

From: Byrne, Vanessa <VanessaByrne@gov.nl.ca>  
Sent: Friday, March 24, 2023 12:25 PM  
To: Hicks, Darren  
Cc: Corbett, Emma; Coombs, Samantha; Dennis, Olivia  
Subject: RE: BP Canada Energy Group ULC Ephesus Prospect ROV Survey, 2019 to 2024 Amendment

Hi Darren,

Apologies that we have now passed the deadline of March 22nd on providing comments; however, we have the following feedback to provide from the Department of Fisheries, Forestry and Agriculture if you are still able to accept.

Please accept the following comments from the Department of Fisheries, Forestry and Agriculture on the BP Canada Energy Group ULC Ephesus Prospect ROV Survey, 2019 to 2024 Amendment:

In Section 4.1.1, the proponent notes that several species of finfish, including the Northern wolffish (Schedule 1 SARA species), as well as squid and shrimp were found along several survey lines. Although the proponent notes in Section 4.6 that the chosen area is located in a marine refuge, where there is a prohibition on bottom contact fisheries activities, there are fishing areas adjacent that should be considered.

In Section 2.2, the amendment proposes broadening of the temporal scope to include activities from March to October. This timeframe is during peak fisheries season for many commercially important fisheries adjacent to Newfoundland and Labrador. The project includes potential interactions with fisheries and other ocean users. The fishing industry is an important ocean stakeholder and as such, FFA recommends the proponent maintain engagement with fish harvesters in adjacent areas as a top priority throughout the duration of the project's life stages.

Section 4.4.1., Recovery Strategies and Plans, outlines consideration for blue whale and leatherback sea turtles; however, FFA highlights the potential presence of the endangered North Atlantic Right Whale (NARW) in the project area as this project has the potential to interact with NARWs. There have been increased sightings of NARWs in Newfoundland and Labrador waters in recent years. The NARW is particularly vulnerable to extinction, being that it is a slow growing species with only approximately 336 animals remaining worldwide. Fisheries and Oceans Canada (DFO) and Transport Canada have implemented a number of protective measures in an effort to minimize interactions with NARWs, including listing them as Endangered under the Canadian federal Species at Risk Act (SARA). From an economic perspective, Canada is now required to demonstrate stringent efforts to protect marine mammals to meet the United States (U.S) Import Provisions under the Marine Mammal Protection Act so that Canada may continue to export fish and seafood to the U.S. The proponent should be aware of the possibility that interactions with NARWs can affect Canada's

ability to export seafood. Under Federal Marine Mammal Regulations, the proponent must keep a minimum of 100 meters away from whales, dolphins, and porpoises, and keep a minimum of 200 meters away if they are in resting position or with their calf.

Though the proponent recognizes that the project area overlaps with large gorgonian corals and sea pens as sampling work will be completed, as outlined in Section 4.1.1, FFA further highlights the vulnerability of these species, and that they play fundamental roles in benthic ecosystems. It is advised that the work in these areas proceed with caution as these species are easily disrupted.

Thank you for the opportunity to provide feedback.

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Sustainable Fisheries and Oceans Policy  
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From: Hicks, Darren <DHicks@cnlopb.ca>  
Sent: Wednesday, March 22, 2023 10:57 AM  
To: Loughlin, James <James.Loughlin@dfo-mpo.gc.ca>; DFO Tracker (FPP-NL@dfo-mpo.gc.ca) <FPP-NL@dfo-mpo.gc.ca>; CWS (SCFATLMarin-CWSATLMarine@ec.gc.ca) <SCFATLMarin-CWSATLMarine@ec.gc.ca>; Melissa Ginn (melissa.ginn@tc.gc.ca) <melissa.ginn@tc.gc.ca>; Sara Rumbolt (sara.rumbolt@canada.ca) <sara.rumbolt@canada.ca>; CarolLee.Giffin@forces.gc.ca; 'Genest, Maximilien' <maximilien.genest@NRCan-RNCan.gc.ca>; Diane Blanchard (diane.blanchard@canada.ca) <diane.blanchard@canada.ca>; Sweeney, Joanne <joannesweeney@gov.nl.ca>; Byrne, Vanessa <VanessaByrne@gov.nl.ca>; Carter, Chris <chrisarter@gov.nl.ca> Subject: BP Canada Energy Group ULC Ephesus Prospect ROV Survey, 2019 to 2024 Amendment

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Good day everyone: I would like to remind everyone of the C-NLOPB's request for comments on the proposed amendment, attached again for convenience, from BP Canada Energy Group ULC.

The amendment has been submitted in support of bp's request to include the following activities not previously assessed:

1. The deployment and retrieval of transponders and marker buoys via remotely operated vehicle for positioning of an exploration drilling unit;

2. The deployment and retrieval of moorings for physical environment monitoring using moored monitoring instruments;
3. Seabed monitoring and sampling; and
4. Environmental (Coral and Sponge) monitoring and sampling.

To accommodate environmental monitoring, bp is proposing to amend the temporal scope to include activities from March to October. Activities were originally assessed to occur from May to October.

The C-NLOPB requests that you review the enclosed EA Amendment and provide comments no later than March 22, 2023. If no response is received from you by the end of the day, the C-NLOPB will assume that you have no comments.

If you have any questions please feel free to contact me.

Regards  
Darren

Darren Hicks (he/him), M. Env. Sci.  
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Canada-Newfoundland and Labrador Offshore Petroleum Board

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