

## **SECTION 4**

# **COMMUNITY, REGULATORY, AND PUBLIC ENGAGEMENT**

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## Abbreviations

Abbreviation	Definition
AANDC	Aboriginal Affairs and Northern Development Canada
ADM	Assistant Deputy Minister
AT8	Akaiicho Treaty 8 First Nation (Łutsel K'e Dene First Nation and Yellowknives Dene First Nation)
CanNor	Canadian Northern Economic Development Agency
CKK	Community Knowledge Keeper
DAR	Developer's Assessment Report
DFO	Fisheries and Oceans Canada
EA	Environmental Assessment
EC	Environment Canada
GNWT	Government of the Northwest Territories
IBA	Impact Benefit Agreement
IEMA	Independent Environmental Monitoring Agency
KIA	Kitikmeot Inuit Association
KBWG	Kwe Beh Working Group
LKDFN	Łutsel K'e Dene First Nation
MVRB	Mackenzie Valley Review Board
MVRMA	<i>Mackenzie Valley Resource Management Act</i>
NWT	Northwest Territories
NSMA	North Slave Métis Alliance
RDG	Regional Director General
SAO	Senior Administrative Officer
Project	Jay Project
TG	Tłı̨chǫ Government
TK	Traditional Knowledge
Water Licence	Class A Water Licence W2012L2-0001
WLWB	Wek'èezhii Land and Water Board
YKDFN	Yellowknives Dene First Nation

## 4 COMMUNITY, REGULATORY, AND PUBLIC ENGAGEMENT

### 4.1 Introduction

#### 4.1.1 Purpose and Scope

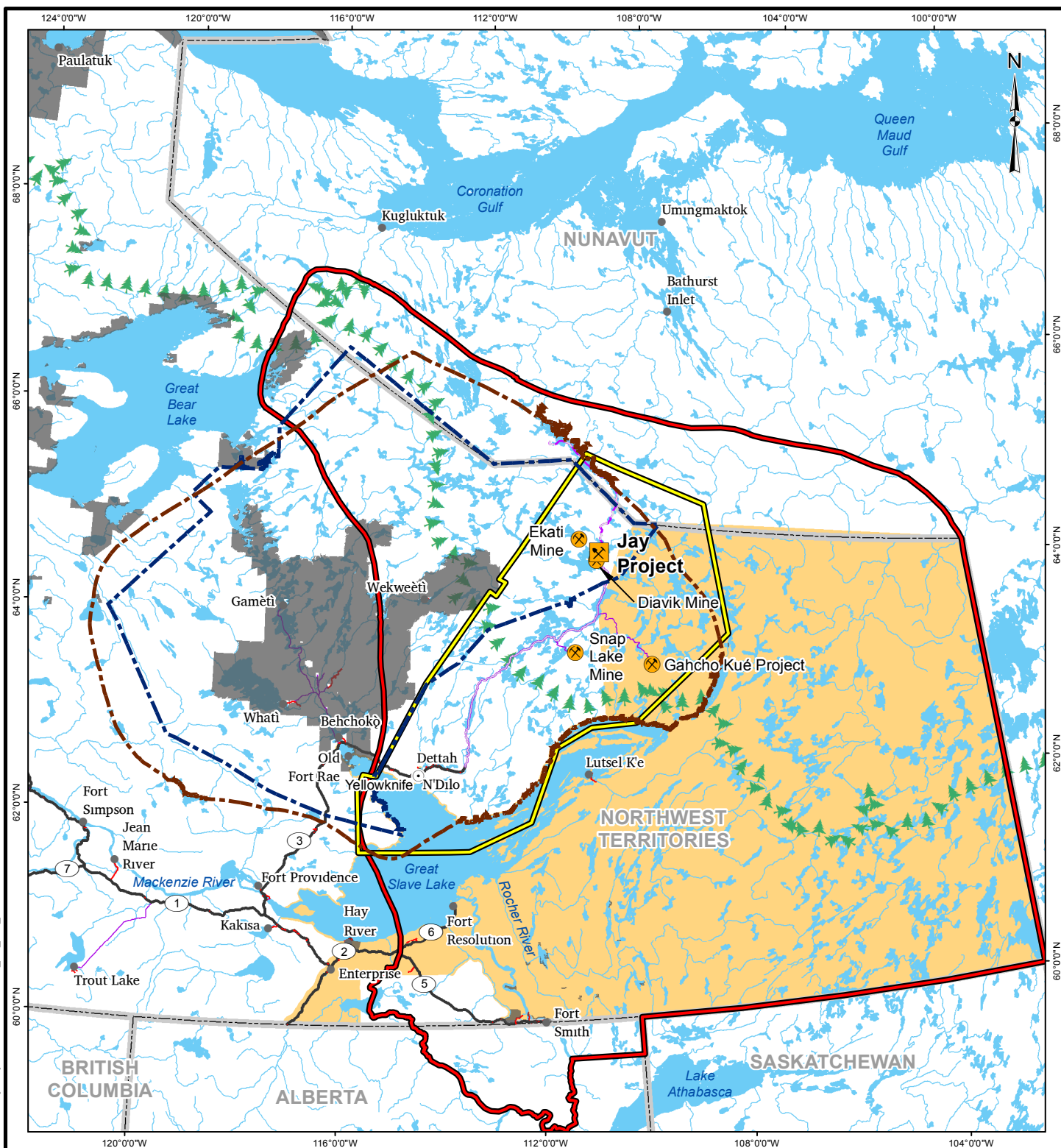
The purpose of this section (Section 4) of the Developer's Assessment Report (DAR) is to describe Dominion Diamond Ekati Corporation's (Dominion Diamond's) approach to community, regulatory, and public engagement. This section also documents the many engagement activities that have occurred, the results of the process, and plans for future engagement. Although this process is based fundamentally on Dominion Diamond's policy and principles, it also meets regulatory requirements, as described below.

On November 22, 2013, the Mackenzie Valley Review Board (MVRB) notified Dominion Diamond that the Jay Project (Project) had been referred to Environmental Assessment (EA) under paragraph 126(2)(a) of the *Mackenzie Valley Resource Management Act* (MVRMA). The MVRMA requires that concerns of Aboriginal peoples and the general public are taken into account in the EA, and that their comments be considered and reported (Sections 114[c], 117[2][c], and 134[2]) of the MVRMA). In exercising its powers, the MVRB has to consider the importance of conservation to the well-being and way of life of the Aboriginal peoples of Canada to whom Section 35 of the *Constitution Act, 1982* applies, and who use an area of the Mackenzie Valley (Section 60.1 of the MVRMA). The MVRB must also consider any Traditional Knowledge (TK) and scientific information that is made available to it.

The Terms of Reference (TOR) for the Jay Project issued by the MVRB on July 17, 2014 were developed using input from participants in an extensive scoping exercise conducted by the MVRB in 2014. The Key Lines of Inquiry, Subjects of Note, and areas of concerns indicated in the TOR span the breadth of participants' biophysical, environmental, social, cultural, and economic concerns about the Project in particular. The Project-specific community engagement approach undertaken by Dominion Diamond began before the initial Project application was submitted, and focused on hearing, understanding, and documenting the communities' key areas of concern, including relevant TK, and then adapting the proposed Project's design to mitigate these concerns. The focus of the engagement efforts was, and continues to be, directed towards parties that will likely be the most directly affected if the Project is implemented or not implemented, which include potentially affected Aboriginal communities, other Northerners, government and regulatory agencies, and the Independent Environmental Monitoring Agency (IEMA).

#### 4.1.2 Engagement with Communities

First Nation, Métis, and Inuit organizations and communities most likely to be directly affected by the Project (potentially affected communities) are shown on Map 4.1-1.



