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January 17, 2025

File: W2025L2-0001

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

Laura Duncan, Acting Tłıchq Executive Officer
Tłıchq Government
P.O. Box 412, 127 Donda Tili
Behchokq, NT X0E 0Y0

Sent by e-mail

Dear Sean Sinclair and Laura Duncan,

Re: Diavik – Water Licence Renewal – Notice of Application for a Major Mining Project Wholly or Partly in Mqwhì Gogha Dè Njıttèè

The Wek'èezhì Land and Water Board (Board) has received a Renewal Application for Water Licence (Licence) W2025L2-0001 from Diavik Diamond Mines (2012) Inc. (DDMI). This Application is for activities associated with the remainder of the operational phase of the Diavik Diamond Mine, as well as active closure activities and initial post-closure monitoring phases of the Diavik Diamond Mine (the Project).¹ Pursuant to Policy Direction from the Minister of Crown-Indigenous Relations² regarding Chapter 23.4 of the Tłıchq Land Claims and Self-Government Agreement (Tłıchq Agreement), the Board must provide notice of an Application for a “major mining project,” as defined in Chapter 23 of the Tłıchq Agreement.

¹ See WLWB Online Registry at www.wlwb.ca for [Diavik - WL Renewal - Application - Jan 17 25](#), [Diavik - Attachment L - Closure Surface Runoff and Seepage Criteria - Jan 16 25](#), and [Diavik - WL Renewal - GIS Data - Jan 16 25](#).

² See the Policy Direction from Minister webpage on the WLWB website (www.wlwb.ca/) to access the [Policy Direction to the MVLWB on s.23.4 of the Tłıchq Agreement](#).

Based on available information, it has been determined that this Application is for a “major mining project.” Should DDMI disagree with this determination, DDMI must submit evidence on or before **January 24, 2025**, explaining why. If more time is required to provide this evidence, DDMI must submit a status update, including anticipated timelines, on or before this deadline.

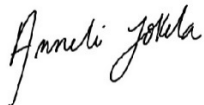
Before the Minister of Environment and Climate Change for the Government of the Northwest Territories (Minister) considers a licence recommended for issuance by the Board in response to this Application, both DDMI and the Tłıchq Government must submit evidence to the Board for the Minister’s consideration that:

1. DDMI and the Tłıchq Government have entered into an agreement for the Project as contemplated under 23.4.1 of the Tłıchq Agreement; or
2. Pursuant to 23.4.2 of the Tłıchq Agreement, DDMI and the Tłıchq Government have agreed that negotiation of an agreement is not required, or, if required, it will be negotiated after the Minister’s approval of the Licence; or
3. Best efforts were made in good faith to conclude a negotiated agreement as contemplated under 23.4.1 of the Tłıchq Agreement, as well as any evidence of why an agreement was not concluded.

This evidence shall be submitted to the Board on or before **February 18, 2025**. If more time is required to provide evidence to demonstrate that either requirement #2 or #3 above has been satisfied, DDMI and the Tłıchq Government must provide a status update, including anticipated timelines, to the Board on or before this deadline.

If you have any questions or concerns regarding this letter, please contact me via [email](#) or at (867)-765-4588.

Yours sincerely,



Anneli Jokela
Acting Executive Director, Wek’èezhìi Land and Water Board

BCC’d to: Itoah Scott-Enns, Director: Department of Planning and Partnerships, Tłıchq Government
Brett Wheler, Senior Policy Advisor Sustainability and Resource Management, Tłıchq Government
Diavik Distribution List