

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

20 March 2009

David Abernethy
Environment Superintendent – Operations
BHP Billiton Diamonds Inc.
#1102 4920-52nd Street
Yellowknife NT X1A 3T1

Colleen English
Superintendent, Environment
Diavik Diamond Mines Inc.
P.O. Box 2498
Yellowknife NT X1A 2P8

Re: Diavik and EKATI - Proposed Changes to Caribou Monitoring for 2009

Dear David and Colleen

We would like to take this opportunity to comment and request further clarification on your letter of 17 March 2009 regarding proposed changes to the caribou component of the Wildlife Effects Monitoring Program (WEMP) for 2009.

Caribou Behavioural Surveys: We generally support the proposed changes to the caribou behavioural studies. We suggest that to ensure sufficient sample size, you should attempt to collect data from any caribou groups observed within 2 km of mine infrastructure, not the 1 km stated in your letter. Also, we would appreciate more details on how these behavioural scans will be initiated. Will it be purely opportunistic (when anyone sees caribou within 1-2 km of the mine, environmental mine staff will initiate behavioural studies?), or will there be regular road surveys to look for caribou near the mine? Or will the weekly aerial surveys serve as the basis for detecting caribou near the mine?

Aerial Caribou Surveys: If we understand your letter correctly, we do not support the combined Ekati/Diavik study area for 2009 being restricted to the current (set in 2006) Ekati study area. When Poole and Boulanger (2004) proposed changes to the study area for the combined Ekati and Diavik areas, they took into account the combined footprints, including the proposed Sable road, and including 30 km out from Diavik (towards the south). When it was apparent Diavik was not going to share resources with BHPB, BHPB established a 30 km buffer around only its current footprint, ignoring both the proposed Sable road and Diavik (see attached, current Ekati study area in green, proposed 30 km buffer from Poole and Boulanger (2004) in red). The current Ekati study area does not cover areas >20 km south of Diavik.



We strongly suggest that the revised study area be modestly increased beyond the current Ekati design to include more area south of Diavik to capture more fully the combined effects of Ekati and Diavik on caribou. Diavik's current boundary (lower black rectangle in the figure, set recently to cover areas up to 30 km from the mine), or some rounding to that effect (the red line in the figure) would be appropriate. We also suggest that in preparation for development in the Sable area, BHPB should consider expanding the area to the north to ensure a full 30 km buffer.

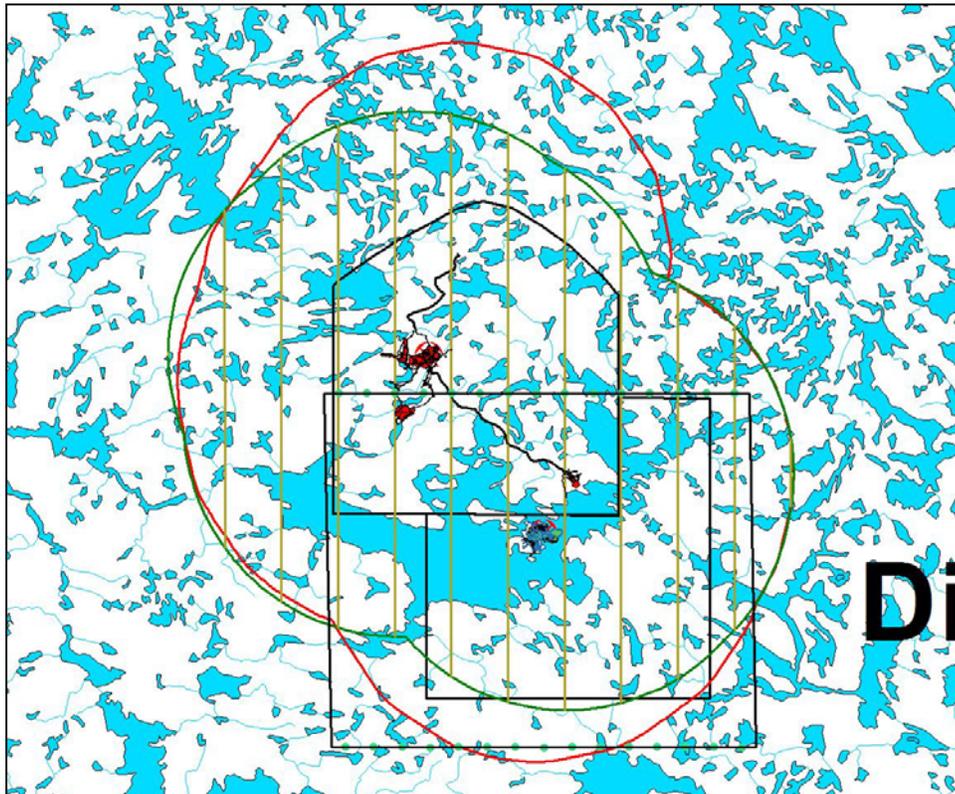


Figure of current (2006) Ekati caribou aerial survey study area (green polygon), 30 km buffer around all Ekati and Diavik infrastructure proposed by Poole and Boulanger (2004; red polygon), and current (2007) Diavik study area (lower rectangle).

If these suggestions are addressed, then we believe the aerial survey and behavioural studies proposed for 2009 should provide data that can address what we believe are the main objectives of this monitoring, namely to examine distribution and behaviour of caribou relative to the combined mine sites. These studies can then be used to document residual impacts of the mines and related infrastructure on caribou, and lead to possible further mitigation measures and improvements to environmental management.

We believe that it will still be necessary to conduct a more thorough review of the caribou monitoring programs following the completion of the zone of influence analysis and cumulative effects related modeling that are currently under way. We look forward to such

an opportunity and we are prepared to work with others to ensure a successful, inclusive review.

Please contact us if you wish to discuss any aspects of the caribou portion of the WEMP.

Sincerely,

A handwritten signature in black ink that reads "W.A. Ross". The signature is written in a cursive style with a large initial "W" and "R".

Bill Ross
Chairperson

cc. Agency Society Members
Sue Fleck, GNWT—ENR
John McCullum, EMAB
Dave White, SLEMA