



INDEPENDENT ENVIRONMENTAL MONITORING AGENCY

P.O. Box 1192, Yellowknife, NT X1A 2N8 ▪ Phone (867) 669-9141 ▪ Fax (867) 669-9145
Website: www.monitoringagency.net ▪ Email: monitor1@yk.com

May 21, 2009

Zabey Nevitt
Executive Director
Wek'èezhii Land and Water Board
1 - 4905 48 St.
Yellowknife NT
X1A 3S3

**Re: Request for an Extension to Reply to BHP Billiton's Motion
regarding Board Jurisdiction over Fish and Fish Habitat**

Dear Mr. Nevitt

The Independent Environmental Monitoring Agency has begun to review BHP Billiton's motion regarding the Wek'èezhii Land and Water Board's jurisdiction over fish and fish habitat. We intend to retain legal counsel and have begun preliminary discussions with a law firm with this in mind.

Given the complexity of the issues raised by BHPB, the precedent setting nature of this proceeding, and the fact we have less than two weeks to file a reply, we respectfully request an extension to allow us to properly prepare. We would suggest an extension to at least four weeks. We recognize that this may push back the date for the public hearing but we believe that this would be a much fairer approach for all interested parties.

We look forward to your positive reply.

Sincerely,

Bill Ross
Chairperson

cc. Society Members
Bruce Hanna, Fisheries and Oceans
Anne Wilson, Environment Canada

