



NUNATSIAVUT
kavamanga Government

Nunaligninikmik amma Nunamiutanic
Ujaganik Imaniklu
Lands and Natural Resources

March 15, 2018

C-NLOPB
Suite 101, TD Place
140 Water Street
St. John's, NL
A1C 6H6

Re: MKI Response

Dear Mr. Hicks,

Please find below the Nunatsiavut Government's response to the "Response to Reviewer Comment on the Environmental Assessment of Multiklient Invest AS Newfoundland and Labrador Offshore Seismic Program 2017-2026 Addendum," dated March 2018.

Again, we find the responses to be lacking, unsatisfactory, and inconsistent with our discussions with the C-NLOPB regarding environmental assessment processes. Please find below our specific discussion points. We hope that the C-NLOPB, in their regulatory role, will ensure the proponent is responding to the questions adequately.

Previous comments on Cumulative Effects:

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Our specific comments on the cumulative effects assessment remain unanswered, specifically with regard to the scenario used for the assessment. They are reiterated here:

"This environmental assessment does not clearly state the proponent's scenario with which they are assessing their own cumulative effects of a 10-year program. The proponent states that the maximum possible combinations within each year are 2D and 2D or 2D and 3D and 4D; therefore the maximum combination should be used each year for 10 years to assess cumulative effects. The proponent is applying for a 10-year project; the environmental assessment should be able to properly assess cumulative effects over that time span by assessing the certain and probable projects over that time period – otherwise each project should reduce the scope to an assessable timeframe; likely resulting in each seismic project being treated as an annual or bi-annual project with separate environmental assessments."

Response: At the request of the C-NLOPB, MKI has shortened the time span of the EA from 10 years to 6 years.

Current comment: The proponent's response, again, does not answer the question. To be clear, the question is:

"What combination of activities (scenario) over the set number of years (currently six) is being used to assess project and cumulative effects?"

As the project will now be split into two, a new question arises: “How will the anticipated future project be incorporated into the cumulative effects assessment?”

Previous comments on Monitoring Plans

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Monitoring Plans

MKI’s response does not detail how the data collected will be used, why it is being collected, and how it will be incorporated into an iterative monitoring program for a 10-year project. It states that “opportunities for the adoption of best practices over the 10-year project...exist.” However, without a clear monitoring objective and program it would be difficult to incorporate basic observation data into improved monitoring practices. Hence, there is a need to create a detailed, rigorous monitoring program for the project.

Response: MKI has and will follow the C-NLOPB *Geophysical, Geological, Environmental and Geotechnical Program Guidelines* (C-NLOPB 2017), which include DFO’s *Statement of Canadian Practice with Respect to the Mitigation of Seismic Sound in the Marine Environment*. The *Statement of Practice* includes the purpose of monitoring and implementing mitigation measures for marine fauna during seismic programs. Additionally, MKI collects seabird distribution and abundance data and follows protocols for handling and release of stranded birds as required by ECCC-CWS. The time span for the Project has decreased from 10 years to 6 years.

Current Comments:

In regards to monitoring plans, proponents are still not providing clear project monitoring plans that incorporate guidelines and policies like the *Geophysical, Geological, Environmental and Geotechnical Program Guidelines* (C-NLOPB 2017) and DFO’s *Statement of Canadian Practice with Respect to the Mitigation of Seismic Sound in the Marine Environment*. The Guidelines and Statement themselves are not a monitoring plan. A monitoring plan is a project specific plan that incorporates both project and cumulative effects monitoring and provides reviewers with an understanding of how information collected under these guidelines will be used to inform the current project and future projects.

Other proponents in Canadian jurisdictions have created monitoring plans for seismic projects and these are readily available from other environmental assessment registries – the Nunatsiavut Government suggests that these are used as a basic guide to assist with the creation of a monitoring program for this seismic project.

Sincerely,



Claude Sheppard
Director of Non- Renewable Resources