

Nancy Hynes

13207

From: Thillet, Marielle [marielle.thillet@encana.com]
Sent: May 3, 2011 10:33 AM
To: Eric Theriault
Cc: Humphrey, Donald; Roma, Jayne [Dartmouth]; Document Control; ^CNSB
Subject: ECA/CNSB/E-0477: Umbilical Installation EPP/EEMP
Categories: 30-008-23, EDP47-011
Attachments: DMEN-U15-RP-EH-90-0003.03U - 2011 Umbilical Installation EPP-EEMP.pdf

Hi Eric,

Please find attached Encana's Umbilical Installation EPP/EEMP (DMEN-U15-RP-EH-90-0003.03U) which has been revised to address the comments provided in the email below.

Please note that EC's request to be notified when nearshore survey activities start (within 22 km of Country Island) is not relevant for this program which will take place entirely at the PFC location. The request to be notified when activities around the platform start and end for purposes of the Sable Island Air Monitoring Program has been added to the EPP/EEMP.

Regards,

Marielle.

Marielle Thillet, M.Sc., P.Eng.
 Environmental Lead
 Deep Panuke Project
 Encana Corporation

From: Eric Theriault [mailto:etheriault@cnsopb.ns.ca]
Sent: Friday, April 29, 2011 1:04 PM
To: Thillet, Marielle
Cc: Humphrey, Donald; Roma, Jayne [Dartmouth]; Document Control
Subject: Umbilical Installation EPP/EEMP

Marielle:

The review of the Umbilical Installation EPP/EEMP has been completed. Environment Canada, and Fisheries and Oceans Canada also participated in the review. The following comment are a result of the review:

Air Quality

- It is requested that EC be notified when activities around the platform start and end for purposes of the Sable Island Air Monitoring Program.

Marine Birds:

- It is requested that EC be notified when nearshore survey activities start (within 22 km of Country Island).
- During the review of the subsea asset survey EPP/EEMP, a number of changes were recommended regarding oiled bird response measures (Theriault to Thillet email, April 26, 2011). These

03/05/2011

recommendations remain applicable to the above-referenced EPPs.

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03/05/2011



Deep Panuke

03U	2011-05-03	Issued for Use	M. Thillet	D. Wilkie	J. Hurley	A. Wylde	
02U	2011-03-15	Issued for Use	M. Thillet	D. Wilkie	J. Hurley	A. Wylde	
01R	2011-03-11	Issued for Review	M. Thillet	D. Wilkie	J. Hurley	A. Wylde	
Rev	Date	Reason for Issue	Prepared	Checked	Approved	Approved	
Title							
<p>2011 Umbilical Installation Environmental Protection Plan / Environmental Effects Monitoring Plan</p>							
DM	EN	U15	RP	EH	90	0003	03U
Project	Originator	Location	Type	Disc	System	No.	Sheet Rev

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REVISION LIST	
REVISION	DESCRIPTION OF CHANGES
01R	Issued for Review
02U	Issued for Use
03U	Updated to address comments from the CNSOPB, Environment Canada, Fisheries and Oceans Canada and the NEB.

HOLDS AND INPUT STATUS		
HOLD No.	ACTION	REMARKS

TABLE OF CONTENTS

1	BACKGROUND	6
1.1	Regulatory and Management System Context.....	6
1.2	Program Overview.....	7
2	SPECIAL AREAS.....	9
3	INTERACTION WITH FISHING ACTIVITY.....	10
4	INTERACTION WITH MILITARY OPERATIONS.....	12
5	IMPACT TO BENTHIC HABITAT.....	13
5.1	Umbilical Initiation Clump Weights.....	13
5.2	Umbilical Pipelaying and Trenching.....	14
6	WASTE AND DISCHARGES.....	15
7	STRANDED BIRD PROTOCOL.....	16
8	SPILL RESPONSE.....	17
8.1	Spill Risk.....	17
8.2	Spill Response Logistics and Equipment.....	17
8.3	Spill Monitoring.....	17
8.4	Enhance Natural Dispersion.....	17
8.5	Spill EPP for Marine Birds.....	18
8.5.1	<i>Bird Monitoring</i>	18
8.5.2	<i>Bird Dispersal</i>	18
8.5.3	<i>Oiled Birds Handling</i>	18
8.6	Spill EPP for Marine Mammals.....	19
8.7	Spill EPP for Sable Island.....	19
	APPENDIX 1 CODES OF PRACTICE FOR SABLE ISLAND AND THE GULLY MPA.....	22
	APPENDIX 2 WILLIAMS AND CHARDINE PROTOCOL.....	26
	APPENDIX 3 ENVIRONMENT CANADA'S PROTOCOL FOR COLLECTING OILED BIRDS.....	31

TABLE OF FIGURES

FIGURE 1.1 DEEP PANUKE EHS MANAGEMENT FRAMEWORK	6
FIGURE 1.2 DEEP PANUKE FIELD CENTRE LAYOUT	8
FIGURE 3.1 DEEP PANUKE SAFETY ZONE	11
FIGURE 5.1 PHOTO OF 3.8-TONNE CLUMP WEIGHT	13
FIGURE 8.1 BIRD HANDLING FLOWCHART	20
FIGURE 8.2 SPILL EPP FLOWCHART	21

ABBREVIATIONS

CEAA	Canadian Environmental Assessment Act
CNSOPB	Canada Nova Scotia Offshore Petroleum Board
COSEWIC	Committee on the Status of Endangered Wildlife in Canada
CSR	Comprehensive Study Report
CWS	Canadian Wildlife Service
DFO	Fisheries and Oceans Canada
DND	Department of National Defense
EA	Environmental Assessment
EEMP	Environmental Effects Monitoring Plan
EHSMS	Environment, Health and Safety Management System
EPP	Environmental Protection Plan
IMO	International Maritime Organization
MARLANT	Maritime Forces Atlantic
MPA	Marine Protected Area
PCB	Polychlorinated Biphenyls
PFC	Production Field Centre
ROV	Remotely-Operated Vehicle
TDG	Transportation of Dangerous Goods
UXO	Unexploded Ordnance
WHMIS	Workplace Hazardous Materials Information System

1 BACKGROUND

1.1 Regulatory and Management System Context

The Deep Panuke Project has been assessed in the Deep Panuke Environmental Assessment (EA) Report (Volume 4, 2006) under a *Canadian Environmental Assessment Act* (CEAA) Comprehensive Study process. The proposed umbilicals installation program is part of the overall Deep Panuke scope of work.

As part of its environmental management system (see Figure 1.1, Encana's Environmental Management Framework), regulatory commitments (2006 EA Report), and conditions of approval (specifically Condition 25 and Condition 26 from the CNSOPB Decision Report), Encana is obliged to implement environmental protection and monitoring measures to mitigate potential environmental effects from its activities. This Environmental Protection Plan/Environmental Effects Monitoring Plan (EPP/EEMP) focuses on Encana's proposed 2011 umbilical installation program.

