

EA1314-01 - Jay Project

September 23, 2015

## Note to File

**Re: EA1314-01 Jay Project, Dominion Diamond – updated draft Commitments Table**

Please find attached a *draft* compilation of commitments made by Dominion Diamond for the Jay Project since the submission of the Developer's Assessment Report (DAR) in November 2014 to date.

The table is prepared by the Review Board. It includes commitments from the DAR Adequacy Review, responses to information requests, commitments made during the technical session and undertakings, the second round of information requests and the public hearings. Commitments listed in the Developer's Assessment Report are therefore not included in the attached table.

Parties to the Jay Project, including Dominion Diamond are asked to review this draft Commitment's Table and submit comments or recommendations by October 9<sup>th</sup>. This table will be updated based on any comments or recommendations received and placed on the public registry prior to submission of Parties' final closing arguments on October 23<sup>rd</sup>.

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## EA1314-01 Jay Project – Dominion Diamond

### ***Draft Commitments Table – September 23, 2015.***

This table is a *draft* compilation of commitments made by Dominion Diamond for the Jay Project since the submission of the Developer's Assessment Report (DAR) in November 2014 to date. The table is prepared by the Review Board. It includes commitments from the DAR Adequacy Review, responses to information requests, commitments made during the technical session and undertakings, the second round of information requests and the public hearings. This commitments table will be updated throughout the remaining phases of the environmental assessment for the Jay Project and included in the Review Board's Report of Environmental Assessment.

(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

Subject	Document Source	Subject	Commitment by Dominion Diamond
Water quality and hydrology			
	DAR-EC-IR-07 (PR#305)	Metal Analysis, Uranium and Thorium. Request development of contingency	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

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		plan to deal with exceedances of Uranium and Thorium in leachate should that occur	purpose of identifying any needs for further testing, monitoring or adaptive management.
	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).
	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.
	DAR-MVEIRB-UT-09 (PR#371)	Enhance 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.
	DAR-EC-IR2-01 DAR-GNWT-IR2-04 (PR#448)	Discharge of minewater from Misery pit to Lac du Sauvage.  Mixing zone in Lac du Sauvage.	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

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			<p>operations (i.e., during the phase when there is no discharge to Lac du Sauvage) and late operations (i.e., during the discharge period).</p> <p>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, <i>Pseudokirchneriella subcapitata</i>, and the cladoceran, <i>Ceriodaphnia dubia</i> (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.</p>
	DAR-GNWT-IR2-18 (PR#448)	Hydrology model reliability	<p>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 backflooding 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).</p> <p>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.</p>

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			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.
Dike design, geotechnical studies, lakebed sediment management and waste rock storage area			
	DAR-GNWT-IR-17 PR#305)	Jay-Pipe Pit Geometry Provide a description of proposed actions, mitigations and monitoring associated with free-thaw on the 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.

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	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.
	Technical session April 20 commitment #1 (PR#358)	Dike design	DDEC commits to creating an Independent Dike Review Board/Panel prior to construction.
	DAR-GNWT-IR2-14 (PR#448)	Jay Pipe Dike Geotechnical Investigations	<p>             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).           </p> <p>             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.           </p> <p>             The recommendations were organized under two (2) headings:              1) Evaluation of foundation conditions, and              2) Evaluation of potential construction materials.           </p>

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			<p>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.</p> <p>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.</p> <p>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.</p>
	DAR-GNWT-IR2-17	Lake bottom sediment	The total volume of overburden soils to be stored in the WRSA is approximately 7,013,000 m <sup>3</sup> which accounts for approximately

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	(PR#448)	transport, storage and management in the waste rock storage area	<p>6.5% of the total volume of material to be stored in the WRSA.</p> <p>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.</p> <p>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.</p> <p>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.</p>
	DAR-MVEIRB-	Pre-feasibility	Excavated lakebed sediment will be transported to the waste rock



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	IR2-02 PR#448)	dike design, lakebed sediment disposal	<p>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.</p> <p>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.</p>
	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.
	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

