



February 14, 2014

Mr. Richard Edjericon - Chairperson
Mackenzie Valley Environmental Impact Review Board
200 Scotia Centre
Box 938, 5102-50th Ave
Yellowknife, NT X1Z 2N7

Dear Mr. Edjericon

Re: Draft Terms of Reference Responses- Jay- Cardinal Project EA (1314-01)

Enclosed please find the comments from Dominion Diamond on the draft Terms of Reference for Jay-Cardinal Project EA (1314-01) issued by the Board on January 24, 2014 and on the responses provided by other Parties earlier this week.

As part of our comments, specifically Comment #15, the technical memo Alternatives Analysis Methodology for the Jay-Cardinal Project has been provided for the Review Boards consideration.

As part of our responses to the other Parties' comments, please see Table 1 provided below, which outlines our review responses to the information provided by the Lutsel K'e Dene First Nation in their submission letter.

Table 1: Proponent's Response to Comments in the Lutsel K'e Dene First Nation's Submission Letter

Excerpt From Submission Letter	Proponent's Response
It is our belief that some of these issues only come about through mining developments, so in terms of mitigating impacts from the development, it is entirely the developer's responsibility to mitigate social impacts.	The proponent agrees if socio-economic (social, cultural, economic, etc.) impacts are predicted as a result of the proposed project, then it would be appropriate for mitigation to be implemented.

<p>LKDFN requests that socio-economic analysis and mitigation plans be given more value in the ToR, and added as Key Lines of Inquiry so that we can adequately address the concerns raised in the community scoping session. LKDFN requests that socio-economic analysis and mitigation plans be given more value in the ToR, and added as Key Lines of Inquiry so that we can adequately address the concerns raised in the community scoping session.</p>	<p>The proponent believes this recommendation is adequately captured in the draft TOR, specifically in Section 8, and that no additional language is necessary.</p> <p>The proponent acknowledges the social and cultural effects of industry within the potentially-impacted communities and the region and intends to provide the available information pertaining to these effects as well as a thorough discussion in the Developer's Assessment Report. However, as the project is an extension of an existing operating mine, minimal additional changes to existing socio-economic conditions are anticipated in relation to the Jay-Cardinal Project. However, the proponent would also note the development of mitigation plans with respect to existing socio-economic impacts cannot be solely addressed in the context of one project and requires a collaborative effort from government, other industrial developers and First Nations communities in the region.</p>
<p>Traditional Knowledge be valued and utilized when DDEC provides information on the bullet points in Section 7.3.3, specifically the historic movements and migration patterns through the proposed project area.</p>	<p>The proponent believes this recommendation is adequately addressed in the draft TOR as currently worded.</p>
<p>DDEC is required to investigate impacts of caribou crossing the dewatered lakebed (7.3.3), and LKDFN would suggest investigating the potential impacts of all wildlife having access to the exposed lakebed.</p>	<p>The proponent believes this recommendation is adequately addressed in the draft TOR as currently worded.</p>



Finally, we have just received the letter from the Deninu Kue First Nation with their comments on the draft Terms of Reference. Given the late submission of this letter, we would like to take some time to fully consider their comments before responding. We intend to respond to the DKFN comments by Monday, February 17th at the latest.

Thank you for the opportunity to provide comments. Dominion looks forward to working with the Board and its staff during the environmental assessment process.

Please feel free to contact me (867-446-1636) or Eric Denholm, Superintendent - Traditional Knowledge & Permitting, Ekati (867-669-6116) if you have any questions

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard Bargery', is written over a large, light-colored scribble or stamp.

Richard Bargery
Manager, Permitting Jay/Cardinal

Attachments:

- (1) Excel_Comments_Jay-Cardinal_TOR_Proponent_Feb13_2014
- (2) 1313280041-E14020-TM-Rev0-4060 Jay Cardinal Alternatives Assessment 12FEB_14
- (3) Copy of PropRespReq_355