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5 CONSULTATION

The *Canadian Environmental Assessment Act* (CEAA) requires that public consultation be conducted during a comprehensive study-level environmental assessment. The CEAA requires that public consultation be conducted at three points during a comprehensive study:

- ◆ During the preparation of the Scoping Document (subsection 21(1))
- ◆ During the conduct of the comprehensive study (Section 21.2)
- ◆ During a review of the completed Comprehensive Study Report (CSR) prior to the Minister's issuance of an environmental assessment decision statement (section 22)

The Scoping Document was made available by the Responsible Authorities (RAs) for public review and comment, as per subsection 21(1) of CEAA, for the period from April 22 to May 22, 2009. A public notice was placed on the Registry internet site to initiate the public comment period. The Canada-Newfoundland and Labrador Offshore Petroleum Board (C-NLOPB), on behalf of the RAs, invited the public to comment on the draft Scoping Document for the Hebron Development Project. Also, a notice was posted on the C-NLOPB web site and the draft Scoping Document and Project Description were made available electronically on the C-NLOPB website; hard copies were available from the C-NLOPB upon request.

Notices were also placed in the following local newspapers:

- ◆ *The Telegram* – April 25, 2009
- ◆ *The Western Star* – April 25, 2009
- ◆ *The Advertiser* – April 27, 2009
- ◆ *The Gulf News* – April 27, 2009
- ◆ *The Labradorian* – April 27, 2009
- ◆ *The Packet* – April 30, 2009
- ◆ *The Gander Beacon* – April 30, 2009

Comments were requested to be provided, either electronically or via post, by May 22, 2009. There were no comments received in response to the public notice.

A consultation program to satisfy the requirements of Section 21.2 of CEAA has been designed and carried out by ExxonMobil Canada Properties (EMCP). Questions and issues raised by stakeholders throughout the consultations and are addressed in this CSR.

EMCP recognizes the importance of communications with federal, provincial and municipal regulatory agencies, stakeholders, and the public and accordingly has conducted an extensive public and stakeholder consultation program associated with the Project. The program focused primarily on the geographic regions most likely to be affected by the Project, including the Isthmus region of Newfoundland, Marystown, and St. John's. However, a wider audience was reached through meetings in other communities such as

Corner Brook. The consultation program during the preparation of the CSR involved:

- ◆ Reviewing the environmental assessment documents prepared for previous Newfoundland and Labrador offshore oil and gas developments especially the more recent White Rose and Hibernia South Extension
- ◆ Reviewing issues raised during consultations held for the White Rose, Terra Nova and Hibernia developments
- ◆ Consulting community members, fishers, businesses and organizations, women's groups, environmental non-governmental organizations (ENGOs), youth groups and the general public (key informant workshops, open houses, meetings / presentations)
- ◆ Meetings with government departments and agencies
- ◆ Open houses
- ◆ Media tracking
- ◆ Distributing Project information through traditional and electronic media
- ◆ Establishing a Project website (www.hebronproject.com)

An important component of the consultation program was the recording of issues and comments raised at meetings and events. Meetings, events, media briefings, and presentations were recorded in an issues tracking database, along with issues or comments raised. Additionally, issues raised in the media and submitted through the website were also recorded in the issues tracking database.

A detailed report of the issues scoping and stakeholder consultation program is provided in the Hebron Project Public Consultation Report (Appendix A). This chapter provides a summary of the consultation program for the CSR and lists observations, questions, comments, issues, and concerns identified through the program.

Consultations conducted to date during the preparation of the comprehensive study are detailed below. EMCP will continue open dialogue with any stakeholders with questions or concerns. Ongoing meetings are planned with the fishing industry and non-governmental organizations.

The Hebron study area and Project area have not historically been identified as those with Aboriginal use or title. There are no land claims before the Government of Canada or the Government of Newfoundland and Labrador for these areas. Therefore, based on this assessment, EMCP did not undertake consultations with Aboriginal persons.

