



Fisheries and Oceans  
Canada

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*Your file* *Votre référence*

*Our file* *Notre référence*  
09-HPAC-PA1-00024

**JUN 27 2011**

BURNCO Rock Products Ltd.  
200, 155 Glendeer Circle S.E.  
Box 1480, Station T  
Calgary, AB  
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Attention: Mr. Kim Titus  
Vice President, Aggregate Division

Dear Mr. Titus:

**SUBJECT: PROPOSED MCNAB VALLEY AGGREGATE MINE PROJECT –  
DFO FILE NO. 09-HPAC-PA1-00024**

Thank you for your comments on the supplementary review report of the Fisheries and Oceans Canada (DFO) independent review team.

Subsequent to my June 16, 2010 letter to you wherein I advised that your proposal is likely to result in significant impacts to fish and fish habitat, I agreed that DFO would consider any additional information that BURNCO Rock Products Ltd. (BURNCO) may wish to provide as part of a review of this decision in accordance with the appeal provision in DFO's *Policy for the Management of Fish Habitat*. As you know, an independent review team comprised of fish habitat experts who were not involved in the original review of your proposal prepared a supplementary report which was provided to BURNCO for review and comment.

After considering the additional information provided by BURNCO, the supplementary review report, and BURNCO's comments on the supplementary report, I am writing to advise you that DFO continues to have serious concerns about the extent of the impacts to fish and fish habitat that may result from this project. However, because the full extent of those impacts cannot be assessed based on all of the information currently available, DFO will continue its review of the project and will participate in the comprehensive study process under the *Canadian Environmental Assessment Act* should BURNCO choose to pursue that process.

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DFO's concerns about the project's effect on fish and fish habitat are outlined in the supplementary review report. They include, but are not limited to, the five points set out in Burnco's response to the review report; namely:

- The proposed works will negatively impact fish habitat, consistent with the original High Risk ranking for the project. The extent of impact is likely significantly greater than currently presented by BURNCO.
- The assessments conducted to date by the proponent are not sufficient to completely characterize all of the impacts to fish and fish habitat.
- The risks of avulsion for McNab Creek saltwater intrusion and to marine mammals are less than originally anticipated.
- The options for adequate fish habitat compensation within McNab Creek or even the greater Howe Sound area are severely limited and may not allow the proposed development to meet DFO's fish habitat policy objectives, including the "No Net Loss" guiding principle.
- The pit design detail and water/wastewater management plan require further development before a complete assessment can be made.

Based on all the information presently available, the project presents a high risk to Salmon and Salmon habitat. If BURNCO chooses to continue the review process, DFO will require BURNCO to provide a modified project design with significantly more information on the project, its effects on fish and fish habitat, and BURNCO's plans for mitigation.

Should BURNCO decide to proceed, DFO would be pleased to meet to discuss next steps.

Yours sincerely,



Susan Farlinger  
Regional Director General  
Pacific Region

cc.: Derek Holmes, BURNCO Rock Products Ltd.  
Chris Barlow, Canadian Environmental Assessment Agency  
Gerry Hamblin, BC Environmental Assessment Agency  
Chris Parks, BC Environmental Assessment Agency  
Karen Mousseau, Major Projects Management Office