



September 28, 2012

Mr. Don Williams
Husky Energy
Suite 901, Scotia Centre
235 Water Street
St. John's, NL A1C 1B6

Dear Mr. Williams:

**Re: Husky Energy – Jeanne d’Arc Basin/Flemish Pass Regional Seismic Program
2012 to 2020 Environmental Assessment**

The Canada-Newfoundland and Labrador Offshore Petroleum Board (C-NLOPB) has reviewed the environmental assessment (EA) information regarding the proposed seismic survey program in the Jeanne d’Arc Basin/Flemish Pass offshore area as described in the “*Environmental Assessment of Husky’s Jeanne d’Arc Basin/Flemish Pass Regional Seismic Program, 2012-2020*” (February 2012) and “*Environmental Assessment of Husky’s Jeanne d’Arc Basin/Flemish Pass Regional Seismic Program, 2012-2020 Addendum*” (May 2012). The C-NLOPB, as Responsible Authority under the *Canadian Environmental Assessment Act*, has completed our environmental assessment determination respecting the Project. A copy of our determination is enclosed for your information.

The EA Report and EA Addendum, as referenced above, describes the Project in sufficient detail and provides an acceptable assessment of the potential environmental effects of the Project. We have considered this information and the advice of the Boards’ advisory agencies and have determined, in accordance with Section 20(1)(a) of the *Canadian Environmental Assessment Act* (CEA Act) that the proposed project, following the application of mitigation measures, is not likely to cause significant adverse environmental effects.

At the time of application for subsequent program authorizations in the Project Area, Husky Energy will be required to provide information to the C-NLOPB. This information should outline the proposed activities, confirm that the proposed program activities fall within the scope of the previously assessed program, and indicate if, with this information, the EA predictions remain valid. In addition, Husky Energy shall provide information regarding the adaptive management of requirements of the SARA into program activities (e.g., introduction of new species or critical habitat to Schedule 1; additional mitigations; implementation of recovery strategies and/or monitoring plans). If there are any changes in the scope or if new information becomes available that may alter the EA conclusions, then a revised EA will be required at the time of authorization application and/or renewal.

The following conditions are recommended to be appended to authorizations granted by the C-NLOPB for the seismic survey program, as described in the environmental assessment reports referenced above:

For seismic programs:

- *Husky Energy shall implement, or cause to be implemented, all the policies, practices, recommendations and procedures for the protection of the environment included in or referred to in the Application and in the “Environmental Assessment of Husky’s Jeanne d’Arc Basin/Flemish Pass Regional Seismic Program, 2012-2020” (February 2012) and “Environmental Assessment of Husky’s Jeanne d’Arc Basin/Flemish Pass Regional Seismic Program, 2012-2020 Addendum” (May 2012).*
- *Husky Energy or its contractors shall shut down the seismic airgun array if a marine mammal or sea turtle listed as **Endangered or Threatened** (as per Schedule 1 of SARA), is observed within 500 m of the safety zone during ramp-up procedures and when the array is active.*

If you have any questions on the attached, or wish to discuss the environmental assessment review process, I may be reached at 709-778-4232 or via email at eyoung@cnlopb.nl.ca.

Yours truly,

Original signed by Elizabeth Young

Elizabeth Young
Environmental Assessment Officer

Enclosures

cc D. Burley