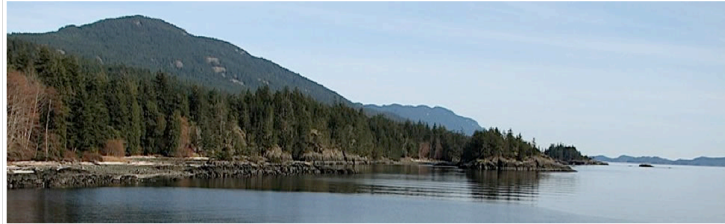


F R I E N D S O F D A V I E B A Y .



<http://daviebay.com/>

BY E-MAIL TO:

Hon John Baird, Minister of Transport, Infrastructure, and Communities.

Hon Jim Prentice, Minister of the Environment.

Hon Gail Shea, Minister of Fisheries and Oceans.

Dear Ministers,

Re: Lehigh Northwest Minerals Ltd. Texada South Quarry. Barge Loadout and Conveyor, Davie Bay, Texada Island. Transport Canada, CEAR reference number 09-01-49595.

Federal Inquiry.

November 25, 2009

Further to my letter of yesterday (Nov 24-09) I understand with respect to the application by Lehigh for a barge loading facility in Davie Bay, that the DFO reached a decision on or before October 7, 2009 that the "DFO does not consider itself a Responsible Authority under CEAA (ie DFO does not believe that is necessary for them to issue a Fisheries Act Authorisation for the project to proceed-which means that with mitigation measures in place, the project is not likely to cause a Harmful Alteration , Disruption , or Destruction (HADD) of fish habitat". See e-mail dated Oct 7-09 from James McQuibban to Greg Carriere (Lehigh)—attached.

This decision has been made by the DFO despite the fact that the loading facility is firmly within a DFO managed rockfish conservation area ("RCA"), where eelgrass is seen in abundance, and in a Davie Bay location where high winds are experienced on frequent occasions, meaning that limestone dust would permeate the area. There have been no permitted loading docks in RCA's in BC.

The DFO are on record as stating "the RCA network will only work if the designated areas are kept in a somewhat pristine condition to ensure maximum productivity from those fish spawning within the closed areas..... and in order to maintain the high level of productivity, industrial activity such as those proposed should be avoided".

The information we have received from DFO personnel is that it would not be possible to mitigate the impacts in this sensitive area, or to replicate the benefits elsewhere.

In view of the upcoming inquiry by BC Supreme Court Justice Bruce Cohen, authorized by Ministers on the reasons for the collapse of the sockeye salmon stocks in the Fraser River, and to review the operations of the DFO, Friends of Davie Bay are asking that any disposition of the Lehigh application and the impact on the rockfish conservation area and the eelgrass be taken to the highest possible level.

Friends of Davie Bay will be making representations to B.C. Supreme Court Justice Bruce Cohen that he recommend that salmon habitats including eelgrass beds and rockfish conservation areas in the Georgia Strait be fully protected as part of initiatives to preserve salmon stocks in the Fraser River, and that the DFO must act to defend these habitats, and in particular, the Davie Bay rockfish conservation area. Accordingly we ask that the DFO not approve any action at Davie Bay that may prejudice Justice Cohen's recommendations or be mindful that a decision not to declare a HADD will come under public scrutiny at the inquiry.

Yours truly,

Richard Fletcher
Friends of Davie Bay.
rickyfletch@gmail.com
<http://daviebay.com/>

Attachment: E-mails between James McQibban, Transport Canada and Greg Carriere, Lehigh Cement, dated October 7, 2009

By e-mail to:

Hon John Baird, Minister of Transport, Infrastructure, and Communities.

Hon Jim Prentice, Minister of the Environment.

Hon Gail Shea, Minister of Fisheries and Oceans.

Cc Nicholas Simons MLA
John Weston MP
Scott Fraser MLA
Rebecca Reid, Regional Director, Oceans, Habitat and Enhancement Branch Pacific Region
Robert Sisler, Regional Manager, Environmental Services, Transport Canada.
Scott Northrup DFO
Karen Christie, Project Assessment Director, Ministry of Environment
Andrea Cowgill. ILMB
Laura Walz. Powell River Peak
Larry Pynn. Vancouver Sun