

**GENERAL INSTRUCTIONS FOR EXCEL TEMPLATE:**

1. Do not leave blank rows above or between comments.
2. Do not modify or delete the instructions or the column headings (*i.e.* the grey areas).
3. Each comment must have an associated topic and recommendation.
4. All formatting (*i.e.* bullets) will be lost when this file is uploaded to the Online Comment Table.
5. If necessary, adjust the cell width and height in order to view all text.
6. Cutting and pasting comments from WORD documents cannot include hard returns (spaces between paragraphs).
7. If you would like to create paragraphs within a single cell, please use a proper carriage return (ALT & ENTER).

<u>TOPIC</u>  <i>Be as specific as you think is appropriate; for example a section or page of the document, a recommendation #, general comment, etc.</i>	<u>COMMENT</u>  <i>Comments should contain all the information needed for the proponent and the Board to understand the rationale for the accompanying recommendation.</i>	<u>RECOMMENDATION</u>  <i>Recommendations can be for the proponent or for the Board. Recommendations should be as specific as possible, relating the issues raised in the "comment" column to an action that you believe is necessary.</i>
Project Footprint (Mining Industry Questionnaire, pg. 2, s. 1.8)	It is not clear whether the footprint of the entire Lynx development is within the existing Misery surface lease.	DDEC should provide a map that clearly shows the existing Misery surface lease boundary and the areas to be covered by the land use permit application.
Dewatering (Mining Industry Questionnaire, pg. 5, s. 1.13)	DDEC indicates that either Hammer Lake or the natural outlet for Lynx Lake will be used for the discharge during dewatering. Although DDEC indicates it will submit a dewatering plan, it would be helpful to know on what basis either of the potential routes will be chosen and that notice be provided to the WLWB and the inspector before discharge begins and when it is completed.	DDEC should explain how the decision will be made and on what basis, for dewatering to the selected water body. The WLWB should included a term or condition in the water licence that requires notice to the WLWB and the inspector before discharge begins and when it is completed.
Pit Water Discharge (Mining Industry Questionnaire, pg. 10, s. 3.13 and Project Description, pg. 4.3, s. 4.2.3)	DDEC states that either Desperation Pond or the King Pond Settling Facility will be used for the discharge for pumped pit water from Lynx. No criteria or considerations are provided for the selection of the receiving water body.	DDEC should explain how the decision will be made and on what basis, for pit water discharge to the selected water body.
Adaptive Management for Lynx Dewatering (Mining Industry Questionnaire, pg. 13, s. 3.17)	DDEC indicates that if the King Pond Settling Facility is used for the final dewatering of Lynx Lake and the TSS is too high for settling and ultimate discharge, that adaptive management will be applied. No details are provided.	DDEC should provide some explanation of what sort of adaptive management options or contingencies that would be considered if the Lynx Lake dewatering results in TSS levels above water licence EQCs.

<p>Environmental Assessment (Project Description, pg. 1-2, s.1.3.1 and pg. 2-3, s. 2.21)</p>	<p>DDEC states that the NWT Diamonds Project Environmental Assessment Panel was constituted under the Canadian Environmental Assessment Act. The Panel was established pursuant to the EARP Guidelines Order.</p>	<p>DDEC should correct this error in the document.</p>
<p>Cumulative Effects (Project Description, pg. 2-3, s. 2.2.1)</p>	<p>DDEC quotes the panel report "The cumulative environmental effects of additional development by BHP on the Lac de Gras claim block are unlikely to be significant....." but this is the only reference in any of the applications documents to cumulative effects. There is no discussion of cumulative effects on Lac de Gras from the Lynx development in combination with Misery, Diavik and Jay-Cardinal (reasonably foreseeable and now in the regulatory process). There is also no discussion of cumulative effects on caribou in combination with Misery, Jay-Cardinal and other reasonably foreseeable development within the range of the Bathurst herd.</p>	<p>DDEC should provide some information and evaluation of the cumulative effects from the Lynx development on Lac de Gras and caribou in light of current and reasonably foreseeable development.</p>
<p>Regulatory Instrument Amendment (Project Description, pg. 2-6 and 2-7, s. 2.4)</p>	<p>While DDEC states that it would like an amendment to the existing water licence so that the Lynx development it covered, it is not clear if DDEC will be seeking an amendment to the existing Misery surface lease, a new surface lease covering the Lynx Lake development or an amendment to the Environmental Agreement.</p>	<p>DDEC should indicate whether it intends to apply for a surface lease for the Lynx development or for an amendment to the Environmental Agreement.</p>
<p>Caribou Harvest (Project Description, pg. 3-12, s. 3.4.4)</p>	<p>DDEC states that there is still an active outfitting operation on Lac de Gras (Shoshone) but provide no caribou harvest data. It is not clear whether DDEC attempted to contact the outfitter and/or GNWT directly to see whether there has been any caribou harvesting in the Lynx Lake area.</p>	<p>DDEC should contact GNWT and the active outfitter to determine whether there is any known caribou harvesting in the vicinity of the Lynx Lake development.</p>
<p>Naming of Hammer or Fisher Lake (Project Description, pg. 3-14, s. 3.8)</p>	<p>The aquatic baseline report conducted in 2002 (appended to the Project Description) shows that the name of the lake currently named "Hammer Lake" was then called "Fisher Lake".</p>	<p>DDEC should clarify that these two names refer to the same water body and correct any discussion or maps provided in the current application materials.</p>
<p>AEMP Updating (Project Description, pg. 3-14, s. 3.8)</p>	<p>DDEC indicates that the AEMP will be adjusted to cover the Lynx development during the AEMP review process. The AEMP review may not take place coincidentally with the water licence process for Lynx.</p>	<p>DDEC should provide amendments to the AEMP to extend its coverage to Lynx during the water licencing. The WLWB should ensure that amendments to the AEMP are considered as part of the water licencing rather than wait for the three-year review of the AEMP.</p>

