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September 15, 2020

Project Manager, Atlantic Division  
Impact Assessment Agency of Canada  
Halifax, Atlantic Regional Office  
200-1801 Hollis Street, Halifax, NS, B3J 3N4

**Re: The Environmental Impact Statement Summary for the Bay du Nord Development Project**

Dear Impact Assessment Agency of Canada,

Thank you for inviting us to make comments on the Bay du Nord Environmental Impact Statement (EIS) submitted by Equinor Canada Ltd. to the Impact Assessment Agency of Canada (IAAC) on July 10, 2020. Nature NL is a supporter of the federal environmental assessment process and commends the work that goes into ensuring that energy development projects in Canada are safely conducted while minimizing negative impacts on both humans and the environment.

Nature NL's dedication to promoting the enjoyment and conservation of nature is what drives our passion for creating outdoor and indoor events that reach thousands of participants throughout the province each year. While we strongly commend the impact assessment process, we also regret to inform you that the 45-day comment period for the Bay du Nord EIS was too short a time for us to review the entire EIS document. Moreover, as a volunteer-driven naturalist club, environmental organization and conservation charity, we have limited capacity to review or comment on Assessment reports but given the magnitude of the Bay du Nord Development Project we felt compelled to weigh in on the sections we are directly connected to in the Equinor Canada's Environmental Impact Statement (EIS). The sections we focused on were 5.0 Indigenous Engagement, 7.2 Marine Fish and Fish Habitat, 7.3 Marine and Migratory Birds, 7.8 Cumulative Effects, and 7.9 Accidental Events.

The Indigenous Engagement section of the EIS states that the proponent is committed to conducting sustainable business development that reduces harm and contributes to

communities. The level at which Indigenous groups could participate in this project (i.e. funding opportunities) was one of the main concerns from groups in the Atlantic. Unfortunately, the project is not offering such opportunities despite the incredible economic and collaborative outcomes that result when these groups have procurement opportunities. It is crucial for the EIS to work collaboratively with Indigenous groups as the negative impact of this project may have direct or indirect consequences on the Rights of Indigenous peoples in Canada as protected by section 35 of the *Constitution Act, 1982*. Other environmental concerns, such as those outlined by the Wolastoqey Nation in New Brunswick (WNNB), identify the question of abandoned wells and liability for abandoned wells. According to the EIS, abandoned wells are outside of the scope of the guidelines which raises some questions in reference to the decommissioning of the project. We suggest the EIS justify why this was not included in the decommissioning protocols.

The proponent recognizes the importance of marine fish and fish habitats and considers the environmental components such as plankton, algae, marine plants, benthos and sedimentation in their Impact Assessment. Considering the complexity of this multi-year project, it is important to consider the long reaching effects it may have on marine fish and fish habitats. The impacts on marine fish and fish habitats in the Environmental Impact Assessment are considered “highly localized” and “transient”. Although the destruction of habitat may be exclusive to a small area, the impacts on fish and fish populations can be detrimental. We believe that it is naive to assume that the impacts on marine ecosystems, with emphasis on species at risk (SAR), will be minimal and that the project will not disrupt the temporal and spatial distribution of species considering this project will span up to 30 years. Along with the environmental conditions considered, the proponent also indicates the species present which are listed under NL ESA or SARA and the potential changes to the environment caused by the Project. The mitigation measures proposed by the proponent are adequate for avoiding crucial benthic coral and sponge habitats. However, as we are an organization that advocates for the protection of all nature, we feel further investigations into the potential adverse impacts (i.e. reducing habitat, changes to migratory routes, and shifts in the biodiversity of species in surrounding waters) should be actively pursued and monitored throughout the life of this project. As the marine environment is constantly changing and fluid, we feel this assessment should reflect that.

We support the proponent for incorporating mitigation measures to protect marine life and minimize the impact on the environment. In particular we are very pleased with the EIS’s detailed list of mitigation measures concerning migratory birds and artificial lighting, something past oil and gas projects have seemed to lack. The elimination of flaring during routine operations has been long advocated for and is a significant improvement that will reduce bird mortality. The EIS indicates in Table 3.1 Summary of Alternative Analysis of the Project, that spectral modified lighting is not a technically feasible option but does not provide evidence for why. Research has indicated that spectral modified lighting (green light as opposed to red light) can reduce bird strikes due to light attraction on oil platforms. This type of lighting can be optimal for safe and comfortable working conditions with only issues concerning helicopter approach and landings. This can be mitigated by using a hybrid of both standard and spectral

modified lighting for helicopter platforms (see Marquenie et al 2014 - <https://doi.org/10.2118/168350-MS>).

The EIS states that it is “predicted the Project will not result in significant adverse cumulative environmental effects on the VCs in combination with other projects and activities that have been or will be carried out in the RSA.”. We feel the evidence provided by the EIS justifying the “localized” and “not significant” cumulative impacts on the marine environment were not sufficient and suggest further research be conducted prior to project implementation and monitored throughout the longevity of the project.

We support the acknowledgement of potential impacts following an event in the Accidental Events Section. Although the scenarios listed for accidental spills are unlikely, as reiterated throughout this section, these are still possible and accidental events have occurred in the past, including two ‘minor’ incidents off Newfoundland waters in the previous two years. Also unlikely are major accidents, but they also occur, such as the Deepwater Horizon. Both these minor and major incidents can have significant detrimental impacts to marine ecosystems, many which remain unknown. Part of this knowledge gap is not having marine and wildlife scientists and resources available to study and document these events to provide this valuable information. Improving accessibility, resources and financial investment in this area is needed.

Overall, this EIS validates that Equinor Canada ensures safety and sustainable practices are at the forefront of their projects. Nature NL strongly encourages Equinor Canada to continue their operations in the most environmentally conscious manner possible throughout the longevity of this project. We request that all actions to mitigate possible negative impacts on both humans and the environment are considered. Thank you for the opportunity to provide comments on this stage of the Impact Assessment Process.

Sincerely,

<Original signed by>

Tiffany Small  
Director  
Nature NL