



Independent Environmental Monitoring Agency

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Re: Recommendations from the Environment Workshop hosted by IEMA March 17th, 2005

The Independent Environmental Monitoring Agency (IEMA) hosted a workshop to review Ekati's environmental monitoring and management programs on March 17th, 2005. The workshop was originally scheduled for two days but was reduced to a single day as the Wildlife Effects Monitoring Program results for 2004 were not available.

The purpose of the workshop was to review the monitoring results for 2004, to provide information to interested parties, to facilitate a better understanding of the monitoring programs, and to make recommendations on improving environmental management at Ekati. The workshop was well attended by community and government representatives.

The following summarizes the main comments and recommendations that came out of the workshop in the following categories:

- IEMA recommendations (what we recommend to BHPB and others as a result of the workshop – included in this letter)
- Considerations for BHPB and governments (comments heard during the workshop that we encourage BHPB and others to consider – included in the attachment to this letter)

We also provide a brief overview of the progress on recommendations from last year's workshop.

IEMA Recommendations resulting from the 2005 workshop:

1. Late delivery of BHPB 2004 monitoring program reports has hampered efforts at achieving effective and adaptive environmental management of Ekati. We believe it is essential that monitoring results be provided to all members of our society in a timely fashion that allows for discussion and input into the following season's program in an effort to improve environmental management and to facilitate effective participation of the Aboriginal Peoples and the general public.
2. Governments should undertake a program of regional vegetation monitoring particularly of species most important to caribou. The regional program should be coordinated with improved, more frequent, local vegetation monitoring on the Ekati mineral claims block by BHPB.
3. BHPB should adopt the DNA-based monitoring program for wolverine as suggested by GNWT-RWED and by the Agency in our 2004 Annual Report. While of lower priority to Agency Aboriginal society members than caribou related monitoring programs, improvements to wolverine monitoring are particularly relevant given recent wolverine-human incidents at the Ekati mine site. We understand that there is now a commitment from BHPB to assist with such monitoring and we commend the Company for doing so.
4. Governments should increase community-based caribou monitoring. Improved understanding of caribou and potential mitigation measures would be gained through additional site-specific caribou behavioural studies and regional health and population monitoring.
5. BHPB should ensure its dust and air quality monitoring program is adequate to identify potential effects from Ekati. In addition, monitoring programs should focus on effects on vegetation species most important to caribou.

Review of Recommendations from 2004 Environmental Workshop

1. We recommend that BHPB explore how it can best use RWED's hair-sampling technique to improve wolverine monitoring at Ekati and that RWED continue developing this technique and share its findings with others so that, where it is appropriate, it can be fully adopted. Results from RWED's DNA testing of wolverine hair appear promising. This type of monitoring provides information on the number of different individuals around the site, an improvement on the snow track surveys, which indicate only the presence of wolverine. We understand that BHPB has accepted the recent proposal from RWED to conduct this type of monitoring over a two-year period and we commend it for doing so.
2. We recommend that BHPB, DIAND, RWED and others, as appropriate, initiate discussions on how to monitor the regional cumulative impacts on caribou. Concern

over cumulative impacts was heard throughout the workshop. We believe that impacts originating from the Ekati claim block must be considered on a larger scale that may not be able to be captured through site-specific monitoring programs alone. This is a substantial issue for us and we will be working with others, including the Environmental Monitoring Advisory Board (EMAB), on how best to address the concerns. We firmly believe that a partnership approach is needed; one that includes industry, government, communities and existing agencies. We note that the recent Bathurst Caribou Management Plan presents a number of proposals and actions that should aid in this regard. We believe more work is justified on this matter.

