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Your file *Votre référence*

December 8, 2015

Our file *Notre référence*
PATH #15-HNFL-00565

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 Draft Scoping Document Seitel Canada Limited East Coast Offshore Seismic Program 2016-2025*

I am writing further to your November 19, 2015 email and letter requesting review of the draft scoping document for the above noted seismic survey program proposed for the East Coast / NL Offshore area for 2016 – 2025.

Please be advised that Fisheries and Oceans Canada (DFO) is in possession of expert knowledge and advice related to fish, fish habitat, marine mammals, species at risk, sensitive marine areas, and commercial fisheries that may be relevant to the project environmental assessment.

Based on review of the draft Scoping Document the following comments are offered for consideration in terms of focusing the project EA report.

- Section 5 Scope of Factors to be Considered (Page 2) – the last sentence of the second paragraph notes that “..only new information should be included in the EA..” To enable efficient review and provision of advice on the project EA we recommend that the proponent be clearly instructed to focus the project EA on information that may be new and which addresses knowledge and information gaps identified in the applicable SEAs.
- Section 5.2.1 Temporal Boundaries (page 4) – the scheduling of project activities should also consider the timing (and location) of active commercial fishing activities and other marine activities.
- Section 5.2.2 Biological Environment (page 4) – it is suggested that this section of the Scoping Document should indicate; that the project EA will note/acknowledge data gaps identified in the relevant and applicable SEAs vis a vis marine fish/fish habitat, species at risk, sensitive areas, and marine fisheries, and how the project EA will describe the relevance of such gaps for the conduct of the project EA.
- Section 5.2.4 Marine Fish and Shellfish (page 5), Section 5.2.5 Marine Mammals and Sea Turtles (page 5), Section 5.2.6 Species at Risk (page 5), and Section 5.2.7 Sensitive Areas (page 6) – it is suggested that the first sentence in each of the above noted sections should read “...changes to the following and any data and/or information gaps noted with respect to (*marine fish and shellfish, marine mammals and sea turtles,*



Species at Risk, sensitive areas as appropriate for each section) within the applicable SEAs.”

- Section 5.2.8 Noise/Acoustic Environment (page 6) – this section of the project EA should include a description of sound levels expected at distances from the source throughout the water column and how these may affect pelagic and benthic fish, shellfish, species at risk, and marine mammals.
- Section 5.2.10 Fisheries and Other Ocean Users (page 6) – this section of the project EA (and scoping document) should focus on commercial fishing activity that will likely take place in the project areas to be surveyed and which is not already described in the applicable SEAs. It should focus on the timing, and locations of current and anticipated commercial fishing rather than detailed descriptions of historic and/or past fishing activities. With respect to the second sentence of the first bullet on page 7 it is suggested that it should read “...*consideration of recent scientific literature on effects of survey activity on commercial fish and invertebrate species including identified data gaps...*”. It is also suggested that this sentence (and related discussion) may be better suited to Section 5.2.4.
- Section 5.2.12 Biological and Follow-up Monitoring (page 7) – it is not clear how (or if) monitoring and/or auditing of adherence to applicable mitigations committed to in the project EA will be undertaken. It is felt that this section should describe clearly how the proponent will monitor and report on the implementation and effectiveness of mitigation measures committed to in the EA.

Future correspondence in relation to the environmental assessment for this proposed survey can be addressed to me by regular mail or by email. If you have any questions in this regard please do not hesitate to contact me.

Yours sincerely,

Senior Fisheries Protection Biologist – Marine, Coastal, Oil and Gas Development
Fisheries Protection and Regulatory Reviews
Ecosystems Management Branch