### LEGEND

- |  |  |  |  |
|--|--|--|--|
|  | JAY PROJECT  |  | WATERCOURSE                                |
|  | EXISTING MINE OR PROJECT                             |  | WATERBODY                                  |
|  | TERRITORIAL CAPITAL                                  |  | ABORIGINAL LAND                            |
|  | HIGHWAY  |  | TLICHO MOWFI FINAL LAND CLAIM BOUNDARY     |
|  | ALL-SEASON ROAD                                      |  | TLICHO WE'EEZHII FINAL LAND CLAIM BOUNDARY |
|  | WINTER ROAD  |  | ASSERTED TERRITORY                         |
|  | TIBBITT TO CONTWOYTO WINTER ROAD                     |  | AKAITCHO DENE                              |
|  | NORTHERN PORTION OF TIBBITT TO CONTWOYTO WINTER ROAD |  | CHIEF DRYGEESE                             |
|  | TERRITORIAL/PROVINCIAL BOUNDARY                      |  | AREA OF INTERIM MEASURES                   |
|  | TREELINE   |  | NWT MÉTIS NATION                           |

### REFERENCE

NATURAL RESOURCES CANADA, CENTRE FOR TOPOGRAPHIC INFORMATION, 2012 ATLAS OF CANADA; AANDC; PROJECTION: CANADA LAMBERT CONFORMAL CONIC

### DOCUMENT

DEVELOPER'S ASSESSMENT REPORT

150 0 150  
SCALE 1:6,000,000 KILOMETRES



DOMINION  
DIAMOND

JAY PROJECT  
NORTHWEST TERRITORIES, CANADA

TITLE

## ABORIGINAL COMMUNITIES WITHIN THE VICINITY OF THE PROJECT



Golder  
Associates

PROJECT	13-1328-0041	FILE No. DAR_TK_003_GIS
DESIGN	MG	18/09/14
GIS	ANK	14/10/14
CHECK	AB	14/10/14
REVIEW	MG	14/10/14
SCALE AS SHOWN		REV. 0
MAP 4.1-1		

The Project is an extension project proposed for the Ekati Diamond Mine (Ekati Mine). The Ekati claim block is within the Tłıchǫ and Akaitcho regions and on lands that may have been used by members of the following Aboriginal groups:

- the Yellowknives Dene First Nation (YKDFN);
- the Łutsel K'e Dene First Nation (LKDFN);
- the Deninu K'ue First Nation;
- Fort Resolution Métis Council;
- the North Slave Métis Alliance (NSMA);
- the Tłıchǫ Government (TG); and,
- Kitikmeot Inuit Association (KIA).

Engagement has occurred with the following communities:

- Gamétì;
- Wekweètì;
- Whatì;
- Behchokǝ;
- Yellowknife;
- Dettah;
- N'Dilo;
- Łutsel K'e;
- Kugluktuk;
- Fort Resolution;
- Bathurst Inlet; and,
- Umingmaktok.

## 4.2 Engagement Policy and Approach

Dominion Diamond is committed to engaging with potentially affected communities and stakeholders in an open, timely, and comprehensive manner. Since purchasing Ekati in April 2013, Dominion Diamond has made important commitments to communities and stakeholders that Dominion Diamond would provide a regular dialogue on all issues related to Ekati, including projects to extend mine life, with the senior management of the company, and would be responsive to issues raised by communities.

Dominion Diamond is working hard to meet these commitments. The engagement record included in this section shows Dominion Diamond's efforts made towards achieving these commitments in collaboration with potentially affected communities. For instance, since purchasing Ekati, Dominion Diamond has built on and advanced previous engagement practices by undertaking regular engagement meetings between senior management and community leadership and residents.

Dominion Diamond's approach to engagement is set out in the Ekati Mine Engagement Plan (Appendix 4A) and is a culmination of successful engagement activities that have been developed and become well established since Ekati was first licenced and operational. Dominion Diamond undertakes community engagement activities on a regular and routine basis as part of its management of the Ekati Mine. The engagement activities include: quarterly engagement meetings between Dominion Diamond Senior Management and communities, formal Impact Benefit Agreement (IBA) meetings with leadership from each of the Ekati Mine IBA groups; workshops on specific issues; and site-based activities wherein leadership, elders, and youth are invited to visit the Ekati Mine for site visits or to take part in the environmental monitoring programs. Environmental reports are submitted to the Wek'èezhii Land and Water Board (WLWB), all of which are posted to the WLWB's public registry where any party can provide comment or questions.

Engagement for specific projects provides focused engagement on larger projects or events. Specific projects include, for example:

- Water Licence renewal applications; and,
- new project or permit applications, which may involve referral to the MVRB.

Engagement for projects typically includes "pre-application" engagement carried out before a project or renewal application to the WLWB. The purpose of the pre-application engagement is to provide progressively more details about a possible future project and seek initial community input, even while that possible project is under conceptual development. After submission of an application to the WLWB, the WLWB's review process is initiated, and Dominion Diamond also continues its own additional community engagement.

Dominion Diamond's approach to project-based engagement includes, but is not limited to, such key activities as:

1. pre-application engagement beginning before the initial submission to the WLWB, which is scaled to the nature of the Project at hand and that may incorporate some or all of the following activities:
  - engagement with directly affected parties;
  - written exchanges;
  - face-to-face meetings with each party that include Dominion Diamond's senior management;
  - public meetings;
  - meetings with community leadership;
  - recording of community questions and concerns; and,
  - submission of the pre-application Record of Engagement to the WLWB.
2. ongoing project engagement, consisting of:
  - participation in WLWB or MVRB processes, such as community scoping sessions; and,

- additional engagement, as required, through written exchanges, public meetings, and face-to-face meetings and workshops to discuss specific issues of interest, and to maintain two-way dialogue about the project with the affected parties.

Pre-application engagement is conducted using appropriate mechanisms that have been effective in the past and that are consistent with the guidelines of the WLWB and MVRB, such as public meetings, meetings with community leadership, and workshops. Other engagement mechanisms or community-specific mechanisms developed through ongoing engagement are undertaken as required.

### **4.3 Ongoing Ekati Mine Engagement Activities**

Engagement for ongoing operations provides the foundation of essential community engagement that maintains relationships and the regular two-way exchange of information. Engagement for ongoing operations includes, but is not limited to, key activities such as:

- quarterly meetings between Dominion Diamond senior management and community leadership (usually in a public forum);
- annual community presentations of environmental monitoring information;
- annual community presentations of socio-economic monitoring information;
- various technical workshops and the WLWB's process for reviews of technical documents under the Water Licence;
- IBA meetings with community leadership (these discussions are confidential to Dominion Diamond and each party);
- Elder/youth site visits for environmental monitoring programs (typically annual);
- Annual student site visits;
- Water Licence and Environmental Agreement Annual Report, which is provided in plain language and which is circulated to all parties for comment;
- visits by government and regulatory staff; and,
- annual (typically) site visit by the WLWB.

As part of these activities, Dominion Diamond actively solicits comments and questions from community members, which are recorded and responded to by Dominion Diamond. These engagement activities also provide for the circulation of information about the Ekati Mine to the community members, thereby increasing the community members' understanding and capacity to provide comment and questions.

### **4.4 Jay Project Engagement Activities**

A chronology of Dominion Diamond's engagement for the Project is found in Appendix 4B. The following sections summarise engagement activities for the various Project milestones.



This section is organized chronologically to present summaries of the community engagement activities at key Project milestones, as follows:

- pre-application engagement (April 2013 to September 2013; Appendix 4B);
- exploration land use permit and Jay water licence application (October 2013 to December 2013; WLWB 2014);
- MVRB scoping workshops (January 2014; MVRB 2014a);
- initial TOR issuance (February 21, 2014; MVRB 2014b);
- revised TOR issuance (July 17, 2014; Appendix 1A); and,
- post-DAR submission (November 2014 onwards).

In its original application, Dominion Diamond proposed a project that mined both the Jay and Cardinal kimberlite pipes (i.e., the Jay-Cardinal Project) (MVRB 2014a). The January 2014 scoping workshops, early consultation, the initial TOR and the March 2014 community workshops were based on the Jay-Cardinal Project. However, based on a review of community engagement and consultation meetings and project economic considerations, Dominion Diamond decided to make a change to the project to mine the Jay pipe only.

The MVRB issued a revised TOR (Appendix 1A) for the Jay Project (the Project) on July 17, 2014 and Dominion Diamond has subsequently continued engagement on the Project.

Based on Dominion Diamond's Community Engagement Policy, NWT regulatory requirements, and community expectations, Dominion Diamond's engagement activities have focused on communicating the technical, environmental, and socio-economic aspects of the Project. These activities have also served as an opportunity for Dominion Diamond to develop its understanding of community concerns and aspirations related to Dominion Diamond's plan to extend the life of the Ekati Mine through the development of the Project.

The First Nations and Métis groups included throughout each engagement period are:

- the Łutsel K'e Dene First Nation;
- the North Slave Métis Alliance;
- the Tłı̨chǫ Government;
- Kitikmeot Inuit Association and Hamlet of Kugluktuk; and,
- the Yellowknives Dene First Nation.

The following potentially affected communities and groups were also included during Project engagement:

- Deninu K'ue First Nation;

- Fort Resolution Métis Council; and,
- residents from the seasonal communities of Umingmaktok and Bathurst Inlet.

Specific engagement meetings were also held with, and will continue to be held with, regulators, government departments, and the IEMA.

#### **4.4.1 Pre-Application Engagement**

Since purchasing Ekati in April 2013, Dominion Diamond has committed to engaging in meaningful and productive ways with its IBA communities and other stakeholders. This engagement began during the purchase of Ekati by Dominion Diamond and has been continuing since Dominion Diamond became the owners of Ekati.

In April 2013, Dominion Diamond wrote to the Hamlet of Kugluktuk, Kitikmeot Inuit Association, Łutsel K'e Dene First Nation, North Slave Métis Alliance, Tłı̨chǫ Government, and the Yellowknives Dene First Nation to introduce Dominion Diamond and its senior management team. Each group was invited to meet to discuss interests and priorities, as well as to share their vision for Dominion Diamond's future in the NWT. Following these invitations, Dominion Diamond met with representatives from each group.

