July 5th 2016

Honourable Wally Schumann
Minister Environment and Natural Resources
Government of the Northwest Territories
Yellowknife, NWT

Dear Minister Schumann,

RE: Ministerial Decision on Proposed Amendment to DDMI Type “A” Water Licence W2015L2-0001 – Diavik Mine

The Wek’éezhii Land and Water Board (the Board) is in receipt of your decision dated June 24, 2016 in relation to the captioned water licence amendment (called the final draft licence below). As you might expect, the applicant Diavik Diamond Mines (2012) Inc. (DDMI) and the Board are anxious to plan for any further process in a way which is consistent with both your decision and the law.

The Board is certainly ready to deal with any further DDMI initiatives in relation to an amendment on an efficient, even an expedited basis. There are, however, some questions arising from our reading of your decision about how you expect that process should take place.

In the Board’s reading of your letter it is clear that you did not approve the final draft licence forwarded to you on May 11, 2016. Unfortunately, the letter is not so clear about the effects of your decision on the proceeding which led to the final draft licence.

We thus, respectfully seek clarification of that aspect of your decision. We have attempted to capture our procedural concern in the questions below:

1. Does your decision mean that the proceeding which led to the final draft licence is terminated and thus that DDMI must reapply for any amendment to the TSS level set out in the current licence?

2. Does your decision mean that the Board should simply resume its proceeding with a view to resolving the concerns set out in your letter and thus to forward you a revised licence, if such a revision is the outcome of the renewed process?

Your further direction in response to these questions would greatly assist the Board to plan for any further process required in relation to the DDMI amendment application.
Respectfully,

The Wek’èezhii Land and Water Board

Copied to: Marc Cameron, President and COO for DDMI
DDMI Distribution List
From: Ryan Fequet
To: Roberta Judas
Cc: Sarah Elsasser
Subject: FW: W2015L2-0001 - Diavik - TSS Amendment - WLWB Request for Clarification on Process
Date: July-05-16 10:44:01 AM
W2015L2-0001 - Diavik - TSS Amendment - WLWB Request for Clarification o...doc

From: Ryan Fequet
Sent: July 5, 2016 10:42 AM
To: Wally Schumann <Wally_Schumann@gov.nt.ca>; Doug Pon <Doug_Pon@gov.nt.ca>; Lucy Escalante <Lucy_Escalante@gov.nt.ca>
Cc: 'Marc Cameron' <Marc.Cameron@riotinto.com>; 'admin_dkfn@northwestel.net' <admin_dkfn@northwestel.net>; Anneli Jokela <ajokela@wlwb.ca>; 'AMacDonald@glwb.com' <AMacDonald@glwb.com>; Angela Plautz <aplautz@mvlwb.com>; 'apower@ykdenecom' <apower@ykdenecom>; 'April.Hayward@ekati.ddcorp.ca' <April.Hayward@ekati.ddcorp.ca>; 'Bradley.Summerfield@canada.ca' <Bradley.Summerfield@canada.ca>; 'btracz@wrrb.ca' <btracz@wrrb.ca>; 'byerses@mymts.net' <byerses@mymts.net>; 'Catherine_BraunRodriguez@gov.nt.ca'; 'claudine.lee@Ekati.DDCORP.ca' <claudine.lee@Ekati.DDCORP.ca>; 'david.alexander@cannor.gc.ca' <david.alexander@cannor.gc.ca>; 'David.Wells@riotinto.com' <David.Wells@riotinto.com>; 'dirlands@kitia.ca' <dirlands@kitia.ca>; 'Emab1@northwestel.net' <emab1@northwestel.net>; 'Emab2@northwestel.net' <emab2@northwestel.net>; 'Erie.Witherly@Ekati.DDCORP.ca'; 'Erin_Anderson@gov.nt.ca'; 'fisheriesprotection@dfo-mpo.gc.ca' <fisheriesprotection@dfo-mpo.gc.ca>; 'general@nsma.net' <general@nsma.net>; 'Gila_Somers@gov.nt.ca' <Gila_Somers@gov.nt.ca>; 'ginger.gibson@thefirelightgroup.com'; 'Glen_Mackay@gov.nt.ca' <Glen_Mackay@gov.nt.ca>; 'gnwt_ea@gov.nt.ca' <gnwt_ea@gov.nt.ca>; 'Gord.Macdonald@riotinto.com'; 'grandchiefediiwa@tlicho.com' <grandchiefediiwa@tlicho.com>; 'Heather_Beck@gov.nt.ca' <Heather_Beck@gov.nt.ca>; 'Joel_Holder@gov.nt.ca' <Joel_Holder@gov.nt.ca>; 'Jessica Pacunayen' <jpacunayen@wlwb.ca>; 'jpellissey@wrrb.ca' <jpellissey@wrrb.ca>; 'k_Johnson@gov.nt.ca' <k_Johnson@gov.nt.ca>; 'kate_witherly@gov.nt.ca'; 'lands@denenation.com' <lands@denenation.com>; 'lauraduncan@tlicho.com' <lauraduncan@tlicho.com>; 'laurie_mcgregor@gov.nt.ca' <laurie.mcgregor@gov.nt.ca>; 'lkdfnlands@gmail.com' <lkdfnlands@gmail.com>; 'Malcolm_Robb@gov.nt.ca' <Malcolm_Robb@gov.nt.ca>; 'Mark.D'Aguiar@dfo-mpo.gc.ca' <Mark.D'Aguiar@dfo-mpo.gc.ca>; 'Marty_Sanderson@gov.nt.ca' <Marty_Sanderson@gov.nt.ca>; 'monica_wendt@gov.nt.ca' <monica_wendt@gov.nt.ca>; 'neil.hutchinson@environmentalsciences.ca' <neil.hutchinson@environmentalsciences.ca>; 'pat_knutson@gov.nt.ca' <pat_knutson@gov.nt.ca>; 'Paul_Green@gov.nt.ca' <Paul_Green@gov.nt.ca>; 'Peter_Fast@gov.nt.ca' <Peter_Fast@gov.nt.ca>;
Subject: W2015L2-0001 - Diavik - TSS Amendment - WLWB Request for Clarification on Process

Honourable Wally Schumann,

Please find attached a letter from the Wek’éezhii Land and Water Board requesting clarification. This document will be posted to the WLWB Online Registry shortly.

Masi,

**Ryan Fequet, BSc.**
Executive Director

**Wek’éezhii Land and Water Board**

#1-4905 48th St. | Yellowknife, NT | X1A 3S3
ph 867.765.4589 | fax 867.765.4593
✉️ rfequet@wlwb.ca | www.wlwb.ca

*All correspondence to the Board, including emails, letters, faxes and attachments are public documents and may be posted to the public registry. Perhaps the truth depends on a walk around the lake - Wallace Stevens.*