



June 30, 2022

Mark Cliffe-Phillips
Executive Director
Mackenzie Valley Environmental Impact Review Board
PO BOX 938
YELLOWKNIFE NT X1A 2N7

by EMAIL

Dear Mark Cliffe-Phillips:

Report of Environmental Assessment and Reasons for Decision for Jay Project (EA1314-01) Measure 13-4: 2021-2022 Annual Reporting from Regulatory Authorities

The Mackenzie Valley Environmental Impact Review Board's (Review Board) Report of Environmental Assessment and Reasons for Decision for the Jay Project at the Ekati Mine site included Measure 13-4: Annual Reporting from Government and Regulatory Authorities.

The attached "2021-2022 Annual Report on Implementation of Jay Project Measures" represents the Government of the Northwest Territories' (GNWT) annual reporting from July 1, 2021 to June 30, 2022. It includes all measures and responds to those assigned in whole or in part to the GNWT, as well as to measures not assigned to the GNWT but requiring GNWT participation, such as approval of Arctic Canadian Diamond Company's (ACDC's) mitigation or management plans.

The GNWT has been implementing the following measures directed primarily at the GNWT:

- Measure 6-2(b): Research to design and implement successful offsetting projects (partially completed, cannot be advanced further without action from ACDC)
- Measure 6-4: Dustfall standards (completed)
- Measure 6-6: Timely completion of caribou management plans (completed)
- Measure 8-1: Minimize negative socio-economic impacts of the Project on communities (ongoing)
- Measure 13-4: Annual reporting from government and regulatory authorities (completed annually, starting in 2017)

The GNWT has been implementing the following measures directed partially at the GNWT:

- Measure 4-4: Dike stability and safety
- Measure 6-1(d): Road mitigations from caribou impacts
- Measure 6-2(a)(iii and iv): Caribou offset and mitigation plan
- Measure 6-3: Air Quality Emissions Monitoring and Management Plan
- Measure 9-1: Incineration – Stack testing and reporting

.../2

Continual project delays have created difficulties in assessing and reporting on the effectiveness of measure implementation as required by Measure 13-4.

Cancellation of Jay Project and Measure 13-4 Implementation

The Jay Project was authorized under Water Licence W2016L8-0003 and Land Use Permit W2013D0007. Both authorizations expired on May 28, 2022. Other components of the Jay Project were permitted under the Ekati site-wide water licence and land use permit. During the recent review of Ekati’s water licence and land use permit, conditions that were either “directly related to the Jay Project activities or operations, or are not related to Jay Measures that have been committed to by government or Arctic, carried over, or part of a facility already built in relation to the Jay Project (e.g. the Jay Road, now called the Lac du Sauvage Road)” were removed from the authorizations.

Now that the Jay Project is no longer authorized, there is no legal requirement to continue the implementation of the Jay Project measures. This means the Jay-related measures from EA1314-01 are defunct in so far as they relate to work on the Jay Project that was never undertaken. The GNWT will discontinue reporting on measures for the Jay Project following the current reporting period.

The GNWT will continue to work with co-management partners and Indigenous governments to manage the Bathurst Caribou herd, uphold the Socio-Economic Agreement for the Ekati Mine, and administer the Ekati Environmental Agreement, which requires, among other things, air quality and wildlife monitoring at the Ekati Mine. Wildlife monitoring at the Ekati Mine is also required under the Ekati Wildlife Management and Monitoring Plan (WMMP), which was approved under section 95 of the *Wildlife Act*. The GNWT will also continue to fulfill all legal responsibilities related to the Ekati mine site as a whole (e.g. inspections, etc.).

Should the Review Board or any parties have any questions regarding the attached materials, please contact Aswathy Mary Varghese, Project Assessment Analyst, by email at Ash_Varghese@gov.nt.ca.

Sincerely,



Lorraine Seale
Director, Securities and Project Assessment
Lands

Attachment

Report on Implementation of Jay Measures – GNWT 2021-2022 Annual Report

Preamble

The Government of the Northwest Territories' (GNWT) responses in the “Detail on Measure Progress” column are formatted in response to the Measure 13-4 criteria, outlined below for reference.

