



Water Resources Division
3rd Floor Bellanca Building
PO Box 1500
Yellowknife, NT

File: MV2003L2-0013
MV2001L2-0008
BHP Billiton Diamond Inc.

January 28, 2008

To: Zabey Nevitt
Executive Director
Wek'eezhi Land and Water Board
c/o Box 2130
Yellowknife, NT X1A 2P6

Dear Mr. Nevitt:

Re: INAC-WRD Verification Comments – BHP ICRP Comprehensive Table

-Tracking Number 13 – INAC-5 LLCF Reclamation Research

This issue is resolved pending updated information. Refer to comment below for further explanation.

During the working group meeting INAC-WRD expressed concern over the possibility that the work being done by Carleton University is meant to measure the effects of vegetation and snow depth on ground temperature in peat land environments across the Slave Province, and as such, may not provide the necessary information as identified in our previous comments for the LLCF.

BHP commented that the work is part of a PhD thesis and as such may take some time to be finalized. To that end, INAC-WRD is interested in the original study design as well as any subsequent modifications. Provision of the study design will identify to INAC – WRD and other interested parties how this research will provide insight into issues associated with the functioning of the LLCF.

-Tracking Number 27 – INAC-1 Water Management

This issue is resolved pending updated information. Refer to comment below for further explanation.

The main issue is the lack of information/modeling of the LLCF in regards to the sub surface pore water and its potential to affect the water quality of the ponds within the LLCF and consequently downstream environments. Our concern is that this aspect of the



LLCF hasn't been measured or modeled in any way that would enable an accurate determination of possible effects.

In speaking with BHP and their consultants, they have assured us that the information that we are asking for has been collected and will be incorporated into a document that will address our concerns. However, as no timeline for this document was put forward by BHP, can BHP indicate when such a document would be available.

-Tracking Number 76 INAC-4 LLCF

Resolved

-Tracking Number 93 INAC-2 PKCA Closure Objectives and Criteria.

Resolved – Follow up required under Tracking Number 27

-Tracking Number 114 INAC-3 Phase 1 Containment Facility

Resolved

-Tracking Number 136 INAC-7 Dams, Dykes and Channels Final Landscape

Resolved

-Tracking Number 137 INAC-8 Dams, Dykes and Channels Final Landscape

Resolved

It is INAC-WRD's understanding that BHP is collecting ground temperature data related to the vegetation plots in the LLCF and that the information will be included in the report(s) referred to in Tracking Number's 13 and 27.

INAC-WRD hopes that the above comments are useful to the WLWB. We would like to acknowledge and commend BHPB for their efforts to accommodate the recommendations of all reviewers. If there are any questions or concerns please contact Marc Casas at (867) 669-2664 or by email at casasm@inac.gc.ca.

Sincerely,

-original signed by-

Robert Jenkins
Acting Manager
Water Resources Division



Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada