20 July 2020

Dear Mr. Mackenzie:

Subject: DDMI Submission – Parties' Responses to WLWB Information Request re Terms of Reference for Water Quality Modelling Independent Review Panel Membership – PKMW Water Licence Amendment Application

Diavik Diamond Mines (2012) Inc.’s (DDMI) is pleased to provide its response to parties’ submissions to the Wek’èezhii Land and Water Board (WLWB or Board) regarding parties’ preferred candidates for consideration by the Board in the establishment of a Water Quality Modelling Independent Review Panel as part of the WLWB’s Review of DDMI’s Water Licence Amendment Application for the Processed Kimberlite to Mine Workings Proposal (the PKMW Project).

DDMI notes that on or before July 14, 2020, the WLWB received responses from the following parties:
- Environmental Monitoring Advisory Board
- Government of Northwest Territories
- North Slave Metis Alliance
- Tłı̨chǫ Government

DDMI has reviewed parties’ responses and wishes to highlight the following:
- DDMI has no concerns with the preferred Panel members suggested by Parties and notes no conflict of interest.
- DDMI requests that Panel member areas of expertise be limited to:
  1. Hydrodynamic water quality modelling and
  2. Extra fine processed kimberlite or clay hydrodynamics.
- DDMI acknowledges that an expert in these aforementioned areas requires experience and/or education in several scientific fields including geochemistry and hydrogeology.
- DDMI notes that some parties have suggested subdividing the aforementioned two (2) areas of expertise into three (3) or four (4) areas of expertise. DDMI believes this is not appropriate given that the Mackenzie Valley Environmental Impact Review Board did not see the need to require additional expertise in its Measures presented in the Report of Environmental Assessment (REA) for the PKMW Project. Also, as noted by the WLWB in its Decision\(^1\) to approve the Terms of Reference for the Water Quality Modeling Independent Review Panel, the Board is of the opinion that additional fields of expertise, beyond the two (2) types of expertise (hydrodynamic water quality modeling and extra-fine processed kimberlite or clay hydrodynamics) specified in the REA, are not required for the Independent Review Panel.

- DDMI requests that the Panel be limited to three (3) members the WLWB deems appropriate to conduct an independent review of DDMI’s water quality modelling for the PKMW Project. This will allow the diversity of Panel expertise to readily span the two (2) areas of expertise and provide an appropriately thorough independent review of water quality modelling while ensuring the Panel can function and reach consensus efficiently with direct and indirect costs (paid by DDMI) that remain reasonable.

DDMI appreciates the WLWB’s consideration of this submission. 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.

Yours sincerely,

Sean Sinclair
Principal Advisor, Environment and Closure Readiness

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

\(^1\) The WLWB Decision re Terms of Reference for the Water Quality Modeling Independent Review Panel, June 8, 2020