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BAB 3990-10

Darren Hicks  
Environmental Analyst  
Canada-Newfoundland and Labrador Offshore Petroleum Board  
140 Water St., 4th Floor  
St. John's, NL A1C 6H6

Dear Mr. Hicks

**Subject: Fisheries and Oceans Canada Review of Amendment - Environmental Assessment of Husky's Jeanne d'Arc Basin/Flemmish Pass Regional Seismic Program, 2012-2020**

As requested, Fisheries and Oceans Canada (DFO) has completed a review of the document entitled "*Environmental Assessment of Husky's Jeanne d'Arc Basin/Flemmish Pass Regional Seismic Program, 2012-2020*" dated February 2012 and offers the following comments:

General

- Please be advised that the "Statement of Canadian Practice with respect to the Mitigation of Seismic Sound in the Marine Environment" (SOCP) specifies the mitigation requirements that must be met during the planning and conduct of marine seismic surveys, in order to minimize impacts on life in the oceans. These requirements are set out as minimum standards to be implemented during the planning and conduct of seismic programs. As such it is advised that the proponent adhere to all relevant minimum mitigations outlined in the SOCP including the Planning Seismic Surveys, Safety Zone and Start-up, Shut-down of Air Source Array(s), Line Changes and Maintenance Shut-downs, Operations in Low Visibility and Additional Mitigative Measures and Modifications sections of the SOCP.
- The report indicates that surveys may occur at anytime from March to November from 2012-20, with surveys ranging in duration from 30-120 days. While the proponent does acknowledge that *Species at Risk Act (SARA)* requirements could change over this timeframe and that they will reassess accordingly, DFO would like to note that changes to the *SARA* could include additions to species on Schedule 1 of *SARA*, changes in species status, new recovery strategies, action plans and/or management plans and identification of critical habitat. Please continue to refer to the Species at Risk Public Registry ([www.sararegistry.gc.ca](http://www.sararegistry.gc.ca)) to get the most up to date information.
- In Section 4.3 Commercial Fisheries the author avails of commercial fishing statistical information from 3 different sources. The text of the report is not entirely clear as to the source for various sections. For future reports it would be useful if the source is



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referenced more clearly in the text. Also it would be useful if the potential level of interaction between harvesters and gear could be indicated.

- As is common practice sightings data for marine mammals and sea turtles should be forwarded to DFO.

### Specific

- Section 3.3 – Additional information on physical oceanography can be found in Han et al., *Journal of Physical Research*, 2008) achieved by DFO Newfoundland and Labrador Region and Maritimes Region under the Program of Energy Research and Development (PERD).
- Section 4.2.3.1 – Please see additional references for Deep water Corals and Sponges.

Kenchington, E., Lirette, C., Cogswell, A., Archambault, D., Archambault, P., Benoit, H., Bernier, D., Brodie, B., Fuller, S., Gilkinson, K., Lévesque, M., Power, D., Siferd, T., Treble, M., and Wareham, V. 2010. Delineating Coral and Sponge Concentrations in the Biogeographic Regions of the East Coast of Canada Using Spatial Analyses. DFO Can. Sci. Advis. Sec. Res. Doc. 2010/041. vi + 202 pp.

Kenchington, E., Power, D. and Koen-Alonso, M. 2010. Associations of Demersal Fish with Sponge Grounds in the Northwest Atlantic Fisheries Organizations Regulatory Area and Adjacent Canadian Waters. DFO Can. Sci. Advis. Sec. Res. Doc. 2010/039. vi + 27 p.

Also see attached documents scs08-24 and scs09-06.

- Section 4.2 – Sandlance is an important species in the study area and a description should be included in this section.
- Section 4.3.4.1 – Catch data for Northern Shrimp in this section does not match Table 4.7.
- Section 4.5.1.4 – (Editorial) The reference to “DFO 2011j” should be corrected to the proper reference “DFO 2011i”
- Figure 4.34 Coral/Sponge Closure Area #5 has been revised. Please see attached. (Proposal for a Resolution concerning the extension of Closed Area 5).



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- Table 4.14, p. 173 - In the table under the COSEWIC column it should be noted that Humpback Whale was assessed by COSEWIC as "not at risk".
- Section 5.4.4.2 – Geographic Extent rating criteria is defined as", the 5 = >1.000-10,000 km<sup>2</sup> should be = >1,000-10,000 km<sup>2</sup>.
- Section 5.6.4.1 - in addition to habituation, repeated exposures could also cause "sensitization" where the response increases upon repeated exposures (i.e., the disturbance effects do more than just "persist".
- Section 5.8 – The use of a the picket vessel manned by the marine mammal observer in advance of the seismic vessel may be a better place to detect and avoid marine mammals.

Thank you for providing DFO the opportunity to comment on this document. Should you have any questions or comments regarding the above, you can contact me by phone at 772-8889 or by e-mail ([jason.kelly@dfo-mpo.gc.ca](mailto:jason.kelly@dfo-mpo.gc.ca)).

Regards

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Ecosystems Management Branch