



**Dominion
Diamond Mines**

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June 30, 2020

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

Re: Submission of Measure 13-3 - Annual Reporting from Dominion (Annual Report for 2019)

Dear Mr. Hubert:

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

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

- a) *describe the actions, including actions implemented through adaptive management, being undertaken to implement the EA measures;*
- b) *demonstrate how the implementation actions, including any actions implemented through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:*
 - i. *How are implementation actions addressing a likely significant adverse impact on the environment?*
 - ii. *How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?*
 - iii. *If the measure is for monitoring or research, how is the monitoring/research being used to inform mitigation of impacts to the environment?*



- iv. *How are process considerations (such as engagement requirements, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?*
- c) *include a concise summary of monitoring programs and results that are related to EA measures or commitments and, where applicable, references to complete information contained in other documents (such as documents related to aquatic effects, wildlife, or air quality programs); and*
- d) *address any specific reporting requirements noted in the EA measures set out in this report and summarized in Appendix A.*

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

During much of the reporting period, January 1, 2019 to December 31, 2019, the Jay project was undergoing an optimization study which began in 2018. Several pieces of work related to the Jay Project were put on hold until the completion of this optimization study. This means that some of the measures will not have any actions to report for 2019. As such, and in agreement with MVIRB staff, these measures are not detailed within this report. The information or actions for these measures would be the same as that found in the 2018 EA Annual Report. The attached annual report will address measures that were assigned to Dominion in the REA, as well as summarizing Dominion's contributions to the remaining measures that were given to other regulatory authorities for which any actions were taken during the reporting period.

We trust that you find the 2019 Jay Project EA Annual Report complete and thorough. Dominion looks forward to working on the continuation of the implementation of the measures related to the Jay Project. If there are any questions or concerns, please contact the undersigned at (867) 446-3831, email: lynn.boettger@ddcorp.ca or Claudine Lee, Head of Health, Safety, Environment, Communities and Training at (867) 446-3719, email: claudine.lee@ccorp.ca.

Sincerely,

A handwritten signature in blue ink that reads "Lynn Boettger".

Lynn Boettger
Superintendent, Permitting

Jay Project Annual EA Measures Reporting for 2019 - Summary Table

	Measure	Party Responsible	Actions Taken During Reporting Period	Reference/ Applicable Regulatory Documents
4-1: Closure Objectives	<p>To prevent significant cultural impacts after closure from changes in water quality, the Wek'èezhii Land and Water Board will set closure objectives and criteria for the Jay Project components so that Dominion ensures that the area is suitable for traditional uses after closure. Closure objectives and criteria will be set for, but not limited to, the following components of the Jay Project:</p> <ul style="list-style-type: none"> ▪ Jay pit ▪ Misery pit ▪ Lynx pit ▪ Jay Waste Rock Storage Area 	WLWB	<ul style="list-style-type: none"> ▪ Dominion held a workshop on January 22 and 23, 2019 on the Interim Closure and Reclamation Plan (ICRP Version 3.0). Dominion provided written responses to questions raised at this workshop on February 14 2019, and submitted responses to review comments on July 5, 2019. ▪ A WLWB decision on ICRP Version 3.0 was not received during the reporting period but was expected in early 2020. 	<p>Current Water Licence (Part K): W2012L2-0001-Ekati-Water Licence-Security Adjustment 08-May 6 20.pdf</p> <p>Interim Closure and Reclamation Plan Version 3.0: W2012L2-0001-Ekati-ICRP-Version 3.0 Part 1-Aug 15 18.pdf W2012L2-0001-Ekati-ICRP-Version 3.00-Part 2-Aug 15 18.pdf</p> <p>Review Summary and Attachments: W2012L2-0001-Ekati-ICRP Version 3.0-Review Summary and Attachments-Oct 17 19.pdf</p>
4-2(a): Sitewater Management Plan	<p>In order to avoid significant impacts to traditional use in the vicinity of the Jay Project after the Jay Project mining and closure have been completed, Dominion will submit a site water management plan to the Wek'èezhii Land and Water Board for approval, prior to the commencement of dike construction. Dominion will demonstrate how its plan, and the contingencies within, will ensure water quality in the Jay Pit, Misery Pit, Lac du Sauvage, Lac de Gras and downstream will support traditional uses in the vicinity of the Jay Project after closure, while protecting the environment during operations. The plan will include, but not be limited to:</p> <ul style="list-style-type: none"> ▪ a list of contingencies that Dominion can use to manage water during operations and an evaluation of the feasibility of each ▪ a description of the scenarios (i.e., conditions and timing) under which contingencies will be implemented ▪ Dominion's preferred contingencies, with rationales, for each scenario ▪ a description of how Dominion will monitor the quantity and quality of water, to: 	Dominion	<ul style="list-style-type: none"> ▪ A Board decision on WPKMP Version 8.0 was received on February 11, 2019. ▪ WPKMP Version 9.0 submitted on March 22, 2019 which addressed requirements of WLWB Decision on Version 8.0, proposed an operational monitoring change, and updated to reflect <i>Metal and Diamond Mining Effluent Regulations</i> and closure of the Panda, Koala and Koala North Underground mine workings. ▪ WPKMP Version 9.0 was approved on June 13, 2019. ▪ Part H of the Ekati WL requires that a revised WPKMP be submitted to the WLWB at various times related to the activities proposed for the Jay Project. 	<p>Current Water Licence (Part H): W2012L2-0001-Ekati-Water Licence-Security Adjustment 08-May 6 20.pdf</p> <p>WPKMP Version 8.0: W2012L2-0001-Ekati-WPKMP-Version 8.0-Sep 10 18.pdf</p> <p>WPKMP Version 8.0 Board Decision: W2012L2-0001-Ekati-WPKMP Version 8.0 and Panda and Koala Deposition Study-Reasons for Decision-Feb 11 19.pdf</p> <p>WPKMP Version 9.0: W2012L2-0001-Ekati-WPKMP-Version 9.0-Mar 22 19.pdf</p>

Jay Project Annual EA Measures Reporting for 2019 - Summary Table

	Measure	Party Responsible	Actions Taken During Reporting Period	Reference/ Applicable Regulatory Documents
	a) calibrate the water models used to make predictions in the EA b) assess the suitability of contingencies c) evaluate the performance of contingencies used			WPKMP Version 9.0 Board Decision: W2012L2-0001-Ekati-WPKMP-Version 9.0-Reasons for Decision-Jun 13 19.pdf
4-2(b): Pit Lake Water Quality	<p>To ensure that water quality in the Misery pit and Jay pit is compatible with traditional uses of the area in vicinity of the Jay Project and downstream after closure, Dominion will:</p> <ol style="list-style-type: none"> 1. establish meromixis for the Jay and Misery pits 2. stabilize meromictic pit lakes for the long term <p>If the above requirements cannot be met, Dominion will develop and implement contingencies to ensure the pit lake water quality is compatible with traditional use after closure. Dominion will submit a list of these contingencies, which describe the feasibility of each contingency, and the conditions and timing under which each would be implemented, to the Wek'èezhii Land and Water Board for approval prior to the implementation of any contingency.</p> <p>Suggestion: When considering the contingencies for water management and meromixis, Dominion and the WLWB should consider the options identified during the environmental assessment, including:</p> <ul style="list-style-type: none"> ▪ providing a deeper cap of freshwater on the Misery and Jay Pits at closure; ▪ Discharging water to Lac du Sauvage earlier in the life of mine; ▪ using additional storage near the Jay Project, including the Lynx pit, the Jay runoff sump and King Pond; ▪ using additional storage at the Ekati mine main camp; and, ▪ treating minewater before discharge to the environment. 	Dominion	There were no actions taken during this reporting period.	N/A

Jay Project Annual EA Measures Reporting for 2019 - Summary Table

	Measure	Party Responsible	Actions Taken During Reporting Period	Reference/ Applicable Regulatory Documents
<p>4-3: Fine Processed Kimberlite</p>	<p>To avoid significant adverse environmental impacts to the Panda and Koala pit lakes and to the downstream environment after closure from the deposition of fine processed kimberlite, Dominion will not deposit fine-processed kimberlite into the Panda and Koala pits unless the Wek'èezhii Land and Water Board approves the use of the Panda and Koala pits. The Wek'èezhii Land and Water Board's approval will ensure the protection of the downstream environment after closure and will consider the results of Beartooth pit fine-processed kimberlite trial. Otherwise, the fine-processed kimberlite will be deposited into an approved processed kimberlite containment area.</p> <p>Suggestion: To demonstrate the suitability of the Panda and Koala pits for fine-processed kimberlite, the Wek'èezhii Land and Water Board should require Dominion to complete a deposition study and a freshwater cap optimization study. The deposition study should investigate how fine processed kimberlite behaves once deposited into mined-out pits and the quality of the resulting supernatant water. This should include data from the Beartooth pit trial.</p>	<p>Dominion</p>	<ul style="list-style-type: none"> ▪ As per Conditions in Part H of the Ekati mine Water Licence (W2012L2-0001), Dominion submitted a Panda and Koala Deposition Study along with a revised version of the WPKMP Version 8.0 to the WLWB approval on September 10, 2018. These documents underwent a public review process. ▪ A Board decision received on February 11, 2019 indicated that: <ul style="list-style-type: none"> <i>the Board requires additional time to ensure regulatory requirements for completion of progressive reclamation (e.g., required documentation, inspection reports, etc.) are met and therefore, advises Dominion that it cannot commence processed kimberlite disposal until the Board has authorized it. The Board requests that Dominion regularly update the Board on the company's expected start date for processed kimberlite deposition.</i> ▪ Dominion provided updates to the Board as required and also there was communication between WLWB staff and the Inspector. ▪ On March 13, 2019 a Board decision was received that authorized Dominion to commence deposition of PK into the Panda and Koala pits. ▪ Deposition of PK into Panda and Koala pits commenced following this authorization and continued during the reporting period. 	<p>Current Water Licence (Part H): W2012L2-0001-Ekati-Water Licence-Security Adjustment 08-May 6 20.pdf</p> <p>Panda and Koala Deposition Study: W2012L2-0001-kati-Panda and Koala Deposition Study-Sep 10 18.pdf</p> <p>WPKMP Version 8.0: W2012L2-0001-Ekati-WPKMP-Version 8.0-Sep 10 18.pdf</p> <p>WPKMP Version 8.0 Board Decision: W2012L2-0001-Ekati-WPKMP Version 8.0 and Panda and Koala Deposition Study-Reasons for Decision-Feb 11 19.pdf</p> <p>Commencement of Deposition Board Decision: W2012L2-0001-Ekati-Panda and Koala PK Deposition-Reasons for Decision-Mar 12 19.pdf</p>

Jay Project Annual EA Measures Reporting for 2019 - Summary Table

	Measure	Party Responsible	Actions Taken During Reporting Period	Reference/ Applicable Regulatory Documents
4-4: Dike Stability and Safety	<p>To reduce the risk of dike failure and its associated significant impacts, Dominion will establish an independent dike review panel to evaluate and, if necessary, improve the design, construction, operation and maintenance of the dike. The panel will provide recommendations to the developer and the Wek'èezhii Land and Water Board to ensure that impacts to the safety of people and the environment are minimized. The panel will, at a minimum:</p> <ul style="list-style-type: none"> ▪ review and accepts the dike design prior to the commencement of dike construction ▪ review the dike operation <p>Dominion will engage with the Wek'èezhii Land and Water Board, Government of the Northwest Territories and the Independent Environmental Monitoring Agency on the panel composition and tasks. Dominion will submit the review panel's final terms of reference to the Wek'èezhii Land and Water Board.</p>	<p style="text-align: center;">Dominion</p>	<ul style="list-style-type: none"> ▪ As part of the Jay Project optimization, Dominion engaged the Dike Review Panel on optimization opportunities related to the design of the Jay Dike. Dominion engaged the Dike Review Panel early in this process to get advice and feedback during the optimization process. The Dike Review Panel met 3 times in 2019 to discuss potential designs for the Jay Dike that could be considered as part of the optimization. <p>Dominion met with the Dike Review Panel on the following occasions:</p> <p style="padding-left: 40px;">Meeting #4 - July 22, 2019</p> <p style="padding-left: 40px;">Meeting #5 - September 17, 2019 (conference call)</p> <p style="padding-left: 40px;">Meeting #6 - December 2-3, 2019</p> <p>Notes for these meetings will be available once the Jay Project optimization is complete.</p>	<p>Current Water Licence (Part F): W2012L2-0001-Ekati-Water Licence-Security Adjustment 08-May 6 20.pdf</p> <p>Jay Dike Review Panel Final Terms of Reference: W2012L2-0001-Ek Dyke Review Panel-Terms of Reference-Aug 29 17.pdf</p>
5-1: Protection of the Narrows	<p>To mitigate significant adverse ecological and traditional use impacts resulting from unacceptable drops in water levels at the Narrows, Dominion will maintain water levels at the Narrows such that the Jay Project does not adversely affect fish passage and the continuation of traditional use of the area as an open water source. It will do so by monitoring the Narrows before and during closure, and by appropriately managing activities in Lac du Sauvage during closure.</p> <p>Prior to construction, a description of this monitoring will be submitted to the WLWB for its approval as part of the Aquatic Effects Monitoring Program design plan. The monitoring results will be reported in the annual AEMP reports and incorporated into the Aquatic Response Framework, specifying minimum required water levels and flow rates, and triggers for management responses during closure activities.</p> <p>Suggestion:</p> <p>DFO should fully consider the unique cultural significance of the area in Lac du Sauvage that will be permanently lost due to the construction of the Jay pit in its determination of fisheries offsetting requirements.</p>	<p style="text-align: center;">Dominion</p>	<ul style="list-style-type: none"> ▪ The AEMP Design Plan and Aquatic Response Framework for the Jay Project – Construction and Operations, were submitted to the WLWB on March 9, 2018. ▪ The Jay AEMP was distributed for public review by the WLWB on October 4, 2018. Review comments were provided by Dominion on January 31, 2019. ▪ The Board met and considered this submission on May 9, 2019. The Board did not approve the Jay AEMP and required Dominion to submit Version 1.1 of the Jay AEMP. ▪ Dominion submitted Version 1.1 of the Jay AEMP and supporting information on October 31, 2019. ▪ A decision from the Board on Version 1.1 of the Jay AEMP is expected in 2020. ▪ Aquatic baseline studies were conducted specifically to support the EA, permitting, and AEMP for the Jay Project from 2013 onwards. Within the reporting period, Dominion collected baseline data for a number of components of the AEMP (i.e., hydrology, water quality, sediment quality, and benthic invertebrates). 	<p>Current Water Licence (Part J): W2012L2-0001-Ekati-Water Licence-Security Adjustment 08-May 6 20.pdf</p> <p>Jay Project AEMP Design Plan Version 1.1: W2012L2-0001-Ekati-AEMP-Jay AEMP-Version 1.1 AEMP Design Plan-Oct 31 19.pdf</p> <p>Jay Project Aquatic Response Framework: W2012L2-0001-Ekati-AEMP-Jay AEMP-Version 1.1 Response Framework-Oct 31 19.pdf</p> <p>Supporting Information: W2012L2-0001-Ekati-AEMP-Jay AEMP-Supporting Information-Oct 31 19.pdf</p> <p>Reference Lake Report:</p>

Jay Project Annual EA Measures Reporting for 2019 - Summary Table

	Measure	Party Responsible	Actions Taken During Reporting Period	Reference/ Applicable Regulatory Documents
				<p>W2012L2-0001-Ekati-AEMP-Jay AEMP-Reference Lake Report-Oct 31 19.pdf</p> <p>WLWB Reasons for Decision:</p> <p>W2012L2-0001-Ekati-AEMP-Jay AEMP-Reasons for Decision-May 21 19.pdf.</p>
6-1: Road Mitigation from Caribou Impacts	<p>a) In order to mitigate significant incremental and cumulative adverse impacts to caribou from roads used by the Jay Project, Dominion will:</p> <ul style="list-style-type: none"> ▪ use convoys or other methods to manage traffic on the road in order to maximize interval between disturbances from vehicles ▪ use real-time caribou collar satellite information and other detection systems to enable early detection of caribou in the vicinity of the road as a trigger for action levels for management responses ▪ construct caribou crossing features along a minimum of 70 % of the length of the Jay road <p>b) In addition, Dominion will update and revise the Wildlife Effects Monitoring Plan with the appended Caribou Road Mitigation Plan according to GNWT requirements under section 95 of the Wildlife Act and any future section 95 regulations. The plan(s) required under section 95 will be in force for the duration of the Jay Project.</p> <p>In the Caribou Road Mitigation Plan, Dominion will:</p> <ul style="list-style-type: none"> ▪ investigate and implement innovative actions to mitigate impacts to caribou from barriers to movement at the esker, such as one-way traffic, buried power lines and pipelines, and remote sensory devices to monitor caribou and reduce impacts at the esker crossing ▪ define specific thresholds that trigger road management responses including actions to slow traffic, stop traffic and close the Jay and Misery Roads for an appropriate period if caribou are on or near these roads <ul style="list-style-type: none"> ○ describe the minimum size of the kimberlite stockpiles at Jay pit and Misery pit necessary to enable extended closure(s) of the Jay road ○ indicate how long the road management responses described above will be applied for each slow down or closure and thresholds and triggers for reopening the road. ▪ describe methods for monitoring approaching caribou at intermediate distances beyond line of sight from the roads, including at night and in poor visibility 	Dominion	<ul style="list-style-type: none"> ▪ The Caribou Road Mitigation Plan (CRMP) has been implemented at the Ekati mine since the fall of 2016. This includes: <ul style="list-style-type: none"> ○ Implementation of all caribou proximity-based thresholds including road closures, and reduced speed limits; ○ New signage to warn drivers about likelihood of encountering caribou along roads; and, ○ Use of satellite collars to help track caribou proximity to the Ekati mine. ▪ Construction of the Jay Road was undertaken in the summer of 2017 and this included construction of the Jay road caribou crossings. ▪ Dominion continues to use the Dual Powered Road Train (DPRT) to make hauling more efficient. ▪ Use of weekly caribou collar satellite information updates and other detection systems continues to enable early detection of caribou in the vicinity of the road - as a trigger for action levels for management responses. ▪ The revised Air Quality and Emissions Monitoring and Management Plan (AQEMMP) for the Jay Project includes the commitment to prepare a best management practices document consistent with the GNWT dustfall standard when it is developed (Section 3.4.1.3). The AQEMMP was approved by the GNWT on May 31, 2017. ▪ GNWT- Department of Environment and Natural Resources (ENR)'s provided conditional approval of the Wildlife Effects Monitoring Plan 	<p>WEMP (including CRMP):</p> <p>http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF</p> <p>Caribou Road Mitigation Plan (CRMP):</p> <p>http://reviewboard.ca/upload/project_document/EA1314-01_Caribou_Road_Mitigation_Plan_Jay_Project_DRAFT_V2.PDF</p> <p>Measure 6-3 AQEMMP:</p> <p>EA1314-01 GNWT - AQEMMP Measure 6-3</p> <p>Conditional Approval of WEMP and CRMP (June 1, 2017):</p> <p>http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF</p>

Jay Project Annual EA Measures Reporting for 2019 - Summary Table

Measure	Party Responsible	Actions Taken During Reporting Period	Reference/ Applicable Regulatory Documents
<p>6-1: Road Mitigation from Caribou Impacts</p> <ul style="list-style-type: none"> ▪ prepare a dust management best practices document with adaptive management triggers for additional dust suppression and link to the Air Quality and Emissions Monitoring and Management Plan ▪ use Traditional Knowledge when designing – <ul style="list-style-type: none"> ○ the Caribou Road Mitigation Plan ○ the project components in the Caribou Road Mitigation Plan (including the Jay road, esker crossing and waste rock storage area) ○ the monitoring of caribou responses to these components during the operations phase ▪ describe the specific monitoring and mitigation for caribou impacts related to the road during the construction, operations and closure phases of the Jay Project <p>c) The Caribou Road Mitigation Plan will detail the means to be employed to avoid and minimize habitat disturbance and include a response framework that links monitoring results to changes in mitigation. When developing monitoring and mitigation, Dominion will give special consideration to the esker crossing and specify contingency measures if caribou do not cross the Jay Road at the esker.</p> <p>d) Dominion will submit the Caribou Road Mitigation Plan to the GNWT ENR for approval before constructing the Jay Road. As part of this approval process, the GNWT should provide the opportunity for public comment. Dominion will annually report monitoring results, success or failure of mitigation and adaptive management to communities in person, in a culturally appropriate manner.</p> <p>Suggestion: To allow for mitigation of potential barrier effects from the Jay Project, Dominion should conduct pilot studies into technologies and approaches to detect caribou before they perceive sensory disturbances from the Jay Project (such as un-manned aerial vehicles, large animal detection systems, remote video cameras or on-the-land monitors).</p>		<p>(WEMP) and CRMP on June 1, 2017. Dominion continues to work on and move forward with addressing the required additional information.</p>	
<p>6-2(a): Caribou Offset and Mitigation Plan</p> <p>i. Dominion will offset residual adverse impacts to caribou by human activities that cumulatively affect the Bathurst caribou herd, beyond direct impacts of the Jay Project. Dominion will set out these offsets in a Caribou Offset and Mitigation Plan, which it will complete within one year of Minister's acceptance of this Report of EA. This plan will be in force throughout the duration of the Jay Project</p> <p>ii. Dominion will implement the Caribou Offset and Mitigation Plan as described in DAR-MVEIRB-UT2-06 and incorporate the following into the Plan:</p>	<p>Dominion</p>	<ul style="list-style-type: none"> ▪ The testing of Enviro-Kleen as an alternate dust suppressant product was continued in 2019 along the entire length of Misery Road with the exception of 15 m buffer areas surrounding waterbodies. In 2019, vehicle traffic on Sable Road increased with the movement of ore from Sable Pit to the Processing Plant at Main Camp. EnviroKleen was applied to the full extent of the Sable Road and the Ekati Haul Road in 2019, with the exception of buffers around waterbodies. 	<p>Measure 6-2 (a) Caribou Offset and Mitigation Plan:</p> <p>http://reviewboard.ca/upload/project_document/EA1314-01_DDEC_Caribou_Mitigation_Plan_measure_6-2a.PDF</p>

Jay Project Annual EA Measures Reporting for 2019 - Summary Table

Measure	Party Responsible	Actions Taken During Reporting Period	Reference/ Applicable Regulatory Documents
<ul style="list-style-type: none"> ▪ caribou offsets related to roads that result in enhanced mitigation, such as scheduling of activities during caribou migration or dust suppression offsite from Jay Project ▪ zone of influence research with funding as committed by Dominion ▪ identify mitigation actions from the Plan and apply at other Ekati operations ▪ options for the scheduling of other Ekati operations to offset Jay Project impacts during caribou migration periods ▪ an enhanced dust mitigation study including: <ul style="list-style-type: none"> ○ a pilot test pm application of dust suppressant ○ a dustfall sampling program ○ report on results and propose improvements to be incorporated into the Air Quality Emission Monitoring and Management Plan ○ if dust mitigation improvements are identified, Dominion will apply them on all roads at Ekati ▪ accelerate progressive reclamation of Long Lake Containment Facility substantially beyond current Interim Closure and Reclamation Plan requirements to return it to productive caribou habitat sooner ▪ incorporate waste rock storage area egress ramps, designed in consultation with Elders to prevent injuries and entrapment of caribou <p>iii. Following implementation of the Caribou Offset and Mitigation Plan, Dominion will:</p> <ul style="list-style-type: none"> ▪ annually report on the effectiveness of monitoring, mitigation and adaptive management of the Caribou Offset and Mitigation Plan to communities in person in a culturally appropriate manner ▪ annually report on the activities conducted under the Caribou Offset and Mitigation Plan and the effectiveness of related monitoring, mitigation and adaptive management, to GNWT ENR, WRRB and IEMA ▪ •submit an updated Caribou Offset and Mitigation Plan for approval by GNWT ENR every three years. Prior to approval, the GNWT should provide the opportunity for public comment. <p>iv. The GNWT will enforce the Caribou Offset and Mitigation Plan under the section 95 of the Wildlife Act.</p>		<ul style="list-style-type: none"> ▪ The Caribou Mitigation Plan (CMP) is based on the framework and principles of adaptive management and will use the results from research and monitoring of mitigation effectiveness to provide feedback into Ekati mine operations. ▪ Commitments in the CMP include a special study on determining the effectiveness of dust suppressants along the Misery Road (Section 3.4.1.3 of the AQEMMP). The next Dust Suppression Pilot Study Report will be produced in 2020 as a close out report that incorporates the results of the 2018 and 2019 study. 	

