

# **APPENDIX 1D**

## **CONCORDANCE TABLE**

**Table 1D-1 Terms of Reference Concordance Table**

<b>Final Terms of Reference Requirements</b>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
2 Developer's Assessment Report general requirements	The Final <i>Terms of Reference</i> document describes the general information required on a subject-by-subject basis. The developer is encouraged to consider the information gaps identified and questions raised by interested parties on the public record in scoping submissions and comments on the draft <i>Terms of Reference</i> when determining the level of detail required in its <i>Developer's Assessment Report</i> for specific issues covered in this Final <i>Terms of Reference</i> .	Section 1 Section 4	1.1, 1.5.3 4.1.1, 4.4.4
2.2 Incorporation of traditional knowledge	DDEC will make all reasonable efforts to provide assistance in the collection and consideration of traditional knowledge relevant to the Jay Project. DDEC will make all reasonable efforts to incorporate traditional knowledge from Aboriginal culture holders as a tool to collect information on and evaluate the specific impacts required in this <i>Terms of Reference</i> . The developer should refer to the Review Board's <i>Guidelines for Incorporating Traditional Knowledge into the Environmental Impact Assessment Process</i> and community/culture group-specific traditional knowledge protocols.	Section 1 Section 2 Section 4 Section 5 Section 6 Section 7 Section 8 Section 9 Section 11 Section 12 Section 13 Section 14 Section 15	1.2.3, 1.3.4 2.2.2, 2.3, 2.4.6, 2.4.7, 2.5 4.4, 4.5 5.1, 5.3 6.1, 6.2.1, 6.2.2, 6.4 7.2.4 8.2.6 9.2.7 11.2.3 12.2.3 13.2.3 14.1.2 15.2.1
2.3 Public engagement	Engagement with potentially affected communities (i.e., Ekati Mine IBA groups), governments, and the Independent Environmental Monitoring Agency should be considered in this section. Aboriginal groups, government agencies, and other interested parties may have information useful to the conduct of this impact assessment and all reasonable efforts should be made to engage with them.	Section 4 Section 5	4.1 to 4.6 5.2, 5.3
	The Review Board encourages the developer to continue to meet with these groups outside the environmental assessment process, and to place any information from those discussions they consider may be relevant to the Review Board's decision on the public record.	Section 4 Section 5	4.2, 4.3, 4.6 5.3.6
	The following items are required for consideration of public engagement:		
	<ul style="list-style-type: none"> <li>an updated engagement log, reviewed and jointly agreed upon with parties if possible, describing dates, individuals, and organizations engaged with, the mode of communication, discussion topics, and positions taken by participants;</li> </ul>	Section 4	4.4, Appendix 4B

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2.3 Public engagement (continued)	<ul style="list-style-type: none"> <li>all commitments and agreements made in response to issues raised by the public and Aboriginal groups during these discussions, and how these commitments altered the planning of the proposed Jay Project;</li> </ul>	Section 4 Section 5	4.4, 4.5, 4.6, Appendix 4B 5.3
	<ul style="list-style-type: none"> <li>all issues that remain unresolved, documenting any further efforts envisioned by the parties to resolve them;</li> </ul>	Section 4	4.5
	<ul style="list-style-type: none"> <li>description of all methods used to identify, inform, and solicit input from potentially-interested parties, and any plans DDEC has to keep engagement moving forward;</li> </ul>	Section 4 Section 5	4.2, 4.4.5, 4.6, Appendix 4A 5.3.6
	<ul style="list-style-type: none"> <li>discussion of the implications for environmental monitoring and management of any relevant agreement between the developer and other interested parties; and,</li> </ul>	Section 4	4.2
	<ul style="list-style-type: none"> <li>how DDEC has engaged or intends to engage, traditional knowledge holders in order to collect relevant information for establishing baseline conditions and assessing the effects of potential impacts and the design of monitoring programs, as well as a summary table indicating where and how in subsequent sections (7 to 12) traditional knowledge was incorporated, and who was consulted (see Review Board's <i>Guidelines for incorporating Traditional Knowledge into the Environmental Impact Assessment Process</i>).</li> </ul>	Section 4 Section 5	4.4, 4.5 5.3, Annex XVII
2.4 Summary materials	The following summary materials are required:		
	<ul style="list-style-type: none"> <li>plain language, non-technical summaries of the <i>Developer's Assessment Report</i> in English, Chipewyan, Inuinnaqtun, Tlicho and Weledeh;</li> </ul>	Plain Language Summary	-
	<ul style="list-style-type: none"> <li>a concordance table that cross references the items in the <i>Terms of Reference</i> with relevant sections of the <i>Developer's Assessment Report</i>; and,</li> </ul>	Section 1	Appendix 1D
	<ul style="list-style-type: none"> <li>a commitments table listing all mitigation measures the developer will undertake, including but not limited to those described in the Project application. These should be organized by subject (e.g., water quality, wildlife) for ease of reference.</li> </ul>	Section 1	Appendix 1E

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<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
2.5 Developer	The following information is required regarding DDEC as well as its subsidiary companies, related corporations and joint venture partners:		
	<ul style="list-style-type: none"> <li>a summary of the corporate history and operational experience in Canada and the Northwest Territories;</li> </ul>	Section 1	1.2.1, 1.2.2
	<ul style="list-style-type: none"> <li>how the developer will ensure that DDEC and its contractors and subcontractors honour commitments made by DDEC and an analysis of DDEC's compliance with its existing Socio-economic Agreement;</li> </ul>	Section 1 Section 14	1.2.3 14.1.3
	<ul style="list-style-type: none"> <li>environmental performance records since operations began at the Ekati mine and during associated prior exploration. This will include discussion of regulatory compliance, for example, regarding land use permits and water licences. List situations where compliance was breached, the issue and cause, and how and when it was mitigated to the regulator's satisfaction; and,</li> </ul>	Section 1	1.2.4
	<ul style="list-style-type: none"> <li>a description of any corporate policies, codes of practice, programs or plans concerning DDEC's environmental, sustainable development, community engagement, and workplace health and safety commitments or policies.</li> </ul>	Section 1 Section 4	1.2.3 4.2
3.1 Scope of development	The scope of development consists of all the physical works and activities required for the Project to proceed. Appendix A outlines a minimum listing of project components for the scope of development for this environmental assessment.	Section 3	All
	In the <i>Developer's Assessment Report</i> , (see Section 6) the developer is required to fully describe all required facilities and activities for the development, including any not listed in Appendix A.	Section 3	3.2, 3.4, 3.5
	The new facilities, infrastructure, and activities proposed as part of the Ekati Diamond Mine extension will be described for all phases of the Project: construction, operation, and closure. Details on changes, if any, to existing facilities, infrastructure, or activities to accommodate the Project will also be provided.	Section 3	3.5
3.2 Scope of assessment	The scope of assessment defines which issues will be examined in the environmental assessment. The scope of assessment includes all potential impacts on valued components of the biophysical and human environment (for example, wildlife species or heritage resources) from the development, by itself and in combination with other past, present and reasonably foreseeable future developments.	Section 6	6.1, 6.2, 6.5

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3.2.1 Valued Components	<p>The following is a preliminary listing of valued components to be used in the assessment of impacts from the Project on biophysical, social, economic and cultural values:</p> <ul style="list-style-type: none"> <li>• air quality;</li> <li>• surface hydrology;</li> <li>• water quality and aquatic life other than fish;</li> <li>• fish;</li> <li>• groundwater;</li> <li>• permafrost;</li> <li>• physical terrestrial environment (soils, eskers and vegetation);</li> <li>• archaeology (heritage sites);</li> <li>• caribou and caribou habitat;</li> <li>• carnivores (wolverine, grizzly bears, wolves);</li> <li>• breeding birds;</li> <li>• species at risk;</li> <li>• archaeology and heritage sites;</li> <li>• land use and traditional land use;</li> <li>• employment and economy (socio-economic and employment);</li> <li>• human health.</li> </ul> <p>The key lines of inquiry and the subjects of note provide information on the selection of valued components. Key lines of inquiry and subjects of note are interdisciplinary and may involve more than one valued component. The developer will provide a rationale for which valued components were selected.</p>	Section 6	6.2

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3.2.2 Issues prioritization	DDEC will consider all the items described in Sections 7 - 12 because every issue identified in this <i>Terms of Reference</i> requires serious consideration and substantive analysis to demonstrate whether the development is likely to be the cause of, or contribute to, significant adverse impacts.	Section 3  Section 6 Section 7 Section 8 Section 9 Section 10 Section 11 Section 12 Section 13 Section 14 Section 15 Section 16	3.5.8, Appendix 3B 3.6, Appendix 3C All 7.4 8.5 9.4 10.2, 10.3 11.4 12.4 13.4 14.2 to 14.8 15.4 16.2, 16.3
3.2.3 Key lines of inquiry	The developer will provide a standalone assessment to facilitate public evaluation for all identified key lines of inquiry. Assessment work will encompass project-specific effects, potential additive effects considering potential accidents and malfunctions, and potential cumulative effects. Key lines of inquiry are stand-alone sections in the DAR.	Section 1 Section 2 Section 3 Section 8 Section 9 Section 12 Section 14	1.5.4 All 3.6, Appendix 3C All All All All
	Four key lines of inquiry pertaining to the biophysical environment and one key line of inquiry for the human environment were identified for the Ekati Mine extension:		
	1. impacts to water quality and quantity;	Section 8	All
	2. impacts to fish and fish habitat;	Section 9	All
	3. impacts to caribou;	Section 12	All
	4. analysis of alternative means; and	Section 2	All
	5. maximizing benefits and minimizing impacts to communities.	Section 14	All

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3.2.4 Subjects of note	The developer will consider other valued components described in Section 7 and 8 as subjects of note. Every issue identified in this <i>Terms of Reference</i> requires a sufficient analysis to demonstrate whether the development is likely to cause significant adverse impacts. These subjects of note need to be considered by the developer but are of lower priority than the key lines of inquiry. Subjects of note are stand-alone sections in the DAR.	Section 7 Section 10 Section 11 Section 13 Section 15	All All All All All
3.3 Developer's assessment boundaries	The developer will provide a description, map, and rationale for all of the chosen geographical and temporal boundaries used during its impact assessment.	Section 6 Section 7 Section 8 Section 9 Section 10 Section 11 Section 12 Section 13 Section 14 Section 15 Section 16	6.3 7.1.4.1 8.1.4.1, 8.1.4.2, 8.1.4.3 9.1.4.2 10.1.4.2 11.1.4.1 12.1.4.3 13.1.4.3, 13.1.4.4, 13.1.4.5 14.1.2.4.1 15.2.3.1, 15.2.3.2 16.1.3
	The developer will describe and provide rationale for:		
	<ul style="list-style-type: none"> <li>an overall environmental assessment study area and the rationale for its boundaries;</li> </ul>	Section 6	6.3.1
	<ul style="list-style-type: none"> <li>DDEC's chosen spatial boundaries for the assessment of potential impacts for each of the valued components considered; and,</li> </ul>	Section 6	6.3.1
	<ul style="list-style-type: none"> <li>the temporal boundaries chosen for the assessment of impacts on each valued component.</li> </ul>	Section 6	6.3.2

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3.4 Geographic scope	The geographic scope will include all areas that may be affected by activities within the Jay Project scope of development.	Section 6	6.3.1
	The geographic scope for each valued component will be appropriate for the characteristics of the valued component, or the impact and nature of the impact source... (truncated for brevity) The developer will provide rationale for the spatial boundaries it selects for the assessment of potential mine-related impacts on each valued component.	Section 6	6.3.1
	The minimum geographic scope will include the following areas: <ul style="list-style-type: none"> <li>the Ekati mine's mineral and surface leases and mining claims in the area of the Jay site, sub-surface working, and reasonable impact footprint radius centered on the site;</li> <li>the Jay site access roads, roads connecting the site to the Misery Haul Road, the Misery Haul Road, as well as a reasonable impact footprint corridor, including any portions of watercourses that may be affected;</li> <li>the upstream waterbodies that may be impacted by the Project, Lac du Sauvage, the drainage area of Lac du Sauvage, the outflow from Lac du Sauvage to Lac de Gras, and Lac de Gras to the point where reasonably foreseeable Project-related impacts can be predicted to cease;</li> <li>any watershed into which discharge water will be released and downstream to the point where reasonable foreseeable Project-related impacts cease to occur, including those on water quality, water quantity, fisheries, and the human environment;</li> <li>any underground aquifers leading to Lac de Gras from the Jay Project;</li> <li>the habitat of any potentially affected species, including species-at-risk and migratory species, possibly affected by the Project, and for the purposes of a cumulative effects assessment, the range or local population of any potentially affected species should be considered. The developer will provide rationale for how either range or local population was chosen for the analysis; and,</li> <li>the Tibbitt to Contwoyto Winter Road.</li> </ul>	Section 7 Section 8 Section 9 Section 10 Section 11 Section 12 Section 13 Section 16	7.1.4 8.1.4 9.1.4 10.1.4 11.1.4 12.1.4 13.1.4 16.1.3
	The geographic scope of assessing impacts to the human environment includes the First Nations, Métis, and Inuit organizations in the communities of Gameti, Wekweeti, Whati, Behchoko, Yellowknife, Dettah, N'idi, Lutsel K'e and Fort Resolution, and the Wek'eezhii Settlement Area as a whole and those residents in or making traditional use of any part of the environmental assessment study area. This also includes the communities of Kugluktuk, Bathurst Inlet and Umingmaktok, Nunavut. Together, these groups are described in this document as "potentially-affected communities".	Section 4 Section 5 Section 14 Section 15	4.1.2 5.1 14.1.2.4 15.2.3



