

EA1314-01 - Jay Project

July 9, 2015

## Note to File

**Re: EA1314-01 Jay Project, Dominion Diamond – updated draft Commitments Table**

Please find attached an updated draft Commitments Table for the Jay Project. The Commitments Table is compiled by the Review Board from the adequacy review, information request and technical session phases of this environmental assessment.

The commitments in this table include those documented since the submission of the Developer's Assessment Report in November 2014 to the present date. Commitments listed in the Developer's Assessment Report are therefore not included in the attached table.

Parties to the Jay Project, including Dominion Diamond are asked to review this draft Commitment's Table and submit comments or recommendations by August 7<sup>th</sup>. This table will be updated based on any comments or recommendations received and placed on the public registry prior to the public hearings.

The Commitments Table will be updated a final time after the public hearings.

The contact for the Jay Project is:

Sincerely,

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**EA1314-01 Jay Project – Dominion Diamond**

**Draft Commitments Table – 09 July 2015**

This table is a *draft* compilation of commitments made by Dominion Diamond for the Jay Project since the submission of the Developer’s Assessment Report (DAR) in November 2014 to date. The table is prepared by the Review Board. It includes commitments from the DAR Adequacy Review, responses to information requests, commitments made during the technical session and undertakings and the second round of information requests. This commitments table will be updated throughout the remaining phases of the environmental assessment for the Jay Project and included in the Review Board’s Report of Environmental Assessment.

(PR#xx) = MVEIRB public registry number

Subject	Document Source	Subject	Commitment by Dominion Diamond
<b>Water quality and hydrology</b>			
	DAR-EC-IR-07 (PR#305)	Metal Analysis, Uranium and Thorium. Request development of contingency plan to deal with exceedances of Uranium and Thorium in leachate should that occur	Expand Waste Rock and Ore Management Plan 2014 to include Jay Project area. Adaptive seepage management strategies will be implemented as necessary to remedy undesirable water quality trends. Uranium and thorium will be included in the seepage monitoring program to identify short-term and long-term water quality trends for the purpose of identifying any needs for further testing, monitoring or adaptive management.
	DAR-IEMA-IR-03 (PR#305)	Waste Rock Storage Area seepage surveys	Ekati Waste Rock and Ore Management Plan seepage surveys will apply to Jay Waste Rock Storage Area and ore stockpiles. Seepage surveys are twice a year (during

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			spring freshet and late in the summer or fall before freeze-up).
	Technical session April 23 – commitment #5 (PR#358)	Water quality	DDEC to hold meeting(s) to discuss questions related to the sensitivity of groundwater model.
	DAR-MVEIRB-UT-09 (PR#371)	Enhance permeability zone characterization	Dominion Diamond will “undertake observations of inflow quantity, location of inflow and structure of the Jay Pit walls during operations that will identify the location and transmissivity of EPZs”. These monitoring procedures will be developed during the permitting phase.
	DAR-EC-IR2-01 DAR-GNWT-IR2-04 (PR#448)	Discharge of minewater from Misery pit to Lac du Sauvage.  Mixing zone in Lac du Sauvage.	Further, Dominion Diamond has committed that no discharge of any minewater from the Misery Pit to Lac du Sauvage will occur if acutely toxic.  To meet this commitment, monitoring of minewater in the Misery Pit (as a requirement under the Water Licence) will be undertaken during operations; the monitoring will be conducted in early operations (i.e., during the phase when there is no discharge to Lac du Sauvage) and late operations (i.e., during the discharge period).  Minewater monitoring will include chemical analysis and acute and chronic toxicity testing. Similar to toxicity testing requirements at the Ekati Mine, toxicity testing is expected to include acute lethality testing with Rainbow Trout and waterflea, and chronic toxicity testing with the