As per Section 22 of CEAA, the Agency will invite the public to comment on the CSR prior to the Minister of the Environment making a final environmental assessment decision. The Minister of the Environment may request additional information or require that public concerns be addressed further before issuing the environmental assessment decision statement. Once the Minister of the Environment issues the decision statement, the Project will be referred back to the RAs for appropriate action.

5.1 Public Consultation

The Hebron Project study team drafted a consultation plan to engage the public and stakeholder groups, as a mechanism for sharing Project information, answering questions, and recording all comments and issues identified by participants. During preparation of the CSR, the consultation program involved eight events, as listed in Table 5-1. A detailed description of these events, as well as other consultations undertaken by the Project study team in support of the Development Plan, Socio-economic Impact Statement and Benefits Plan is included in Appendix A.

Table 5-1 Consultation Events Held in Support of the Comprehensive Study Report

Event	Date and Location	Number of Attendees
One Ocean Workshop	February 2009, St. John's	100
Bull Arm Area Fishers Meeting Representatives from: <ul style="list-style-type: none"> • Local fisher community • One Ocean • Fish, Food and Allied Workers (FFAW) Union 	12 August 2009, Bellevue	9
ENGO Workshop Representatives from: <ul style="list-style-type: none"> • Sierra Club • Natural History Society • Newfoundland and Labrador Environmental Association • Alder Institute • Canadian Parks and Wilderness Society • Northeast Avalon Atlantic Coastal Action Program (ACAP) • Whale Release and Stranding • Newfoundland and Labrador Environmental Network 	11 September 2009, St. John's	6 *Note: There were attendees who represented more than one ENGO
ENGO Follow-up Meeting Representatives from: <ul style="list-style-type: none"> • Northeast Avalon ACAP • Canadian Parks and Wilderness Society • Natural History Society 	27 January 2010	3
Offshore Fishers Workshop Representatives from: <ul style="list-style-type: none"> • FFAW Union • One Ocean • Offshore Fishers 	03 December 2009, St. John's	12
Open Houses – Clarenville	14 September 2009, Clarenville	37
Open Houses – Marystown	15 September 2009, Marystown	29
Open Houses – St. John's	17 September 2009, St. John's	117
Open Houses – Corner Brook	21 September 2009, Corner Brook	39

Directed stakeholder meetings were held with fishers from the Bull Arm area and the offshore sector, and with the local ENGO community (see Sections 5.2 and 5.3). At these sessions an overview of the Project was presented, followed by a general discussion where the parties asked questions, as well as raised comments and concerns.

The Open Houses included two sessions per community, one from 2 to 4 pm and the second from 7 to 9 pm. Attendance was open to all members of the public with a total of 222 people attending. The open houses provided information about the Project through a presentation and display boards, and provided an opportunity for the general public to speak directly with the senior Hebron Project Management Team to voice their interests or concerns.

Comments raised during these meetings and workshops related to matters addressed in the CSR are summarized in Table 5-2; which also indicates the section of the CSR where each issue or concern is addressed.

Table 5-2 Comments Related to the Environment

Comment	CSR Section Where Comment / Concern is Addressed
Accidental Events	
Include oil / chemical spills associated with tanker traffic	Section 2.9.5
Include chronic small oil / chemical spills in modelling and predictions	Sections 14.1.3, 14.2, 14.3
Include and specify oil spill data from Newfoundland and Labrador	Sections 14.1, 14.2, 14.3
Effects and probability of blowouts	Sections 7.5.4, 8.5.3, 9.5.4, 10.5.4, 11.4.1.4, 11.4.3, 11.5.3, 11.6.3, 12.5.1, 14.1.1
Probability of impact from icebergs and modelling scenarios used	Sections 2.9, 3.1.4, 3.2.3, 13.3, 13.4, 14.4, 14.6, 17.1
Birds	
Effects of flaring on sea birds	Section 9.5.2
Effects of chronic small oil spills on sea birds	Section 9.5.4
Monitoring programs for sea birds	Section 9.5.7
Commercial Fisheries	
Need to time blasting to prevent effects on migrating fish populations	Sections 8.4.1, 8.5.1, 8.5.4
Concerns regarding local crab populations near the deepwater mooring site if any dredging or dumping were to take place	Sections 8.4.1, 8.5.1, 8.5.4
Concern that nearshore fishers would be prohibited from fishing grounds in Bull Arm, specifically near the deepwater site	Sections 8.4.1, 8.5.1, 8.5.4
Concern that activities and additional vessel traffic associated with Gravity Base Structure (GBS) construction will disrupt harvesting operations	Sections 8.4.1, 8.5.1, 8.5.4
Effects of construction-related noise and lights on catchability	Sections 8.4.1, 8.5.1, 8.5.4
Concern related to loss and damage to fishing gear	Section 8.4.1
Concern that offshore fishing grounds will be lost due to additional safety zones and exclusion zones	Section 8.4.1
Effects of on-going oil and gas exploration and production on the Grand Banks on future fisheries	Section 8.4.1
Endangered or Special Status Species	
Effects of planned discharges on marine life and sea birds	Sections 11.4.2, 11.6.2