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3.4 Geographic scope (continued)	In its response to Section 3.3 the developer is required to define and provide rationale for the specific spatial boundaries, it used to examine the potential impacts on each of the valued components in its impact assessment.	Section 7	7.1.4
		Section 8	8.1.4
		Section 9	9.1.4
		Section 10	10.1.4
		Section 11	11.1.4
		Section 12	12.1.4
		Section 13	13.1.4
		Section 14	14.1.2.4
		Section 15	15.2.3
		Section 16	16.1.3
3.5 Temporal scope	For project-specific (that is, non-cumulative) impacts, the temporal scope will include all phases of the Jay Project lifespan including construction, operation, closure and reclamation, and extends until no potentially significant adverse impacts are predicted.	Section 6	6.3.2
	For cumulative impacts, the temporal scope includes the period of the effects of past, present and reasonably foreseeable future projects that are predicted to combine with the impacts of the Jay Project.	Section 6	6.3.2
	In its response to Section 3.3 the developer is required to define and provide rationale for the specific temporal boundaries it used to examine the potential impacts on each of the valued components in its impact assessment.	Section 7 Section 8 Section 9 Section 10 Section 11 Section 12 Section 13 Section 14 Section 15 Section 16	7.1.5 8.5.1 9.4.1 10.1.5 11.4.1 12.4.1 13.4.1 14.1.2.5 15.2.5 16.1.4

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3.6 Other scope of assessment considerations	The scope of assessment will include an examination of cumulative effects. This will involve considering impacts from other past, present, and reasonably foreseeable future developments or human activities that combine with the impacts of the Jay Project to affect the same valued components. Such cumulative effects will be assessed at a spatial and temporal scale appropriate to the particular effect or valued component under consideration.	Section 6 Section 7 Section 8 Section 9 Section 10 Section 11 Section 12 Section 13 Section 14 Section 15	6.3, 6.5 7.4, 7.6 8.5, 8.7 9.4, 9.6 10.3 11.4, 11.6 12.4, 12.6 13.4, 13.6 14.2 to 14.8 15.4
4.1 Impact assessment steps and significance determination factors	In assessing impacts on the biophysical environment, the <i>Developer's Assessment Report</i> will for each subsection: <ul style="list-style-type: none"> <li>identify any valued components used and how they were determined;</li> </ul>	Section 6 Section 7 Section 8 Section 9 Section 10 Section 11 Section 12 Section 13 Section 14 Section 15	6.2 7.1.3 8.1.3 9.1.3 10.1.3 11.1.3 12.1.3 13.1.3 14.1.2.3 15.2.2

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4.1 Impact assessment steps and significance determination factors (continued)	<ul style="list-style-type: none"> <li>identify the natural range of background conditions (where historic data are available), and current baseline conditions, and analyze for discernible trends over time in each valued component, where appropriate, in light of the natural or existing variability for each;</li> </ul>	Section 7 Section 8  Section 9  Section 10  Section 11  Section 12  Section 13  Section 14  Section 15	7.2, Annex I 8.2, Annex IX, Annex X, Annex XI 9.2, Annex XII, Annex XIII, Annex XIV 10.2, Annex III, Annex IV  11.2, Annex V, Annex VI 12.2, Annex II, Annex VII 13.2, Annex II, Annex VI, Annex VII 14.2 to 14.8, Annex XV 15.2.1.5, Annex XVI, Annex XVII
	<ul style="list-style-type: none"> <li>identify any potential direct and indirect impacts on the valued components that may occur as a result of the proposed development, identifying all analytical assumptions;</li> </ul>	Section 6 Section 7 Section 8 Section 9 Section 10 Section 11 Section 12 Section 13 Section 14 Section 15	6.4, 6.5, 6.7 7.6 8.7 9.6 10.2, 10.3 11.6 12.6 13.6 14.2 to 17.8 15.4

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4.1 Impact assessment steps and significance determination factors (continued)	<ul style="list-style-type: none"> <li>identify and evaluate any proposed mitigation measures as to their technical and economic feasibility to reduce the predicted impacts and discuss constraints, uncertainties and implementation challenges to the effective use of the proposed measures and clearly identify all mitigation commitments;</li> </ul>	Section 1 Section 6 Section 7 Section 8 Section 9 Section 10 Section 11 Section 12 Section 13 Section 14 Section 15	1.5.3, Appendix 1E 6.4 7.3.2 8.4.2 9.3.2 10.4 11.3.2 12.3.2 13.3.2 14.1.3 15.3
	<ul style="list-style-type: none"> <li>predict the likelihood of each impact occurring after the committed to mitigation measures are implemented, providing a rationale for the confidence held in the prediction. The developer will also present the predictions in a manner that facilitates the formulation of testable questions for future follow-up programs, as well as textually and schematically indicate the pathways of predicted impacts;</li> </ul>	Section 6 Section 7 Section 8 Section 9 Section 10 Section 11 Section 12 Section 13 Section 14 Section 15	6.5, 6.6, 6.7.1 7.5, 7.6 8.6, 8.7 9.5, 9.6 10.3, 10.4 11.5, 11.6 12.5, 12.6 13.5, 13.6 14.2 to 14.8 15.4

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4.1 Impact assessment steps and significance determination factors (continued)	<ul style="list-style-type: none"> <li>compare the predicted impacts to pre-development conditions or to conditions without the Project as appropriate. Include a description of any plans, strategies or commitments to avoid, reduce or otherwise manage and mitigate the identified potential adverse impacts, with consideration of best management practices in relation to the valued component or development component in question;</li> </ul>	Section 6 Section 7 Section 8 Section 9 Section 10 Section 11 Section 12 Section 13 Section 14 Section 15	6.1, 6.4, 6.5 7.6 8.7 9.6 10.3 11.6 12.6 13.6 14.2 to 14.8 15.4
	<ul style="list-style-type: none"> <li>describe techniques such as models utilized in impact prediction including techniques used where any uncertainty in impact prediction was identified;</li> </ul>	Section 7 Section 8 Section 9 Section 10 Section 11 Section 12 Section 13 Section 14 Section 15	7.3, 7.4, Appendix 7B, Appendix 7C 8.4, 8.5, 8.6, Appendix 8A, Appendix 8B, Appendix 8C, Appendix 8D, Appendix 8E, Appendix 8F, Appendix 8G, Appendix 8H 9.3, 9.4, 9.5 10.3 11.3, 11.4, 11.5 12.3, 12.4, 12.5, Appendix 12A Appendix 12B 13.3, 13.4, 13.5 14.2 to 14.8, Appendix 14A 15.3, 15.4

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4.1 Impact assessment steps and significance determination factors (continued)	<ul style="list-style-type: none"> <li>identify, and provide an opinion on the significance of any residual adverse impacts predicted to remain after any mitigation measures and indicate the methodologies for reaching such conclusions; and,</li> </ul>	Section 6 Section 7 Section 8 Section 9 Section 10 Section 11 Section 12 Section 13 Section 14 Section 15	6.7.2 7.6 8.7 9.6 10.2, 10.3 11.6 12.6 13.6 14.2 to 14.8, 14.9 15.4.1, 15.4.2
	<ul style="list-style-type: none"> <li>identify any monitoring, evaluation, and adaptive management plans required to detect potential unexpected changes as well as to ensure that predictions are accurate, and if not, to proactively manage against developing adverse impacts when they (or unexpected changes) are encountered.</li> </ul>	Section 6 Section 7 Section 8 Section 9 Section 10 Section 11 Section 12 Section 13 Section 14 Section 15	6.1, 6.8 7.7 8.8 9.7 10.4 11.7 12.7 13.7 14.1.3 15.5

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4.1 Impact assessment steps and significance determination factors (continued)	The developer will describe how the predicted impacts are expected to arise from the proposed development. This will include describing the mechanisms for cause and effect and providing supporting references (including where Traditional Knowledge was used). Where professional judgment has been used in determining impacts, this will be made clear. DDEC will also provide a discussion on the uncertainty involved with each prediction.	Section 7 Section 8 Section 9 Section 10 Section 11  Section 12  Section 13  Section 14 Section 15	7.2.4, 7.4, 7.6 8.2.6, 8.4, 8.5, 8.6, 8.7 9.2.7, 9.3, 9.4, 9.5, 9.6 10.4 11.2.3, 11.2.2.3, 11.3, 11.4, 11.5, 11.6 12.2.3, 12.3, 12.4, 12.5, 12.6 13.2.3, 13.3, 13.4, 13.5 13.6 14.2 to 14.8 15.2.1, 15.3, 15.4
	For each predicted impact, the developer will also describe: <ul style="list-style-type: none"> <li>the nature or type of the impact;</li> <li>the geographical range of the impact;</li> <li>the timing of the impact (including duration, frequency and extent);</li> <li>the magnitude of the impact (what degree of change is expected);</li> <li>the reversibility of the impact; and,</li> <li>the likelihood and certainty of the impact.</li> </ul>	Section 7 Section 8 Section 9 Section 11 Section 12 Section 13 Section 14 Section 15	7.6 8.7 9.6 11.6 12.6 13.6 14.2 to 14.8, 14.9 15.4
4.2 Developer's opinion on significance of impacts	The above will be used by the developer as a basis for its justification of significance for potential impacts from this Project. If a determination is made that significant adverse impacts are not likely, the developer will provide a narrative statement that identifies what, in its opinion, the threshold for significance would be.	Section 6 Section 7 Section 8 Section 9 Section 11 Section 12 Section 13 Section 14 Section 15	6.7.2 7.6.1.2, 7.6.2 8.7.1.2, 8.7.2 9.6.1.2, 9.6.2 11.6.1.2, 11.6.2 12.6.1.2, 12.6.2 13.6.1.2, 13.6.2 14.2 to 14.8 15.4.1.3, 15.4.3.4

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5 Description of the existing environment	A detailed description of the existing environment is required, including current status and trends for all valued components. Wherever possible, the developer is responsible for providing a clear picture of what typical environmental conditions currently exist in the environmental assessment study area prior to the start of this environmental assessment. This will include relevant data collected as part of the existing monitoring programs at the Ekati site, including the Surveillance Network Program, the Aquatic Effects Monitoring Program, the Air Quality Monitoring Program and the Wildlife Effects Monitoring Program. The data presentation will consider baseline/background conditions, the natural variability of background conditions, and to the extent possible differentiate between natural background conditions, current environmental conditions, and effects from past development activities, such as exploration, the existing Ekati mine operation, or the existing Diavik mine operation.	Section 7	7.2, Annex I
		Section 8	8.2, Annex III, Annex IX, Annex X, Annex XI, Annex VIII
		Section 9	9.2, Annex XII, Annex XIII, Annex XIV
		Section 10	10.2, Annex III, Annex IV
		Section 11	11.2, Annex V, Annex VI
		Section 12	12.2, Annex II, Annex VII
		Section 13	13.2, Annex II, Annex VI, Annex VII
		Section 14	14.2 to 14.8, Annex XV
		Section 15	15.2.1.5, Annex XVI, Annex XVII



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5 Description of the existing environment (continued)	In addition, the developer will provide a description of the methods used to acquire the information used to describe baseline/background conditions. This description will distinguish between techniques used to measure parameters in the field from information derived from the utilization of models.	Section 7	7.2.1, 7.2.2, Appendix 7B, Annex I
		Section 8	8.2.1.1, 8.2.2.1, 8.2.3.3, 8.2.4.2, 8.2.5.1, Annex III, Annex IX, Annex X, Annex XI, Annex VIII
		Section 9	9.2.1, 9.2.3, Annex XII, Annex XIII, Annex XIV
		Section 10	10.2, Annex VIII, Annex IV
		Section 11	11.2.1, Annex V, Annex VI
		Section 12	12.2.1, Annex II, Annex VII
		Section 13	13.2.1, Annex II, Annex VI, Annex VII
		Section 14	14.1.2.1, 14.2.1, Annex XV
		Section 15	15.2.1.5, Annex XVI, Annex XVII

**Table 1D-1 Terms of Reference Concordance Table**

<i>Final Terms of Reference Requirements</i>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
5 Description of the existing environment (continued)	DDEC will provide complete references for historical data and indicate how and when historical data were used as a basis for conclusion(s).	Section 7	7.2, 7.5, Annex I
		Section 8	8.2, 8.9, Annex III, Annex IX, Annex X, Annex XI, Annex VIII
		Section 9	9.2, 9.8, Annex XII, Annex XIII, Annex XIV
		Section 10	10.2, 10.6, Annex XII, Annex VIII, Annex IV
		Section 11	11.2, 11.8, Annex V, Annex VI
		Section 12	12.2, 12.8, Annex II, Annex VII
		Section 13	13.2, 13.8, Annex II Annex VII
		Section 14	14.2 to 14.8, 14.10, Annex XV
		Section 15	15.6, Annex XVII