<p>SNP Updating (Project Description, pg. 3-16, s. 3.8)</p>	<p>It is not clear when DDEC intends to propose changes to the SNP to cover the Lynx development.</p>	<p>DDEC should submit changes to the SNP as part of the water licence application process.</p>
<p>Fish Species in Lynx Lake (Project Description, pg. 3-20, s. 3.8.5)</p>	<p>DDEC indicates that only lake trout and lake whitefish were found in Lynx Lake during a preliminary survey in 2002. Is there any indication of other fish species such as grayling or slimy sculpin. This may be useful information in designing appropriate reclamation for the Lynx pit.</p>	<p>DDEC should indicate if additional fish species beyond lake trout and lake whitefish are found in Lynx Lake.</p>
<p>Wildlife Occurrences and Use of Project Area (Project Description, pg. 3-22, s. 3.9)</p>	<p>Very little if any information is provided about wildlife sightings or occurrences in the area of the proposed Lynx development.</p>	<p>DDEC should provide a description of wildlife sightings and occurrences in the development area based on its own wildlife observation reports, caribou collaring data and aerial surveys. This is important information in better describing potential project effects and mitigation and design.</p>
<p>Lynx Pit Design (Project Description, pg. 4-2 Fig. 4.1-1 and 4-14, s. 4.1)</p>	<p>The Lynx Project Design figure seems to show the northeast littoral zone of the lake will be untouched as it is not within the pit. However, p. 4-14 states that "<i>Lynx Lake will be fully dewatered.</i>"</p>	<p>DDEC should clarify whether Lynx will be fully dewatered and whether any of the natural lake perimeter will remain. A map of the final pit perimeter would also be helpful.</p>
<p>Road Design and Mitigative Measures (Project Description, pg. 4-14, s. 4.4.2)</p>	<p>This section describes the roads that are part of the proposed Lynx development but there is nothing about the design of the connector road or the upgrading that will occur on the northern portion of the winter road portage. No information is provided on the number and type of vehicles expected to use the roads around Lynx, including traffic volumes, speed limits, spacing, convoys or other measures to reduce impacts.</p>	<p>Roads with berms and resulting snow banks serve as a partial barrier to some wildlife movements. Caribou crossings have been built across other roads at Ekati as a wildlife impact mitigation measure. DDEC should provide some details on road design, including the use of berms and caribou crossings, number and types of vehicles expected to use the roads, speed limits or other traffic control, to show how it intends to mitigate wildlife impacts.</p>
<p>Pit Water Inflows Project Description, pg. 4-16, s. 4.4.5</p>	<p>DDEC discusses how a 2010 report by Schlumberger concludes that there is sufficient capacity in the Misery water management system to handle water inflows to the Lynx pit but this study has not been provided by the applicant.</p>	<p>DDEC should submit a copy of the Schlumberger 2010 report to the WLWB.</p>

