

Charlie Catholique, Chair
Environmental Monitoring Advisory Board (EMAB)
PO Box 1364
Yellowknife NT, X1A 2P1

Via email: charliecatholique@hotmail.com

23 January 2025

Dear Mr. Catholique,

RE: Developing a Traditional Knowledge Monitoring Plan for Diavik

We sincerely thank the EMAB Board members and staff for the time and effort invested in discussing EMAB's potential role in developing Diavik's Traditional Knowledge Monitoring Program (TKMP) for closure and reviewing the draft Terms of Reference (ToR). Your contributions are greatly appreciated. The conversations at EMAB have helped to clarify how the TKMP can be developed and the unique positions of the Indigenous Government Organizations (IGOs) who are signatories to the Environmental Agreement (the Parties).

Unfortunately, Diavik is unable to accept the revised ToR received from EMAB on 20 January 2025. There are two key points that Diavik believes should be included for clarity, which EMAB removed from the ToR. These include Diavik's expectations for a) how any unanticipated costs for the development of TKMP should be managed, and b) an estimated budget for the implementation of the TKMP.

As communicated by the Diavik Board member during EMAB's motion to approve this ToR, Diavik is ultimately responsible for the development and implementation of the TKMP. Diavik cannot approve a ToR that will guide the development of the TKMP under EMAB without agreement on budget management or reasonable cost expectations.

Discussions with the Traditional Knowledge (TK) Working Group (appointed by the IGO Parties to the EA) regarding the development of the closure TKMP for Diavik started in January 2023. EMAB was first approached by the TK Working Group to discuss taking on this work in January 2024. Diavik is required to submit a TKMP to the Wek'èezhii Land and Water Board (WLWB) by September 2025. Given the short timeframe left for developing the TKMP and the inability of Diavik and EMAB to agree on an acceptable ToR, Diavik will not be furthering the discussions for the development of the TKMP under EMAB due to the need to prioritize the timely design and delivery of the TKMP to the WLWB by the deadline in September 2025.

Please note that we will use the ToR approved by EMAB to guide the development of the TKMP directly with the Parties. We consider this work, and the two years of engagement and discussions it took to get here, extremely valuable.

We value our relationship with EMAB and remain open to future collaborations where our goals and timelines align. As Diavik continues to advance this work directly with the Parties, we welcome EMAB's involvement in that process as the Parties see fit.

If you have any questions or concerns, I am available to discuss.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'M. Breen', with a horizontal line extending to the right.

Matthew Breen
COO Diavik Diamond Mine

CC: EMAB Board Members
TK Working Group
Wek'èezhii Land and Water Board