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.

Note: Arctic Canadian Diamond Company Ltd. (ACDC) is now responsible for measures originally directed to Dominion Diamond Ekati Corporation. To avoid confusion, we have not altered the text of the measures with the updated company name. However, our responses, where necessary, will refer to the new company, ACDC.

GNWT's previous reports on the implementation of Jay measures can be found on the Review Board's [Public Registry](#).

Discipline	Measure	Text of Measure	Party Responsible	2020-2021 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.	2021-2022 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.
Impacts to Water quality	4-1: Closure objectives	To prevent significant cultural impacts after closure from changes in water quality, the Wek'èezhì 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.	Wek'èezhì Land and Water Board (WLWB), Arctic Canadian Diamond Company Ltd. (ACDC) replaces Dominion Diamond Ekati ULC (Dominion), formerly known as Dominion Diamond Ekati Corporation (DDEC)	Measure is not directed to the GNWT. The GNWT will continue to participate in review processes as required.	Measure is not directed to the GNWT. The GNWT will continue to participate in review processes as required.
Impacts to Water quality	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'èezhì Land and Water Board for approval, prior to the commencement of dike construction. Dominion will demonstrate how its	ACDC	Measure is not directed to the GNWT. The GNWT will continue to participate in review processes as required.	Measure is not directed to the GNWT. The GNWT will continue to participate in review processes as required.

Report on Implementation of Jay Measures – GNWT 2021-2022 Annual Report

Discipline	Measure	Text of Measure	Party Responsible	2020-2021 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.	2021-2022 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.
		<p>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: <ol style="list-style-type: none"> 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 			
Impacts to Water quality	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’èezhì Land and Water Board for approval prior to the implementation of any contingency.</p>	ACDC	Measure is not directed to the GNWT. The GNWT will continue to participate in review processes as required.	Measure is not directed to the GNWT. The GNWT will continue to participate in review processes as required.
Impacts to Water quality	4-3: Fine processed kimberlite	<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’èezhì Land and Water Board approves the use of the Panda and Koala pits. The Wek’èezhì 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.</p>	ACDC	Measure is not directed to the GNWT. The GNWT will continue to participate in review processes as required.	Measure is not directed to the GNWT. The GNWT will continue to participate in review processes as required.

Report on Implementation of Jay Measures – GNWT 2021-2022 Annual Report

Discipline	Measure	Text of Measure	Party Responsible	2020-2021 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.	2021-2022 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.
		Otherwise, the fine-processed kimberlite will be deposited into an approved processed kimberlite containment area.			
Impacts to Water quality	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'èezhì 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 accept the dike design prior to the commencement of dike construction • review the dike operation <p>Dominion will engage with the Wek'èezhì 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'èezhì Land and Water Board.</p>	ACDC	The GNWT's role in this measure was to engage with Dominion on the panel composition and tasks. This was completed in 2016 and the GNWT does not have any outstanding obligations associated with this measure. The GNWT's letter can be viewed on the public registry here .	The GNWT's role in this measure was completed in 2016 and the GNWT does not have any outstanding obligations associated with this measure. The GNWT's 2016 letter can be viewed on the public registry here .
Fish and Fish habitat	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>	ACDC	Measure is not directed to the GNWT. The GNWT will participate in review processes as required.	Measure is not directed to the GNWT. The GNWT will continue to participate in review processes as required.
Impacts to Caribou	6-1: Road mitigations 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 	ACDC	Measure is not directed to the GNWT. The GNWT will participate in review processes as required.	Measure is not directed to the GNWT. The GNWT will participate in review processes as required.

Report on Implementation of Jay Measures – GNWT 2021-2022 Annual Report

Discipline	Measure	Text of Measure	Party Responsible	2020-2021 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.	2021-2022 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.
		<ul style="list-style-type: none"> • 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 • 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 	ACDC	Measure is not directed to the GNWT. The GNWT will participate in review processes as required.	Measure is not directed to the GNWT. The GNWT will continue to participate in review processes as required.

