



June 30, 2016

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

Dear Mr. Hubert:

**Re: Report of Environmental Assessment and Reasons for Decision – Measure 13-3
Annual Reporting from Dominion**

Dominion Diamond Ekati Corporation (Dominion Diamond) is pleased to provide the following summary of activities on the Jay Project (the Project) as per the *Report of Environmental Assessment and Reasons for Decision* (REA) Measure 13-3. This measure requires Dominion Diamond to submit an annual report on the implementation of the measures found within the REA to the Mackenzie Valley Environmental Impact Review Board (MVEIRB) by July 1.

Measure 13-3 Annual Reporting from Dominion

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?*

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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.

On February 1, 2016 the MVEIRB released the REA for the Jay Project 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 Diamond during the Environmental Assessment process. On May 19, 2016, the Minister agreed to adopt the recommendation of the MVEIRB; that the Project be approved subject to the measures and developer's commitments contained within the REA.

A full year has not passed between the Minister's decision and the first due date of July 1, 2016 for the annual report required by Measure 13-3. Dominion Diamond is providing the following summary of activities related to the Measures found within the REA between May 19, 2016 and June 30, 2016.

- June 1, 2016 - Dominion Diamond submitted an early works land use permit application to the Wek'eezhii Land and Water Board (WLWB). This permit application is primarily related to the construction of the Jay Road. The application was distributed for a public review and comment period with the deadline for comments being June 30, 2016. Dominion Diamond's responses to review comments are due July 7, 2016. For more information refer to the WLWB on line registry, permit W2016F0007.
- June 7, 2016 – Dominion Diamond submitted an updated water licence and land use permit application for the Project to the WLWB. This updated application package was distributed for a public review and comment period with the deadline for comments being July 21, 2016. The updated water licence and land use permit application package contains information relevant to Measure 4-1(Closure Objectives), Measure 4-2(a) (Site Water Management Plan), Measure 4-2(b) (Pit Lake Water Quality), and Measure 5-1 (Protection of the Narrows). Please refer to the WLWB on line registry, files W2013D0007 and W2013L2-0002.

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- Measure 4-4 (Dike Stability and Safety) – Dominion Diamond circulated the Dike Review Panel composition and Terms of Reference to the Independent Environmental Monitoring Agency, the WLWB, and the Government of the Northwest Territories on May 31, 2016. Comments from these agencies are expected by September 7, 2016.
- Measure 6-1 (Road mitigations from caribou impacts) - Dominion Diamond has updated the Wildlife Effects Monitoring Plan (WEMP) and the Caribou Road Mitigation Plan (CRMP) following the Environmental Assessment review process. The WEMP and the CRMP were submitted to the Government of the Northwest Territories (GNWT) and the Parties of the Environmental Assessment on May 31, 2016.
- Measure 6-2a (Caribou Offset and Mitigation Program) – Dominion Diamond has provided funding to the GNWT for 17 georeferenced collars and funding for the Tlicho Ekwo Nàowo Monitoring Program. Dominion Diamond is conducting a second year of testing of a dust suppression product at the Ekati mine. A summary of the 2015 Pilot Project and the 2016 Dust Suppression Plan were submitted to all Parties of the Environmental Assessment May 24, 2016.
- Measure 6-3 and 9-1 (Air Quality Emissions Monitoring and Management Plan) - A second draft of the Jay Project Air Quality Emissions Monitoring and Management Plan has been completed and circulated to the Parties of the Environmental Assessment for comment on May 31, 2016¹.
- Measure 6-5 (Traditional Knowledge based caribou monitoring and mitigation) - Dominion Diamond committed to funding and assembling a Traditional Knowledge Elder's Group (TKEG). Invitations, along with a draft Terms of Reference reflective of the Measure, were sent to the Aboriginal Parties of the Environmental Assessment and the first meeting of the TKEG was held on June 17, 2016.
- Measure 7-1 (Traditional knowledge management framework) - Dominion Diamond is working with the Aboriginal Parties of the EA to develop a Traditional Knowledge Management Framework. This is ongoing.
- Measure 8-2 (Supporting increased employment opportunities for women) - Dominion Diamond has engaged the GNWT, the Status of Women Council of the NWT, and the Native Women's Association of the NWT on current policies and strategies for the training, recruitment, and employment of women. Dominion Diamond held a workshop

¹ This can be found on the WLWB on line registry under permit number W2013D0007 ([Air Quality and Emissions Monitoring and Management Plan-May 31 16.pdf](#)).



with the parties listed above, the Mine Training Society, and representatives from the Aboriginal groups on June 3, 2016.

For further information on the status of the measures and commitments made by Dominion Diamond in the REA please refer to the updated permit and water licence applications for the Project that were submitted to the WLWB².

If you have any questions or concerns regarding this summary of activities, please contact me at 867-669-6116 or Claudine.Lee@Ekati.DDCORP.CA.

Sincerely,

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

Claudine Lee, M.Sc., P.Geol.
Head – Environment and Communities

² This information can be found on the WLWB on line registry under water licence W2013L2-0002 and land use permit W2013D0007. In particular see Appendix Q1 ([Ekati Jay Project-Appendix Q1-Developer Commitments Table-Jun7_16.pdf](#)) and Appendix Q2 ([Ekati Jay Project-Appendix Q2-Jay REA Measures Table-Jun 7_16.pdf](#)).