

ExxonMobil Canada Ltd. Eastern Newfoundland Offshore Geophysical, Geochemical, Environmental and Geotechnical Programs, 2015 to 2024 (Amec Foster Wheeler January 2016)

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## **GENERAL COMMENTS**

### **Environment Canada (EC)**

#### *Original Comment:*

Previously submitted comments (sent on 19 February) are still applicable.

#### *ExxonMobil Response:*

Reviewer commentary to C-NLOPB, no additional information or response required or requested from ExxonMobil. The original EA Report was completed in accordance with the EA Scoping Document prepared and issued by the C-NLOPB with the input of various agencies and organizations. Please note, however, that the Proponent and its EA Study Team did review the initial comments on the Scoping Document, as posted by the C-NLOPB, and these were considered in planning and completing the EA.

#### *C-NLOPB Reply:*

For clarity, all comments on the Draft Scoping Document were transmitted by email, along with the Final Scoping Document, to ExxonMobil Canada Ltd. on March 2, 2015 and hard copies were mailed on March 4, 2015.

### **Department of National Defence (DND)**

- With respect to possible UXO presence within the proposed ExxonMobil Eastern Newfoundland Offshore Geophysical, Geochemical, Environmental and Geotechnical Programs 2015-2024 project area:
  - Our records indicate there are two shipwrecks present within the immediate survey area, the U-658 shipwreck (50.00889N, 46.5333W) and the U-520 shipwreck (47.78334N, 49.8333W).
  - Given our understanding of the activities to be conducted and that there will be no interaction with the sea floor, the associated UXO risk is assessed as negligible. Nonetheless, due to the inherent dangers associated with UXO and the fact that the Northwest Atlantic Ocean was exposed to many naval engagements during WWII, should any suspected UXO be encountered during the course of the operations, the Proponent should not disturb/manipulate it. The Proponent should mark the location and immediately inform the Coast Guard. Additional information is available in the 2015 Annual Edition - Notices to Mariners, Section 37. Further UXO general information is available at our website at [www.uxocanada.forces.gc.ca](http://www.uxocanada.forces.gc.ca).
- Please identify a specific individual or office to serve as a Point Of Contact (POC) for MARLANT queries and concerns;

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- Please ensure the appropriate Notice to Mariners will be issued for all underwater activities and any significant surface ventures, such as use of flares, buoys, and unconventional night lighting;
- Please ensure the appropriate Notice to Airmen will be issued for all activities that could affect air safety, such as use of balloons, Unmanned Aerial Vehicles (UAVs) or tethered airborne devices; and
- Please ensure engagement of CTF 84, through Director General Naval Strategic Readiness (DGNSR), to ensure de-confliction with possible Allied submarine activities.

**Fish, Food and Allied Workers (FFAW-Unifor)**

*Original Comment:*

At our initial consultation meeting with ExxonMobil in March 2015 our discussions were very general as this EA runs over an extensive time period and geographic area. Our ocean environment is constantly changing. As such, it is imperative that the proponent continue to engage FFAW-Unifor and its members throughout the life of this Environmental Assessment to ensure there is a thorough understanding of commercial fishing activities and trends as well as fisheries research survey endeavours from year to year. Consultations with fishing interests should be planned in the first quarter of the year, prior to the start of the typical fishing year.

Overall the document is very non-specific in terms of the actual project that is planned over a ten-year period. As such, it is challenging to comment how the work will impact commercial fishing or the environment over the timeframe.

It remains of utmost importance that the proponent keep FFAW-Unifor informed of its planned activities in the coming years. This recommendation extends to vendors that may be conducting work on behalf of the proponent.

*ExxonMobil Response:*

The multi-year nature and overall duration of the proposed Project is recognized and acknowledged throughout the EA Report, including the fact that the specific characteristics and scope of the planned exploration activities are inevitably more well (*better?*) defined for the initial year(s) of the Project as compared to later phases and activities (see Chapter 2 of the EA Report). As referenced and requested in the above review comment, ExxonMobil has also made associated commitments throughout the EA Report that, for example:

There will be “communications and coordination procedures with regulatory authorities, stakeholders and key ocean users will be used throughout the

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operational life of the Project [including]... regular communication of planned survey activities with key industry representatives, and on-going liaison with FFAW / One Ocean contacts” (Section 5.3); “As part of the planning and implementation of its survey activities over the course of this Project, ExxonMobil will also continue to communicate and consult with relevant industry stakeholders” (Section 5.11);

“ExxonMobil will submit updates in relation to this multi-year program. These will describe the previous year’s activities, recent and on-going consultation activities and their outcomes, as well as outlining the proposed survey work for the coming year” (Section 5.12).

The nature and timing of these future communications and engagements will be determined with a view to optimizing their utility and effectiveness for all involved, in consultation and cooperation with the relevant group(s), including the FFAW-Unifor.

*FFAW-Unifor Reply:*

While addressed in the comments, we would like to reiterate the importance of continued consultation and communication throughout the time frame of this project, and stress the importance of consultation during the first quarter. While comments have been acknowledged and consultation is referred to throughout the document, this suggested commitment for consultation during the first quarter of the year has not been agreed to explicitly.

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## **SPECIFIC COMMENTS**

### **Fish, Food and Allied Workers (FFAW-Unifor)**

*Original Comment:*

**§ 5.10.2 Environmental Effects Assessment Page 296** – Anecdotal reports from harvesters who have been actively fishing in areas where seismic surveys were being conducted would disagree that seismic sound would have no effect (N) on marine fisheries. As such, it is suggested that the magnitude reported in **Table 5.17** should be low (L) or medium (M). It is reported as low (L) in Table 5.3 on page 265.

*ExxonMobil Response:*

The EA Study Team does not consider, for example, that the presence of seismic sound energy in the marine environment and any associated (localized and short term) implications for individual fish behaviours as a result of the Project is likely to have a negative effect upon up to 5 percent (and certainly, not up to 25 percent) of the fishers within the Study Area, and especially, that it will result in a significant effect on marine fisheries, which was defined in the EA as “a detectable reduction in the overall economic returns generated from fisheries or other commercial activities within the Study Area over one or more years” (Section 5.4).

*FFAW-Unifor Reply:*

As the effects of seismic sound on commercial species has not been concretely agreed upon and the literature is conflicting, we do not agree with ExxonMobil’s response.