



September 15, 2023

Mason Mantla
Chairperson
Wek'èezhii Land and Water Board
#1, 4905 – 48th Street Yellowknife, NT
X1A 3S3

RE: Ekati Diamond Mine Water Act Licence (W2020L2-0004) Renewal – Extension Request

Dear Mr.Mantla:

Arctic Canadian Diamond Company Ltd. (Arctic Canadian) is requesting approval from the Wek'èezhii Land and Water Board (WLWB) to extend the current Type A Water Licence (W2020L2-004) by 60 days.

A renewal application was submitted to the WLWB on November 1st, 2022 with the water licence set to expire on October 18th, 2023. Due to the unanticipated state of emergency in the Northwest Territories impacting the renewal process and timeline, it is not expected that a renewed water licence will be issued prior to the expiry date. Arctic Canadian wishes to maintain the current Water Licence for site activities under W2020L4-0004 for 60 days after the expiry date or until a renewed Type A Water Licence is issued.

The application form for this request is attached. Please reach out to the undersigned with any questions or alternatively, Lindsay Seier, Senior Permitting Advisor, at 403- 910-1933 ext. 2404 and Lindsay.seier@burgundydiamonds.com.

Sincerely,

Glen Swanson
Manager, Environmental Reporting & Permitting
1.403.910.1933 ext.2402
glen.swanson@burgundydiamonds.com

Arctic Canadian Diamond Company Ltd., a Burgundy Diamond Mines Ltd. Company

Land and Water Boards of the Mackenzie Valley



APPLICATION FOR LICENCE, AMENDMENT OF LICENCE, OR RENEWAL OF LICENCE IN NON-FEDERAL AREAS

Subsection 5(1) and Schedule C of the [Waters Regulations](#)

Use an "X" to indicate which Board the Application is being made to:	Mackenzie Valley Land and Water Board:		Sahtu Land and Water Board:	
	Wek'èezhìi Land and Water Board:	X	Gwich'in Land and Water Board:	

To complete this form, please refer to the LWB [Guide to the Water Licensing Process](#) (Guide) and fill in the grey fields; attach additional pages, as necessary. Indicate N/A in the grey fields for Items or parts of Items that are not applicable. An application package checklist is provided in the Guide. Review the following LWB guidance for formatting your Application Package:

- [Document Submission Standards](#)
- [Standard Outline for Management Plans](#)

If applicable, provide the existing or current Water Licence number:	W2020L2-0004		
Use an "X" to indicate if this Application is accompanied by another Application for a Water Licence in a federal area and/or a Land Use Permit.	Water Licence:		X
	Land Use Permit:		

1. NAME AND CONTACT INFORMATION – APPLICANT

Project Name:	Ekati Diamond Mine		
Applicant's Name:	Glen Swanson		
Position:	Manager, Environmental Reporting & Permitting		
Company Name:	Arctic Canadian Diamond Company Ltd., a Burgundy Diamond Mines Ltd. company		
Mailing Address:	900- 606 4 street SW, Calgary		
Community:	Telephone:	1-403-910-1933 ext. 2402	
Prov/Terr:	Email:	glen.swanson@burgundydiamonds.com	
Postal Code:	Other:	T2P 1T1	

2. NAME AND CONTACT INFORMATION – APPLICANT’S HEAD OFFICE

Include a Certificate of Corporate Registration from the Government of the Northwest Territories in your Application Package.

Use an “X” to indicate this information is the same as Item 1 above:		X	
Name:			
Position:			
Company Name:			
Mailing Address:			
Community:		Telephone:	
Prov/Terr:		Email:	
Postal Code:		Other:	

3. LOCATION OF PROJECT

Use the grey fields below to provide or reference the following information:

Traditional Place Name:

Maps and Geographic Information System (GIS) Data: Include a map in your Application Package, identifying local geographic features, watercourses and water sources, project structures, and location(s) of any proposed waste deposits. Provide geographic coordinates (latitude and longitude) of project features, and the maximum and minimum project boundary in degrees, minutes, seconds, or decimal degrees. Include GIS data in your Application Package, if applicable. Refer to the LWB [Geospatial Data Submission Standards](#) for providing geographic information.

