Dear Mr. Shiga:

Subject:  NSMA Intervention – Diavik Water License Renewal

Diavik Diamond Mines (2012) Inc. (DDMI) has one questions for the North Slave Metis Alliance (NSMA) that is being provided in writing in lieu of NSMA availability for questioning at the May 28-29, 2015 Public Hearing. The question is:

WLWB specifically requested Interveners positions on the term of the license and more specifically the rationale for their position. NSMA has submitted:

“The NSMA recommends to WLWB that the term of license be five years to allow for a review of the license conditions after the construction phases of A21 and Jay pit are over. We believe this is a reasonable and conservative approach that will encourage good practice and ongoing reviews.”

Can the NSMA please; a) be specific with regard to which license condition they believe would require consideration through a Water License renewal process, and b) describe why NSMA believes other review mechanisms (see below) are not appropriate for considering these reviews.

Please consider the following approaches available to the NSMA during the period of a license in preparing your response.

a) WLWB has advised that any party can make a request to the WLWB at any time to amend the conditions of a water license. The WLWB would make a decision to proceed based on the evidence presented; the same as for recommendations at the time of a renewal. Amendments and renewals both require WLWB and GNWT Minister approval.

b) In addition to a direct request to amend the conditions of a license there are specific water license review points, for example:

- Annual updates to management plans;
- Annual progress reporting on ICRP;
- Annual AEMP reporting and evaluation of EQC (Response Plan)
- AEMP Summary Report every 3 years
- Revised AEMP every 3 years
- Revised ICRP every 3-5 years

Each of the above is distributed, by the WLWB, to the NSMA for review and comment. The WLWB considers all comments, makes decisions and provides reasons for those decisions.
We understand that a written response will be provided by May 16, 2015.

Regards,

Gord Macdonald

Cc: Ryan Fequet/Sarah Elsasser, WLWB