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			Diamond will submit an application for Proclamation of exemption under Section 24 of the NPA.
Ore storage pads			
	DAR-IEMA-IR2-03 (PR#448)	Reclamation of ore transfer pad and diked area	<p>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.</p> <p>The ICRP is expected to be amended to include Jay Project components during regulatory process with the Wek'èezhì 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.</p>
Fish/Aquatics			
	DAR-EC-IR-25 and DAR-IEMA –IR-20 (PR#305)	Fish-out Plan, waterbirds Request details of diving bird mitigation strategy to prevent entanglement	Dominion will develop a diving bird mitigation strategy with Environment Canada, which will be included in the final fish-out plan.
	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

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			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.
	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) submitted with the application for a Fisheries Act Authorization during the regulatory phase of the Project.
	DFO Technical Report Response (PR#552)	Effects of blasting	<a href="#">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.</a>
	DFO Technical Report Response (PR#552)	Effects of blasting at Shoal 4	<a href="#">Dominion Diamond will engage with DFO on the topic of protecting 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.</a>
	DFO Technical Report Response (PR#552)	Watercourse crossings	<a href="#">Dominion Diamond is committed to avoid and mitigate serious harm to fish as a result of watercourse crossing construction, operation and decommissioning.</a>
	DFO Technical Report Response (PR#552)	Culvert crossings	<a href="#">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.</a>
	DFO Technical Report Response (PR#552)	Sub-basin B	<a href="#">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</a>

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			timing windows, bank stabilization and sediment and erosion control.
	DFO Technical Report Response (PR#552)	Sub-basin B	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 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.
	DFO Technical Report Response (PR#552)	Sub-basin B	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.
	DFO Technical Report Response (PR#552)	Sub-basin B	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.
	DFO Technical Report Response (PR#552)	Sub-basin B	Dominion Diamond is committed 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

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			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.
	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.
	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.
	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.

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<b>Water quality</b>	Environment Canada EC Technical report response (PR#554)	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.
	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.
	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.
	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

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			<p>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).</p> <p>Dominion Diamond will evaluate the use of standard laboratory procedures versus site-specific procedures for toxicity testing as part of its water licencing 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.</p>
	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.
	Kugluktuk public hearing transcript	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.”
<b>Air quality – Waste management</b>			
	DAR-GNWT-IR-3 (PR#305)	Incinerator facilities – waste	Version 2.0 of the Waste Management Plan will now be submitted to the Wek’eezhii Land and Water Board in September as part of the annual Water Licence review and will include updates for the



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		incineration Incineration stack testing schedule requested	<b>Lynx Project and the new Management Plan for the Composter.</b> The composter is currently being commissioned with a revised operation date of September 1, 2015.
	DAR-GNWT-IR-69 (PR#305)	Proper waste management practices by new employees	During site orientation for new employees, contractors and visitors a mandatory presentation on waste management including the Sustainable Development Policy is outlined by Ekati management.
	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
	Meeting Report - air quality regulators May 7, 2015 (PR#418) DAR-GNWT-IR2-19 (PR#448)	Air Quality Monitoring and Management Plan – stack testing	<p>Dominion will commit to the 3-year incinerator stack testing cycle.</p> <p>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.</p> <p>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</p>



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			<p>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.</p> <p>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 will still 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.</p>
	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.
	DAR-GNWT-IR2-02 (PR#448)	Project mine fleet and equipment	Dominion Diamond is committed to minimizing emissions from mine equipment according to the established principles of Best Available Technology Economically

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		procurement	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.
	DAR-LKDFN-IR2-01 DAR-MVEIRB-IR2-28 (PR#448)	Ambient Air Quality Guidelines	<p>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 2015). These thresholds are higher than the NWT ambient air quality guidelines and would be applicable inside the development area.</p> <p>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</p>

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			<p>manage the air quality at the Project.</p> <p>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.</p> <p>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.</p> <p>(In the DAR, Section 7.1.4.1, the development area is defined as: "An area that includes the Project footprint and the mine footprints of the Ekati Mine and Diavik Mine. This area is either already physically disturbed by existing or planned mining activities, or has limited public access.")</p>
	DAR-LKDFN-IR2-05 DAR-NSMA-IR2-04	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