**Table 1D-1 Terms of Reference Concordance Table**

<i>Final Terms of Reference Requirements</i>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
5 Description of the existing environment (continued)	The developer should provide the following assessment of its baseline information in describing the existing environment:		
	<ul style="list-style-type: none"> <li>an assessment of the adequacy of the existing baseline dataset in terms of geographic coverage, certainty and how recently it was collected, whether there are any trends apparent, veracity of techniques, Quality Assurance/Quality Control and any other relevant matter; and</li> </ul>	Section 7	7.2, Annex I
		Section 8	8.2, Annex IX, Annex X
		Section 9	9.2, Annex XIV
		Section 10	10.2, Annex IV, Annex IX
		Section 11	11.2, Annex VI, Annex V
		Section 12	12.2, Annex I, Annex II, Annex VII
		Section 13	13.2, Annex II, Annex VI, Annex VII
		Section 14	14.1.2, Annex XV
		Section 15	15.4, Annexes XVI, XVII
	<ul style="list-style-type: none"> <li>a plan to supplement the baseline information before construction if necessary.</li> </ul>	Section 7	7.7
		Section 8	8.8
		Section 9	9.7
		Section 10	10.4
		Section 11	11.7
		Section 12	12.7
		Section 13	13.7
		Section 15	15.5

**Table 1D-1 Terms of Reference Concordance Table**

<b>Final Terms of Reference Requirements</b>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
5.1 Biophysical environment	The following description should be at a level of detail sufficient to allow for a thorough assessment of Project effects. Describe the biophysical and human environment within the relevant environmental assessment study areas as follows:		
	1. The physical location of the proposed development (with maps), including ecozone(s) and ecoregions(s);	Section 1	1.3
	2. Ambient air quality, including baseline concentrations of criteria air contaminants (total suspended particulates, particulate matter, [PM10, PM2.5], nitrogen oxides, sulphur dioxide and carbon monoxide) including dioxins and furans;	Section 7	7.2.3, Annex I
	3. Baseline ambient noise levels throughout the year, differentiating between those associated with DDEC's current activities at the Project site, including exploration activities, and background noise;	Section 12	12.2, Annex II
	4. Climatic conditions, including but not limited to climate trends and extremes in temperature, precipitation, and wind patterns;	Section 7 Section 8	7.2.1, 7.2.2, Annex I 8.2.3
	5. Current and historical data on surface water and groundwater quality for the Jay Project site, and downstream, including a reasonable neighbouring area of Lac de Gras. DDEC will include the overall range of natural variability of background conditions. DDEC will also include reference waterbodies in the analysis and a rationale for their selection. While describing baseline conditions for water quality, DDEC will include but not be limited to reporting on the following parameters: a. metals (total and dissolved – full suite including mercury); b. physicals (pH, conductivity, turbidity, hardness, alkalinity); c. dissolved oxygen; d. total suspended solids; e. total dissolved solids; f. major ions (chloride, calcium, sulphate, fluoride); g. total inorganic and organic carbon; h. nutrients (phosphorous – total, dissolved and orthophosphorus, ammonia, nitrate, nitrite, total kjeldahl nitrogen); i. hydrocarbons; and, j. any other parameter in the existing Ekati Water Licence.	Section 8	8.2.1, Annex IX 8.2.5, Annex XI
	6. Hydrology and hydrogeology, including surface water and groundwater amounts, directions of flow, likely surface points/discharge area (for groundwater), and maps and descriptions of associated watersheds, both in the local area of the Project site as well as downstream, including a reasonable neighbouring area of Lac de Gras. Discussion should focus in particular on:	Section 8	8.2.1, Annex IX 8.2.3, 8.2.4, Annex X

**Table 1D-1 Terms of Reference Concordance Table**

<b>Final Terms of Reference Requirements</b>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
5.1 Biophysical environment (continued)	a. water quantity, with sufficient data to capture spatial and temporal variation. To this end provide watershed boundaries, including groundwater and surface drainage patterns, and surrounding water bodies likely to experience changes to water quantity due to the Project,	Section 8	8.2.1, 8.2.3, 8.2.4
	b. seasonal and annual variation in groundwater and surface water quantity, including trends over time and extreme events (e.g., high flows),	Section 8	8.2.1, 8.2.3, 8.2.4
	c. the relative contribution of water from the Jay site to the volume of the surrounding watershed and the downstream environment,	Section 3 Section 8	3.5.3, 3.5.5, Appendix 3A 8.2.3, 8.5
	d. surface water and groundwater flow regimes associated with the Jay Project site, including the Lynx and Misery pits, and,	Section 3  Section 8	3.5.3, 3.5.5, Appendix 3A, Appendix 3B 8.3, 8.4, 8.5, Appendix 8A, Appendix 8C, Appendix 8D, Appendix 8F, Appendix 8G
	e. relationship between the groundwater regime and permafrost and active layer conditions, including a characterization of those conditions, and how permafrost and active layer changes influence hydrogeology.	Section 8 Section 10	8.5.2, Appendix 8A 10.2.3, 10.3.1.2
	7. Aquatic habitat and aquatic organisms in the environmental assessment study area. Include water bodies on the site, and surrounding water bodies likely to experience changes to water quality due to the Project, including upstream and downstream to the extent of predicted impacts. Describe the following key aquatic species:	Section 9	9.2.4
	a. fish bearing water bodies that the Project may affect, including upstream and downstream to the extent of potential impacts including a reasonable neighboring area of Lac de Gras and Lac du Sauvage (including the Christina lake outflow);	Section 9	9.2.4
	b. seasonal and life cycle movements;	Section 9	9.2.5
	c. local and regional abundance and distribution;	Section 9	9.2.4
	d. key riparian habitat, particularly for any proposed areas for water intake or outfall;	Section 9	9.2.4.1.1, 9.2.4.2.1
	e. known or suspected sensitive habitat areas for different development stages and times of year;	Section 9	9.2.5
	f. the food chain that supports the species, and that the species supports;	Section 9	9.2.4, 9.5.5.4, 9.2.6
	g. identification of key species that would serve as biological indicators for change before change reached higher trophic levels; and,	Section 9	9.1.3
	h. any known issues currently affecting fish and other aquatic life forms in the area;	Section 9	9.2

**Table 1D-1 Terms of Reference Concordance Table**

<b>Final Terms of Reference Requirements</b>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
5.1 Biophysical environment (continued)	8. Describe any, and all, connectivity – temporary or continuous – between the various water bodies at the Jay Project site;	Section 9	9.1.4.1, 9.2.1
	9. Wildlife (including resident and migratory bird species), wildlife habitat and movement/migration corridors. Special emphasis will be placed on key harvested species including caribou, grizzly bears and furbearers. Where available, the following information is required for each species:		
	a. population trends, including abundance, distribution and demographic structures for the local population(s) with the potential to be impacted,	Section 12 Section 13	12.2.2.1, 12.2.2.3, Annex VII 13.2
	b. habitat requirement, including identification of local areas of important habitat, attributes of the seasonal habitats that relate to how the species use them (e.g., travel routes, forage) and sensitive time periods,	Section 12 Section 13	12.2.2.2 13.2
	c. current and historic movement and migration routes, patterns, and timing including typical patterns and the range of known variation for the entire range of the Bathurst caribou herd including within the vicinity of the Project and along the Tibbitt to Contwoyto Winter Road,	Section 12 Section 13	12.2.2.2 13.2.2
	d. factors known or suspected to be currently affecting the species in the environmental assessment study area (e.g., harvesting, disease),	Section 12 Section 13	12.2.2.4, 12.2.4.3 13.2.2
	e. known or suspected sensitivities to human activities, and,	Section 12 Section 13	12.2.2.3 to 12.2.2.5 13.2.2
	f. gaps in current knowledge of the species such as the impacts of disturbance on behaviour or abundance;	Section 12 Section 13	12.2.2 13.2.2
	10. Wildlife at risk occurring in the environmental assessment study area. The developer will:		
	a. identify any species present or potentially present in the environmental assessment study area that are listed under Schedule 1 of the federal Species at Risk Act (SARA), including but not limited to peregrine falcon, grizzly bear, and aquatic species,	Section 12 Section 13	12.2.2 13.1.3
	b. identify any species present or potentially present in the Project area assessed by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC), and,	Section 12 Section 13	12.2.2 13.1.3
	c. describe each species in terms of the requirements listed in item #9 above;	Section 13	13.2
	11. Vegetation and plant communities, including identification of any areas where rare plants are known or suspected to be present;	Section 11	11.2.2

**Table 1D-1 Terms of Reference Concordance Table**

<b>Final Terms of Reference Requirements</b>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
5.1 Biophysical environment (continued)	12. Terrain, surficial geology, structural geology, mineralogy, bedrock geology (type, depth, composition, and permeability), seismic activity records and risk factors, permafrost locations and types within the environmental assessment study area. In particular:		
	a. describe the structure, permeability, stability, and other relevant characteristics of the area,	Section 3 Section 10	3.3 10.2
	b. describe the permafrost conditions at the site, including thermal conditions and ground ice/moisture contents of underlying material, particularly if maintenance of frozen conditions is required,	Section 10	10.2.3
	c. identify the geological and chemical composition of the ore body, the host rock and kimberlite pipe at the site including potential for acid rock drainage;	Section 3 Section 10	3.3.1, 3.3.2 10.2.1
	d. describe and map the ground composition underlying the proposed site including a bathymetry map of Lac du Sauvage and the areas to be flooded,	Section 3 Section 10	3.3 10.2
	e. identify the location, amounts, and type of granular material deposits including information on ground ice,	Section 3 Section 10	3.3, 3.5.1.8 10.2
	f. describe existing fractures and faults at the Project site,	Section 3 Section 10	3.3.1, 3.3.3 10.2.3
	g. describe the ground conditions under and around the access road proposed, with emphasis on identifying areas susceptible to erosion, and permafrost instability, and,	Section 10 Section 11	10.2 Appendix 11A
	h. include maps, cross-section and figures to illustrate geological features including eskers, where appropriate;	Section 10	10.2, Annex V
	13. Physical and chemical makeup of:		
	a. soils, within a reasonable established radius around the site, and at reasonably established far-field points with the intention of establishing a baseline to track potential impacts from mine-related emissions,	Section 11	11.2.2, Appendix 11A, Annex V
	b. shoreline characterization of affected areas of Lac du Sauvage, or other waterbodies impacted by the dewatering of Lac du Sauvage and the Christine Lake outflow diversion;	Section 9	9.2.4.1.1, 9.2.4.2.1, Annex XIV
	c. water body sediments in potentially affected water bodies (i.e., from direct or indirect [e.g., aerial] deposition including particle size analysis, total metals, dioxins and furans), including baseline concentrations; and,	Section 8 Section 9	8.2.5.3 9.2.1.1.2, 9.2.1.2.2, Annex XI

**Table 1D-1 Terms of Reference Concordance Table**

<b>Final Terms of Reference Requirements</b>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
5.1 Biophysical environment (continued)	d. Baseline mercury levels in sediments of areas to be flooded from dyke construction and diversion-channelling.	Section 8 Section 9	8.2.5.3 9.2.1.1.2, 9.2.1.2.2, Annex XI
5.2 Human environment	1. Physical infrastructure present in the environmental assessment study area, including habitations, roads, buildings, quarries, power lines, and industrial works;	Section 14	14.7, Annex XV
	2. Available information pertaining to the Project area from land use planning in the region of potentially affected communities;	Section 14	14.8, Annex XV
	3. The availability and average training or skill levels of people in the region of potentially affected communities and other Aboriginal and Northern resident regional labour pool	Section 14	14.1.3.4, 14.5
	4. Identify existing barriers to employment and identify initiatives for improvement;	Section 14	14.1.3, 14.4, 14.5
	5. The local and regional business capacity including specific identification of Aboriginal business capacity available to support the Project;	Section 14	14.3
	6. Current socio-economic conditions and relevant trends in the potentially-affected communities and in the region, of potentially affected communities as a whole, using appropriate indicators of well-being and quality of life;	Section 14	14.2, 14.3, 14.6
	7. Description of current community well-being including information about the capacity, availability, and affordability, where relevant, of local services and infrastructure (i.e., housing, training, education, day care services, health care, etc.).	Section 14	14.6, 14.7
	8. A summary of historic and present land use in the study area, including identification of traditional land use groups, areas used, and traditional travel routes and timings. This summary will include a description of the current use of Lac du Sauvage for traditional, commercial, or recreational pursuits;	Section 14 Section 15	14.8, Annex XV 15.2, Annex XVII
	9. Traditional harvesting activities, including harvest restrictions, relevant species (wildlife, fish and plants), observed trends, and any traditional values expressed about harvested species;	Section 15	15.4.1.2, Annex XVII
	10. Changes in the traditional way of life and household function due to employment at the mine;	Section 14 Section 15	14.4, 14.6 15.4.1.1.4
	11. Description of impact on cultural and traditional values, traditional lifestyles, in affected communities;	Section 15	15.4.1
	12. Known physical heritage resource locations, areas of high potential for undiscovered physical heritage resources and cultural values associated with the environmental assessment study area;	Section 15	15.4.1.2.4, 15.4.2, 15.4.3, Annex XVI



