



June 30, 2020

VIA EMAIL

Mr. Mark Cliffe-Phillips
Executive Director
Mackenzie Valley Environmental Impact Review Board
200 Scotia Centre
P.O. Box 938
YELLOWKNIFE NT X1A 2N7

Dear Mr. Cliffe-Phillips:

**Report of Environmental Assessment and Reasons for Decision for
Dominion Diamond Ekati ULC's Jay Project (EA 1314-01) –
Measure 13-4: 2020 Annual Reporting from Regulatory Authorities**

The Mackenzie Valley Environmental Impact Review Board's (Review Board) Report of Environmental Assessment and Reasons for Decision (REA) for Dominion Diamond Ekati ULC's (Dominion, formerly known as Dominion Diamond Ekati Corporation / DDEC) Jay Project included Measure 13-4: Annual Reporting from Regulatory Authorities.

This report represents the Government of the Northwest Territories' (GNWT) annual reporting from July 1, 2019 to June 30, 2020. Since the Jay project is not being developed at present, it is difficult to assess the effectiveness of measures implemented as required by EA 1314-01. As a result, the attached report does not discuss how the implementation actions fulfil the intent of the EA measures.

Measure 13-4 reads as follows:

In order to evaluate the effectiveness of mitigation measures for the protection of the environment, each regulatory authority or government that is wholly or partly responsible for implementation of any measure in this Report of EA will prepare an annual Report on Implementation of Jay Project Measures. The Report will:

.../2

- a) *Describe the actions being undertaken to implement the EA measures or the part(s) of the EA measure for which the regulatory authority or government is responsible; and*
- b) *Explain how the implementation actions, including any actions implemented through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:*
 - i) *How are implementation actions addressing a likely significant adverse impact on the environment?*
 - ii) *How effective are implementation actions at reducing, controlling, or eliminating the impact of its likelihood?*
 - iii) *If the measure is for monitoring or research, are the implementation actions clearly linked to mitigation and/or operations?*
 - iv) *How are process considerations (such as consultation or engagement requirements, statutory obligations, etc) being considered, and, if applicable, how are they affecting implementation of the EA measures?*

Prior to July 1 of each year, during all phases of the Jay Project to which a particular measure applies, each regulatory authority and government will provide a copy of this annual report to the Review Board.

The Government of the Northwest Territories (GNWT) is pleased to provide the attached 2020 Annual Report on Implementation of Jay Project Measures outlining all measures and responding to those assigned in whole or in part to the GNWT and the progress made to date. The GNWT has and will continue to file this report annually in response to Measure 13-4. Measures assigned wholly or in part to the GNWT are:

- Measure 4-4: Dike stability and safety
- Measure 6-2(b): Research to design and implement successful offsetting projects;
- Measure 6-3: Air Quality Emissions Monitoring and Management Plan
- Measure 6-4: Dustfall standards;
- Measure 6-6: Timely completion of caribou management plans;
- Measure 8-1: Minimize negative socio-economic impacts of the Project on communities; and
- Measure 13-4: Annual reporting from government and regulatory authorities.

Measures not assigned to the GNWT but requiring GNWT participation, such as approval of Dominion mitigation or management plans, are included in the attached report. The GNWT will continue to participate, where appropriate, in the review processes for measures assigned to Dominion and other regulatory bodies, review Dominion monitoring, management, and mitigation plans, and carry out compliance and enforcement duties as required.

As appropriate, the GNWT will continue to consider the Review Board's suggestions as set out in the REA.

The GNWT will continue to work with resource management boards, Dominion and parties to the Jay Project Environmental Assessment on measure implementation and reporting, and would be pleased to participate in any discussions that MVEIRB or others may arrange. Should MVEIRB or any parties have any questions regarding the attached report, please contact Darren Campbell, Project Assessment Analyst, by email at darren_campbell@gov.nt.ca or Melissa Pink, Manager, Project Assessment Branch at Melissa_pink@gov.nt.ca.

Sincerely,



Lorraine Seale
Director
Securities and Project Assessment
Department of Lands

Attachment: Measures implementation report

Report on Implementation of Jay Measures – GNWT 2020 Annual Report

Preamble

The GNWT's responses in the "Detail on Measure Progress" column are formatted in response to the Measure 13-4 criteria, outlined below for reference.

Measure 13-4: Annual reporting from government and regulatory authorities:

In order to evaluate the effectiveness of mitigation measures for the protection of the environment, each regulatory authority or government that is wholly or partly responsible for implementation of any measure in this Report of EA will prepare an annual Report on Implementation of Jay Project Measures. The Report will:

- a) describe the actions being undertaken to implement the EA measures or the part(s) of the EA measure for which the regulatory authority or government is responsible; and
- b) explain how the implementation actions, including any actions implemented through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:
 - i. How are implementation actions addressing a likely significant adverse impact on the environment?
 - ii. How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood?
 - iii. If the measure is for monitoring or research, are the implementation actions clearly linked to mitigation and/or operations?
 - iv. How are process considerations (such as consultation or engagement requirements, statutory obligations, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures?

Prior to July 1 of each year, during all phases of the Jay Project to which a particular measure applies, each regulatory authority and government will provide a copy of this annual report to the Review Board.

Discipline	Measure	Text of Measure	Party Responsible	2018 detail on measure progress for measures assigned in whole or in part to the GNWT. GNWT responses are separated into sections of Measure 13-4.	2019 detail on measure progress for measures assigned in whole or in part to the GNWT. GNWT responses are separated into sections of Measure 13-4.	2020 detail on measure progress for measures assigned in whole or in part to the GNWT. GNWT responses are separated into sections of Measure 13-4.
Impacts to Water quality	4-1: Closure objectives	To prevent significant cultural impacts after closure from changes in water quality, the Wek'èezhii Land and Water Board will set closure objectives and criteria for the Jay Project components so that Dominion ensures that the area is suitable for traditional uses after closure. Closure objectives and criteria will be set for, but not limited to, the following components of the Jay Project - Jay pit, Misery pit, Lynx pit, Jay waste rock storage area.	Wek'èezhii Land and Water Board (WLWB), Dominion Diamond Ekati ULC (Dominion), formerly known as Dominion Diamond Ekati Corporation (DDEC)	Measure is not directed to GNWT. GNWT will continue to participate in review processes as required.	Measure is not directed to GNWT. GNWT will continue to participate in review processes as required.	Measure is not directed to GNWT. GNWT will continue to participate in review processes as required.
Impacts to Water quality	4-2(a): Site Water Management Plan	In order to avoid significant impacts to traditional use in the vicinity of the Jay Project after the Jay Project mining and closure have been completed, Dominion will submit a site water management plan to the Wek'èezhii Land and Water Board for approval, prior to the commencement of dike construction. Dominion will demonstrate how its plan, and the contingencies within, will ensure water quality in the Jay Pit, Misery Pit, Lac du Sauvage, Lac de Gras and downstream will support traditional uses in the vicinity of the Jay Project after closure, while protecting the environment during operations. The plan will include, but not be limited to:	Dominion	Measure is not directed to GNWT. GNWT will continue to participate in review processes as required.	Measure is not directed to GNWT. GNWT will continue to participate in review processes as required.	Measure is not directed to GNWT. GNWT will continue to participate in review processes as required.

