



File OF-EP-GeoOp-M711-5554587 02
31 May 2013

Ms. Darlene Davis
Lead Canadian Consultancy
RPS Energy
1545 Birmingham Street
2nd Floor
Halifax, NS B3J 2J6
Facsimile 902-425-0703
Email DavisD@rpsgoup.com

Dear Ms. Davis:

**TGS-NOPEC Geophysical Company ASA (TGS) , Petroleum GeoServices (PGS)
and Multi Klient Invest (MKI) Application for NorthEastern Canada 2D Seismic
Survey (the Project) under section 5.1(b) of the *Canada Oil and Gas Operations Act*
Incomplete Application**

On 17 May 2011, the National Energy Board (Board) received a Geophysical Operations Authorization application from TGS, PGS and MKI (Application) for the Project. Upon reviewing the Application, letters of comment, subsequent filings, and information received during public meetings conducted by the Board in the communities of Pond Inlet, Clyde River, Qikiqtaruaq and Iqaluit from 29 April 2013 to 2 May 2013, the Board has determined that the Application is not complete for the reasons set out below.

The Application and information received subsequently, evidenced deficiencies regarding the assessment of socio-economic impacts and Inuit consultation. In particular, the Board requires the following information:

- During the public meetings, TGS, PGS and MKI were unable to answer various questions from community members and committed to following up with more information. Responses to these outstanding questions, including those listed in Appendix I, should be filed with the Board along with confirmation that this information has also been provided to the communities and the four fisheries organizations.

.../2

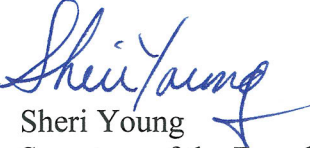
- There has been a lack of information and communication to date regarding how local and/or regional scientific and Inuit Qaujimagatuqangit or traditional knowledge, and information provided by potentially affected Inuit groups and/or persons has been or will be considered in the project design, including mitigation measures. TGS, PGS and MKI are asked to describe in detail the information obtained from communities and organizations that relate to the project design. TGS, PGS and MKI should indicate how this information has affected the project design, and if not, why.
- TGS, PGS and MKI should provide an estimated survey acquisition plan for each survey season.
- TGS, PGS and MKI should provide an approximate Project schedule for each survey season and a rationale for the schedule which references considerations to wildlife and other environmental factors.

Although the Board does not currently have a filing manual specifically created to provide guidance for applications pursuant to the *Canada Oil and Gas Operations Act*, TGS, PGS and MKI may refer to Chapter 3 of the Board's *Filing Manual*¹ for assistance in understanding the type of information sought by the Board in relation to the adequate consultation of potentially affected Inuit groups.

The Board is therefore suspending its assessment of the Application and will resume it only if TGS, PGS and MKI file the above noted information with the Board on or before **5 September 2013**. If TGS, PGS and MKI do not file the above noted information by this date, the Board will consider the Application withdrawn. Alternatively, TGS, PGS and MKI may file a fresh application in the future without prejudice, taking care to include the required information.

If you have any questions about this letter, please contact Gary Woo, Team Leader, at 403-299-3143, or through the Board's toll-free number at 1-800-899-1265.

Yours truly,


Sheri Young
Secretary of the Board

¹ The *Filing Manual* can be found on the NEB's website by clicking on "Publications - Acts and Regulations", then "Rules, Regulations, Guidelines, Guidance Notes and Memoranda of Guidance Pursuant to the National Energy Board Act", then "Filing Manual (previously Guidelines for Filing Requirements)".