Comment	CSR Section Where Comment / Concern is Addressed
Effects of chronic small oil / chemical spills on marine life and sea birds	Sections 11.4.3, 11.6.3
Effects of blowouts on marine life and sea birds	Section 11.4.3, 11.6.3
Environmental Assessment / Development Application	
Inclusion of tanker traffic associated with the Project in the assessment	Section 2.9.5
Incorporate comments from previous offshore assessments	CSR (general)
Environmental Management	
Local fishers should be consulted in regard to monitoring programs for fish and fish habitat	Section 8.5.1
Fish and Fish Habitat	
Effects of chronic small oil / chemical spills on marine life	Section 7.5.4
Effects of dredging in Bull Arm on water quality	Section 7.5.1.2
Effects of blasting on pelagic fish species (herring, mackerel, capelin)	Section 7.5.4
Effects of oil spill on herring spawning grounds in Bull Arm	Section 7.5.4, 12.5.1.1
Marine Mammals	
Effects of blasting on marine mammals	Section 10.5.1
Monitoring	
Provide public access to 24-hour monitoring raw data for produced water and other waste streams	Chapter 15
Provide public access to EEM raw data	Chapter 15
Monitoring programs for fish and fish habitat	Section 7.5.7
Public Involvement	
Direct communication between EMCP and the public needs to be on-going	Section 5.1
Important to communicate the results of the CSR and Socio-economic Impact Statement to the public	Section 5.1
Technical / Project Description	
Will the GBS have an ice wall? Will the GBS be built to withstand impact from an iceberg?	Sections 2.6, 2.7, 2.8.2
Will there be underwater blasting for creation of the bund wall at Bull Arm?	Section 2.8.1
What is the size of the drydock in Bull Arm?	Section 2.8.1
Will the production platform be able to produce natural gas in addition to oil?	Section 2.11
Quantify amount of flaring	Sections 2.9, 2.6.2.2, 6.3.2
Does the Project include pre-drilling of wells offshore?	Section 2.8.6
What is the transportation process of oil to market?	Section 2.9.5
What are the transportation methods for drilling muds and drill cuttings to and from the offshore site?	Section 2.9
Where will oil well fillers (drill muds and cuttings) originate from?	Section 2.9.5
Waste Management	
Concern regarding floating debris/waste from the deepwater construction site	Section 16.4.3.1
Waste from the construction sites may exceed capacity of local waste management sites	Section 16.4.3.1

The main message heard throughout the Open Houses was that the majority of participants are supportive of the Project and want to see it proceed in a manner that is environmentally sound and that provides the maximum benefit, especially to those communities adjacent to existing construction sites, such as Clarenville and Marystown.

Overall, issues raised during the consultation program were primarily related to industrial benefits, employment, the development concept, and construction and operational matters. These will be addressed. A comprehensive list of all issues raised during the consultation program is available in Appendix A.