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			<p>green algae, <i>Pseudokirchneriella subcapitata</i>, and the cladoceran, <i>Ceriodaphnia dubia</i> (WLWB 2014). This testing will track water quality conditions in the pit (i.e., end-of-pipe) to prevent water that is acutely toxic from being discharged to Lac du Sauvage.</p>
	<p>DAR-GNWT-IR2-18 (PR#448)</p>	<p>Hydrology model reliability</p>	<p>Predicted changes for Lac du Sauvage are greatest during back-flooding. To manage the uncertainty of the predicted changes to the flows and water levels in Lac du Sauvage, a Jay Pit and diked area backflooding pumping plan will be developed prior to closure. It is expected that this plan will be submitted for approval under the water licence process and will be required prior to back-flooding (currently scheduled to commence in 2030).</p> <p>As part of the back-flooding pumping plan, Dominion Diamond will implement mitigation, as required, through an adaptive management plan, including the reduction of pumping rates to protect fish habitat in the Lac du Sauvage Narrows. Additional information will be collected during operations as part of the Aquatic Effects Monitoring Program to further characterize baseline conditions at the Narrows, including depths and widths under naturally occurring low-flow conditions in the winter.</p> <p>The adaptive management plan for the potential reduction in pumping rates during closure, as mitigation to avoid adverse effects to fish habitat at the Lac du Sauvage Narrows, will be developed as part of the</p>

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<b>Dike design, geotechnical studies, lakebed sediment management and waste rock storage area</b>			back-flooding pumping plan.
	DAR-GNWT-IR-17 PR#305)	Jay-Pipe Pit Geometry Provide a description of proposed actions, mitigations and monitoring associated with free-thaw on the stability of the Jay Pit walls	At a later stage in the design process, a ground control management plan will be developed and implemented to monitor and maintain pit wall stability to an acceptable risk level associated with various forms of ground instability that may develop during operations. Thermistors will be installed to supplement the monitoring program if necessary.
	DAR-KIA-IR-19  DAR-LKDFN-04 (PR#305)	Waste rock storage area, thermal modelling validation and seepage	Thermistors will be installed in the Jay Waste Rock Storage Area to monitor temperatures in the pile foundation and within the pile itself (KIA). Thermistors will be installed in the Jay Waste Rock Storage Area after completion of the pile to monitor temperatures in the pile foundation and within the pile itself (LKDFN) Jay Waste Rock Storage Area added to Ekati Waste Rock and Ore Management Plan. The Adaptive management process in the Waste Rock and Ore Management Plan also applies to Jay WRSA.

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	<p>Technical session April 20 commitment #1 (PR#358)</p>	<p>Dike design</p>	<p>DDEC commits to creating an Independent Dike Review Board/Panel prior to construction.</p>
	<p>DAR-GNWT-IR2-14 (PR#448)</p>	<p>Jay Pipe Dike Geotechnical Investigations</p>	<p>This information request is similar to the request made by Mr. Brian Watts, retained by the Mackenzie Valley Environmental Impact Review Board as a reviewer, during the Jay Technical Sessions held on April 20, 2015 (Day 1). Dominion Diamond took the request as Homework Assignment #1, and provided a response on April 21, 2015 (Jay Technical Sessions, Day 2, pages 20-21 of the transcript). Section 15 of the Jay Project Pre-feasibility Dike Design Report (Golder 2014), dated December 8, 2014, provided recommendations for future work to advance the dike design to a detailed design level.</p> <p>The recommendations were organized under two (2) headings:</p> <ol style="list-style-type: none"> <li>1) Evaluation of foundation conditions, and</li> <li>2) Evaluation of potential construction materials.</li> </ol> <p>All recommendations related to foundation conditions (heading one), have been completed as part of the 2015 winter investigation program, with the exception of the first recommendation. This recommendation involves conducting an underwater visual assessment of the lakebed surface for the presence of cobbles and boulders. Dominion Diamond has committed to</p>

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			<p>carrying out this work once ice on Lac du Sauvage has melted. This work will be done during the summer of 2015.</p> <p>In terms of the recommendations related to construction materials (heading two), mix design testing for the cement-soil-bentonite, using till samples obtained from the Pigeon Pit have been completed. Additional till samples will be collected from Lynx Pit pre-stripping operations, and further testing conducted. Sufficient information from the testing carried out on the samples obtained from the Pigeon Pit exists to support detailed design.</p> <p>Once a crusher contractor is selected to produce the fine and coarse filter materials, then samples will be collected and testing conducted. This testing is not required for the detailed design, but will form a part of the quality control and quality assurance programs implemented during the construction.</p>
	DAR-GNWT-IR2-17 (PR#448)	Lake bottom sediment transport, storage and management in the waste rock storage area	<p>The total volume of overburden soils to be stored in the WRSA is approximately 7,013,000 m<sup>3</sup> which accounts for approximately 6.5% of the total volume of material to be stored in the WRSA.</p> <p>Overburden soils will be placed in the interior area of the WRSA footprint. It is anticipated that the overburden soils will be placed over approximately one third of the total footprint of the WRSA which could result in thicknesses up to 8 or 9 metres (m). Waste rock will be</p>

