



Your File Votre référence

Our File Notre référence
BAB 3990- 05

April 8, 2014

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

Dear Mr. Hicks

Subject: DFO Review of MKI 2014-18 Labrador Sea Seismic Program EA Report

As requested, Fisheries and Oceans Canada (DFO) has reviewed the document "*Environmental Assessment MKI Labrador Sea Seismic Program 2014-2018*" dated February 2014 and offers the following comments:

Section 4.3 Fisheries

- There is a recreational groundfish fishery as well as Aboriginal groundfish fisheries for food, social and ceremonial purposes primarily adjacent to and in nearshore waters of the study area.

Section 4.5 - Table 4.10 (page 107)

- When referring to SARA listed species the population should also be identified.
- Please note that Schedule 1 of the *Species At Risk Act* is the official list of SARA species. Schedules 2 and 3 identify species to be reassessed by COSEWIC using revised criteria when SARA came into effect. Table 4.10 should be amended to delete the wording "Schedule 3 Special Concern" and "Schedule 2 Threatened" from the SARA Status column for Humpback Whale and Harbour Porpoise respectively.

Section 4.6 - Table 4.13 (page 125 and 126)

- The title of this table should be revised to "*SARA-listed and COSEWIC-assessed Marine Species that May Occur in the Study Area*" as species are assessed by COSEWIC, not listed.
- When referring to SARA listed species the population should also be identified. Populations of Atlantic salmon should be listed separately as noted on the SARA Registry.
- Hood Seal and Harp Seal are both high priority candidate species, and Sperm Whale is a mid-priority candidate species under COSEWIC, and the applicable sections of Table 4.13 should be amended accordingly.



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Section 4.7 Sensitive Areas

- This section makes no reference to the recent delineation of Ecologically and Biologically Significant Areas (EBSAs) in the NL Shelves Bioregion as described in Canadian Science Advisory Secretariat (CSAS) Document “DFO. 2013. *Identification of Additional Ecologically and Biologically Significant Areas (EBSAs) within the Newfoundland and Labrador Shelves Bioregion. DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2013/048.*” Some of the 15 EBSAs described in this document lie in part within the Project / Study area and should be included in the listing and/or description of Sensitive Areas presented within Section 4.7 and Section 5.8.9 of the EA report.

Section 4.7 - Table 4.14 (page 139-140)

- The description of Hamilton Inlet Candidate NMCA presented in Table 4.14 is the same as that provided for the Nain Bight candidate NMCA. It is recommended that the proponent contact Parks Canada Agency for clarification on the description and status of candidate NMCA sites and amend Table 4.14 accordingly.

Section 5.6 Mitigations

- The proponent should be required to adhere to all relevant minimum mitigations outlined in the SOCP including the Planning Seismic Surveys, Safety Zone and Start-up, Shut-down of Air Source Array(s), Line Changes and Maintenance Shut-downs, Operations in Low Visibility and Additional Mitigative Measures and Modifications sections of the SOCP.
- The measures proposed to avoid interference with fisheries science surveys appear adequate. DFO did not specifically prescribe the temporal and spatial separation measures outlined in section 5.6.3.

Section 5.8.8 Species at Risk VEC

- The document, “*Recovery Strategy for Northern Wolfish (Anarhichas denticulatus) and Spotted Wolfish (Anarhichas minor), and Management Plan for Atlantic Wolfish (Anarhichas lupus) in Canada*” should be referenced in this section.

Thank you for providing DFO the opportunity to comment on this document. Should you have any questions or comments regarding the above please feel free to contact [REDACTED] by telephone at [REDACTED] or by e-mail [REDACTED]

Sincerely,

[REDACTED]

Manager, Fisheries Protection Program - Regulatory Reviews
Ecosystems Management Branch