



Environmental Assessments & Major Projects  
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Fisheries and Oceans Canada  
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June 1, 2009

Eric Theriault, Environment  
Canada-Nova Scotia Offshore Petroleum Board  
6th Floor, TD Centre  
1791 Barrington Street  
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Dear Mr. Theriault:

**RE: Comment on EnCana Corporation 2009 Pipeline Installation EPP/EEMP for the Deep Panuke Project (DMEN-P21-RP-EH-90-0002.01U)**

This letter outlines Fisheries and Oceans Canada's (DFO) comments regarding the EnCana Corporation 2009 Pipeline Installation EPP/EEMP for the Deep Panuke Project (DMEN-P21-RP-EH-90-0002.01U). Briefly, the EPP/EEMP outlines measures that the EnCana Corporation proposes to implement during the installation of its pipeline in the nearshore and offshore waters of Nova Scotia (and associated landfall activities). Installation is to be carried out by Allseas from June 21 to late-November 2009 (the installation schedule may change due to unforeseen circumstances).

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. Under 'Section 3: Interaction with Fishing Activity', you may want to include a sentence such as 'it has been determined that pipeline installation will not interfere with fisheries X, Y, and Z.' Such a statement would indicate that fisheries other than those outlined in the EPP/EEMP have also been consulted.
2. Operational scheduling information should be provided to the DFO Population Ecology Division (PED) to avoid conflict between pipeline installation and the DFO snow crab trawl survey. The information should be forwarded via the DFO Environmental Assessment & Major Projects division.

3. To provide the snow crab fishing industry another means of communication on schedules of pipeline installation activities you may want to contact the President of CFA 23 Crab Association, who maintains a snow crab industry website for all areas. This contact will be provided once DFO has received the individual's consent to do so.
4. Consideration may be given to shifting pipeline installation at KP 116-147 by 10 days, so as not to have any impact on the Sea Cucumber fishing season. This may not be possible due to the nature of pipeline installation scheduling, but is worth consideration.
5. Sea Cucumber fishing Zones 5 and 6 may be added to Figure 3.3, similar to Zone 1 that is already included in the figure.
6. Under 'Section 3.2: Nearshore Fisheries', the nearshore fishermen names should not be included in the EPP/EEMP unless the proponent has received permission from the individuals to do so.
7. Under 'Section 4.1: Landfall Area (onshore to KP 0.9)', it is stated that "Encana will provide access to the landfall site to the Aboriginal monitor at his organization's discretion" – has Encana contacted the Aboriginal monitor to inform him/her of this opportunity?
8. May want to include a section in the document entitled 'Section X: Interaction with Marine Shipping', outlining that this industry will be informed of pipeline installation activities through a Notice to Shipping.
9. Under 'Section 7.1.2: Onshore Traffic Management', is there sufficient distance from the site access point for motorists on Highway 316 to respond to slow moving vehicles entering/exiting the work site, or is there a need for some road way personnel to manage traffic using 'stop' and 'yield' signs?
10. Under 'Section 8.2.1: Work from Side Berm (shoreline to KP 0.9)', further information may be provided describing the character of side berm sediment composition and its residence time in the water column, as well as a description of proposed works during periods of heavy sea-state (e.g. proceed with conditions).
11. Under 'Section 9: Toxicity and Dilution of Pipeline Hydrotest Waters', there may be opportunity to collect and test for toxicity discrete water samples from the hydrotest discharge location, for comparison to predictions made in the Environmental Assessment. This point may require further discussion with Environment Canada, since they enforce the Pollution Prevention Provisions of the *Fisheries Act*.
12. What is the anticipated duration of the hydrotest and discharge? Table 2 in Appendix 5 outlines anticipated discharge dates but not discharge duration.



13. The document is entitled EPP/EEMP, although environmental effects monitoring (EEM) is not proposed in the document due to the nature of the proposed activity and the implementation of 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.
14. Use of terms 'significant' and 'non-intrusive' may be better characterized by 'low risk' and 'unlikely' - a few spelling and grammatical errors were found.

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](mailto:Kristian.Curran@dfo-mpo.gc.ca), at a time convenient to you.

Sincerely,

Kristian Curran  
A/Environmental Assessor