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January 14, 2021

W2015L2-0001

Kofi Boa-Antwi
Diavik Diamond Mines (2012) Inc.
P.O Box 2498
Suite 300, 5201-50th Avenue
Yellowknife, NT X1A 2P8

Dear Kofi Boa-Antwi,

Re: DGRB Report on the PKC Facility Spillway Modification

The Wek'èezhii Land and Water Board (WLWB) met on January 14, 2021 and considered Diavik Diamond Mines (2012) Inc.'s (DDMI's) Diavik Geotechnical Review Board (DGRB) Report, submitted to the Board on January 6, 2021.¹ The DGRB Report addressed the Processed Kimberlite Containment (PKC) Facility Spillway Modification and was in response to the Board's November 19, 2020 letter.²

The Board decided that DDMI is not required to submit a Trigger Action Response Plan (TARP). This decision is based on the DGRB's conclusions regarding the design of the spillway and the TARP. Regarding the design, the DGRB stated the following:

The [DGRB] engaged with DDMI and the EOR (Golder) in June and August as designs were developed for implementation. Although minor concerns remained, the EOR addressed the potential vulnerabilities with the Phase 6 spillway prior to completion of the Phase 7 PKC Dam Facility dam raise, and construction of the Phase 6 spillway progressed within the limited 2020 construction season window.

The DGRB concluded that: "Given these conditions shown in Photo 1 and the proactive TARPs now in place, the DGRB is comfortable that the Phase 6 spillway is fit for purpose for the 2021 freshet."

¹ See WLWB Online Registry (wlwb.ca) for [Diavik - Modification - PKC - Spillway - DGRB Report - Jan 6 21](#).

² See WLWB Online Registry for [Diavik - Modification - PKC - Spillway - Follow-up letter to DDMI - Nov 19 20.pdf](#).

The Board's decision is consistent with its November 19, 2020 letter to DDMI, which stated that if DDMI submits a letter from the DGRB indicating the DGRB's acceptance of the spillway design, then DDMI would not have to submit the TARP and a public review would not be necessary.

In its November 19, 2020 letter, the Board stated that it would review the design as due diligence and to determine whether any additional Board requirements are necessary (e.g., management actions, monitoring, reporting, etc.). At that time, the DGRB's conclusions regarding the design and the TARP were unknown to the Board and the Board understood that a DGRB Report was unlikely to be submitted. In consideration of the DGRB's Report and conclusions, the Board will not be conducting its own review of the Phase 6 Spillway Modification.

Sincerely,

A handwritten signature in blue ink, appearing to read "J Mackenzie". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Joseph Mackenzie
Chair, Wek'èezhii Land and Water Board

Bcc: DDMI Distribution List