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September 17, 2003

File No. 03-FCR-020

Mr. Steve Chapman
Canadian Environmental Assessment Agency
200 Sacré-Coeur Boulevard, 13th floor
Gatineau, QC
K1A 0H3

Dear Mr. Chapman:

The Department of Fisheries and Oceans (DFO) has reviewed the Draft Agreement for Establishment of a Joint Review Panel for the Whites Point Quarry Project between The Minister of the Environment, Canada and The Minister of the Environment and Labour, Nova Scotia.

DFO would like the following comment to be considered in the final agreement. The draft agreement states that the project consists of a 120 hectare basalt quarry and associated deep water marine terminal. DFO recommends that the 3.9 hectare test quarry associated with this project be included in the scope of the project. The rationale for this recommendation is as follows:

- The 3.9 hectare test quarry is located within the proposed 120 hectare quarry.
- DFO has determined that the Blasting Plan for the 3.9 hectare test quarry, which was submitted to DFO for review, is likely to have a Fisheries Act Section 32 trigger.
- The environmental effects of the operation of the 3.9 hectare test quarry are expected to be the same as the environmental effects of the proposed 120 hectare quarry.

Thank you for the opportunity to comment on the draft agreement.

Sincerely,

Phil Zamora
Habitat Management Division

Cc. C. Daly