

1. Migratory Birds & Species at Risk

Under the Environment Canada's Eastern Canadian Seabirds at Sea (ECSAS) program, over 4000 surveys have been conducted covering 7800 km of ocean track in the Newfoundland and Labrador offshore area since 2006. The most up to date data for the Labrador Shelf should be included. This information is available by contacting Dave Fifield at David.Fifield@ec.gc.ca or (709) 772-3425.

2. Effects of the Environmental on the Project

Seismic operations will be somewhat sensitive to environmental conditions (e.g., wind, waves, ice). The EA should focus on how such conditions acting on the project could have consequences for the environment (e.g., increased risk of spills and impacts on valued ecosystem components).

3. Routine Discharges

The *Offshore Waste Treatment Guidelines* (OWTG) require a description of "specific pollution prevention measures the operator plans to implement to reduce waste generation and discharge" (NEB *et al.*, 2002, 3). It is recommended that the following be considered to minimize routine discharges and waste:

- means that would promote recovery, recycling and removal of materials that otherwise would go overboard, be incinerated or be taken back to shore for disposal;
- means that would reduce greenhouse gases and other emissions to air;
- means that would involve replacing fluids and chemicals with less toxic alternatives.

The following information is provided for project planning and any questions should be directed at the applicable government agency.

Fisheries Act

Subsection 36(3) of the Act specifies that unless authorized by federal regulation, no person shall deposit or permit the deposit of deleterious substances of any type in water frequented by fish, or in any place under any conditions where the deleterious substance, or any other deleterious substance that results from the deposit of the deleterious substance, may enter any such water.

Canadian Environmental Protection Act (CEPA)

CEPA and its complementary management instruments (e.g., agreements, regulations, notices, codes of practice, guidelines, policies, plans) govern such matters as environmental quality, toxic substances, hazardous waste management and disposal at sea.

Migratory Birds Convention Act and associated Regulations

Migratory birds, their eggs, nests and young are protected under the *Migratory Birds Convention Act* (MBCA) and complementary regulations. Migratory birds include those species listed in the Canadian Wildlife Service Occasional Paper No. 1 *Birds Protected in Canada under the Migratory Birds Convention Act* (1991). The Act and regulations include the following prohibitions:

- "no person shall disturb, destroy or take a nest, egg, nest shelter, eider duck shelter or duck box of a migratory bird";
- "no person shall deposit or permit to be deposited oil, oily wastes or any other substance harmful to migratory birds in any waters or any area frequented by migratory birds".