

From: Elizabeth MacDonald [emacdonald@cnsopb.ns.ca]
Sent: Friday, February 05, 2010 9:47 AM
Subject: Comments on ConocoPhillips Laurentian Sub-basin EA

The Canada-Nova Scotia Offshore Petroleum Board (CNSOPB) has reviewed the document entitled Environmental Assessment of ConocoPhillips Canada Laurentian Sub-basin Seismic Program, 2010-2013. Overall, the quality of the report is good and contains a suitable and detailed analysis of potential effects of the project on the environment within the project study area. The CNSOPB would like to submit the following comments for further consideration, however:

- The temporal boundaries for the proposed project are May-October, 2010 initially, and potentially any time within 2011, 2012 or 2013 for further data collection thereafter. As stated in the EA, some fish and invertebrate species that occur in the study area will be spawning during the May-October timeframe, and the potential for spawning times to overlap during the unknown times for the 2011-2013 surveys also exists. While ConocoPhillips has stated that they will adhere to mitigation measures outlined in the Statement of Canadian Practice with Respect to Mitigation of Seismic Sound in the Marine Environment (the Statement), it is not explicitly stated in the mitigation section (i.e. "Table 5.18 - Summary of Mitigation Measures") that fish or invertebrate spawning times will be avoiding during the survey. Part 5 (c) of the Statement identifies that each seismic survey must be planned to avoid dispersing aggregations of spawning fish from known spawning areas.

- Section 5.7.2.2 "Conflict with Fishing Gear (Survey Areas and Transit Routes) - Fishing Gear Compensation" mentions the "C-NLOPB Guidelines". It would be helpful to readers to clarify whether the guidelines referred to are the C-NLOPB/CNSOPB Compensation Guidelines Respecting Damages Related to Offshore Petroleum Activity, or another guideline of a similar nature.

- Section 5.7.4.2 "Categories of Noise Effects – Baleen Whales" extrapolates on the lack of deterrence of gray whales and bowhead whales from migration routes when exposed to seismic sounds, to conclude with the suggestion that all species of baleen whales are unlikely to experience prolonged effects from any single seismic survey. While this may be plausible, references to peer reviewed scientific literature to support this statement would help to strengthen this conclusion.

Should you have any questions about the above comments, please do not hesitate to contact me.

Best regards,

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