Report on Implementation of Jay Measures – GNWT 2020 Annual Report

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		<ul style="list-style-type: none"> a list of contingencies that Dominion can use to manage water during operations and an evaluation of the feasibility of each a description of the scenarios (i.e., conditions and timing) under which contingencies will be implemented Dominion’s preferred contingencies, with rationales, for each scenario a description of how Dominion will monitor the quantity and quality of water, to: <ol style="list-style-type: none"> calibrate the water models used to make predictions in the EA assess the suitability of contingencies evaluate the performance of contingencies used 				
Impacts to Water quality	4-2(b): Pit lake water quality	<p>To ensure that water quality in the Misery pit and Jay pit is compatible with traditional uses of the area in vicinity of the Jay Project and downstream after closure, Dominion will:</p> <ol style="list-style-type: none"> establish meromixis for the Jay and Misery pits stabilize meromictic pit lakes for the long-term <p>If the above requirements cannot be met, Dominion will develop and implement contingencies to ensure the pit lake water quality is compatible with traditional use after closure. Dominion will submit a list of these contingencies, which describe the feasibility of each contingency, and the conditions and timing under which each would be implemented, to the Wek’èezhìi Land and Water Board for approval prior to the implementation of any contingency.</p>	Dominion	Measure is not directed to GNWT. GNWT will continue to participate in review processes as required.	Measure is not directed to GNWT. GNWT will continue to participate in review processes as required.	Measure is not directed to GNWT. GNWT will continue to participate in review processes as required.
Impacts to Water quality	4-3: Fine processed kimberlite	To avoid significant adverse environmental impacts to the Panda and Koala pit lakes and to the downstream environment after closure from the deposition of fine processed kimberlite, Dominion will not deposit fine-processed kimberlite into the Panda and Koala pits unless the Wek’èezhìi Land and Water Board approves the use of the Panda and Koala pits. The Wek’èezhìi Land and Water Board’s approval will ensure the protection of the downstream environment after closure and will consider the results of Beartooth pit fine-processed kimberlite trial. Otherwise, the fine-processed kimberlite will be deposited into an approved processed kimberlite containment area.	Dominion	Measure is not directed to GNWT. GNWT will continue to participate in review processes as required.	Measure is not directed to GNWT. GNWT will continue to participate in review processes as required.	Measure is not directed to GNWT. GNWT will continue to participate in review processes as required.
Impacts to Water quality	4-4: Dike stability and safety	To reduce the risk of dike failure and its associated significant impacts, Dominion will establish an independent dike review panel to evaluate and, if necessary, improve the design, construction, operation	Dominion	a) GNWT’s role in this measure was to engage with Dominion on the panel composition and tasks. This was completed in 2016 (see ENR’s	a) GNWT’s role in this measure was to engage with Dominion on the panel composition and tasks. This was completed in 2016 and GNWT does	GNWT’s role in this measure was to engage with Dominion on the panel composition and tasks. This was completed in 2016 and GNWT does not have any outstanding

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		<p>and maintenance of the dike. The panel will provide recommendations to the developer and the Wek'èezhii Land and Water Board to ensure that impacts to the safety of people and the environment are minimized. The panel will, at a minimum:</p> <ul style="list-style-type: none"> • review and accept the dike design prior to the commencement of dike construction • review the dike operation <p>Dominion will engage with the Wek'èezhii Land and Water Board, Government of the Northwest Territories and the Independent Environmental Monitoring Agency on the panel composition and tasks. Dominion will submit the review panel's final terms of reference to the Wek'èezhii Land and Water Board.</p>		<p><u>comments on the public registry</u>, note the updated link from the 2017 response) and GNWT does not have any outstanding obligations associated with this measure.</p> <p>a) N/A</p>	<p>not have any outstanding obligations associated with this measure. The GNWT's letter can be viewed at http://registry.mvlwb.ca/Documents/W2013L2-0002/Ekati%20Jay%20Project%20-%20Dike%20Review%20Panel%20-%20Review%20Summary%20and%20Attachments%20-%20Sep%2016.pdf</p>	<p>obligations associated with this measure. The GNWT's letter can be viewed at http://registry.mvlwb.ca/Documents/W2013L2-0002/Ekati%20Jay%20Project%20-%20Dike%20Review%20Panel%20-%20Review%20Summary%20and%20Attachments%20-%20Sep%2016.pdf</p>
Fish and Fish habitat	5-1: Protection of the Narrows	<p>To mitigate significant adverse ecological and traditional use impacts resulting from unacceptable drops in water levels at the Narrows, Dominion will maintain water levels at the Narrows such that the Jay Project does not adversely affect fish passage and the continuation of traditional use of the area as an open water source. It will do so by monitoring the Narrows before and during closure, and by appropriately managing activities in Lac du Sauvage during closure.</p> <p>Prior to construction, a description of this monitoring will be submitted to the WLWB for its approval as part of the Aquatic Effects Monitoring Program design plan. The monitoring results will be reported in the annual AEMP reports and incorporated into the Aquatic Response Framework, specifying minimum required water levels and flow rates, and triggers for management responses during closure activities.</p>	Dominion	Measure is not directed to GNWT. GNWT will participate in review processes as required.	Measure is not directed to GNWT. GNWT will participate in review processes as required.	Measure is not directed to GNWT. GNWT will participate in review processes as required.
Impacts to Caribou	6-1: Road mitigations from caribou impacts	<p>a) In order to mitigate significant incremental and cumulative adverse impacts to caribou from roads used by the Jay Project, Dominion will:</p> <ul style="list-style-type: none"> • use convoys or other methods to manage traffic on the road in order to maximize interval between disturbances from vehicles • use real-time caribou collar satellite information and other detection systems to enable early detection of caribou in the vicinity of the road as a trigger for action levels for management responses • construct caribou crossing features along a minimum of 70% of the length of the Jay road 	Dominion	Measure is not directed to GNWT. GNWT will participate in review processes as required.	Measure is not directed to GNWT. GNWT will participate in review processes as required.	Measure is not directed to GNWT. GNWT will participate in review processes as required.

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		<p>b) In addition, Dominion will update and revise the Wildlife Effects Monitoring Plan with the appended Caribou Road Mitigation Plan according to GNWT requirements under section 95 of the Wildlife Act and any future section 95 regulations. The plan(s) required under section 95 will be in force for the duration of the Jay Project.</p> <p>In the Caribou Road Mitigation Plan, Dominion will:</p> <ul style="list-style-type: none"> • investigate and implement innovative actions to mitigate impacts to caribou from barriers to movement at the esker, such as one-way traffic, buried power lines and pipelines, and remote sensory devices to monitor caribou and reduce impacts at the esker crossing • define specific thresholds that trigger road management responses including actions to slow traffic, stop traffic and close the Jay and Misery Roads for an appropriate period if caribou are on or near these roads <ul style="list-style-type: none"> ○ describe the minimum size of the kimberlite stockpiles at Jay pit and Misery pit necessary to enable extended closure(s) of the Jay road ○ indicate how long the road management responses described above will be applied for each slow down or closure and thresholds and triggers for reopening the road • describe methods for monitoring approaching caribou at intermediate distances beyond line of sight from the roads, including at night and in poor visibility • prepare a dust management best practices document with adaptive management triggers for additional dust suppression and link to the Air Quality and Emissions Monitoring and Management Plan • use Traditional Knowledge when designing <ul style="list-style-type: none"> ○ the Caribou Road Mitigation Plan ○ the project components in the Caribou Road Mitigation Plan (including the Jay road, esker crossing and waste rock storage area) ○ the monitoring of caribou responses to these components during the operations phase 	Dominion	Measure is not directed to GNWT. GNWT will participate in review processes as required.	Measure is not directed to GNWT. GNWT will participate in review processes as required.	Measure is not directed to GNWT. GNWT will participate in review processes as required.

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		<ul style="list-style-type: none"> describe specific monitoring and mitigation for caribou impacts related to the road during the construction, operations and closure phases of the Jay Project 				
		c) The Caribou Road Mitigation Plan will detail the means to be employed to avoid and minimize habitat disturbance and include a response framework that links monitoring results to changes in mitigation. When developing monitoring and mitigation, Dominion will give special consideration to the esker crossing and specify contingency measures if caribou do not cross the Jay Road at the esker.	Dominion	Measure is not directed to GNWT. GNWT will participate in review processes as required.	Measure is not directed to GNWT. GNWT will participate in review processes as required.	Measure is not directed to GNWT. GNWT will participate in review processes as required.
		d) Dominion will submit the Caribou Road Mitigation Plan to the GNWT ENR for approval before constructing the Jay Road. As part of this approval process, the GNWT should provide the opportunity for public comment. Dominion will annually report monitoring results, success or failure of mitigation and adaptive management to communities in person, in a culturally appropriate manner.	Dominion, GNWT	a)	<p>a) GNWT's role in this measure was to hold a public review of the Caribou Road Mitigation Plan (CRMP) and then make a decision on approval of the plan. This was completed in 2017 (see ENR's June 1, 2017 letter to Dominion).</p> <p>GNWT will review annual reports associated with the CRMP and provide any comments to Dominion.</p>	<p>GNWT's role in this measure was to hold a public review of the Caribou Road Mitigation Plan (CRMP) and then make a decision on approval of the plan. This was completed in 2017 (see ENR's June 1, 2017 letter to Dominion).</p> <p>GNWT will review annual reports associated with the CRMP and provide any comments to Dominion.</p>
Impacts to Caribou	6-2(a): Caribou offset and mitigation plan	i. Dominion will offset residual adverse impacts to caribou by human activities that cumulatively affect the Bathurst caribou herd, beyond direct impacts of the Jay Project. Dominion will set out these offsets in a Caribou Offset and Mitigation Plan, which it will complete within one year of Minister's acceptance of this Report of EA. This	Dominion	Measure 6-2(a)(i) is not directed to GNWT. GNWT will participate in review processes as required.	Measure 6-2(a)(i) is not directed to GNWT. GNWT will participate in review processes as required.	Measure 6-2(a)(i) is not directed to GNWT. GNWT will participate in review processes as required.

