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kavamanga Government

Nunaligninikmik amma Nunamiutani
Ujaganik Imaniklu
Lands and Natural Resources

May 7, 2019

Darren Hicks
Environmental Analyst
Canada-Newfoundland and Labrador Offshore Petroleum Board
140 Water St., 4th Floor
St. John's, NL A1C 6H6

RE: Environmental Assessment Revised Addendum of Multiklient Invest Labrador Offshore
Seismic Program, 2018–2023, April 2019

Dear Mr. Hicks,

Please find below our comments with respect to the Environmental Assessment Revised Addendum of Multiklient Invest Labrador Offshore Seismic Program 2018–2023, submitted for review to the Nunatsiavut Government by the C-NLOPB on April 15, 2019. The comments below correspond to the NG comments and responses from the proponent from the April 2019 document. In this case, the page numbers in the Revised Assessment are referenced.

The Nunatsiavut Government (NG) appreciates the opportunity to comment on the Revised Addendum. Our concern remains in regards to the practices surrounding the quality of the cumulative effects assessment and the guidance provided by the C-NLOPB. We appreciate your response on April 18, clarifying that the proponent's responses were acceptable to the C-NLOPB.

The NG and the C-NLOPB differ in our understandings of cumulative effects assessment. The NG is awaiting further discussion as committed to in the C-NLOPB letter of November 7, 2017, that the C-NLOPB "will carefully consider the concerns raised by the Nunatsiavut Government with respect to cumulative effects and will work towards improving how they are addressed in EAs." The NG has yet to see any clear changes in CEA assessment on behalf of the C-NLOPB and has not been engaged directly to discuss the issues. As a consulted stakeholder, the Nunatsiavut Government has been clear on the need for improved assessment, but as the regulator, it is the C-NLOPB's responsibility to ensure it is completed properly. It is the opinion of the NG that the proponent has not properly completed the cumulative effects assessment.

Our comment remains the same that the C-NLOPB should provide more details on how the proponent can achieve a robust cumulative effects assessment. Our previous submissions outline in clear detail what should be done. The proponent's response regarding shipping impacts is a good example of providing information, but not completing the cumulative effects assessment.

The proponent's response on shipping impacts (pg. 10-13 of the current Addendum) provides more up to date information, but does not provide a robust cumulative effects assessment of that new information on their chosen VECs. The point of an environmental assessment is to show *how* conclusions were drawn – stating that shipping levels are low therefore impacts are low is not robust. If the assessment comes to the conclusion that

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impacts are low on chosen VECs, the proponent should show this using established literature, should estimate the shipping levels for the whole duration of the project based on projections, estimate impacts of this with other impacts, including their own project, and then draw the conclusions for a cumulative effects assessment. In this case, the cumulative effects assessment consists of the last four sentences of the response.

In regards to the EA Updates, the C-NLOPB's response is concerning. The proponent has repeatedly stated in previous submissions that *"a more representative cumulative effects assessment is best captured in annual EA Updates."* If this is not the purpose of the EA Updates, as stated in your letter, it should be made clear to the proponent that their cumulative effects assessment should be completed in their original EA. This disparity should be corrected prior to moving forward.

In regards to ensuring effective monitoring, it is common for EAs to provide information on monitoring programs and the type of data that will be collected for monitoring. Often the templates and proposed monitoring programs are included as an Appendix to EAs. It is encouraging that the C-NLOPB asks for monitoring data to be incorporated into EA Updates. It is also important to the NG that any oil and gas development within the Labrador Shelf Strategic Environmental Assessment (SEA) area add to our understanding of the offshore environment for future planning. To us, this means having a clear plan for monitoring at the EA stage, and incorporating data into larger initiatives, such as the SEA. This may change as the project advances, and that is normal. Monitoring plans should be done in co-operation with proponents and the SEA co-chairs.

Thank you again for the opportunity to comment on the Revised EA Addendum. We hope that these comments are helpful to the proponent and the C-NLOPB as we move towards an oil and gas regime in offshore Labrador that is based on best practices, iterative learning, and cooperation.

Sincerely,

Original signed by Claude Sheppard

Claude Sheppard
Director of Non-Renewable Resources
Nunatsiavut Government