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	(PR#448)		<p>for fiscal year 2016 (February 1, 2015 to January 31, 2016):</p> <ul style="list-style-type: none"> <li>• Reduce energy baseload by 5%</li> <li>• Reduce Greenhouse Gas Emissions by 5%</li> <li>• Realize energy savings of \$2 million</li> <li>• Reduce fuel consumption by 5%</li> </ul> <p>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.</p>
	DAR-MVEIRB-IR2-29	Greenhouse gas emissions	<p>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.</p> <p>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:</p>

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			<ul style="list-style-type: none"> <li>• Reduce energy baseload by 5%</li> <li>• Reduce fuel consumption by 5%</li> <li>• Realize energy savings of \$2 million</li> <li>• Reduce GHG emissions by 5%</li> </ul>
Air quality monitoring program	DKFN Technical Report Response (PR #553)	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.
	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.
	GNWT technical report response (PR#555)	Incineration management plan	<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"> <li><input type="checkbox"/> A waste segregation/diversion procedure;</li> <li><input type="checkbox"/> Removal of plastics and substitution of corn and bamboo based products at the Ekati Mine;</li> <li><input type="checkbox"/> Appropriate batch sizing including weighing and mixing; and,</li> <li><input type="checkbox"/> Monitoring and maintaining records of operating parameters (temperature in primary and secondary chambers, residence time) and quarterly performance monitoring.</li> </ul>

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			<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). The incinerator stack test results will be submitted to ENR and EC within 45 days of receipt of the results from the contracted testing laboratory, unless events beyond Dominion Diamond's control prevent it.</p> <p>In the event of a failed stack test, Dominion Diamond will develop and submit to ENR and EC an AMRP within 90 days of the receipt of the results indicating a failed stack test. The AMRP will contain an assessment of the incinerator operations and management likely to have contributed to the failed stack test, and a plan for further investigation or direct rectification of an identified source. Dominion Diamond will implement the AMRP immediately upon submission.</p> <p>In the event of a failed stack test, Dominion Diamond will complete a follow-up stack test at a frequency determined to be appropriate through the ARMP until the test is passed. The stack tests will verify the effectiveness of the adaptive management response measures and compliance to the CWS. All stack tests will 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>
	IEMA technical	Fugitive dust	As part of construction and operations for the Project, dust

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	report response (PR#556)	abatement program	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.
	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.
	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.
	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.
	YKDFN technical report response	Dust suppression	Dominion Diamond is committed to ongoing evaluation and improvement of dust suppression at the Ekati Mine.

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	(PR#561)		
<b>Caribou</b>			
	DAR-IEMA-IR-25 (PR#305)	Road use mitigation	List of mitigation 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.
	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.
	DAR-LKDFN-IR-19 DAR-Tlicho-IR-21 Appendix C PR#305, 308)	Jay road crossing mitigation	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 of caribou using additional satellite collar maps
	Technical session April 21 – commitment #2 (PR#358)	Caribou - baseline	DDEC 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.
	Technical session April 21 – commitment #3	Caribou road mitigation	Traffic Management Plan or Wildlife and Roads Mitigation Plan an Appendix to 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



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	(PR#358)		incorporate those suggestions.
	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”.
	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.
	DAR-MVEIRB-IR2-04 (PR#448)	Light mitigation strategies for caribou	<p>DAR-MVEIRB-UT-03 describes possible mitigation strategies for light pollution.</p> <p>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.</p> <p>Another mitigation option includes the use of switches or motion detectors in high illumination areas not occupied on a continuous basis (i.e., to light the area only when occupied).</p> <p>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</p>

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			fixed structures or facilities.
	GNWT technical report response (PR#555)	Participation in GNWT-led programs	<p>GNWT requests that MVEIRB recognize the final statement made by DDEC 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 "DDEC 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."</p> <p>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 (Barrenground Caribou Management Strategy) of the Wildlife Effects Monitoring Plan (WEMP).</p>
	IEMA technical report response (PR#556) and TG technical report response (PR#559) and YKDFN technical report response (PR#561)	Improving ZOI measurements	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.
	IEMA technical report response (PR#556)	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

