

Maritime Aboriginal Peoples Council



The Maritime Region Aboriginal Leaders
Intergovernmental Council of Aboriginal Peoples
Continuing to Reside on Traditional Ancestral Homelands

Forums

- Leaders Congress
- MAPC Commissions
- MAARS Secretariate
- SARA IKANAWTIKET
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October 24, 2018

RECEIVED

OCT 29 2018

CANADA - NOVA SCOTIA
OFFSHORE PETROLEUM BOARD

Stacy O'Rourke
Director, Communications
Canada-Nova Scotia Offshore Petroleum Board
8th Floor TD Centre
1791 Barrington Street,
Halifax, Nova Scotia
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RE: Multiklient Invest's Proposed 3D Seismic Program

Dear Ms O'Rourke:

Thank you for your letter of September 28, 2018, to the Native Council of Nova Scotia and Mime'j Seafoods Limited about the above referenced proposed seismic program.

I have raised the matter with Mr. Tim Martin, President of Mime'j Seafoods Limited, and Chief Lorraine Augustine, Chief and President of the Native Council of Nova Scotia, both of whom have instructed me to reply to the letter, and to express our views, issues, and concerns with the proposed multi year (decade 2019-2028) Seismic Program proposed by a "seismic data supplier".

While we appreciate that an application for "geophysical work authorization" has not been submitted at this time, and that the CNSOPB has adopted a process procedure where the Board requires that a "project specific environmental assessment" is required to support a request for "geophysical work authorization", we believe the Board is jumping the gun sort of speak to serve the interest of a "seismic data supplier" without considering the vast amount of data already amassed and available. The CNSOPB is required to be forthright with the proponent and about this proposed seismic program.

Has the CNSOPB informed the proponent that it has thousands upon thousands of pages of "seismic project data stored – some pass the time que of protection from the public eye, other already sold to interested parties, and some soon to come up as available for public consumption.

The level and degree of “speculative seismic data” since 1982 over the Canada-Nova Scotia Off-shore, fairly covers the proponent’s proposed seismic program area, and appears as solid black when printed over the CNSOPB Offshore area. Seismic data compiled from all manner and form of seismic data collection over the past thirty-six years, and some older.

So, what is the proponent adding of value to the picture? Which petroleum exploration and development company would benefit from a re-confirmation of that already known about the Scotian Shelf off-shore. Who would be interested to buy available or soon to be available data?

Why hasn’t the CNSOPB as a responsible regulator advised the project proponent that on first blush of it’s “MKI’s Proposed Project Area offshore Nova Scotia”, it takes in some “no activity areas”. For example the haddock box, the existing oil and gas exploration pipelines, feeder lines and platforms, and other exclusion zones. On those subjects alone the proposal is incomplete and should not burden administrators and ocean users with comments for a scoping document for an EA.

Why hasn’t the CNSOPB informed the proponent that along with the shelves upon shelves and disks upon disks of seismic data, there exist rows upon rows of drill core samples of thousands of miles of the Canada-Nova Scotia Offshore acquired over the past thirty-six (36) years from over two hundred plus (200 +) “exploratory drillings” at various depths throughout the CNSOPB Scotia Shell Offshore.

Why hasn’t the CNSOPB seized with information, data, core samples, samples subjected to different forms of analysis, forfeiture payments for non-performance of bids, the current withdrawals of exploration companies from the Canada-Nova Scotia Offshore by major lease holders, the current filed leaves to abandon facilities and gathering pipelines by two producers, a present lease holder unable to find a partner to go through the process of applying and conducting an exploratory well drilling, and that much more. Abandoning the “pipeline highways to shore” do send a signal.

Why hasn’t the CNSOPB shared with the proponent that the fishing industry has stated time and time again, that it can no longer tolerate and will not tolerate “any form of seismic programs designed for speculative sales gain” within a continually reducing fishing ocean area near shore, mid shoe and off shore.

The project proponent characterizes the “Operator” as ***“a focused marine geophysical company that provides a broad range of seismic and reservoir services, including acquisition, imaging, interpretation and field evaluation”***.

“...PGS provides multi-client geoscience data to oil and gas Exploration and Production companies worldwide.”

Does this company not portray itself as a ***“seismic data supplier”***? PGS is not a petroleum resources exploration or development producer of petroleum resources from the Canada Nova Scotia offshore.

Trite but worthy of repeat. The Canada Nova Scotia Offshore Petroleum Board was established through the Canada-Nova Scotia Offshore Petroleum Resources Accord:

“the parties agree by this accord to establish through mirror legislation a unified administrative and fiscal regime for petroleum resources in the offshore area. This regime is

between the Federal Government and the other petroleum-producing provinces in Canada, yet is designed to meet the unique circumstances of the Offshore Area.”

Nowhere in the objective of the Accord setting up the CNSOPB do any of the seven (7) core objectives empower the CNSOPB to ***“support or promote the interest of a seismic data supplier”*** on first instance.

