



June 22, 2022

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Aboriginal Rights Consultation: Decision about Whether to Approve the Wildlife Management and Monitoring Plan for the Diavik Diamond Mine

In a letter dated September 18, 2020, the Government of Northwest Territories (GNWT) Department of Environment and Natural Resources (ENR) informed Diavik Diamond Mines Inc. (DDMI) that they were required under Section 95 of the *Wildlife Act* to submit an updated Wildlife Management and Monitoring Plan (WMMP) for approval by the Minister of ENR. ENR received DDMI's updated WMMP on April 1, 2021 and a public review of the document was initiated through the GNWT's Have Your Say website.

An email notification of the public review was sent to Indigenous governments and Indigenous organizations along with other organizations and governments on May 26, 2021. The public comment period closed on June 25, 2021. No comments were received from Indigenous governments or Indigenous organization but comments were received from other parties. DDMI's responses to the comments were circulated on October 18, 2021 and posted to the ENR WMMP Resources page. DDMI submitted a final version of the Tier 3 WMMP for ENR approval on November 8, 2021.

On February 16, 2022, ENR sent a letter to Indigenous governments and Indigenous organizations to ask if they had any concerns about the potential for the mitigation and monitoring measures outlined in the WMMP to impact their asserted or established Aboriginal and/or treaty rights, with a deadline of March 4, 2022. ENR received one response by the March 4, 2022 deadline and replied on May 4, 2022.

The issues raised during this consultation process were about the adequacy of DDMI's current program for monitoring metal concentrations in lichens and soil around the mine to assess potential effects on caribou health, and a recommendation that DDMI submit their wildlife monitoring data to a central repository where it can be archived and made available to other parties upon request and subject to data sharing agreements with the data owner.

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ENR reviewed DDMI's monitoring program of contaminant levels in lichens and soil and determined that the levels are a good indicator of exposure risk to caribou. ENR's WMMP approval decision letter to DDMI will include a recommendation that DDMI submit its historic wildlife monitoring data, and any new data collected under the WMMP, to ENR's Wildlife Management Information System.

ENR now considers consultation on its pending decision about whether to approve DDMI's WMMP closed.

Your government or organization will be copied on the decision letter and accompanying reasons for decision regarding the DDMI WMMP. In addition, your government or organization will be provided opportunities in the future to provide feedback on the DDMI WMMP through annual WMMP reports, periodic comprehensive reports provided by DDMI, and future WMMP updates and reviews prior to DDMI entering the closure phase. Please contact Dr. James Hodson, Wildlife Biologist, at (867) 767-9237, extension 53227 or james_hodson@gov.nt.ca if you have any questions about the WMMP.

Sincerely,



Erin Kelly, Ph.D.
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Environment and Natural Resources

c. The Honourable Caroline Cochrane
Premier

The Honourable Shane Thompson
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