Additional meetings were set up with regulators and other government agencies, including:

- Government of the Northwest Territories (GNWT);
- Aboriginal Affairs and Northern Development Canada (AANDC);
- the Canadian Northern Economic Development Agency (CanNor);
- Fisheries and Oceans Canada (DFO);
- the IEMA;
- the MVRB; and,
- the WLWB.

During these meetings, Dominion Diamond presented its plan for the Jay pipe extension at the Ekati Mine.

A chronological summary of the First Nation, Métis, regulator, government and public engagement activities and related communication that occurred during exploration and pre-application engagement for the Project is provided in Table 4.4-1.

**Table 4.4-1 Summary of Pre-Application Community, Regulatory, and Public Engagement Activities**

Date	Community / Stakeholder	Potentially Affected Community / Stakeholder Participants	Dominion Diamond Participants	Relevant Comments/Issues
29-Apr-13	Tłjchq	Grand Chief Edward Erasmus	Brendan Bell	Introduction letter to meet informally, introduce Dominion Diamond executives in their new roles, hear interests and priorities, and share vision for Dominion Diamond's future in the North.
29-Apr-13	AT8 – YKDFN and LKDFN	Chief Dora Enzoe, Chief Edward Sangris, Acting Chief Roy Erasmus Sr.	Brendan Bell	Introduction letter to meet informally, introduce Dominion Diamond executives in their new roles, hear interests and priorities, and share vision for Dominion Diamond's future in the North.
29-Apr-13	Inuit – Hamlet of Kugluktuk and KIA	Mayor Ryan Nivingalok and President Charlie Evalik	Brendan Bell	Introduction letter to meet informally, introduce Dominion Diamond executives in their new roles, hear interests and priorities, and share vision for Dominion Diamond's future in the North.
08-May-13	NSMA	NSMA Board of Directors	Brendan Bell Bob Overvold	First meeting since Dominion Diamond assumed ownership of Ekati Mine; included discussion on plans to extend mine life through the Project. Introduced the new Head of Environment and Communities, Bob Overvold. Dominion Diamond assured the group that the company purchased the Ekati Mine to try to keep it open, and committed to keeping them informed via regular meetings. Dominion Diamond committed to keeping IBA groups informed of any changes prior to information being publically available through the WLWB. Dominion Diamond also requested that if the group had any fundamental concerns regarding Dominion Diamond's plans, it would be ideal if Dominion Diamond was aware of those concerns sooner rather than later.
10-May-13	AANDC	Zoe Raemer and Benoit Gendron	Deana Twissell	Email requesting meeting with AANDC Assistant Deputy Minister (ADM) Janet King to introduce concept of mining the Jay Pipe.
23-May-13	Tłjchq	Chiefs' Executive Council	Bob Gannicott Brendan Bell Bob Overvold	First meeting since Dominion Diamond assumed ownership of Ekati Mine; included discussion on plans to extend mine life through the Project. Introduced the new Head of Environment and Communities, Bob Overvold. Dominion Diamond assured the group that the company purchased the Ekati Mine to try to keep it open, and committed to keeping them informed via regular meetings. Dominion Diamond committed to keeping IBA groups informed of any changes prior to information being publically available through the WLWB. Dominion Diamond also requested that if the group had any fundamental concerns regarding Dominion Diamond's plans, it would be ideal if Dominion Diamond was aware of those concerns sooner rather than later.

**Table 4.4-1 Summary of Pre-Application Community, Regulatory, and Public Engagement Activities**

Date	Community / Stakeholder	Potentially Affected Community / Stakeholder Participants	Dominion Diamond Participants	Relevant Comments/Issues
24-May-13	AT8 – YKDFN and LKDFN	Chief Edward Sangris and Acting Chief Roy Erasmus Sr. (Chief Dora Enzoë was supposed to attend but did not)	Brendan Bell Bob Overvold	First meeting since Dominion Diamond assumed ownership of Ekati Mine; included discussion on plans to extend mine life through the Project. Introduced the new Head of Environment and Communities, Bob Overvold. Dominion Diamond assured the group that the company purchased the Ekati Mine to try to keep it open, and committed to keeping them informed via regular meetings. Dominion Diamond committed to keeping IBA groups informed of any changes prior information being publically available through the WLWB. Dominion Diamond also requested that if the group had any fundamental concerns regarding Dominion Diamond's plans, it would be ideal if Dominion Diamond was aware of those concerns sooner rather than later.
24-May-13	AANDC	Marc Lange, Mike Byrne, Julian Kanigan, Malcolm Robb	Bob Overvold Eric Denholm	First meeting with AANDC to discuss the Project and relevant AANDC programs.
27-May-13	AT8 – LKDFN	Chief Dora Enzoë	Deana Twissell	Follow-up email from meeting to LKDFN Chief requesting dates to visit Ekati Mine and tour the Project by helicopter; no reply received.
28-May-13	AANDC	ADM Janet King, RDG Kathryn Bruce	Bob Gannicott Brendan Bell Bob Overvold	First meeting with AANDC senior staff to discuss the Project and relevant AANDC programs.
30-May-13	Hamlet of Kugluktuk	Hamlet Council	Brendan Bell Bob Overvold	First meeting since Dominion Diamond assumed ownership of Ekati Mine; included discussion on plans to extend mine life through the Project. Introduced the new Head of Environment and Communities, Bob Overvold. Dominion Diamond assured the group that the company purchased the Ekati Mine to try to keep it open, and committed to keeping them informed via regular meetings. Dominion Diamond committed to keeping IBA groups informed of any changes prior to information being publically available through the WLWB. Dominion Diamond also requested that if the group had any fundamental concerns regarding Dominion Diamond's plans, it would be ideal if Dominion Diamond was aware of those concerns sooner rather than later.
04-Jun-13	AT8 – YKDFN	Chief Edward Sangris, Acting Chief Roy Erasmus Sr.	Deana Twissell	Follow-up email from meeting to YKDFN Chiefs requesting dates to visit Ekati Mine and tour the Project by helicopter; no reply received.
04-Jun-13	Tłı̨chǫ	Chiefs' Executive Council	Bob Gannicott Brendan Bell Bob Overvold Deana Twissell John Bekale	Signing of Contribution Agreement for Khon Go Cho Complex; included update on the Project.

**Table 4.4-1 Summary of Pre-Application Community, Regulatory, and Public Engagement Activities**

Date	Community / Stakeholder	Potentially Affected Community / Stakeholder Participants	Dominion Diamond Participants	Relevant Comments/Issues
04-Jun-13	AT8	Chief Edward Sangris, Acting Chief Roy Erasmus, and Chief Dora Enzoë	Deana Twissell	Follow-up to a lunch meeting two weeks prior with Dominion Diamond senior management, and also to inquire when it might be convenient to host an Ekati Mine site visit. The visit is to include Misery site and a helicopter tour of Lac du Sauvage in August or September.
14-Jun-14	NSMA	NSMA Board of Directors	Bob Gannicott Brendan Bell Bob Overvold Deana Twissell John Bekale Anne-Marie Beaton Kirsten Berg Robert Beaulieu	First meeting since Dominion Diamond assumed ownership of Ekati Mine; included discussion on plans to extend mine life through the Project. Introduced the new Head of Environment & Communities, Bob Overvold. Dominion Diamond assured the group that the company purchased the Ekati Mine to try to keep it open, and committed to keeping them informed via regular meetings. Dominion Diamond committed to keeping IBA groups informed of any changes prior to information being publically available through the WLWB. Dominion Diamond also requested that if the group had any fundamental concerns regarding Dominion Diamond's plans, it would be ideal if Dominion Diamond was aware of those concerns sooner rather than later.
18-Jun-13	KIA	KIA Board of Directors	Bob Gannicott Brendan Bell Bob Overvold Charles Klengenberg	Met with KIA Board in Gjoa Haven to provide update on the Project. Met with KIA Board in Gjoa Haven to provide update on Jay Pipe. Introduction to Bob Gannicott, Brendan Bell and Bob Overvold and Dominion Diamond as a company. First meeting since Dominion Diamond assumed ownership of Ekati Mine; included discussion on plans to extend mine life through the Project. Introduced the new Head of Environment and Communities, Bob Overvold. Dominion Diamond assured the group that the company purchased the Ekati Mine to try to keep it open, and committed to keeping them informed via regular meetings. Dominion Diamond committed to keeping IBA groups informed of any changes prior to information being publically available through the WLWB. Dominion Diamond also requested that if the group had any fundamental concerns regarding Dominion Diamond's plans, it would be ideal if Dominion Diamond was aware of those concerns sooner rather than later.

