DOMINION DIAMOND

June 30, 2017

Mr. Chuck Hubert
Senior Environmental Assessment Officer
Mackenzie Valley Environmental Impact Review Board
200 Scotia Centre, P.O. Box 938
Yellowknife, NT
X1A 2N7

Dear Mr. Hubert

Re: Submission of Measure 13-3: Annual Reporting from Dominion

Dominion Diamond Ekati Corporation (DDEC) is pleased to submit to the Mackenzie Valley Impact Review Board the attached annual report for the Jay Project as per Measure 13-3 from the Report of Environmental Assessment and Reasons for Decision (REA) for the Jay Project. Measure 13-3 from the REA states the following:

> *In order to demonstrate how measures are being implemented and to evaluate the effectiveness of Dominion's efforts to prevent or minimize impacts on the environment, Dominion will, throughout all phases of the development, prepare an annual Report on Implementation of Measures. The Report will address the EA measures that Dominion is responsible for and will:*
>
> *a) describe the actions, including actions implemented through adaptive management, being undertaken to implement the EA measures;*
> *b) demonstrate how the implementation actions, including any actions implemented through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:*
> *i. How are implementation actions addressing a likely significant adverse impact on the environment?*
> *ii. How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?*
> *iii. If the measure is for monitoring or research, how is the monitoring/research being used to inform mitigation of impacts to the environment?*
> *iv. How are process considerations (such as engagement requirements, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?*
> *c) include a concise summary of monitoring programs and results that are related to EA measures or commitments and, where applicable, references to complete information contained in other documents*

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(such as documents related to aquatic effects, wildlife, or air quality programs); and,

d) *address any specific reporting requirements noted in the EA measures set out in this report and summarized in Appendix A.*

Dominion will provide a copy of this annual report to the Review Board prior to July 1 of each year.

The attached annual report addresses all measures that were assigned to DDEC in the REA as well as summarizing DDEC's contributions to the remaining measures that were assigned to other regulatory authorities.

We trust that you find the attached 2017 Jay Project EA Annual Report complete and thorough. DDEC looks forward to working on the continuation of the implementation of the measures related to the Jay Project. Please contact the undersigned at 867-669-6116 or Claudine.Lee@ddcorp.ca if there are any questions or concerns.

Sincerely,

Claudine Lee

Claudine Lee, M.Sc., P.Geol.

Head of Environment

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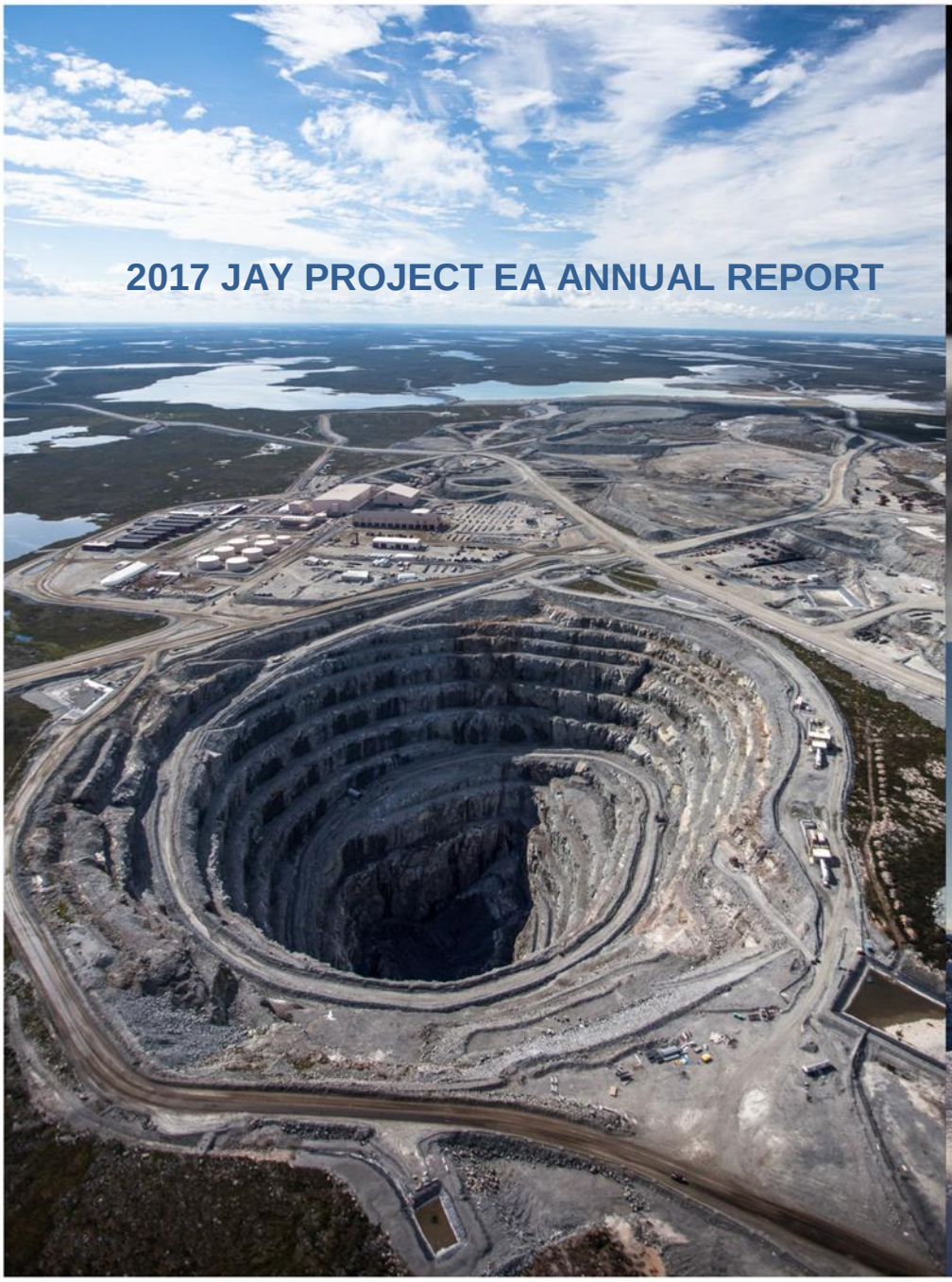
2017 JAY PROJECT EA ANNUAL REPORT



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DOMINION DIAMOND

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LIST OF ACRONYMS

Abbreviation	Definition
AEMP	Aquatic Effects Monitoring Program
AMRP	Adaptive Management Response Plan
AQEMMP	Air Quality and Emission Monitoring and Management Plan
CCME	Canadian Council of Ministers of the Environment
CEMP	Construction Environmental Management Plan
CMP	Caribou Mitigation Plan
COSEWIC	Committee on the Status of Endangered Wildlife in Canada
CRMP	Caribou Road Mitigation Plan
CWS	Canada Wide Standards
DAR	Developer's Assessment Report
DDEC	Dominion Diamond Ekati Corporation
DDMI	Diavik Diamond Mine (2012) Inc.
DFO	Fisheries and Oceans Canada
DKFN	Deninu K'ue First Nation
EA	environmental assessment
ECCC	Environment and Climate Change Canada
Ekati Mine/mine	Ekati Diamond Mine
ENR	Department of Environment and Natural Resources, GNWT
EQC	effluent quality criteria
FPK	Fine processed kimberlite
FRMC	Fort Resolution Metis Council
GHG	greenhouse gas
GNWT	Government of the Northwest Territories
IBA	Impact Benefit Agreement
ICRP	Interim Closure and Reclamation Plan
IEMA	Independent Environmental Monitoring Agency
IR	Information Request
KIA	Kitikmeot Inuit Association
LKDFN	Łutselk'e Dene First Nation
LLCF	Long Lake Containment Facility
LUP	land use permit
Minister	Government of the Northwest Territories Minister of Lands
MVEIRB\MVIRB	Mackenzie Valley Environmental Impact Review Board
NPA	*Navigation Protection Act*
NSMA	North Slave Métis Alliance
NWT	Northwest Territories
ORS	Online Review System
PK	processed kimberlite
PR	Public Registry
REA	Report of Environmental Assessment
SARA	Species at Risk Act
SEA	Socio-Economic Agreement
SNP	Surveillance Network Program
TG	Tłı̨chǫ Government

Abbreviation	Definition
TK	Traditional Knowledge
TKEG	Traditional Knowledge Elders Group
TOR	Terms of Reference
TSS	total suspended solids
UT	Undertaking
WEMP	Wildlife Effects Monitoring Plan
WL	Water Licence
WLWB	Wek'èezhìı Land and Water Board
WPKMP	Wastewater and Processed Kimberlite Management Plan
WROMP	Waste Rock and Ore Storage Management Plan
WRRB	Wek'éezhii Renewable Resources Board
WRSA	waste rock storage area
YKDFN	Yellowknives Dene First Nation
ZOI	zone of influence

UNITS OF MEASURE

Unit	Definition
%	percent
m	metre
m^3	cubic metre
mg/L	milligrams per litre

1.0 JAY PROJECT ANNUAL EA REPORTING

i. INTRODUCTION

DDEC is a Canadian-owned mining company that mines, processes, and markets Canadian diamonds from its Ekati mine. DDEC also markets its 40 percent (%) share of the diamond production from the Diavik Diamond Mine (Diavik Mine, NWT) operated by Rio Tinto Plc of London, England. The Ekati mine is located approximately 200 kilometers (km) south of the Arctic Circle and 300 km northeast of Yellowknife in the Northwest Territories, and within the headwaters of the Coppermine River drainage basin, which flows north to the Arctic Ocean (Appendix A, Map 1-1).

DDEC is planning to develop the Jay kimberlite pipe (Jay pipe) located beneath Lac du Sauvage. The Jay Project (Project) will be an extension of the Ekati mine, which is a large, stable, and successful mining operation that has been operating for 18 years. Most of the facilities required to support the development of the Jay pipe and to process the kimberlite currently exist at the Ekati mine. The Project is located in the southeastern portion of the Ekati claim block approximately 25 km from the main facilities and approximately 7 km to the northeast of the Misery Pit, in the Lac de Gras watershed (Appendix A, Map 1-2).

ii. JAY PROJECT BACKGROUND

In October 2013, DDEC submitted an application to the WLWB requesting a LUP and Type A WL to enable mining of the Jay pipe as an extension project of the Ekati mine. In November 2013, the Project was referred to the MVEIRB for an EA by Aboriginal Affairs and Northern Development Canada (now Indigenous and Northern Affairs Canada). The MVEIRB issued TOR for the Jay-Cardinal Project EA in February 2014. DDEC submitted an addendum to the initial Project Description in June 2014, and the MVEIRB issued the revised TOR for the Project in July 2014. DDEC prepared a revised Project Description and amendments to the TOR for the Jay Project based on community feedback; the Project revision removed the development of the Cardinal kimberlite pipe, which substantially reduced the Project's environmental footprint in Lac du Sauvage. In November 2014, DDEC submitted the Jay Project DAR to address the requirements stipulated in the TOR to support DDEC's application for the Project.

On February 1, 2016 the MVEIRB released the REA for the Project (EA1314-01_Report_of_Environmental_Assesment_and_Reasons_for_Decision) and recommended to the Government of the Northwest Territories Minister of Lands (the Minister) that, under subparagraph 128(1) (b)(ii) of the *Mackenzie Valley Resource Management Act*, the Project be approved subject to the measures described in the REA. The REA contains 23 measures and includes all the commitments made by DDEC during the EA process. On May 19, 2016, the Minister agreed to adopt the recommendation of the MVEIRB; that the Project be approved subject to the measures and developer's commitments contained within the REA.

On May 20, 2016, the WLWB sent a letter to DDEC detailing the post-EA submission requirements (Ekati Jay Project-WLWB_Letter_to_DDEC-Request_for_Information-May_20_16). DDEC subsequently submitted a LUP application to the WLWB for an Early Works LUP (June 1, 2016), as well as, an updated LUP and WL amendment application to the Ekati mine Type A WL (W2012L2-0001) to include the Project on June 7, 2016.

A Technical Session was held in the community of Behchokǫ̀ October 4-6, 2016 to provide an opportunity for parties to clarify issues and request additional information before submitting Public Hearing Interventions. On October 24, 2016, the Board indicated its intention to carry out an amalgamation by amending Water Licence W2012L2-0001, to incorporate conditions required for the Jay Development (W2012L2-0001-Ekati-WLWB Decision on Proceeding

Process-Oct 24_16). The WLWB public hearing was held in Yellowknife from December 13-15, 2016. The WLWB distributed a Draft LUP and a Draft Water Licence for public review on January 19, 2017. On May 29, 2017, the amended Water Licence was sent to the GNWT Minister of Environment and Department of Environment and Natural Resources (ENR) for approval and signature. On this date, a LUP for the Project was also issued.

At the time of the composition of this Jay EA Annual Reporting the Water Licence was with the Minister of GNWT-ENR awaiting approval and this is reflected in the following reporting.

iii. EA ANNUAL REPORTING

Previously, as full year had not passed between the Minister's decision on the REA and the first due date of this Annual Reporting for Measure 13-3, DDEC submitted a summary of activities related to the Measures found within the REA between May 19, 2016 and June 30, 2016 (EA1314-01_Measure_13-3_Annual_Reporting-30-June-2016).

This year, in fulfillment of Measure 13-3 - Annual Reporting from Dominion, DDEC has prepared this full report to demonstrate how the measures that DDEC is responsible for, outlined from the REA, have been implemented and to show the effectiveness of DDEC's efforts to prevent and/or minimize impacts on the environment. The section of reporting on each Measure that DDEC is responsible for follows the structure of Measure 13-3. The reporting period is considered to be from July 1, 2016 to June 30, 2017. Measures DDEC is not responsible for are also included in this report and contributions to these Measures from DDEC are indicated.

2.0 MEASURE 4-1: CLOSURE OBJECTIVES

i. INTRODUCTION

The MVEIRB concluded that the Project will likely result in a significant adverse cultural impact on traditional users of the Jay Project area, after closure from changes in water quality. Measure 4-1 was developed in concert with Measure 4-2(a) and 4-2(b) to protect traditional users by requiring that traditional land uses be considered during closure planning, and by managing water during operations and closure to ensure the aquatic environment and traditional uses are protected.

Measure 4-1 was directed to the WLWB and states the following:

To prevent significant cultural impacts after closure from changes in water quality, the Wek'èezhii Land and Water Board will set closure objectives and criteria for the Jay Project components so that Dominion ensures that the area is suitable for traditional uses after closure. Closure objectives and criteria will be set for, but not limited to, the following components of the Jay Project:

i. Jay pit

ii. Misery pit

iii. Lynx pit

iv. Jay waste rock storage area

As the WLWB is responsible for Measure 4-1, DDEC won't be reporting on this Measure in the manner as required by Measure 13-3 items a through d. To assist the WLWB in the implementation of this measure, actions DDEC has taken during the reporting period to help implement Measure 4-1 are as follows:

- Submission of a Jay Project Conceptual Closure and Reclamation Plan to the WLWB with the updated LUP and WL application for the Jay Project in June of 2016.
- DDEC provided input, recommendations, and advice on closure objectives as this updated LUP and WL application underwent a Type A Water Licencing process from June of 2016 until May of 2017.

3.0 MEASURE 4-2(a): SITE WATER MANAGEMENT PLAN

i. INTRODUCTION

During the EA process, the MVEIRB concluded that the Jay Project will likely result in a significant adverse cultural impact on traditional users of the Jay Project area, after closure from changes in water quality. Measure 4-2(a) was developed in conjunction with Measures 4-1 and 4-2(b). The intent of these Measures is to protect traditional users by requiring that traditional land uses be considered during closure planning, and by managing water during operations and closure to ensure the aquatic environment and traditional uses are protected.

Measure 4-2(a) - Site Water Management Plan states the following:

In order to avoid significant impacts to traditional use in the vicinity of the Jay Project after the Jay Project mining and closure have been completed, Dominion will submit a site water management plan to the Wek'eezhii Land and Water Board for approval, prior to the commencement of dike construction. Dominion will demonstrate how its plan, and the contingencies within, will ensure water quality in the Jay Pit, Misery Pit, Lac du Savuage, Lac de Gras and downstream will support traditional uses in the vicinity of the Jay Project after closure, while protecting the environment during operations. The plan will include, but not be limited to:

- *list of contingencies that Dominion can use to manage water during operations and an evaluation of the feasibility of each*
- *description of the scenarios (i.e., conditions and timing) under which contingencies will be implemented*
- *Dominion's preferred contingencies, with rationales, for each scenario*
- *description of how Dominion will monitor the quantity and quality of water, to:*
    - *calibrate the water models used to make predictions in the EA*
    - *assess the suitability of contingencies*
    - *evaluate the performance of contingencies used*

ii. IMPLEMENTATION OF THE MEASURE

(a) ACTIONS TAKEN TO IMPLEMENT THE MEASURE

Describe the actions, including actions implemented through adaptive management, being undertaken to implement the EA measure;

Actions taken during the reporting period to implement Measure 4-2(a) are as follows:

- Adaptive management strategies of the Mine Water Management Plan for the Jay Project were discussed during the Water Licence proceeding which occurred from June 2016 to May 2017.
- In its recommendation to the Minister on the Jay WL, the WLWB stated that: "The Board believes the Plan as submitted, is sufficient for the Construction phase of the project, however further details are

required to describe objectives, criteria, preliminary designs, triggers and Action Levels for potential operational water adaptive management strategies for the Jay Development."

(b) FULFILLMENT OF THE INTENT OF THE MEASURE

Demonstrate how the implementation actions through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:

How are implementation actions addressing a likely significant adverse impact on the environment?

The implementation actions noted in the preceding section have ensured that there is an approved Mine Water Management Plan in place for the construction for the Project. The plan was circulated for a public review process via the WLWB water likening procedure where there were opportunities to provide input on the plan's contents. Comments received were integrated and addressed by DDEC. As indicated in the Measure, the existence of this approved plan for construction will assist in avoiding significant impacts on the environment during operations.

DDEC will be developing a Mine Water Management Plan for Operations.

How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?

The implementation of the approved Mine Water Management Plan will be effective in reducing, controlling and eliminating impacts as needed.

If the measure is for monitoring or research, how is the monitoring/ research being used to inform the mitigation of impacts to the environment?

This measure is not applicable for monitoring or research.

How are process considerations (such as engagement requirements, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?

The Jay WL Process and accompanying approval from the WLWB directly facilitate the implementation and achievement of this measure. Future iterations of this plan will be required to be approved by the WLWB and will undergo a public review process.

(c) CONCISE SUMMARY OF MONITORING PROGRAMS

Include a concise summary of monitoring programs and results that are related to EA measures or commitments and, where applicable, references to complete information contained in other documents (such as documents related to aquatic effects, wildlife, or air quality programs).

There are no monitoring programs related to this Measure.

(d) OTHER REPORTING REQUIREMENTS

Address any specific requirements noted in the EA measures set out in this report and summarized in Appendix A.

There were no other specific reporting requirements noted in either the EA measures set out in the REA or summarized in Appendix B.

iii. SUMMARY TABLE

Table 3-1: Measure 4-2(a) - Sitewater Management Plan

	Status
Measure 4-2(a): Sitewater Management Plan	▪ Discussed throughout the Jay water licencing proceeding. ▪ In its recommendation to the Minister for the Jay WL, the WLWB approved the plan with additional direction.

4.0 MEASURE 4-2(b): PIT LAKE WATER QUALITY

i. INTRODUCTION

During the EA process, the MVEIRB concluded that the Jay Project will likely result in a significant adverse cultural impact on traditional users of the Jay Project area, after closure from changes in water quality. Measure 4-2(b) was developed in conjunction with Measures 4-1 and 4-2(a). The intent of these Measures is to protect traditional users by requiring that traditional land uses be considered during closure planning, and by managing water during operations and closure to ensure the aquatic environment and traditional uses are protected. DDEC's plan to protect the aquatic environment at closure is to establish meromixis in the Jay and Misery pit lakes. Jay pit is to be connected to Lac du Sauvage and the Misery Pit is to overflow to Lac de Gras. Should water quality in the pit lakes be perceived to be negatively impacted from the Jay Project after closure it could result in traditional users avoiding this important traditional land use area.

Measure 4-2(b) - Pit Lake Water Quality states the following:

> *To ensure that water quality in the Misery pit and Jay pit is compatible with traditional uses of the area in vicinity of the Jay Project and downstream after closure, Dominion will:*
>
> - *Establish meromixis for the Jay and Misery pits*
> - *Stabilize meromictic pit lakes for the long-term*
>
> *If the above requirements cannot be met, Dominion will develop and implement contingencies to ensure the pit lake water quality is compatible with traditional use after closure. Dominion will submit a list of these contingencies, which describe the feasibility of each contingency, and the conditions and timing under which each would be implemented, to the Wek'eezhii Land and Water Board for approval prior to the implementation of any contingency.*
>
> *Suggestion*
>
> *When considering the contingencies for water management and meromixis, Dominion and the WLWB should consider the options identified during the environmental assessment, including:*
>
> - *providing a deeper cap of freshwater on the Misery and Jay Pits at closure*
> - *discharging water to Lac du Sauvage earlier in the life of mine*
> - *using additional storage near the Jay Project, including the Lynx pit, the Jay runoff sump and King Pond*
> - *using additional storage at the Ekati mine main camp*
> - *treating minewater before discharge to the environment*

ii. IMPLEMENTATION OF THE MEASURE

(a) ACTIONS TAKEN TO IMPLEMENT THE MEASURE

Describe the actions, including actions implemented through adaptive management, being undertaken to implement the EA measure;

Actions taken during the reporting period to implement Measure 4-2(b) are as follows:

- Misery and Jay pits will be incorporated into the Interim Closure and Reclamation Plan (ICRP) for the Ekati mine and will meet closure objectives for pit lakes;
- As part of the Jay WL, effluent quality criteria (EQC) were developed for discharge from the Misery Pit.
- DDEC has committed to an optimization study on the optimal depth of the Misery Pit freshwater cap based on site-specific data collected during operations for the Ekati mine Final Closure and Reclamation plan for approval from the WLWB
- Referenced in the Jay Project Mine Water Management Plan (Section 5.1) and the Conceptual Closure and Reclamation Plan (Section 5.4.2.1.1) and the Updated Project Description (Section 1.2).
- In its recommendation to the Minister, the WLWB included monitoring for the establishment of meromixis in the Jay WL Surveillance Network Program (SNP).
- Adaptive management for the development of meromixis at closure included in the Conceptual Closure and Reclamation Plan (Sections 5.4.1.1 and 5.4.2.1.1).
- The WLWB, in its recommendation on the WL to the Minister, requires submission of ICRP Version 3.0 within 12 months of the effective date of the amendment to the WL to include the Jay Development. There are conditions within this WL (Part K) that relate to establishing meromixis and ensuring the pit lake water quality is compatible with traditional use after closure.

(b) FULFILLMENT OF THE INTENT OF THE MEASURE

Demonstrate how the implementation actions through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:

How are implementation actions addressing a likely significant adverse impact on the environment?

The implementation actions in the preceding sections outline further technical development of how meromixis will be established and the monitoring that will be completed to verify its development. Additionally, items discussed as part of the Jay Water Licence Application underwent public review by technical water quality experts that evaluated any potential impacts on the environment. Conditions in the WL (see Part K) that was sent to the Minister also stipulate that DDEC is to seek Board approval for the implementation of contingencies (if required) and prior to the reconnection of pit lakes to the Receiving Environment.

How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?

The development of management and monitoring plans (as part of Jay WL) around the establishment of meromixis provide an effective framework for ensuring that meromixis is established and no impacts to the environment occur during project implementation.

If the measure is for monitoring or research, how is the monitoring/ research being used to inform the mitigation of impacts to the environment?

Water quality monitoring data will demonstrate the formation of meromixis in Misery pit during its use for mine water management. Reclamation research will be used to develop an optimal fresh water cap depth for the Jay and Misery pit to ensure long-term establishment of meromixis and mitigation of impacts to the environment.

How are process considerations (such as engagement requirements, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?

The Jay WL Process and accompanying decisions from the WLWB around meromixis will provide direction and specific details around meromixis which will be utilized as supporting evidence for the achievement of Measure 4-2(b).

(c) CONSICE SUMMARY OF MONITORING PROGRAMS

Include a concise summary of monitoring programs and results that are related to EA measures or commitments and, where applicable, references to complete information contained in other documents (such as documents related to aquatic effects, wildlife, or air quality programs); and

When available monitoring at SNP station Jay-0006, DDEC will provide data to understand the formation of meromixis in Misery pit during its use for mine water management.

(d) OTHER REPORTING REQUIREMENTS

Address any specific requirements noted in the EA measures set out in this report and summarized in Appendix A.

There were no other specific reporting requirements noted in either the EA measures set out in the REA or summarized in Appendix B.

iii. SUMMARY

Table 4-1: Measure 4-2(b) - Pit Lake Water Quality:

	Status
Measure 4-2(b): Pit Lake Water Quality	▪ Development of EQC for discharge from Misery Pit during operations. ▪ WLWB included monitoring for the establishment of meromixis and conditions around the use of contingencies and reconnection of pit lakes to the Receiving Environment in the Jay WL.

5.0 MEASURE 4-3: FINE PROCESSED KIMBERLITE

i. INTRODUCTION

DDEC intends to deposit fine processed kimberlite (FPK) from the Jay Project into the mined out, existing Panda and Koala pits. At the time of the EA, DDEC was conducting the Beartooth pit FPK trials to research the effects of FPK on water quality in pit lakes. The MVEIRB determined that not enough evidence was provided on the impacts of FPK deposition on water quality into these pits and thus, Measure 4-3 was developed to avoid adverse environmental impacts to the Panda and Koala pit lakes and to the downstream environment after closure from the deposition of FPK.

Measure 4-3 - Fine Processed Kimberlite states the following:

> *To avoid significant adverse environmental impacts to the Panda and Koala pit lakes and to the downstream environment after closure from the deposition of fine processed kimberlite, Dominion will not deposit fine-processed kimberlite into the Panda and Koala pits unless the Wek'èezhii Land and Water Board approves such a use of the Panda and Koala pits. The Wek'èezhii Land and Water Board's approval will ensure the protection of the downstream environment after closure and will consider the results of the Beartooth pit fine-processed kimberlite trial. Otherwise, the Jay fine-processed kimberlite will be deposited into an approved processed kimberlite containment area.*
>
> *Suggestion:*
>
> *To demonstrate the suitability of the Panda and Koala pits for fine-processed kimberlite, the Wek'èezhii Land and Water Board should require Dominion to complete a deposition study and a freshwater cap optimization study. The deposition study should investigate how fine processed kimberlite behaves once deposited into mined-out pits and the quality of the resulting supernatant water. This should include data from the Beartooth pit trial.*

ii. IMPLEMENTATION OF THE MEASURE

(a) ACTIONS TAKEN TO IMPLEMENT THE MEASURE

Describe the actions, including actions implemented through adaptive management, being undertaken to implement the EA measure;

Actions taken during the reporting period to implement Measure 4-3 are as follows:

- As part of the Jay WL proceedings, DDEC prepared a report on processed kimberlite (PK) pit deposition for approval (including result of the Beartooth pit FPK trial) (see document titled Assessment of Pit Deposition of Processed Kimberlite at the Ekati Mine, September 2016 on the WLWB's online public registry).
- The WLWB approved the Panda and Koala pits as PK containment areas. The WLWB further required the submittal of a Panda and Koala Deposition Study prior to deposition of processed kimberlite into the Panda and Koala pits (Part H of WL – W2012L2-0001).

- The Jay WL process further approved evaluating the appropriate fresh water cap depth to overlay the deposited PK in the Panda and Koala open pit as part of Ekati's reclamation research program.

(b) FULFILLMENT OF THE INTENT OF THE MEASURE

Demonstrate how the implementation actions through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:

How are implementation actions addressing a likely significant adverse impact on the environment?

The actions taken have led to the approval of Panda and Koala pits as PK containment areas. This approval included a public review process for this concept within the water licencing process in which there was an opportunity to raise concerns and provide input. As this measure indicates, this approval helps ensure the protection of the downstream environment after closure. The submission of a Panda and Koala Deposition Study and further research into the appropriate freshwater cap depth upon closure will also help to address significant adverse impacts on the environment.

How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?

The WLWB's approval of using the open pits for deposition of kimberlite considered the results of the Beartooth pit FPK trial. This approval, combined with the future Panda and Koala Deposition Study provides assurance for protection of the downstream environment after closure.

If the measure is for monitoring or research, how is the monitoring/ research being used to inform the mitigation of impacts to the environment?

The Panda and Koala Deposition Study, as requested by the WLWB, will rely on Beartooth operational monitoring data and the evaluation of the appropriate freshwater cap will rely on the results of reclamation research.

How are process considerations (such as engagement requirements, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?

The Jay WL process and accompanying approval from the WLWB directly facilitate the implementation and achievement of this measure.

(c) CONCISE SUMMARY OF MONITORING PROGRAMS

Include a concise summary of monitoring programs and results that are related to EA measures or commitments and, where applicable, references to complete information contained in other documents (such as documents related to aquatic effects, wildlife, or air quality programs)

In the future, Beartooth operational monitoring data will be utilized in the development of the Panda and Koala Deposition Study, as requested by the WLWB.

(d) OTHER REPORTING REQUIREMENTS

Address any specific requirements noted in the EA measures set out in this report and summarized in Appendix A.

There were no other specific reporting requirements noted in either the EA measures set out in the REA or summarized in Appendix B.

iii. SUMMARY

Table 5-1: Measure 4-3 - Fine Processed Kimberlite

	Status
Measure 4-3: Fine Processed Kimberlite	▪ WLWB approval of using Panda and Koala open pits for the deposition of PK. ▪ Completion of Panda and Koala Deposition Study is required by the WLWB prior to PK deposition into open pits.

6.0 MEASURE 4-4: DIKE STABILITY AND SAFETY

i. INTRODUCTION

To avoid an unacceptable risk to workers' safety and to the environment, it is essential that the Jay dike be stable. Measure 4-4 was developed given the severe consequences associated with a dike failure. This Measure is meant to build on DDEC's commitment made during the EA process to establish an independent dike review panel by outlining a framework for the dike review panel (See Developer's Commitment #9). The independent dike review panel's assessment is also to help inform the WLWB's approval of the dike design. During the reporting period, the Jay Dike Review Panel and related aspects were reviewed and discussed during the water licencing process for the Project. These discussions can be found in various licensing related documents on the WLWB's online public registry.

Measure 4-4 - Dike Stability and Safety states the following:

> *To reduce the risk of dike failure and its associated significant impacts, Dominion will establish an independent dike review panel to evaluate and, if necessary, improve the design, construction, operation and maintenance of the dike. The panel will provide recommendations to the developer and the Wek'èezhìi Land and Water Board to ensure that impacts to the safety of people and the environment are minimized. The panel will at a minimum:*
>
> - *Review and accepts the dike design prior to the commencement of dike construction*
> - *Review the dike operation*
>
> *Dominion will engage with the Wek'éezhii Land and Water Board, Government of the Northwest Territories and the Independent Environmental Monitoring Agency on the panel composition and tasks. Dominion will submit the review panel's final terms of reference to the Wek'éezhii Land and Water Board.*

Following a candidate selection process in 2015, the Jay Dike Review Panel (the Panel) was established. The initial meeting of the Panel was held in Vancouver on December 7-8, 2015. The Panel has various mandates based on the phase(s) of the Project. The Project is currently in the Design Phase and:

During the Design Phase, and at such times as reasonably requested by Dominion, the Board shall:

- review the Issued for Review Plans related to the Jay Dike;
- make recommendations on reasonable measures necessary to ensure the Jay Dike does not have a significant adverse impact on human health, safety, or the environment; and
- At Dominion's reasonable request, participate in briefings, discussions, and meetings with Dominion, any governmental authority, or any other affected person or entity as may be required to carry out the above.

