



Fisheries and Oceans
Canada

Fish Habitat Management
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Pêches et Océans
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Gestion de l'Habitat du Poisson
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Your file *Votre référence*

Our file *Notre référence*

June 6, 2008

Dr. Kathy Racher
Wek'èezhii Land and Water Board
Box 32, Wekweeti, NT X0E 1W0

RE: BHP Billiton (BHPB) Interim Closure and Reclamation Plan, Section 4 Verification Comments

Dear Kathy:

As requested, Fisheries and Oceans Canada (DFO) is providing verification comments for Section 4 of the ICRP review process.

Tracking Number 58

Review Comment

Vegetation research should be expanded to include identifying aquatic plant species that can be established in the shallow areas of the pit lakes. It should also be determined how colonization of these plant species can be encouraged in these areas.

Status

This issue is conditionally resolved based on DFO's understanding that vegetation research will now include the establishment of aquatic species in the shallow zones of pit lakes where sediment is present that may be eroded by wave action. It is the opinion of DFO that the establishment of vegetation in the shallow or littoral zones of the pit lakes will be essential to allow the pit lakes to become self sustaining aquatic ecosystems in the future.

Tracking Number 79

Review Comment

It is DFO's understanding that the numbers provided regarding reduced stream flows and potential littoral zone losses in Ursula and Upper Exeter lakes are not firm and will be refined as more information is obtained. DFO would appreciate confirmation of this as there is currently not sufficient data to determine that the proposed pumping rates would not negatively impact littoral and stream habitat.

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Status

This issue is resolved. DFO looks forward to reviewing the report generated from Task 7, 3.7.2 Effects on Fish Habitat from Water Extraction for Pit Infilling.

Tracking Number 121**Review Comment**

Task 7 Pit Lake Fish Passage Design from the Terms of Reference for the Pit Lake Studies should be brought back into the reclamation research plan.

Status

This issue is unresolved. Now that BHPB has committed to constructing shallow (littoral) zones in the pit lakes it is the opinion of DFO that Task 7, 3.7.1 Pit Lake Fish Passage Design should be completed. Task 7, 3.7.1 involves “refining the design of created littoral habitats within each of the flooded pits, as well as in the connecting streams that may have been altered during pit operation.” This information is needed to insure the littoral zones will be built properly. However, DFO recognizes that BHPB has committed to placing the shallow zone creation in the ICRP as an engineering design issue. If the issue is adequately addressed within the next version of the ICRP it may be acceptable to DFO.

Tracking Number 125**Review Comment**

Fish barriers should be designed in such a way that they are easily removed if and when it is determined that the pit lakes and Cell E of the LLCF meet water quality criteria appropriate for the protection of aquatic life, including fish.

Status

This issue is resolved.

If you have any questions, please contact me at (867) 669-4931.



Bruce Hanna
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Fish Habitat Management
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