



Environmental Stewardship Branch
6 Bruce Street
Mount Pearl NF A1N 4T3

31 August 2012

Mr. Darren Hicks
Canada Newfoundland Offshore Petroleum Board
Fifth Floor, TD Place
140 Water Street
St. John's, NF A1C 6H6

Dear Mr. Hicks:

**RE: Geophysical Program for Anticosti Basin Offshore EAS 2012-095
Western NL - 2012-2018**

As requested in your letter of 20 July 2012, Environment Canada has reviewed the environmental assessment report for the above noted project. It is understood that Ptarmigan Energy Inc. is proposing to conduct 2D & 3D seismic programs in Exploration License (EL) 1120 and future seismic programs in the adjacent EL 1127 and EL 1128 (Figure 1-1) offshore western Newfoundland. The Project also proposes localized geohazard well site surveys.

The following EC comments stem from the department's mandate under the *Migratory Birds Convention Act* (MBCA) and Section 36 of the *Fisheries Act*. Pertinent EC expertise, and related comments, also originate with the *Canadian Environmental Protection Act* (CEPA), the *Canadian Wildlife Act*, and the *Species at Risk Act* as well as *Department of the Environment Act*.

REVIEW COMMENTS

Environment Canada has already provided comments on this project on 30 April 2012 with regard to the Scoping Document and Project Description. Please see inserted item. These comments still apply.

The Canadian Wildlife Service of Environment Canada (EC-CWS) also offers the following comments with regard to the above document (environmental assessment report):

6.2.5 Marine Bird Species at Risk - Piping Plover - Figure 6-47 Identified Piping Plover Habitat in Western Newfoundland

The area referenced as "Grand Codroy Provincial Park" should correctly be labelled "Codroy Valley Provincial Park".

6.2.5 Marine Bird Species at Risk - Piping Plover

"A 2006 census in Newfoundland identified 48 nesting adult Piping Plovers, an increase from 39 birds in 2001."

This information should be updated, due to new information being available. A census was coordinated by EC-CWS in 2011, which found 51 adult Piping Plovers on 16 beaches in Newfoundland.

6.2.5 Marine Bird Species at Risk - Piping Plover

“Piping Plover have not been found on the northeast coast since 1987.”

EC-CWS recommends rewording this sentence to “Nesting Piping Plover have not been found on the northeast coast since 1987.”

7.3.6 Marine Bird Species at Risk Effects

It should be stated in this section as to what mitigation measures the observer will undertake.

7.6.2 Mitigation

EC-CWS has developed a pelagic seabird monitoring protocol (attached) that is recommended for use by experienced observers on all offshore projects. A guide for pelagic seabirds of Atlantic Canada has also been attached for assistance in identifying pelagic seabirds in the area.

A report of the seabird monitoring program, together with any recommended changes, is to be submitted to EC-CWS on a yearly basis. In an effort to expedite the process of data exchange, EC-CWS would appreciate that the data (as it relate to migratory birds or Species at Risk) collected from the monitoring program be forwarded in digital format to its office following completion of the study. These data will be centralized for EC-CWS's internal use to help ensure that the best possible natural resource management decisions are made for these species in Newfoundland and Labrador. Metadata will be retained to identify source of data and will not be used for the purpose of publication. EC-CWS will not copy, distribute, loan, lease, sell, or use of this data as part of a value added product or otherwise make the data available to any other party without the prior express written consent.

7.6.3 Effects Assessment - Accidental Events

This section should make reference to the oil spill response plan for the project. The oil spill response plan for the project should furthermore be provided to EC-CWS for review.

Strategies to minimize or prevent accidental or chronic releases should be emphasized in a mitigation program. Proponents are required to demonstrate response preparedness and to identify provisions for ensuring measures are implemented to eliminate or minimize resulting sheens or slicks in the event of accidents and malfunctions involving the release of oil. The following considerations are requested to be factored into the development of a response plan that would help reduce impacts on seabirds:

- measures for containing and cleaning up spills (of various sizes);
- equipment that would be available to contain spills;
- specific measures for the management of large and small spills (e.g., breaking up sheens);
- mitigation measures to deter migratory birds from coming into contact with the oil;
- mitigation measures to be undertaken if migratory birds and/or sensitive habitat becomes contaminated with the oil; and
- the type and extent of monitoring that would be conducted in relation to various spill events.

I trust that this information will be of assistance in your review of this proposal. If you wish to discuss these comments or have further questions, please do not hesitate to contact me at your convenience.

Yours truly,

The logo for the Government of Canada, featuring the word "Canada" in a serif font with a small Canadian flag above the letter 'a'.

Original Signed by Jerry Pulchan

Jerry Pulchan
Environmental Assessment Analyst
Environmental Protection Operations Directorate

Attachments

Cc: J. Corkum
M. Hingston