\- Excerpt from Jay Dike Review Board Terms of Reference, Section 4.0

ii. IMPLEMENTATION OF THE MEASURE

(a) ACTIONS TAKEN TO IMPLEMENT THE MEASURE

Describe the actions, including actions implemented through adaptive management, being undertaken to implement the EA measures;

Actions taken to implement Measure 4-4 are as follows:

- On May 31, 2016 DDEC sent an information package to the WLWB, the GNWT, and the Independent Environmental Monitoring Agency (IEMA) requesting comments on the panel composition and the tasks as per Measure 4-4 by June 30, 2016. The comment deadline was extended to September 7, 2016.
- IEMA provided their comments directly to DDEC on August 12, 2016.
- The GNWT responded through the WLWB's Online Review System (ORS).
- The WLWB asked various questions through the ORS. There were no other review comments received during the WLWB's public review process. The WLWB provided DDEC with its overall comments on September 2, 2016.
- Written responses from DDEC to each organization were provided to the GNWT via the WLWB's ORS in July 2016 and October 3, 2016 to IEMA and the WLWB.
- Key issues identified from this process were as follows:
    - Change in the name of the "Panel" going forward to be "Jay Dike Review Panel".
    - The term of the appointment of Panel members. DDEC committed to discussing this at each annual meeting of the Panel.
    - Reports and materials related to the Panel's review of the Jay Dike and how and what materials need to be distributed.
    - Clarification on engagement completed prior to the establishment of the Panel.
    - Panel member selection process.
    - The independence of the Panel to which DDEC agreed to add a definition into the Terms of Reference to help clarify independence.
- DDEC submitted an information package to the Review Board containing all of the above noted correspondence on October 3, 2016 (EA1314-01_Measure_4-4_Submission_Dominion_to_MVEIRB_03-Oct-2016).
- A second meeting of the Jay Dike Review Panel was held on February 7-8, 2017.
- The report from this meeting was prepared and circulated on June 30, 2017.
- The Jay Dike Review Panel, Measure 4-4, the Jay Dike and North Dike, and various issues related to the dikes were discussed during the water licencing proceeding.

(b) FULFILLMENT OF THE INTENT OF THE MEASURE

Demonstrate how the implementation actions, including any actions implemented through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:

How are implementation actions addressing a likely significant adverse impact on the environment?

The actions noted in the preceding section are addressing a likely significant adverse impact on the environment by establishing an independent panel of experts who are mandated to ensure the Jay Dike does not have a significant adverse impact on human health, safety, or the environment.

These actions also ensure transparency and that all groups have the opportunity to be involved and kept informed as the Project develops by way of reports and materials related to the Panel's review of the Jay Dike being distributed to GNWT, IEMA, and the WLWB for inclusion on the public record.

Additionally, the Project has undergone a water licencing process in this reporting period via the WLWB, in which Measure 4-4 and various aspects of the Dike design were reviewed and discussed. The water licencing process is designed to allow for there to be a detailed examination of the project in relation to the authorization provided by a WL and for there to be input into the Project which contributes to the overall reduction of significant adverse impacts on the environment. Another result of this process is that there are a number of conditions in the Jay WL (currently with the Minister awaiting approval and signature) that relate to Measure 4-4.

How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?

The implementation actions listed above have been effective in reducing, controlling, or eliminating the impact as these have helped to form the Jay Dike Review Panel. The Jay Dike Review Panel is mandated to make recommendations on reasonable measures necessary to ensure the Jay Dike does not have a significant adverse impact on human health, safety, or the environment.

If the measure is for monitoring or research, how is the monitoring/research being used to inform mitigation of impacts to the environment?

This is not applicable, Measure 4-4 is not intended for monitoring or research

How are process considerations (such as engagement requirements, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?

Reports and materials related to the Jay Dike Review Panel's review of the Jay Dike are being distributed to GNWT, IEMA, and the WLWB for inclusion on the public record. This allows all members of the public to have the opportunity to see what is being recommended by the Jay Dike Review Panel.

(c) CONCISE SUMMARY OF MONITORING PROGRAMS

Include a concise summary of monitoring programs and results that are related to EA measures or commitments and, where applicable, references to complete information contained in other documents (such as documents related to aquatic effects, wildlife, or air quality programs); and

This is not applicable, Measure 4-4 is not intended for monitoring or research.

(d) OTHER REPORTING REQUIREMENTS

Address any specific reporting requirements noted in the EA measures set out in this report and summarized in Appendix A.

There were no other specific reporting requirements noted in either the EA measures set out in the REA or summarized in Appendix B.

iii. SUMMARY

Table 6-1: Measure 4-4: Dike Stability and Safety

	Status
Measure 4-4: Dike Stability and Safety	▪ Jay Dike Review Panel established in 2015. ▪ Second Panel Meeting held on February 7-8, 2017 and report distributed to WLWB, IEMA, and GNWT for inclusion on the public record June 30, 2017. ▪ Dike design and related aspects reviewed and discussed during the water licencing process conducted by the WLWB.

7.0 MEASURE 5-1: PROTECTION OF THE NARROWS

i. INTRODUCTION

A shallow channel known as “the Narrows” connects Lac de Gras and Lac du Sauvage. This channel is important for fish passage and fish habitat, as well as for its traditional use by Aboriginal peoples. Water levels in this location will be lowered at mine closure and it was concluded by the MVIRB that impacts from the Jay Project to the ecological and traditional uses of the Narrows are likely during closure activities. Measure 5-1 was developed to mitigate these impacts.

Measure 5-1 - Protection of the Narrows states the following:

> *To mitigate significant adverse ecological and traditional use impacts resulting from unacceptable drops in water levels at the Narrows, Dominion will maintain water levels at the Narrows such that the Jay Project does not adversely affect fish passage and the continuation of traditional use of the area as an open water source. It will do so by monitoring the Narrows before and during closure, and by appropriately managing activities in Lac du Sauvage during closure.*
>
> *Prior to construction, a description of this monitoring will be submitted to the WLWB for its approval as part of the Aquatic Effects Monitoring Program design plan. The monitoring results will be reported in the annual AEMP reports and incorporated into the Aquatic Response Framework, specifying minimum required water levels and flow rates, and triggers for management responses during closure activities.*
>
> *Suggestion*
>
> *DFO should fully consider the unique cultural significance of the area in Lac du Sauvage that will be permanently lost due to the construction of the Jay pit in its determination of fisheries offsetting requirements.*

ii. IMPLEMENTATION OF THE MEASURE

(a) ACTIONS TAKEN TO IMPLEMENT THE MEASURE

Describe the actions, including actions implemented through adaptive management, being undertaken to implement the EA measure;

Actions taken during the reporting period to implement Measure 5-1 are as follows:

- The Aquatic Effects Monitoring Program (AEMP) Design Plan for the Jay Project – Construction Phase, which included an Aquatic Response Framework, was submitted to the WLWB with the updated WL and LUP applications and underwent public review during the water licencing process from June 2016 until May 2017.
- In its recommendation to the Minister on the amended WL including the Jay Project, the WLWB did not approve the AEMP Design Plan for the Jay Project – Construction Phase. For more information see the WLWB online public registry under WL W2012L2-0001, Reasons for Decision document May 3, 2017 (W2012L2-0001-Ekati-Water Licence-Amendment-Jay Development-Recommendation to Minister-May 29_17).

- The WL that was sent to the Minister requires an update to the AEMP Design Plan and Aquatic Response Framework incorporating both the Construction and operations phases of the Jay Project to be submitted within six months of the effective date of the amended WL. At this time, there will be further opportunity for plan review and input.

(b) FULFILLMENT OF THE INTENT OF THE MEASURE

Demonstrate how the implementation actions through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:

How are implementation actions addressing a likely significant adverse impact on the environment?

Through a public review and approval process required under the WLWB water licencing process for the Jay Project, the AEMP Design Plan required by this measure underwent a public review process where comments and input on the plan contents were received. DDEC will be submitting another AEMP Design Plan and Aquatic Response Framework as per the Jay WL which will also require a public review and approval process.

How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?

The implementation actions are helping to ensure there is an approved management plan in place that will adequately mitigate significant adverse ecological and traditional use impacts resulting from unacceptable drops in water levels at the Narrows.

If the measure is for monitoring or research, how is the monitoring/ research being used to inform the mitigation of impacts to the environment?

DDEC has continued to collect baseline data at the Narrows during the reporting period. This data will be used during the effects monitoring phase to ensure that effective mitigation is implemented and that the intent of the measure is met through closure.

How are process considerations (such as engagement requirements, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?

The AEMP Design Plan and Aquatic Response Framework approval process involves a public review period in which DDEC will fully participate.

(c) CONCISE SUMMARY OF MONITORING PROGRAMS

Include a concise summary of monitoring programs and results that are related to EA measures or commitments and, where applicable, references to complete information contained in other documents (such as documents related to aquatic effects, wildlife, or air quality programs)

There are no monitoring results to report at this time.

(d) OTHER REPORTING REQUIREMENTS

Address any specific requirements noted in the EA measures set out in this report and summarized in Appendix A.

There were no other specific reporting requirements noted in either the EA measures set out in the REA or summarized in Appendix B. Effects assessments related to this measure will be included in the Annual AEMP Report, once the Jay AEMP and Aquatic Response Framework are active.

iii. SUMMARY

Table 7-1: Measure 5-1 - Protection of the Narrows

	Status
Measure 5-1: Protection of the Narrows	▪ *Aquatic Effects Monitoring Program Design Plan for the Jay Project – Construction Phase*, which included an Aquatic Response Framework, was submitted to the WLWB for approval. ▪ In the amended WL sent to the Minister on May 29, 2017, the WLWB recommended submission of a revised AEMP Design Plan and Aquatic Response Framework to incorporate the Jay Development (Construction and operations). This is required within six months of the effective date of the WL and will be subject to an approval process.

8.0 MEASURE 6-1: ROAD MITIGATIONS FROM CARIBOU IMPACTS

i. INTRODUCTION

Caribou are of critical importance to the people of the Northwest Territories (NWT) and Aboriginal communities that depend on caribou. Measure 6-1 builds on DDEC's commitments to prepare and implement monitoring and management plans and will result in adaptive actions to mitigate significant impacts to caribou. Measure 6-1 is necessary so adverse impacts to caribou can be reduced to a level where they are no longer significant and in combination with other Measures and Commitments will mitigate the significant adverse project-specific and cumulative impacts on caribou that are otherwise likely.

Measure 6-1 - Road Mitigations from Caribou Impacts states the following:

> *a) In order to mitigate significant incremental and cumulative adverse impacts to caribou from roads used by the Jay Project, Dominion will:*

- *use convoys or other methods to manage traffic on the road in order to maximize interval between disturbances from vehicles*
- *use real-time caribou collar satellite information and other detection systems to enable early detection of caribou in the vicinity of the road as a trigger for action levels for management responses*
- *construct caribou crossing features along a minimum of 70 % of the length of the Jay road*

> *b) In addition, Dominion will update and revise the Wildlife Effects Monitoring Plan with the appended Caribou Road Mitigation Plan according to GNWT requirements under section 95 of the Wildlife Act and any future section 95 regulations. The plan(s) required under section 95 will be in force for the duration of the Jay Project.*

> *In the Caribou Road Mitigation Plan, Dominion will:*

- *investigate and implement innovative actions to mitigate impacts to caribou from barriers to movement at the esker, such as one-way traffic, buried power lines and pipelines, and remote sensory devices to monitor caribou and reduce impacts at the esker crossing*
- *define specific thresholds that trigger road management responses including actions to slow traffic, stop traffic and close the Jay and Misery Roads for an appropriate period if caribou are on or near these roads*
  - *describe the minimum size of the kimberlite stockpiles at Jay pit and Misery pit necessary to enable extended closure(s) of the Jay road*
  - *indicate how long the road management responses described above will be applied for each slow down or closure and thresholds and triggers for reopening the road*
- *describe methods for monitoring approaching caribou at intermediate distances beyond line of sight from the roads, including at night and in poor visibility*
- *prepare a dust management best practices document with adaptive management triggers for additional dust suppression and link to the Air Quality and Emissions Monitoring and Management Plan*
- *use Traditional Knowledge when designing*
  - *the Caribou Road Mitigation Plan*
  - *the project components in the Caribou Road Mitigation Plan (including the Jay road, esker crossing and waste rock storage area)*

- *the monitoring of caribou responses to these components during the operations phase*
- *describe specific monitoring and mitigation for caribou impacts related to the road during the construction, operations and closure phases of the Jay Project*

c) *The Caribou Road Mitigation Plan will detail the means to be employed to avoid and minimize habitat disturbance and include a response framework that links monitoring results to changes in mitigation. When developing monitoring and mitigation, Dominion will give special consideration to the esker crossing and specify contingency measures if caribou do not cross the Jay Road at the esker*

d) *Dominion will submit the Caribou Road Mitigation Plan to the GNWT ENR for approval before constructing the Jay Road. As part of this approval process, the GNWT should provide the opportunity for public comment. Dominion will annually report monitoring results, success or failure of mitigation and adaptive management to communities in person, in a culturally appropriate manner.*

Suggestion:

To allow for mitigation of potential barrier effects from the Jay Project, Dominion should conduct pilot studies into technologies and approaches to detect caribou before they perceive sensory disturbances from the Jay Project (such as un-manned aerial vehicles, large animal detection systems, remote video cameras or on-the-land monitors).

ii. IMPLEMENTATION OF THE MEASURE

(a) ACTIONS TAKEN TO IMPLEMENT THE MEASURE

Describe the actions, including actions implemented through adaptive management, being undertaken to implement the EA measure;

Actions taken during the reporting period to implement Measure 6-1 are as follows:

- DDEC was issued an Early Works LUP by the WLWB in July of 2016 which included road construction (see WLWB registry under permit W2016F0007).
- Since issuance of LUP W2016F0007, DDEC has reviewed the road design as it relates to caribou crossings and REA Measure 6-1. Following this review, DDEC has been able to increase the extent of the caribou crossings and these will be built along 70.9% of this stretch of road (stations JR1+100 and JR3+865) in all areas where safety berms are not required.
- A Road Construction Plan was submitted to the WLWB in November 2016 as per Condition 41 of LUP W2016F007. This plan has recently been approved by the WLWB. DDEC was to include Items #1-4 in the Plan, as outlined in the Reasons for Decision, and submit Version 1.1 of the Plan for a conformity check to be conducted by Board staff prior to the commencement of construction. The conformity check was completed by the WLWB and permission has been granted to commence construction. Please see the information on the WLWB on line registry under LUP W2016F0007.
- A WEMP and CRMP Public Workshop was held on November 13, 2016, to engage with all stakeholders on the design of the WEMP mitigations and monitoring programs.
- The WEMP and CRMP were approved by the GNWT on June 1, 2017 (EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1). Note that the WEMP contains a table that shows where each requirement under this Measure can be found.

- The WEMP (and CRMP) is based on the framework and principles of adaptive management (Section 2.2).

- DDEC implemented the draft CRMP on the Sable Road and at the Ekati mine in the fall of 2016.

- The revised (AQEMMP for the Jay Project includes the commitment to prepare a best management practices document consistent with the GNWT dustfall standard when it is developed (Section 3.4.1.3). The AQEMMP was approved by the GNWT on May 31, 2017 (EA1314-01_GNWT_-_AQEMMP_Measure_6-3). For more information on the AQEMMP itself, see the section in this report for Measure 6-3.

(b) FULFILLMENT OF THE INTENT OF THE MEASURE

Demonstrate how the implementation actions through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:

How are implementation actions addressing a likely significant adverse impact on the environment?

This year has been dedicated to refining program objectives and design. In the summer of 2016 the Final Draft version of the WEMP and CRMP were circulated for stakeholder review and comment. On September 13, 2016 DDEC hosted a public workshop for stakeholders to ask questions and provide feedback on these documents. Following this workshop, the WEMP and CRMP were submitted to the GNWT for review and approval in November 2016. The GNWT then posted the documents on their website for public review from December 9, 2016 until January 13, 2017. After which time DDEC received a letter listing the improvements that would be required prior to approval of the WEMP. On March 13, 2017 the WEMP was re-submitted to the GNWT and approved on June 1, 2017. DDEC believes that this work has allowed the development of a comprehensive monitoring program and mitigation plans that are very likely to minimize any likelihood of residual impacts of the Jay Project.

Construction of the Jay Project has yet to commence and therefore the newly approved WEMP has yet to be implemented. Appendix E of the WEMP lists the “Hierarchical Mitigation Applied to the Jay Project for Caribou and Wildlife”. DDEC looks forward to reporting on the implementation of the WEMP in 2018.

Implementation of the CRMP at Ekati in 2016 resulted in more than 200 man days of road closures in response to caribou presence around the Ekati mine.

How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?

Implementation of the CRMP at Ekati in 2016 resulted in more than 200 man days of road closures in response to caribou presence around the Ekati Mine.

Construction of the Jay project has yet commence and therefore the newly approved WEMP has yet to be implemented. DDEC looks forward to reporting on the implementation of the WEMP in 2018.

If the measure is for monitoring or research, how is the monitoring/ research being used to inform the mitigation of impacts to the environment?

Construction of the Jay project has yet commence and therefore the newly approved WEMP has yet to be implemented. DDEC looks forward to reporting on the implementation of the WEMP in 2018.

How are process considerations (such as engagement requirements, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?

The Jay WEMP contains a comprehensive summary of historical changes to the WEMP as a result of engagement and Incorporation of TK (Section 3 and Appendix D). Appendix B contains a comprehensive list of reviewer recommendations and the responses provided by DDEC. The CRMP is included as part of the WEMP (Appendix C) and contains a detailed list of review comments and the responses provided by DDEC during the development of this plan.

(c) CONCISE SUMMARY OF MONITORING PROGRAMS

Include a concise summary of monitoring programs and results that are related to EA measures or commitments and, where applicable, references to complete information contained in other documents (such as documents related to aquatic effects, wildlife, or air quality programs)

The WEMP has yet to be implemented because construction of the Jay project has not yet begun. As mentioned above, the WEMP was approved on June 1, 2017 and DDEC looks forward to reporting on the results in 2018.

The draft CRMP was implemented at Ekati in 2016 and resulted in temporary road closures and augmented activities totaling approximately 200 man days. It is important to note that the implementation of these mitigations did not impact the planned completion of mine activities. DDEC was able to effectively manage mining and construction activities around the presence of caribou to effectively complete work on schedule.

(d) OTHER REPORTING REQUIREMENTS

Address any specific requirements noted in the EA measures set out in this report and summarized in Appendix A.

There were no other specific reporting requirements noted in either the EA measures set out in the REA or summarized in Appendix B.

iii. SUMMARY

Table 8-1: Measure 6-1 - Road Mitigations from Caribou Impacts

	Status
Measure 6-1: Road Mitigations from Caribou Impacts	▪ WEMP and CRMP approved by GNWT on June 1, 2017. ▪ DDEC implemented the draft CRMP on the Sable Road and at the Ekati mine in the fall of 2016. ▪ WEMP has been implemented across the Ekati site and monitoring of the Jay Project will commence at the start of construction.

9.0 MEASURE 6-2(a): CARIBOU OFFSET AND MITIGATION PLAN

i. INTRODUCTION

Caribou are of critical importance to the people of the NWT and Aboriginal communities that depend on caribou. Measure 6-2(a) includes and builds upon the contents of DDEC's Caribou Mitigation Plan (Compensatory Mitigation). Measure 6-2(a) is intended to ensure that enhanced mitigation, in the form of offsets, results, at a minimum in no net addition of impacts to the Bathurst caribou herd. DDEC is to implement these offsets beyond the Jay Project, on the Ekati mine site. Measure 6-2(a), in combination with other measures, will reduce project-specific and cumulative adverse impacts from the Jay Project to caribou so they are no longer significant.

Measure 6-2a - Caribou Offset and Mitigation Plan states the following:

i. Dominion will offset residual adverse impacts to caribou by human activities that cumulatively affect the Bathurst caribou herd, beyond direct impacts of the Jay Project.

ii. Dominion will set out these offsets in a Caribou Offset and Mitigation Plan, which it will complete within one year of Minister's acceptance of this Report of EA. This plan will be in force throughout the duration of the Jay Project. Dominion will implement the Caribou Offset and Mitigation Plan as described in DAR-MVEIRB-UT2-06 and incorporate the following into the Plan:

- *caribou offsets related to roads that result in enhanced mitigation, such as scheduling of activities during caribou migration or dust suppression offsite from Jay Project*
- *zone of influence research with funding as committed by Dominion*
- *identify mitigation actions from the Plan and apply at other Ekati operations*
- *options for the scheduling of other Ekati operations to offset Jay Project impacts during caribou migration periods*
- *an enhanced dust mitigation study including:*
    - *a pilot test on application of dust suppressant*
    - *a dustfall sampling program*
    - *report on results and propose improvements to be incorporated into the Air Quality Emission Monitoring and Management Plan*
    - *if dust mitigation improvements are identified, Dominion will apply them on all roads at Ekati*
- *accelerate progressive reclamation of Long Lake Containment Facility substantially beyond current Interim Closure and Reclamation Plan requirements to return it to productive caribou habitat sooner*
- *incorporate waste rock storage area egress ramps, designed in consultation with Elders to prevent injuries and entrapment of caribou*

iii. Following implementation of the Caribou Offset and Mitigation Plan, Dominion will:

- *annually report on the effectiveness of monitoring, mitigation and adaptive management of the Caribou Offset and Mitigation Plan to communities in person in a culturally appropriate manner*
- *annually report on the activities conducted under the Caribou Offset and Mitigation Plan and the effectiveness of related monitoring, mitigation and adaptive management, to GNWT ENR, WRRB and IEMA*
- *Submit an updated Caribou Offset and Mitigation Plan for approval by GNWT ENR every three years. Prior to approval, the GNWT should provide the opportunity for public comment.*

iv. The GNWT will enforce the Caribou Offset and Mitigation Plan under the section 95 of the Wildlife Act.

ii. IMPLEMENTATION OF THE MEASURE

(a) ACTIONS TAKEN TO IMPLEMENT THE MEASURE

Describe the actions, including actions implemented through adaptive management, being undertaken to implement the EA measure;

Actions taken during the reporting period to implement Measure 6-2(a) are as follows:

- In the CMP, DDEC also proposed to complete the progressive reclamation of the Long Lake Containment Facility (LLCF) at an accelerated rate, this was discussed in Section 1.2 and 5.3.1.1 of the Conceptual Closure and Reclamation Plan.
- The CMP is based on the framework and principles of adaptive management and will use the results from research and monitoring of mitigation effectiveness to provide feedback into Ekati mine operations.
- DDEC committed to purchasing caribou collars and this has been completed and have started to support TK projects. As per DAR-MVEIRB-UT2-06 and Measure 6-2(a), DDEC submitted the CMP within one year of Minister's acceptance of the REA on May 19, 2017 (EA1314-01_DDEC_Caribou_Mitigation_Plan_measure_6-2a).

(b) FULFILLMENT OF THE INTENT OF THE MEASURE

Demonstrate how the implementation actions through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:

How are implementation actions addressing a likely significant adverse impact on the environment?

On May 19, 2017 DDEC submitted the final version of the CMP. Implementation of this plan will contribute to increased understanding of the extent and intensity and drivers of Ekati's zone of influence (ZOI). It will provide dedicated long term funding for TK based caribou monitoring, research and monitoring programs investigating the key drivers of the caribou population decline. DDEC believes that the result of implementing this measure will be a

more comprehensive understanding of not only the current status of the Bathurst herd, but also how to best mitigate potential impacts associate with the Jay project.

How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?

The implementation actions have led to the development of a Caribou Mitigation Plan (CMP). The CMP was also a result of engagement with Aboriginal communities, government regulators and the IEMA during the EA review for the Jay Project. The objectives of the CMP are to mitigate and compensate for residual effects of the Jay Project on the Bathurst caribou. These objectives are met through the implementation of a number of different monitoring programs, additional mitigations and accelerate reclamation activities; all of which are intended to act as offsets. The CMP has yet to be implemented as the Project had not started during the reporting period.

If the measure is for monitoring or research, how is the monitoring/ research being used to inform the mitigation of impacts to the environment?

As construction of the Jay project has not yet commenced, the CMP has yet to be implemented. That being said DDEC has already contributed to:

- The purchase of georeferenced satellite collars (2016 and 2017).
- August 2, 2014-June 22, 2016. *Tłı̨chǫ Government What'aa Project-Jay Project.*
    - This Project involved the study by Tłı̨chǫ elders of varying properties of natural eskers for the purpose of identifying community-based concepts that may be useful in planning, construction and reclamation of mine waste rock piles. The Project shall also be guided by the requirements and information needs for reclamation and development at the Ekati mine with links to the Jay Project. Elders travelled to Ekati mine to observe a natural rocky esker and had a tour off the proposed Jay Project Road Esker Crossing. Final report forthcoming.
- July-August, 2016, Tłı̨chǫ Boots on the Ground Caribou Monitoring.
    - An Aboriginal-driven environmental monitoring program. The program is based on the TK of Elders and harvesters, and relies on their ways of traveling the land and assessing the conditions on the land, instead of relying on scientific methods of monitoring. The purpose is to monitor current conditions of the Bathurst caribou herd, the habitat, and cumulative impacts on the herd from natural factors and human activities. DDEC provided support to offset transportation costs.
- September 2, 2016-November 18, 2018, DDEC and Łutselk'e Dene First Nation (LKDFN) Agreement.
    - The LKDFN, and DDEC entered into an agreement with the objective of furthering a shared goal ensuring the continued well-being of the Bathurst Caribou Herd, DDEC agreed to support monitoring programs lead by LKDFN..
- October 18-19, 2016, DKFN/Fort Resolution Metis Council (FRMC)/LKDFN/ Yellowknives Dene First Nation (YKDFN) Community Caribou Engagement Program.
    - The focus was on caribou and roads and how the Ekati Diamond Mine built on existing mitigation methods that have been successful, and incorporated new mitigation methods specifically to reduce the risk to caribou and other wildlife from traffic. The 2015 community participants were invited back

to tour the newly built Sable Road to provide further advice on the placement and design of the caribou crossings.

- October 20-21, 2016, Kugluktuk/ North Slave Métis Alliance (NSMA)/Tłı̨chǫ Community Caribou Engagement Program.

    - The focus was on caribou and roads and how the Ekati Diamond Mine built on existing mitigation methods that have been successful, and incorporated new mitigation methods specifically to reduce the risk to caribou and other wildlife from traffic. The 2015 community participants were invited back to tour the newly built Sable Road to provide further advice on the placement and design of the caribou crossings.

- Providing 2009 and 2012 aerial survey data and funding to the GNWT for an updated assessment of Ekati's ZOI (2016).

- Early implementation of the CRMP plan (2016)

A complete summary on the status of each of the CMP commitments can be found in the plan itself (Table 6-1 EA1314-01_DDEC_Caribou_Mitigation_Plan_measure_6-2a).

How are process considerations (such as engagement requirements, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?

The development of the CMP was completed with extensive engagement and further engagement is built into the implementation of the plan. Further details can be found in the CMP.

(c) CONCISE SUMMARY OF MONITORING PROGRAMS

Include a concise summary of monitoring programs and results that are related to EA measures or commitments and, where applicable, references to complete information contained in other documents (such as documents related to aquatic effects, wildlife, or air quality programs)

There are no results to summarize at this time. The CMP was submitted to the MVEIRB on May 19, 2017 and the CRMP can be found as part of the WEMP which was approved on June 1, 2017.

(d) OTHER REPORTING REQUIREMENTS

Address any specific requirements noted in the EA measures set out in this report and summarized in Appendix A.

Specific reporting requirements can be found in the CMP, Section 6 (EA1314-01_DDEC_Caribou_Mitigation_Plan_measure_6-2a).

iii. SUMMARY

Table 9-1: Measure 6-2(a) - Caribou Offset and Mitigation Plan

	Status
Measure 6-2(a): Caribou Offset and Mitigation Plan	▪ Final CMP was submitted to MVEIRB on May 19, 2017 (EA131401_DDEC_Caribou_Mitigation_Plan_measure_6-2a)

10.0 MEASURE 6-2(b): RESEARCH TO DESIGN AND IMPLEMENT SUCCESSFUL OFFSETTING PROJECTS

i. INTRODUCTION

The Jay Project is located within an important spring and fall movement and migration corridor for the Bathurst caribou herd. The construction and operation of the Jay road, esker crossing, waste rock storage area, and other facilities in the caribou migration corridor is likely to have a significant adverse impact on caribou.

The MVEIRB accepts that DDEC's Caribou Mitigation Plan (Compensatory Mitigation) will help compensate for any residual effects of the Jay Project on the Bathurst caribou herd and traditional communities' ability to harvest caribou. With Measure 6-2(b), the Review Board has engaged the GNWT to measure and evaluate the effectiveness of DDEC's offset mitigation.

Measure 6-2(b) – Research to Design and Implement Successful Offsetting Projects states the following:

> *The GNWT will measure and evaluate the effectiveness of Dominion's offsets that result from the approved Caribou Offset and Mitigation Plan.*
>
> *To better enable the GNWT to do this, it will conduct a study on the potential methods for evaluating and measuring the effectiveness of offsetting options described in the approved Caribou Offset and Mitigation Plan. The GNWT will publically report on the results of the study within one year of the approval of the Caribou Offset and Mitigation Plan.*

As the GNWT is responsible for Measure 6-2(b), DDEC won't be reporting on this Measure in the manner as required by Measure 13-3 items a through d. To assist the GNWT in the implementation of this Measure, actions DDEC has taken during the reporting period to help implement Measure 6-2(b) are as follows:

- As per Measure 6-2(a), DDEC developed and submitted a CMP to the MVEIRB within one year of the Minister's acceptance of the REA. See the MVEIRB's on-line public registry for the Jay Project or at EA1314-01_DDEC_Caribou_Mitigation_Plan_measure_6-2a.

11.0 MEASURE 6-3: AIR QUALITY EMISSIONS MONITORING AND MANAGEMENT PLAN

i. INTRODUCTION

The MVEIRB concluded that the impacts of barriers to movement and impacts arising from sensory disturbance to caribou from the Jay Project are likely to be significant. The MVEIRB acknowledged that managing dust is an important way to mitigate impacts to caribou. Measure 6-3 was developed in concert with Measures 6-1, 6-2(a), and 6-2(b) to help mitigate the significant adverse impacts on caribou that are otherwise likely. Generally, Measure 6-3 directs DDEC to build upon the existing Draft Conceptual AQEMMP, submitted during the EA process in June of 2015, and the related Developer's Commitments. Building upon the Draft Conceptual AQEMMP as described by this Measure will reduce the impacts from barriers to caribou movement and caribou sensory disturbance impacts from dustfall so they are no longer significant. The Jay AQEMMP is to be implemented prior to the start of construction of the Jay Project. This measure is necessary so that adverse impacts from dustfall are reduced to the greatest extent possible.