**Table 4.4-1 Summary of Pre-Application Community, Regulatory, and Public Engagement Activities**

Date	Community / Stakeholder	Potentially Affected Community / Stakeholder Participants	Dominion Diamond Participants	Relevant Comments/Issues
18-Jun-13	Hamlet of Kugluktuk	Hamlet Council	Bob Gannicott Brendan Bell Bob Overvold Charles Klengenberg	Met with Hamlet Council in Kugluktuk to provide update on the Project. Introduction to Bob Gannicott, Brendand Bell and Bob Overvold and Dominion Diamond as a company. First meeting since Dominion Diamond assumed ownership of Ekati Mine; included discussion on plans to extend mine life through the Project. Introduced the new Head of Environment & Communities, Bob Overvold. Dominion Diamond assured the group that the company purchased the Ekati Mine to try to keep it open, and committed to keeping them informed via regular meetings. Dominion Diamond committed to keeping IBA groups informed of any changes prior to information being publically available through the WLWB. Dominion Diamond also requested that if the group had any fundamental concerns regarding Dominion Diamond's plans, it would be ideal if Dominion Diamond was aware of those concerns sooner rather than later.
24-Jun-13	AT8 – LKDFN	Chief Dora Enzoë and Council	Bob Gannicott Brendan Bell Bob Overvold John Bekale	Met with Chief and Council to provide update on the Project. Introduction to Bob Gannicott, Brendand Bell and Bob Overvold and Dominion Diamond as a company. First meeting since Dominion Diamond assumed ownership of Ekati Mine; included discussion on plans to extend mine life through the Project. Introduced the new Head of Environment & Communities, Bob Overvold. Dominion Diamond assured the group that the company purchased the Ekati Mine to try to keep it open, and committed to keeping them informed via regular meetings. Dominion Diamond committed to keeping IBA groups informed of any changes prior to information being publically available through the WLWB. Dominion Diamond also requested that if the group had any fundamental concerns regarding Dominion Diamond's plans, it would be ideal if Dominion Diamond was aware of those concerns sooner rather than later.
25-Jun-13	Tłįchų	KBWG	Bob Gannicott Bob Overvold Eric Denholm John Bekale	First meeting with KBWG to provide update on the Project. Introduction to Bob Gannicott, Brendand Bell and Bob Overvold and Dominion Diamond as a company. First meeting since Dominion Diamond assumed ownership of Ekati Mine; included discussion on plans to extend mine life through the Project. Introduced the new Head of Environment & Communities, Bob Overvold. Dominion Diamond assured the group that the company purchased the Ekati Mine to try to keep it open, and committed to keeping them informed via regular meetings. Dominion Diamond committed to keeping IBA groups informed of any changes prior to information being publically available through the WLWB. Dominion Diamond also requested that if the group had any fundamental concerns regarding Dominion Diamond's plans, it would be ideal if Dominion Diamond was aware of those concerns sooner rather than later.

**Table 4.4-1 Summary of Pre-Application Community, Regulatory, and Public Engagement Activities**

Date	Community / Stakeholder	Potentially Affected Community / Stakeholder Participants	Dominion Diamond Participants	Relevant Comments/Issues
26-Jun-13	AT8 – YKDFN	Chief Ernest Betsina	Bob Overvold Charles Klengenberg	Introduction to new Chief of N'Dilo and update on the Project. First meeting since Dominion Diamond assumed ownership of Ekati Mine; included discussion on plans to extend mine life through the Project. Introduced the new Head of Environment & Communities, Bob Overvold. Dominion Diamond assured the group that the company purchased the Ekati Mine to try to keep it open, and committed to keeping them informed via regular meetings. Dominion Diamond committed to keeping IBA groups informed of any changes prior to information being publically available through the WLWB. Dominion Diamond also requested that if the group had any fundamental concerns regarding Dominion Diamond's plans, it would be ideal if Dominion Diamond was aware of those concerns sooner rather than later. Introduction to Project and to the new Head of Environment & Communities, Bob Overvold.
26-Jun-13	IEMA	Bill Ross (chair), Laura Johnston, Tim Byers, Jaida Ohokannoak, Kim Poole, Arnold Enge (all Directors), Kevin O'Reilly and Jessica Simpson (staff)	Bob Overvold Eric Denholm	Introduction to Project and to the new Head of Environment and Communities, Bob Overvold. First meeting since Dominion Diamond assumed ownership of Ekati Mine; included discussion on plans to extend mine life through the Project. Introduced the new Head of Environment & Communities, Bob Overvold. Dominion Diamond assured the group that the company purchased the Ekati Mine to try to keep it open, and committed to keeping them informed via regular meetings. Dominion Diamond committed to keeping IBA groups informed of any changes prior to information being publically available through the WLWB. Dominion Diamond also requested that if the group had any fundamental concerns regarding Dominion Diamond's plans, it would be ideal if Dominion Diamond was aware of those concerns sooner rather than later. Introduction to Project and to the new Head of Environment & Communities, Bob Overvold.
27-Jun-13	AANDC	Malcolm Robb, Acting Director Minerals and Petroleum Directorate	Bob Overvold Eric Denholm	Meeting to discuss the Project.
27-Jun-13	CanNor	Patrick Borbey, CanNor	Brendan Bell Bob Overvold	Introduction to the Project.
07-Jul-13	AANDC	Policy and Regional Affairs Advisor (Nunavut, NWT Yukon) Paul Komaromi	Bob Gannicott Brendan Bell Bob Overvold	Meeting to discuss the Project and the possible impact of devolution on the project such as regulatory changes and the possible change from regional boards to a single super board.
08-Jul-13	AANDC	Acting ADM Mimi Fortier and Janet King	Bob Gannicott Brendan Bell Bob Overvold	Meeting to provide update on the Project, and to inquire about Devolution and the Fisheries Regulatory reforms, and what those might mean for the Project and the extension of the Ekati mine life.

**Table 4.4-1 Summary of Pre-Application Community, Regulatory, and Public Engagement Activities**

Date	Community / Stakeholder	Potentially Affected Community / Stakeholder Participants	Dominion Diamond Participants	Relevant Comments/Issues
08-Jul-13	AT8 – YKDFN	Todd Slack, Advisor	Eric Denholm Nicole Spencer	Provided update on the Project to YKDFN Advisor.
09-Jul-13	DFO	Christine Loth-Bown, Director General Ecosystem Programs Policy, Steve Burgess, Program Policy and Nick Winfield, Fisheries Protection Policy	Bob Gannicott Brendan Bell Bob Overvold	Meeting to discuss new <i>Fisheries Act</i> legislation and policy and potential implications for the Project and associated offsetting. Discussed the new changes to the Fisheries Act and the new policy direction in relation to fish offsetting.
29-Jul-13	DFO	Steve Burgess, Rich Rudolph	Eric Denholm Bob Overvold  Golder – Amy Langhorne	Provided update on the Project to DFO. Discussed new legislation and potential implications for the Project.
01-Aug-13	AT8 – LKDFN	Graeme Drew, SAO	Deana Twissell	Email to confirm acceptance of LKDFN's proposed date of August 23, 2013 to meet with Dominion Diamond senior management on the Project. Discussion around meeting with Chief and Council versus the Wildlife Lands and Environment Committee. Also requested to schedule a date for the upcoming IBA annual meeting.
02-Aug-13	AT8 – YKDFN	Chief Sangris and Chief Betsina	Brendan Bell Bob Overvold	Provided update on the Project to YKDFN Chiefs to complete Phase 2 of the engagement with IBA leaders.
13-Aug-13	WLWB	Violet Camsell-Blondin (chair), Joe Mackenzie (Board Member), Brett Wheeler and Sarah Elsasser (staff)	Chantel Lavoie Eric Denholm Claudine Lee	Meeting and site visit.
13-Aug-13	Kugluktuk	Don Leblanc, SAO	Ora-naja Wah-Shee,	Call and follow up email to confirm a Project meeting on August 22, 2013 in Kugluktuk including Dominion Diamond senior management and the Hamlet of Kugluktuk. Also requested to schedule a date for the annual IBA meeting to be held in September or October. Discussed the proposal for a Community Liaison position to liaise between Dominion Diamond and the community, particularly in relation to recruitment.
14-Aug-13	KIA	Paul Emingak, Executive Director	Ora-naja Wah-Shee,	Requested a date to meet with Dominion Diamond senior management on the Project. Requested a date for the annual IBA meeting. KIA tentatively confirmed the August 22, 2013 Project meeting date in Cambridge Bay.