3. We recommended that the risk assessment conducted to determine if wildlife would be affected by exposure to processed kimberlite be redone. During the workshop we heard many concerns from community members about the uptake of contaminants from the mine. While the risk assessment offers some useful information, it did not increase our level of comfort about the impacts on wildlife and humans. Weaknesses were identified in the present risk assessment, some of which are outlined in the attachment. We believe that many assumptions were made incorrectly or unnecessarily when actual data could have been used. We believe that a peer review of the protocol, assumptions and results would provide a more effective risk assessment. We also suggest that the goose be added as a VEC when modelling the risk to humans because of its importance in northern diets. We understand that BHPB is re-examining the risk assessment with a view to meeting the concerns of the Agency and others.
4. We recommended that BHPB add monitoring of dust around Cell B to its *Air Quality Monitoring Program* to see how vegetation and snow are affected by blowing processed kimberlite. The monitoring of dust is an immediate concern as BHPB had agreed to revise its monitoring program for 2004 based on the results of a remodelling exercise. The remodelling exercise has yet to take place, although a proposal to revise the current air dispersion remodelling design has been distributed for comments. Although monitoring of the snow pack and associated vegetation occurs only once every three years and is scheduled to occur in 2004, we suggest that better data will be produced if the sampling is conducted in 2005 using an improved monitoring program based on results from the remodelling exercise.

We would be happy to discuss any of these matters at your convenience.

Sincerely,

-ORIGINAL SIGNED BY-

William A. Ross
Chairperson

Cc: Society members, IACT members

**ISSUES AND CONCERNS RAISED AT THE
INDEPENDENT ENVIRONMENTAL MONITORING AGENCY
ENVIRONMENTAL WORKSHOP
March 17, 2005—Yellowknife N.W.T.**

The Agency heard the following issues and concerns during the course of the Environmental Workshop and agreed to forward them to government and BHPB for their consideration:

Wildlife Matters

- What happens to the carcasses of the wolverines killed on site? The carcasses should be given back to communities.
- Wolverines do not harm people so there is no need to kill them. People on site should be better educated about wolverines.
- There are differing views on the importance of wolverine monitoring when compared with other wildlife monitoring.
- Concern with wildlife and waterfowl access to and use of Long Lake as it fills with tailings. Were there any animals injured in or around Long Lake in 2004?
- Bridges and culverts over creeks are too high and they may act as a barrier to wildlife movements.
- Questions were raised about closure criteria and practices for roads at the mine site during caribou migrations.
- Road slopes, aggregate size and sharpness may be a barrier to caribou crossing roads.
- Serious concerns were voiced about the low numbers of caribou calves and pregnant females seen this winter and what effect the mines, sport hunting and resident hunting may be having on the population. Elders know that there is something wrong with the caribou and more monitoring will not fix the problem. There is a need for better dialogue amongst Traditional Knowledge holders and wildlife researchers and managers.
- It was suggested that the Government of Nunavut should enhance its monitoring of the Bathurst caribou herd to improve regional cumulative effects assessment and management.

Aquatic Matters

- Concern was expressed over the naming of local lake, that Aboriginal names should be used.
- How is the company using Traditional Knowledge in examining the changes to the downstream water quality as monitored under the Surveillance Monitoring Program (SNP)?
- Are taste tests (palatability) done for fish?
- It is difficult to compare the effectiveness of the Panda Diversion Channel as fish habitat to other natural streams on site.
- Should the issue of dust and pollutant deposition on snow, and then into the runoff, be regulated under the water licence?

Other Issues

- Need for a much stronger role for Aboriginal peoples in monitoring environmental effects at the mine. The company involved the communities for the first couple of years until they learned from the Aboriginal peoples, but this has not continued. Aboriginal peoples want to visit the site when they want, with no advance notice, to observe wildlife and not necessarily see diamond production.
- Concerns were raised over the effects of blasting residue and dust on water quality, vegetation and wildlife. There is a need to more closely monitor these impacts. Need for better information about the effects of other pollutants (NO_x and SO_x) on vegetation, especially plants eaten by caribou. Vegetation monitoring of the entire herd range is needed too. Stomach and feces content analysis of caribou may be useful to determine if caribou food preferences are different in various parts of their range.
- Concerns were raised about accidental introduction of non-native plants representing a possible impact of mines (fear of displacement of native species, especially of species important in caribou diet).