

Working with *the* People *for the* Environment

ENVIRONMENTAL MONITORING ADVISORY BOARD FOR THE DIAVIK MINE



ANNUAL 2024
2025
REPORT

REPORT CARD ON THE ENVIRONMENT

Courtesy of Diavik

PURPOSE

This report card has three purposes:

- Set out broad changes in the environment at Diavik since the mine started.
- Compare changes to predictions Diavik made during the Environmental Assessment of the project.
- Assess how well Diavik and the regulators are managing the changes.

WATER

[see pages 30-32 for more details]

The main way Diavik monitors water and fish in Lac de Gras (LdG) is through the Aquatic Effects Monitoring Program. Water quality at Diavik is within the Water Licence limits, and within the predictions Diavik made.

Highlights for 2024/2025:

- 2024 was an “interim” monitoring year, where Diavik samples water quality, nutrients and plankton in the near-field and mid-field area (far-field stations are only sampled every third year). They also sample at the inlet and outlet for LdG. They do not sample fish or benthics in interim years.
- Diavik continues to cause nutrient enrichment in Lac de Gras:
 - › Nutrient enrichment is caused by phosphorus and nitrogen in Diavik’s effluent discharge into LdG.
 - › More nutrients in fresh water leads to an increase in chlorophyll *a*, and feeds the growth of algae, which can be harmful to fresh water ecosystems.
- Extent of nutrient enrichment (chlorophyll *a*) is variable in Lac de Gras.
 - › 22% in 2020, 00% in 2021, 61% in 2022, 100% in 2023 and **56% in 2024**

- » Action Level 3 is set at 25% above normal range; the predicted extent in the Environmental Assessment was up to 20% of LdG at Level 3; in 2024 the level reached 16% of LdG, approaching the EA maximum prediction.
 - » EMAB will continue to monitor the extent of nutrient enrichment in LdG.
- › EMAB would like Diavik to take samples from all areas of LdG every year. Right now Diavik only samples the far-field every three years, so the full extent of enrichment is only known every third year.
- Diavik was granted a water licence amendment to breach collection ponds 2 & 7 in 2024, subject to some conditions regarding monitoring and responses to exceedances of levels set by WLWB . Flow from these ponds started in spring 2025.
 - Diavik has been depositing processed kimberlite (PK) into the A418 pit since 2023. The PK has filled the underground and into the bottom of the open pit.



Diavik installed a barge that pumps water released from the PK as it settles, into the North Inlet. Water quality sampling showed 19 of 32 parameters were above the predicted levels, one by over 100 times the prediction, and three others by more than 30 times. The model will be re-run after the pit is flooded.

FISH AND AQUATIC LIFE

[see pages 30-32 for more details]

There are many kinds of aquatic life in LdG. Aquatic life can be useful indicators of aquatic health. They are also food for fish. Diavik measures plankton (microscopic plants and animals that live in the water) and benthics (bugs that live on the bottom of the lake) to assess aquatic health. Monitoring results for fish and other aquatic life are within water licence limits and predictions.

Highlights for 2024/2025:

- There are different types of plankton near the mine compared to farther away, as well as a larger amount of plankton and a higher number of benthic invertebrates, because of increased nutrient levels where the mine discharges treated water. The number and species of benthic invertebrates in a given area can affect fish populations, as fish eat benthics.
- Diavik conducted a Traditional Knowledge Fish Camp in 2024 on the mainland shore east of the mine.
 - › The camp is for Elders to do fish palatability testing to assess whether fish have changed. They also taste the water to assess its quality.
 - › Some Elders refused to taste the fish due to unhealthy appearance and/or number of parasites. Others tasted the fish and gave mixed reviews: some thought the fish tasted good while others thought it was below average.
 - › EMAB remains concerned about the amount of parasites seen in each fish in 2021 and 2024.

WILDLIFE

[see pages 54-57 for more details]

Diavik monitors caribou, grizzly bear, wolverine, raptors and the vegetation they feed on, through a Wildlife Management and Monitoring Plan (WMMP). In general the mine's effects on these animals and plants are within the predictions Diavik made during the environmental assessment. While the Bathurst caribou population has declined from 186,000 animals in 2003 to 3,609 in 2024 (the most recent year Bathurst caribou were surveyed) the contribution of the mine to this drop remains unknown.

Highlights for 2024/2025:

- The Minister approved Diavik's updated WMMP in July 2022, with seven conditions. At the time of writing, all conditions except Condition 1 had been met. See Wildlife section for more details on the current status of the Plan.
 - › Diavik has dropped caribou behavior monitoring far from the mine from the WMMP, with agreement from GNWT.
- Diavik proposed deleting Zone of Influence (ZOI) analysis in February 2025. This was a big change from Diavik's previous proposals. EMAB did not agree and submitted recommendations. We are waiting for a decision from the Minister.
- There are much fewer caribou around the mine than in the past. This is likely because the number of caribou has declined, and the remaining animals stay further north than they used to.
- In the past Diavik said there was no caribou ZOI around the mine (EMAB and GNWT believe Diavik's analysis is flawed). Diavik's new position is that the ZOI around the mine changes from year to year so is not useful for managing effects on caribou.
- Diavik has discontinued grizzly bear and wolverine hair snagging programs because the populations seem

stable, with agreement from GNWT. EMAB wanted Diavik to develop population triggers for re-starting the programs.

- Vegetation near the mine has much more dust on it than vegetation far from the mine. Vegetation near the mine has much higher levels of metals than in 2010. Vegetation near the mine has changed in abundance and type with slightly more plants and less lichen species near the mine.



Moose at A21 pit

AIR QUALITY

[see pages 58-60 for more details]

Diavik monitors air emissions and dust that falls to the ground through its Environmental Air Quality Monitoring Program (EAQMP). The results are generally within predictions but EMAB has concerns about the way the monitoring is being done and recent changes to the monitoring program.

Highlights for 2024/2025:

- Total Suspended Particulate (TSP) monitoring was removed from the EAQMP in 2020; TSP is a very important measurement that is made up of dust and air emissions.
 - › TSP comes from sources like exhaust from mine operations, and dust particles produced from blasting rock, and road traffic.
- EMAB disagreed with Diavik removing TSP monitoring, and submitted a request for the Minister of ENR (now ECC) to review Diavik's EAQMP in 2020.
 - › The Minister has required Diavik to re-start TSP monitoring as well as NO₂ and SO₂.
- EMAB continues to recommend Diavik take samples of the yellow haze that blankets the mine on very cold days.

CLOSURE PLANS

[see pages 46-53 for more details]

Diavik's revised Final Closure and Reclamation Plan was circulated for comment in May 2025 following direction from the WLWB to make substantial revisions and to engage with Parties through two workshops on closure planning.

Highlights from 2024/2025:

- **Submission of FCRP V1.1:**

- › **Traditional Knowledge:** WLWB directed Diavik to submit a TK Monitoring Plan for review no later than end of September 2025. Diavik submitted a draft TK Monitoring Framework in October '25. EMAB and other reviewers had many concerns about the Framework including lack of a plan to monitor or any details about the monitoring.
- › **Closure Objectives and Criteria:** EMAB continued to have many concerns about the closure criteria for water quality for humans,



wildlife and aquatic life; wildlife safety, revegetation, the PKC cover and climate change.

- › **Waste Discharge from Collection Ponds:** need to ensure EQC capture all contamination, based on the data collected. Update SWALF to reflect this. Monitoring should happen whenever there is a discharge.
- › **Mixing Zones:** EMAB would like mixing zones (MZ) to be as small as possible. Diavik should do plume studies for each pond to determine the size of the MZ. EMAB recommended more rigorous monitoring, and to ensure chronic effects to aquatic life are not expected beyond the edge of the MZ, and that water at the shore is safe for humans and wildlife.
- › **North Inlet:** Water and sediment quality must be monitored, and meet accepted criteria before reconnecting to Lac de Gras. Continue monitoring after reconnection.
- › **Site Restoration and Revegetation:** EMAB's view is that site restoration and revegetation is inadequate in the revised FCRP. Diavik's revegetation design does not meet mining industry standards in Canada. Diavik should be targeting revegetation of at least 70% of the footprint, similar to the amount that was there before development. They should ensure the vegetation is self-sustaining and similar to before the mine. There are a number of TK Panel recommendations related to site revegetation that Diavik has not addressed adequately. Diavik is still not using the recommendations from the U of Alberta Revegetation Study that it commissioned, such as applying soil and nutrients, with the justification that the additional efforts were not seen as "beneficial".
- › **Contaminated Soils:** Diavik is still proposing to bury soils that don't meet agricultural standards after remediation, instead of shipping them



Wind turbines at Diavik

- offsite. EMAB does not agree with this approach. Any soil that does not meet CCME Agricultural Standards should be shipped offsite.
- › **PKC Designs:** PKC design schedule is uncertain. Freezing and consolidation of extra-fine PK may take much longer than planned, slowing down construction of the cover and drainage channel. PKC dams need to be monitored for a very long period, to take climate change into account.
 - › **North Waste Rock Storage Area:** The North Waste Rock Storage Area (NWRSA) has been smoothed and re-sloped, with a 4.5 m cover. If the cover does not perform as expected, this may impact water quality. If the cover thaws it could result in contaminated runoff, so it needs to be monitored until there is no risk to water around the island. Monitoring for thawing of the pile, and seepage, should be increased and be very long term.
 - › **South Waste Rock Storage Area:** Diavik will submit a closure design once it has re-mined all the rock it needs from the SWRSA.
 - › **Pits and Dikes:** Pit water must meet scientific and Cultural Closure Criteria before being reconnected to LdG.
 - › **Wildlife:** Monitoring for predation must be systematic to make sure the closed mine is not increasing predation or danger, especially to caribou.
 - › **Closure AEMP:** More detail is needed on sampling, and a baseline is needed to assess change.
 - › **Monitoring:** Diavik must ensure monitoring provides enough data to make reliable decisions.
 - › **WLWB had not made a decision on FCRP v 1.1 at time of writing.**

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ENVIRONMENTAL MONITORING ADVISORY BOARD FOR THE DIAVIK MINE

TEL 867-766-3682

P.O. Box 1364, Room 204 - 5006 Franklin Avenue, Yellowknife, NT X1A 2P1

www.emab.ca • emab1@northwestel.net • emab2@northwestel.net

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A NOTE TO READERS: DUE TO PUBLICATION TIMING THIS REPORT INCLUDES EMAB ACTIVITIES UP TO NOVEMBER 2025.



Courtesy of Diavik Diamond Mine

ABOUT US

EMAB photo



Executive Director

HOW EMAB WAS FORMED

The Environmental Monitoring Advisory Board (EMAB or the Board) was created by the Environmental Agreement for the Diavik Diamond Mine. The Environmental Agreement came into effect in March 2000. It was signed by five Indigenous Parties, the Federal and Territorial governments and Diavik. EMAB is the environmental watchdog organization created by the Environmental Agreement. EMAB makes sure the environment around Diavik remains protected. The Environmental Agreement states EMAB will work independently and at arm's length from Diavik and the other Parties who signed the agreement.

WHY THE ENVIRONMENTAL AGREEMENT IS IMPORTANT

The Environmental Agreement is a legal contract between the Parties. It says what Diavik and the Parties must do to minimize environmental effects of the mine. The Environmental Agreement says Diavik must meaningfully involve the Indigenous Parties in environmental monitoring at the Diavik mine. This includes the use of Traditional Knowledge and Inuit Qaujimagatuqangit (TK/IQ). The Environmental Agreement sets out EMAB's mandate.

WHAT EMAB DOES

EMAB was set up in 2001 and is in its 24th year of operations. EMAB's mandate covers four main areas:

- Oversight and Monitoring
- Aboriginal and Community Involvement
- Communications
- Leadership and Governance

WHO WE ARE

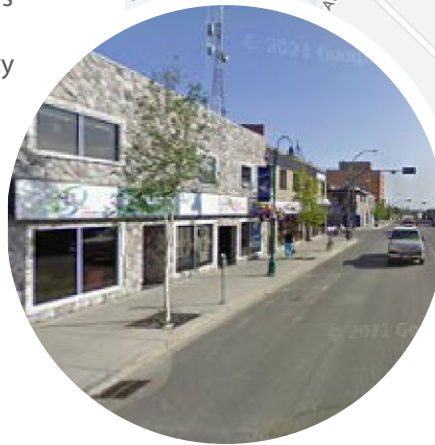
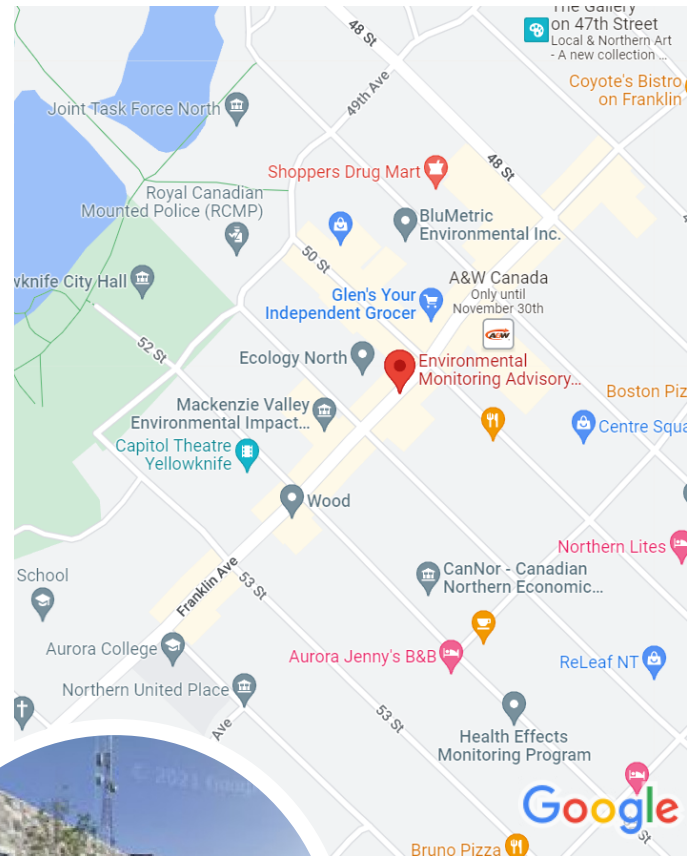
There are eight Parties to the Environmental Agreement. Each Party appoints one Director to the Board. EMAB has two staff members:

- Executive Director
- Environmental Specialist

In December 2013, the GNWT and the Government of Canada started amending the Environmental Agreement as a result of the Devolution process. Their plan was for Canada to remain a Party, but with many of Canada's responsibilities transferred to the GNWT. This is an ongoing process. Canada has delegated its authority regarding the Environmental Agreement to the GNWT in the meantime.

WHERE WE ARE LOCATED

Our office is at 5006 Franklin Av, suite 204 on the 2nd floor of the 50/50 Mini Mall in Yellowknife.



Phone: **867-766-3682**

Website: **www.emab.ca**

Email: **emab1@northwestel.net**

Facebook: **facebook.com/EMAB2015**

CHAIR'S MESSAGE



EMAB photo

Our job at EMAB is to make sure the Diavik mine, and the regulators, are doing their best to protect the water, animals, plants, fish and air at the minesite. We are the watchdog on Diavik. Part of our role is to make sure Diavik is using Traditional Knowledge in its planning and management of the mine. Our responsibility is also to involve communities in protecting the environment at the mine: to inform them, and the Parties to the Environmental Agreement for the Diavik mine, about what is going on at the mine. And to bring community concerns about the mine back to the Board so we can make recommendations to Diavik to resolve them. Board members are appointed by each of their Parties to help protect the environment around the mine.

EMAB goes over Diavik's reports on the mine's effects on the environment to make sure we understand any changes the mine has caused, and make recommendations about ways to improve environmental protection. We talk to our community members, tell them what we've learned about the mine's effects, and future plans, and bring their concerns back to the other Board members.

Diavik will stop mining in April 2026 and plan to finish work closing the mine by 2029. Diavik submitted a proposed Final Closure Plan (FCRP) in 2022, and EMAB did a thorough review and made many recommendations. At the end of our review we felt the Final Closure Plan needed quite a bit more work to be good enough to meet community expectations. The Wek'èezhìi Land and Water Board (WLWB) agreed with us, and sent the plan back to Diavik for extensive revisions. Communities have told us they want the minesite to be returned as closely as possible to the way it was before the mine started. Communities also told us they want to monitor the mine themselves during and after closure. Diavik submitted an amended version of the closure plan in 2025. EMAB's view is that some parts have improved but the plan still needs a lot of work.

We were concerned about the lack of a TK Closure Monitoring Plan (TKMP) in the original FCRP. This was something that EMAB had raised with Diavik for many years. And the WLWB had required that Diavik include a TKMP in their closure plan. WLWB has set a deadline of September 2025. This year we developed a proposal to Diavik for a TKMP,

and recommended principles to guide the plan, including the need for independence from Diavik. We tried to agree on a Terms of Reference for the plan with Diavik, but in the end they were concerned about budget issues and decided to prepare the plan themselves. In our view Diavik's approach does not give the communities enough control over the development and implementation of the TK monitoring, and keeps too much control for Diavik. The TK Panel and TK Working Group are no longer involved in developing TK Monitoring.

WLWB has also directed Diavik to talk to Parties about how the Cultural Water Use Criteria for the A418 pit could be included in the upcoming Water Licence Renewal application. Cultural Use Criteria (CUC) are a way for communities to decide if they feel the closed mine is in good enough shape for them to fish, hunt and carry out other cultural activities. Diavik did not want to set CUC for the mine, but WLWB has directed them to develop them.

Diavik applied to renew its water licence at the beginning of 2025. EMAB had many concerns about Diavik's proposals for the new licence and made many recommendations to the WLWB that you can read about in this annual report. We were especially focused on the effects of discharges from collection ponds into Lac de Gras, and monitoring them; effects of allowing water behind the North Inlet dam to enter Lac de Gras; and about including Cultural Use Criteria in the water licence.

We were invited to take part in Diavik's 2024 TK Fish Camp. The results were better than in 2021, although a number of Elders refused to eat the fish because of their unhealthy appearance. We continue to be concerned about the number of parasites Elders are finding in the fish.

EMAB is continuing to carry out our 2019-24 Action Plan while we work to reach agreement with Diavik and the Minister on EMAB's role after Diavik stops mining. We held a workshop on the Future Role of EMAB in 2023 and issued a report to the Parties to consider. We believe EMAB should

continue throughout Diavik's closure and postclosure phases as well as improving on engagement with Affected Communities, looking for ways to assist the Parties to the EA to cooperate, and participating in development of TK Monitoring. We plan to continue to focus on technical reviews of plans and reports in our key priority areas while working with communities to keep them informed of EMAB's role, activities and key findings and recommendations.

In last year's report we talked about a serious fuel spill in January 2024, of more than 50,000 litres, that took more than a year to clean up. We are pleased to say that Diavik has done a careful and thorough job cleaning up the spill and ensuring none of the spill entered Lac de Gras. We are against Diavik burying the contaminated soils in the North Waste Rock Storage Area.

EMAB welcomed new Board members this year: KIA appointed Baba Pedersen, Sarah Elsasser replaced Kelly Fischer for GNWT and Diavik appointed Tara Marchiori. I would like to thank Kelly for her hard work and contributions to EMAB. EMAB has also been participating with Diavik in a scholarship for environmental students, in memory of Jack Kaniak our long-time Board member for KIA, who passed away unexpectedly in May 2023. We gave out the first scholarship to Kaitlin Porter from Gjoa Haven and the second to Shantel Qirngnuq from Kugaaruk.

This will be another busy year coming up for EMAB as the mine gets closer to closing. We will review a revised closure plan and a TK Monitoring Plan and complete our review of Diavik's application for a new water licence for closure. We will continue to work with Affected Communities to keep you informed and involved in helping to protect the environment at Diavik. Your views and concerns are very important to our work and I encourage anyone with ideas or concerns to talk to your local Board member or contact EMAB.

Marsi Cho
Charlie Catholique,
Chair

WHAT DO WE DO?

REVIEW Diavik's monitoring programs and reports with the help of technical experts.

PROVIDE comments and recommendations to Diavik, the regulators and Parties to the Environmental Agreement.

EVALUATE Diavik and regulators to make sure commitments are kept.

PARTICIPATE in the regulatory process as a reviewer and intervenor.

ADDRESS regulatory gaps including wildlife management, air quality and securities.

COMMUNICATE through workshops, community information sessions, our website and annual report.

ASSESS Diavik's use of TK/IQ in environmental monitoring program design.

SUPPORT participation of Aboriginal Peoples in monitoring Diavik.

LISTEN to community concerns and bring those forward to Diavik.

WHO ARE WE?

There are eight parties to the Environmental Agreement. Each party can appoint a member to the Board.



Charlie Catholique,
Chair
Łutselk'e Dene First Nation



Marc Whitford
Vice Chair
North Slave Métis Alliance



Violet Camsell-Blondin,
Secretary Treasurer
Tłı̨chǫ Government



Sarah Elsasser
Government of the
Northwest Territories



Baba Pedersen
Kitikmeot Inuit
Association



Ryan Arta
Yellowknives Dene
First Nation



Tara Marchiori
Diavik Diamond
Mines (2012) Inc.

Vacant - Canada

- Baba Pedersen was appointed by KIA in May 2024
- Ryan Arta replaced Sean Erasmus for YKDFN in April 2025.

- Tara Marchiori was appointed by Diavik in July 2024
- Sarah Elsasser replaced Kelly Fischer for GNWT in December 2024

WHAT HAVE WE DONE THIS YEAR?

EMAB works with the people of the Affected Communities to help protect the environment around the Diavik mine.

This is a summary of our activities in 2024-25, with more detail on the following pages. Readers can also visit our Website: www.emab.ca.

GOVERNANCE:

The Board continues to follow our Action Plan for 2019-24. EMAB's emphasis continues on doing technical reviews of Diavik's plans and reports, and making them accessible, particularly to Indigenous Parties and Affected Communities. We provide these to the Parties for their information and use in making their own interventions to regulators. The plan also recognizes the changed role of the Traditional Knowledge Panel, and EMAB's role in working with the Panel. It highlights the need for tracking collection and use of TK/IQ by Diavik.

COMMUNITY INVOLVEMENT:

EMAB did not hold any community update meetings this year. Our Board members from Affected Communities continue in their role of communicating with communities.

OPERATIONS:

EMAB spent \$674,876 in 2024-25 of a budget of \$714,467. Diavik agreed to roll over unspent funds from the Water Licence Renewal and Final Closure Plan reviews to 2025-26. EMAB submitted our recommended budget for 2025-2027 to Diavik in September. We did not agree but were able to resolve most of the disagreements. The Minister made the final decision and he chose Diavik's budget.





EMAB Photo

EMAB site tour 2025

REVIEWING REPORTS:

In 2024-25 EMAB reviewed 14 reports and plans from Diavik, including documents related to a water licence renewal, Diavik's Final Closure Plan and a TK Monitoring Plan; most of them were also reviewed by technical experts. These reports are required by the water licence, fisheries authorizations and the Environmental Agreement. EMAB focuses on reports that are in our priority areas (water, air, wildlife, closure and TK/IQ).

Two of our main activities this year were to review and make recommendations on Diavik's water licence renewal, and to intervene and participate in the public hearing and follow-up; and to review Diavik's 9,000 page revised Final Closure Plan.

COMMUNICATIONS:

EMAB regularly updated our website. We circulated our annual report in February as well as a two-page annual report summary. People can comment on reports or EMAB recommendations through our Facebook page: facebook.com/EMAB2015.

