

November 1, 2019

letter sent electronically

Mr. Garth Bangay and Mr. Wes Foote
Co-chairs Regional Assessment Offshore
Oil and Gas Exploratory Drilling East of
Newfoundland and Labrador Committee
c/o Impact Assessment Agency of Canada
301-10 Barters Hill
St. John's, NL A1C 6M1

Dear Mr. Bangay and Mr. Foote:

Re: Regional Assessment of Offshore Oil and Gas Exploratory Drilling East of Newfoundland and Labrador

In response to the request for information from the co-chairs of the Committee overseeing the Regional Assessment of Offshore Oil and Gas Exploratory Drilling East of Newfoundland and Labrador, CAPP would like to acknowledge the seabird monitoring requirements for the recent Newfoundland and Labrador drilling Environmental Impact Statement (EIS) approvals are the current standard which require operators to monitor the installation for stranded birds and the surrounding environment for live birds in accordance with the Environment Climate Change Canada's (ECCC) *Eastern Canada Seabirds at Sea (ECSAS) standardized protocol for pelagic seabird surveys from moving and stationary platforms* and *ECCC's Procedures for Handling and Documenting Stranded Birds Encountered on Infrastructure Offshore Atlantic Canada*.

Exploration programs are also required to develop a monitoring program in consultation with the Canadian Wildlife Service (CWS) ECCC. It is through working with CWS that operators are able to determine what is achievable in seabird monitoring, while ensuring concerns are addressed. We also acknowledge there are diverse seabird habitats within the Regional Study Area and that drilling programs during the fall may require extra effort to monitor for Storm Petrels, in consultation with CWS.

We offer the following additional background on literature that should be referenced in the Regional Assessment pertaining to seabirds.

Seabird Attraction

A report on the Environmental Effects of Exploratory Drilling (*Hurley, and Ellis, 2004*) prepared for the Canadian Environmental Assessment Agency, Regulatory Advisory Committee contains a section on lighting which notes “the frequency of attraction is expected to be greater for fixed production platforms than for exploratory drilling operations. As illumination areas are generally larger and more intense on the platforms.” This report also draws upon several studies conducted between 1979 and 2000 pertaining to seabird attraction to structural stimuli, food concentrations, lights and flares.

This report was updated in 2018 and notes “the potential for environmental effects caused by other exploratory drilling-related discharges and emissions were considered minor because released volumes were low (bilge, grey water, treated sewage, etc.), infrequent or of short duration (flaring), similar to other vessels (lighting), relatively small on a regional or global scale (air) or within the range of other sources in the marine environment (underwater noise).”

The C-NSOPB also published a report Environmental Assessment Biophysical Data Gap Study – Petroleum Exploration (*Hurley, 2009*). This report notes that enhanced mitigation measures that have been used in the Nova Scotia offshore (notably when operating near sensitive marine areas - also refer to Section 11.0) include: 1. Focus all area lighting on the work areas of offshore platforms and down-shaded as much as practical to minimize marine bird attraction.”

From an exploration perspective we believe seabird attraction to lights can be mitigated based upon existing practices and the focus is largely on development and production installations. This is a research gap that has been identified globally and most recently by ESRF with a particular focus on Leach’s Storm Petrel in Atlantic Canada and refining the attraction of migratory birds to lighting. Research coupled with regional and international research monitoring programs is critical to modifying existing practices and identifying new technologies to mitigate seabird interactions.

Following the completion of the ESRF Offshore Platforms and Seabird Monitoring from Offshore Support Vessels and other Ships Literature Review and Monitoring Design (1999)” additional seabird research has been funded by ESRF as follows:

- Eastern Canada Seabirds at Sea(ECSAS) standardized protocol for pelagic seabird surveys from moving and stationary platforms (2012), C. Gjerdrum, DA Fifield, and SI Wilhelm
- Procedures for handling and documenting stranded birds encountered on infrastructure offshore Atlantic Canada (2016), ECCC

- Recommended Seabird and Marine Mammal Observational Protocols for Atlantic Canada (2004), VD Moulton and BD Mactavish
- Modelling Seabird Oil Spill Mortality Using Flight and Swim Behaviour (2009), DA Fifield, KD Baker, R Byrne, GJ Robertson, C Burke, HG Gilchrist, A Hedd, ML Mallory, L McFarlane Tranquilla, PM Regular, PA Smith, AJ Gaston, WA Montevecchi, KH Elliot and R Philips
- Offshore Seabird Monitoring Program (2009), DA Fifield, KP Lewis, C Gjerdrum, GJ Robertson and R Wells
- Baseline Surveys for Seabirds in the Labrador Sea (2016) DA Fifield, A Hedd, GJ Robertson, S Avery-Gomm, C Gjerdrum, LA McFarlane Tranquilla and SJ Duffy
- Effectiveness of Observers in Visually Detecting Dead Seabirds on the Open Ocean (2017), DA Fifield, S Avery-Gomm, LA McFarlane Tranquilla, PC Ryan, C Gjerdrum, A Hedd, MG Fitzsimmons and GJ Robertson

Independent and trained observers on drilling platforms

As the Committee noted Canadian Occupational Health and Safety standards require any industry that is operating during the night and/or in poor weather conditions to have adequate overhead lighting to allow operations to proceed safely. ECCC and the CWS have management practices in place pertaining to human induced lighting. For example: lighting for the safety of the employees should be shielded to shine down and used only where it is needed and from an exploration stage these mitigations are in place to protect the offshore workforce and to minimize the potential effects of attraction. CAPP commits to consulting with CWS on the training requirements for seabird observers.

Please do not hesitate to contact Jennifer Matthews or myself should the committee require further information.

Yours truly,

<original signed by>

R. Paul Barnes
Director, Atlantic Canada and Arctic
Canadian Association of Petroleum Producers