Measure 6-3 - Air Quality Emissions Monitoring and Management Plan states the following:

> *In order to reduce adverse impacts from dustfall within the Jay Project area to caribou, so they are no longer significant, Dominion will finalize and implement the Air Quality Emissions Monitoring and Management Plan prior to construction. This plan will be applied throughout the construction, operation and closure phases of the Project.*
> *Dominion will:*
>
> - *Describe how it will implement commitments made in this plan (PR#424 p1-5 to 1-6) along with management response linkages to the Caribou Road Mitigation Plan and the Caribou Offset and Mitigation Plan.*
> - *Reduce dustfall by continuing and improving the following management and monitoring practices, including:*
>   - *Applying dust suppressant to control dust emissions on haul roads during summer or non-frozen snow-free season*
>   - *Managing vehicle speed to limit road dust from vehicle wheel entrainment*
>   - *Implementing a dustfall monitoring program, methods, locations, monitoring parameters*
>   - *Sampling lichen tissues (heavy metal parameters) snow chemistry sampling*
>   - *Planning responses with triggers and action levels*
>   - *Allowing opportunity for public comment on updates or changes to the Air Quality Emissions Monitoring and Management Plan*
> - *Annually report monitoring results, success or failure of dust mitigations and adaptive management to communities in person in a culturally appropriate manner*

- *Submit an updated Air Quality Emissions Monitoring and Management Plan for public review and approval process as required by the GNWT*

In addition, the GNWT will review and approve the Air Quality Emissions Monitoring and Management Plan as required by the Environmental Agreement and regulate in accordance with the Environmental Protection Act.

(a) ACTIONS TAKEN TO IMPLEMENT THE MEASURE

Describe the actions, including actions implemented through adaptive management, being undertaken to implement the EA measures;

Actions taken during the reporting period to implement Measure 6-3 are as follows:

- A technical workshop on the Jay AQEMMP was held in Yellowknife on September 14, 2016.
- A final draft of the Jay AQEMMP, with comments from the May 31, 2016 version and as discussed at the September 2016 technical workshop, was completed and circulated to the Parties of the EA for comment on December 13, 2016. Comments were requested to be submitted to DDEC prior to January 10, 2017. Comments were received on this version of the plan and were integrated into the final version of this plan and/or addressed by DDEC.
- DDEC submitted the final version of the Jay AQEMMP to the GNWT for approval on January 25, 2017.
- This plan was approved by the GNWT on May 31, 2017.
- As committed to in the September 2016 workshop, DDEC is currently amalgamating the Jay Project AQEMMP with the Ekati Air Quality Monitoring and Management Plan (2009). The amalgamated version of this plan will be circulated for review and comment.
- Commitments in the CMP include a special study on determining the effectiveness of dust suppressants along the Misery Road (Section 3.4.1.3 of the AQEMMP). DDEC circulated the 2015 EnviroKleen Pilot Project Report and the 2016 Dust Suppression Plan to the Parties of the EA on May 25, 2016. This dustfall study is also referenced in Measure 6-2(a) ii of the REA (MVEIRB 2016). Furthermore, as per Measure 6-1 of the REA (MVEIRB 2016), DDEC will prepare a best management practices document which will include adaptive management triggers for additional dust suppression based on the NWT dustfall standard. The document is anticipated to be prepared for review in summer 2017, and will take into account the learnings from the first year of the dust pilot study referenced above. The results will be provided in the AQEMMP, which will include other studies on the rate and spatial extent of dust deposition, and potential triggers for adaptive management.
- The Jay AQEMMP also includes a discussion on the application of dust suppressants and a commitment to prepare a best management practices document consistent with the GNWT dustfall standard when it is developed (Section 3.4.1.3).
- Information from the AQEMMP will also be used to help assess the potential drivers of detected changes in the ZOI on caribou distribution and behaviour (WEMP; Sections 5.6.5 and 5.6.6).
- Significant revisions made in the AQEMMP include an annual data report (Section 5) and a renewed commitment to ongoing engagement in the AQEMMP (Section 7).
- The approved version of the Jay AQEMMP includes methodology for calculating greenhouse gas (GHG) emissions (Section 3.2.1 7).

This Measure required ENR to:

> *…determine whether Dominion's public review process for the updated AQEMMP has been adequate, and to review and determine whether Dominion's proposed AQEMMP is adequate and complete. ENR has determined that Dominion's public review process has been adequate. ENR has furthermore reviewed the AQEMMP, January 2017, against the requirements of the Environmental Agreement, substantive components of Measure 6-3, and the concerns of participating reviewers, and hereby approves the AQEMMP. As per comment and response to 'AQEMMP-GNWT-1' on page A-6 of the AQEMMP, January 2017. Attachment 1 May 30, 2017 9 ENR has made some comments and recommendations as a result of the review, and recommends that Dominion should incorporate them into the overall site wide AQEMMP, slated for development in spring of 2017. ENR is of the opinion that we have satisfied our obligations to Measure 6-3.*

(Environmental Assessment of DDEC's Jay Project (EA1314-01) – Measure 6-3, Approval of the Air Quality Emissions Monitoring and Management Plan, May 31, 2017; EA1314-01_GNWT_-_AQEMMP_Measure_6-3)

(b) FULFILLMENT OF THE INTENT OF THE MEASURE

Demonstrate how the implementation actions, including any actions implemented through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:

How are implementation actions addressing a likely significant adverse impact on the environment?

The implementation actions noted in the preceding section have ensured that there is an approved management plan in place prior to start of construction for the Project. The plan was circulated for a public review process where there were opportunities to provide input on the plan's contents and comments received were integrated and addressed by DDEC. As indicated in the Measure, the existence of this approved plan will assist in reducing adverse impacts from dustfall within the Jay Project area to caribou, so they are no longer significant.

How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?

The overall general aim of the Jay AQEMMP required by this Measure is to help reduce impacts on caribou via dust management. The implementation actions listed above have been effective in reducing, controlling, or eliminating the impact as these actions have led to the development of an approved Jay AQEMMP prior to the start of construction. The monitoring and management of air quality, including dustfall, is specifically planned and will be managed under the direction of this AQEMMP therefore reducing and controlling the impact(s) of dust on caribou.

If the measure is for monitoring or research, how is the monitoring/research being used to inform mitigation of impacts to the environment?

There are sections of the Jay AQEMMP that relate to monitoring/research. DDEC undertook a pilot study in 2015 to investigate ways to improve the current dust suppression practices. In 2016, DDEC expanded on the results of the 2015 study with the use of EnviroKleen project on the Misery Haul Road. This monitoring/research is allowing for comparison of the dust suppression capabilities of EnviroKleen against historical dust deposition results when DL-10 and road watering were the primary method for controlling dust at the Ekati mine. This allows for DDEC to implement the best method for controlling dust and minimizing impacts to the environment.

An interim report summarizing the 2016 study design, results and observations is to be released in summer of 2017.

How are process considerations (such as engagement requirements, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?

DDEC has committed to further engagement on the AQEMMP once it has been integrated into the Ekati site-wide document. Comments and feedback are expected from government agencies, communities, and other interested stakeholders. Engagement will also occur in terms of GHG emissions management during community visits (as per Measure 9-2), as per this annual reporting (Measure 13-3), and through ongoing routine engagement efforts conducted by DDEC.

(c) CONCISE SUMMARY OF MONITORING PROGRAMS

Include a concise summary of monitoring programs and results that are related to EA measures or commitments and, where applicable, references to complete information contained in other documents (such as documents related to aquatic effects, wildlife, or air quality programs); and

DDEC will make the results of the air quality monitoring programs and dust suppression study available to the teams working on other monitoring programs, such as, the AEMP, Air Quality (dust) monitoring program, and the WEMP, where air quality data may be a relevant input to the interpretation of their results.

Dust Suppression Study Summary

The results of the 2016 EnviroKleen study results can be summarized with the following:

- Total dustfall results in 2016 appeared lower than the results from 2015 for all transects except one. There is however uncertainty in this comparison due to changes in traffic levels and weather conditions across years.
- EnviroKleen treated road sections that had lower total dustfall in 2016 than the same DL-10 treated sections in 2015. There is, however, uncertainty in this comparison due to changes in traffic levels and weather conditions across years.
- Dust tracking is minimized with longer treated sections of road (3 km).
- Casella Dust Detectives provide excellent real-time dust monitoring data that can be used to compare fugitive dust loads with haul traffic, and the degradation of dust suppressant over time. Visible fugitive dust returns two to three weeks following application, however, the use of EnviroKleen helps the fugitive dust to settle and deposit much more quickly than for an untreated road, and therefore minimizes the transport of airborne dusts onto the tundra.
- EnviroKleen treated road surfaces continued to show better retention of fines than on untreated, and DL-10 treated road sections. However, wash boarding, and therefore grading of the road is inevitable with the usage of road trains regardless of the type of dust suppressant used.

Overall, results have shown that EnviroKleen has the potential to decrease dust deposition throughout the summer. Results suggest that while EnviroKleen and DL-10 perform similarly over short term time scales, over the long term (more than one season), EnviroKleen is a more durable, longer lasting, and environmentally friendly dust suppression product.

(d) OTHER REPORTING REQUIREMENTS

Address any specific reporting requirements noted in the EA measures set out in this report and summarized in Appendix A.

There were no other specific reporting requirements noted in either the EA measures set out in the REA or summarized in Appendix B.

ii. SUMMARY

Table 11-1: Measure 6-3: Air Quality Emissions Monitoring and Management Plan

	Status
Measure 6-3: Air Quality Emissions Monitoring and Management Plan	▪ Technical workshop on AQEMMP held in September 2016. ▪ Drafts of the AQEMMP circulated for public review and comment. ▪ Approval of the Jay AQEMMP received from the GNWT on May 31, 2017.

12.0 MEASURE 6-4: DUSTFALL STANDARDS

i. INTRODUCTION

The Jay Project is located within an important spring and fall movement migration corridor for the Bathurst caribou herd. The constructing and operation of the Jay road, esker crossing, waste rock storage area, and other facilities in the caribou migration corridor is likely to have a significant adverse impact on caribou.

The MVEIRB accepts that managing dust is an important way to mitigate impacts to caribou. However, there currently are no dustfall standards for the NWT. It is the authority of the GNWT to regulate dustfall. Formulating dustfall standards would help the Developer (i.e. DDEC) in its dustfall response. Establishing a dustfall standard will take considerable effort including research, additional studies and data analyses; therefore the MVEIRB recommended that the GNWT develop an interim dustfall objective until a standard is established. This will help DDEC with its adaptive management response planning, as well as reducing adverse effects from the Jay Project on caribou and caribou habitat.

Measure 6-4 – Dustfall Standards states the following:

> *Prior to construction, the GNWT will develop an interim dustfall objective for all types of dustfall that impact caribou and caribou habitat, including impacts on lichen and other caribou forage within the Jay Project zone of influence. The objective will reduce dust-related sensory disturbances to caribou to the greatest extent practicable.*
>
> *Dominion will use the interim dustfall objective to inform its actions to reduce impacts to caribou and caribou habitat from dustfall.*

As the GNWT is responsible for Measure 6-4, DDEC won't be reporting on this Measure in the manner as required by Measure 13-3, Items (a) through (d). The GNWT submitted Measure 6-4 to the Review Board on May 31, 2017. To assist the GNWT in the implementation of this Measure, DDEC has:

- Provided site specific data for the GNWT to use in the development of the interim dustfall objective.

Moving forward, DDEC will be using the interim dustfall objective to inform actions to reduce impacts to caribou and caribou habitat from dustfall.

13.0 MEASURE 6-5: TRADITIONAL KNOWLEDGE BASED CARIBOU MONITORING AND MITIGATION

i. INTRODUCTION

Incorporating Traditional Knowledge into the Jay Project design and operations is required to mitigate impacts to caribou while constructing and operating the Jay Project. Measure 6-5 was developed to ensure that the integration of TK along with conventional science-based information during Project design and operations will result in practical mitigation actions that reduce impacts from the Jay Project to caribou so they are no longer significant.

Measure 6-5 - Traditional Knowledge Based Caribou Monitoring and Mitigation states the following:

Dominion will:

- *Develop and implement a collaborative research program incorporating Traditional Knowledge designed to identify the causes of the zone of influence for caribou avoidance within one year of acceptance of the Report of EA*
- *Summarize and report annually on this collaborative research program as part of the Wildlife Effects Monitoring Program reporting*
- *Implement the research findings which can help to reduce the size of the zone of influence on caribou*
- *Dominion will fund a Traditional Knowledge Elders group drawn from Aboriginal organizations that participated in the EA. This group will:*
    - *Advise on the construction and operation of the Jay road, esker crossing and waste rock management area egress ramps that limit impacts to caribou*
    - *Monitor caribou reactions to the Jay road use, esker crossing and waste rock storage area egress ramps in coordination with existing caribou management authorities*
    - *Report on the results of monitoring to Dominion, IEMA, regulators and Aboriginal organizations that participated in the EA*
    - *Recommend mitigation based on monitoring results*
    - *Recommend a contingency plan for the esker crossing if monitoring indicates that the road through the esker is a major barrier to caribou movement*

This Traditional Knowledge group will be in place prior to construction, throughout operations and closure.

ii. IMPLEMENTATION OF THE MEASURE

(a) ACTIONS TAKEN TO IMPLEMENT THE MEASURE

Describe the actions, including actions implemented through adaptive management, being undertaken to implement the EA measure;

Actions taken during the reporting period to implement Measure 6-5 are as follows:

- As part of the CMP, DDEC has committed to develop a Caribou Monitoring Strategy/Plan that will be supported by at least $100,000 (either direct financial and/or in-kind support) annually from the start of construction of the Jay Project until the end of operations. The expectation is that this funding would go towards TK-based research.

- DDEC has committed to $1,050,000 in financial offsetting to support the implementation of technically advanced caribou collars, and research in determining the drivers of the ZOI and factors responsible for the decline of the Bathurst caribou herd. It is expected that Aboriginal communities and TK Holders would be involved in guiding the research and follow-up for these projects.

- Communities will have the opportunity to participate in mitigation and monitoring study designs and programs for the Jay Road, esker crossing, waste rock storage area (WRSA), and other Ekati mine roads, and provide feedback on the results.

- Once the Jay Road is constructed, the effectiveness of the caribou crossings will be monitored during community visits to the Ekati mine as part of adaptive management. Monitoring of the interactions between the Jay Road and caribou by communities may also be conducted through the research funding provided in the CMP. Results from the community monitoring programs and changes resulting from adaptive management, if required, would be provided in the Ekati mine annual WEMP report.

- Provided support to community based TK caribou programs (Tlicho and Lutsel K'e) and have hosted sessions for both these programs to share information and learnings.

Measure 6-5 also includes the development of a Traditional Knowledge Elder's Group (TKEG). Actions taken to implement the TKEG are as follows:

- Invitations, along with a draft TOR reflective of the Measure, were sent to the Aboriginal Parties of the EA. DDEC held the first meeting on the TKEG on June 17, 2016. The group discussed the TOR and provided feedback. The items for discussion in the next meeting were set, with topics including Jay road design and construction, caribou crossing and caribou monitoring. Follow-up to the meeting included meeting notes, and a summary report and poster.

- DDEC reviewed the caribou crossing and design with the TKEG at the second meeting which was held at the Ekati mine on October 11-13, 2016. As part of the agenda for this meeting of TKEG, there was discussion on these components and new maps were developed and posted to show the TKEG what the road looks like with caribou crossings, and where those caribou crossings will be.

- The next meeting of the TKEG was held on January 23-24, 2017 in Yellowknife. The topics of discussion were the Jay Fisheries Project and Fish-out, TK Framework and Review of the last meeting in October 2016.

- Further information on the TKEG including meeting information from June and October 2016 can be found on the public registry for the MVEIRB under the Jay Project Environmental Assessment (see EA1314-01_DDEC_Traditional_Knowledge_Elders_Group_measure_6-5). As per the direction of the TKEG, summary reports can be posted to the public registries after the TKEG has had the opportunity to review and have approved their release.

- Another meeting of the TKEG was held at the Ekati mine on April 25-27, 2017. There was a site tour as well as discussions on Ekati caribou monitoring programs, the community caribou engagement program, and the Jay Project fish out.

- Additional meetings of the TKEG are planned for the summer of 2017.

(b) FULFILLMENT OF THE INTENT OF THE MEASURE

Demonstrate how the implementation actions through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:

How are implementation actions addressing a likely significant adverse impact on the environment?

DDEC has been successful in forming a fully functioning TKEG for the Project. DDEC intends for the TKEG to be a part of the Jay Project throughout operations and closure and for the TKEG to meet the requirements set out in Measure 6-5. This will help ensure the TKEG is involved in all phases of the Project and that TK will be incorporated into the Project which will reduce impacts from the Jay Project to caribou so they are no longer significant and assist in the integration of TK into other aspects of the Project and the Ekati diamond mine.

How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?

It is expected that the recommendations provided by the TKEG will help to reduce impacts to caribou and improve the overall incorporation of TK into the design and operation of the Project.

If the measure is for monitoring or research, how is the monitoring/ research being used to inform the mitigation of impacts to the environment?

It is expected that the recommendations provided by the TKEG will help improve the overall incorporation of TK into the design and execution of monitoring programs.

How are process considerations (such as engagement requirements, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?

DDEC continues to engage with communities on mitigation and monitoring study designs and programs for the Jay Road, esker crossing, WRSA, and other Ekati mine roads. The TKEG input will include the Project, but may be applied to the Ekati mine site to further mitigate impacts on caribou, water, land, air and fish.

(c) CONCISE SUMMARY OF MONITORING PROGRAMS

Include a concise summary of monitoring programs and results that are related to EA measures or commitments and, where applicable, references to complete information contained in other documents (such as documents related to aquatic effects, wildlife, or air quality programs).

There are no results to summarize at this time. The CMP was submitted to the MVEIRB on May 19, 2017 and the CRMP can be found as part of the WEMP, which was approved on June 1, 2017. There will be an annual report for the WEMP (see Section 7.0).

(d) OTHER REPORTING REQUIREMENTS

Address any specific requirements noted in the EA measures set out in this report and summarized in Appendix A.

There were no other specific reporting requirements noted in either the EA measures set out in the REA or summarized in Appendix B.

iii. SUMMARY

Table 13-1: Measure 6-5 - Traditional Knowledge Based Caribous Monitoring and Mitigation

	Status
Measure 6-5: Traditional Knowledge Based Caribou Monitoring and Mitigation	▪ Caribou Mitigation Plan submitted to MVEIRB on May 19, 2017 (EA1314-01_DDEC_Caribou_Mitigation_Plan_measure_6-2a). ▪ Four meetings of the TKEG held during the reporting period.

14.0 MEASURE 6-6: TIMELY COMPLETION OF CARIBOU MANAGEMENT PLANS

i. INTRODUCTION

The Jay Project is located within an important spring and fall movement and migration corridor for the Bathurst caribou herd. The constructing and operation of the Jay road, esker crossing, WRSA, and other facilities in the caribou migration corridor is likely to have a significant adverse impact on caribou, absent of additional mitigation. There has been a continual decline of the Bathurst caribou herd for some time and concerns were raised by Aboriginal groups, as well as, the residents of Mackenzie Valley to the GNWT to address the issue of the declining caribou herd that is important to all parties in the area.

The MVEIRB has recognized that the GNWT had initiated a planning process for both the Bathurst herd and a cumulative effects framework for caribou. Based on the information given to the MVEIRB, the initiatives proposed by the GNWT would not be completed for another three years. According to the MVEIRB, this is not a timely response to the urgency of the situation.

A combination of measures were recommended by the MVEIRB for both the GNWT and DDEC to address the mitigation of significant adverse impacts to caribou. Measure 6-6 is the GNWT's responsibility.

Measure 6-6 – Timely Completion of Caribou Management Plan states the following:

> *To mitigate cumulative significant impacts from the Jay Project and other human activities on the Bathurst caribou herd, within one year of Ministerial approval of this EA Report, the GNWT will:*
>
> - *investigate and report on the causes for the current population change*
> - *complete and implement an interim management plan for the Bathurst caribou herd*
> - *Implement an interim herd recovery strategy towards a sustainable and ongoing Aboriginal harvest*
>
> *Suggestion:*
>
> *GNWT should work towards producing interim thresholds for developments and other human activities within the range of the Bathurst caribou herd.*

As the GNWT is responsible for Measure 6-6, DDEC won't be reporting on this Measure in the manner as required by Measure 13-3, Items (a) through (d). To assist the GNWT in the implementation of this measure, actions DDEC has taken during the reporting period to help implement Measure 6-6 are as follows:

- DDEC has committed to provide financial support to examine the causes of the herd's decline in NWT. It is expected that a portion of the funding will go towards supporting studies in preparing a management plan for the Bathurst caribou. DDEC has committed to provide financial support to examine the causes of the herd's decline in NWT. It is expected that a portion of the funding will go towards supporting studies in preparing a management plan for the Bathurst caribou

Section 14.01 MEASURE 7-1: CULTURAL ASPECTS AND TRADITIONAL KNOWLEDGE

i. INTRODUCTION

The MVEIRB concluded that a more transparent and consistent process of incorporating TK into decision-making is necessary. Measure 7-1 builds on commitments made by DDEC to use and consider TK. The Measure is intended to mitigate significant cumulative impacts of diamond mining and the Jay Project on traditionally used areas and Aboriginal way of life and was developed to improve the management of the Jay Project from an Aboriginal cultural perspective by considering TK appropriately (in context and respectfully).

Measure 7-1 Traditional Knowledge Management Framework states the following:

> *In order to mitigate the Jay Project's cultural impacts to traditional use areas or culturally valued components like caribou, water or aquatic life, Dominion will develop a Traditional Knowledge Management Framework that describes protocols for collecting, storing, managing and using Traditional Knowledge. This will be done in a manner that is culturally suitable for each community. Dominion will use the Traditional Knowledge gathered through the framework to inform Project decision making. This framework will be developed prior to the construction phase of the Project and will apply for the lifetime of the Jay Project (construction, operations and closure phases).*
>
> *In developing the Traditional Knowledge Management Framework, Dominion will consult with each Aboriginal group affected by the Jay Project, in a culturally appropriate manner, while developing the protocols. Dominion will report annually on how Traditional Knowledge influenced Jay Project decision making.*
>
> *Suggestion:*
>
> *To ensure that Traditional Knowledge is consistently being used in a manner that is agreeable to Aboriginal groups, each Aboriginal group affected by the Jay Project should develop a standard Traditional Knowledge Use Protocol. This protocol would inform how Traditional Knowledge is captured, managed, reported on and used. This protocol would facilitate Dominion's effort in establishing a Traditional Knowledge Management Framework that is meaningful to Aboriginal groups.*
>
> *Aboriginal groups should work with Dominion to establish what Traditional values should be monitored for Jay Project impacts, and how monitoring should occur.*

ii. IMPLEMENTATION OF THE MEASURE

(a) ACTIONS TAKEN TO IMPLEMENT THE MEASURE

Describe the actions, including actions implemented through adaptive management, being undertaken to implement the EA measure;

(b) ACTIONS TAKEN DURING THE REPORTING PERIOD TO IMPLEMENT THE MEASURE:

- DDEC requested from Aboriginal groups information and guidance on TK Frameworks that may already be in place.

- DDEC received information and reviewed these to help inform an outline of a TK Framework.

- DDEC also reviewed the collected information and the framework outline with the TKEG at the second meeting of the TKEG held at the Ekati mine October 11-13, 2016. The TKEG provided advice and guidance on the development of the document, which was incorporated into the final document. The TKEG provided important direction on the appropriate use of TK, maintaining their intellectual property rights to their TK, and only using the TK for the project that it was provided in relation to.

- Discussions on the TK Framework continued at the TKEG meeting held on January 23-24, 2017. The TKEG reviewed the draft of the TK Management Framework and were satisfied with the content and that the framework will be "a living document" that can be reviewed periodically as needed to adapt to changes for the inclusion of TK for environmental decision making. As well, the TKEG recommended that DDEC look at other past community-based TK research studies that were done by the regional Aboriginal groups.

- At the TKEG meeting held at the Ekati mine site April 25-27 2017, DDEC provided a summary of the past community-based TK research studied for review and to be further discussed at future meetings.

- As recommended by the TKEG, the TK Framework will be a living document to be reviewed periodically, and updated to include new information, therefore this Framework will continue to evolve throughout the life of the Ekati mine and Jay Project.

- The Framework and additional details can be found on the Review Board's website under the Jay Project EA (EA1314-01) or at EA1314-01_DDEC_Traditional_Knowledge_Framework_measure_7-1.

(c) FULFILLMENT OF THE INTENT OF THE MEASURE

Demonstrate how the implementation actions through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:

How are implementation actions addressing a likely significant adverse impact on the environment?

DDEC has been successful at developing a TK Framework that describes protocols for collecting, storing, managing and using TK prior to the construction phase of the Project. The TK Framework includes input from Aboriginal groups affected by the Jay Project and has also been reviewed by the TKEG. Feedback received was incorporated and the Framework sets out ways in which there can be a more transparent and consistent process of incorporating TK into decision-making and will improve the management of the Jay Project from an Aboriginal cultural perspective by considering TK appropriately (in context and respectfully).

How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?

The implementation actions taken have been effective at reducing, controlling, or eliminating the impacts or its likelihood as the action lead to the development of a TK Framework which outlines how DDEC will use TK in environmental decisions for the Ekati Diamond Mine and Jay Project. The purpose of the Measure has been achieved.

Part B, item 17 of the WL sent to the Minister for the Jay Project amendment requires DDEC to operate in accordance with the *Traditional Knowledge Management Framework* that describes protocols for collecting, storing, managing, and using Traditional Knowledge, consistent with the Jay Report of Environmental Assessment Measure 7-1.

If the measure is for monitoring or research, how is the monitoring/ research being used to inform the mitigation of impacts to the environment?

This measure is not for monitoring or research.

How are process considerations (such as engagement requirements, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?

DDEC engaged with Aboriginal groups in the development of this TK Framework and will continue to do so as the TK Framework will be a living document to be reviewed periodically, and updated to include new information. This Framework will continue to evolve throughout the life of the Ekati mine and Jay Project and engagement on the Framework will be ongoing.

(d) CONCISE SUMMARY OF MONITORING PROGRAMS

Include a concise summary of monitoring programs and results that are related to EA measures or commitments and, where applicable, references to complete information contained in other documents (such as documents related to aquatic effects, wildlife, or air quality programs)

This is not applicable to this Measure.

(e) OTHER REPORTING REQUIREMENTS

Address any specific requirements noted in the EA measures set out in this report and summarized in Appendix A.

There were no other specific reporting requirements noted in either the EA measures set out in the REA or summarized in Appendix B.

However, the Measure requires DDEC to report annually on how TK influenced Jay Project decision making. This information, when available, can be found in DDEC's Annual Report which will be submitted to the WLWB in April of each year. There will also be information on how TK influenced decision making for the Jay Project and the Ekati mine in other reporting to be prepared by DDEC (e.g. AEMP, WEMP, etc.).

iii. SUMMARY

Table 14.01-1: Measure 7-1 - Traditional Knowledge Management Framework

	Status
Measure 7-1: Traditional Knowledge Management Framework	▪ A TK Framework has been developed and is in place prior to the construction phase of the Project. For more information see the Mackenzie Valley Review Board on line public registry for the Jay Project or http://reviewboard.ca/upload/project_document/EA1314-01_DDEC_Traditional_Knowledge_Framework_measure_7-1.PDF.

15.0 MEASURE 7-2: ON THE LAND CULTURE CAMP

i. INTRODUCTION

Following DDEC-led public consultations with Aboriginal groups and communities and careful considerations from the public record, the MVEIRB concluded that diamond mining in the Jay Project area has already adversely affected the Aboriginal way of life and well-being by altering Aboriginal harvesters' use, perception of and relationship with the land. The MVEIRB determined that the Jay Project will also create new disturbances to the cultural landscape. These disturbances conflict with the traditional uses of the surrounding land.

Measure 7-2 engages DDEC to mitigate the adverse cultural impacts of the Jay Project by creating an on the land cultural camp. The on the land cultural camp will help restore the cultural association with the disturbed landscape by facilitating use of the land by Aboriginal groups.

The MVERIB expects activities at the cultural camp will promote increased language usage, re-establish relationships with the land, develop survival skills and strengthen cultural bonds with and between Aboriginal groups.

Measure 7-2 – On the Land Cultural Camp states the following:

> *In order to mitigate significant adverse impacts of the Jay Project on traditional use of the area and transmission of cultural values, Dominion will, during the construction and operations phases of the mine, support an on-the-land culture camp, in a traditionally used area near the Jay Project. This culture camp will be used by Aboriginal groups to maintain or establish a connection with disturbed areas of land and restore Traditional Knowledge transfer between generations about the area affected by diamond mining.*
>
> *Dominion will consult with Aboriginal groups that participated in the environmental assessment to decide on the location, timing and frequency of use of the culture camp. Dominion will support the camp's use and access, financially or in-kind.*

ii. IMPLEMENTATION OF THE MEASURE

(a) ACTIONS TAKEN TO IMPLEMENT THE MEASURE

Describe the actions, including actions implemented through adaptive management, being undertaken to implement the EA measure;

Actions taken during the reporting period to implement Measure 7-2 are as follows:

- DDEC engaged extensively on all aspects of the Culture Camp both throughout the EA process and reporting period in which the WLWB water licencing process was underway. DDEC has met with the DKFN, FRMC, LKDFN, YKDFN, Kitikmeot Inuit Association, Hamlet of Kugluktuk, and the Tlicho on numerous occasions so as to establish an appropriate plan for the development of the Culture Camp.
- This includes the period of October 18-20, 2016 where DDEC brought participants from all affected and potentially affected parties to Ekati for the Ekati Diamond Mine Community Caribou Engagement Program. The participants provided suggestions as to where the Culture Camp should be located and the timing and

frequency for its use. The participants recommended that the Culture Camp be located in an area that would not disturb the caribou during migration and should not be located near the Narrows, as this is a traditional use area that should not be disturbed. It was also emphasized the importance of having youth, along with elders, present at the camp in order to encourage the sharing of traditional knowledge between generations.

- Following this, DDEC met with the TKEG, which also has representatives from all affected and potentially affected parties, on January 23-24, 2017, and shared these recommendations. The TKEG agreed with both the recommendations and the proposed camp location.

- It was determined that the Culture Camp would require a Type B LUP.

- DDEC applied to the WLWB for a Type B LUP on May 4, 2017 and was issued a permit for the Culture Camp on June 20, 2017 (see W2017J0003-Ekati-Culture Camp-Land Use Permit-Jun 23_17.pdf).

(b) FULFILLMENT OF THE INTENT OF THE MEASURE

How are implementation actions addressing a likely significant adverse impact on the environment?

This Measure was not intended to address a specific adverse impact on the environment.

How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?

The implementation actions have been successful in leading up to an agreed upon location for the Culture Camp and then the receipt of a LUP granting DDEC permission to use a campsite and establish the Culture Camp as applied for.

If the measure is for monitoring or research, how is the monitoring/ research being used to inform the mitigation of impacts to the environment?

