



Kwilmu'kw Maw-klusuaqn Negotiation Office  
**Mi'kmaq Rights Initiative**

Our Rights. Our Future.

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January 15, 2020

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**Re: Review of the Draft Environmental Assessment Report and Potential Conditions for the Jeanne D'Arc Basin Exploration Drilling Project**

Ms. Benjamin,

We have reviewed the Draft Environmental Assessment Report and Potential Conditions for the Jeanne D'Arc Basin Exploration Drilling Project and I wish to provide you with our comments, concerns and recommendations. KMKNO has contracted AECOM to conduct a review of the draft EA report and potential conditions and we have submitted the report to the Impact Assessment Agency of Canada (IAA).

The Mi'kmaq are the holders of constitutionally protected Aboriginal and treaty rights, which include the Aboriginal right to fish for food and the treaty right to fish for a moderate livelihood. Any impacts to fish and fish habitat are impacts to Mi'kmaw rights. Therefore, it is our expectation the Mi'kmaq will be compensated for any infringement on fishing rights.

We wish to reiterate our concern that this exploration project, as well as the other concurrent offshore oil and gas developments in Newfoundland, may impact both Atlantic salmon and American eel. The timing and design of the project activities will be important to reduce potential impact to migrating fish as well as those overwintering. We have already provided CIAA with a copy of the UINR report on Atlantic salmon that indicates drilling activities between the months of January to August pose a greater impact Atlantic salmon in the area.

We are also concerned about the potential for accidental spills in the deep water and the potential effects this would have on the Mi'kmaq of Nova Scotia. This concern is magnified when considering the number of exploration drilling projects being proposed in the offshore Newfoundland.

We look forward to further consultation on this matter.

Yours in recognition of Mi'kmaw Rights and Title,

<original signed by>

Twila Gaudet, BA, LL.B.  
Director of Consultation

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