BOARD MEETINGS:

The Board met seven times in 2024-25 face-to-face and had four conference calls. The Board did site visits in June and September.

The Board membership changed during 2024-25. New Board members were appointed by KIA, GNWT and Diavik, and the Government of Canada seat remained vacant.



EMAB Photo

Board members inspecting PKC cover and NWRSA in July 2025

ENVIRONMENTAL SETTING OF DIAVIK MINE

Lac de Gras (LdG) is a large lake, 60 kilometers in length, with an average width of 16 kilometers and 740 kilometers of shoreline. This lake is located roughly in the center of the Slave Geological Province, north of the tree line, and in Canada's Southern Arctic ecozone. The area is cold and dry. LdG is the headwaters of the Coppermine River, which flows 520 kilometers north to the Arctic Ocean. Typical of arctic lakes, it is cold with long ice-covered periods and with little food for fish and other creatures. Fish species include Lake Trout, Cisco, Round Whitefish, Arctic Grayling and Burbot. LdG is also near the center of the Bathurst caribou herd range and is also used by the Beverly herd. The Bathurst caribou population has declined considerably from 186,000 in 2003 to 3,609 in 2025 (most recent GNWT numbers). The Beverly herd has increased from 103,000 in 2018 to 152,000 in 2023 (most recent GNWT numbers). Many other animals include the LdG area in their home ranges, such as grizzly bears, wolves, wolverines, smaller mammals, migratory birds and waterfowl.

Courtesy of DDMI

DIAVIK NOW (*Courtesy of Diavik*)

Diavik at a glance

- **Four ore bodies: A418 and A154 South (now complete), A21 and A154 North (underground operations).**
- **Spending (2000 to 2024): C \$10.8 billion (\$7.7 billion Northern).**
- **Operations workforce (2024): 1,272 employees (roughly 34% Northern).**
- **2024 rough diamond production: 2.76 million carats.**
- **Reserves: 2.1 million tonnes at 2.32 carats per tonne (31 December 2024).**
- **Total rough diamond production: 147 million carats (2003 to 2024).**

Courtesy of Diavik

In 2024-2025 Diavik completed all required environmental monitoring programs, focusing on water quality and fish health in Lac de Gras, wildlife, and dust deposition. All water discharged to Lac de Gras from Diavik was below Water Licence limits for physical, chemical, and nutrient parameters, and was nontoxic to aquatic life. Water sampling was conducted in the lake at varying distances and directions from site and no follow up action was required based on results in accordance with the Aquatic Effects Monitoring Program requirements set by the Wek'èezhìi Land and Water Board (WLWB).

A Traditional Knowledge camp with community participants was completed in 2024 as part of the AEMP including fish tissue sampling and fish tasting, and water and tea tasting. Wildlife monitoring for barren-ground caribou, grizzly bear, wolverine, and raptors shows that habitat loss is in line with Environmental Assessment projections, and that mitigations to protect these animals is effective. There were no mine-related injuries or mortalities for caribou, grizzly bears, or wolverines.

Wolverine monitoring was conducted with the support of a wildlife monitor from Łutselk'e. Dust deposition rates were highest closest to the mine infrastructure and decreased with distance from the mine. This is consistent with trends from previous years and Environmental Assessment predictions. Dust deposition rates were lower than the previous year and were below residential GNWT Ambient Air Quality Monitoring Guidelines except for one station. No stations were above industrial guidelines.

In 2024-2025 Diavik continued progressive reclamation of the processed Kimberlite Containment Facility (PKCF) with progress on the closure rock cover. A 3.3 megawatt solar farm consisting of 6,624 solar panels was constructed and activated on top of the closed areas of the PKCF. The solar farm will save approximately 1 million liters of diesel and increase the amount of green energy available to the site through closure. Collection Ponds 2 and 7 were successfully decommissioned, restoring natural drainages to Lac de Gras.



INVOLVING AND SUPPORTING COMMUNITIES

Natasha Thorne and Joanne Barnaby



Participants at TK Fish Camp

EMAB Board members appointed by Indigenous Parties are a key link between the Board and Affected Communities. They are able to update community members on EMAB activities and report to the Board on concerns raised by community members. In the past EMAB has set aside a budget to support members to update their communities, but with cuts to EMAB's overall budget and a lack of uptake by Board members, this community consultation budget is now minimal.

EMAB reviewed 14 reports and plans in 2024-2025. All these reviews were forwarded to the Parties to the Environmental Agreement and the land/environment managers for each Party. Technical reviews always include a plain-language summary to make them more useful for general readers, especially in Affected Communities. EMAB also makes these reports available on our website.

EMAB did not hold any community updates in 2024-25.

Following the finalization of EMAB's Action Plan for 2019-24, EMAB added some actions to provide more information to communities. In particular EMAB now provides a 1-2 page summary of each Board meeting to the leadership of each Indigenous Party. EMAB has

also developed a 2-page annual report summary which is available on our website and provided to community members as a brochure.

COMMUNITY INVOLVEMENT IN CLOSURE AND POST-CLOSURE MONITORING

EMAB has a mandate to make recommendations about participation of communities/community members in training and environmental monitoring at Diavik. EMAB has been pursuing Diavik for information on Diavik's plans for community involvement in monitoring during and after closure, to support possible recommendations.

In April 2022 Diavik told EMAB that it plans to work directly with each community, on community involvement in monitoring. Diavik has said once they finish human resources planning they will engage directly with communities to allow sufficient time to prepare for employment opportunities, and will provide all required training. EMAB will continue to follow-up with Diavik and report back.

Note to readers: Community involvement in monitoring is a separate issue from TK Closure Monitoring, which we report on later in this section.

TRADITIONAL KNOWLEDGE/ INUIT QAUJIMAJATUQANGIT (TK/IQ)

One of EMAB's objectives is to assess the use of TK/IQ in Diavik's monitoring programs. We also request that Diavik provide an annual update on use of TK/IQ at the mine. Staying aware of Diavik's use of TK/IQ in environmental management at the mine is a priority for EMAB. Ensuring that involvement of community members in monitoring is meaningful is also a priority. EMAB has tried various ways to encourage Diavik to take more action to meaningfully involve Indigenous groups. Meaningful involvement of Indigenous groups in monitoring is an EA commitment.

TRADITIONAL KNOWLEDGE PANEL

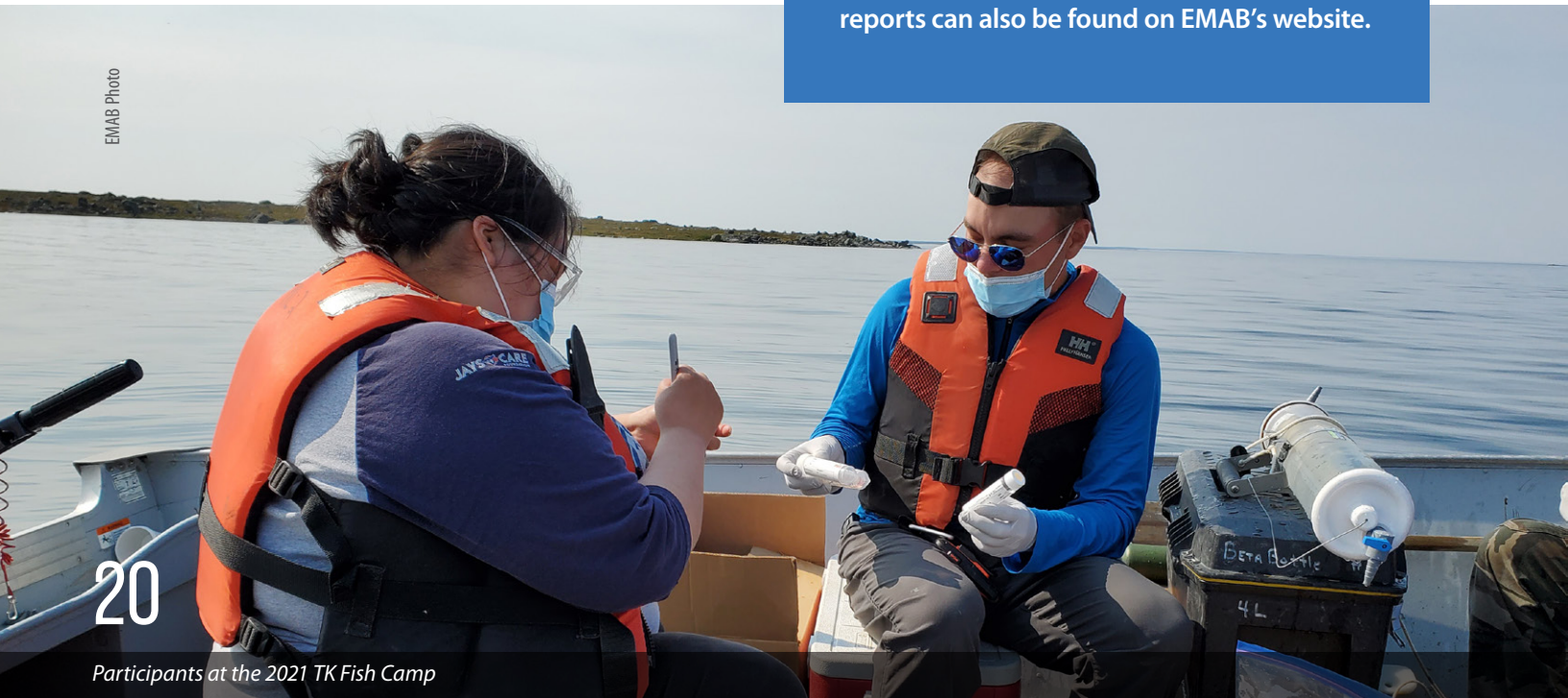
In 2011 EMAB became more actively involved in bringing TK/IQ holders together as a Traditional Knowledge Panel, to address issues such as caribou and closure planning. In 2013, Diavik began to take a greater role in facilitating the Traditional Knowledge Panel, with EMAB assessing the results of the work, and Diavik's responses. EMAB also made recommendations to Diavik on ways to more effectively work with the Panel. The Panel had made 256 recommendations as of June 2022, not including recommendations during the TK Fish Camps. Diavik put the TK Panel on "pause" in 2022.

EMAB has been pleased that Diavik has made some efforts to include TK/IQ in closure planning through the TK Panel. Panel recommendations, and Diavik's responses, are included as part of Diavik's closure planning reports and can be found on the EMAB website: www.emab.ca. Full TK Panel reports can also be found on EMAB's website.

EMAB Photo

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Participants at the 2021 TK Fish Camp



WLWB DIRECTION ON INCLUSION OF TK PANEL RECOMMENDATIONS IN THE FINAL CLOSURE PLAN

EMAB commented on Diavik's use of Traditional Knowledge in the first version of its Final Closure Plan. The WLWB had directed Diavik to describe how each TK Panel Recommendation was incorporated into the final closure plan, and to give a rationale for each recommendation that was not included. Our assessment was that Diavik did not fulfill the WLWB's direction: it did not do a very good job of including the TK Panel Recommendations in the first version of its Final Closure Plan, or of describing how each recommendation was addressed. For a summary of EMAB's review of how Diavik addressed TK Panel Recommendations in its Final Closure Plan see page 45 of our 2022-23 Annual Report, or see all our recommendations on our website, emab.ca.



TK Camp Participants inspecting the mine

WLWB addressed incorporation of TK/IQ into closure planning in its Reasons for Decision on the first version of Diavik's Final Closure Plan (see pages 44-52 of 2023-34 Annual Report for a complete summary of the decision). WLWB directed Diavik to report on how it addressed TK Panel recommendations on revegetation in its Revegetation Plan, and on re-sloping the South Waste Rock Storage Area (SWRSA).

In FCRP v1.1 Diavik's Revegetation Plan did not include TK Panel Recommendations or provide a rationale for not including them. This is one of the reasons EMAB is recommending the plan not be approved. In addition, Diavik did not provide a closure design for the SWRSA. Diavik is actively re-mining the SWRSA to use the rock for cover and other closure activities. They are proposing to submit a closure design once the re-mining is completed.

CULTURAL USE CRITERIA

The WLWB also directed that Diavik engage with Parties on the Cultural Water Use Criteria (see 2022-23 Annual Report, page 38-43) and how they could be applied to mixing zones from collection pond discharges, and other water quality related components, and to include application of cultural use criteria (CUC) in the water licence renewal.

EMAB's review showed Diavik's engagement on CUC was largely ineffective and did not fulfill the WLWB direction. Diavik decided that applying CUC to discharge from collection ponds was not feasible. It came to this conclusion because it said there are no guidelines from GNWT or WLWB on interpreting CUC monitoring information, or on interpretation and enforcement by the Inspector. EMAB responded that CUC have already been developed and approved for the water in the A418 pit, so guidelines for interpretation and enforcement will be required.

Diavik also raised the concern that CUC should not apply to discharges because of drinking water and human consumption considerations. Diavik incorrectly stated that participants in a WLWB Water Quality Workshop said

runoff and seepage from the island would not be a drinking water source. The workshop report was clear that “Most participants agree that Cultural Use Criteria should apply to all areas with water quality objectives (North Inlet, mixing zones, discharge areas, etc.)” and “Most participants agree that Cultural Use Criteria should apply beyond water.”

At the June 2025 water licence hearing, Diavik proposed that CUC could be developed through the TKMP, in response to recommendations about CUC from Indigenous intervenors and EMAB.

EMAB was pleased that in the renewed water licence the WLWB required Diavik to develop CUC within six months of the end of operations, through engagement and collaboration, and to provide a record of engagement. We will report back on this in future annual reports.

TK WORKING GROUP AND DEVELOPMENT OF TK CLOSURE MONITORING PLAN

EMAB commented on the lack of a TK Monitoring Plan (TKMP) in the first version of the Final Closure Plan (FCRP) despite Diavik having had years to develop it. In its FCRP submission, Diavik said it had relinquished control of the development of the TK Closure Monitoring Plan to a TK Working Group set up by the Parties to the EA in January 2023. Diavik stated it “had hoped a submission would be ready in 2023 however recognizes this will be delayed based on progress to date made by the group. At a minimum DDML expects the plan will be submitted at least 6 months prior to closure which will allow sufficient review timelines.”

In its Reasons for Decision on the FCRP, **the WLWB stated that the onus is on Diavik to ensure the Plan is submitted with time for review and revisions, and directed Diavik to submit a TK Closure Monitoring Plan no later than September 30, 2025.**

As discussed in our 2022-23 Annual Report, the TK Working Group (TKWG) was established in January 2023. The

TKWG’s objective is to develop a TKMP through discussions and collaboration involving all parties and Indigenous communities. EMAB asked to observe the TKWG meetings and receive meeting notes, but was not allowed.

As described in EMAB’s 2023-24 Annual Report, TKWG developed a draft Framework for TK Monitoring and a job description for a TK Coordinator to develop the Plan. The TKWG asked EMAB to consider whether the Plan could be developed and implemented through EMAB. They provided a possible approach and organizational structure.

In a meeting in April 2024 the TKWG representatives said their objective was to dissolve the TKWG and have EMAB take over the role. EMAB was concerned about how it could take over the role given EMAB’s small size and resources. In August 2024 EMAB sent a letter to Diavik and the TKWG saying the Board believed a TK Panel could develop a draft TKMP and outlined Principles and Considerations that EMAB wanted addressed in development of a TK Monitoring Plan, along with a draft workplan and budget. Key points were:

- Plan should be community-driven.
- Involve Elders, harvesters and youth in the TK Panel, including previous Panel members.
- Consider previous TK Panel Recommendations on TK Monitoring.
- Develop Terms of Reference, including TKWG draft Framework.
- Need for Workplan and Budget agreed by Diavik, and for a way to address unanticipated costs.
- Engagement with each Affected Community, and a final verification by representatives from all Affected Communities.

In October Diavik said it was pleased that EMAB would consider leading the development of the TKMP, given a reasonable Terms of Reference (ToR) and adequate resources. Diavik also said it had drafted a ToR based

on EMAB's Principles and the TKWG TK Framework and planned to request support from the TKWG and the Parties to the EA. EMAB decided to review Diavik's ToR and discussed revisions at our December 2024 meeting, and a series of conference calls in January 2025. Diavik responded on January 23 that it did not accept EMAB's version due to concerns about how unanticipated costs for development of the TKMP would be addressed, and that EMAB did not want to set a budget for doing TK Monitoring until after the TK Monitoring Plan was developed. Diavik decided to develop the TK Monitoring Plan on its own, using EMAB's ToR to guide the process.

EMAB and YKDFN expressed disappointment at the decision to remove EMAB from development of the TKMP and emphasized the need for strong, thorough engagement with Affected Communities on the development of the TKMP.

The TKWG is also no longer involved in development of the TKMP and has not met since April 2024.



Natasha Thorpe and Joanne Barnaby

Fishing at the TK Camp

DEVELOPMENT OF TK MONITORING PLAN

Once Diavik took over the development of the TKMP they decided to:

- Contract a consultant to draft a TKMP outline based on existing recommendations from the TK Panels, and existing input from the TKWG, the Parties to the EA, EMAB and WLWB workshops from fall 2024.
- Host two workshops with community participants;
 - › One in April 2025 to review the draft TKMP outline.
 - › A second in July at Diavik to verify the monitoring methods for the closure objectives.
 - › Diavik invited EMAB to observe both workshops.
- Circulate the final draft TKMP to EMAB and the Parties before submitting to the WLWB.

As discussed above, at its Water Licence Renewal Hearings in June 2025, Diavik proposed that Cultural Use Criteria would be developed through the TK Monitoring Plan. EMAB was concerned that Diavik had not included CUC on its agenda for the TKMP workshops and wrote to Diavik before the July workshop recommending that Diavik fulfill its commitments from the hearings by:

- Engaging with participants on development of CUC for collection pond discharges, the reconnection of the North Inlet, and land-based CUC.
- Inform participants about ways to link CUC to closure criteria and return of security.
- That the TKMP workplan be extended if there wasn't enough time at the July workshop to fully address CUC.

TK INDICATORS REPORTS AND WORKSHOPS

Diavik provided a thorough first draft TK Indicators (TKI) Report on April 8, a week before the first workshop. Many of the TKI were based on TK Panel recommendations. The report also proposed linkages between the TKI's and Diavik's closure objectives.

This report was reviewed at Diavik's first TK Monitoring Plan workshop April 14-15, 2025:

- The main goal of the April workshop was to review the TK Indicators; Diavik preferred to refer to indicators rather than closure criteria. EMAB was concerned about this choice because we want TK Monitoring to be on the same level as science-based closure criteria and weren't clear that the TKI's fulfilled this function.
- Diavik noted this was a first attempt and the list could be added to.
- There was no discussion of Cultural Use Criteria.
- Diavik committed to provide a revised list of TK Indicators in advance of the July workshop. Diavik did not prepare a workshop report.

Diavik circulated the revised list of TKI's on June 26; it included additional TKI's identified at the April workshop.

The revised TKI's were discussed at the second TKMP workshop, held July 2-4, 2025 at Diavik:

- CUC were not proposed or developed at the July workshop.
- Discussion of TK Indicators was limited to land-based TKI's.
- Talked about linking some TK Indicators to closure objectives; not able to discuss closure criteria.

EMAB was disappointed that Diavik did not fulfill its commitment from its water licence renewal hearing to use the TKMP process to develop CUC.

DRAFT TK MONITORING PLAN

Diavik circulated a three page draft TK Monitoring Framework (TKMF) and a 52-page Companion Document on September 19'25. EMAB reviewed both documents and contracted Joanne Barnaby Consulting to do a technical review. EMAB submitted 28 comments to the WLWB. TG, NSMA, YKDFN, ECC, DFO and WLWB also submitted comments.



Diavik stated that it was only submitting the TKMF for approval and that the Companion Document was meant to provide context and background for reviewers, and was not for review or approval.

Summary of Key EMAB Comments and Recommendations:

- The Framework does not take into account previous direction from WLWB on TK Monitoring.
- Little or none of the Framework is based on input from participants at Diavik's TKMP workshops, the TK Working Group or the TK Panel.
- There is no monitoring plan proposed and there are no details on the monitoring: no objectives, no methods, no implementation details. Each monitoring session would be developed separately, with its own workplan and budget, for Diavik review and approval.;
 - › Specific linkages between monitoring and closure criteria are not addressed. These would be made during the planning of each monitoring session.

- Doesn't address Cultural Use Criteria for the mine.
- Proposed governance structure is quite different from the proposal made by the TK Working Group and by workshop participants, and is confusing and cumbersome. Participants wanted a TK Panel to oversee the TK Monitoring.
- Seems to give Diavik veto power over any monitoring plan through approval of budget and "scope" of monitoring activities. EMAB is concerned about the independence of the TK Monitoring.
- No proposed budget – budget has been an ongoing area of disagreement for both EMAB and the TK Working Group, with Diavik proposing a significantly smaller budget than Indigenous organizations felt was necessary. The Framework requires that each monitoring session includes a proposal for a budget that Diavik can accept or reject.
- Maximum of 10 monitors – this is an arbitrary number and is likely too low. Communities have said they would like to involve Elders and youth from each community. The number of monitors should be agreed to by all participating communities.
- Program would run for term of water licence (ten years).
- Lack of transparency – meetings are closed and monitors cannot say anything about the monitoring that is not in the approved report.
- The Framework doesn't address an independent administrative structure, or a possible role for EMAB in TK Monitoring coordination.

WLWB is still reviewing the TKMF and has not made any decisions at time of writing this report. EMAB's complete comments, and those of other parties, can be found on the WLWB Public Registry.



Inspecting vegetation at TK Monitoring workshop

TK PANEL IN 2024-25

No TK Panel meetings took place during 2024-25. Going forward Diavik has not proposed a role for the TK Panel.

The TKWG has suggested the Panel could play a role in developing and implementing the TK Closure Monitoring Plan.

EMAB has expressed concerns about Diavik's governance of the TK Panel, particularly in relation to the independence of the Panel, as discussed in last year's report. The Board again recommended to Diavik the importance of ensuring the Panel's decision-making process is transparent and independent. We highlighted the need for the Panel to be involved in any decisions that affect it.

2021 AND 2024 TK FISH CAMPS

EMAB reported on Diavik's 2021 AEMP Traditional Knowledge Fish Camp in our 2021-22 and 2022-23 annual reports, and on planning for Diavik's 2024 TK Fish Camp in our 2023-24 annual report. EMAB was concerned that in 2021 the camp participants all refused to eat the fish because of their unhealthy appearance and number of parasites and cysts in each fish, and only six of 51 participants agreed to taste tea made with the water.

Diavik organized another AEMP TK Fish Camp in 2024. Diavik invited EMAB's Environmental Specialist (ES) to attend the planning sessions and the camp. At the planning session the ES observed that throughout the session Diavik staff and consultants stated repeatedly that none of the participants' concerns or observations from the 2021 TK Fish Camp were related to the mine. This approach goes against EMAB's recommendation for Diavik to not do anything to influence the independence of the fish camp participants.

Due to logistical reasons the time available for participants to conduct the fish-tasting in 2024 was more limited

than for previous fish camps. Participants stayed at the Diavik Main Camp rather than the tent camp, and had to be shuttled to and from the Fish Camp area, taking 2-4 hours each day. Some participants refused to taste the water while others participated. The first day of fish processing ended up being rushed and disorganized, and there wasn't time for a group discussion of each fish, as has been done in the past. The second day was better. At the end, seven fish did not get processed. All but one fish had parasites. In general less participants were concerned about the fish being unhealthy compared to the 2021 camp, but a number of participants refused to taste the fish.

