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MAR 21 2018

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PATH #16-HNFL-00006

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

Dear Mr. Hicks:

***Re: Review of the Polarcus UK Ltd. Eastern Newfoundland Offshore 2D, 3D and 4D
Seismic Program, 2016 to 2022 Environmental Assessment Report Addendum***

I am writing further to your March 7, 2018 letter requesting review of the February 2018 Environmental Assessment (EA) Report Addendum prepared in relation to the above noted seismic program proposed by Polarcus UK Ltd.

Based on review of the above noted Addendum, the following comments are offered for your review and consideration.

- Response to comment on Section 2.3.8 Seismic Source Parameters, page 2-8, first paragraph (page 3-14 of Addendum) – Specification of the number of airguns on each gunstring should be provided.
- Response to comment on Section 3.2.3 Precipitation and Visibility, page 3-6 & 3-7, Table 3.2 and Table 3.3 (pages 3-17 & 3-20 of Addendum) – Values in Table 3.2 of the Addendum are not consistent with those provided in Table 3.2 of the EA Report. Information provided in Table 3.2 of the Addendum should be validated. Figure 3.5 in the Addendum does not appear to describe tropical storm systems. Y-axis should be revised accordingly.
- Response to comment on Section 3.3.1 Waves, page 3-8 (pages 3-21 to 3-22 of Addendum) – It is not clear which definition of significant wave height is presented in Figure 3.6. Clarification should be provided.
- Response to comment on Section 3.4.2 Icebergs, page 3-10, Figure 3.7 (page 3-26 of Addendum) – Groupings for the X-axis and scale for the Y-axis should be provided.
- Response to comment on Section 4 Biological and Socioeconomic Environment, page 4-1, Table 4-3 (pages 3-27 to 3-30 of Addendum) – In Table 4.1, the Species at Risk Registry should also be referenced for marine mammals and sea turtles. Table 4.1 should be amended to include NAFO catch data and other relevant NAFO data considering that a substantial portion of the Study Area is outside the 200 mile EEZ. With respect to NAFO data provided in the Addendum (pages 3-29 to 3-30), the associated NAFO Divisions should be specified.



- Response to comment on Section 4.1 Plankton, Section 4.2 Benthos and Section 4.3 Deep-water Corals and Sponges, pages 4-2 to 4-4 (page 3-31 of Addendum) – This comment has not been adequately addressed. Information on species abundance, distribution and variability should be provided. How data gaps from the Eastern Newfoundland Offshore SEA have been taken into account should be described. Updated data and references should be provided.
- Response to comment on Section 4.4 Fish, page 4-4 (page 3-31 of Addendum) – This comment has not been adequately addressed. How data gaps from the Eastern Newfoundland Offshore SEA have been taken into account should be described.
- Response to comment on Section 4.6 Marine Mammals and Sea Turtles, page 4-40 (pages 3-32 to 3-39) – This comment has not been adequately addressed. The following changes are recommended:
 - Describe how data gaps from the Eastern Newfoundland Offshore SEA have been taken into account
 - Ensure all relevant recent references are included and described. The response does not include any references after 2014. For example, recent work indicates that the population of Northern bottlenose whales in the Flemish Pass is unknown, which could influence the effects assessment for this species.
 - There is inappropriate nomenclature throughout the response. Minke whale should be referred to as the Common minke whale North Atlantic subspecies. Names provided for small dolphin species are inconsistent with Figure 4.30 in the EA Report and should be revised accordingly. For the Harbour porpoise, “Western North Atlantic Population” should be changed to “Northwest Atlantic population”.
 - Note that Long-finned pilot whales are known to occur in the Study Area based on Figure 4.29 in the EA Report
 - Describe the Sowerby’s beaked whale
 - Provide likelihood of occurrence in the Study Area for the Harbour porpoise and Loggerhead sea turtle
 - In the first paragraph for Leatherback sea turtle, it should be noted that the Loggerhead sea turtle is Endangered under Schedule 1 of SARA.
- Response to comment on Section 4.6.3 Species at Risk, page 4-40 (page 3-40 of Addendum) – This comment has not been adequately addressed. Relevant information from Management Plans, Recovery Strategies, and Action Plans should be described, including from documents published after the submission of the EA Report. Additionally, how data gaps from the Eastern Newfoundland Offshore SEA have been taken into account should be described.
- Response to comment on Section 4.8 Fisheries and Other Ocean users, page 4-47 (page 3-45 of Addendum) – It is incorrect to state that “None of these NAFO Divisions overlap with the Study Area and therefore recreational fisheries will not be found within the Study Area”. Based on Figure 4.32 in the EA Report, there is overlap between NAFO Divisions 3KL and the Study Area. Consequently, recreational fishing can occur within the Study Area; however, it is probably minimal. The statement that “there are no known Aboriginal fisheries that occur within the Study Area” is also incorrect. Although there are no communal Food, Social and Ceremonial Indigenous fisheries currently permitted in the Study Area, all Indigenous groups in the DFO NL Region have communal commercial



licences providing access to the Study Area. Additionally, there are Indigenous groups outside the DFO NL Region that hold licences (swordfish) that are permitted access to the Study Area. Response should be updated accordingly.

- Response to comment on Section 5.5.1 Identification of Interactions, page 5-10, Table 5-2 (page 3-48 of Addendum) – Atmospheric emissions should be noted for potential interactions with the Species at Risk VEC considering that interactions are noted for sea turtles in Table 5-2 and potential negative effects of atmospheric emissions are noted for the Species at Risk VEC in Table 5-14 of the EA Report.
- Response to comment on Section 5.8.5 Species at Risk VEC, page 5-49 to 5-51 (page 3-52 of Addendum) – Because project activities could potentially have greater effects on Species at Risk, it is still felt that this section should be amended to include a discussion of the interactions for each Species at Risk. Errors in population names were also noted in the response and should be corrected as follows:
 - Populations for Northern bottlenose whale are Scotian Shelf and Davis Strait-Baffin Bay-Labrador Sea;
 - There is no population for Sowerby's beaked whale;
 - Northwest Atlantic/Eastern Arctic population should be noted for Killer whale; and
 - Northwest Atlantic population should be noted for Harbour porpoise.

As a point of information, a new *Fisheries Act* Closure, the Northeast Newfoundland Slope Closure/Marine Refuge area, has been established for sensitive benthic habitat and overlaps with the Study Area.

Thank you for providing the opportunity to review and provide comments on this project EA Report Addendum. If you have any questions or comments with respect to the above, please do not hesitate to contact me by phone at (709) 772-2583 or by email at Kimberley.Keats@dfompo.gc.ca.

Sincerely,



Kimberley Keats
A/Senior Biologist – Coastal, Marine, Oil & Gas Development
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