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BAB 3990-20

Darren Hicks  
Environmental Analyst  
Canada-Newfoundland and Labrador Offshore Petroleum Board  
140 Water St., 4th Floor  
St. John's, NL A1C 6H6

Dear Mr. Hicks

**Subject: DFO Review – Environmental Assessment of Chevron's North Grand Banks Regional Seismic Program 2011-2017.**

As requested, DFO has completed a review of the document entitled "*Environmental Assessment of Chevron's North Grand Banks Regional Seismic Program 2011-2017*" dated March 2011 and offers the following comments:

**General Comment**

Please be advised that DFO recommends that Chevron adhere to the "*Statement of Practice with Respect to the Mitigation of Seismic Sound in the Marine Environment*" (SOCP) when conducting seismic programs. The SOCP specifies the mitigation requirements that must be met during the Planning Seismic Surveys, Safety Zone and Start-up, Shut-down of Air Source Array(s), Line Changes and Maintenance Shut-downs, Operations in Low Visibility and Additional Mitigative Measures and Modifications in order to minimize impacts on life in the oceans. These requirements are set out as **minimum standards**, which will apply in all non-ice covered marine waters in Canada.

Marine Mammal Observers (MMO) are noted a few times throughout the document. It is suggested that the role of the MMO be better described within the EA Report to ensure reviewers that the best possible methods will be employed.

DFO conducts scientific surveys in the general area of the proposed program. The timing of the DFO scientific surveys will vary from year to year; therefore the proponent should contact DFO to ensure there are no timing conflicts.

**Specific Comments**

<i>Section</i>	<i>Page</i>	<i>Comment</i>
4.6	93	The word " <i>designated</i> " should be replaced with " <i>listed</i> " throughout these sections when referring to SARA listed species. The term " <i>designated</i> " would be more appropriate when referring to species that have been assessed by COSEWIC, but not listed on SARA.
5.6.5	191	
4.6	94 (2 <sup>nd</sup> paragraph)	There is also a final recovery strategy posted on the SARA Registry for the North Atlantic Right Whale, with critical habitat identified in the Grand Manan Basin (Bay of Fundy) and Roseway Basin (Scotian Shelf). Please make note of this.
4.6.1	95	It should be noted that for the Atlantic Salmon designatable units (DU)



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	(Table 4.13)	occurring in NL, only the South Newfoundland DU was assessed as threatened by COSEWIC.
4.6.1	95 (Table 4.13)	Similarly, for the Deepwater Redfish, it is the Northern DU which was assessed by COSEWIC as threatened.
4.5.1.2	81	DFO has population estimates for many cetacean and pinniped species in Atlantic Canada. These are based on systematic surveys such as those detailed in Lawson and Gosselin (2009) and Stenson <i>et al.</i> (2011). These figures could be quoted in place of the NOAA estimates unless the latter includes species for which the DFO surveys did not have enough sighting events to generate an acceptable estimate.
4.5.1.3	81 (3 <sup>rd</sup> sentence)	Based on aerial searches and acoustic recordings, the south eastern edge of the Grand Banks remains an area populated by cetaceans during the winter. Therefore, the statement " <i>although some individual baleen whales may be present in offshore waters of NL...</i> " is not necessarily accurate.
4.5.1.5	91	More information should be provided on the importance of the area for feeding Harp and Hooded Seals. The area of the NE Grand Banks, slope and Flemish Pass is critical for seals during the spring when they need to replenish their energy reserves. Satellite telemetry studies have shown that this area is used extensively by Hooded Seals in May. By late May they have left the area for the moulting ice although harps are still present through June. Harp Seals tend to remain on the continental shelf while Hooded Seals dive in the deep shelf waters.
4.5.1	92	It is noted in the EA Report that Grey Seals are considered rare in the Study Area. DFO have indicated, in their review, that Grey Seals would be unlikely to be this far offshore and there is no evidence that they would be found in the area.
4.2.8	40 (Table 4.4)	It is stated that Greenland Halibut spawn in " <i>winter months</i> ". There may be some major spawning during this time, but evidence suggest a very poorly defined spawning season for this species with multiple peaks in spawning activity and even some degree of spawning observed throughout the entire year.
4.2.8	40 (Table 4.4)	It is stated that Redfish have no planktonic stage. While that is true to some degree, the larvae are by no means benthic (which is what may be interpreted from " <i>no planktonic stage</i> "). Redfish larvae have been collected in shallow surface layers and therefore may be susceptible to any surface spills. In addition, Redfish exhibit diurnal variation coming off bottom at night making them more vulnerable at these times to any impacts to pelagic zones compared to bottom dwelling behaviour.
4.2.5	28	It is recommended that the authors' include deepwater sponges within the EA Report as well as the NAFO coral/sponge fisheries closures (please refer to attached documentation). The following links may also help:  <a href="http://www.dfo-mpo.gc.ca/CSAS/Csas/publications/sar-as/2010/2010_041_e.pdf">http://www.dfo-mpo.gc.ca/CSAS/Csas/publications/sar-as/2010/2010_041_e.pdf</a>