5.2 Environmental Non-Governmental Organization Consultations

This section describes and summarizes the consultations held by EMCP with the ENGO community in Newfoundland and Labrador. As described above, specific comments raised and where they are addressed in the CSR are detailed in Table 5-2.

5.2.1 Consultation Approach

A consultation workshop with the ENGO community was held at the Hebron offices in St. John's in September 2009. The purpose of this workshop was to provide Project information to the ENGO representatives, answer any questions about the Project, and to document their concerns.

Invitations were issued to nine ENGOs: the Alder Institute, Canadian Parks and Wilderness Society (CPAWS), Natural History Society, Newfoundland and Labrador Environmental Association, Newfoundland and Labrador Environmental Network, Northeast Avalon Atlantic Coastal Action Program (ACAP), Sierra Club, Whale Stranding and Release Group, and World Wildlife Fund, of which eight attended. A Project Description was provided to each participant and Project design, activities, and schedule were reviewed in a PowerPoint presentation and discussed in detail. Participants were encouraged to ask questions and voice concerns.

At the conclusion of the Workshop participants were invited to contact the Project study team with any additional questions or concerns they may have. A follow-up meeting with representatives of ACAP, CPAWS and Natural History Society was held in January 2010. This meeting was held in response to letters received by EMCP from ACAP and CPAWS posing several questions regarding details of the Project Description. EMCP provided a brief update on the status of the Project and the environmental assessment process. The meeting then proceeded to address the questions posed in the letters including transportation of oil and drilling muds, the discharge of produced water, the origin of well fillers and mud compounds, and the availability of data from Environmental Effects Monitoring (EEM) programs.

5.2.2 Issues

During the workshop, participants raised some issues and questions related to the Hebron Project. However the main focus of discussion was regarding ongoing issues related to the offshore oil and gas industry in Newfoundland and Labrador and ways the Hebron Project will address these issues for their operations.

During discussion of construction activities at Bull Arm the main concern voiced was in regard to blasting. During construction of the Hibernia Gravity Base Structure (GBS), there was an association between whale strandings in Bull Arm and blasting at the site. It was noted that standard measures such as bubble screens will help mitigate this concern during construction of the Hebron GBS, and that blasting should be timed to avoid presence of whales.

When discussing the operations phase of the Project, much of the discussion was focused on issues with the existing offshore facilities, and how the Hebron Team could avoid or minimize similar problems. This included issues related to small / chronic oil spills, access to and transparency of environmental monitoring data, impacts of flaring and spills on marine birds, and concerns related to offshore discharges (drill cuttings / muds, produced water, oil spills).

Participants also indicated that tanker traffic, and any accidental oil or fuel spills associated with shipment of product to market, be included as part of the Project for the purposes of environmental assessment.

Specific issues and concerns raised during consultations and within the scope of the Project are described below and have been included in Table 5-2. These are further discussed in Appendix A.

- ◆ Underwater blasting: Participants voiced concerns that mitigations be put in place to protect marine mammals in the event of underwater blasting in Great Mosquito Cove during construction. During construction of the Hibernia GBS, there was an association between blasting at the site and whale strandings in Bull Arm. They stated that if blasting is required, standard mitigations such as bubble screens need to be used, and any blasting should be timed to avoid the presence of marine mammals.
- ◆ Flaring: Representatives stated concerns regarding the amount of flaring observed at other offshore installations as it is an attraction for sea birds, altering their habitat, possibly resulting in mortality. Although no flaring would be their preference, participants requested that flaring be minimized, especially during the night.

Oil spills and blowouts: There was concern that small / chronic spills and sheens around production platforms need to receive more attention during environmental assessment. It was stated that the anticipated number of spills in past assessments have not included these chronic spills and the numbers of predicted spills have been far exceeded. It was also requested that the environmental assessment include spill data from Newfoundland and Labrador and not use global statistics only. In addition to accidental oil spills, participants were concerned about the likelihood of a blowout and potential impacts on marine birds. Participants also asked

if the pre-drilling option would increase the risk for blowouts prior to installation.

