Dear Mr. Mackenzie:

Subject: DDMI Closing Arguments Re: Water Licence Amendment Application for the A21 Below Pit Project – W2015L2-0001

Diavik Diamond Mines (2012) Inc. (DDMI) is pleased to provide the Wek’eezhii Land and Water Board (WLWB or ‘the Board’) with its closing arguments as part of the Board’s Review of the Water Licence Amendment (W2015L2-0001) for DDMI’s proposed A21 Below Pit Mining Project (the Project).

DDMI has actively participated in all phases of the Board’s Review of the Project, including the Preliminary Screening and Technical Review stages of the Water Licence Amendment process. Throughout the process, DDMI has endeavoured to address the WLWB and other reviewer comments, concerns, and recommendations through project clarifications and DDMI commitments with regards to the Project. DDMI notes that none of the interested parties/reviewers indicated in closing arguments that there were any unresolved water licencing-related issues; hence, DDMI considers all outstanding issues regarding the water licencing component of the Review to be resolved.

With regard to the applicability of Chapter 23 of the Tlíchô Land Claims and Self-Government Agreement (Tlíchô Agreement) to the the A21 Below Project, DDMI reiterates its May 27, 2020 correspondence1 to the Board that the A21 Below Pit Project does not meet either the employment or capital expenditure thresholds for a “Major Mining Project” as specified in Section 23 of the Tlíchô Agreement.

As noted in DDMI’s May 28, 2020 correspondence2 to the WLWB, the Project is currently not economically viable and may not be in the future.

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1 DDMI Letter to the WLWB Re Major Project Status for the A21 Below Pit Mining Project, May 27, 2020
2 DDMI Letter to the WLWB Re Request to Suspend the WLWB Review for the A21 Below Pit Mining Project, May 28, 2020
We thank the WLWB and the Board staff, reviewers, affected parties, and other interested groups for their ongoing involvement in the review process for the A21 Below Pit Project. Please do not hesitate to contact the undersigned or Kofi Boa-Antwi (867 447 3001 or kofi.boa-antwi@riotinto.com), if you have any questions related to this submission.

Sincerely,

Sean Sinclair
Principal Advisor, Environment and Closure Readiness

cc:   Kassandra DeFrancis, WLWB
      Anneli Jokela, WLWB
      Chris Hotson, WLWB