Jay Project Annual EA Measures Reporting for 2019 - Summary Table

	Measure	Party Responsible	Actions Taken During Reporting Period	Reference/ Applicable Regulatory Documents
6-2(b): Research to Design Implement Successful Offsetting Design	<p>The GNWT will measure and evaluate the effectiveness of Dominion's offsets that result from the approved Caribou Offset and Mitigation Plan.</p> <p>To better enable the GNWT to do this, it will conduct a study on the potential methods for evaluating and measuring the effectiveness of offsetting options described in the approved Caribou Offset and Mitigation Plan. The GNWT will publicly report on the results of the study within one year of the approval of the Caribou Offset and Mitigation Plan</p>	GNWT	<p>Dominion is not responsible for this measure. However, will provide information to the GNWT as needed. There were no actions taken by Dominion regarding this measure during this reporting period.</p>	Not Applicable
6-3: Air Quality Emissions Monitoring and Management Plan	<p>In order to reduce adverse impacts from dustfall within the Jay Project area to caribou, so they are no longer significant, Dominion will finalize and implement the Air Quality Emissions Monitoring and Management Plan prior to construction. This plan will be applied throughout the construction, operation and closure phases of the Project.</p> <p>Dominion will:</p> <ul style="list-style-type: none"> ▪ describe how it will implement commitments made in this plan (PR#424 p1-5 to 1-6) along with management response linkages to the Caribou Road Mitigation Plan and the Caribou Offset and Mitigation Plan ▪ reduce dustfall by continuing and improving the following management and monitoring practices, including: <ul style="list-style-type: none"> ○ applying dust suppressant to control dust emissions on haul roads during summer or non-frozen snow-free season ○ managing vehicle speed to limit road dust from vehicle wheel entrainment ○ implementing a dustfall monitoring program, methods, locations, monitoring parameters ○ sampling lichen tissues (heavy metal parameters) snow chemistry sampling ○ planning responses with triggers and action levels ○ allowing opportunity for public comment on updates or changes to the Air Quality Emissions Monitoring and Management Plan ▪ annually report monitoring results, success or failure of dust mitigations and adaptive management to communities in person in a culturally appropriate manner ▪ submit an updated Air Quality Emissions Monitoring and Management Plan for public review and approval process as required by the GNWT <p>In addition, the GNWT will review and approve the Air Quality Emissions Monitoring and Management Plan as required by the Environmental Agreement and regulate in accordance with the <i>Environmental Protection Act</i></p>	Dominion	<p>There were no actions taken during this reporting period.</p>	<p>Jay Project AQEMMP: http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_AQEMMP_Measure_6-3.PDF</p>

Jay Project Annual EA Measures Reporting for 2019 - Summary Table

	Measure	Party Responsible	Actions Taken During Reporting Period	Reference/ Applicable Regulatory Documents
6-4: Dustfall Standards	<p>Prior to construction, the GNWT will develop an interim dustfall objective for all types of dustfall that impact caribou and caribou habitat, including impacts on lichen and other caribou forage within the Jay Project zone of influence. The objective will reduce dust-related sensory disturbances to caribou to the greatest extent practicable.</p> <p>Dominion will use the interim dustfall objective to inform its actions to reduce impacts to caribou and caribou habitat from dustfall.</p>	GNWT	<p>Dominion is not responsible for this measure. However, will provide information to the GNWT as needed. There were no actions taken by Dominion regarding this measure during this reporting period.</p>	Not Applicable
6-5: Traditional Knowledge-based Caribou Monitoring and Mitigation	<p>Dominion will:</p> <ul style="list-style-type: none"> ▪ develop and implement a collaborative research program incorporating Traditional Knowledge designed to identify the causes of the zone of influence for caribou avoidance within one year of acceptance of the Report of EA ▪ summarize and report annually on this collaborative research program as part of the Wildlife Effects Monitoring Program reporting ▪ implement the research findings which can help to reduce the size of the zone of influence on caribou ▪ Dominion will fund a Traditional Knowledge Elders group drawn from Aboriginal organizations that participated in the EA. This group will: <ul style="list-style-type: none"> ○ advise on the construction and operation of the Jay road, esker crossing and waste rock management area egress ramps that limit impacts to caribou ○ monitor caribou reactions to the Jay road use, esker crossing and waste rock storage area egress ramps in coordination with existing caribou management authorities ○ report on the results of monitoring to Dominion, IEMA, regulators and Aboriginal organizations that participated in the EA ○ recommend mitigation based on monitoring results ○ recommend a contingency plan for the esker crossing if monitoring indicates that the road through the esker is a major barrier to caribou movement <p>This Traditional Knowledge group will be in place prior to construction, throughout operations and closure</p>	Dominion	<ul style="list-style-type: none"> ▪ Further information for this Measure can be found in the 2019 Annual WEMP Reporting. • Measure 6-5 also includes the Traditional Knowledge Elder's Group (TKEG). As work on the optimization of the Jay Project continued throughout much of the reporting period no TKEG meetings were held in 2019. Dominion anticipates involving the TKEG in the review of the optimization outcomes in the future. 	<p>Traditional Knowledge Elders Group Terms of Reference: http://reviewboard.ca/upload/project_document/EA1314-01_DDEC_Traditional_Knowledge_Elders_Group_measure_6-5_.PDF</p>

Jay Project Annual EA Measures Reporting for 2019 - Summary Table

	Measure	Party Responsible	Actions Taken During Reporting Period	Reference/ Applicable Regulatory Documents
6-6: Timely Completion of Caribou Management Plans	<p>To mitigate cumulative significant impacts from the Jay Project and other human activities on the Bathurst caribou herd, within one year of Ministerial approval of this Report of EA, the GNWT will:</p> <ul style="list-style-type: none"> investigate and report on the causes for the current population change complete and implement an interim management plan for the Bathurst caribou herd implement an interim herd recovery strategy towards a sustainable and ongoing Aboriginal harvest <p>Suggestion: GNWT should work towards producing interim thresholds for developments and other human activities within the range of the Bathurst caribou herd.</p>	GNWT	<p>As the GNWT is responsible for Measure 6-6, Dominion will not be reporting on this Measure in the manner as required by Measure 13-3, Items (a) through (d). To assist the GNWT in the implementation of this measure, actions Dominion has taken to help implement Measure 6-6 are as follows:</p> <ul style="list-style-type: none"> Dominion continues to work with the GNWT on examining the causes of the caribou herd decline in NWT. Based on discussions with the GNWT and their request in supporting studies, Dominion provided some in kind support to examine these causes during the reporting period. 	Not Applicable
7-1: Traditional Knowledge Management Framework	<p>In order to mitigate the Jay Project's cultural impacts to traditional use areas or culturally valued components like caribou, water or aquatic life, Dominion will develop a Traditional Knowledge Management Framework that describes protocols for collecting, storing, managing and using Traditional Knowledge. This will be done in a manner that is culturally suitable for each community. Dominion will use the Traditional Knowledge gathered through the framework to inform Project decision making. This framework will be developed prior to the construction phase of the Project and will apply for the lifetime of the Jay Project (construction, operations and closure phases).</p> <p>In developing the Traditional Knowledge Management Framework, Dominion will consult with each Aboriginal group affected by the Jay Project, in a culturally appropriate manner, while developing the protocols. Dominion will report annually on how Traditional Knowledge influenced Jay Project decision making.</p> <p>Suggestion: To ensure that Traditional Knowledge is consistently being used in a manner that is agreeable to Aboriginal groups, each Aboriginal group affected by the Jay Project should develop a standard Traditional Knowledge Use Protocol. This protocol would inform how Traditional Knowledge is captured, managed, reported on and used. This protocol would facilitate Dominion's effort in establishing a Traditional Knowledge Management Framework that is meaningful to Aboriginal groups.</p>	Dominion	There were no actions taken during the reporting period on this Measure.	<p>Current Water Licence (Part B): W2012L2-0001-Ekati-Water Licence-Security Adjustment 08-May 6 20.pdf</p> <p>TK Management Framework: MVIRB: http://reviewboard.ca/upload/project_document/EA1314-01_DDEC_Traditional_Knowledge_Framework_measure_7-1.PDF or</p> <p>WLWB: W2016F0007/Ekati-Jay Early Works-Traditional Knowledge Management Framework-May 16 17.pdf</p>

Jay Project Annual EA Measures Reporting for 2019 - Summary Table

	Measure	Party Responsible	Actions Taken During Reporting Period	Reference/ Applicable Regulatory Documents
	<p>Aboriginal groups should work with Dominion to establish what Traditional values should be monitored for Jay Project impacts, and how monitoring should occur.</p>			
<p>7-2: On the Land Culture Camp</p>	<p>In order to mitigate significant adverse impacts of the Jay Project on traditional use of the area and transmission of cultural values, Dominion will, during the construction and operations phases of the mine, support an on-the-land culture camp, in a traditionally used area near the Project. This culture camp will be used by Aboriginal groups to maintain or establish a connection with disturbed areas of land and restore Traditional Knowledge transfer between generations about the area affected by diamond mining.</p> <p>Dominion will consult with Aboriginal groups that participated in the environmental assessment to decide on the location, timing and frequency of use of the culture camp. Dominion will support the camp's use and access, financially or in-kind.</p>	<p>Dominion</p>	<p>There were no actions taken during the reporting period on this Measure.</p>	<p>Current Culture Camp Land Use Permit W2017J0003: W2017J0003-Ekati-Culture Camp-Land Use Permit-Mar 19 19.pdf</p>
<p>8-1: Minimize Negative Socio-Economic Impacts of the Project on Communities</p>	<p>In order to mitigate significant cumulative adverse socio-economic impacts of the Jay Project on health and well-being, the Government of the Northwest Territories will engage and work with diamond mining communities to adaptively manage adverse social impacts to health and well-being from the Jay Project, in combination with other diamond mining projects. As part of this process, the GNWT will actively investigate and address linkages of diamond mining effects on the health and well-being of affected communities. The GNWT will also meet with communities within one year of the Ministerial approval of this Report of EA, and annually thereafter, to discuss:</p> <ol style="list-style-type: none"> 1) priority social issues at the individual, family and community level related to diamond mining, as identified by communities and by the GNWT; 2) the effectiveness of GNWT programs to address these identified issues; and, 3) implementing improvements to mitigate identified issues. <p>The GNWT will submit an annual progress report on the above to each diamond mining community, describing GNWT's engagement on and</p>	<p>GNWT</p>	<ul style="list-style-type: none"> ▪ To assist the GNWT in the implementation of this measure, actions Dominion has taken during the reporting period to help implement Measure 8-1 are as follows: <ul style="list-style-type: none"> ○ Dominion attended community meetings that were held related to the Socio-Economic Agreements and has participated in scheduled community visits along with the GNWT. 	<p>Not Applicable</p>

Jay Project Annual EA Measures Reporting for 2019 - Summary Table

	Measure	Party Responsible	Actions Taken During Reporting Period	Reference/ Applicable Regulatory Documents
8-1: Minimize Negative Socio-Economic Impacts of the Project on Communities	<p>adaptive management of social impacts, and GNWT's plans to address identified issues.</p> <p>Suggestion: The GNWT should work with diamond mining communities to develop socio-economic baseline studies. The GNWT, working with communities, should:</p> <ul style="list-style-type: none"> ▪ assess the vulnerability of each community with a corresponding assessment of the community's resilience to socio-economic impacts, and capacity to adapt to them; ▪ assess the existing cumulative impacts on well-being at multiple scales (including individual, family and community levels); ▪ produce a definition of well-being and describe how it is measured; and, ▪ establish qualitative and quantitative indicators of well-being appropriate for a socio-economic assessment. <p>The focus of the study should be to establish threshold levels of acceptable social impacts, and evaluate how close each social impact indicator is to a threshold level.</p>	GNWT		Not Applicable
8-2: Supporting Increased Employment Opportunities for Women	<p>To mitigate significant adverse socio-economic impacts on women, Dominion will consult with the Government of the Northwest Territories, the Status of Women Council of the NWT and the Native Women's Association of the NWT to update its strategy for the training, recruitment and employment of women in traditional and non-traditional occupations, prior to the construction phase of the Jay Project. Where Dominion has community liaisons, they will serve as additional resources for implementing initiatives for training, recruitment and employment of women.</p> <p>Dominion will report on employment and retention figures for women, and on the effectiveness of its revised policy, as part of its reporting per measure 13-1.</p>	Dominion	<ul style="list-style-type: none"> • Since the workshop held on June 3, 2016, Dominion has updated the Harassment and Discrimination Policies and rolled the new Policies out to all staff and contractors. Dominion also ensured that information on its confidential Whistleblower Policy and its related reporting processes were reintroduced to employees and posters were created and placed at all work sites to ensure all employees were provided with another means of reporting concerns. • Dominion had conducted a survey of female staff on their experiences with training, recruitment, and employment. Actions from this survey are ongoing. • Efforts to establish a framework for addressing women in mining issues and a plan for how Dominion will move towards improvements in this area is ongoing. • Dominion has been collaborating with communities on identifying how best to use funding set aside for community liaisons, as not every community has been interested in using funding for such a position. For 	<p>2019 Dominion Socio Economic Agreement Report:</p> <p>https://www.ddmines.com/wp-content/uploads/2019_SEA_Report_web.pdf</p>

Jay Project Annual EA Measures Reporting for 2019 - Summary Table

Measure	Party Responsible	Actions Taken During Reporting Period	Reference/ Applicable Regulatory Documents
		<p>example, some communities have requested this funding be used for business development related roles instead of Liaison/Recruiting roles. This is ongoing.</p> <ul style="list-style-type: none"> • Employment and retention figures for women and the effectiveness of the revised policy will be reported as described in the annual reporting required by Measure 13-3. • Dominion is a founding member for the Northwest Territories Women in Mining Canada Chapter which was launched during the GeoScience Forum in November 2019. 	

Jay Project Annual EA Measures Reporting for 2019 - Summary Table

	Measure	Party Responsible	Actions Taken During Reporting Period	Reference/ Applicable Regulatory Documents
9-1: Incineration – Stack Testing and Reporting	<p>To reduce the likelihood of impacts resulting from the release of dioxins and furans, Dominion will conduct incinerator stack testing at least every three years and submit any stack test results to the GNWT Department of Environment and Natural Resources and Environment Canada no more than 90 days after the completion of stack testing. No more than 120 days after any failed stack test, (with failure determined according to the Canada Wide Standards for Dioxins and Furans or applicable regulation or guidance developed by the GNWT), Dominion will:</p> <ol style="list-style-type: none"> 1) Develop an Adaptive Management Response Plan, containing: <ol style="list-style-type: none"> a. An assessment of the incinerator operations and management that contributed to the failed stack test, and methods to rectify them. b. A consideration of the need for increased monitoring of incinerator operational indicators associated with the formation of dioxins and furans. This may include inline continuous emission monitoring for, but not limited to: flow of flue gas, oxygen content, and carbon monoxide. 2) Submit the Adaptive Management Response Plan to the GNWT Department of Environment and Natural Resources and Environment Canada. 3) Implement the methods identified by Dominion (under 1a above) no later than the submission of the Response Plan, and earlier if feasible. <p>Dominion will re-stack test the incinerators within six months of the initial failed stack test. This second stack test will verify the effectiveness of the methods proposed and implemented in the Adaptive Management Response Plan and demonstrate compliance with the Canada-wide Standards for Dioxins and Furans. All stack tests must be conducted in accordance with national standards, and include detailed documentation to demonstrate that representative composition and batch size of waste were used during the testing process.</p> <p>Exemptions for the second stack test may occur based on a review of the factors that contributed to the failed stack text and approval of the Adaptive Management Response plan by GNWT Department of Environment and Natural Resources, in consultation with Environment Canada</p> <p>Suggestion: The Review Board suggests that the developer, in consultation with the GNWT and EC, assess the feasibility and utility of additional inline continuous emission monitoring and provide a report of the findings within one year of Ministerial approval of this Report of EA.</p>	Dominion	<ul style="list-style-type: none"> • The Incinerator Management Plan (which is part of the Waste Management Plan) was submitted to the WLWB on December 31, 2019. A public review period and Board decision is expected in 2020. • Continued work on the integration of the Jay AQEMMP into the site wide Air Quality and Emissions Monitoring and Management Plan (AQEMMP). • Dominion has successfully undertaken efforts to reduce the use of the incinerator by managing waste and composting. Incineration of waste occurs every 2-3 days and there is currently only one incinerator running. 	<p>Incinerator Management Plan (As part of the Waste Management Plan)</p> <p>W2012L2-0001-Ekati-Waste Management Plan-Version 6.0-Dec 31_19.pdf</p>

Jay Project Annual EA Measures Reporting for 2019 - Summary Table

	Measure	Party Responsible	Actions Taken During Reporting Period	Reference/ Applicable Regulatory Documents
<p>9-2: Reporting on Greenhouse Gas Emission and Management</p>	<p>Dominion will provide, in its Air Quality Emissions Monitoring and Management Plan annual report, information on its greenhouse gas management for all Project phases including, but not limited to:</p> <ul style="list-style-type: none"> ▪ A calculation of greenhouse gas emissions by combustion source; ▪ greenhouse gas emissions reduction targets for the upcoming year and how they were determined; ▪ reporting of whether past reduction targets were achieved and how, or if they were not, why; ▪ a description of monitoring including the parameters, methods, frequency, and data analysis; ▪ a description of adaptive policies, strategies and mitigative actions undertaken, or proposed, to reduce greenhouse gas emissions, including but not limited to: <ul style="list-style-type: none"> ○ the results of Dominion’s proposed ore hauling pilot study, including a description of greenhouse gas emissions for each alternative hauling method studied compared to existing and/or proposed strategies; ○ the results of Dominion’s proposed concept study on the use of alternative energies to offset a portion of the Jay Project’s energy needs, including the methods and analysis; and, ○ if the concept study leads to a feasibility study on the use of alternative energy to offset a portion of the Jay Project’s energy needs, report on the results, including the methods and analysis. <p>During its community visits, Dominion will engage on its greenhouse gas emissions management, and report on how results of past engagement have been incorporated into Dominion’s management of greenhouse gas emissions.</p>	<p>Dominion</p>	<ul style="list-style-type: none"> ▪ For more information on the Jay Project AQEMMP see Measure 6-3 or the Review Board public online registry under EA1314-01 for the Jay Project (or at EA1314-01 GNWT - AQEMMP Measure 6-3) ▪ Dominion is committed to optimizing the use of Dual-Powered Road Trains (larger trucks which make hauling more efficient) as means to reduce overall traffic on long haul roads such as the Misery Haul Road. ▪ Dominion reports pollutant emissions to the NPRI on annual basis for the Ekati mine site and through regular site-wide Air Quality monitoring data reporting, which can be found on the WLWB online public registry under file W2012L2-0001. Dominion reports GHG to the Greenhouse Gas Reporting Program (GHGRP) for Environment and Climate Change Canada. ▪ Dominion continues to facilitate energy and GHG reduction projects at the mine site. This includes idle vehicle management, boiler heat demand optimization, building optimization strategies, the use of a fuel additive to improve fuel efficiency, and lighting management (swapping HID lighting for LED). In 2019, there was progressive reclamation and closure of the Koala underground which eliminated the need for heating fuel for this area. Dominion continues to see benefits from projects such as the composter, the Weir at Dike D, and the Compressed Air System Improvement Project. 	<p>Jay Project AQEMMP: EA1314-01 GNWT - AQEMMP Measure 6-3</p> <p>Alternative Energies Study: EA1314-01 DDEC Alternative Energy Concept Study 01-Feb-2017 Commitment 52</p>
<p>13-1: Monitoring and Adaptive Management by Dominion</p>	<p>In order to ensure that the measures that Dominion is responsible for are fully and effectively implemented, and significant adverse impacts on the environment are mitigated, throughout all phases of the development, Dominion will:</p> <ol style="list-style-type: none"> 1. Implement monitoring programs to fulfill the following objectives: 2. to measure the effects of the Jay Project on the environment; 	<p>Dominion</p>	<ul style="list-style-type: none"> ▪ Dominion proposed various monitoring programs for the Jay Project in the documents associated with the updated permit and Water Licence applications submitted to the WLWB in 2016. These programs underwent a public review during the water licencing process, which occurred from June 2016 to May 2017 during which time the programs were refined based on comments and input received. 	<p>Current Water Licence: W2012L2-0001-Ekati-Water Licence-Security Adjustment 08-May 6 20.pdf</p> <p>Jay Project Land Use Permit: W2013D0007/Ekati Jay Development -Land Use Permit-Jan 25 18.pdf</p>

Jay Project Annual EA Measures Reporting for 2019 - Summary Table

	Measure	Party Responsible	Actions Taken During Reporting Period	Reference/ Applicable Regulatory Documents
	3. to assess the implementation and effectiveness of the measures in this Report of EA to prevent or minimize impacts on the environment; 4. to assess the accuracy of predictions made during the environmental assessment, regarding the impacts of the project on the environment; and, 5. to provide relevant data and information to support regional monitoring initiatives. 6. Implement adaptive management processes that use the results of monitoring programs to systematically adjust mitigation actions in order to minimize adverse impacts on the environment.		<ul style="list-style-type: none"> ▪ Dominion also developed a WEMP and AQEMMP which also outlined associated monitoring programs. These documents included public review and input and were approved by the GNWT in May of 2017 (see Measure 6-3 and Measure 6-1 in this report or on the Review Board's public online registry for the Jay Project. ▪ On October 31, 2019 Dominion submitted the Aquatic Effects Monitoring Program Design Plan Version 1.1 for the Jay Project to the WLWB. The AEMP Design Plan for the Jay Project was developed to satisfy the requirements outlined in Part J of WL W2012L2-0001 for the Jay Project. In November 2019 this document was distributed for a public review period. A Board decision on Version 1.1 is anticipated in early 2020. ▪ Dominion will provide an Annual Report as per Measure 13-3 to the MVIRB by July 1 of each year, which will include a summary of adaptive management and the results of other applicable monitoring or management plans (e.g., AQEMMP, WEMP, CRMP, AEMP), as required by the Measure. 	<p>Measure 6-1: http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF</p> <p>Measure 6-3: http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_AQEMMP_Measure_6-3.PDF</p> <p><i>See Measure 5-1 for links to Jay AEMP Submissions.</i></p>
13-2: Engagement on Cultural Impacts	<p>In order to evaluate and, through adaptive management, improve the effectiveness of Dominion's mitigation of cultural impacts, Dominion will:</p> <ol style="list-style-type: none"> a) engage with Aboriginal groups that participated in the environmental assessment to identify cultural impacts, including cumulative impacts, from the Jay Project; b) seek the input of those Aboriginal groups on ways to strengthen Dominion's cultural impact mitigation initiatives; and, c) report annually to those Aboriginal groups on the effectiveness of Dominion's efforts to mitigate cultural impacts. 	Dominion	<p>Dominion's engagement activities on the Jay Project and other activities at the Ekati mine are ongoing and include regular meetings, technical workshops, TKEG meetings, and site tours. Some examples are listed in the below:</p> <p><u>TKEG</u></p> <ul style="list-style-type: none"> • As work on the optimization of the Jay Project continued throughout much of the reporting period no TKEG meetings were held in 2019. Dominion anticipates involving the TKEG in the review of the optimization outcomes in the future. <p><u>Traditional Knowledge Projects</u></p> <p>As per discussions with community groups, issues and projects that have been identified as community priorities, have been supported by Dominion. These includes the following:</p> <ul style="list-style-type: none"> • <i>Dominion and LKDFN Agreement</i> - Łutselk'e Dene First Nation (LKDFN), the GNWT, and Dominion entered into an agreement with the objective of furthering a shared goal ensuring the continued well- 	<p>Ekati Mine Engagement Plan: W2012L2-0001-Ekati-Engagement Plan-Version 4.0-Oct 4 17.pdf</p> <p>Ekati Diamond Mine Environmental Agreement and Water Licence Annual Report 2019: Not available for hyperlink at the time of the compilation of this reporting. See WLWB online public registry under WL W2012L2-0001.</p>

Jay Project Annual EA Measures Reporting for 2019 - Summary Table

Measure	Party Responsible	Actions Taken During Reporting Period	Reference/ Applicable Regulatory Documents
<p>13-2: Engagement on Cultural Impacts</p>	<p>Dominion</p>	<p>being of the Bathurst Caribou Herd, and that Dominion/LKDFN/GNWT jointly explore monitoring and management approaches in respect of the herd and the Jay Project. Dominion has agreed to act as an observer in the process while it pursues the Jay Project at the Ekati Diamond Mine. Final report is forthcoming.</p> <ul style="list-style-type: none"> • <i>Tłı̄chq Boots on the Ground Caribou Monitoring</i>: An Indigenous-driven environmental monitoring program. The program is based on the TK of Elders and harvesters, and relies on their ways of traveling the land and assessing the conditions on the land, instead of relying on scientific methods of monitoring. The purpose is to monitor current conditions of the Bathurst caribou herd, the habitat, and cumulative impacts on the herd from natural factors and human activities. Dominion provided support to offset transportation costs. • March 2019: <i>YKDFN Caribou Monitoring Program</i>. This project converted YKDFN's archive of barren-ground caribou TK into an online database where it is now readily available to be used at the community's discretion, and worked with community members to lay the groundwork for a future caribou monitoring program linked to the database using cutting edge technology but led by and based upon YKDFN TK. • <i>Hamlet of Kugluktuk – Youth & Elder's Program</i>. Kugluktuk's Youth and Elders Program operates out of the local Elders Centre ("Inuhaat Iihakviatmade"), and offers the opportunity for community members (children and young adults) to participate in cultural activities, with assistance from our community's elders. Program activities include, Elder's Gathering, Storytelling/Cultural teachings, Traditional Games, Drum Making/Dancing instruction, preparation of country foods with ulu's. <p><u>Site Tours</u></p> <p>Site tours generally occur in the summer and early fall of each year. In 2019 the following site tours occurred at the Ekati Mine:</p> <ul style="list-style-type: none"> ○ October 24, 2019: KIA/Hamlet of Kugluktuk Site Tour 	

Jay Project Annual EA Measures Reporting for 2019 - Summary Table

Measure	Party Responsible	Actions Taken During Reporting Period	Reference/ Applicable Regulatory Documents
		<p>Other meetings were held throughout the reporting period with Impact Benefit Agreement (IBA) groups as part of Dominion's regular engagement and as requested, where the topics discussed included contract and employment opportunities.</p> <p>For more information on these items and a complete listing of Traditional Knowledge projects and community outreach see section 4.3.4 of the 2019 Ekati Diamond Mine Environmental Agreement and Water Licence Annual Report (available on the WLWB online public registry).</p>	

Jay Project Annual EA Measures Reporting for 2019 - Summary Table

	Measure	Party Responsible	Actions Taken During Reporting Period	Reference/ Applicable Regulatory Documents
<p>13-3: Annual Reporting from Dominion</p>	<p>In order to demonstrate how measures are being implemented and to evaluate the effectiveness of Dominion's efforts to prevent or minimize impacts on the environment, Dominion will, throughout all phases of the development, prepare an annual Report on Implementation of Measures. The Report will address the EA measures that Dominion is responsible for and will:</p> <ul style="list-style-type: none"> a) describe the actions, including actions implemented through adaptive management, being undertaken to implement the EA measures; b) demonstrate how the implementation actions, including any actions implemented through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions: <ul style="list-style-type: none"> i. How are implementation actions addressing a likely significant adverse impact on the environment? ii. How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood? iii. If the measure is for monitoring or research, how is the monitoring/research being used to inform mitigation of impacts to the environment? iv. How are process considerations (such as engagement requirements, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures? c) include a concise summary of monitoring programs and results that are related to EA measures or commitments and, where applicable, references to complete information contained in other documents (such as documents related to aquatic effects, wildlife, or air quality programs); and, d) address any specific reporting requirements noted in the EA measures set out in this report and summarized in Appendix A. <p>Dominion will provide a copy of this annual report to the Review Board prior to July 1 of each year.</p>	<p>Dominion</p>	<p>Dominion has shown due diligence in reporting to all Measures that were outlined in the REA. This also includes Measures that were directed to other regulatory bodies as Dominion has assisted in the completion or ongoing work of a specific measure. See "Environmental Assessment and Annual Reporting" section of this report for hyperlinks to previous Jay EA Measures Annual Reports. The submission of this annual report for 2019 is further evidence in taking action to implement Measure 13-3.</p>	<p>Report of Environmental Assessment and Reasons for Decision Dominion Diamond Ekati Corp.- Jay Project EA1314-01: http://reviewboard.ca/upload/project_document/EA1314-01_Report_of_Environmental_Assessment_and_Reasons_for_Decision.PDF</p>

Jay Project Annual EA Measures Reporting for 2019 - Summary Table

	Measure	Party Responsible	Actions Taken During Reporting Period	Reference/ Applicable Regulatory Documents
13-4: Annual Reporting from Government and Regulatory Authorities	<p>In order to evaluate the effectiveness of mitigation measures for the protection of the environment, each regulatory authority or government that is wholly or partly responsible for implementation of any measure in this Report of EA will prepare an annual Report on Implementation of Jay Project Measures. The Report will:</p> <ul style="list-style-type: none"> a) describe the actions being undertaken to implement the EA measures or the part(s) of the EA measure for which the regulatory authority or government is responsible; and, b) explain how the implementation actions, including any actions implemented through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions: <ul style="list-style-type: none"> v. How are implementation actions addressing a likely significant adverse impact on the environment? vi. How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood? vii. If the measure is for monitoring or research, are the implementation actions clearly linked to mitigation and/or operations? viii. How are process considerations (such as consultation or engagement requirements, statutory obligations, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures? <p>Prior to July 1 of each year, during all phases of the Jay Project to which a particular measure applies, each regulatory authority and government will provide a copy of this annual report to the Review Board.</p>	GNWT/ WLWB	Dominion is not responsible for this measure.	Not Applicable

NOTE: During much of the reporting period, January 1, 2019 to December 31, 2019, the Jay project was undergoing an optimization study which began in 2018. Several pieces of work related to the Jay Project were put on hold until the completion of this optimization study. This means that some of the measures will not have any actions to report for 2019. As such, and in agreement with MVIRB staff, these measures are not detailed within this report. The actions taken remain the same as those in the 2018 Jay EA Measures Annual Report ([2018 Jay Project EA Annual Report](#)).