Minimum latitude:	64° 28’ 21.4” N	Maximum latitude:	65° 0’ 58.1” N
Minimum longitude:	111° 31’ 3.7” W	Maximum longitude:	109° 45’ 30.7” W

NTS Map Sheet No.: Provide the map sheet number:

GIS Data: Use an “X” to indicate if GIS data is attached.

Attached:		Not Available:	X
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Land Types: Use an “X” to indicate the type(s) of land on which the activities are proposed:

Free Hold/ Private:		Commissioner’s/ Territorial Lands:	X	Federal Land:		Municipal Land:	
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4. DESCRIPTION OF PROJECT

Describe the proposed activities in the grey field provided below and contact Board staff to determine whether additional information will be required. For proposed amendments to authorized activities, specify: the nature of the amendment, the condition(s) to be amended, and the rationale for the amendment.

The site-wide Water Licence 2020L2-0004 for the Ekati Diamond Mine expires on October 18, 2023.

Arctic Canadian is requesting a 60 day extension to the water licence due to the delay in receiving a renewed water licence prior to October 18, 2023 as a result of the unanticipated state of emergency in the

Northwest Territories impacting the renewal process and timelines. Arctic Canadian requests to continue to operate under the existing water licence, W2020L2-004 until such a time, a renewed licence is issued.

For full project description details and project location maps, see Water Licence 2020L2-0004 renewal application dated November 1, 2022.

5. TYPE OF UNDERTAKING

Refer to Schedule B of the [Waters Regulations](#). Use an “X” to indicate which one type of undertaking applies:

1	Industrial	
2	Mining and milling	X
3	Municipal	
4	Power	
5	Agriculture	
6	Conservation	
7	Recreation	
8	Miscellaneous	(describe):

6. WATER LICENSING CRITERIA

Refer to Schedules D to H of the [Waters Regulations](#). Use an “X” to indicate which criteria apply:

	Type B	Type A
To obtain water		
To cross a watercourse		
To modify the bed or bank of a watercourse		
Flood control		
To divert water		
To alter the flow of, or store, water		
To deposit waste		
Other		X

(describe): As described in W2020L2-0004.

7. PROPOSED QUANTITY OF WATER INVOLVED

Describe the purpose of each proposed water use, name, and type (e.g., lake, river) of the water source, the location, and the quantity of water that would be used in the grey fields below. Add more rows as needed.

Purpose of Water Use	Name and Type of Water Source	Location	Geographic Coordinates		Proposed Water Use Volume/Rate, including units
			Latitude	Longitude	
See Water Licence 2020L2-0004 renewal application dated November 1, 2022 for complete list water uses.					

For each water source identified in the table above, provide a comparison of total proposed water use to the available capacity. Add more rows as needed. For more information about determining winter water source capacity, refer to the LWB/GNWT [Method for Determining Winter Water Source Capacity for Small-Scale Projects](#).

Water Source	Capacity of Water Source, including units	Other Users of the Water Source	Comparison of Total Proposed Water Use to Available Capacity
See Water Licence 2020L2-0004 renewal application dated November 1, 2022 for complete list water sources.			

8. PROPOSED WASTE MANAGEMENT METHODS

Use the grey field below to provide or reference the following information:

Waste Management Plan: Include a Waste Management Plan in your Application Package, if applicable, or for small-scale activities, describe proposed waste management activities in the grey field provided below. A template for the Plan is available in the LWB [Guidelines for Developing a Waste Management Plan](#).

If waste is proposed to be disposed of off-site within the NWT, written confirmation (e.g., an email, letter, etc.) from the facility/facilities indicating they will accept the waste is required. Include it/these in your Application Package. Please note this information will be required by the Board prior to commencement of activities.

Municipalities: Complete the relevant Operations and Maintenance Plans using the available [Templates](#) and include them in your Application Package. Refer to Sections 4-8 of Environment and Climate Change Canada's [Solid Waste Management for Northern and Remote Communities: Planning and Technical Guidance Document](#).