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			<p>placed around and over top of the overburden soils to the design limits of the pile as the WRSA is developed. This will lead to encapsulation of the soils within waste rock.</p> <p>If the lakebed sediments are found to have a moisture content that is high enough to inhibit truck traffic required for placement of subsequent lifts, the wet lakebed soils could be placed separately in either the mined-out quarry within the Jay WRSA footprint (if available), or internal containment dikes could be constructed out of rockfill or till within the WRSA footprint for containment of the wet sediments. Staged development plans for each 2 to 3 years of operation/placement will be prepared for the Jay WRSA as part of the detailed design. These plans will include placement areas for overburden soils.</p> <p>Management of spillage of sediments from haul trucks, if necessary, may use such means as tailgates and/or side boards for haul trucks to reduce this potential. If substantial spillage occurs on the road between the dike and WRSA, it will be cleaned up, as deemed necessary.</p>
	DAR-MVEIRB-IR2-02 PR#448)	Pre-feasibility dike design, lakebed sediment disposal	<p>Excavated lakebed sediment will be transported to the waste rock storage area (WRSA) for disposal. Trucks will have tailgates and/or other containment mechanisms to minimize spillage of the excavated lakebed material. If the quarry is developed within the WRSA, this facility would be utilized for</p>

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			<p>placement/containment of the lakebed sediments. If the quarry is not developed, containment cells constructed of either rockfill and/or till will be constructed within the WRSA footprint for disposal of this material. The location of these cells has not been defined yet, but would be away from the perimeter of the WRSA.</p> <p>The detailed design for the WRSA will contain details regarding placement of waste construction materials. If dredging is used to remove lakebed sediments, then the King Pond Settling Facility may be utilized for water with elevated TSS.</p>
<b>Ore storage pads</b>			
	DAR-IEMA-IR2-03 (PR#448)	Reclamation of ore transfer pad and diked area	<p>Ore storage pads are included in the Ekati Mine Interim Closure and Reclamation Plan (ICRP; BHP Billiton 2011). As per Section 5.7.9.7 of the ICRP, ore will be removed from ore storage areas and the pads will be re-contoured and scarified as necessary.</p> <p>The ICRP is expected to be amended to include Jay Project components during regulatory process with the Wek'èezhì Land and Water Board such that these requirements will apply to transfer pads constructed for the Jay Project. As described above, kimberlite will not be left on the pad when the area is back-flooded.</p>
<b>Fish/Aquatics</b>			
	DAR-EC-IR-25 and DAR-IEMA -IR-20	Fish-out Plan, waterbirds	Dominion will develop a diving bird mitigation strategy with Environment Canada, which will be included in the

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	(PR#305)	Request details of diving bird mitigation strategy to prevent entanglement	final fish-out plan.
	DAR-DKFN-IR2-07 (PR#448)	Conceptual Offsetting Plan	Dominion Diamond is committed to working with all impacted communities to identify potential offsetting measures for the Jay Project that meet community interests and meet the requirements of the Fisheries Protection Policy Statement (DFO 2013) and comply with the Applications for Authorization under Paragraph 35(2)(b) of the Fisheries Act Regulations.
	DAR-IEMA-IR2-01	Fish impact predictions	Any Project-related losses of fish habitat (i.e., serious harm to fish) will be addressed in the final offsetting plan (based on the Conceptual Offsetting Plan in Appendix 9A of the DAR) submitted with the application for a Fisheries Act Authorization during the regulatory phase of the Project.
<b>Air quality - Waste management</b>			
	DAR-GNWT-IR-3 (PR#305)	Incinerator facilities – waste incineration Incineration stack testing schedule requested	Version 2.0 of the Waste Management Plan and Incineration Management Plan will be updated July 2015 to account for commissioning of new composter. Stack testing will occur after the composting system is in place and the new waste stream has been rolled out.
	DAR-GNWT-IR-69 (PR#305)	Proper waste management practices by new	During site orientation for new employees, contractors and visitors a mandatory presentation on waste management including the Sustainable Development

