



Suite 200
1801 Hollis Street
Halifax NS B3J 3N4

Bureau 200
1801 rue Hollis
Halifax, NE B3J 3N4

April 27, 2017

Agency File No.: 005580

David Pinsent
Husky Energy
Atlantic Region
351 Water St. Suite 105
St. John's, NL A1C 1C2
David.Pinsent@huskyenergy.com

Dear Mr. Pinsent:

SUBJECT: Additional Information Requirements Regarding Engagement with Indigenous Groups

I am writing to advise you that the Canadian Environmental Assessment Agency (the Agency) has determined that additional Indigenous groups may be affected by the Husky Energy Exploration Drilling Project (the Project), and that these potential effects must be considered in the environmental assessment of the Project. This determination was made following careful consideration of additional information provided to the Agency by an Indigenous group and Fisheries and Oceans Canada. The information identified additional potential adverse impacts of the Project on potential or established rights of Aboriginal peoples under section 35 of the *Constitution Act, 1982*, and potential effects of changes to the environment on Aboriginal peoples pursuant to paragraph 5(1)(c) of the *Canadian Environmental Assessment Act, 2012* (CEAA 2012) related to: the migration of Atlantic salmon between the Project area and areas where Indigenous groups have potential or established section 35 rights, and communal commercial swordfish licences held by Indigenous groups within North Atlantic Fisheries Organization (NAFO) divisions, which overlap with the Project area.

The Environmental Impact Statement (EIS) Guidelines (Part 2, Section 5.1, "Indigenous groups and engagement activities") lists the Indigenous groups in the EIS for which Husky Oil Operations Limited (Husky) must provide baseline information and both an assessment of the potential impacts to potential or established section 35 rights and/or an assessment of potential environmental effects as described under paragraph 5(1)(c) of CEAA 2012, as applicable. The list is hereby amended to include:

The following Indigenous groups in Newfoundland and Labrador:

- *Innu Nation*
- *Nunatsiavut Government*
- *NunatuKavut Community Council*



The following Indigenous groups in Nova Scotia (new):

- *Acadia First Nation*
- *Annapolis Valley First Nation*
- *Bear River First Nation*
- *Eskasoni First Nation*
- *Glooscap First Nation*
- *Membertou First Nation*
- *Paqtnkek Mi'kmaw Nation*
- *Pictou Landing First Nation*
- *Potlotek First Nation*
- *Wagmatcook First Nation*
- *Waycobah First Nation*
- *Millbrook First Nation*
- *Sipekne'katik First Nation*

The following Indigenous groups in New Brunswick (new):

- *Elsipogtog First Nation*
- *Fort Folly First Nation*
- *Eel Ground First Nation*
- *Pabineau First Nation*
- *Esgenoôpetitj First Nation*
- *Buctouche First Nation*
- *Indian Island First Nation*
- *Eel River Bar First Nation*
- *Metepenagiag Mi'kmaq Nation*
- *Kingsclear First Nation*
- *Madawaska Maliseet First Nation*
- *Oromocto First Nation*
- *Tobique First Nation*
- *St. Mary's First Nation*
- *Woodstock First Nation*

The following Indigenous groups in Prince Edward Island (new):

- *Abegweit First Nation*
- *Lennox Island First Nation*

The following Indigenous groups in Quebec (new):

- *Micmacs of Gesgapegiag*
- *La Nation Micmac de Gespeg*
- *Listuguj Mi'gmaq Government*
- *Les Innus de Ekuanitshit*
- *Montagnais de Natashquan*

As stated in Part 2, Section 5.1 of the EIS Guidelines, the proponent should also provide information to and discuss potential environmental effects from the Project, as described under paragraph 5(1)(c) of CEAA 2012, with the Qalipu Mi'kmaq First Nation and the Miawpukek First Nation in Newfoundland and Labrador for the purposes of good governance.

Information requirements set out in the EIS Guidelines relevant to Indigenous peoples that may be affected by the Project are also applicable to the Indigenous groups listed above.

The Agency received your EIS and associated Summary on April 13, 2017 and is now reviewing these documents to determine whether they conform to the information requirements set out in the EIS Guidelines. The additional information identified above will not be required for the purposes of this current conformity review, but will be required on a go-forward basis, including in any future conformity and/or technical reviews of environmental assessment documentation.

Please note that the groups referenced above may change as more is understood about the Project's environmental effects or potential impacts on rights and/or if the Project or its components change during the environmental assessment. The Agency reserves the right to alter the list of Indigenous groups that the proponent will engage with, as additional information is gathered during the environmental assessment.

I will contact you to discuss further. In the interim, if you have any questions, please do not hesitate to contact me at CEAA.Husky.ACEE@ceaa-acee.gc.ca or 902-426-8697.

Sincerely,

<Original signed by>

Chris Burbidge
Project Manager, Atlantic Region

Cc: Dave Burley – Canada-Newfoundland and Labrador Offshore Petroleum Board
Elizabeth Young – Canada-Newfoundland and Labrador Offshore Petroleum Board
Charlotte Landry – Major Projects Management Office