- ◆ Offshore discharges: Participants were concerned about the planned discharge of produced water and would like to see zero use of the marine environment for waste treatment and disposal. However, participants were pleased to hear that drill cuttings and muds will be re-injected.
- ◆ Iceberg impacts and ice management: Participants raised concerns regarding the environmental consequences if the GBS was impacted by an iceberg. They stated that the GBS needs to be built to withstand the impacts of icebergs and sea ice, and designed with climate change in mind.

Each of these concerns were discussed at the meetings and/or have been addressed in specific sections of the CSR (refer to Table 5-2).

5.3 Fishing Industry Consultations

This section describes and summarizes the Project consultations with the nearshore and offshore fish harvesting sectors. Chapter 8 (Commercial Fisheries) presents information about these fisheries, incorporating details about local fish harvesting practices gathered from these consultations (mainly pertaining to the Nearshore Study Area). Assessment of the effects of the Project on fisheries, including the issues raised during the consultations and the means and mechanisms identified to mitigate potential effects are presented in Chapter 8.

Prior to the start of the Hebron consultation workshops, EMCP participated in a fishers conference held by One Ocean in February 2009. One Ocean is a liaison organization to facilitate communication between the fishing and oil and gas industries in Newfoundland and Labrador. An overview of the Project was presented and some concerns were raised by attendees regarding potential effects to commercial fisheries. These have been included in Table 5-2. Additional details regarding consultation with the fishing industry is provided in Appendix A.

5.3.1 Nearshore Study Area

5.3.1.1 Consultation Approach

Consultations were conducted with fishers and Fisher Committees based in the seven homeports within the Nearshore Study Area: Sunnyside, Chance Cove, Bellevue, Thornlea, Norman's Cove, Long Cove and Chapel Arm. These communities maintain a Fisher Committee structure established by the Fish, Food and Allied Workers (FFAW) Union and fisher representatives in the 1980s. These elected, community-level committees (four in the Study Area) were established to represent fishers in a particular area or community. Committees usually have four or five members, including a chairperson.

Representatives from EMCP's consulting team met with each committee during June and July 2009. A Project Description was provided to each

group, and project activities planned for the Bull Arm area were reviewed and discussed in detail. Fishers asked questions about the Project, noted their concerns and issues, discussed potential effects on their activities, and suggested potential mitigative measures.

A joint meeting with Fisher Committee representatives was held on August 12, 2009, to introduce the EMCP Project study team, to present information about the Hebron Project, and to review and discuss specific Project activities planned for the Bull Arm construction site. Representatives of the FFAW and One Ocean, a liaison organization for the fishing and oil and gas industries in Newfoundland and Labrador, also attended the meeting. Following a presentation by EMCP representatives, there was a general discussion where fishers asked questions, raised concerns, and shared lessons learned from their experiences during the Hibernia GBS construction.

5.3.1.2 Issues

Many of the fishers, having had previous experience with the Hibernia GBS construction project, shared their knowledge and also expressed concerns regarding the Hebron GBS construction activities.

Although proposed Hebron construction activities at Bull Arm will be similar to those during the Hibernia Project (both are GBS construction projects), fisheries representatives stated that the potential economic effects on their harvesting operations might be different from those associated with the Hibernia operations. For example, they stated that fishing patterns and harvesting locations have changed greatly since construction of the Hibernia GBS in the 1990s. In the early 1990s, the Trinity Bay crab fishery was in its infancy; today, it is the most economically important species for all enterprises. Concern regarding the interference of Project activities with this particular fishery was expressed by fishers.

Another difference is the fall fisheries for two key pelagic species: mackerel and herring. These fisheries are a much more important economic component of the local fishery than they were 18 years ago. Pelagic harvesting activities occur throughout the bottom of Trinity Bay, particularly around the shoreline of Tickle Bay from Tickle Harbour Point into Bull Arm. Many of the vessels larger than 40-feet in length have come to rely on this late season income from pelagic species to top up their annual fishing income. Given these factors, fishers are very concerned about any possible effects on either of these two fisheries.