**Table 4.4-1 Summary of Pre-Application Community, Regulatory, and Public Engagement Activities**

Date	Community / Stakeholder	Potentially Affected Community / Stakeholder Participants	Dominion Diamond Participants	Relevant Comments/Issues
14-Aug-13	AT8 – YKDFN	Ernie Abel, Assistant Chief Executive Officer	Ora-naja Wah-Shee,	Call and follow-up email to discuss the details of the August 21, 2013 YKDFN site visit.
15-Aug-13	AT8 – YKDFN	Ernie Abel, Assistant Chief Executive Officer	Ora-naja Wah-Shee,	Follow-up on the YKDFN site tour.
15-Aug-13	KIA	Paul Emingak, Executive Director	Ora-naja Wah-Shee,	Confirmed a Project presentation to Paul Emingak and the President on August 22, 2013, in Cambridge Bay.
16-Aug-13	AT8 – LKDFN	Graeme Drew, Florence Catholique, and Mike Tollis	Bob Overvold	Confirmed a Project presentation to the Wildlife Lands and Environment Committee in Lutsel K'e on August 23, 2013.
19-Aug-13	AT8 – YKDFN	Ernie Abel, Assistant Chief Executive Officer	Ora-naja Wah-Shee,	Discussed Lac du Sauvage site tour logistics.
20-Aug-13	AT8 – YKDFN	Ernie Abel, Assistant Chief Executive Officer	Ora-naja Wah-Shee,	Dominion Diamond had to re-schedule the August 21, 2013 Lac du Sauvage tour due to unforeseen circumstances.
21-Aug-13	AT8 – YKDFN	Ernie Abel, Assistant Chief Executive Officer	Ora-naja Wah-Shee,	Confirmed a re-scheduled Lac du Sauvage site tour for September 6, 2013.
21-Aug-13	MVRB	Vern Christianson and Chuck Hubert, Senior Environmental Assessment Officer	Ora-naja Wah-Shee,	Emailed to confirm a Lac du Sauvage helicopter tour for September 5, 2014, and to discuss logistics.
21-Aug-13	AT8 – LKDFN	Graeme Drew, SAO	Ora-naja Wah-Shee,	Discussed August 23 meeting logistics.
22-Aug-13	Hamlet of Kugluktuk	Deputy Mayor Grant Newman Mayor Ryan Nivingalok Councillor Peter Taktogon Councillor Barry Garrett Councillor David Nivingalok Councillor Luigi Torretti Councillor Lucy Taipana Councillor Sven Kerkovius Councillor Colin Adjun SAO Don LeBlanc Council Admin Korina Harvey	Bob Gannicott Brendan Bell Bob Overvold Ora-naja Wah-Shee,	Provided presentation on the Project. Discussed issues such as the fish out for the project, and scheduling a public community presentation.

**Table 4.4-1 Summary of Pre-Application Community, Regulatory, and Public Engagement Activities**

Date	Community / Stakeholder	Potentially Affected Community / Stakeholder Participants	Dominion Diamond Participants	Relevant Comments/Issues
22-Aug-13	KIA	Charlie Evalik, Paul Emingak, John Stevenson	Bob Gannicott Brendan Bell Bob Overvold Ora-naja Wah-Shee,	Provided presentation on the Project. Discussed Lynx, Environmental Assessment Process and engaging communities.
23-Aug-13	AT8 – LKDFN	Florence Catholique, Stephanie Poole, Angie Lantz, Emily Saunders, Joseph Catholique, Ron Fatt, Roy Desjarlais, Mike Tollis	Bob Gannicott Brendan Bell Bob Overvold Ora-naja Wah-Shee,	Provided presentation on the Project. Discussed the project footprint, water, fish, reclamation, employment, contracts, caribou, roads, renegotiation of the IBAs, business opportunities, hiring practices and the incorporation of the TK into monitoring programs and utilizing community members to conduct those programs.
23-Aug-13	AT8 – YKDFN	Chief Edward Sangris	Ora-naja Wah-Shee,	Chief Sangris had prior commitments and cancelled the re-scheduled September 6, 2013 site tour.
26-Aug-13	NSMA	President Bill Enge	Ora-naja Wah-Shee,	Discussed scheduling a Project meeting and was eventually able to confirm for September 3, 2013.
26-Aug-13	Tłjchq	Itoah Scott-Enns, Negotiations and Policy Assistant	Ora-naja Wah-Shee,	Discussed meeting logistics for the next day's meeting with Kwe Beh Working Group.
26-Aug-13	AT8 – LKDFN	Graeme Drew, SAO and Mike Tollis, Director Wildlife Lands and Environment	Ora-naja Wah-Shee,	Requested a copy of the LKDFN Thaydene Nene Tourism Strategy discussed at the meeting the previous Friday.
27-Aug-13	NSMA	President Bill Enge	Ora-naja Wah-Shee,	Cancelled September 3 and rescheduled for August 28, 2013. Discussed meeting logistics.
27-Aug-13	Tłjchq	KBWG and YKDFN Observer Todd Slack	Bob Gannicott Brendan Bell Ori Wah-Shee	Provided presentation on the Project. Refer to meeting notes. Discussed employee grievance processes, technical reports, reclamation and water quality.
28-Aug-13	NSMA	President Bill Enge and Marc Whitford, Secretary Treasurer	Bob Gannicott Brendan Bell Ora-naja Wah-Shee,	Provided presentation on the Project. Refer to meeting notes. Discussed the dike, dewatering, fish, fish offsetting, contracts and water quality.
28-Aug-13	AT8 – LKDFN	Mike Tollis, Director Wildlife Lands and Environment	Ora-naja Wah-Shee,	Discussed draft Exploration Agreement and meeting invoice.
28-Aug-13	MVRB	Chuck Hubert, Senior Environmental Assessment Officer	Ora-naja Wah-Shee,	Discussed Lac du Sauvage site tour logistics.

**Table 4.4-1 Summary of Pre-Application Community, Regulatory, and Public Engagement Activities**

Date	Community / Stakeholder	Potentially Affected Community / Stakeholder Participants	Dominion Diamond Participants	Relevant Comments/Issues
29-Aug-13	MVRB	Chuck Hubert, Senior Environmental Assessment Officer	Ora-naja Wah-Shee,	Provided Lac du Sauvage tour agenda.
30-Aug-13	IEMA	Jessica Simpson, Communications and Environmental Specialist	Ora-naja Wah-Shee,	Discussed scheduling and meeting logistics.
03-Sep-13	IEMA	Jessica Simpson, Communications and Environmental Specialist	Ora-naja Wah-Shee,	Discussed upcoming Project presentation.
03-Sep-13	IEMA	Vice Chair Tim Byers and Jessica Simpson, Communications and Environmental Specialist	Bob Gannicott Brendan Bell Bob Overvold Ora-naja Wah-Shee,	Provided presentation on the Project. Discussed reclamation, water levels, erosion, water quality, contaminants, fish, fish out, terrestrial vegetation, aquatic vegetation, caribou, roads and community engagement.
03-Sep-13	MVRB	Chuck Hubert, Senior Environmental Assessment Officer	Ora-naja Wah-Shee,	Confirmed Lac du Sauvage tour itinerary and other logistics.
04-Sep-13	Kugluktuk	Don LeBlanc, SAO	Ora-naja Wah-Shee,	Requested list of meeting participants for the Project presentation on August 22, 2013.
04-Sep-13	IEMA	Kevin O'Reilly, Executive Director	Claudine Lee	Discussed Lac du Sauvage site tour itinerary.
04-Sep-13	MVRB	Richard Edjericon, Sunny Munroe, John Curran, Percy Hardisty, Michael McLeod, Vern Christensen, Simon Toogood, Chuck Hubert, Stacey Menzies, John Donihee	Bob Gannicott Brendan Bell	Provided presentation on the Project and Lac du Sauvage site tour via helicopter.
05-Sep-13	IEMA	Jessica Simpson, Communications and Environmental Specialist	Ora-naja Wah-Shee,	Discussed scheduling a Project presentation in mid-September.
06-Sep-13	IEMA	Jessica Simpson, Communications and Environmental Specialist	Ora-naja Wah-Shee,	Emailed a copy of the meeting notes recorded by Dominion Diamond for the IEMA's review and comment.

**Table 4.4-1 Summary of Pre-Application Community, Regulatory, and Public Engagement Activities**

Date	Community / Stakeholder	Potentially Affected Community / Stakeholder Participants	Dominion Diamond Participants	Relevant Comments/Issues
10-Sep-13	AT8 – YKDFN	Shannon Gault, Executive Assistant	Ora-naja Wah-Shee,	Shannon Gault, Executive Assistant to Chief Sangris returned call and confirmed that YKDFN was available on September 17, 2013 for the Lac du Savage site tour. Chief Sangris, Chief Betsina, staffer Joanne Black, and Shannon Gault would be participating.