This measure is not for monitoring or research.

How are process considerations (such as engagement requirements, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?

The Culture Camp is a result of effort of all parties to help maintain a connection with disturbed areas of land and restore TK transfer between generations about the area affected by diamond mining as per the intent and requirement of Measure 7-2. TK plays a vital role in the operations at Ekati and DDEC is excited to have a more traditional setting in place to act as the base of operations for engagement activities going forward. DDEC will continue to engage with parties on the appropriate use of the on-the-land culture camp through engagement during use, and through the approved engagement plan (located on the WLWB online public registry under W2012L2-0001).

(c) CONCISE SUMMARY OF MONITORING PROGRAMS

Include a concise summary of monitoring programs and results that are related to EA measures or commitments and, where applicable, references to complete information contained in other documents (such as documents related to aquatic effects, wildlife, or air quality programs)

This is not applicable to this Measure.

(d) OTHER REPORTING REQUIREMENTS

Address any specific requirements noted in the EA measures set out in this report and summarized in Appendix A.

There were no other specific reporting requirements noted in either the EA measures set out in the REA or summarized in Appendix B.

iii. SUMMARY

Table 15-1: Measure 7-2 - On the Land Cultural Camp

	Status
Measure 7-2: On the Land Cultural Camp	▪ Extensive engagement on all aspects of the Culture Camp. ▪ DDEC was issued a Type B LUP for the Culture Camp on June 20, 2017.

16.0 MEASURE 8-1: MINIMIZE NEGATIVE SOCIO-ECONOMIC IMPACTS OF THE PROJECT ON COMMUNITIES

i. INTRODUCTION

The MVEIRB has determined that there are significant cumulative social impacts from diamond mining on communities. The Review Board concluded that the GNWT and communities are responsible for establishing a credible baseline condition for community well-being and are best suited to understand how development projects impact each community. Measure 8-1 is intended to ensure that the GNWT acts on the issues diamond mining communities expressed, and the priority issues the GNWT identified, during the Jay EA proceeding.

Measure 8-1 – Minimize Negative Socio-Economic Impacts of the Project on Communities states the following:

In order to mitigate significant cumulative adverse socio-economic impacts of the Jay Project on health and well-being, the Government of the Northwest Territories will engage and work with diamond mining communities to adaptively manage adverse social impacts to health and well-being from the Jay Project, in combination with other diamond mining projects. As part of this process, the GNWT will actively investigate and address linkages of diamond mining effects on the health and well-being of affected communities. The GNWT will also meet with communities within one year of the Ministerial approval of this Report of EA, and annually thereafter, to discuss:

1. *Priority social issues at the individual, family and community level related to diamond mining, as identified by communities and by the GNWT*

2. *The effectiveness of GNWT programs to address these identified issues, and*

3. *Implementing improvements to mitigate identified issues.*

The GNWT will submit an annual progress report on the above to each diamond mining community, describing GNWT's engagement on and adaptive management of social impacts, and GNWT's plans to address identified issues.

Suggestion:

The GNWT should work with diamond mining communities to develop socio-economic baseline studies. The GNWT, working with communities, should:

- *assess the vulnerability of each community with a corresponding assessment of the community's resilience to socio-economic impacts, and capacity to adapt to them;*

- *assess the existing cumulative impacts on well-being at multiple scales (including individual, family and community levels);*

- *produce a definition of well-being and describe how it is measured and,*

- *Establish qualitative and quantitative indicators of well-being appropriate for a socio-economic assessment.*

The focus of the study should be to establish threshold levels of acceptable social impacts, and evaluate how close each social impact indicator is to a threshold level.

As the GNWT is responsible for Measure 8-1, DDEC won't be reporting on this Measure in the manner as required by Measure 13-3 items a through d. To assist the GNWT in the implementation of this measure, actions DDEC has taken during the reporting period to help implement Measure 8-1 are as follows:

- DDEC attended community meetings that were held related to the Socio-Economic Agreements and has participated in scheduled community visits along with the GNWT.

17.0 MEASURE 8-2: REDUCING BARRIERS TO EMPLOYMENT FOR WOMEN

i. INTRODUCTION

The MVEIRB concluded that gender inequity is a significant challenge to social health and well-being in diamond mining communities. The Jay Project would not meaningfully alter the representation of women at the Ekati mine, particularly in the non-traditional trades or occupations. Measure 8-2 builds on DDEC commitments for employee retention, adult education and recruitment, and to address barriers to training and employment of women.

Measure 8-2 – Supporting Increased Employment Opportunities for Women states the following:

> *To mitigate significant adverse socio-economic impacts on women, Dominion will consult with the Government of the Northwest Territories, the Status of Women Council of the NWT and the Native Women's Association of the NWT to update its strategy for the training, recruitment and employment of women in traditional and non-traditional occupations, prior to the construction phase of the Jay Project. Where Dominion has community liaisons, they will serve as additional resources for implementing initiatives for training, recruitment and employment of women.*
>
> *Dominion will report on employment and retention figures for women, and on the effectiveness of its revised policy, as part of its reporting per measure 13-1.*

ii. IMPLEMENTATION OF THE MEASURE

(a) ACTIONS TAKEN TO IMPLEMENT THE MEASURE

Describe the actions, including actions implemented through adaptive management, being undertaken to implement the EA measure;

Actions taken during the reporting period to implement Measure 8-2 are as follows:

- DDEC has engaged the GNWT, the Status of Women Council of the NWT, and the Native Women's Association of the NWT on current policies and strategies for the training, recruitment, and employment of women. DDEC held a workshop with the parties listed above, the Mine Training Society, and representatives from the Aboriginal groups on June 3, 2016.
- Notes from this meeting are being compiled and will be posted to the MVEIRB registry prior to the start of construction.
- DDEC has conducted a survey of the women staff on their experiences with training, recruitment, and employment. Actions from this survey are ongoing.
- Since the workshop in 2016, DDEC has updated the Harassment and Discrimination Policies and rolled the new Policies out to all staff and contractors at Ekati.
- Efforts to establish a framework for addressing women in mining issues and a plan for how DDEC will move towards improvements in this area is ongoing.
- DDEC has been collaborating with communities on identifying how best to use funding set aside for community liaisons, as not every community has been interested in using funding for such a position. For example, some

communities have requested this funding be used for business development related roles instead of Liaison/Recruiting roles.

- Employment and retention figures for women and the effectiveness of the revised policy will be reported as described in the annual reporting as required by Measure 13-3.

(b) FULFILLMENT OF THE INTENT OF THE MEASURE

Demonstrate how the implementation actions through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:

How are implementation actions addressing a likely significant adverse impact on the environment?

This is not applicable for Measure 8-2.

How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?

Work to fulfill the intent of Measure 8-2 is ongoing and implementation of this Measure has not been completed.

If the measure is for monitoring or research, how is the monitoring/ research being used to inform the mitigation of impacts to the environment?

This Measure is not for monitoring/research.

How are process considerations (such as engagement requirements, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?

DDEC is working with other groups and communities on the implementation of this Measure.

(c) CONCISE SUMMARY OF MONITORING PROGRAMS

Include a concise summary of monitoring programs and results that are related to EA measures or commitments and, where applicable, references to complete information contained in other documents (such as documents related to aquatic effects, wildlife, or air quality programs)

The following table shows the gender breakdown at the Ekati mine in 2016.

EMPLOYMENT BY GENDER AND PRIORITY GROUP

TABLE 3A: EMPLOYEES – PERSON YEARS

	Northern Aboriginal	Northern Other	Total Northern	Other	Grand Total	Indigenous Aboriginal
Men	285	185	470	321	791	312
Women	55	70	125	29	154	59
Total	340	255	595	350	945	371

TABLE 3B: CONTRACTORS – PERSON YEARS

Men	101	144	245	583	828	118
Women	59	21	80	37	116	71
Total	160	165	325	619	944	189

TABLE 3C: EMPLOYEES AND CONTRACTORS – PERSON YEARS (%)

Men	386 (54%)	329 (46%)	715 (44%)	903 (56%)	1,619 (100%)	429
Women	114 (56%)	90 (44%)	204 (76%)	66 (24%)	270 (100%)	130
Total	500 (54%)	420 (46%)	920 (49%)	969 (51%)	1,889 (100%)	560

Further information on the gender breakdown and employment figures for 2016 can be found in the 2016 Ekati Diamond Mine Socio Economic Agreement Report. As of the end of 2016, DDEC female employment was at 17%, which was an increase from 15% in 2015. These numbers are not available at this time for 2017 but will be reported in the 2017 Ekati Diamond Mine Socio-Economic Agreement Report and in annual reporting as required by Measure 13-3. Work on this Measure is ongoing.

(d) OTHER REPORTING REQUIREMENTS

Address any specific requirements noted in the EA measures set out in this report and summarized in Appendix A.

There were no other specific reporting requirements noted in either the EA measures set out in the REA or summarized in Appendix B.

iii. SUMMARY

Table 17-1: Measure 8-2 - Supporting Increased Employment Opportunities for Women

	Status
Measure 8-2: Supporting Increased Employment Opportunities for Women	• Workshop held on June 3, 2016 with GNWT, the Status of Women Council of the NWT, and the Native Women's Association, the Mine Training Society, and representatives from the Aboriginal groups. • DDEC has updated and rolled out new Policies on Harassment and Discrimination. • DDEC conducted a survey of women staff on training, hiring and retention. • Work on this Measure is ongoing.

18.0 MEASURE 9-1: INCINERATION – STACK TESTING AND REPORTING

i. INTRODUCTION

Dioxins and furans emitted by incinerators that are not functioning or operating properly have the potential to present significant ecological impacts to the environment. Dioxins and furans are persistent and acutely toxic to fish, wildlife, and humans. Presently, there is no regulatory mechanism to ensure testing, monitoring, reporting and mitigations. This Measure is a recognition of the current lack of regulatory enforcement and builds on commitments made by DDEC, and agreed to by the GWNT, during the EA process.

Measure 9-1 - Incineration- Stack Testing and Reporting states the following:

> *To reduce the likelihood of impacts resulting from the release of dioxins and furans, Dominion will conduct incinerator stack testing at least every three years and submit any stack test results to the GNWT Department of Environment and Natural Resources and Environment Canada no more than 90 days after the completion of stack testing. No more than 120 days after any failed stack test, (with failure determined according to the Canada Wide Standards for Dioxins and Furans or applicable regulation or guidance developed by the GNWT), Dominion will:*

1. *Develop an Adaptive Management Response Plan, containing:*

    a. *An assessment of the incinerator operations and management that contributed to the failed stack test, and methods to rectify them.*

    b. *A consideration of the need for increased monitoring of incinerator operational indicators associated with the formation of dioxins and furans. This may include inline continuous emission monitoring for, but not limited to: flow of flue gas, oxygen content, and carbon monoxide.*

2. *Submit the Adaptive Management Response Plan to the GNWT Department of Environment and Natural Resources and Environment Canada.*

3. *Implement the methods identified by Dominion (under 1a above) no later than the submission of the Response Plan, and earlier if feasible.*

    Dominion will re-stack test the incinerators within six months of the initial failed stack test. This second stack test will verify the effectiveness of the methods proposed and implemented in the Adaptive Management Response Plan and demonstrate compliance with the Canada-wide Standards for Dioxins and Furans. All stack tests must be conducted in accordance with national standards, and include detailed documentation to demonstrate that representative composition and batch size of waste were used during the testing process.

    Exemptions for the second stack test may occur based on a review of the factors that contributed to the failed stack text and approval of the Adaptive Management Response plan by GNWT Department of Environment and Natural Resources, in consultation with Environment Canada.

Suggestion: Inline continuous emission monitoring

The Review Board suggests that the developer, in consultation with the GNWT and EC, assess the feasibility and utility of additional inline continuous emission monitoring and provide a report of the findings within one year of Ministerial approval of this Report of EA.

ii. IMPLEMENTATION OF THE MEASURE

(a) ACTIONS TAKEN TO IMPLEMENT THE MEASURE

Describe the actions, including actions implemented through adaptive management, being undertaken to implement the EA measures;

Actions taken to implement Measure 9-1 are as follows:

- DDEC confirmed commitments for stack testing in a hearing undertaking (DAR-MVEIRB-UT2-05 - EA1314-01_Undertaking_responses_submitted_by_Dominion).
- These various commitments for stack testing are also reiterated in Section 3.2.1.1 of the AQEMMP.
- Following a public review process, the GNWT-ENR deemed the AQEMMP complete and adequate and therefore approved the document on May 31, 2017 (EA1314-01_GNWT_-_AQEMMP_Measure_6-3). For more information on the AQEMMP, see the Section 11.0 of this report related to Measure 6-3.
- Version 3.1 of the Waste Management Plan (including the Incinerator Management Plan Version 3.0) was submitted to the WLWB (W2012L2-0001-Ekati-Waste Management Plan-Version 3.1-Sep 30_16).
- DDEC completed stack testing on two Ekati mine incinerators in November 2016.
- DDEC submitted the incinerator stack test results to GNWT ENR and Environment and Climate Change Canada (ECCC) on February 17, 2017.
- Began work on incorporating the Jay AQEMMP into the 2009 AQEMMP in the spring of 2017.

(b) FULFILLMENT OF THE INTENT OF THE MEASURE

Demonstrate how the implementation actions, including any actions implemented through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:

How are implementation actions addressing a likely significant adverse impact on the environment?

The implementation actions noted in the preceding section ensure that there is a mechanism for testing, monitoring, reporting and mitigations related to emissions from incinerators at the Ekati mine. These mechanisms appear in an approved management plan, the Jay AQEMMP, and are addressing a likely significant adverse impact on the environment by holding DDEC accountable for performing stack testing on a regular basis, submitting those results to GNWT and ECCC, and developing an Adaptive Management Response Plan when required. Incorporation of the approved Jay AQEMMP into the site-wide AQE MMPn will ensure air quality at the Ekati mine site is administered by one comprehensive document.

How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?

The implementation actions listed above have been effective in reducing, controlling, or eliminating the impact as these actions have led to the development of an approved Jay AQEMMP which outlines procedures and processes for stack testing and have provided for there to be communication on the results of the stack testing.

If the measure is for monitoring or research, how is the monitoring/research being used to inform mitigation of impacts to the environment?

The stack testing that was committed to and the review of the results allows for adaptive management and the selection of appropriate mitigation as needed. Results from the stack testing in 2016 indicate that the procedures and operations that are in place are working.

How are process considerations (such as engagement requirements, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?

This is not applicable for this Measure.

(c) CONCISE SUMMARY OF MONITORING PROGRAMS

Include a concise summary of monitoring programs and results that are related to EA measures or commitments and, where applicable, references to complete information contained in other documents (such as documents related to aquatic effects, wildlife, or air quality programs); and

Stack testing was conducted over the period from November 16 to 21, 2016. Tested parameters included those contaminants covered by the Canadian Council of Ministers of the Environment (CCME) Canada Wide Standards (CWS) for incinerators. Results show that both incinerators are well below the CCME CWS for dioxin, furan, and mercury. Testing indicates that complete combustion is being achieved in both incinerators. Overall, the stack test results indicate that both incinerators are being operated correctly and that the current protocols and incinerator settings should be maintained to ensure safe and effective operation of the two incinerators as per the Incinerator Management Plan.

(d) OTHER REPORTING REQUIREMENTS

Address any specific reporting requirements noted in the EA measures set out in this report and summarized in Appendix A.

There were no other specific reporting requirements noted in either the EA measures set out in the REA or summarized in Appendix B.

iii. SUMMARY

Table 18-1: Measure 9-1 - Incinerations - Stack Testing and Reporting

	Status
Measure 9-1: Incinerations – Stack Testing and Reporting	▪ Two Incinerators tested in November of 2016. ▪ Results of stack testing submitted to ECCC and GNWT on February 17, 2017. ▪ GNWT approval of Jay AQEMMP (May 31, 2017) which incorporates the commitments made by DDEC related to stack testing/incineration (EA1314-01_GNWT_-_AQEMMP_Measure_6-3).

19.0 MEASURE 9-2: REPORTING ON GREENHOUSE GAS EMISSIONS AND MANAGEMENT

i. INTRODUCTION

The Jay Project will be a source of GHG. Based on the evidence provided during the EA, the Review Board concluded that climate change is a significant issue in the NWT and is a cause of public concern. Additionally, the predicted GHG emissions from the Jay Project are a significant portion of the NWT's total, and will add to the already significant issue of climate change. Measure 9-2 was developed to help keep parties informed of DDEC's greenhouse gas management efforts and overall assist in reducing public concern on this matter.

Measure 9-2 - Reporting on Greenhouse Gas Emission states the following:

Dominion will provide, in its Air Quality Emissions Monitoring and Management Plan annual report, information on its greenhouse gas management for all Project phases including, but not limited to:

- *A calculation of greenhouse gas emissions by combustion source;*
- *greenhouse gas emissions reduction targets for the upcoming year and how they were determined;*
- *reporting of whether past reduction targets were achieved and how, or if they were not, why;*
- *a description of monitoring including the parameters, methods, frequency, and data analysis;*
- *a description of adaptive policies, strategies and mitigative actions undertaken, or proposed, to reduce greenhouse gas emissions, including but not limited to:*
    - *the results of Dominion's proposed ore hauling pilot study, including a description of greenhouse gas emissions for each alternative hauling method studied compared to existing and/or proposed strategies;*
    - *the results of Dominion's proposed concept study on the use of alternative energies to offset a portion of the Jay Project's energy needs, including the methods and analysis; and,*
    - *If the concept study leads to a feasibility study on the use of alternative energy to offset a portion of the Jay Project's energy needs, report on the results, including the methods and analysis.*

During its community visits, Dominion will engage on its greenhouse gas emissions management, and report on how results of past engagement have been incorporated into Dominion's management of greenhouse gas emissions.

(a) ACTIONS TAKEN TO IMPLEMENT THE MEASURE

Describe the actions, including actions implemented through adaptive management, being undertaken to implement the EA measures;

Actions taken to implement Measure 9-2 are as follows:

- DDEC submitted the final version of the AQEMMP to the GNWT on January 25, 2017.
- The Jay Project AQEMMP was approved by the GNWT on May 31, 2017.
- GHG Emission Calculation Methods can be found in section 3.2.1.7 of the Jay Project AQEMMP. Reporting requirements can be found in Section 5.1.
- For more information on the Jay Project AQEMMP, see Measure 6-3 or the Review Board public on line registry under EA1314-01 for the Jay Project (or at EA1314-01_GNWT_-_AQEMMP_Measure_6-3)
- Engagement on GHG emissions during community visits is ongoing.
- DDEC undertook an alternative energies study. This was submitted to the Review Board on February 1, 2017. (EA1314-01_DDEC_Alternative_Energy_Concept_Study_01-Feb-2017__Commitment__52)
- The ore hauling pilot study is ongoing as DDEC moves forward with the Jay Project. DDEC has committed to the use of Dual-Powered Road Trains, which are larger trucks that make hauling more efficient.

Note that at the time of this report compilation construction had not yet been started on the Jay Project, therefore the annual reporting requirement indicated in this Measure is not applicable.

(b) FULFILLMENT OF THE INTENT OF THE MEASURE

Demonstrate how the implementation actions, including any actions implemented through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:

How are implementation actions addressing a likely significant adverse impact on the environment?

The implementation actions noted in the preceding section have resulted in an approved management plan in place, prior to Jay Project construction that DDEC is to follow. The Jay Project AQEMMP is a result of a public review process. The plan was circulated for a public review process where there were opportunities to provide input into the plan contents which include GHG information and annual reporting requirements. The alternative energies study was completed and can be found on the MVEIRB's public registry. These implementation actions have assisted in keeping the parties informed of DDEC's GHG management efforts to date.

How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?

The Jay AQEMMP, which outlines procedures and processes for GHG reporting, and the alternative energies study have all been provided to the public and parties to the EA.

If the measure is for monitoring or research, how is the monitoring/research being used to inform mitigation of impacts to the environment?

Measure 9-2 has aspects that are related to research and these are the ore handling pilot study and the alternative energies study.

This alternative energies study is a concept level assessment of the opportunities and risks of alternative energy options for the Jay Project. The study examined and assessed alternative energies with consideration to the Jay Project extending the life of the mine, technical feasibility, overall economics, overall risk, environmental performance, social benefits, and other conditions. Recommendations for further investigation, which include wind power, small scale solar, and biodiesel/wood pellet heating, were provided and DDEC will continue to investigate these options to help reduce overall GHG emissions moving forward. The ore handling pilot study is ongoing.

How are process considerations (such as engagement requirements, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?

This Measure is about keeping the parties informed of DDEC's GHG emissions management efforts and involved engagement via the development of the AQEMMP. The approved AQEMMP has listed reporting requirements for the AQEMMP annual report. DDEC will continue to engage on GHG emissions management during community visits as required by this Measure.

(c) CONCISE SUMMARY OF MONITORING PROGRAMS

Include a concise summary of monitoring programs and results that are related to EA measures or commitments and, where applicable, references to complete information contained in other documents (such as documents related to aquatic effects, wildlife, or air quality programs); and

This Measure is not related to monitoring programs.

(d) OTHER REPORTING REQUIREMENTS

Address any specific reporting requirements noted in the EA measures set out in this report and summarized in Appendix A.

There were no other specific reporting requirements noted in either the EA measures set out in the REA or summarized in Appendix B.

ii. SUMMARY

Table 19-1: Measure 9-2 - Reporting on Greenhouse Gas Emission and Management

	Status
Measure 9-2: Reporting on Greenhouse Gas Emission and Management	▪ Development of and approval for the Jay Project AQEMMP (EA1314-01_GNWT_-_AQEMMP_Measure_6-3) which sets out the calculation methods and requirements for annual reporting on GHG (Section 5.1). ▪ Alternative energies study completed and submitted to the Review Board on February 1, 2017 (EA1314-01_DDEC_Alternative_Energy_Concept_Study_01-Feb-2017__Commitment__52). ▪ Reporting and engagement on GHG emissions management is ongoing.

20.0 MEASURE 13-1: MONITORING AND ADAPTIVE MANAGEMENT BY DOMINION DIAMOND CORPORATION

i. INTRODUCTION

The MVEIRB has set out Measures in the REA that are meant to reduce or prevent significant adverse impacts to the environment. Measure 13-1 consolidates the monitoring and adaptive management requirements for the EA measures by setting the objectives that Dominion must fulfill through monitoring and adaptive management.

Measure 13-1 - Monitoring and Adaptive Management by Dominion states the following:

> *In order to ensure that the measures that Dominion is responsible for are fully and effectively implemented, and significant adverse impacts on the environment are mitigated, throughout all phases of the development, Dominion will:*
>
> 1. *Implement monitoring programs to fulfill the following objectives:*
>
>   a. *to measure the effects of the Jay Project on the environment;*
>
>   b. *to assess the implementation and effectiveness of the measures in this Report of EA to prevent or minimize impacts on the environment;*
>
>   c. *to assess the accuracy of predictions made during the environmental assessment, regarding the impacts of the project on the environment; and,*
>
>   d. *To provide relevant data and information to support regional monitoring initiatives.*
>
> 2. *Implement adaptive management processes that use the results of monitoring programs to systematically adjust mitigation actions in order to minimize adverse impacts on the environment.*

ii. IMPLEMENTATION OF THE MEASURE

(a) ACTIONS TAKEN TO IMPLEMENT THE MEASURE

Describe the actions, including actions implemented through adaptive management, being undertaken to implement the EA measure;

Actions taken during the reporting period to implement Measure 13-1 are as follows:

- DDEC proposed various monitoring programs for the Jay Project in the documents associated with the updated LUP and WL applications submitted to the WLWB in June of 2016. These programs underwent a public review during the water licencing process which occurred from June 2016 to May 2017 during which time the programs were refined based on comments and input received.
- DDEC also developed a WEMP and AQEMMP which also outline associated monitoring programs. These documents included public review and input and were approved by the GNWT in May of 2017 (see Measure 6-3 and Measure 6-1 in this report or on the MVEIRB's public online registry for the Jay Project).

- DDEC will provide an Annual Report on Implementation of Measures to the MVEIRB by July 1 of each year, which will include a summary of adaptive management and the results of other applicable monitoring or management plans (e.g., AQEMMP, WEMP, CRMP, AEMP) as required by this Measure.

(b) FULFILLMENT OF THE INTENT OF THE MEASURE

Demonstrate how the implementation actions through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:

How are implementation actions addressing a likely significant adverse impact on the environment?

The monitoring programs and adaptive management processes indicated in this Measure have not been implemented as at the time of the writing of this report; construction of the Jay road has just commenced and will be followed this upcoming year by more intense construction of the Jay Project once a WL is in place.

How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?

The implementation actions taken to date are ensuring there are approved management and monitoring programs in place for the Jay Project which help reduce, control or eliminate the impact or its likelihood.

If the measure is for monitoring or research, how is the monitoring/ research being used to inform the mitigation of impacts to the environment?

At this time, this is not applicable as construction of the road has just commenced but will be followed by more intense construction of the Jay Project in the upcoming year once a WL is in place.

How are process considerations (such as engagement requirements, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?

Engagement on these plans which contain the monitoring and adaptive management processes has been ongoing throughout the development of each plan. Engagement will be ongoing as plans are submitted to the WLWB for approval when a WL is in place and as the Jay Project proceeds.

(c) CONCISE SUMMARY OF MONITORING PROGRAMS

Include a concise summary of monitoring programs and results that are related to EA measures or commitments and, where applicable, references to complete information contained in other documents (such as documents related to aquatic effects, wildlife, or air quality programs)

There are no monitoring programs in place to summarize at this time.

(d) OTHER REPORTING REQUIREMENTS

Address any specific requirements noted in the EA measures set out in this report and summarized in Appendix A.

There were no other specific reporting requirements noted in either the EA measures set out in the REA or summarized in Appendix B. Note that under Measure 13-3 DDEC is to provide an annual report that describes monitoring and adaptive management from various programs and in particular those related to the EA measures.

iii. SUMMARY

Table 20-1: Measure 13-1 - Monitoring and Adaptive Management

	Status
Measure 13-1: Monitoring and Adaptive Management	▪ AQEMMP, WEMP, and CRMP approved. ▪ Various plans and associated monitoring programs will be discussed and reviewed once a WL is in place and the Jay Project proceeds.

21.0 MEASURE 13-2: ENGAGEMENT ON CULTURAL IMPACTS

i. INTRODUCTION

The MVEIRB has determined that measures set out in the REA for the Jay Project are necessary to prevent significant adverse impacts on the environment. Monitoring and reporting is necessary throughout all phases of the Jay Project, to ensure measures are being implemented and to prevent adverse impacts from the Project. Additionally, monitoring and reporting is a key part of adaptive management in all the measure that the MEIRB has set out in the REA. Adaptive management is necessary to facilitate adjustments in the mitigative measures, to either improve on it, or to respond to unforeseen circumstances. As a result, the MVEIRB requires follow-up monitoring and reporting for all measures outlined in the REA,

The MVEIRB finds that engagement with affected parties, such as Aboriginal groups, is important throughout all phases in the development of the project as it is necessary to discuss the impacts and the effectiveness of the mitigative measures set out and outlined in the REA. Engagement on cultural impacts is essential because without engaging groups whose culture may be adversely affected, the impacts may never be identified or highlighted as a concern.

Measure 13-2 - Engagement on Cultural Impacts states the following:

> *In order to evaluate and, through adaptive management, improve the effectiveness of Dominion's mitigation of cultural impacts, Dominion will:*
>
> *a. engage with Aboriginal groups that participated in the environmental assessment to identify cultural impacts, including cumulative impacts, from the Jay Project;*
>
> *b. seek the input of those Aboriginal groups on ways to strengthen Dominion's cultural impact mitigation initiatives; and,*
>
> *c. report annually to those Aboriginal groups on the effectiveness of Dominion's efforts to mitigate cultural impacts*

ii. IMPLEMENTATION OF THE MEASURE

(a) ACTIONS TAKEN TO IMPLEMENT THE MEASURE

Describe the actions, including actions implemented through adaptive management, being undertaken to implement the EA measure;

Actions taken during the reporting period to implement Measure 13-2 are as follows:

DDEC's engagement activities on the Jay Project and its impacts have been ongoing and include regular meetings, Community Newsletters, technical workshops, TKEG meetings, and site tours. Some examples are listed in the below.

Community Newsletters

- DDEC produces and distributes newsletters to communities on a quarterly basis. In the period from July 1, 2016 to June 30, 2017, 3 newsletters were produced and distributed.
- These, as well as older issues of community newsletters, can be found on the Mackenzie Valley Review Board's public online registry under the Jay Project.

TKEG

- The first meeting was held in June of 2016. Three additional meetings were held during the reporting period. These were from October 11-13, 2016 at the Ekati mine site, January 23-24, 2017 in Yellowknife, and April 25-27, 2017 at the Ekati mine site. Another meeting is planned for the summer of 2017. For more information on the TKEG and these meetings see Measure 6-5 in this report.

TK Projects

As per discussions with community groups, issues and projects that have been identified as community priorities, have been supported by DDEC. These include:

- *Tłı̨chǫ Government What'aa Project-Jay Project.* This Project involved the study by Tłı̨chǫ elders of varying properties of natural eskers for the purpose of identifying community-based concepts that may be useful in planning, construction and reclamation of mine waste rock piles. The Project will also be guide the requirements and information needs for reclamation and development at the Ekati mine with links to the Jay Project. Elders travelled to Ekati mine to observe a natural rocky esker and toured the proposed Jay Project Road Esker Crossing. Final report forthcoming.
- *Development of a Web-Based Atlas for the Naonaiyaotit Traditional Knowledge Project (NTKP).* The creation of a user-friendly, web-based, interactive atlas of Inuit land use and TK for the Kitikmeot region. The atlas will use information from the NTKP. It will be an outreach tool for the KIA, and it may also be used as an educational tool in Kitikmeot schools or in the context of cultural programs. Final report forthcoming.
- *LKDFN Traditional Knowledge and Livelihoods Program*. Component 1-Traditional Knowledge Database Project: Continuing on with previous work to document recorded TK in the LKDFN Lands and Environment Department. Final project report submitted November 3, 2016. Project completed.

- *Tłı̨chǫ Boots on the Ground Caribou Monitoring.* An Aboriginal-driven environmental monitoring program. The program is based on the TK of Elders and harvesters, and relies on their ways of traveling the land and assessing the conditions on the land, instead of relying on scientific methods of monitoring. The purpose is to monitor current conditions of the Bathurst caribou herd, the habitat, and cumulative impacts on the herd from natural factors and human activities. DDEC provided support to offset transportation costs.

Site Tours

- Site tours generally occur in the summer and early fall. Although there were tours scheduled during the reporting period (summer/fall of 2016) some were re-scheduled or cancelled due to the fire that occurred on site in June of 2016. Those that did occur include:

- October 18-19, 2016. *DKFN/FRMC/LKDFN/YKDFN Community Caribou Engagement Program*. The focus was on caribou and roads and how the Ekati Diamond Mine built on existing mitigation methods that have been successful, and incorporated new mitigation methods specifically to reduce the risk to caribou and other wildlife from traffic. The 2015 community participants were invited back to tour the newly built Sable Road to provide further advice on the placement and design of the caribou crossings.

