



Affaires du Nord Canada



Environment Canada



Fisheries and Oceans Canada

Pêches et Océans Canada

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

June 30, 2008

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

Dear Mr. Nevitt:

Re: Amalgamation of BHP Billiton Diamonds Incorporated (BHPB) EKATI Water Licences (MV2003L2-0013 and MV2001L2-0008)

In response to the June 2, 2008 letter regarding the rationale for amalgamating the water licences (MV2003L2-0013 and MV2001L2-0008), INAC in conjunction with Environment Canada (EC) and the Department of Fisheries and Oceans (DFO), provides the following comments.

In terms of our anticipated scope of changes to the main BHPB licence (MV2003L2-0013), we are not proposing to change any of the existing requirements or parameters from either licence. Licence amalgamation is only sought in order to eliminate the procedural redundancy of having two licences. The scope of any modifications to either licence would be for consolidation purposes only. For example, one due date for similar reports or assessments and only one renewal. In our view the main benefit is that a single licence would provide better clarity, consistency and certainty for all parties.

Currently water quantity and quality are being described separately for each licence and in some instances they are reported in different documents or at different times. By combining this information and treating the mine as one operation rather than two components in isolation, the regulators and the general public will find a single water licence much simpler to understand and follow. Presumably amalgamation will also facilitate report writing for BHPB and allow them to reduce redundancy.

Specifically, it is our feeling that the effluent quality criteria (EQC) for the two licences can remain separate and do not need to be changed in order to amalgamate the licences. We anticipate that since the Sable, Pigeon, Beartooth water licence is currently up for renewal, BHPB's proposed changes will need to be discussed and potential administrative changes may need to be added to the main water licence to assist amalgamation.



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INAC, DFO and EC hope that the above comments are useful to the WLWB. Let us know if you require any additional information or clarification.

Sincerely,

David Livingstone
Director

Renewable Resources
and Environment, INAC

Sincerely,

for
Carey Ogilvie
Head

Environment Canada
Northern Section

Sincerely,

Derrick Moggy
Habitat Management
Team Leader
Fisheries and Oceans
Canada