

Seafood Producers Association of Nova Scotia

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November 22, 2004

Mr. C. Andrew Parker
Manager, Environmental Affairs
Canada-Nova Scotia Offshore Petroleum Board
6th Floor, 1791 Barrington St.
Halifax, NS B3J 3K9

Dear Mr. Parker:

Re: Cohasset Decommissioning Screening Report

We are providing comments on the CNSOPB related to your joint Screening Report with EC and DFO of the Cohasset Decommissioning proposal and EA submitted by EnCana Corporation.

First and foremost, the Report states it “may not determine which decommissioning option may ultimately be approved” (p. 15). It is clear there is nothing in the report that prevents the CNSOPB from continuing to hold EnCana to the original 1990 requirement to remove all debris from the site. It is our firm view that the original commitment alone is sufficient to warrant the Board to require EnCana to remove all sea floor debris.

Second, we have reviewed the Report and have not changed our objection to the partial removal option proposed by EnCana. The Report states that neither the partial removal option nor the total removal option is likely to have a significant environmental impact. Yet, it confirms the fishery will face a greater impact from partial removal than total removal of the sea floor debris. The issue remains one of the degree of impact. It is unacceptable that a man-made structure that will impact the fishery to any degree will be allowed to be left on the sea floor when in fact it can be safely removed.

The fishery will be forced to avoid the area of the debris because we cannot risk damage to our gear. EnCana and the Screening Report refer us to the CNSOPB compensation guidelines. This is a complicated solution that we, and I think you, would prefer to avoid. It also strikes us as patently unfair that sea floor debris, i.e., equipment that is past its period of positive contribution to society, can be left in areas where a positive economic benefit that otherwise could be derived is made impossible.

Third, the cumulative effects analysis in the Screening Report minimizes the impact of, in its view, a small footprint. This is the proverbial “thin edge of the wedge”. The precedent will have been set that sea floor debris can be left in place in this view of

cumulative effects. While there are few other oil and gas production opportunities in the offing at present, this will likely change. One that is still being contemplated, Deep Panuke, is in the same area. The Screening Report has provided the window for more debris to be deposited in the same area by not highlighting the fact that some impact can lead to a cumulative impact. The total removal option eliminates the possibility that cumulative impacts can develop.

Thank you for the opportunity to review and comment on the Screening Report.

Regards,

Jay Lugar