Fishers also reported that improvements in harvesting techniques, new technology, and better gear have improved their ability to identify, locate and harvest fisheries resources in their area. They stated that they have a better knowledge and understanding of their fisheries and better information about their fishing grounds. New fish-finding systems allow them to track fish and to time their harvest in order to maximize their catches. Improvements in the design of purse seines allow vessel operators to fish mackerel very close to any shoreline infrastructure (e.g., the construction wharf in Great Mosquito Cove). Today's fishers are more aware of where the best fishing grounds

are, and they have a better understanding of how those harvesting locations could potentially be affected by marine construction activities.

Fishers indicated that, owing to the structural changes that have taken place in the Nearshore Study Area fisheries since the Hibernia Project, many enterprise operators are very concerned about anything that might affect revenues and profit margins, particularly given current economic conditions, product markets and cost-price structures in the fishing industry. Adding to these concerns is the short window of opportunity in which to harvest certain species. For instance, capelin are generally only available for 9 to 10 days, and therefore must be harvested quickly, before market conditions change or before the quota is caught. Fishers stated that the same considerations apply to herring and mackerel, which may be abundant in an area for several days but then leave quickly in response to factors such as water temperatures, noise levels, or site lighting conditions.

To help reduce potential effects on their fisheries, fishers indicated their desire for a high level of involvement and participation in Project decisions that might affect their day-to-day operations and their long-term interests. The fishers felt very strongly that they should be the primary voice in any liaison and communication between the local area fishery and the Project. They clearly indicated that they do not wish to have fishing industry representatives who live outside the region speak on their behalf, and would prefer to have a committee of local representatives established, as was done during construction of the Hibernia GBS. They believe that Nearshore Study Area fishers have the best knowledge regarding the local area to inform the Project about key industry issues and concerns and to recommend the most appropriate ways to mitigate potential effects.

The specific issues and concerns raised during consultations are summarized below and have been included in Table 5-2. Biophysical issues are further addressed in Chapter 7 (Fish and Fish Habitat) and fisheries issues in Chapter 8 (Commercial Fisheries), where the relevant issues and concerns raised are evaluated in the effects assessment.

Biophysical issues raised during consultation with nearshore fishers included:

- ◆ Underwater blasting: Fishers stated concerns that blasting operations at Great Mosquito Cove might have short- and long-term effects on key species such as herring, mackerel and capelin. They stated their view that the area's herring fisheries are only just now recovering from the effects of the Hibernia Project (e.g., blasting of the seabed area in Great Mosquito Cove). The fishers want to be consulted before any blasting takes place, especially with respect to the timing of the blasting activities. Fishers expressed concern that blasting may disrupt migration of herring during the spring and fall, and could have effects on stocks if herring over-winter in Bull Arm, as they have in previous years.

Fishers would like to see some analysis of shock waves from blasting in order to identify and assess the geographic extent of blasting activities. As a possible monitoring option, fishers suggested that a test fishery be conducted before and after any blasting operations to determine the

effects on local commercial fish stocks. Fishers suggested that Nearshore Study Area vessels should undertake some of this research.

- ◆ Effects on herring spawning: Fishers noted their concern about an accidental release of petroleum and the effects of sediments on water quality from the disposal of material at an ocean dumping site. They identified concerns regarding potential effects on herring spawning areas in the area of Bellevue known locally as “the Brood”.
- ◆ Effects on water quality: There is concern that dredging operations and the disposal of seabed material from Great Mosquito Cove at an approved ocean dumping site would have negative effects on water quality.

Issues associated with commercial fisheries raised during consultation with nearshore fishers included:

- ◆ Exclusion from fishing grounds: Exclusion from pelagic species fishing grounds within Bull Arm, especially fishing areas close to the deepwater site; and exclusion from lobster and other fishing grounds in Great Mosquito Cove.
- ◆ Disruption of harvesting operations: Impacts of marine activities (vessel traffic) on fish harvesting operations, including high levels of activity that would make fishing more difficult or dangerous, and might result in *de facto* exclusion from busy areas, especially Project activities that might interfere with crab or other species harvesting operations within the Tickle Bay portion of the Traffic Lane.
- ◆ Gear and vessel damage: Damage to fishing gear or fishing vessels resulting from Project vessels or from Project-related debris escaping from the site.
- ◆ Effects of noise and lights on catchability: Effects of construction-related activities on fish behaviour and/or movement within Bull Arm, especially during the time when the GBS is moored at the deepwater site.