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<b>Final Terms of Reference Requirements</b>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
5.2 Human environment (continued)	13. Other past and current economic activities in the environmental assessment study area as appropriate; and,	Section 14	14.3
	14. The number of full-time job equivalents and person years of work associated with the Jay Project, broken down by life cycle phase.	Section 14	14.4.3
6 Development description	DDEC will ensure that a description of all its planned facilities and activities is included in the <i>Developer's Assessment Report</i> , including any proposed new facilities or activities not listed in Section 3.1 of the <i>Terms of Reference</i> .	Section 3	3.5
	Further, the developer will provide a description of all existing facilities that will be used as part of this project, specifically details of any modification required accommodating the Project or refurbishing required extending the life of the facilities.	Section 3	3.4
	Overall, DDEC will describe the proposed Jay Project, providing details of all works and activities throughout construction, operation, closure and reclamation, and long-term monitoring phases, with a description of major activities by phase.	Section 3	3.2.1, 3.5
6.1 New infrastructure, facilities, and management plans	1. The estimated lifespan of the Jay Project broken down into construction, operation, closure and reclamation, and long-term monitoring phases, with a description of major activities by phase;	Section 3	3.2.1
	2. The direct physical footprint of the Project, with locations and descriptions of all structures and all above-ground and underground infrastructure to be constructed;	Section 3	3.5
	3. A list of all regulatory permits, licences and other authorizations required to carry out the development and the status of such instruments as publicly available at the time of the DAR filing;	Section 1	1.4.2
	4. Land tenure and any existing or anticipated agreements related to access to facilitate the proposed development;	Section 1	1.4.2
	5. A list of any other required development that needs to be constructed in order for the Project to proceed;	Section 3	3.4, 3.5
	6. All open pit mining facilities required including: ramps, portals, declines, infrastructure (and the locations), machinery requirements, and water management facilities and methods;	Section 3	3.5.4
	7. All underground mining facilities including: ramps, ventilation system, underground infrastructure, and surface support infrastructure;	Section 3	3.5.4.3
	8. The mining, crushing (if applicable), and kimberlite transportation methods used;	Section 3	3.5
	9. A description of the expected spatial volume of the mine;	Section 3	3.5

**Table 1D-1 Terms of Reference Concordance Table**

<b>Final Terms of Reference Requirements</b>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
6.1 New infrastructure, facilities, and management plans (continued)	10. Mine rock management areas including location, underlying ground conditions and volume of waste rock over the life of the mine including a schedule that conceptually shows annual waste rock production by waste type, or other means of ensuring the availability of clean granite when needed;	Section 3 Section 10	3.5.6 10.2
	11. The proposed new site access roads, including construction (width of right-of-way, road bed type and any specific features to facilitate wildlife movements) and maintenance schedule, required construction material, techniques to minimize erosion and bank instability and the expected number of trips on the road (including number and types of vehicles), water crossings, as well as the type and weight of loads, any related storage, transfer and handling, etc.;	Section 3 Section 12 Section 13	3.5.1.5 12.2.2, 12.2.3, 12.3.2.1, 12.4.2.2 13.2.2, 13.3.2
	12. Estimated processed kimberlite volumes over the life-of-Project, as well as supernatant volume with locations and conceptual schedules for its management and disposal;	Section 3	3.5.7
	13. A description of the proposed mine water management facilities, including storage capacity, operational life, distance to groundwater table, rock types, presence of faults, and any containment dams or dikes;	Section 3	3.5.3, 3.5.5
	14. The total amount of water in cubic meters estimated to be collected from all water sources and eventually released into local watercourses, with consideration of changes during the life of the Jay Project and the range of seasonal fluctuations;	Section 3	3.5.5, Appendix 3A
	15. A description of the construction material required for the entire life-of-Project and the expected source(s) and ultimate removal or disposal plans of same;	Section 3	3.5.1.8, 3.5.4, 3.5.6
	16. A comprehensive water balance for the site, include a reference to total and available volumes of water sources, and description of the time of year the water will be withdrawn, pipelines, pumping stations and potential contingency measures such as water treatment;	Section 3	3.5.1.4, 3.5.5, Appendix 3A
	17. The types and estimated amounts of explosives to be used, their storage, handling and application;	Section 3	3.4.1.8.12
	18. The location, contents, and estimated amounts of mined material, soil, and overburden at all surface storage facilities, along with estimated storage requirements, storage capacity limits, separation of material, and maintenance of materials to facilitate reclamation;	Section 3	3.4.3.1, 3.5.6
	19. Location(s) of proposed activities of aggregate production and storage, with an estimate of the amount of aggregate that will be produced per year over the life of the mine, by location;	Section 3	3.5.1.8
	20. Energy requirements and generation sources including any transmission lines and substations;	Section 3	3.4.1.8.11
	21. Fuel storage facilities including a justification for the fuel storage container type selected, on-site fuel transport and handling procedures;	Section 3	3.4.1.8.9

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<b>Final Terms of Reference Requirements</b>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
6.1 New infrastructure, facilities, and management plans (continued)	22. All other infrastructure and activities, including intensity and type of on-site vehicle traffic required;	Section 3	3.4, 3.5.1.6
	23. The number of full-time job equivalents and person years of work associated with the Jay Project, broken down by life cycle phase; and,	Section 3 Section 14	3.4.1.7 14.4.3, Appendix 14A
	24. Contracting and procurement information including, if known, a breakdown of the number and types of jobs that will be done by contractors.	Section 14	14.3.2, 14.4.3, Appendix 14A
6.2 Existing infrastructure, facilities, and management plans	For previously assessed, existing, and approved facilities that are to be used as part of the Project, DDEC will provide: <ul style="list-style-type: none"> <li>a full description of the project component;</li> <li>how it will be used in the context of the proposed Project;</li> <li>capacity of existing facilities to handle the proposed Project; and,</li> <li>any changes to the existing infrastructure or facilities that will occur as a result of the proposed development.</li> </ul>	Section 3	3.4
	Description of existing infrastructure and facilities will include:		
	1. Operation of the airstrip, frequency of use, type of aircraft, and estimated number of passengers and volume of material;	Section 3	3.4.1.8.2
	2. Operation of the kimberlite processing plant, including any required modifications or refurbishing to accommodate the Project;	Section 3	3.4.1.2
	3. A description of the relevant processed kimberlite management facilities;	Section 3	3.4.1.4.1, 3.4.1.5, 3.4.1.6
	4. A description of the relevant mine water management existing facilities;	Section 3	3.4.1.4.2, 3.4.1.4.3
	5. Water intake locations, withdrawal methods, and estimated amounts of water required for all water sources for all on-site activities;	Section 3	3.4.1.8.8
	6. A description of waste disposal facilities (including landfills, land farms, oil treatment facilities, incineration facilities, other temporary waste management facilities) and management of all waste generated including storage and disposal plans;	Section 3	3.4.1.8.4 to 3.4.1.8.7, 3.4.3.1 to 3.4.3.7
	7. A description of the type, volume, storage (location and method), handling, transport and disposal of all waste, as well as fuel, reagents and hazardous materials used on-site;	Section 3	3.4.1.8.9, 3.4.3
	8. The storage location of processing reagents, including maximum volumes and concentrations to be stored on-site;	Section 3	3.4.1.2

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<b>Final Terms of Reference Requirements</b>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
6.2 Existing infrastructure, facilities, and management plans (continued)	9. The water collection, management, and treatment systems and all their component parts and reagents, including drainage and other control structures, water and sewage treatment facilities, water storage facilities, and water transport components;	Section 3	3.4.1.8.1, 3.4.1.8.3, 3.4.1.8.8
	10. Worker transportation, especially those who live in communities without direct air transportation from their community and proposed work scheduling;	Section 14	14.1.3
	11. Workforce requirements to accommodate the Project; and	Section 3	3.4.1.7
	12. Information on the management and operations of the existing Tibbitt to Contwoyto Winter Road and how operations may change in providing support to the development of the Jay Project.	Section 3	3.4.2
6.3 Development phases and schedule	The development description will also contain an overall schedule for the Project, describe the following in relation to development phases, and schedule:		
	<ul style="list-style-type: none"> <li>schedule for construction, operations, closure and long-term monitoring phases of the Project for both open pit and underground mining; and</li> </ul>	Section 3	3.2.1
	<ul style="list-style-type: none"> <li>schedule for post-closure phase including estimated timeline for complete re-watering of the diked area and reconnection to Lac du Sauvage, and establishment of a healthy and self-sustaining aquatic ecosystem within the affected area of Lac du Sauvage.</li> </ul>	Section 3	3.2.1
7 Assessment of environmental impacts and cumulative effects	The developer will be responsible for the identification and assessment of the project-specific effects of the development on the biophysical and human environment and for the assessment of cumulative effects resulting from the development in combination with past, present and reasonably foreseeable developments and activities.	Section 3	3.2.1, 3.5.5
		Section 7	7.4, 7.6
		Section 8	8.5, 8.7
		Section 9	9.4, 9.6
		Section 10	10.2, 10.3
		Section 11	11.4, 11.6
		Section 12	12.4, 12.6
		Section 13	13.4, 13.6
		Section 14	14.1, 14.2 to 14.8
		Section 15	15.4.1, 15.4.2

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<b>Final Terms of Reference Requirements</b>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
7.1 Effects assessment	For each valued component described in this section, the following topics will be addressed, consistent with the methodology identified in Section 4 of these <i>Terms of Reference</i> .		
	Identification of potential environmental effects: The potential interactions of the development with the valued component and resulting potential environmental effects to the valued component will be identified. The developer will use science and traditional knowledge to present quantitative or qualitative parameters to measure potential environmental and cumulative effects on the valued component. The spatial and temporal boundaries for the assessment of effects on the valued component will be presented and justified.	Section 7 Section 8 Section 9 Section 10 Section 11 Section 12 Section 13 Section 14 Section 15	7.1, 7.3, 7.4 8.1, 8.4, 8.5 9.1, 9.3, 9.4 10.1, 10.2, 10.3 11.1, 11.3, 11.4 12.1, 12.3, 12.4 13.1, 13.3, 13.4 14.1.4, 14.2 to 14.8 15.3, 15.4
	Mitigations and residual effects: The developer will describe all mitigations that will be put into effect during project design, construction or operation to mitigate potential environmental effects. The developer will assess potential effects on the valued component after implementation of mitigations. Residual effects will be clearly identified and characterized based on methodology presented in DAR.	Section 7 Section 8 Section 9 Section 10 Section 11 Section 12 Section 13 Section 14 Section 15	7.3, 7.6, 7.7 8.4, 8.7, 8.8 9.3; 9.6; 9.7 10.4 11.3, 11.6, 11.7 12.3, 12.4.2, 12.6, 12.7 13.3, 13.6, 13.7 14.1.4, 14.2 to 14.8 15.4
	Assessment of cumulative effects: For each residual effect resulting from the development, the developer will assess the potential for cumulative effects resulting from a combination of effects of the development with effects from other past, present and reasonably foreseeable human activities and developments. The way in which a cumulative effect may occur and its potential spatial and temporal scope will be discussed. Residual cumulative effects will be identified. The developer will estimate the significance of residual project a and cumulative environmental effects and identify mitigations that already exist or would be required for cumulative effects beyond those for project specific effects.	Section 7 Section 8 Section 9 Section 10 Section 11 Section 12 Section 13 Section 14 Section 15	7.4, 7.6 8.5, 8.7 9.4, 9.6 10.2, 10.3 11.4, 11.6 12.3.2, 12.4, 12.6 13.4, 13.6 14.2 to 14.8 15.4

