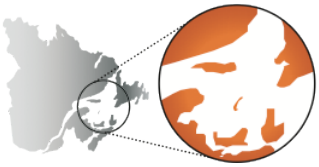
ST-LAWRENCE COALITION SAINT-LAURENT



OIL AND GAS FOR A MORATORIUM IN THE GULF

Montréal, QC, July 26th 2017

Mr. Darren Hicks
Environmental Analyst
Canada-Newfoundland and Labrador Offshore Petroleum Board

Re : Electromagnetic Geoservices Canada, Inc., Western Newfoundland Controlled Source Electromagnetic Survey, 2017

The St. Lawrence Coalition has been dedicated, for nearly seven years, to oil and gas issues in the Gulf of St. Lawrence. We represent over 80 groups from a wide spectrum of activities and over 5000 citizens from all five provinces. With the help of numerous external scientific advisors, our Coalition has come to realize that the conditions are not met, for the time being, to open the Gulf of St. Lawrence to oil and gas activities.

On June 7th 2017, EMGS Canada Inc. presented an Environmental Assessment (EA) Report concerning a controled source electromagnetic (CSEM) survey in the Gulf of St. Lawrence. We wish, in the following lines, to comment on this EA Report.

Project justification (page 1.1)
The proponent offers no convincing justification for the project. Over the years, a very large number of scientists, fishermen associations, tourist associations, municipalities, private citizens, as well as numerous First Nations around the Gulf of St. Lawrence have expressed strong concerns over oil exploration in the Gulf. In view of this, and the fact that any eventual drilling will be met with fierce opposition, it is surprising to see a proposal to continue further oil exploration in the Gulf. The proponent should offer an extensive justification for this CSEM project.

Survey vessel operation (section 2.2.1, page 2.2)
The proponent will have a seabird and marine mammal observer (SMMO) on-board the survey vessel. Considering the difficulty of accurately observing marine mammals during the course of operations, while attending to stranded seabirds, we believe that this job should be split between two persons : a marine mammal observer and a seabird specialist. In addition, these persons should be adequately trained and be certified to perform these important tasks. What will be their qualification? Will they be certified observers? The EA Report is silent about these aspects.

Project schedule (page 2.6)
We read on page 2.6 that the project could be performed between August and December 2017, pending regulatory authorizations. Yet, on page 2.1 we can read that the survey could be performed between August and November 2017. This should be clarified.

We read on page 2.6 that the timing of the survey will depend on "EMGS' client priority and circumstances". This requires clarification : 1) who is this client of EMGS? 2) what is meant by the "priorities and circumstances" of the client?

Fisheries Liaison (page 3.3)
We learn on page 3.3 that EMGS intends to deal with a Fisheries Liaison, most likely a member of FFAW-Unifor. Has such a liaison been considered with fishing associations from other provinces, considering that their members could also be active in the project area? Have any contacts been made with fishing associations from other provinces?

Project zone (page 3.3)
On page 3.3, the "project zone" is described as corresponding with exploration licence 1153 (Old Harry). Yet, on page 1.2, Figure 1.1 clearly shows that the "project zone" is much larger that the 1153 exploration licence. This should be clarified.

Coral and sponges (section 5.2.2.3, page 5.12)
Up to 14 taxas of coral, including sea pens and gorgonian corals, can be found in the Laurentian Channel. These can also be found "within or near the Project Area", according to the Environmental Assessment Report. The droping of the CSEM receivers as well as their accompanying cement bases by EMGS could be a definite perturbation factor to these fragile organisms. No mitigation measures, such as photographs of the sea bottom prior to the placement of the receivers, seem to have been considered in order to minimize the impact on these sessile organisms. This should be corrected.

North Atlantic Right Whales (table 5.6, page 5.14)
On page 5.14, as well as in five other instances in the EA Report, the North Atlantic Right Whale is mentioned as being endangered and "rarely" seen in the Gulf of St. Lawrence. These sections should definitely be updated in view of the dramatic events of summer 2017. During a span of 4 weeks, eight North Atlantic Right Whales were found dead in the waters of the Gulf. Considering that their total population is only 525 individuals, this is truly a major concern towards the survival of the species.

Preliminary necropsies have revealed that the two major causes of death were impacts with ships and entanglement with fishing gear. DFO even closed early the crab fishing season to prevent further deaths. In that context, it seems irresponsible to hold the CSEM surveys in Fall 2017, adding to the pressure on this extremely fragile species.

EMGS affirms that a marine mammal observer will be on-board to monitor any approaching marine mammal. The North Atlantic Right Whale is one of the most difficult marine mammal to observe considering that its back is barely visible above the surface of the sea. What particular measures will be used to remove any threath to the Right Whale?

Beluga Whale (table 5.11, page 5.45)
In Table 5.11, the Beluga Whale (St. Lawrence Estuary population) is said to be "Threatened" in Annex I of the Species At Risk Act. This needs to be updated as this population of Beluga is now considered "Endangered" in Annex I of SARA.

Areas of Interest (section 5.2.7.2, page 5.56)
Two major updating of Section 5.2.7.2 need to be made :
a.) Laurentian Channel MPA (Marine Protected Area). The EA Report refers to this area, in the Laurentian Channel, as being a simple "area of interest" to DFO. This needs to be updated since the proposed regulation of the official MPA has been recently published in the Canada Gazette.

b.) Magdalen Islands Marine Protected Area Project.
A vast 15,000 km^2 area around the Magdalen Islands is being considered as an area of interest for a marine protected area (MPA)[1] by the federal and Québec governments. This area should be added to Figure 5.6 and to Section 5.2.7.2.

Follow-up and monitoring (pages 4.8, 6.6, 6.11, 6.14, 6.26, 6.30, 6.33)
It is clearly established, in the scoping document, that a follow-up and monitoring program should be implemented or at least discussed :
"Discuss the need for and requirements of a follow-up program to verify the accuracy of the EA, to verify the effectiveness of any mitigation measures identified in the EA, or both." (section 5.2.14, page 10)
However, in numerous sections of the EA Report, the need for a follow-up program, to meseare the effectiveness of the mitigation measures, is dismissed as non-necessary. This should be corrected.

Assessment of residual environmental effects (section 6.2.4, page 6.3)
It is clearly determined that some organisms are negatively influenced by strong electromagnetic fields, notably species or groups such as eels, salmon, sharks, crustaceans, etc., who use such natural fields to navigate. The EA report minimizes any residual environmental effects of the CSEM survey and says the residual effects are both spatially and temporally negligible. Based on the Precautionnary Principle, the C-NLOPB should refuse the CSEM project.

[1] http://www.mddelcc.gouv.qc.ca/biodiversite/aires_protegees/aire-marine/iles-de-la-madeleine/fiche-territoire.pdf

Mitigation, ramp-up procedures (Section 6.6.3, page 6.28)
In section 6.6.3, as well as in various other sections of the EA Report, it is proposed to use ramp-up procedures based on the *Statement of Canadian Practice with respect to the Mitigation of Seismic Sound in the Marine Environment*. However, this Statement has been criticized by numerous marine mammal scientists as being too permissive. The proponent's ramp-up procedure should definitely be strengthened to be more in line with current scientific knowledge[2].

Thank you for considering these comments and recommendations.

Best regards,

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[2] Weir, C.R. and S.J. Dolman. 2007. Comparative Review of the Regional Marine Mammal Mitigation Guidelines Implemented during Industrial Seismic Surveys, and Guidance Towards a Worldwide Standard. Journal of International Wildlife Law and Policy, 10:1–27