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		employees	Policy is outlined by Ekati management.
	Technical session April 24 – commitment #7 (PR#358)	Air quality	DDEC is to hold a meeting with EC to clarify emissions model and will prepare a summary report of the results of this meeting to be submitted to the Review Board
	Meeting Report - air quality regulators May 7, 2015 (PR#418) DAR-GNWT-IR2-19 (PR#448)	Air Quality Monitoring and Management Plan – stack testing	<p>Dominion will commit to the 3-year incinerator stack testing cycle.</p> <p>Dominion Diamond has committed to undertake stack testing on the operating incinerators on the 3 year schedule. This was discussed in the Jay Project Technical Sessions, and a commitment to stack testing was made following the May 7, 2015 air quality meeting that included the Government of the Northwest Territories (GNWT) staff.</p> <p>Dominion Diamond has committed to updating the Incinerator Management Plan as part of the updated Waste Management Plans, as per the requirement in the Water Licence. Stack testing will follow current standards for this work, data will be circulated to GNWT, and other parties, and follow up actions will be implemented if necessary. Details on these operating procedures will be finalized during the regulatory permitting process.</p> <p>Dominion Diamond provided a draft conceptual Air Quality Emissions Monitoring and Management Plan (AQEMMP) for the Jay Project to the Mackenzie Valley Environmental Impact Review Board for</p>

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			discussion on June 1, 2015, and followed up with a workshop on June 26, 2015 to engage with regulatory and community groups. The development of the Jay Project AQEMMP is ongoing and the schedule for testing and reporting will still be discussed, and finalized during the Jay regulatory process. Dominion Diamond will host a technical workshop to discuss the proposed triggers and technical components of the AQEMMP in July 2015 and will also provide an engagement schedule for the AQEMMP.
	DAR-GNWT-IR2-01 (PR#448)	Ambient Air Quality Adaptive Management Plan Framework	As per the document titled "Regulatory Engagement Follow-Up Responses from May 7, 2015 Air Quality Regulatory Meeting", dated May 2015, the Proponent has committed to including adaptive management trigger levels and associated actions in the draft Air Quality Monitoring and Management Plan, which will be provided to the Mackenzie Valley Review Board public registry by June 1, 2015.
	DAR-GNWT-IR2-02 (PR#448)	Project mine fleet and equipment procurement	Dominion Diamond is committed to minimizing emissions from mine equipment according to the established principles of Best Available Technology Economically Available (BATEA). All equipment operating at the Ekati Mine has a set preventative maintenance plan that ensures equipment is operating at optimal conditions and performance.
	DAR-LKDFN-IR2-01 DAR-MVEIRB-IR2-28 (PR#448)	Ambient Air Quality Guidelines	Furthermore, the GNWT has adopted regulations specifically for the protection of the health and safety of workers at mines. The Government of the Northwest Territories Mine Health and Safety Regulations (Section 9.02) states that employees shall not be exposed

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			<p>to airborne chemical or physical substances in excess of those specified in the 1994-1995 Threshold Limit Values for Chemical Substances and Physical Agents and Biological Exposure Indices published by the American Conference of Governmental Industrial Hygienists (GNWT 2015). These thresholds are higher than the NWT ambient air quality guidelines and would be applicable inside the development area.</p> <p>It is Dominion Diamond's intent to apply the NWT ambient air quality guidelines (GNWT-ENR 2014) as standards or targets for purposes of air quality monitoring and management at the Project. Therefore, the fact that the NWT ambient air quality guidelines are non-legally binding, as clarified by the GNWT Department of Environment and Natural Resources (ENR) in a letter (GNWT-ENR 2015) responding to Undertaking 17 from the Mackenzie Valley Environmental Impact Review Board (MVEIRB) Technical Sessions for the Project on April 24, 2015, will have no effect on how Dominion Diamond plans to manage the air quality at the Project.</p> <p>Dominion Diamond, in its proposed Conceptual Air Quality and Emission Monitoring and Management Plan for the Jay Project (AQEMMP; Dominion Diamond 2015) submitted to the MVEIRB on June 1, 2015, and discussed with parties during a workshop on June 26, plans to include an adaptive management</p>