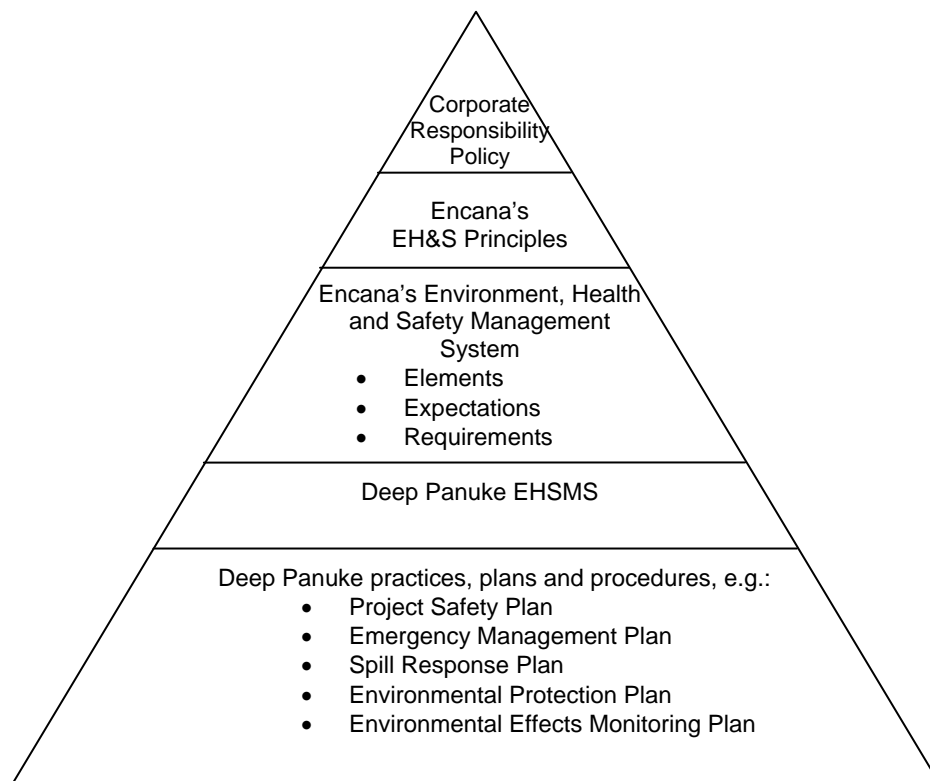


Figure 1.1 Deep Panuke EHS Management Framework

1.2 Program Overview

The proposed umbilical installation program will be conducted by Subsea 7 (previously Acergy) and consists of the following activities (see Figure 1.2):

- conduct pre-lay video, bathymetry and scanning sonar survey along the centerline of the proposed five umbilical routes using the Acergy Falcon remotely-operated vehicle (ROV);
- install initiation clump weights near the PFC location with the Acergy Falcon's deck crane;
- lay the five umbilicals with the Acergy Falcon;
- trench and bury the five umbilicals using an induction jetting trencher unit operated from the Acergy Falcon; and
- conduct as-built survey of the trenched umbilicals using the Acergy Falcon's ROV mounted pipe-tracking system.

The umbilical installation program is anticipated to commence mid May 2011, and will take approximately 16 days to complete.

This umbilical installation program is very unlikely to have significant effects on the marine environment because of the low risk aspects of the proposed activities and the environmental protection measures described in the following sections.

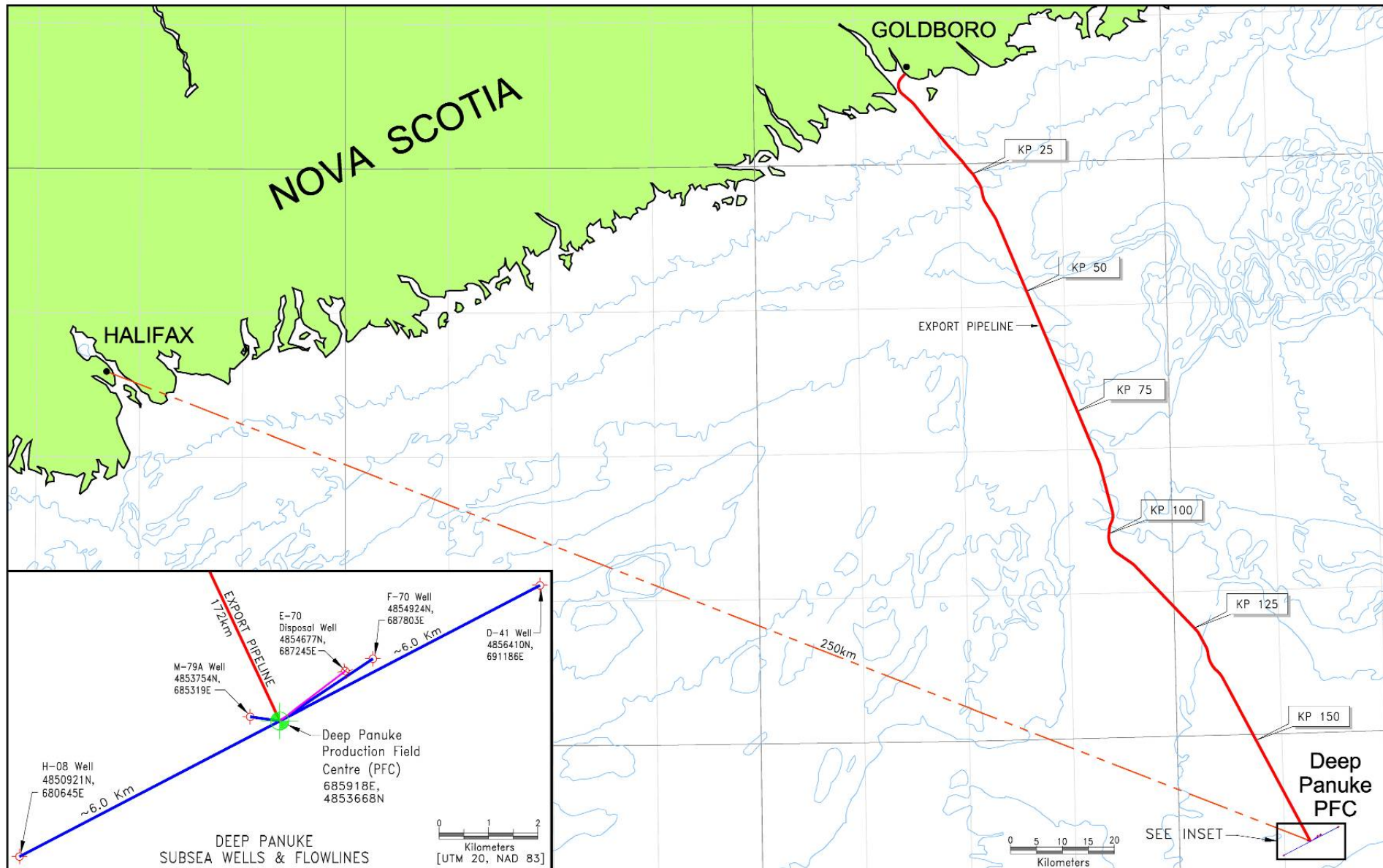


Figure 1.2 Deep Panuke Field Centre Layout

2 SPECIAL AREAS

The umbilical installation program will follow Encana's Codes of Practice for Sable Island and the Gully Marine Protected Area (MPA), which include the following measures (see Appendix 1):

- No activities and no vessels and aircraft within 2 km (1 nautical mile) of Sable Island except in emergency situations, under an approved Environmental Monitoring Program or for special trips approved by the Canadian Coast Guard.
- No activities inside the Gully MPA, no vessels permitted within the Gully MPA, and aircraft flying at a height of at least 500 m above the Gully MPA; except for the purpose of safety or under an approved environmental monitoring program.

3 INTERACTION WITH FISHING ACTIVITY

Umbilical installation activities will take place within the Deep Panuke Safety Zone, which has been added to hydrographic charts (see Figure 3.1), and where no fishing activity is expected; therefore, no interactions with fishing vessels are anticipated.

Extensive consultation with the fishing industry was conducted as part of the Deep Panuke Environmental Assessment process and identified that the Deep Panuke field centre area was an area of very low fishing activity, with no catches reported in this area between 2002 and 2005 (refer to the commercial fisheries catch and effort maps provided in Appendix J of the 2006 Deep Panuke EA Report (Volume 4)), even before the Deep Panuke safety Zone was established.