EMAB continued to be concerned about the process and reporting on the 2021 and 2024 TK Fish Camps and made a number of recommendations to Diavik (some of which we had made in the past but were not satisfied with the response) including:

- Not do anything that might influence the independence of TK Fish Camp participants.
- Implement EMAB recommendations from EMAB review of the TK Fish Camp component of the 2022 AEMP report, including quantitative monitoring of parasite load in each fish.
- Follow previous EMAB recommendations regarding maintaining TK Panel independence.
- A number of recommendations to improve the organization of future TK Fish Camps.

Diavik did not accept EMAB's recommendation to count the number of parasites in each fish, and disagreed that any of its activities might have influenced the independence of TK Fish Camp Participants. Diavik agreed to convey EMAB's recommendations to participants in future fish camps.

EMAB is still working to resolve the issue of communities requesting access to video footage from the 2021 TK Fish Camp.

OVERSIGHT AND MONITORING

EMAB PHOTO

A418 pit filling up with processed kimberlite

EMAB monitors Diavik and regulators to make sure they are doing a thorough job protecting the environment around the Diavik mine, and are keeping the promises they made in the Environmental Agreement.

Most of EMAB's focus is on Diavik's environmental monitoring programs and reports, and on the way the regulators handle them. When EMAB notes concerns coming from regulators we take that as a signal that we need to know more about the issues. These issues are outlined in the following pages.

Each year we do our own reviews of the Wildlife Monitoring Program report and the AEMP report. We also review reports on Air Quality and on Closure and Reclamation. We review other reports and documents on a case-by-case basis.

WHO ARE THE REGULATORS AND MANAGERS?

- **Wek'èezhìi Land and Water Board (WLWB)** is responsible for the issuance of Diavik's water licence and land use permits and the technical review of all documents required under the licence and permits. The

WLWB is a regional panel under the Mackenzie Valley Land and Water Board.

- **Canada**
 - › **Department of Fisheries and Oceans (DFO)** reviews some of the reports submitted under the water licence and all the reports submitted under the fisheries authorizations.
 - › **Environment and Climate Change Canada (ECCC)** reviews the reports required by the water licence focusing on water and air quality as well as section 36 of the Fisheries Act.
- **Government of the Northwest Territories (GNWT)**
 - **Environment and Climate Change (ECC)**
 - › Has responsibility for environmental protection, including air and water quality, and provides detailed reviews of reports in these areas. The Minister approves Diavik's Type A water licence.
 - › Reviews reports required by the land use permits and water licence.

- › ECC has an Inspector assigned to Diavik. This Inspector updates the Board regularly to keep us aware of what is happening at the site. The Inspector is also responsible for ensuring Diavik meets the terms of its water licence, land use permits and land leases.
- › ECC also has regulatory responsibility for wildlife, including monitoring under the *Wildlife Act*. It also proposes better ways to monitor effects of Diavik on wildlife.
- › **Wek'èezhii Renewable Resources Board (WRRB)** is a wildlife co-management authority established by the Tłıchǫ Agreement. The WRRB is responsible for managing wildlife and wildlife habitat (forests, plants and protected areas) in the Wek'èezhii area. It reviews reports submitted under the Water Licence.

TECHNICAL DOCUMENTS

EMAB RECEIVED FOR REVIEW IN 2024 - 2025

Report Name	Date Received	Regulatory Instrument
Waste Management Plan – Version 7	April 19, 2024	Water Licence
Surface Water Action Level Framework (SWALF) - Version 2	May 7, 2024	Water Licence
2020 - 2022 Aquatic Effects Re-evaluation Report	May 16, 2024	Water Licence
2023 AEMP Annual Report	July 2, 2024	Water Licence
Specific Effects Study Design Plan - Decommissioned Ponds 2 and 7 Discharge Characterization	July 17, 2024	Water Licence
2023 Seepage Survey Report	July 18, 2024	Water Licence
2023 Wildlife Management and Monitoring Report	July 30, 2024	Wildlife Act
2023 Environmental Air Quality Monitoring Report	August 1, 2024	Environmental Agreement
Revised Tier 3 Wildlife Management and Monitoring Plan	September 6, 2024	Wildlife Act
Draft 2023 Environmental Agreement Annual Report	September 20, 2024	Environmental Agreement
Water Licence Renewal Application (includes SWALF Version 3)	January 17, 2025	Water Licence
Finalized 2023 Environmental Agreement Annual Report	January 20, 2025	Environmental Agreement
Specific Effects Study Design Plan - Version 1.1	January 27, 2025	Water Licence
Revised Wildlife Management & Monitoring Plan	February 3, 2025	Wildlife Act
RECLAIM Version 8	March 21, 2025	Mackenzie Valley Resource Management Act
2024 Wildlife Management and Monitoring Report	April 30, 2025	Wildlife Act
Final Closure & Reclamation Plan version 1.1	May 15, 2025	Water Licence
Draft Water Licence	July 8, 2025	Water Licence
2024 AEMP Annual Report	July 9, 2025	Water Licence
Closure Wildlife Management & Monitoring Plan	August 15, 2025	Wildlife Act

Note: Table includes reports received from April 1, 2024 up to time of writing in November 2025

ECC LEGISLATION UPDATE

EMAB has reported on two legislative initiatives by GNWT's Department of Environment and Climate Change (ECC) that started in 2017:

- Changes to the *Waters Act* as it relates to Diavik's water licence.
- Changes to the *Environmental Protection Act*, including enacting air regulations.

The GNWT approach to amending the *Waters Act* and *Waters Regulations* is phased, in response to requests from Land & Water Boards, the NWT/NU Chamber of Mines and some Indigenous Governments.

The phases are:

1. Targeted amendments to the *Waters Regulations*.
2. Considering amendments to the *Waters Act*.
3. Reviewing the *Waters Regulations* again to ensure any changes to the *Waters Act* are appropriately addressed.

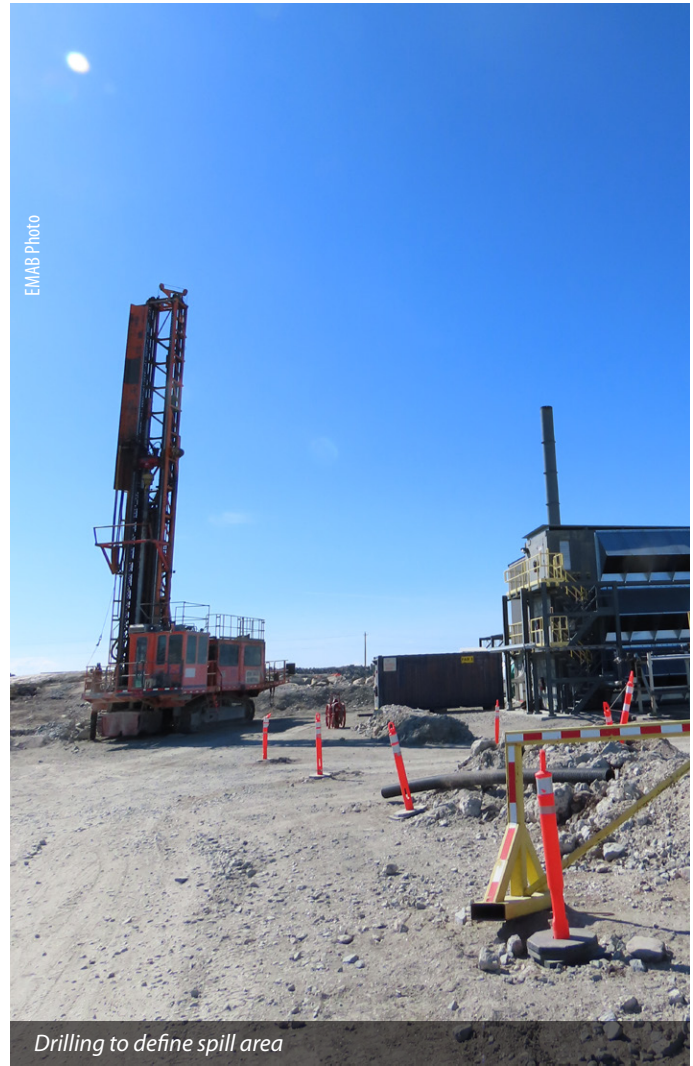


EMAB Photo

A21 mine heater with pylons showing spill area

The process is in phase 1: GNWT has reached consensus with the Intergovernmental Council Secretariat on targeted amendments to the *Waters Act* Regulations and are in the drafting stage. They plan to do consultation on these amendments in 2026-27.

GNWT's current legislative priorities no longer include Air Quality Regulations.



EMAB Photo

Drilling to define spill area

THE ENVIRONMENTAL AGREEMENT AND THE WATER LICENCE

The water licence and the Environmental Agreement both contain requirements for the AEMP. Most of the water licence requirements are more detailed than those in the Environmental Agreement. The WLWB cannot make Diavik meet any of the Environmental Agreement commitments unless they are also in the water licence. In the Environmental Agreement Diavik said it would do its best to involve Aboriginal Peoples in designing monitoring programs, and that all its monitoring programs would include activities to:

- Consider TK/IQ.
- Establish or confirm thresholds or early warning signs.
- Trigger adaptive mitigation measures, and
- Involve and provide training opportunities for each of the Aboriginal Peoples in the monitoring programs.

EMAB is working with Diavik to help it meet its commitments as described throughout this annual report.

AQUATIC EFFECTS MONITORING PROGRAM

Diavik's Aquatic Effects Monitoring Plan (AEMP) monitors:

- Dust
- Water quality
- Eutrophication indicators
- Sediment quality
- Plankton
- Benthic invertebrates
- Fish health

Diavik submits many different reports for the AEMP. These include Annual Reports, Design Plans, and Re-evaluation Reports. EMAB submits recommendations on Diavik's AEMP reports. Below is a summary of the highlights for this year.

Complete report documents and EMAB recommendations can be found on wlwb.ca.

2020 - 2022 AQUATIC EFFECTS RE-EVALUATION REPORT

Diavik submitted the 2020-22 AEMP Re-evaluation Report (RER) in December 2023. Diavik submitted a revised version on May 8'24 following a conformity check by WLWB. EMAB had our technical consultants at North-South Consultants review it. We submitted 41 comments and recommendations to the WLWB. Comments and recommendations were also submitted by the GNWT-ECC and WLWB staff.

EMAB reported on the 2020-22 RER in the 2023-24 Annual Report; at the time of writing the WLWB had not made a decision on the report. The WLWB approved the report on September 5, 2024 but required Diavik to make some revisions. Below is a summary of the WLWB's decisions related to EMAB's key recommendations. Complete report documents and EMAB recommendations can be found on wlwb.ca.

Summary of Key EMAB

Recommendations and WLWB Decisions:

- Diavik to clarify that Elders observed (not “believed” as Diavik had written) more parasites in fish at the 2021 TK Fish Camp than in previous years, and that they also raised concerns about the number of parasites in fish at the 2018 camp.

Summarized WLWB Decision: The WLWB directed Diavik to make the changes to clarify these were observations.

- Diavik to clarify that the TK Fish Camp studies did not include counting the number of parasites in each fish, just whether or not any parasites were observed; and remove reference to "the abundance of parasites varies year to year with no consistent trend in one direction."

Summarized WLWB Decision: WLWB accepted Diavik’s proposed re-wording to refer to the occurrence of parasites instead of abundance.

- Include total Nitrogen in cumulative effects assessment.

Summarized WLWB Decision: Diavik’s current approach is adequate; no change required.

- Don’t reduce water quality sampling depths unless there is full mixing of water.

Summarized WLWB Decision: WLWB approved the reduction of sampling depths to mid-depth only, while requiring a trigger to resume sampling at top and bottom.

- Revise action level assessment for mercury in slimy sculpin and lake trout, including ecological significance and human health.

Summarized WLWB Decision: WLWB approved the proposed Response Framework for mercury.

2023 AEMP ANNUAL REPORT

The WLWB circulated Diavik’s 2023 AEMP Annual Report on July 2, 2024. EMAB had our technical consultants at North-South Consultants review it. We submitted ten comments and recommendations. GNWT-ECC, ECCC, and WLWB also commented on the submission. Complete report documents and EMAB recommendations can be found on wlwb.ca.

Key Recommendations:

EMAB RECOMMENDATION: Provide a discussion of comparisons between total and dissolved concentrations of metals and identify any data quality issues. If significant issues are noted, describe potential sources of error/contamination and actions that will be taken to prevent these issues in the future.

EMAB RECOMMENDATION: Clarify how these dissolved aluminum and zinc measurements were treated in data analysis and reporting.

WLWB DECISION: The Board requires DDMI to include a QA/QC assessment of total and dissolved metal concentrations. This assessment should follow the procedures applied to assess total and dissolved nutrient concentrations and include a percent difference threshold of 20% to define whether data are considered valid or flagged with a qualifier.

EMAB RECOMMENDATION: Identify each Substance of Interest that exceeded Action Level 2 in the text and/or provide a table within the report identifying the variables that exceed action levels.

WLWB DECISION: The Board requires DDMI to include a table identifying variables that triggered Action Level exceedances for each component sampled that year in the corresponding section of future AEMP Annual Reports and/or include a report chapter summarizing the results of all Action Level evaluation of that year in future AEMP Annual Reports.

EMAB RECOMMENDATION: Update Table 3-6 to include the average effluent concentrations to allow for a direct comparison with the EQC.

WLWB DECISION: To require DDML to include the average effluent concentrations in the table comparing effluent chemistry to Effluent Quality Criteria (EQC) (e.g., Table 3-6 of Section 3.3.2.2 of the 2023 AEMP Annual Report) in the 2024 AEMP Annual Report per its commitment in response to EMAB comment 3.

2024 AEMP ANNUAL REPORT

The WLWB circulated Diavik's 2024 AEMP Annual Report on July 9, 2025. EMAB had our technical consultants at North-South Consultants review it. We submitted 17 comments and recommendations. GNWT-ECC, DFO, and WLWB also commented on the submission. Complete report documents and EMAB recommendations can be found on wlwb.ca.

Summary of Key Recommendations and WLWB Decisions:

EMAB RECOMMENDATION: add more stations to determine the extent of nutrient enrichment; or extend the affected area to the lake outlet, since the station at the outlet to the Coppermine River exceeded the normal range for chlorophyll *a*.

WLWB DECISION: Diavik's approach is consistent with previous AEMP reports and no change is required.

EMAB RECOMMENDATION: Diavik to clarify how many participants at the TK Fish Camp did not participate in fish tasting. Diavik to acknowledge that organizational issues at the TK Fish Camp resulted in a number of fish not being processed due to organizational delays.

WLWB DECISION: the Board agreed with Diavik that participants made personal choices not to taste fish, and that delays were due to unforeseeable events, and that there was no need for further direction.

EMAB RECOMMENDATION: Diavik to provide parasite analysis for all 15 fish from the TK Camp sent for analysis, or explain why only 6 fish are reported.

Diavik to count the number of parasites per fish at the TK Fish Camp, and to engage with participants on parasite monitoring as directed by the WLWB.

WLWB DECISION: Diavik provided an adequate explanation for the number of fish analyzed for parasites, and questioned the value in counting the number of parasites per fish, and monitoring changes in parasite levels over time.



Processing fish at the AEMP TK Camp.

SPILL REPORT FOR DIAVIK 2024-25

From GNWT-ECC's Spill Database

EMAB notes that there were 18 spills reported in 2024-25.

This is less than the previous year.

(23-24 – 28 spills; 22-23 – 11 spills; 21-22 – 13 spills).

Spill No.	Date	Commodity	Quantity		Source
2024122	3-Apr-24	Other	500	L	Overflow Event
2024133	05-May-24	Petroleum - lubricating oil (lube, hydraulic)	200	L	Breakage
2024167	17-May-24	Other	61	M ³	Fitting Leak
2024169	18-May-24	Other	40	M ³	Breakage
2024190	26-May-24	Other	9272	M ³	Other
2024191	26-May-24	Petroleum - fuel oil (jet A, diesel, turbo A, heat)	1500	L	Fitting Leak
2024214	06-Jun-24	Wastewater/impacted water	400	L	Breakage
2024240	24-Jun-24	Other	30	M ³	Other
2024248	27-Jun-24	Chemicals (including transformer oils)	250	L	Breakage
2024260	07-Jul-24	Other	100	M ³	Breakage
2024261	08-Jul-24	Wastewater/impacted water	200	L	Pipe Leaks
2024262	09-Jul-24	Petroleum - lubricating oil (lube, hydraulic)	200	L	Tank Leak
2024285	21-Jul-24	Other	Unknown Quantity		Unknown Cause
2024377	01-Oct-24	Chemicals (including transformer oils)	1000	L	Breakage
2024423	17-Nov-24	Other	1500	L	Pipe Leaks
2024475	19-Dec-24	Petroleum - fuel oil (jet A, diesel, turbo A, heat)	1688	L	Vehicle Overturn
2025097	16-Feb-25	Sewage	5	L	Fitting Leak
2025128	17-Mar-25	Mine Tailings	1590	L	Fitting Leak
2025152	01-Apr-25	Petroleum - lubricating oil (lube, hydraulic)	140	L	Breakage
2025191	26-Apr-25	Petroleum - fuel oil (jet A, diesel, turbo A, heat)	250	L	Overflow Event
2025214	13-May-25	Other	2.5	M ³	Fitting Leak
2025217	13-May-25	Petroleum - lubricating oil (lube, hydraulic)	250	L	Collision or Crash
2025224	19-May-25	Pond 7 Discharge Exceedance	Unknown Quantity		Effluent Quality Criteria (EQC) Exceedance
2025225	20-May-25	Pond 2a Discharge Exceedance	Unknown Quantity		EQC Exceedance
2025229	26-May-25	Petroleum - lubricating oil (lube, hydraulic)	620	L	Breakage
2025291	16-Jul-25	Chemicals (including transformer oils)	0.5	M ³	Collision or Crash
2025296	07-Jul-25	Pond 2a Discharge Exceedance	7.7	M ³	EQC Exceedance
2025299	21-Jul-25	Other	1	M ³	Fitting Leak
2025333	01-Aug-25	Pond 7 Discharge Exceedance	Unknown Quantity		EQC Exceedance
2025338	14-Aug-25	Petroleum - lubricating oil (lube, hydraulic)	Unknown Quantity		Breakage

Note: table covers period from April 1, 2024 to time of writing November 2025.

UNDERGROUND SPILLS

In 2024, the number of underground hydrocarbon spills more than doubled from the previous year with an increase of about 2/3 in the volume from 425L to 712L of hydrocarbons spilled compared to 2023. These spills are considered to have an effect on the hydrocarbon contamination in sediments in the North Inlet.

Volume (litres) and Number of Underground Hydrocarbon Spills

2018		2019		2020		2021		2022		2023		2024	
Volume	#of spills	Volume	#of spills	Volume	#of spills	Volume	#of spills	Volume	#of spills	Volume	#of spills	Volume	#of spills
1385 L	113	1955 L	121	1256 L	62	1617 L	59	534 L	35	425 L	21	712 L	57



WHAT IS LANDFARMING

Hydrocarbon contaminated soils are put in long, narrow piles, in a lined area, so that naturally occurring bacteria can “eat” the fuel, cleaning the soil. The piles of soil are moved every week or so, to make sure there is plenty of oxygen for the bacteria. The piles are sampled regularly to assess the level of contamination and effectiveness of the bacteria. The bacteria are only active during the warmer months.

JANUARY 2024 FUEL SPILL

EMAB reported on this major spill in the 2023-24 Annual Report. At that time the spill was still being cleaned up. Since that time Diavik has pumped all free-flowing oil from the spill site and excavated the entire area down to bedrock, with soils being moved to the landfarm for treatment, or larger rock being placed in the Life of Mine area of the North Waste Rock Storage Area.

The spill site has been covered with a 20-cm layer of mixed rock and remediation chemicals (potassium persulfate and lime) which will turn the hydrocarbons into water and carbon dioxide. A second layer of Type 1 rock was placed on top of the rock/chemical mixture to keep it in place. Water was added to activate the chemicals in the mixture.

The excavated area will stay open over the summer months to allow remediation. In the fall, the site will be covered to insulate the area and prolong the remediation treatment. Spill site soils will be sampled over the next year to check progress of remediation.

The small pond east of the A21 MAH pad will be monitored for hydrocarbons as well. Diavik has placed fuel-absorbent “socks” on the surface of the pond. They have not seen any fuel in the socks.

EMAB continues to receive regular updates on the spill clean-up from the Inspector.

DECEMBER 2024 FUEL SPILL

A truck rolled over at the mine on December 19’24, causing a 1,688 L fuel spill. The accident occurred near the Pond 7 dam, on a road not designed for large vehicles in winter. EMAB staff learned of the spill through a January 22’25 news article, which linked to an Inspector’s Report on the Public Registry dated January 20’25.

Spill Clean-Up Activities

- The truck was removed from the spill site.
- Hydrocarbon-impacted soils were excavated until either soil test results showed compliance with agricultural land use criteria or bedrock was hit.
- Soil was sorted into two sizes using a Grizzly Screen: <15cm rock and <5 cm soil particles.
- The <15 cm rock was brought to the Life of Mine area on the NWRSA.
- The <5 cm soils were brought to the landfarm in the Waste Transfer Area.

The site has been cleaned up, and Diavik was authorized to place clean soil in the excavated area. Contaminated soils <5mm were brought to the landfarm for remediation, and <15 cm rock was brought to the Life of Mine area of the NWRSA.

EMAB continues to receive reports from Diavik on any spills reported to the GNWT Spills Database.

UPDATE: WATER LICENCE AMENDMENT - NATURAL DRAINAGES

As reported in EMAB's 2023-24 Annual Report (p. 37-43), Diavik applied to amend its water licence in December 2022 with the intention of restoring natural drainages on the minesite by breaching the collection ponds that surround the mine. Diavik argued that the discharges were not a waste so effluent quality criteria (EQC) were not required, and the discharges did not need to be regulated. Diavik proposed a Surface Water Action Level Framework (SWALF) to monitor the discharge and respond to water quality and toxicity triggers set in the SWALF.

In its decision on the application the WLWB decided there was not enough evidence that the discharges were not a

waste and that EQC would be required. The WLWB agreed to allow Diavik to breach Ponds 2 & 7 only, so that some monitoring data would be available for assessing future breaches. The Board decided breaching of the remaining ponds could be addressed in the upcoming Water Licence Renewal application (**see pages 38-44**).

The WLWB also directed Diavik to address some outstanding issues in its Renewal application:

- Engage with Parties on SW1 and SW2 closure criteria on water quality that protects the health of humans, wildlife and aquatic life.
- Use of chronic toxicity in closure criteria.
- Regulation of collection pond discharges.
- Propose how cultural use criteria can be applied to re-establishment of natural drainages, and to engage with the Parties on this prior to submitting the renewal application, possibly through a closure criteria workshop.



Courtesy of the GWNT

Pond 2 breach where discharge enters Lac de Gras

SES DESIGN PLAN

The WLWB directed that Diavik do a Specific Effects Study (SES) for each pond to show how the discharge mixes with the lake and assess the size of the mixing zone.

SES DESIGN PLAN V. 1.0

Diavik submitted the study design in July 2024 and EMAB reported on our comments and Diavik's responses in last year's annual report (p. 42-43), but the WLWB had not made a decision at the time of writing. The WLWB did not approve the first version of the design plan because it did not meet the objectives of the SES or conform with the WLWB decision on the Natural Drainages Water Licence amendment.

