

# BHP Billiton

BHP Diamonds Inc.

File # 4.6.8.1

September 13, 2001

Mackenzie Valley Land and Water Board (MVLWB)  
7<sup>th</sup> Floor – 4910 50<sup>th</sup> Avenue  
P.O. Box 2130  
Yellowknife, NT X1A 2P6

Attention: Melody J. McLeod, Chair

Mackenzie Valley Land  
& Water Board

File

SEP 17 2001

Application # MV2001F0032

Copied To KLUB Reg

**RE: Sable Road  
Applications for Land Use Permit and Class "B" Water License  
Files MV2001F0032 and MV2001L2-0004**

Dear Ms. McLeod:

BHP Billiton has reviewed comments received by the MVLWB from reviewers on the above noted applications related to the Sable Road. We have obtained formal comments placed on the public registry by the Department of Fisheries and Oceans (DFO), the Department of Indian Affairs and Northern Development (DIAND), Environment Canada (EC), the Independent Environmental Monitoring Agency (IEMA), the Government of the Northwest Territories (GNWT), and the Stanton Regional Health Board. The comments we have are dated up to and including August 17<sup>th</sup>, 2001.

In consideration in drafting the Land Use Permit and Water License, BHP Billiton offers the following general response to reviewers' comments for consideration by the Board:

- GNWT requests refinements to the Air Quality Monitoring Program (concerns related to dust), the Wildlife Effects Monitoring Plan (WEMP), and the Abandonment and Restoration Plan. GNWT further requests that the Board impose specific monitoring and reporting requirements for the Sable Road in the two regulatory instruments under consideration.

*There are currently 13 management and monitoring plans that provide the framework for sound environmental management at the EKATI™ Diamond Mine. The programs noted by the GNWT form part of this framework. Management and monitoring programs are continually updated based on the acquisition of new scientific and traditional knowledge information. Opportunities such as annual workshops are provided to all stakeholders to comment on these programs and contribute to their updates. BHP Billiton has committed*

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*to updating its' management and monitoring programs to accommodate the inclusion of Sable, Pigeon and Beartooth. BHP will continue to work with the GNWT and other stakeholders to update and refine these programs. As monitoring and reporting is detailed in each of these programs, BHP Billiton suggests that it is unnecessary to impose specific conditions in the new regulatory instruments.*

- GNWT requests that BHP Billiton provide further details on the selection criteria for rock-fill that will be used in the construction of the Sable Road.

*BHP Billiton plans to primarily use waste rock generated from mining operations at the Panda and Koala pits required for the construction of the Sable Road. Furthermore, only that rock considered to have a low potential for acid generation will be used in its' construction. The waste rock that will be used is primarily granite. Kimberlite inclusion will be avoided as much as possible.*

*The management of waste rock is detailed in the Waste Rock Management Plan. As with the other management plans, BHP Billiton will be updating this plan to incorporate Sable Road.*

- The IEMA requests that the Board impose conditions on road construction and operation to mitigate impacts on caribou movement and distribution. Conditions requested by the IEMA include the reporting of daily traffic volumes, cessation of construction during migration periods, construction of a low profile road, and the limitation of traffic to a specific number of vehicle trips per day.

*The Sable Road is one of several haul roads at the EKATI™ Diamond Mine. Mitigation of potential effects to wildlife in the vicinity of haul roads requires worker awareness of traffic management procedures. An Awareness Program has been established for the EKATI™ Mine, is in place, and will be implemented for the Sable Road. Wildlife interaction with the Sable Road will also be monitored as part of the Wildlife Effects Monitoring Plan. Results of the WEMP are used to assist in the refinement of procedures related to road construction and use.*

*It is our opinion that the request of the IEMA to impose specific traffic volume thresholds on the Sable Road is not warranted. A linkage between traffic volume, which will be monitored for the Sable Road, and negative effects on caribou has not been documented at EKATI™ to date. As such, a threshold for traffic volume limits would be arbitrary and not a productive mitigation tool. Our land use permit application outlines specific procedures to be used as mitigation against potential effects. These procedures have to date been effective mitigation tools.*

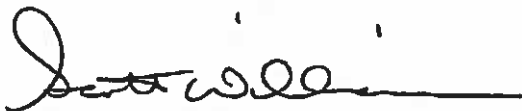
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- DFO has provided comments on the installation of culverts along the Sable Road.

*Since the submission of these applications, DFO has been up to the mine site on two separate occasions to inspect the proposed Sable Road route. BHP Billiton remains committed to working with DFO to ensure that all culverts are installed in the Sable Road in a manner that meets the intentions of the Fisheries Act.*

We trust that this information provides assistance to the MVLWB in drafting the Land Use Permit and Water License for the Sable Road. Should you have any questions related to, please do not hesitate to contact Mr. Derek Chubb at 867-669-6142.

Yours truly,



Scott Williams  
Manager, Environment and Resource Planning