

FISH, FOOD AND
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Monday, May 16, 2011

Darren Hicks
Environmental Analyst
Canada-Newfoundland and Labrador Offshore Petroleum Board
140 Water Street, 4th Floor
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Dear Darren,

Thank you for providing the Fish, Food and Allied Workers' Union (FFAW/CAW) with the opportunity to comment on the Environmental Assessment for Multi Klient Invest's Labrador Program, 2011-2013. I'd like to comment on a several aspects of the study that are representative of issues and concerns from the fishing industry, namely the members of the FFAW/CAW.

The commercial fishery is very important to many communities in Newfoundland and Labrador. While the membership of the Fish, Food and Allied Workers' Union (FFAW/CAW) live in communities as far north as Fish Cove Point (just north of Cartwright), our Labrador members fish in NAFO divisions 2J, 2H and 2G for crab, shrimp, turbot, cod, etc. As well, our harvesters in 4R (northern Newfoundland) have rights to fish in 2J, and our northeast coast fishers still have fishing rights off the coast of Labrador as well. We also have members who fish quotas for the Natuashish Government in 2H. The proposed survey area also includes a portion of NAFO division 3K which does not seem to be represented in the fisheries maps and/or data presented in this document.

There are a number of inconsistencies in the document. I would like to highlight a few:

- The non-technical summary states that the commercial fishery takes place within the area of interest during the summer months. The document later states (in section 6.1.1) that the shrimp fishery is prosecuted all year long.
- In section 3.4 there is no mention of avoidance of heavily fished areas but it is mentioned later in section 9.1.7.
- Section 5.6 states that turbot is the most important commercial species in the region. Later it is stated that shrimp is the most important species (section 6.1.1).
- The document also suggests that snow crab (section 6.1.2) will not be subjected to intense seismic survey activity. I am unsure what constitutes intense activity in this regard. Furthermore, the data on crab harvesting activity in 3K should be included in this "analysis".
- In section 9.0 there is reference that organisms will be "one time" exposed to seismic activity. There has been significant seismic activity in the area of interest over the years (as mentioned in section 9.5) and the company proposes to conduct further work within the lines identified for 2011 pending results of this year's activity. There is potential for organisms to be exposed (some

- may have previously been exposed) to seismic activity multiple times through the life of this program and others in past and future exploratory programs of the area of interest.
- Section 9.1.6 suggests that turbot gear poses the highest potential for gear conflict within the area of interest. Crab gear will also pose a threat for conflict with the seismic program, particularly in the northern portion of NAFO division 3K.
 - There are several references to the duration of this proposed multi-year seismic program (i.e. three, five and six years). The timelines for the program require clarification.

The document does not reflect that the proponent has a complete understanding of the commercial fishery in the full area they are proposing to survey. A more recent time series of harvesting data (up to 2009) could have been obtained from DFO as well as data from NAFO division 3K which would show additional areas of potential conflict between the 2D survey program and the fishing industry. This is important as seismic work in 3K and 2J is still relatively new to harvesters.

The unknown long term effects of seismic activities are of major concern to harvesters. There have been reports from harvesters that fish behavior has been affected following seismic blasts and shellfish have disappeared from areas following seismic work being undertaken. While the research has not determined any direct mortality of fish or shellfish attributable to seismic activity it needs to be recognized that there may be behavioural changes that could affect migration and/or reproductive and spawning activities as well as movement of the exploitable biomass in an area. Discussion on impacts of seismic activity on important commercial species was minimal in this assessment.

From our viewpoint the proponent has not conducted adequate consultations with the fishing industry in all of Newfoundland and Labrador (section 9.1.9 and 9.6) to gain a full appreciation of the industry in their area of interest. As the EA indicates, while many key fishing people were contacted in Labrador, there are many harvesters from St. Anthony to Valleyfield (who fish in the proposed survey area) who will also be impacted by this project.

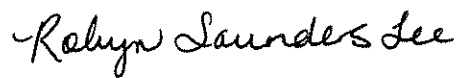
Our members in Newfoundland have indicated that they would like the opportunity to sit down and talk with the company proposing the work. (Information regarding this project was emailed to key contacts). While we recognize that it is difficult to conduct meetings in general the company proposed a meeting in mid April 2011 for the fishing industry in St. Anthony. The crab and shrimp fisheries had already begun (April 1, 2011) so fish harvesters would have been unavailable to attend a meeting at this time. As well, many harvesters from other areas on the northeast coast would not have been able to attend a meeting due to distance. We recommend that more thorough in-person consultations be conducted at centralized locations in Newfoundland should the project proceed in the area of interest in subsequent years.

In the case of this project, fish harvesters are spread out over a wide geographic area and communication is vital to the safety of all involved. There is a need for good planning and further consultation with the fishing industry prior to the start of the various components of the seismic program to avoid potential conflict(s) at sea. The proponent should ensure there is adequate and frequent communication with the FFAW to keep apprised of ongoing developments in the fishing industry as well, particularly in 3K, to mitigate potential conflicts with fishing vessels and fishing gear. The project area will be actively fished by harvesters during the time the proponent plans to schedule work. The deployment of a Fisheries Liaison Officer onboard the seismic vessel will help mitigate many conflicts on the water.

In areas of high gear concentration and/or extensive commercial fishing traffic we also suggest the deployment of a Fisheries Guide Vessel. (The FFAW has a guide vessel program in place to mitigate safety concerns between the fishing and oil and gas industries). A Fisheries Guide Vessel would be better suited than a chase or picket vessel as they have experience with vessel traffic and gear deployment on the fishing grounds where the seismic activities are taking place. The Fisheries Guide Vessel could also serve to provide a communication “platform” for the fishing industry during the seismic program.

I thank you for providing an opportunity for the FFAW/CAW to comment on the Multi Klient Invest Labrador program Environmental Assessment document. If you have any questions or comments please feel free to contact me.

Kind regards,

A handwritten signature in black ink that reads "Robyn Saunders Lee". The signature is written in a cursive, flowing style.

Robyn Saunders Lee
Petroleum Industry Liaison