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			<p>approach to the management of air quality at the Project.</p> <p>The NWT ambient air quality guidelines, regardless of their current non-legally binding status, will be used as the bases for the criteria that will trigger appropriate management actions as proposed in the AQEMMP. If new ambient air quality guideline or standard values are adopted by the GNWT in the future, the AQEMMP for the Project will be updated to reflect the changes in the guidelines or standards.</p> <p>(In the DAR, Section 7.1.4.1, the development area is defined as: “An area that includes the Project footprint and the mine footprints of the Ekati Mine and Diavik Mine. This area is either already physically disturbed by existing or planned mining activities, or has limited public access.”)</p>
	<p>DAR-LKDFN-IR2-05 DAR-NSMA-IR2-04 (PR#448)</p>	<p>Greenhouse gas emissions and alternative energy</p>	<p>Dominion Diamond is committed to reducing overall greenhouse gas emissions from the Ekati Mine. As noted in the response to DAR-NSMA-IR2-04, Dominion Diamond has set the following targets for reducing greenhouse gas emissions for fiscal year 2016 (February 1, 2015 to January 31, 2016):</p> <ul style="list-style-type: none"> <li>• Reduce energy baseload by 5%</li> <li>• Reduce Greenhouse Gas Emissions by 5%</li> <li>• Realize energy savings of \$2 million</li> <li>• Reduce fuel consumption by 5%</li> </ul>

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			<p>Dominion Diamond will continue to set targets for greenhouse gas emissions annually for the life of the Ekati Mine and this will be reported as part of the Air Quality Monitoring Program report, Mining Association of Canada Towards Sustainable Mining Program, and the Environment Canada Greenhouse Gas Inventory.</p>
	DAR-MVEIRB-IR2-29	Greenhouse gas emissions	<p>Dominion Diamond will continue to set targets for GHG annually for the life of the Ekati Mine and the Jay Project, and this will be reported as part of the Air Quality Monitoring Program report, Mining Association of Canada Towards Sustainable Mining Program, and the Environment Canada Greenhouse Gas Inventory.</p> <p>Targets for GHG reductions have not been set for the Jay Project. Dominion Diamond will continue to set targets for GHG emissions on an annual basis. Targets will be selected with consideration of the stage of the Project (e.g., construction, operation). Examples of the targets set for Ekati Mine’s 2016 fiscal year (February 1, 2015 to January 31, 2016) are:</p> <ul style="list-style-type: none"> <li>• Reduce energy baseload by 5%</li> <li>• Reduce fuel consumption by 5%</li> <li>• Realize energy savings of \$2 million</li> <li>• Reduce GHG emissions by 5%</li> </ul>
<b>Caribou</b>			
	DAR-IEMA-IR-25 (PR#305)	Road use mitigation	List of mitigation from Table 12.3-1 and using a combination of collared caribou locations and road

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			surveys to provide information on caribou locations relative to active roads. This monitoring will help determine when and where additional mitigation, such as signage, modification of traffic patterns and road closures is required.
	DAR-MVEIRB-IR-2 (PR#305)	Caribou and other wildlife crossing dewatered lakebed	The Jay dike and pit area will be part of routine site surveillance monitoring for the Ekati Wildlife Effects Monitoring Program. If caribou approach the diked area, Dominion will implement deterrent procedures (e.g. walking towards caribou) to keep animals and people safe.
	DAR-LKDFN-IR-19 DAR-Tlichon-IR-21 Appendix C PR#305, 308)	Jay road crossing mitigation	Frequent and wide caribou crossings Kimberlite stockpile areas so that the Ekati mine can operate through brief road closures 200 mm crush on ramps Early monitoring of caribou using additional satellite collar maps
	Technical session April 21 – commitment #2 (PR#358)	Caribou - baseline	DDEC is to complete a draft Wildlife Effects Monitoring Plan (WEMP) and Wildlife and Wildlife Habitat Protection Plan (WWHPP) that incorporates the Jay Project by August 1, 2015.
	Technical session April 21 – commitment #3 (PR#358)	Caribou road mitigation	Traffic Management Plan or Wildlife and Roads Mitigation Plan an Appendix to WEMP. Input sought into plan that lays out the steps which will include linkage between monitoring and mitigation and incorporate input. Dominion to set out a plan on how it will incorporate those suggestions.
	DAR-MVEIRB-UT-01 (PR#371)	Caribou Crossings	Dominion Diamond commits to constructing the section of the Jay Road between King Pond dam and the approach to active operations with “frequent and wide