Encana has contacted the following fisheries associations with regard to its planned Deep Panuke's 2011 offshore activities, including this umbilical installation program:

- Nearshore Sea Urchin Fisherman;
- Area 24 Crab Fisherman's Association;
- Native Council (Mimej Seafood Inc.);
- Eastern Shore Fisherman's Protective Association (part of the larger Eastern Fisherman's Federation);
- Ocean Pride (Sea Cucumber Fishery);
- Grover Fisheries Ltd. (Sea Cucumber Fishery);
- Atlantic Herring Co-op Ltd.;
- Nova Scotia Sword Fishermen's Association;
- Clearwater Seafoods Limited;
- Seafood Producers Association of Nova Scotia; and
- Guysborough County Inshore Fishermen's Association.

In February 2011, these organizations were provided with an information package including a summary of activities, schedule and location information on Deep Panuke's planned 2011 offshore activities, and were then called directly to gather any feedback. No issues or concerns were raised by fishing groups representatives.

As mentioned above, the proposed umbilical installation program is not expected to disrupt fishing activities since it will take place within the Deep Panuke Safety Zone, where no fishing is expected.

A Notice to Shipping will be issued with regard to the umbilical installation program.

In the unlikely event of an incident with a non-project vessel such as a fishing vessel or a spill, Encana will adhere to the CNSOPB *Compensation Guidelines Respecting Damages Relating to Offshore Petroleum Activity* and compensate and indemnify licensed participants in the fishing industry to the extent that the Deep Panuke Project may cause them damage or loss, including consequential damages during normal fishing operations.

As per Encana's Fisheries Liaison Program (DMEN-X00-RP-EH-00-0011-02U), Encana will have a Fisheries Observer onboard the Falcon for the entire duration of the program (16 days).

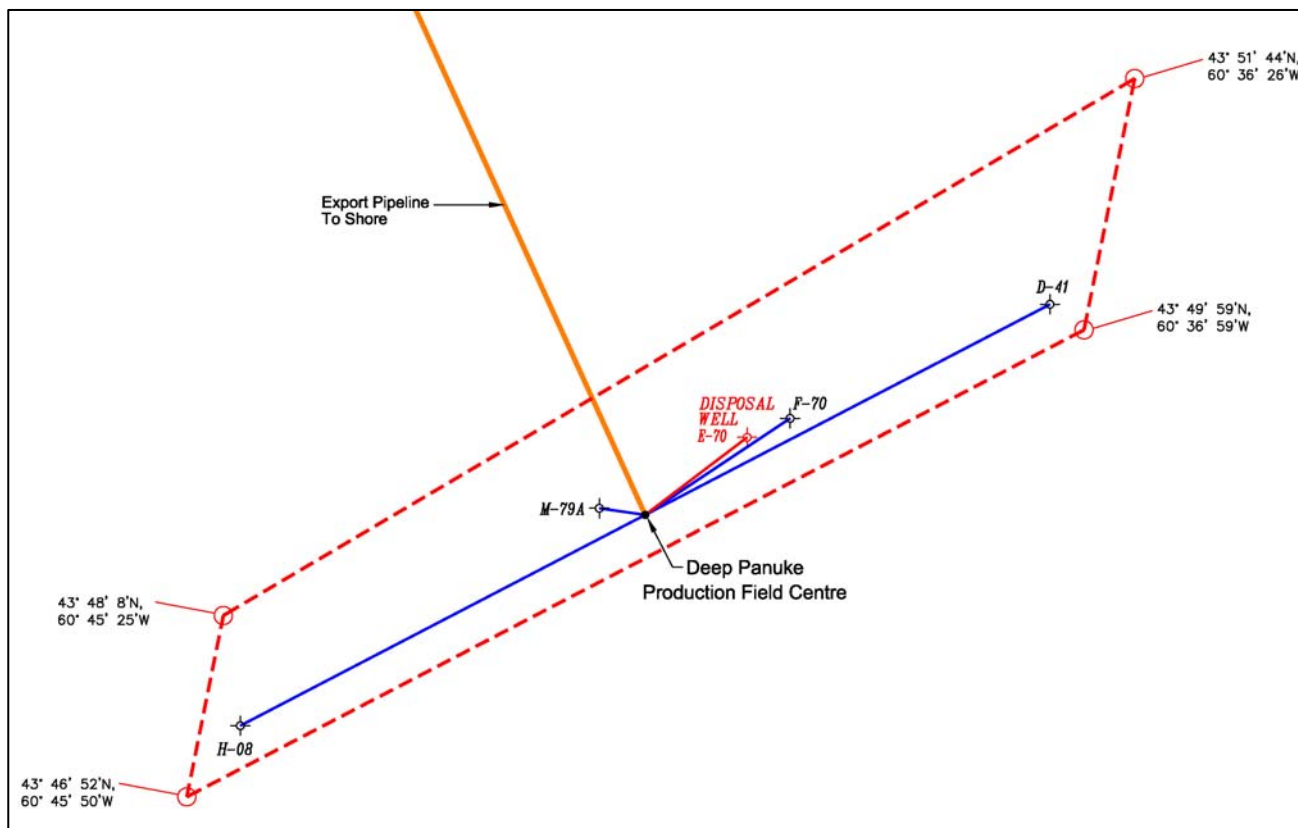


Figure 3.1 Deep Panuke Safety Zone

4 INTERACTION WITH MILITARY OPERATIONS

Encana has received confirmation from DND in February 2011 that there are no UXO (Unexploded Ordnance), chemical, biological, or radioactive material or operational issues or conflicts from the MARLANT perspective with the Deep Panuke Project, including this 2011 umbilical installation program. Should any suspected UXOs be encountered during the course of the Deep Panuke operations, they will not be disturbed or manipulated. Encana will mark the location and immediately inform the Coast Guard.

5 IMPACT TO BENTHIC HABITAT

5.1 Umbilical Initiation Clump Weights

In order to facilitate the initiation of umbilical installation, clump weights must be preinstalled on the seafloor to provide a fixed point for the vessel to act against during the pulling process. The clump weights will be installed on the seabed using the Acergy Falcon's deck crane prior to the start of umbilical installation activity. As the installation direction is towards the wellheads, the clump weights will be installed near the PFC location.

Five clump weights will be used in total (one for each umbilical), including two 5-tonne clump weights and three 3.8-tonne clump weights. Dimensions of the clump weights will be approximately 2.25 m long x 1.10 m wide x 0.65 m high (see Figure 5.1).

After the umbilical installation is complete, the clump weights will be left in the field until the hook-up and commissioning program in order to keep the untrenched umbilical ends stable on the sea bottom.

Benthic studies conducted in the Deep Panuke field centre area for the Deep Panuke environmental assessment process have shown that substrate and biota are homogeneous across this area. Substrate is primarily fine to medium well-sorted sand with ripples. Biota assemblages are sparsely distributed. The overall abundance and diversity of organisms in the Deep Panuke field center area is low, with sand dollars being the most common epibenthic species and no presence of sensitive habitats (e.g. corals).

This habitat is not expected to be significantly impacted by the use of the clump weights, which will have a very small footprint compared to similar available habitat on Sable Island Bank, therefore no specific mitigation measures are necessary.



Figure 5.1 Photo of 3.8-tonne Clump Weight

5.2 Umbilical Pipelaying and Trenching

The umbilicals will be trenched and buried using an induction jetting trencher unit operated from the Acergy Falcon. Each umbilical will be trenched immediately following its installation. Target burial depth is 0.8 m with a single trenching pass to be performed. The target burial depth will be achieved through the use of a trencher mounted depressor arm which guides the umbilical to the appropriate depth during the trenching process.

The potential impact from offshore pipeline and flowline/umbilical installation on benthic habitat was assessed in the 2002 Deep Panuke Comprehensive Study Report (CSR) (see Section 6.3.3.4 of the 2002 CSR for a detailed discussion related to the analysis, mitigation and residual environmental effects of pipeline installation on marine benthos) and 2006 EA Report (Volume 4) (see Section 8.3.4.1, impact from construction of subsea infrastructures on Marine Benthos).