Report on Implementation of Jay Measures – GNWT 2021-2022 Annual Report

Discipline	Measure	Text of Measure	Party Responsible	2020-2021 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.	2021-2022 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.
		<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 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.	ACDC	Measure is not directed to the GNWT. The GNWT will participate in review processes as required.	Measure is not directed to the GNWT. The GNWT will continue to participate in review processes as required.
		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.	ACDC, GNWT	<p>The GNWT's role in this measure was to hold a public review of the Caribou Road Mitigation Plan (CRMP) and then make a decision on approval of the plan. This was completed in 2017 (see ENR's June 1, 2017 letter to Dominion).</p> <p>The GNWT will review annual reports associated with the CRMP and provide any comments to ACDC.</p>	<p>The Caribou Road Mitigation Plan (CRMP) was incorporated into the Wildlife Effects Monitoring Plan (WEMP) for the Ekati Mine. The WEMP, including the CRMP, underwent a public review and then was approved in 2017, completing the GNWT's role in this measure (see ENR's June 1, 2017 letter to Dominion).</p> <p>The WEMP, which is now referred to as a Wildlife Management and Monitoring Plan (WMMP), is required by the GNWT under s.95 of the <i>Wildlife Act</i>. The GNWT issued a letter to ACDC on June 23, 2021 to notify them that the WEMP was accepted as fulfilling the requirement for a WMMP for the whole Ekati Diamond Mine under section 95(3) of the <i>Wildlife Act</i>. The GNWT will continue to conduct annual reviews of the WMMP reports despite the Jay Project no longer proceeding.</p>
Impacts to Caribou	6-2(a): Caribou offset and mitigation plan	i. Dominion will offset residual adverse impacts to caribou by human activities that cumulatively affect the Bathurst caribou herd, beyond direct impacts of the Jay Project. Dominion will set out these offsets in a Caribou Offset and Mitigation Plan, which it will complete within one year of	ACDC	Measure 6-2(a)(i) is not directed to the GNWT. The GNWT will participate in review processes as required.	Measure is not directed to the GNWT. The GNWT will continue to participate in review processes as required.

Report on Implementation of Jay Measures – GNWT 2021-2022 Annual Report

Discipline	Measure	Text of Measure	Party Responsible	2020-2021 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.	2021-2022 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.
		Minister's acceptance of this Report of EA. This plan will be in force throughout the duration of the Jay Project.			
		ii. Dominion will implement the Caribou Offset and Mitigation Plan as described in DAR-MVEIRB-UT2-06 and incorporate the following into the Plan: <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 on application of dust suppressant ○ a dustfall sampling program ○ report on results and propose improvements to be incorporated into the Air Quality Emission Monitoring and Management Plan ○ if dust mitigation improvements are identified, Dominion will apply them on all roads at Ekati • accelerate progressive reclamation of Long Lake Containment Facility substantially beyond current Interim Closure and Reclamation Plan requirements to return it to productive caribou habitat sooner • incorporate waste rock storage area egress ramps, designed in consultation with Elders to prevent injuries and entrapment of caribou 	ACDC	Measure 6-2(a)(i) is not directed to the GNWT. The GNWT will participate in review processes as required.	Measure is not directed to the GNWT. Please see ENR's December 3, 2021 response to Undertaking #6 from the Ekati Point Lake Water Licence public hearing for information on what parts of Measure 6-2a the GNWT believes could be addressed within the WMMP and what parts would or could be addressed through other regulatory instruments.
		iii. Following implementation of the Caribou Offset and Mitigation Plan, Dominion will: <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 	ACDC, GNWT	Dominion submitted their Caribou Offset and Mitigation Plan in 2017. The GNWT reviews the annual update on this plan that is documented in Dominion's reporting under Measure 13-3. An updated Caribou Offset and Mitigation Plan is to be submitted by ACDC to the GNWT ENR for approval every	The third bullet of Measure 6-2(a)(iii) directs the GNWT to receive an updated Caribou Offset and Mitigation Plan (COMP) from ACDC every three years for the GNWT's approval. The GNWT's reading of the measure was that the initial 2017 COMP did not require GNWT's approval.