2019 JAY PROJECT EA ANNUAL REPORT

June 2020



Dominion
Diamond Mines

APPENDIX A: 2019 JAY EA ANNUAL REPORT - TABLE OF CONTENTS

JAY PROJECT ANNUAL ENVIRONMENTAL ASSESSMENT REPORTING	1
INTRODUCTION	1
JAY PROJECT BACKGROUND	1
ENVIRONMENTAL ASSESSMENT ANNUAL REPORTING	2
MEASURE 4-1: CLOSURE OBJECTIVES	4
MEASURE 4-2(a): SITE WATER MANAGEMENT PLAN	5
Actions Taken to Implement the Measure	5
Fulfillment of the Intent of the Measure	5
Concise Summary of Monitoring Programs	5
Other Reporting Requirements	6
MEASURE 4-2(b): PIT LAKE WATER QUALITY	7
Actions Taken to Implement the Measure	7
MEASURE 4-3: FINE PROCESSED KIMBERLITE	8
Actions Taken to Implement the Measure	8
Fulfillment of the Intent of the Measure	9
Concise Summary of Monitoring Programs	9
Other Reporting Requirements	9
MEASURE 4-4: DIKE STABILITY AND SAFETY	10
Actions Taken to Implement the Measure	10
Fulfillment of the Intent of the Measure	10
Concise Summary of Monitoring Programs	11
Other Reporting Requirements	11
MEASURE 5-1: PROTECTION OF THE NARROWS	12
Actions Taken to Implement the Measure	12
Fulfillment of the Intent of the Measure	12
Concise Summary of Monitoring Programs	13
Other Reporting Requirements	13
MEASURE 6-1: ROAD MITIGATIONS FROM CARIBOU IMPACTS	14
Actions Taken to Implement the Measure	16
Fulfillment of the Intent of the Measure	17
Concise Summary of Monitoring Programs	17
Other Reporting Requirements	18
MEASURE 6-2(a): CARIBOU OFFSET AND MITIGATION PLAN	19
Actions Taken to Implement the Measure	20

Fulfillment of the Intent of the Measure	20
Concise Summary of Monitoring Programs	21
Other Reporting Requirements	21
MEASURE 6-2(b): RESEARCH TO DESIGN AND IMPLEMENT SUCCESSFUL OFFSETTING PROJECTS	22
MEASURE 6-3: AIR QUALITY EMISSIONS MONITORING AND MANAGEMENT PLAN	23
Actions Taken to Implement the Measure	23
MEASURE 6-4: DUSTFALL STANDARDS	24
MEASURE 6-5: TRADITIONAL KNOWLEDGE BASED CARIBOU MONITORING AND MITIGATION	25
Actions Taken to Implement the Measure	26
Fulfillment of the Intent of the Measure	26
Concise Summary of Monitoring Programs	26
Other Reporting Requirements	26
MEASURE 6-6: TIMELY COMPLETION OF CARIBOU MANAGEMENT PLANS	27
MEASURE 7-1: CULTURAL ASPECTS AND TRADITIONAL KNOWLEDGE	28
Actions Taken to Implement the Measure	28
MEASURE 7-2: ON THE LAND CULTURE CAMP	29
Actions Taken to Implement the Measure	29
MEASURE 8-1: MINIMIZE NEGATIVE SOCIO-ECONOMIC IMPACTS OF THE PROJECT ON COMMUNITIES	30
MEASURE 8-2: SUPPORTING INCREASED EMPLOYMENT OPPORTUNITIES FOR WOMEN	31
Actions Taken to Implement the Measure	31
Fulfillment of the Intent of the Measure	32
Concise Summary of Monitoring Programs	32
Other Reporting Requirements	33
MEASURE 9-1: INCINERATION – STACK TESTING AND REPORTING	34
Actions Taken to Implement the Measure	35
Fulfillment of the Intent of the Measure	35
Concise Summary of Monitoring Programs	35
Other Reporting Requirements	35
MEASURE 9-2: REPORTING ON GREENHOUSE GAS EMISSIONS AND MANAGEMENT	36
Actions Taken to Implement the Measure	36
Fulfillment of the Intent of the Measure	37
Concise Summary of Monitoring Programs	38
Other Reporting Requirements	38
MEASURE 13-1: MONITORING AND ADAPTIVE MANAGEMENT BY DOMINION DIAMOND CORPORATION	39
Actions Taken to Implement the Measure	39
Fulfillment of the Intent of the Measure	40

Concise Summary of Monitoring Programs.....	40
Other Reporting Requirements	40
MEASURE 13-2: ENGAGEMENT ON CULTURAL IMPACTS.....	41
Actions Taken to Implement the Measure	41
Fulfillment of the Intent of the Measure	42
Concise Summary of Monitoring Programs.....	43
Other Reporting Requirements	43
MEASURE 13-3: ANNUAL REPORTING BY DOMINION DIAMOND CORPORATION.....	44
Actions Taken to Implement the Measure	44
Fulfillment of the Intent of the Measure	45
Concise Summary of Monitoring Programs.....	45
Other Reporting Requirements	45
MEASURE 13-4: ANNUAL REPORTING FROM GOVERNMENT AND REGULATORY AUTHORITIES.....	46
LOOKING FORWARD	47
APPENDIX A – 2019 JAY EA ANNUAL REPORT	
APPENDIX B – MAPS	
APPENDIX C – DEVELOPER’S COMMITMENTS TABLE	

LIST OF ACRONYMS

Abbreviation	Definition
AEMP	Aquatic Effects Monitoring Program
AQEMMP	Air Quality and Emission Monitoring and Management Plan
CMP	Caribou Mitigation Plan
CRMP	Caribou Road Mitigation Plan
DAR	Developer's Assessment Report
Dominion	Dominion Diamond Mines ULC
DFO	Fisheries and Oceans Canada
DKFN	Deninu K'ue First Nation
DPRT	Dual Powered Road Train
EA	Environmental Assessment
ECCC	Environment and Climate Change Canada
Ekati Mine/mine	Ekati Diamond Mine
ENR	Department of Environment and Natural Resources, GNWT
EQC	effluent quality criteria
FPK	fine processed kimberlite
FRMC	Fort Resolution Metis Council
GHG	greenhouse gas
GNWT	Government of the Northwest Territories
IBA	Impact Benefit Agreement
ICRP	Interim Closure and Reclamation Plan
IEMA	Independent Environmental Monitoring Agency
KIA	Kitikmeot Inuit Association
LKDFN	Łutselk'e Dene First Nation
Minister	Government of the Northwest Territories, Minister of Lands
MUG	Misery Underground Project
MVEIRB\MVIRB	Mackenzie Valley Environmental Impact Review Board
NSMA	North Slave Métis Alliance
NWT	Northwest Territories
PK	processed kimberlite
REA	Report of Environmental Assessment
SNP	Surveillance Network Program
TK	Traditional Knowledge
TKEG	Traditional Knowledge Elders Group
TOR	Terms of Reference
TDS	total dissolved solids
WEMP	Wildlife Effects Monitoring Plan
WL	Water Licence
WLWB	Wek'èezhii Land and Water Board
WPKMP	Wastewater and Processed Kimberlite Management Plan
WRRB	Wek'èezhii Renewable Resources Board
WRSA	waste rock storage area
YKDFN	Yellowknives Dene First Nation
ZOI	zone of influence

UNITS OF MEASURE

Unit	Definition
km	Kilometers
m	metres
%	Percent

JAY PROJECT ANNUAL ENVIRONMENTAL ASSESSMENT REPORTING

INTRODUCTION

Dominion Diamond Mines ULC (Dominion) is a Canadian diamond mining company with ownership interests in two major producing diamond mines in Canada's Northwest Territories (NWT). Dominion operates the Ekati Diamond Mine (in which it owns a controlling interest), and also owns 40% of the Diavik Diamond Mine. Dominion supplies premium rough diamond assortments to the global market through its sorting and selling operations in Canada, Belgium, and India.

The Ekati Diamond Mine is located approximately 200 kilometres (km) south of the Arctic Circle and 300 km northeast of Yellowknife in the Northwest Territories, and within the headwaters of the Coppermine River drainage basin, which flows north to the Arctic Ocean (Map 1-1).

Dominion is permitted for and planning to develop the Jay kimberlite pipe (Jay pipe) located beneath Lac du Sauvage. The Jay Project (Project) will be an extension of the Ekati mine, which is a large, stable, and successful mining operation that has been operating for over 20 years. Most of the facilities required to support the development of the Jay pipe and to process the kimberlite currently exist at the Ekati mine. The Project is located in the southeastern portion of the Ekati claim block, approximately 25 km from the main facilities and approximately 7 km to the northeast of the Misery Pit, in the Lac de Gras watershed (Map 1-2).

JAY PROJECT BACKGROUND

In October 2013, Dominion submitted an application to the Wek'èezhii Land and Water Board (WLWB) requesting a Land Use Permit and Type A Water Licence to enable mining of the Jay pipe as an extension project of the Ekati mine. In November 2013, the Project was referred to the Mackenzie Valley Impact Review Board (MVIRB) for an Environmental Assessment (EA) by Aboriginal Affairs and Northern Development Canada (now Indigenous and Northern Affairs Canada). The MVIRB issued Terms of Reference (TOR) for the Jay-Cardinal Project EA in February 2014. Dominion submitted an addendum to the initial Project Description in June 2014, and the MVIRB issued the revised TOR for the Project in July 2014. Dominion prepared a revised Project Description and amendments to the TOR for the Jay Project based on community feedback; the Project revision removed the development of the Cardinal kimberlite pipe, which substantially reduced the Project's environmental footprint in Lac du Sauvage. In November 2014, Dominion submitted the Jay Project Developer's Assessment Report (DAR) to address the requirements stipulated in the TOR to support Dominion's application for the Project.

On February 1, 2016 the MVIRB released the Report of Environmental Assessment (REA) for the Project ([EA1314-01 Report of Environmental Assessment and Reasons for Decision](#)) and recommended to the Government of the Northwest Territories Minister of Lands (the Minister) that, under subparagraph

128(1)(b)(ii) of the *Mackenzie Valley Resource Management Act*, the Project be approved subject to the measures described in the REA. The REA contains 23 measures and includes all the commitments made by Dominion during the EA process. On May 19, 2016, the Minister agreed to adopt the recommendation of the MVIRB; that the Project be approved subject to the measures and Developer's Commitments contained within the REA.

On May 20, 2016, the WLWB sent a letter to Dominion detailing the post-Environmental Assessment submission requirements ([Ekati Jay Project-WLWB Letter to DDEC - Request for Information-May 20 16](#)). Dominion subsequently submitted a land use permit application to the WLWB for an Early Works Land Use Permit (June 1, 2016) as well as, an updated Land Use Permit and Water Licence amendment application to the Ekati mine Type A Water Licence (W2012L2-0001) to include the Project on June 7, 2016.

A Technical Session was held in the community of Behchokò October 4-6, 2016 to provide an opportunity for stakeholders and parties to clarify issues and request additional information before submitting Public Hearing Interventions. On October 24, 2016, the WLWB indicated its intention to carry out an amalgamation by amending Water Licence W2012L2-0001, to incorporate conditions required for the Jay Development ([Ekati Jay Project-WLWB Decision on Proceeding Process-Oct 24 16](#)). The WLWB public hearing was held in Yellowknife from December 13-15, 2016. The WLWB distributed a Draft Land Use Permit and a Draft Water Licence for public review on January 19, 2017. On May 29, 2017, the amended Water Licence was sent to the Government of the Northwest Territories (GNWT) Minister of Environment and Natural Resources for approval and signature. On this date, a Land Use Permit for the Project was also issued. On July 6th, 2017, the Minister for the Government of the Northwest Territories Department of Environment and Natural Resources officially approved the Water Licence amendment.

Dominion began work on an optimization study for the Jay Project in 2018 and this optimization study continued throughout 2019 or the reporting period for this document.

ENVIRONMENTAL ASSESSMENT ANNUAL REPORTING

There have been four previous reports submitted in fulfillment of Measure 13-3. The first was submitted to MVIRB on June 30, 2016 and covered the period from May 19, 2016 (when the Minister agreed to adopt the recommendation of the MVIRB; that the Project be approved subject to the measures and Developer's commitments contained within the REA). The second report was submitted to MVIRB on June 30, 2017 and covered a reporting period of July 1, 2016 to June 30, 2017. Following further discussions with MVIRB and the GNWT in 2018, Dominion decided to change the reporting period to be that of the calendar year so that it aligns with other reporting requirements and for ease of report preparation. The third report, as well as subsequent annual reports in fulfillment of Measure 13-3 have a reporting period from January 1 to December 31.

Different than in previous reporting and due to the fact the Jay Project was undergoing an optimization study for the majority of the reporting period, in consultation with MVIRB staff, Dominion has prepared the following report with only the measures where there was an action(s) taken. Where an action(s) was taken in 2019, the section of reporting follows the structure as outlined in Measure 13-3. Measures

Dominion is not responsible for are also included in this report and any contributions to these measures from Dominion are indicated in the respective section. **The “Actions Taken” listing under each Measure is for the annual reporting period (January 1 to December 31).**

The following are the Annual Reports that have been submitted to MVIRB from Dominion in fulfillment of Measure 13-3:

- [2018 Jay Project EA Annual Report](#)
- [2017 Jay Project EA Annual Report](#)
- [2016 Jay Project EA Annual Report](#)
- [2015 Jay Project EA Annual Report](#)

MEASURE 4-1: CLOSURE OBJECTIVES

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

- Jay pit
 - Misery pit
 - Lynx pit
 - Jay waste rock storage area
-

As the WLWB is responsible for Measure 4-1, Dominion will not be reporting on this Measure in the manner as required by Measure 13-3 items (a) through (d). To assist the WLWB in the implementation of this Measure, Dominion held a workshop on January 22 and 23, 2019 on the Interim Closure and Reclamation Plan (ICRP Version 3.0), provided written responses to questions raised at this workshop on February 14 2019, and submitted responses to review comments on July 5, 2019. A WLWB decision on ICRP Version 3.0 was not received during the reporting period but was expected in early 2020.



Old Camp Reclamation Work, 2017.

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

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

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

Actions Taken to Implement the Measure

- A Board decision on WPKMP Version 8.0 was received on February 11, 2019.
- WPKMP Version 9.0 submitted on March 22, 2019 which addressed requirements of WLWB Decision on Version 8.0, proposed an operational monitoring change, and updated to reflect Metal and Diamond Mining Effluent Regulations and closure of the Panda, Koala and Koala North Underground mine workings.
- WPKMP Version 9.0 was approved on June 13, 2019.
- Part H of the Ekati WL requires that a revised WPKMP be submitted to the WLWB at various times related to the activities proposed for the Jay Project.

Fulfillment of the Intent of the Measure

The actions taken to date are assisting in moving this Measure forward. It is too early in the process and the life of the project to fully evaluate how these actions are addressing impacts on the environment. Approval of these plans by the WLWB will directly facilitate the implementation and achievement of this Measure. Future iterations of the WPKMP that are required by the WL will have the approved Jay Project Minewater Management Plan concepts fully integrated. Future versions will also be required to be approved by the WLWB and will undergo a public review process.

Concise Summary of Monitoring Programs

There are no monitoring programs related to this Measure.

Other Reporting Requirements

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



Ekati Diamond Mine, August 2018.

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

To ensure that water quality in the Misery pit and Jay pit is compatible with traditional uses of the area in vicinity of the Jay Project and downstream after closure, Dominion will:

1. establish meromixis for the Jay and Misery pits
2. stabilize meromictic pit lakes for the long-term

If the above requirements cannot be met, Dominion will develop and implement contingencies to ensure the pit lake water quality is compatible with traditional use after closure. Dominion will submit a list of these contingencies, which describe the feasibility of each contingency, and the conditions and timing under which each would be implemented, to the Wek'ezhii Land and Water Board for approval prior to the implementation of any contingency.

Suggestion

When considering the contingencies for water management and meromixis, Dominion and the WLWB should consider the options identified during the environmental assessment, including:

- providing a deeper cap of freshwater on the Misery and Jay Pits at closure
- discharging water to Lac du Sauvage earlier in the life of mine
- using additional storage near the Jay Project, including the Lynx pit, the Jay runoff sump and King Pond
- using additional storage at the Ekati mine main camp
- treating minewater before discharge to the environment

Actions Taken to Implement the Measure

There were no actions taken during this reporting period.

MEASURE 4-3: FINE PROCESSED KIMBERLITE

To avoid significant adverse environmental impacts to the Panda and Koala pit lakes and to the downstream environment after closure from the deposition of fine processed kimberlite, Dominion will not deposit fine-processed kimberlite into the Panda and Koala pits unless the Wek'ëezhii Land and Water Board approves such a use of the Panda and Koala pits. The Wek'ëezhii Land and Water Board's approval will ensure the protection of the downstream environment after closure and will consider the results of the Beartooth pit fine-processed kimberlite trial. Otherwise, the Jay fine-processed kimberlite will be deposited into an approved processed kimberlite containment area.

Suggestion:

To demonstrate the suitability of the Panda and Koala pits for fine-processed kimberlite, the Wek'ëezhii Land and Water Board should require Dominion to complete a deposition study and a freshwater cap optimization study. The deposition study should investigate how fine processed kimberlite behaves once deposited into mined-out pits and the quality of the resulting supernatant water. This should include data from the Beartooth pit trial.

Actions Taken to Implement the Measure

- As per Conditions in Part H of the Ekati mine Water Licence (W2012L2-0001), Dominion submitted a Panda and Koala Deposition Study (available on the WLWB online public registry at [W2012L2-0001-kati-Panda and Koala Deposition Study-Sep 10 18.pdf](#)) along with a revised version of the WPKMP Version 8.0 ([W2012L2-0001-Ekati-WPKMP-Version 8.0-Sep 10 18.pdf](#)) to the WLWB approval on September 10, 2018. These documents underwent a public review process.
- A Board decision received on February 11, 2019 ([W2012L2-0001-Ekati-WPKMP Version 8.0 and Panda and Koala Deposition Study-Reasons for Decision-Feb 11 19.pdf](#)) indicated that:

the Board requires additional time to ensure regulatory requirements for completion of progressive reclamation (e.g., required documentation, inspection reports, etc.) are met and therefore, advises Dominion that it cannot commence processed kimberlite disposal until the Board has authorized it. The Board requests that Dominion regularly update the Board on the company's expected start date for processed kimberlite deposition.
- Dominion provided updates to the Board as required and also there was communication between WLWB staff and the Inspector.
- On March 13, 2019 a Board decision was received that authorized Dominion to commence deposition of PK into the Panda and Koala pits ([W2012L2-0001-Ekati-Panda and Koala PK Deposition- Reasons for Decision-Mar 12 19.pdf](#)).
- Deposition of PK into Panda and Koala pits commenced following this authorization and continued during the reporting period.

Fulfillment of the Intent of the Measure

It is too early in the process and the life of the project to appropriately comment on the fulfillment of the intent of this Measure. The actions taken to date have led to the approval of Panda and Koala pits as PK containment areas. The submission of a Panda and Koala Deposition Study and further research into the appropriate freshwater cap depth upon closure will assist in addressing significant adverse impacts on the environment. The approval process for the Deposition Study was facilitated through a public review process and by working collaboratively with Board staff and the Inspector.

Concise Summary of Monitoring Programs

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

Other Reporting Requirements

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



PK Deposition, Panda Pit, 2019.

MEASURE 4-4: DIKE STABILITY AND SAFETY

To reduce the risk of dike failure and its associated significant impacts, Dominion will establish an independent dike review panel to evaluate and, if necessary, advise on the design, construction, operation and maintenance of the dike over the life of the Jay Project. The panel will provide recommendations to the developer to ensure that impacts to the safety of people and the environment from the dike are minimized. The panel will, at a minimum:

- review and accepts the dike design prior to the commencement of dike construction
- review the dike operation

Dominion will engage with the Wek'ezhii Land and Water Board, Government of the Northwest Territories, and the Independent Environmental Monitoring Agency on the panel composition and tasks. Dominion will submit the review panel's final terms of reference to the Wek'ezhii Land and Water Board.

Actions Taken to Implement the Measure

- As part of the Jay Project optimization, Dominion engaged the Dike Review Panel on optimization opportunities related to the design of the Jay Dike. Dominion engaged the Dike Review Panel early in this process to get advice and feedback during the optimization process. The Dike Review Panel met 3 times in 2019 to discuss potential designs for the Jay Dike that could be considered as part of the optimization.

Dominion met with the Dike Review Panel on the following occasions:

Meeting #4 - July 22, 2019

Meeting #5 - September 17, 2019 (conference call)

Meeting #6 - December 2-3, 2019

Notes for these meetings will be available once the Jay Project optimization is complete.

Fulfillment of the Intent of the Measure

[How are implementation actions addressing a likely significant adverse impact on the environment?](#)

Following a candidate selection process in 2015, the Jay Dike Review Panel (the Panel) was established. The Panel is an independent panel of experts who are mandated to ensure the Jay Dike does not have a significant adverse impact on human health, safety, or the environment has been established. The Panel has various mandates based on the phase(s) of the Project. The actions taken in previous years help to ensure transparency and that all groups have the opportunity to be involved and kept informed as the Project develops by way of reports and materials related to the Panel's review of the Jay Dike being distributed to GNWT, IEMA, and the WLWB for inclusion on the public record. There are several conditions in the Ekati WL W2012L2-0001 that relate to the Jay Dike(s) and Measure 4-4.

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

Dike construction has not been initiated. However, the implementation actions undertaken to date have been effective in reducing, controlling, or eliminating the impact as these have helped to form the Jay Dike Review Panel. The Panel is mandated to make recommendations on reasonable measures necessary to ensure the Jay Dike does not have a significant adverse impact on human health, safety, or the environment. This Measure will continue to be evaluated as the Project moves ahead.

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

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

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

Reports and materials related to the Panel's review of the Jay Dike have been distributed to GNWT, IEMA, and the WLWB for inclusion on the public record. This allows all members of the public to have the opportunity to see what is being recommended by the Panel. Please refer to the online public registry for the WLWB and the MVIRB for further information.

Concise Summary of Monitoring Programs

There are no monitoring programs related to this Measure.

Other Reporting Requirements

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

MEASURE 5-1: PROTECTION OF THE NARROWS

To mitigate significant adverse ecological and traditional use impacts resulting from unacceptable decreases in water levels at the Narrows, Dominion will maintain water levels at the Narrows such that the Jay Project does not adversely affect fish passage and the continuation of traditional use of the area as an open-water source. It will do so by monitoring the Narrows before and during closure, and by appropriately managing activities in Lac du Sauvage during closure.

Prior to construction, a description of this monitoring will be submitted to the WLWB for its approval as part of the Aquatic Effects Monitoring Program design plan. The monitoring results will be reported in the annual AEMP reports and incorporated into the Aquatic Response Framework, specifying minimum required water levels and flow rates, and triggers for management responses during closure activities.

