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May 12, 2008

Ms. Elizabeth Young
Canada-Newfoundland and Labrador Offshore Petroleum Board
Fifth Floor, TD Place
140 Water Street
St. John's, NL
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Re: *NWest Energy Inc. Geophysical Survey Program, 2008-2015*
Environmental Assessment

Dear Ms. Young:

The Fish, Food and Allied Workers (FFAW/CAW) represents approximately 20,000 fish harvesters and processing plant workers throughout Newfoundland and Labrador. The FFAW appreciates the opportunity to comment on proposed activities that may impact the livelihoods of our members. Please consider the following comments on NWest Energy Inc. Geophysical Survey Program Environmental Assessment, proposed for Western Newfoundland.

A transparent consultation process is critical for *all* exploration activity that has any potential to cause adverse impacts on the livelihoods of those who depend upon marine resources. In 2007, NWest Energy representatives met with FFAW to discuss plans for the 2008 season. FFAW continued communications with these representatives, and provided advice on the best possible timing of seismic activity in the West Coast region. It was agreed upon for the proponents to host dedicated fisheries consultations in several of the communities on the West Coast. These meetings were recommended to occur as the *Program* approached it's start date, so the proponents could provide more specific details.

Throughout our early discussions, the FFAW provided advice on the timing of seismic programs, to aid in conflict avoidance for all parties. The FFAW had meetings and conversations with leaders in the various fishing fleets in the area to compromise on the "most ideal" timing for this *Program*. The timing agreed upon was in the Fall season, due to concerns of sensitive spawning and migration patterns of various species, and presence of fishing gear in the area.

Timing of such a *Program* is paramount, especially on the West Coast, where there is such a diverse fishery. However, fish harvesters were given the understanding that this seismic program would be brief, "12 days," to be precise. Interestingly, the EA portrays a 20-30 day *Program*, with the potential to be up to 75 days. This change in temporal boundaries of the project was not communicated to the FFAW, or the fish harvesters. This expansion of overall length of the *Program* causes much concern for fishing activity and sensitive areas and periods for various species.

A single environmental assessment for the 2008-2015-time period is much too long, and can experience various unexpected occurrences over such a long time span. The temporal boundaries encompassed in the *Program* are quite long and will require addressing the changes to each industry, the oil and gas, and the fishery. We have witnessed in the Newfoundland and Labrador fishery in the past 15 years, a drastic shift from predominantly groundfish to shellfish. This evolution is evidence that the marine resources and species targeted can undergo significant changes in relatively short periods.

This *Program* needs to be monitored continuously to assess the cumulative impacts on the marine ecosystem. Proponents of a *Program* of such nature should contribute to scientific research programs on the important species of the area, as well as petroleum related research projects (i.e. effects of seismic on invertebrates, groundfish, etc.).

The spatial boundaries also present challenges and potential for conflict with the fishery. The fishing locations for various species currently, could significantly change over the proposed eight-year period. Fish harvesters operate their enterprises and make their decisions based on; cyclical fish markets and prices, fuel prices, technological advancements in the industry, operational strategies and DFO management plans for individual species. Changes in any of these factors result in harvesters altering their fishing season and locations. Therefore, the fishing seasons and locations are not static. ***Most definitely, the fishery in 2017 will not look like the fishery in 2007.***

The Environmental Assessment report on the NWest Seismic Program is full of assumptions and generalizations. Obviously, this report was submitted before a seismic vessel was secured for the *Program*. Therefore, many components of this report are not useful because so many factors are yet to be determined. General terms, such as, "typically, usually, traditionally" are frequently referred to, instead of providing helpful details on all aspects of the *Program*.

Logistical support, such as helicopters, shore base, supply vessels are all pending the type of vessel chosen for this *Program*. Noise levels, emissions and discharges are all unknowns without the details of the type, or size of vessel utilized for this *Program*. Table 2.2 is irrelevant, until a vessel is selected. All of these unknowns are evidence of how ineffective to do consultations on this *Program*, until details are in place, and ready to be communicated. Fish harvesters need to know what type of equipment, vessels, frequency of support vessels they may be interacting with.

In the matrix in Table 4.3, there are potential issues and/or interactions of *all* aspects of the *Program* with *all* Valued Environmental Components.

The report states that "a trained fisheries observer" will be onboard the seismic vessel. The FFAW expects to deploy a *Fisheries Liaison Officer* (FLO) for this seismic program, just as we have for the past several years, for all offshore seismic programs. The role of the FLO will prove to be most valuable in this area, due to the diversity of the fishery, as well as the geographical area involved.

Another useful tool to enable effective operations for the seismic vessel would be the use of an escort vessel. This vessel should be drawn from the local fleets, to assist in the operations. Escort vessels provide a unique vantage point for the seismic operations; with support in communicating with fishing boats, locating and identifying fixed gear.

Thank you for the opportunity to comment on this Environmental Assessment. The FFAW/CAW looks forward to those concerns being addressed. If you have further questions, please contact me at the coordinates below.

Sincerely,



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