop meets each of their engagement expectations. At this point Dominion has determined two potential alternative options to move forward with the workshop:

- 1) **Videoconference with all parties.** This conference would run similar to previous years with a presentation on the ICRP and the opportunity for questions and feedback from all community representatives.
- 2) **Videoconference with each Indigenous stakeholder group individually.** The ICRP presentation will be provided for each Indigenous group in their own session with the opportunity for questions and feedback from each community representatives. Following these meetings, a summary report of all questions and recommendations from each session will be sent to all the Community Government, to provide an opportunity for additional follow up, based on engagement with the Indigenous groups. A joint session would also be held for all remaining stakeholders.

As indicated above, Dominion is actively seeking the participation of Indigenous Government's and Traditional Knowledge holders and understands that providing interpretation may be necessary, dependent on the preference of each Indigenous Government. We believe that this may prove to be the largest challenge to Option 1. Including live simultaneous interpretation for 4 different languages, during a videoconference, is not currently achievable. However, the company will continue working with each Indigenous Government, to ensure that adequate interpretation is provided, and engagement occurs in a manner that they deem appropriate. The letter requesting engagement from each Indigenous Government on how to move forward with the ICRP 3.0 Workshop is included below (Appendix A).

If you have any questions or concerns regarding this extension request please contact the undersigned at Harry O'Keefe at 867-445-3185 or Harry.O'Keefe@ddcorp.ca or Kurtis Trefry, Environment Specialist Reclamation, at 403-910-1933 Ext 2406 or Kurtis.Trefry@ddcorp.ca.

Sincerely,



Harry O'Keefe
Superintendent – Environment Operations

Appendix A

ICRP Workshop Community Engagement Letter – December 21, 2020

21 December 2020

Dominion Diamond Mines (DDM) is requesting your organizations input on options for hosting a workshop in Mid-2021. Dominion will be presenting an update on the Interim Closure and Reclamation Plan (ICRP) for the Ekati Diamond Mine. Due to the Covid-19 Pandemic, Dominion is unable to host the workshop in person, as we have done in previous years, while following the NWT Chief Public Health Officer's Public Health Orders regarding Travel and Indoor Gathering Restrictions. Dominion would appreciate your feedback on some alternative options:

- 1) **Videoconference with all parties.** This conference would run similar to previous years with a presentation on the ICRP and the opportunity for questions and feedback from the stakeholders.
- 2) **Videoconference with each stakeholder group individually.** The ICRP presentation will be provided for each group in their own session with the opportunity for questions and feedback from the stakeholder. Following these meetings, a summary report of all questions and recommendations from each session will be sent to all Stakeholders with the opportunity for additional follow up.

Dominion Diamond Mine is actively seeking the participation of Traditional Knowledge holders and understands that providing interpretation is necessary for their inclusion. It may prove challenging to include live simultaneous interpretation during the videoconference with all parties option, however, the company is looking at options to ensure that adequate interpretation is provided. The videoconference with each stakeholder group individually option may be better suited for the inclusion of live interpretation.

Please let Dominion know **by January 15, 2021** on your preference for the workshop format or if you have other suggestions for engagement that may work better for your organization. Your input on the format of this workshop is appreciated and will ensure Dominion is able to ensure each group has adequate time and opportunity to be properly engaged with on the ICRP. If you have any questions or concerns regarding this extension request please contact the undersigned at Harry O'Keefe at 867-445-3185 or Harry.O'Keefe@ddcorp.ca or Nick Ballantyne, Senior Advisor, Communities at nicholas.ballantyne@ddcorp.ca or 867-669-6150.

Sincerely,



Harry O'Keefe
Superintendent – Environment Operations