Report on Implementation of Jay Measures – GNWT 2021-2022 Annual Report

Discipline	Measure	Text of Measure	Party Responsible	2020-2021 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.	2021-2022 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.
		<ul style="list-style-type: none"> 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. 		three years, meaning an update was scheduled for 2020. The GNWT is of the understanding that an updated Caribou Offset and Mitigation Plan will not be submitted by ACDC while the Jay Project is undergoing an optimization study and development of the Jay Project is on hold.	Dominion distributed their COMP in 2017 but an updated COMP was never submitted due to delays in the Jay Project. The GNWT's role in this measure is now complete, as the Jay Project is no longer proceeding, and an updated COMP will not be submitted to the GNWT. Elements of the COMP that are incorporated into the site wide Ekati WMMP will be reviewed by the GNWT.
		iv. The GNWT will enforce the Caribou Offset and Mitigation Plan under the section 95 of the Wildlife Act.	GNWT	Dominion released the Caribou Offset and Mitigation Plan (COMP) on May 19, 2017 and the GNWT-ENR will monitor the COMP outcomes.	The GNWT's role in this measure is now complete, as the Jay Project is no longer proceeding, and an updated COMP will not be submitted to the GNWT. Elements of the COMP that are incorporated into the site wide Ekati WMMP will be enforced by the GNWT under the <i>Wildlife Act</i> .
Impacts to Caribou	6-2(b): Research to design implement successful offsetting projects	<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 publically report on the results of the study within one year of the approval of the Caribou Offset and Mitigation Plan.</p>	GNWT	<p>a) The GNWT's obligations under the first half of Measure 6-2(b) will commence when ACDC submits an updated Caribou Offset and Mitigation Plan (COMP) to GNWT-ENR for approval. The GNWT is only required to measure and evaluate the effectiveness of ACDC's offsets that result from "the approved COMP". The most recent COMP (from 2017) did not require GNWT-ENR's approval (see Measure 6-2(a)(i)).</p> <p>The second half of Measure 6-2(b) was fulfilled on June 4, 2017 when the GNWT provided the Review Board with A Preliminary Assessment of Offset Measures for Caribou for the Development of the Dominion Jay Diamond Mine and a framework document titled Offsetting for Caribou: Toward an Assessment Framework for the Northwest Territories.</p> <p>b) The GNWT is of the view that the above fulfills the intent of this measure by adhering to what is stated in the measure.</p>	<p>a) The GNWT's obligations under the first half of Measure 6-2(b) has been advanced as much as it can at this point. Full implementation was dependent on actions from ACDC. The GNWT is only required to measure and evaluate the effectiveness of ACDC's offsets that result from "the approved COMP". To date there is no approved COMP, nor is there expected to be an updated COMP submitted to the GNWT. The most recent COMP (from 2017) did not require GNWT-ENR's approval (see Measure 6-2(a)(i)).</p> <p>The second half of Measure 6-2(b) was fulfilled on June 4, 2017 when the GNWT provided the Review Board with A Preliminary Assessment of Offset Measures for Caribou for the Development of the Dominion Jay Diamond Mine and a framework document titled Offsetting for Caribou: Toward an Assessment Framework for the Northwest Territories.</p>
Caribou, dust, air quality	6-3: Air Quality Emissions	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	ACDC, GNWT	a) The GNWT's role in this measure was to receive Dominion's updated Air Quality Emissions Monitoring and Management Plan (AQEMMP) and make a decision on	a) The GNWT's role in this measure is complete. The GNWT was to receive Dominion's updated Air Quality Emissions Monitoring and Management Plan (AQEMMP) and make a decision on approval of

