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(BHPB & Diavik)

July 7<sup>th</sup>, 2008

File: MV2003L2-0013

Ms. Laura Tyler  
BHP Billiton Diamonds Inc.  
#1102, 4920-52<sup>nd</sup> Street  
Yellowknife, NT X1A 3T1

Dear Ms. Tyler:

**Re: BHPB Interim Closure & Reclamation Plan - Section 4 Advisory Document**

The Wek'èezhii Land and Water Board met on July 3<sup>rd</sup>, 2008 to consider the Section 4 Advisory Document of the BHP Billiton Interim Closure and Reclamation Plan (ICRP) and to provide BHPB with direction on how to structure the 'Final Working Draft' over the next few months.

The Board has been impressed by the efforts of Working Group Members in their attempt to facilitate a thorough and collaborative process and are looking forward to the next iteration of the ICRP.

In addition to the commitments that BHPB has agreed to during the review process and individual meetings with Working Group Members, the Board would like BHPB to address the following in the 'Final Working Draft':

1. BHP Billiton revise their Reclamation Research Plan using the format submitted by BHPB to the WLWB on June 27<sup>th</sup>, 2008.
2. BHP Billiton include information and research that is relevant to the ICRP from the following documents:
  - a. LLWQ Model Predictions Versions One and Two
  - b. 2006 and 2007 Mine Revegetation Research Projects by Harvey Martens
  - c. 2006 Wildlife and Human Health Risk Assessment produced by Rescan
  - d. Agreement in Principle between DFO and BHPB

As well, the Board encourages BHPB to include any other significant information obtained after January 2007 that BHPB feels will enhance the conclusions made in the ICRP.

The Board agrees with reviewers and BHPB that an additional Working Group Meeting after the 'Final Working Draft' is submitted would be beneficial to the success of the ICRP process. The following deadlines have been established for the editing and review of the 'Final Working Draft':

- July 7<sup>th</sup> to December 12<sup>th</sup>, 2008 – BHPB has 5 months to edit and submit the `Final Working Draft` of the ICRP to the Wek'èezhíi Land and Water Board
- December 16<sup>th</sup> to January 20<sup>th</sup>, 2008 – Reviewers have 5 weeks to verify that BHPB has fulfilled all of their commitments throughout the ICRP process. If reviewers wish to submit comments on the ICRP to help BHPB better prepare for discussions during the Working Group Meeting, they are to be submitted by Tuesday January 20<sup>th</sup>, 2009 end of day.
- January 20<sup>th</sup> to Feb 2<sup>nd</sup>, 2008 – BHPB has time to prepare responses and correspond with reviewers about any outstanding issues
- February 3<sup>rd</sup>, 2008 – Final Working Group Meeting to discuss if all of the expected changes have been made to the ICRP

Board Staff will provide further direction regarding the ICRP process as each deadline approaches. If you have any questions, please feel free to contact Ryan Fequet at [rfequet@wlwb.ca](mailto:rfequet@wlwb.ca) or Kathy Racher at [racherk@wlwb.ca](mailto:racherk@wlwb.ca) or by phone at 867-669-9592.

Sincerely,



Violet Camsell-Blondin  
Chair

cc BHPB Distribution List