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<b>Final Terms of Reference Requirements</b>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
7.2 Cumulative effects	<p>Cumulative effects will be considered separately in each key line of inquiry and subject of note. Topics identified as a key line of inquiry will require greater detail in the cumulative effects analysis than topics identified as subjects of note. Cumulative effects will be considered for the following:</p> <ul style="list-style-type: none"> <li>• water quantity and quantity including any impacts on Lac de Gras;</li> <li>• fish and fish habitat;</li> <li>• caribou;</li> <li>• air quality;</li> <li>• grizzly bear, wolverine and species at risk</li> <li>• impacts to the landscape;</li> <li>• wildlife and wildlife habitat;</li> <li>• terrain;</li> <li>• cultural aspects; and</li> <li>• employment and business opportunities.</li> </ul>	<p>Section 7 Section 8 Section 9 Section 10 Section 11 Section 12 Section 13 Section 14 Section 15</p>	<p>7.6 8.7 9.6 10.2,10.3 11.6 12.6 13.6 14.2 to 14.8 15.4</p>
	<p>The developer will conduct a scenario analysis of relative and potentially important projects in its cumulative effects assessment using both quantitative and qualitative methods. This will include potential access to projects using the entire Tibbitt to Contwoyto Winter Road including projects to the north of the Ekati mine site.</p>	<p>Section 6 Section 7 Section 8 Section 9 Section 11 Section 12 Section 13 Section 17</p>	<p>6.5.1, 6.5.2 7.4.1, 7.4.2 8.5.1, 8.5.2 to 8.5.5 9.4.1, 9.4.3 11.4.1, 11.4.2 12.4.1, 12.4.2 13.4.1, 13.4.2 to 13.4.7 17.2</p>
	<p>Consideration should also be given to identifying means for DDEC, either on its own or cooperatively with others, to reduce or avoid any predicted cumulative effects. Current efforts towards cumulative effects assessment and management should be described, including DDEC's efforts to coordinate its monitoring and management to contribute towards a regional approach. Lessons learned from previous or current relevant cumulative effects initiatives should be discussed.</p>	<p>Section 6 Section 17</p>	<p>6.5.2.2 17.2</p>

**Table 1D-1 Terms of Reference Concordance Table**

<b>Final Terms of Reference Requirements</b>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
7.3 Key lines of inquiry	<p>The developer will provide a standalone assessment to facilitate public evaluation for all identified key lines of inquiry. Assessment work will encompass project-specific effects, potential additive effects considering potential accidents and malfunctions, and total estimated cumulative effects.</p> <p>Four key lines of inquiry pertaining to the biophysical environment were identified for the Jay Project:</p> <ol style="list-style-type: none"> <li>1. Impacts to water quality and quantity;</li> <li>2. Impacts to fish and fish habitat;</li> <li>3. Impacts to caribou; and</li> <li>4. Analysis of alternative means.</li> </ol>	<p>Section 2 Section 3 Section 8 Section 9 Section 12</p>	<p>All 3.6, Appendix 3C All All All</p>
7.3.1.1 <i>Impacts to water quality from project components</i>	In predicting impacts to water quality from the Jay Project, the developer will:		
	1. Identify and describe estimated amounts of contaminants from all potential sources at the Project site. Predict the likelihood and consequences of how each of the following, alone or in combination to leach metals, create acid rock drainage, or otherwise affect water quality:		
	<ul style="list-style-type: none"> <li>• construction activities including lake drawdown and water diversions;</li> </ul>	Section 8	8.4.2.4.1, 8.4.2.4.2
	<ul style="list-style-type: none"> <li>• mine operations including open pit and underground mining water sources;</li> </ul>	Section 8	8.5.4.2.1, 8.5.4.2.2
	<ul style="list-style-type: none"> <li>• waste rock management area runoff;</li> </ul>	Section 8	8.5.4.2.2, Appendix 8E, Appendix 8F
	<ul style="list-style-type: none"> <li>• aggregate management area runoff;</li> </ul>	Section 8	8.5.4.2.2, Appendix 8E, Appendix 8F
	<ul style="list-style-type: none"> <li>• operational water diversions and water management activities including rewatering;</li> </ul>	Section 8	8.5.4.2.2, 8.4.2.4
	<ul style="list-style-type: none"> <li>• discharge from any other sources including mercury leaching from soil or rock during re-watering activities; and,</li> </ul>	<p>Section 8 Section 9</p>	<p>8.4.2.4.1, 8.5.4.2.2 9.3.2</p>
	<ul style="list-style-type: none"> <li>• estimated contaminants from Lac du Sauvage sources and contaminants from the Ekati mine site in combination with Diavik sources in Lac de Gras.</li> </ul>	Section 8	8.5.4.2.2, Appendix 8E, Appendix 8F
	2. Predict the water quality of final effluent discharge to the environment during all phases of the project lifecycle, incorporating:		
	<ul style="list-style-type: none"> <li>• mine water release to the environment from the Lynx and Misery pits; or other discharge points from or to Lac du Sauvage and Lac de Gras;</li> </ul>	Section 8	8.5.4.2.2, Appendix 8E, Appendix 8F, Appendix 8H
	<ul style="list-style-type: none"> <li>• release of effluent from the Ekati mine site;</li> </ul>	Section 8	8.5.4.2.2, Appendix 8E, Appendix 8F, Appendix 8H
	<ul style="list-style-type: none"> <li>• dissolved oxygen levels from decomposition of newly submerged vegetation in aquatic environments flooded during re-watering at closure;</li> </ul>	Section 8	8.4.2.4.1, 8.5.4.2.2, Appendix 8G

**Table 1D-1 Terms of Reference Concordance Table**

<b>Final Terms of Reference Requirements</b>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
7.3.1.1 <i>Impacts to water quality from project components (continued)</i>	<ul style="list-style-type: none"> <li>water quality during rewatering of the diked area of Lac du Sauvage; and,</li> </ul>	Section 8	8.4.2.4.1, 8.4.2.4.2, 8.5.4.2.2
	<ul style="list-style-type: none"> <li>predict changes over time in the quality of mine water outflows.</li> </ul>	Section 8	8.5.4.2.2, Appendix 8E, Appendix 8F, Appendix 8G
	3. Assess potential impacts of effluent discharge from the Lynx and Misery pits into Lac du Sauvage or Lac de Gras in combination with any other discharge sources		
	<ul style="list-style-type: none"> <li>the predicted long-term effect(s) with a description of any mitigation or treatment used in predicting those effects; and,</li> </ul>	Section 8	8.5.4.2.2, Appendix 8E, Appendix 8F
	<ul style="list-style-type: none"> <li>the management of rewatering any areas that were temporarily drained for mining operations including the management of vegetation.</li> </ul>	Section 3 Section 8 Section 11	Appendix 3B 8.4.2.4.1, 8.4.2.4.2, 8.8.3 11.3.2.2.2, 11.7
	4. Describe water quality management at Lac du Sauvage including:		
	<ul style="list-style-type: none"> <li>operational water diversions and water management activities including rewatering;</li> </ul>	Section 3 Section 8	3.5.5.2, 3.5.8, Appendix 3A 8.3, 8.4.2.2, 8.5.4.2.2
	<ul style="list-style-type: none"> <li>any changes to ice thickness or freeze-up timing;</li> </ul>	Section 8	8.4.2.4.2
	<ul style="list-style-type: none"> <li>contingency pumping or water diversion activities; and,</li> </ul>	Section 3 Section 8	3.5.3, 3.5.5, Appendix 3A, Appendix 3B 8.3
	<ul style="list-style-type: none"> <li>water storage facilities.</li> </ul>	Section 3 Section 8	3.5.5, Appendix 3A 8.3
	5. Describe and predict the cumulative impacts to water quality and quantity as follows:		
	<ul style="list-style-type: none"> <li>estimated contaminants from Lac du Sauvage sources and contaminants from the Ekati mine site in combination with Diavik sources in Lac de Gras;</li> </ul>	Section 8	8.5.4.2.2, Appendix 8E, Appendix 8F
	<ul style="list-style-type: none"> <li>predict changes over time in water quality at Lac de Gras in combination with Project effluent, effluent from the Ekati mine site and effluent from the Diavik mine; and</li> </ul>	Section 8	8.5.4.2.2, Appendix 8E, Appendix 8F
	<ul style="list-style-type: none"> <li>cumulative effects to water quality including effects to Lac de Gras.</li> </ul>	Section 8	8.5.4.2.2, Appendix 8E, Appendix 8F



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<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
7.3.1.1 <i>Impacts to water quality from project components (continued)</i>	6. Saline connate groundwater has been encountered beneath kimberlite deposits in the Northwest Territories. Describe volumes and locations of known saline connate groundwater and discuss the potential for impacts from the saline connate groundwater including		
	<ul style="list-style-type: none"> <li>an analysis of expected inflow volumes;</li> </ul>	Section 3 Section 8	Appendix 3A 8.4.2.2, Appendix 8A
	<ul style="list-style-type: none"> <li>the baseline groundwater quality; and,</li> </ul>	Section 8	8.2.1, Annex IX
	<ul style="list-style-type: none"> <li>the potential impacts related to saline groundwater management during all phases of the Project.</li> </ul>	Section 8	8.4.2.2, 8.5.3, 8.5.4, Appendix 8A, Appendix 8B, Appendix 8C
	7. Describe and evaluate contingent water treatment alternatives that may be required prior to discharge of effluent into the environment during all project phases with an analysis of:		
	<ul style="list-style-type: none"> <li>use of existing Lynx and Misery pits;</li> </ul>	Section 3 Section 8	3.5.5, Appendix 3A, Appendix 3C 8.5.4.2
	<ul style="list-style-type: none"> <li>mechanical water treatment options; and,</li> </ul>	Section 3	3.5.5.2.1, Appendix 3A
	<ul style="list-style-type: none"> <li>other water treatment options.</li> </ul>	Section 3	3.5.5, Appendix 3A, Appendix 3C

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<b>Final Terms of Reference Requirements</b>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
7.3.1.2 <i>Impacts to water quantity from project components</i>	For the locally impacted watershed, upstream and downstream water bodies (the extent of potential impacts and including Lac de Gras) DDEC will provide a comparison of predicted water quantities to baseline conditions and describe the impacts to surface water and groundwater both in isolation and collectively.	Section 8	8.5.3.2, 8.4.2, Appendix 8D
	DDEC will describe and evaluate:		
	<ul style="list-style-type: none"> <li>a conceptual dewatering plan for Lac du Sauvage;</li> </ul>	Section 3 Section 8	3.5.5.1, Appendix 3A 8.5.3.2.2
	<ul style="list-style-type: none"> <li>the diversion of water around the dewatered portion of Lac du Sauvage (Christine Lake outflow diversion);</li> </ul>	Section 3 Section 8	3.5.3.2, Appendix 3A 8.5.3.2.1, 8.5.3.2.3
	<ul style="list-style-type: none"> <li>raising of water levels and changes in flow rates in other water bodies and streams particularly with respect to impacts on archaeological and heritage resources, caribou movement and shoreline changes;</li> </ul>	Section 8 Section 12 Section 13 Section 15	8.5.3.2.2 12.3.2.2, 12.4 13.2.2, 13.3.2 15.3.2, 15.4
	<ul style="list-style-type: none"> <li>the management of drawdown water from Lac du Sauvage;</li> </ul>	Section 3 Section 8	3.5.5.1, Appendix 3A 8.5.3.2.2
	<ul style="list-style-type: none"> <li>the management of mine water from the open pit;</li> </ul>	Section 3 Section 8	3.5.5.2, Appendix 3A 8.5.3.2.3
	<ul style="list-style-type: none"> <li>management of water and use of the of the Lynx and Misery pits;</li> </ul>	Section 3 Section 8	3.5.5, Appendix 3A 8.5.3.2, Appendix 8B, Appendix 8C
	<ul style="list-style-type: none"> <li>changing amount of flow through outlet channel of Lac du Sauvage during construction, operations, closure and post-closure phases;</li> </ul>	Section 8	8.5.3.2, Appendix 8D
	<ul style="list-style-type: none"> <li>the water balance during all Project phases including baseline, construction, dewatering, operations, closure, rewatering and post-closure;</li> </ul>	Section 3 Section 8	Appendix 3A 8.5.3.2, Appendix 8D
	<ul style="list-style-type: none"> <li>closure hydrology issues associated with water sources used during rewatering of Lac du Sauvage;</li> </ul>	Section 3 Section 8	3.5.8, Appendix 3C 8.5.3.2.4, Appendix 8D
	<ul style="list-style-type: none"> <li>sequencing and timeline for rewatering of the open pit and rewatering of Lac du Sauvage during closure and post-closure phases prior to re-connection of lake with surrounding watershed;</li> </ul>	Section 3 Section 8	3.5.8.1, Appendix 3C 8.5.3.2.4