A summary of EMAB's key recommendations on version 1 of the SES, and the WLWB decisions, are reported below

Summary of EMAB Recommendations:

Revise the objectives of the SES Design Plan to reflect the WLWB RFD and include the following:

- Characterize the effluent plume to assist with establishment of SNP monitoring stations.
- Confirm/validate modeling predictions.
- Characteristics of the mixing zone.
- Provide information to inform decommissioning of ponds in the future.

Sample weekly or biweekly during freshet and sample whenever there is discharge due to rainfall.

WLWB DECISION: Require Diavik to revise the SES to include characterizing the effluent plume, confirm/validate modelling predictions, understand mixing zone sizes and water quality and inform future pond decommissioning. The WLWB required that any opportunistic sampling would be considered additional to the required sampling in the SES.



Weir and silt fences at Pond 2

SES DESIGN PLAN V. 1.1

Diavik submitted version 1.1 of the SES Design Plan on January 16'25. EMAB was largely satisfied with the revised plan; we made one recommendation. TG and DFO also made comments. WLWB approved the plan, subject to Diavik making three revisions the Board required.

Summary of EMAB Recommendation and WLWB Decision:

Diavik should commit to opportunistically sample the discharge during rainfall events where there is more than 5 mm, and visible flow through the breach.

The WLWB approved the requirement for opportunistic sampling, and required that the sample would be taken within seven days of the rainfall event.

The WLWB approved the final SES Design Plan, version 1.2, on April 25'25.

WHAT ARE CULTURAL USE CRITERIA?

In its review of Diavik's PK to Mine Workings project (see EMAB 2020-21 Annual Report p. 26-31), the Mackenzie Valley Environmental Impact Review Board (MVEIRB) decided that the project was likely to reduce cultural use of Lac de Gras. MVEIRB required Diavik to develop Cultural Use Criteria (CUC) as a way to assess and mitigate cultural use impacts. CUC provide a way to judge whether land and water will be acceptable and safe for cultural use by people from communities, such as hunting, fishing and living on the land. CUC go beyond biophysical criteria, and must be based on Traditional Knowledge of the area.

MVEIRB directed Diavik to work with communities to develop CUC for the water in the pits where Diavik proposed to deposit processed kimberlite. These CUC for the water in the pits are:

- Looks clear;
- Feels cool or cold;
- Smells clean and healthy;
- Tastes fresh; and
- Sounds alive.

In EMAB's view MVEIRB's assessment applies to other likely impacts of the Diavik mine on cultural use of the Diavik area after closure.

WATER LICENCE RENEWAL APPLICATION

Diavik submitted an application in January 2025 to renew its water licence for ten years. The renewal was required because Diavik's water licence would expire on December 31, 2025. The main intent of the renewal was to allow the completion of mining in early 2026; the period of active closure which Diavik expects will be completed in 2029; and the post-closure period when Diavik will leave the site while continuing to monitor its effects and do any required maintenance.

In its decision on Diavik's Natural Drainages amendment application the WLWB gave Diavik specific direction to address some outstanding issues in the renewal application (see page 30). One key directive was to engage with Parties through workshops on water quality, cultural use criteria and a variety of other outstanding issues from the Natural Drainages amendment and the first version of the Final Closure Plan (see page 47-49 for a summary of the workshops).

Diavik was scheduled to submit a revised Final Closure and Reclamation Plan (FCRP) in April of 2025, so the review of the renewal application and revised FCRP overlapped. Diavik requested that comments related to the FCRP should not be considered in the Licence Renewal review; it proposed they be brought forward through reviews of the FCRP. At the time Diavik submitted the application they were in the process of revising the FCRP, so the contents were unknown. A number of the closure issues that concerned EMAB were not addressed satisfactorily in the Renewal application, so EMAB addressed them in our review of the application. EMAB comments on the FCRP are summarized on page 46-53 of this annual report.

The WLWB review process for the water licence renewal began with a review of Diavik’s application. This was followed by technical sessions, public hearings and follow-up, review of the draft licence and closing arguments. EMAB took part in all aspects of the review. This section summarizes our participation.

REVIEW OF DIAVIK’S WATER LICENCE RENEWAL APPLICATION

EMAB reviewed Diavik’s renewal application and contracted three consultants to provide technical advice: Slater Environmental, North-South Consultants and Arcadis Canada, as well as conducting an internal review. Comments were also submitted by: ECC, LKDFN, TG, ECCC, YKDFN, DKFN and WLWB.

OVERVIEW OF EMAB CONCERNS ABOUT THE APPLICATION:

- Diavik request to re-establish all natural drainages (existing licence only allowed breaching of Ponds 2 & 7) without data to validate predictions or assess water quality and effects on aquatic health:
 - › They proposed new Closure Surface Runoff and Seepage Criteria.
 - › Diavik did not propose EQC’s for discharges from ponds.
 - › Inadequate sampling; Diavik proposed monthly sampling; quarterly sampling when there is no discharge.
- Diavik request to discharge treated sewage effluent from closure camp using technology-based EQC’s without providing information on the effluent or potential effects on the aquatic environment. During closure Diavik would move staff to a relatively small closure camp while it tears down the existing main camp.

- Concerns about enforceability of Surface Water Action Level Framework (SWALF).
- Diavik’s application did not address Traditional Knowledge Criteria or Traditional Knowledge Monitoring. Diavik stated that it did not consider it feasible to apply CUC to the re-establishment of natural drainages based on its understanding of CUC (see Traditional Knowledge section pages 21-22 for more information on CUC)

EMAB made 18 comments and recommendations on the application.

SUMMARY OF EMAB INTERVENTION AND RECOMMENDATIONS

The WLWB held technical sessions on the application April 15-17’25 in Dettah. The public hearing took place June 10-12’25 in Behchoko.

The **Technical Session** went through all aspects of the application. Many issues came up including:

- Are EQC’s needed for collection pond discharges?
 - › Diavik concerned that EQC’s not be set so low they can’t be achieved.
- Need to achieve AEMP benchmarks or drinking water guidelines, at edge of mixing zone (MZ), whichever is lower.
- Develop a way to monitor shallow bays, where 5 m depth may be very far away from discharge:
 - › Requirement for plume studies for each pond to determine size of mixing zone. Diavik wants to wait.
 - › Plume study data can help verify predicted discharge water quality.

- › Concern that 20 years of monitoring is not enough; may need 100 or more years.
- › Proposed monitoring frequency is too low:
 - › Dam breach: weekly for first year, then monthly, then twice per year after 2029.
 - › Can't calculate trend with only 2 samples.
 - › Mixing zone: monthly for two years.
- › Any reductions in monitoring require WLWB approval.
- Schedule for active closure and pond decommissioning may be too compressed:
 - › Diavik proposing to stagger breaching of ponds over 4 years.
 - › Concern that pond 3 not be breached until PKC closure is complete.
 - › Diavik concerned that delaying schedule might mean not enough staff on site to breach the ponds.
- How will SWALF be implemented? Concern it may not work as planned:
 - › Need to integrate SWALF response framework with Closure AEMP response framework.
- Concern about breaching North Inlet; will water quality get worse once water treatment plant is shut down?
- Diavik expects closure sewage treatment plant will cause slight nutrient enrichment. No need for EQC since they were discharging at the same place in the past. They will design plant to meet EQC. Need to confirm what EQC will be. Need for ammonia EQC.
- Need for cultural use criteria; could apply CUC from A418 to collection pond discharges:
 - › Also need CUC for other aspects of closure: dust, plants, caribou.
- Need for TK to be linked to return of security. Elders could decide if TK criteria have been met.

Groups participating in Technical Sessions: EMAB, ECC, ECC Inspector, LKDFN, TG, ECC, YKDFN, DKFN, FRMG, DFO, MVLWB, WLWB and Diavik.

EMAB's view was that the water licence renewal needed significant changes beyond the requested changes from Diavik; especially to include conditions requiring Diavik to make best efforts to ensure water on East Island and discharging into Lac de Gras is safe, and to apply Cultural Use Criteria to the entire mine site. EMAB submitted an **intervention** as did, YKDFN, LKDFN, TG, DKFN, ECC and ECC. We made 76 recommendations, including:

NEED FOR BETTER ENGAGEMENT WITH COMMUNITIES, PARTICULARLY REGARDING CULTURAL USE CRITERIA

- Diavik needs to make better efforts to engage with communities, through in-person community-level public meetings. Diavik needs to have an engagement plan for developing Cultural Use Criteria (CUC) for collection pond discharges, and other aspects of mine closure. The CUC must be part of assessing successful closure of the mine, and be tied to return of security.



COLLECTION POND DECOMMISSIONING SCHEDULE

- Don't approve discharges for additional ponds until there is at least a full year of data from Ponds 2 & 7 to validate Diavik's predictions.

CONDUCT DETAILED MONITORING OF COLLECTION POND DISCHARGES

- Apply EQC to all pond discharges. Discharges are a waste until proven they are not.
- Monitoring must be comprehensive.
- WLWB must approve any reduction in monitoring frequency.
- At a minimum, do monthly sampling during the open water season.
- Monitor at edge of mixing zone, as defined by plume studies.
- Do a plume study for each pond.
- Need long-term monitoring for seepage, especially from the North Waste Rock Storage Area, until there is no risk of climate change causing thaw.
- Repeat screening for Parameters of Potential Concern once monitoring data are available.

NORTH INLET

- North Inlet (NI) water quality must meet AEMP benchmarks and sediment criteria before breaching.
- Monitor water quality inside and outside the NI before and after breaching.
- Engage with communities on NI, and CUC for it.

SEWAGE TREATMENT FACILITY FOR CLOSURE

- Set EQC's based on current best practice. Target to meet AEMP benchmarks.
- Require monitoring of nitrate, nitrite and ammonia as well as metals and E. coli.

- Assess effects of predicted sewage effluent on the receiving environment.

CLOSURE CRITERIA

- Add chronic toxicity testing to proposed criteria for aquatic health.
- Sample weekly until concentrations are shown to be decreasing and no exceedance of EQC.
- Provide details on methods for analyzing results, and include analysis for seasonality.

SWALF

- Add a chronic toxicity trigger to SWALF Action Level 2.

CLOSURE AEMP

- Link SWALF to Closure AEMP so that responses to changes in Lac de Gras are coordinated.



OUTCOME AND FOLLOW-UP TO WATER LICENCE HEARING

There were a few key issues that came up over and over at the hearings:

- Water discharged from collection ponds must be regulated by EQC's.
- Safety of water for drinking after the mine is closed.
- Need for Cultural Use Criteria (CUC) for the entire mine site.
- Safety of water in the North Inlet for fish and for drinking.
- Need to monitor for seepage water quality for a very long time.

CULTURAL USE CRITERIA

Leading up to the hearing Diavik said it was not feasible to include CUC in the licence due to the lack of guidelines and procedures for applying and enforcing CUC. EMAB responded that CUC are already included in the licence for the A418 pit, so guidelines will need to be developed. During the hearing all Indigenous Parties emphasized the need for CUC to be applied to all water and land affected by the mine. In response, Diavik stated that if participants wanted CUC to be developed, this could best be done through the TK Monitoring Plan development process. The TK Monitoring Plan is a requirement of the Final Closure Plan (see pages 22-25 on Traditional Knowledge and page 51 on the Final Closure Plan).

In response to Undertaking 11 from the hearing Diavik proposed that the Cultural Water Use Criteria developed for the Processed Kimberlite to Mine Workings project could be applied to Lac de Gras as additional Water Quality Objectives without including CUC in the water licence. They said they did not intend these CUC to apply to seepage, runoff, mixing zones, the North Inlet or other parts of Diavik's water management system.

NORTH INLET

At the hearing Diavik informed the WLWB and participants that it expected that once mining stops the water quality in the North Inlet will get worse over time, and that the NI will need to be breached as early as possible to prevent this. This was new information. Participants wanted the NI to meet water and sediment quality criteria before being breached, such as AEMP benchmarks. Diavik stated that it would not be able to meet water quality criteria in the NI without reconnecting it with Lac de Gras.

UNDERTAKINGS

There were several undertakings during the hearing. Three of the undertakings to Diavik were about breaching the North Inlet, including proposing breaching criteria and providing evidence why AEMP benchmarks could not be met before breaching. Another one required Diavik to propose how CUC could be incorporated into the licence.

DRAFT WATER LICENCE

The WLWB issued a draft water licence for comment on July 8'25. The draft licence addressed many of the concerns that came up during the hearing, including:

1. A requirement for Diavik to submit a Traditional Knowledge Monitoring Framework (TKMF), and closure criteria that consider the findings of the TKMF.

EMAB Response: The licence should require Diavik to develop Cultural Use Criteria for the entire minesite, similar to the CUC developed for the A418 pit. It should require Diavik to engage with Indigenous Parties to the Environmental Agreement to develop TK monitoring based on the CUC. A TK Panel selected by communities should assess whether the CUC have been met. EMAB wrote to the Indigenous Parties to the EA in mid-July highlighting Diavik's commitments to address CUC through the TKMP process. We noted that Diavik did not facilitate any discussion on development of CUC at its July

TKMP workshop. We presented our view that unless the water licence included a requirement for Diavik to develop CUC for mine discharges and land-based cultural use of the minesite, Diavik would not propose CUC or work with communities to develop them. We provided proposed wording requiring CUC to be included in the licence.

2. A requirement for Diavik to provide water and sediment sampling results showing that it has met North Inlet closure criteria (to be set in the Final Closure Plan), for WLWB approval to breach the NI dam.

EMAB Response: EMAB supported this requirement so that all Parties would have a chance to review and respond to the water and sediment sampling. EMAB also recommended establishing monitoring stations inside and outside the NI. If the NI is breached, sampling should continue to determine whether there is a mixing zone.

CLOSING ARGUMENTS

EMAB emphasized the key points from our intervention in our closing arguments, along with a few additional recommendations, including:

- **Closure Schedule:** The need for Diavik to take the time necessary for monitoring data to show that all water affected by the mine is safe for humans, wildlife and aquatic life regardless of whether this delays Diavik's proposed closure schedule.
 - › Pond 3 should not be breached until all closure work on the PKC is completed.
- **North Inlet:** Diavik should be required to meet AEMP benchmarks and Drinking Water Guidelines in the NI before being allowed to breach the dam.
 - › EMAB does not agree that Diavik has provided evidence that water quality in the NI will get worse once Diavik stops mining.



- › EMAB does not agree with Diavik’s assertion that a flow-through connection at the NI dam is not a breach.
- › NI water needs to be monitored before and after any breach.

Cultural Use Criteria: Diavik must be required to develop Cultural Use Criteria (CUC) for the water at the minesite and being discharged to Lac de Gras in the water licence, as was done as part of the PK to Mine Workings project. Development of CUC must be done through engagement with Affected Communities. Diavik has not included CUC as part of its workshops to develop a TK Monitoring Plan, and has informed EMAB it does not intend to propose CUC, so it is reasonable to expect it will not develop CUC unless there is a requirement in the licence.

- **Improve Monitoring:** EMAB’s review shows that Diavik’s proposed sampling for monitoring is inadequate. There is not enough sampling after the first year and the proposed analysis methods will tend to mask any decrease in water quality.
 - › Diavik should do a plume study for each pond discharge to assess the extent of effects.
 - › An extra sampling station is needed to capture the effects of the Pond 2 & 3 discharge.

NEXT STEPS

The decisions on Diavik’s water licence renewal application are now in the hands of the WLWB and the Minister. The WLWB has reviewed all the evidence and submitted a recommended licence to the Minister in October 2025. The Minister will decide whether to approve the recommended licence or send it back for revisions. Diavik’s current licence expires December 31, 2025.



TK Fish Camp participants.

Natasha Thorpe and Joanne Barnaby

WASTE MANAGEMENT PLAN

Diavik is required to have a Waste Management Plan (WMP) for the mine that reduces environmental impacts of the mine. It includes ways to reduce waste, handle and dispose of waste. Diavik updates the WMP from time to time as needed, or as directed by WLWB.

WASTE MANAGEMENT PLAN VERSION 7

The WLWB circulated Version 7 of Diavik's Waste Management Plan on April 19'24. EMAB staff reviewed the plan. We submitted 5 comments and recommendations. TG, YKDFN, ECC, the ECC Inspector and WLWB also commented on the submission. Complete report documents and EMAB recommendations can be found on wlwb.ca.

SUMMARY OF KEY RECOMMENDATIONS AND WLWB DECISIONS

EMAB Recommendation: stockpile sewage sludge for possible use as fertilizer for revegetation.

EMAB Recommendation: any contaminated soil that does not meet CCME Agricultural Standards should be disposed offsite at an appropriate facility.

WLWB Decision: decisions on use of sewage sludge and management of contaminated soil will be made through review of Diavik's Final Closure Plan.

WASTE MANAGEMENT PLAN VERSION 8

The WLWB circulated Version 8 of Diavik's Waste Management Plan on July 30'25. EMAB staff reviewed the plan. We submitted 11 comments and recommendations. TG, ECC, the ECC Inspector and WLWB also commented on the submission. Complete report documents and EMAB recommendations can be found on wlwb.ca.

SUMMARY OF KEY RECOMMENDATIONS AND WLWB DECISIONS

EMAB's key concern with WMP 8.0 was Diavik's request to be allowed to dispose of hydrocarbon-contaminated soils that were under treatment in the landfarm into the landfill or life-of-mine area in the NWRSA. Diavik proposed that any soils in the landfarm that met CCME Management Limits be allowed to be disposed to these areas.

EMAB continued to recommend that any contaminated soil that did not meet the CCME Agricultural Standard should be removed from site. We recommended that Diavik expand the area of its landfarm operation and continue to treat the soil following its consultants recommendations for soil treatment to meet the CCME Agricultural Standard.

The WLWB decided to allow Diavik to do a one-time disposal of up to 3700 cu. m. of contaminated soil that met CCME Management Limits. Further decisions on disposal of contaminated soils will be made through the Final Closure Plan.



CLOSURE AND RECLAMATION

This year Diavik's security was adjusted to account for progressive reclamation work, taking into account holdbacks for long term monitoring and maintenance and any additional work required to meet closure expectations. WLWB also held two workshops for discussion of unresolved closure issues, to inform Diavik's revised Final Closure and Reclamation Plan. Diavik submitted its revised Final Closure Plan in May 2025. In addition, CIRNAC and GNWT proposed an update to the RECLAIM model used for calculating closure security.



A418 pit showing level of PK slurry 2025



PK discharging into A418 pit 2025

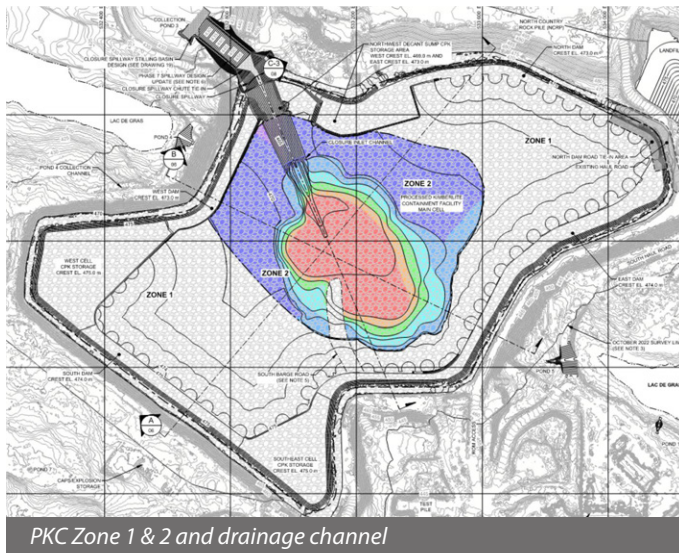
PROGRESSIVE RECLAMATION

Diavik has been engaging in progressive reclamation at the mine in a number of areas. We are providing an update on the two key areas: covering the North Waste Rock Storage Area and covering the Processed Kimberlite Containment area and digging the drainage channel.

NWRSA

Diavik has been placing a cover over the NWRSA to keep the pile frozen. The idea is that the summer thawing of the pile not go below the cover, so that potentially acid-generating materials underneath stay frozen year round. The cover is made up of 1.5 m of till, which is then covered by an additional 3 m of rock. Diavik has re-sloped the pile to a 3 to 1 angle so that the cover will stay in place. The cover is largely finished, except for two areas that Diavik will be using while they close the mine, which will be covered later. EMAB is concerned about the possible effects of climate change on the pile staying frozen and is recommending thorough ongoing monitoring of temperatures, as well as seepage.

PKC



Diavik is also placing a 1.5 m waste rock cover on the PKC. The PKC is divided into two zones. Zone 1 is made up of processed kimberlite and surrounds the inner Zone 2, which is made up of softer, extra fine processed kimberlite that is like quicksand. Now that PK is being deposited in the A418 pit (since April 2023), Diavik expects water in the PKC to drain out, and that the entire PKC will freeze. Diavik proposed covering Zone 1 with a 1.5 m layer of waste rock. Zone 2 has a lot of extra-fine PK that is currently too soft to support a cover. Diavik plans to wait for it to freeze before trying to place a cover. Freezing could take a long time. They also plan to dig a trench that would collect any water and direct it to a spillway that would discharge to LdG. The Zone 1 cover is almost completed, and Diavik is starting to push the cover onto the edges of Zone 2. They will also start digging the drainage channel in late 2025.

FINAL CLOSURE AND RECLAMATION PLAN VERSION 1.0

EMAB reported on the first version of Diavik's Final Closure Plan in the 2022-23 and 2023-24 Annual Reports. The

WLWB circulated Diavik's Final Closure and Reclamation Plan (FCRP) in December 2022. EMAB made over 300 comments on the Plan. EMAB's view was the FCRP was lacking in many areas. EMAB was especially concerned about the lack of Traditional Knowledge, weak site-wide closure criteria, and revegetation strategy in the Plan. The WLWB circulated the 147-page Reasons for Decision (RFD) on Diavik's FCRP on July 19'24. The WLWB did not approve the FCRP, although it did approve some sections.

SECURITY ESTIMATE

In its decision on FCRP 1.0 the WLWB did not accept Diavik's revised security estimate and directed Diavik to revise it to reflect all the Board's decisions. The decisions included performance holdbacks, long-term maintenance and monitoring, contingencies, closure criteria and progressive reclamation of the North Waste Rock Storage Area (NWRSA).

Diavik submitted the revised security estimate on September 9'24 and WLWB approved it on October 18'24. The new security estimate is \$184,770,000. This new amount reflects the progressive reclamation work done on the NWRSA rock pile, so is lower than the previous estimate of \$199,430,000. The difference will be returned to Diavik.

CLOSURE WORKSHOPS

The WLWB directed Diavik to revise the FCRP by April 15'25. It also directed Diavik to hold two Closure Workshops with Parties before submitting the revised Plan. The Board had originally directed Diavik to hold these workshops in its Reasons for Decision on the Natural Drainages Water Licence (WL) Amendment. Diavik had not done this at the time of the July 19'24 Decision on the FCRP. The two workshops were organized and scheduled by the WLWB – one in October 2024 to discuss mostly water quality-related issues, and another in December 2024 to discuss other issues (e.g., revegetation, dust, shape and size of waste rock piles). Both workshops were

facilitated by third-party consultant Bridge Building Group, who produced a high-level report summarizing the results of both workshops.