The assessment demonstrated that no significant adverse effects on the marine benthos are likely to result from umbilical installation as habitat disturbances will be localized and temporary during construction, and it is anticipated that disturbed areas will soon be re-colonized by benthic organisms from adjacent areas and that the dynamic sediment transport processes of the Project area will rapidly return surficial sediments to baseline conditions, hence no long-term changes to sediment quality or type are expected. Therefore, no additional sedimentation control measures are required during umbilical installation.

6 WASTE AND DISCHARGES

Hazardous wastes will be accumulated in suitable containers and placed in appropriate shipping containers for return to shore for disposal and collected by licensed waste haulers. Applicable codes and regulations for the handling, use, storage, transport and disposal of hazardous wastes will be followed, including Workplace Hazardous Materials Information System (WHMIS), the Nova Scotia *Dangerous Goods Management Regulations* and the *Transportation of Dangerous Goods (TDG) Act* and Regulations, as applicable.

In the event of an onboard spill, any used absorbent materials and any other oily wastes will be placed in sealed containers and returned to shore for treatment and disposal at an approved waste management facility.

The CNSOPB *Offshore Waste Treatment Guidelines* will be followed with respect to routine discharges (e.g., sanitary and food wastes, oily bilge/ballast water) from the Falcon. Food waste will either be incinerated or bagged for onshore disposal. The Falcon has an approved sewage treatment plant compliant with MARPOL regulations.

The Falcon will comply with the *Ballast Water Control Land Management Regulations (2006)* under the *Canada Shipping Act*, including provisions to replace its ballast water before entering Canadian waters.

The Falcon has an onboard incinerator. The incinerator will only be used to treat wastes that are non-recyclable. The unit conforms to MARPOL's specification MEPC76(40) for shipboard incinerators and its usage will conform with MARPOL 73/78/97 ANNEX VI Regulation 16 which provides specific guidance on personnel training and incinerator operations, notably the prohibition of shipboard incineration of waste materials containing PCBs, heavy metals, or similar contaminants. In addition, no waste containing chlorinated compounds will be incinerated. As requested, Environment Canada will be notified at the start and end of the program for purposes of the Sable Island Air Monitoring Program.

Any other wastes will be sorted and brought to shore for disposal according to the local regulatory regime of the shore base (Mulgrave and/or Halifax), including the Nova Scotia *Solid Waste - Resource Management Regulations*, and municipal requirements at the offloading location. Waste disposal will be managed by Subsea 7's marine logistics agent (Mathers Logistics) who are well versed with the legislative requirements having undertaken similar activities during the Deep Panuke export pipeline and flowline installation activities.

7 STRANDED BIRD PROTOCOL

The protocol developed by Williams and Chardine (1999) for storm petrels (Appendix 2) will be implemented for any stranded bird species on the program's vessel.

A Seabird Salvage Permit has been obtained from Canadian Wildlife Service (CWS) to cover all Deep Panuke 2011 offshore activities. A report of birds "salvaged" onboard the program's vessel (and other offshore vessels/platforms used for Deep Panuke 2011 activities) will be submitted to CWS and to the CNSOPB before the end of January 2012.

Encana will immediately notify CWS if a dead bird or an oiled bird is found during the program. Any oiled bird will immediately be reported to the Canadian Coast Guard Operations Center. In case of a mass stranding (more than five dead birds in a 24-hr episode), or an oiled bird (see section 8.5.3 for oiled birds), the CNSOPB will also be contacted. Dead birds will be identified, recorded and disposed of at sea unless they are oiled (see section 8.5.3 for oiled birds). Please see Figure 8.1 for a detailed flowchart of bird handling procedures for the program.

8 SPILL RESPONSE

8.1 Spill Risk

The likelihood of an accidental spill into the marine environment during the program is very low because the program's vessel will comply with IMO standards and will have no specific onboard spill sources other than its own internal fuel tanks.

The umbilical installation program will include the deployment of an ROV as well as a trencher, both using hydraulic fluids. However, the risk of potential impact from hydraulic fuel spills from the ROV or trencher cables is expected to be minimal due to typically very small volumes of such spills and the fact that the hydraulic fluids used are practically non toxic to aquatic organisms.

In addition, prior to mobilization to Canadian waters, the umbilicals will be pressurized at 70 bars (100 psi) with hydraulic fluid for storage and installation. This will prevent ingress of foreign particles and aid in maintaining the shape of the umbilicals. This pressure will be maintained throughout the course of the installation program. Each umbilical contains four lines filled with hydraulic fluid Oceanic HW443R and five lines filled with a 50/50 mixture of monoethylene glycol (MEG) and water. All the umbilicals combined contain a total of 7.1 m³ of HW443R hydraulic fluid and 22.7 m³ of MEG/water mixture. There is no planned release of these fluids during umbilical installation. The risk of potential impact from a spill of umbilical fluid during the installation program is very low because umbilical failure is very unlikely and the umbilical fluids used have low toxicity (Oceanic HW443R and MEG have an OCNS/Parcom rating of D and PLONOR (Posing Little Or NO Risk to the environment), respectively, i.e. ratings that are "accepted for use and discharge" according to the *Offshore Chemical Selection Guidelines*).

A spill response plan is in place to minimize the possible consequences of a malfunction or accident (refer to Sections 8.2 to 8.7 below).

8.2 Spill Response Logistics and Equipment

The program's vessel will be available for spill monitoring and response if required. The duration of the program is short enough to not require a scheduled crew change.

The program's vessel will have a standard spill response kit capable of containing and cleaning up a small spill onboard the vessel.

8.3 Spill Monitoring

As per Encana's Spill Response Plan, in the unlikely event of a spill, Encana will conduct the following monitoring until the slick dissipates:

- estimate spill volume;
- estimate oil type; and
- visually assess the slick until it has disappeared by natural dispersion and evaporation.

8.4 Enhance Natural Dispersion

Spill modeling can be used to investigate the fate of a 'worst case' spill event – a diesel spill from a simultaneous rupture of the vessel hull and fuel tank, a very unlikely event for this program. Furthermore, diesel is a light oil which is highly evaporative and dispersive in the marine environment.

Spill dispersion modeling carried out for the 2006 Deep Panuke EA (Volume 4) gave the following results for 1.6 m³ (10-barrel) and 16 m³ (100-barrel) diesel spill scenarios at the Deep Panuke PFC location. A 1.6 m³ (10-barrel) batch spill will persist as a slick for about 13 hours and travel about 12 km prior to the complete loss of the surface oil. The maximum dispersed oil concentration for this spill will be about 2 ppmw and this will drop to 0.1 ppmw within about 16 hours. A 16 m³ (100-barrel) batch spill of diesel will persist as a slick for about 19 hours and travel about 18 km prior to the complete loss of the surface oil. The maximum dispersed oil concentration for this spill will be about 4 ppmw and this will drop to 0.1 ppmw within about 43 hours. The dispersed oil cloud will travel about 54 km and have a maximum width of about 4 km. Prevailing water currents would take the dispersed oil cloud in a southwest direction away from Sable Island (located approximately 48 km from Deep Panuke). Therefore, no diesel is predicted to reach the nearest landfall which is Sable Island (critical habitat for endangered Roseate terns). Any diesel spill will also not likely reach the Haddock Box since most spill scenarios result in a dispersed oil cloud traveling significantly less than the 49 km distance from the production field to the Haddock Box (for further details refer to Encana's Reply Evidence for the Deep Panuke Project dated February 26, 2007).

Based on the limited persistence of diesel on the sea surface, it is unlikely that a containment and/or recovery effort at sea or the use of chemical dispersants would be warranted. The most appropriate response would be to enhance natural dispersion processes by running vessels through the slick.

8.5 Spill EPP for Marine Birds

Figure 8.2 provides a summary flowchart of the proposed environmental protection plan (EPP) for the program in the event of a spill.

