



INDEPENDENT ENVIRONMENTAL MONITORING AGENCY

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November 9, 2005

David Scott
Manager Technical Services
BHP Billiton Diamonds Inc.
#1102 4920-52nd Street
Yellowknife NT
X1A 3T1

Re: EKATI Closure and Reclamation Planning

Dear David

This is a follow-up to our meeting with you and your staff on the afternoon of October 28, 2005 regarding closure and reclamation planning. We appreciated the frank discussion that took place and look forward to further meetings on this critical matter.

We had understood that this first meeting was an opportunity for BHPB to discuss with the Agency some ideas regarding the overall process and community consultation that should take place during the development of the closure plan. We received the agenda for the meeting the afternoon before it took place and were not aware that a directed consultation of the IEMA board about specific closure options for three selected mine components was to take place. We were, therefore, somewhat unprepared for the focused, detailed discussion that took place on closure objectives and options—some advanced warning would have been helpful. Given this, the Agency would like to reserve the right to add to, amend or otherwise change any opinions given at the meeting in regard to specific objectives and options on the three mine components. In any event, the Agency looks forward to continuing to work with BHPB and other interested parties towards a sound closure plan.

As we discussed during the meeting, the Agency has some further observations about the process ahead. It will be helpful to use more collaborative language in presentations that is respectful of all interested parties, especially for Aboriginal communities.

Clear definitions for and consistent use of the following terms will be critical to the success of the closure and reclamation planning process; goals, objectives, criteria, and options. It will be important to relate this terminology and any specifics to existing regulatory and policy requirements and what BHPB had proposed in earlier versions of closure plans. Visuals will be very important in assisting participants to understand the linkages amongst these elements and to develop consensus where possible. For example, we spoke of the utility of having a photo of pre-mining conditions, current status and a blank box for future



condition for various mine components, as one way in which BHPB could better encourage participation in developing closure objectives and options. Most importantly, adequate time will be required to ensure that communities are comfortable with the process and outcomes. Advance distribution of materials would also be helpful.

Finally, as we promised, we have attached some notes from the sessions as captured by Jane Howe.

Sincerely,

-ORIGINAL SIGNED BY-

William A. Ross
Chairperson

cc. Aboriginal Society Members
Gavin More, Environment and Natural Resources, GNWT
David Livingstone, DIAND

Attachment

1. Issues raised by the Agency with regard to BHPB consultation techniques and the closure planning process. October 28th, 2005