Report on Implementation of Jay Measures – GNWT 2021-2022 Annual Report

Discipline	Measure	Text of Measure	Party Responsible	2020-2021 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.	2021-2022 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.
	Monitoring and Management Plan	<p>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:</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>		<p>approval of the plan. This was completed in 2017 (see the GNWT's May 31, 2017 letter to the Review Board). The GNWT will review annual reports associated with the AQEMMP and provide any comments to ACDC.</p> <p>b) N/A. The GNWT's role in this measure was to make a decision on approval of the plan as required by the Environmental Agreement but is not responsible for implementing the AQEMMP.</p>	<p>the plan. This was completed in 2017 (see the GNWT's May 31, 2017 letter to the Review Board).</p> <p>Although the Jay Project is not proceeding, the GNWT will continue to review annual reports associated with the Ekati AQEMMP, which is a required plan under the Ekati Environmental Agreement. The GNWT notes that the Jay AQEMMP was not incorporated into the Ekati AQEMMP.</p> <p>b) N/A. The GNWT's role in this measure was to make a decision on approval of the plan as required by the Environmental Agreement but is not responsible for implementing the AQEMMP.</p>
Impacts to Caribou	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. Dominion will use the interim dustfall objective to inform</p>	GNWT	<p>a) The GNWT's role in this measure was to establish an interim dustfall objective for the Ekati mine. Information on the interim dustfall objective can be found in the GNWT's May 31, 2017 letter to the Review Board.</p> <p>The GNWT will participate in review processes as needed.</p>	<p>a) The GNWT's role in this measure is complete. The GNWT was to establish an interim dustfall objective for the Ekati mine. Information on the interim dustfall objective can be found in the GNWT's May 31, 2017 letter to the Review Board.</p> <p>b) N/A. The GNWT's role in this measure was to develop an interim dustfall objective but the GNWT is not responsible for determining</p>

Report on Implementation of Jay Measures – GNWT 2021-2022 Annual Report

Discipline	Measure	Text of Measure	Party Responsible	2020-2021 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.	2021-2022 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.
		its actions to reduce impacts to caribou and caribou habitat from dustfall.		b) N/A. The GNWT's role in this measure was to develop an interim dustfall objective but the GNWT is not responsible for determining how the implementation of the dustfall objective by ACDC is meeting the intent of the measure. The GNWT will participate in review processes as required.	how the implementation of the dustfall objective by ACDC is meeting the intent of the measure.
Caribou, Traditional Knowledge	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>	ACDC	Measure is not directed to the GNWT. The GNWT will participate in review processes as required.	Measure is not directed to the GNWT. The GNWT will continue to participate in review processes as required.
Impacts to Caribou	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 	GNWT	<p>a) Since June 2020, progress on the GNWT's fulfillment of Measure 6- 6 has included the following actions:</p> <ul style="list-style-type: none"> • On July 9, 2020, the Conference of Management Authorities (CMA) (which includes the GNWT) released the Recovery Strategy for Barren-ground Caribou in the NWT. 	<p>The GNWT has completed the requirements of this measure (see reporting from 2018-2021).</p> <p>Although the Jay Project is not proceeding, the GNWT will continue to work with our co-management partners on matters related to Bathurst caribou.</p>

Report on Implementation of Jay Measures – GNWT 2021-2022 Annual Report

Discipline	Measure	Text of Measure	Party Responsible	2020-2021 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.	2021-2022 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.
		<ul style="list-style-type: none"> • 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 		<ul style="list-style-type: none"> • The Wek'èezhì Renewable Resources Board (WRRB) approved a wolf management pilot project on the winter range of the Bathurst and Bluenose-East winter ranges in 2020. As part of that pilot project wolf reduction was conducted between January and May 15, 2020, by ground-based hunting and augmented by aerial shooting. • The GNWT and the Tłı̨chǫ Government submitted a new joint wolf management proposal to the WRRB on August 25, 2020. The WRRB issued their Reasons for Decision final report on January 8, 2021. A response by ENR and the Tłı̨chǫ Government was submitted on March 12, 2021. This new proposal includes wolf research and monitoring activities to better understand wolves and their interactions with caribou. • The Bathurst Caribou Advisory Committee (which includes the GNWT) circulated the Bathurst Caribou Management Plan for public review, which closed on May 31, 2021. <p>b) The GNWT's response to Measure 6-6 explains how the implementation action is intended to fulfill the intent of Measure 6-6.</p> <p>i. Details on how the implementation actions address the predicted cumulative significant impacts from the Jay Project and other human activities on the Bathurst herd are outlined in GNWT's response to Measure 6-6.</p> <p>ii. The GNWT believes that collectively, the Bathurst Caribou Range Plan, the management actions identified in the 2020 GNWT-TG Joint Proposals, and the Barren-ground Caribou Recovery Strategy will collectively have a positive impact on the Bathurst herd and support conditions for reducing significant impacts to herd associated with the Jay Project: however, it is difficult to directly associate any particular action with a clear and measurable impact on the welfare of the herd for reducing the significance of the residual impact associated with the Jay Project. The GNWT also notes that with the exception of the development of the Jay Road, most of the work on the Jay Project has not begun.</p>	