Actions Taken to Implement the Measure

- The AEMP Design Plan and Aquatic Response Framework for the Jay Project – Construction and Operations, were submitted to the WLWB on March 9, 2018 ([W2012L2-0001-Ekati-AEMP-Jay Development-Response Framework-Version 1.0-Mar 9 18.pdf](#) and [W2012L2-0001-Ekati-AEMP-Jay Development-Design Plan-Mar 9 18.pdf](#)). Additional documentation was also submitted as supporting information.
- The Jay AEMP was distributed for public review by the WLWB on October 4, 2018. Review comments were provided by Dominion on January 31, 2019.
- The Board met and considered this submission on May 9, 2019. The Board did not approve the Jay AEMP and required Dominion to submit Version 1.1 of the Jay AEMP ([W2012L2-0001-Ekati-AEMP-Jay AEMP-Reasons for Decision-May 21 19.pdf](#)).
- Dominion submitted Version 1.1 of the Jay AEMP and supporting information on October 31, 2019.
- A decision from the Board on Version 1.1 of the Jay AEMP is expected in 2020.
- Aquatic baseline studies were conducted specifically to support the EA, permitting, and AEMP for the Jay Project from 2013 onwards. Within the reporting period, Dominion collected baseline data for a number of components of the AEMP (i.e., hydrology, water quality, sediment quality, and benthic invertebrates).

Fulfillment of the Intent of the Measure

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

Dominion will incorporate the review and comments and any WLWB Directives into the AEMP Design Plan – Construction and Operations for the Jay Project. Potential significant adverse impacts will be addressed through the development of the AEMP.

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

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

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

Dominion has continued to collect baseline data at the Narrows during the reporting period (i.e., specifically for hydrology, water quality, sediment quality, and benthic invertebrates). This data, in addition to the existing extensive baseline data, will be used during the effects monitoring phase to ensure that effective mitigation is implemented and that the intent of the measure is met through closure.

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

The AEMP Design Plan and Aquatic Response Framework approval process involves a public review period in which Dominion has been an active participant.

Concise Summary of Monitoring Programs

There are no monitoring results to report at this time.

Other Reporting Requirements

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



MEASURE 6-1: ROAD MITIGATIONS FROM CARIBOU IMPACTS

(Measure continues on next page)

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

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

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

In the Caribou Road Mitigation Plan, Dominion will:

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

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

d) Dominion will submit the Caribou Road Mitigation Plan to the GNWT ENR for approval before constructing the Jay Road. As part of this approval process, the GNWT should provide the opportunity for public comment.

Dominion will annually report monitoring results, success or failure of mitigation and adaptive management to communities in person, in a culturally appropriate manner.

Suggestion:

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

Actions Taken to Implement the Measure

- The Caribou Road Mitigation Plan (CRMP; located on the MVIERB Public Registry: http://reviewboard.ca/upload/project_document/EA1314-01_Caribou_Road_Mitigation_Plan_Jay_Project_DRAFT_V2.PDF) has been implemented at the Ekati mine since the fall of 2016. This includes:
 - Implementation of all caribou proximity-based thresholds including road closures, and reduced speed limits;
 - New signage to warn drivers about likelihood of encountering caribou along roads; and,
 - Use of satellite collars to help track caribou proximity to the Ekati mine.
- Construction of the Jay Road was undertaken in the summer of 2017 and this included construction of the Jay road caribou crossings.
- Dominion continues to use the Dual Powered Road Train (DPRT) to make hauling more efficient.
- Use of weekly caribou collar satellite information updates and other detection systems continues to enable early detection of caribou in the vicinity of the road - as a trigger for action levels for management responses.
- The revised Air Quality and Emissions Monitoring and Management Plan (AQEMMP) for the Jay Project includes the commitment to prepare a best management practices document consistent with the GNWT dustfall standard when it is developed (Section 3.4.1.3). The AQEMMP was approved by the GNWT on May 31, 2017 ([EA1314-01 GNWT - AQEMMP Measure 6-3](#)).
- GNWT- Department of Environment and Natural Resources (ENR)'s provided conditional approval of the Wildlife Effects Monitoring Plan (WEMP) and CRMP on June 1, 2017 (http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF). Dominion continues to work on and move forward with addressing the required additional information.

Fulfillment of the Intent of the Measure

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

The addition of a section to the WEMP report that presents all of the actions taken in relation to the CRMP has improved community understanding of what actions Dominion is taking and how regularly mitigations are being implemented. Implementation of the CRMP has been largely successful and mitigations continue to ensure that the Mine's residual impacts to caribou are reduced to the greatest extent possible.

Dominion believes that implementation of this enhanced mitigation across the entire mine site will help to compensate for any potential residual impacts of the Jay Project.

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

There have been no reported incidents between caribou and any vehicles or infrastructure.

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

Much of the Jay Road has been constructed but other project-related roads are not yet in place. The constructed portions of the south-east roads will continue to be monitored to ensure the roads are not posing barriers to caribou movement. Dominion will be reporting on the results of road surveys in the 2019 annual WEMP report.

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

The 2017 WEMP contains a comprehensive summary of historical changes to the WEMP, as a result of engagement and incorporation of traditional knowledge (TK; see Section 3 and Appendix D of the WEMP; http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF). Appendix B contains a comprehensive list of reviewer recommendations and the responses provided by Dominion. The CRMP is included as part of the 2017 annual WEMP report (Appendix C) and contains a detailed list of review comments and the responses provided by Dominion during the development of this plan. The CRMP received approval from the GNWT on July 31, 2018 and reporting on the CRMP is to be included in the 2018 annual WEMP report.

Concise Summary of Monitoring Programs

The 2019 reporting year represents the third full year that the CRMP was implemented. In 2019, CRMP alert levels beyond the Operational Level were triggered for the entire year due to caribou occurrences near the Sable or Misery roads. Level 2 (Orange – medium risk) was initiated for three periods for a total of 62 days and Level 3 (Red – high risk) was triggered on three occasions for a duration of 303 full days. Reporting management activities that adhere to the CRMP will continue to be a component of future iterations of the WEMP report.

Other Reporting Requirements

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



Ekati Diamond Mine Caribou Crossing Signage.

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

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

- i. Dominion will offset residual adverse impacts to caribou by human activities that cumulatively affect the Bathurst caribou herd, beyond direct impacts of the Jay Project.
- ii. Dominion will set out these offsets in a Caribou Offset and Mitigation Plan, which it will complete within one year of Minister's acceptance of this Report of EA. This plan will be in force throughout the duration of the Jay Project. Dominion will implement the Caribou Offset and Mitigation Plan as described in DAR-MVEIRB-UT2-06 and incorporate the following into the Plan:
 - caribou offsets related to roads that result in enhanced mitigation, such as scheduling of activities during caribou migration or dust suppression offsite from Jay Project
 - zone of influence research with funding as committed by Dominion
 - identify mitigation actions from the Plan and apply at other Ekati operations
 - options for the scheduling of other Ekati operations to offset Jay Project impacts during caribou migration periods
 - an enhanced dust mitigation study including:
 - a pilot test on application of dust suppressant
 - a dustfall sampling program
 - report on results and propose improvements to be incorporated into the Air Quality Emission Monitoring and Management Plan
 - if dust mitigation improvements are identified, Dominion will apply them on all roads at Ekati
 - accelerate progressive reclamation of Long Lake Containment Facility substantially beyond current Interim Closure and Reclamation Plan requirements to return it to productive caribou habitat sooner
- iii. incorporate waste rock storage area egress ramps, designed in consultation with Elders to prevent injuries and entrapment of caribou. Following implementation of the Caribou Offset and Mitigation Plan, Dominion will:
 - annually report on the effectiveness of monitoring, mitigation and adaptive management of the Caribou Offset and Mitigation Plan to communities in person in a culturally appropriate manner
 - annually report on the activities conducted under the Caribou Offset and Mitigation Plan and the effectiveness of related monitoring, mitigation and adaptive management, to GNWT ENR, WRRB and IEMA
 - Submit an updated Caribou Offset and Mitigation Plan for approval by GNWT ENR every three years. Prior to approval, the GNWT should provide the opportunity for public comment.
- iv. The GNWT will enforce the Caribou Offset and Mitigation Plan under the section 95 of the Wildlife Act.

Actions Taken to Implement the Measure

- The testing of Enviro-Kleen as an alternate dust suppressant product was continued in 2019 along the entire length of Misery Road with the exception of 15 m buffer areas surrounding waterbodies. In 2019, vehicle traffic on Sable Road increased with the movement of ore from Sable Pit to the Processing Plant at Main Camp. EnviroKleen was applied to the full extent of the Sable Road and the Ekati Haul Road in 2019, with the exception of buffers around waterbodies.
- The Caribou Mitigation Plan (CMP) is based on the framework and principles of adaptive management and will use the results from research and monitoring of mitigation effectiveness to provide feedback into Ekati mine operations.
- Commitments in the CMP include a special study on determining the effectiveness of dust suppressants along the Misery Road (Section 3.4.1.3 of the AQEMMP). The next Dust Suppression Pilot Study Report will be produced in 2020 as a close out report that incorporates the results of the 2018 and 2019 study. This dustfall study is also referenced in Measure 6-2(a)ii of the REA.

Fulfillment of the Intent of the Measure

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

Moving forward with identification of key research objectives, deployment of 50 geo-referenced satellite collars and the re-analysis of the ZOI using the newest modelling techniques will allow for a greater understanding of how the Jay Project may impact caribou. Additionally, understanding what natural drivers are impacting the caribou herd recovery will allow government and industry to focus mitigation and management efforts.

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

The implementation actions have led to the development of a CMP. The CMP is a product of ongoing engagement with Indigenous communities, government regulators and IEMA during the Environmental Assessment review for the Jay Project. The objectives of the CMP are to mitigate and compensate for residual effects of the Jay Project on the Bathurst caribou. Understanding the natural drivers that are impacting the Bathurst caribou herd is important for both government agencies and Dominion to determine the best practices for mitigation and management efforts.

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

Construction of the Jay Road has been nearly completed and the CMP has been implemented for the Jay Road. Dominion has contributed to the following:

- The purchase of geo-referenced satellite collars.
- *Tłı̄chq* Boots on the Ground Caribou Monitoring: An Indigenous-driven environmental monitoring program. The program is based on the TK of Elders and harvesters which relies on traditional ways of traveling the land and assessing the conditions on the land, instead of relying on scientific

methods of monitoring. The purpose is to monitor current conditions of the Bathurst caribou herd, the habitat, and the cumulative impacts on the herd from natural factors and human activities.

- The Łutselk'e Dene First Nation (LKDFN) Moccasins on the Ground program to monitor the well-being of the Bathurst caribou herd.
- Funding Yellowknives Dene First Nation (YKDFN) caribou monitoring program, intended to monitor the health of the Bathurst caribou herd during the winter.
- Completion of a workshop (2018) to identify key research goals for the Bathurst caribou herd, to help Dominion prepare proposals for related research studies.

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

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

(http://reviewboard.ca/upload/project_document/EA1314-01_DDEC_Caribou_Mitigation_Plan_measure_6-2a.PDF).

Concise Summary of Monitoring Programs

There are no results to summarize at this time.

Other Reporting Requirements

Specific reporting requirements can be found in the CMP, Section 6

([EA1314-01_DDEC_Caribou_Mitigation_Plan_measure_6-2a](http://reviewboard.ca/upload/project_document/EA1314-01_DDEC_Caribou_Mitigation_Plan_measure_6-2a.PDF)).



Application of dust suppressant, Misery Road, undated.

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

The GNWT will measure and evaluate the effectiveness of Dominion's offsets that result from the approved Caribou Offset and Mitigation Plan.

To better enable the GNWT to do this, it will conduct a study on the potential methods for evaluating and measuring the effectiveness of offsetting options described in the approved Caribou Offset and Mitigation Plan. The GNWT will publicly report on the results of the study within one year of the approval of the Caribou Offset and Mitigation Plan.

As the GNWT is responsible for Measure 6-2(b), Dominion will not be reporting on this Measure in the manner as required by Measure 13-3 items a through d. Dominion has not taken any actions during the reporting period to assist the GNWT in the implementation of this Measure.

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

In order to reduce adverse impacts from dustfall within the Jay Project area to caribou, so they are no longer significant, Dominion will finalize and implement the Air Quality Emissions Monitoring and Management Plan prior to construction. This plan will be applied throughout the construction, operation and closure phases of the Project.

Dominion will:

- Describe how it will implement commitments made in this plan (PR#424 p1-5 to 1-6) along with management response linkages to the Caribou Road Mitigation Plan and the Caribou Offset and Mitigation Plan.
- Reduce dustfall by continuing and improving the following management and monitoring practices, including:
 - Applying dust suppressant to control dust emissions on haul roads during summer or non-frozen snow-free season
 - Managing vehicle speed to limit road dust from vehicle wheel entrainment
 - Implementing a dustfall monitoring program, methods, locations, monitoring parameters
 - Sampling lichen tissues (heavy metal parameters) snow chemistry sampling
 - Planning responses with triggers and action levels
 - Allowing opportunity for public comment on updates or changes to the Air Quality Emissions Monitoring and Management Plan
- Annually report monitoring results, success or failure of dust mitigations and adaptive management to communities in person in a culturally appropriate manner
- Submit an updated Air Quality Emissions Monitoring and Management Plan for public review and approval process as required by the GNWT

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

Actions Taken to Implement the Measure

There were no actions taken during this reporting period.

MEASURE 6-4: DUSTFALL STANDARDS

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

Dominion will use the interim dustfall objective to inform its actions to reduce impacts to caribou and caribou habitat from dustfall.

As the GNWT is responsible for Measure 6-4, Dominion won't be reporting on this Measure in the manner as required by Measure 13-3, Items (a) through (d). The GNWT submitted Measure 6-4 to the Review Board on May 31, 2017 (http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_dustfall_standard_Measure_6-4_from_Report_of_EA.PDF). Dominion has not taken any actions during the reporting period to assist the GNWT in the implementation of this Measure.

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

Dominion will:

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

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

Actions Taken to Implement the Measure

- Further information for this Measure can be found in the 2019 Annual WEMP Reporting.
- Measure 6-5 also includes the Traditional Knowledge Elder's Group (TKEG). As work on the optimization of the Jay Project continued throughout much of the reporting period no TKEG meetings were held in 2019. Dominion anticipates involving the TKEG in the review of the optimization outcomes in the future.

Fulfillment of the Intent of the Measure

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

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

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

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

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

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

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

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

Concise Summary of Monitoring Programs

There are no results to summarize at this time.

Other Reporting Requirements

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

MEASURE 6-6: TIMELY COMPLETION OF CARIBOU MANAGEMENT PLANS

To mitigate cumulative significant impacts from the Jay Project and other human activities on the Bathurst caribou herd, within one year of Ministerial approval of this EA Report, the GNWT will:

- investigate and report on the causes for the current population change
- complete and implement an interim management plan for the Bathurst caribou herd
- Implement an interim herd recovery strategy towards a sustainable and ongoing Aboriginal harvest

Suggestion:

GNWT should work towards producing interim thresholds for developments and other human activities within the range of the Bathurst caribou herd.

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

- Dominion continues to work with the GNWT on examining the causes of the caribou herd decline in NWT. Based on discussions with the GNWT and their request in supporting studies, Dominion provided some in kind support to examine these causes during the reporting period.

Caribou, Ekati Diamond Mine



MEASURE 7-1: CULTURAL ASPECTS AND TRADITIONAL KNOWLEDGE

In order to mitigate the Jay Project's cultural impacts to traditional use areas or culturally valued components like caribou, water or aquatic life, Dominion will develop a Traditional Knowledge Management Framework that describes protocols for collecting, storing, managing and using Traditional Knowledge. This will be done in a manner that is culturally suitable for each community. Dominion will use the Traditional Knowledge gathered through the framework to inform Project decision making. This framework will be developed prior to the construction phase of the Project and will apply for the lifetime of the Jay Project (construction, operations and closure phases).

In developing the Traditional Knowledge Management Framework, Dominion will consult with each Aboriginal group affected by the Jay Project, in a culturally appropriate manner, while developing the protocols. Dominion will report annually on how Traditional Knowledge influenced Jay Project decision making.

Suggestion:

To ensure that Traditional Knowledge is consistently being used in a manner that is agreeable to Aboriginal groups, each Aboriginal group affected by the Jay Project should develop a standard Traditional Knowledge Use Protocol. This protocol would inform how Traditional Knowledge is captured, managed, reported on and used. This protocol would facilitate Dominion's effort in establishing a Traditional Knowledge Management Framework that is meaningful to Aboriginal groups.

Aboriginal groups should work with Dominion to establish what Traditional values should be monitored for Jay Project impacts, and how monitoring should occur.

Actions Taken to Implement the Measure

There were no actions taken during the reporting period on this Measure.

The TK Framework can be found on the Review Board's website under the Jay Project EA (EA1314-01) at http://reviewboard.ca/upload/project_document/EA1314-01_DDEC_Traditional_Knowledge_Framework_measure_7-1.PDF or on the WLWB online public registry under LUP W2016F0007 at [W2016F0007/Ekati-Jay Early Works-Traditional Knowledge Management Framework-May 16 17.pdf](http://www.wlwb.ca/registries/2016/W2016F0007/Ekati-Jay_Early_Works-Traditional_Knowledge_Management_Framework-May_16_17.pdf).

MEASURE 7-2: ON THE LAND CULTURE CAMP

In order to mitigate significant adverse impacts of the Jay Project on traditional use of the area and transmission of cultural values, Dominion will, during the construction and operations phases of the mine, support an on-the-land culture camp, in a traditionally used area near the Jay Project. This culture camp will be used by Aboriginal groups to maintain or establish a connection with disturbed areas of land and restore Traditional Knowledge transfer between generations about the area affected by diamond mining.

Dominion will consult with Aboriginal groups that participated in the environmental assessment to decide on the location, timing and frequency of use of the culture camp. Dominion will support the camp's use and access, financially or in-kind.

Actions Taken to Implement the Measure

There were no actions taken during the reporting period on this Measure.

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

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

1. Priority social issues at the individual, family and community level related to diamond mining, as identified by communities and by the GNWT
2. The effectiveness of GNWT programs to address these identified issues, and
3. Implementing improvements to mitigate identified issues.

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

Suggestion:

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

- assess the vulnerability of each community with a corresponding assessment of the community's resilience to socio-economic impacts, and capacity to adapt to them;
- assess the existing cumulative impacts on well-being at multiple scales (including individual, family and community levels);
- produce a definition of well-being and describe how it is measured and,
- Establish qualitative and quantitative indicators of well-being appropriate for a socio-economic assessment.

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

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

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

MEASURE 8-2: SUPPORTING INCREASED EMPLOYMENT OPPORTUNITIES FOR WOMEN

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

Dominion will report on employment and retention figures for women, and on the effectiveness of its revised policy, as part of its reporting per measure 13-1.

Actions Taken to Implement the Measure

- Since the workshop held on June 3, 2016, Dominion has updated the Harassment and Discrimination Policies and rolled the new Policies out to all staff and contractors. Dominion also ensured that information on its confidential Whistleblower Policy and its related reporting processes were reintroduced to employees and posters were created and placed at all work sites to ensure all employees were provided with another means of reporting concerns.
- Dominion had conducted a survey of female staff on their experiences with training, recruitment, and employment. Actions from this survey are ongoing.
- Efforts to establish a framework for addressing women in mining issues and a plan for how Dominion will move towards improvements in this area is ongoing.
- Dominion has been collaborating with communities on identifying how best to use funding set aside for community liaisons, as not every community has been interested in using funding for such a position. For example, some communities have requested this funding be used for business development related roles instead of Liaison/Recruiting roles. This is ongoing.
- Employment and retention figures for women and the effectiveness of the revised policy will be reported as described in the annual reporting required by Measure 13-3.
- Dominion is a founding member for the Northwest Territories' Women in Mining Canada Chapter which was launched during the GeoScience Forum in November 2019.

Fulfillment of the Intent of the Measure

Work to fulfill the intent of Measure 8-2 is ongoing and implementation of this Measure has not been completed. Dominion is working with other groups and communities on the implementation of this Measure.

Concise Summary of Monitoring Programs

The following table shows the gender breakdown at the Ekati mine in 2019.

EMPLOYMENT BY GENDER & PRIORITY GROUP

TABLE 3A: EMPLOYEES (PERSON YEARS) %

	Northern Indigenous	Northern Other	Total Northern	Other	Grand Total	Indigenous
Men	211 (89%)	88 (81%)	299 (87%)	357 (86%)	656 (86%)	241 (88%)
Women	26 (11%)	20 (19%)	46 (13%)	60 (14%)	106 (14%)	33 (12%)
Total	237 (100%)	108 (100%)	345 (100%)	417 (100%)	762 (100%)	274 (100%)

TABLE 3B: CONTRACTORS (PERSON YEARS) %

	Northern Indigenous	Northern Other	Total Northern	Other	Grand Total	Indigenous
Men	35 (52%)	74 (89%)	109 (73%)	251 (92%)	360 (85%)	40 (49%)
Women	32 (48%)	9 (11%)	41 (27%)	23 (8%)	64 (15%)	41 (51%)
Total	67 (100%)	83 (100%)	150 (100%)	274 (100%)	424 (100%)	81 (100%)

TABLE 3C: EMPLOYEES & CONTRACTORS (PERSON YEARS) %

	Northern Indigenous	Northern Other	Total Northern	Other	Grand Total	Indigenous
Men	246 (81%)	162 (85%)	408 (82%)	608 (88%)	1,016 (86%)	281 (79%)
Women	58 (19%)	29 (15%)	87 (18%)	83 (12%)	170 (14%)	74 (21%)
Total	304 (100%)	191 (100%)	495 (100%)	691 (100%)	1,186 (100%)	355 (100%)

Further information on the gender breakdown and employment figures for 2019 can be found in the [2019 Socio Economic Agreement Report](#).

In 2019, Women made up 14% of Dominion employees (not including contractors), of which 75% were employed in non-traditional roles.

Other Reporting Requirements

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



MEASURE 9-1: INCINERATION – STACK TESTING AND REPORTING

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

1. Develop an Adaptive Management Response Plan, containing:
 - a. An assessment of the incinerator operations and management that contributed to the failed stack test, and methods to rectify them.
 - b. A consideration of the need for increased monitoring of incinerator operational indicators associated with the formation of dioxins and furans. This may include inline continuous emission monitoring for, but not limited to: flow of flue gas, oxygen content, and carbon monoxide.
2. Submit the Adaptive Management Response Plan to the GNWT Department of Environment and Natural Resources and Environment Canada.
3. Implement the methods identified by Dominion (under 1a above) no later than the submission of the Response Plan, and earlier if feasible.

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

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

Suggestion: Inline continuous emission monitoring

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

Actions Taken to Implement the Measure

- The Incinerator Management Plan (which is part of the Waste Management Plan available at: [W2012L2-0001-Ekati-Waste Management Plan-Version 6.0-Dec 31 19.pdf](#)) was submitted to the WLWB on December 31, 2019. A public review period and Board decision is expected in 2020.
- Continued work on the integration of the Jay AQEMMP into the site wide Air Quality and Emissions Monitoring and Management Plan (AQEMMP).
- Dominion has successfully undertaken efforts to reduce the use of the incinerator by managing waste and composting. Incineration of waste occurs every 2-3 days and there is currently only one incinerator running.

Fulfillment of the Intent of the Measure

Dominion is required to perform stack testing once every three years and submit the results to GNWT and Environment and Climate Change Canada (ECCC), as well as, develop an Adaptive Management Response Plan in the event of a failed stack emissions test. The implementation actions noted in the preceding section ensure that there is a mechanism for testing, monitoring, and reporting emissions from the two incinerators at the Ekati mine. Incorporation of the approved Jay AQEMMP into the site-wide Air Quality Monitoring and Management Plan will ensure air quality at the Ekati mine site is administered through one comprehensive document. It is too early in the process to fully assess the effectiveness of this Measure.

Concise Summary of Monitoring Programs

There are no monitoring results from this reporting period to include.

Other Reporting Requirements

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

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

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

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

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

Actions Taken to Implement the Measure

- For more information on the Jay Project AQEMMP see Measure 6-3 or the Review Board public online registry under EA1314-01 for the Jay Project (or at [EA1314-01 GNWT - AQEMMP Measure 6-3](#))
- Dominion is committed to optimizing the use of Dual-Powered Road Trains (larger trucks which make hauling more efficient) as means to reduce overall traffic on long haul roads such as the Misery Haul Road.

- Dominion reports pollutant emissions to the NPRI on annual basis for the Ekati mine site and through regular site-wide Air Quality monitoring data reporting, which can be found on the WLWB online public registry under file W2012L2-0001. Dominion reports GHG to the Greenhouse Gas Reporting Program (GHGRP) for Environment and Climate Change Canada.
- Dominion continues to facilitate energy and GHG reduction projects at the mine site. This includes idle vehicle management, boiler heat demand optimization, building optimization strategies, the use of a fuel additive to improve fuel efficiency, and lighting management (swapping HID lighting for LED). In 2019, there was progressive reclamation and closure of the Koala underground which eliminated the need for heating fuel for this area. Dominion continues to see benefits from projects such as the composter, the Weir at Dike D, and the Compressed Air System Improvement Project.

Fulfillment of the Intent of the Measure

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

The implementation actions noted in the preceding section have resulted in an approved management plan being put into place. The Jay Project AQEMMP is a result of a public review process where there were opportunities for interested parties to provide input into the plan contents, including GHG information and annual reporting requirements. The alternative energies study was completed in February 2017 and can be found on the Review Board's public registry (Located at: http://reviewboard.ca/upload/project_document/EA1314-01_DDEC_Alternative_Energy_Concept_Study_01-Feb-2017_Commitment_52_PDF). These implementation actions have assisted in keeping the parties informed of Dominion's GHG management efforts to date.

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

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

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

Measure 9-2 has aspects that are related to research, including the ore handling pilot study and the alternative energies study, which is available at the link provided above.