Mitigation Recommendations

Fishers offered the following recommendations and mitigation measures to reduce potential impacts on commercial fisheries in the Nearshore Study Area. These are further discussed in Chapters 7 and 8.

- ◆ Assist in the purchase of VHF radios or radar reflectors as part of a marine safety and communications plan
- ◆ Re-establish the Traffic Lane in Bull Arm
- ◆ Conduct an EEM program during Project activities to identify any effects on commercial species or habitat
- ◆ Implement a water quality sampling program in Bull Arm prior to the start of construction (local fishers and fishing vessels should be involved in any such programs, as was the case with the Hibernia Project)
- ◆ Maximize local economic benefits for fisheries participants (e.g., hiring Nearshore Study Area fishing vessels to support various Project operations) to help offset losses and extra expenses
- ◆ Implement a gear damage compensation program

- ◆ Consider a compensation program for lost income associated with loss of access to fishing grounds and lost harvesting opportunities

These recommendations and mitigation measures will be reviewed by EMCP. Further discussions with fishers will be undertaken regarding monitoring and implementation of mitigation measures.

5.3.2 Offshore Study Area

5.3.2.1 Consultation Approach

Participants in the independent offshore fleet met with representatives from EMCP and its fisheries consultant in December 2009 to discuss issues and concerns related to the Project. Representatives of One Ocean and the FFAW Union were also in attendance. This offshore fleet comprises enterprises engaged primarily in the harvest of crab and shrimp resources, but also includes other ground fish and pelagic species. The fleet has three segments based on the type of crab licence held by each enterprise:

- ◆ 44 enterprises in the “Full Time” fleet
- ◆ 78 enterprises in the “Large Supplementary” fleet
- ◆ 240 enterprises in the “Small Supplementary” fleet (vessels in this fleet do not currently operate in the Jeanne d’Arc Basin. However, they do have the potential to interact with oil industry operations in other offshore marine areas (e.g., along traffic routes used by supply / service vessels or those used for the towing of drilling rigs)

5.3.2.2 Issues

During consultations fishers raised some specific issues about the Hebron Project, but a chief focus of their concern related to the offshore petroleum sector in general and to the growing presence of that industry on the eastern Grand Banks in particular. Fishers expressed concern that the present relationship between the two industries imposes a number of pressures on their economic well-being that are not yet being addressed. Fishers feel that there is a growing level of frustration, misunderstanding, miscommunication, and - increasingly - animosity, as representatives of both industries proceed with their daily work in their shared operating environment.

One of their primary concerns is lack of set standards for the application of a number of vessel traffic management procedures and at-sea communications protocols for vessels working near offshore oil production facilities. The protocols have been developed arbitrarily without consultation with the fisheries industry, and are now being applied with little or no consideration of their potential economic impact on fish harvesting operations.

Specific examples were cited by fishers included fishing gear being ignored in the path of a vessel engaged in ice deflection, and fishing vessels being chased by standby vessels in the general vicinity of a production platform, even though they were well outside the established Safety Zones. In another case, fishers stated that an oil industry radio operator informed several

nearby fishing vessels that they should not be using a certain VHF Channel because this frequency was “reserved for the oil industry”.

Fishers believe that as oil industry activities increase (e.g., including iceberg towing operations, seismic surveys, drill rig transits, and other routine oil-related activities) the need for mutually agreed communications and protocols will become even more problematic. Fishers believe this problem must be resolved at the level of specific interactions between representatives of the two industries.