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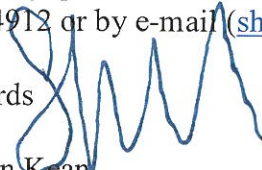
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		<a href="http://www.gcpeia.gc.ca/gcwiki/images/5/50/Status_Report_on_Coral_and_Sponge_Conservation_in_Canada.pdf">http://www.gcpeia.gc.ca/gcwiki/images/5/50/Status_Report_on_Coral_and_Sponge_Conservation_in_Canada.pdf</a>
4.7	99	This section of the EA Report notes that “ <i>there are a variety of regulatory frameworks that deal directly or indirectly with sensitive areas...</i> ”, yet the <i>Oceans Act</i> is not mentioned. <i>Oceans Act</i> Marine Protected Areas are established by Fisheries and Oceans Canada to protect and conserve important fish and marine mammal habitats, endangered marine species, unique features and areas of high biological productivity or biodiversity.
4.7.1	99	In referring to the Placentia Bay/Grand Banks Large Ocean Management Area, the existence of the Ecologically and Biologically Significant Area (EBSA) (i.e. the Northeast Shelf and Slope within the study area) as a potential Area of Interest (AOI) is accurate. However, it should also be noted within the EA Report that the <i>Oceans Act</i> provides the Minister of Fisheries and Oceans with a leadership role for coordinating the development and implementation of a federal network of Marine Protected Areas (MPA), of which can include areas within and outside of the Integrated Management (IM) area that has yet to be developed specifically within the Region to date. Therefore, there is the potential for subsequent identification of EBSAs, AOI, MPAs and other sensitive areas in the study area within the future
4.3.2	45 (3 <sup>rd</sup> sentence)	It is suggested to replace the term “ <i>formally underutilized species</i> ” with “ <i>other</i> ”, as “ <i>formally underutilized species</i> ” implies that they were present, but not fished. It may be that they were not there previously.
4.3.3.1	50 (2 <sup>nd</sup> sentence)	It is stated that the “ <i>study area overlaps with parts of SFA 6</i> ”. However SFA 6 ends at the 200 mile limit. Please clarify whether the study area does or does not overlap with SFA 6.
4.3.3.2	61 (2 <sup>nd</sup> sentence)	It is suggested that the word “ <i>Landed</i> ” be placed before the word “ <i>Prices</i> ” to distinguish between prices paid to harvester and final project market prices.
4.3.4	66 (2 <sup>nd</sup> paragraph)	This sentence is confusing and should be rewritten.

Thank you for providing DFO the opportunity to comment on this document. Should you have any questions or comments regarding the above, you can contact me by phone at 772-4912 or by e-mail ([shawn.kean@dfo-mpo.gc.ca](mailto:shawn.kean@dfo-mpo.gc.ca)).

Regards

  
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