- October 20-21, 2016. *Kugluktuk/NSMA/Tłı̨chǫ Community Caribou Engagement Program.* The focus was on caribou and roads and how the Ekati Diamond Mine built on existing mitigation methods that have been successful, and incorporated new mitigation methods specifically to reduce the risk to caribou and other wildlife from traffic. The 2015 community participants were invited back to tour the newly built Sable Road to provide further advice on the placement and design of the caribou crossings.

- October 26, 2016. *YKDFN Chiefs Site Tour*. Chief Edward Sangris and Chief Ernest Betsina and 4 YKDFN participants had a project update meeting and site tour of Pigeon Pit, Sable Road and Sable Pit.

- October 11-13, 2016 and April 25-27, 2017 TKEG Meeting and Site Tour.

- Other meetings were held throughout the reporting period with various groups as part of DDEC's regular engagement and as requested where the topics discussed included contract and employment opportunities.

- DDEC participated fully in the WLWB's water licencing process for the Jay Project which occurred from June of 2016 to May of 2017.

(b) FULFILLMENT OF THE INTENT OF THE MEASURE

Demonstrate how the implementation actions through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:

How are implementation actions addressing a likely significant adverse impact on the environment?

This measure is not intended to address a specific significant adverse impact on the environment.

How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?

Engagement is an ongoing activity for DDEC. DDEC has an approved Ekati Mine Engagement Plan (W2012L2-0001 Ekati Engagement Plan-Version 3.0-May 13_16.pdf) which is followed for engagement purposes and reviewed by DDEC annually.

If the measure is for monitoring or research, how is the monitoring/ research being used to inform the mitigation of impacts to the environment?

This measure is not for monitoring/research.

How are process considerations (such as engagement requirements, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?

This measure is about engagement. DDEC is to annually review its approved Ekati Mine Engagement Plan. A new version of this plan will be re-submitted in the upcoming months as part of the Jay WL conditions.

(c) CONCISE SUMMARY OF MONITORING PROGRAMS

Include a concise summary of monitoring programs and results that are related to EA measures or commitments and, where applicable, references to complete information contained in other documents (such as documents related to aquatic effects, wildlife, or air quality programs)

Not applicable to this Measure.

(d) OTHER REPORTING REQUIREMENTS

Address any specific requirements noted in the EA measures set out in this report and summarized in Appendix A.

There were no other specific reporting requirements noted in either the EA measures set out in the REA or summarized in Appendix B.

However, the Measure requires DDEC to report annually on the effectiveness of DDEC's efforts in mitigating cultural impacts from the Jay Project. DDEC looks forward to reporting on this in the future as the Jay Project moves forward.

iii. SUMMARY

Table 21-1: Measure 13-2: Engagement on Cultural Impacts

	Status
Measure 13-2: Engagement on Cultural Impacts	▪ DDEC has many ongoing activities that promote engagement on cultural impacts. For more information see the Ekati Mine Engagement Plan (W2012L2-0001 Ekati Engagement Plan-Version 3.0-May 13_16.pdf).

22.0 MEASURE 13-3: ANNUAL REPORTING BY DOMINION DIAMOND CORPORATION

i. INTRODUCTION

The MVEIRB determined that measures set out in the REA for the Jay Project are necessary to prevent significant adverse impacts on the environment. Monitoring and reporting are necessary throughout all phases of the Jay Project, to ensure measures are being implemented and to prevent adverse impacts from the Project. Additionally, monitoring and reporting are a key part of adaptive management in many of the measures that the MVEIRB has set out in the REA. Adaptive management is necessary to facilitate adjustments in the mitigative measures, to either improve on it, or to respond to unforeseen circumstances. As a result, the Review Board requires follow-up monitoring and reporting for all measures outlined in the REA.

Regular reporting by DDEC is essential to demonstrate to the MVEIRB, the public and parties that participated in the EA process that mitigative measures outlined in the REA are being implemented and fulfilled. Measure 13-3 requires an annual report from DDEC to be submitted to the MVEIRB, where it will be posted on the Review Board's online public registry, so that it can be accessible to all.

Measure 13-3 – Annual Reporting from Dominion states the following:

> *In order to demonstrate how measures are being implemented and to evaluate the effectiveness of Dominion's efforts to prevent or minimize impacts on the environment, Dominion will, throughout all phases of the development, prepare an annual Report on Implementation of Measures. The Report will address the EA measures that Dominion is responsible for and will:*

a. *describe the actions, including actions implemented through adaptive management, being undertaken to implement the EA measures;*

b. *demonstrate how the implementation actions, including any actions implemented through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:*

    i. *How are implementation actions addressing a likely significant adverse impact on the environment?*

    ii. *How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?*

    iii. *If the measure is for monitoring or research, how is the monitoring/research being used to inform mitigation of impacts to the environment?*

    iv. *How are process considerations (such as engagement requirements, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?*

c. *include a concise summary of monitoring programs and results that are related to EA measures or commitments and, where applicable, references to complete information contained in other documents (such as documents related to aquatic effects, wildlife, or air quality programs); and*

d. *Address any specific reporting requirements noted in the EA measures set out in this report and summarized in Appendix A.*

Dominion will provide a copy of this annual report to the Review Board prior to July 1 of each year.

ii. IMPLEMENTATION OF THE MEASURE

(a) ACTIONS TAKEN TO IMPLEMENT THE MEASURE

Describe the actions, including actions implemented through adaptive management, being undertaken to implement the EA measure;

DDEC has shown due diligence in reporting to all measures that were outlined in the REA. This also includes measures that were directed to regulatory bodies as DDEC assisted in the completion or ongoing work of a specific measure. This annual report is evidence in taking action to implement Measure 13-3.

(b) FULFILLMENT OF THE INTENT OF THE MEASURE

Demonstrate how the implementation actions through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:

How are implementation actions addressing a likely significant adverse impact on the environment?

Each measure, including Measure 13-3 demonstrates its implementation actions by answering the questions outlined in Section 2.2. It shows DDEC's continual efforts in preventing and minimizing impacts on the environment from the Jay Project.

How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?

This is the first reporting event since the release of the REA and thus also the first time the MVEIRB will be receiving an annual report for the Jay Project following the EA.

If the measure is for monitoring or research, how is the monitoring/ research being used to inform the mitigation of impacts to the environment?

This measure is not for monitoring or research purposes.

How are process considerations (such as engagement requirements, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?

This is the first time DDEC is providing an annual report to demonstrate measures are being fulfilled and completed. This is not applicable.

(c) CONCISE SUMMARY OF MONITORING PROGRAMS

Include a concise summary of monitoring programs and results that are related to EA measures or commitments and, where applicable, references to complete information contained in other documents (such as documents related to aquatic effects, wildlife, or air quality programs)

This is not applicable to this Measure.

(d) OTHER REPORTING REQUIREMENTS

Address any specific requirements noted in the EA measures set out in this report and summarized in Appendix A.

There were no other specific reporting requirements noted in either the EA measures set out in the REA or summarized in Appendix B.

iii. SUMMARY

Table 22-1: Measure 13-3 - Annual Reporting From Dominion

	Status
Measure 13-3: Annual Reporting from Dominion	▪ Annual Report provided to the MVEIRB for the reporting period of July 1, 2016 to June 30, 2017.

23.0 MEASURE 13-4: ANNUAL REPORTING FROM GOVERNMENT AND REGULATORY AUTHORITIES

i. INTRODUCTION

The MVEIRB determined that measures set out in the REA for the Jay Project are necessary to prevent significant adverse impacts on the environment. Monitoring and reporting are necessary throughout all phases of the Jay Project, to ensure measures are being implemented and to prevent adverse impacts from the Project. Additionally, monitoring and reporting are a key part of adaptive management in all the measure that the MVEIRB has set out in the REA. Adaptive management is necessary to facilitate adjustments in the mitigative measures, to either improve on it, or to respond to unforeseen circumstances. As a result, the MVEIRB requires follow-up monitoring and reporting for all measures outlined in the REA.

DDEC, regulatory authorities, and the GNWT all share responsibilities in abiding by and implementing measures in the REA. Regular reporting is essential to demonstrate to the Review Board, the public and parties that participated in the EA process that measures outlined in the REA are being implemented and fulfilled.

Measure 13-4 – Annual Reporting from Government and Regulatory Authorities states the following:

In order to evaluate the effectiveness of mitigation measures for the protection of the environment, each regulatory authority or government that is wholly or partly responsible for implementation of any measure in this Report of EA will prepare an annual Report on Implementation of Jay Project Measures. The Report will:

a. *describe the actions being undertaken to implement the EA measures or the part(s) of the EA measure for which the regulatory authority or government is responsible; and*

b. *explain how the implementation actions, including any actions implemented through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:*

    i. *How are implementation actions addressing a likely significant adverse impact on the environment?*

    ii. *How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?*

    iii. *If the measure is for monitoring or research, are the implementation actions clearly linked to mitigation and/or operations?*

    iv. *How are process considerations (such as consultation or engagement requirements, statutory obligations, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?*

Prior to July 1 of each year, during all phases of the Jay Project to which a particular measure applies, each regulatory authority and government will provide a copy of this annual report to the Review Board.

Since the GNWT and other regulatory bodies are responsible for Measure 13-4, DDEC won't be reporting on this Measure in the manner as required by Measure 13-3, Items (a) through (d). To assist other regulatory authorities with their reporting requirements, DDEC has done the following in this reporting period:

- Met about this reporting and shared information and ideas with the GNWT on how DDEC was preparing this report.

24.0 LOOKING FORWARD

In the upcoming reporting period, which will run from July 1, 2017 to June 30, 2018, DDEC will continue to make progress on the implementation of the Measures from the REA, as well as, the Developer's Commitments. Some of the milestones related to the REA measures anticipated to occur include the following:

- Ministerial approval of the amended Ekati mine WL which includes the Jay Project (see W2012L2-0001-Ekati-Water Licence Amendment Jay Development Recommendation to Minister-May 29_17). This will help to solidify submission timelines, management plan contents, and general requirements for the Jay Project via the WL. DDEC will be updating several of the management plans required under the WL. Public review will be necessary for the majority of these management plans.

- Work has started and will continue on the development of an ICRP.

- The Ekati Mine Community Engagement Plan will be updated and re-submitted to the WLWB.

- DDEC will continue working on the CRMP.

- DDEC will continue to find ways to integrate TK into various programs.

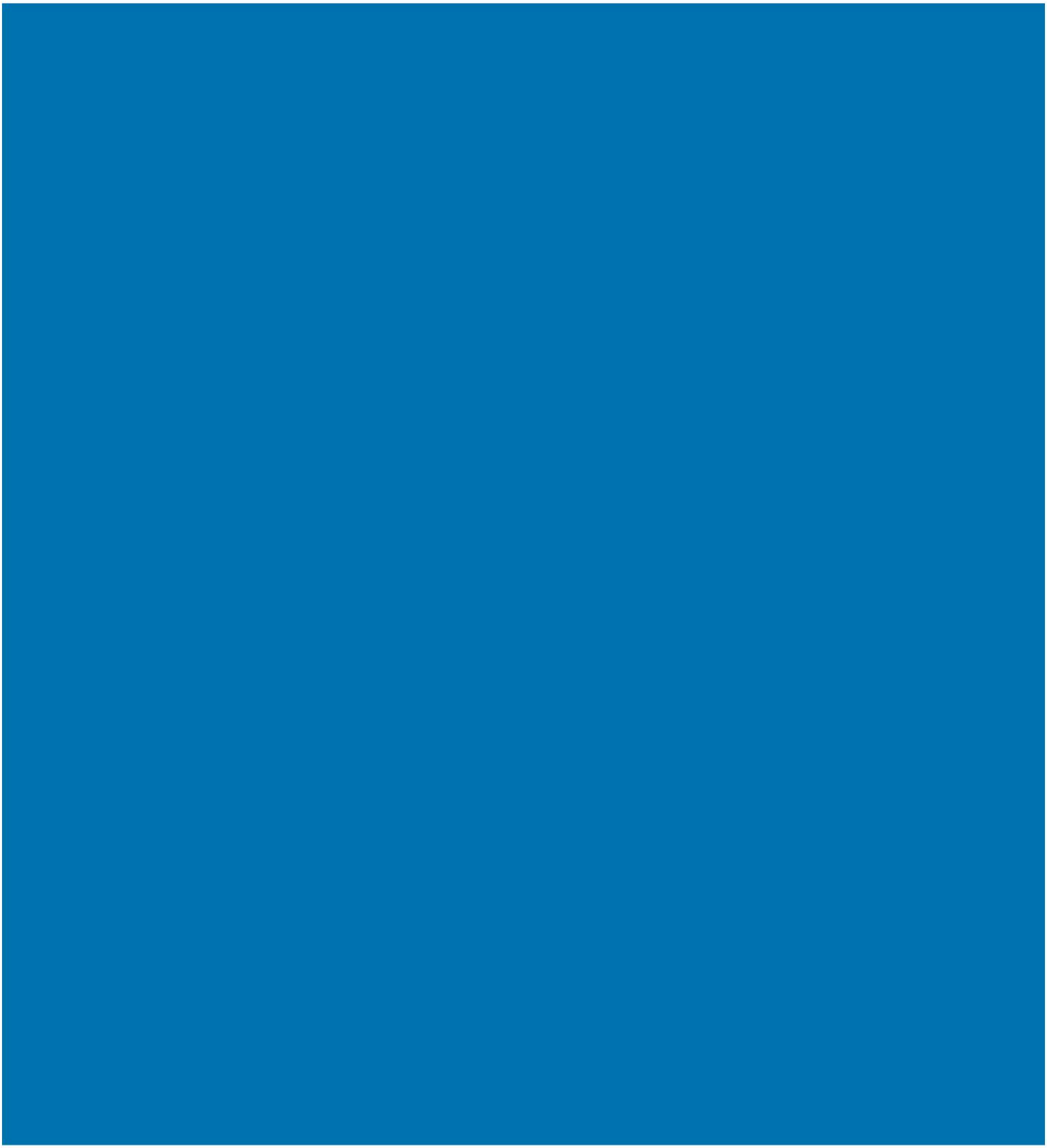
- Additional meeting(s) of the Jay Dike Review Panel (Measure 4-4).

- Additional meetings of the TKEG (Measure 6-5), both on and off site to discuss Jay Project components and other Ekati mine site activities.

- Annual Reporting as required by various management plans. Information on how TK influenced decision making for the Jay Project and the Ekati mine will be included with this reporting to be prepared by DDEC (Measure 7-1).

- Establishment of an on the land culture camp as per Measure 7-2. A Type B LUP for this camp was issued on June 20, 2017 (see W2017J0003 Ekati Culture Camp Issuance and Reasons for Decision-June 23_17.pdf). DDEC anticipates setup of the camp in the summer of 2017 and utilization of the camp for TKEG meetings and other related engagement activities.

- Construction activities are ongoing and will move forward beginning with the building of the Jay Road, summer 2017.



DOMINION DIAMOND

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APPENDIX A - MAPS

LEGEND

- JAY PROJECT
- EXISTING MINE OR PROJECT
- TERRITORIAL CAPITAL
- POPULATED PLACE
- HIGHWAY
- ALL-SEASON ROAD
- WINTER ROAD
- TIBBITT TO CONTWOYTO WINTER ROAD
- NORTHERN PORTION OF TIBBITT TO CONTWOYTO WINTER ROAD
- TERRITORIAL/PROVINCIAL BOUNDARY
- TREELINE
- WATERCOURSE
- WATERBODY

150 0 150

SCALE 1:6,000,000 KILOMETRES

REFERENCE

WATER OBTAINED FROM ATLAS OF CANADA
NATURAL RESOURCES CANADA, CENTRE FOR TOPOGRAPHIC INFORMATION, 2012
PROJECTION: CANADA LAMBERT CONFORMAL CONIC

PROJECT

DOMINION DIAMOND

JAY PROJECT
NORTHWEST TERRITORIES, CANADA

TITLE

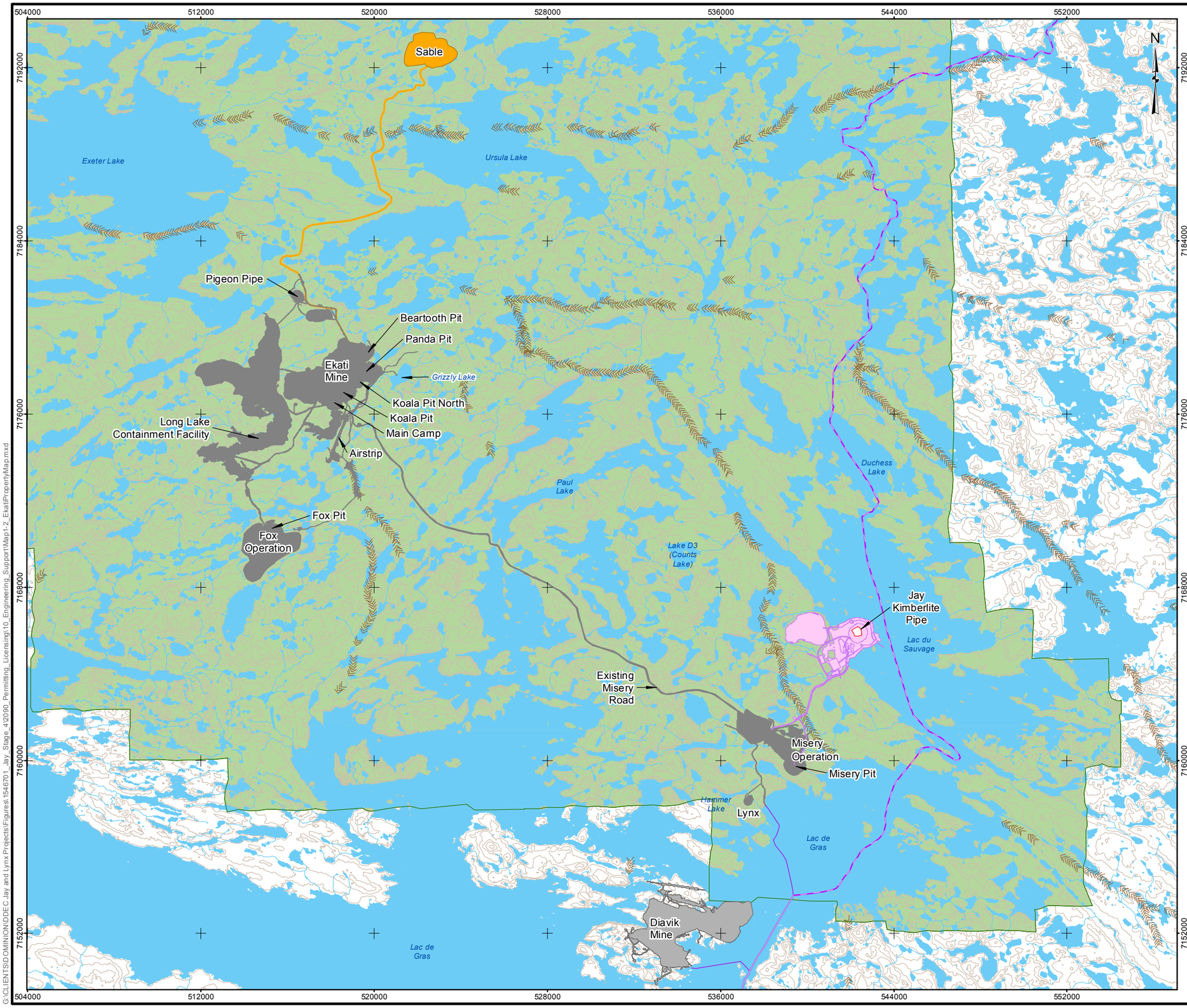
LOCATION OF THE JAY PROJECT

Golder Associates

PROJECT	1546701.2090		FILE No.	
DESIGN	CH	25/05/15	SCALE AS SHOWN	REV. 0
GIS	ANK	03/06/16		
CHECK	ER	03/06/16		
REVIEW	KM	03/06/16		

MAP 1-1

G:\CLIENTS\DOMINION\DDEC Jay and Lynx Projects\Figures\1546701_Jay_Stage_4\2090_Permitting_Licensing\10_Engineering_Support\Map1-1_Location_of_Jay_Project.mxd



LEGEND

- EKATI MINE FOOTPRINT
- DIAVIK MINE FOOTPRINT
- PROPOSED JAY FOOTPRINT
- PROPOSED SABLE FOOTPRINT
- EKATI CLAIM BLOCK
- KIMBERLITE PIPE
- SABLE ALL-SEASON ROAD
- WINTER ROAD
- TIBBITT TO CONTWOYTO WINTER ROAD
- NORTHERN PORTION OF TIBBITT TO CONTWOYTO WINTER ROAD
- ELEVATION CONTOUR (10 m INTERVAL)
- ESKER
- WATERCOURSE
- WATERBODY

REFERENCE

CANVEC © NATURAL RESOURCES CANADA, 2012
NATURAL RESOURCES CANADA, CENTRE FOR TOPOGRAPHIC INFORMATION, 2012
DATUM: NAD83 PROJECTION: UTM ZONE 12N

4 0 4
SCALE 1:175,000 KILOMETRES

PROJECT
DOMINION DIAMOND™
JAY PROJECT
NORTHWEST TERRITORIES, CANADA

TITLE
EKATI PROPERTY MAP

Golder Associates

PROJECT 1546701.2070.10			FILE No.	
DESIGN	CW	17/03/16	SCALE AS SHOWN	REV 0
GIS	ANK	03/06/16	MAP 1-2	
CHECK	ER	03/06/16		
REVIEW	JCC	03/06/16		

G:\CLIENTS\DOMINION\DDEC Jay and Lynx Projects\Figures\1546701_Jay_Stage_4\2090_Permitting_Licensing\10_Engineering_Support\Map1-2_EkatiPropertyMap.mxd

APPENDIX B

Measure		Party Responsible	Status
4-1: Closure Objectives	To prevent significant cultural impacts after closure from changes in water quality, the Wek'eezhii Land and Water Board will set closure objectives and criteria for the Jay Project components so that Dominion ensures that the area is suitable for traditional uses after closure. Closure objectives and criteria will be set for, but not limited to, the following components of the Jay Project: • Jay pit • Misery pit • Lynx pit • Jay waste rock storage area	WLWB	▪ DDEC is not responsible for this measure, however, will provide support to the WLWB as needed.
4-2(a): Sitewater Management Plan	In order to avoid significant impacts to traditional use in the vicinity of the Jay Project after the Jay Project mining and closure have been completed, Dominion will submit a site water management plan to the Wek'eezhii Land and Water Board for approval, prior to the commencement of dike construction. Dominion will demonstrate how its plan, and the contingencies within, will ensure water quality in the Jay Pit, Misery Pit, Lac du Savuage, Lac de Gras and downstream will support traditional uses in the vicinity of the Jay Project after closure, while protecting the environment during operations. The plan will include, but not be limited to: • a list of contingencies that Dominion can use to manage water during operations and an evaluation of the feasibility of each • a description of the scenarios (i.e., conditions and timing) under which contingencies will be implemented • Dominion's preferred contingencies, with rationales, for each scenario • a description of how Dominion will monitor the quantity and quality of water, to: a) calibrate the water models used to make predictions in the EA b) assess the suitability of contingencies c) evaluate the performance of contingencies used	DDEC	▪ Discussed throughout the Jay water licencing proceeding. ▪ In its recommendation to the Minister for the Jay WL, the WLWB approved the plan with additional direction.

	Measure	Party Responsible	Status
4-2(b): Pit Lake Water Quality	To ensure that water quality in the Misery pit and Jay pit is compatible with traditional uses of the area in vicinity of the Jay Project and downstream after closure, Dominion will: establish meromixis for the Jay and Misery pits stabilize meromictic pit lakes for the long term If the above requirements cannot be met, Dominion will develop and implement contingencies to ensure the pit lake water quality is compatible with traditional use after closure. Dominion will submit a list of these contingencies, which describe the feasibility of each contingency, and the conditions and timing under which each would be implemented, to the Wek'eezhii Land and Water Board for approval prior to the implementation of any contingency. Suggestion: When considering the contingencies for water management and meromixis, Dominion and the WLWB should consider the options identified during the environmental assessment, including: providing a deeper cap of freshwater on the Misery and Jay Pits at closure; Discharging water to Lac du Sauvage earlier in the life of mine; using additional storage near the Jay Project, including the Lynx pit, the Jay runoff sump and King Pond; using additional storage at the Ekati mine main camp; and, Treating minewater before discharge to the environment.	DDEC	▪ Development of EQC for discharge from Misery Pit during operations. ▪ WLWB included monitoring for the establishment of meromixis and conditions around the use of contingencies and reconnection of pit lakes to the Receiving Environment in the Jay Water Licence
4-3: Fine Processed Kimberlite	To avoid significant adverse environmental impacts to the Panda and Koala pit lakes and to the downstream environment after closure from the deposition of fine processed kimberlite, Dominion will not deposit fine-processed kimberlite into the Panda and Koala pits unless the Wek'eezhii Land and Water Board approves the use of the Panda and Koala pits. The Wek'eezhii Land and Water Board's approval will ensure the protection of the downstream environment after closure and will consider the results of Beartooth pit fine-processed kimberlite trial. Otherwise, the fine-processed kimberlite will be deposited into an approved processed kimberlite containment area. Suggestion: To demonstrate the suitability of the Panda and Koala pits for fine-processed kimberlite, the Wek'éezhii Land and Water Board should require Dominion to complete a deposition study and a freshwater cap optimization study. The deposition study should investigate how fine processed kimberlite behaves once deposited into mined-out pits and the quality of the resulting supernatant water. This should include data from the Beartooth pit trial.	DDEC	▪ WLWB approval of using Panda and Koala open pits for the deposition of PK. ▪ Completion of Panda and Koala Deposition Study is required by the WLWB prior to PK deposition into open pits.

Measure		Party Responsible	Status
4-4: Dike Stability and Safety	To reduce the risk of dike failure and its associated significant impacts, Dominion will establish an independent dike review panel to evaluate and, if necessary, improve the design, construction, operation and maintenance of the dike. The panel will provide recommendations to the developer and the Wek'èezhìi Land and Water Board to ensure that impacts to the safety of people and the environment are minimized. The panel will, at a minimum: • review and accepts the dike design prior to the commencement of dike construction • review the dike operation Dominion will engage with the Wek'éezhii Land and Water Board, Government of the Northwest Territories and the Independent Environmental Monitoring Agency on the panel composition and tasks. Dominion will submit the review panel's final terms of reference to the Wek'éezhii Land and Water Board.	DDEC	▪ Jay Dike Review Panel established in 2015. ▪ Second Panel Meeting held on February 7-8, 2017 and report distributed to WLWB, IEMA, and GNWT for inclusion on the public record June 30, 2017. ▪ Dike design and related aspects reviewed and discussed during the water licencing process conducted by the WLWB
5-1: Protection of the Narrows	To mitigate significant adverse ecological and traditional use impacts resulting from unacceptable drops in water levels at the Narrows, Dominion will maintain water levels at the Narrows such that the Jay Project does not adversely affect fish passage and the continuation of traditional use of the area as an open water source. It will do so by monitoring the Narrows before and during closure, and by appropriately managing activities in Lac du Sauvage during closure. Prior to construction, a description of this monitoring will be submitted to the WLWB for its approval as part of the Aquatic Effects Monitoring Program design plan. The monitoring results will be reported in the annual AEMP reports and incorporated into the Aquatic Response Framework, specifying minimum required water levels and flow rates, and triggers for management responses during closure activities. Suggestion: DFO should fully consider the unique cultural significance of the area in Lac du Sauvage that will be permanently lost due to the construction of the Jay pit in its determination of fisheries offsetting requirements.	DDEC	▪ Aquatic Effects Monitoring Program Design Plan for the Jay Project – Construction Phase was submitted to the WLWB for approval. ▪ In the amended WL sent to the Minister on May 29, 2017, the WLWB recommended submission of a revised AEMP Design Plan to incorporate the Jay Development (Construction and operations). This is required within six months of the effective date of the WL and will be subject to an approval process.
6-1: Road Mitigation from Caribou Impacts	a) In order to mitigate significant incremental and cumulative adverse impacts to caribou from roads used by the Jay Project, Dominion will: • use convoys or other methods to manage traffic on the road in order to maximize interval between disturbances from vehicles • use real-time caribou collar satellite information and other detection systems to enable early detection of caribou in the vicinity of the road as a trigger for action levels for management responses • construct caribou crossing features along a minimum of 70 % of the length of the Jay road b) In addition, Dominion will update and revise the Wildlife Effects Monitoring Plan with the appended Caribou Road Mitigation Plan according to GNWT requirements under section 95 of the Wildlife Act and any future section 95 regulations. The plan(s) required under section 95 will be in force for the duration of the Jay Project. In the Caribou Road Mitigation Plan, Dominion will:	DDEC	• WEMP and CRMP Approved by GNWT on June 1, 2017. • DDEC implemented the draft CRMP on the Sable Road and at the Ekati mine in the fall of 2016. • WEMP has been implemented across the Ekati site and monitoring of the Jay Project will commence at the start of construction.

	Measure	Party Responsible	Status

	• investigate and implement innovative actions to mitigate impacts to caribou from barriers to movement at the esker, such as one-way traffic, buried power lines and pipelines, and remote sensory devices to monitor caribou and reduce impacts at the esker crossing
	• define specific thresholds that trigger road management responses including actions to slow traffic, stop traffic and close the Jay and Misery Roads for an appropriate period if caribou are on or near these roads
	  ○ describe the minimum size of the kimberlite stockpiles at Jay pit and Misery pit necessary to enable extended closure(s) of the Jay road
	  ○ Indicate how long the road management responses described above will be applied for each slow down or closure and thresholds and triggers for reopening the road.
	• describe methods for monitoring approaching caribou at intermediate distances beyond line of sight from the roads, including at night and in poor visibility
	• prepare a dust management best practices document with adaptive management triggers for additional dust suppression and link to the Air Quality and Emissions Monitoring and Management Plan
	• use Traditional Knowledge when designing –
	  ○ the Caribou Road Mitigation Plan
	  ○ the project components in the Caribou Road Mitigation Plan (including the Jay road, esker crossing and waste rock storage area)
	  ○ the monitoring of caribou responses to these components during the operations phase
	• describe the specific monitoring and mitigation for caribou impacts related to the road during the construction, operations and closure phases of the Jay Project
	c) The Caribou Road Mitigation Plan will detail the means to be employed to avoid and minimize habitat disturbance and include a response framework that links monitoring results to changes in mitigation. When developing monitoring and mitigation, Dominion will give special consideration to the esker crossing and specify contingency measures if caribou do not cross the Jay Road at the esker.
	d) Dominion will submit the Caribou Road Mitigation Plan to the GNWT ENR for approval before constructing the Jay Road. As part of this approval process, the GNWT should provide the opportunity for public comment. Dominion will annually report monitoring results, success or failure of mitigation and adaptive management to communities in person, in a culturally appropriate manner.
	Suggestion:
	To allow for mitigation of potential barrier effects from the Jay Project, Dominion should conduct pilot studies into technologies and approaches to detect caribou before they perceive sensory disturbances from the Jay Project (such as un-manned aerial vehicles, large animal detection systems, remote video cameras or on-the-land monitors).		