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		plan will be in force throughout the duration of the Jay Project.				
		ii. Dominion will implement the Caribou Offset and Mitigation Plan as described in DAR-MVEIRB-UT2-06 and incorporate the following into the Plan: <ul style="list-style-type: none"> • caribou offsets related to roads that result in enhanced mitigation, such as scheduling of activities during caribou migration or dust suppression offsite from Jay Project • zone of influence research with funding as committed by Dominion • identify mitigation actions from the Plan and apply at other Ekati operations • options for the scheduling of other Ekati operations to offset Jay Project impacts during caribou migration periods • an enhanced dust mitigation study including: <ul style="list-style-type: none"> ○ a pilot test on application of dust suppressant ○ a dustfall sampling program ○ report on results and propose improvements to be incorporated into the Air Quality Emission Monitoring and Management Plan ○ if dust mitigation improvements are identified, Dominion will apply them on all roads at Ekati • accelerate progressive reclamation of Long Lake Containment Facility substantially beyond current Interim Closure and Reclamation Plan requirements to return it to productive caribou habitat sooner • incorporate waste rock storage area egress ramps, designed in consultation with Elders to prevent injuries and entrapment of caribou 	Dominion	Measure 6-2(a)(i) is not directed to GNWT. GNWT will participate in review processes as required.	Measure 6-2(a)(i) is not directed to GNWT. GNWT will participate in review processes as required.	Measure 6-2(a)(i) is not directed to GNWT. GNWT will participate in review processes as required.
		iii. Following implementation of the Caribou Offset and Mitigation Plan, Dominion will: <ul style="list-style-type: none"> • annually report on the effectiveness of monitoring, mitigation and adaptive management of the Caribou Offset and Mitigation Plan to communities in person in a culturally appropriate manner 	Dominion, GNWT	GNWT is not required to perform any actions associated with Measure 6-2(a)(iii) until an annual report is submitted by Dominion. GNWT ENR will review Dominion's update on the Caribou Offset and Mitigation Plan submitted as part of their Measure 13-3 reporting requirements.	Dominion submitted their Caribou Offset and Mitigation Plan in 2017. The GNWT - ENR will review Dominion's updates on the Caribou Offset and Mitigation Plan, called the "Caribou Mitigation Plan" as part of their Measure 13-3 reporting requirements; however, GNWT has not yet received this report.	Dominion submitted their Caribou Offset and Mitigation Plan in 2017. The GNWT reviews the annual update on this plan that is documented in Dominion's reporting under Measure 13-3. An updated Caribou Offset and Mitigation Plan is to be submitted by Dominion to the

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		<ul style="list-style-type: none"> annually report on the activities conducted under the Caribou Offset and Mitigation Plan and the effectiveness of related monitoring, mitigation and adaptive management, to GNWT ENR, WRRB and IEMA submit an updated Caribou Offset and Mitigation Plan for approval by GNWT ENR every three years. Prior to approval, the GNWT should provide the opportunity for public comment. 				GNWT ENR for approval every three years, meaning an update is scheduled for 2020. The GNWT is of the understanding that an updated Caribou Offset and Mitigation Plan will not be submitted while the Jay Project is not being developed.
		iv. The GNWT will enforce the Caribou Offset and Mitigation Plan under the section 95 of the Wildlife Act.	GNWT	Dominion released the Caribou Offset and Mitigation Plan (COMP) on May 19, 2017 and GNWT-ENR will monitor the COMP outcomes for compliance.	Dominion released the Caribou Offset and Mitigation Plan (COMP) on May 19, 2017 and GNWT-ENR will monitor the COMP outcomes for compliance.	Dominion released the Caribou Offset and Mitigation Plan (COMP) on May 19, 2017 and GNWT-ENR will monitor the COMP outcomes for compliance.
Impacts to Caribou	6-2(b): Research to design implement successful offsetting projects	<p>The GNWT will measure and evaluate the effectiveness of Dominion’s offsets that result from the approved Caribou Offset and Mitigation Plan.</p> <p>To better enable the GNWT to do this, it will conduct a study on the potential methods for evaluating and measuring the effectiveness of offsetting options described in the approved Caribou Offset and Mitigation Plan. The GNWT will publically report on the results of the study within one year of the approval of the Caribou Offset and Mitigation Plan.</p>	GNWT	<p>a) On June 4, 2017, GNWT provided the Review Board with A Preliminary Assessment of Offset Measures for Caribou for the Development of the Dominion Jay Diamond Mine and a framework document titled Offsetting for Caribou: Toward an Assessment Framework for the Northwest Territories. Those two documents fulfilled the GNWT’s obligations under the second half of measure 6-2(b).</p> <p>The GNWT’s obligations under the first half of measure 6- 2(b) will commence in 2020, when Dominion submits an updated Caribou Offset and Mitigation Plan to ENR for approval. The GNWT is only required to measure and evaluate the effectiveness of Dominion’s offsets that result from “the approved COMP”. The GNWT interprets this to mean once a COMP is approved by GNWT in 2020.</p> <p>b) The GNWT is of the view that the above fulfills the intent of this measure by adhering to what is stated in the measure.</p>	<p>a) On June 4, 2017, GNWT provided the Review Board with A Preliminary Assessment of Offset Measures for Caribou for the Development of the Dominion Jay Diamond Mine and a framework document titled Offsetting for Caribou: Toward an Assessment Framework for the Northwest Territories. GNWT -ENR will review Dominion’s updates on the Caribou Offset and Mitigation Plan, called the “Caribou Mitigation Plan” by Dominion submitted as part of their Measure 13-3 reporting requirements.</p> <p>b) The GNWT is of the view that the above fulfills the intent of this measure by adhering to what is stated in the measure.</p>	<p>a) The GNWT’s obligations under the first half of Measure 6-2(b) will commence when Dominion submits an updated Caribou Offset and Mitigation Plan (COMP) to GNWT-ENR for approval. The GNWT is only required to measure and evaluate the effectiveness of Dominion’s offsets that result from “the approved COMP”. The most recent COMP (from 2017) was not required to be approved by GNWT-ENR.</p> <p>The second half of Measure 6-2(b) was fulfilled on June 4, 2017 when the GNWT provided the Review Board with A Preliminary Assessment of Offset Measures for Caribou for the Development of the Dominion Jay Diamond Mine and a framework document titled Offsetting for Caribou: Toward an Assessment Framework for the Northwest Territories.</p> <p>b) The GNWT is of the view that the above fulfills the intent of this measure by adhering to what is stated in the measure.</p>

