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BAB 3970-61

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 – Corridor Resources Inc. Old Harry Prospect Geohazard Survey Program 2010-2020 Environmental Assessment (CEAR 10-01053529)**

As requested, DFO has reviewed the document entitled "*Environmental Assessment of the Old Harry Prospect Geohazard Program 2010 – 2020*" dated May 2010. Based upon the project description, it is understood that, Corridor Resources Inc. proposes to conduct a geohazard survey program which will consist of 2-D high resolution airgun seismic, side scan sonar, sub-bottom profiling and multi-beam bathymetric data on the Old Harry Prospect located in the Laurentian Channel. The following comments are provided for your review and consideration.

There is a general level of uncertainty with respect to the proponents intent to implement mitigative measures which are outlined in the Statement of Canadian Practice with respect to the Mitigation of Seismic Sound in the Marine Environment (SOCP) and referenced in the report. Sections 6.2.3, 6.3.3 and 6.4.3 state that "*the following technically and economically feasible mitigation measures to reduce or eliminate potential adverse effects of the Project and Fish, Shellfish and Habitat have been identified and are in compliance with the SOCP (DFO 2007c) and the C-NLOPB Program Guidelines (C-NLOPB 2008)*". Please be advised that the SOCP specifies the mitigation requirements that must be met during the planning and conduct of marine seismic surveys, 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.

As such it is advised that Corridor Resources Inc. revise sections 6.2.3, 6.3.3 and 6.4.3 to clarify their commitment to adhere to all relevant minimum mitigation standards outlined in 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 sections of the SOCP.

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Additionally DFO requests that all sighting data collected for marine mammals and sea turtles be forwarded to DFO as per standard practice.

It should also be noted that there are a number of specific comments and requested revisions related to Species at Risk (SAR) identified below. These comments and revisions should be reflected throughout the document where a SAR has been referenced.

Comment No.	Section	Comment
1	Table 6.3 - Summary of Fish Species with the Potential to Occur in the Project Area and their Status page 6.10	<p>There are a number of species in the table where status is identified as "Not at Risk" under the SARA and COSEWIC status columns, which is not accurate.</p> <p>"Not at Risk" is a COSEWIC designation which means that a species would have to be assessed by COSEWIC in order for it to be determined to be "not at risk." Many of the species in the table have not yet been assessed by COSEWIC (e.g. Atlantic Salmon, Bluefin Tuna, Capelin, Smooth Skate, Thorny Skate, etc...)</p> <p>If a species has not yet been assessed by COSEWIC, then the Status under COSEWIC column should remain blank. If a species is not listed under SARA then it has no SARA status. If the species actually has been assessed as "Not at Risk" by COSEWIC then it is accurate to note that in the table.</p> <p>Furthermore, for all SARA listed species please remove the reference to the COSEWIC designation since the SARA listing is what legally applies.</p> <p>As such the table should be revised to accurately reflect the status of each species under SARA and/or COSEWIC. The COSEWIC website (<a href="http://www.cosewic.gc.ca">www.cosewic.gc.ca</a>) and the SARA Registry</p>



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		<p>(<a href="http://www.sararegistry.gc.ca">www.sararegistry.gc.ca</a>) can be checked for the latest assessments and status.</p> <p>Additional issues noted in the table include:</p> <p>American Plaice - The NL and Maritimes populations were assessed as threatened by COSEWIC in 2009.</p> <p>Atlantic Cod was reassessed by COSEWIC in April 2010. NL population assessed as endangered, Laurentian North population assessed as endangered, Laurentian South population assessed as endangered, Southern population assessed as endangered, Arctic Lakes population assessed as special concern, Arctic Marine population assessed as data deficient.</p> <p>Deepwater Redfish was assessed in April 2010. Gulf of St. Lawrence/Laurentian Channel population assessed as endangered, Northern population assessed as threatened.</p> <p>Acadian Redfish was assessed in April 2010. Atlantic population assessed as threatened, Bonne Bay population assessed as special concern. Spiny Dogfish (Atlantic) was assessed in April 2010 as special concern.</p>
2	Table 6.6 – Marine Mammals and Sea Turtles found within or Near the Project Area page 2.26	<p>Sei Whale - only the Pacific population is listed as endangered under SARA. The Atlantic population has no SARA status and the last assessment by COSEWIC was data deficient. Humpback Whale (Northwest Atlantic) has no SARA status (Schedule 3 is not relevant).</p> <p>Harbour Porpoise has no SARA status (Schedule 2 is not relevant).</p> <p>White-beaked dolphin is a potential common</p>



