

NWB1JER0410 C1 Diversion (Section D, Item 16)

This document evaluates Tahera's (EBA) response to comments presented by Derrick Moggy (DFO) and identifies points where Tahera (EBA) is to provide further clarity. This document considers the responses provided by Tahera (EBA) to Acres and DIAND to ensure that concerns are not repeated if so.

DFO Review Section 2 – Specific Comments

1 Functional Fish Habitat

The Board appreciates the site specific facts and physical characteristics of the channel presented by the Proponent yet still requires the Proponent to discuss the *advantages/disadvantages, including long-term stability, of these two design approaches at it **relates to functional fish habitat*** as requested by DFO.

2 Amount of Runoff, Fish Usage of C1 Stream, and Fish Life History Stages

Does EBA have the opinion along with SRK that the revised EBA design does not reduce the amount of runoff available?

The Proponent has not given response to DFO's request to understand when fish will be unable to use Stream C1 due to lack of water and the overall ability of C1 to support various fish life history stages. The Board does acknowledge the comments presented but does not see the relation to DFO's specific request.

4 Revision to Design of Low Flow Channel

The Board recognizes that the Proponent will abide by DFO Authorization 6.3.2.1 with respect to the meander specifications. The Board advises that the Proponent contact DFO and issue a statement in response to this critique outlining if the response "*No changes are proposed at this time*" is acceptable to DFO and their mandate.

8 Transition Zone between Reach C and the Downstream Natural Channel

The Board has an understanding on how the design does not call for a lower pool in the EBA design. The Board requests that the Proponent detail on what enhancements will be made to the transition zone so it may facilitate fish passage. Does the Proponent believe that its final design does not see this as an issue? The Board also advises the Proponent to contact DFO and assure that DFO is accepting of the fact that the fish pool at the lowermost end of Reach C, as outlined in Section 6.3.2.6 of the Fisheries Act Authorization, is not required and report in the Proponents response to this document.

Review of Correspondence between EBA (Nov 25/05) and DFO (Nov 07/05)

Completed by: Joe Murdock

Date: December 1st, 2005

Licence: NWB1JER0410 Part D, Item 16

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10 Culvert Design

The Board requests the Proponent to qualify the culvert design with respect to the final design hydraulic criteria. The Proponent is to provide the culvert design to the NWB as well. If the proponent believes that the sizing was adequately completed through another study the Board requests that the Proponent properly reference previous works and include a clear laid out listing of parameters used in culvert design as well as state that EBA believes the design is adequate for the final design presented to the Board.

11 Channel Operation

The Board seeks definition into when the C1 Diversion channel will be fully constructed. According to the response provided by the Proponent the first year exposure to water takes place Summer 2006. The Board also requests that the Proponent reports the date of operational onset (Has this taken place already?)

14 Fish Habitat Monitoring Plan

Similarly to the comments provided under 8 of this document the Board advises the Proponent to contact DFO and ensure that the Proponent is meeting the requirements of DFO authorization and accompanying mandate. The Board requests that the Proponent reports their dealings with DFO through a response to this document.

RECOMMENDATION:

To send back to Tahera (via Bruce Ott) when other regulatory comments and responses have been evaluated by NWB for C1 Diversion.