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BAB 3970-860

Ms. Kimberly A. Coady
Environmental Assessment Officer
Canada-Newfoundland and Labrador Offshore Petroleum Board
Fifth Floor, TD Place
St. John's NL A1C 6H6

Dear Ms. Coady:

**Subject: RE: Husky Energy Drill Centre Construction and Operations Program
Environmental Assessment Report Addendum**

As requested, Fisheries and Oceans Canada (DFO) has reviewed the document entitled: *Husky White Rose Development Project: New Drill Centre Construction and Operations Program Environmental Assessment Addendum*, dated January, 2007. In the new report the proponent has, in addition to providing an update of the project, outlined and provided responses to a number of suggestions for improvement and clarification, and has elaborated on various aspects of the previously submitted EA. It is the opinion of DFO that many comments offered previously by the Department have been, for the most part, satisfactorily addressed in the update. However, the following additional comments on the EA document are provided for further consideration.

Species at Risk

Once again, DFO would like to reiterate a concern which was raised in the last review, which is the conclusion of the effects on Species at Risk (SAR) as *not significant*, given with a high level of confidence. To expound this point, the report states that it is not known with certainty if northern or spotted wolffish spawn in the study area, although it is probable given the limited migration of the species. It subsequently makes a determination of the effects of sediment excavation and deposition as *not significant*, given with a high level of confidence but with no attributed scientific certainty (Table 7.23). Even if the affected area is small compared to the known distribution of the species there is still a possibility that some individuals could be affected. The absence of data for the affected areas does not equate to unlikely effect, therefore a precautionary and perhaps more pragmatic, assessment is necessary. Thus it is recommended that the assessment tables should more closely reflect the data and more importantly, the data gaps presented throughout the text.

Specific Comments

Section 5.5.3.2, Page 48: Rose and Kulka, 1999 showed that just before final collapse, cod hyper-aggregated just north of the project study area, meaning it is possible that it is an area critical for recovery. While part of the comment regarding cod, made during the last review was incorporated into the text, this important aspect was not. In other words, the area of last aggregation noted in Kulka and Rose may be an important location in terms of recovery, as it was the last place that cod occurred in significant amounts, should recovery in fact occur in the future.

Section 5.5.3.3, Page 49: A point with respect to porbeagle raised in the last EA review and again missed is that the Grand Banks, including White Rose is the mating ground for this potentially SARA-listed species and therefore a very ecologically important area. As well, the Grand Banks was once a major fishing ground for porbeagle. These are important details that should be mentioned.

Section 4.0. Physical Environment, Page 29: The ocean current models commonly used for spill trajectory tracking in the NL Region are inadequate. In this report the International Ice Patrol map of mean currents is used, which do not contain any fluctuations about the mean and therefore miss much of the horizontal and temporal variability present in real currents. In addressing this comment, the new document points to Appendix 3 which appears to be adjustments made to the Physical Environment Section in the first EA report. However this addition does not make any changes in terms of currents - only wind and wave data have been addressed.

Section 7.6.2.2, Sediment Excavation, Page 72: The glory hole dimension presented (70mx70m) is not a true reflection of the amount of area to be affected as it does not include ramp area (an additional 130mx70m). The total area to be affected should be as accurate as possible.

Table 7.22, Page 79. The determination of no significant *residual* effect is given when no mitigations for effects of excavation and deposition of sediment are presented.

Thank you for the opportunity to address this EA addendum. Should you have any questions or comments, please contact Randy Power by phone 772-8888, fax 772-5562 or email (powerrg@dfo-mpo.gc.ca).

Yours sincerely,

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