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

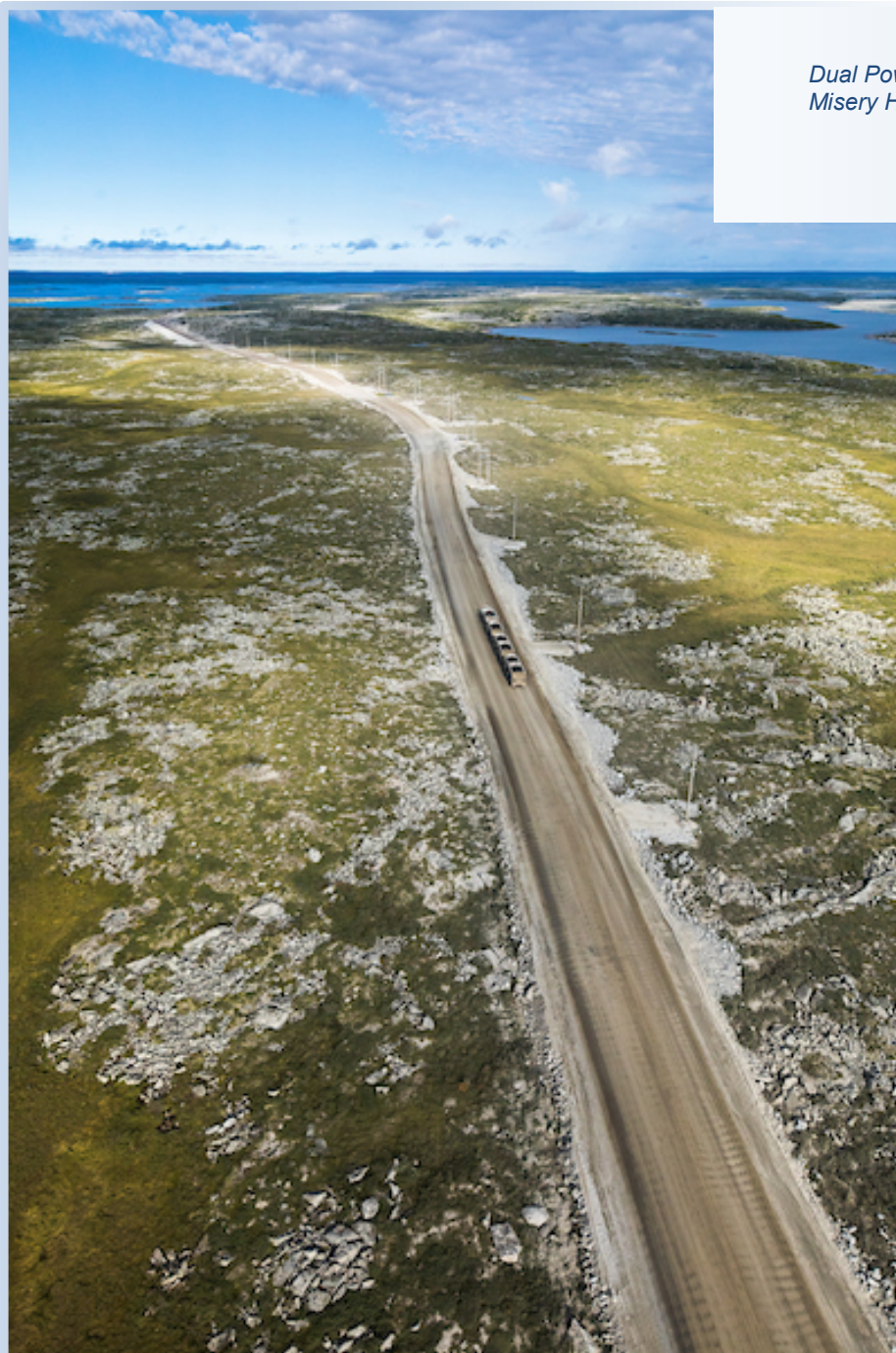
This Measure is about keeping the parties informed of Dominion's GHG emissions management efforts and involved engagement via the development of the AQEMMP. The approved AQEMMP has listed reporting requirements for the AQEMMP annual report. Dominion will continue to engage on GHG emissions management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

Concise Summary of Monitoring Programs

This Measure is not related to monitoring programs.

Other Reporting Requirements

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



Dual Powered Road Train (DPRT), Ekati Diamond Mine - Misery Haul Road, August 2017.

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

In order to ensure that the measures that Dominion is responsible for are fully and effectively implemented, and significant adverse impacts on the environment are mitigated, throughout all phases of the development, Dominion will:

1. Implement monitoring programs to fulfill the following objectives:
 - a. to measure the effects of the Jay Project on the environment;
 - b. to assess the implementation and effectiveness of the measures in this Report of EA to prevent or minimize impacts on the environment;
 - c. to assess the accuracy of predictions made during the environmental assessment, regarding the impacts of the project on the environment; and,
 - d. To provide relevant data and information to support regional monitoring initiatives.
2. Implement adaptive management processes that use the results of monitoring programs to systematically adjust mitigation actions in order to minimize adverse impacts on the environment.

Actions Taken to Implement the Measure

- Dominion proposed various monitoring programs for the Jay Project in the documents associated with the updated permit and Water Licence applications submitted to the WLWB in 2016. These programs underwent a public review during the water licencing process, which occurred from June 2016 to May 2017 during which time the programs were refined based on comments and input received.
- Dominion also developed a WEMP and AQEMMP which also outlined associated monitoring programs. These documents included public review and input and were approved by the GNWT in May of 2017 (see Measure 6-3 and Measure 6-1 in this report or on the Review Board's public online registry for the Jay Project - http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF and http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_AQEMMP_Measure_6-3.PDF
- On October 31, 2019 Dominion submitted the Aquatic Effects Monitoring Program Design Plan Version 1.1 for the Jay Project to the WLWB. The AEMP Design Plan for the Jay Project was developed to satisfy the requirements outlined in Part J of WL W2012L2-0001 for the Jay Project. In November 2019 this document was distributed for a public review period. A Board decision on Version 1.1 is anticipated in early 2020.

- Dominion will provide an Annual Report as per Measure 13-3 to the MVIRB by July 1 of each year, which will include a summary of adaptive management and the results of other applicable monitoring or management plans (e.g., AQEMMP, WEMP, CRMP, AEMP), as required by the Measure.

Fulfillment of the Intent of the Measure

It is too early in the process and the life of the project to assess the fulfillment of this Measure. The monitoring programs and adaptive management processes indicated in this Measure have not been implemented at this time. Engagement on these plans, which contain the monitoring and adaptive management processes, has been ongoing throughout the development and approval of each plan.

Concise Summary of Monitoring Programs

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

Other Reporting Requirements

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

MEASURE 13-2: ENGAGEMENT ON CULTURAL IMPACTS

In order to evaluate and, through adaptive management, improve the effectiveness of Dominion's mitigation of cultural impacts, Dominion will:

- a. engage with Aboriginal groups that participated in the environmental assessment to identify cultural impacts, including cumulative impacts, from the Jay Project;
- b. seek the input of those Aboriginal groups on ways to strengthen Dominion's cultural impact mitigation initiatives; and,
- c. report annually to those Aboriginal groups on the effectiveness of Dominion's efforts to mitigate cultural impacts

Actions Taken to Implement the Measure

Dominion's engagement activities on the Jay Project and other activities at the Ekati mine are ongoing and include regular meetings, technical workshops, TKEG meetings, and site tours. Some examples are listed in the below:

TKEG

- As work on the optimization of the Jay Project continued throughout much of the reporting period no TKEG meetings were held in 2019. Dominion anticipates involving the TKEG in the review of the optimization outcomes in the future.

Traditional Knowledge Projects

As per discussions with community groups, issues and projects that have been identified as community priorities, have been supported by Dominion. These includes the following:

- *Dominion and LKDFN Agreement* - Łutselk'e Dene First Nation (LKDFN), the GNWT, and Dominion entered into an agreement with the objective of furthering a shared goal ensuring the continued well-being of the Bathurst Caribou Herd, and that Dominion/LKDFN/GNWT jointly explore monitoring and management approaches in respect of the herd and the Jay Project. Dominion has agreed to act as an observer in the process while it pursues the Jay Project at the Ekati Diamond Mine. Final report is forthcoming.
- *Tłıchq Boots on the Ground Caribou Monitoring*: An Indigenous-driven environmental monitoring program. The program is based on the TK of Elders and harvesters, and relies on their ways of traveling the land and assessing the conditions on the land, instead of relying on scientific methods of monitoring. The purpose is to monitor current conditions of the Bathurst caribou herd, the habitat, and cumulative impacts on the herd from natural factors and human activities. Dominion provided support to offset transportation costs.

- *March 2019: YKDFN Caribou Monitoring Program.* This project converted YKDFN's archive of barren-ground caribou TK into an online database where it is now readily available to be used at the community's discretion, and worked with community members to lay the groundwork for a future caribou monitoring program linked to the database using cutting edge technology but led by and based upon YKDFN TK.
- *Hamlet of Kugluktuk – Youth & Elder's Program.* Kugluktuk's Youth and Elders Program operates out of the local Elders Centre ("Inuhaat Ilihakviatmade"), and offers the opportunity for community members (children and young adults) to participate in cultural activities, with assistance from our community's elders. Program activities include, Elder's Gathering, Storytelling/Cultural teachings, Traditional Games, Drum Making/Dancing instruction, preparation of country foods with ulu's.

Site Tours

Site tours generally occur in the summer and early fall of each year. In 2019 the following site tours occurred at the Ekati Mine:

- October 24, 2019: KIA/Hamlet of Kugluktuk Site Tour

Other meetings were held throughout the reporting period with Impact Benefit Agreement (IBA) groups as part of Dominion's regular engagement and as requested, where the topics discussed included contract and employment opportunities.

For more information on these items and a complete listing of Traditional Knowledge projects and community outreach see section 4.3.4 of the 2019 Ekati Diamond Mine Environmental Agreement and Water Licence Annual Report (available on the WLWB online public registry).

Fulfillment of the Intent of the Measure

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

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

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

Engagement is an ongoing activity for Dominion. Dominion has an approved Ekati Mine Engagement Plan that can be found on the public registry ([W2012L2-0001-Ekati-Engagement Plan-Version 4.1-Jul 27 18.pdf](#)). The Engagement Plan (Version 4.1) provides guidelines and is used for engagement purposes; the Plan is reviewed by Dominion annually.

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

This measure is not for monitoring or research.

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

This measure is for engagement purposes. Dominion is to annually review its approved Ekati Mine Engagement Plan.

Concise Summary of Monitoring Programs

Not applicable to this Measure.

Other Reporting Requirements

There were no other specific reporting requirements noted in either the EA measures set out in the REA or summarized in Appendix A. However, the Measure requires Dominion to report annually on the effectiveness of Dominion's efforts in mitigating cultural impacts from the Jay Project.

MEASURE 13-3: ANNUAL REPORTING BY DOMINION DIAMOND CORPORATION

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

- a. describe the actions, including actions implemented through adaptive management, being undertaken to implement the EA measures;
- b. demonstrate how the implementation actions, including any actions implemented through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:
 - i. How are implementation actions addressing a likely significant adverse impact on the environment?
 - ii. How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?
 - iii. If the measure is for monitoring or research, how is the monitoring/research being used to inform mitigation of impacts to the environment?
 - iv. How are process considerations (such as engagement requirements, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?
- c. include a concise summary of monitoring programs and results that are related to EA measures or commitments and, where applicable, references to complete information contained in other documents (such as documents related to aquatic effects, wildlife, or air quality programs); and
- d. Address any specific reporting requirements noted in the EA measures set out in this report and summarized in Appendix A.

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

Actions Taken to Implement the Measure

Dominion has shown due diligence in reporting to all Measures that were outlined in the REA. This also includes Measures that were directed to other regulatory bodies as Dominion has assisted in the completion or ongoing work of a specific measure. See "Environmental Assessment and Annual Reporting" section of this report for hyperlinks to previous Jay EA Measures Annual Reports. The submission of this annual report for 2019 is further evidence in taking action to implement Measure 13-3.

Fulfillment of the Intent of the Measure

This is the fifth reporting event since the release of the REA and the submission of it demonstrates Dominion's continual efforts in meeting the fulfillment of the Measures, and in preventing and minimizing impacts on the environment from the Jay Project. For this report, the structure and format has changed somewhat in response to feedback received from previous submissions and based on the activities related to measures that were completed in the year 2019 for the Jay Project. Dominion welcomes any and all feedback and expects this reporting will continue to evolve to further accommodate feedback; and to present this reporting measure in the most effective manner as possible.

Concise Summary of Monitoring Programs

This is not applicable to this Measure.

Other Reporting Requirements

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

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

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

- a. describe the actions being undertaken to implement the EA measures or the part(s) of the EA measure for which the regulatory authority or government is responsible; and
- b. explain how the implementation actions, including any actions implemented through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:
 - i. How are implementation actions addressing a likely significant adverse impact on the environment?
 - ii. How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?
 - iii. If the measure is for monitoring or research, are the implementation actions clearly linked to mitigation and/or operations?
 - iv. How are process considerations (such as consultation or engagement requirements, statutory obligations, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?

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

Since the GNWT and other regulatory bodies are responsible for Measure 13-4, Dominion will not be reporting on this Measure in the manner as required by Measure 13-3, Items (a) through (d).

LOOKING FORWARD

In the upcoming reporting period, which will run from January 1, 2020 to December 31, 2020, Dominion will continue to move forward on the implementation of the Measures from the REA, as well as the Developer's Commitments to the extent possible. At the time of the composition of this EA reporting (March-June 2020), in response to the unprecedented rapidly evolving global COVID-19 pandemic and following the advice and direction from the Public Health Agency of Canada and the Alberta and Northwest Territories governments, effective on Friday March 20, 2020, Dominion temporarily suspended all mining and production activities at the Ekati Diamond Mine (Ekati). As a result of this decision, and until the Coronavirus pandemic is under control, a minimal care and maintenance crew remain at Ekati. On April 22, 2020 Dominion filed for insolvency protection under the Companies' Creditors Arrangement Act (CCAA). On June 19, 2020, the Court approved an agreement with The Washington Companies, the current owner, to purchase Dominion's assets out of the CCAA restructuring process. A sales process will follow in the coming weeks.

During this period of temporary care and maintenance, work on future projects has also been suspended. It is anticipated that once Ekati is fully staffed and operational again that work will resume on the following:

- Submission of ICRP Version 3.1 and related WLWB Directives;
- Ekati Type A Water Licence Renewal Application;
- Continued collaboration with other mines to proceed with the Women in Mining Chapter for the Northwest Territories (introduced at the GeoScience Forum in November 2019);
- Dominion will continue working on caribou-related initiatives;
- Dominion will continue to find ways to integrate TK into various programs;
- Annual Reporting, as required by various management plans. Information on how TK influenced decision-making for the Jay Project and the Ekati mine will be included with this reporting, to be prepared by Dominion (Measure 7-1).

Dominion has long been committed to the health, safety and well-being of its employees and to establishing strong, lasting and respectful relationships with the people and communities with whom it works. Dominion would like to resume activities at Ekati as soon as possible, but will not begin activities at Ekati until it is safe to do so and will focus on minimizing risk and potential spread of COVID-19 to the care and maintenance staff.

Upon the conclusion of the aforementioned sales process, Dominion will emerge as a stronger company with a focus on the future. The Life of Mine Plan will be reviewed and updated.



**Dominion
Diamond Mines**

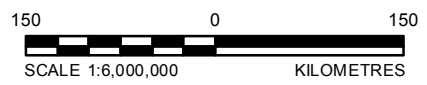
APPENDIX B - MAPS



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LEGEND

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



REFERENCE

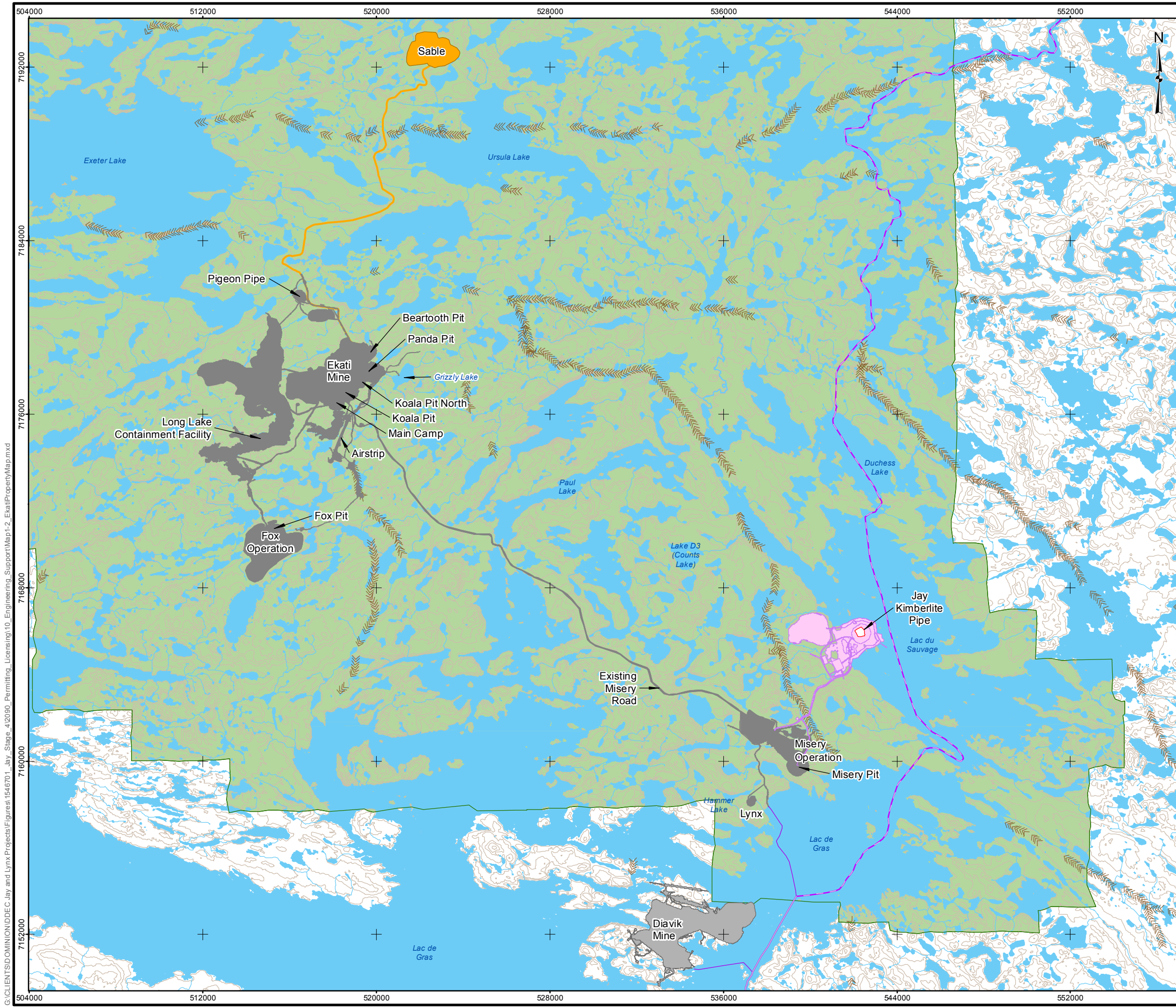
WATER OBTAINED FROM ATLAS OF CANADA
 NATURAL RESOURCES CANADA, CENTRE FOR TOPOGRAPHIC INFORMATION, 2012
 PROJECTION: CANADA LAMBERT CONFORMAL CONIC

PROJECT **Dominion Diamond Mines** JAY PROJECT
 NORTHWEST TERRITORIES, CANADA

TITLE

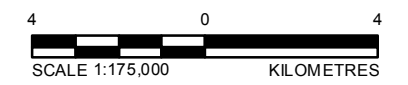
LOCATION OF THE JAY PROJECT

	PROJECT 1546701.2090		FILE No.	
	DESIGN	CH	25/05/15	SCALE AS SHOWN
	GIS	ANK	03/06/16	REV. 0
	CHECK	ER	03/06/16	
REVIEW	KM	03/06/16		
MAP 1-1				



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

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



	Dominion Diamond Mines	JAY PROJECT NORTHWEST TERRITORIES, CANADA	
EKATI PROPERTY MAP			
	PROJECT	1546701.2070.10	FILE No.
	DESIGN	CW 17/03/16	SCALE AS SHOWN
	GIS	ANK 03/06/16	REV 0
	CHECK	ER 03/06/16	MAP 1-2
REVIEW	JCC 03/06/16		

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APPENDIX C

INTRODUCTION

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

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

(PR#xx) = MVEIRB public registry number

Blue text = Commitments made in responses to technical reports

Red text = Commitments added or edited by other parties

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

Commitment Number	Document Source	Sub-topic	Commitment by Dominion Diamond	STATUS (As of June 1, 2020)
1	DAR-EC-IR-07 (PR#305)	Metal Analysis, Uranium and Thorium. Request development of contingency plan to deal with exceedances of Uranium and Thorium in leachate should that occur	Expand Waste Rock and Ore Management Plan 2014 to include Jay Project area. Adaptive seepage management strategies will be implemented as necessary to remedy undesirable water quality trends. Uranium and thorium will be included in the seepage monitoring program to identify short-term and long-term water quality trends for the purpose of identifying any needs for further testing, monitoring or adaptive management.	Waste Rock and Ore Storage Management Plan submitted with updated Jay Project Water Licence application. Waste Rock and Ore Storage Management Plan required to be re-submitted 90 days prior to construction of Jay pit (Part H, Condition 3 of WL W2012L2-0001 amendment #4).
2	DAR-IEMA-IR-03 (PR#305)	Waste Rock Storage Area seepage surveys	Ekati Waste Rock and Ore Management Plan seepage surveys will apply to Jay Waste Rock Storage Area and ore stockpiles. Seepage surveys are twice a year (during spring freshet and late in the summer or fall before freeze-up).	Waste Rock and Ore Storage Management Plan submitted with updated Jay Project Water Licence application. Waste Rock and Ore Storage Management Plan required to be re-submitted 90 days prior to construction of Jay pit (Part H, Condition 3 of WL W2012L2-0001 amendment #4).
3	Technical session April 23 – commitment #5 (PR#358)	Water quality	DDEC to hold meeting(s) to discuss questions related to the sensitivity of groundwater model.	Complete. Held meeting on Apr 28, 2015. Submitted final memo on July 3, 2015 with Round 2 IR Responses.
4	DAR-MVEIRB-UT-09 (PR#371)	Enhanced permeability zone characterization	Dominion Diamond will “undertake observations of inflow quantity, location of inflow and structure of the Jay Pit walls during operations that will identify the location and transmissivity of EPZs”. These monitoring procedures will be developed during the permitting phase.	Included in updated management plan; details of procedures to be finalized prior to the commencement of open pit mining.
5	DAR-EC-IR2-01 DAR-GNWT-IR2-04 (PR#448) Hearing undertaking response DAR-MVEIRB-UT2-13	Discharge of minewater from Misery Pit to Lac du Sauvage. Mixing zone in Lac du Sauvage. Synergistic toxicity	Further, Dominion Diamond has committed that no discharge of any minewater from the Misery Pit to Lac du Sauvage will occur if acutely toxic. To meet this commitment, monitoring of minewater in the Misery Pit (as a requirement under the Water Licence) will be undertaken during operations; the monitoring will be conducted in early operations (i.e., during the phase when there is no discharge to Lac du Sauvage) and late operations (i.e., during the discharge period). Minewater monitoring will include chemical analysis and acute and chronic toxicity testing. Similar to toxicity testing requirements at the Ekati Mine, toxicity testing is expected to include acute lethality testing with Rainbow Trout and waterflea, and chronic toxicity testing with the green algae, Pseudokirchneriella subcapitata, and the cladoceran, Ceriodaphnia dubia (WLWB 2014). This testing will track water quality conditions in the pit (i.e., end-of-pipe) to prevent water that is acutely toxic from being discharged to Lac du Sauvage. <i>In addition, an AEMP will be described and implemented, which will allow for the assessment of synergistic and antagonistic effects, and the AEMP results will inform adaptive management through the response framework, if necessary.</i>	Included in updated SNP and in the AEMP Design Plan – Construction and Operations, which was submitted to the WLWB on 9 March 2018 This plan was not approved (Decision of the WLWB May 9, 2019). Dominion submitted the Jay AEMP Design Plan Version 1.1 on October 31, 2019. A public review period followed. The document is currently awaiting a Board decision.
6	DAR-GNWT-IR2-18 (PR#448)	Hydrology model reliability	Predicted changes for Lac du Sauvage are greatest during back-flooding. To manage the uncertainty of the predicted changes to the flows and water levels in Lac du Sauvage, a Jay Pit and diked area back-flooding pumping plan will be developed prior to closure. It is expected that this plan will be submitted for approval under the water licence process and will be required prior to back-flooding (currently scheduled to commence in 2030). As part of the back-flooding pumping plan, Dominion Diamond will implement mitigation, as required, through an adaptive management plan, including the reduction of pumping rates to protect fish habitat in the Lac du Sauvage Narrows. Additional information will be collected during operations as part of the Aquatic Effects Monitoring Program to further characterize baseline conditions at the Narrows, including depths and widths under naturally occurring low-flow conditions in the winter. The adaptive management plan for the potential reduction in pumping rates during closure, as mitigation to avoid adverse effects to fish habitat at the Lac du Sauvage Narrows, will be developed as part of the back-flooding pumping plan.	Hydrology data collection under the AEMP Design Plan. Back-flooding pumping plan to be developed and submitted prior to closure back-flooding.
7	DAR-GNWT-IR-17 PR#305)	Jay-Pipe Pit Geometry Description of proposed actions, mitigations, and monitoring associated with free-thaw on stability of the Jay Pit walls	At a later stage in the design process, a ground control management plan will be developed and implemented to monitor and maintain pit wall stability to an acceptable risk level associated with various forms of ground instability that may develop during operations. Thermistors will be installed to supplement the monitoring program if necessary.	Multiple geotechnical and hydrogeological drilling investigations have been conducted. The results provided input for the geotechnical design of the pit slopes and stability assessments. Implementing good blasting practices, maintaining design berm widths, and installing slope monitoring systems will allow for implementation of risk mitigation measures in case of potential ground instability. Geotechnical designs will be reviewed and further refined as the pit deepens and more data becomes available.
8	DAR-KIA-IR-19 DAR-LKDFN-04 (PR#305)	Waste rock storage area, thermal modelling validation and seepage	Thermistors will be installed in the Jay Waste Rock Storage Area to monitor temperatures in the pile foundation and within the pile itself (KIA). Thermistors will be installed in the Jay Waste Rock Storage Area after completion of the pile to monitor temperatures in the pile foundation and within the pile itself (LKDFN). Jay Waste Rock Storage Area added to Ekati Waste Rock and Ore Management Plan. The Adaptive management process in the Waste Rock and Ore Management Plan also applies to Jay WRSA.	Included in updated management plan Waste Rock and Ore Storage Management Plan required to be re-submitted 90 days prior to construction of Jay pit (Part H, Condition 3 of WL W2012L2-0001 amendment #4).

