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Friday, April 21, 2017

Darren Hicks
Environmental Analyst
Canada-Newfoundland and Labrador Offshore Petroleum Board
140 Water Street, 5th Floor, TD Place
St. John's, NL A1C 6H6

Re: Environmental Assessment of Multiklient Invest Newfoundland and Labrador Offshore Seismic Program, 2017-2026

Dear Mr. Hicks,

Thank you for providing the Fish, Food and Allied Workers' Union (FFAW/Unifor) with the opportunity to comment on the Environmental Assessment of MKI's NL Offshore Seismic Program, 2017-2026. We would like to comment on a few aspects of the document that are representative of issues and concerns from the fishing industry, namely the members of FFAW/Unifor.

The overall study area for this EA is large. While fisheries data has been examined in the document there is no discussion regarding the regime shift (from a shellfish dominated to groundfish dominated fishery) that is currently underway in our dynamic marine environment. An increase in Atlantic cod abundance was mentioned (page 58), but increased fishing activity is anticipated for all groundfish species (e.g. Atlantic cod, turbot, Atlantic halibut, grey sole, redfish, yellowtail flounder, etc.) throughout the scope of this ten year EA. *It is critical that effective and regular communication ensue with the fishing industry throughout the EA lifespan so that the seismic company is kept apprised of ongoing developments with fisheries in the vast project area.*

There is some misinterpretation of gear type data in the report (page 78). For example, it is important to clarify that snow crab would be the only commercial species targeted in "pots" in the study area. There may be incidental bycatch of the other species listed in this section of the report as being fished with pots but it would not be the target species. As well, longlines are used for Atlantic halibut and on a smaller scale with Atlantic cod but the other species listed would be incidental bycatch. Atlantic cod are not directed *commercially* with a rod and reel. Furthermore, gill nets were not even discussed as a gear type although it

is listed in the associated Table 4.9 (pages 80-81). *It is recommended that this section be rewritten to more accurately reflect the gear types used and the species targeted using two categories - fixed or mobile gear. (The pot fishery for yellowtail and Greenland halibut was also mentioned on Page 188).*

The collaborative DFO-industry post season crab survey is undergoing changes in terms of the location and number of survey stations. However, changes have not been confirmed for 2017. We question the source of the number of stations for 2017 (1316 indicated in the report – page 116). As well, reported stations within the project area and the associated map of stations (page 116) should have a caveat statement noting that stations may be subject to change from year to year. This is a new development. *It is therefore crucial that the seismic company maintain effective communication with FFAW/Unifor and DFO to receive accurate information on the post-season crab survey going forward.*

Furthermore, this communication will be important as we reiterate that the 7 day/30 km temporal/spatial buffer (page 171 and 224) is **NOT** an acceptable mitigation for fisheries or fisheries science in the view of FFAW/Unifor. It continues to be our stance that seismic work should **NOT** be conducted in the vicinity of survey stations until they have been sampled for the year. *We have worked cooperatively with MKI over the past few years on this issue and anticipate the same level of understanding going forward.*

The CNLOPB's current Compensation Guidelines (March 2002) are a bit ambiguous regarding oil spills. The report indicates that these Guidelines would be used in the event of a substantial hydrocarbon release (page 189). *We request further information as to how these Guidelines would be followed.*

FFAW/Unifor would like to thank you for providing an opportunity to comment on this EA. If you have any questions or comments please feel free to contact the undersigned.

Kind regards,

Robyn Lee
Petroleum Industry Liaison