Report on Implementation of Jay Measures – GNWT 2021-2022 Annual Report

Discipline	Measure	Text of Measure	Party Responsible	2020-2021 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.	2021-2022 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.
				<p>iii. The information presented in the GNWT’s response to Measure 6-6 will help inform future management plans and actions.</p> <p>iv. The management of barren-ground caribou in the Northwest Territories is a collaborative process, with decision-making shared by co-management boards, Indigenous governments, the GNWT, and agencies in neighbouring jurisdictions. One year was not enough time to develop official management plans and recovery strategies given that all co-management partners were to be involved in such strategies.</p> <p>The GNWT will continue to work with our co-management partners on matters related to Bathurst caribou and will update the Review Board, where appropriate, as progress is made.</p>	
Culture, Traditional Knowledge	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>	ACDC	Measure is not directed to the GNWT. The GNWT will participate in review processes as required.	Measure is not directed to the GNWT. The GNWT will continue to participate in review processes as required.
Culture, Traditional Knowledge	7-2: On-the-land cultural camp	<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</p>	ACDC	This measure is not directed to the GNWT. The GNWT will continue to participate in permit review, compliance and enforcement processes as required.	Measure is not directed to the GNWT. The GNWT will continue to participate in review processes as required.

Report on Implementation of Jay Measures – GNWT 2021-2022 Annual Report

Discipline	Measure	Text of Measure	Party Responsible	2020-2021 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.	2021-2022 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.
		<p>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>			
Maximizing benefits and minimizing impacts to communities	8-1: Minimize negative socio-economic impacts of the Project on communities	<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.</p> <p>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 adaptive management of social impacts, and GNWT's plans to address identified issues.</p>	GNWT	<p>a) The GNWT departments continue to advance work related to Measure 8-1 in an effort to improve understandings of socio-economic impacts from mining and resource extraction more broadly and health and well-being specifically. Actions related to this measure include: collaboratively working with IGOs to develop cultural well-being measures and, more broadly, well-being as a whole; completing a jurisdictional review of existing Health and Social Impact Assessment guidance with the intent of developing clear, robust and relevant guidance for participating in assessments, implementing monitoring and mitigation tools and supporting improved assessment processes, transparency and accountability for communities, stakeholders and the public; supporting cultural well-being by way of Indigenous language preservation through the Mentor Apprenticeship Program (MAP); and, a number of legislative updates to improve employment and training initiatives that promote economic well-being, such as Bill 12 (An Act to Amend the Apprenticeship, Trade and Occupational Certification Act) and Bill 20 (An Act to Amend Employment Standards Act). The GNWT continues to monitor indicators identified in the Socio-Economic Agreements and publicly report on this work in the annual Socio-Economic Agreement Report. Community meetings in 2020 were postponed due to the COVID-19 pandemic.</p> <p>b)i) As the Jay project has not proceeded, these actions are not targeted on significant adverse impacts from Jay; rather, they adaptively manage and address issues identified by communities, government and the MVEIRB. The GNWT continues to implement its SEA requirements and invite impacted communities to annual meetings to address socio-economic outcomes.</p> <p>ii) Current actions are improving the adaptive management and understanding of social impacts to health and well-being related to mining, however, collaborative work in this</p>	<p>a) The GNWT departments continue to advance work related to Measure 8-1 in an effort to improve understandings of socio-economic impacts from mining and resource extraction more broadly and to health and well-being specifically. Actions related to this measure include: ongoing collaboration with IGOs to develop cultural well-being measures, review of the Socio-Economic Agreement (SEA) program to identify areas for improvement across SEA commitments and procedures; and, ongoing development of regulations under the Mineral Resources Act to adopt a benefit retention approach to mining projects through SEAs. The GNWT continues to monitor indicators identified in the Socio-Economic Agreements and publicly report on this work in the annual Socio-Economic Agreement Report. Community meetings in 2021 were postponed due to the COVID-19 pandemic and efforts have been made to coordinate with communities to virtually hold these meetings.</p> <p>The GNWT continues to support cultural well-being by way of Indigenous language preservation through the Mentor Apprenticeship Program (MAP). The 2021-2022 fiscal year had 28 MAP pairs complete the program, all seeing increases in their oral proficiency levels. The MAP has had the fortuitous outcome of opening doors to healing and wellness through building family connections and cultural identity.</p> <p>b) i) As the Jay project has not proceeded, these actions continue to focus generally on adaptively managing and addressing issues identified by communities, government and the MVEIRB regarding the mitigation of negative socio-economic impacts from this Project and other related industrial projects. The GNWT continues to implement its SEA requirements and invite impacted communities to annual meetings to address socio-</p>