AANDC = Aboriginal Affairs and Northern Development Canada; ADM = Assistant Deputy Minister; AT8 = Akaitcho Treaty 8 First Nation (Łutsel K'e Dene First Nation and Yellowknives Dene First Nation); CanNor = Canadian Northern Economic Development Agency; IBA = Impact Benefit Agreement; IEMA = Independent Environmental Monitoring Agency; KBWG = Kwe Beh Working Group; KIA = Kitikmeot Inuit Association; LKDFN = Łutsel K'e Dene First Nation; MVRB = Mackenzie Valley Review Board; NSMA = North Slave Métis Alliance; RDG = Regional Director General; SAO = Senior Administrative Officer; WLWB = Wek'ezhii Land and Water Board; YKDFN = Yellowknives Dene First Nation.

#### **4.4.2 Exploration Land Use Permit and Jay Water Licence Application**

On September 10, 2013, Dominion Diamond wrote to all IBA groups to notify them that Dominion Diamond would be submitting an application to the WLWB for an exploration land use permit, which would enable exploration activities such as drilling on the Ekati claim block including at Lac du Sauvage in support of the Jay Project.

On September 13, 2013, Dominion Diamond invited technical advisors from all IBA groups, as well as stakeholders, to participate in a technical information session. Dominion Diamond sent a follow-up letter on September 26, 2013, offering to hold two technical information sessions to accommodate the schedules of the attendees however, the participants agreed one session would be sufficient. There was a request from the communities and stakeholders to hold technical information sessions.

The technical information session was held on October 17, 2013, and was attended by representatives from:

- Kitikmeot Inuit Association;
- the Akaitcho Treaty 8 First Nation (Łutsel K'e Dene First Nation and Yellowknives Dene First Nation);
- Kwe Beh Working Group (Tłı̨chǫ);
- North Slave Métis Alliance;
- Government of the Northwest Territories (GNWT) Department of Environment and Natural Resources;
- WLWB;
- AANDC;
- Environment Canada;
- IEMA; and,
- MVRB.

Following up on a request from Tłı̨chǫ Chiefs to hold public meetings about the Project in each of the Tłı̨chǫ communities, Dominion Diamond emailed a meeting request to the Community Directors and SAOs for the communities of Behchokǫ, Gamètì, Wekweètì, and Whatì. Public meetings were held in:

- Behchokǫ (met with 70 community members on November 12, 2013);
- Wekweètì (met with 25 community members on November 19, 2013);
- Whatì (met with 30 community members on November 20, 2013); and,
- Gamètì (met with 24 community members on November 21, 2013).

Additional meetings were also held with:

- the Hamlet of Kugluktuk (met with 35 community members on November 4, 2013);
- the Kwe Beh Working Group (met with group members and Tłı̨ch̨ Grand Chief Eddie Erasmus on November 5, 2013);
- the Kitikmeot Inuit Association (including representatives from Nunavut Resources Corporation and Transition Metals on November 7, 2013); and,
- Łutsel K'e Dene First Nation (30 community members on November 8, 2013).

In addition to the scheduled technical information session and public meetings, Dominion Diamond also met with representatives from Yellowknives Dene First Nation (including Chiefs Edward Sangris and Ernest Betsina) on November 12, 2013, and the North Slave Métis Alliance (including President Bill Enge) on November 22, 2013.

On November 4, 2013, Dominion Diamond met with 35 community members in Kugluktuk to discuss the Project, and an additional meeting was held with Tłı̨ch̨ Grand Chief Eddie Erasmus and members of the Kwe Beh Working Group on November 5, 2013.

On October 18, 2013, Dominion Diamond submitted a water licence application form and accompanying documentation for the Jay-Cardinal Project to the WLWB. On November 21, 2013, the application was referred to the MVRB for an Environmental Assessment by AANDC<sup>1</sup>.

A chronological summary of the First Nation, Métis, regulator, and public engagement activities and related communication that occurred after the exploration land use permit and Jay-Cardinal Project land use permit and water licence applications were submitted is provided in Appendix 4B.

#### **4.4.3 Mackenzie Valley Review Board Scoping Workshops**

On November 22, 2013, the MVRB notified Dominion Diamond that it had referred the Jay-Cardinal Project for EA. On December 13, 2013, Dominion Diamond was advised by the MVRB that the MVRB would be holding scoping sessions in January 2014. Dominion Diamond participated in the following scoping sessions, along with their consultants (Golder Associates Ltd.) to answer any technical questions asked by participants:

- Yellowknife (January 7 and 8, 2014);
- Behchok̨ (January 14, 2014); and,
- Łutsel K'e (January 16, 2014).

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<sup>1</sup> Note: on May 9, 2014, Dominion Diamond advised the MVRB of a change to the project description to remove the mining of the Cardinal kimberlite pipe (Jay Project).

Environmental and operational issues raised by participants during the technical and community scoping workshops included concerns about air and water quality, aquatic environment, dust emissions, wildlife (particularly caribou), alternative energy sources, mine infrastructure, cumulative effects, management plans, closure and reclamation, and scope of assessment.

Socio-economic concerns discussed during the workshops related to employment and wages, as well as to the impact of the Mine and Project on community health and wellness.

A chronological summary of the First Nation, Métis, regulator, and public engagement activities and related communication that occurred during the MVRB scoping sessions is provided in Table 4.4-2.

**Table 4.4-2 Summary of Community, Regulatory, and Public Engagement Activities Occurring during the Mackenzie Valley Review Board Scoping Sessions**

Date	Stakeholder/ Affected Party	Stakeholder/ Affected Party Participants	Dominion Diamond Participants	Contact Method/ Location	Relevant Comments/Issues
07-Jan-14	MVRB – Yellowknife Community Scoping Session	Board staff	<b>Dominion Diamond:</b> Brendan Bell Eric Denholm <b>Golder:</b> Shannon Hayden Damian Panayi Kristine Mason Peter Chapman	In person/ Yellowknife	Review MVRB public scoping session.
08-Jan-14	MVRB – Yellowknife Technical Scoping Session	Board staff	<b>Dominion Diamond:</b> Eric Denholm <b>Golder:</b> Shannon Hayden Damian Panayi Kristine Mason Peter Chapman	In person/ Yellowknife	Review MVRB public scoping session. Attendees included AANDC, IEMA, EC, GNWT, DFO, Tłıchǫ Government, NSMA, and YKDFN.
14-Jan-14	MVRB – Behchokǫ Scoping Session	Chuck Hubert Simon Toogood Stacey Menzies	<b>Dominion Diamond:</b> Brendan Bell Eric Denholm Ora-naja Wah-Shee John Bekale <b>Golder:</b> Peter Chapman Damien Panayi Kristine Mason	In person/ Behchokǫ	MVRB scoping session with 50 community participants.
16-Jan-14	MVRB – Łutsel K'e Scoping Session	Chuck Hubert Simon Toogood Stacey Menzies	<b>Dominion Diamond:</b> Bob Overvold Eric Denholm Ora-naja Wah-Shee, John Bekale <b>Golder:</b> Peter Chapman Damien Panayi Kristine Mason	In person/ Łutsel K'e	MVRB scoping session with 40 community participants.

AANDC = Aboriginal Affairs and Northern Development Canada; IEMA = Independent Environmental Monitoring Agency; MVRB = Mackenzie Valley Review Board; NSMA = North Slave Métis Alliance; DFO = Fisheries and Oceans Canada; YKDFN = Yellowknives Dene First Nation.



#### 4.4.4 Terms of Reference Issuance

To assist all parties in the scoping of the Project, Dominion Diamond had prepared a draft TOR for the Project with its initial submission to the WLWB. On December 11, 2013, the MVRB released Dominion Diamond's draft TOR to the parties for comments. Dominion Diamond received comments from Yellowknives Dene First Nation (December 20, 2013), IEMA (December 23, 2013), Łutsel K'e Dene First Nation (February 12, 2013), and various departments of the Government of Canada. Dominion Diamond responded to comments on January 3, 2014.

After the scoping sessions held in January 2014, the MVRB released the Board's draft TOR. Dominion Diamond responded to comments from reviewers on February 14 and 17, 2014. The MVRB issued its *Terms of Reference for the Jay-Cardinal Project* on February 21, 2014 (MVRB 2014b).

Dominion Diamond subsequently held a series of workshops on the Jay-Cardinal Project with IBA communities in Yellowknife in March 2014. The primary purpose of the workshops was to seek community input into the Project in the following areas:

- the mine plan;
- fish-out of Lac du Sauvage;
- fisheries offsetting;
- road design/caribou crossings; and,
- incorporation of TK.

##### **North Slave Métis Alliance Workshop (March 10, 2014)**

Key Lines of Inquiry and Valued Components of greatest concern raised during this workshop included:

- water quality and quantity;
- fish and fish habitat (including process for fish-out);
- impacts on caribou migration; and,
- maximizing benefits impacts to communities.

##### **Akaiicho Treaty 8 First Nation (Łutsel K'e Dene First Nation and Yellowknives Dene First Nation) Workshop (March 11, 2014)**

Key Lines of Inquiry and Valued Components of greatest concern raised during this workshop included:

- water quality and quantity;
- archaeology and heritage sites;
- fish and fish habitat (including process for fish-out and fish off-setting);
- impacts on caribou migration;

- alternative means analysis;
- traditional land use; and,
- maximizing benefits impacts to communities.

