



February 17, 2021

Joseph Mackenzie
Chair
Wek'èezhì Land and Water Board
#1-4905 48th Street
Yellowknife, NT
X1A 3S3

Dear Mr. Mackenzie,

**Re: Dominion Diamond Mines ULC - (Arctic Canadian Diamond Company)
Ekati Diamond Mine
Water Licence Renewal Application – W2020L2-0004
Request for Intervention**

On November 26, 2020, Dominion Diamond Mines ULC (Dominion) submitted a renewal application to the Wek'èezhì Land and Water Board (the Board). This application proposes the Board amend Water Licence W2015L2-0001 to allow for a twenty-six (26) month renewal to the term of its Licence with no other proposed changes to the existing Licence. The general rationalization for the Water Licence amendment by Dominion is that existing Licence will be expiring on August 18, 2021.

The Government of the Northwest Territories – Department of Environment and Natural Resources (ENR) provided initial comments on this application on January 12, 2021 and responses were provided by Dominion on January 26, 2021.

In ENR's initial application comments submitted to the Board, ENR indicated it would be seeking an updated site-wide security estimate which includes all currently approved authorizations. Following ENR's comments to the Board, Dominion had engaged with ENR to assist in the updated security estimate but was unable to provide ENR an updated RECLAIM estimate prior to the pre-hearing conference.

At the pre-hearing conference on February 2, 2021, the Board sought clarity on ENR's intent regarding the security review and to seek confirmation if ENR would be submitting an intervention to the Board on the topic of security. The Board noted that there may be insufficient time to complete a security update during the current proceeding and that it may be more suitable to tie the review to the ongoing closure planning update.

ENR has taken into consideration the Board's and Dominion's positions expressed at the prehearing conference on the site-wide security review and agrees that the security is best updated following the upcoming closure planning workshop that is scheduled for late March 2021.

ENR would like to acknowledge Dominion's willingness to work with ENR on updating the security estimate as part of this proceeding as well as part of the closure planning process. ENR looks forward to further discussions on this topic with the company. ENR has no further comments or recommendations on the application for a 26-month term renewal of the existing Licence.

For the record however, ENR would like to note that it has the ability and authority to request a security review at any time, including during a Water Licence term or during an amendment proceeding. As ENR, and the GNWT, holds liability for the mine site, periodic review of the security estimate is appropriate.

Should you have any questions or concerns, please do not hesitate to contact Patrick Clancy, Environmental Regulatory Analyst at (867) 767-9233 Ext: 53096 or email Patrick.Clancy@gov.nt.ca.

Sincerely,



Patrick Clancy
Environmental Regulatory Analyst
Environmental Assessment and Monitoring Section
Environmental Stewardship and Climate Change Division
Department of Environment and Natural Resources
Government of the Northwest Territories

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