



***INDEPENDENT ENVIRONMENTAL MONITORING AGENCY***

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February 8, 2008

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**Re: Five-Year Review of the BHP Billiton Ekati Diamond Mine  
Environmental Agreement**

We are in receipt of the letter dated January 23, 2008 regarding the five-year review of the BHP Billiton Ekati Diamond Mine Environmental Agreement. The Agency was surprised that there was no acknowledgement of the recommendation from our 2006-7 Annual Report as follows:

DIAND, GNWT and BHPB should amend the Environmental Agreement to set March 31<sup>st</sup> as the deadline for submission of the AEMP and WEMP annual reports.

The Agency recognizes that BHPB has committed to a more timely delivery of these reports in the future and we view this as a very positive and encouraging development, but staff and priorities can change over time and, in our view, it is important to remove this uncertainty for the future.



We are curious to know how the signatories will deal with our recommendation in the context of the five-year review.

We are also aware that the North Slave Metis Alliance and Lustel K'e First Nation representatives at the Agency's November 2007 Annual General Meeting raised issues and concerns regarding the Environmental Agreement and the five-year review. We would also appreciate knowing how the signatories plan to address the Aboriginal People's concerns in the context of the five-year review.

We look forward to your reply

Sincerely,

-Original Signed By-

Bill Ross  
Chairperson

cc. Aboriginal Society Members