

EA File: EA1314-01

September 29<sup>th</sup>, 2015

Richard Bargery  
Manager – Permitting Jay Project  
Dominion Diamond Ekati Corporation  
11102 4920 52<sup>nd</sup> St  
Yellowknife, NWT X1A 3T1

To Mr. Bargery,

**Re: EA1314-01 Jay Project – Information request, cumulative effects to Lac de Gras**

Following a review of the evidence on the record, the Review Board requires more information on the potential cumulative effects to Lac de Gras from the proposed Jay project.

The specific information request is as follows:

**Topic:**

Water – Cumulative effects to Lac de Gras

**References:**

GNWT Technical Report pp 19 to 28; Dominion Response to GNWT Technical Report pp 2-5 to 2-6; IEMA Technical Report pp 13 to 16; Dominion Response to IEMA Technical Report p 2-8; Jay Hearing transcripts from Day 3 pp 53 to 61, 139 to 142, and 212.

**Preamble:**

The Review Board requires predictions of what the impacts to Lac de Gras could be in the event Jay and Diavik discharged mine water at the same time. This is important because the Review Board cannot understand if there could be a likely significant cumulative adverse impact to Lac de Gras without understanding what the likely impacts from both mines discharging could be. This evidence has not been provided to the Board. This request is based on the reasons outlined below.

In the Developer's Assessment Report Dominion stated that it plans to discharge Jay mine water after year 5 of operations. This was based on the predicted groundwater flow rates and met the intention to not discharge water while Diavik is predicted to be in operation. In its technical report, Government of the Northwest Territories (GNWT) suggested discharging mine water in Year 3 to "prevent the potential for significant environmental impacts....in Lac du Sauvage and Lac de Gras" and raised questions about the certainty of Diavik discharge stopping in 2023. In response, Dominion has stated that it finds GNWT's recommendation overly prescriptive, that it intends to adaptively manage water and has not precluded discharging mine water prior to



Year 5. Dominion emphasized during the hearing (September 16 in Yellowknife) that it would like to have operational flexibility for managing the Jay mine water. In addition, Dominion stated that the adaptive management of the Jay mine water would be described in a specific surface and mine water management plan for the Jay Project submitted to the Wekeezhii Land and Water Board (this was in response to recommendations from IEMA). The bounds for the site water management plan need to be understood during the environmental assessment. Given the evidence to date, the Review Board considers the scenario of Jay and Diavik discharging simultaneously possible.

**Request:**

To address the potential cumulative impacts to Lac de Gras, Dominion must demonstrate what the effect to water quality in Lac de Gras would be if there were simultaneous discharges from Diavik Diamond Mines and the Jay project. This will consider the Jay project discharging mine water prior to Year 5 of its operations and Diavik discharging past 2023 to 2025. The primary parameter assessed will be Total Dissolved Solids (TDS), the model will be based on the water quality predictions from the “Reasonable Estimate” case for Jay, and the results will be presented for the assessment locations in Lac de Gras. Dominion may choose the most appropriate method to make these predictions but a full rationale must be provided for choices made, including the assumptions. As well, Dominion will comment on how the predicted changes to TDS concentrations relate to concentration changes in other parameters and what the expected effects to Lac de Gras would be relative to existing effect predictions.

Dominion will respond to this information request by October 9<sup>th</sup>, 2015.

The Review Board is issuing this information request pursuant to rules 15 and 37 of its Rules of Procedure<sup>1</sup> which state that “the Review Board may require additional information from any party to a proceeding at any time during a proceeding” and that the Review Board may “seek information from any party at any time by way of a written Information Request.”

Please contact Sachi De Souza at 897-766-7054 or at [sdesouza@reviewboard.ca](mailto:sdesouza@reviewboard.ca) with any questions or for further information.

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Sachi De Souza  
Environmental Assessment Officer

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<sup>1</sup> [http://www.reviewboard.ca/upload/ref\\_library/MVEIRB\\_RulesofProcedure\\_0505.pdf](http://www.reviewboard.ca/upload/ref_library/MVEIRB_RulesofProcedure_0505.pdf)