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			caribou crossings that will respect the communities' identification of the importance of this area for caribou movement".
	DAR-MVEIRB-UT-04 (PR#371)	Caribou Monitoring	Dominion Diamond is proposing to "increase early monitoring of caribou movement with the aid of satellite collar maps obtained from the GNWT" that would "provide advanced warning of when caribou may be approaching the Ekati Mine". Dominion Diamond further proposes to "construct additional kimberlite stockpile areas" so that the mine can operate through brief road closures.
	DAR-MVEIRB-IR2-04 (PR#448)	Light mitigation strategies for caribou	<p>DAR-MVEIRB-UT-03 describes possible mitigation strategies for light pollution.</p> <p>These include utilization of fully shielded lighting fixtures, lighting design that involves tilt and orientation and meets the required light levels to ensure worker health and safety onsite while minimizing luminous flux, and where possible, dark colours or lower-reflectivity surfaces on buildings and other structures. Another mitigation option includes the use of switches or motion detectors in high illumination areas not occupied on a continuous basis (i.e., to light the area only when occupied).</p> <p>Dominion Diamond is committed to consider these and other mitigation strategies and their applicability to the Jay Project prior to the commencement of construction of new fixed structures or facilities.</p>
<b>Maximizing</b>			

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<b>benefits and minimizing impacts</b>			
	DAR Adequacy review response - DAR-MVEIRB-11 (PR#255)	Employee retention	Dominion Diamond is committed to improving upon the existing tracking of human resource indicator, including employee retention, in the future.
	DAR Adequacy review response - DAR-MVEIRB-11 (PR#255)	Employee retention, adult education	Dominion Diamond is reinstating the Workplace Learning Program, and is introducing an adult educator position, with the goal of improving the education literacy of employees.
	DAR Adequacy review response - DAR-MVEIRB-11 (PR#255)	Recruitment	Dominion Diamond agreed to fund a liaison position who would be employed by the community to provide pre-employment assistance.
	DAR-KIA-IR-84 (PR#305)	Local business capacity	Dominion is committed to engaging with all IBA communities with respect to contracting community businesses, wherever practicable, for the Jay Project. Through ongoing engagement with IBA communities, Dominion will seek to identify business opportunities and strategies to maximize the use of local businesses.
	DAR-KIA-IR-88 (PR#305)	Education – northern labour force development	Dominion will continue to work with the Mine Training Society in the delivery of mine-related programming to the Hamlet of Kugluktuk. Dominion will extend the on the job training opportunities, including apprenticeships, to employees at the Ekati mine, including those who reside in Kugluktuk. Through ongoing consultation with IBA communities, including the Hamlet of Kugluktuk, Dominion will work to identify opportunities to provide

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			education and training to residents of IBA communities, where practicable.
	DAR-NSMA-IR-27 (PR#305) NSMA-DAR-IR2-01 (PR#448)	Employment and training- barriers to training and employment of women	<p>Dominion is committed to ongoing engagement with communities, and will continue to seek input on employment barriers, including those discussed above (employment for rural women), and possible approaches to breaking down those barriers.</p> <p>Dominion Diamond has undertaken activities to try to minimize these barriers to the training and employment of women, where possible:</p> <ol style="list-style-type: none"> <li>1. Dominion Diamond provides scholarships in the support of educational attainment, with the aim of removing barriers associated with the cost of an education.</li> <li>2. Dominion Diamond will continue to run the Women in the Workforce Program, designed to promote the training, hiring, and advancement of women in non-traditional roles.</li> <li>3. On a case-by-case basis, Dominion Diamond evaluates alternate schedules for women with children, including flexible office hours for Yellowknife-based staff, and flexible rotations for minesite workers, such as a four (4) days on / three (3) days off rotation instead of a two (2) weeks on/ two (2) weeks off rotation. This shorter period away from home allows some women to split caregiver duties with another family member, or to use other childcare arrangements as available.</li> </ol>