- c.c. Ms. Navarana Beveridge, Executive Director, Qikitani Inuit Association
Email: nbeveridge@qia.ca
- Mr. Mike Rudkin, Senior Administrative Officer, Hamlet of Pond Inlet
Email: hamletpond_sao@qiniq.com
- Mr. Apiusie Apak, Mayor, Municipality of Clyde River and Mr. Jaycopie Iqalukjuaq,
Chairman, Hunters and Trappers Organization
Email: cao@clyderiver.ca
- Hamlet of Qikiqtarjuaq
Email: qikmayor@qiniq.com; qikrecep@qiniq.com
- Mr. Matthias Qaunaq, Chairperson, Pond Inlet Hunters & Trappers Association
Email: htopond@qiniq.com
- Mr. James Qillaq, Chairperson, Clyde River Hunters & Trappers Association
Email: htoclyde@qiniq.com
- Mr. Samuel Nuqingaq, Chairperson, Qikiqtarjuaq Hunters & Trappers Association
Email: nattivak_hta@qiniq.com
- Mr. Joshua Kango, Chairperson, Amarok Hunters & Trappers Association
Email: amrok@qiniq.com
- Jennifer and Niko I., Pond Inlet
Email: brisksky@hotmail.com
- Mr. Harry Earle, General Manager, Arctic Fishery
Email: harry@terranova.cc
- Mr. Lootie Toomasie, Chairman and CEO, Arctic Fishery Alliance
Email: Arcticfisheryalliance@qiniq.com
- Ms. Agnes Simonfalvy, Avatilirinirq (Environmental) Coordinator, Department of
Economic Development & Transportation, Government of Nunavut
Email: asimonfalvy@gov.nu.ca
- Mr. Peter Frampton, Senior Petroleum Resources Advisor, Government of Nunavut
Email: PFrampton@GOV.NU.CA
- Mr. Carson Gillis, Director of Lands and Resources, Nunavut Tunngavik Incorporated
Email: cgilis@tunngavik.com
- Mr. Keith Morrison, Senior Advisor, Minerals, Oil and Gas, Nunavut Tunngavik
Incorporated
Email: kmorrison@tunngavik.com
- Mr. Wayne Johnson, Wayne Johnson Associates
Email: waynejohnson@bellnet.ca
- Ms. Amanda Hanson, Director, Technical Services, Nunavut Impact Review Board
Email: ahanson@nirb.ca

Ms. Genevieve Carr, Northern Petroleum and Mineral Resources Branch, Aboriginal Affairs and Northern Development Canada
Email: genevieve.carr@aandc-aadnc.gc.ca

Ms. Rosanne D'Orazio, Senior Environmental Specialist, Nunavut Regional Office, Aboriginal Affairs and Northern Development Canada
Email: rosanne.dorazio@aandc-aadnc.gc.ca

Ms. Shari Gearheard
Email: sharig@qiniq.com

Ms. Paula C. Smith, Environment Canada, Environmental Protection Branch
Email: paula.c.smith@ec.gc.ca

Ms Elizabeth Patreau, Senior Fish Habitat Biologist, Fisheries and Oceans Canada
Email: Elizabeth.Patreau@dfo-mpo.gc.ca

Mr. Jerry Ward, CEO, Baffin Fisheries Coalition
Email: jward@bfcoalition.ca

Mr. Peter J. Ewins, Senior Officer, WWF–Canada
Email: pewins@wwfcanada.org

Appendix 1

Matters Raised During the Public Meetings Requiring Follow-Up

Matter Raised During the Public Meetings	Transcript Reference*
The change in narwhal migration or narwhal stranding incident in the fall of 2008.	Vol. 1, para 167 and 633
The effects of marine seismic projects on wildlife as observed from previous marine seismic projects, specifically projects conducted in Greenland.	Vol. 1, para 178; Vol. 3, para 1361, 1362, 1363, 1462, 1466 and 1467
How many times Marine Mammal Observers required shut downs for the project in Labrador and Newfoundland waters.	Vol. 3, para 1778
Acoustic properties or modeling of marine seismic including information indicating how far sound travels and specifically how the sound would compare to the sound of a .22 rifle firing or a whale. MKI committed to providing a video that demonstrates the comparison of air guns and sound sources that are familiar to community members.	Vol. 1, para 237, 255, 263, 277 and 673; Vol 3 para 1326, 1341 and 1694
Sound modeling as it relates to the project area.	Vol. 3, para 1346
The effects of sound on marine mammals.	Vol. 1, para 627, 884 and 886; Vol. 2, para 1184
What effect the project will have on walrus migration.	Vol. 4, para 2070
What effect the project will have on bearded seals and ring seals.	Vol. 4, para 2073
What effect the project will have on polar bears.	Vol. 4, para 2076
Arctic Fisheries Alliance presentation and requests.	Vol. 3, para 1595 to 1638

* These transcript references are intended to provide context and are not meant to be exhaustive