



Independent Environmental Monitoring Agency

P.O. Box 1192, Yellowknife, NT X1A 2R2 ▪ Phone (867) 669 9141 ▪ Fax (867) 669 9145
Website: www.monitoringagency.net ▪ Email: monitor1@yk.com

December 11, 2012

Rob MacLean
Manager--Health, Safety, Environment and Community
BHP Billitons Diamonds Inc.
#1102—4902 52nd Street
Yellowknife NT X1A 3T1

Robert Jenkins
A/Director, Environment and Renewable Resources
Department of Indian Affairs and Northern Development
P.O. Box 1500
Yellowknife NT X1A 2R3

Ernie Campbell
Deputy Minister
Environment and Natural Resources
Government of the Northwest Territories
P.O. Box 1320
Yellowknife NT X1A 2L9

Re: Whati Community Concerns

Dear Environmental Agreement Parties

Our Agency serves as a public watchdog for the environment on the BHP Billiton (BHPB) Ekati diamond mine. On September 18-20, 2012 we met in Whati and held a community open house where we gave a presentation on our Agency including an overview of the mine, our activities and key findings on the generally good environmental performance related to the mine. Directors and staff also made presentations to the students at Mezi Community School in Whati about the mine and the role of the Agency in monitoring the mine.

Part of our mandate under the Environmental Agreement covering the Ekati mine, is to bring the concerns of Aboriginal peoples about the Project and its monitoring and regulation, to the attention of BHPB and governments. Attached is a summary of the discussion that took place following our presentation at the open house in Whati.

The Agency observes that there is a strong interest in caribou, water quality and proper closure planning for the mine. Given the number of questions the Agency received, we suspect that the company has not done an effective job of updating the community on its operations, environmental monitoring programs and results for some time. An annual meeting might be a good idea to improve community engagement. We suggested that during the meeting and the idea was well received.

There are significant concerns around the pits after closure, particularly why the option of refilling with waste rock is not being pursued, and what the water quality will be in the pit lakes. We have heard the same concerns from other communities.

We would be pleased to receive a reply to this letter and/or to discuss any of these issues further at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Ross".

Bill Ross
Chairperson

cc. Aboriginal Society members

Chief Alfonz Nitsiza, Community Government, Gameti

Grand Chief Eddie Erasmus, Tlicho Government

Mark Cliffe-Phillips, Executive Director, Wek'eezhii Land and Water Board

Concerns and Issues Raised During the September 19, 2012 Visit to Whatì by the Independent Environmental Monitoring Agency

The Agency hosted an Open House for the community in the Whatì Cultural Centre the evening of September 19 that started about 7 pm. Approximately 20 people were in attendance for a general presentation by the Agency on our mandate and activities. An additional 20 - 30 people attended the Open House at other points in the evening. Johnny Simpson provided an opening prayer. Simultaneous translation was provided by Isadore Zoe.

Following the Agency presentation, there was a question and answer period between residents and the Directors for the Agency, primarily the Chairperson, as summarized below:

Question/Comment: A resident asked whether the Agency works with elders and deals with Diavik. Concern was expressed that caribou do not want to go through the mine as they may sense it from the smell or dust.

Agency Response: The Agency responded by saying that we invite our Society Members, including the Tlicho Government, to our annual general meetings and workshops and that elders are often there providing very helpful insights.

The Agency does not deal with Diavik, but we have a sister organization that does and we cooperate with them whenever we can.

The Agency understands that BHP Billiton intends to discuss mine closure with community elders in the future.

The Agency discussed some of the preventative measures taken by BHP Billiton, including the recent replacement of the airport fence.

Question/Comment: One resident raised concerns about the effects of mine dust on workers' health and safety (silicosis was mentioned).

Agency Response: The Agency indicated that it has heard concerns around the environmental effects of dust, but worker safety is an area outside our mandate. The Agency offered to pass the concern on to GNWT.

Question/Comment: The former Chief, Charlie Jim Nitsiza, thanked the Agency for visiting the community and providing information about Ekati and our work. Another community resident also thanked the Agency for coming to Whatì and suggested that more Dene people need to be involved in careers in the environmental field.

Agency Response: The Agency said that it would visit the school in Whatì the next day to explain our mandate and encourage students to pursue their educations to get good and interesting jobs. The Agency will also encourage BHP Billiton to visit Whatì.

Bill Ross, Agency Chairperson thanked the interpreter and participants for coming out to the meeting. Johnny Simpson provided a closing prayer.

The meeting closed about 9:00 pm.

Agency Directors made a presentation on environmental monitoring and the Ekati Mine to approximately 35 students in the Grades 10-12 classes at Mezi Community School. The Directors and staff encouraged the students to complete their education and emphasized opportunities to work in the environmental field. The students demonstrated an impressive level of interest and knowledge in environmental issues relating to the mine.

Prepared by: Kevin O'Reilly, Agency Executive Director
Date: December 10, 2012