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Caribou, dust, air quality	6-3: Air Quality Emissions Monitoring and Management Plan	<p>In order to reduce adverse impacts from dustfall within the Jay Project area to caribou, so they are no longer significant, Dominion will finalize and implement the Air Quality Emissions Monitoring and Management Plan prior to construction. This plan will be applied throughout the construction, operation and closure phases of the Project. Dominion will:</p> <ul style="list-style-type: none"> • describe how it will implement commitments made in this plan (PR#424 p1-5 to 1-6) along with management response linkages to the Caribou Road Mitigation Plan and the Caribou Offset and Mitigation Plan. • reduce dustfall by continuing and improving the following management and monitoring practices, including: <ul style="list-style-type: none"> ○ applying dust suppressant to control dust emissions on haul roads during summer or non-frozen snow-free season ○ managing vehicle speed to limit road dust from vehicle wheel entrainment ○ implementing a dustfall monitoring program, methods, locations, monitoring parameters ○ sampling lichen tissues (heavy metal parameters) snow chemistry sampling ○ planning responses with triggers and action levels ○ allowing opportunity for public comment on updates or changes to the Air Quality Emissions Monitoring and Management Plan • annually report monitoring results, success or failure of dust mitigations and adaptive management to communities in person in a culturally appropriate manner • submit an updated Air Quality Emissions Monitoring and Management Plan for public review and approval process as required by the GNWT <p>In addition, the GNWT will review and approve the Air Quality Emissions Monitoring and Management Plan as required by the Environmental Agreement and regulate in accordance with the <i>Environmental Protection Act</i>.</p>	Dominion, GNWT	<p>a) DDEC submitted an updated Air Quality Emissions Monitoring and Management Plan (AQEMMP) for public review and approval process as per Measure 6- 3. The GNWT was also directed by Measure 6-3 to review and approve the AQEMMP as required by the Environmental Agreement and regulate in accordance with the Environmental Protection Act (EPA). On January 25, 2017 DDEC submitted the AQEMMP for the GNWT’s approval. The GNWT approved the AQEMMP on May 31, 2017. The GNWT’s approval letter and Reasons for Decision can be viewed at on the Review Board’s registry at http://www.reviewboard.ca/upload/project_document/EA1314-01_GNWT_-_AQEMMP_Measure_6-3.PDF.</p> <p>GNWT will review annual reports associated with the AQEMMP and provide any comments to Dominion</p> <p>b) N/A. The GNWT’s role in this measure was to make a decision on approval of the plan as required by the Environmental Agreement but is not responsible for implementing the AQEMMP.</p>	<p>a) GNWT’s role in this measure was to receive Dominion’s updated Air Quality Emissions Monitoring and Management Plan (AQEMMP) and make a decision on approval of the plan. This was completed in 2017 (see GNWT’s May 31, 2017 letter to the Review Board). GNWT will review annual reports associated with the AQEMMP and provide any comments to Dominion.</p> <p>b) N/A. The GNWT’s role in this measure was to make a decision on approval of the plan as required by the Environmental Agreement but is not responsible for implementing the AQEMMP.</p>	<p>a) GNWT’s role in this measure was to receive Dominion’s updated Air Quality Emissions Monitoring and Management Plan (AQEMMP) and make a decision on approval of the plan. This was completed in 2017 (see GNWT’s May 31, 2017 letter to the Review Board). GNWT will review annual reports associated with the AQEMMP and provide any comments to Dominion.</p> <p>b) N/A. The GNWT’s role in this measure was to make a decision on approval of the plan as required by the Environmental Agreement but is not responsible for implementing the AQEMMP.</p>
Impacts to Caribou	6-4: Dustfall standards	<p>Prior to construction, the GNWT will develop an interim dustfall objective for all types of dustfall that impact caribou and caribou habitat, including impacts on lichen and other caribou forage within the Jay Project zone of influence. The objective will reduce dust-related sensory</p>	GNWT	<p>a) GNWT’s role in this measure was to establish an interim dustfall objective for the Ekati mine. Information on the interim dustfall objective can be found in GNWT’s May 31, 2017 letter to the Review Board.</p>	<p>a) GNWT’s role in this measure was to establish an interim dustfall objective for the Ekati mine. Information on the interim dustfall objective can be found in GNWT’s May 31, 2017 letter to the Review Board.</p>	<p>a) GNWT’s role in this measure was to establish an interim dustfall objective for the Ekati mine. Information on the interim dustfall objective can be found in GNWT’s May 31, 2017 letter to the Review Board.</p>

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		<p>disturbances to caribou to the greatest extent practicable. Dominion will use the interim dustfall objective to inform its actions to reduce impacts to caribou and caribou habitat from dustfall.</p>		<p>GNWT will participate in review processes as required. GNWT has reviewed Dominion's 2017 Ekati Air Quality Monitoring Program Report and provided comments and recommendations on the Report, including the dustfall objective, to Dominion.</p> <p>b) N/A. GNWT's role in this measure was to develop an interim dustfall objective but the GNWT is not responsible for determining how the implementation of the dustfall objective is meeting the intent of the measure. GNWT will participate in review processes as required.</p>	<p>GNWT will participate in review processes as needed.</p> <p>b) N/A. GNWT's role in this measure was to develop an interim dustfall objective but the GNWT is not responsible for determining how the implementation of the dustfall objective by Dominion is meeting the intent of the measure. GNWT will participate in review processes as required.</p>	<p>GNWT will participate in review processes as needed.</p> <p>b) N/A. GNWT's role in this measure was to develop an interim dustfall objective but the GNWT is not responsible for determining how the implementation of the dustfall objective by Dominion is meeting the intent of the measure. GNWT will participate in review processes as required.</p>
Caribou, Traditional Knowledge	6-5: Traditional Knowledge based caribou monitoring and mitigation	<p>Dominion will:</p> <ul style="list-style-type: none"> • develop and implement a collaborative research program incorporating Traditional Knowledge designed to identify the causes of the zone of influence for caribou avoidance within one year of acceptance of the Report of EA • summarize and report annually on this collaborative research program as part of the Wildlife Effects Monitoring Program reporting • implement the research findings which can help to reduce the size of the zone of influence on caribou • Dominion will fund a Traditional Knowledge Elders group drawn from Aboriginal organizations that participated in the EA. This group will: <ul style="list-style-type: none"> ○ advise on the construction and operation of the Jay road, esker crossing and waste rock management area egress ramps that limit impacts to caribou ○ monitor caribou reactions to the Jay road use, esker crossing and waste rock storage area egress ramps in coordination with existing caribou management authorities ○ report on the results of monitoring to Dominion, IEMA, regulators and Aboriginal organizations that participated in the EA ○ recommend mitigation based on monitoring results ○ recommend a contingency plan for the esker crossing if monitoring indicates that the road 	Dominion	Measure is not directed to GNWT. GNWT will participate in review processes as required.	Measure is not directed to GNWT. GNWT will participate in review processes as required.	Measure is not directed to GNWT. GNWT will participate in review processes as required.

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		<p>through the esker is a major barrier to caribou movement This Traditional Knowledge group will be in place prior to construction, throughout operations and closure.</p>				
Impacts to Caribou	6-6: Timely completion of caribou management plans	<p>To mitigate cumulative significant impacts from the Jay Project and other human activities on the Bathurst caribou herd, within one year of Ministerial approval of this Report of EA, the GNWT will:</p> <ul style="list-style-type: none"> • investigate and report on the causes for the current population change • complete and implement an interim management plan for the Bathurst caribou herd • implement an interim herd recovery strategy towards a sustainable and ongoing Aboriginal harvest 	GNWT	<p>a) GNWT was required to complete Measure 6-6 within one year of Ministerial approval of the Report of EA (i.e., within one year of May 19, 2016). On May 18, 2017, the GNWT submitted a response to Measure 6-6 to the Review Board. The GNWT’s response to Measure 6-6 outlines the actions being taken by the GNWT to implement the measure.</p> <p>GNWT’s May 18, 2017 response to Measure 6-6 noted that the GNWT was working on the Bathurst Caribou Range Plan. GNWT has since released the draft Bathurst Caribou Range Plan for public comment and received feedback. The GNWT will review feedback on the Bathurst Caribou Range Plan and will be releasing a final plan in summer 2018. Further updates to the GNWT’s May 18, 2017 response are provided in Appendix A to this report.</p> <p>b) The GNWT’s response to Measure 6-6 explains how the implementation action is intended to fulfill the intent of Measure 6-6.</p> <ol style="list-style-type: none"> i. Details on how the implementation actions address the predicted cumulative significant impacts from the Jay Project and other human activities on the Bathurst herd are outlined in the GNWT’s response to Measure 6-6. ii. The GNWT believes the interim recovery strategies identified in the May 2017 response to Measure 6-6 will collectively have a positive impact on the Bathurst herd and 	<p>a) Since June 2018, progress on GNWT’s fulfillment of Measure 6- 6 has included the following actions:</p> <ul style="list-style-type: none"> • On February 26, 2019 the GNWT and Tłı̨chǫ Government (TG) Joint Proposal on Management Actions for the Bathurst Ekwǫ Herd: 2019 – 2021 was submitted to the Wek’èezhì Renewable Resources Board (WRRB). That interim management plan continues and enhances actions outlined in the previous 2016-2019 Joint Proposal. The goal of the management actions are to halt the Bathurst herd’s decline and promote recovery. • On May 10, 2019, the GNWT submitted the Bathurst Caribou Range Plan (BCRP) to the WRRB for consideration as a management proposal under Section 12.5.1 of the Tłı̨chǫ Agreement. The BCRP contains nine management recommendations, including a cumulative land disturbance framework that contains tiered development thresholds that together will guide GNWT and co-management partner actions to ensure the Bathurst annual range is in a resilient landscape condition. • The GNWT has been working with the Conference of Management Authorities (CMA) to draft a Recovery Strategy for Barren-ground Caribou. The proposed strategy is being drafted in part based on the GNWT’s Barren-ground Caribou Management Strategy for 2017-2021 (outlined in the May 2018 Response), but modified to reflect priorities of all comanagement partners party to the CMA. A proposed recovery strategy will go out for public consultation and 	<p>a) Since June 2019, progress on The Government of the Northwest Territories (GNWT) fulfillment of Measure 6- 6 has included the following actions:</p> <ul style="list-style-type: none"> • GNWT and Tłı̨chǫ Government (TG) continue to implement and fulfill recommendations on Bathurst caribou management, research and monitoring as provided in the Wek’èezhì Renewable Resources Board’s (WRRB) Reasons for Decisions Related to a Joint Proposal for the Management of the Bathurst Caribou Herd. • On January 31, 2020, GNWT and Tłı̨chǫ Government submitted a joint proposal on management actions for wolves on the Bathurst and Bluenose-East caribou herd winter ranges: 2020-2025. This proposal is part of a wide range of management actions the two governments and their co-management partners are taking to support the recovery of these herds, including implementation of the Bathurst Caribou Range Plan. • The Bathurst Caribou Range Plan (BCRP) was released on August 21, 2019. The BCRP was developed by a multi-stakeholder working group and will help decision-makers manage activities on the land in a way that supports the recovery of the Bathurst herd, while providing clarity on land use and access for developers, regulators and