**Tłıchq Government Workshop (March 12, 2014)**

Key Lines of Inquiry and Valued Components of greatest concern raised during this workshop included:

- water quality and quantity;
- archaeology and heritage sites;
- fish and fish habitat (including process for fish-out);
- impacts on caribou migration;
- wildlife management;
- traditional knowledge utilization in the Project; and,
- maximizing benefits impacts to communities.

**Kugluktuk Workshop (March 13, 2014)**

Key Lines of Inquiry and Valued Components of greatest concern raised during this workshop included:

- water quality and quantity (particularly on the Coppermine River);
- fish and fish habitat (including process for fish-out);
- impacts on caribou migration;
- wildlife management; and,
- maximizing benefits impacts to communities.

A chronological summary of TOR workshops with IBA communities, in Yellowknife, March 2014, is provided in Table 4.4-3.

**Table 4.4-3 Summary of Terms of Reference Workshops with Impact Benefit Agreement Communities in Yellowknife, March 2014**

Date	Stakeholder/ Affected Party	Stakeholder/ Affected Party Participants	Dominion Diamond Participants	Contact Method/ Location	Relevant Comments/Issues/Commitments
10-Mar-14	NSMA	Matt Hoover Wayne Langenhan Ed Jones Robert Mercredi Joel Dragon Smith	<b>Dominion Diamond:</b> Richard Bargery Ora-naja Wah-Shee Claudine Lee <b>Golder:</b> Cameron Stevens Darryl Arsenault Jim Rettie Shannon Hayden Fiona Esford Damien Panayi <b>Facilitator:</b> Maureen Van Overliw	Workshop/ Yellowknife	This workshop was intended to provide additional community input concerning fish and wildlife and to assist Dominion Diamond in meaningfully linking Traditional Knowledge into the Jay-Cardinal Project and the extension of the Ekati mine life. Dominion Diamond was specifically interested in community input on the fisheries offsetting, fish-out, and the mitigation and management of wildlife, particularly caribou. A summary report of the workshop was provided to the participant organization.
11- Mar-14	AT8	Mike Tollis August Enzoe Terri Enzoe Ron Fatt Sunrise Lockhart Fred Sangris Bobby Drygeese Leroy Betsina Todd Slack Joanne Black Ricky Drygeese	<b>Dominion Diamond:</b> Richard Bargery Ora-naja Wah-Shee <b>Golder:</b> Cameron Stevens Darryl Arsenault Jim Rettie Shannon Hayden Fiona Esford Damien Panayi <b>Facilitator:</b> Maureen Van Overliw	Workshop/ Yellowknife	This workshop was intended to provide additional community input concerning fish and wildlife and to assist Dominion Diamond in meaningfully linking Traditional Knowledge into the Jay-Cardinal Project and the extension of the Ekati mine life. Dominion Diamond was specifically interested in community input on the fisheries offsetting, fish-out, and the mitigation and management of wildlife, particularly caribou. A summary report of the workshop was provided to the participant organization.

**Table 4.4-3 Summary of Terms of Reference Workshops with Impact Benefit Agreement Communities in Yellowknife, March 2014**

Date	Stakeholder/ Affected Party	Stakeholder/ Affected Party Participants	Dominion Diamond Participants	Contact Method/ Location	Relevant Comments/Issues/Commitments
12-Mar-14	Tłı̨chǫ	Joseph Judas Samuel Mantla Jr Noel Bishop Russell Drybones Sjoerd van der Wielen	<b>Dominion Diamond:</b> Richard Bargery Ora-naja Wah-Shee Claudine Lee <b>Golder:</b> Cameron Stevens Darryl Arsenault Jim Rettie Shannon Hayden Fiona Esford Damien Panayi <b>Facilitator:</b> Maureen Van Overliw	Workshop/ Yellowknife	This workshop was intended to provide additional community input concerning fish and wildlife and to assist Dominion Diamond in meaningfully linking Traditional Knowledge into the Jay-Cardinal Project and the extension of the Ekati mine life. Dominion Diamond was specifically interested in community input on the fisheries offsetting, fish-out, and the mitigation and management of wildlife, particularly caribou. A summary report of the workshop was provided to the participant organization.
13-Mar-14	KIA/Kugluktuk	David Nivingalok-Councillor Peter Taktogon- Harvester James Algona- Elder Chelsea Kapakatoak-Youth Frank Ipakohak-Elder	<b>Dominion Diamond:</b> Richard Bargery Ora-naja Wah-Shee Claudine Lee <b>Golder:</b> Cameron Stevens Darryl Arsenault Jim Rettie Shannon Hayden Fiona Esford Damien Panayi <b>Facilitator:</b> Maureen Van Overliw	Workshop/ Yellowknife	This workshop was intended to provide additional community input concerning fish and wildlife and to assist Dominion Diamond in meaningfully linking Traditional Knowledge into the Jay-Cardinal Project and the extension of the Ekati mine life. Dominion Diamond was specifically interested in community input on fisheries offsetting, fish-out, and the mitigation and management of wildlife, particularly caribou. A summary report of the workshop was provided to the participant organization.

AT8 = Akaitcho Treaty 8 First Nation (Łutsel K'e Dene First Nation and Yellowknives Dene First Nation); KIA = Kitikmeot Inuit Association; NSMA = North Slave Métis Alliance.

While supportive of the Project, community members asked questions and raised issues during the workshop in the following areas:

- overall footprint of the Project and the extent of the dewatering of Lac du Sauvage;
- size of the fish-out of Lac du Sauvage;
- concerns about raising water levels in Duchess Lake; and,
- length of roads to be built, crossing of the esker and the how this may affect caribou that migrate through this area.

As a result of the feedback from community workshops and other engagements with communities and stakeholders, Dominion Diamond undertook a full review of the Project and made a decision to mine the Jay pipe only and remove the Cardinal pipe from the Project.

On April 29, 2014, Dominion Diamond met with MVRB staff to inform them of the change in the Project. Beginning on April 28, 2014, Dominion Diamond met with communities and other stakeholders to provide an initial notification of the change in the Project:

- GNWT;
- Inter-Agency Coordinating Team for the Ekati Mine:
  - representatives from DFO and the Department of Environment and Natural Resources, GNWT;
- Yellowknives Dene First Nation;
- Łutsel K'e Dene First Nation;
- Tłıchq Government;
- Kitikmeot Inuit Association;
- IEMA; and,
- North Slave Métis Alliance.

Dominion Diamond also held the following quarterly engagement meetings with all IBA communities to explain the new project:

- Behchokq̃ (met with 26 participants on May 21, 2014);
- Dettah (met with Yellowknives Dene First Nation Chiefs and staff on May 21, 2014);
- Łutsel K'e (met with 20 participants on May 22, 2014);
- Gamètì (met with 20 participants on May 23, 2014);
- Whatì (met with 25 participants on May 23, 2014);
- Wekweètì (met with 12 participants on May 27, 2014);

- Kugluktuk (met with 29 participants on May 27, 2014); and,
- North Slave Métis Alliance (met with the Board of Directors on May 30, 2014).

On June 18, 2014, Dominion Diamond provided the MVRB with an Addendum to the Project Description Report and comments on the TOR specifically addressing the new aspects of the Project. The Addendum and the TOR comments were subsequently provided to reviewers for comment. Responses were provided by Dominion Diamond. The MVRB issued a revised TOR for the Jay Project on July 17, 2014 (Appendix 1A).

After the release of the revised TOR, Dominion Diamond worked with communities to provide information on the Project through workshops on specific aspects of the Project and to provide visits to the Project site.

### **Community Workshops – Jay Project**

The following community workshops were held following the release of the revised TOR:

#### **Łutsel K'e (met with 12 participants on June 17, 2014):**

Key Lines of Inquiry and Valued Components of greatest concern raised during this workshop included:

- water quality and quantity;
- archaeology and heritage sites;
- impacts on caribou migration;
- wildlife management;
- traditional knowledge utilization in the Project.

#### **Łutsel K'e (met with 11 representatives on July 15, 2014):**

Key Lines of Inquiry and Valued Components of greatest concern raised during this workshop included:

- water quality and quantity;
- archaeology and heritage sites;
- fish and fish habitat (including process for fish-out);
- impacts on caribou migration;
- traditional knowledge utilization in the Project; and,
- maximizing benefits impacts to communities.

#### **Tłıchq̓ (met with 16 participants in Behchok̓ on June 24, 2014):**

Key Lines of Inquiry and Valued Components of greatest concern raised during this workshop included:

- water quality and quantity;
- archaeology and heritage sites;

- fish and fish habitat (including process for fish-out);
- impacts on caribou migration;
- wildlife management;
- traditional knowledge utilization in the Project; and,
- maximizing benefits impacts to communities.