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<b>Final Terms of Reference Requirements</b>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
7.3.1.2 <i>Impacts to water quantity from project components (continued)</i>	<ul style="list-style-type: none"> <li>the predicted long-term effect(s); and</li> </ul>	Section 8	8.5.3.2.5, Appendix 8D
	<ul style="list-style-type: none"> <li>cumulative effects to water quantity during all project phases from the project in combination with the existing Ekati mine and the Diavik mine site including effects to Lac de Gras.</li> </ul>	Section 8	8.5.3, Appendix 8D
7.3.2 Impacts to fish and fish habitat from project components	For the following analysis, the developer will include at minimum Lac du Sauvage and the proposed diversion of the Christine Lake outflow and all other reasonably relevant water bodies in the vicinity of the site (to the extent of predicted effects and a reasonable neighboring area of Lac de Gras). Effects/impacts to habitat are changes up to and including loss of habitat during all phases of the project. The developer will also consider the potential for fish to migrate into or out of these water bodies.	Section 9	9.3.2.2, 9.4.3
	The developer will describe (incorporating seasonal variation and the sensitivities of specific life cycle stages) the impacts to fish, aquatic life, species-at-risk, and respective habitats from project-related changes to:		
	<ul style="list-style-type: none"> <li>water quantity (water discharge, water diversion, and winter withdrawal from surface water bodies) and water quality (including but not limited to, suspended solids, dissolved oxygen content, pH, and the concentrations of metals, ammonia, and nutrients);</li> </ul>	Section 9	9.3.2.2, 9.4.3, 9.4.4
	<ul style="list-style-type: none"> <li>the introduction of contaminants to aquatic food chains from water released from the site;</li> </ul>	Section 8 Section 9	8.5.5 9.3.2.2, 9.4.3.2.2, 9.4.4
	<ul style="list-style-type: none"> <li>direct disturbance of riparian areas and other aquatic habitats including a map that shows water level changes and changes in riparian areas;</li> </ul>	Section 9	9.4.3.1, 9.3.2.2, 9.4.3.3
	<ul style="list-style-type: none"> <li>changes to flow volumes, velocities, or patterns and subsequent indirect alterations to banks, shores, and riparian areas;</li> </ul>	Section 9	9.4.3.2.2, 9.4.3.2.3, 9.4.3.3
	<ul style="list-style-type: none"> <li>changes to water levels that may impact access to preferred fish spawning areas and any resulting effects on reproductive success;</li> </ul>	Section 9	9.4.3.2.2, 9.4.3.2.3, 9.4.3.3
	<ul style="list-style-type: none"> <li>the potential for fish use of the Lac du Sauvage dike as fish spawning habitat and the potential for impacts to eggs or fry from any contaminants coming off or within the interstitial spaces of the dike; and</li> </ul>	Section 9	9.3.2.2.2
	<ul style="list-style-type: none"> <li>re-establishment of the aquatic ecosystem in the affected area of Lac du Sauvage after mine operations are complete and water quality in the re-filled area is acceptable for re-connection to Lac du Sauvage.</li> </ul>	Section 9	9.4.3.2.2, 9.4.4

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<i>Final Terms of Reference Requirements</i>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
7.3.2 Impacts to fish and fish habitat from project components (continued)	In addition, the developer will prepare the following:		
	<ul style="list-style-type: none"> <li>a conceptual fish off-setting plan in consultation with potentially affected communities and Fisheries and Oceans Canada;</li> </ul>	Section 9	9.4.3.1, Appendix 9A
	<ul style="list-style-type: none"> <li>a conceptual fish-out plan in consultation with potentially affected communities and Fisheries and Oceans Canada; and</li> </ul>	Section 9	9.4.3.1.2, Appendix 9B
	<ul style="list-style-type: none"> <li>a cumulative effects assessment on impacts to fish, fish habitat and aquatic life in the Lac du Sauvage watershed combined with impacts from the existing Ekati mine and the Diavik mine at Lac de Gras.</li> </ul>	Section 9	9.3.2.2, 9.4.3, 9.4.4
7.3.3 Impacts to caribou from project components	All required assessment information, should be provided in the context of baseline conditions and for all relevant life stages. Further, the predicted project-related long-term effect(s) to potentially impacted populations(s) should be discussed.	Section 12	12.6
	DDEC will describe the impacts to caribou herds that interact with the Project from the following Project sources, both in isolation and collectively:		
	<ul style="list-style-type: none"> <li>for the locally impacted caribou population(s) DDEC will identify potential sources for increased caribou mortality, including any potential change to the predator-prey relationship of any potentially affected population.</li> </ul>	Section 12	12.3.2
	<ul style="list-style-type: none"> <li>DDEC will describe the historic movement and migration patterns and the potential for disruption of caribou movements and migration patterns through the proposed Project area and determine possible effects on this species including how this might affect the energy and protein balance of caribou moving through the region, affect access to preferred habitats and affect caribou exposure to predators.</li> </ul>	Section 12	12.2.2, 12.2.3, 12.4.2

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<b>Final Terms of Reference Requirements</b>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
7.3.3 Impacts to caribou from project components (continued)	<ul style="list-style-type: none"> <li>DDEC will describe the direct physical loss of available habitat because of proposed project activities. Further, DDEC will conduct an additive assessment of the indirect disturbance effects to available habitat through lowered habitat suitability due to the following: <ul style="list-style-type: none"> <li>fugitive dust and air emissions;</li> <li>site water release, water management, dewatering, flooding and diversion;</li> <li>noise pollution;</li> <li>light pollution;</li> <li>viewscape;</li> <li>vehicle traffic on the site access roads and Misery Road, and</li> <li>the power line.</li> </ul> </li> </ul>	Section 12	12.4.2.1
		Section 12	12.4.2.2
		Section 12	12.4.2.2
		Section 12	12.4.2.2
		Section 12	12.4.2.2
		Section 12	12.4.2.2
		Section 12	12.4.2.2
		Section 12	12.4.2.2
	<ul style="list-style-type: none"> <li>DDEC will provide an estimate of the existing habitat fragmentation at the regional and local scale, the expected increase, and its possible effects on this species.</li> </ul>	Section 12	12.4.2.1
	<ul style="list-style-type: none"> <li>DDEC will conduct an analysis of the ways the Project may influence the energy and protein balance of caribou under different seasonal conditions, and to what extent this may affect population demographics. The analysis will include potential behavioural changes resulting from Project components or associated activities, including sensory disturbance, foraging impacts, rest and caribou movements in the development area and region.</li> </ul>	Section 12	12.4.2.3
	<ul style="list-style-type: none"> <li>DDEC will describe impacts to caribou from continued operation of the Tibbitt to Contwoyto Winter Road due to the Project and continued opportunities for harvesting of caribou.</li> </ul>	Section 12	12.3.2.2.2
	<ul style="list-style-type: none"> <li>DDEC will describe and assess the success to date of all caribou effects mitigation methods used in relation to past and present Ekati mine operations.</li> </ul>	Section 12	12.3.2.1
	<ul style="list-style-type: none"> <li>DDEC will describe the expected substrate of the dewatered lakebed and how it might change over time, analyze possible hazards or impacts to caribou crossing the dewatered lakebed and describe any mitigations for eliminating or reducing risk.</li> </ul>	Section 12	12.3.2.2.2
	<ul style="list-style-type: none"> <li>DDEC will identify possible pathways for caribou exposure to contaminants, assess exposure risk, and provide discussion of any potential population health effects.</li> </ul>	Section 12	12.3.2.2.1
	<ul style="list-style-type: none"> <li>DDEC will describe cumulative impacts to caribou including reasonably foreseeable projects and impacts from operation of the Tibbitt to Contwoyto Winter Road to access reasonably foreseeable projects from the existing Ekati mine.</li> </ul>	Section 12	12.4

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<b>Final Terms of Reference Requirements</b>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
7.3.3 Impacts to caribou from project components (continued)	<ul style="list-style-type: none"> <li>The cumulative effects approach for caribou will include an energetics component, habitat component and population component consistent with the current state of cumulative effects assessment of barren-ground caribou.</li> </ul>	Section 12	12.4.2.3
7.3.4 Analysis of alternative means	The MVRMA requires the Review Board to consider the potential impacts from alternatives to a proposed development. Accordingly, the developer will present the most probable alternatives to the proposed development description and potential impacts stemming from their potential adoption, and suggested mitigation.	Section 2	2.4, 2.5
	The DAR will include an analysis of alternative means of carrying out the Project which takes into account the multiple accounts analysis method as described by Robertson and Shaw (2004) and will also consider alternative analysis reports which have been recently conducted to support project applications for the Gahcho Kué Project (De Beers 2012) and the Meliadine Gold Project (AEM 2013). The consideration of alternatives (i.e., the multiple accounts analysis) should include technical feasibility, economic viability (e.g., capital and operating costs and scheduling), social economic considerations (e.g., anticipated employment and other socio-economic benefits), and the environmental considerations of each alternative.	Section 2	2.1 to 2.4
	The alternatives analysis will be consistent, transparent and robust. The DAR should provide a rationale and justification for the developer's preferred alternative that considers trade-offs and analysis required above.	Section 2	2.4, 2.5
	The developer will describe the alternative methods for carrying out the components of the development including:		
	<ul style="list-style-type: none"> <li>a description of the alternative methods considered, how or why they are not technically and/or economically feasible, and the rationale for rejecting any alternatives that are excluded from further assessment.</li> </ul>	Section 2	2.4, 2.5
	<ul style="list-style-type: none"> <li>the criteria and rationale for selecting the preferred alternative methods.</li> </ul>	Section 2	2.3, 2.4.6, 2.4.7
	<ul style="list-style-type: none"> <li>maps depicting the various alternatives with their comparative changes to the landscape.</li> </ul>	Section 2	2.4, 2.5
	<p>The multiple accounts analysis will be conducted for the mining method, for example:</p> <ul style="list-style-type: none"> <li>Diavik-style ring dyke construction to access the open pits with an access causeway to shoreline without drawdown of Lac du Sauvage.</li> <li>alternative drawdown, diversion and pumping scenarios.</li> <li>underground mining methods.</li> </ul>	Section 2	2.4.2, 2.4.3, 2.4.5, 2.4.7

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<b>Final Terms of Reference Requirements</b>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
7.3.4 Analysis of alternative means (continued)	Once the overall mining method is identified, the alternative means for the following mine components will be considered:		
	<ul style="list-style-type: none"> <li>alternative waste rock storage areas and pit backfilling options.</li> </ul>	Section 2	2.5.2
	<ul style="list-style-type: none"> <li>alternative energy sources and conservation methods.</li> </ul>	Section 2	2.5.3
	<ul style="list-style-type: none"> <li>alternative road alignments to minimize caribou disturbance and barriers to movements.</li> </ul>	Section 2	2.5.1
	The developer will indicate how community engagement and traditional knowledge have influenced the determination of the selected alternative described in its DAR.	Section 2	2.1, 2.2.2.4, 2.4.6.1, 2.4.7, 2.5
7.4 Subjects of Note	Subjects of note require a thorough analysis including a cumulative effects assessment, but do not require the same level of detail.	Section 7 Section 10 Section 11 Section 13 Section 15	All All All All All
7.4.1 Impacts to air quality from project components	The developer is encouraged to pursue dialogue with Environment Canada and the Government of the Northwest Territories about appropriate methods for modeling air quality and analysis to ensure compatibility between these programs and the assessment.	Section 7	7.1.2.1, Annex I
	For the locally impacted airshed DDEC will provide a comparison of predicted contaminant levels to baseline conditions and relevant air quality guidelines and describe the impact to air quality from the following sources (defining both dispersion and deposition areas), both in isolation and collectively:		
	<ul style="list-style-type: none"> <li>the exposed lakebed fugitive dust emissions;</li> </ul>	Section 7	7.4.2.2, Appendix 7B
	<ul style="list-style-type: none"> <li>the waste rock management area fugitive dust emissions;</li> </ul>	Section 7	7.4.2.2, Appendix 7B
	<ul style="list-style-type: none"> <li>the aggregate management area fugitive dust emissions;</li> </ul>	Section 7	7.4.2.2, Appendix 7B
	<ul style="list-style-type: none"> <li>the emissions from construction and operations activities, including blasting;</li> </ul>	Section 7	7.4.2.2, Appendix 7B
	<ul style="list-style-type: none"> <li>equipment and traffic air emissions and fugitive dust emissions;</li> </ul>	Section 7	7.4.2.2, Appendix 7B
	<ul style="list-style-type: none"> <li>accidents and malfunctions;</li> </ul>	Section 3 Section 7	3.6, Appendix 3C 7.6
	<ul style="list-style-type: none"> <li>the predicted long-term effect(s) to air quality; and,</li> </ul>	Section 7	7.4.2.2, Appendix 7B
	<ul style="list-style-type: none"> <li>cumulative effects assessment of air emissions and accumulation of those emissions in the environment from the project in combination with impacts from existing Ekati mine and the Diavik mine.</li> </ul>	Section 7	7.6