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				<p>support conditions for reducing significant impacts to herd associated with the Jay Project: however, it is difficult to directly associate any particular action with a clear and measurable impact on the welfare of the herd for reducing the significance of the residual impact associated with the Jay project.</p> <p>iii. The information presented in GNWT's response to Measure 6-6 will help inform future management plans and actions.</p> <p>iv. The management of barren-ground caribou in the Northwest Territories is a collaborative process, with decision-making shared by co-management boards, Indigenous governments, the GNWT, and agencies in neighbouring jurisdictions. GNWT was given one year from the Ministerial approval of the Report of EA (i.e., one year from May 19, 2016) to respond to Measure 6-6, which included the implementation of an interim management plan for the Bathurst caribou herd and the implementation of a herd recovery strategy towards a sustainable and ongoing Aboriginal harvest. One year was not enough time to develop official management plans and recovery strategies given that all co-management partners would need to be involved in such strategies. As a result, GNWT developed an interim strategy for the recovery of the Bathurst caribou herd that meets the intent of Measure 6-6 and builds on processes already underway. The GNWT will continue to work with</p>	<p>engagement from August to November 2019.</p> <ul style="list-style-type: none"> The GNWT, in collaboration with the Bathurst Caribou Advisory Committee (the mechanism established in 2017 for long-term management of the Bathurst Herd), recently issued a contract to Great Bear Consulting for drafting of a management plan for the Bathurst Herd. <p>b) The GNWT's response to Measure 6-6 explains how the implementation action is intended to fulfill the intent of Measure 6-6.</p> <p>i. Details on how the implementation actions address the predicted cumulative significant impacts from the Jay Project and other human activities on the Bathurst herd are outlined in GNWT's response to Measure 6-6.</p> <p>ii. The GNWT believes that collectively, the Bathurst Caribou Range Plan, the interim management actions identified in the 2019 GWT-TG Joint Proposal, and the upcoming Barren-ground Caribou Recovery Strategy will collectively have a positive impact on the Bathurst herd and support conditions for reducing significant impacts to herd associated with the Jay Project: however, it is difficult to directly associate any particular action with a clear and measurable impact on the welfare of the herd for reducing the significance of the residual impact associated with the Jay project.</p> <p>iii. The information presented in the GNWT's response to Measure 6-6 will help inform future management plans and actions.</p> <p>iv. The management of barren-ground caribou in the Northwest Territories is a collaborative process, with decision-making shared by co-management boards, Indigenous governments, the</p>	<p>residents of the Northwest Territories (NWT). It includes guidance for managing the overall amount of disturbance on the land, as well as seven management tools to reduce and manage impacts to caribou and caribou habitat. Actions are currently underway to support implementation of the recommendations contained in the BCRP. The BCRP is available on ENR's website at https://www.enr.gov.nt.ca/sites/enr/files/resources/bathurst_caribou_range_plan_2019_-_plan_pour_laire_de_repartition_des_caribous_de_bathurst_2019.pdf.</p> <ul style="list-style-type: none"> The Conference of Management Authorities (CMA) (which includes GNWT) has reached consensus to accept the Recovery Strategy for Barren-ground Caribou in the NWT. As per the <i>Species at Risk (NWT) Act</i>, the recovery strategy will be publically released by July 9, 2020, together with an accompanying CMA press release. Work is ongoing on development of a Management Plan for the Bathurst Caribou Herd. The Bathurst Caribou Advisory Committee (BCAC) met in December 2019 to discuss a draft Plan and has provided direction to the consultant engaged on the project. Over the next fiscal the BCAC hopes to approve a Draft Plan for broad public engagement.

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				<p>our co-management partners on matters related to Bathurst caribou and will update the Review Board, where appropriate, as progress is made.</p>	<p>GNWT, and agencies in neighbouring jurisdictions. The GNWT was given one year from the Ministerial approval of the Report of EA (i.e., one year from May 19, 2016) to respond to Measure 6-6, which included the implementation of an interim management plan for the Bathurst caribou herd and the implementation of a herd recovery strategy towards a sustainable and ongoing Aboriginal harvest. One year was not enough time to develop official management plans and recovery strategies given that all co-management partners were to be involved in such strategies. As a result, the GNWT developed an interim strategy for the recovery of the Bathurst caribou herd that meets the intent of Measure 6-6 and builds on processes already underway. The Bathurst Caribou Range Plan was developed based on concerns about declining caribou populations, and although it is challenging to provide a definitive answer because of the complexity of the matter, it reports on some of the causes for the current changes in their population. The GNWT will continue to work with our comanagement partners on matters related to Bathurst caribou and will update the Review Board, where appropriate, as progress is made.</p>	<p>b) The GNWT's response to Measure 6-6 explains how the implementation action is intended to fulfill the intent of Measure 6-6.</p> <p>i. Details on how the implementation actions address the predicted cumulative significant impacts from the Jay Project and other human activities on the Bathurst herd are outlined in GNWT's response to Measure 6-6.</p> <p>ii. The GNWT believes that collectively, the Bathurst Caribou Range Plan, the interim management actions identified in the 2019 and 2020 GWT-TG Joint Proposals, and the Barren-ground Caribou Recovery Strategy will collectively have a positive impact on the Bathurst herd and support conditions for reducing significant impacts to herd associated with the Jay Project: however, it is difficult to directly associate any particular action with a clear and measurable impact on the welfare of the herd for reducing the significance of the residual impact associated with the Jay project.</p> <p>iii. The information presented in the GNWT's response to Measure 6-6 will help inform future management plans and actions.</p>
Impacts to Caribou	6-6: Timely completion of caribou management plans - suggestion	SUGGESTION: GNWT should work towards producing interim thresholds for developments and other human activities within the range of the Bathurst caribou herd.	GNWT		<p>On May 10, 2019, the GNWT submitted the Bathurst Caribou Range Plan (BCRP) to the WRRB for consideration as a management proposal under Section 12.5.1 of the Tłı̨chų Agreement. The BCRP contains nine management recommendations, including a cumulative land disturbance framework that contains tiered development thresholds that together will guide GNWT and co-management partner actions to ensure the Bathurst annual range is in a resilient landscape condition. The Range</p>	<p>The Bathurst Caribou Range Plan (BCRP) was released on August 21, 2019. The BCRP was developed by a multi-stakeholder working group and will help decision-makers manage activities on the land in a way that supports the recovery of the Bathurst herd, while providing clarity on land use and access for developers, regulators and residents of the Northwest Territories (NWT). It includes guidance for managing the overall amount of disturbance on the land, as well as seven management</p>