**Yellowknives Dene First Nation (met with nine participants on June 25, 2014):**

Key Lines of Inquiry and Valued Components of greatest concern raised during this workshop included:

- water quality and quantity;
- archaeology and heritage sites;
- alternative means analysis;
- fish and fish habitat (including process for fish-out);
- impacts on caribou migration from roads and power lines;
- wildlife management; and,
- traditional knowledge utilization in the Project.

**North Slave Métis Alliance (met with seven participants on June 26, 2014):**

Key Lines of Inquiry and Valued Components of greatest concern raised during this workshop included:

- water quality and quantity;
- fish and fish habitat (including process for fish-out);
- impacts on caribou migration; and,
- maximizing benefits impacts to communities.

**Kugluktuk (met with seven participants on June 27, 2014):**

Key Lines of Inquiry and Valued Components of greatest concern raised during this workshop included:

- water quality and quantity;
- fish and fish habitat (including process for fish-out);
- impacts on caribou migration;
- wildlife management; and,
- maximizing benefits impacts to communities.

## Site Visits

Dominion Diamond hosted site visits during the summer of 2014 that included a presentation on the Project and tours of the Project location. The following groups participated in the tours:

- Wekweètì – Tłıchq Government representatives and students;
- Gamètì – Tłıchq Government representatives and students;
- Whatì – Tłıchq Government representatives and students;
- Yellowknives Dene First Nation Chiefs and Elders;
- Behchokq – students;
- Inter-Agency Coordinating Team for the Ekati Mine (2 visits) including representatives from various federal and territorial departments and regulators;
- IEMA;
- Łutsel K'e community representatives;
- Tłıchq Government representatives and Elders for the What'aa Project; and,
- YKDFN representatives and Elders for the Traditional Knowledge Research Project.

Dominion Diamond also funded two community-led activities to identify TK for the Project:

- The activities with the Yellowknives Dene First Nation included a site visit with an archaeologist to provide advice on locations of cultural significance around Lac du Sauvage, and to provide advice on the crossing of the esker for the Project (August 11 to 12, 2014). This project also includes funding for a workshop with Elders to provide additional TK on the Project and to enter relevant TK data for the Ekati area into the YKDFN's Community Knowledge Keeper (CKK) database.
- The What'aa Project with the Tłıchq involves the study by Tłıchq Elders of varying properties of natural eskers close to Mesa Lake, NWT, to identify community-based concepts that may be useful in planning, construction, and reclamation of mine waste rock piles. Dominion's activities included arranging a site visit for TG representatives and Elders with an engineer to provide advice on the crossing of the esker for the Project (July 16, 2014).

A chronological summary of the First Nation, Métis, regulator, and public engagement activities and related communication that occurred after the issuance of the TOR for the Jay Project is provided in Appendix 4B.



#### **4.4.5 Post-DAR Submission Engagement**

Dominion Diamond submitted the Developer's Assessment Report for the Jay Project (DAR) to the MVRB on October 31, 2014. The DAR addresses the revised Terms of Reference issued by the MVRB.

Dominion Diamond's commitment to engagement with potentially affected communities and stakeholders will continue post-DAR submission as per Dominion Diamond's engagement approach. On-going engagement will include participation in the Environmental Assessment process, including responses to information requests, preparations of reports and presentations, and participation in community, technical, and MVRB hearings.

Dominion Diamond will also continue with its current practice of quarterly engagement meetings and additional engagement, as required, through written exchanges, public meetings, and face-to-face meetings and workshops to discuss specific issues of interest, and to maintain two-way dialogue about the Project with the affected parties.

### **4.5 Addressing Concerns**

As indicated earlier in this section, Aboriginal groups identified various questions and concerns related to the Project during engagement activities. As a result of Dominion Diamond's decision to change the Project to mine the Jay pipe only and not the Cardinal pipe, several important concerns raised by the communities were addressed. The following concerns were addressed by the change in the Project:

- overall footprint of the Project and the extent of the dewatering of Lac du Sauvage;
- size of the fish-out of Lac du Sauvage;
- concerns about raising water levels in Duchess Lake; and,
- length of roads to be built, number of crossings of the esker and the how this may affect caribou that migrate through this area.

The following identified concerns relating to the changed Project remain, and have been addressed in the DAR through environmental design and mitigation measures:

- Location of the crossing of the esker;
- Impact in caribou migration south to the Narrows;
- Power lines as a barrier to caribou movement;
- Concern about cumulative effect of more development on caribou and wildlife; and,
- Concerns about discharge of water from Misery Pit to Lac du Sauvage.

The environmental design and mitigation measures relating to caribou are found in Section 12, Table 12.3-1. The environmental design and mitigation measures relating to other wildlife are found in Section 13, Table 13.3-1. The environmental design and mitigation measures relating to hydrology, surface water, and surface water quality are found in Section 8, Table 8.4-1. The environmental design and mitigation features relating to fish and fish habitat are found in Section 9, Table 9.3-1.

Dominion Diamond's future engagement activities are summarized in Section 4.6.

## **4.6 Planned Future Engagement Activities**

Dominion Diamond will continue with its engagement work with communities to ensure they are fully informed about the Project and to address unresolved issues related to the project.

This engagement process includes quarterly engagement sessions with IBA groups to discuss all issues related to the Ekati Mine. The quarterly engagement meetings will include presentations on the Project. Dominion Diamond plans a series of engagement meetings with communities in November to provide further detail on the project and the DAR.

Dominion Diamond is also planning a series of information workshops for communities, regulators, governments, and parties to the Environmental Assessment process to explain the Project and the contents of the DAR (tentatively scheduled for the week of December 8 - 12, 2014).

Dominion Diamond is also developing a visualization program to assist in explaining the Project in the EA Hearing and in meetings with communities and stakeholders. This visualization program will include a physical model that will be used in engagement activities and computer generated images that show the various stages of the Project.

A Project newsletter is planned for early 2015, which will be distributed in communities to better explain the Project. Plain language summaries of the project in both English and translated into Aboriginal languages will also be distributed to communities.

For additional information about Dominion Diamond's engagement with communities and other stakeholders, please refer to Appendix 4A, Dominion Diamond Jay Pipe Engagement Registry.

## 4.7 References

MVRB (Mackenzie Valley Review Board). 2014a. Jay Project Scoping Session; collected notes. Available at [http://www.reviewboard.ca/upload/project\\_document/EA1314-01\\_Scoping\\_sessions\\_-\\_Collected\\_summary\\_notes\\_Jan\\_2014.PDF](http://www.reviewboard.ca/upload/project_document/EA1314-01_Scoping_sessions_-_Collected_summary_notes_Jan_2014.PDF). Accessed: October 17, 2014.

MVRB. 2014b. Draft Terms of Reference for the Dominion Diamond Ekati Corporation Jay-Cardinal Project. February 21, 2014. EA1314-01. Yellowknife, NWT, Canada.

WLWB. 2014. Water Licence for Dominion Diamond Ekati Corporation. Water Licence #W2012L2-0001 (Amendment to incorporate Ekati Lynx Project). Wekweètì, NWT, Canada.

## 4.8 Glossary

Term	Definition
Aboriginal	The descendants of the original inhabitants of North America. The Canadian Constitution recognizes three groups of Aboriginal people: Indians (First Nations), Métis and Inuit ( <i>Constitution Act, 1982</i> ).
Biophysical	The biological (e.g., plants, animals) and physical (e.g., air, water, soil) components of the natural environment.
Ecosystem	Ecological system consisting of all the organisms in an area and the physical environment with which they interact.
Ekati Mine	Ekati Diamond Mine, Canada's first diamond mine.
Esker	An esker is a long, winding ridge of stratified sand and gravel believed to form in ice-walled tunnels by streams, which flowed within and under glaciers. After the retaining ice walls melt away, stream deposits remain as long winding ridges.
Footprint	The proposed development area that directly affects the soil and vegetation components of the landscape.
Kimberlite	Igneous rocks that originate deep in the mantle, and intrude the Earth's crust. These rocks typically form narrow pipe-like deposits that sometimes contain diamonds.
Kimberlite Pipe	Vertical structures on which kimberlites occur in the Earth's crust.
Métis	People of mixed North American Indian-European descent.
Reclamation	The process of reconverting disturbed land to its former or other productive uses.
Traditional Knowledge (TK)	Knowledge systems embedded in the cultural traditions of regional, indigenous, or local communities. It includes types of knowledge about traditional technologies, the environment and ecology.
Waste rock	Rock moved and discarded in order to access resources.
Wildlife	Under the Species at Risk Act, wildlife is defined as a species, subspecies, variety or geographically or genetically distinct population of animal, plant or other organism, other than a bacterium or virus that is wild by nature and is native to Canada or has extended its range into Canada without human intervention and has been present in Canada for at least 50 years.