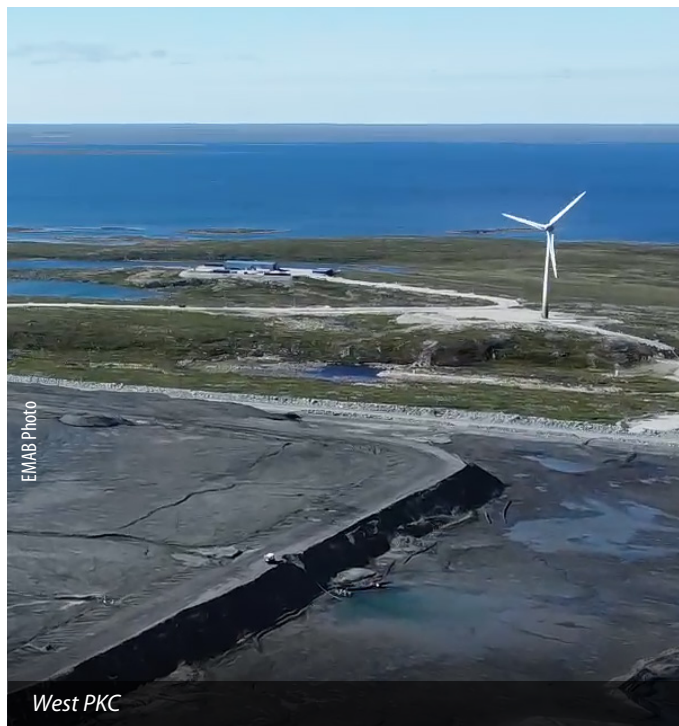
The report is available on our website at www.emab.ca.

CLOSURE WORKSHOP 1

The first closure workshop was held on October 21-23, 2024 in Yellowknife. Water quality was the main theme of the workshop. Along with the facilitators, WLWB, EMAB, and Diavik, other attendees included DKFN, DFO, ECCC, FRMG, GNWT, LKDFN, NSMA, TG and YKDFN. Ekati Diamond Mine staff attended as observers.

Topics and discussions included:

- Closure criteria for closure objectives SW1 and SW2:
 - › Criteria should be as low/strict as possible.
 - › Will there be mixing zones post-closure; how big would they be?
 - › Ensure ability to protect aquatic life.
 - › People need to be able to use the land and drink water without fear.
- Demonstration of long-term stability of water quality:
 - › Need to define chemical stability.
 - › Need to determine how long to monitor before deciding water quality is stable.
 - › Need to determine content of Performance Assessment Reports; what will be included?
 - › What triggers would re-start monitoring?
- Closure and post-closure Aquatic Effects Monitoring Program:
 - › AEMP results must link to successful closure; must show stable and improving trends.
 - › Add additional monitoring stations.
- Cultural Use Criteria and Traditional Knowledge Watch Program:
 - › Apply to water quality and other aspects of cultural use.
 - › TK Monitoring could inform closure criteria, including CUC.
- North Inlet Closure Activity:
 - › Differing views on whether fish should be able to access North Inlet (NI).
 - › Criteria for NI should be broader than hydrocarbons in sediment.
 - › More engagement needed with communities.
- Change in closure activities associated with fish habitat in the pit lakes:
 - › Concern about risks to fish in flooded pits.



CLOSURE WORKSHOP 2

The second closure workshop was held on December 3-5, 2024 in Dettah with the same attendees as the first workshop, as well as staff from the Wek'éezhii Renewable Resources Board (WRRB) and an observer from the Independent Environmental Monitoring Agency for the Ekati mine (IEMA).

Topics included:

- Dust - Consideration of additional criteria to evaluate palatability for wildlife:
 - › Hard to assess; use wildlife cameras, audiologgers, reference site comparison, TK observations.
- South WRSA - Final slope, height, and overall shape to achieve closure criteria W2, SW9, and SW10:
 - › Slope at same angle as North Waste Rock Storage Area.
 - › Decrease size by using rock for closure activities.
- Revegetation:
 - › Return as much vegetation as possible to pre-development conditions.
 - › Monitor more frequently than currently proposed.
 - › Looking for self-sustaining vegetation.
 - › If initial Diavik proposed method is not working, develop better method.
 - › Support active revegetation with soil, plants in containers, transplanting and cuttings.
 - › No agreement on whether to actively revegetate NWRSA; general agreement for passive revegetation on PKC.
 - › Plant species native to East Island.
- North Inlet Sediments:
 - › Water and sediment must be safe and stable before reconnecting to Lac de Gras.
- › Concern about possible contaminant buildup in NI if not reconnected.
- Contaminated Soils and Sediments:
 - › Support for landfarming hydrocarbon contaminated soils.
 - › Concern about burying contaminated soils above agricultural standards.
 - › Concern about greenhouse gas emissions if soils are disposed offsite.
 - › Concern that landfill may not remain frozen over time; what would happen to any contaminated soil buried there?
 - › All contaminated soil should be screened against all relevant CCME standards.
- Infrastructure to be left permanently in place:
 - › Site should be safe for wildlife and people; as close to pre-development conditions as possible.



REVIEW OF UPDATED RECLAIM MODEL, VERSION 8

In late January 2025 CIRNAC, in collaboration with GNWT-ECC, began to engage on updating the RECLAIM model used to estimate security for mine closure. Documents were circulated with a review period ending March 31, 2025. EMAB hired Slater Environmental to do a technical review of the revised model, as well as doing our own review. EMAB submitted 8 comments. Comments were also submitted by 12 other organizations including mining / oil & gas companies, federal and territorial government departments, Indigenous governments and IEMA.

Due to a high level of interest, particularly from the mining industry, additional engagements and a second and third public review were set that included some

additional documents. The third review is still in process. EMAB participated in the first review and did not have any additional comments for the additional reviews.

A summary of EMAB's key recommendations includes:

- Evaluate actual reclamation costs compared to RECLAIM estimates.
- Add disposal of rock to open pits in the model.
- Expand revegetation activities to include soil improvement and planting of forbs.
- Add Traditional Knowledge Monitoring to model.
- Include cost of building a winter road where this is the only way to mobilize/demobilize equipment.
- Expand post-closure maintenance activities to include dams and discharge channels, and other potential maintenance.



PKC showing pond in center and solar panels on right-center.

ECC Inspector

FINAL CLOSURE AND RECLAMATION PLAN VERSION 1.1

Diavik requested an extension to the WLWB submission deadline for FCRP version 1.1 to May 15'25. The draft did not meet WLWB conformity requirements; WLWB circulated the conforming plan for review on July 21, 2025. In addition to the revised closure plan, Diavik submitted a revised Wildlife Monitoring Plan for Closure to ECC as a separate review.

EMAB contracted several consultants to review different sections of FCRP 1.1. The consultants were: Slater Environmental, North-South Consultants, Arcadis Canada, and ROAM Ecology. We also sub-contracted a revegetation expert. Many of the areas of concern from FCRP 1.0 were not addressed adequately. EMAB submitted 167 comments on the revised plan. Comments were also submitted by: YKDFN, TG, NSMA, GNWT-ECC, ECCC, DFO and WLWB.

The revised FCRP is very detailed and comprehensive; it is over 9000 pages with 95 appendices and attachments. EMAB found the revised plan still does not meet many key parts of the overall direction from communities to return the site as closely as possible to pre-development conditions. It also does not adequately address several of the closure objectives. And it does not fulfill several of WLWB's revisions and decisions on FCRP 1.0. We believe it will require substantial revisions before it can be approved.



Excavating PKC discharge channel 2025

EMAB's main areas of concern include:

- TK Monitoring and Cultural Use Criteria:
 - › Lack of a TK Monitoring Plan and Cultural Use Criteria for the water and land on and around the mine. (see Involving and Supporting Communities section pages 21-25)
 - › Note that Diavik submitted a separate draft TK Monitoring Framework to WLWB on October 3'25. (see Involving and Supporting Communities section pages 24-25 for a summary of EMAB's review)
- Revegetation:
 - › Revegetation plan does not meet industry standards and does not address many of the recommendations of experts Diavik contracted to advise on revegetation. Diavik does not plan to apply soil or nutrients to revegetation areas.
- Closure Objectives, Criteria & Measures of Stability:
 - › Many concerns about proposed closure criteria for water quality for aquatic life, humans and wildlife from discharges and in the pit lakes.
 - › Additional concerns include vegetation safety for wildlife, exposure of processed kimberlite, effectiveness of PKC cover, effectiveness of NWRSA cover, effect of climate change, and revegetation.
- Ponds and Mixing Zones:
 - › Need to review data to assess accuracy of modelled contamination and ensure EQC capture all contamination; do plume studies to determine mixing zones (MZ) and reduce sizes of mixing zones; risk of chronic toxicity in MZs. Ensure water at shore is safe for wildlife and humans to drink.
- Waste Rock Storage Areas:
 - › Increase monitoring for thawing and seepage of contaminated water.

WHAT IS THE PKC FACILITY?

The PKC Facility is where Diavik's tailings have been dumped after the diamonds are taken out of the kimberlite. The tailings (called fine processed kimberlite or PK, similar to sand) are over 50 metres deep and are contained in a dammed area. For many years the PKC was sloped towards the center, where a pond formed that changed size depending on the time of year and the mine's activities. There is a thick layer of very fine PK under and around the pond area in the center. Any person or animal walking on it would sink in. Diavik has re-designed the PKC so all the PK slopes towards a sump at the NW corner, where it discharges to Collection Pond 3, so there will not be a pond.



EMAB Photo

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Thermosiphons on North Inlet dam

- North Inlet:
 - › Diavik has said the NI should be breached as early as possible; before that they must remediate sediments and ensure water quality meets criteria before reconnecting with LdG. Target improving water and sediment quality to allow fish to enter NI. Monitor water and sediment quality before and after breaching.
- PKC:
 - › Diavik's predictions about rates of consolidation of PK over time, and proposed schedule for completion of PK cover and drainage channel, are uncertain. Water and melting ice in fine PK as it is exposed during digging could slow construction of drainage channel for years. Diavik should make better use of existing data from drill holes in the PK, and assess the risks to construction, particularly for the drainage channel. The PKC dams and cover need to be monitored for much longer than Diavik proposes, taking climate change into account.
- Pits and Dikes:
 - › Clarify that pit water must meet western scientific and cultural closure criteria as assessed by the Inspector and TK Panel respectively. Until conditions are healthy for aquatic life, the pits should not be reconnected to LdG.
- Contaminated Soils:
 - › EMAB continues to stress that communities do not want contaminated soil buried on site at Diavik. All soil should be landfarmed / treated to meet CCME Agricultural soil standard, or shipped offsite. If Diavik is allowed to bury contaminated soils they must show the landfill is designed to manage any risks.
- Monitoring:
 - › Diavik must show its monitoring plans include enough samples to show trends. They need to prove

that their proposed decrease to twice a year water sampling will provide reliable analysis. It will be very important to continue monitoring of the NWRSA and PKC for thawing and seepage due to climate change, and the potential harm to water quality.

- Wildlife:
 - › Monitoring for predation caused by the mine needs to be systematic, not based on incidental observations alone. Wildlife cameras should be placed wherever there is the possibility of predation or danger to wildlife such as caribou.
- SWALF (Surface Water Action Level Framework):
 - › Assess the parameters of potential concern based on sampling data.
- Closure AEMP:
 - › More detail is required on the sampling schedule, and an additional station is needed near the bay that the PKC and western NWRSA drain into. Use SNP and plume study results to define initial conditions for AEMP monitoring. Include chronic toxicity testing for a fish species.
- Risk Assessment:
 - › Aquatic risk assessment evaluated different areas than are being used to assess aquatic toxicity. Add assessment of risks of drinking from the North Inlet. There are a number of questions and clarifications needed on the way the risk assessment was done.

WLWB is still reviewing FCRP 1.1 and has not made any decisions at time of writing this report. EMAB's complete comments, and those of other parties, can be found on the WLWB Public Registry.



Board members inspecting Pond 2 breach

WILDLIFE MANAGEMENT AND MONITORING PROGRAM

The Environmental Agreement requires Diavik to monitor the effects of the mine on wildlife.

Diavik has been monitoring wildlife since 2002.

In 2019, new Wildlife Act Regulations came into effect that required Diavik to submit a Wildlife Management and Monitoring Plan (WMMP) for approval by the Minister of ECC. Diavik submits a Wildlife Monitoring and Management Report (WMMR) every year, that follows the objectives and programs described in the WMMP.

The study area for Diavik includes the East Island of LdG (where the mine is located), the West Island, and an L-shaped, 1,200 km² portion of the mainland south of the mine. The main species studied are barren-ground caribou, grizzly bear, and wolverine, as well as the plants these animals eat.

REVISIONS TO WILDLIFE MANAGEMENT AND MONITORING PLAN (WMMP)

As discussed in last year's annual report ECC approved Diavik's WMMP in July 2022 with several conditions. By March 2024 all the conditions were resolved except for ECC's requirement that Diavik submit a detailed description of their proposed Zone of Influence (ZOI) analysis methods. The ZOI shows how far away the effects of the mine extend on caribou.

In ECC's October 2023 letter, they noted that they, as well as EMAB and TG, had additional comments and recommendations that Diavik must address before the condition is approved. Diavik's 2023 WMMR (submitted June 27, 2024) incorrectly indicated the ZOI condition had been fulfilled, and on July 8'24, EMAB staff contacted ECC to check and found that Diavik had never submitted

the revised WMMP as directed, and that the condition was unmet. Diavik stated they would submit the revised WMMP (with ZOI analysis methods) by July 30, 2024.

Diavik submitted the revised WMMP to ECC on September 5, 2024, stating that "DDMI has removed the ZOI of influence analysis as agreed with GNWT-ECC staff." ECC corrected Diavik, noting that ECC had agreed to consider Diavik's proposal to remove the ZOI analysis once it was received. On February 3'25 ECC circulated the revised WMMP for review, stating that the review would be limited to comments on Diavik's proposal to remove the ZOI, since this was the only change from the approved plan. EMAB contracted ROAM Ecology to do a technical review of the revised WMMP. EMAB submitted five recommendations. TG also submitted recommendations.



Wolverine at Diavik

In the WMMP Diavik proposed that ZOI monitoring be removed because they said it was ineffective for adaptive management purposes and that the ZOI varies from year to year. EMAB disagreed with removing the ZOI monitoring. We said that Diavik had never put serious effort into ZOI monitoring using satellite data and behavior monitoring. Our view was that monitoring had never been effectively done, because Diavik had been arguing for years that there was no ZOI around the mine, and said that studies that showed there was a ZOI were not valid. In our view Diavik had completely changed its position from arguing there was no ZOI, to agreeing that there was a ZOI but it was not relevant to monitoring or managing caribou. EMAB also noted that GNWT had not stepped in to solve disagreements about monitoring methods or interpretation. In general we felt the ZOI monitoring had been a lost opportunity to assess the effects of the mine on caribou.

EMAB noted there was only one year of monitoring left before operations end and the current WMMP is replaced with a Closure WMMP, so we focused on improving ZOI monitoring in the future.

Summary of key EMAB recommendations regarding the ZOI:

- Future WMMPs should include a way to resolve issues and disagreements, as well as setting triggers for adaptive management.
- ECC should bring back the ZOI working group to develop a more effective regional approach to monitoring ZOIs for all developments.

EMAB also recommended Diavik and GNWT explore use of audiloggers to study caribou behavior.

At the time of writing this report the Minister had not yet made a decision on Diavik's Tier 3 WMMP amendment.

AUDIOLOGGER RESEARCH

EMAB's intern, Megan Perra, will attach audiloggers to 20 new GPS collars on caribou from the Bathurst, Bluenose East, and Beverly herds in 2024, 2025, and 2026. The purpose of the project is to see how caribou react to different disturbances in their environment, like predators, insects, and human activities, especially near the Diavik mine. EMAB suggested that Diavik look closely at audilogger data as an alternative to far-field group behaviour scans.

The audiloggers will be put on in March each year and drop off automatically in September. They can record for 50-60 days and capture all the sounds around the animal – from chewing to digestive noises to environmental sounds (such as vehicles) and trotting, to give a picture of what the caribou is doing and how it is reacting. The collars have an accelerometer in them that records fine movement detail such as when the caribou leans down to feed. Researchers collect the audiloggers when they fall off and are able to look at all the data they collected while the animal was wearing it.

Audiloggers are useful because:

- They show how caribou react to sudden noises, like mining activity, or air and road traffic, by measuring their movements and body position in real time.
- They help to compare the behavior of caribou close to the mine and those further away.
- They provide insights into caribou health by tracking their eating habits and digestion.

Group scans focus on the Diavik area, as using vehicles like skidoos or helicopters can scare the animals away. Combining audiloggers with group scans helps us gather data on caribou behavior, whether or not the collared ones are near the mine.

In 2024 the audiologgers dropped off much earlier than planned and the researchers were not able to collect them before the batteries that powered the location signal stopped working. So there was no data to analyze in 2024. The researchers have made improvements for 2025 and expect to have data to analyze and report on for that year.

This project is part of the NWT Cumulative Impact Monitoring Program and is funded by several organizations, including the National Science Foundation.

2023 WMMP REPORT

At the time of writing last year's annual report EMAB had submitted recommendations on Diavik's 2023 WMMP Annual Report but had not received any responses from Diavik. We note that GNWT stated it does not make an approval decision on the annual WMMP reports.

EMAB RECOMMENDATION: Has Diavik examined within-individual variation in movement behaviour metrics with distance from the mine? Please discuss if individual caribou movement metrics vary with distance from the mine.

DIAVIK RESPONSE: No, Diavik has not done this. Diavik will continue to do near-field behavior scans.

EMAB RECOMMENDATION: We recommend displaying a summary of annual amounts of waste rock and number of people on site (e.g. Camp Population – Appendix L) in order to more clearly understand interannual variation in these mine activity indices.

DIAVIK RESPONSE: Diavik will display this information in tables and graphs in the 2024 WMMR.

EMAB RECOMMENDATION: The methods used for the near mine behaviour scans is adequate, but we recommend exploring the potential use of other data collection tools (e.g. audiologgers on caribou collars) to collect far from the mine behaviour data.

DIAVIK RESPONSE: Diavik recommends GNWT do an analysis to determine how many audiologgers would be needed to provide adequate sample sizes to detect changes in caribou behavior.

2024 WMMP REPORT

Diavik submitted their 2024 Wildlife Management and Monitoring Report to ECC on April 30, 2025. EMAB had ROAM Ecology complete a technical review. EMAB submitted 9 recommendations and the technical review report. YKDFN also submitted recommendations.

Summary of EMAB Recommendations:

- Verify caribou movement behavior using group scan data compared to satellite data.
- Provide a graphic of mortalities by species in each WMMR.
- Extend wolverine survey period.
- Provide data to show caribou are affecting species richness in vegetation monitoring.
- Include TK thresholds for caribou health for subsistence purposes. Develop Cultural Use Criteria in collaboration with communities.
- Clarify contradictory statements that:
 - › 2024 metals concentrations were significantly higher in near-field vegetation than 2010.
 - › Overall metals concentrations were the same or lower in the near-field in 2024 compared to 2010.
- If metals concentrations in the near-field vegetation samples in 2024 are significantly higher than 2010, trigger a follow-up risk assessment based on 2024 data.

EMAB has not received Diavik's responses.

CLOSURE WMMP

As part of the Final Closure Plan (FCRP) review process Diavik is required to submit a Wildlife Closure and Post-Closure Management and Monitoring Plan (Closure WMMP). They submitted this as part of the FCRP and it was circulated for review by ECC on August 15'25 (WLWB does not have authority over wildlife management so this review is separate from the larger FCRP review conducted by the WLWB).

EMAB had ROAM Ecology do a technical review of the Closure WMMP. EMAB submitted 21 recommendations along with the technical review report. YKDFN, NSMA, TG and GNWT-ECC also submitted comments.

EMAB's main areas of concern included:

- Diavik says metals concentrations in vegetation during closure will not significantly exceed concentrations during operations. EMAB believes

metals concentrations should be expected to decrease to the levels before mining started.

- Diavik should evaluate performance of the PKC in relation to safety of wildlife and humans.
- If water onsite or being discharged is not suitable for human or wildlife consumption then Diavik should propose ways to keep humans and wildlife from drinking it.
- Diavik must ensure vegetation on the site is safe for wildlife to eat.
- Revegetation should be done to industry best practices, including the NWRSA, SWRSA and PKC. Revegetation is not an unnecessary attractant to wildlife (unless there is more revegetation than the original level of vegetation on the minesite).

ECC is still reviewing the Closure WMMP and has not made any decisions at time of writing this report. EMAB's complete comments, and those of other parties, can be found on the WLWB Public Registry.



Caribou resting at Diavik

ENVIRONMENTAL AIR QUALITY MONITORING PROGRAM

Diavik's Environmental Air Quality Monitoring Program (EAQMP) started in 2012. The program is required under the EA, but is not a part of the Water Licence or reviewed by the WLWB. Diavik submits an EAQMP report annually to EMAB and the GNWT to review. At EMAB's request in 2020, the Minister investigated Diavik's EAQMP to determine whether it was adequate. Diavik was required to make revisions and submit a revised EAQMP, which the Minister approved in March 2025.



MINISTERIAL REVIEW OF EAQMP

EMAB requested the Minister investigate Diavik's Air Quality Monitoring Program (EAQMP) on July 31, 2020. Our technical analysis showed the program was inadequate. The Minister committed to reviewing Diavik's EAQMP in response to EMAB's concerns. EMAB's main concern was Diavik's removal of the total suspended particulate (TSP) monitoring component.

In 2021, GNWT-ECC informed EMAB they would develop an Ambient Air Quality Monitoring Guideline for diamond mines in the NWT, so there would be clear criteria to compare to Diavik's monitoring program. ECC decided they would review Diavik's program once the Guideline was complete. The Guideline was finalized on April 21'23.

In July'23 ECC compared Diavik's EAQMP against the Guideline and found the Plan inadequate. On August 1'23, before ECC issued the Minister's Report, Diavik approached EMAB to collaborate on updating the EAQMP, to reach agreement on an acceptable EAQMP. Diavik also sent a letter to the GNWT requesting the Minister's Review be paused to provide time for EMAB and Diavik to work together to revise the EAQMP.

EMAB initially agreed to collaborate, and provided Diavik with suggestions on how to improve the Plan in January 2024. Diavik responded that they were still awaiting confirmation on whether EMAB was willing to collaborate, and did not respond to any of EMAB's suggestions.

Considering the long delays in revising the EAQMP, the lack of meaningful response to our January'24 letter, and the lack of a clear path forward, EMAB declined further collaboration with Diavik, and recommended Diavik revise the EAQMP to meet the GNWT Guideline. The GNWT proceeded with the Ministerial review. After comparing Diavik's EAQMP with the Guideline, the EA, and the CSR the Minister determined it was inadequate (Minister's Report-Diavik Environmental Air Quality Monitoring and

Management Plan Version 2, May 9th, 2024), and directed Diavik to make several revisions. ECC gave Diavik 60 days to respond. Diavik and ECC met a number of times, and the deadline was extended three times before Diavik submitted a revised EAQMP on Dec 2'24. ECC reviewed the revised plan and requested revisions, which Diavik submitted on Feb 18'25. The Minister accepted the revised plan on March 19'25, more than four years after EMAB's initial request.

The new plan requires Diavik to monitor:

- TSP, but not fine particulates; monitoring will continue until there are three consecutive years of valid data, or there is no line power onsite due to closure.
- To increase dustfall monitoring frequency for ground-accessible stations; dust monitoring will be managed through the AEMP, so Diavik will propose this change to the WLWB for approval.
- To monitor NO₂ and SO₂; monitoring will continue until there are three consecutive years of valid data, or there is no line power onsite due to closure.
- To report weather data.
- To improve its reporting to meet the Guideline.
- Effects of dust on vegetation will be managed through the WMMP.
- It does not require Diavik to update its dispersion model.

