



Habitat Management Division  
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Your file *Votre référence*

Our file *Notre référence*

03-FCR-020

November 24, 2005

Mr. Paul G. Buxton, Project Manager  
Bilcon of Nova Scotia  
P.O. Box 2113  
Digby, N.S.  
B0V 1A0

Dear Mr. Buxton:

**RE: Whites Point Quarry and Marine Terminal – Proposed Habitat Compensation Plan**

The Department of Fisheries and Oceans (DFO) has reviewed your submission entitled “**FISH HABITAT COMPENSATION PLAN PROPOSAL**” dated September 16, 2005 (attached). Based on the preliminary information provided to date, DFO is satisfied that the overall components of this proposed habitat compensation plan would meet the requirements and objectives of the Policy for the Management of Fish Habitat under the *Fisheries Act*.

As you are aware, an environmental assessment under the *Canadian Environmental Assessment Act (CEAA)* is required once the need for a *Fisheries Act* Subsection 35(2) authorization is identified. The Whites Point Quarry and Marine Terminal project is subject to a Joint Panel Review under *CEAA* and the *Nova Scotia Environment Act*. The decision to issue a *Fisheries Act* authorization can only be taken after consideration of the Joint Panel report issued at the conclusion of the environmental assessment.

A final fish habitat compensation plan (including a detailed monitoring plan) and conditions would become an integral part of any potential *Fisheries Act* Subsection 35(2) authorization for the Whites Point Quarry and Marine Terminal project.

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Mr. Paul Buxton

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November 24, 2005

If you have any questions, please feel free to call me at (902) 426-4692.

Sincerely,

Phil Zamora  
Habitat Management Division

Cc. S. Chapman  
M. Freeman  
T. Wheaton  
M. McLean

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