Has the CNSOPB questioned the practical utility of a multi year (2019 – 2018) a decade of a multi-vessel geophysical program that may include 15,000 km² of 3D seismic data and potentially up to 10,000 km of linear 2D seismic survey lines per year?

Has the CNSOPB asked itself does it want to slap every fisher and other user of the Scotian Shelf in the face, by cavalierly ignoring over thirty six years of compromising support and effort provided by the fishing industry and other Nova Scotia industries to help advance the development of off-shore petroleum resources to benefit Nova Scotia. This proposed decade of seismic data collection is an intrusive and most self serving self benefiting action by a speculative seismic data supplier, which has not shared with the CNSOPB nor stakeholders what this decade long seismic program will bring of benefit to Nova Scotia and Canada.

Has the CNSOPB asked the project proponent what are it’s expectations or on what remote chance is it banking that as a seismic data supplier it will find a responsible petroleum exploration and development company willing to buy already available data covering the Scotia Shelf acquired over thirty-six years of seismic data collection by all manner and form over the Scotian Shelf Canada Nova Scotia offshore.

Has the CNSOPB asked the project proponent for any evidence which would or could irrefutable dispute or discount the hypothesis that 2D and 3D seismic affect the hearing of mammals such a whales, or orientation guidance of sea turtles, or reproductive processes of snow crab.

There are so many other questions to ask of the proponent before the CNSOPB cavalierly proceeds to call for a scoping document for the conduct of an environmental assessment in support of a “seismic data supplier’s” pending application for authorization.

CNSOPB must be reminded that the prime objective of the Accord, the fundamental genesis for the CNSOPB’s establishment:

“is that the joint management regime continues to foster a spirit of agreement and co-operation between the parties as they continue working together to meet the challenges of the Offshore Area – the CANADA – NOVA SCOTIA OFFSHORE”.

As a long time member of the FAC, we need not remind the CNSOPB that it has the power, duty, responsibility and burden to be forthright with a proponent proposing a project which serves only one purpose “filing the seismic data library of a seismic data supplier”. CNSOPB cannot ignore the whole intent and focus of the ACCORD nor the Prerogative and Will of the Parliament of Canada, and Legislature of the Province of Nova Scotia, to create through mirror legislation a legal vehicle from which to establish the CNSOPB to be the administrator for the development of petroleum resources in the Canada Nova Scotia Offshore, operating in the spirit of co-operation and agreement.

The Native Council of Nova Scotia representing the off-reserve Community of Constitutional Head, 91 (24) Status and Non-Status Indians Mi'kmaq Aboriginal Indigenous persons continuing on their traditional ancestral homeland in that part of Mi'kmaki now known as Nova Scotia, as heirs to Treaty Rights, and beneficiaries to Aboriginal rights, with Interests in Other Rights, does not agree and opposes what we would characterize as a "blinded", "fractious" and most "disagreeable" approach to managing and administering a request by a proponent for a decade of seismic data collection over almost the entire CNSOPB Scotian Shelf the offshore, foremost serving the interests of a seismic data supplier.

For over thirty-six years the CNSOPB has nurtured its reputation to be more than "an overt token administrator" for oil and gas exploration and development interests. Why then in these waning days of Offshore oil and gas exploration and petroleum resources development in the CNSOPB Offshore, is the Board hell bent to "stumble and crash" on a solely speculative venture. A seismic program which has not disclosed of any need nor immediate beneficiary or oil or gas producer.

The CNSOPB owes more to all the fishers, multitude of other oceans users, stakeholders on sea and land, beneficiaries in Nova Scotia and the public of Canada as the managers and administrators for the responsible and serious development of the Petroleum Resources of the CANADA – NOVA SCOTIA OFFSHORE in the spirit of co-operation and agreement.

We cannot agree with this seismic proposal that is not required nor has there been any need expressed for it.

The CNSOPB should not proceed to assist the proponent with its speculative seismic data acquisition to foremost serves its seismic data library interest. The CNSOPB has over thirty-six years of concerns, views, comments and opposition on the form and manner of scoping questions and information necessary to acquire and have included in a basic environmental assessment. The Board also has on record stated opposition to undertaking or considering more disrupting seismic data collection programs over an area of the Canada Nova Scotia Offshore experiencing diminishing aquatic resources where Scotian Self life is being constantly assaulted by naturally damaging changing forces, which should not include human induced seismic data collection for the sake of sales speculation or to augment a seismic data library. The offshore is experiencing a down turn in petroleum exploration and development not for lack of seismic data, rather lack of petroleum resources sought after by petroleum developers.

Advancing, Promoting and Advocating the Reality of the
Maritime Off-Reserve Community of Aboriginal Peoples



Roger J. Hunka

RJH;jh

Cc Chief Lorrain Augustine, Native Council of Nova Scotia
Tim Martin, President Mime;j Seafoods Limited
Joshua McNeely, Executive Director IKANAWTIKET
Vanessa Mitchel, Aquatic Resources Manager, MAARS
Mr. Jerry Witney, New Ventures Manager, PGS Inc.
Mr. Neil Paddy, New Venture Manager PGS Inc.