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			<p>4. Dominion Diamond is committed to maintaining a workplace free of discrimination and/or hostility towards women. The Company has a Harassment &amp; Discrimination Policy that outlines the process individuals can follow in raising a concern of harassment and/or discrimination and having the concern addressed in a timely fashion.</p> <p>5. Dominion Diamond is also committed to engaging with communities to provide information to potential female employment candidates that encourages their application, and reiterates the company's zero tolerance policy towards harassment and gender discrimination.</p> <p>6. Dominion Diamond has implemented a Recruitment Policy that ensures qualified female applicants are given priority consideration for both traditional and non-traditional roles. With the creation and institution of this formal policy, it is Dominion Diamond's goal to increase the proportion of women working for the company over the operational life of the Jay Project.</p> <p>7. Dominion Diamond will continue to support external organizations such as the Mine Training Society by providing work placements to students, including females, at the mine site with the view to ensuring students are able to gain practical hands-on work experience, but also enable them to experience life at the mine.</p> <p>Dominion Diamond will take the following steps</p>

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			<p>to evaluate the status of the employment of women at the Ekati Mine, and to develop strategies to improve performance:</p> <ol style="list-style-type: none"> <li>1. Dominion Diamond will track feedback received from Exit Interviews completed by exiting female employees to identify barriers to successful retention. If such barriers are identified, Dominion Diamond is committed to investigating what can be done to address the issue. Mechanisms to address barriers will be developed as part of Dominion Diamond's commitment to ongoing improvement, and will be specific to the issue in question.</li> <li>2. Where employment barriers for women are seen as related specifically to social issues, Dominion Diamond is committed to raising these issues with the Government of the Northwest Territories to determine how the two parties can work together to improve or remove the barrier that is being experienced.</li> </ol> <p>In addition, Dominion Diamond evaluates its programs aimed at improving the training and recruitment of women in the North, and will continue to adapt programs in response to feedback from female employees and community members interested in a career in mining.</p> <p>Regardless of achievement of industry averages of women in the workforce, Dominion Diamond is committed to engaging women, and building capacity of</p>

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			the female workforce in the NWT. To this end, Dominion Diamond will continue to participate in the programs and initiatives detailed in Part 1 of this response, and will continue to work with communities to identify strategies for employing women.
	Technical session April 23 – commitment #6 (PR#358)	Minimizing impacts and maximizing benefits to communities	DDEC is to prepare a summary report (in the future) from annual meetings between GNWT and DDEC describing performance on SEA community wellness and health indicators and DDEC’s actions to address performance issues (acknowledging that all proprietary information will be omitted)
	DAR-MVEIRB-IR2-30 (PR#448)	Health and well-being in communities	Dominion Diamond acknowledges that adverse health and wellbeing trends exist, are significant, and may continue into the future. While the Project is predicted to not contribute to these adverse trends, Dominion Diamond is committed to working with the Government of the Northwest Territories, health and wellbeing-focused organizations, and communities to proactively address them to the extent possible.
<b>Wildlife (other than caribou)</b>			
	DAR-EC-IR-30 (PR#305)	Migratory birds and SARA – reporting of mortalities Is reporting of wildlife mortalities voluntary or required by on-site staff	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.
	DAR-MVEIRB-IR2-10	Raptor nesting	Dominion Diamond is committed to continue working

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	(PR#448)	locations	collaboratively with the Government of the Northwest Territories, Environment and Natural Resources (GNWT-ENR) to identify and mitigate any potential risks or impacts to raptors and their nests during mining operations and pit back-flooding during closure. Dominion Diamond will continue to monitor all pits during operations and engage with GNWTENR on the appropriate preventative measures or deterrent methods to ensure the safety of raptors, their nests and young during both operations and closure.
<b>Closure</b>			
<b>Management and Monitoring Plans</b>			
	Technical session April 21 – commitment #4 (PR#358)	Management plans	DDEC will submit and draft plans or existing management plans (e.g. those under review by WLWB) that may be used for reference by the Review Board (but not for review under the EA process); to be submitted to the Review Board and posted to the public registry.
	DAR-MVEIRB-IR2-23 (PR#448)	Misery pit water quality management strategies	If water quality monitoring within the Misery Pit indicates conditions differ from the DAR predictions and represent a potential risk to the receiving environment, Dominion Diamond will implement adaptive management strategies that may involve improvement or modifications to the minewater management plan or temporary use of the contingencies included in the design of the water management structures (Section 8.3, Appendix 3A of the DAR). The adaptive