Commitment Number	Document Source	Sub-topic	Commitment by Dominion Diamond	STATUS (As of June 1, 2020)
9	Technical session April 20 commitment #1 (PR#358)	Dike design	DDEC commits to creating an Independent Dike Review Board/Panel prior to construction.	Ongoing. The Jay Dike Review Panel has been created and an initial meeting was held in December 2015. The Panel has been involved in the review of the Dike design. As part of the optimization study for the Jay Project, three meetings were held in 2019 with the Panel to discuss potential optimization considerations. See information under Measure 4-4 for more details.
10	DAR-GNWT-IR2-14 (PR#448)	Jay Dike Geotechnical Investigations	This information request is similar to the request made by Mr. Brian Watts, retained by the Mackenzie Valley Environmental Impact Review Board as a reviewer, during the Jay Technical Sessions held on April 20, 2015 (Day 1). Dominion Diamond took the request as Homework Assignment #1, and provided a response on April 21, 2015 (Jay Technical Sessions, Day 2, pages 20-21 of the transcript). Section 15 of the Jay Project Pre-feasibility Dike Design Report (Golder 2014), dated December 8, 2014, provided recommendations for future work to advance the dike design to a detailed design level. The recommendations were organized under two (2) headings: 1) Evaluation of foundation conditions, and 2) Evaluation of potential construction materials. All recommendations related to foundation conditions (heading one), have been completed as part of the 2015 winter investigation program, with the exception of the first recommendation. This recommendation involves conducting an underwater visual assessment of the lakebed surface for the presence of cobbles and boulders. Dominion Diamond has committed to carrying out this work once ice on Lac du Sauvage has melted. This work will be done during the summer of 2015. In terms of the recommendations related to construction materials (heading two), mix design testing for the cement-soil-bentonite, using till samples obtained from the Pigeon Pit have been completed. Additional till samples will be collected from Lynx Pit pre-stripping operations, and further testing conducted. Sufficient information from the testing carried out on the samples obtained from the Pigeon Pit exists to support detailed design. Once a crusher contractor is selected to produce the fine and coarse filter materials, then samples will be collected and testing conducted. This testing is not required for the detailed design, but will form a part of the quality control and quality assurance programs implemented during the construction.	Three drilling investigations were completed in three consecutive winter seasons. Foundation conditions were investigated and evaluated. Properties of potential construction materials were considered in the design. Underwater visual assessment of lakebed surface was completed in the summer of 2015. In the winter of 2018 both air-track and sonic drilling occurred at the location of the Jay Project/Dike. Air-track drilling was carried out to determine depth to bedrock in locations where water depth is 6 m or less, as well as on islands and the dike abutments to install thermistors. The primary objective of the sonic drilling was to characterize the nature and variation of the soil layers beneath the proposed dike and to determine the depth to bedrock. There were no drilling investigations conducted during the 2019/2020 winter drilling season.
11	DAR-GNWT-IR2-17 (PR#448)	Lake bottom sediment transport, storage and management in the waste rock storage area	The total volume of overburden soils to be stored in the WRSA is approximately 7,013,000 m ³ which accounts for approximately 6.5% of the total volume of material to be stored in the WRSA. Overburden soils will be placed in the interior area of the WRSA footprint. It is anticipated that the overburden soils will be placed over approximately one third of the total footprint of the WRSA which could result in thicknesses up to 8 or 9 metres (m). Waste rock will be placed around and over top of the overburden soils to the design limits of the pile as the WRSA is developed. This will lead to encapsulation of the soils within waste rock. If the lakebed sediments are found to have a moisture content that is high enough to inhibit truck traffic required for placement of subsequent lifts, the wet lakebed soils could be placed separately in either the mined-out quarry within the Jay WRSA footprint (if available), or internal containment dikes could be constructed out of rockfill or till within the WRSA footprint for containment of the wet sediments. Staged development plans for each 2 to 3 years of operation/placement will be prepared for the Jay WRSA as part of the detailed design. These plans will include placement areas for overburden soils. Management of spillage of sediments from haul trucks, if necessary, may use such means as tailgates and/or side boards for haul trucks to reduce this potential. If substantial spillage occurs on the road between the dike and WRSA, it will be cleaned up, as deemed necessary.	Included in updated management plans
12	DAR-MVEIRB-IR2-02 PR#448)	Pre-feasibility dike design, lakebed sediment disposal	Excavated lakebed sediment will be transported to the waste rock storage area (WRSA) for disposal. Trucks will have tailgates and/or other containment mechanisms to minimize spillage of the excavated lakebed material. If the quarry is developed within the WRSA, this facility would be utilized for placement/containment of the lakebed sediments. If the quarry is not developed, containment cells constructed of either rockfill and/or till will be constructed within the WRSA footprint for disposal of this material. The location of these cells has not been defined yet, but would be away from the perimeter of the WRSA. The detailed design for the WRSA will contain details regarding placement of waste construction materials. If dredging is used to remove lakebed sediments, then the King Pond Settling Facility may be utilized for water with elevated TSS.	Included in updated management plans and ongoing.

Commitment Number	Document Source	Sub-topic	Commitment by Dominion Diamond	STATUS (As of June 1, 2020)
13	TG technical report (PR#559)	Seepage monitoring	The testing of seepage chemistry is designed to detect changes that may affect the receiving environment. The Jay WRSA would be included in these seepage surveys. Seepage monitoring will continue through the operation phase of the project, and for 10 years following the completion of mining of the Jay Pit, until closure objectives are met. The results of the seepage program are reported annually to the WLWB.	Included in updated management plans Waste Rock and Ore Storage Management Plan required to be submitted 90 days prior to construction of Jay pit (Part H, Condition 3 of WL W2012L2-0001 amendment #4).
14	Transport Canada technical report response (PR#560)	Navigability of Lac du Sauvage	Dominion Diamond is committed to working with Transport Canada for the proposed dike and dewatering activities within Lac du Sauvage. Dominion Diamond will submit information to Transport Canada to support the determination of navigability of Lac du Sauvage and the applicability of Sections 21 to 23 of the <i>Navigation Protection Act</i> (NPA). This information will be submitted during the permitting stage of the Project. If Transport Canada determines that Sections 21 to 23 are applicable, Dominion Diamond will submit an application for Proclamation of exemption under Section 24 of the NPA.	Complete. In October of 2016, Transport Canada indicated in a letter to DDEC that "...the project will not result in the application of section 23 of the NPA [Navigation Protection Act]".
15	DAR-IEMA-IR2-03 (PR#448)	Reclamation of ore transfer pad and diked area	Ore storage pads are included in the Ekati Mine Interim Closure and Reclamation Plan (ICRP; BHP Billiton 2011). As per Section 5.7.9.7 of the ICRP, ore will be removed from ore storage areas and the pads will be re-contoured and scarified as necessary. The ICRP is expected to be amended to include Jay Project components during regulatory process with the Wek'èezhii Land and Water Board such that these requirements will apply to transfer pads constructed for the Jay Project. As described above, kimberlite will not be left on the pad when the area is back-flooded.	Jay project components were included in the updated ICRP Version 3.0 which was submitted to the WLWB on August 15, 2018. As per the Board decision of February 19, 2020 there is further work to be done and submission of ICRP Version 3.1 is required. This work is ongoing.
16	EC technical report response (PR#554) DAR-EC-IR-25 and DAR-IEMA-IR-20 (PR#305) Jay Hearing Transcripts, Day 2, p.127-129 (PR#644)	Diving bird mitigation strategy	Dominion Diamond will develop a final detailed fish-out plan prior to implementing the fish-out within the diked area in Lac du Sauvage; Dominion Diamond will develop a diving bird mitigation strategy along with the fish-out plan, and will engage with Environment Canada on its development. Dominion Diamond will monitor the fish-out for the Project to determine the effectiveness of mitigation actions for waterbirds so that lessons learned can be applied to future fish-outs, such as, lessons learned that were applied to the Lynx fish-out. Monitoring results will be reported in the WEMP.	Diving bird mitigation strategy to be included in final fish-out plan to be prepared prior to fish-out.
17	DAR-DKFN-IR2-07 (PR#448)	Conceptual Offsetting Plan	Dominion Diamond is committed to working with all impacted communities to identify potential offsetting measures for the Jay Project that meet community interests and meet the requirements of the Fisheries Protection Policy Statement (DFO 2013) and comply with the Applications for Authorization under Paragraph 35(2)(b) of the Fisheries Act Regulations.	Engagement Ongoing. Final Offsetting Plan was submitted to DFO April 3, 2019 and this process is ongoing.
18	DAR-IEMA-IR2-01	Fish impact predictions	Any Project-related losses of fish habitat (i.e., serious harm to fish) will be addressed in the final offsetting plan (based on the Conceptual Offsetting Plan in Appendix 9A of the DAR, Dominion Diamond 2014a) submitted with the application for a Fisheries Act Authorization during the regulatory phase of the Project.	Final offsetting plan to be prepared and submitted to DFO for approval under the <i>Fisheries Act</i> prior to dike construction.
19	DFO Technical Report Response (PR#552)	Effects of blasting	Dominion Diamond is committed to developing a blasting plan for the Project for avoiding and mitigating serious harm to fish and engaging with DFO on the plan as appropriate.	Engagement with DFO related to <i>Fisheries Act</i> Authorization process is ongoing.
20	DFO Technical Report Response (PR#552)	Effects of blasting at Shoal 4	Dominion Diamond will engage with DFO on the topic of protecting shoal S4 as part of the future detailed design stage, and recommends that a determination of the need for shoal S4 to have a specific objective be made at that time.	Engagement with DFO related to <i>Fisheries Act</i> Authorization process is ongoing.
21	DFO Technical Report Response (PR#552)	Watercourse crossings	Dominion Diamond is committed to avoid and mitigate serious harm to fish as a result of watercourse crossing during construction, operation and decommissioning.	Included in updated plans and designs Will also be considered under DFO permitting process.
22	DFO Technical Report Response (PR#552)	Culvert crossings	Consistent with current practice at the Ekati Mine, detailed designs of culvert crossings and associated construction plans will be developed during the detailed design stage of the Project for submission to DFO.	Included in updated plans and designs Will also be considered under DFO permitting process.
23	DFO Technical Report Response (PR#552)	Sub-Basin B Diversion Channel	Dominion Diamond is committed to avoid and mitigate serious harm to fish as a result of the sub-basin B diversion channel. This includes, but is not limited to, appropriate design of the diversion channel to facilitate fish passage at both high and low flows for relevant species and life stages, and adherence to appropriate timing windows, bank stabilization and sediment and erosion control.	Included in updated designs and plans Will be considered in <i>Fisheries Act</i> Authorization process

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24	DFO Technical Report Response (PR#552)	Sub-Basin B Diversion Channel	Consistent with current practice at the Ekati Mine, Dominion Diamond will engage with DFO on the design of the diversion channel, and will submit final designs to DFO. Operational monitoring of fish use of the Sub-Basin B Diversion Channel will confirm its expected functions (e.g., as a migratory corridor) for Arctic Grayling and other species, and will also include any new mitigation strategies as they are required in the future. Environmental design features, mitigations and monitoring plans for the Sub-Basin B Diversion Channel will be finalized during the permitting process for the Project.	Included in updated designs and plans Will be considered in <i>Fisheries Act</i> Authorization process.
25	DFO Technical Report Response (PR#552)	Sub-Basin B Diversion Channel	Dominion Diamond is committed to developing a maintenance and monitoring plan for the stream diversion channel for avoiding the formation of barriers to fish passage over time. This plan will be finalized during the permitting phase for the Project.	Ongoing
26	DFO Technical Report Response (PR#552)	Sub-Basin B Diversion Channel	Dominion Diamond is committed to completing the detailed design of the Sub-Basin B Diversion Channel to support the regulatory phase of the Project and providing the design to DFO. Available measurements of flows and modelled estimates of flows will be used as basis of the design of diversion channel.	Sub-Basin B Diversion Channel Feasibility Design and Issue for Tender Drawings submitted to DFO. Engagement with DFO ongoing.
27	DFO Technical Report Response (PR#552)	Sub-Basin B Diversion Channel	Dominion Diamond is committed to developing a detailed closure and reclamation plan for the Sub-Basin B Diversion Channel, including the reclamation and promotion of natural drainage patterns through the natural drainage channels (lower portions of streams B0 and Ac35), which will be provided to DFO for review. This will become part of the amendment to the existing Interim Closure and Reclamation Plan for the Ekati Mine to include the Jay Project.	Jay project components were included in the updated ICRP Version 3.0 which was submitted to the WLWB on August 15, 2018. As per the Board decision of February 19, 2020 there is further work to be done and submission of ICRP Version 3.1 is required. This work is ongoing.
28	DFO Technical Report Response (PR#552)	Consultation prior to fish-out	Dominion Diamond agrees to continue engaging with the affected communities and DFO regarding the handling and fate of captured fish during the fish-out of the diked area in Lac du Sauvage during the regulatory phase of the Project and prior to developing the detailed fish out plan.	Engagement with communities and DFO ongoing. Final fish-out plan to be prepared and submitted to DFO prior to fish out.
29	DFO Technical Report Response (PR#552)	Consultation prior to offsetting	Dominion Diamond agrees to continue engagement with affected communities on the offsetting plan for the Jay Project, including offsetting options, and to continue to work with DFO on the development of methods for quantifying fisheries productivity and the options (or measures) for offsetting impacts of the Project on fisheries productivity.	Engagement with DFO and communities ongoing. Final offsetting plan to be prepared and submitted to DFO for approval under the <i>Fisheries Act</i> prior to dike construction.
30	LKDFN technical report responses (PR#557)	TK in fish out	Examples of recent Ekati-based TK projects include the participation of members of all IBA groups in the design and carrying out of the Lynx Lake fish-out, archaeological inspections of the proposed Jay Project area by Yellowknives Dene First Nation, inspection of the proposed Jay Road route through an esker by members of IBA and potentially-affected communities, and annual site visits for caribou monitoring and surveys. The routing and design of the proposed Jay Road and the Lynx fish-out program are based, in part, on TK received through Dominion Diamond's engagement process. Dominion Diamond will undertake similar engagement to inform the methodology and timing of the Jay fish-out.	Engagement with communities and DFO ongoing. Final fish-out plan to be prepared and submitted to DFO prior to fish out activities.
31	Environment Canada EC Technical report response (PR#554)	Water quality – Trophic status trigger for Lac du Sauvage	Dominion Diamond accepts the recommendations by Environment Canada that the trophic status of Lac du Sauvage during the Project be maintained as oligotrophic, and that the CCME (2004) upper bound trigger concentration for oligotrophic lakes (0.01 milligrams per litre [mg/L]) be used as part of the aquatic Effects Monitoring Program (AEMP) to monitor for change in trophic status. As suggested by Environment Canada, lowering the benchmark to the upper bound of oligotrophic status will provide a more appropriate basis for oversight regarding responses and decisions to increases of phosphorus in Lac du Sauvage, if required.	AEMP Design Plan – Construction and Operations, which was submitted to the WLWB on 9 March 2018 This plan was not approved (Decision of the WLWB May 9, 2019). Dominion submitted the Jay AEMP Design Plan Version 1.1 on October 31, 2019. A public review period followed. The document is currently awaiting a Board decision
32	EC technical report response (PR#554)	Diving bird mitigation strategy	Dominion Diamond will develop a final detailed fish-out plan prior to implementing the fish-out within the diked area in Lac du Sauvage; Dominion Diamond will develop a diving bird mitigation strategy as part of the fish-out plan, and will engage with Environment Canada on its development. Dominion Diamond will monitor the fish-out for the Project to determine the effectiveness of mitigation actions for waterbirds so that lessons learned can be applied to future fish-outs, such as, lessons learned that were applied to the Lynx fish-out.	Diving bird mitigation strategy to be included in final fish-out plan to be prepared prior to fish-out. Described in updated WEMP. WEMP & CRMP approved on June 1, 2017
33	IEMA technical report response (PR#556)	AEMP reference lakes	As part of the further development of the AEMP Design Plan for future submission to the WLWB, a desktop reference lake study will be conducted for the Project to identify whether a suitable reference lake can be found for comparisons to Lac du Sauvage.	Reference lake study complete, with reference lake study report provided as part of the Jay AEMP Design Plan – Construction and Operations, submitted to the WLWB on 9 March 2018. This plan was not approved (Decision of the WLWB May 9, 2019). Dominion submitted the Jay AEMP Design Plan Version 1.1 on October 31, 2019. A public review period followed. The document is currently awaiting a Board decision.

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34	IEMA technical report response (PR#556)	Misery Pit discharge toxicity	Dominion Diamond has committed that no discharge of any minewater from the Misery Pit to Lac du Sauvage will occur if acutely toxic. To meet this commitment, monitoring of minewater in the Misery Pit (as a requirement under the Water Licence) will be undertaken during operations; the monitoring will be conducted in early operations (i.e., during the phase when there is no discharge to Lac du Sauvage) and late operations (i.e., during the discharge period). Dominion Diamond will evaluate the use of standard laboratory procedures versus site-specific procedures for toxicity testing as part of its water licensing submissions to the WLWB. A robust quality assurance/quality control plan will be developed and implemented for all water quality and toxicity testing procedures. The effluent toxicity data from the Surveillance Network Program will also be integrated into the interpretation of the results of the AEMP.	Included in updated SNP and in the AEMP Design Plan – Construction and Operations, which was submitted to the WLWB on 9 March 2018 This plan was not approved (Decision of the WLWB May 9, 2019). Dominion submitted the Jay AEMP Design Plan Version 1.1 on October 31, 2019. A public review period followed. The document is currently awaiting a Board decision.
35	IEMA technical report response (PR#556)	Plankton community monitoring	The final AEMP Design Plan to be submitted to the WLWB will include details on the proposed assessment of changes in plankton community structure. The design will include an assessment of phytoplankton and zooplankton biomass by taxonomic group and multivariate analyses to assess changes in community structure.	Included in updated management plan WLWB requires submission of a revised AEMP Design Plan to incorporate both Construction and operation phases of the Jay project within six months of the effective date of the Amended Licence. AEMP Design Plan Submitted to WLWB in March 2018. This plan was not approved (Decision of the WLWB May 9, 2019). Dominion submitted the Jay AEMP Design Plan Version 1.1 on October 31, 2019. A public review period followed. The document is currently awaiting a Board decision
36	Kugluktuk public hearing transcript (PR#648)	Downstream water quality monitoring	"So I -- I think on behalf of the Company today, I -- I can say that we would commit to providing resources both financial and in kind for the establishment of a -- a long-term water quality monitoring program on the Coppermine River near -- near Kugluktuk." (Dominion Diamond)	Continuing discussions with Kitikmeot Inuit Association (KIA)
37	DAR-GNWT-IR-3 (PR#305)	Incinerator facilities – waste incineration Incineration stack testing schedule requested	Version 2.0 of the Waste Management Plan will now be submitted to the Wek'eezhii Land and Water Board in September 2015 as part of the annual Water Licence review and will include updates for the Lynx Project and the new Management Plan for the Composter. The composter is currently being commissioned with a revised operation date of September 1, 2015.	Complete. Submitted to the WLWB October 2015
38	DAR-GNWT-IR-69 (PR#305)	Proper waste management practices by new employees	During site orientation for new employees, contractors and visitors, Ekati management will outline a mandatory presentation on waste management including the Sustainable Development Policy.	Complete. Information is included in new employee and contractor training and onboarding.
39	Technical session April 24 – commitment #7 (PR#358)	Air quality	DDEC is to hold a meeting with EC to clarify emissions model and will prepare a summary report of the results of this meeting to be submitted to the Review Board.	Complete. Meeting held May 7, 2015 and submitted summary to MVEIRB on May 28, 2015.
40	Meeting Report - air quality regulators May 7, 2015 (PR#418) DAR-GNWT-IR2-19 (PR#448)	Air Quality Monitoring and Management Plan Stack testing	Dominion will commit to the 3-year incinerator stack testing cycle. Dominion Diamond has committed to undertake stack testing on the operating incinerators on the 3 year schedule. This was discussed in the Jay Project Technical Sessions, and a commitment to stack testing was made following the May 7, 2015 air quality meeting that included the Government of the Northwest Territories (GNWT) staff. Dominion Diamond has committed to updating the Incinerator Management Plan as part of the updated Waste Management Plans, as per the requirement in the Water Licence. Stack testing will follow current standards for this work, data will be circulated to GNWT and other parties, and follow up actions will be implemented if necessary. Details on these operating procedures will be finalized during the regulatory permitting process. Dominion Diamond provided a draft conceptual Air Quality Emissions Monitoring and Management Plan (AQEMMP) for the Jay Project to the Mackenzie Valley Environmental Impact Review Board for discussion on June 1, 2015, and followed up with a workshop on June 26, 2015 to engage with regulatory and community groups. The development of the Jay Project AQEMMP is ongoing and the schedule for testing and reporting is to be discussed and finalized during the Jay regulatory process. Dominion Diamond will host a technical workshop to discuss the proposed triggers and technical components of the AQEMMP in July 2015 and will also provide an engagement schedule for the AQEMMP.	Complete. Workshop held on July 20, 2015. Updated AQEMMP submitted to the GNWT on May 31, 2016. (http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_AQEMMP_Measure_6-3.PDF)
41	DAR-GNWT-IR2-01 (PR#448)	Ambient Air Quality Adaptive Management Plan Framework	As per the document titled "Regulatory Engagement Follow-Up Responses from May 7, 2015 Air Quality Regulatory Meeting", dated May 2015, the Proponent has committed to including adaptive management trigger levels and associated actions in the draft Air Quality Monitoring and Management Plan, which will be provided to the Mackenzie Valley Review Board public registry by June 1, 2015.	Complete. Conceptual AQEMMP submitted to MVEIRB June 1, 2015. AQEMMP approved by GNWT on May 31, 2017. (http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_AQEMMP_Measure_6-3.PDF)

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42	DAR-GNWT-IR2-02 (PR#448)	Project mine fleet and equipment procurement	Dominion Diamond is committed to minimizing emissions from mine equipment according to the established principles of Best Available Technology Economically Available (BATEA). All equipment operating at the Ekati Mine has a set preventative maintenance plan that ensures equipment is operating at optimal conditions and performance.	Ongoing AQEMMP approved by GNWT on May 31, 2017. (http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_AQEMMP_Measure_6-3.PDF)
43	DAR-LKDFN-IR2-01 DAR-MVEIRB-IR2-28 (PR#448)	Ambient Air Quality Guidelines	Furthermore, the GNWT has adopted regulations specifically for the protection of the health and safety of workers at mines. The Government of the Northwest Territories Mine Health and Safety Regulations (Section 9.02) states that employees shall not be exposed to airborne chemical or physical substances in excess of those specified in the 1994-1995 Threshold Limit Values for Chemical Substances and Physical Agents and Biological Exposure Indices published by the American Conference of Governmental Industrial Hygienists (GNWT 2015a). These thresholds are higher than the NWT ambient air quality guidelines and would be applicable inside the development area. It is Dominion Diamond's intent to apply the NWT ambient air quality guidelines (GNWT-ENR 2014) as standards or targets for purposes of air quality monitoring and management at the Project. Therefore, the fact that the NWT ambient air quality guidelines are non-legally binding, as clarified by the GNWT Department of Environment and Natural Resources (ENR) in a letter (GNWT-ENR 2015) responding to Undertaking 17 from the Mackenzie Valley Environmental Impact Review Board (MVEIRB) Technical Sessions for the Project on April 24, 2015, will have no effect on how Dominion Diamond plans to manage the air quality at the Project. Dominion Diamond, in its proposed Conceptual Air Quality and Emission Monitoring and Management Plan for the Jay Project (AQEMMP; Dominion Diamond 2015) submitted to the MVEIRB on June 1, 2015, and discussed with parties during a workshop on June 26, plans to include an adaptive management approach to the management of air quality at the Project site. The NWT ambient air quality guidelines, regardless of their current non-legally binding status, will be used as the bases for the criteria that will trigger appropriate management actions as proposed in the AQEMMP. If new ambient air quality guideline or standard values are adopted by the GNWT in the future, the AQEMMP for the Project will be updated to reflect the changes in the guidelines or standards.	Complete. AQEMMP approved by GNWT on May 31, 2017 (http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_AQEMMP_Measure_6-3.PDF)
44	DAR-LKDFN-IR2-05 DAR-NSMA-IR2-04 (PR#448)	Greenhouse gas emissions and alternative energy	Dominion Diamond is committed to reducing overall greenhouse gas emissions from the Ekati Mine. As noted in the response to DAR-NSMA-IR2-04, Dominion Diamond has set the following targets for reducing greenhouse gas emissions for fiscal year 2016 (February 1, 2015 to January 31, 2016): <ul style="list-style-type: none"> • Reduce energy baseload by 5% • Reduce Greenhouse Gas Emissions by 5% • Realize energy savings of \$2 million • Reduce fuel consumption by 5% Dominion Diamond will continue to set targets for greenhouse gas emissions annually for the life of the Ekati Mine and this will be reported as part of the Air Quality Monitoring Program report, Mining Association of Canada Towards Sustainable Mining Program, and the Environment Canada Greenhouse Gas Inventory.	Complete AQEMMP approved by GNWT on May 31, 2017 (http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_AQEMMP_Measure_6-3.PDF)
45	DAR-MVEIRB-IR2-29	Greenhouse gas emissions	Dominion Diamond will continue to set targets for GHG annually for the life of the Ekati Mine and the Jay Project, and this will be reported as part of the Air Quality Monitoring Program report, Mining Association of Canada Towards Sustainable Mining Program, and the Environment Canada Greenhouse Gas Inventory. Targets for GHG reductions have not been set for the Jay Project. Dominion Diamond will continue to set targets for GHG emissions on an annual basis. Targets will be selected with consideration of the stage of the Project (e.g., construction, operation). Examples of the targets set for Ekati Mine's 2016 fiscal year (February 1, 2015 to January 31, 2016) are: <ul style="list-style-type: none"> • Reduce energy baseload by 5% • Reduce fuel consumption by 5% • Realize energy savings of \$2 million • Reduce GHG emissions by 5% 	Complete AQEMMP approved by GNWT on May 31, 2017 (http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_AQEMMP_Measure_6-3.PDF)
46	DKFN Technical Report Response (PR #553)	Air quality monitoring program – Monitoring transects	The monitoring transect proposed along the Jay Road in the Conceptual Air Quality and Emissions Monitoring and Management Plan (AQEMMP) will be designed and sited to optimize the potential to monitor elevated concentrations and deposition rates, and to capture the potential effects from the Jay Road and the Jay Pit.	Complete AQEMMP approved by GNWT on May 31, 2017 (http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_AQEMMP_Measure_6-3.PDF)