8.5.1 Bird Monitoring

In the unlikely event of a spill, any observations of spill and marine bird interactions will be reported to Encana immediately.

Marine bird species-at-risk are not expected to occur in the program area. The only marine bird species listed by COSEWIC as endangered or threatened offshore Nova Scotia is the SARA-listed endangered Roseate tern nesting on Sable Island between May and July, approximately 40 km away from the closest location of the project site.

8.5.2 Bird Dispersal

In the unlikely event of a spill, Encana will attempt to keep birds away from the slick area by hazing from the vessels, if logistical conditions permit. This effort will focus on dispersing congregations of birds. Potential hazing means include the vessels themselves, and the use of sound makers (e.g. vessel horns). No specific permit is required from Environment Canada for bird hazing.

8.5.3 Oiled Birds Handling

It is very unlikely that an oiled bird will be found at sea during the program because of the low risk of oil spill during the program (see section 8.1) and the difficulty to identify oiled birds in the water (small dark spot on dark water). In the very unlikely event that an oiled bird were found at sea during the program, Encana would not attempt to recover it because of safety concerns associated with an overboard recovery operation and the unlikelihood to save a live oiled bird if it can be recovered (onshore rehabilitation can cause distress to marine birds with no guarantee of successful re-entry into the breeding population, especially in Canada where waters are generally cold and the species generally affected do not respond well to cleaning).

It is also very unlikely that an oiled bird will be found onboard the vessel during the program because of the absence of specific spill sources on deck and of good housekeeping procedures. If

an oiled bird were found onboard the vessel during the program, Environment Canada's protocol for collecting oiled birds would be implemented (see Appendix 3). While this protocol was developed primarily for beached oiled birds, it provides applicable direction to handle live or dead oiled birds encountered in the offshore. Oiled birds will be shipped to the CWS office in Dartmouth as soon as logistics permits (CWS will be contacted beforehand).

Encana will immediately notify the CNSOPB, the Canadian Coast Guard Operations Center and CWS if an oiled bird (dead or live) is identified during the program and will confirm the course of action with them.

Beached bird surveys on Sable Island would only be implemented in the event of a spill approaching or reaching the island. As indicated in Section 8.4, such an occurrence is deemed to be highly unlikely based on spill dispersion modeling.

8.6 Spill EPP for Marine Mammals

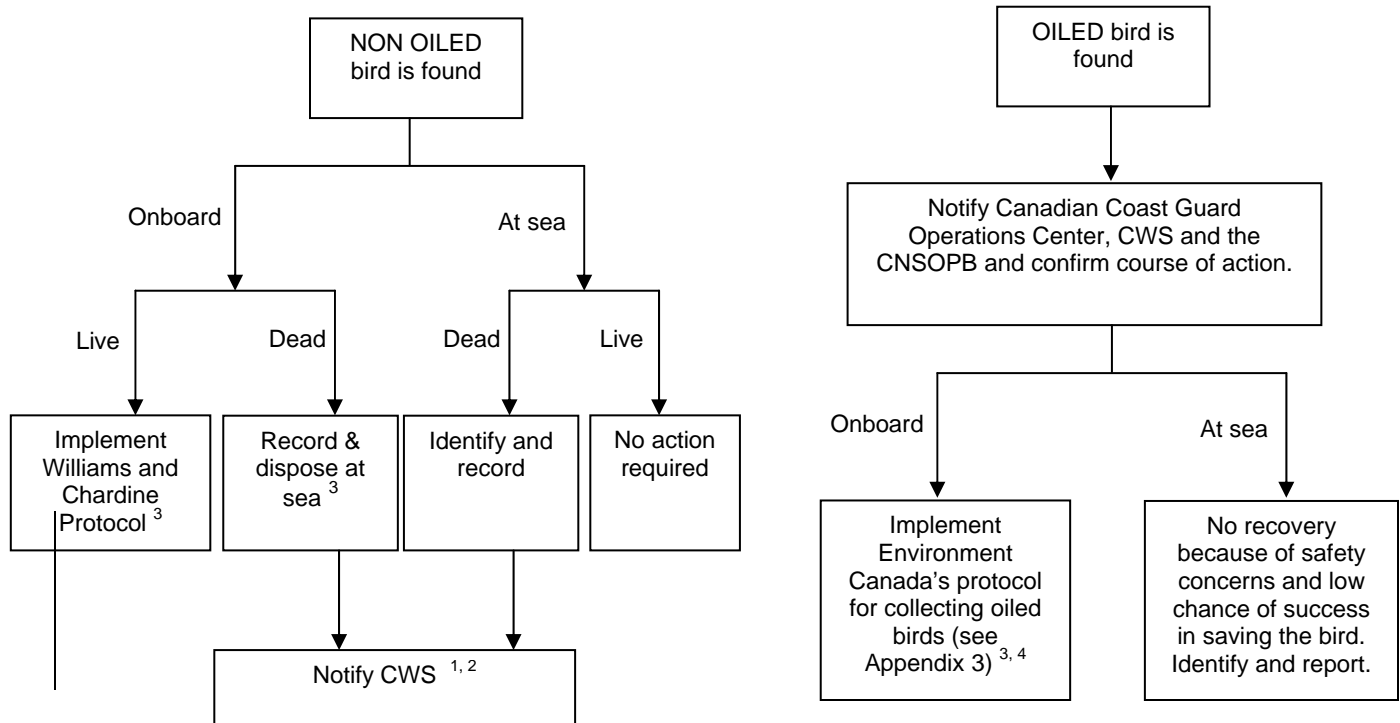
Marine mammals have body coverings, unlike those of birds, that are relatively unaffected by oiling. Hair seals for example are often observed with apparently untroublesome patches of heavy oil; light oils such as diesel are likely to evaporate and wash off more readily. Spills of light oil are likely to impair breathing in ways that would tend to repel animals from the area before they are adversely affected.

In the unlikely event of a spill, any observations of spill and marine mammal interactions will be reported immediately to Encana. Wildlife observations and any related action will be included in the spill incident report submitted to CNSOPB (see Figure 8.2).

8.7 Spill EPP for Sable Island

Dispersion modeling carried out for the Deep Panuke EA (Volume 4) shows that 10-barrel and 100-barrel spills of diesel are unlikely to occur during program activities or reach Sable Island due to prevailing currents away from the island – even with winds blowing directly towards the island (see Section 8.4).

While very unlikely, Encana will conduct beached bird surveys on Sable Island should a spill approach or reach Sable Island, to assist in determining the impact of the spill.



¹ If during non business hours or if during business hours and CWS has not responded within 2 hours of being contacted via cell phone and email, AND in case of 10 dead birds or more in a 24-hr episode, then notify Canadian Coast Guard Operations Center

² Also notify the CNSOPB in case of mass stranding (more than five dead birds in a 24-hr episode)

³ Birds handled during the program will be included in Encana's yearly Seabirds Salvage Permit report submitted to Environment Canada under the Migratory Bird Act and to the CNSOPB (before January 31 from the following year).

⁴ Oiled birds will be shipped to Canadian Wildlife Service, Environment Canada, 45 Alderney Drive, 16th Floor, Dartmouth, N.S. B2Y 2N6. CWS will be contacted beforehand.