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					<p>Plan proposes three categories of disturbance on the range of the Bathurst caribou. These categories are based on how much the area has already been disturbed, and tells decision-makers how any new disturbances in the area need to be handled. In areas where there are more disturbances, the Range Plan recommends stricter rules for new development. Disturbance threshold levels for the CLDF are management thresholds. They are informed by traditional knowledge, community values, caribou biology and societal risk tolerance. They are reflective of a precautionary decision-making approach to Bathurst herd management deemed necessary given the low population status. In implementing these thresholds, GNWT will ensure that the advice respecting management of caribou and caribou habitat contained within this plan is transparently factored into decisions in other areas of GNWT’s mandate alongside other considerations. The BCRP contains provisions for considering revisions to the Plan every five years.</p>	<p>tools to reduce and manage impacts to caribou and caribou habitat. Actions are currently underway to support implementation of the recommendations contained in the BCRP. The BCRP is available on ENR’s website at https://www.enr.gov.nt.ca/sites/enr/files/resources/bathurst_caribou_range_plan_2019_-_plan_pour_laire_de_repartition_des_caribous_de_bathurst_2019.pdf.</p>
Culture, Traditional Knowledge	7-1: Traditional knowledge management framework	<p>In order to mitigate the Jay Project’s cultural impacts to traditional use areas or culturally valued components like caribou, water or aquatic life, Dominion will develop a Traditional Knowledge Management Framework that describes protocols for collecting, storing, managing and using Traditional Knowledge. This will be done in a manner that is culturally suitable for each community. Dominion will use the Traditional Knowledge gathered through the framework to inform Project decision making. This framework will be developed prior to the construction phase of the Project and will apply for the lifetime of the Jay Project (construction, operations and closure phases).</p> <p>In developing the Traditional Knowledge Management Framework, Dominion will consult with each Aboriginal group affected by the Jay Project, in a culturally appropriate manner, while developing the protocols.</p>	Dominion	Measure is not directed to GNWT. GNWT will participate in review processes as required.	Measure is not directed to GNWT. The GNWT will participate in review processes as required.	Measure is not directed to GNWT. The GNWT will participate in review processes as required.

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		Dominion will report annually on how Traditional Knowledge influenced Jay Project decision making.				
Culture, Traditional Knowledge	7-2: On-the-land cultural camp	<p>In order to mitigate significant adverse impacts of the Jay Project on traditional use of the area and transmission of cultural values, Dominion will, during the construction and operations phases of the mine, support an on-the-land culture camp, in a traditionally used area near the Project. This culture camp will be used by Aboriginal groups to maintain or establish a connection with disturbed areas of land and restore Traditional Knowledge transfer between generations about the area affected by diamond mining.</p> <p>Dominion will consult with Aboriginal groups that participated in the environmental assessment to decide on the location, timing and frequency of use of the culture camp. Dominion will support the camp's use and access, financially or in-kind.</p>	Dominion	This measure is not directed to GNWT. GNWT notes that Dominion recently received a land use permit for this camp; GNWT will continue to participate in permit review, compliance and enforcement processes as required.	This measure is not directed to GNWT. The GNWT will continue to participate in permit review, compliance and enforcement processes as required.	This measure is not directed to GNWT. The GNWT will continue to participate in permit review, compliance and enforcement processes as required.
Maximizing benefits and minimizing impacts to communities	8-1: Minimize negative socio-economic impacts of the Project on communities	<p>In order to mitigate significant cumulative adverse socio-economic impacts of the Jay Project on health and well-being, the Government of the Northwest Territories will engage and work with diamond mining communities to adaptively manage adverse social impacts to health and well-being from the Jay Project, in combination with other diamond mining projects. As part of this process, the GNWT will actively investigate and address linkages of diamond mining effects on the health and well-being of affected communities.</p> <p>The GNWT will also meet with communities within one year of the Ministerial approval of this Report of EA, and annually thereafter, to discuss:</p> <ol style="list-style-type: none"> 1. priority social issues at the individual, family and community level related to diamond mining, as identified by communities and by the GNWT 2. the effectiveness of GNWT programs to address these identified issues, and 3. implementing improvements to mitigate identified issues. <p>The GNWT will submit an annual progress report on the above to each diamond mining community, describing GNWT's engagement on and adaptive management of social impacts, and GNWT's plans to address identified issues.</p>	GNWT	a) Measure 8-1 requires that the GNWT engage and work with diamond mining communities to adaptively manage adverse social impacts to health and well-being from the Jay Project, in combination with other diamond mining projects. As a part of the socio-economic agreement with the mine, the GNWT actively monitors and reports on socio-economic indicators to assess the impact of diamond mining on communities, and extends offers to meet annually with those communities to discuss socio-economic impacts, reporting and monitoring. The 2016 Community and Diamonds and implementation reports and official invitations to meet with the GNWT were sent to the Tłı̨chǫ Chiefs and Councils, the Yellowknives Dene Chiefs and Councils, the Denı̨nu Kúé First Nation, the Łutsel K'e Dene First Nation, the President of the North Slave Métis Alliance, and the Local Métis Presidents of the Northwest Territory Métis Nation on December 5, 2017. These were followed up via email and telephone. The North Slave Metis Alliance did not	a) Measure 8-1 requires that the GNWT engage and work with diamond mining communities to adaptively manage adverse social impacts on health and well-being from the Jay Project, in combination with other diamond mining projects. As a part of the socio-economic agreements with the diamond mines, the GNWT actively monitors and reports on the socio-economic indicators to assess the impact of diamond mining on communities and extends offers to meet annually with those impacted communities to discuss priority issues, impacts, reporting mechanisms, and monitoring and mitigation activities. The GNWT merged the 2017 Communities and Diamonds report and SEA implementation report in an effort to better meet the communication needs of communities and reporting requirements. The GNWT and the diamond mines restructured community engagements in 2018 to better meet the responses heard from community members and council during the 2017 engagements. Specifically, there was an interest from the Small Local Communities (SLCs) in receiving more support and engagement with mines and government around	There was no further advancement on work associated with measure 8-1 during the 2019-2020 reporting year due to Dominion Diamond Mines delaying the Jay Project expansion in May of 2018.

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				<p>respond to the meeting invitation. The Tłı̨chǫ Government (TG) accepted the offer to hold a meeting on behalf of their communities and requested that meetings be held with the Kwe Beh working group, who manage the implementation of impact benefit agreements on behalf of the TG. Meetings were also held with the Chief and Council of Denı̨nu Kúę First Nation, the Local Presidents of the Northwest Territory Métis Nation, and the Łutsel K'e Dene First Nation, to discuss priority socio-economic issues related to mining activity, as well as the effectiveness of programs, policies, and services, and approaches to mitigating identified issues. The GNWT also presented the 2016 Community and Diamonds report. The format of the meetings followed that described in 2017. The report is available online here: http://www.assembly.gov.nt.ca/sites/default/files/td_407-182.pdf. The 2016 socio-economic implementation report is also publicly available here: http://www.assembly.gov.nt.ca/sites/default/files/td_393-182.pdf.</p> <p>The current actions are responsive and aimed at addressing the needs identified by communities. For example, members and the Chief and Council of the Łutsel K'e identified criminal records as a hindrance to residents gaining meaningful employment at mine sites. The GNWT committed to organizing a workshop with the mines, the community, and relevant GNWT officials to proactively address this issue and hosted the <i>Promoting Employment in Resource Projects</i> workshop in May 2018. The purpose of the workshop was to identify local needs and concerns related to potential employment barriers,</p>	<p>employment opportunities and addressing employment barriers. As such, the GNWT and diamond mines held a series of trade show like events alongside meetings with Chief and Council in the SLCs.</p> <ul style="list-style-type: none"> • November 10 – Yellowknife – Met with representatives from the Tlı̨chǫ Government • November 13 – Fort Smith – met with Northwest Territory Metis Nation, and held a public meeting • November 15 – Hay River Reserve – met with the public • November 16 – Fort Resolution - met with Denı̨nu Kúę First Nation, and held a public meeting • November 28 – Behchokǫ – met with the public • December 15 – Yellowknife – Conference with the Native Women's Association of the NWT, which was open to the public • December 17 – Dettah – Met with the Yellowknives Dene First Nation <p>In meetings with SLCs, the GNWT discussed priority issues related to diamond mining, programs and services, and the <i>2017 Communities and Diamonds Socio-Economic Agreements Annual Final Report</i> (available online: http://library.assembly.gov.nt.ca/2018/ITI/a380312_td_152-183_Communities_and_Diamonds_Socio-Economic_Agreements_annual_report_2017.pdf).</p> <p>The current actions are responsive and aimed at addressing the needs identified by communities and residents during the annual engagement meetings. For example, in September 2019 the GNWT and the three diamond mines travelled to Łutsel K'e for a recruitment workshop and leadership meeting. At the workshop, community members were provided information and</p>	