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		<p>occurrence in the project area</p> <p>Killer Whale (Northwest Atlantic/Eastern Arctic population) has no SARA status but was assessed as special concern by COSEWIC in 2008.</p> <p>Beluga should be specified as St. Lawrence Estuary population - that is the only population listed on SARA.</p> <p>Northern Bottlenose Whale should be specified as Scotian Shelf population.</p> <p>Harbour Seal (Atlantic and Eastern Arctic) was designated as not at risk by COSEWIC in 2007 and is uncommon occurrence in the study area.</p> <p>Loggerhead Sea Turtle was assessed as endangered by COSEWIC in 2010.</p>
3	Section 6.3.3 – Mitigation, bullet 6, page 6.32	As per section 6.b.1 of the SOCP “a qualified <u>Marine Mammal Observer</u> , must continuously observe the safety zone for a minimum period of 30 minutes prior to the start up of the air source array(s).” Please revise this section and remove reference to environmental observer.
4	Section 6.4.1 – Existing Conditions page 6.37	This section makes reference to Schedules 2 and 3 of SARA. Please note that there are no species left to be reassessed on Schedule 2 and many of the Schedule 3 species have also been re-assessed. Schedule 1 is the only official federal list of species at risk and as such is the only one that needs to be referred to in this section.
5	Table 6.8 - Species at Risk in the Vicinity of the Project page 6.38	<p>Except for the NL population, the COSEWIC assessment of Atlantic Cod given in the table is incorrect. See Comment #1</p> <p>Harbour Porpoise has no SARA status (Schedule</p>



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		<p>2 is not relevant).</p> <p>Humpback Whale (Northwest Atlantic) has no SARA status (Schedule 3 is not relevant).</p> <p>Since this table includes COSEWIC assessed species, it is missing some species that were included in tables 6.3 and 6.6 which have been assessed by COSEWIC. (i.e. American Plaice, Deepwater and Acadian Redfish, Spiny Dogfish and Loggerhead Sea Turtle.)</p> <p>Based on these comments please revise the table accordingly</p>
6	Section 6.4.1 - Existing Conditions – Wolffish, page. 6.39	It is preferable, for accuracy, that the published Recovery Strategy/Management Plan for the 3 wolffish species be used as a reference rather than the SARA Registry
7	Section 6.4.1 - Existing Conditions – Atlantic Cod, page. 6.39	As per previous comments, the information about the COSEWIC designations of Atlantic Cod populations are incorrect and the reference to Schedule 3 of SARA is not relevant. Also with the revised assessment of cod, there are now different designatable units. See Comment #1 and revise this section accordingly.
8	Section 6.4.1 - Existing Conditions – Blue Whale, page. 6.41	<p>For clarification purposes that the Blue Whale is <b>listed</b> as endangered under SARA. It was <b>designated</b> as endangered by COSEWIC before it was listed. Furthermore, for all SARA listed species please remove the reference to the COSEWIC designation since the SARA listing is what legally applies.</p> <p>The Recovery Strategy for Blue Whale, published on the SARA Registry, will provide information on the species, threats, mitigation measures and recovery measures. As such this section should be</p>