Measure		Party Responsible	Status
6-2(a): Caribou Offset and Mitigation Plan	i. Dominion will offset residual adverse impacts to caribou by human activities that cumulatively affect the Bathurst caribou herd, beyond direct impacts of the Jay Project. Dominion will set out these offsets in a Caribou Offset and Mitigation Plan, which it will complete within one year of Minister's acceptance of this Report of EA. This plan will be in force throughout the duration of the Jay Project ii. Dominion will implement the Caribou Offset and Mitigation Plan as described in DAR-MVEIRB-UT2-06 and incorporate the following into the Plan: • caribou offsets related to roads that result in enhanced mitigation, such as scheduling of activities during caribou migration or dust suppression offsite from Jay Project • zone of influence research with funding as committed by Dominion • identify mitigation actions from the Plan and apply at other Ekati operations • options for the scheduling of other Ekati operations to offset Jay Project impacts during caribou migration periods • an enhanced dust mitigation study including: ○ a pilot test pm application of dust suppressant ○ a dustfall sampling program ○ report on results and propose improvements to be incorporated into the Air Quality Emission Monitoring and Management Plan ○ if dust mitigation improvements are identified, Dominion will apply them on all roads at Ekati • accelerate progressive reclamation of Long Lake Containment Facility substantially beyond current Interim Closure and Reclamation Plan requirements to return it to productive caribou habitat sooner • incorporate waste rock storage area egress ramps, designed in consultation with Elders to prevent injuries and entrapment of caribou iii. Following implementation of the Caribou Offset and Mitigation Plan, Dominion will: • annually report on the effectiveness of monitoring, mitigation and adaptive management of the Caribou Offset and Mitigation Plan to communities in person in a culturally appropriate manner • annually report on the activities conducted under the Caribou Offset and Mitigation Plan and the effectiveness of related monitoring, mitigation and adaptive management, to GNWT ENR, WRRB and IEMA • •submit an updated Caribou Offset and Mitigation Plan for approval by GNWT ENR every three years. Prior to approval, the GNWT should provide the opportunity for public comment. iv. The GNWT will enforce the Caribou Offset and Mitigation Plan under the section 95 of the Wildlife Act.	DDEC	▪ Final CMP submitted to MVEIRB May 19, 2017 (EA1314-01_DDEC_Caribou_Mitigation_Plan_measure_6-2a)
6-2(b): Research to Design Implement Successful Offsetting Design	The GNWT will measure and evaluate the effectiveness of Dominion's offsets that result from the approved Caribou Offset and Mitigation Plan. To better enable the GNWT to do this, it will conduct a study on the potential methods for evaluating and measuring the effectiveness of offsetting options described in the approved Caribou Offset and Mitigation Plan. The GNWT will publically report on the results of the study within one year of the approval of the Caribou Offset and Mitigation Plan	GNWT	▪ DDEC is not responsible for this measure. However, will provide information to the GNWT as needed.

Measure		Party Responsible	Status

6-3: Air Quality Emissions Monitoring and Management Plan	In order to reduce adverse impacts from dustfall within the Jay Project area to caribou, so they are no longer significant, Dominion will finalize and implement the Air Quality Emissions Monitoring and Management Plan prior to construction. This plan will be applied throughout the construction, operation and closure phases of the Project. Dominion will:
	• describe how it will implement commitments made in this plan (PR#424 p1-5 to 1-6) along with management response linkages to the Caribou Road Mitigation Plan and the Caribou Offset and Mitigation Plan
	• reduce dustfall by continuing and improving the following management and monitoring practices, including:
	  ○ applying dust suppressant to control dust emissions on haul roads during summer or non-frozen snow-free season
	  ○ managing vehicle speed to limit road dust from vehicle wheel entrainment
	  ○ implementing a dustfall monitoring program, methods, locations, monitoring parameters
	  ○ sampling lichen tissues (heavy metal parameters) snow chemistry sampling
	  ○ planning responses with triggers and action levels
	  ○ allowing opportunity for public comment on updates or changes to the Air Quality Emissions Monitoring and Management Plan
	• annually report monitoring results, success or failure of dust mitigations and adaptive management to communities in person in a culturally appropriate manner
	• submit an updated Air Quality Emissions Monitoring and Management Plan for public review and approval process as required by the GNWT
	
	In addition, the GNWT will review and approve the Air Quality Emissions Monitoring and Management Plan as required by the Environmental Agreement and regulate in accordance with the Environmental Protection Act
		DDEC	▪ Technical workshop on AQEMMP held in September 2016.
			▪ Drafts of the Plan circulated for public review and comment.
			▪ Approval of the Jay AQEMMP received from the GNWT on May 31, 2017.

6-4: Dustfall Standards	Prior to construction, the GNWT will develop an interim dustfall objective for all types of dustfall that impact caribou and caribou habitat, including impacts on lichen and other caribou forage within the Jay Project zone of influence. The objective will reduce dust-related sensory disturbances to caribou to the greatest extent practicable.	GNWT	▪ DDEC is not responsible for this measure. However, will provide information to the GNWT as needed.

6-5: Traditional Knowledge-based Caribou Monitoring and Mitigation	Dominion will:
	• develop and implement a collaborative research program incorporating Traditional Knowledge designed to identify the causes of the zone of influence for caribou avoidance within one year of acceptance of the Report of EA
	• summarize and report annually on this collaborative research program as part of the Wildlife Effects Monitoring Program reporting
	• implement the research findings which can help to reduce the size of the zone of influence on caribou
	• Dominion will fund a Traditional Knowledge Elders group drawn from Aboriginal organizations that participated in the EA. This group will:
	  ○ advise on the construction and operation of the Jay road, esker crossing and waste rock management area egress ramps that limit impacts to caribou
	  ○ monitor caribou reactions to the Jay road use, esker crossing and waste rock storage area egress ramps in coordination with existing caribou management authorities
	  ○ report on the results of monitoring to Dominion, IEMA, regulators and Aboriginal organizations that participated in the EA
	  ○ recommend mitigation based on monitoring results
		DDEC	▪ Caribou Mitigation Plan submitted to MVEIRB on May 19, 2017 (EA1314-01_DDEC_Caribou_Mitigation_Plan_measure_6-2a).
			▪ Four meetings of the TKEG held during the reporting period.

Measure		Party Responsible	Status
	○ recommend a contingency plan for the esker crossing if monitoring indicates that the road through the esker is a major barrier to caribou movement This Traditional Knowledge group will be in place prior to construction, throughout operations and closure		
6-6: Timely Completion of Caribou Management Plans	To mitigate cumulative significant impacts from the Jay Project and other human activities on the Bathurst caribou herd, within one year of Ministerial approval of this Report of EA, the GNWT will: • investigate and report on the causes for the current population change • complete and implement an interim management plan for the Bathurst caribou herd • •implement an interim herd recovery strategy towards a sustainable and ongoing Aboriginal harvest Suggestion: GNWT should work towards producing interim thresholds for developments and other human activities within the range of the Bathurst caribou herd.	GNWT	▪ DDEC is not responsible for this measure. However, will provide information to the GNWT as needed.
7-1: Traditional Knowledge Management Framework	In order to mitigate the Jay Project's cultural impacts to traditional use areas or culturally valued components like caribou, water or aquatic life, Dominion will develop a Traditional Knowledge Management Framework that describes protocols for collecting, storing, managing and using Traditional Knowledge. This will be done in a manner that is culturally suitable for each community. Dominion will use the Traditional Knowledge gathered through the framework to inform Project decision making. This framework will be developed prior to the construction phase of the Project and will apply for the lifetime of the Jay Project (construction, operations and closure phases). In developing the Traditional Knowledge Management Framework, Dominion will consult with each Aboriginal group affected by the Jay Project, in a culturally appropriate manner, while developing the protocols. Dominion will report annually on how Traditional Knowledge influenced Jay Project decision making. Suggestion: To ensure that Traditional Knowledge is consistently being used in a manner that is agreeable to Aboriginal groups, each Aboriginal group affected by the Jay Project should develop a standard Traditional Knowledge Use Protocol. This protocol would inform how Traditional Knowledge is captured, managed, reported on and used. This protocol would facilitate Dominion's effort in establishing a Traditional Knowledge Management Framework that is meaningful to Aboriginal groups. Aboriginal groups should work with Dominion to establish what Traditional values should be monitored for Jay Project impacts, and how monitoring should occur.	DDEC	▪ A TK Framework has been developed and is in place prior to the construction phase of the Project. For more information see the Mackenzie Valley Review Board on line public registry for the Jay Project or EA1314-01_DDEC_Traditional_Knowledge_Framework_measure_7-1.
7-2: On the Land Culture Camp	In order to mitigate significant adverse impacts of the Jay Project on traditional use of the area and transmission of cultural values, Dominion will, during the construction and operations phases of the mine, support an on-the-land culture camp, in a traditionally used area near the Project. This culture camp will be used by Aboriginal groups to maintain or establish a connection with disturbed areas of land and restore Traditional Knowledge transfer between generations about the area affected by diamond mining. Dominion will consult with Aboriginal groups that participated in the environmental assessment to decide on the location, timing and frequency of use of the culture camp. Dominion will support the camp's use and access, financially or in-kind.	DDEC	▪ Extensive engagement on all aspects of the Culture Camp. ▪ DDEC was issued a Type B LUP for the Culture Camp on June 20, 2017

Measure		Party Responsible	Status
8-1: Minimize Negative Socio-Economic Impacts of the Project on Communities	In order to mitigate significant cumulative adverse socio-economic impacts of the Jay Project on health and well-being, the Government of the Northwest Territories will engage and work with diamond mining communities to adaptively manage adverse social impacts to health and well-being from the Jay Project, in combination with other diamond mining projects. As part of this process, the GNWT will actively investigate and address linkages of diamond mining effects on the health and well-being of affected communities. The GNWT will also meet with communities within one year of the Ministerial approval of this Report of EA, and annually thereafter, to discuss: 1) priority social issues at the individual, family and community level related to diamond mining, as identified by communities and by the GNWT; 2) the effectiveness of GNWT programs to address these identified issues; and, 3) Implementing improvements to mitigate identified issues. The GNWT will submit an annual progress report on the above to each diamond mining community, describing GNWT's engagement on and adaptive management of social impacts, and GNWT's plans to address identified issues. Suggestion: The GNWT should work with diamond mining communities to develop socio-economic baseline studies. The GNWT, working with communities, should: ▪ assess the vulnerability of each community with a corresponding assessment of the community's resilience to socio-economic impacts, and capacity to adapt to them; ▪ assess the existing cumulative impacts on well-being at multiple scales (including individual, family and community levels); ▪ produce a definition of well-being and describe how it is measured; and, ▪ establish qualitative and quantitative indicators of well-being appropriate for a socio-economic assessment. The focus of the study should be to establish threshold levels of acceptable social impacts, and evaluate how close each social impact indicator is to a threshold level.	GNWT	▪ DDEC is not responsible for this measure. However, will provide information to the GNWT as needed.
8-2: Supporting Increased Employment Opportunities for Women	To mitigate significant adverse socio-economic impacts on women, Dominion will consult with the Government of the Northwest Territories, the Status of Women Council of the NWT and the Native Women's Association of the NWT to update its strategy for the training, recruitment and employment of women in traditional and non-traditional occupations, prior to the construction phase of the Jay Project. Where Dominion has community liaisons, they will serve as additional resources for implementing initiatives for training, recruitment and employment of women. Dominion will report on employment and retention figures for women, and on the effectiveness of its revised policy, as part of its reporting per measure 13-1.	DDEC	▪ Workshop held on June 3, 2016 with GNWT, the Status of Women Council of the NWT, and the Native Women's Association, the Mine Training Society, and representatives from the Aboriginal groups. ▪ DDEC has updated and rolled out new Policies on Harassment and Discrimination. ▪ DDEC conducted a survey of women staff on training, hiring and retention. ▪ Work on this Measure is ongoing.

	Measure	Party Responsible	Status
9-1: Incineration – Stack Testing and Reporting	To reduce the likelihood of impacts resulting from the release of dioxins and furans, Dominion will conduct incinerator stack testing at least every three years and submit any stack test results to the GNWT Department of Environment and Natural Resources and Environment Canada no more than 90 days after the completion of stack testing. No more than 120 days after any failed stack test, (with failure determined according to the Canada Wide Standards for Dioxins and Furans or applicable regulation or guidance developed by the GNWT), Dominion will: 1) Develop an Adaptive Management Response Plan, containing: a. An assessment of the incinerator operations and management that contributed to the failed stack test, and methods to rectify them. b. A consideration of the need for increased monitoring of incinerator operational indicators associated with the formation of dioxins and furans. This may include inline continuous emission monitoring for, but not limited to: flow of flue gas, oxygen content, and carbon monoxide. 2) Submit the Adaptive Management Response Plan to the GNWT Department of Environment and Natural Resources and Environment Canada. 3) Implement the methods identified by Dominion (under 1a above) no later than the submission of the Response Plan, and earlier if feasible. Dominion will re-stack test the incinerators within six months of the initial failed stack test. This second stack test will verify the effectiveness of the methods proposed and implemented in the Adaptive Management Response Plan and demonstrate compliance with the Canada-wide Standards for Dioxins and Furans. All stack tests must be conducted in accordance with national standards, and include detailed documentation to demonstrate that representative composition and batch size of waste were used during the testing process. Exemptions for the second stack test may occur based on a review of the factors that contributed to the failed stack text and approval of the Adaptive Management Response plan by GNWT Department of Environment and Natural Resources, in consultation with Environment Canada Suggestion: The Review Board suggests that the developer, in consultation with the GNWT and EC, assess the feasibility and utility of additional inline continuous emission monitoring and provide a report of the findings within one year of Ministerial approval of this Report of EA.	DDEC	▪ 2 Incinerators tested in November of 2016. ▪ Results of stack testing submitted to ECCC and GNWT on February 17, 2017. ▪ GNWT approval of Jay AQEMMP (May 31, 2017) which incorporates the commitments made by DDEC related to stack testing/incineration (EA1314-01_GNWT_-_AQEMMP_Measure_6-3).
9-2: Reporting on Greenhouse Gas Emission and Management	Dominion will provide, in its Air Quality Emissions Monitoring and Management Plan annual report, information on its greenhouse gas management for all Project phases including, but not limited to: • A calculation of greenhouse gas emissions by combustion source; • greenhouse gas emissions reduction targets for the upcoming year and how they were determined; • reporting of whether past reduction targets were achieved and how, or if they were not, why; • a description of monitoring including the parameters, methods, frequency, and data analysis; • a description of adaptive policies, strategies and mitigative actions undertaken, or proposed, to reduce greenhouse gas emissions, including but not limited to: ○ the results of Dominion's proposed ore hauling pilot study, including a description of greenhouse gas emissions for each alternative hauling method studied compared to existing and/or proposed strategies;	DDEC	▪ Development of and approval for the Jay Project AQEMMP (EA1314-01_GNWT_-_AQEMMP_Measure_6-3) which sets out the calculation methods and requirements for annual reporting on greenhouse gases (Section 5.1). ▪ Alternative energies study completed and submitted to the Review Board on February 1, 2017 (EA1314-01_DDEC_Alternative_Energy_Concept_Study_01-Feb-2017__Commitment__52). ▪ Reporting and engagement on greenhouse gas emissions management is ongoing.

Measure		Party Responsible	Status
	○ the results of Dominion's proposed concept study on the use of alternative energies to offset a portion of the Jay Project's energy needs, including the methods and analysis; and, ○ if the concept study leads to a feasibility study on the use of alternative energy to offset a portion of the Jay Project's energy needs, report on the results, including the methods and analysis. During its community visits, Dominion will engage on its greenhouse gas emissions management, and report on how results of past engagement have been incorporated into Dominion's management of greenhouse gas emissions.		
13-1: Monitoring and Adaptive Management by Dominion	In order to ensure that the measures that Dominion is responsible for are fully and effectively implemented, and significant adverse impacts on the environment are mitigated, throughout all phases of the development, Dominion will: 1. Implement monitoring programs to fulfill the following objectives: a. to measure the effects of the Jay Project on the environment; b. to assess the implementation and effectiveness of the measures in this Report of EA to prevent or minimize impacts on the environment; c. to assess the accuracy of predictions made during the environmental assessment, regarding the impacts of the project on the environment; and, d. to provide relevant data and information to support regional monitoring initiatives. 2. Implement adaptive management processes that use the results of monitoring programs to systematically adjust mitigation actions in order to minimize adverse impacts on the environment.	DDEC	▪ AQEMMP, WEMP, and CRMP approved. ▪ Various plans and associated monitoring programs will be discussed and reviewed once a WL is in place and the Jay Project proceeds
13-2: Engagement on Cultural Impacts	In order to evaluate and, through adaptive management, improve the effectiveness of Dominion's mitigation of cultural impacts, Dominion will: a) engage with Aboriginal groups that participated in the environmental assessment to identify cultural impacts, including cumulative impacts, from the Jay Project; b) seek the input of those Aboriginal groups on ways to strengthen Dominion's cultural impact mitigation initiatives; and, c) report annually to those Aboriginal groups on the effectiveness of Dominion's efforts to mitigate cultural impacts.	DDEC	▪ DDEC has many ongoing activities that promote engagement on cultural impacts. For more information see the Ekati Mine Engagement Plan on the WLWB on line public registry.
13-3: Annual Reporting from Dominion	In order to demonstrate how measures are being implemented and to evaluate the effectiveness of Dominion's efforts to prevent or minimize impacts on the environment, Dominion will, throughout all phases of the development, prepare an annual Report on Implementation of Measures. The Report will address the EA measures that Dominion is responsible for and will: a) describe the actions, including actions implemented through adaptive management, being undertaken to implement the EA measures; b) demonstrate how the implementation actions, including any actions implemented through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions: i. How are implementation actions addressing a likely significant adverse impact on the environment? ii. How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood? iii. If the measure is for monitoring or research, how is the monitoring/research being used to inform mitigation of impacts to the environment?	DDEC	▪ Annual Report provided to the MVEIRB for the reporting period of July 1, 2016 to June 30, 2017.

Measure		Party Responsible	Status
	iv. How are process considerations (such as engagement requirements, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures? c) include a concise summary of monitoring programs and results that are related to EA measures or commitments and, where applicable, references to complete information contained in other documents (such as documents related to aquatic effects, wildlife, or air quality programs); and, d) address any specific reporting requirements noted in the EA measures set out in this report and summarized in Appendix A. Dominion will provide a copy of this annual report to the Review Board prior to July 1 of each year.		
13-4: Annual Reporting from Government and Regulatory Authorities	In order to evaluate the effectiveness of mitigation measures for the protection of the environment, each regulatory authority or government that is wholly or partly responsible for implementation of any measure in this Report of EA will prepare an annual Report on Implementation of Jay Project Measures. The Report will: a) describe the actions being undertaken to implement the EA measures or the part(s) of the EA measure for which the regulatory authority or government is responsible; and, b) explain how the implementation actions, including any actions implemented through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions: v. How are implementation actions addressing a likely significant adverse impact on the environment? vi. How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood? vii. If the measure is for monitoring or research, are the implementation actions clearly linked to mitigation and/or operations? viii. How are process considerations (such as consultation or engagement requirements, statutory obligations, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures? Prior to July 1 of each year, during all phases of the Jay Project to which a particular measure applies, each regulatory authority and government will provide a copy of this annual report to the Review Board.	GNWT/ WLWB (Regulatory Authorities)	▪ DDEC is not responsible for this Measure.

APPENDIX C

INTRODUCTION

This Commitments Table is the final compilation of commitments made by Dominion Diamond for the Jay Project since the submission of the Developer's Assessment Report (DAR) in November 2014. It includes commitments made by Dominion Diamond from the DAR Adequacy Review, responses to initial information requests, commitments made during the technical session and undertakings, the second round of information requests, public hearings and hearing undertakings. The Mackenzie Valley Environmental Impact Review Board (MVEIRB) asked parties to review and comment on the table and those comments are incorporated into this final version.

The original table was prepared by the MVEIRB. For the purposes of this Report, DDEC has added a Status column.

(PR#xx) = MVEIRB public registry number

Blue text = Commitments made in responses to technical reports

Red text = Commitments added or edited by other parties

Green text = Commitments made during public hearings and in hearing undertakings

Commitment Number	Document Source	Sub-topic	Commitment by Dominion Diamond	STATUS (As of June 2017)
1	DAR-EC-IR-07 (PR#305)	Metal Analysis, Uranium and Thorium. Request development of contingency plan to deal with exceedances of Uranium and Thorium in leachate should that occur	Expand Waste Rock and Ore Management Plan 2014 to include Jay Project area. Adaptive seepage management strategies will be implemented as necessary to remedy undesirable water quality trends. Uranium and thorium will be included in the seepage monitoring program to identify short-term and long-term water quality trends for the purpose of identifying any needs for further testing, monitoring or adaptive management.	Waste Rock and Ore Storage Management Plan submitted with updated Jay Project Water Licence application. Waste Rock and Ore Storage Management Plan required to be re-submitted 90 days prior to construction of Jay pit.
2	DAR-IEMA-IR-03 (PR#305)	Waste Rock Storage Area seepage surveys	Ekati Waste Rock and Ore Management Plan seepage surveys will apply to Jay Waste Rock Storage Area and ore stockpiles. Seepage surveys are twice a year (during spring freshet and late in the summer or fall before freeze-up).	Waste Rock and Ore Storage Management Plan submitted with updated Jay Project Water Licence application. Waste Rock and Ore Storage Management Plan required to be re-submitted 90 days prior to construction of Jay pit.
3	Technical session April 23 – commitment #5 (PR#358)	Water quality	DDEC to hold meeting(s) to discuss questions related to the sensitivity of groundwater model.	Complete. Held meeting on Apr 28, 2015. Submitted final memo on July 3, 2015 with Round 2 IR Responses.
4	DAR-MVEIRB-UT-09 (PR#371)	Enhanced permeability zone characterization	Dominion Diamond will “undertake observations of inflow quantity, location of inflow and structure of the Jay Pit walls during operations that will identify the location and transmissivity of EPZs”. These monitoring procedures will be developed during the permitting phase.	Included in updated management plan; details of procedures to be finalized prior to the commencement of open pit mining.
5	DAR-EC-IR2-01 DAR-GNWT-IR2-04 (PR#448) Hearing undertaking response DAR-MVEIRB-UT2-13	Discharge of minewater from Misery Pit to Lac du Sauvage. Mixing zone in Lac du Sauvage. Synergistic toxicity	Further, Dominion Diamond has committed that no discharge of any minewater from the Misery Pit to Lac du Sauvage will occur if acutely toxic. To meet this commitment, monitoring of minewater in the Misery Pit (as a requirement under the Water Licence) will be undertaken during operations; the monitoring will be conducted in early operations (i.e., during the phase when there is no discharge to Lac du Sauvage) and late operations (i.e., during the discharge period). Minewater monitoring will include chemical analysis and acute and chronic toxicity testing. Similar to toxicity testing requirements at the Ekati Mine, toxicity testing is expected to include acute lethality testing with Rainbow Trout and waterflea, and chronic toxicity testing with the green algae, Pseudokirchneriella subcapitata, and the cladoceran, Ceriodaphnia dubia (WLWB 2014). This testing will track water quality conditions in the pit (i.e., end-of-pipe) to prevent water that is acutely toxic from being discharged to Lac du Sauvage. In addition, an AEMP will be described and implemented, which will allow for the assessment of synergistic and antagonistic effects, and the AEMP results will inform adaptive management through the response framework, if necessary.	Included in updated SNP, AEMP Design Plan (operational details to be determined in future iterations of the Design Plan).
6	DAR-GNWT-IR2-18 (PR#448)	Hydrology model reliability	Predicted changes for Lac du Sauvage are greatest during back-flooding. To manage the uncertainty of the predicted changes to the flows and water levels in Lac du Sauvage, a Jay Pit and diked area back-flooding pumping plan will be developed prior to closure. It is expected that this plan will be submitted for approval under the water licence process and will be required prior to back-flooding (currently scheduled to commence in 2030). As part of the back-flooding pumping plan, Dominion Diamond will implement mitigation, as required, through an adaptive management plan, including the reduction of pumping rates to protect fish habitat in the Lac du Sauvage Narrows. Additional information will be collected during operations as part of the Aquatic Effects Monitoring Program to further characterize baseline conditions at the Narrows, including depths and widths under naturally occurring low-flow conditions in the winter. The adaptive management plan for the potential reduction in pumping rates during closure, as mitigation to avoid adverse effects to fish habitat at the Lac du Sauvage Narrows, will be developed as part of the back-flooding pumping plan.	Hydrology data collection under the AEMP Design Plan. Back-flooding pumping plan to be developed and submitted prior to closure back-flooding
7	DAR-GNWT-IR-17 PR#305)	Jay-Pipe Pit Geometry Description of proposed actions, mitigations, and monitoring associated with free-thaw on stability of the Jay Pit walls	At a later stage in the design process, a ground control management plan will be developed and implemented to monitor and maintain pit wall stability to an acceptable risk level associated with various forms of ground instability that may develop during operations. Thermistors will be installed to supplement the monitoring program if necessary.	Multiple geotechnical and hydrogeological drilling investigations have been conducted. The results provided input for the geotechnical design of the pit slopes and stability assessments. Implementing good blasting practices, maintaining design berm widths, and installing slope monitoring systems will allow for implementation of risk mitigation measures in case of potential ground instability. Geotechnical designs will be reviewed and further refined as the pit deepens and more data becomes available.
8	DAR-KIA-IR-19	Waste rock storage area, thermal modelling validation and seepage	Thermistors will be installed in the Jay Waste Rock Storage Area to monitor temperatures in the pile foundation and within the pile itself (KIA). Thermistors will be installed in the Jay Waste Rock Storage Area after completion of the pile	Included in updated management plan

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	DAR-LKDFN-04 (PR#305)		to monitor temperatures in the pile foundation and within the pile itself (LKDFN). Jay Waste Rock Storage Area added to Ekati Waste Rock and Ore Management Plan. The Adaptive management process in the Waste Rock and Ore Management Plan also applies to Jay WRSA.	Waste Rock and Ore Storage Management Plan required to be re-submitted 90 days prior to construction of Jay pit.
9	Technical session April 20 commitment #1 (PR#358)	Dike design	DDEC commits to creating an Independent Dike Review Board/Panel prior to construction.	Ongoing. The Jay Dike Review Panel has been created and an initial meeting was held in December 2015. The Panel has been involved in the review of the Dike design. See information under Measure 4-4 for more details.
10	DAR-GNWT-IR2-14 (PR#448)	Jay Dike Geotechnical Investigations	This information request is similar to the request made by Mr. Brian Watts, retained by the Mackenzie Valley Environmental Impact Review Board as a reviewer, during the Jay Technical Sessions held on April 20, 2015 (Day 1). Dominion Diamond took the request as Homework Assignment #1, and provided a response on April 21, 2015 (Jay Technical Sessions, Day 2, pages 20-21 of the transcript). Section 15 of the Jay Project Pre-feasibility Dike Design Report (Golder 2014), dated December 8, 2014, provided recommendations for future work to advance the dike design to a detailed design level. The recommendations were organized under two (2) headings: 1) Evaluation of foundation conditions, and 2) Evaluation of potential construction materials. All recommendations related to foundation conditions (heading one), have been completed as part of the 2015 winter investigation program, with the exception of the first recommendation. This recommendation involves conducting an underwater visual assessment of the lakebed surface for the presence of cobbles and boulders. Dominion Diamond has committed to carrying out this work once ice on Lac du Sauvage has melted. This work will be done during the summer of 2015. In terms of the recommendations related to construction materials (heading two), mix design testing for the cement-soil-bentonite, using till samples obtained from the Pigeon Pit have been completed. Additional till samples will be collected from Lynx Pit pre-stripping operations, and further testing conducted. Sufficient information from the testing carried out on the samples obtained from the Pigeon Pit exists to support detailed design. Once a crusher contractor is selected to produce the fine and coarse filter materials, then samples will be collected and testing conducted. This testing is not required for the detailed design, but will form a part of the quality control and quality assurance programs implemented during the construction.	Three drilling investigations were completed in three consecutive winter seasons. Foundation conditions were investigated and evaluated. Properties of potential construction materials were considered in the design. Underwater visual assessment of lakebed surface was completed in the summer of 2015.
11	DAR-GNWT-IR2-17 (PR#448)	Lake bottom sediment transport, storage and management in the waste rock storage area	The total volume of overburden soils to be stored in the WRSA is approximately 7,013,000 m^3 which accounts for approximately 6.5% of the total volume of material to be stored in the WRSA. Overburden soils will be placed in the interior area of the WRSA footprint. It is anticipated that the overburden soils will be placed over approximately one third of the total footprint of the WRSA which could result in thicknesses up to 8 or 9 metres (m). Waste rock will be placed around and over top of the overburden soils to the design limits of the pile as the WRSA is developed. This will lead to encapsulation of the soils within waste rock. If the lakebed sediments are found to have a moisture content that is high enough to inhibit truck traffic required for placement of subsequent lifts, the wet lakebed soils could be placed separately in either the mined-out quarry within the Jay WRSA footprint (if available), or internal containment dikes could be constructed out of rockfill or till within the WRSA footprint for containment of the wet sediments. Staged development plans for each 2 to 3 years of operation/placement will be prepared for the Jay WRSA as part of the detailed design. These plans will include placement areas for overburden soils. Management of spillage of sediments from haul trucks, if necessary, may use such means as tailgates and/or side boards for haul trucks to reduce this potential. If substantial spillage occurs on the road between the dike and WRSA, it will be cleaned up, as deemed necessary.	Included in updated management plans
12	DAR-MVEIRB-IR2-02 PR#448)	Pre-feasibility dike design, lakebed sediment disposal	Excavated lakebed sediment will be transported to the waste rock storage area (WRSA) for disposal. Trucks will have tailgates and/or other containment mechanisms to minimize spillage of the excavated lakebed material. If the quarry is developed within the WRSA, this facility would be utilized for placement/containment of the lakebed sediments. If the quarry is not developed, containment cells constructed of either rockfill and/or till will be constructed within the WRSA footprint for disposal of this material. The location of these cells has not been defined yet, but would be away from the perimeter of the WRSA. The detailed design for the WRSA will contain details regarding placement of waste construction materials. If dredging is used to remove lakebed sediments, then the King Pond Settling Facility may be utilized for water with elevated TSS.	Included in updated management plans
13	TG technical report (PR#559)	Seepage monitoring	The testing of seepage chemistry is designed to detect changes that may affect the receiving environment. The Jay WRSA would be included in these seepage surveys. Seepage monitoring will continue through the operation phase of the project, and for 10 years following the completion of mining of the Jay Pit, until closure objectives are met. The results of the seepage program are reported annually to the WLWB.	Included in updated management plans Waste Rock and Ore Storage Management Plan required to be re-submitted 90 days prior to construction of Jay pit

