

AREA 18 CRAB FISHERMEN'S ASSOCIATION
R.R. 7, SOUTH SIDE HARBOUR
ANTIGONISH COUNTY, NOVA SCOTIA
B2G 2L4

March 27, 2011

Public Comments – Old Harry Project
Canada-Newfoundland and Labrador Offshore Petroleum Board
5th Floor, TD Place, 140 Water St.
St. John's, NL
A1C 6H6

Via e-mail at: information@cnlopb.nl.ca

Re: Comments on Canadian Environmental Assessment Act
Scoping Document Exploration Drilling Project – EL 1105

I am writing to state our position on the above-referenced project on behalf of the Area 18 Crab Fishermen's Association. We are a group of 30 inshore snow crab and lobster fishermen in Nova Scotia who continue the profession exercised by our ancestors generations ago.

The Exploration Industry is aware that this project falls within the traditional waters fished by fishers from the Maritimes Provinces, by many fleets whose livelihood depends on the quality of the habitat and the fish resource territory and waters off the west coast of Newfoundland, where the proposed project is to be undertaken. Our review of the available information leads us to conclude that the risks associated with the proposal omit the consideration of traditional commercial fisheries and uses of the marine environment.

The Area 18 Crab Fishermen Association's position is as follow:

1. We call on the Canada - Newfoundland Labrador Offshore Petroleum Board to immediately cease its review of the proposal in question; and
2. We call on the Minister of the Environment to launch a Panel Review to fully consider the environmental risks and policy issues of concern to the commercial fisheries stakeholders, prior to any further consideration of this proposal and of other proposals for hydrocarbon exploration in the Gulf of St. Lawrence.

Our call for a Panel Review is based on 2 major considerations:

- The C-NLOPB methodology fails to direct the proponent to deal explicitly and completely with issues of greatest concerns to commercial fisheries stakeholders, and to other uses of the marine environment;

- The C-NLOPB has stepped away from CEAA procedures and places the onus on itself to prepare the “Screening report”. Intervening parties will be making their concerns known on potential significant effects to the same agency that will have already formed a judgement on what those effects will be.

This project proposal is a threat to our interests as commercial fishermen. The current systems in the Esquiman Channel and the Gulf of St. Lawrence, as well as the migratory behaviour of important marine species, imply that any environmental impacts associated with the proposed project would inevitably have consequences on the habitat in our area and on its resources.

The 2005 Strategic Environmental Assessment of the C-NLOPB which is intended to guide the proponent through this project specific EA, raises the following concerns:

1. There is insufficient opportunity for “outside interests” to fully participate in the process because no intervener funding exists, and timelines do not provide adequate opportunity for our input into the process and for the proponent to make revisions as result of that input;
2. The C-NLOPB SEA process is side-stepping the original intent of the 1999 Government of Canada directive for a “systematic and comprehensive process of evaluating the environmental effects of a policy, plan or program, and its alternatives”. To us, the C-NLOPB approach fails to assess the longer term effects and associated risks with this project. It does not examine all phases of a proposed activity from inception to eventual abandonment. A truly “strategic” SEA would have provided this information. Your approach isolates exploratory activities from the generally more hazardous and longer term development and abandonment phases of future projects that could be found to be economically viable. Your project breaks down the approval process in phases, with each phase requiring considerable expenditure and creating pressure for approval of further development with potentially greater environmental risks;
3. The C-NLOPB area of jurisdiction does not contain all of the Gulf waters that could potentially be affected by the activities of an exploratory seismic and drilling project, let alone a full blown hydrocarbon development. The C-NLOPB SEA document does not shed light on how this deficiency is to be addressed by proponents;
4. The SEA lacks ecosystem-based analysis that considers cumulative effects. The proposed Valued Ecosystem Component (VEC) assessment process examines impacts on a species by species or habitat-by-habitat basis. It fails to adequately identify potential issues associated with much broader scale biophysical processes, such as nutrient circulation through the ecosystem.

Area 18 Crab Fishermen have concerns with the draft scoping document prepared by Corridor Resources Ltd., and released by the C-NLOPB on February 25, 2011. We offer these two recommendations:

1. Corridor RI states that on February 21, 2011, they submitted a project description to the C-NLOPB. A copy of the project description is required to better inform ourselves and to present our concerns in a more refined and precise form;
2. The proponent refers to a SEA prepared by LGL Ltd in 2005. This document should be thoroughly reviewed for accuracy and relevancy on the following basis:
 - a. New scientific documents have been published on the biota and physical environment of the Gulf of St. Lawrence. None have been referenced;
 - b. Potential impacts on the biota must be assessed in the context of a highly dynamic large marine ecosystem; and
 - c. Water movements must be assessed to consider the impact on the entire Gulf of pollutants released at the project site.

Our Association asks the Federal Minister of the Environment to order a full Panel Review of offshore hydrocarbon development in the Gulf of St. Lawrence prior to any further consideration of exploration. We ask for reasonable financial resources and the necessary time to better inform ourselves of the Corridor Resources application for exploration at the Old Harry lease site.

Sincerely,

Bill Brophy

cc. Minister Peter MacKay
Minister Gail Shea
Minister Peter Kent
Premier Darrell Dexter
Gulf Area 12 Snow Crab Advisory Committee