Figure 8.1 Bird Handling Flowchart

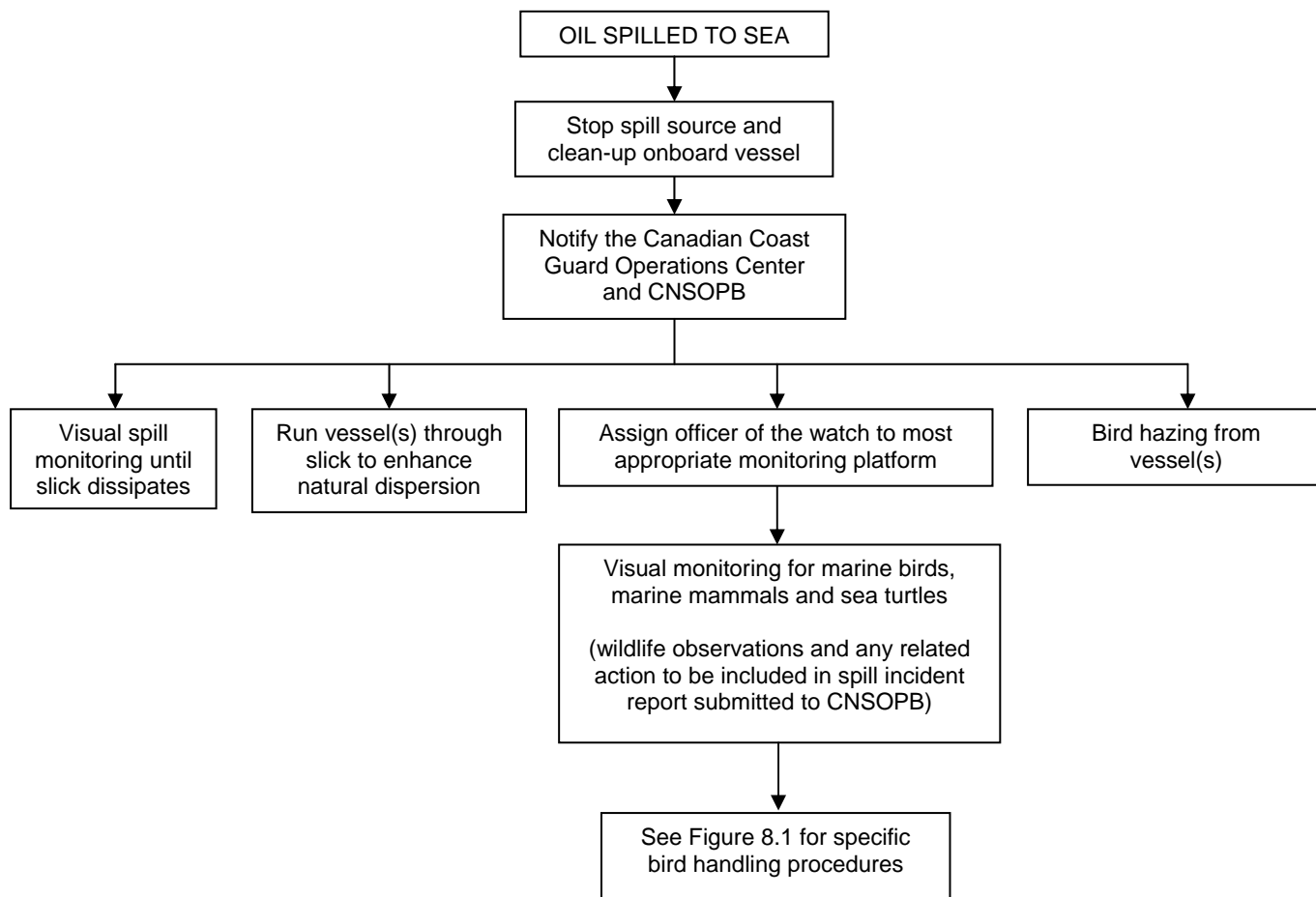


Figure 8.2 Spill EPP Flowchart

APPENDIX 1 CODES OF PRACTICE FOR SABLE ISLAND AND THE GULLY MPA



Deep Panuke Area Reference Map

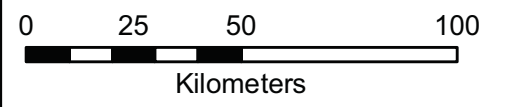
Map Features

Land

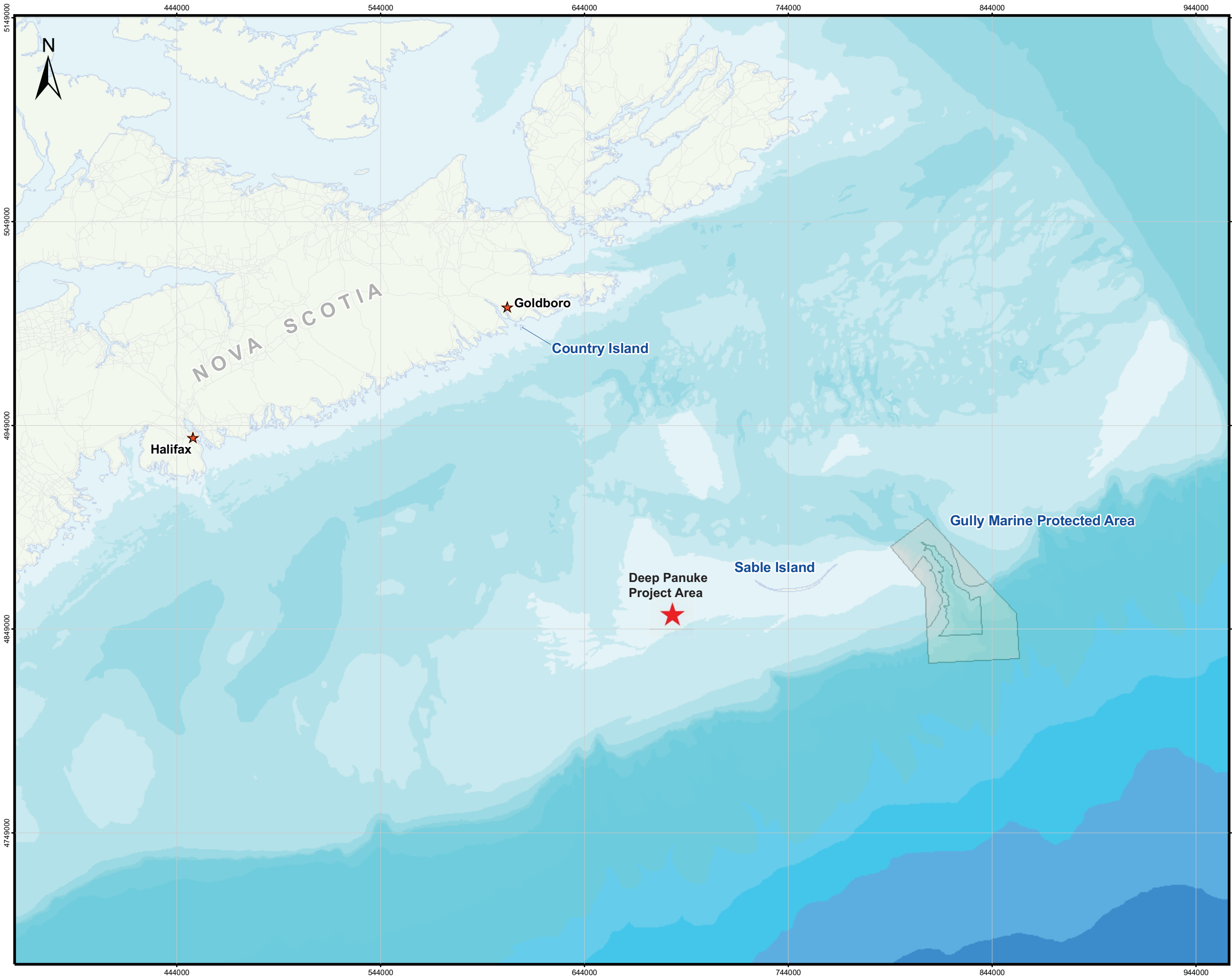
Bathymetry (m)

DEPTH

- 0 - 50
- 51 - 100
- 101 - 200
- 201 - 400
- 401 - 500
- 501 - 1000
- 1001 - 2000
- 2001 - 3000
- 3001 - 3500
- 3501 - 4000
- 4001 - 4500
- 4501 - 5000
- 5001 - 5500



Map Parameters
Projection: UTM-NAD83-Z20
Scale 1:1,750,000
Date: December 2010



code of practice for Sable Island

Encana has developed, as part of its environmental protection planning, a code of practice to protect the uniqueness and integrity of Sable Island (see area reference map). This code is not a regulatory requirement and is indicative of Encana's environmental stewardship philosophy and corporate policies.