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	NSMA technical report response (PR#558)		the area of caribou avoidance, including methods for measuring ZOI.
	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.
	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.
	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:

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			<input type="checkbox"/> relevant information on the design, construction, monitoring, and management of the facility; <input type="checkbox"/> information on setback distances from the esker and surface water; <input type="checkbox"/> 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 2014a); and, <input type="checkbox"/> an adaptive management approach to describe responses to seepage water quality issues, if they were to develop though operations or closure.
	NSMA technical report response (PR#558)	Underground powerlines 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 can be implemented.
	TG technical report response (PR#559)	Caribou crossing design engagement	Dominion Diamond will continue to engage with our 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.
	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

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			<p>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.</p>
	<p>TG report response (PR#559)</p>	<p>Caribou and WRSA</p>	<p>Dominion Diamond will seek input from Tłıchǫ 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-Tłıchǫ-IR-29.</p> <p>Although caribou are not anticipated to regularly use the rock pile, they may occasionally be present; therefore, the 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 Tłıchǫ 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 licencing) Dominion Diamond will provide a Design Report for the Jay WRSA to the Wek'èezhì Land and Water Board (WLWB). This document will contain:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> relevant information on the design, construction, monitoring and management of the facility, including the egress ramps;</li> <li><input type="checkbox"/> information on setback distances from the esker and surface water;</li> <li><input type="checkbox"/> information on the visual inspections, monitoring of instrumentation, and sampling of any seepage/runoff that is identified, consistent with the existing Ekati</li> </ul>

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			Mine Waste Rock and Ore Storage Management Plan (WROMP) Vers. 4.1 (Dominion Diamond 2014b); and, <input type="checkbox"/> an adaptive management approach to describe responses to seepage water quality issues, if they were to develop.
Maximizing benefits and minimizing impacts			
	DAR Adequacy review response -DAR-MVEIRB-11 (PR#255)	Employee retention	Dominion Diamond is committed to improving upon the existing tracking of human resource indicator, including employee retention, in the future.
	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.
	DAR Adequacy review response -DAR-MVEIRB-11 (PR#255)	Recruitment	Dominion Diamond agreed to fund a liaison position who would be employed by the community to provide pre-employment assistance.
	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

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			IBA communities, Dominion will seek to identify business opportunities and strategies to maximize the use of local businesses.
	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.
	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"> <li>1. Dominion Diamond provides scholarships in the support of educational attainment, with the aim of removing barriers associated with the cost of an education.</li> <li>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.</li> <li>3. On a case-by-case basis, Dominion Diamond evaluates alternate</li> </ol>

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			<p>schedules for women with children, including flexible office hours for Yellowknife-based staff, and flexible rotations for minesite 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.</p> <p>4. Dominion Diamond is committed to maintaining a workplace free of discrimination and/or hostility towards women. The Company has a Harassment &amp; 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.</p> <p>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.</p> <p>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</p>



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			<p>operational life of the Jay Project.</p> <p>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> <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> <p>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 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>

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			<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>
	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 <b>and confidential</b> information will be omitted)
	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.
	LKDFN technical report response	SEA performance	<a href="#">Dominion Diamond is currently in the process of evaluating the reporting tool in terms of its utility as a</a>

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	(PR#557)  YKDFN technical report response (PR#561)	improvements	<p>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"> <li><input type="checkbox"/> Transitioning to a new Human Resources tracking system that provides better reporting capabilities than the previous system.</li> <li><input type="checkbox"/> Listing of traditional and non-traditional roles to allow for greater understanding of the statistics being reported.</li> <li><input type="checkbox"/> 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.</li> <li><input type="checkbox"/> Holding key contractors responsible for monthly reporting of employment and procurement statistics, to more accurately report on monthly achievement relative to SEA commitments.</li> <li><input type="checkbox"/> Reviewing, updating, and reporting the skill levels associated with current positions at the Mine.</li> <li><input type="checkbox"/> 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.</li> </ul>
	LKDFN technical report response	SEA engagement	Dominion Diamond is open to collaborating with communities and the GNWT to address these recommendations, as appropriate.

