



Environmental Assessments & Major Projects
Oceans, Habitat and Species at Risk Branch, Maritimes Region
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Eric Theriault, Environment
Canada-Nova Scotia Offshore Petroleum Board
6th Floor, TD Centre
1791 Barrington Street
Halifax, Nova Scotia
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Dear Mr. Theriault:

CNSOPB Rec'd	May 21, 2009
Date:	MAY 26 2009
Location:	ET, EM
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	EDP 47,006 / 30,008.23

RE: Comment on EnCana Corporation 2009 Wellhead Protection Structures Installation EPP/EEMP for the Deep Panuke Project (DMEN-U20-RP-EH-90-0001.01U)

This letter outlines Fisheries and Oceans Canada's (DFO) comments regarding the EnCana Corporation 2009 Wellhead Protection Structures Installation EPP/EEMP for the Deep Panuke Project (DMEN-U20-RP-EH-90-0001.01U). Briefly, the EPP/EEMP outlines measures that the EnCana Corporation proposes to implement during the installation of five Wellhead Protection Structures (WHPS) in the offshore of Nova Scotia, with the installation to be carried out by Aker Marine Contractors commencing in mid-June 2009 for approximately two weeks (the installation program may be delayed to July or August 2009 pending vessel availability).

In general, DFO believes that the proposed best practice, compliance, and mitigation outlined in the EPP/EEMP are suitable measures to minimize conflict between the activity with marine species (including species at risk), marine habitat, and other ocean users. That being said, DFO has some specific suggestions that may be considered in the document:

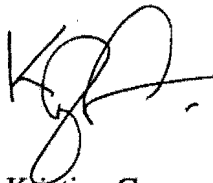
1. The last paragraph on Page 7 refers to "non-intrusive aspects of the proposed activities". A previous DFO comment on the 2007/2008 Offshore Geotechnical and Geophysical Surveys EPP/EEMP flagged the use of such terminology as, in this case, pile driving is intrusive to the seabed. A better term may be 'low risk'.
2. The proposed timing of the WHPS installation activity occurs during the season of lowest visibility in the offshore due to fog. The second last paragraph on Page 12 cites the "Statement of Canadian Practice with respect to the Mitigation of Seismic Sound in the Marine Environment", as the mitigation practice that will guide the proposed pile driving activities associated with the WHPS installation. In support of this practice, is there any

other best practice for identifying marine life in the vicinity of a noise-bearing activity such as pile driving, which may be implemented during periods of low visibility?

3. The last paragraph on Page 12 refers to "Northern Bottlenose whale, a toothed whale, inhabits much deeper water than the program area". A previous DFO comment on the 2007/2008 Offshore Geotechnical and Geophysical Surveys EPP/EEMP indicated that this species is occasionally found in shallower waters, and that subsequent EPP/EEMPs should be changed to reflect this point, as well as include a list of all potential SARA-listed species that may be encountered in the vicinity of the planned activity.
4. The document is entitled EPP/EEMP, although environmental effects monitoring (EEM) is not proposed in the document due to the low risk nature of the proposed activity and the implementation of suitable best practice, compliance, and mitigation measures that are to accompany the proposed activity. A statement may be included in the document that explains why EEM has not been proposed to accompany this activity, and this may help reconcile the document's title with its content.

If you have any questions or concerns regarding these comments please do not hesitate to contact me by telephone, 902-426-3150, or by email, Kristian.Curran@dfo-mpo.gc.ca, at a time convenient to you.

Sincerely,



Kristian Curran
A/Environmental Assessor