EQC and AEMP: For activities that involve the deposit of waste into water, provide proposed effluent quality criteria (EQC) in accordance with the LWB [Waste and Wastewater Management Policy](#) and [Standard Process for Setting EQC](#). Refer to the LWB/GNWT [Guidelines for Effluent Mixing Zones](#) when mixing zones are being

considered. Refer to the LWB/GNWT [Guidelines for Aquatic Effects Monitoring Programs](#) for more information regarding the development of AEMP programs.

WLWB approved Waste Management Plans, Operations and Maintenance Plans, effluent quality criteria, and Aquatic Effects Monitoring Plan (AEMP) are currently in place at the Ekati Diamond Mine for W2020L2-0004. These approved plans can be found on the Board’s online public registry for Water Licence W2020L2-0004 at <https://wlb.ca/registry/W2020L2-0004>.

Approved management plans and programs would not change based on this request for an additional 60 days to be added to the term of the WL.

9. EXISTING WATER USERS AFFECTED BY THIS PROJECT

Describe pre-Application engagement efforts with any existing water users and associated possible claims for water compensation or compensation agreements. Include the names and locations of existing water users (e.g., persons or organizations) in the grey fields below. An additional table should be added for each water user.

Name:	N/A
Community:	N/A
Province/Territory:	N/A
Describe Engagement Completed:	N/A

10. POTENTIAL ENVIRONMENTAL IMPACTS OF THE PROJECT AND PROPOSED MITIGATIONS

If the proposed project, or parts of the proposed project, may be exempt from preliminary screening, describe the rationale for the exemption in the grey field below. Include the date of the most recent screening, and/or the environmental assessment or impact review number.

All activities allowed under this Water Licence have undergone the appropriate preliminary screening and/or environmental assessment processes (https://registry.mvlwb.ca/layouts/15/download.aspx?SourceUrl=/Documents/W2022L2-0001/Ekati%2520-%2520Renewal%2520-%2520Preliminary%2520Screening%2520-%2520Determination%2520and%2520Reasons%2520for%2520Decision%2520-%2520Feb%252022_23.pdf) The predicated environmental impacts and mitigations for the Ekati Diamond Mine will remain the same throughout the additional 60 days being requested.

Unless the project could be exempt from preliminary screening, using the Impact-Mitigation Table below, or the more detailed Table in Appendix F of the [Guide](#), identify all potential impacts and possible mitigations that are relevant to the proposed project, and indicate whether any of the mitigation measures have been developed as a result of input from affected parties. Applicants for type A water licences must use the

detailed Table in the Guide; other applicants may choose either the Table below or the Table in the Guide. Possible potential impacts are listed below; however, these lists are not exhaustive and may not apply to all projects. All information provided should reflect the size, scale, and nature of the proposed project. Cumulative impacts and climate change must be considered. Attach additional pages if needed. Use landscape orientation if preferred.

Potential Impacts <i>Use an "X" to indicate which apply</i>	Potential Project Impacts and Proposed Mitigations <i>Describe the potential impact(s) and the proposed measure(s) to reduce each of these impacts.</i>
ABIOTIC COMPONENTS	
Land	
Soil contamination	
Soil compaction	
Destabilization/erosion	
Change in soil structure	
Inability to support vegetation	
Other	X Same as predicted in previous environmental assessment(s)
Water	
Groundwater	
Water table alteration	
Infiltration changes	
Changes in water quality	
Temperature changes	
Other	X Same as predicted in previous environmental assessment(s)
Permafrost	
Loss or change in extent	
Changes in seasonal fluctuations	
Change in persistence	
Other	X Same as predicted in previous environmental assessment(s)
Surface Water	
Water flow or level changes (permanent, temporary, seasonal)	
Drainage pattern changes	
Temperature changes	
Changes in water quality	
Wetland impairment	
Changes to aquatic habitat (see Biotic section below)	
Other	X Same as predicted in previous environmental assessment(s)
Air	

