

BHP Billiton Canada Inc.
Operator of the EKATI Diamond Mine

BHP Billiton
#1102 4920-52nd Street
Yellowknife NT Canada X1A 3T1
Tel 867 669 9292 Fax 867 669 9293
bhpbilliton.com

November 2, 2010

Mr. Bill Ross, Chair
Independent Environmental Monitoring Agency
Yellowknife, NT
Via email

Re. EKATI Diamond Mine, Continued Fisheries Monitoring at the Panda Diversion Channel

The Panda Diversion Channel (PDC) at the EKATI mine was constructed in 1998 to safely carry stream water around the Panda and Koala mining areas and to provide permanent fish habitat in accordance with the Fisheries Act Authorization and Compensation Plan between BHP Billiton Canada Inc. (BHP Billiton) and Fisheries and Oceans Canada (DFO). The Compensation Plan required that BHP Billiton monitor fish in the PDC for ten years, which was completed in 2008. BHP Billiton has published reports on the PDC every year plus a 10-Year Summary Report. The monitoring results show that the channel successfully provides fish habitat.

Since 2008, BHP Billiton has voluntarily continued to monitor fish in the PDC. This continues to build a database of how this type of channel performs and how fish are using it. A report on the results of the 2010 Monitoring Program will be circulated by BHP Billiton early in 2011.

BHP Billiton plans to continue the monitoring program in 2011 with the following activities:

- Fish in the PDC: Box trap operation during the spring spawner migration will provide Arctic grayling spawner counts (spawner productivity) as well as provide additional information regarding the return of fish born in the PDC to spawn as fecund adults. This incorporates the 2003 clipped fry data.
- Reference Streams: Neighbouring spawner populations (two reference streams) will be monitored using visual surveys. This will provide information on relative spawner numbers across streams in the EKATI area and will enable temporal trends to be followed. Visual surveys are not planned along the PDC due to safety concerns.
- Water temperature will also be measured in the PDC and the reference streams.

BHP Billiton has received a copy of the recent review of the initial 10-years of fisheries monitoring information that was commissioned by the Independent Environmental Monitoring Agency. BHP Billiton will review that report and include it in future discussions with DFO, and others, regarding the PDC. Thank you for including this letter in your circulation of IEMA's review report.

Please contact Mr. Eric Denholm at 669-6116 if you have any questions.

Sincerely,

BHP Billiton Canada Inc.

A handwritten signature in black ink, appearing to read 'E. Denholm', written over the company name.

Eric Denholm, Superintendent – Traditional Knowledge and Permitting
EKATI Diamond Mine