Diavik will start monitoring under the new EAQMP in 2025.

2023 EAQMP ANNUAL REPORT

EMAB received Diavik's 2023 EAQMP Report in August 2024. EMAB had Arcadis complete a technical review of the annual report, and submitted one recommendation to Diavik in February 2025. ECC Air Quality also made five comments on Diavik's 2023 EAQMP report. EMAB's recommendation on Diavik's 2023 EAQMP is on our website: www.emab.ca.

SUMMARY OF EMAB RECOMMENDATION

AIR EMISSIONS

Diavik calculates air emissions as part of the EAQMP for both Environment and Climate Change Canada's (ECCC) National Pollutant Release Inventory (NPRI) and Greenhouse Gas Reporting Program (GHGRP) reporting programs. Diavik shares the results of their calculations in the report, but does not show the inputs or calculations that led to the results. So EMAB is unable to verify the accuracy of Diavik's reported numbers.

EMAB RECOMMENDATION: Diavik should include the details of its work in deriving the numbers for NPRI and GHG calculations (inputs and calculation methodology) to allow for validation of methods and quantities reported.

DIAVIK RESPONSE: Diavik has already provided the formulas it used in making its calculations, and provided a summary of inputs in its response. Diavik recommended a meeting with EMAB and its consultants if additional information is required.

Note: EMAB's consultant indicated that Diavik's provision of inputs for calculations was an improvement on previous reports, but that without the full details of calculations he was unable to fully validate the methods and results.



YELLOW HAZE

EMAB has raised concerns about the yellow haze over Diavik during the cold winter months for several years. In March 2020, EMAB recommended Diavik sample the yellow haze. Diavik responded that they were unaware of a yellow haze phenomenon, and had not seen yellow haze over the mine. Diavik noted that they monitor air quality and effects of air emissions on vegetation and have not found any significant effects.

EMAB's technical experts at Arcadis have reviewed the issue. They say it's likely that the yellow haze is due to air pollution related to combustion (nitrogen oxides from vehicle exhaust, generators, boilers etc.) During temperature inversion conditions.

Temperature inversions happen during calm periods in the winter, where heat from the sun warms the air near the ground. Overnight, the ground temperature drops, and the warm air is replaced with cold air. The warmer air rises and acts like a lid, trapping the cool air, and any pollution, like vehicle exhaust. This layer of warmer air is called an inversion layer.

EMAB recommended Diavik sample for nitrogen dioxide (NO₂) and do a visual confirmation to know which sampling dates took place during a yellow haze event. This way Diavik can compare data from yellow haze events to data from when there is no yellow haze.

While the Ministerial decision directed Diavik to start monitoring NO₂ and SO₂ (the gases that are suspected to be responsible for the yellow haze), it did not address visual confirmation monitoring.

EMAB **will follow up** with GNWT-ECC and Diavik to recommend that, in addition to monitoring NO₂ and SO₂, photos of the mine should be taken on sampling days, to see if there is a pattern between detected NO₂/SO₂ levels and the yellow haze.

ENVIRONMENTAL AGREEMENT ANNUAL REPORT



Drilling to re-mine rock from SWRSA

As part of the EA, Diavik must submit an Annual Report to the Parties, the Government of Nunavut, and EMAB. The Environmental Agreement Annual Report (EAAR) must be approved by the Minister. The purpose of the EAAR is to summarize the mine's activities and results of the environmental monitoring programs from the past year.

Diavik submitted their draft 2023 EAAR in September 2024. EMAB reviewed the report and submitted 19 comments and recommendations. All comments and recommendations can be found on EMAB's website.

Key EMAB Comments and Recommendations:

- EMAB disagreed with a number of statements Diavik made about the 2021 fish camp:
 - › That prevalence of parasites was comparable to previous years – camp participants said there were noticeably more parasites per fish than previous years.
 - › Cysts in fish in 2021 did not show an increase from 2018 – Diavik noted that data were not consistently documented.
 - › Participants said fish tasted good during all fish camps from 2003 – participants refused to taste the fish in 2021 due to unhealthy appearance and the high number of parasites in each fish.
- Diavik said that identification of a zone of influence (ZOI) for caribou is believed to be due to a misinterpretation of the statistics. EMAB noted that the only peer-reviewed published analysis of this concluded there was a ZOI.

Diavik sent back a revised EAAR on January 17, 2025 to EMAB and the Minister. EMAB accepted Diavik's changes and did not provide further comments.

MINISTER'S DECISION: On April 23, 2025 the Minister determined that the 2023 EAAR was satisfactory.

REPORT CARD ON DIAVIK AND THE REGULATORS

EMAB's mandate includes oversight of the regulatory process. This section summarizes how Diavik and other Parties have responded to EMAB recommendations. It also summarizes the level of engagement of the various regulators responsible for the Diavik file.

DDMI



WATER LICENCE

Diavik’s responsiveness to EMAB recommendations last year has been good with respect to issues related to its water licence, including closure planning. Diavik has responded promptly and thoroughly to EMAB’s recommendations as made through the WLWB review process.

Regulator responses to Diavik’s requests and reports has been variable (see Table of Reviewer Responses below).

Since 2015 EMAB has been expressing concern about the involvement of two key federal government departments in the review of monitoring reports and management plans related to Diavik’s Water Licence. EMAB’s view is that both the Department of Fisheries and Oceans, and Environment and Climate Change Canada have an important role to play in providing oversight on Diavik’s impact on the air and water in the Diavik mine area. EMAB has recommended ECCC, and DFO in particular, be more active in making comments and recommendations. EMAB continues to be disappointed by DFO’s lack of substantive comment on reports that bear on the health of fish and fish habitat.

EMAB sent a letter to DFO in March 2024 stating that their perspective is valuable in assessing Diavik’s aquatic management and monitoring, and encouraging them to provide comments on all management and monitoring plans and reports that relate to potential concerns or impacts on fish health or fish habitat related to the Diavik mine, regardless of whether these might result from a “deleterious substance” or not. We also noted our view that it is an important part of the co-management system that DFO contribute their expertise to the review process for plans and reports required by the water licence. We did not receive a response from DFO.

DFO commented on one of the four documents listed in the Table of Reviewer Responses.

EMAB notes that DFO has an ongoing process to implement the amended Fisheries Act and it is our hope that this renewed interest will also result in greater DFO engagement in reviewing reports from Diavik under their Water Licence.

This year ECCC commented on all the reports listed.

Table of Reviewer Responses

Reviewer	Reviewer Responses			
	ECCC	DFO	ECC	EMAB
SWALF version 2	Commented	No comment	Commented	Commented
2023 AEMP Report	Commented	No comment	Commented	Commented
Specific Effects Study Design (Plume Study)	Commented	Commented	Commented	Commented
Water Licence Renewal Application	Commented	No comment	Commented	Commented

The Inspector visited the Diavik mine site nine times during the year, and issued a letter of non-compliance regarding the E21 sump, which overflowed into Lac de Gras on May 26, 2024 with several parameters exceeding EQC. Diavik was back in compliance by May 29. The

Inspector did not make any presentations to EMAB throughout the year on the results of the inspections. The Inspector commented on one water licence document, the revised SWALF.

ECC Waters commented on all the reports we looked at and fully participated in the Water Licence Renewal review. We commend their continued thorough and substantive reviews of the Diavik Water Licence plans and reports.

Similarly, the WLWB consistently provides detailed reviews of all documents submitted by Diavik for review.

We note that the WRRB has made submissions on a number of water licence report reviews stating that they had no comments.

WLWB has reduced the time period for reviews, which has occasionally made it difficult for EMAB to engage consultants, provide adequate time for consultants to undertake technical reviews, receive and review technical reviews from consultants and approve them for submission to WLWB. In general the WLWB has accommodated EMAB where review period extensions were required, but in some cases the review periods have been too short to allow EMAB to make an adequate response. EMAB is particularly concerned that shorter review periods also make it more difficult for organizations with limited capacity to make comments, particularly small communities.

WILDLIFE MONITORING

In October 2023 GNWT started using the WLWB Online Review System as the way to submit comments on annual Wildlife Management and Monitoring Program reports. We hope this will address the occasional issue of lack of timelines for responses. Diavik has responded to these reviews in a timely manner. ECC-Wildlife involvement with Diavik's wildlife monitoring continued in 2024

- ECC reviewed the 2023 WMMP report. ECC does not require approval of these annual reports.
- ECC continued to follow up on Diavik's ZOI Analysis Methods in July 2024, requiring Diavik to submit a revised WMMP. ECC had not made a decision on the revised WMMP at the time of writing this annual report.

AIR QUALITY MONITORING

Diavik's response to EMAB's recommendations on the air quality monitoring report continued to be satisfactory in 2024-25. Diavik submitted the 2023 EAQMP report; EMAB's review is discussed earlier in this annual report. EMAB made one recommendation and Diavik's response was within the 60 day period required by the EA.

ECC reviewed the 2023 EAQMP report and made five comments.

As reported in previous EMAB Annual Reports, EMAB requested the Minister investigate whether Diavik's Air Quality Monitoring Program was adequate. This request was made in July 2020. ECC finalized an Air Quality Guideline in early 2023 and finalized its review of Diavik's EAQMP in 2024. Following discussions between ECC and Diavik, ECC accepted a revised EAQMP on March 19, 2025.

INSPECTOR'S AUTHORITY TO GIVE DIRECTION

ECC's current approach to legislative updates means that any change to section 67(1) of the Waters Act will continue to be delayed. We believe the changes previously proposed by ECC would resolve our concern about possible limitations on the Inspector's authority to give direction to Diavik in the current wording of the Act. We trust that ECC will advance this change as soon as reasonably possible (see 2016-17 EMAB Annual Report for details on this issue).



COMMUNICATIONS



ANNUAL GENERAL MEETING (AGM)

Each fall, we hold our AGM in our Yellowknife office boardroom. Parties to the Environmental Agreement are invited to attend and provide input on EMAB's activities and direction. In 2024, EMAB's AGM took place in October. We held our AGM through a combination of virtual and in-person participation. The Executive were: Charlie Catholique - Chair, Marc Whitford - Vice Chair (elected in February 2024) and Violet Camsell-Blondin - Secretary-Treasurer.

EMAB DIRECTORS

EMAB Directors are one of the main ways EMAB communicates with Affected Communities. Our Directors are responsible for updating communities on what is going on at Diavik and bringing any concerns and questions about the environment at Diavik back to EMAB.

COMMUNITY MEETINGS

As discussed in the section on Involving and Supporting Communities, EMAB holds public updates in the communities of the Indigenous Parties. The goal is to keep people informed and allow them to ask questions and voice opinions and concerns. We did not hold any community updates in 2024-25.

PUBLIC LIBRARY

EMAB is responsible for making sure that people have access to materials that relate to the Environmental Agreement. Anyone interested can visit our office and access plans and reports, expert reviews, correspondence, Board meeting minutes, maps and images. Our office hours are 9:00 a.m. – 5:00 p.m. Monday to Friday.. Much of our information is also available on our website, www.emab.ca.

WEBSITE

EMAB's website is another way for EMAB to reach out to the people. We use our website to post our comments and recommendations on Diavik's WMMP and EAQMP reports. We also post EMAB Annual Reports, Diavik's EAARs, meeting minutes and correspondence. FCRP/ICRP and AEMP comments can be found on the WLWB public registry. You can visit us at our website, www.emab.ca and our Facebook page, facebook.com/EMAB2015.

ANNUAL REPORT

EMAB circulates its annual report and a plain language summary to all Parties to the Environmental Agreement, as well as key leaders in the Affected Communities and throughout the NWT.

BROCHURE AND POSTER

EMAB has a brochure and poster summarizing our work. These are available on request.

EMAB GOVERNANCE AND OPERATIONS



Pond 2 breach site

The Board met seven times in 2024-25 as face-to-face meetings and had four teleconferences. The Annual General Meeting took place October 16, 2024. The Board passed 22 email motions over the year.

The Kitikmeot Inuit Association (KIA) appointed Baba Pedersen as their EMAB member in May 2024 – the vacancy left by Jack Kaniak’s passing was filled by alternate KIA member William Aglukkaq until then. Sarah Elsasser was appointed by GNWT in December 2024 to replace Kelly Fischer whose term expired. Diavik Diamond Mines appointed Tara Marchiori as their member in July 2024, filling a vacancy since the previous December. Jason Thompson was appointed as the Diavik alternate at the same time. The Government of Canada member position remained vacant.

BUDGET AND FINANCE

EMAB’s budget for 2024-25 was \$714,467; EMAB spent \$674,876 during the year. We received an initial payment of \$579,035 as well as a carry-forward of \$126,867 from the previous year.

EMAB negotiates its budget with Diavik every two years, for the following two years. At the end of the two-year period we must return any surplus to Diavik, except as agreed with Diavik. The Environmental Agreement says that EMAB will try to keep any budget increases to the rate of inflation. EMAB recommends a budget to Diavik that we both have to agree on. If we can’t agree Diavik submits its own proposed budget to the Minister and he can choose EMAB’s or Diavik’s.

EMAB and Diavik did not agree on the 2025-27 budget. This was largely due to EMAB’s concerns about estimated costs

of participating in the Water Licence Renewal proceeding and the review of Diavik's Final Closure Plan, in 2025. EMAB requested Diavik agree to a roll over any unspent funds from the two reviews to 2025-27, which they did. EMAB also requested a contingency to cover costs above the initial review estimates, and to cover costs of reviewing any unanticipated reports, as well as covering additional costs associated with participation of the newly appointed GNWT EMAB Board member. Diavik and EMAB informed the Minister that we disagreed, and with GNWT's assistance we met with Diavik to try to reach agreement. A number of important changes were agreed, but not enough to reach complete agreement and in the end the Minister decided to choose Diavik's proposed budget. Key points of the agreement were:

- Diavik agreed to a base payment of \$607,300; an increase that equaled the rate of inflation.
- Diavik agreed to allow EMAB to roll-over unspent funds for review of the Water Licence Renewal and revised Final Closure Plan from 2024-25 to 2025-26.
- Diavik agreed to provide contingency funds for review of Diavik's Traditional Knowledge Monitoring Plan.
- EMAB and Diavik agreed to remove the budget for review of unanticipated reports and for contingencies for review of the Water Licence Renewal and revised Final Closure Plan, with Diavik committing to consider proposals for additional funding for any unanticipated report reviews in good faith.
- The Minister considered it unreasonable for EMAB to request additional funds following appointment of its new member.

The Minister recommended EMAB and Diavik make additional efforts in future to agree on budgets.

DIAVIK SITE VISITS

Board members and staff toured the Diavik site in June and September 2024.

JUNE 2024 SITE VISIT

A lot of time was spent at the January 2024 fuel spill site, and the work that Diavik had been doing to clean up the area. This included:

- Drilling 77 holes to bedrock and pumping fuel from them. Much of the free-flowing fuel had been pumped (about 10,000 litres) and the recovery had decreased from 300 litres /day to about 10.
- Diavik planned to excavate the contaminated soil once they can't pump more fuel from the holes.
- Absorbent booms on a nearby pond to avoid any possible fuel flow from the pond towards Lac de Gras.



The Board also saw:

- Progressive reclamation of the NWRSA was largely complete.
- Work on the cover on the PKC was mostly complete for Zone 1.
- Spillway from PKC to Pond 3 under construction.
- Collection pond dam breaches for Ponds 2 & 7 were in progress, water in the ponds was very low.
- The SWRSA being re-mined for rock cover.
- The PK being pumped to the A418 pit had risen into the pit and was now visible.
- The lined landfarm area was flat, with about half a meter of contaminated soil.

SEPTEMBER 2024 SITE VISIT

To see the ongoing cleanup of the fuel spill area and other work:

- Contaminated soil was being excavated from the site in layers of about 1-2 meters.
- Each layer was tested for fuel contamination. They widened the excavation area to make sure all contaminated soil was removed.
- Rocks and soil less than 25 mm (an inch) was placed in the landfarm area, a lined area inside the Waste Transfer Area. There was about 3 meters of contaminated soil there. They were keeping less-contaminated soil separate from the more-contaminated soil.
- Larger rocks and boulders were moved to the Life-of-Mine Area in the NWRSA.
- Buttressing work on the east and southeast areas of the PKC dam, after removing ice-rich till.
- The Pond 2 & 7 breaches were mostly complete.



EMAB members inspecting pond near MAH fuel spill site

ACTION PLAN / FUTURE ROLE OF EMAB

EMAB finalized and adopted an Action Plan for 2019-24 during 2019. Much of the plan aims at continuing EMAB's ongoing approach of focusing on technical reviews of key Diavik plans and reports, and keeping Affected Communities and others informed about activities at Diavik, and any issues or concerns. Some key changes to the plan include:

- Providing 1-2 page meeting summaries to Parties; these are now sent after each meeting.
- Continuing assessment of Diavik response to TK Panel recommendations; this is ongoing.
- Developing a 1-page summary of the role of EMAB Board members; this is ongoing.
- Addressing potential for conflict of interest at Board meetings through a broader COI policy; EMAB worked with a legal expert, and finalized the policy in 2022.

EMAB conducted a workshop on the Future Role of EMAB in June 2023, that provided recommendations going forward, and will contribute to updating the Action Plan past the completion of operations at the mine. There were four main recommendations:

- EMAB should continue throughout Diavik's closure and post-closure phases until Diavik fulfills its responsibilities under the EA.
- EMAB should focus on improving engagement with Affected Communities.
- EMAB should seek out more opportunities to convene or assist the Parties to cooperate.
- EMAB should support work to establish a TK Monitoring Plan for closure.

EMAB finalized the report in February 2024 and forwarded the report in March to the EA Working Group established by the Parties.

During negotiations with Diavik for the 2025-27 budget they raised questions regarding EMAB's role during the transition to closure. EMAB will engage with Diavik on this topic, based on the Environmental Agreement, EMAB's strategic plan and the recent workshop report.

ENVIRONMENTAL AGREEMENT

The Environmental Agreement (EA) applies while the mine is producing diamonds, and until full and final reclamation and abandonment, including completion of post-closure monitoring and maintenance. Once the mine stops production, in early 2026, the Minister can consult with the Parties and decide to reduce Diavik's duties under the EA as much as he feels is reasonable. The Minister can also set a schedule for winding EMAB down in the future.

EMAB's view is that the Board should continue to operate until closure is completed successfully. Board members are thinking about how EMAB's role will change during closure. We have contacted the Parties to find out whether they agree that EMAB should continue. So far four Parties have said they support EMAB continuing and we will continue to keep in touch with all the Parties.

In August 2022 Diavik requested the Minister start consultations on what will happen with EMAB and the EA after production stops. The Minister said his consultation will start after Diavik finishes producing diamonds, and suggested that Parties could make proposals about changes to the EA for discussion before then.

In January 2023 Diavik invited the Parties to meet to discuss possible changes to the EA after closure, and especially to discuss a TK Monitoring Plan for Closure. The discussions led to forming two Working Groups:

- A TK Working Group to develop a TK Monitoring Plan for Closure with Diavik organizing the meetings.
 - › The WG met several times and developed a draft Framework for TK Closure Monitoring as well as a draft job description for a TK Coordinator. They recommended EMAB coordinate TK Monitoring. The TKWG has not been active since April 2024.
- An EA Working Group (EAWG) to consider possible updates to the EA.
 - › EMAB forwarded our report on the Future Role of EMAB to the EAWG in March 2024.
 - › Diavik noted that the EAWG met four times.

GNWT proposed amendments to the EA in 2013 to reflect the transfer of powers from Canada to GNWT under devolution. This process appears to be on hold and GNWT is considering whether to continue to pursue it.

OPERATIONS

Allison McCabe was EMAB's Environmental Specialist from October 2023 to end of March 2025. John McCullum has been the Executive Director since November 2015. EMAB's Operations Manual was reviewed and updated.

RELATIONSHIP WITH DIAVIK

In its decision on FCRP v1.0 the WLWB said it was disappointed that EMAB and Diavik were experiencing significant challenges in their working relationship. It also said that EMAB's comments add more time to the public review process. It requested that EMAB and Diavik's senior leadership meet to resolve ongoing communication and engagement challenges. It directed Diavik to report on these efforts.

EMAB and Diavik both took the WLWB comments seriously and discussed options a number of times. EMAB felt that more time to prepare our reviews would address many of the WLWB's concerns. Diavik proposed providing

materials to EMAB before WLWB completes its conformity check, to allow more time for EMAB to review. EMAB proposed a number of possible solutions, most of which were dependent on having sufficient time before the comment submission deadlines:

- Giving questions to Diavik in advance of submitting reviews so this information could be included. EMAB would note any resolved issues or questions in our review.
- Having technical consultants meet after completing their reviews to address any duplicate comments.
- Giving Diavik an opportunity to review our draft comments to answer questions and correct any factual errors.
- Where EMAB makes many comments on a topic, providing an overall summary comment.
- EMAB and Diavik to make best efforts to provide comments and responses in a respectful tone.

Diavik provided these proposed approaches to the WLWB in its 2024 Water Licence Report. We understand this matter to be concluded.



WHAT ARE EMAB'S PLANS

Our priorities for 2025-26 are participation in review of Diavik's Water Licence Renewal Application and a review of Diavik's revised Final Closure Plan, as well as participation in the process to develop a TK Monitoring Plan for Diavik. Diavik's current water licence expires at the end of 2025. EMAB will continue to work with Diavik and the other Parties to plan for the transition from operational mine to closure. Other planned activities include the following.

OVERSIGHT AND MONITORING

- Participate in Diavik's water licence renewal proceeding, including the Technical Session in April and Public Hearing in June, as well as commenting on the draft licence and providing closing arguments. Regulation of collection pond discharges to Lac de Gras will be a key issue.
- Review Diavik's revised Final Closure Plan, including key issues EMAB raised in the past: use of Traditional Knowledge and TK Monitoring, water quality and aquatic health, wildlife and revegetation, and closure criteria including effective monitoring methods.
- Continue to track Wildlife Management and Monitoring Program revisions submitted to ECC by Diavik.
- Continue participation in GNWT-Lands initiative to develop regulations for the Public Lands Act.
- Continue participation in ECC initiative to revise environmental legislation including the Waters Act and Environmental Protection Act.
- Continue to monitor and participate in development of GNWT policy on security and long-term liability and monitoring for closed mine sites.
- Continue monitoring the January 16, 2024 fuel spill clean-up.

Review the following reports:

- 2024 AEMP Annual Report.
- 2024 WMMP Report.
- 2024 EAQMP Report.
- 2024 EAAR.

ABORIGINAL AND COMMUNITY INVOLVEMENT

- Engage Communities through Board members and community update meetings.
- Assess implementation of TK Panel Recommendations including assessment of Diavik response and follow-up.
- Provide recommendations on development of TK Closure Monitoring Plan.
- Provide recommendations on the development of Cultural Use Criteria for the Diavik mine.
- Review TK Monitoring Plan

COMMUNICATIONS

- Annual Report
- Website
- Public Registry
- Facebook Page
- Meeting Summaries

GOVERNANCE

- Hold regular meetings.
- Oversee EMAB operations.
- Review and continue to implement Action Plan for 2019-24, taking into account outcome of workshop on Future Role of EMAB.
- Engage with the Parties, including Diavik, on EMAB's role as Diavik transitions into closure.