**Table 1D-1 Terms of Reference Concordance Table**

<b>Final Terms of Reference Requirements</b>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
7.4.1 Impacts to air quality from project components (continued)	The developer will quantify emissions (incinerator, heavy equipment etc.) and the accumulation of those emissions in the environment (dioxins, furans, metals etc.), and demonstrate the manner in which the developer will show compliance with national standards and minimize these emissions and their impacts to the environment.	Section 7	7.3.2, 7.4.2, Appendix 7B
7.4.2 Impacts to vegetation from project components	For the locally impacted landscape, DDEC will describe physical disturbance from project activities to vegetation and terrestrial habitat broken down into habitat types to a reasonable and relevant level.	Section 11 Section 13	11.4.2 13.4.2 to 13.4.5
	The developer will:		
	<ul style="list-style-type: none"> <li>describe vegetation and terrestrial habitat disturbance, including total amount of land to be disturbed, losses of vegetation, and description of the soil to be removed, conserved, or stored;</li> </ul>	Section 11	11.4.2, Appendix 11A
	<ul style="list-style-type: none"> <li>describe impacts on any rare plants and plants of cultural or economic importance;</li> </ul>	Section 11	11.4.2.2
	<ul style="list-style-type: none"> <li>describe potential impacts of air emissions on vegetation around the project site; and,</li> </ul>	Section 11	11.3.2.2
7.4.3 Impacts to wildlife and wildlife habitat from project components	<ul style="list-style-type: none"> <li>cumulative effects assessment to vegetation from the Project in combination with disturbances from, but not limited to, the existing Ekati mine and the Diavik mine.</li> </ul>	Section 11	11.4.2.2, 11.6.2
	For the following analysis, the developer will include at minimum the footprint of the project and a reasonable neighboring area to capture the extent of the predicted effects.	Section 13	13.4.2 to 13.4.7
	The developer will also consider the potential for wildlife migration through the area.	Section 13	13.4.2
	The developer will describe (incorporating seasonal variation and the sensitivities of specific life cycle stages) the impacts to all wildlife value components, species-at-risk, and respective habitats from project-related changes to:		
	<ul style="list-style-type: none"> <li>habitat degradation and fragmentation;</li> </ul>	Section 11 Section 13	11.4.2.2 13.3, 13.4.2 to 13.4.7
	<ul style="list-style-type: none"> <li>direct and indirect sources of mortality (e.g., vehicle-wildlife collisions, human interactions);</li> </ul>	Section 13	13.3, 13.4.2 to 13.4.7
	<ul style="list-style-type: none"> <li>increased attraction to the project;</li> </ul>	Section 13	13.3, 13.4.2 to 13.4.7
	<ul style="list-style-type: none"> <li>potential for sensory disturbance (e.g., noise, light, viewscape) to reduce habitat suitability;</li> </ul>	Section 13	13.3, 13.4.2 to 13.4.7
	<ul style="list-style-type: none"> <li>potential for disruption of animal movements and migration patterns, population cycles, home ranges, distribution and abundance;</li> </ul>	Section 13	13.3, 13.4.2 to 13.4.7
	<ul style="list-style-type: none"> <li>potential for disruption to predator-prey relationships;</li> </ul>	Section 13	13.3, 13.4.2 to 13.4.7



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<b>Final Terms of Reference Requirements</b>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
7.4.3 Impacts to wildlife and wildlife habitat from project components (continued)	<ul style="list-style-type: none"> <li>potential for bioaccumulation of contaminants from all sources within the food chain (including, vegetation quality, water quality, sediment quality, waterfowl quality, etc., as relevant); and,</li> </ul>	Section 13	13.3, 13.4.2 to 13.4.7
	<ul style="list-style-type: none"> <li>the dewatered lakebed including potential hazards or implications from wildlife crossing the dewatered lakebed and any mitigations for eliminating or reducing such risk.</li> </ul>	Section 13	13.3, 13.4.2 to 13.4.7
	DDEC will conduct a cumulative effects assessment on wolverine, grizzly bears and species at risk in combination with impacts from past, present and reasonably foreseeable projects.	Section 13	13.4.2 to 13.4.7
7.4.4 Impacts to terrain from project components	When assessing the impacts and risk related to terrain, the developer will:		
	<ul style="list-style-type: none"> <li>describe the existing geotechnical stability of the area proposed for the mine rock management areas including:</li> </ul>	Section 3 Section 10	3.3.3 10.2
	<ul style="list-style-type: none"> <li>soil and hydrological conditions;</li> </ul>	Section 10 Section 11	10.2.2 11.3.2.2, Appendix 11A
	<ul style="list-style-type: none"> <li>permafrost, ground thermal conditions, and ground ice conditions;</li> </ul>	Section 10	10.2.3
	<ul style="list-style-type: none"> <li>description of the physical and chemical characteristics of mine rock and tailings; and,</li> </ul>	Section 3 Section 10	3.3.2 10.2.1, Annex VIII
	<ul style="list-style-type: none"> <li>topography and slope stability.</li> </ul>	Section 10	10.2.4
	Describe how the geotechnical stability of all engineered structures, including site access roads will be ensured against a range of climate, seismic, and precipitation scenarios.	Section 10	10.2, 10.3
	Identify any plans to mitigate and monitor against impacts on terrain, including:		
	<ul style="list-style-type: none"> <li>erosion control measures;</li> </ul>	Section 10 Section 11	10.4.1 Appendix 11A
	<ul style="list-style-type: none"> <li>prevention of permafrost degradation or growth encouragement; and,</li> </ul>	Section 10	10.4.2
	<ul style="list-style-type: none"> <li>how the geotechnical stability of the mine rock management area, and the system of dikes and dams will be monitored, and for what extent of time.</li> </ul>	Section 10	10.4.3

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<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
7.5 Biophysical environmental monitoring programs and management plans	As part of the environmental assessment, DDEC will demonstrate that the monitoring and management plans have representative near-field and far-field baseline information, consider the natural range of variability, and will detect and mitigate any relevant changes – expected or unexpected – before they become significant adverse impacts.	Section 7 Section 8  Section 9  Section 10 Section 11 Section 12 Section 13	7.2, Annex I 8.2, Annex IX, Annex X, Annex XI 9.2, Annex XIV, Annex XII, Annex XIII 10.2, Annex III, Annex IV 11.2, Annex V, Annex VI 12.2, Annex VII 13.2, Annex VI, Annex VII, Annex II
	Extensive monitoring programs are established for the Ekati Mine that should be used as the basis for monitoring of new project components. A response framework is required under the Ekati Mine Water Licence and should be used as the basis for new project components.	Section 1	1.2.3.2
	Further, the developer will describe the framework for proposed monitoring programs and management plans or amendments to existing plans that will guide their evaluation of and adaptive management for impacts to water quality. Specifying:		
	<ul style="list-style-type: none"> <li>which phase of the development the plan is for;</li> </ul>	Section 1  Section 3 Section 8 Section 9	1.2.3.2.1, 1.2.3.2.2, 1.2.3.2.5, 1.2.3.2.12 3.5.5.2.1 8.8 9.7, Appendix 9C
	<ul style="list-style-type: none"> <li>the framework for surface water and ground water monitoring;</li> </ul>	Section 1  Section 3 Section 8 Section 9	1.2.3.2.1, 1.2.3.2.2, 1.2.3.2.5, 1.2.3.2.12 3.5.5.2.1 8.8 9.7, Appendix 9C

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<b>Final Terms of Reference Requirements</b>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
7.5 Biophysical environmental monitoring programs and management plans (continued)	<ul style="list-style-type: none"> <li>which parameters the plan monitors for changes in, and how this related to detection of a significant adverse impact to water quality;</li> </ul>	Section 1  Section 3 Section 8 Section 9	1.2.3.2.1, 1.2.3.2.2, 1.2.3.2.5, 1.2.3.2.12  3.5.5.2.1 8.8 9.7, Appendix 9C
	<ul style="list-style-type: none"> <li>how monitoring data will be used to determine if action is required such as definition of any methodologies used, critical values, and threshold conditions;</li> </ul>	Section 1  Section 3 Section 8 Section 9	1.2.3.2.1, 1.2.3.2.2, 1.2.3.2.5, 1.2.3.2.12  3.5.5.2.1 8.8 9.7, Appendix 9C
	<ul style="list-style-type: none"> <li>how the proposed mitigation fits into adaptive management plans, including how project management will be adapted if necessary to prevent significant adverse impacts, including but not limited to: <ul style="list-style-type: none"> <li>unexpected deviations from environmental assessment predictions for any substance of concern,</li> <li>contingency plans in case metals leaching or acid rock drainage occurs, and,</li> <li>contingency plans for unacceptable treated-water quality.</li> </ul> </li> </ul>	Section 1  Section 3 Section 8 Section 9	1.2.3.2.1, 1.2.3.2.2, 1.2.3.2.5, 1.2.3.2.12  3.5.5.2.1 8.8 9.7, Appendix 9C
	For each monitoring plan or program, the developer is required to describe a method of differentiating the Ekati vs. Diavik contributions to water quality and quantity changes or changes in aquatic life in Lac de Gras.	Section 9	9.7, Appendix 9C
	For all other physical and biological valued components, describe the framework for proposed monitoring programs and management plans or amendments to existing programs and plans that will guide DDEC's evaluation of and adaptive management for impacts to valued components. Specify:		
	<ul style="list-style-type: none"> <li>which phase of the development the plan is for;</li> </ul>	Section 7 Section 10 Section 11 Section 12 Section 13	7.7 10.4 11.7 12.7 13.7
	<ul style="list-style-type: none"> <li>what parameters (measurement endpoints) the plan monitors for changes and how this is related to detection of a significant adverse impact to a valued component;</li> </ul>	Section 1	1.2.3.2

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<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
7.5 Biophysical environmental monitoring programs and management plans (continued)	<ul style="list-style-type: none"> <li>how monitoring data will be used to determine if action is required such as definition of any methodologies used, critical valued, and threshold conditions;</li> </ul>	Section 1 Section 7 Section 10 Section 11 Section 12 Section 13	1.2.3.2 7.7 10.4 11.7 12.7 13.7
	<ul style="list-style-type: none"> <li>how DDEC's proposed mitigation fits into adaptive management plans, including how project management will be adapted if necessary to prevent significant adverse impacts, including but not limited to: unexpected deviation from environmental assessment predictions for any substance of concern that may impact the valued component, and, provide a summary table listing all biophysical environmental monitoring and management systems, where they are described in the <i>Developer's Assessment Report</i>, the length of time the monitoring is proposed for, and rationale for each timeline; and,</li> </ul>	Section 1 Section 7 Section 10 Section 11 Section 12 Section 13	1.2.3.2 7.7 10.4 11.7 12.7 13.7
	<ul style="list-style-type: none"> <li>the framework for any new plans or amendments to existing plans related to overall incineration and waste management Plan(s), including commitments for management of solid, liquid, hazardous, and airborne wastes, and associated monitoring programs; and,</li> </ul>	Section 1 Section 7 Section 11 Section 10 Section 12 Section 13	1.2.3.2 7.7 10.4 11.7 12.7 13.7
	<ul style="list-style-type: none"> <li>a framework for new plans, or for amendments to existing wildlife related plans, which specifically details the proposed changes to current plans and any revisions that might be required to make such plans consistent with draft guidelines.</li> </ul>	Section 1 Section 7 Section 10 Section 11 Section 12 Section 13	1.2.3.2 7.7 10.4 1.7 12.7 13.7

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<b>Final Terms of Reference Requirements</b>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
8 Impacts on the human environment	The developer is encouraged to work with potentially affected communities and responsible government authorities to identify valued components of the human environment, appropriate indicators and sources of information to measure change, pathways by which change may likely occur, and mitigation and monitoring strategies that may be required to maximize benefits and minimize adverse impacts.	Section 5 Section 14 Section 15	5.3.5 14.1.2.3, 14.1.3 15.2.2
	Mitigation may not be entirely the responsibility of the developer, as governments and communities have social, economic, and cultural protection mandates. However, it is primarily the responsibility of the proponent of the project to initially document these issues in its <i>Developer's Assessment Report</i> and where the Project would contribute to an existing impact or create a new one, to identify appropriate mitigation and monitoring mechanisms.	Section 14 Section 15	14.1.3 15.4.3, 15.5
8.1.1 Maximizing benefits and minimizing impacts to communities	In its analysis of maximizing benefits to communities during the various phases of the planned mine life the developer will:		
	<ul style="list-style-type: none"> <li>list and provide non-confidential details on all current or proposed socio-economic initiatives or agreements;</li> </ul>	Section 14	14.1.3
	<ul style="list-style-type: none"> <li>describe barriers to direct or contractor employment, advancement and retention of aboriginal and Mackenzie Valley residents and transportation of employees from communities and identify methods to address these barriers;</li> </ul>	Section 14	14.1.3, 14.2.3
	<ul style="list-style-type: none"> <li>describe the developer's existing, including any anticipated modification of, plans, strategies, and commitments for maximizing direct or contractor employment, advancement and retention of residents from potentially-affected communities, and other Aboriginal and Northwest Territories residents;</li> </ul>	Section 14	14.1.3, 14.4.4, 14.5.4
	<ul style="list-style-type: none"> <li>describe the developer's future commitments for any training, apprenticeships education, or other improvements necessary to maximize local and regional employment and business capacity to benefit from the project; and</li> </ul>	Section 14	14.1.3.4, 14.5.3
	<ul style="list-style-type: none"> <li>describe the effectiveness of past or present socio-economic benefit initiatives including levels of success in improving recruitment, retention and advancement of workers from potentially affected communities.</li> </ul>	Section 14	14.1.3