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47	GNWT technical report response (PR#555) NSMA technical report response (PR#558)	Air quality triggers	Dominion Diamond agrees with the recommendations of the GNWT with the following minor revisions noted below in Table 2.1-1 (underlined text to identify the change). Dominion Diamond recommends these final revisions to ensure that the development of action plans are prepared for a change based on an increase in year to year concentrations.	Complete AQEMMP approved by GNWT on May 31, 2017 (http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_AQEMMP_Measure_6-3.PDF)
48	GNWT technical report response (PR#555) Hearing undertaking response DAR-MVEIRB-UT2-05 (PR#673)	Incineration management plan Stack testing, reporting, and re-testing in the event of a failed stack test	<p>Dominion Diamond has committed to continuation and on-going improvement of its Ekati Mine Incineration Management Plan that directs the incineration process in accordance with the manufacturer's instructions and the Environment Canada Guidance Document on Batch Incineration that may include:</p> <ul style="list-style-type: none"> - A waste segregation/diversion procedure; - Removal of plastics and substitution of corn and bamboo based products at the Ekati Mine; - Appropriate batch sizing including weighing and mixing; and, - Monitoring and maintaining records of operating parameters (temperature in primary and secondary chambers, residence time) and quarterly performance monitoring. <p>Dominion Diamond has committed to a rigorous stack testing regime that will enable assessment of ongoing compliance with the CWS. Dominion Diamond agrees to submit any waste incinerator stack test results to GNWT Environment and Natural Resources (ENR) and Environment Canada (EC).</p> <p>On September 22, Dominion and the GNWT agreed on the following wording for the reporting of incinerator stack testing results:</p> <ul style="list-style-type: none"> • Dominion Diamond must submit any waste incinerator stack test results to ENR and EC no more than 90 days after completing a stack test. <p>Following the reporting timeline agreed to above, Dominion Diamond and GNWT agreed to the following wording for the development of the AMRP.</p> <ul style="list-style-type: none"> • In the event of a failed stack test, Dominion Diamond must develop and submit to ENR and EC an AMRP no more than 120 days after the failed stack test. The AMRP should contain an assessment of the incinerator operations and management that would have contributed to the failed stack test, and methods to improve/rectify them. Dominion Diamond should implement the AMRP immediately upon submission of the AMRP. <p>In regards to the requirement to re-test the incinerators 6 months from a failed tack test, GNWT re-iterated that this is an important step to test the AMRP.</p> <p>Dominion Diamond believes that the schedule for stack testing needs to be linked to the AMRP but has agreed to the measure proposed by the GNWT, with the addition of the bolded section below. This bolded wording is taken from the GNWT Technical Report (p13-14, GNWT 2015b).</p> <ul style="list-style-type: none"> • Dominion Diamond will re-stack test the incinerators within 6 months of the initial failed stack test. The second stack test will verify the effectiveness of the adaptive management response measures and compliance to the CWS. All stack tests must be conducted in accordance with national standards, and will include detailed documentation to demonstrate that representative composition and batch size of waste were used during the testing process. <p>Exemptions for the second stack test may occur based on a review conducted by ENR, in consultation with EC. Exemptions for conducting a second stack test could occur based on factors such as the degree of the original exceedance over the CWS, the confidence from the developer and GNWT/EC in having properly identified and addressed the cause(s) of the exceedance, and the availability of any other indicators to demonstrate the issue(s) has been rectified.</p> <p>Dominion Diamond believes that this addition allows for proper consideration of the exceedance and would be included and considered in the AMRP when submitted to ENR and EC.</p>	Included in updated management plan AQEMMP approved by GNWT on May 31, 2017 (http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_AQEMMP_Measure_6-3.PDF)
49	IEMA technical report response (PR#556)	Fugitive dust abatement program	As part of construction and operations for the Project, dust generation and deposition will be monitored under the AQEMMP, as well as water quality (including TSS measurements) at stations in close proximity to Project activities (e.g., dike construction) in the AEMP. Mitigation strategies to minimize dust generation, such as limiting vehicle speeds, applying dust suppressants, or road watering, and monitoring and evaluation (which includes adaptive management trigger thresholds for particulate matter), will be implemented as per the Fugitive Dust Abatement Program detailed in the AQEMMP for the Project.	Complete AQEMMP approved by GNWT on May 31, 2017 (http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_AQEMMP_Measure_6-3.PDF)

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50	LKDFN technical report response (PR#557) and NSMA technical report response (PR#558)	Ambient air quality guidelines	During construction and operations of the Jay Project, Dominion Diamond intends to apply the NWT ambient air quality guidelines (GNWT-ENR 2014) as standards for purposes of air quality monitoring and management at the Project.	Included in updated management plan AQEMMP approved by GNWT on May 31, 2017. (http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_AQEMMP_Measure_6-3.PDF)
51	LKDFN technical report response (PR#557)	Providing climate information to communities	Specific topics of interest such as the potential implications of climate change for the Ekati Mine are often requested by individual communities and responded to by Dominion Diamond. Dominion Diamond will continue this approach and will tailor community engagement to the specific requests of each community.	Ongoing
52	LKDFN technical report response (PR#557) And NSMA technical report response (PR#558)	Alternative energy study	Dominion Diamond commits to conducting a concept study of additional potential investments in alternative energy including areas such as wind and solar energy. This study will be led by Dominion Diamond staff drawing on appropriate external expertise, with a summary of results to be made publicly available within one year of the MVEIRB's Report of Environmental Assessment.	Complete. Alternative energy study completed and submitted to the Review Board on February 1, 2017 (EA1314-01_DDEC_Alternative_Energy_Concept_Study_01-Feb-2017_Commitment_52_.PDF).
53	YKDFN technical report response (PR#561)	Dust suppression	Dominion Diamond is committed to ongoing evaluation and improvement of dust suppression at the Ekati Mine.	Complete Submitted 2015 EnviroKleen Pilot Project Report and 2016 Dust Suppression Program on May 24, 2016. The 2017 report was distributed on July 31, 2018. Dominion will prepare a best management practices document which will include adaptive management triggers for additional dust suppression based on the NWT dustfall standard. This document was distributed in February 2020. AQEMMP approved by GNWT on May 31, 2017 (http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_AQEMMP_Measure_6-3.PDF)
54	DAR-IEMA-IR-25 (PR#305)	Road use mitigation	Dominion Diamond commits to the list of mitigations from Table 12.3-1, and using a combination of collared caribou locations and road surveys to provide information on caribou locations relative to active roads. This monitoring will help determine when and where additional mitigation, such as signage, modification of traffic patterns and road closures is required.	Complete. Included in updated management plan WEMP & CRMP approved on June 1, 2017. http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF
55	DAR-MVEIRB-IR-2 (PR#305)	Caribou and other wildlife crossing dewatered lakebed	The Jay dike and pit area will be part of routine site surveillance monitoring for the Ekati Wildlife Effects Monitoring Program. If caribou approach the diked area, Dominion will implement deterrent procedures (e.g. walking towards caribou) to keep animals and people safe.	Included in updated management plan WEMP & CRMP approved on June 1, 2017. http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF
56	DAR-LKDFN-IR-19 DAR-Tlicho-IR-21 Appendix C PR#305, 308)	Jay road crossing mitigation	Mitigation includes: <ul style="list-style-type: none"> • Frequent and wide caribou crossings • Kimberlite stockpile areas so that the Ekati mine can operate through brief road closures • 200 mm crush on ramps • Early monitoring for caribou using additional satellite collar maps 	Complete. Included in updated management plans and designs. WEMP & CRMP approved on June 1, 2017. http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF
57	Technical session April 21 – commitment #2 (PR#358)	Caribou - baseline	Dominion Diamond is to complete a draft Wildlife Effects Monitoring Plan (WEMP) and Wildlife and Wildlife Habitat Protection Plan (WWHPP) that incorporates the Jay Project by August 1, 2015.	Complete – Submitted to the MVEIRB July 31, 2015. WEMP & CRMP approved on June 1, 2017. http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF

Commitment Number	Document Source	Sub-topic	Commitment by Dominion Diamond	STATUS (As of June 1, 2020)
58	Technical session April 21 – commitment #3 (PR#358)	Caribou road mitigation	Traffic Management Plan or Wildlife and Roads Mitigation Plan as an Appendix to the WEMP. Input sought into plan that lays out the steps which will include linkage between monitoring and mitigation and incorporate input. Dominion to set out a plan on how it will incorporate those suggestions.	Complete. Included in updated management plans WEMP & CRMP approved on June 1, 2017. http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF
59	DAR-MVEIRB-UT-01 (PR#371)	Caribou crossings	Dominion Diamond commits to constructing the section of the Jay Road between King Pond dam and the approach to active operations with “frequent and wide caribou crossings that will respect the communities’ identification of the importance of this area for caribou movement”.	Included in updated management plans and designs WEMP & CRMP approved on June 1, 2017. http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF
60	DAR-MVEIRB-UT-04 (PR#371)	Caribou monitoring	Dominion Diamond is proposing to “increase early monitoring of caribou movement with the aid of satellite collar maps obtained from the GNWT” that would “provide advanced warning of when caribou may be approaching the Ekati Mine”. Dominion Diamond further proposes to “construct additional kimberlite stockpile areas” so that the mine can operate through brief road closures.	Complete. Included in updated management plans WEMP & CRMP approved on June 1, 2017. http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF
61	DAR-MVEIRB-IR2-04 (PR#448)	Light mitigation strategies for caribou	DAR-MVEIRB-UT-03 describes possible mitigation strategies for light pollution. These include utilization of fully shielded lighting fixtures, lighting design that involves tilt and orientation and meets the required light levels to ensure worker health and safety onsite while minimizing luminous flux, and where possible, dark colours or lower-reflectivity surfaces on buildings and other structures. Another mitigation option includes the use of switches or motion detectors in high illumination areas not occupied on a continuous basis (i.e., lighting the area only when occupied). Dominion Diamond is committed to consider these and other mitigation strategies and their applicability to the Jay Project prior to the commencement of construction of new fixed structures or facilities.	Complete. These mitigation strategies were considered. WEMP & CRMP approved on June 1, 2017. http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF
62	GNWT technical report response (PR#555)	Participation in GNWT-led programs	GNWT requests that MVEIRB recognize the final statement made by Dominion Diamond in its response to IEMA-IR-36 as one of the developer’s commitments to be included in the scope of development for this EA. This statement reads “Dominion Diamond will maintain its commitment throughout the life of the Jay Project to doing what it reasonably can to contribute to and support GNWT-led regional programs to improve the state of the Bathurst caribou herd.” Dominion Diamond does not object to the inclusion of this statement as a commitment. Dominion Diamond has revised the commitment as requested, and added it to Section 5.6.1 (Barren ground Caribou Management Strategy) of the Wildlife Effects Monitoring Plan (WEMP).	Ongoing WEMP & CRMP approved on June 1, 2017. http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF CMP Submitted May 19, 2017. http://reviewboard.ca/upload/project_document/EA1314-01_DDEC_Caribou_Mitigation_Plan_measure_6-2a.PDF
63	IEMA technical report response (PR#556) and TG technical report response (PR#559) and YKDFN technical report response (PR#561)	Improving ZOI measurements	Recommendation to assist in evaluating alternative methods for refining assessments of the ZOIs of developments on barren-ground caribou. Dominion Diamond agrees with the recommendation and will analyze the ZOI distance and magnitude from the 2009 and 2012 aerial survey data as requested and will present the results in its 2015 WEMP report. Dominion Diamond will work with the ZOI Technical Task Group to evaluate the analytical methods and their results. Dominion Diamond has also partnered with the Canada Centre for Remote Sensing (Natural Resources Canada) on their SMART program on the effects of development on the Bathurst caribou herd, which includes ZOI assessment.	Complete. Re-analysis of ZOI by GNWT and Contractors – Draft Report Circulated. WEMP & CRMP approved on June 1, 2017. http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF CMP Submitted May 19, 2017. http://reviewboard.ca/upload/project_document/EA1314-01_DDEC_Caribou_Mitigation_Plan_measure_6-2a.PDF

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64	IEMA technical report response (PR#556) NSMA technical report response (PR#558)	Improving ZOI measurements	Dominion Diamond will collaborate with the GNWT on regional programs and actions, and work with the ZOI Technical Task Group to revise the WEMP to include monitoring methods to address the prediction that the Project will not affect the size and magnitude of the area of caribou avoidance, including methods for measuring ZOI.	Ongoing WEMP & CRMP approved on June 1, 2017 http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF CMP Submitted May 19, 2017. http://reviewboard.ca/upload/project_document/EA1314-01_DDEC_Caribou_Mitigation_Plan_measure_6-2a.PDF
65	LKDFN technical report response (PR#557)	Caribou and WRSA	During the construction and operations phases of the Project, all incidental caribou observations in the study area are monitored as part of the Wildlife Effects Monitoring Program (WEMP). Observations are recorded to minimize potential risks associated with human and wildlife interactions, and to identify mine structures that are acting as potential barriers to caribou movement. This will include observations of caribou at the Jay WRSA. Incidental sightings logs will be maintained at site throughout the life of the Ekati Mine. Environment staff will review the logs weekly and respond to wildlife sightings or trends of concern when they occur.	Included in updated WEMP. WEMP & CRMP approved on June 1, 2017 http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF
66	LKDFN technical report response (PR#557)	Caribou and WRSA	Dominion Diamond has designed the WRSA to be a neutral feature on the land by providing for the construction of several caribou egress ramps as the rock pile progresses. Progressive construction of the egress ramps during construction of the Jay WRSA is an enhancement of current practice at the Ekati Mine. The ramps will provide multiple areas for caribou or other wildlife to safely move off the pile. In selecting the location of the ramps, Dominion Diamond will consider input from community engagement and TK and rely upon observations during the operations phase.	Included in updated management plans and designs. WEMP & CRMP approved on June 1, 2017 http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF Closure Objective is being discussed and reviewed as part of the ICRP Version 3.0 submitted to the WLWB on August 15, 2018. As per the Board decision of February 19, 2020 there is further work to be done and submission of ICRP Version 3.1 is required. This work is ongoing. Waste Rock and Ore Storage Management Plan required to be submitted 90 days prior to construction of Jay pit (Part H, Condition 3 of WL W2012L2-0001 amendment #4).
67	LKDFN technical report response (#557)	WRSA design plan	As part of the future permitting work for the Project (i.e., Water Licensing), Dominion Diamond will provide a Design Report for the Jay WRSA to the WLWB. This would be consistent with the current requirements of the Ekati Mine Water Licence for WRSA Design Reports. This document will contain: <ul style="list-style-type: none"> relevant information on the design, construction, monitoring, and management of the facility; information on setback distances from the esker and surface water; information on the visual inspections, monitoring of instrumentation, and sampling of any seepage/runoff that is identified, consistent with the existing Ekati Mine WROMP (Vers. 4.1)(Dominion Diamond 2014b); and, an adaptive management approach to describe responses to seepage water quality issues, if they were to develop through operations or closure. 	Included in updated management plans and designs. WEMP & CRMP approved on June 1, 2017 http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF Closure Objective is being discussed and reviewed as part of the ICRP Version 3.0 submitted to the WLWB on August 15, 2018. As per the Board decision of February 19, 2020 there is further work to be done and submission of ICRP Version 3.1 is required. This work is ongoing. Waste Rock and Ore Storage Management Plan required to be re-submitted 90 days prior to construction of Jay pit (Part H, Condition 3 of WL W2012L2-0001 amendment #4).
68	NSMA technical report response (PR#558)	Underground power lines and pipes	Dominion Diamond will continue to hold discussions and receive input from IBA community members regarding the design of the caribou crossings for the Jay Road. This input will be incorporated into the detailed design of the Jay Road. Once roads are constructed, it is anticipated that as part of annual visits of community members to the Ekati Mine and for wildlife monitoring, the effectiveness of the caribou crossings will be reviewed, and if necessary, modifications will be implemented.	Caribou crossing design engagement complete. WEMP & CRMP approved on June 1, 2017 http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF

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69	TG technical report response (PR#559)	Caribou crossing design engagement	Dominion Diamond will continue to engage with their IBA communities and other people affected by the Project to receive input regarding the design of the caribou crossings for the Jay Road. This input will be incorporated into the final detailed design of the Jay Road.	Caribou crossing design engagement complete. WEMP & CRMP approved on June 1, 2017 http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF
70	TG technical report response (PR#559)	Road closures for caribou	Dominion Diamond recognizes that traffic on the Jay Road and Misery Road associated with transport of kimberlite from the Jay Pit to the Ekati Mine processing plant is a potential barrier for caribou movement. To reduce this impact, Dominion Diamond have committed to temporarily closing the road(s) (Jay Road and/or Misery Road) to haul vehicles depending on the season and group composition of caribou approaching the roads.	Complete. Included in updated management plans WEMP & CRMP approved on June 1, 2017 http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF
71	TG report response (PR#559)	Caribou and WRSA	Dominion Diamond will seek input from Tłı̨ch̨ Elders and representatives of other IBA communities related to the location and design of these ramps, as was indicated in the Round 1 IR response DAR-Tłı̨ch̨-IR-29. Although caribou are not anticipated to regularly use the rock pile, they may occasionally be present; therefore, egress ramps will be constructed, to provide multiple routes off the pile for caribou or other wildlife. The rough boulder surface of the rock pile may still provide areas for dens for wolves and foxes, and burrowing areas for animals such as ground squirrels and hares. Dominion Diamond will continue to work with the Tłı̨ch̨ and other IBA community members on aspects of facility design, construction, monitoring and closure, and to incorporate traditional knowledge. As part of the future permitting work for the Project (i.e., water licensing) Dominion Diamond will provide a Design Report for the Jay WRSA to the Wek'èezhìi Land and Water Board (WLWB). This document will contain: <ul style="list-style-type: none"> relevant information on the design, construction, monitoring and management of the facility, including the egress ramps; information on setback distances from the esker and surface water; information on the visual inspections, monitoring of instrumentation, and sampling of any seepage/runoff that is identified, consistent with the existing Ekati Mine Waste Rock and Ore Storage Management Plan (WROMP) Vers. 4.1 (Dominion Diamond 2014b); and, an adaptive management approach to describe responses to seepage water quality issues, if they were to develop. 	Included in updated management plans and designs WEMP & CRMP approved on June 1, 2017 http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF Closure Objective is being discussed and reviewed as part of the ICRP Version 3.0 submitted to the WLWB on August 15, 2018. As per the Board decision of February 19, 2020 there is further work to be done and submission of ICRP Version 3.1 is required. This work is ongoing. Waste Rock and Ore Storage Management Plan required to be re-submitted 90 days prior to construction of Jay pit (Part H, Condition 3 of WL W2012L2-0001 amendment #4).
72	Dominion responses to hearing undertakings, DAR-MVEIRB-UT2-06 UT2-07 UT2-08 (PR#673)	Caribou Mitigation Plan Caribou mitigation measures Caribou Road Mitigation Plan (CRMP) details Truck convoys	Dominion Diamond commits to prepare a Caribou Mitigation Plan within one year of the acceptance of the Report of Environmental Assessment. (See full text of the Caribou Mitigation Plan commitment PR#673, DAR-MVEIRB-UT2-06 here) The Plan/Strategy includes: <ul style="list-style-type: none"> Caribou monitoring Project mitigation Zone of influence research Dust mitigation – sampling and suppressant program Progressive reclamation of the existing Ekati mine 	Complete. WEMP & CRMP approved on June 1, 2017 http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF CMP Submitted May 19, 2017 http://reviewboard.ca/upload/project_document/EA1314-01_DDEC_Caribou_Mitigation_Plan_measure_6-2a.PDF
73	DAR Adequacy review response -DAR-MVEIRB-11 (PR#255)	Employee retention	Dominion Diamond is committed to improving upon the existing tracking of human resources indicator, including employee retention, in the future.	Ongoing
74	DAR Adequacy review response -DAR-MVEIRB-11 (PR#255)	Employee retention, adult education	Dominion Diamond is reinstating the Workplace Learning Program, and is introducing an adult educator position, with the goal of improving the education literacy of employees.	Complete – adult educator position in place.

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75	DAR Adequacy review response -DAR-MVEIRB-11 (PR#255)	Recruitment	Establish community liaisons employed by the community but funded through Dominion Diamond. The liaison will be the company's point of contact in the community and will mainly be responsible for pre-employment contact. Dominion Diamond agreed to fund a liaison position who would be employed by the community to provide pre-employment assistance.	<p>Ongoing. Dominion continues to support the Community Liaison role with the Hamlet of Kugluktuk and has also begun supporting a similar role for the Yellowknives Dene First Nation through Det'on Cho Corporation. Both positions are performing well and providing much-needed support to the respective Indigenous groups.</p> <p>At the request of some communities, funding for the position has been used for other positions where a need is identified. For example, some communities have requested funding for business development related roles instead of Liaison/Recruiting roles. For example, Dominion currently provides funding to the Lutsel K'e Dene First Nation's economic arm – Denesoline Corporation, to support their Pop-Up Café initiative and have done so for the last couple of years. This was an employment opportunity and one that allowed a gap in services within the community (meals for purchase) to be reduced.</p>
76	DAR-KIA-IR-84 (PR#305)	Local business capacity	Dominion is committed to engaging with all IBA communities with respect to contracting community businesses, wherever practicable, for the Jay Project. Through ongoing engagement with IBA communities, Dominion will seek to identify business opportunities and strategies to maximize the use of local businesses.	Ongoing discussions with IBA groups – business opportunities summary provided to IBA groups. Related to Commitment 75, some communities have requested funding for business development related roles instead of Liaison/Recruiting roles. For example, North Slave Metis Alliance has hired a Business Development Officer to assist with business initiatives related to mining in the North which has an impact on employment through their organization and contracts.
77	DAR-KIA-IR-88 (PR#305)	Education – northern labour force development	Dominion will continue to work with the Mine Training Society in the delivery of mine-related programming to the Hamlet of Kugluktuk. Dominion will extend the on-the-job training opportunities, including apprenticeships, to employees at the Ekati mine, including those who reside in Kugluktuk. Through ongoing consultation with IBA communities, including the Hamlet of Kugluktuk, Dominion will work to identify opportunities to provide education and training to residents of IBA communities, where practicable.	Ongoing
78	DAR-NSMA-IR-27 (PR#305) NSMA-DAR-IR2-01 (PR#448)	Employment and training– barriers to training and employment of women	<p>Dominion is committed to ongoing engagement with communities, and will continue to seek input on employment barriers, including those discussed above (employment for rural women), and possible approaches to breaking down those barriers.</p> <p>Dominion Diamond has undertaken activities to try to minimize these barriers to the training and employment of women, where possible:</p> <ol style="list-style-type: none"> 1. Dominion Diamond provides scholarships in the support of educational attainment, with the aim of removing barriers associated with the cost of an education. 2. Dominion Diamond will continue to run the Women in the Workforce Program, designed to promote the training, hiring, and advancement of women in non-traditional roles. 3. On a case-by-case basis, Dominion Diamond evaluates alternate schedules for women with children, including flexible office hours for Yellowknife-based staff, and flexible rotations for mine-site workers, such as a four (4) days on / three (3) days off rotation instead of a two (2) weeks on/two (2) weeks off rotation. This shorter period away from home allows some women to split caregiver duties with another family member, or to use other childcare arrangements as available. 4. Dominion Diamond is committed to maintaining a workplace free of discrimination and/or hostility towards women. The Company has a Harassment & Discrimination Policy that outlines the process individuals can follow in raising a concern of harassment and/or discrimination and having the concern addressed in a timely fashion. 5. Dominion Diamond is also committed to engaging with communities to provide information to potential female employment candidates that encourages their application, and reiterates the company's zero tolerance policy towards harassment and gender discrimination. 6. Dominion Diamond has implemented a Recruitment Policy that ensures qualified female applicants are given priority consideration for both traditional and non-traditional roles. With the creation and institution of this formal policy, it is Dominion Diamond's goal to increase the proportion of women working for the company over the operational life of the Jay Project. 7. Dominion Diamond will continue to support external organizations such as the Mine Training Society by providing work placements to students, including females, at the mine site with the view to ensuring students are able to gain practical hands-on work experience, but also enable them to experience life at the mine. <p>Dominion Diamond will take the following steps to evaluate the status of the employment of women at the Ekati Mine, and to develop strategies to improve performance:</p> <ol style="list-style-type: none"> 1. Dominion Diamond will track feedback received from Exit Interviews completed by exiting female employees to identify barriers to successful retention. If such barriers are identified, Dominion Diamond is committed to 	<p>Ongoing.</p> <p>Dominion participated in a workshop in December 2018 held by the Native Women's Association whereby representatives from each of the diamond mines spoke about their business in general, but also addressed key concerns raised by the women who participated and who joined the group from across the NWT. This was a good opportunity to hear additional feedback on why women are perhaps not applying for jobs at the mines or difficulties they may be having if they are currently working in the mines (or have a relative who is).</p> <p>Dominion is a founding member for the Northwest Territories Women in Mining Canada Chapter which was launched during the GeoScience Forum in November 2019.</p> <p>Efforts continue to develop an appropriate framework and a path forward for addressing Women in Mining issues.</p>

