



NUNATSIAVUT
kavamanga Government

Nunaligninikmik amma Nunamiutaniq
Ujaganik Imaniklu

Lands and Natural Resources

Darren Hicks,
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August 22, 2014

Re: Environmental Assessment Addendum for TGS Offshore Labrador Seafloor and Seep Sampling Program 2014-2019

Dear Mr. Hicks,

Please find below our response to the comments made by TGS-NOPEC relating to their Seafloor and Seep Sampling Program 2014-2019 EA Addendum.

The Nunatsiavut Government recognizes that there will be a beneficiary of the Labrador Inuit Land Claims Agreement on board the vessel as a Marine Mammal Observer (MMO) and bird observer. However, the Nunatsiavut Government would like an explanation as to why an MMO would be brought on board, without the ability to mitigate potential negative impacts on marine mammals (ie. a shut down of the SBP if marine mammals are observed within 500 m of the vessel). Despite the fact that the SBP will only be used a few minutes at each station, section 19.1(d) of the *Canadian Environmental Assessment Act (2012)* states "mitigation measures that are technically and economically feasible and that would mitigate any significant adverse environmental effects of the designated project" should be considered. Given that an MMO is already on board the vessel and it is the responsibility of the Proponent to mitigate negative impacts, the responsible decision would be to shut down the SBP if a marine mammal comes within 500m of the sound source.

Furthermore, given that there has not been a thorough explanation nor evidence provided to the Nunatsiavut Government as to the potential impacts of the Sub-Bottom Profiler (SBP), the Nunatsiavut Government consulted an external marine mammal expert. The

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marine mammal expert stated, “sub bottom profilers have been found to be as potentially intrusive as some other loud sound sources. They produce sounds at higher frequencies that will disturb toothed whales and dolphins, as well as lower down to elicit responses from larger whales and seals.” In this expert’s opinion, a 500m safety zone would be prudent.

Please see the attached letter from the Marine Mammal Commission in response to a project proposal by the National Marine Fisheries Service. The letter explains in detail the potential impacts of a SBP on marine mammals.


Finally, it is not the responsibility of the Nunatsiavut Government to prove impacts by devices such as a SBP; rather it is the responsibility of the Proponent to demonstrate that there are not impacts from such a device on marine mammals.


The Nunatsiavut Government fully expects that this mitigation measure be met, as it requires minimal effort from the Proponent and is the environmentally responsible decision. The Nunatsiavut Government is surprised that the C-NLOPB, as the regulator, is not requiring this mitigation measure from TGS-NOPEC.

Best regards,



Environmental Assessment Manager

cc.,  Director of Non-Renewable Resources, Nunatsiavut Government

cc.,  Director of Environment, Nunatsiavut Government