Sable Island is approximately 41 kilometres (km) (25 miles) in length and is located 290 km (157 nautical miles) southeast of Halifax. The island is composed of sand and is the only emergent portion of the Sable Island Bank. It supports a fragile ecosystem consisting of diverse flora and fauna; the best known components being the feral horses, seal populations, the rare Ipswich (Savannah) sparrow (*Passerculus sandwichensis princeps*) and the endangered Roseate tern (*Sterna dougallii*).

Sable Island access and activities are currently administered by the Canadian Coast Guard pursuant to the Sable Island Regulations under the Canada Shipping Act. It is also protected by Environment Canada's Migratory Bird Sanctuary Regulations under the Migratory Birds Convention Act. Nesting tern colonies on the island have also been designated by Environment Canada as critical habitat for Roseate terns under the Species at Risk Act. In May 2010 the governments of Canada and Nova Scotia announced that they will take the necessary steps to designate Sable Island as a national park under the Canada National Parks Act. Encana is represented on the Sable Island Stakeholder Advisory Committee chaired by the federal Department of Fisheries and Oceans (DFO). The Sable Island Green Horse Society website (www.greenhorsesociety.com) contains additional information on Sable Island.

As part of its environmental stewardship with respect to Sable Island:

- Encana will not conduct activities within 2km (one nautical mile) of Sable Island. All Encana activities on Sable Island must receive approval from Encana senior management and the Canadian Coast Guard and will comply with all applicable guidelines including the Canadian Coast Guard Visitors Guide to Sable Island www.ccg-gcc.gc.ca/folios/00039/docs/SableIslandVisitorsGuide-eng.pdf.
- Encana vessels and aircraft are not permitted within 2km (one nautical mile) of the Island. However, this restriction does not apply in the case of an emergency situation, for access required as part of an approved environmental monitoring program or for special trips approved by the Canadian Coast Guard.
- Encana will include discussion of this code of practice in its environmental awareness training program for its personnel. Encana intends this code to be a living document and will review and update it as required. This code of practice is also publicly available on the Encana website www.encana.com/contractor/expectationspractices.

code of practice for the Gully Marine Protected Area

Encana has developed, as part of its environmental protection planning, a code of practice to protect the uniqueness and integrity of the Gully Marine Protected Area (MPA) (see area reference map). This code is not a regulatory requirement and is indicative of Encana's environmental stewardship philosophy and corporate policies.

The Gully is a large submarine canyon approximately 40 kilometres (km) (21.6 nautical miles) east of Sable Island on the edge of the Scotian Shelf. It is unique among canyons of the Eastern Canadian margin because of its depth, steep slopes and extension back into the continental shelf. The Gully contains a rich diversity of marine habitats and species, including deep-sea corals and the endangered northern bottlenose whale (*Hyperoodon ampullatus*). The area is nationally and globally acknowledged as an important and exceptional marine habitat.

The Gully has been designated by the Federal Department of Fisheries and Oceans (DFO) as an MPA under the Oceans Act in 2004, and comprises an area of 2,364 square km (913 square miles). The MPA regulations prohibit the disturbance, damage, destruction or removal of any living marine organism or habitat within the Gully. The MPA contains three management zones, each providing varying levels of protection based on conservation objectives and ecological sensitivities. The regulations also control human activities in areas around the Gully that could cause harmful effects within the MPA boundary. Encana is represented on the Gully Advisory Committee chaired by DFO.

As part of its environmental stewardship with respect to the Gully MPA:

- Encana will not conduct activities inside the Gully MPA. In addition, no vessels are permitted within the Gully MPA and aircraft in regular transit to and from any vessels, drilling units, or facilities are restricted to flying at a height of at least 500 metres (1 640 feet). These restrictions apply unless it is required for purposes of safety or safe operation of a vessel/aircraft or as part of an approved environmental monitoring program.
- Encana will include discussion of this code of practice in its environmental awareness training program for its personnel. Encana intends this code to be a living document and will review and update it as required. This code of practice is also publicly available on the Encana website www.encana.com/contractor/expectationspractices.

APPENDIX 2 WILLIAMS AND CHARDINE PROTOCOL

The Leach's Storm-Petrel: General information and handling instructions

Urban Williams (Petro-Canada)
&
John Chardine (Canadian Wildlife Service)

The Grand Banks is an area that is frequented by large numbers of seabirds, representing a variety of species. Large populations are found in this area in both summer and winter, and come from the Arctic, northern Europe, and the south Atlantic, as well as from colonies along the Newfoundland Coast. One of the species found in the area of the Terra Nova Field is the Leach's Storm-Petrel (*Oceanodroma leucorhoa*).

The Bird:

Leach's Storm-Petrels are small seabirds, not much bigger than a Robin. They have relatively long wings and are excellent fliers. Leach's Storm-Petrels are dark brown in colour and show a conspicuous white patch at the base of the tail. In the hand, you can easily notice a small tube at the top of their



Photo : Gilles Chapdelaine

bill, and you will also notice that the birds have a peculiar, not unpleasant smell (although some Newfoundlanders call these birds "Stink Birds"). Storm-Petrels are easy prey for gulls and other predators, and so to protect themselves from predation, Leach's Storm-Petrels are only active at night when on land at the breeding colonies.

Nesting Habitat:

Leach's Storm-Petrels are distributed widely in the northern hemisphere, however, their major centres of distribution are Alaska and Newfoundland. The bird breeds on offshore islands, often in colonies numbering tens or hundreds of thousands of pairs, even millions at one colony in Newfoundland. The nest is a chamber, sometimes lined with a some grass, located at the end of a narrow tunnel dug in the topsoil.. Depending on the colony, burrows may be under conifer or raspberry thickets or open grassland.

Reproduction:

In Newfoundland, Leach's Storm-Petrels lay their single egg in May and June. The egg is incubated by both parents alternately, sometimes for stretches exceeding 48 hours. The egg is incubated for 41-42 days, which is a long time for such a small egg. The peak hatching period is in the last half of July. The young petrel remains in the tunnel for about 63-70 days. Once breeding is over in late-August or early September, the birds disperse from the colonies and migrate to their wintering grounds in the Atlantic. September is the most important period for migration of Storm-Petrels to the offshore areas such as near the Terra Nova field.

Populations:

Canada alone supports more than 5 million pairs of Leach's Storm-Petrels. Most of them are found in Newfoundland. The Leach's Storm-Petrel colony located on Baccalieu Island is the largest known colony of this species.

Nesting sites for Leach's Storm-Petrels are found along the southeast coast of Newfoundland. These are - i) Witless Bay Islands (780,00 nesting pairs), ii) Iron Island (10,000 nesting pairs), iii) Corbin Island (100,000 nesting pairs), iv) Middle Lawn Island (26,000 nesting pairs), v) Baccalieu Island (3,336,000 nesting pairs), vi) Green Island (72,000 nesting pairs), and vii) St. Pierre Grand Columbier (100,000 nesting pairs).

Feeding Habits:

Leach's Storm-Petrels feed at the sea surface, seizing prey in flight. Prey usually consists of myctophid fish and amphipods. The chick is fed planktonic crustaceans, drops of stomach oil from the adult bird, and small fish taken far out at sea. Storm-Petrels feed far out from the colony and it would be reasonable to assume that birds nesting in eastern Newfoundland can be found feeding around the Terra Nova site.

