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July 27, 2017

Agency File No.: 005580

David Pinsent
Husky Energy
Atlantic Region
351 Water St. Suite 105
St. John's, NL A1C 1C2
David.Pinsent@huskyenergy.com

Dear Mr. Pinsent:

SUBJECT: Additional Information Requirements Regarding Engagement with the Passamaquoddy of New Brunswick

I am writing to advise you that the Canadian Environmental Assessment Agency (the Agency) has received information that an additional Indigenous group, the Passamaquoddy of New Brunswick, may be affected by the Husky Energy Exploration Drilling Project (the Project). The potential effects to this group must be considered in the ongoing environmental assessment of the Project. This determination was made following careful consideration of information provided to the Agency by Indigenous and Northern Affairs Canada and Fisheries and Oceans Canada.

The Agency has identified potential adverse impacts of the Project on potential or established rights of the Passamaquoddy of New Brunswick under section 35 of the *Constitution Act, 1982*, and potential effects of changes to the environment on the Passamaquoddy of New Brunswick pursuant to paragraph 5(1)(c) of the *Canadian Environmental Assessment Act, 2012*. These potential impacts and effects relate to the migration of Atlantic salmon between the Project area and areas where the Passamaquoddy of New Brunswick have potential or established section 35 rights.

The Environmental Impact Statement (EIS) Guidelines (Part 2, Section 5.1) and letter from the Agency to Husky Energy on April 27, 2017, list the Indigenous groups for which Husky Energy must provide information in the EIS. This letter is confirmation that the Passamaquoddy of New Brunswick must be included among the Indigenous groups to be considered in the EIS.

The Agency encourages you to engage this additional Indigenous group to obtain their views on potential impacts to their rights and for 5(1)(c) effects from the Project, as set out in the EIS Guidelines. If for some reason you are unable to obtain their views prior to submission of the EIS, this information may be requested during the technical review of the EIS.

Please note that the groups referenced in this letter and the Agency's letter from April 27, 2017 may change as more is understood about the Project's potential environmental effects or



impacts on rights and/or if the Project or its components change during the environmental assessment. The Agency reserves the right to alter the list of Indigenous groups that the proponent will engage with as additional information is gathered during the environmental assessment.

If you have any questions, please do not hesitate to contact me at CEAA.Husky.ACEE@ceaa-acee.gc.ca or 902-426-8946.

Sincerely,
<Original signed by>

Cheryl Benjamin
Project Manager, Atlantic Region

Cc: Dave Burley – Canada-Newfoundland and Labrador Offshore Petroleum Board
Elizabeth Young – Canada-Newfoundland and Labrador Offshore Petroleum Board
Charlotte Landry – Major Projects Management Office