



August 21, 2026

By Email

Hon. Jay Macdonald
Minister, Environment and Climate Change
GNWT
Box 1320
Yellowknife, NT
X1A 2L9

Re: Decision on Wind-down schedule for EMAB

Dear Mr. Macdonald,

Thank you for your letter of July 31, 2026 conveying your decision on your consultation on Diavik's request to shut down the Environmental Monitoring Advisory Board (EMAB) by March 31, 2027. EMAB met on August 11 to discuss the decision. Naturally EMAB was disappointed with your decision; we are requesting a meeting between you, myself and our Vice-Chair and staff to discuss the decision and rationale, and to request you re-consider.

As you know, the Environmental Agreement (EA) defines Consultation as "full and fair consideration by the party obliged to consult of any views presented" (EA section 3.1, definition of "consult" or "consultation." In relation to full and fair consideration of views, we would like to review the decision with you to find out more about the reasons for not accepting some items EMAB raised in our response to the consultation:

- Your views on EMAB's alternate wind-down timeline and reasons for not accepting it.
- EMAB has acknowledged that the regulatory and co-management system has evolved to some degree since the EA was signed. We also provided current evidence that the majority of Indigenous Parties rarely participate in the regulatory process for Diavik, including review of wildlife and water licence plans and reports and would like to discuss your views regarding involvement of all Indigenous Parties in the regulatory framework.
- We appreciate your recognition of the benefits of EMAB's significant input to the Traditional Knowledge Monitoring Framework. We note that the timing of the shut down results in EMAB not being able to participate in providing input on the revised TK Monitoring Framework. The timing also makes it unclear whether we will be able to provide input on the governance and management of Diavik's proposed technical review fund. We would like to review this unfortunate timing situation with you.
- We would appreciate your providing more details regarding the way you anticipate each of the aspects of EMAB's mandate will be addressed after EMAB is shut down.
- We would like the opportunity to set the record straight regarding the statement in the rationale that "It is our understanding that EMAB has reduced its role in engaging

directly with communities or the public since 2020, and information to support otherwise was not provided in its submissions.” The Board has included community engagement in all our workplans and budgets submitted to Diavik under EA section 4.8, and has not intentionally reduced its role in engaging with communities. As stated in section 5.2.3 of our response “EMAB considers community updates to be a vital part of our annual workplan.” EMAB also stated that “we would like to do more community update meetings than we have in the last three years.”

We would also like a better understanding of the supporting rationale for your decision on shutting down the Snap Lake Environmental Monitoring Agency (SLEMA) compared with the decision on EMAB; in particular the decision that SLEMA remain operational during the early post-closure period for the Snap Lake mine, and gradually reduce its role as site activity reduces during this period. The decision also acknowledges the value of SLEMA reviewing closure performance information including Performance Assessment Reports and verification of achievement of closure objectives before concluding its role.

In contrast, the decision to close EMAB by March 31, 2027 will result in EMAB not having an opportunity to review Diavik’s Performance Assessment Reports or to verify achievement of Diavik’s closure objectives. EMAB’s proposed alternative closure schedule (section 4 of EMAB’s Response to Minister’s Consultation) with EMAB continuing until the end of Diavik’s current water licence closely aligns with your rationale for the SLEMA decision. We were unable to find how these considerations were addressed in the Rationale for the decision on EMAB closure, so we would appreciate your feedback on this.

It would also be helpful to discuss the potential support of ECC in carrying out aspects of the wind-down and records-transfer plan you have directed us to develop, and next steps.

We look forward to hearing from you and meeting with you soon. Please contact John McCullum at the EMAB office for any further information you may require and to organize a mutually agreeable meeting date.

Sincerely



Charlie Catholique
Chair

Cc: EMAB members and alternates (by email)
EMAB Parties (by email)
Robert Jenkins, Deputy Minister, ECC (by email)
Nathalie Oldfield, Manager, Environmental Impact Assessment, ECC (by email)