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			<p>management strategies were provided in responses to the previous information requests (Round 1 IRs DAR-GNWT-IR-58 and DAR-EC-IR-15), and include the following:</p> <ul style="list-style-type: none"> <li>• maintaining a storage contingency allowance in the existing King Pond throughout the construction and operations stage for use as an additional total suspended solids management facility during construction and operations phase, or for short-term emergency minewater storage;</li> <li>• maintaining the contingency storage in the Misery Pit (approximately 3 million cubic metres throughout the operations stage for use as emergency minewater storage (upper 10 metres of the pit);</li> <li>• maintaining pumping capacity and a pipeline between the Misery and Lynx pits throughout the operations stage to allow for lowering of the Lynx Pit water level to generate additional contingency minewater storage, if required;</li> <li>• increasing storage capacity in the Jay runoff sump and mine inflows sump (e.g., constructing containment berms around the sumps) to augment temporary minewater storage capacity within the diked area;</li> <li>• consideration of direct discharge to the environment from the Jay runoff sump, if water is found to meet established discharge criteria (the discharge locations used during the initial stages of dewatering would be used);</li> </ul>

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			<ul style="list-style-type: none"> <li>• use of storage capacity available at the Ekati site (e.g., construction of pumping and pipeline system from the Misery site to the Ekati site); and,</li> <li>• treatment of parameters of concern prior to discharge to Lac du Sauvage.</li> </ul> <p>Adaptive management options that provide additional storage for minewater may, in certain circumstances, be used to directly address certain water quality concerns such as suspended sediment, or they may provide additional time for implementation of other response plans.</p>

## EA1314-01 Jay Project

### *Draft Commitments by the Government of the Northwest Territories*

**09 July 2015**

This table is a draft compilation of commitments made by the Government of the Northwest Territories for the Jay Project from the time Dominion Diamond submitted its Developer's Assessment Report (DAR) in November 2014 to date. The table is prepared by the Review Board. It includes commitments from the DAR Adequacy Review, responses to information requests, commitments made during the technical session and undertakings and the second round of information requests. This commitments table will be updated throughout the remaining phases of the environmental assessment for the Jay Project and included in the Review Board's Report of Environmental Assessment.

<b>Subject</b>	<b>Document Source</b>	<b>Subject</b>	<b>Commitment by GNWT</b>
<b>Air quality</b>			
	DAR-LKDFN-IR2-02	Air emissions, Environmental Protection Act and development of a regulatory framework	At this time it is difficult to provide exact details on the regulatory framework, as we are in the early stages of development; however, as part of this process, significant emission sources without clear regulatory guidance are being identified and prioritized. The Department of Environment and Natural Resources (ENR) is researching what regulatory tools could or should be established and enforced under the Environmental Protection Act (EPA) to address air emissions from developments. A timeframe for these regulatory tools has not yet been established; however, the types of regulatory tools implemented will be determined by what is most effective and timely. ENR has identified waste incineration as a high priority and is currently working with the Land and Water Boards (LWBs) and our legal counsel to develop tools to effectively regulate this emission source. ENR agrees that it is important to prepare DDEC for potential air

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			<p>regulatory tools that may be implemented to aid the Company in achieving future compliance. ENR has been consistent in promoting key principles for air quality and emissions management throughout EA or LWB processes, which will ultimately provide the basis for any regulatory tools that may be developed under the EPA. These include ENR's policy of Keeping Clean Areas Clean, reducing emissions at the source, monitoring the receiving environment, and incorporating adaptive management strategies based on those results. Correspondingly, ENR has requested that DDEC incorporate the following components into their air emissions management initiatives for the Jay Project: 1) Conduct incinerator air emissions stack testing every 3 years and comply with the applicable Canadian Council of Ministers of the Environment (CCME) standards. It is ENR's understanding that DDEC has committed to this request. 2) Apply a procurement policy such that all emission-generating equipment be selected using the principle of Best Available Technology in order to minimize emissions from the mine. 3) Implement adaptive management, incorporating ENR's Guideline for Ambient Air Quality Standards and establish appropriate pollutant threshold values and associated actions, into their air quality monitoring and management plan (AQMMP). DDEC has confirmed they are committed to developing and implementing this type of adaptive management system for air emissions. ENR believes that requesting DDEC implement these air emission management strategies now will help prepare the Company for future air regulatory tools that may be established.</p>

Subject	Document Source	Subject	Commitment by GNWT