

Notes from the Meeting Between DFO and Bilcon of Nova Scotia October 28, 2005

In attendance: Paul Buxton - Project Manager, Bilcon
Dave Kern - Environmental Consultant, Bilcon
Scott Clark, JASCO Research Ltd., Bilcon Consultant
Marci Penney-Ferguson – Section Head, DFO-HMD
Phil Zamora – Habitat Management Biologist, DFO
Thomas Wheaton - Area Habitat Coordinator , DFO
Brian Jollymore – Habitat Assessment Biologist, DFO-HMD
Mark McLean – Senior Environmental Analyst, DFO
Tana Worcester – Regional Advisory Process Coordinator, DFO
Norman Cochrane – Research Scientist, DFO

Bilcon stated that they have informed the review panel they would file their Environmental Impact Statement on December 15, 2005. As part of this meeting Bilcon is seeking advice from DFO on the Blasting Plan, specifically they are looking for input related to thresholds, monitoring and fish habitat compensation.

Shipping

Bilcon also asked how far beyond the terminal would they have to look at shipping impacts. DFO stated that scope of the project is set by the panel and any questions regarding scope of project should be directed to the panel. Bilcon indicated that they are including an analysis of the area between the main shipping line and the terminal in their EIS.

Fish Habitat Compensation

DFO has reviewed the proposed fish habitat compensation plan submitted by Bilcon. Based on the preliminary information provided to date, DFO is satisfied that the components of this proposed habitat compensation plan would meet the requirements and objectives of the Policy for the Management of Fish Habitat under the Policy for the Management of Fish Habitat. DFO stated that it would be sending a letter to Bilcon on its review of the compensation plan. However, Bilcon was reminded that the issuance of a *Fisheries Act* Section 35 (2) Authorization and any subsequent fish

habitat compensation plan can only be determined after consideration of the Joint Panel report issued at the conclusion of the environmental assessment.

Blasting

There was a discussion on whether more information could be provided for the blasting model to address the uncertainty. It was noted that the inherent limitations within the model itself account for much of the uncertainty and therefore additional information would not address this uncertainty.

DFO gave a presentation which outlined the approach that is being taken for the analysis the Blasting Plan and some of the initial conclusions that will be provided more fully in DFO's final comments on the Blasting Plan. DFO indicated that it is waiting on some additional information before finalizing its comments on the Blasting Plan. The comments would be sent to Bilcon once they are finalized.

There was a discussion on the definition of significance. DFO will not be providing a definition of significance in the science advice provided to Bilcon. DFO may provide information with regard to significance during the panel review but it would be the panel who will define significance.