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				<p>recruitment, advancement, training, and the participation of women working with the operating diamond mines. The workshop allowed for effective sharing of knowledge, practices and community concerns in relation to barriers to employment. Representatives from multiple communities and organizations, who are in close proximity to current mines or who provide employment and training services to the industry, participated. Highlights from workshop findings will be included in the 2018 Communities and Diamonds Report. In addition to reducing barriers to employment, the GNWT is focused on ensuring training opportunities are available. On May 31, 2017 the Apprenticeship, Trades and Occupational Certification (ATOC) Strategy 2017-2022 was released. The five-year strategy outlines how the GNWT will strengthen the ATOC program which helps to close the skills gap and improve employment success. Specifically the Strategy includes an objective to 'Increase the participation and completion rates of targeted groups in apprenticeship and certification, including women in non-traditional trades and Aboriginal apprentices.'</p> <p>The community of the Łutsel K'e and the Denínu Kúé Dene Band also identified health concerns, such as cancer, that they would like to understand more about. The GNWT has responded by inviting the Chief Public Health Officer and/or epidemiologists to the next meetings, which are currently being scheduled, to share their knowledge and respond to community concerns. In addition to these responses, the GNWT is working to improve its annual reporting mechanism to more clearly describe GNWT engagement and the</p>	<p>support on work positions, application processes, skills and training, and health and wellness supports. At the meeting, Chief and Council received annual report updates from all three mines and the GNWT, as well as information on programs and services, updates on healthy living fairs and mental health programs, and an opportunity to discuss issues and areas of concern. Workshops were also held with: Denínu Kúé First Nation (Fort Resolution in November 2018), the Northwest Territories Métis Nation (Fort Smith in November 2018), the Yellowknives Dene (N'dilo in December 2018) and Tłı̨chǫ Government (Yellowknife and Behchokǫ in December 2018). An invitation was extended to the North Slave Métis Alliance, however, an agreeable time was not available. The GNWT will continue to refine its reporting mechanisms to better communicate their efforts to respond to the issues raised by communities.</p> <p>Mental health is a key area of concern identified in community engagement and in our work with the mining companies. As such, the GNWT emphasized reporting on available programs and services in SEA meetings and shared materials and resources in community workshops. In addition, the GNWT-HSS has been working with the diamond mines to raise awareness of mental health issues, programs and supports for mining workers and families. In June 2019, the Department of Health and Social Services (HSS) released the <i>Mental Wellness and Addictions Recovery Action Plan</i>. The action plan outlines the transformative system changes the GNWT is putting into place to pursue mental health and addictions recovery and healing, and recognizes the connections between these issues and complex socio-economic factors, life experiences, biology and genetics. It seeks to foster hope and change through</p>	

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				<p>adaptive management of changes in socio-economic indicators, including linking actions to programs and services that are aimed at supporting and promoting the benefits and opportunities available as a result of diamond mining, as well as mitigating potential negative impacts. The 2017 Communities and Diamonds report has merged the Communities and Diamonds report with the SEA Implementation report to achieve this, and the GNWT will continue to refine its reporting mechanisms to better communicate their efforts to respond to the issues raised by communities. The GNWT Department of Health and Social Services continues to engage and consult with communities and front-line staff across the NWT about health and well-being concerns on a regular basis and utilizes a strategic and collaborative governance model to ensure that these concerns directly inform and improve policies, programs, and services. In addition to this, the Minister of Health and Social Services hosted a meeting with Indigenous Government Leaders May 10-11, 2018, to discuss progress on system transformation, as well as how to improve transparency and collaboration in the area of community health and wellness, children and youth initiatives, and engagement strategies. Language revitalization is also a part of community wellness. Languages provide a sense of identity, self-esteem and community. The GNWT continues to support and promote indigenous language revitalization efforts. The Northwest Territories Aboriginal Languages Framework: A Shared Responsibility and the accompanying Action Plan were released in 2017. The Action Plan clarifies that the promotion,</p>	<p>four main objectives: reduce stigma and increase awareness and prevention; increase supports and transform the culture of practice within the mental wellness and addictions recovery system to more fully reflect a seamless care pathway model in the NWT; improve quality, coordination, and integration of services; and, strengthen peer support, aftercare, and community-based options for people living with addictions. In addition to this work, the GNWT-HSS continues to engage and consult with communities and front-line staff across the NWT about health and well-being concerns on a regular basis, support the communities in developing and implementing community wellness plans, deliver healthy living fairs across the territory, and utilize a strategic and collaborative governance model to ensure that local concerns directly inform and improve health and social policies, programs, and services. HSS has collected literature related to the social and health impacts of diamond mining and resource development more broadly in the North and plans to conduct and promote more research, awareness and engagement in this area in the coming year.</p> <p>b)</p> <p>i. The GNWT is implementing measure 8-1 through its SEA requirements and its annual meetings with impacted communities as part of its commitments in the SEAs. These meetings and the GNWT’s monitoring of the socio-economic indicators discuss and address potential links between diamond mining effects on the health and well-being of affected communities. Community members are actively engaged with and encouraged to provide feedback on any adverse social impacts to health and well-being in this process.</p>	

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				<p>preservation and revitalization of Indigenous languages are best managed by Indigenous people and communities, and as such, regional Indigenous governments have control over the management of their own language revitalization efforts. Regional Indigenous governments receive annual contributions from the GNWT to administer their respective Indigenous language programs and services, which support locally developed revitalization goals. The Small Community Employment Support Program is another strategic investment in community wellness. The program enables residents to either receive training-on-the-job, or through the community initiatives which provides formal training or a combination of on-the-job and formal training. This program helps residents with employment, allowing them to contribute to their communities and the ability to provide for their families. The funding for the program allows GNWT to target investments to ensure meeting the needs of residents and the labour market. Alongside these efforts, the GNWT is currently developing a formal plan to actively investigate linkages of diamond mining effects on the health and well-being of affected communities and a plan to engage and collaborate with diamonding mining communities on this work.</p> <p>b) i) The GNWT is implementing measure 8-1 through its SEA requirements and meetings with impacted communities as part of its commitments in the SEAs. These meetings and the GNWT's monitoring of the socio-economic indicators address potential linkages of diamond mining effects on the health and well-being of affected communities,</p>	<p>Alongside these efforts, the GNWT is currently developing a formal plan to actively investigate historic and present linkages of diamond mining and resource development more broadly on the health and well-being of affected communities. A first step has been identified available literature, with plans to engage and collaborate with diamonding mining communities and stakeholders on this work. Implementation actions described above fulfill the intent of Measure 8-1.</p> <p>ii) HSS believes that the current actions and planning activities are improving the adaptive management and understanding of social impacts to health and well-being and that future, collaborative work in this area will result in continued and more responsive action to address priority health and wellness issues, implement improvements and mitigate issues.</p> <p>iii) The actions and information presented in this response are being used to implement actions clearly linked to mitigations and improvement in GNWT operations.</p> <p>iv) Official letters are mailed to each diamond mining community, alongside the annual SEA report, inviting Chiefs and Councils, the Northwest Territory Métis Nation Presidents, and the North Slave Métis Alliance to meet with the GNWT. The GNWT will continue to engage with the communities on a regular basis.</p>	

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				<p>and community members are actively engaged with and encouraged to provide feedback on any adverse social impacts to health and well-being in this process. Alongside these efforts, the GNWT is currently developing a formal plan to actively investigate linkages of diamond mining effects on the health and well-being of affected communities and a plan to engage and collaborate with diamonding mining communities on this work. Implementation actions described above fulfill the intent of Measure 8-1.</p> <p>ii) It is not possible to evaluate how effective the implementation actions are at reducing, controlling, or eliminating any impacts or their likelihood, at this early stage of implementation.</p> <p>iii) N/A</p> <p>iv) Official letters are mailed to each diamond mining community alongside the annual community and diamonds report, inviting Chiefs and Councils, the Northwest Territory Métis Nation Presidents, and the North Slave Métis Alliance to meet with the GNWT. The GNWT will continue to engage with the communities on a regular basis.</p>		
Socio-economic, employment	8-2: Supporting increased employment opportunities for women	<p>To mitigate significant adverse socio-economic impacts on women, Dominion will consult with the Government of the Northwest Territories, the Status of Women Council of the NWT and the Native Women’s Association of the NWT to update its strategy for the training, recruitment and employment of women in traditional and non-traditional occupations, prior to the construction phase of the Jay Project. Where Dominion has community liaisons, they will serve as additional resources for implementing initiatives for training, recruitment and employment of women.</p> <p>Dominion will report on employment and retention</p>	Dominion	<p>This Measure is not directed to the GNWT. The GNWT organized a meeting and luncheon in February with the Northwest Territories Native Women’s Association and the diamond mines at the request of the association to recognize Aboriginal women employed in non-traditional roles as well as to share and discuss the socio-economic agreements and employment at the mines. GNWT will continue to work collaboratively to encourage women’s participation in mining.</p>	<p>This Measure is not directed to the GNWT. The GNWT co-hosted a conference in December 2018 with the Native Women’s Association of the Northwest Territories. The conference included participation from the diamond mines as well as representatives from all regions in the NWT. Topics discussed included Supporting Women in Mining, Business Opportunities with the Mines, Mine Sponsored Employee Family Assistance Programs, Employment and Training, How to Apply for a Job at an NWT Mine, and Engaging Youth Around Science, Technology, Engineering and Math</p>	<p>There was no further advancement on work associated with measure 8-1 during the 2019-2020 reporting year due to Dominion Diamond Mines delaying the Jay Project expansion in May of 2018.</p>