AUDITED FINANCIAL STATEMENTS

INDEPENDENT AUDITOR'S REPORT

To the Board of Directors of
Environmental Monitoring Advisory Board



**YELLOWKNIFE
ACCOUNTING**
PROFESSIONAL CORPORATION

**CHARTERED PROFESSIONAL
ACCOUNTANTS**

P.O. Box 20072,
4910 – 50th Street
2nd Floor
EPR Yellowknife Building
Yellowknife, NT X1A 3X8

Phone: (867) 669-0242
Fax: (867) 669-7242

www.epryellowknife.ca

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Opinion

We have audited the financial statements of Environmental Monitoring Advisory Board, which comprise the statement of financial position as at March 31, 2025, and the statements of operations, changes in net assets and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies and other schedules and supplementary information.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the organization as at March 31, 2025, and its results of operations and its cash flows for the year then ended in accordance with Accounting Standards for not-for-profit Organizations (ASNPO).

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the organization in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with ASNPO, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the organization's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the organization or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the organization's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements. As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

INDEPENDENT AUDITOR'S REPORT, continued

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the organization's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the organization's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the organization to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Yellowknife, NWT

October 21, 2025

EPR Yellowknife Accounting Prof. Corp.

EPR Yellowknife Accounting Professional Corporation

Chartered Professional Accountants

ENVIRONMENTAL MONITORING ADVISORY BOARD
Statement of Operations
For the year ended March 31, 2025

	2025 Budget	2025 Actual	2024 Actual
Revenues			
Diavik Diamond Mines Inc.	\$ 573,100	\$ 579,035	\$ 573,100
Transfer to deferred revenue - annual surplus	-	-	(75,655)
Transfer from (to) deferred revenue	126,867	126,867	(51,212)
Contributions repaid (repayable)	-	(47,722)	51,212
Interest income	13,500	12,746	12,012
Jack Kaniak Scholarship	1,000	1,000	-
	714,467	671,926	509,457
Expenditures			
Amortization	-	2,952	4,215
Administration, Schedule 1	70,214	72,478	68,391
Management Services, Schedule 2	285,187	298,071	213,684
Governance, Schedule 3	160,527	162,513	116,982
Oversight and monitoring, Schedule 4	183,430	121,465	101,678
Involving and supporting communities, Schedule 5	1,000	2,000	-
Communications, Schedule 6	14,109	15,395	8,722
	714,467	674,876	513,672
Surplus (deficit) before transfer of capital items	-	(2,950)	(4,215)
Other item			
Transfer to Tangible Capital Asset Fund	-	2,950	4,215
Surplus for the year	\$ -	\$ -	\$ -

STATEMENT II

ENVIRONMENTAL MONITORING ADVISORY BOARD
Statement of Changes in Net Assets
For the year ended March 31, 2025

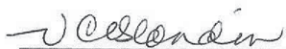
	Operating Fund	Tangible Capital Asset Fund	Total 2025	Total 2024
Balance, opening	\$ -	\$ 9,836	\$ 9,836	\$ 9,836
Surplus	-	-	-	-
Amortization	(2,951)	-	(2,951)	(3,925)
Transfer from operating fund	2,951	(2,951)	-	-
Balance, closing	\$ -	\$ 6,885	\$ 6,885	\$ 9,836

ENVIRONMENTAL MONITORING ADVISORY BOARD
Statement of Financial Position
As at March 31, 2025

Statement III

	2025	2024
ASSETS		
Current		
Cash	\$ 21,263	\$ 13,945
Prepaid expenses	7,152	4,932
Restricted cash (Note 3)	717,453	745,226
	745,868	764,103
Tangible Capital Assets (Note 4)	6,883	9,835
	\$ 752,751	\$ 773,938
LIABILITIES		
Current		
Accounts payable and accrued liabilities (Note 6)	\$ 80,279	\$ 47,637
Deferred revenue (Note 7)	617,865	716,466
Contributions repayable (Note 8)	47,722	-
	745,866	764,103
Net Assets	6,885	9,835
	\$ 752,751	\$ 773,938

APPROVED ON BEHALF OF THE BOARD

 Member

 Member

	2025	2024
Operating activities		
Surplus	\$ -	\$ -
Change in non-cash working capital items		
(Increase) decrease in prepaid expenses	(2,220)	615
Increase (decrease) in accounts payable and accrued liabilities	32,645	(69,481)
(Decrease) increase in deferred revenue	(98,601)	143,366
Increase (decrease) in contributions repayable	47,722	(61,777)
	(17,501)	12,723
Financing activity		
Drawings	(2,953)	-
(Decrease) increase in cash	(20,454)	12,723
Cash, opening	759,171	746,448
Cash, closing	\$ 738,717	\$ 759,171

1. ORGANIZATION AND JURISDICTION

Environmental Monitoring Advisory Board (the "Board") is a not-for-profit organization established as a requirement of the *Diavik Environmental Agreement*. It aims to provide a meaningful role for Aboriginal People in the review and implementation of environmental monitoring plans with respect to the Diavik Diamond Mine site in the Northwest Territories. The Board will be in place until full and final reclamation of the mine is complete.

The Board is exempt from income tax under section 149(1)(l) of the *Income Tax Act*.

2. SIGNIFICANT ACCOUNTING POLICIES

The Board applies the Canadian accounting standards for not-for-profit organizations.

(a) *Financial instruments*

The Board initially measures its financial assets and liabilities at fair value. The Board subsequently measures its financial assets and financial liabilities at amortized cost, except for securities quoted in an active market, which are subsequently measured at fair value.

Financial assets measured at amortized cost include cash and restricted cash. Financial liabilities measured at amortized cost include accounts payable and accrued liabilities.

At the end of each reporting period, management assesses whether there are any indications that financial assets measured at cost or amortized cost may be impaired. If there is an indication of impairment, management determines whether a significant adverse change has occurred in the expected timing or the amount of future cash flows from the asset, in which case the asset's carrying amount is reduced to the highest expected value that is recoverable by either holding the asset, selling the asset or by exercising the right to any collateral. The carrying amount of the asset is reduced directly or through the use of an allowance account and the amount of the reduction is recognized as an impairment loss in operations. Previously recognized impairment losses may be reversed to the extent of any improvement. The amount of the reversal, to a maximum of the related accumulated impairment charges recorded in respect of the particular asset, is recognized in operations.

(b) *Fund accounting restricted*

The Board uses fund accounting to segregate transactions between its Operating Fund and Tangible Capital Asset Fund. The Operating Fund accounts for the Board's operating and administrative activities. The Tangible Capital Asset Fund reports the assets, liabilities, revenues and expenses related to tangible capital assets.

(c) *Tangible capital assets*

Tangible capital assets are recorded at original cost plus any costs of betterment less accumulated amortization and excludes any assets not in current use. Amortization is calculated when the tangible capital assets are ready in use by the declining balance at rates set out in note 4.

(d) *Revenue recognition*

The Board follows the deferral method of accounting for contributions. Restricted contributions are recognized as revenue in the year in which the related expenses are incurred. Unrestricted contributions are recognized as revenue when received or receivable if the amount to be received can be reasonably estimated and its collection is reasonably assured. Contributions which are not expensed in the current year are set up as deferred funding to be used in the future year when services are provided and goods acquired or refundable contributions that must be repaid to the contributor. Interest income is recognized on the basis of the time funds are in the account and interest is accrued.

ENVIRONMENTAL MONITORING ADVISORY BOARD
Notes to the Financial Statements
March 31, 2025

2. SIGNIFICANT ACCOUNTING POLICIES, continued

(e) *Unexpended funds*

On January 16, 2011 an Arbitration Award findings resulted in a change in accounting policy for the recognition and treatment of unexpended funds. Previously the Board classified the unexpended funds as unrestricted net assets. Beginning in 2011, unexpended funds are classified as net unexpended contributions repayable or deferred revenue. The Board may not accumulate unrestricted net assets from unexpended Diavik Diamond Mines Inc.

(f) *Allocated expenses*

The Board allocates expenditures according to its activities. Expenditures are allocated to Administration, Management Services, Board, Science Program, Involving and Supporting Communities and Communication.

(g) *Cash and cash equivalents*

Cash and cash equivalents consist primarily of cash in chequing account and restricted cash.

(h) *Use of estimates*

The preparation of financial statements in conformity with Canadian accounting standards for not-for-profit organizations requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. By their nature, these estimates are subject to measurement uncertainty. The effect of changes in such estimates on the financial statements in future periods could be significant. Accounts specifically affected by estimates in these financial statements are prepaid expenses, accounts payable and accrued liabilities, deferred revenue and contributions repayable..

3. RESTRICTED CASH

Restricted cash represents cash received from Diavik Diamond Mines Inc. that is intended for a specific purpose or represents the amount to repay.

	<u>2025</u>	<u>2024</u>
Carried forward funding	\$ 110,153	\$ 166,191
Cash received in advance	607,300	579,035
	<u>\$ 717,453</u>	<u>\$ 745,226</u>

ENVIRONMENTAL MONITORING ADVISORY BOARD**Notes to the Financial Statements****March 31, 2025****4. TANGIBLE CAPITAL ASSETS**

	<u>2025</u>		<u>2024</u>	
	<u>Cost</u>	<u>Accumulated amortization</u>	<u>Net</u>	<u>Net</u>
Office equipment	\$ 33,017	\$ 32,830	\$ 187	\$ 268
Furniture and fixtures	24,209	23,913	296	424
Computer equipment	81,575	75,175	6,400	9,143
	<u>\$ 138,801</u>	<u>\$ 131,918</u>	<u>\$ 6,883</u>	<u>\$ 9,835</u>

5. BANK INDEBTEDNESS

The bank indebtedness balance represents the excess of outstanding cheques over the balance in the operating account as of the year-end date.

	<u>2025</u>		<u>2024</u>	
Cash in bank	\$ 21,263		\$ 13,945	

6. ACCOUNTS PAYABLE AND ACCRUED LIABILITIES

	<u>2025</u>		<u>2024</u>	
Trade accounts payable	\$ 58,086		\$ 35,288	
Accrued payroll	13,942		11,179	
Government remittance	8,253		1,170	
	<u>\$ 80,281</u>		<u>\$ 47,637</u>	

7. DEFERRED REVENUE

	<u>Balance, opening</u>	<u>Received</u>	<u>Recognized</u>	<u>Balance, closing</u>
Diavik Diamond Mines Inc.	\$ 716,466	\$ 607,300	\$ (658,180)	\$ 617,865

8. CONTRIBUTIONS REPAYABLE

	<u>2025</u>		<u>2024</u>	
Diavik Diamond Mines Inc.	\$ 47,722		\$ -	

On January 17 and February 27, 2025, the Environmental Monitoring Advisory Board (EMAB) and Diavik Diamond Mines Inc. submitted their respective proposed budgets for the operation of the Advisory Board in 2025-2027. Following the comprehensive review of the budget, Diavik formally approved the retention and reallocation of these excess funds by EMAB. The approved funds will be utilized in the next fiscal year to support the review of the Final Closure and Reclamation Plan (FCRP) and the Water Licence Renewal Process.

ENVIRONMENTAL MONITORING ADVISORY BOARD
Notes to the Financial Statements
March 31, 2025

9. ECONOMIC DEPENDENCE

The Board is dependent upon funding in the form of contributions from Diavik Diamond Mines Inc. Management is of the opinion that if the funding was reduced or altered, operations would be significantly affected. Under the Environment Agreement, \$6M of funds is held to ensure that Diavik Diamond Mines Inc. meets all of its obligations

10. FINANCIAL INSTRUMENTS

Interest rate risk

Interest rate is the risk that the fair value of future cash flows of a financial instrument will fluctuate because of changes in market interest rates. The Board's financial assets that are exposed to interest rate risk consists of cash and restricted cash. The cash flow from variable rate financial instruments fluctuate as market rates of interest change. The risk has not changed from the prior year.

Credit risk

Credit risk is the risk that a third party to a financial instrument might fail to meet its obligations under the terms of the financial instrument. The Board does have credit risk in cash with a chartered bank in excess of the insurable limit throughout the year. Furthermore, the Board has a concentration risk as the full balance of cash is maintained with a single federally regulated financial institution. This risk has not changed from the prior year.

Liquidity risk

Liquidity risk is the risk that the Board cannot repay its obligations when they become due. The Board does have a liquidity risk in the accounts payable and accrued liabilities. the Board reduces its exposure to liquidity risk by ensuring a budget process is in place and through monitoring of expenses. This risk has not changed from the prior year.

11. COMMITMENTS

The Board previously held a lease agreement for its premises, which expired on December 31, 2024. As of January 1, 2025, the lease has not been formally renewed. However the Board continues to occupy the premises on a month to month basis under the same terms and conditions as the expired lease. The montly lease payment is \$2,470.95 plus applicable GST. As the lease is now on month to month basis, there are no long-term lease commitments.

ENVIRONMENTAL MONITORING ADVISORY BOARD
Schedules of Expenditures
For the year ended March 31, 2025

SCHEDULE OF ADMINISTRATION

Schedule 1

	2025 Budget	2025 Actual	2024 Actual
Audit fees	\$ 8,800	\$ 8,944	\$ 9,481
Bank charges and interest	930	770	1,125
Bookkeeping fees	3,189	6,497	5,316
Insurance	4,740	3,541	5,235
Janitorial	1,320	1,440	1,365
Library/Publications	200	-	-
Office supplies	4,000	4,046	2,368
Postage and freight	743	997	207
Printing and photocopy	2,000	2,132	2,128
Professional fees	4,592	4,402	-
Rent	33,400	33,379	32,865
Repairs and maintenance	750	1,425	2,010
Technical Support	550	-	-
Telephone and internet	5,000	4,905	6,291
	\$ 70,214	\$ 72,478	\$ 68,391

SCHEDULE OF MANAGEMENT SERVICES

Schedule 2

	2025 Budget	2025 Actual	2024 Actual
Employee benefits	\$ 27,884	\$ 32,840	\$ 22,678
Employer's costs - CPP, EI, WSCC	16,370	18,785	14,793
Professional development	2,000	1,969	-
Salaries	238,933	244,478	176,213
	\$ 285,187	\$ 298,072	\$ 213,684

SCHEDULE OF GOVERNANCE

Schedule 3

	2025 Budget	2025 Actual	2024 Actual
Accommodations	\$ 18,500	\$ 19,018	\$ 10,453
Annual general meeting	3,247	3,247	6,072
Executive Committee	5,600	5,063	5,368
Honoraria and teleconference	42,049	42,049	28,916
Meeting expenses	2,500	2,397	2,019
Per diems	8,844	8,983	5,430
Preparation	53,407	53,407	41,163
Teleconference honoraria/board equipment	9,880	9,880	-
Transportation	16,500	18,469	7,261
Strategic Planning	-	-	10,285
Board equipment	-	-	15
	\$ 160,527	\$ 162,513	\$ 116,982

SCHEDULE OF OVERSIGHT AND MONITORING

Schedule 4

	2025 Budget	2025 Actual	2024 Actual
Aquatic Effects Monitoring Program	\$ 23,918	\$ 23,918	\$ 12,338
Air Quality Management Program	7,600	7,791	7,182
Interim Closure and Reclamation	47,680	28,770	44,073
Other Reviews and Reports	88,566	45,320	28,388
Traditional Knowledge Panel Review	5,166	5,166	-
Wildlife Monitoring Plan	10,500	10,500	9,697
	\$ 183,430	\$ 121,465	\$ 101,678

SCHEDULE OF INVOLVING AND SUPPORTING COMMUNITIES

Schedule 5

	2025 Budget	2025 Actual	2024 Actual
Jack Kaniak Scholarship	\$ 1,000	\$ 2,000	\$ -
	\$ 1,000	\$ 2,000	\$ -

SCHEDULE OF COMMUNICATIONS

Schedule 6

	2025 Budget	2025 Actual	2024 Actual
Advertising, public relations and promotions	\$ 209	\$ 1,121	\$ 799
Annual report	12,115	10,315	7,292
Website maintenance	1,785	3,959	630
	\$ 14,109	\$ 15,396	\$ 8,722

EMAB RECOMMENDATIONS

EMAB RECOMMENDATIONS APRIL 1, 2024 - NOVEMBER 2025

Waste Management Plan - Version 7

EMAB submitted 5 recommendations to Diavik via the WLWB on version 7 of Diavik's Waste Management Plan. Highlights can be found on page 45. The complete list of recommendations can be found on the WLWB Public Registry.

Surface Water Action Level Framework - Version 2

EMAB submitted 12 recommendations to Diavik via the WLWB on version 2 of the Surface Water Action Level Framework. Highlights can be found on page 42. The complete list of recommendations can be found on the WLWB Public Registry.

2020 - 2022 Aquatic Effects Re-evaluation Report

EMAB submitted 41 recommendations to Diavik via the WLWB on the 2020 - 2022 Aquatic Effects Re-evaluation Report. Highlights can be found on pages 30-31, and on page 30 of EMAB's 2023-24 Annual Report. The complete list of recommendations can be found on the WLWB Public Registry.

2023 Aquatic Effects Monitoring Annual Report

EMAB submitted 10 recommendations to Diavik via the WLWB on the 2023 Aquatic Effects Monitoring Annual Report. Highlights can be found on pages 31-32. The complete list of recommendations can be found on the WLWB Public Registry.

Specific Effects Study Design Plan for Ponds 2 & 7 (plume studies)

EMAB submitted 14 recommendations to Diavik via the WLWB on version 1 of Specific Effects Study Design Plan for Ponds 2 & 7 (plume studies). EMAB submitted 1 recommendation on version 1.1 of the Design Plan. Highlights can be found on page 37. The complete list of recommendations can be found on the WLWB Public Registry.

2023 Wildlife Management & Monitoring Report

EMAB submitted 5 recommendations to Diavik via GNWT-ECC on the 2023 Wildlife Management & Monitoring Annual Report. Highlights can be found on page 56, and on page 58 of EMAB's 2023-24 Annual Report. The complete list of recommendations can be found on the WLWB Public Registry.

Note: All Diavik Wildlife Management and Monitoring Plans and Reports are now being reviewed through the WLWB Online Review System

Revised Tier 3 Wildlife Management and Monitoring Plan

EMAB submitted 5 recommendations to Diavik via GNWT-ECC on the Revised Tier 3 Wildlife Management and Monitoring Plan. Highlights can be found on pages 54-55. The complete list of recommendations can be found on the WLWB Public Registry.

Note: All Diavik Wildlife Management and Monitoring Plans and Reports are now being reviewed through the WLWB Online Review System

Water Licence Renewal Application

EMAB submitted 19 recommendations to Diavik via the WLWB on the Water Licence Renewal Application. Highlights can be found on pages 38-44. The complete list of recommendations can be found on the WLWB Public Registry.

2023 Environmental Agreement Annual Report - Draft & Final

EMAB submitted 17 recommendations to Diavik on the DRAFT 2023 EAAR. EMAB was satisfied with Diavik's revisions and did not comment on the final version. Highlights can be found on pages 60-61. The complete list of recommendations can be found on our website: www.emab.ca.

RECLAIM version 8

EMAB submitted 8 recommendations to CIRNAC & GNWT on the updated version of RECLAIM for estimating security required by Diavik and other mines. Highlights can be found on page 50. The complete list of recommendations can be found on the WLWB Public Registry.

2024 Wildlife Management & Monitoring Report

EMAB submitted 9 recommendations to Diavik via GNWT-ECC on the 2024 Wildlife Management & Monitoring Annual Report. Highlights can be found on page 56. The complete list of recommendations can be found on the WLWB Public Registry.

Note: All Diavik Wildlife Management and Monitoring Plans and Reports are now being reviewed through the WLWB Online Review System

Water licence Renewal Intervention

EMAB submitted 76 recommendations to Diavik via the WLWB in our intervention on the Water Licence Renewal Application. Highlights can be found on pages 39-41. The complete list of recommendations can be found on the WLWB Public Registry.

Draft Water Licence - Water licence Renewal Proceeding

EMAB submitted 38 recommendations to the WLWB on its draft Water Licence. Highlights can be found on pages 42-43. The complete list of recommendations can be found on the WLWB Public Registry.

2024 Aquatic Effects Monitoring Annual Report

EMAB submitted 17 recommendations to Diavik via the WLWB on the 2024 Aquatic Effects Monitoring Annual Report. Highlights can be found on page 32. The complete list of recommendations can be found on the WLWB Public Registry.

Waste Management Plan - Version 8

EMAB submitted 11 recommendations to Diavik via the WLWB on version 8 of Diavik's Waste Management Plan. Highlights can be found on page 45. The complete list of recommendations can be found on the WLWB Public Registry.

Closure & Post-Closure Wildlife Management and Monitoring Plan

EMAB submitted 21 recommendations to Diavik via GNWT-ECC on the Closure & Post-Closure Wildlife Management and Monitoring Plan. Highlights can be found on page 57. The complete list of recommendations can be found on the WLWB Public Registry.

Note: All Diavik Wildlife Management and Monitoring Plans and Reports are now being reviewed through the WLWB Online Review System

Final Closure & Reclamation Plan - version 1.1

EMAB submitted 167 recommendations to Diavik via the WLWB on version 1.1 of the Final Closure & Reclamation Plan. Highlights can be found on pages 51-53. The complete list of recommendations can be found on the WLWB Public Registry.

TK Monitoring Framework

EMAB submitted 21 recommendations to Diavik via the WLWB on the proposed TK Monitoring Framework. Highlights can be found on pages 24-25. The complete list of recommendations can be found on the WLWB Public Registry.

2023 Environmental Air Quality Monitoring Program Report

EMAB submitted one recommendation to Diavik on the 2023 EAQMP Report and Yellow Haze issue.

EMAB's recommendation and Diavik's response is listed below. EMAB's technical review of this document can be found on our website: www.emab.ca.

EMAB Recommendation	Diavik Response
<p>DDMI-EAQ-not numbered: EMAB recommends details of the NPRI and GHG calculations be included, or a reference to an external document containing such details, to allow for validation of methods and quantities reported. The excel spreadsheet in reference to the equations used to calculate the emissions should be shared with EMAB to validate the accuracy and completeness of the reporting to ECCC.</p>	<p>DDMI has provided EMAB with the Environment and Climate Change Canada (ECCC) formulas that are used in the Greenhouse Gas Reporting Program (GHGRP) and National Pollutant Release Inventory (NPRI) tool which include details such as the ECCC emission factors for diesel usage (DDMI response to EMAB comments on 2020 EAQMMR). Details on GHGRP calculations are available publicly in the ECCC guidance document¹ that DDMI has referenced in the annual reports (2021 onwards). Additionally, DDMI has provided reference to the NPRI workbook (available through the online NPRI toolbox) used to calculate large stationary power emissions (i.e., emissions from power generation at Diavik) which accounts for more than 95% of total CO, SO₂, NO₂, and VOC emissions reported through the NPRI (DDMI response to comments on 2020 EAQMMR). To support EMAB's requested validation in an efficient manner, DDMI has summarized the 2023 GHGRP and NPRI key data inputs per below:</p> <ul style="list-style-type: none">• Diesel usage (power generation): 43,588,288 litres• Diesel usage onsite transportation (heavy mine equipment): 11,051,198 litres• Diesel usage boilers and furnaces: 9,576,934 litres• Crushed stone processing (tonnes) - primary - 9,764, secondary - 680,552, tertiary - 197,100• Waste oil combustion – 115,925 litres• Grading - 4,421 km driven• Road dust – 1,250,118 km driven

Traditional Knowledge

EMAB made several recommendations related to Traditional Knowledge in the last year. EMAB's recommendations and Diavik's responses are listed below. Highlights can be found on pages xx-xx.