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14	Transport Canada technical report response (PR#560)	Navigability of Lac du Sauvage	Dominion Diamond is committed to working with Transport Canada for the proposed dike and dewatering activities within Lac du Sauvage. Dominion Diamond will submit information to Transport Canada to support the determination of navigability of Lac du Sauvage and the applicability of Sections 21 to 23 of the *Navigation Protection Act* (NPA). This information will be submitted during the permitting stage of the Project. If Transport Canada determines that Sections 21 to 23 are applicable, Dominion Diamond will submit an application for Proclamation of exemption under Section 24 of the NPA.	Complete. In October of 2016, Transport Canada indicated in a letter to DDEC that "…the project will not result in the application of section 23 of the NPA [Navigation Protection Act]".
15	DAR-IEMA-IR2-03 (PR#448)	Reclamation of ore transfer pad and diked area	Ore storage pads are included in the Ekati Mine Interim Closure and Reclamation Plan (ICRP; BHP Billiton 2011). As per Section 5.7.9.7 of the ICRP, ore will be removed from ore storage areas and the pads will be re-contoured and scarified as necessary. The ICRP is expected to be amended to include Jay Project components during regulatory process with the Wek'èezhìı Land and Water Board such that these requirements will apply to transfer pads constructed for the Jay Project. As described above, kimberlite will not be left on the pad when the area is back-flooded.	Included in updated management plan ICRP Version 3.0 to be submitted to WLWB within twelve months of the effective date of WL to include the Jay Development.
16	EC technical report response (PR#554) DAR-EC-IR-25 and DAR-IEMA –IR-20 (PR#305) Jay Hearing Transcripts, Day 2, p.127-129 (PR#644)	Diving bird mitigation strategy	Dominion Diamond will develop a final detailed fish-out plan prior to implementing the fish-out within the diked area in Lac du Sauvage; Dominion Diamond will develop a diving bird mitigation strategy along with the fish-out plan, and will engage with Environment Canada on its development. Dominion Diamond will monitor the fish-out for the Project to determine the effectiveness of mitigation actions for waterbirds so that lessons learned can be applied to future fish-outs, such as, lessons learned that were applied to the Lynx fish-out. Monitoring results will be reported in the WEMP.	Diving bird mitigation strategy to be included in final fish-out plan to be prepared prior to fish-out. Described in updated WEMP
17	DAR-DKFN-IR2-07 (PR#448)	Conceptual Offsetting Plan	Dominion Diamond is committed to working with all impacted communities to identify potential offsetting measures for the Jay Project that meet community interests and meet the requirements of the Fisheries Protection Policy Statement (DFO 2013) and comply with the Applications for Authorization under Paragraph 35(2)(b) of the Fisheries Act Regulations.	Engagement ongoing. Final offsetting plan to be prepared and submitted to DFO for approval under the *Fisheries Act* prior to dike construction.
18	DAR-IEMA-IR2-01	Fish impact predictions	Any Project-related losses of fish habitat (i.e., serious harm to fish) will be addressed in the final offsetting plan (based on the Conceptual Offsetting Plan in Appendix 9A of the DAR, Dominion Diamond 2014a) submitted with the application for a Fisheries Act Authorization during the regulatory phase of the Project.	Final offsetting plan to be prepared and submitted to DFO for approval under the *Fisheries Act* prior to dike construction.
19	DFO Technical Report Response (PR#552)	Effects of blasting	Dominion Diamond is committed to developing a blasting plan for the Project for avoiding and mitigating serious harm to fish and engaging with DFO on the plan as appropriate.	Engagement with DFO related to *Fisheries Act* Authorization process is ongoing.
20	DFO Technical Report Response (PR#552)	Effects of blasting at Shoal 4	Dominion Diamond will engage with DFO on the topic of protecting shoal S4 as part of the future detailed design stage, and recommends that a determination of the need for shoal S4 to have a specific objective be made at that time.	Engagement with DFO related to *Fisheries Act* Authorization process is ongoing.
21	DFO Technical Report Response (PR#552)	Watercourse crossings	Dominion Diamond is committed to avoid and mitigate serious harm to fish as a result of watercourse crossing during construction, operation and decommissioning.	Included in updated plans and designs Will also be considered under DFO permitting process.
22	DFO Technical Report Response (PR#552)	Culvert crossings	Consistent with current practice at the Ekati Mine, detailed designs of culvert crossings and associated construction plans will be developed during the detailed design stage of the Project for submission to DFO.	Included in updated plans and designs Will also be considered under DFO permitting process
23	DFO Technical Report Response (PR#552)	Sub-Basin B Diversion Channel	Dominion Diamond is committed to avoid and mitigate serious harm to fish as a result of the sub-basin B diversion channel. This includes, but is not limited to, appropriate design of the diversion channel to facilitate fish passage at both high and low flows for relevant species and life stages, and adherence to appropriate timing windows, bank stabilization and sediment and erosion control.	Included in updated designs and plans Will be considered in *Fisheries Act* Authorization process
24	DFO Technical Report Response (PR#552)	Sub-Basin B Diversion Channel	Consistent with current practice at the Ekati Mine, Dominion Diamond will engage with DFO on the design of the diversion channel, and will submit final designs to DFO. Operational monitoring of fish use of the Sub-Basin B Diversion Channel will confirm its expected functions (e.g., as a migratory corridor) for Arctic Grayling and other species, and will also include any new mitigation strategies as they are required in the future. Environmental design features, mitigations and monitoring plans for the Sub-Basin B Diversion Channel will be finalized during the permitting process for the Project.	Included in updated designs and plans Will be considered in *Fisheries Act* Authorization process.
25	DFO Technical Report Response (PR#552)	Sub-Basin B Diversion Channel	Dominion Diamond is committed to developing a maintenance and monitoring plan for the stream diversion channel for avoiding the formation of barriers to fish passage over time. This plan will be finalized during the permitting phase for the Project.	Ongoing

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26	DFO Technical Report Response (PR#552)	Sub-Basin B Diversion Channel	Dominion Diamond is committed to completing the detailed design of the Sub-Basin B Diversion Channel to support the regulatory phase of the Project and providing the design to DFO. Available measurements of flows and modelled estimates of flows will be used as basis of the design of diversion channel.	Included in updated designs Engagement with DFO ongoing.
27	DFO Technical Report Response (PR#552)	Sub-Basin B Diversion Channel	Dominion Diamond is committed to developing a detailed closure and reclamation plan for the Sub-Basin B Diversion Channel, including the reclamation and promotion of natural drainage patterns through the natural drainage channels (lower portions of streams B0 and Ac35), which will be provided to DFO for review. This will become part of the amendment to the existing Interim Closure and Reclamation Plan for the Ekati Mine to include the Jay Project.	Included in updated management plan; detailed planning ongoing
28	DFO Technical Report Response (PR#552)	Consultation prior to fish-out	Dominion Diamond agrees to continue engaging with the affected communities and DFO regarding the handling and fate of captured fish during the fish-out of the diked area in Lac du Sauvage during the regulatory phase of the Project and prior to developing the detailed fish out plan.	Engagement with communities and DFO ongoing Final fish-out plan to be prepared and submitted to DFO prior to fish out.
29	DFO Technical Report Response (PR#552)	Consultation prior to offsetting	Dominion Diamond agrees to continue engagement with affected communities on the offsetting plan for the Jay Project, including offsetting options, and to continue to work with DFO on the development of methods for quantifying fisheries productivity and the options (or measures) for offsetting impacts of the Project on fisheries productivity.	Engagement with DFO and communities ongoing Final offsetting plan to be prepared and submitted to DFO for approval under the *Fisheries Act* prior to dike construction.
30	LKDFN technical report responses (PR#557)	TK in fish out	Examples of recent Ekati-based TK projects include the participation of members of all IBA groups in the design and carrying out of the Lynx Lake fish-out, archaeological inspections of the proposed Jay Project area by Yellowknives Dene First Nation, inspection of the proposed Jay Road route through an esker by members of IBA and potentially-affected communities, and annual site visits for caribou monitoring and surveys. The routing and design of the proposed Jay Road and the Lynx fish-out program are based, in part, on TK received through Dominion Diamond's engagement process. Dominion Diamond will undertake similar engagement to inform the methodology and timing of the Jay fish-out.	Engagement with communities and DFO ongoing Final fish-out plan to be prepared and submitted to DFO prior to fish out activities.
31	Environment Canada EC Technical report response (PR#554)	Water quality – Trophic status trigger for Lac du Sauvage	Dominion Diamond accepts the recommendations by Environment Canada that the trophic status of Lac du Sauvage during the Project be maintained as oligotrophic, and that the CCME (2004) upper bound trigger concentration for oligotrophic lakes (0.01 milligrams per litre [mg/L]) be used as part of the aquatic Effects Monitoring Program (AEMP) to monitor for change in trophic status. As suggested by Environment Canada, lowering the benchmark to the upper bound of oligotrophic status will provide a more appropriate basis for oversight regarding responses and decisions to increases of phosphorus in Lac du Sauvage, if required.	In progress - to be included with AEMP Design Plan and Aquatic Response Framework for operations
32	EC technical report response (PR#554)	Diving bird mitigation strategy	Dominion Diamond will develop a final detailed fish-out plan prior to implementing the fish-out within the diked area in Lac du Sauvage; Dominion Diamond will develop a diving bird mitigation strategy as part of the fish-out plan, and will engage with Environment Canada on its development. Dominion Diamond will monitor the fish-out for the Project to determine the effectiveness of mitigation actions for waterbirds so that lessons learned can be applied to future fish-outs, such as, lessons learned that were applied to the Lynx fish-out.	Diving bird mitigation strategy to be included in final fish-out plan to be prepared prior to fish-out. Described in updated WEMP. WEMP & CRMP approved on June 1, 2017
33	IEMA technical report response (PR#556)	AEMP reference lakes	As part of the further development of the AEMP Design Plan for future submission to the WLWB, a desktop reference lake study will be conducted for the Project to identify whether a suitable reference lake can be found for comparisons to Lac du Sauvage.	Reference lake desktop study complete, with results provided in AEMP Design Plan. WLWB requires submission of a revised AEMP Design Plan to incorporate both Construction and operation phases of the Jay project within six months of the effective date of the Amended Licence. WLWB requires Reference Lake Study to be included within the revised Jay AEMP.
34	IEMA technical report response (PR#556)	Misery Pit discharge toxicity	Dominion Diamond has committed that no discharge of any minewater from the Misery Pit to Lac du Sauvage will occur if acutely toxic. To meet this commitment, monitoring of minewater in the Misery Pit (as a requirement under the Water Licence) will be undertaken during operations; the monitoring will be conducted in early operations (i.e., during the phase when there is no discharge to Lac du Sauvage) and late operations (i.e., during the discharge period). Dominion Diamond will evaluate the use of standard laboratory procedures versus site-specific procedures for toxicity testing as part of its water licensing submissions to the WLWB. A robust quality assurance/quality control plan will be developed and implemented for all water quality and toxicity testing procedures. The effluent toxicity data from the Surveillance Network Program will also be integrated into the interpretation of the results of the AEMP.	Included in SNP, and will be considered in AEMP Design Plan for Operations WLWB requires submission of a revised AEMP Design Plan to incorporate both Construction and operation phases of the Jay project within six months of the effective date of the Amended Licence.
35	IEMA technical report response (PR#556)	Plankton community monitoring	The final AEMP Design Plan to be submitted to the WLWB will include details on the proposed assessment of changes in plankton community structure. The design will include an assessment of phytoplankton and zooplankton biomass by taxonomic group and multivariate analyses to assess changes in community structure.	Included in updated management plan WLWB requires submission of a revised AEMP Design Plan to incorporate both Construction and operation phases of the Jay project within

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				six months of the effective date of the Amended Licence.
36	Kugluktuk public hearing transcript (PR#648)	Downstream water quality monitoring	"So I -- I think on behalf of the Company today, I -- I can say that we would commit to providing resources both financial and in kind for the establishment of a -- a long-term water quality monitoring program on the Coppermine River near -- near Kugluktuk." (Dominion Diamond)	In discussions with Kitikmeot Inuit Association (KIA)
37	DAR-GNWT-IR-3 (PR#305)	Incinerator facilities – waste incineration Incineration stack testing schedule requested	Version 2.0 of the Waste Management Plan will now be submitted to the Wek'eezhii Land and Water Board in September 2015 as part of the annual Water Licence review and will include updates for the Lynx Project and the new Management Plan for the Composter. The composter is currently being commissioned with a revised operation date of September 1, 2015.	Complete. Submitted to the WLWB October 2015
38	DAR-GNWT-IR-69 (PR#305)	Proper waste management practices by new employees	During site orientation for new employees, contractors and visitors, Ekati management will outline a mandatory presentation on waste management including the Sustainable Development Policy.	An update to the site orientation is in progress
39	Technical session April 24 – commitment #7 (PR#358)	Air quality	DDEC is to hold a meeting with EC to clarify emissions model and will prepare a summary report of the results of this meeting to be submitted to the Review Board.	Complete. Meeting held May 7, 2015 and submitted summary to MVEIRB on May 28, 2015.
40	Meeting Report - air quality regulators May 7, 2015 (PR#418) DAR-GNWT-IR2-19 (PR#448)	Air Quality Monitoring and Management Plan Stack testing	Dominion will commit to the 3-year incinerator stack testing cycle. Dominion Diamond has committed to undertake stack testing on the operating incinerators on the 3 year schedule. This was discussed in the Jay Project Technical Sessions, and a commitment to stack testing was made following the May 7, 2015 air quality meeting that included the Government of the Northwest Territories (GNWT) staff. Dominion Diamond has committed to updating the Incinerator Management Plan as part of the updated Waste Management Plans, as per the requirement in the Water Licence. Stack testing will follow current standards for this work, data will be circulated to GNWT and other parties, and follow up actions will be implemented if necessary. Details on these operating procedures will be finalized during the regulatory permitting process. Dominion Diamond provided a draft conceptual Air Quality Emissions Monitoring and Management Plan (AQEMMP) for the Jay Project to the Mackenzie Valley Environmental Impact Review Board for discussion on June 1, 2015, and followed up with a workshop on June 26, 2015 to engage with regulatory and community groups. The development of the Jay Project AQEMMP is ongoing and the schedule for testing and reporting is to be discussed and finalized during the Jay regulatory process. Dominion Diamond will host a technical workshop to discuss the proposed triggers and technical components of the AQEMMP in July 2015 and will also provide an engagement schedule for the AQEMMP.	Complete. Workshop held on July 20, 2015. Updated AQEMMP submitted to the GNWT on May 31, 2016.
41	DAR-GNWT-IR2-01 (PR#448)	Ambient Air Quality Adaptive Management Plan Framework	As per the document titled "Regulatory Engagement Follow-Up Responses from May 7, 2015 Air Quality Regulatory Meeting", dated May 2015, the Proponent has committed to including adaptive management trigger levels and associated actions in the draft Air Quality Monitoring and Management Plan, which will be provided to the Mackenzie Valley Review Board public registry by June 1, 2015.	Complete. Conceptual AQEMMP submitted to MVEIRB June 1, 2015. AQEMMP approved by GNWT on May 31, 2017.
42	DAR-GNWT-IR2-02 (PR#448)	Project mine fleet and equipment procurement	Dominion Diamond is committed to minimizing emissions from mine equipment according to the established principles of Best Available Technology Economically Available (BATEA). All equipment operating at the Ekati Mine has a set preventative maintenance plan that ensures equipment is operating at optimal conditions and performance.	Ongoing AQEMMP approved by GNWT on May 31, 2017.
43	DAR-LKDFN-IR2-01 DAR-MVEIRB-IR2-28 (PR#448)	Ambient Air Quality Guidelines	Furthermore, the GNWT has adopted regulations specifically for the protection of the health and safety of workers at mines. The Government of the Northwest Territories Mine Health and Safety Regulations (Section 9.02) states that employees shall not be exposed to airborne chemical or physical substances in excess of those specified in the 1994-1995 Threshold Limit Values for Chemical Substances and Physical Agents and Biological Exposure Indices published by the American Conference of Governmental Industrial Hygienists (GNWT 2015a). These thresholds are higher than the NWT ambient air quality guidelines and would be applicable inside the development area. It is Dominion Diamond's intent to apply the NWT ambient air quality guidelines (GNWT-ENR 2014) as standards or targets for purposes of air quality monitoring and management at the Project. Therefore, the fact that the NWT ambient air quality guidelines are non-legally binding, as clarified by the GNWT Department of Environment and Natural Resources (ENR) in a letter (GNWT-ENR 2015) responding to Undertaking 17 from the Mackenzie Valley Environmental Impact Review Board (MVEIRB) Technical Sessions for the Project on April 24, 2015, will have no effect on how Dominion Diamond plans to manage the air quality at the Project. Dominion Diamond, in its proposed Conceptual Air Quality and Emission Monitoring and Management Plan for the Jay Project (AQEMMP; Dominion Diamond 2015) submitted to the MVEIRB on June 1, 2015, and discussed with parties during a workshop on June 26, plans to include an adaptive management approach to the management of air quality at the Project site. The NWT ambient air quality guidelines, regardless of their current non-legally binding status, will be used as the bases for the criteria that will trigger appropriate management actions as proposed in the AQEMMP. If new ambient air quality guideline or standard values are adopted by the GNWT in the future, the AQEMMP for the Project will be updated to reflect the changes in the guidelines or standards.	Included in updated management plan AQEMMP approved by GNWT on May 31, 2017.

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44	DAR-LKDFN-IR2-05 DAR-NSMA-IR2-04 (PR#448)	Greenhouse gas emissions and alternative energy	Dominion Diamond is committed to reducing overall greenhouse gas emissions from the Ekati Mine. As noted in the response to DAR-NSMA-IR2-04, Dominion Diamond has set the following targets for reducing greenhouse gas emissions for fiscal year 2016 (February 1, 2015 to January 31, 2016): • Reduce energy baseload by 5% • Reduce Greenhouse Gas Emissions by 5% • Realize energy savings of $2 million • Reduce fuel consumption by 5% Dominion Diamond will continue to set targets for greenhouse gas emissions annually for the life of the Ekati Mine and this will be reported as part of the Air Quality Monitoring Program report, Mining Association of Canada Towards Sustainable Mining Program, and the Environment Canada Greenhouse Gas Inventory.	Included in updated management plan AQEMMP approved by GNWT on May 31, 2017.
45	DAR-MVEIRB-IR2-29	Greenhouse gas emissions	Dominion Diamond will continue to set targets for GHG annually for the life of the Ekati Mine and the Jay Project, and this will be reported as part of the Air Quality Monitoring Program report, Mining Association of Canada Towards Sustainable Mining Program, and the Environment Canada Greenhouse Gas Inventory. Targets for GHG reductions have not been set for the Jay Project. Dominion Diamond will continue to set targets for GHG emissions on an annual basis. Targets will be selected with consideration of the stage of the Project (e.g., construction, operation). Examples of the targets set for Ekati Mine's 2016 fiscal year (February 1, 2015 to January 31, 2016) are: • Reduce energy baseload by 5% • Reduce fuel consumption by 5% • Realize energy savings of $2 million • Reduce GHG emissions by 5%	Included in updated management plan AQEMMP approved by GNWT on May 31, 2017.
46	DKFN Technical Report Response (PR #553)	Air quality monitoring program – Monitoring transects	The monitoring transect proposed along the Jay Road in the Conceptual Air Quality and Emissions Monitoring and Management Plan (AQEMMP) will be designed and sited to optimize the potential to monitor elevated concentrations and deposition rates, and to capture the potential effects from the Jay Road and the Jay Pit.	Included in updated management plan AQEMMP approved by GNWT on May 31, 2017.
47	GNWT technical report response (PR#555) NSMA technical report response (PR#558)	Air quality triggers	Dominion Diamond agrees with the recommendations of the GNWT with the following minor revisions noted below in Table 2.1-1 (underlined text to identify the change). Dominion Diamond recommends these final revisions to ensure that the development of action plans are prepared for a change based on an increase in year to year concentrations.	Included in updated management plan AQEMMP approved by GNWT on May 31, 2017..
48	GNWT technical report response (PR#555) Hearing undertaking response DAR-MVEIRB-UT2-05 (PR#673)	Incineration management plan Stack testing, reporting, and re-testing in the event of a failed stack test	Dominion Diamond has committed to continuation and on-going improvement of its Ekati Mine Incineration Management Plan that directs the incineration process in accordance with the manufacturer's instructions and the Environment Canada Guidance Document on Batch Incineration that may include: - A waste segregation/diversion procedure; - Removal of plastics and substitution of corn and bamboo based products at the Ekati Mine; - Appropriate batch sizing including weighing and mixing; and, - Monitoring and maintaining records of operating parameters (temperature in primary and secondary chambers, residence time) and quarterly performance monitoring. Dominion Diamond has committed to a rigorous stack testing regime that will enable assessment of ongoing compliance with the CWS. Dominion Diamond agrees to submit any waste incinerator stack test results to GNWT Environment and Natural Resources (ENR) and Environment Canada (EC). On September 22, Dominion and the GNWT agreed on the following wording for the reporting of incinerator stack testing results: • Dominion Diamond must submit any waste incinerator stack test results to ENR and EC no more than 90 days after completing a stack test. Following the reporting timeline agreed to above, Dominion Diamond and GNWT agreed to the following wording for the development of the AMRP. • In the event of a failed stack test, Dominion Diamond must develop and submit to ENR and EC an AMRP no more than 120 days after the failed stack test. The AMRP should contain an assessment of the incinerator operations and management that would have contributed to the failed stack test, and methods to improve/rectify them. Dominion Diamond should implement the AMRP immediately upon submission of the AMRP. In regards to the requirement to re-test the incinerators 6 months from a failed tack test, GNWT re-iterated that this is an important step to test the AMRP. Dominion Diamond believes that the schedule for stack testing needs to be linked to the AMRP but has agreed to the	Included in updated management plan AQEMMP approved by GNWT on May 31, 2017.

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			measure proposed by the GNWT, with the addition of the bolded section below. This bolded wording is taken from the GNWT Technical Report (p13-14, GNWT 2015b). • Dominion Diamond will re-stack test the incinerators within 6 months of the initial failed stack test. The second stack test will verify the effectiveness of the adaptive management response measures and compliance to the CWS. All stack tests must be conducted in accordance with national standards, and will include detailed documentation to demonstrate that representative composition and batch size of waste were used during the testing process. Exemptions for the second stack test may occur based on a review conducted by ENR, in consultation with EC. **Exemptions for conducting a second stack test could occur based on factors such as the degree of the original exceedance over the CWS, the confidence from the developer and GNWT/EC in having properly identified and addressed the cause(s) of the exceedance, and the availability of any other indicators to demonstrate the issue(s) has been rectified.** Dominion Diamond believes that this addition allows for proper consideration of the exceedance and would be included and considered in the AMRP when submitted to ENR and EC.	
49	IEMA technical report response (PR#556)	Fugitive dust abatement program	As part of construction and operations for the Project, dust generation and deposition will be monitored under the AQEMMP, as well as water quality (including TSS measurements) at stations in close proximity to Project activities (e.g., dike construction) in the AEMP. Mitigation strategies to minimize dust generation, such as limiting vehicle speeds, applying dust suppressants, or road watering, and monitoring and evaluation (which includes adaptive management trigger thresholds for particulate matter), will be implemented as per the Fugitive Dust Abatement Program detailed in the AQEMMP for the Project.	Included in updated management plan AQEMMP approved by GNWT on May 31, 2017..
50	LKDFN technical report response (PR#557) and NSMA technical report response (PR#558)	Ambient air quality guidelines	During construction and operations of the Jay Project, Dominion Diamond intends to apply the NWT ambient air quality guidelines (GNWT-ENR 2014) as standards for purposes of air quality monitoring and management at the Project.	Included in updated management plan AQEMMP approved by GNWT on May 31, 2017.
51	LKDFN technical report response (PR#557)	Providing climate information to communities	Specific topics of interest such as the potential implications of climate change for the Ekati Mine are often requested by individual communities and responded to by Dominion Diamond. Dominion Diamond will continue this approach and will tailor community engagement to the specific requests of each community.	Ongoing
52	LKDFN technical report response (PR#557) And NSMA technical report response (PR#558)	Alternative energy study	Dominion Diamond commits to conducting a concept study of additional potential investments in alternative energy including areas such as wind and solar energy. This study will be led by Dominion Diamond staff drawing on appropriate external expertise, with a summary of results to be made publicly available within one year of the MVEIRB's Report of Environmental Assessment.	Alternative energy study completed and submitted to the Review Board on February 1, 2017 (EA1314-01_DDEC_Alternative_Energy_Concept_Study_01-Feb-2017__Commitment__52_.PDF).
53	YKDFN technical report response (PR#561)	Dust suppression	Dominion Diamond is committed to ongoing evaluation and improvement of dust suppression at the Ekati Mine.	Submitted 2015 EnviroKleen Pilot Project Report and 2016 Dust Suppression Program on May 24, 2016. DDEC will prepare a best management practices document which will include adaptive management triggers for additional dust suppression based on the NWT dustfall standard. The document is anticipated to be prepared for review in summer 2017, and will take into account the learnings from the first year of the dust pilot study referenced above AQEMMP approved by GNWT on May 31, 2017.
54	DAR-IEMA-IR-25 (PR#305)	Road use mitigation	Dominion Diamond commits to the list of mitigations from Table 12.3-1, and using a combination of collared caribou locations and road surveys to provide information on caribou locations relative to active roads. This monitoring will help determine when and where additional mitigation, such as signage, modification of traffic patterns and road closures is required.	Included in updated management plan WEMP & CRMP approved on June 1, 2017.
55	DAR-MVEIRB-IR-2 (PR#305)	Caribou and other wildlife crossing dewatered lakebed	The Jay dike and pit area will be part of routine site surveillance monitoring for the Ekati Wildlife Effects Monitoring Program. If caribou approach the diked area, Dominion will implement deterrent procedures (e.g. walking towards caribou) to keep animals and people safe.	Included in updated management plan WEMP & CRMP approved on June 1, 2017.

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56	DAR-LKDFN-IR-19 DAR-Tlicho-IR-21 Appendix C PR#305, 308)	Jay road crossing mitigation	Mitigation includes: • Frequent and wide caribou crossings • Kimberlite stockpile areas so that the Ekati mine can operate through brief road closures • 200 mm crush on ramps • Early monitoring for caribou using additional satellite collar maps	Included in updated management plans and designs WEMP & CRMP approved on June 1, 2017.
57	Technical session April 21 – commitment #2 (PR#358)	Caribou - baseline	Dominion Diamond is to complete a draft Wildlife Effects Monitoring Plan (WEMP) and Wildlife and Wildlife Habitat Protection Plan (WWHPP) that incorporates the Jay Project by August 1, 2015.	Complete – Submitted to the MVEIRB July 31, 2015. WEMP & CRMP approved on June 1, 2017.
58	Technical session April 21 – commitment #3 (PR#358)	Caribou road mitigation	Traffic Management Plan or Wildlife and Roads Mitigation Plan as an Appendix to the WEMP. Input sought into plan that lays out the steps which will include linkage between monitoring and mitigation and incorporate input. Dominion to set out a plan on how it will incorporate those suggestions.	Included in updated management plans WEMP & CRMP approved on June 1, 2017.
59	DAR-MVEIRB-UT-01 (PR#371)	Caribou crossings	Dominion Diamond commits to constructing the section of the Jay Road between King Pond dam and the approach to active operations with “frequent and wide caribou crossings that will respect the communities’ identification of the importance of this area for caribou movement”.	Included in updated management plans and designs WEMP & CRMP approved on June 1, 2017.
60	DAR-MVEIRB-UT-04 (PR#371)	Caribou monitoring	Dominion Diamond is proposing to “increase early monitoring of caribou movement with the aid of satellite collar maps obtained from the GNWT” that would “provide advanced warning of when caribou may be approaching the Ekati Mine”. Dominion Diamond further proposes to “construct additional kimberlite stockpile areas” so that the mine can operate through brief road closures.	Included in updated management plans WEMP & CRMP approved on June 1, 2017.
61	DAR-MVEIRB-IR2-04 (PR#448)	Light mitigation strategies for caribou	DAR-MVEIRB-UT-03 describes possible mitigation strategies for light pollution. These include utilization of fully shielded lighting fixtures, lighting design that involves tilt and orientation and meets the required light levels to ensure worker health and safety onsite while minimizing luminous flux, and where possible, dark colours or lower-reflectivity surfaces on buildings and other structures. Another mitigation option includes the use of switches or motion detectors in high illumination areas not occupied on a continuous basis (i.e., lighting the area only when occupied). Dominion Diamond is committed to consider these and other mitigation strategies and their applicability to the Jay Project prior to the commencement of construction of new fixed structures or facilities.	Ongoing WEMP & CRMP approved on June 1, 2017.
62	GNWT technical report response (PR#555)	Participation in GNWT-led programs	GNWT requests that MVEIRB recognize the final statement made by Dominion Diamond in its response to IEMA-IR-36 as one of the developer’s commitments to be included in the scope of development for this EA. This statement reads “Dominion Diamond will maintain its commitment throughout the life of the Jay Project to doing what it reasonably can to contribute to and support GNWT-led regional programs to improve the state of the Bathurst caribou herd.” Dominion Diamond does not object to the inclusion of this statement as a commitment. Dominion Diamond has revised the commitment as requested, and added it to Section 5.6.1 (Barren ground Caribou Management Strategy) of the Wildlife Effects Monitoring Plan (WEMP).	Ongoing WEMP & CRMP approved on June 1, 2017. CMP Submitted May 19, 2017
63	IEMA technical report response (PR#556) and TG technical report response (PR#559) and YKDFN technical report response (PR#561)	Improving ZOI measurements	Recommendation to assist in evaluating alternative methods for refining assessments of the ZOIs of developments on barren-ground caribou. Dominion Diamond agrees with the recommendation and will analyze the ZOI distance and magnitude from the 2009 and 2012 aerial survey data as requested and will present the results in its 2015 WEMP report. Dominion Diamond will work with the ZOI Technical Task Group to evaluate the analytical methods and their results. Dominion Diamond has also partnered with the Canada Centre for Remote Sensing (Natural Resources Canada) on their SMART program on the effects of development on the Bathurst caribou herd, which includes ZOI assessment.	Ongoing Reanalysis of ZOI by GNWT and Contractors – Draft Report Circulated WEMP & CRMP approved on June 1, 2017 CMP Submitted May 19, 2017
64	IEMA technical report response (PR#556)	Improving ZOI measurements	Dominion Diamond will collaborate with the GNWT on regional programs and actions, and work with the ZOI Technical Task Group to revise the WEMP to include monitoring methods to address the prediction that the Project will not affect the size and magnitude of the area of caribou avoidance, including methods for measuring ZOI.	Ongoing WEMP & CRMP approved on June 1, 2017