Potential Impacts <i>Use an "X" to indicate which apply</i>	X	Potential Project Impacts and Proposed Mitigations <i>Describe the potential impact(s) and the proposed measure(s) to reduce each of these impacts.</i>
Changes in air quality		
Harm to living things		
Increased greenhouse gases		
Other	X	Same as predicted in previous environmental assessment(s)
BIOTIC COMPONENTS		
Vegetation		
Direct loss of vegetation		
Loss of Species at Risk or may-be-at-risk plants		
Change in species composition		
Introduction of non-native (invasive) species		
Effects on plant health (dust, metals, toxins)		
Increased risk of fire		
Compaction of vegetation		
Other	X	Same as predicted in previous environmental assessment(s)
Terrestrial Wildlife Habitat		
Direct loss or removal of habitat, dens, or nests		
Loss or removal of keystone species and/or Species at Risk habitat		
Fragmentation of wildlife corridor		
Direct injury or mortality		
Disturbances to key lifecycle stages: breeding, feeding, nesting, staging		
Effects on population abundance		
Change in species diversity		
Effects on wildlife health (toxins, metals, etc.)		
Changes to migratory movement patterns		
Changes to predator-prey relationships		
Human-wildlife conflicts		
Other	X	Same as predicted in previous environmental assessment(s)
Aquatic Habitat		
Breeding disturbances		
Change in species diversity		
Effects on health (toxins, metals, sediment, etc.)		
Changes to migratory movement patterns		
Changes to predator-prey relationships		
Effects on population abundance		
Change in species diversity		

Potential Impacts <i>Use an "X" to indicate which apply</i>	X	Potential Project Impacts and Proposed Mitigations <i>Describe the potential impact(s) and the proposed measure(s) to reduce each of these impacts.</i>
Other	X	Same as predicted in previous environmental assessment(s)
CULTURAL COMPONENTS		
Wildlife Harvesting		
Loss or reduction in game species populations		
Effects on traditional land use, subsistence, and harvesting rights		
Other	X	Same as predicted in previous environmental assessment(s)
Cultural Integrity and Heritage Resources		
Change to or loss of cultural integrity		
Change to or loss of traditional lifestyle		
Change to or loss of heritage resource		
Other	X	Same as predicted in previous environmental assessment(s)
Social and Economic Well-being		
Increased human health hazard and risk		
Economic opportunities or losses (employment, training)		
Change in ecological, cultural, social, or economic values identified for protection in approved Land Use Plans		
Impairment of the recreational or traditional uses of the land or water		
Impairment of the aesthetic quality of the land or water		
Changes to the use of the area by other non-Indigenous people (e.g., trappers, outfitters, residents, hunters, forest harvesters, other authorized projects)		
Other	X	Same as predicted in previous environmental assessment(s)

Spill Contingency Plan: Include a Spill Contingency Plan in your Application Package, if applicable, or for small-scale activities, provide relevant details in the grey field provided below. An example of this Plan can be found in the INAC [Guidelines for Spill Contingency Planning](#).

Approved management plans and programs would not change based on this request for an additional 60 days to be added to the term of the WL.

11. NAME AND CONTACT INFORMATION – CONTRACTORS AND SUB-CONTRACTORS

Include relevant names, responsibilities, and contact information in the grey fields below. An additional table should be added for each contractor and sub-contractor.

Name:	Several contractors perform work at the Ekati Diamond Mine. A full list of the contractors is available to the Board upon request.		
Responsibilities:			
Company Name:			
Mailing Address:			
Community:		Telephone:	
Prov/Terr:		Email:	
Postal Code:		Other:	

	Use an "X" to indicate that contractor and/or subcontractor information is not available at this time.
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12. STUDIES UNDERTAKEN TO DATE

In the grey field below list any relevant studies that support the proposed activities and include them in your Application Package.

N/A

13. PROPOSED PROJECT SCHEDULE AND TERM

Indicate the proposed project start and completion dates, and the time of year the project activities are planned to occur. Describe any anticipated temporary closure(s) or seasonal shutdowns. Indicate the term requested.

