



April 25, 2016

Matthew Spence
Director General
Northern Projects Management Office

Kate Hearn
Assistant Deputy Minister, Planning and Coordination
Government of the Northwest Territories

Dear Mr. Spence and Ms. Hearn:

Dominion Diamond Ekati Corporation (Dominion Diamond) has had the opportunity to review the written responses on the Report of Environmental Assessment and Reasons for Decision (Report) by the Mackenzie Valley Environmental Impact Review Board (MVEIRB) on Dominion Diamond's Corporation's (DDEC, or the Developer's) Jay Project (Project). We would like to acknowledge and thank the Tłı̄ch̄ Government, Lutsel K'e Dene First Nation, Yellowknives Dene First Nation, Kitikmeot Inuit Association, North Slave Métis Alliance and Deninu K'ue Dene First Nation for their responses.

Dominion Diamond is committed to engaging with communities and stakeholders in an open, timely, and comprehensive manner. During the Jay Project Environmental Assessment (EA) process, Dominion Diamond worked with communities, governments and regulators to make improvements to the Project. The most significant of those improvements was the decision taken by Dominion Diamond in the spring of 2014, and in response to concerns heard during the engagement process, to remove the Cardinal pipe from the Project and to proceed with a project based on the open pit mining of the Jay pipe only. Dominion Diamond made numerous other improvements to the Project and commitments during the EA process and looks forward to working with parties during the permitting phase of the Project to further address questions and concerns they may have.

While it is not our intention to respond to the specific recommendations made to Government during this phase of the process as we addressed many of the concerns in a comprehensive manner during the EA process, we want to submit the following comments as you consider your decision on this matter.

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Dominion Diamond reiterates its commitment, made to the Parties during the EA process, to an ongoing engagement process throughout the Jay Project. Dominion Diamond has shown it is responsive to input from stakeholders throughout this process by evaluating the feedback received and making changes to the Project. During the permitting process and prior to construction, this includes specific engagement on the Wildlife Effects Monitoring Plan, Caribou Road Mitigation Plan, Aquatics Effects Monitoring Program, and Air Quality and Emissions Monitoring and Management Plan that will address many of the issues raised regarding this phase of the Project. This engagement is currently underway and informing the development of these plans.

Dominion Diamond recognizes that there remain concerns in communities concerning the health of the Bathurst caribou herd given the significance of caribou to the culture, traditional land use, and economics of the people and communities affected by the Jay Project. While Dominion Diamond remains of the view that any impact from the Project will be small and virtually immeasurable, Dominion Diamond made significant and unprecedented commitments for caribou mitigations during the EA process in response to communities. Further, Dominion Diamond committed to engage with Parties, including the Wek'èezhii Renewable Resources Board, over the next year on the development of the full Caribou Mitigation Plan (CMP) including, at a minimum, another workshop to review and seek input into the CMP in the summer of 2016. Dominion Diamond also committed to ensuring that traditional knowledge (TK) is used to inform the development of the CMP and will work with communities on TK alignment during CMP development.

Finally, we acknowledge the concerns raised by a number of Parties concerning *Measure 6-5: Establishment of the Traditional Knowledge (TK) Elders Group* and with the incorporation of TK into the Project. Dominion Diamond is working with communities to address the issues raised during this process including the independence of the Elder's Group, the ability to access outside expertise, public reporting and to consider ways to better incorporate TK into the construction and operation of the Project including the development of an on-the-land cultural camp at the Project site. Dominion Diamond has recently written to communities requesting comments on a draft Terms of Reference for an independent Elder's Group and has proposed a workshop in June to address these issues.



Dominion Diamond looks forward to a positive decision on the Report of Environmental Assessment and Reasons for Decision on the Jay Project submitted by the MVEIRB and to working closely with communities, government and regulators during the permitting process.

Sincerely,

A handwritten signature in black ink that reads 'Claudine Lee'.

Claudine Lee, M.Sc., P.Geol
Head of Environment and Communities
Claudine.lee@ekati.ddcorp.ca

CC: Mark Cliffe-Phillips, Mackenzie Valley Environmental Impact Review Board

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