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			<p>investigating what can be done to address the issue. Mechanisms to address barriers will be developed as part of Dominion Diamond's commitment to ongoing improvement, and will be specific to the issue in question.</p> <p>2. Where employment barriers for women are seen as related specifically to social issues, Dominion Diamond is committed to raising these issues with the Government of the Northwest Territories to determine how the two parties can work together to improve or remove the barrier that is being experienced.</p> <p>In addition, Dominion Diamond evaluates its programs aimed at improving the training and recruitment of women in the North, and will continue to adapt programs in response to feedback from female employees and community members interested in a career in mining.</p> <p>Regardless of achievement of industry averages of women in the workforce, Dominion Diamond is committed to engaging women, and building capacity of the female workforce in the NWT. To this end, Dominion Diamond will continue to participate in the programs and initiatives detailed in Part 1 of this response, and will continue to work with communities to identify strategies for employing women.</p>	
79	Technical session April 23 – commitment #6 (PR#358)	Minimizing impacts and maximizing benefits to communities	DDEC is to prepare a summary report (in the future) from annual meetings between GNWT and DDEC describing performance on SEA community wellness and health indicators and DDEC's actions to address performance issues (acknowledging that all proprietary and confidential information will be omitted)	Completed the 2018 SEA Report review with the Government of the Northwest Territories and spoke in great detail about the impact current mine life and project statuses are having on employment levels. Although that was the highlight of the discussion, there was emphasis on the need to improve hiring of women into the industry and further focus on mental health-related issues. Discussed the opportunity of having the GNWT provide Code White Training to supervisors at the mine to ensure that they are trained to identify and address situations where mental health difficulties may be present.
80	DAR-MVEIRB-IR2-30 (PR#448)	Health and well-being in communities	Dominion Diamond acknowledges that adverse health and wellbeing trends exist, are significant, and may continue into the future. While the Project is predicted to not contribute to these adverse trends, Dominion Diamond is committed to working with the Government of the Northwest Territories, health and wellbeing-focused organizations, and communities to proactively address them to the extent possible.	Ongoing
81	LKDFN technical report response (PR#557) YKDFN technical report response (PR#561)	SEA performance improvements	<p>Dominion Diamond is currently in the process of evaluating the reporting tool in terms of its utility as a means for communicating SEA performance to communities, the GNWT, and the broader public. While Dominion Diamond has already improved upon the SEA reporting procedures, the Company is committed to continual evaluation and improvement. Some steps taken to date to improve the reporting process for the 2014 SEA report, or subsequent reports, include:</p> <ul style="list-style-type: none"> Transitioning to a new Human Resources tracking system that provides better reporting capabilities than the previous system. Listing of traditional and non-traditional roles to allow for greater understanding of the statistics being reported. Developing and rolling-out of Contractor Employment Statistics Procedure, which will ensure that contractors comply with the SEA requirement to report on Aboriginal and Northern hire statistics. Holding key contractors responsible for monthly reporting of employment and procurement statistics, to more accurately report on monthly achievement relative to SEA commitments. Reviewing, updating, and reporting the skill levels associated with current positions at the Mine. Implementing internal processes to track employee career progression, and reporting on Dominion Diamond's achievement in promoting and progressing its Northern and Northern Aboriginal employees. 	All points identified in the commitments listing have been actioned. Year-on-year Dominion continues to work with the GNWT to improve the report and tracking. Dominion completes an assessment each year of all positions and their skill levels to ensure they are correct and although Dominion has a baseline on reporting of progression of our employees, this is an area we will continue to focus on to ensure more fulsome information is available.
82	LKDFN technical report response (PR#557)	SEA engagement	Dominion Diamond is open to collaborating with communities and the GNWT to address SEA engagement recommendations, as appropriate. Given that the SEA reports are the responsibility of the operator, Dominion Diamond will continue to engage with communities on how to improve annual SEA reporting.	<p>Ongoing</p> <p>The GNWT organizes the schedule of community visits and Dominion commits to attending the meetings in the relevant communities that are impacted by Dominion's operations.</p>
83	LKDFN technical report response (PR#557) NSMA technical report response (PR#558) YKDFN technical report response (PR#561)	SEA transparency	Dominion Diamond is open to continued engagement with communities regarding the improvement of the transparency of discussions with the GNWT on matters pertaining to the Ekati Mine SEA. Dominion Diamond has committed to working with the GNWT to share minutes from meetings regarding the SEA, as appropriate, except where proprietary or confidential information is concerned. Dominion Diamond will also discuss other ways to improve transparency with the GNWT.	Ongoing

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84	YKDFN technical report response (PR#561)	SEA targets	Dominion Diamond is committed to hiring, contracting, and procuring from Northern and Northern Aboriginal sources.	Ongoing
85	YKDFN technical report response (PR#561)	Improving evaluation of social situation of employees	In addition to these existing strategies, Dominion Diamond intends to implement the following measures to improve the evaluation of the social situation of employees, and in communities: <ul style="list-style-type: none"> Obtaining feedback from the new Community Liaisons in key communities to determine what social barriers may be impacting work readiness or eligibility for employment at the Ekati Mine. Having further discussions with the GNWT about additional programming that may be warranted based on feedback obtained from the above-noted (liaison) sources of information, and through existing and new government-sponsored programming such as the recent Skills 4 Success initiative. This initiative has been led by the GNWT and includes information on skills availability within communities and barriers to successful employment. Working with the IBA representatives in each community to identify community and IBA-specific issues, and to determine what support Dominion Diamond can provide to assist in addressing these issues. 	Ongoing
90	DAR-EC-IR-28 (PR#292) DAR-EC-IR-29 (PR#292) DAR-EC-IR-30 (PR#305)	EC engagement during the development of the WWHPP and WEMP	The wildlife and wildlife habitat protection plan and wildlife effects monitoring program will be developed with Environment Canada during the Jay Project permitting phase.	Complete WEMP & CRMP approved on June 1, 2017 http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF CMP Submitted May 19, 2017 http://reviewboard.ca/upload/project_document/EA1314-01_DDEC_Caribou_Mitigation_Plan_measure_6-2a.PDF
91	DAR-EC-30 (PR#305) EC technical report response (PR #554)	Migratory birds and SARA – reporting of mortalities Migratory bird use of mine-altered water	Reporting of all wildlife mortalities, including those of migratory birds and species at risk, is required by site personnel. This commitment for mandatory wildlife mortality reporting will be reaffirmed in the wildlife and wildlife habitat protection plan and wildlife effects monitoring program. The WEMP will also monitor and report annually direct mine-related wildlife mortalities, and any migratory bird mortalities would be directly reported to Environment Canada. Environmental information collected through the Water Licence will continue to be used to characterize mine-altered waterbodies as part of migratory bird surveys that are conducted under the direction of professional wildlife biologists through the WEMP. This approach enables timely implementation of migratory bird mitigation measures, if necessary. Migratory bird monitoring results related to mine-altered waterbodies will be provided in the annual WEMP report.	Complete WEMP & CRMP approved on June 1, 2017 http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF
92	DAR-MVEIRB-IR2-10 (PR#448)	Raptor nesting locations	Dominion Diamond is committed to continue working collaboratively with the Government of the Northwest Territories, Environment and Natural Resources (GNWT-ENR) to identify and mitigate any potential risks or impacts to raptors and their nests during mining operations and pit back-flooding during closure. Dominion Diamond will continue to monitor all pits during operations and engage with GNWT-ENR on the appropriate preventative measures or deterrent methods to ensure the safety of raptors, their nests and young during both operations and closure.	Complete. Included in updated management plan WEMP & CRMP approved on June 1, 2017 http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF
93	EC technical report response (PR#554)	Provisions for species at risk	Mitigation and monitoring strategies for listed species (per Environment Canada Table 2 above) will be consistent with any final and applicable COSEWIC assessment status report, SARA recovery strategy, action plan, and management plan that may become available during the duration of the project. Dominion Diamond will consult with the GNWT and Environment Canada on adaptive management strategies should they be required, including the implementation of setback distances for established nests and monitoring the success of such nests. Pit wall monitoring for nesting raptors is a component of the WEMP (Section 5.10.1). Mitigation for raptors nesting in active and inactive pits is provided in Section 4.3.1. If a bird successfully nests in an active pit, ENR will be contacted to discuss a buffer zone that will be applied to the nest where no work can be undertaken. Monitoring for upland breeding birds (includes migratory birds) is a component of the WEMP and includes recording and reporting incidental observations (Section 5.12.1) and the North American Breeding Bird Survey (Section 5.12.2). Data would be submitted to eBird. In addition, rare and uncommon species will be recorded as part of the WEMP (Section 5.13).	Ongoing and included in updated management plan WEMP & CRMP approved on June 1, 2017 http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF

Commitment Number	Document Source	Sub-topic	Commitment by Dominion Diamond	STATUS (As of June 1, 2020)
94	GNWT technical report response 8 (PR#555 p2-9)	WEMP update	A revised version of the WEMP containing the changes identified in Response 8 was submitted to the MVEIRB on July 31, 2015 (Dominion Diamond 2015b).	Complete - July 31, 2015. WEMP & CRMP approved on June 1, 2017 http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF
95	DAR-EC-IR-28 and DAR-EC-IR-29 (PR#292)	Migratory Birds – Incidental Take	To the extent practicable, Dominion Diamond will plan to avoid vegetation clearing or causing other habitat loss during the migratory bird nesting season. Details of the mitigation procedures to avoid incidental take of migratory birds, their nests and eggs to comply with the Migratory Birds Convention Act and specific details for the avoidance of incidental take will be identified in the wildlife and wildlife habitat protection plan and wildlife effects monitoring program (including specific times and areas where migratory birds may be at risk).	Complete. Included in updated management plan WEMP & CRMP approved on June 1, 2017 http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF
96	DDMI Technical Report Responses (PR #551)	Engagement with other parties	Dominion Diamond has committed to continue to engage with DDMI on the development of detailed environmental and monitoring plans for water and wildlife where there is a spatial overlap of interests or needs.	Ongoing - Dominion continues to engage with DDMI on environmental monitoring plans for water and wildlife where there is overlap of interest or needs.
97	EC Technical report response (PR #554) AND GNWT technical report response (PR#555)	Misery Pit closure plan	Dominion Diamond plans to undertake this optimization study (described in PR#554 and PR#555) for the Ekati Mine Final Closure and Reclamation plan for approval from the WLWB. Therefore, for the Ekati Mine Final Closure and Reclamation Plan to be approved by the WLWB, Dominion Diamond will update water quality predictions and determine the optimal depth of freshwater cap.	Included in updated management plans and ICRP Version 3.0 (submitted to WLWB August 15, 2018). As per the Board decision of February 19, 2020 there is further work to be done and submission of ICRP Version 3.1 is required. This work is ongoing.
98	GNWT technical report response (PR#555)	Panda and Koala pit closure	Dominion Diamond will finalize operational and closure planning for the Panda and Koala pits once the Jay Project Environmental Assessment Process has been successfully completed. This work will include an optimization study as recommended by the GNWT.	Complete and Ongoing On September 10, 2018, Dominion submitted a revised WPKMP and the Panda Koala Deposition Study. This was approved by the WLWB at a meeting on January 24, 2019. Closure of the Panda/Koala underground has been completed as of February 2019 and PK Deposition has commenced. Note that the freshwater cap depth has not yet been approved. Ongoing discussions on this throughout the review and approval of ICRP Version 3.0 submitted to the WLWB on August 15, 2018. As per the Board decision of February 19, 2020 there is further work to be done and submission of ICRP Version 3.1 is required. This work is ongoing.
99	Technical session April 21 – commitment #4 (PR#358)	Management plans	Dominion Diamond will submit draft plans or existing management plans (e.g. those under review by WLWB) that may be used for reference by the Review Board (but not for review under the EA process); to be submitted to the Review Board and posted to the public registry.	Complete - Submitted to MVEIRB in June/July 2015.
100	DAR-MVEIRB-IR2-23 (PR#448)	Misery Pit water quality management strategies	If water quality monitoring within the Misery Pit indicates conditions differ from the DAR predictions and represent a potential risk to the receiving environment, Dominion Diamond will implement adaptive management strategies that may involve improvement or modifications to the minewater management plan or temporary use of the contingencies included in the design of the water management structures (Section 8.3, Appendix 3A of the DAR). The adaptive management strategies were provided in responses to the previous information requests (Round 1 IRs DAR-GNWT-IR-58 and DAR-EC-IR-15), and include the following: <ul style="list-style-type: none"> maintaining a storage contingency allowance in the existing King Pond throughout the construction and operations stage for use as an additional total suspended solids management facility during construction and operations phase, or for short-term emergency minewater storage; maintaining the contingency storage in the Misery Pit (approximately 3 million cubic metres throughout the operations stage for use as emergency minewater storage - upper 10 metres of the pit); maintaining pumping capacity and a pipeline between the Misery and Lynx pits throughout the operations stage to allow for lowering of the Lynx Pit water level to generate additional contingency minewater storage, if required; increasing storage capacity in the Jay runoff sump and mine inflows sump (e.g., constructing containment berms around the sumps) to augment temporary minewater storage capacity within the diked area; 	Complete WLWB approved the WPKMP and the Jay Minewater Management Plan. Dominion submitted a revised WPKMP to include the Jay Minewater Management Plan for a conformity check by WLWB staff in October 2017. The WLWB was satisfied with this version of the WPKMP (W2012L2-0001-Ekati-WPKMP_Version_7.0-Board_Directive-Apr_30_18.pdf)

Commitment Number	Document Source	Sub-topic	Commitment by Dominion Diamond	STATUS (As of June 1, 2020)
			<ul style="list-style-type: none"> consideration of direct discharge to the environment from the Jay runoff sump, if water is found to meet established discharge criteria (the discharge locations used during the initial stages of dewatering would be used); use of storage capacity available at the Ekati site (e.g., construction of pumping and pipeline system from the Misery site to the Ekati site); and, treatment of parameters of concern prior to discharge to Lac du Sauvage. Adaptive management options that provide additional storage for minewater may, in certain circumstances, be used to directly address certain water quality concerns such as suspended sediment, or they may provide additional time for implementation of other response plans.	
101	DDMI Technical report response (PR #551)	Regional monitoring programs – Wildlife and Water	Dominion Diamond has committed to continue to take part in regional monitoring programs for water and wildlife that would be led by government agencies. For example, Dominion Diamond will continue its participation with the Government of the Northwest Territories (GNWT)-led Caribou ZOI working group.	Ongoing WEMP & CRMP approved on June 1, 2017 http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF CMP Submitted May 19, 2017
102	DDMI Technical report response (PR #551)	Review of Monitoring and Mitigation Plans – Wildlife and Water	Dominion Diamond will advance the environmental monitoring and mitigation plans according to the applicable review process including engagement with stakeholders where appropriate.	Ongoing WEMP & CRMP approved on June 1, 2017 http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF CMP Submitted May 19, 2017 http://reviewboard.ca/upload/project_document/EA1314-01_DDEC_Caribou_Mitigation_Plan_measure_6-2a.PDF
103	DFO Technical Report Response (PR#552) AND EC Technical Report Response (PR #554) and IEMA Technical report response (PR#556)	AEMP development – AEMP	Dominion Diamond will continue to engage with regulators and communities on the design of the AEMP following the completion of the Environmental Assessment review process. Dominion intends to conduct an AEMP engagement workshop with interested parties prior to submission of the final plan to the WLWB. Dominion Diamond intends to conduct an AEMP engagement workshop with interested parties prior to submission to the WLWB.	Complete – December 11, 2015
104	DFO Technical Report Response (PR#552)	Aquatic Response Framework	Early warning action levels for water levels/flow changes for Lake C1/Stream C1 and the Narrows will be incorporated into the existing Ekati Mine AEMP Response Framework for approval by the WLWB under the Ekati Mine water license.	Ongoing - Included in updated management plans Aquatic Response Framework for the Jay Project was submitted in March 2018. The Jay AEMP was not approved as per the WLWB meeting of May 9, 2019.
105	DKFN Technical Report Response (#553) LKDFN technical report response (PR#557) TG technical report response (PR#559) YKDFN technical response report (PR#561)	AQEMMP – AQEMMP engagement	As described in the Dominion Diamond's July 24, 2015 letter posted to the MVEIRB public registry regarding the Draft Engagement Program for Amendments to the Ekati Mine Wildlife and Air Monitoring and Management Plans to Incorporate the Jay Project, additional engagement with parties on the AQEMMP (including station locations) will occur following the Environmental Assessment approval and prior to construction of the Project. Dominion Diamond will continue to engage with Tłı̨ch̨ government and Tłı̨ch̨ Elders along with all of the IBA groups on the design and implementation of the air quality programs. As described above, additional engagement on the AQEMMP will occur following the Environmental Assessment approval and prior to construction of the Project. Dominion Diamond will continue to work with the regulators and other parties in future revisions of the AQEMMP prior to the construction of the Project.	Engagement ongoing and included in updated management plans through the TKEG and various engagement activities. AQEMMP approved by GNWT on May 31, 2017. http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_AQEMMP_Measure_6-3.PDF

Commitment Number	Document Source	Sub-topic	Commitment by Dominion Diamond	STATUS (As of June 1, 2020)
106	GNWT technical report response (PR#555) IEMA technical report response (PR#556) YKDFN technical report response (PR#561)	Mine Water Management Plan	Through the environmental assessment process, Dominion Diamond has repeatedly committed to effectively reduce the potential for impacts to the receiving environment through the operation of the mine under its proposed water management plan (e.g., limiting the period of discharge to the receiving environment for less than half the operating years). It is expected that a water quality monitoring and management plan for dike construction will be prepared for the WLWB prior to the start of construction. As part of the Water Licence process, this plan will include total suspended solids limits for the Jay Dike construction. Dominion Diamond accepts the recommendation that a revised mine water management plan be submitted to the Wek'èezhì Land and Water Board (WLWB); we anticipate this will be a requirement of the Water Licence. As requested in this recommendation, this detailed plan submitted for approval with the Water Licence application will include details of contingencies, monitoring and evaluation, adaptive management trigger thresholds, and timelines for implementation.	Included in updated management plans Resubmission of CEMP required at least 90 days prior to the start of Construction. Minewater management plan approval with additional direction. Revised WPKMP with Jay Minewater Management Plan submitted to the WLWB
107	GNWT technical report response (PR#555)	Wastewater and Processed Kimberlite Management Plan	Dominion Diamond is committed to operating the Project in a manner that is environmentally protective. Therefore, Dominion Diamond will undertake ongoing evaluation of the operating details of the mine water management plan as operational monitoring data become available. Dominion Diamond anticipates that, consistent with current practice at the Ekati Mine, this work may take place through the Wastewater and Processed Kimberlite Management Plan as a requirement of the Ekati Mine Water Licence.	Included in updated management plans WPKMP approval with additional direction. Submission for conformity required within 90 days of the effective date of WL. Minewater management plan approval with additional direction. Revised WPKMP with Jay Minewater Management Plan submitted to the WLWB
108	IEMA technical report response (PR#556) LKDFN technical report response (#557)	Construction Management Plan	A construction management plan will be developed during the detailed design stage of the Project that will provide details regarding the handling, placement, and management of sediments and soils associated with the construction of the dike and Sub-Basin B Diversion Channel. Additional information regarding handling, placement and management of sediments and overburden associated with development of the open pit will be provided in the detailed design report for the Jay WRSA.	Included in updated management plans Resubmission of CEMP required at least 90 days prior to the start of Construction.
109	IEMA technical report response (PR#556) and LKDFN technical report response (PR#557)	Waste Rock and Ore Storage Management Plan	Dominion Diamond will provide the WLWB with an updated amendment to the WROMP to incorporate the Jay Project during the permitting process and will work with the WLWB on the timing and details of the submission. Dominion Diamond will extend the WROMP to cover the Jay WRSA; therefore, the adaptive management processes will also apply to the Jay WRSA.	Included in updated management plans Waste Rock and Ore Storage Management Plan required to be submitted 90 days prior to construction of Jay pit (Part H, Condition 3 of WL W2012L2-0001 amendment #4).
110	TG technical report response (PR#559)	CRMP reporting	Mitigation and monitoring efforts related to the CRMP will be documented and analyzed in the Ekati Mine annual Wildlife Effects Monitoring Program (WEMP) report.	Included in updated management plans WEMP & CRMP approved on June 1, 2017 http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF
111	LKDFN technical report response (PR#557)	Commitment to TK	Dominion Diamond's commitment to TK will continue through the Jay Project. In addition to Dominion Diamond's established performance record, northern Aboriginal people and regulators can rely on the existing requirements of the Ekati Mine's various regulatory approvals (such as the WLWB-issued Water Licence, for example), Environmental Agreement, and IBAs.	Included in updated plans and ongoing WEMP & CRMP approved on June 1, 2017 http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF
112	LKDFN technical report response (PR#557) NSMA technical report response (PR#558)	Commitment to TK	Dominion Diamond will continue to work in collaboration with all of the IBA communities to develop and implement effective TK projects, and will utilize external assistance when necessary to ensure the success of a TK project. Dominion Diamond will continue to be open to discussing new ideas for TK Projects or ideas on improving existing TK Projects with the IBA communities. However, Dominion Diamond recommends against the MVEIRB mandating TK requirements in a specific short timeframe as recommended by NSMA because this would be done with no context for TK ideas or initiatives that may be under development and could 'force' agreements before the merits and details have been adequately laid out.	Included in updated management plans Submission to WLWB of a revised Engagement Plan in accordance with the Boards' Engagement and Consultation Policy in October 2017. Approval of Version 4.0 with additional direction in April 2018 (W2012L2-0001-Ekati-Engagement Plan - Version 4.0- Directive and Reasons for Decision - Apr 30 18.pdf). Dominion continues to implement the Ekati Donation program. Community groups and Indigenous Governments determine the projects that are important and valuable for consideration under the Donation Program.

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113	LKDFN technical report response (PR#557) TG technical report response (PR#559)	TK in Jay design	Dominion Diamond will continue to request TK information related to the Jay Project and consider that information equally in project design and implementation. Dominion Diamond will continue to hold discussions and receive input from IBA community members regarding the design of the caribou crossings for the Jay Road. This input will be incorporated into the detailed design of the Jay Road.	Complete. Included in updated management plans WEMP & CRMP approved on June 1, 2017 http://reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_WEMP_Including_Caribou_Road_Mitigation_Plan_measure_6-1.PDF
114	NSMA technical report response (PR#558)	Collaboration on TK	Dominion Diamond will continue to work in collaboration with all of the IBA communities to develop and implement effective TK projects, and will utilize external assistance when necessary to ensure the success of a TK project. Dominion Diamond's approach to TK projects is focused on utilizing local TK Holders as leading 'experts' to provide input and direction. To this end, Dominion Diamond has previously proposed the concept of a multi-party elders panel that could provide input and guidance to TK projects at the Ekati Mine including the Jay Project. Although this initiative was not pursued by the Aboriginal organizations at that time, the approach of working firstly with local TK Holders themselves remains Dominion Diamond's preferred approach. Dominion Diamond will continue to be open to discussing new ideas for TK projects or ideas on improving existing TK projects with the IBA communities.	Included in updated management plans Submission to WLWB of a revised Engagement Plan in accordance with the Boards' Engagement and Consultation Policy in October 2017. Approval of Version 4.0 with additional direction in April 2018. Version 4.1 submitted and approved in August 2018 (W2012L2-0001-Ekati-Engagement Plan-Version 4.1-Jul 27 18.pdf). Dominion continues to implement the Ekati Donation program. Community groups and Indigenous Governments determine the projects are that are important and valuable for consideration under the Donation Program.
115	NSMA technical report response (PR#558)	Support for TK	The developer shall provide ongoing support, in kind or financial, to the aboriginal parties in order that they can manage and keep track of TK that is relevant to the Project. This TK will be shared with the developer, in accordance with the sharing agreement (PR# 558 recommended measure 2 p2-2), and used for environmental management at the Ekati Mine.	Ongoing. To be addressed directly with Indigenous organizations. Dominion continues to implement the Ekati Donation program. Community groups and Indigenous Governments determine the projects are that are important and valuable for consideration under the Donation Program.
116	TG technical report response (PR#559)	TK support and integration	In an effort to continually supplement the existing body of knowledge, Dominion Diamond continues to support long-term monitoring programs and community-based TK projects. One goal of these programs is to support the ongoing collection, documentation, recording, and verification of TK throughout the life of the Ekati Mine. These activities will provide opportunities to integrate TK into the Jay Project (and Ekati Mine) on a continual basis.	Included in updated management plans and ongoing Dominion continues to implement the Ekati Donation program. Community groups and Indigenous Governments determine the projects are that are important and valuable for consideration under the Donation Program.
117	Transport Canada technical response report (PR#560)	Compliance with Transportation of Dangerous Goods Act	Dominion Diamond will continue to comply with all requirements of the <i>Transportation of Dangerous Goods Act and Regulations</i> and seek clarification or guidance where required. Additionally, Dominion Diamond will continue to ensure that the Ekati Diamond Mine airstrip is operated under all appropriate certifications and associated standards, including those referenced above.	Ongoing