



November 22, 2016

Harry Borlase
Director of Non-Renewable Resources
Nunatsiavut Government
25 Ikajuktauvik Road, PO Box 70
Nain, NL AOP 1L0

Dear Mr. Borlase,

**RE: Environmental Assessment of Seitel Canada Ltd. East Coast Offshore Seismic Program,
2016 to 2025**

This letter is in response to your September 15, 2016 correspondence to the Canada-Newfoundland and Labrador Offshore Petroleum Board (C-NLOPB) providing the Nunatsiavut Government's comments and recommendations on the proposed Seitel marine seismic survey program.

We believe that diligent engagement among the Nunatsiavut Government, C-NLOPB, and proponents is key to the appropriate mitigation of individual surveys and a responsible approach to longer-term issues.

With respect to your comment on the *lack of ability to assess long-term cumulative effects, the C-NLOPB move to annual or bi-annual EA reviews instead of updates, and that an environmental effects monitoring plan is an essential part of any environmental assessment and should be required in the EA process, especially for longer term EAs*. When a proposed project spans multiple years, the Proponent is required, in each subsequent year activity is planned, to provide the following to the C-NLOPB:

- An outline of the proposed activities for that year;
- Confirmation that the proposed program activities fall within the scope of the previously assessed program;
- Confirmation that the Environmental Assessment (EA) predictions remain valid; and
- Information regarding the adaptive management of requirements of the SARA into program activities (e.g., introduction of new species or critical habitat to Schedule 1; additional mitigations; implementation of recovery strategies and/or monitoring plans).

If there are any changes in the scope or if new information becomes available that may alter the original EA conclusions, then a revised EA will be required to be completed prior to subsequent authorization.

You also reiterated your position on the length of programs, in that *the risk of a 10-year approval and the resulting ineffectiveness of the Board to encourage more recent best practices; especially if the proponent is unwilling to research and establish new practices themselves*. We agree that proponents should review best practices and evaluate how they can improve mitigation with the view of incorporating new techniques into their programs. The C-NLOPB will include this in the scope of future EAs. As well, the C-NLOPB requires operators to provide, as per the *Geophysical, Geological,*

Environmental and Geotechnical Program Guidelines (June 2016), within six months of completion of fieldwork, a report on mitigation and monitoring identified in the EA and undertaken during programs. This report includes a description of the mitigation and monitoring measures identified in the EA and implemented during the program and the assessment of the effectiveness of the measures.

You also asked the proponent to explain why they feel that the 500 m radius remains adequate. It should be noted that the, minimum, 500m radius is from Fisheries and Oceans Canada's (DFO) *Statement of Canadian Practice* (SOCP). The C-NLOPB has, not only, adopted the SOCP into its assessment and authorization process, but DFO is a key contributor to the review of environmental assessment documents associated with offshore petroleum related activity.

Your comments have been provided to Seitel for a response. If you have any questions on the attached, or wish to discuss the above, I may be reached at 709-778-1431 or via email at dhicks@cnlopb.ca. I look forward to our continuing communications.

Yours truly,

Original signed by Darren Hicks

Darren Hicks
Environmental Analyst

C. D. Burley
E. Young
R. Laing