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	(PR#557)		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.
	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.
	YKDFN technical report response (PR#561)	SEA targets	Dominion Diamond is committed to hiring, contracting, and procuring from Northern and Northern Aboriginal sources.
	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"> <li><input type="checkbox"/> 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.</li> <li><input type="checkbox"/> Having further discussions with the GNWT about additional programming that may be warranted based on feedback obtained from the above-noted sources of information, and through existing and new government-sponsored programming such as the recent</li> </ul>

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			<p>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.</p> <p><input type="checkbox"/> 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.</p>
<b>Wildlife (other than caribou)</b>			
	DAR-EC-IR-30 (PR#305)	Migratory birds and SARA – reporting of mortalities Is reporting of wildlife mortalities voluntary or required by on-site staff	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 that will be developed with EC during the Jay Project permitting phase.
	EC technical report response (PR #554)	Bird monitoring results	Migratory bird monitoring results related to mine-altered waterbodies will be provided in the annual WEMP report. 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.
	DAR-MVEIRB-IR2-10	Raptor nesting locations	Dominion Diamond is committed to continue working collaboratively with the Government of the

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	(PR#448)		<p>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 GNWTENR on the appropriate preventative measures or deterrent methods to ensure the safety of raptors, their nests and young during both operations and closure.</p>
	EC technical report response (PR#554)	Provisions for species at risk	<p>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</p>

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			Survey (Section 5.12.2). Data would be submitted to Bird. In addition, rare and uncommon species will be recorded as part of the WEMP (Section 5.13).
	GNWT technical report response	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).
<b>Closure</b>			
	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.
	EC Technical report response (PR #554) AND GNWT technical report response (PR#555)	Misery pit closure plan	<p>Dominion Diamond plans to undertake this optimization study for the Ekati Mine Final Closure and Reclamation plan for approval for the WLWB.</p> <p>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.</p>
	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.

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Management and Monitoring Plans			
	Technical session April 21 – commitment #4 (PR#358)	Management plans	DDEC will submit and 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.
	DAR-MVEIRB-IR2-23 (PR#448)	Misery pit water quality management strategies	<p>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:</p> <ul style="list-style-type: none"> <li>• 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;</li> </ul>



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			<ul style="list-style-type: none"> <li>• 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);</li> <li>• 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;</li> <li>• 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;</li> <li>• 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);</li> <li>• 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,</li> <li>• treatment of parameters of concern prior to discharge to Lac du Sauvage.</li> </ul> <p>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,</p>

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			or they may provide additional time for implementation of other response plans.
Wildlife (other than caribou)	DAR-EC-IR-28 (DDEC response March 2015)	Migratory Birds – Incidental Take	<p>Details of the mitigation procedures to avoid incidental take of migratory birds, their nests and eggs to comply with the <i>Migratory Birds Convention Act</i> 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 that will be developed with Environment Canada during the Jay Project permitting phase.</p> <p>Mitigation measures to reduce incidental take may include the following:</p> <ul style="list-style-type: none"> <li>• to the extent practicable, land and vegetation clearing will occur outside of the general nesting season, which is defined as occurring from May 20 to August 13 in the Project area (zone N9; EC 2015);</li> <li>• continuing with surveys for active nests on mine infrastructure and open pits each spring;</li> <li>• avoiding disturbance to active nest sites;</li> <li>• preventing birds from nesting on mine infrastructure or in active open pits;</li> <li>• continuing site worker environmental sensitivity training; and,</li> <li>• identifying specific times and places where incidental take may occur, and proposing specific mitigation (such as nest sweeps, grubbing and use of bird deterrents).</li> </ul>
Wildlife (other than caribou)	DAR-EC-IR-29 (DDEC response March 2015)	Migratory Birds – Incidental Take	A detailed construction schedule for the Jay Project is not yet available. To the extent practicable, Dominion Diamond will plan to avoid vegetation clearing or causing other habitat loss during the migratory bird nesting season. The general nesting season is defined as occurring from May 20 to August 13 in the Project area (zone N9; EC 2015). Specific times and areas where migratory birds may be at risk, along with specific mitigation will be identified in the wildlife and wildlife habitat protection plan and wildlife effects monitoring program that will be developed with Environment Canada during the Jay Project permitting phase.
Regional monitoring	DDMI Technical report response	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

