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Box 1500  
Yellowknife NT X1A 2R3

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July 14, 2006

Parties to the Agreement (IEMA)  
(Distribution List)

Dear Sirs:

**RE: Submission of the BHPBilliton EKATI Diamond Mine, 2005 Environmental Annual Report for the Environment Agreement**

Indian and Northern Affairs Canada (INAC) has received BHPBilliton's 2005 Environmental Annual Report which was received on July 11, 2006. As per the Environmental Agreement the Minister may after consultation with the parties apply Sections 5.1(c) or 5.1(d) to his report.

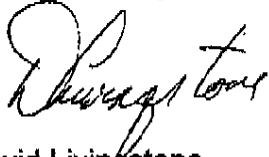
The Environmental Agreement (Article V, Reporting Requirements, Section 5.1(c)) states that "within forty-five (45) days of the receipt by The Government of the Northwest Territories (GNWT), the Monitoring Agency and the Aboriginal Peoples of the Annual Report, the GNWT, the Monitoring Agency and the Aboriginal Peoples may advise the Minister whether such Annual Report is unsatisfactory; including whether the information provided is adequate as well as whether or not remedial actions taken or proposed in respect of impact or compliance problems are satisfactory".

Section 5.1(d) states that "within ninety (90) days of the receipt of the Annual Report, the Minister may advise BHPBilliton whether such Annual Report is satisfactory or whether the Minister has determined that (including based on reports from the GNWT, the Monitoring Agency and/or the Aboriginal Peoples and including whether the information provided is adequate as well as whether or not remedial actions taken or proposed in respect of impact or compliance problems are satisfactory) such Annual Report is deficient".

**Canada**

INAC is requesting that all parties, as per the distribution list, forward their comments on the BHPBilliton 2005 Environmental Annual Report to Lionel Marcinkoski by August 4, 2006 and indicate whether the report is satisfactory or unsatisfactory. Lionel can be reached at 867- 669-2591 or via email at [marcinkoski@inac.gc.ca](mailto:marcinkoski@inac.gc.ca), if further information or additional copies of the report are required.

Yours sincerely,



David Livingstone  
Director, Renewable Resources and Environment

cc: Sean Brennan  
President and Chief Operating Officer  
BHPBilliton, Ekati Diamond Mine

**Distribution list;**

**Dr. William Ross- Chair, IEMA**  
**Anne Wilson- Environment Canada**  
**Dorothy Majewski- DFO**  
**Duane Fleming- GNWT-Health**  
**Gavin More-GNWT-ENR**  
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**Mr. William Enge, President, North Slave Metis Alliance**  
**Zabey Nevitt, Executive Director, WLWB, c/o MVLWB**