<p>Impact of Lynx on LLCF Capacity (Project Description, pg. 4-16, s. 4.4.6 )</p>	<p>Although DDEC states that there is sufficient storage room in the LLCF for Lynx kimberlite tailings, no quantitative analysis is provided on the potential capacity and need to use Cell D.</p>	<p>DDEC should provide some quantitative analysis of the potential that Lynx tailings will be placed into Cell D against other options (e.g., Beartooth and/or Panda-Koala pits).</p>
<p>Closure and Reclamation (Project Description, pg. 4-19, s. 4.8 and Table 6.4.1)</p>	<p>This section contains a commitment by DDEC to apply and update the ICRP in relation to the Lynx development but no details are provided at even a conceptual level. No details are provided on the final reclamation of the pit including pit perimeter, creation of littoral zones, source water and timing of pit refilling, final drainage flows, road reclamation measures or other details.</p>	<p>DDEC should provide some site-specific details for the closure and reclamation of the Lynx development, including the final pit perimeter, likely water sources for pit filling, creation of littoral zones, fish restocking, and related matters. Expected reclamation measures for the roads should also be described such as knocking down berms and/or scarification with revegetation. A conceptual level final landscape image would also be helpful.</p>
<p>Plans, Monitoring and Mitigation (Project Description, pg. 6-6, s. 6.3.1 and Table 6.4.1)</p>	<p>DDEC makes no distinction between environmental management plans and monitoring programs as mitigation measures for the potential impacts associated with the Lynx development. Monitoring programs will only measure impacts or the effectiveness of mitigation measures. Monitoring in itself is not mitigation. There are very few, if any, site-specific impacts or mitigation measures described. Table 6.4.1 does not identify vehicular traffic as a potential wildlife disturbance or the potential for snow banks or the connector road itself to act as a wildlife movement barrier. There is no discussion of the potential Lynx project effects on caribou or possible mitigation measures. This information is critical in determining whether the Lynx development can or should proceed directly to the regulatory process as part of the Preliminary Screening decision by the WLWB. The Agency had also gone on record as stating that a revised wildlife management plan and a revised waste management plan are long overdue in light of the many changes to monitoring programs and lessons learned from adaptive management.</p>	<p>DDEC should provide additional information on how specific environmental management plans and mitigative measure will be applied in a site-specific context for the Lynx development. DDEC should also indicate when it expects to provide an updated wildlife management plan and an updated waste management plan. The WLWB may wish to consider specifying dates for the submission of these documents in the water licence and/or land use permit that may be issued to authorize the Lynx development.</p>

Air Quality (Project Description, pg. 6-8, s. 6.3.14)	DDEC states that no changes are necessary to the Ekati Air Quality Monitoring Program as a result of the Lynx development. There will be new roads and blasting that occurs as a result of this development. There should be some effort put into monitoring the dust that is likely to be emitted during these operations.	DDEC should commit to reviewing its Air Quality Monitoring Program to establish appropriate dust monitoring stations or sites in relation to the Lynx development. Identification of air quality monitoring site locations as part of this application process would be very helpful
AEMP Changes (Project Description, pg. 6-9, s. 6.3.1.6 AEMP and Table 6.4.1)	There are no details provided on potential changes to the AEMP as a result of the Lynx development. The Agency had expected to see potential monitoring sites identified along with the parameter and monitoring schedule. There is no discussion in Table 6.4.1 of any potential aquatic effects on Lac de Gras as a result of the Lynx project or of the cumulative aquatic effects on Lac de Gras.	DDEC should provide some details on proposed or preliminary changes that it would make to the Ekati AEMP, including proposed monitoring sites and programs. The company should also provide some description of the cumulative aquatic effects on Lac de Gras from Lynx and other developments.
Wildlife Impacts and Mitigation (Project Description, pg. 6-9, s. 6.3.1.6 and Table 6.4.1)	DDEC provides no site-specific wildlife impact mitigation measures. The Agency had expected to see some site-specific measures identified (see comment 16 above). It is also noted that the WEMP is not a mitigation measure in and of itself (see comment 20 above). Table 6.4.1 does not show that wildlife is considered or listed as a Valued Component in the consideration of physical disturbance from the proposed Lynx development footprint.	DDEC should provide some site-specific wildlife mitigative measures that it intends to take for the Lynx development.
Adaptive Management and Mitigation (Project Description, pg. 6-10, s. 6.3.2)	DDEC provides no site-specific mitigation measures for the Lynx development from the lessons learned through adaptive management at Ekati.	DDEC should identify and describe the lessons learned from adaptive management at Ekati and how these will be applied in a site-specific manner to the proposed Lynx development.
Habituation of Caribou to Mine Infrastructure (Project Description, pg. 6-29, s. 6.4.3)	DDEC states, "Results of the WEMP indicate that wildlife have continued to use the area around the Ekati mine and wildlife in the vicinity of the Ekati mine may be habituated to current levels of activity". There is no factual basis for this statement, especially with regard to caribou as shown by repeated studies of the Zone of Influence for caribou avoidance around diamond mine infrastructure.	DDEC should provide evidence such as data, to support this statement of wildlife habituation to mine infrastructure.