



WOLASTOQEY NATION IN NEW BRUNSWICK

Matawaskiye • Neqotkuk • Wotstak • Bilijk • Sitansisk • Welamukotuk

[DELIVERED VIA EMAIL]

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Joanna Tombs
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Re: Tilt Cove Exploration Drilling EIS

The Wolastoqey Nation in New Brunswick (“**WNNB**”) is a not-for-profit organization that provides technical support and advice to New Brunswick’s six Wolastoqey Communities on matters that relate to their constitutionally protected Aboriginal and Treaty Rights. WNNB facilitates consultation and communication between Wolastoqey Communities, project proponents, and The Crown, but is not the rights holder, nor the body to which the duty to consult is owed.

We are writing in response to the Tilt Cove Exploration Drilling Environmental Impact Statement (“**The Project**”). The Project is one of several that have been proposed or are currently underway that are similar in nature, both spatiotemporally, and in prospective objectives. With several new exploration projects underway, and the addition of a new Regional Assessment examining the potential for offshore wind development, serious concerns surround compounding and cumulative effects for all environmental resources in offshore Newfoundland. While projects and conditions may be similar, each carries the potential to cause adverse affects and would benefit from specific monitoring and mitigation measures. Though the EIS Summary states that any adverse effects to fishes, marine mammals, and birds are predicted to be short-term, localized, and reversible (Section 6.8), even small residuals can accumulate and produce incremental, but damaging, cumulative impacts. For that reason, WNNB urges IAAC to review the potential cumulative impacts of offshore exploration drilling more fully.

The impacts to Atlantic Salmon are of peak concern to the Wolastoqey Nation as it is a resource that is currently on the verge of extinction within Wolastoqey territory. While new sources of potential mortality are being proposed within their migratory range, Indigenous access to Atlantic Salmon for food, social, and ceremonial (“**FSC**”) harvest has been long forgone. Currently, the rate of at-sea mortality of this species remains high and is not fully understood. The implementation of an additional exploratory drilling project in known salmon habitat has potential to increase mortality rates by means of habitat loss, or behavioural shifts due to drilling

activities. An ecosystem-based analysis within the Project area is likely to provide the most comprehensive understanding of the potential impacts to Atlantic Salmon, and the ecosystem itself.

Currently, the Environmental Studies Research Fund (“**ESRF**”) is supporting an extensive project examining the migration of juvenile and adult Atlantic Salmon within Atlantic Canadian waters. This study does not fully target populations of Atlantic Salmon that would be migrating to and from freshwater habitat within Wolastoqey Territory. Although Wolastoqey people have not had access to fish wild Atlantic Salmon in the territory for over twenty-five years, the species holds inherent cultural value, and its conservation and restoration are of high priority to the Nation. While we look forward to seeing the results of the ESRF studies and remain open to collaboration in future efforts, WNNB would like to highlight that the risk of exploratory drilling activities on Atlantic Salmon of multiple age classes is still poorly understood. This necessitates the implementation of salmon-specific mitigation and monitoring measures until we fully understand the gravity of routine drilling operations and incidental hydrocarbon release on Atlantic Salmon.

Moreover, offshore exploratory drilling and its associated daily operations within the North Atlantic have the potential to affect migration patterns of American eel at both their adult and larval (elver) stages. Although the proposed Project does not fall within Wolastoqey Territory waters, American eel are a panmictic species, whereby adults migrate to the Sargasso Sea to form a single spawning population. Consequently, any adverse impacts to migrating eel or elver offshore of Newfoundland could indirectly impact the recruitment of future eel to freshwater habitats within Wolastoqey Territory. These adverse impacts to American eel and elver remain relatively unknown, however changes in migratory patterns due to acoustic or visual disturbance, marine traffic, or drilling activities can be hypothesized. Because adult American Eel numbers have been declining and there is minimal research being conducted on elver recruitment in Atlantic Canada (Cornic et. al., 2021), WNNB would like to see the implementation of an eel-specific monitoring plan to better assess the potential cumulative effects of exploratory drilling on various life stages of American Eel.

Finally, three Wolastoqey communities hold communal -commercial longline fishery licenses for swordfish and tuna near the Project area. The reduction of available fishing area by means of the drilling sites and accompanying 500m safety zone radius is a direct impact to Wolastoqey Aboriginal and Treaty Rights. The potential need to relocate fishing vessels increases competition with commercial fishers for remaining available fishing areas, which could result in economic loss for Wolastoqey communities. While we recognize that the proponent intends on developing a Fisheries Communication Plan, further consultation with Wolastoqey communities will be needed throughout the Project’s lifespan to ensure proper mitigation of these impacts, and to discuss accommodations if need be. WNNB is also interested in better understanding the effects of underwater noise generated by offshore drilling activities on fishes, and what strategies are available to mitigate any deleterious effects on pelagic species such as swordfish and tuna. Studies examining acoustic disturbance of offshore wind farms are more abundant and suggest

that the pre-construction and construction phases of offshore wind farms can cause substantial acoustic disturbance, which has the potential to impact pelagic species' spatiotemporal distribution and general behaviour (Thomsen et. al., 2006; Hawkins et. al., 2014; Kok et. al., 2021). Changes in spatiotemporal distribution directly related to offshore drilling activities would impact communal-commercial fishing success for Wolastoqey members. The proponent states that any acoustic disturbance will occur gradually to allow animals to move from the project area before injury-inducing sound levels are achieved (Section 6.2.3.1), but with the increasing number of offshore drilling projects occurring within the region, and the potential addition of offshore wind development, a significant reduction in useable habitat may occur. Should this project move forward, the proponent should consider funding studies that contribute to our current knowledge of acoustic disturbance of offshore drilling on fishes, and their changes in distribution and habitat use in areas where multiple offshore projects occur concurrently.

As this process moves forward, we look forward to meeting with your representatives to further explore the potential impact of the Tilt Cove Exploratory Drilling Project on Wolastoqey Aboriginal and Treaty Rights. Please contact Victoria Cluney <email address removed> and Gordon Grey (<email address removed>) to arrange a follow-up discussion.

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