



Fisheries and Oceans
Canada

Pêches et Océans
Canada

194 Parkway Drive
Truro Heights, Nova Scotia
B2N 5Z9

November 5, 2008

Your file Votre référence
2008-062727

Our file Notre référence
08-HMAR-MA7-00149

1595 Bedford Hwy
Suite 224
Bedford, Nova Scotia
B4A3Y4

Dear Ms. Melanie Haggart:

Subject: Proposal not likely to result in impacts to fish and fish habitat.

Fisheries and Oceans Canada - Fish Habitat Management Program (DFO) received the proposal on June 13, 2008. Please refer to the file number and title below:

DFO File No.: **08-HMAR-MA7-00149**

Title: **Noel Lake - water withdrawal for shale gas exploration drilling**

The proposal has been reviewed to determine whether it is likely to result in impacts to fish and fish habitat which are prohibited by the habitat protection provisions of the *Fisheries Act* or those prohibitions of the *Species at Risk Act* that apply to aquatic species.*

We understand that the proponent has requested an extension to the original water withdrawal application which will allow the removal of water until June 30, 2009 instead of the original date of November 30, 2008. Provided that the guidelines are followed that were provided in a letter to Nova Scotia Environment dated September 18, 2008 with a maximum of 380 USGPM then DFO has no concerns.

Provided that the plans are implemented as described DFO has concluded that the proposal is not likely to result in impacts to fish and fish habitat.

The proponent will not need to obtain a formal approval from DFO in order to proceed with the proposal.

*Those sections most relevant to the review of development proposals include 20, 22, 32 and 35 of the *Fisheries Act* and sections 32, 33 and 58 of the *Species at Risk Act*. For more information please visit www.dfo-mpo.gc.ca.

DFO File No.: 08-HMAR-MA7-00149

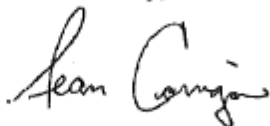
- 2 -

If the plans have changed or if the description of the proposal is incomplete the proponent should contact this office to determine if the advice in this letter still applies.

Please be advised that any impacts to fish and fish habitat which result from a failure to implement this proposal as described could lead to corrective action such as enforcement.

If you have any questions please contact the undersigned at (902) 896-3583, by fax at (902) 896-3607, or by email at corrigan@mar.dfo-mpo.gc.ca.

Yours sincerely,



Sean Corrigan
Area Habitat Biologist