Start Date:	October 18, 2023	Completion Date:	December 17, 2023
Requesting a 60 day extension to the expiry date of Water Licence 2020L2-0004.			
Term of Licence Requested:	60 day extension		

14. ADDITIONAL SUPPORTING INFORMATION

Use the grey field below to provide or reference the following information:

Engagement: Conduct engagement, prepare an Engagement Record and Engagement Plan in accordance with the LWB [Engagement Guidelines for Applicants and Holders of Water Licences and Land Use Permits](#), and include them in your Application Package. Templates are provided in the Guidelines. Please also refer to [Information for Proponents on MVLWB’s Engagement Requirements](#).

Eligibility: Contact Indigenous, federal, and territorial governments, and other parties to ensure all appropriate authorizations have been obtained or are in the process of being obtained. Obtain permission

from the landowner(s), if necessary (e.g., obtain and reference licences of occupation, leases, access authorizations, etc.) and attach it/them to the Application.

Land Use Plans: Contact the applicable Land Use Planning Board or the Tłı̨chǫ Government for assistance in interpreting the requirements of the relevant Land Use Plan(s). Include a Land Use Plan Conformity Table, or if applicable, written confirmation of conformity from the Tłı̨chǫ Government, in your Application Package, demonstrating how the project meets the requirements of the Land Use Plan, if applicable.

Traditional Knowledge (TK): Provision of TK is mandatory for Applications to the Sahtu Land and Water Board. Other applicants are strongly encouraged to include TK.

Facilities: Include the supporting information required under subsection 5(2) of the [Waters Regulations](#) if the project includes the following: dam(s); storage reservoir(s); watercourse crossing(s); camp(s) or lodge(s); use of water for industrial use or mining and milling; deposit of waste; or handling or storage of petroleum products or hazardous materials.

Closure and Reclamation: Include a Closure and Reclamation Plan in your Application Package, or for small-scale activities, describe the proposed closure and reclamation activities in the grey field provided below. Describe any temporary closure(s) and seasonal shutdowns. Refer to the LWB/AANDC [Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the Northwest Territories](#) and Environment and Climate Change Canada's [Solid Waste Management for Northern and Remote Communities: Planning and Technical Guidance Document](#).

Closure Cost Estimate: Prepare a Closure Cost Estimate and include it in your Application Package. Applicants are encouraged to contact Board staff, prior to applying, to determine which closure-cost- estimate template is most suited to the project activities being applied for. Guidance is provided in sections 1.3 and 2.1 of the LWB/GNWT/CIRNAC [Guidelines for Closure and Reclamation Cost Estimates for Mines](#). If your Application is submitted concurrently with a Land Use Permit Application, the estimate should include a breakdown of water- and land-related activities and liabilities.

Financial Capacity: Provide information relating to your financial capacity, as outlined in paragraph 26(5)(d) of the [Waters Act](#). Please note this information will be required by the Board prior to issuance.

Arctic Canadian has various WLWB approved management plans in place for the Ekati Diamond Mine. There are no changes being requested to the existing approved management plans with this application for the extension of the existing water licence. Additionally, there is a Board approved closure plan and closure cost estimate in place for Ekati. No changes are being requested to the approved existing closure plan or closure cost estimate with this application.

15. FEES

Refer to the Guide for assistance with determining applicable fees.

Type of Fee	Amount (\$)
Application fee (if applicable):	\$30.00
Water use fee deposit:	\$0

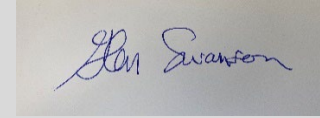
Total Fees:	\$30.00
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If fees are submitted separately, indicate how and when they will be delivered to the Board's office.

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16. SIGNATURE

Glen Swanson	Manager, Environmental Reporting & Permitting
Applicant's Name (print) or Company Name	Position (print)

	September 15 th , 2023
Signature	Date

Review the application package checklist provided in the Guide, and submit completed applications to the Regulatory Manager or Executive Director identified on the "Contact Us" pages of the respective Land and Water Board (www.mvlwb.com, www.wlwb.ca, www.slwb.com, www.glwb.com).