



August 7, 2015

VIA EMAIL

Chuck Hubert
Sr. Environmental Assessment Officer
Mackenzie Valley Environmental Impact Review Board
200 Scotia Centre – 5102 – 50th Ave
YELLOWKNIFE, NT X1A 2N7

Dear Mr. Hubert,

RE: EA1314-01 Jay Project – updated draft Commitments Table (July 9)

Please find attached two commitments that were identified as missing from the subject table. These commitments had been provided by Dominion Diamond Ekati Corporation in its March 2015 responses to information requests from Environment Canada.

Sincerely,

David Alexander
A/Senior Project Manager
Northern Projects Management Office
Canadian Northern Economic Development Agency

Attachment: (1)

cc: Richard Bargery, Manager - Permitting, Jay Project, Dominion Diamond Ekati Corporation

Sarah-Lacey McMillan, Senior Environmental Assessment Coordinator, Environmental Protection Operations, Environment Canada

Subject	Document Source	Subject	Commitment by Dominion Diamond
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"> • 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); • continuing with surveys for active nests on mine infrastructure and open pits each spring; • avoiding disturbance to active nest sites; • preventing birds from nesting on mine infrastructure or in active open pits; • continuing site worker environmental sensitivity training; and, • identifying specific times and places where incidental take may occur, and proposing specific mitigation (such as nest sweeps, grubbing and use of bird deterrents).
Wildlife (other than caribou)	DAR-EC-IR-29 (DDEC response March 2015)	Migratory Birds – Incidental Take	<p>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.</p>