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		revised to include this information and reference.
9	Section 6.4.1 - Existing Conditions – North Atlantic Right Whale, page. 6.41 Northern Bottlenose Whale, page 6.41; Beluga, Fin Whale, page. 6.42	For clarification purposes these species were <b>listed</b> under SARA and <b>designated</b> under COSEWIC. Furthermore, for SARA listed species please remove the reference to the COSEWIC designation since the SARA listing is what legally applies.  The Recovery Strategies for the North Atlantic Right Whale and Northern Bottlenose Whale (Scotian Shelf), published on the SARA Registry, will provide information on the species, threats, mitigation measures and recovery measures. As such this section should be revised to include this information and reference.
10	Section 6.4.1 - Existing Conditions, Harbour Porpoise, page 6.42	This species has no SARA status, as the reference to Schedule 2 is not relevant, please revise accordingly.
11	Section 6.4.1 - Existing Conditions, Humpback Whale, page 6.42	Humpback Whale (Atlantic) was designated as Not at Risk by COSEWIC. It has no SARA status as Schedule 3 is not relevant, please revise accordingly.
12	Section 6.4.1 - Existing Conditions, Leatherback Turtle, page 6.42	For clarification purposes this species was <b>listed</b> under SARA and <b>designated</b> under COSEWIC. Furthermore please remove the reference to the COSEWIC designation since the SARA listing is what legally applies.  Please revise this section to include more information as to when this species would most likely be found to occur within the vicinity of the project area. This information can be found in the Recovery Strategy.
13	General Comment on SARA Species referenced throughout	It should be noted that there are a number of sections within the document which makes reference to SARA species. As such Comments #



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	the document	1 - 12 should be reflected throughout the whole document.
14	Section 6.5.1 Existing Conditions	A map showing the relation of the project area to all ten Ecologically and Biologically Significant Area's should be included in this section.
15	Section 6.5 – Sensitive Areas, page 6.44 – 6.47	<p>This section concludes that there is no potential for adverse environmental effect or interaction between the EBSAs and the proposed activity due to the boundaries of the EBSAs falling outside the proposed project area. As a point of clarification, one caution that should be used when assessing the potential for impacts on EBSAs or what they represent is that, while EBSA boundary lines are placed on a map to depict areas or species that contribute in a significant way to the Gulf of St. Lawrence ecosystem, these lines should not be taken as either the spatial or temporal limits of the biological activity or ecological significance.</p> <p>DFO (2007b), a document cited in the EA reference list, states that, "<i>The fact that a significant ecosystem component is not included or partially included in an EBSA cannot be considered as an ecologically significant absence. Sensitive populations as well as certain exceptional areas were not – or not entirely/always – included in the EBSA.</i>"</p>
16	Section 6.6.1 - Existing Conditions, Commercial Fisheries, page 6.48	Section 6.6 states that crab is fished by seasons like lobster, while this is true, it is also managed under a quota system like Groundfish.
17	Section 3.2 - Commercial Fisheries, page 3.1	The section referring to the Redfish fishery should be revised to read that due to limited participation there are currently only three enterprises of approximately 60 license holders participating in the Redfish fishery.



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18	Section 6.6 Commercial Fisheries, Existing Conditions, Historical Fisheries, page 6.54	<p>3<sup>rd</sup> and 4<sup>th</sup> sentence - The historic landings of cod and size of the cod stocks are stated without specifying the reference area. Is it "in the Gulf", "around NL; "all of Atlantic Canada"? Please provide clarification.</p> <p>This section states that "<i>In the 1950-1970s, cod stocks...</i>" is this "stocks" or "landings"? Please provide clarification.</p> <p>This section states that "<i>in 1993 a moratorium on the cod fishery was imposed.</i>" The specific stock being referenced is not stated. The northern cod moratorium began in 1992. A year later moratoria were declared for many other stocks. Please revise accordingly.</p>
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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 772-8889 or by e-mail ([jason.kelly@dfo-mpo.gc.ca](mailto:jason.kelly@dfo-mpo.gc.ca)).

Regards

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