Report on Implementation of Jay Measures – GNWT 2021-2022 Annual Report

Discipline	Measure	Text of Measure	Party Responsible	2020-2021 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.	2021-2022 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.
				<p>area is ongoing and will continue to be needed in the years to come in order to ensure that community well-being issues related to mining are effectively addressed.</p> <p>iii) The actions and information presented in this response are used to implement actions clearly linked to mitigations and improvement in the GNWT operations.</p> <p>iv) Official letters are mailed to each diamond mining community, alongside the annual SEA report, inviting Chiefs and Councils, the Northwest Territory Métis Nation Presidents, and the North Slave Métis Alliance to meet with the GNWT. The GNWT will continue to engage with the communities on a regular basis.</p>	<p>economic outcomes as part of its commitments in the SEAs.</p> <p>ii) Current actions are continuing work to improve the adaptive management and understanding of social impacts to health and well-being related to mining.</p> <p>iii) Official letters are mailed to each diamond mining community, alongside the annual SEA report, inviting Chiefs and Councils, the Northwest Territory Métis Nation Presidents, and the North Slave Métis Alliance to meet with the GNWT. The GNWT will continue to engage with the communities on a regular basis.</p>
Socio-economic, employment	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>	ACDC	<p>This Measure is not directed to the GNWT and as such, the GNWT will defer to ACDC for updates on how the company has engaged the groups. However, the GNWT would like to share how it has supported increased employment opportunities for women. The GNWT’s Department of Education, Culture and Employment (ECE) has committed to increase the participation and completion rates of targeted groups in apprenticeship and certification, including women in non-traditional trades, and to develop and implement an initiative that will increase the number of women in the trades and occupations. ECE is currently working to develop a “Women in Trades” program to remove barriers and encourage more women to consider careers in skilled trades. Such a program will require a multi-faceted approach to addressing barriers to success experienced by Indigenous and female apprentices.</p> <p>The Mine Training Society recently delivered a program for women in trades in partnership with the federal government and a local employer. ECE supported this program by providing advice to the Society, and also by providing funding for participants. ECE is assessing support of this nature in planning for the “Women in Trades” program.</p> <p>With support of all active mines, the GNWT has been involved in regular meetings with Women in Mining, and is taking the steps to establish an NWT chapter under the NWT’s <i>Societies Act</i>.</p> <p>SEA reporting has introduced a chapter on Women, featuring statistics on female participation in the mining</p>	<p>This Measure is not directed to the GNWT and as such, the GNWT will defer to ACDC for updates on how the company has engaged the groups. However, the GNWT would like to share how it has supported increased employment opportunities for women. The GNWT’s Department of Education, Culture and Employment (ECE) has partnered with Skills Canada NWT to present a Girls in Trades Workshop. The workshop is designed to provide opportunities for female students to explore the trades as a potential career path with the added bonus of boosting their confidence, teaching life skills and empowering them as young women to pursue a career path largely dominated by men. It allows female students to experience some of the opportunities that a career in the trades can offer. Participants learn first-hand what a career in the trades could look like and gain valuable insights into these rewarding career options that provide excellent compensation while delivering quality services and contributions to our communities.</p> <p>The Trade and Occupation Wage Subsidy Program (TOWSP) provides financial support to employers to hire and train skilled apprentices and occupation trainees who are registered with the Apprenticeship, Trade and Occupation Certification program and residents of the NWT. One objective of the TOWSP is to encourage employers to hire women in non-traditional trades; in January 2022, ECE increased the hourly dollar amount of the wage subsidy per female apprentice in non-traditional trades from \$8.00 per hour to \$15.20 per hour.</p> <p>With support of all active mines, the GNWT has been involved in regular meetings with Women in Mining, and established a NWT chapter under the NWT’s <i>Societies Act</i>.</p>

