



Kwilmu'kw Maw-Idusuaqn Negotiation Office  
**Mi'kmaq Rights Initiative**

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Our Rights. Our Future.

April 3<sup>rd</sup>, 2013

David Wells, Deputy CEO  
 Canada-Newfoundland and Labrador Offshore Petroleum Board  
 5<sup>th</sup> Floor, TD Place  
 140 Water Street  
 St. John's, Newfoundland  
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**Re: Western Newfoundland & Labrador Offshore Area – Strategic Environmental Assessment Update**

Mr. Wells,

I am writing to acknowledge your letter dated September 27<sup>th</sup>, 2012 on the above noted. The Mi'kmaq of Nova Scotia wish to request consultation under the *Mi'kmaq-Nova Scotia-Canada Consultation Terms of Reference* as ratified on August 31, 2010 on the Strategic Environmental Assessment for the Western Newfoundland & Labrador Offshore Area.

KMKNO has conducted an internal analysis on this project to determine any potential impacts to Mi'kmaq Right and Title, as well as, any other concerns pertinent to the Mi'kmaq of Nova Scotia. We wish to take this opportunity to provide you with our preliminary comments, concerns and/or recommendations.

KMKNO is concerned with seismic testing as the effects of this activity are poorly understood, and it is recommended that additional research and mitigation be implemented to minimize any potential impacts to larvae, fish, mammals, etc during the exploration stage. Further, KMKNO is particularly concerned with potential impacts to Atlantic salmon and American eel during the exploration and potential development of oil and gas in the Western Newfoundland & Labrador Offshore Area, and it should be strongly noted that these particular species are very significant to the Mi'kmaq of Nova Scotia.

KMKNO wishes to advise you that the following Mi'kmaq communities in Nova Scotia have both Food-Social-Ceremonial (FSC) Licenses and Commercial Licenses for Halibut, Ground fish, swordfish, Snow Crab, Cod, Haddock, Pollack, Blue Fin Tuna, Lobster, Herring, and Mackerel within and/or surrounding the Western Newfoundland & Labrador Offshore Area:

- Waycobah First Nation
- Wagmatcook First Nation

- Indian Brook First Nation
- Millbrook First Nation
- Membertou First Nation
- Glooscap First Nation
- Eskasoni First Nation
- Acadia First Nation
- Annapolis Valley First Nation
- Chapel Island First Nation

It should also be noted the Mi'kmaq of Nova Scotia has a number of fisheries in the Gulf of St. Lawrence, and this area is primarily fished by Pictou Landing First Nation and Paqtnekek First Nation. The development of oil and gas industry in the Western Newfoundland & Labrador Offshore Area has the potential to substantially impact the Mi'kmaq of Nova Scotia; therefore, we recommend Canada-Newfoundland and Labrador Offshore Petroleum Board (CNLOPB) develop a Nova Scotia Mi'kmaq Fisheries Communication Plan in collaboration with the Mi'kmaq of Nova Scotia. Further, we wish to recommend that CNLOPB also develop a compensation plan should the proponent proceed with development in the Western Newfoundland & Labrador Offshore Area.

It is requested that all information and correspondence be forwarded to KMKNO to facilitate the flow of the process and communication. I will be the contact person for KMKNO and accordingly I will coordinate further consultation with regards to this project.

We look forward to consulting with you on this matter.

Yours in Recognition of Mi'kmaq Rights and Title,



Twila Gaudet, B.A., LL.B  
Kwilmu'kw Maw-klusuaqn Negotiation Office

cc:

Betty Cougle, Canadian Environmental Assessment Agency  
David Miller, Nova Scotia Department of Energy

