

Subject	Document Source	Subject	Commitment by DDEC
Fish/Aquatics	<p>EC technical report response (PR#554)</p> <p>DAR-EC-IR-25 and DAR-IEMA –IR-20 (PR#305)</p> <p>Jay Hearing Transcripts, Day 2, p.127-129</p>	Diving bird mitigation strategy	<p>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 along with 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.</p> <p>Monitoring results will be reported in the WEMP.</p>
	DFO Technical Report Response (PR#552)	Sub-basin B	<p>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 include any new mitigation strategies as they are required in the future. Environmental design features,</p>

			mitigations and monitoring plans for the Sub-Basin B Diversion Channel will be finalized during the permitting process for the Project.
Wildlife (other than caribou)	<p>DAR-EC-IR-28 (DDEC response March 2015)</p> <p>DAR-EC-IR-29 (DDEC response March 2015)</p> <p>DAR-EC-IR-30 (PR#305)</p>	EC engagement during the development of the WWHPP and WEMP	The wildlife and wildlife habitat protection plan and wildlife effects monitoring program will be developed with Environment Canada during the Jay Project permitting phase.
Wildlife (other than caribou)	<p>DAR-EC-IR-30 (PR#305)</p> <p>EC technical report response (PR #554)</p>	<p>Migratory birds and SARA – reporting of mortalities</p> <p>Is reporting of wildlife mortalities voluntary or required by on-site staff</p>	<p>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.</p> <p>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.</p>

	<p>EC technical report response (PR #554)</p>	<p>Bird monitoring results <u>Migratory bird use of mine-altered water</u></p>	<p><u>Environmental information collected through the Water Licence will continue to be used to characterize mine-altered waterbodies as part of migratory bird surveys that are conducted under the direction of professional wildlife biologists through the WEMP. This approach enables timely implementation of migratory bird mitigation measures, if necessary.</u></p> <p>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.</p>
	<p>EC technical report response (PR#554)</p>	<p>Provisions for species at risk</p>	<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.</p> <p>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</p>

			<p>success of such nests.</p> <p>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.</p> <p>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 Survey (Section 5.12.2).</p> <p>Data would be submitted to eBird.</p> <p>In addition, rare and uncommon species will be recorded as part of the WEMP (Section 5.13).</p>
	<p>DAR-EC-IR-28 (DDEC response March 2015)</p> <p>DAR-EC-IR-29 (DDEC response March 2015)</p>	<p>Migratory Birds – Incidental Take</p>	<p>To the extent practicable, Dominion Diamond will plan to avoid vegetation clearing or causing other habitat loss during the migratory bird nesting season.</p> <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</p>

specific details for the avoidance of incidental take will be identified in the wildlife and wildlife habitat protection plan and wildlife effects monitoring program (including specific times and areas where migratory birds may be at risk).

that will be developed with Environment Canada during the Jay Project permitting phase.

Mitigation measures to reduce incidental take may include the following:

- 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).

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.