



INDEPENDENT ENVIRONMENTAL MONITORING AGENCY

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June 30, 2016

Violet Camsell-Blondin
Chair, Wek'eezhii Land and Water Board
#1-4905 48th St, Yellowknife, NT
X1A 3S3

Re: Jay Project Early Works Land Use Permit Application

Dear Ms. Camsell-Blondin,

The Independent Environmental Monitoring Agency (Agency) has reviewed Dominion Diamond Ekati Corporation's (DDEC) Jay Project Early Works Land Use Permit Application (LUP Application) and submits the following comments for your consideration.

Spill Contingency

Section 12 of the LUP Application states that the Jay early works will follow the approved Spill Contingency Plan (SCP). The last SCP was approved in 2015 and does not include the Jay Project. Currently, there is an Early Response Team (ERT) spill trailer stationed at Misery Camp to deal with potential spills at Misery, however, it is unclear whether there will be the appropriate capacity to quickly and effectively deal with a spill during the Jay early works.

Recommendation: DDEC to specify, what if any additional spill response equipment and measures will be put in place to be able to quickly and effectively respond to a spill during the early works project.

Wildlife

The supporting documents for the LUP Application make numerous references to the Wildlife Effects Management Plan (WEMP) and Caribou Roads Mitigation Plan (CRMP) as supporting the application for the early works. This commitment is not addressed in the current wording of the draft Land Use Permit application. The Agency is concerned that making no mention of the WEMP and CRMP in the LUP will reduce the accountability on the proponent.

Recommendation: Under 26(1)(H) Wildlife and Fish Habitat, add a Condition to read: "The Permittee shall follow mitigation, monitoring and adaptive management set out in the Wildlife Effects Management Plan (WEMP) and Caribou Roads Mitigation Plan (CRMP) during this land-use operation."

Should you have any questions concerning these comments, the Agency would be pleased to discuss these at your convenience.

Sincerely,

A handwritten signature in blue ink, reading "Jaida Ohokannoak", with a long horizontal flourish extending to the right.

Jaida Ohokannoak
Chairperson

Cc: DDEC – April Hayward
Tlicho Government - Sjoerd van der Wielen
Yellowknife Dene First Nation – Alex Power
Lutsel K'e Dene First Nation – Lauren King
North Slave Metis Alliance – Shin Shiga
Kitikmeot Inuit Association – Jared Ottenhof
Government of the Northwest Territories – Laurie McGregor
Indigenous and Northern Affairs Canada – Jennifer O'Neil