The Problem:

As identified in the C-NOPB Decision 97-02, seabirds such as Leach's Storm-Petrels are attracted to lights on offshore platforms and vessels. Experience has shown that Storm-Petrels may be confused by lights from ships and oil rigs, particularly on foggy nights, and will crash into lighted areas such as decks and portholes. Fortunately, this type of accident does not often result in mortality, however, once on deck the bird will sometimes seek a dark corner in which to hide, and can become fouled with oil or other contaminants on deck.

Period of Concern:

Leach's Storm-Petrels are in the Terra Nova area from about May until October and birds could be attracted to lights at any time throughout this period. The period of greatest risk of attraction to lights on vessels appears to be at the end of the breeding season when adults and newly fledged chicks are dispersing from the colonies and migrating to their offshore wintering grounds. September is the most important period for migration of storm-petrels to the offshore areas. Past experience suggests that any foggy night in September could be problematic and may result in hundreds or even thousands of birds colliding with the vessel.

The Mitigation:

On nights when storm-petrels are colliding with the vessel, the following steps should be taken to ensure that as many birds as possible are safely returned to their natural habitat.

- All decks of the vessel should be patrolled as often as is needed to ensure that birds are picked up and boxed (see below) as soon as possible after they have collided with the vessel. After collision, birds will often "freeze" below lights on deck or seek dark areas underneath machinery and the like.
- Birds should be collected by hand and gently placed in small cardboard boxes. Care should be taken not to overcrowd the birds and a maximum of 10-15 birds should be placed in each box, depending upon its size. The birds are very easy to pick up as they are poor walkers and will not fly up off the deck so long as the area is well-lit. They will make a squealing sound as they are picked up- this is of no concern and is a natural reaction to be handled (the birds probably think they have been captured to be eaten!).
- When the birds are placed in the box the cover should be put in place and the birds left to recover in a dark, cool, quiet place for about 5-10 minutes. The birds initially will be quite active in the box but will soon settle down.
- Following the recovery period, the box containing the birds should be brought to the bow of the boat or to some other area of the vessel that has minimal (if any) lighting. The cover should be opened and each bird individually removed by hand. The release is usually accomplished by letting the bird drop over the side of the vessel. There is no need to throw the bird up in the air at release time. If the birds are released at a well-lit part of the vessel they usually fly back towards the vessel and collide again.
- If any of the birds are wet when they are captured (i.e. they drop into water on the deck) then they should be placed in a cardboard box and let dry. Once the bird is dry it can be released as per the previous instruction. Also, temporarily injured birds should be left for longer to recover in the cardboard box before release.
- Any birds contaminated with oil should be kept in a separate box and not mixed with clean birds. Contact Canadian Wildlife Service at (709) 772-5585 in NL or (902) 426-1900 in NS for instructions on how to deal with contaminated birds.
- In the event that some birds are captured near dawn and are not fully recovered before daylight, they should be kept until the next night for release. Storm-Petrels should not be

released in daylight as at this time they are very vulnerable to predation by gulls. Birds should be kept in the cardboard box in a cool, quiet place for the day, and do not need to be fed.

- Someone should be given the responsibility of maintaining a tally of birds that have been captured and released, and those that were found dead on deck. These notes should be kept with other information about the conditions on the night of the incident (moonlight, fog, weather), date, time, etc). **THIS IS A VERY IMPORTANT PART OF THE EXERCISE AS IT IS THE ONLY WAY WE CAN LEARN MORE ABOUT THESE EVENTS.**

Handling Instructions:

- Leach's Storm-Petrels are small, gentle birds and should be handled with care at all times.
- It is recommended that the person handling the birds should wear thin rubber gloves or clean, cotton work gloves. The purpose of the gloves is to protect both the Storm-Petrel and the worker.
- As mentioned Storm-Petrels have a strong odor that will stick to the handler's hands. Washing with soap and water will remove most of the smell.
- Handling Leach's Storm-Petrels does not pose a health hazard to the worker, however some birds may have parasites on their feathers, such as feather lice. These parasites do not present any risk to humans, however, as a precaution we recommend wearing cotton work gloves or thin rubber gloves while handling birds and washing of hands afterwards.

Wilson's Storm Petrels:

A relative of the Leach's Storm-Petrel is the Wilson's Storm-Petrel. They breed in the south Atlantic and Antarctica and migrate north in our spring to spend the summer in Newfoundland waters. This species is very numerous on the Grand Banks in the summer, and shares the same nocturnal habits as the Leach's Storm-Petrel. Thus it is possible that Wilson's Storm-Petrels may also be attracted to the lights of a vessel at night. The two species are very similar and should be handled in the same way as described above for our Leach's Storm-Petrel.

Permits:

A permit to handle storm-petrels issued by the Canadian Wildlife Service will be held on board the vessel to cover personnel involved in bird collision incidents.

APPENDIX 3 ENVIRONMENT CANADA'S PROTOCOL FOR COLLECTING OILED BIRDS

PROTOCOL FOR COLLECTING BIRDS DURING AN OIL SPILL RESPONSE



Anyone collecting migratory birds must be a nominee on an existing federal salvage permit



Collection of dead birds

- 1) Every time a beach is swept, select two oiled birds to be retained as possible evidence, preferably from different parts of the beach. For each of these two birds:
 - Individually wrap the bird in aluminum foil,
 - Place the wrapped bird in its own evidence bag,
 - Completely fill out a chain of custody form,
 - Write on the bag the date and location, and record that bird was found dead, and
 - Place evidence bag in a secure place until retrieved by appropriate Environment Canada personnel.

- 2) To avoid oil cross-contamination, it is vital that:
 - Clean gloves are used prior to handling each bird, and
 - Birds are wrapped in foil as soon as they are found.

- 3) Place each remaining bird found on the beach in its own generic plastic bag, and:
 - Write on the bag the date and location, and record that the bird was found dead,
 - Record on the bag whether the bird was OILED or NOT OILED, and
 - Treat bird parts the same as whole birds.

- 4) If it is not feasible to individually bag all birds found on the beach:
 - Put remaining oiled birds in one or more large bags,
 - Put remaining un-oiled birds in separate large bag(s) from oiled birds,
 - Write on each bag the date and location, and record that birds were found dead,
 - Record on the bags contain OILED or NOT OILED birds, and
 - Keep birds from different beaches in separate bags.

- 5) Make arrangements to retrieve all oiled and un-oiled birds with:
 - CWS personnel if oiled wildlife rehabilitation response is NOT in place, or
 - Wildlife rehabilitator if oiled wildlife rehabilitation response is in place.



Collection of live birds



A. If oiled wildlife response is NOT in place:

1. If you are permitted to humanely euthanize the oiled bird, do so following the standard protocol and:
 - Individually wrap two euthanized birds in aluminum foil,
 - Place the wrapped bird in its own evidence bag,
 - Completely fill out a chain of custody form,
 - Write on the bag the date and location, and record that bird was found alive, and
 - Place evidence bag in a secure place until retrieved by appropriate Environment Canada personnel.
2. Record and bag remainder of euthanized oiled birds as outlined in points 3, 4 and 5 on reverse side of this form.
3. If you are not permitted to euthanize oiled birds, do not feel comfortable doing so, or have found a bird listed under COSEWIC (e.g., Roseate Tern, Ivory Gull):
 - Place the oiled bird in a cardboard box,
 - Label box with date and location where bird was recovered, and
 - Place in warm, quiet area until handed over to CWS personnel for euthanisation or rehabilitation.

B. If oiled wildlife response is in place:

1. Place the oiled bird in a cardboard box,
2. Label box with date and location where bird was recovered, and
3. Place in warm, quiet area until handed over to wildlife rehabilitator for rehabilitation or euthanisation.

Important information when catching and placing birds in box:

- Handle birds with gloves, preferably disposable ones, and
- Lid and walls of box must have sufficient holes to allow proper ventilation.



Place only one murre, seaduck,
or other large bird per box



Two dovekies may
be placed together
in box if both are
only slightly oiled
(i.e., <25% of body
covered)