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	NSMA technical report response (PR#558)			CMP Submitted May 19, 2017
65	LKDFN technical report response (PR#557)	Caribou and WRSA	During the construction and operations phases of the Project, all incidental caribou observations in the study area are monitored as part of the Wildlife Effects Monitoring Program (WEMP). Observations are recorded to minimize potential risks associated with human and wildlife interactions, and to identify mine structures that are acting as potential barriers to caribou movement. This will include observations of caribou at the Jay WRSA. Incidental sightings logs will be maintained at site throughout the life of the Ekati Mine. Environment staff will review the logs weekly and respond to wildlife sightings or trends of concern when they occur.	Included in updated WEMP. WEMP & CRMP approved on June 1, 2017
66	LKDFN technical report response (PR#557)	Caribou and WRSA	Dominion Diamond has designed the WRSA to be a neutral feature on the land by providing for the construction of several caribou egress ramps as the rock pile progresses. Progressive construction of the egress ramps during construction of the Jay WRSA is an enhancement of current practice at the Ekati Mine. The ramps will provide multiple areas for caribou or other wildlife to safely move off the pile. In selecting the location of the ramps, Dominion Diamond will consider input from community engagement and TK and rely upon observations during the operations phase.	Included in updated management plans and designs. WEMP & CRMP approved on June 1, 2017 Closure Objective will be discussed as part of the ICRP Update. To be updated within one year of Ministers Signature on WL.
67	LKDFN technical report response (#557)	WRSA design plan	As part of the future permitting work for the Project (i.e., Water Licensing), Dominion Diamond will provide a Design Report for the Jay WRSA to the WLWB. This would be consistent with the current requirements of the Ekati Mine Water Licence for WRSA Design Reports. This document will contain: • relevant information on the design, construction, monitoring, and management of the facility; • information on setback distances from the esker and surface water; • information on the visual inspections, monitoring of instrumentation, and sampling of any seepage/runoff that is identified, consistent with the existing Ekati Mine WROMP (Vers. 4.1)(Dominion Diamond 2014b); and, • an adaptive management approach to describe responses to seepage water quality issues, if they were to develop though operations or closure.	Included in updated management plans and designs. WEMP & CRMP approved on June 1, 2017 Closure Objective will also be discussed as part of the ICRP Update. To be updated within one year of Ministers Signature on WL.
68	NSMA technical report response (PR#558)	Underground power lines and pipes	Dominion Diamond will continue to hold discussions and receive input from IBA community members regarding the design of the caribou crossings for the Jay Road. This input will be incorporated into the detailed design of the Jay Road. Once roads are constructed, it is anticipated that as part of annual visits of community members to the Ekati Mine and for wildlife monitoring, the effectiveness of the caribou crossings will be reviewed, and if necessary, modifications will be implemented.	Caribou crossing design engagement complete with ongoing engagement on effectiveness of crossings, TK Elder's Group. WEMP & CRMP approved on June 1, 2017
69	TG technical report response (PR#559)	Caribou crossing design engagement	Dominion Diamond will continue to engage with their IBA communities and other people affected by the Project to receive input regarding the design of the caribou crossings for the Jay Road. This input will be incorporated into the final detailed design of the Jay Road.	Caribou crossing design engagement complete with ongoing engagement on effectiveness of crossings. WEMP & CRMP approved on June 1, 2017
70	TG technical report response (PR#559)	Road closures for caribou	Dominion Diamond recognizes that traffic on the Jay Road and Misery Road associated with transport of kimberlite from the Jay Pit to the Ekati Mine processing plant is a potential barrier for caribou movement. To reduce this impact, Dominion Diamond have committed to temporarily closing the road(s) (Jay Road and/or Misery Road) to haul vehicles depending on the season and group composition of caribou approaching the roads.	Included in updated management plans WEMP & CRMP approved on June 1, 2017
71	TG report response (PR#559)	Caribou and WRSA	Dominion Diamond will seek input from Tłı̨chǫ Elders and representatives of other IBA communities related to the location and design of these ramps, as was indicated in the Round 1 IR response DAR-Tłı̨chǫ-IR-29. Although caribou are not anticipated to regularly use the rock pile, they may occasionally be present; therefore, egress ramps will be constructed, to provide multiple routes off the pile for caribou or other wildlife. The rough boulder surface of the rock pile may still provide areas for dens for wolves and foxes, and burrowing areas for animals such as ground squirrels and hares. Dominion Diamond will continue to work with the Tłı̨chǫ and other IBA community members on aspects of facility design, construction, monitoring and closure, and to incorporate traditional knowledge. As part of the future permitting work for the Project (i.e., water licensing) Dominion Diamond will provide a Design Report for the Jay WRSA to the Wek'èezhìı Land and Water Board (WLWB). This document will contain:	Included in updated management plans and designs WEMP & CRMP approved on June 1, 2017 Closure Objective will also be discussed as part of the ICRP Update. To be update within one year of Ministers Signature

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			• relevant information on the design, construction, monitoring and management of the facility, including the egress ramps; • information on setback distances from the esker and surface water; • information on the visual inspections, monitoring of instrumentation, and sampling of any seepage/runoff that is identified, consistent with the existing Ekati Mine Waste Rock and Ore Storage Management Plan (WROMP) Vers. 4.1 (Dominion Diamond 2014b); and, • an adaptive management approach to describe responses to seepage water quality issues, if they were to develop.	
72	Dominion responses to hearing undertakings, DAR-MVEIRB-UT2-06 UT2-07 UT2-08 (PR#673)	Caribou Mitigation Plan Caribou mitigation measures Caribou Road Mitigation Plan (CRMP) details Truck convoys	Dominion Diamond commits to prepare a Caribou Mitigation Plan within one year of the acceptance of the Report of Environmental Assessment. (See full text of the Caribou Mitigation Plan commitment PR#673, DAR-MVEIRB-UT2-06 here) The Plan/Strategy includes: • Caribou monitoring • Project mitigation • Zone of influence research • Dust mitigation – sampling and suppressant program • Progressive reclamation of the existing Ekati mine	CMP in progress. WEMP & CRMP approved on June 1, 2017 CMP Submitted May 19, 2017
73	DAR Adequacy review response -DAR-MVEIRB-11 (PR#255)	Employee retention	Dominion Diamond is committed to improving upon the existing tracking of human resources indicator, including employee retention, in the future.	Ongoing
74	DAR Adequacy review response -DAR-MVEIRB-11 (PR#255)	Employee retention, adult education	Dominion Diamond is reinstating the Workplace Learning Program, and is introducing an adult educator position, with the goal of improving the education literacy of employees.	Complete – adult educator position in place.
75	DAR Adequacy review response -DAR-MVEIRB-11 (PR#255)	Recruitment	Establish community liaisons employed by the community but funded through Dominion Diamond. The liaison will be the company's point of contact in the community and will mainly be responsible for pre-employment contact. Dominion Diamond agreed to fund a liaison position who would be employed by the community to provide pre-employment assistance.	Ongoing. DDEC has successfully been supporting the Hamlet of Kugluktuk's Community Career Liaison Officer for the past year and are currently waiting for a proposal from the Hamlet to continue our support to this position for another year. Dominion Diamond provides this support to communities as needed. At the request of some communities, funding for the position has been used for other positions where a need is identified. For example, some communities have requested funding for business development related roles instead of Liaison/Recruiting roles.
76	DAR-KIA-IR-84 (PR#305)	Local business capacity	Dominion is committed to engaging with all IBA communities with respect to contracting community businesses, wherever practicable, for the Jay Project. Through ongoing engagement with IBA communities, Dominion will seek to identify business opportunities and strategies to maximize the use of local businesses.	Ongoing discussions with IBA groups –quarterly business opportunities summary provided to IBA groups. Related to Commitment 75, some communities have requested funding for business development related roles instead of Liaison/Recruiting roles.
77	DAR-KIA-IR-88 (PR#305)	Education – northern labour force development	Dominion will continue to work with the Mine Training Society in the delivery of mine-related programming to the Hamlet of Kugluktuk. Dominion will extend the on-the-job training opportunities, including apprenticeships, to employees at the Ekati mine, including those who reside in Kugluktuk. Through ongoing consultation with IBA communities, including the Hamlet of Kugluktuk, Dominion will work to identify opportunities to provide education and training to residents of IBA communities, where practicable.	Ongoing
78	DAR-NSMA-IR-27 (PR#305) NSMA-DAR-IR2-01 (PR#448)	Employment and training– barriers to training and employment of women	Dominion is committed to ongoing engagement with communities, and will continue to seek input on employment barriers, including those discussed above (employment for rural women), and possible approaches to breaking down those barriers. Dominion Diamond has undertaken activities to try to minimize these barriers to the training and employment of women, where possible: 1. Dominion Diamond provides scholarships in the support of educational attainment, with the aim of removing barriers associated with the cost of an education.	Ongoing. Dominion Diamond held a workshop on June 3, 2016 with the GNWT, the Status of Women Council for the NWT, and the Native Women's Association of the NWT to discuss updates to its

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			2. Dominion Diamond will continue to run the Women in the Workforce Program, designed to promote the training, hiring, and advancement of women in non-traditional roles. 3. On a case-by-case basis, Dominion Diamond evaluates alternate schedules for women with children, including flexible office hours for Yellowknife-based staff, and flexible rotations for mine-site workers, such as a four (4) days on / three (3) days off rotation instead of a two (2) weeks on/two (2) weeks off rotation. This shorter period away from home allows some women to split caregiver duties with another family member, or to use other childcare arrangements as available. 4. Dominion Diamond is committed to maintaining a workplace free of discrimination and/or hostility towards women. The Company has a Harassment & Discrimination Policy that outlines the process individuals can follow in raising a concern of harassment and/or discrimination and having the concern addressed in a timely fashion. 5. Dominion Diamond is also committed to engaging with communities to provide information to potential female employment candidates that encourages their application, and reiterates the company's zero tolerance policy towards harassment and gender discrimination. 6. Dominion Diamond has implemented a Recruitment Policy that ensures qualified female applicants are given priority consideration for both traditional and non-traditional roles. With the creation and institution of this formal policy, it is Dominion Diamond's goal to increase the proportion of women working for the company over the operational life of the Jay Project. 7. Dominion Diamond will continue to support external organizations such as the Mine Training Society by providing work placements to students, including females, at the mine site with the view to ensuring students are able to gain practical hands-on work experience, but also enable them to experience life at the mine. Dominion Diamond will take the following steps to evaluate the status of the employment of women at the Ekati Mine, and to develop strategies to improve performance: 1. Dominion Diamond will track feedback received from Exit Interviews completed by exiting female employees to identify barriers to successful retention. If such barriers are identified, Dominion Diamond is committed to investigating what can be done to address the issue. Mechanisms to address barriers will be developed as part of Dominion Diamond's commitment to ongoing improvement, and will be specific to the issue in question. 2. Where employment barriers for women are seen as related specifically to social issues, Dominion Diamond is committed to raising these issues with the Government of the Northwest Territories to determine how the two parties can work together to improve or remove the barrier that is being experienced. In addition, Dominion Diamond evaluates its programs aimed at improving the training and recruitment of women in the North, and will continue to adapt programs in response to feedback from female employees and community members interested in a career in mining. Regardless of achievement of industry averages of women in the workforce, Dominion Diamond is committed to engaging women, and building capacity of the female workforce in the NWT. To this end, Dominion Diamond will continue to participate in the programs and initiatives detailed in Part 1 of this response, and will continue to work with communities to identify strategies for employing women.	strategy on employment of women as per Measure 8-2. Efforts continue to develop an appropriate framework and a path forward for addressing Women in Mining issues.
79	Technical session April 23 – commitment #6 (PR#358)	Minimizing impacts and maximizing benefits to communities	DDEC is to prepare a summary report (in the future) from annual meetings between GNWT and DDEC describing performance on SEA community wellness and health indicators and DDEC's actions to address performance issues (acknowledging that all proprietary and confidential information will be omitted)	Ongoing - typically meet to review annual SEA reports late summer/early fall. Completed for the 2015 SEA Report with the GNWT where minutes were taken and agreed by both parties that they would be shared as necessary.
80	DAR-MVEIRB-IR2-30 (PR#448)	Health and well-being in communities	Dominion Diamond acknowledges that adverse health and wellbeing trends exist, are significant, and may continue into the future. While the Project is predicted to not contribute to these adverse trends, Dominion Diamond is committed to working with the Government of the Northwest Territories, health and wellbeing-focused organizations, and communities to proactively address them to the extent possible.	Ongoing
81	LKDFN technical report response (PR#557) YKDFN technical report response (PR#561)	SEA performance improvements	Dominion Diamond is currently in the process of evaluating the reporting tool in terms of its utility as a means for communicating SEA performance to communities, the GNWT, and the broader public. While Dominion Diamond has already improved upon the SEA reporting procedures, the Company is committed to continual evaluation and improvement. Some steps taken to date to improve the reporting process for the 2014 SEA report, or subsequent reports, include: • Transitioning to a new Human Resources tracking system that provides better reporting capabilities than the previous system. • Listing of traditional and non-traditional roles to allow for greater understanding of the statistics being reported. • Developing and rolling-out of Contractor Employment Statistics Procedure, which will ensure that contractors comply with the SEA requirement to report on Aboriginal and Northern hire statistics.	Some of the agreed to changes have been implemented in the most recently drafted SEA for 2015, so these details will be seen in there. Ongoing are the internal processes to track progression, as well as improving contractor monthly reporting.

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			• Holding key contractors responsible for monthly reporting of employment and procurement statistics, to more accurately report on monthly achievement relative to SEA commitments. • Reviewing, updating, and reporting the skill levels associated with current positions at the Mine. • Implementing internal processes to track employee career progression, and reporting on Dominion Diamond's achievement in promoting and progressing its Northern and Northern Aboriginal employees.	
82	LKDFN technical report response (PR#557)	SEA engagement	Dominion Diamond is open to collaborating with communities and the GNWT to address SEA engagement recommendations, as appropriate. Given that the SEA reports are the responsibility of the operator, Dominion Diamond will continue to engage with communities on how to improve annual SEA reporting.	Ongoing
83	LKDFN technical report response (PR#557) NSMA technical report response (PR#558) YKDFN technical report response (PR#561)	SEA transparency	Dominion Diamond is open to continued engagement with communities regarding the improvement of the transparency of discussions with the GNWT on matters pertaining to the Ekati Mine SEA. Dominion Diamond has committed to working with the GNWT to share minutes from meetings regarding the SEA, as appropriate, except where proprietary or confidential information is concerned. Dominion Diamond will also discuss other ways to improve transparency with the GNWT.	Ongoing
84	YKDFN technical report response (PR#561)	SEA targets	Dominion Diamond is committed to hiring, contracting, and procuring from Northern and Northern Aboriginal sources.	Ongoing
85	YKDFN technical report response (PR#561)	Improving evaluation of social situation of employees	In addition to these existing strategies, Dominion Diamond intends to implement the following measures to improve the evaluation of the social situation of employees, and in communities: • Obtaining feedback from the new Community Liaisons in key communities to determine what social barriers may be impacting work readiness or eligibility for employment at the Ekati Mine. • Having further discussions with the GNWT about additional programming that may be warranted based on feedback obtained from the above-noted (liaison) sources of information, and through existing and new government-sponsored programming such as the recent Skills 4 Success initiative. This initiative has been led by the GNWT and includes information on skills availability within communities and barriers to successful employment. • Working with the IBA representatives in each community to identify community and IBA-specific issues, and to determine what support Dominion Diamond can provide to assist in addressing these issues.	Ongoing
90	DAR-EC-IR-28 (PR#292) DAR-EC-IR-29 (PR#292) DAR-EC-IR-30 (PR#305)	EC engagement during the development of the WWHPP and WEMP	The wildlife and wildlife habitat protection plan and wildlife effects monitoring program will be developed with Environment Canada during the Jay Project permitting phase.	Ongoing WEMP & CRMP approved on June 1, 2017 CMP Submitted May 19, 2017
91	DAR-EC-30 (PR#305) EC technical report response (PR #554)	Migratory birds and SARA – reporting of mortalities Migratory bird use of mine-altered water	Reporting of all wildlife mortalities, including those of migratory birds and species at risk, is required by site personnel. This commitment for mandatory wildlife mortality reporting will be reaffirmed in the wildlife and wildlife habitat protection plan and wildlife effects monitoring program. The WEMP will also monitor and report annually direct mine-related wildlife mortalities, and any migratory bird mortalities would be directly reported to Environment Canada. Environmental information collected through the Water Licence will continue to be used to characterize mine-altered waterbodies as part of migratory bird surveys that are conducted under the direction of professional wildlife biologists through the WEMP. This approach enables timely implementation of migratory bird mitigation measures, if necessary. Migratory bird monitoring results related to mine-altered waterbodies will be provided in the annual WEMP report.	Ongoing WEMP & CRMP approved on June 1, 2017
92	DAR-MVEIRB-IR2-10 (PR#448)	Raptor nesting locations	Dominion Diamond is committed to continue working collaboratively with the Government of the Northwest Territories, Environment and Natural Resources (GNWT-ENR) to identify and mitigate any potential risks or impacts to raptors and their nests during mining operations and pit back-flooding during closure. Dominion Diamond will continue to monitor all pits during operations and engage with GNWT-ENR on the appropriate preventative measures or deterrent methods to ensure the safety of raptors, their nests and young during both operations and closure.	Included in updated management plan WEMP & CRMP approved on June 1, 2017

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93	EC technical report response (PR#554)	Provisions for species at risk	Mitigation and monitoring strategies for listed species (per Environment Canada Table 2 above) will be consistent with any final and applicable COSEWIC assessment status report, SARA recovery strategy, action plan, and management plan that may become available during the duration of the project. Dominion Diamond will consult with the GNWT and Environment Canada on adaptive management strategies should they be required, including the implementation of setback distances for established nests and monitoring the success of such nests. Pit wall monitoring for nesting raptors is a component of the WEMP (Section 5.10.1). Mitigation for raptors nesting in active and inactive pits is provided in Section 4.3.1. If a bird successfully nests in an active pit, ENR will be contacted to discuss a buffer zone that will be applied to the nest where no work can be undertaken. Monitoring for upland breeding birds (includes migratory birds) is a component of the WEMP and includes recording and reporting incidental observations (Section 5.12.1) and the North American Breeding Bird Survey (Section 5.12.2). Data would be submitted to eBird. In addition, rare and uncommon species will be recorded as part of the WEMP (Section 5.13).	Ongoing and included in updated management plan WEMP & CRMP approved on June 1, 2017
94	GNWT technical report response 8 (PR#555 p2-9)	WEMP update	A revised version of the WEMP containing the changes identified in Response 8 was submitted to the MVEIRB on July 31, 2015 (Dominion Diamond 2015b).	Complete - July 31, 2015. WEMP & CRMP approved on June 1, 2017
95	DAR-EC-IR-28 and DAR-EC-IR-29 (PR#292)	Migratory Birds – Incidental Take	To the extent practicable, Dominion Diamond will plan to avoid vegetation clearing or causing other habitat loss during the migratory bird nesting season. Details of the mitigation procedures to avoid incidental take of migratory birds, their nests and eggs to comply with the Migratory Birds Convention Act and specific details for the avoidance of incidental take will be identified in the wildlife and wildlife habitat protection plan and wildlife effects monitoring program (including specific times and areas where migratory birds may be at risk).	Included in updated management plan WEMP & CRMP approved on June 1, 2017
96	DDMI Technical Report Responses (PR #551)	Engagement with other parties	Dominion Diamond has committed to continue to engage with DDMI on the development of detailed environmental and monitoring plans for water and wildlife where there is a spatial overlap of interests or needs.	Ongoing - DDEC engaging with DDMI
97	EC Technical report response (PR #554) AND GNWT technical report response (PR#555)	Misery Pit closure plan	Dominion Diamond plans to undertake this optimization study (described in PR#554 and PR#555) for the Ekati Mine Final Closure and Reclamation plan for approval from the WLWB. Therefore, for the Ekati Mine Final Closure and Reclamation Plan to be approved by the WLWB, Dominion Diamond will update water quality predictions and determine the optimal depth of freshwater cap.	Included in updated management plans ICRP Version 3.0 to be submitted to WLWB within twelve months of the effective date of WL to include the Jay Development.
98	GNWT technical report response (PR#555)	Panda and Koala pit closure	Dominion Diamond will finalize operational and closure planning for the Panda and Koala pits once the Jay Project Environmental Assessment Process has been successfully completed. This work will include an optimization study as recommended by the GNWT.	Included in updated management plans WL requires the submittal of a Panda and Koala Deposition Study prior to deposition of processed kimberlite into the Panda and Koala pits. WL approved evaluating the appropriate fresh water cap depth to overlay the deposited processed kimberlite in the Panda and Koala open pit as part of Ekati's reclamation research program.
99	Technical session April 21 – commitment #4 (PR#358)	Management plans	Dominion Diamond will submit draft plans or existing management plans (e.g. those under review by WLWB) that may be used for reference by the Review Board (but not for review under the EA process); to be submitted to the Review Board and posted to the public registry.	Complete - Submitted to MVEIRB in June/July 2015.
100	DAR-MVEIRB-IR2-23 (PR#448)	Misery Pit water quality management strategies	If water quality monitoring within the Misery Pit indicates conditions differ from the DAR predictions and represent a potential risk to the receiving environment, Dominion Diamond will implement adaptive management strategies that may involve improvement or modifications to the minewater management plan or temporary use of the contingencies included in the design of the water management structures (Section 8.3, Appendix 3A of the DAR). The adaptive management strategies were provided in responses to the previous information requests (Round 1 IRs DAR-GNWT-IR-58 and DAR-EC-IR-15), and include the following: • maintaining a storage contingency allowance in the existing King Pond throughout the construction and operations stage for use as an additional total suspended solids management facility during construction and operations phase, or for short-term emergency minewater storage;	Included in updated management plans WLWB has approved the WPKMP and the Jay Minewater Management Plan. DDEC is to submit a revised WPKMP to include the Jay Minewater Management Plan for a conformity check by staff within 90 days of the effective date of the Amended Licence.

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			• maintaining the contingency storage in the Misery Pit (approximately 3 million cubic metres throughout the operations stage for use as emergency minewater storage - upper 10 metres of the pit); • maintaining pumping capacity and a pipeline between the Misery and Lynx pits throughout the operations stage to allow for lowering of the Lynx Pit water level to generate additional contingency minewater storage, if required; • increasing storage capacity in the Jay runoff sump and mine inflows sump (e.g., constructing containment berms around the sumps) to augment temporary minewater storage capacity within the diked area; • consideration of direct discharge to the environment from the Jay runoff sump, if water is found to meet established discharge criteria (the discharge locations used during the initial stages of dewatering would be used); • use of storage capacity available at the Ekati site (e.g., construction of pumping and pipeline system from the Misery site to the Ekati site); and, • treatment of parameters of concern prior to discharge to Lac du Sauvage. Adaptive management options that provide additional storage for minewater may, in certain circumstances, be used to directly address certain water quality concerns such as suspended sediment, or they may provide additional time for implementation of other response plans.	
101	DDMI Technical report response (PR #551)	Regional monitoring programs – Wildlife and Water	Dominion Diamond has committed to continue to take part in regional monitoring programs for water and wildlife that would be led by government agencies. For example, Dominion Diamond will continue its participation with the Government of the Northwest Territories (GNWT)-led Caribou ZOI working group.	Ongoing WEMP & CRMP approved on June 1, 2017 CMP Submitted May 19, 2017
102	DDMI Technical report response (PR #551)	Review of Monitoring and Mitigation Plans – Wildlife and Water	Dominion Diamond will advance the environmental monitoring and mitigation plans according to the applicable review process including engagement with stakeholders where appropriate.	Ongoing WEMP & CRMP approved on June 1, 2017 CMP Submitted May 19, 2017
103	DFO Technical Report Response (PR#552) AND EC Technical Report Response (PR #554) and IEMA Technical report response (PR#556)	AEMP development – AEMP	Dominion Diamond will continue to engage with regulators and communities on the design of the AEMP following the completion of the Environmental Assessment review process. Dominion intends to conduct an AEMP engagement workshop with interested parties prior to submission of the final plan to the WLWB. Dominion Diamond intends to conduct an AEMP engagement workshop with interested parties prior to submission to the WLWB.	Complete – December 11, 2015
104	DFO Technical Report Response (PR#552)	Aquatic Response Framework	Early warning action levels for water levels/flow changes for Lake C1/Stream C1 and the Narrows will be incorporated into the existing Ekati Mine AEMP Response Framework for approval by the WLWB under the Ekati Mine water license.	Included in updated management plans Submission of a revised AEMP Response Framework to incorporate the Jay Development required within six months of the effective date of WL.
105	DKFN Technical Report Response (#553) LKDFN technical report response (PR#557) TG technical report response (PR#559) YKDFN technical response report (PR#561)	AQEMMP – AQEMMP engagement	As described in the Dominion Diamond's July 24, 2015 letter posted to the MVEIRB public registry regarding the Draft Engagement Program for Amendments to the Ekati Mine Wildlife and Air Monitoring and Management Plans to Incorporate the Jay Project, additional engagement with parties on the AQEMMP (including station locations) will occur following the Environmental Assessment approval and prior to construction of the Project. Dominion Diamond will continue to engage with Tłı̨chǫ government and Tłı̨chǫ Elders along with all of the IBA groups on the design and implementation of the air quality programs. As described above, additional engagement on the AQEMMP will occur following the Environmental Assessment approval and prior to construction of the Project. Dominion Diamond will continue to work with the regulators and other parties in future revisions of the AQEMMP prior to the construction of the Project.	Engagement ongoing and included in updated management plans AQEMMP approved by GNWT on May 31, 2017.

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106	GNWT technical report response (PR#555) IEMA technical report response (PR#556) YKDFN technical report response (PR#561)	Mine Water Management Plan	Through the environmental assessment process, Dominion Diamond has repeatedly committed to effectively reduce the potential for impacts to the receiving environment through the operation of the mine under its proposed water management plan (e.g., limiting the period of discharge to the receiving environment for less than half the operating years). It is expected that a water quality monitoring and management plan for dike construction will be prepared for the WLWB prior to the start of construction. As part of the Water Licence process, this plan will include total suspended solids limits for the Jay Dike construction. Dominion Diamond accepts the recommendation that a revised mine water management plan be submitted to the Wek'èezhìı Land and Water Board (WLWB); we anticipate this will be a requirement of the Water Licence. As requested in this recommendation, this detailed plan submitted for approval with the Water Licence application will include details of contingencies, monitoring and evaluation, adaptive management trigger thresholds, and timelines for implementation.	Included in updated management plans Resubmission of CEMP required at least 90 days prior to the start of Construction. Minewater management plan approval with additional direction.
107	GNWT technical report response (PR#555)	Wastewater and Processed Kimberlite Management Plan	Dominion Diamond is committed to operating the Project in a manner that is environmentally protective. Therefore, Dominion Diamond will undertake ongoing evaluation of the operating details of the mine water management plan as operational monitoring data become available. Dominion Diamond anticipates that, consistent with current practice at the Ekati Mine, this work may take place through the Wastewater and Processed Kimberlite Management Plan as a requirement of the Ekati Mine Water Licence.	Included in updated management plans WPKMP approval with additional direction. Submission for conformity required within 90 days of the effective date of WL. Minewater management plan approval with additional direction.
108	IEMA technical report response (PR#556) LKDFN technical report response (#557)	Construction Management Plan	A construction management plan will be developed during the detailed design stage of the Project that will provide details regarding the handling, placement, and management of sediments and soils associated with the construction of the dike and Sub-Basin B Diversion Channel. Additional information regarding handling, placement and management of sediments and overburden associated with development of the open pit will be provided in the detailed design report for the Jay WRSA.	Included in updated management plans Resubmission of CEMP required at least 90 days prior to the start of Construction.
109	IEMA technical report response (PR#556) and LKDFN technical report response (PR#557)	Waste Rock and Ore Storage Management Plan	Dominion Diamond will provide the WLWB with an updated amendment to the WROMP to incorporate the Jay Project during the permitting process and will work with the WLWB on the timing and details of the submission. Dominion Diamond will extend the WROMP to cover the Jay WRSA; therefore, the adaptive management processes will also apply to the Jay WRSA.	Included in updated management plans Resubmission of WROMP required at least ninety days prior to the start of Construction of the Jay pit.
110	TG technical report response (PR#559)	CRMP reporting	Mitigation and monitoring efforts related to the CRMP will be documented and analyzed in the Ekati Mine annual Wildlife Effects Monitoring Program (WEMP) report.	Included in updated management plans WEMP & CRMP approved on June 1, 2017
111	LKDFN technical report response (PR#557)	Commitment to TK	Dominion Diamond's commitment to TK will continue through the Jay Project. In addition to Dominion Diamond's established performance record, northern Aboriginal people and regulators can rely on the existing requirements of the Ekati Mine's various regulatory approvals (such as the WLWB-issued Water Licence, for example), Environmental Agreement, and IBAs.	Included in updated plans and ongoing WEMP & CRMP approved on June 1, 2017
112	LKDFN technical report response (PR#557) NSMA technical report response (PR#558)	Commitment to TK	Dominion Diamond will continue to work in collaboration with all of the IBA communities to develop and implement effective TK projects, and will utilize external assistance when necessary to ensure the success of a TK project. Dominion Diamond will continue to be open to discussing new ideas for TK Projects or ideas on improving existing TK Projects with the IBA communities. However, Dominion Diamond recommends against the MVEIRB mandating TK requirements in a specific short timeframe as recommended by NSMA because this would be done with no context for TK ideas or initiatives that may be under development and could 'force' agreements before the merits and details have been adequately laid out.	Included in updated management plans WL requires submission of a revised Engagement Plan in accordance with the Boards' Engagement and Consultation Policy within 90 days of effective date of WL.
113	LKDFN technical report response (PR#557) TG technical report response (PR#559)	TK in Jay design	Dominion Diamond will continue to request TK information related to the Jay Project and consider that information equally in project design and implementation. Dominion Diamond will continue to hold discussions and receive input from IBA community members regarding the design of the caribou crossings for the Jay Road. This input will be incorporated into the detailed design of the Jay Road.	Included in updated management plans and ongoing WEMP & CRMP approved on June 1, 2017

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114	NSMA technical report response (PR#558)	Collaboration on TK	Dominion Diamond will continue to work in collaboration with all of the IBA communities to develop and implement effective TK projects, and will utilize external assistance when necessary to ensure the success of a TK project. Dominion Diamond's approach to TK projects is focused on utilizing local TK Holders as leading 'experts' to provide input and direction. To this end, Dominion Diamond has previously proposed the concept of a multi-party elders panel that could provide input and guidance to TK projects at the Ekati Mine including the Jay Project. Although this initiative was not pursued by the Aboriginal organizations at that time, the approach of working firstly with local TK Holders themselves remains Dominion Diamond's preferred approach. Dominion Diamond will continue to be open to discussing new ideas for TK projects or ideas on improving existing TK projects with the IBA communities.	Included in updated management plans WL requires submission of a revised Engagement Plan in accordance with the Boards' Engagement and Consultation Policy within 90 days of effective date of WL.
115	NSMA technical report response (PR#558)	Support for TK	The developer shall provide ongoing support, in kind or financial, to the aboriginal parties in order that they can manage and keep track of TK that is relevant to the Project. This TK will be shared with the developer, in accordance with the sharing agreement (PR# 558 recommended measure 2 p2-2), and used for environmental management at the Ekati Mine.	Ongoing. To be addressed directly with Aboriginal organizations.
116	TG technical report response (PR#559)	TK support and integration	In an effort to continually supplement the existing body of knowledge, Dominion Diamond continues to support long-term monitoring programs and community-based TK projects. One goal of these programs is to support the ongoing collection, documentation, recording, and verification of TK throughout the life of the Ekati Mine. These activities will provide opportunities to integrate TK into the Jay Project (and Ekati Mine) on a continual basis.	Included in updated management plans and ongoing
117	Transport Canada technical response report (PR#560)	Compliance with Transportation of Dangerous Goods Act	Dominion Diamond will continue to comply with all requirements of the *Transportation of Dangerous Goods Act and Regulations* and seek clarification or guidance where required. Additionally, Dominion Diamond will continue to ensure that the Ekati Diamond Mine airstrip is operated under all appropriate certifications and associated standards, including those referenced above.	Ongoing