The following summarizes potential issues related to the Hebron Project raised during the offshore sector consultations. These are further described in Chapter 8:

- ◆ Lost harvesting grounds: Exclusion from established construction and operational Safety Zones, as well as exclusion areas as a result of ships’ activities and interventions beyond the platforms within an extended “zone of influence” identified by fishers.
- ◆ Lost or damaged gear: Fishing gear damage, and the concomitant or subsequent loss of catch and fishing time resulting from standard vessel operations, as well as damage from other activities such as iceberg towing or geophysical surveys.
- ◆ Reduced fishing opportunity: Generally reduced fishing opportunity as a result of the combined effects of ongoing development of the Jeanne d’Arc Basin oil field area (site operations, support activities, vessel hailing zones around each installation, ice deflection activities, and surveys). Fishers report that the current situation is resulting in fishing vessels steaming farther around offshore Safety Zones, to reach grounds around activities, costing fishing time and increasing expenses.
- ◆ Effects on future fisheries: Potential effects on future fishing activities, especially if further development occurs in the Jeanne d’Arc Basin. This problem could increase if DFO increases crab quotas in the area or reinstates groundfish quotas.
- ◆ Oil Spills: Effects of an oil spill and how a compensation program for an oil spill would work. Knowledge about the concrete steps that the oil industry would take following an oil spill.

Mitigation Recommendations

Fishers provided recommendations and advice about various mitigations they believe would help reduce effects on their fisheries (discussed further in Chapter 8).

- ◆ A mechanism is needed to define clearly the appropriate “rules of the road” for all users in both industries. This should include the creation of a permanent mechanism for communications and addressing future issues (This was considered the most urgent recommendation brought forward). Since the Offshore Fishers Workshop in December 2009, the One Ocean Working Group has developed a protocol document titled ‘Protocols for Communications with Oil Installations on the Grand Banks’. Once the Hebron Platform is towed offshore and its Safety Zone is established, the

Protocol will be updated. The Working Group includes representatives from the fishing industry and oil and gas industry and will include representation from Hebron once the Project is operating

- ◆ Work to establish a more positive and respectful working relationship with the fishing industry
- ◆ Establish compensation mechanisms for lost income resulting from Project activities, including lost fishing opportunities and gear loss or damage
- ◆ Respond to the fishers' request for information about mechanisms for compensation in the event of an oil spill

These recommendations and mitigation measures will be reviewed by EMCP. Further discussions with offshore fishers, One Ocean and FFAW will be undertaken regarding monitoring and implementation of mitigation measures.

5.4 Meetings with Government Departments and Agencies

The Hebron Project study team have been consulting with key government officials and regulators (municipal, provincial, and federal), both formally and informally, on an ongoing basis. The objective of these consultations is to provide information and updates on the Hebron Project and the environmental assessment, and also to receive input and guidance as appropriate. The C-NLOPB and the following Regulatory Authorities have been regularly consulted both before and since filing of the Project Description:

- ◆ The Canadian Environmental Assessment Agency
- ◆ Transport Canada
- ◆ Fisheries and Oceans Canada
- ◆ Environment Canada
- ◆ Industry Canada
- ◆ Major Projects Management Office

There have also been on-going meetings with the provincial Minister of Natural Resources and the deputy ministers and assistant deputy ministers to keep them apprised of Project developments.

These consultations have involved one-on-one meetings (locally and in Ottawa), telephone conversations, and e-mail correspondence. Issues and concerns identified during these meetings were recorded in the issues tracking database.

5.5 Other Consultation Methods

EMCP also provided information to the public and tracked issues using press releases and the Project website.

5.5.1 Media Tracking

EMCP responds to media inquiries as appropriate and has provided information about the project to local, national and international media. EMCP regularly monitors the provincial media, including print, broadcast and

electronic news media. Any issues are noted and incorporated into EMCP's issues tracking database.

5.5.2 Project Website

To increase accessibility and enhance communications with the public, the Hebron Project established a Project website (<http://www.hebronproject.com>), which was widely advertised and promoted during presentations at workshops and open houses. The website is updated regularly and the public are able to submit questions and issues through an online questionnaire or contact email address (hebronproject@exxonmobil.com).