June 8, 2020

To all Parties,


The Wek’èezhìi Land and Water Board (WLWB) is requesting recommendations from Parties regarding additional Panel member candidates for consideration as part of the Water Quality Monitoring Independent Review Panel (the Panel) associated with Diavik Diamond Mines (2012) Inc.’s (DDMI) application to amend Water Licence W2015L2-0001 to allow for the deposit of Processed Kimberlite (PK) into the Mine Workings.

Background

DDMI applied to amend Water Licence W2015L2-0001 on June 1, 2018 to allow for PK to be deposited in the Mine Workings.1 On February 19, 2019, the Mackenzie Valley Environmental Impact Review Board (the Review Board) referred the project to environmental assessment (EA). The Review Board submitted its Report of EA (REA) on January 6, 2020 to the Minister of Lands; the REA included several measures to prevent or reduce the likelihood of significant adverse impact on the cultural use of Lac de Gras. REA measure 4 states “Diavik will establish an independent review panel for water quality modelling”.2 As part of REA measure 4, the Review Board requires DDMI to develop the Panel terms of reference (ToR) for approval by the WLWB. REA measure 4 also states that the WLWB “will engage Diavik and intervenors to identify and select panel members with appropriate expertise in hydrodynamic water quality modeling and extra-fine processed kimberlite or clay hydrodynamics”.3

DDMI submitted the ToR on March 26, 2020, along with six Panel member candidates with expertise in hydrodynamic water quality modeling and extra-fine processed kimberlite or clay hydrodynamics.4 The ToR was distributed for public review on March 30, 2020. During the Public review, the Environmental Monitoring Advisory Board (EMAB) recommended three Panel member candidates with expertise in geology and hydrogeology.5 Both EMAB and the Tłı̨chǫ Government (TG) suggested that having a Panel...

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1 See WLWB (www.wlwb.ca) Online Registry for Diavik - WL Amendment Application - PK to Mine Workings - Jun 4_18
2 See the Review Board’s website for EA1819-01 Diavik Report of Environmental Assessment FINAL.pdf
3 Ibid.
5 See WLWB Online Registry for Diavik - WL Amendment Application -PK to Mine Workings - ToR Panel - Review Summary and Attachments - May 28_20
member with experience in traditional or Indigenous knowledge could also be valuable.\textsuperscript{6}

On June 8, 2020, the Board released its decision to approve the ToR and provided direction for the next version of the ToR.\textsuperscript{7} The Board decided that the Panel will consist of a minimum of three Panel members with appropriate expertise in hydrodynamic water quality modeling and extra-fine processed kimberlite or clay hydrodynamics.

**Information Request**

In the Board’s decision on the ToR, the Board decided to provide Parties with another opportunity to recommend additional Panel member candidates, as well as an opportunity to provide their preferred Panel member candidates from a finalized list of candidates for the Board’s consideration. To date, nine candidates have been recommended:

<table>
<thead>
<tr>
<th>Candidate</th>
<th>Expertise</th>
<th>Company</th>
<th>Recommending Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daniel Potts, Hydrotechnical Engineer</td>
<td>Water Quality Modeling</td>
<td>Tetra Tech</td>
<td>DDMI</td>
</tr>
<tr>
<td>Scott Wells, Professor of Civil and Environmental Engineering</td>
<td>Water Quality Modeling</td>
<td>Portland State University</td>
<td>DDMI</td>
</tr>
<tr>
<td>J. Craig Swanson, Principal Associate</td>
<td>Water Quality Modeling</td>
<td>Swanson Environmental Associates LLC</td>
<td>DDMI</td>
</tr>
<tr>
<td>Randy Mikula, Owner of Kalium Research</td>
<td>Clay Hydrodynamics</td>
<td>Kalium Research</td>
<td>DDMI</td>
</tr>
<tr>
<td>Heather Kaminsky, Lead Researcher</td>
<td>Clay Hydrodynamics</td>
<td>NAIT</td>
<td>DDMI</td>
</tr>
<tr>
<td>Bill Price</td>
<td>Geochemistry</td>
<td>Natural Resources Canada</td>
<td>EMAB</td>
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<tr>
<td>Mark Logsdon</td>
<td>Geochemistry</td>
<td>Geochemica</td>
<td>EMAB</td>
</tr>
<tr>
<td>Christoph Wels</td>
<td>Hydrogeology</td>
<td>Robertson Geoconsultants</td>
<td>EMAB</td>
</tr>
</tbody>
</table>

\textsuperscript{6} Ibid.
\textsuperscript{7} See WLWB (www.wlwb.ca) Online Registry for Diavik - WL Amendment Application - PK to Mine Workings - ToR Panel - Reasons for Decision- Jun 8_20
The Board requests recommendations from Parties on additional Panel member candidates and requests the following information on or before Monday, June 29, 2020:

1. Provide the names of Panel member candidates and the following information:
   a. Indicate that the candidate has expertise in hydrodynamic water quality modelling, and/or extra-fine processed kimberlite or clay hydrodynamics;
   b. Provide copies of the candidate’s resumes;
   c. Disclose if the candidate has any conflicts of interest to declare; and
   d. Confirm that the candidate has expressed interest in sitting on the Panel.

Please let Board staff know by Monday, June 15, 2020 if your Party intends to submit potential Panel member candidates and the required supporting information.

Once Parties have provided recommendations and the requested information, Board staff will circulate a finalized list of candidates and ask Parties to provide a prioritized list of preferred candidates to assist the Board in its decision on choosing Panel members. DDMI will be provided an opportunity to respond to the Parties’ prioritized lists of preferred candidates.

Sincerely,

Chris Hotson,
Acting Executive Director, WLWB

Copied to: Diavik Distribution List