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DWAN STREET - *President*

Friday, September 5, 2025

Canada-Newfoundland and Labrador Offshore Energy Regulator (C-NLOER)
240 Waterford Bridge Road
The Tower Corporate Campus – West Campus Hall
Suite 7100, St. John's, NL, A1E 1E2

Re: Response to Project Description and Draft EA Scoping Document – MKI Labrador Offshore Seismic Program, 2026–2030

Ms. Moss,

On behalf of the Fish, Food and Allied Workers Union (FFAW-Unifor), representing over 14,000 working men and women in Newfoundland and Labrador's independent small boat fishery, we are writing in response to the Project Description and Draft Environmental Assessment (EA) Scoping Document submitted by MKI for the proposed Labrador Offshore Seismic Program (2026–2030).
Our members remain deeply concerned about the potential impacts of offshore seismic programs on commercial fish species and ecosystems critical to coastal livelihoods. In particular:

- The long-term effects of seismic activity on commercially important species remain largely unknown. Despite decades of seismic exploration in the Newfoundland and Labrador offshore, knowledge gaps persist, and the precautionary principle must be applied.
- Recent research by Dr. Corey Morris has identified short-term effects of seismic exposure on groundfish and crab species, though the results remain difficult to fully quantify or statistically validate. More research has been strongly recommended, particularly on different life-history stages (females, eggs, larvae), varying biomass densities, and in controlled laboratory settings.
- Fish harvesters are traditional ocean users and have observed real-time changes in fish behaviour and distribution across generations of fishing families. For example, seismic has been associated with disruptions to Atlantic cod foraging and feeding behaviour. Witch flounder tend to remain in seismic-active zones, whereas Greenland halibut are more likely to migrate away — highlighting species-specific responses and underscoring the need for further investigation.

- Critically, current science does not yet capture the longer-term impacts of repeated seismic exposure, including potential effects on displacement, recruitment, and breeding. Without this knowledge, there is a substantial risk that seismic activity could undermine the sustainability of commercially important species and the fisheries that rely upon them.

Targeted, site-specific consultation with 2J fish harvesters in Labrador is strongly recommended. It should also be recognized that harvesters from other areas of the province access shrimp and turbot fisheries in the study area, requiring additional consultation beyond the local fleet.

There are active commercial fisheries in NAFO Division 2J, including cod, which is prosecuted using handlines and gillnets. The inshore fleet is composed of vessels up to 65 feet, with vessels greater than 35 feet participating in the crab fishery. Turbot is harvested using both offshore trawlers (greater than 100 feet) and inshore gillnet vessels. Shrimp is prosecuted throughout several Shrimp Fishing Areas, which should be mapped alongside NAFO divisions when portraying catch data in the EA.

It should also be noted that there is no current directed fishery for grenadier or witch flounder in the Labrador offshore. These species are incidental by-catch from the three dominant fisheries: crab, turbot, and shrimp. Operationally, seismic activity presents a risk of conflict with fixed gear, including crab pots and turbot gillnets.

The DFO industry collaborative post-season crab survey is a cornerstone of fisheries science and management in this province. FFAW-Unifor maintains that seismic work must not be conducted in the vicinity of crab survey stations until sampling for the year is completed. This survey is essential to quota-setting and long-term sustainability of the crab resource. Any interference or confounding variable, including seismic activity, is unacceptable.

We acknowledge that seismic planning around survey stations can be challenging; however, this reality makes effective, ongoing, and transparent communication with the fishing industry non-negotiable. The seismic operator must remain apprised of seasonal developments within our dynamic fisheries to avoid operational conflicts and ensure accountability.

In accordance with the *Impact Assessment Act* (IAA), the *Species at Risk Act* (SARA), and the *Migratory Birds Convention Act* (MBCA), the EA must include:

1. Comprehensive baseline data on fish, invertebrates, and marine ecosystems, with specific attention to spawning, nursery, and migratory habitats in overlap with proposed survey zones.

2. Cumulative effects assessment that explicitly considers repeated seismic exposure in the context of other offshore industrial activities.
3. Assessment of impacts on species at risk, marine mammals, seabirds, and vulnerable benthic habitats (e.g., corals, sponges).
4. Independent research and monitoring, including studies on the effects of seismic across life-history stages of commercial species, with results made publicly available.
5. Enforceable mitigation measures, including avoidance of peak fishing seasons, spatial separation from active fishing grounds, and real-time engagement with harvesters.
6. Robust compensation mechanisms to address potential gear loss, catch reductions, and disruption to fishing operations.
7. Enhanced industry-supported research — FFAW-Unifor recommends that proponents of seismic programs, including MKI, work collaboratively with harvesters, researchers, and government to advance research on the long-term effects of seismic on commercial species. This includes studies on larval and juvenile stages, displacement and breeding behaviour, and cumulative exposure over significant periods of time. Such contributions would demonstrate a commitment to precautionary management and help address persistent knowledge gaps.

Inshore fisheries in Labrador (NAFO Division 2J) are diverse and economically vital, with snow crab, shrimp, turbot, and cod forming the backbone of harvesting activity. These fisheries follow seasonal patterns that overlap with the timing of proposed seismic activity, creating potential risks of conflict and disruption. Snow crab is generally harvested from late spring through summer into early fall, while turbot and cod are prosecuted during the summer and fall months. Shrimp is managed on an April-to-March management year, with concentrated harvesting occurring seasonally depending on weather and market conditions. Capelin, though more localized, supports important community fisheries during short openings in early to mid-summer.

Because these fisheries are dynamic and subject to annual variation based on scientific advice and DFO management decisions, seismic activity must be carefully planned around peak harvesting periods. Failure to do so could directly impact both fishing operations and the quality of critical science surveys that underpin resource management. This underscores the importance of meaningful consultation with harvesters, up-to-date mapping of shrimp and groundfish fishing areas, and recognition of the overlap between traditional fishing activity and proposed seismic programs in the Labrador offshore.

Seismic activity has been occurring in Newfoundland and Labrador's offshore for decades, yet significant knowledge gaps remain regarding its long-term ecological and fishery impacts. Harvesters' observations, coupled with emerging science, make clear that precaution, transparency, and respect for fisheries must guide this process.

FFAW-Unifor urges that the finalized EA Scoping Document reflect these concerns and recommendations, and that MKI be required to demonstrate how identified risks, knowledge gaps, and operational conflicts will be mitigated. We further encourage C-NLOER to consider ways in which proponents can contribute to research efforts that will strengthen the science base and ensure sustainable decision-making.
Thank you for your attention to these matters. We look forward to continued dialogue with C-NLOER and MKI as this process advances.

Kind Regards,

Katie Power
Industry Relations Representative