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		figures for women, and on the effectiveness of its revised policy, as part of its reporting per measure 13-1.			(STEM), among others. GNWT will continue to work collaboratively to encourage women's participation in mining.	
Air quality, stack testing, incineration	9-1: Incineration – Stack Testing and Reporting	<p>To reduce the likelihood of impacts resulting from the release of dioxins and furans, Dominion will conduct incinerator stack testing at least every three years and submit any stack test results to the GNWT Department of Environment and Natural Resources and Environment Canada no more than 90 days after the completion of stack testing. No more than 120 days after any failed stack test, (with failure determined according to the Canada Wide Standards for Dioxins and Furans or applicable regulation or guidance developed by the GNWT), Dominion will:</p> <ol style="list-style-type: none"> 1. Develop an Adaptive Management Response Plan, containing: <ol style="list-style-type: none"> a) An assessment of the incinerator operations and management that contributed to the failed stack test, and methods to rectify them. b) A consideration of the need for increased monitoring of incinerator operational indicators associated with the formation of dioxins and furans. This may include inline continuous emission monitoring for, but not limited to: flow of flue gas, oxygen content, and carbon monoxide. 2. Submit the Adaptive Management Response Plan to the GNWT Department of Environment and Natural Resources and Environment Canada. 3. Implement the methods identified by Dominion (under 1a above) no later than the submission of the Response Plan, and earlier if feasible. <p>Dominion will re-stack test the incinerators within six months of the initial failed stack test. This second stack test will verify the effectiveness of the methods proposed and implemented in the Adaptive Management Response Plan and demonstrate compliance with the Canada-wide Standards for Dioxins and Furans. All stack tests must be conducted in accordance with national standards, and include detailed documentation to demonstrate that representative composition and batch size of waste were used during the testing process.</p> <p>Exemptions for the second stack test may occur based on a review of the factors that contributed to the failed stack test and approval of the Adaptive Management Response plan by GNWT Department of Environment and Natural Resources, in consultation with Environment Canada.</p>	Dominion	<p>GNWT's response has not changed since the last reporting period. GNWT's response remains as follows: GNWT acknowledges that Dominion provided the 2016 Emission Monitoring Report for Ekati Incinerator Stack Testing to GNWTENR on February 17, 2017. The report satisfied the portion of Measure 9-1 that states: "Dominion will conduct incinerator stack testing at least every three years and submit any stack test results to the GNWT department of Environment and Natural Resources and Environment Canada no more than 90 days after the completion of the stack testing."</p>	<p>GNWT acknowledges that Dominion provided the 2016 Emission Monitoring Report for Ekati Incinerator Stack Testing to GNWT ENR on February 17, 2017. The report satisfied the portion of Measure 9-1 that states: "Dominion will conduct incinerator stack testing at least every three years and submit any stack test results to the GNWT department of Environment and Natural Resources and Environment Canada no more than 90 days after the completion of the stack testing."</p> <p>The GNWT notes that stack testing is to be conducted at least every three years, and therefore 2019 would have been when the next stack testing occurred. The GNWT, however, understands Dominion intends on conducting stack testing in 2020 and anticipates receiving the test results no more than 90 days after the completion of stack testing</p>	<p>The GNWT notes that stack testing was scheduled to occur in 2019. The GNWT, however, understands Dominion did not conduct stack tests in 2019 due to the delay in implementing the Jay Project.</p>

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Air quality, greenhouse gases	Measure 9-2: Reporting on greenhouse gas emission and management	<p>Dominion will provide, in its Air Quality Emissions Monitoring and Management Plan annual report, information on its greenhouse gas management for all Project phases including, but not limited to:</p> <ul style="list-style-type: none"> • A calculation of greenhouse gas emissions by combustion source; • greenhouse gas emissions reduction targets for the upcoming year and how they were determined; • reporting of whether past reduction targets were achieved and how, or if they were not, why; • a description of monitoring including the parameters, methods, frequency, and data analysis; • a description of adaptive policies, strategies and mitigative actions undertaken, or proposed, to reduce greenhouse gas emissions, including but not limited to: <ul style="list-style-type: none"> ○ the results of Dominion’s proposed ore hauling pilot study, including a description of greenhouse gas emissions for each alternative hauling method studied compared to existing and/or proposed strategies; ○ the results of Dominion’s proposed concept study on the use of alternative energies to offset a portion of the Jay Project’s energy needs, including the methods and analysis; and, ○ if the concept study leads to a feasibility study on the use of alternative energy to offset a portion of the Jay Project’s energy needs, report on the results, including the methods and analysis. <p>During its community visits, Dominion will engage on its greenhouse gas emissions management, and report on how results of past engagement have been incorporated into Dominion’s management of greenhouse gas emissions.</p>	Dominion	GNWT’s response has not changed since the last reporting period. GNWT’s response remains as follows: Measure is not directed to GNWT. GNWT will participate in review processes as required, including any reviews of the Air Quality Emissions Monitoring and Management Plan (AQEMMP) and the AQEMMP report. The AQEMMP that GNWT approved in May 2017 states that "DDEC will include the information required under Measure 9-2 from the Report of EA as part of the GHG Management Report. A copy will be reproduced as an appendix in the AQEMMP annual report."	Measure is not directed to GNWT. GNWT will participate in review processes as needed, including any reviews of the Air Quality Emissions Monitoring and Management Plan (AQEMMP) and the AQEMMP report. The AQEMMP that GNWT approved in May 2017 states that "DDEC will include the information required under Measure 9-2 from the Report of EA as part of the GHG Management Report. A copy will be reproduced as an appendix in the AQEMMP annual report."	Measure is not directed to GNWT. GNWT will participate in review processes as needed, including any reviews of the Air Quality Emissions Monitoring and Management Plan (AQEMMP) and the AQEMMP report. The AQEMMP that GNWT approved in May 2017 states that "DDEC will include the information required under Measure 9-2 from the Report of EA as part of the GHG Management Report. A copy will be reproduced as an appendix in the AQEMMP annual report."
EA Measure Follow-up	13-4: Annual reporting from government and regulatory authorities	In order to evaluate the effectiveness of mitigation measures for the protection of the environment, each regulatory authority or government that is wholly or partly responsible for implementation of any measure in this Report of EA will prepare an annual Report on Implementation of Jay Project Measures. The Report will: <ol style="list-style-type: none"> a) describe the actions being undertaken to implement the EA measures or the part(s) of the EA measure for which the regulatory authority or government is responsible; and 	GNWT, WLWB	The GNWT will provide an annual Report on Implementation of Jay Project Measures directed to GNWT to MVEIRB by July 1 of each year.	The GNWT will provide an annual Report on Implementation of Jay Project Measures directed to GNWT to MVEIRB by July 1 of each year.	The GNWT will provide an annual Report on Implementation of Jay Project Measures directed to GNWT to MVEIRB by July 1 of each year.

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		<p>b) explain how the implementation actions, including any actions implemented through adaptive management, fulfill the intent of the EA measures, including consideration of the following questions:</p> <ul style="list-style-type: none"> i. How are implementation actions addressing a likely significant adverse impact on the environment? ii. How effective are implementation actions at reducing, controlling, or eliminating the impact or its likelihood? iii. If the measure is for monitoring or research, are the implementation actions clearly linked to mitigation and/or operations? iv. How are process considerations (such as consultation or engagement requirements, statutory obligations, etc.) being considered, and, if applicable, how are they affecting implementation of the EA measures? <p>Prior to July 1 of each year, during all phases of the Jay Project to which a particular measure applies, each regulatory authority and government will provide a copy of this annual report to the Review Board.</p>				