Report on Implementation of Jay Measures – GNWT 2021-2022 Annual Report

Discipline	Measure	Text of Measure	Party Responsible	2020-2021 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.	2021-2022 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.
				industry and stories about the successes of women in training and employment.	SEA reporting features a chapter on Women, with statistics on female participation in the mining industry and stories about the successes of women in training and employment.
Air quality, stack testing, incineration	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 test and approval of the Adaptive Management Response plan by GNWT Department of Environment and Natural Resources, in consultation with Environment Canada.</p>	ACDC	The GNWT notes that stack testing was scheduled to occur in 2019. The GNWT understands Dominion did not conduct stack tests in 2019 or 2020 due to the delay in implementing the Jay Project. ENR will review incinerator stack test results if/when they are provided by ACDC.	The Wek'èezhì Land and Water Board (WLWB) has directed ACDC to conduct incinerator stack testing every three years as part of ACDC's Waste Management Plan (see the WLWB's April 8, 2022 Reasons for Decision for the Point Lake Project Amendment). The GNWT will review incinerator stack test results when they are provided by ACDC.

Report on Implementation of Jay Measures – GNWT 2021-2022 Annual Report

Discipline	Measure	Text of Measure	Party Responsible	2020-2021 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.	2021-2022 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.
Air quality, greenhouse gases	Measure 9-2: Reporting on greenhouse gas emission and management	<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>	ACDC	<p>Measure is not directed to the GNWT. The GNWT will participate in review processes as needed, including any reviews of the Air Quality Emissions Monitoring and Management Plan (AQEMMP) and the AQEMMP report.</p> <p>The AQEMMP that the GNWT approved in May 2017 states that "DDEC will include the information required under Measure 9-2 from the Report of EA as part of the GHG Management Report. A copy will be reproduced as an appendix in the AQEMMP annual report."</p>	<p>Measure is not directed to the GNWT.</p> <p>The GNWT will continue to review annual reports associated with the Ekati AQEMMP, which is a required plan under the Ekati Environmental Agreement. The GNWT notes that while the current AQEMMP does not capture all of the requirements of Measure 9-2 it does contain information on greenhouse gas emissions.</p>
EA Measures Follow-up	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> <p>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</p>	GNWT, WLWB	The GNWT will provide an annual Report on Implementation of Jay Project Measures directed to the GNWT to MVEIRB by July 1 of each year.	Since 2018, the GNWT has provided an annual Report on Implementation of Jay Project Measures directed to the GNWT to MVEIRB by July 1 of each year. As the Ekati Jay project is cancelled (effective from the May 2022 Water Licence Amendment for Ekati), there is no longer a legal requirement to maintain water licence conditions reflecting Jay Project measures. There is also no legal requirement, or mechanism, to apply measures from the Jay Project to the Point Lake Project in the water licence or any context. Mitigations contained in Jay measures directed to the GNWT which have been adopted to apply sitewide at the Ekati mine will continue via their respective sitewide mechanisms.

Report on Implementation of Jay Measures – GNWT 2021-2022 Annual Report

Discipline	Measure	Text of Measure	Party Responsible	2020-2021 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.	2021-2022 detail on measure progress for measures assigned in whole or in part to the GNWT. The GNWT responses are separated into sections of Measure 13-4.
		<p>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:</p> <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, 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? <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>			