2024-05-28 letter regarding the 2021 TK Fish Camp

EMAB Recommendation	Diavik Response
<p>The Board was not satisfied with some of Diavik's responses to our recommendations regarding Diavik's 2021 AEMP TK Fish Camp, and it is our view that some of the responses to Recommendations did not meet the requirements of section 4.3 of the Environmental Agreement. Diavik should explain why it believes the Elders' concerns from the Camp about the overall health of the fish and the number of parasites in each fish, and their decision not to eat the fish, are not aligned with historical and ongoing scientific data.</p> <p>We note that the most recent lake trout health study took place in 2014, so the only ongoing scientific AEMP data on the question of safety of fish health for consumption is data from the Camp.</p> <p>We also note that Diavik has collected data on the whether or not there were parasites in each fish (presence/absence) at the Camp, but not on the number of parasites in each fish.</p>	No response
<p>Diavik should state whether it agrees with the recommendations below or why the recommendations are not appropriate:</p> <ul style="list-style-type: none">• Diavik should not do anything that might influence the independence of the TK Fish Camp participants. We note that this recommendation ties in with the recommendations on TK Panel Independence referenced in the letter, including:• The Panel must be independent of Diavik. Diavik's role is to support the Panel, not to set direction. Any actions that have the potential to affect the Panel's decisions or deliberations should be initiated or approved by the Panel.• Diavik should not provide input to the Panel's deliberations unless requested by the Panel.• Diavik should not be directly involved in Panel meetings or preparation or verification of Panel reports except where the Panel requests information.• For greater clarity, the Panel should be independently facilitated and should have approval of its facilitators. This is not a decision that Diavik can make independently of the Panel's approval.	No response
<p>Invite an EMAB staff member to attend the TK Fish Camps, including any planning sessions.</p>	Diavik contacted EMAB staff and agreed in principle to have them attend the camp as a helper. Diavik has complied with the EA on this recommendation.
<p>Diavik should implement EMAB's recommendations on the TK Fish Camp in our review of the 2022 AEMP, especially quantitative monitoring of lake trout parasite loads for each fish, with parasites identified and counted in all affected organs, and muscle.</p>	No response

December 17'24 - TK Fish Camp Recommendations follow-up

EMAB Recommendation	Diavik Response
This letter repeated the recommendations in the May 28, 2024 letter and added several new recommendations. Only the new recommendations are provided here.	Diavik has previously responded to these recommendations in April 2024. AEMP Traditional Knowledge monitoring studies are determined by PA groups in consultation with DDMI per the AEMP Design 6.1.
Provide a group overview and briefing for steps for Elders and data recorders to follow while processing fish, and/or having an Elder demonstrate processing for the group.	Diavik appreciates this recommendation and Diavik will communicate this to the TK Panel and facilitator(s) for their consideration when planning the next program.
DDMI staff, facilitators, and consultants should coordinate in reviewing forms, toolkits, and procedures prior to using in the field, to ensure forms free of errors, and all personnel on same page with regard to procedure.	Diavik thanks the board for this recommendation and Diavik will communicate this to the TK Panel and facilitator(s) for their consideration when planning the next program.
Processing and discussing fish should occur as a group, to align with TK collection processes and practices used in previous camps, e.g., ensuring each community has a chance to fill out a form for each fish (so each fish will have up to five TK forms associated with it). Ensure all participants' views are recorded even if they opt not to participate in fish or water tasting.	This is a constructive recommendation and Diavik will communicate this to the TK Panel and facilitator(s) for their consideration when planning the next program.
Stay on-site at the TK Camp (if possible) to maximize time spent on the land processing and tasting fish and water and discussing results as a group. If staying on-site is not feasible, ensure efficient transportation for participants between main camp and fish camp sites.	Diavik will approach this using risk management principles but is supportive of this recommendation and we will communicate this to the TK Panel and facilitator(s) for their consideration when planning the next program.
Extend DDMI's existing "tidy the tundra" program to nearby islands, fish camp site, and anywhere in close enough proximity to mine that garbage from the mine could accumulate, to protect wildlife from ingestion or entanglement in refuse.	This recommendation is an ideal initiative and Diavik will build this into our future "tidy the tundra" clean up opportunities at site.
As an added safety measure, DDMI should test water for harmful microorganisms (e.g., giardia) prior to any water tasting activities at the camp.	The safety and hygiene of all participants is of the utmost importance to Diavik and this recommendation will be communicated to the TK Panel and facilitator(s) for their consideration when planning the next program.
Provide participants with a draft report one week prior to the Verification Session so participants have sufficient time to review the large volume of material and prepare comments in advance.	No response

March 18, 2025 Recommendations on Development of a TK Monitoring Plan

EMAB Recommendation	Diavik Response
<p>EMAB recommends that Diavik review our August 1, 2024 letter and incorporate the principles and considerations into its planning for development of the TK Monitoring Plan.</p>	<p>DDMI has reviewed the principles and considerations outlined in EMAB's August 1, 2024 letter. DDMI notes that only the first section under 'Principles and Considerations' is currently relevant as EMAB is no longer developing the TKMP. DDMI can confirm that those principles and considerations have been met, or were discussed and refined through the development of the Terms of Reference (ToR) with EMAB and the Indigenous Government Organization (IGO) Parties. DDMI has already committed to honouring the relevant aspects of the ToR as we move forward with the development of the TKMP.</p>
<p>EMAB further recommends that:</p> <ul style="list-style-type: none"> • Diavik keep EMAB informed about its plans and progress for development of the TKMP through monthly written updates, and at each EMAB meeting. Updates and information should include: • The scope of Diavik's plan, including the scope of any contracts Diavik issues to consultants. EMAB would also like to know the TK expertise of any staff or consultants involved in this project. • Workplan(s) for development of the TKMP. • Information on the TK Panel Diavik plans to set up to assist in guiding development of the TKMP: members including how the members were chosen, and notes of the substance of TK Panel discussions, and any direction given by the TK Panel. • Summary of results of consultations with Affected Communities, Parties or other organizations on the development of the TKMP • Diavik invite EMAB staff to attend the two workshops on developing the TKMP as an observer; we understand these are scheduled for April 14-15 and July 2-4. 	<p>Diavik agrees to provide a monthly written update and present to EMAB at Board meetings as requested. These monthly updates are anticipated until the TKMP is submitted.</p> <p>DDMI sent EMAB the next steps for the development of the TKMP on February 28, 2025.</p> <p>As outlined in the communication on next steps sent to EMAB on February 28, 2025, DDMI is hosting two workshops on the development of the TKMP. Each IGO has been invited to send 4 members to these workshops. Note that IGOs are responsible for the selection of members.</p> <p>Workshop summaries and subsequent TKMP drafts will be provided to all participant organizations after the workshops. EMAB staff (see below) will be included in this correspondence.</p> <p>DDMI is able to accommodate one EMAB staff as an observer at these workshops. We hope that by having the EMAB staff present at the workshops, this will improve communication in the future.</p>

June 26, 2025 Recommendations on Development of Cultural Use Criteria for Diavik Diamond Mine Water Licence

EMAB Recommendation	Diavik Response
<p>EMAB recommends Diavik consider a similar approach to the PKMW CWUC process for the development of site-wide Cultural Use Criteria; if feasible this could be done in combination with the upcoming TKMP development process to ensure fulsome discussion with communities.</p> <p>EMAB recommends that DDMI take this opportunity to engage with Affected Communities on development of Cultural Use Criteria for all areas of mine closure, including (but not limited to):</p> <ul style="list-style-type: none"> • The reconnection of the North Inlet to Lac de Gras • Collection pond discharges and mixing zones • Land-based CUC such as vegetation and wildlife movement and migration as well as the process and a workplan for completing CUC engagements and finalizing proposed CUC for submission to the WLWB. <p>EMAB further recommends that the workplan for the development of CUC be extended if there is insufficient time to adequately address all the aspects of CUC development in the current TKMP development workplan.</p> <p>EMAB further recommends that Diavik ensure TKMP meeting participants are fully informed about the potential mechanisms for including CUC in the Water Licence. This includes outlining how CUC can be formally linked to closure criteria and the return of financial security to ensure the meaningful inclusion of Cultural Use Criteria in assessing closure.</p>	<p>DDMI agrees that the discussion on cultural use criteria is best suited to occur through the ongoing development of the TK Monitoring Framework.</p> <p>DDMI anticipates that the TK Monitoring of Diavik’s closure will be iterative and evolve over time much like how the TK Aquatic Effects Monitoring Program was developed during operations. As outlined in our Closing Arguments, we also agree with the Tłı̨chǫ Government’s statements in their Closing Arguments that the WLWB must allow flexibility in how TK Monitoring is done and avoid being prescriptive. It is acknowledged that it will be the TK holders who lead the monitoring program and they should have latitude to develop the program over time and adapt based on what they observe, and this must include the flexibility to include or exclude development of specific performance acceptance criteria. It should be up to the TK Monitors to decide if they want to specifically define in advance what they view as being acceptable closure performance (in the form of closure criteria) or if they would prefer to include rationale to support any performance findings in their reporting.</p> <p>It is DDMI’s understanding that closure criteria have the same weight with the WLWB whether it is evaluated from a scientific perspective or a cultural perspective and that evidence from each perspective can be used by the WLWB to determine whether or not a closure objective has been met. DDMI acknowledges that multiple Parties have also recommended that the WLWB include the development of additional cultural use criteria as a Licence Condition. DDMI notes that all closure criteria to date have been developed through the Interim Closure and Reclamation Plan (ICRP) and FCRP processes, not the Water Licence, as per the Board’s Guidelines for the Closure and Reclamation of Advanced Mineral Exploration and Mine Sites in the Northwest Territories. It is DDMI’s understanding that all closure criteria, including closure criteria from a cultural use perspective or TK-perspective, must be linked to the evaluation of a closure objective. It is for this reason that DDMI’s position remains that if TK monitors choose to develop additional cultural use criteria as closure criteria this can occur through the implementation of the TK Monitoring Framework</p> <p>Under the FCRP, DDMI commits to specifically noting the option for TK Holders to define criteria for cultural use post-closure in the TK Monitoring Framework.</p>

Fuel Spills

EMAB submitted recommendations to Diavik and one recommendation to Environment and Climate Change Canada following the January 16'24 fuel spill.

EMAB Recommendation	Diavik Response
<p>EMAB recommends that Diavik, as a signatory and partner in the Environmental Agreement for the Diavik Diamonds Project, provide timely information to EMAB and the Parties to the Environmental Agreement, on environmental issues of concern, including fuel spills. EMAB followed up this recommendation on June 4'24. EMAB sent another follow-up after a spill on December 19'24.</p>	<p>Diavik acknowledges this recommendation and will communicate with EMAB future updates when appropriate.</p>
<p>EMAB recommends that Diavik copy EMAB on any spill updates to the Inspector, and provide a copy of the final clean-up plan to EMAB when it is sent to the Inspector.</p>	<p>This recommendation was addressed by Diavik.</p>
<p>EMAB further recommends that Diavik work with the Affected Communities to recruit independent community monitors to observe the clean-up and fate of the spilled fuel prior to and during this year's freshet.</p>	<p>It is not feasible to implement this recommendation for safety reasons. Diavik also has the appropriate resources for monitoring and cleanup available onsite who are trained and competent in site processes. We can confirm that the Government of the Northwest Territories Environment and Climate Change (GNWT-ECC) Lands Inspector and inspectors from Environment and Climate Change Canada (ECCC) have been actively engaged in the monitoring and cleanup plans and provided updates in their inspection reports.</p>
EMAB Recommendation	Environment and Climate Change Canada Response
<p>EMAB recommends that the Storage Tank Systems for Petroleum Products and Allied Petroleum Products Regulation under the Canadian Environmental Protection Act be amended to explicitly require secondary containment of the entire fuel storage and transfer system, not just the tanks, and that the regulations apply to petroleum product transfer both into the storage system and within the system.</p>	<p>Thank you for submitting your concerns about secondary containment for fuel storage and transfer systems.</p> <p>In 2023, Environment and Climate Change Canada (ECCC) completed a stock review exercise confirming the need to amend the Regulations. In addition, a "What We Heard" report from July 2023 summarizes comments received during the consultation.</p> <p>Please be assured that your recommendation will be carefully reviewed as part of the regulatory amendment process stemming from the stock review. We are interested in discussing your concerns in more detail as part of this process which is being initiated, and we will reach out to you at the appropriate time. Protecting the environment and preventing similar incidents is our priority.</p>

Northern Participant Funding Program

EMAB submitted a recommendation to Crown-Indigenous Relations & Northern Affairs Canada (CIRNAC) regarding provision of funding for participation in Diavik's Water Licence renewal proceeding.

EMAB Recommendation

We recommend that CIRNAC provide participant funding for the upcoming Diavik Diamond Mine Water Licence Renewal proceeding, expected in the next few months. Many northern Indigenous organizations have traditionally used the Lac de Gras area, where the Diavik mine is located, and have taken an interest in Diavik's operations and closure planning; it will be important to ensure they are provided with every opportunity to fully participate in the proceeding.

CIRNAC Response

In early August, NPFP staff advised the Land and Water Board Executive Director of its intention to provide funding for the Diavik Water Licence renewal.

Tibbit to Contwoyto Winter Road Traffic

EMAB submitted recommendations to GNWT-ECC regarding hunting on the winter road to Diavik.

EMAB Recommendation

We recommend ECC provide the following information to EMAB (WMP-87):

1. A summary of the tools (legislative or otherwise) available to restrict or control caribou harvesting on and near the winter road, including restriction of public vehicle access, and what are the barriers to their implementation?
2. What are the current mitigation and enforcement practices in place to protect caribou along the TCWR? Are there barriers to implementing these actions, and what kind of support is needed to ensure successful enforcement?
3. How could a requirement for a Wildlife Management and Monitoring Plan for the TCWR help in controlling access and hunting, and protecting threatened caribou?

In addition, EMAB makes the following recommendation:
WMP-88: EMAB recommends that the GNWT convene a meeting of all parties with an interest in the effects of the TCWR on caribou, to review the current situation and discuss possible ways forward.

ECC Response

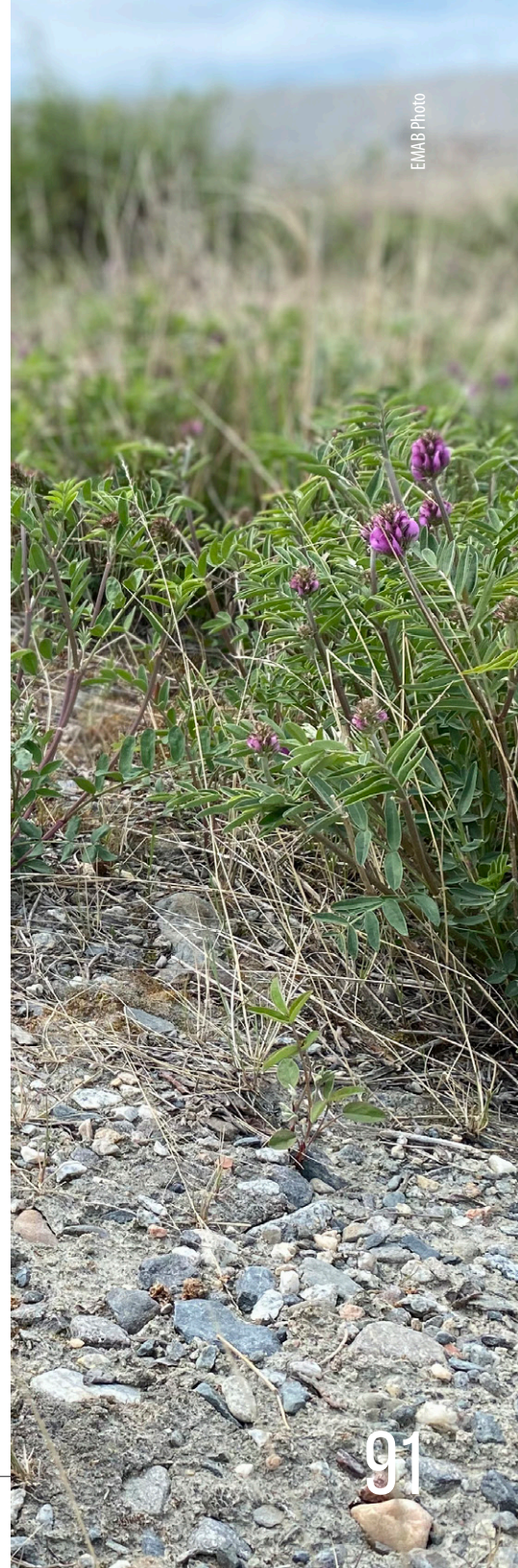
ECC responded with a thorough summary of tools available and in use and noted that the Department of Environment and Climate Change (ECC) has been working closely with Indigenous governments, Indigenous organizations and other co-management partners to help ensure safe, legal and respectful harvesting.

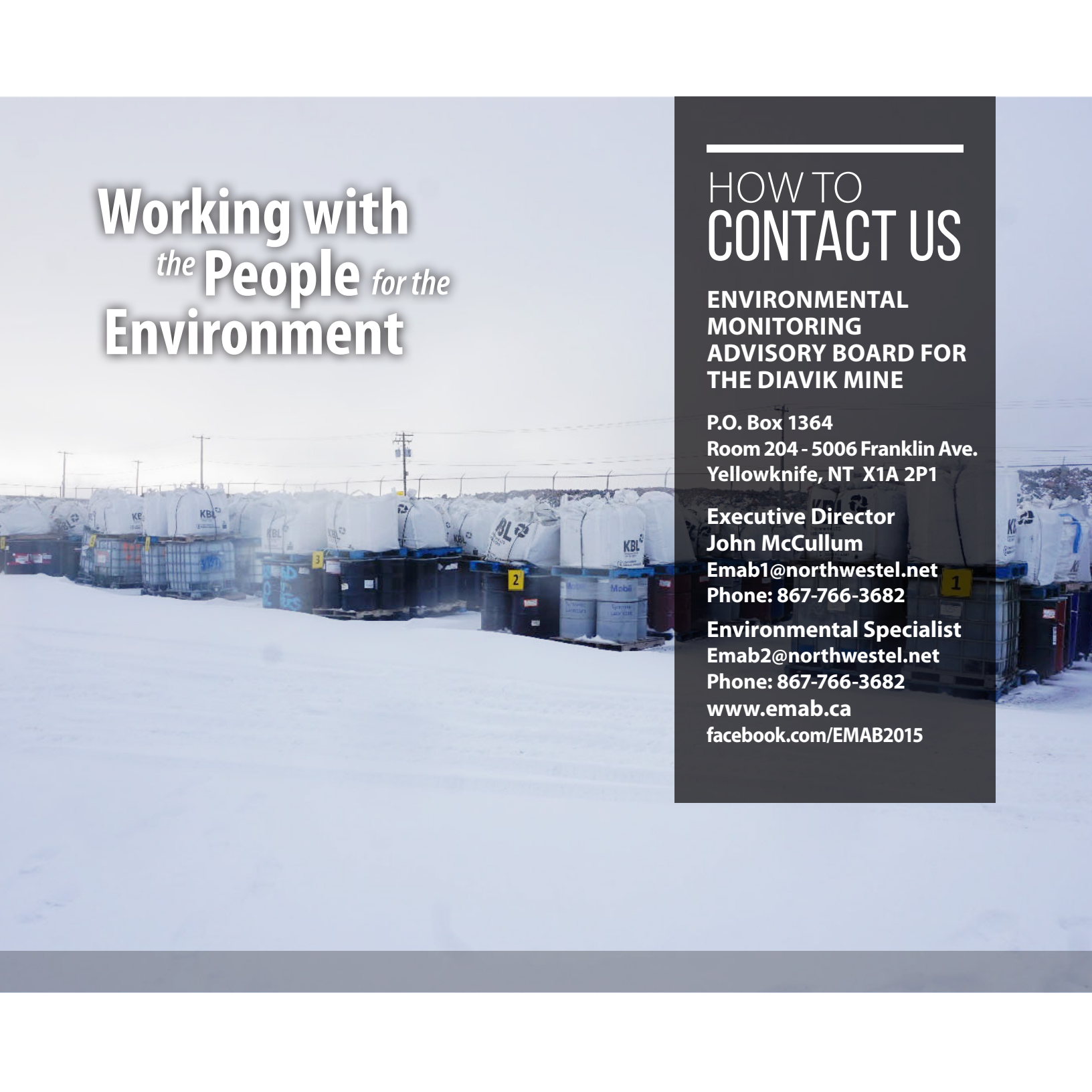
TABLE OF ACRONYMS

Acronym	Definition
AEMP	Aquatic Effects Monitoring Program
AGM	Annual General Meeting
CAR	Comprehensive Analysis Report
CCME	Canadian Council of Ministers of the Environment
CES's	Critical Effects Sizes
CIRNAC	Crown-Indigenous Relations & Northern Affairs Canada
CSR	Comprehensive Study Report
DFO	Department of Fisheries and Oceans
DKFN	Deninu K'ue First Nation
EAAR	Environmental Agreement Annual Report
EAQMP	Environmental Air Quality Monitoring Program
ECC	Environment and Climate Change (GNWT)
ECCC	Environment and Climate Change Canada
EEM	Environmental Effects Monitoring
EMAB	Environmental Monitoring Advisory Board
ENR	Environment and Natural Resources
EQC	Effluent Quality Criteria
FCRP	Final Closure and Reclamation Plan
FF	Far-Field
FRMG	Fort Resolution Metis Government
GHGRP	Greenhouse Gas Reporting Program
GNWT	Government of the Northwest Territories
ICRP	Interim Closure and Reclamation Plan
KIA	Kitikmeot Inuit Association
LdG	Lac de Gras
LKDFN	Lutselk'e Dene First Nation
MDMER	Metal and Diamond Mining Effluent Regulations
MVEIRB	Mackenzie Valley Environmental Impact Review Board

TABLE OF ACRONYMS

Acronym	Definition
MVLWB	Mackenzie Valley Land and Water Board
MZ	Mixing Zone
NCRP	North Country Rock Pile (aka NWRSA – see below)
NI	North Inlet
NF	Near Field
NPRI	National Pollutant Release Inventory
NSC	North South Consultants
NSMA	North Slave Metis Alliance
NWRSA	North Waste Rock Storage Area (aka NCRP or WRSA)
PHC	Petroleum Hydrocarbons
PK	Processed Kimberlite
PKC	Processed Kimberlite Containment Facility
PKMW	PK to Mine Workings
QAPP	Quality Assurance Project Plan
RER	Re-evaluation Report
SEC	Slater Environmental Consulting
SNP	Surveillance Network Program
SWRSA	South Waste Rock Storage Area
TG	Tłı̨chǫ Government
TK/IQ	Traditional Knowledge / Inuit Qaujimajatuqangit
TSP	Total Suspended Particulates
WTA	Waste Transfer Area
WLWB	Wek'èezhìi Land and Water Board
WMMP	Wildlife Management and Monitoring Program
WMMR	Wildlife Management and Monitoring Report
WRRB	Wek'èezhìi Renewable Resources Board
YKDFN	Yellowknives Dene First Nation
ZOI	Zone of Influence





Working with *the People* for the Environment

HOW TO CONTACT US

**ENVIRONMENTAL
MONITORING
ADVISORY BOARD FOR
THE DIAVIK MINE**

**P.O. Box 1364
Room 204 - 5006 Franklin Ave.
Yellowknife, NT X1A 2P1**

**Executive Director
John McCullum
Emab1@northwestel.net
Phone: 867-766-3682**

**Environmental Specialist
Emab2@northwestel.net
Phone: 867-766-3682
www.emab.ca
facebook.com/EMAB2015**