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<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
8.1.1 Maximizing benefits and minimizing impacts to communities (continued)	The Jay Project is anticipated to provide an additional 10 to 20 years of mine life to the Ekati mining operation. DDEC will describe the following:		
	<ul style="list-style-type: none"> <li>workforce resource requirements;</li> </ul>	Section 14	14.1.3, 14.4
	<ul style="list-style-type: none"> <li>contracting and business resource requirements; and,</li> </ul>	Section 14	14.1.3, 14.3, 14.4
	<ul style="list-style-type: none"> <li>anticipated revenue generation, specific to the Northwest Territories.</li> </ul>	Section 14	14.3.3.2.3, Appendix 14A
	The developer will assess the potential impacts of the Jay Project on the economy of the Mackenzie Valley during the various phases of the planned mine life including trends over time.	Section 14	14.3.3
	In assessing access to employment and business opportunities, the developer will provide the following:		
	<ul style="list-style-type: none"> <li>a description of employment and associated training opportunities by phase and category. The developer should present this information in the context of existing conditions;</li> </ul>	Section 14	14.1.3.4, 14.4, 14.5
	<ul style="list-style-type: none"> <li>an assessment of the likely percentage of direct employment for Northwest Territories Aboriginal residents and other NWT residents at the project for the extent of the mine life and for each phase;</li> </ul>	Section 14	14.1.3.2, 14.4.3.1
	<ul style="list-style-type: none"> <li>discussion of the potential for longer term community capacity building, if any have been planned and are to be implemented throughout the Project's lifetime, regarding how mine training plans can enhance the transferability of skills after the mine closure (i.e., management and human resource skills, computers skills, heavy equipment skills).</li> </ul>	Section 14	14.1.3, 14.4.4
	<ul style="list-style-type: none"> <li>an estimate of contractor and subcontractor goods and services that the project will require, by project phase, as well and an estimate of what percentage of required goods and services can feasibly be sourced by local and regional businesses as well as Aboriginal-owned business ventures; and,</li> </ul>	Section 14	14.1.3.2, Appendix 14A
	<ul style="list-style-type: none"> <li>the developer's existing policies, plans, and commitments associated with maximizing contracting to Aboriginal and Northwest Territories owned and operated businesses, with emphasis on assisting business development initiatives and joint ventures.</li> </ul>	Section 14	14.1.3

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<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
8.1.1 Maximizing benefits and minimizing impacts to communities (continued)	In assessing potential social impacts that may be associated with the Project the developer will:		
	<ul style="list-style-type: none"> <li>describe potential social impacts of the Project;</li> </ul>	Section 14	14.6
	<ul style="list-style-type: none"> <li>describe ways in which the developer will collaborate with communities in identifying and addressing social and community wellness issues related to the Project;</li> </ul>	Section 14	14.1.3.5, 14.6
	<ul style="list-style-type: none"> <li>discuss current and proposed initiatives to address potential social impacts; and,</li> <li>provide a plan for ongoing collaboration with communities throughout the life of the Project to develop and implement monitoring and mitigation to minimize social impacts.</li> </ul>	Section 14 Section 4	14.6 4.2
8.2.1 Impacts to cultural aspects from project components	The analysis of heritage resources is inclusive and cultural impacts include both tangible and intangible aspects of culture including traditional land use and occupancy by members of potentially affected communities. When assessing the impacts and risk related to cultural aspects, the developer will:		
	<ul style="list-style-type: none"> <li>describe engagement with traditional knowledge holders, archaeologists, anthropologists, and the Prince of Wales Northern Heritage Centre and how such interactions influenced: <ul style="list-style-type: none"> <li>heritage resource surveys locations;</li> <li>heritage resource management plans; and</li> <li>programs related to community capacity and sustainability.</li> </ul> </li> </ul>	Section 14 Section 15	14.1.2.2, 14.1.3, 14.3 15.2, 15.4.3, 15.5
	<ul style="list-style-type: none"> <li>identify all known archaeological and heritage resources, sites or areas of cultural significance;</li> </ul>	Section 15	15.4.3.3, Annex XVI
	<ul style="list-style-type: none"> <li>describe all recommended mitigation measures for the protection of local known and high potential areas of physical heritage resources and associated developer's commitments;</li> </ul>	Section 15	15.4.3
	<ul style="list-style-type: none"> <li>describe any potential impacts from the Jay Project on physical heritage within the geographical scope of the development from dewatering, flooding, road and diversion construction and other construction and operations activities.</li> </ul>	Section 15	15.4.2.1, 15.4.3.4
	<ul style="list-style-type: none"> <li>describe any potential impacts of the project on traditional harvesting activities for Aboriginal residents of potentially-affected communities, including changes from impacts to wildlife, changes in all-season access, and any changes in access by non-resident hunters;</li> </ul>	Section 15	15.4.1.2
	<ul style="list-style-type: none"> <li>provide a prediction of the total impact of the project on traditional activities, and on the potential for increased or reduced harvesting success including post-mining perceptions of the area for traditional activities and harvesting;</li> </ul>	Section 15	15.4.1.3

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<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
8.2.1 Impacts to cultural aspects from project components (continued)	<ul style="list-style-type: none"> <li>describe any change in the environment which may in turn impact navigation on navigable waterways; and,</li> </ul>	Section 15	15.4.1.1.1
	<ul style="list-style-type: none"> <li>describe any potential sensory impacts (e.g., noise, light, viewscape), any measures taken to minimize disturbance, and how any remaining sensory changes will affect the traditional users' experience within the potentially affected land use areas.</li> </ul>	Section 15	15.4.1.1.2, 15.4.1.1.3
8.3 Human environment monitoring and management plans	The developer will describe any commitments, plans, and strategies to engage with responsible authorities and potentially affected communities in continuing and improving monitoring impacts on the human environment. These monitoring and management plans include:		
	<ul style="list-style-type: none"> <li>local and regional residents and Aboriginal people in gaining employment at the Jay Project;</li> </ul>	Section 14	14.1.3.2
	<ul style="list-style-type: none"> <li>training initiatives;</li> </ul>	Section 14	14.1.3.4, 14.5.1.4
	<ul style="list-style-type: none"> <li>employee recruitment;</li> </ul>	Section 14	14.1.3.2
	<ul style="list-style-type: none"> <li>employee retention;</li> </ul>	Section 14	14.1.3
	<ul style="list-style-type: none"> <li>worker and family wellness</li> </ul>	Section 14	14.1.3.5
	<ul style="list-style-type: none"> <li>minimizing social impacts; and,</li> </ul>	Section 14	14.1.3
9 Assessing the impacts of the environment on the development	<ul style="list-style-type: none"> <li>impacts on wildlife harvesting and practice of traditional culture on the land.</li> </ul>	Section 15	15.4.1.3, 15.5
	The developer will consider the effects of the environment on the Project. The developer will describe potential impacts of the physical environment on the development including the use of the Tibbit to Contwoyto Winter Road such as:		
	<ul style="list-style-type: none"> <li>changes in the permafrost regime;</li> </ul>	Section 10	10.3.1.1, 10.3.1.2
	<ul style="list-style-type: none"> <li>climate change impacts;</li> </ul>	Section 10 Section 16	10.3 16.3
	<ul style="list-style-type: none"> <li>seasonal flooding and melt patterns;</li> </ul>	Section 10	10.3.1.4
	<ul style="list-style-type: none"> <li>seismic events; and,</li> </ul>	Section 10	10.3.2
	<ul style="list-style-type: none"> <li>extreme precipitation.</li> </ul>	Section 10	10.3.1.3
	Any changes to the design or management of the Jay Project as a result of considering potential impacts to the environment should be noted in the relevant sections.	Section 10 Section 16	10.4 16.2



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<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
10 Cumulative effects summary	In this section, DDEC will provide a combined summary of its discussion on its assessment of cumulative effects from the relevant sections. This summary will include a discussion identifying the committed means for DDEC, either on its own or cooperatively with others, to reduce or avoid any predicted cumulative effects.	Section 17	All
11 Accidents and malfunctions	For this section, the developer will first discuss impacts in relation to all Key Lines of Inquiry from an accident or malfunctions as though it has happened, then discuss the associated probability of the event. The assessment would then be carried forward to describe the potential impacts to all relevant valued components.	Section 3	3.6
	The developer will:		
	<ul style="list-style-type: none"> <li>conduct a risk assessment using best practices for the Project including components, systems, hazards and failure modes;</li> </ul>	Section 3	3.6, Appendix 3C
	<ul style="list-style-type: none"> <li>assess likelihood and severity of each risk identified;</li> </ul>	Section 3	3.6, Appendix 3C
	<ul style="list-style-type: none"> <li>provide rationale for criteria used for decisions on the various risks related to malfunctions/accidents during all project phases from construction through post-closure;</li> </ul>	Section 3	3.6, Appendix 3C
	<ul style="list-style-type: none"> <li>describe contingency plans for accidents, malfunctions or unforeseen impacts of the environment on the development;</li> </ul>	Section 3	3.6, Appendix 3C
	<ul style="list-style-type: none"> <li>describe water containment features, dykes, pumping systems and detections systems used for early warning of spills;</li> </ul>	Section 3	3.6, Appendix 3C
	<ul style="list-style-type: none"> <li>describe all accident and emergency response plans that will be in place during the construction phase and operations phase, including materials transport, along with emergency communications plans; and,</li> </ul>	Section 3	3.6, Appendix 3C
	<ul style="list-style-type: none"> <li>describe the likelihood that invasive species will be introduced, by what means, the potential impacts, and any mitigation practices to be implemented to reduce the likelihood.</li> </ul>	Section 3 Section 11	3.6, Appendix 3C 11.2.2.4, 11.7

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<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
12 Closure and reclamation	DDEC will present its framework for the conceptual closure and reclamation plan for any aspects of the Jay Project that are not currently provided for in the Interim Reclamation and Closure Plan in the <i>Developer's Assessment Report</i> . The developer will be guided by existing guidance, such as Mackenzie Valley Land and Water Board – Aboriginal Affairs and Northern Development Canada's Guidelines for the Reclamation of Advanced Mineral Exploration and Mine Sites in the NWT when developing its reclamation plan for the Jay Project [truncated for brevity].	Section 3	3.5.8, Appendix 3B
	In the <i>Developer's Assessment Report</i> , the developer will:		
	<ul style="list-style-type: none"> <li>discuss the existing Interim Reclamation and Closure Plan as it related to any existing facilities that will be used as a part of the Jay Project, including the use of the Lynx and Misery pits;</li> </ul>	Section 3	3.5.8, Appendix 3B
	<ul style="list-style-type: none"> <li>illustrate how project components will be encompassed within the Interim Reclamation and Closure Plan;</li> </ul>	Section 3	3.5.8, Appendix 3B
	<ul style="list-style-type: none"> <li>provide a framework for DDEC's Closure and Reclamation Plan, in respect to any "new" facilities or activities to the Ekati mine operation, which will include: <ul style="list-style-type: none"> <li>identification of the overall reclamation objectives, standards, and criteria the Closure and Reclamation Plan is designed to achieve and over what time period, and,</li> <li>a conceptual program and schedule for any progressive reclamation envisioned;</li> </ul> </li> </ul>	Section 3	3.5.8, Appendix 3B
	<ul style="list-style-type: none"> <li>identify and describe any unique, novel or experimental aspects of the development that are distinct from the rest of the Ekati project components or conventional industry experience with respect to reclamation, and discuss any uncertainties posed and how these will be resolved in the closure planning process;</li> </ul>	Section 3	3.5.8, Appendix 3B
	<ul style="list-style-type: none"> <li>in the Conceptual Closure and Reclamation Plan, discuss management and monitoring programs for any materials/locations that may cause acid rock drainage or metal leaching;</li> </ul>	Section 3 Section 8	3.5.8 8.5.4, 8.8
	<ul style="list-style-type: none"> <li>discuss the long-term physical integrity of any permanent features;</li> </ul>	Section 3	3.5.8
	<ul style="list-style-type: none"> <li>discuss monitoring coverage required to track for any reasonably foreseeable post-closure contamination pathways;</li> </ul>	Section 3 Section 8	3.5.8, 8.8
	<ul style="list-style-type: none"> <li>describe how closure and reclamation activities and monitoring will ensure long-term suitability of all fish-bearing waters potentially affected by the Project in terms of fish and fish habitat;</li> </ul>	Section 3 Section 9	3.5.8, Appendix 3B 9.7

**Table 1D-1 Terms of Reference Concordance Table**

<i>Final Terms of Reference Requirements</i>			
<b>Section</b>	<b>Description</b>	<b>Applicable Section in DAR</b>	<b>Applicable Sub-Section in DAR</b>
12 Closure and reclamation (continued)	<ul style="list-style-type: none"> <li>describe the predicted timing of the return of the affected area of Lac du Sauvage to a healthy and self-sustaining aquatic ecosystem and the expected processes that will occur related to the re-establishment of the aquatic ecosystem;</li> </ul>	Section 3 Section 8 Section 9	3.5.8, Appendix 3B 8.7.2 9.4.3.3.3
	<ul style="list-style-type: none"> <li>describe how reclamation will provide for safe wildlife use of and movement through the reclaimed area;</li> </ul>	Section 3 Section 12 Section 13	3.5.8, Appendix 3B 12.6.2 13.6.2
	<ul style="list-style-type: none"> <li>provide conceptual images showing what the area will look like after active mining and after the various stages of reclamation 10, 25 and 50 years later; and,</li> </ul>	Section 3	3.2.1
	<ul style="list-style-type: none"> <li>identify how potentially-affected communities were engaged in determining end land use and water objectives for reclamation.</li> </ul>	Section 5 Section 15	5.2, 5.3.4 to 5.3.6 15.2