programs	(PR #551)		agencies. For example, Dominion Diamond will continue its participation with the Government of the Northwest Territories (GNWT)-led Caribou ZOI working group.
Review of Monitoring and Mitigation Plans	DDMI Technical report response (PR #551)	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.
AEMP development	DFO Technical Report Response (PR#552) AND EC Technical Report Response (PR #554) and IEMA Technical report response (PR#556)	AEMP	<p>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.</p> <p>Dominion intends to conduct an AEMP engagement workshop with interested parties prior to submission of the final plan to the WLWB.</p> <p>Dominion Diamond intends to conduct an AEMP engagement workshop with interested parties prior to submission to the WLWB.</p>
Aquatic Response Framework	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 of the WLWB under the Ekati Mine water license.
AQEMMP	DKFN Technical Report Response (#553)  LKDFN technical report response (PR#557)  TG technical report response (PR#559)  YKDFN technical response report (PR#561)	AQEMMP engagement	<p>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 on the AQEMMP (including station locations) will occur following the Environmental Assessment approval and prior to construction of the Project.</p> <p>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 will occur prior to construction of the Project.</p> <p>Dominion Diamond will continue to engage with Tłıchǫ government and Tłıchǫ 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.</p>

			<p>Dominion Diamond will continue to work with the regulators and other parties in future revisions of the AWEMMP prior to the construction of the Project.</p>
	<p>GNWT technical report response (PR#555)</p> <p>IEMA technical report response (PR#556)</p> <p>YKDFN technical report response (PR#561)</p>	Minewater management plan	<p>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.</p> <p>Dominion Diamond accepts the recommendation that a revised mine water management plan be submitted to the Wek'èezhìi 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.</p>
	GNWT technical report response (PR#555)	Wastewater and Processed kimberlite management plan	<p>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.</p>
	<p>IEMA technical report response (PR#556)</p> <p>LKDFN technical report response (#557)</p>	Construction management plan	<p>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.</p> <p>A construction management plan will be developed during the detailed design stage of the Project that will provide details regarding the handling,</p>

			<p>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.</p>
	<p>IEMA technical report response (PR#556) and LKDFN technical report response (PR#557)</p>	<p>Waste rock and ore management plan</p>	<p>Dominion Diamond will provide the WLWB with an updated amendment to the WROMP to incorporate the Project during the permitting process and will work with the WLWB on the timing and details of the submission.</p> <p>Dominion Diamond will extend the WROMP to cover the Jay WRSA; therefore, the adaptive management processes will also apply to the Jay WRSA.</p>
	<p>TG technical report response (PR#559)</p>	<p>CRMP reporting</p>	<p>Mitigation and monitoring efforts related to the CRMP will be documented and analyzed in the Ekati Mine annual Wildlife Effects Monitoring Program (WEMP) report.</p>

Traditional Knowledge			
	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.
	LKDFN technical report response (PR#557)  NSMA technical report response (PR#558)	Commitment to TK	<p>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.</p> <p>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 had been adequately laid out.</p>
	LKDFN technical report response (PR#557)  TG technical report response (PR#559)	TK in Jay design	<p>Dominion Diamond will continue to request TK information related to the Jay Project and consider that information equally in project design and implementation.</p> <p>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.</p>
	NSMA technical report response (PR#558)	Collaboration on TK	<p>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</p>

			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.
	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 (Measure 2), and used for environmental management at the Ekati Mine.
	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 Project (and Ekati Mine) on a continual basis.
<b>Dangerous Goods</b>	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.