### Lorrnel Consultants

400-6th, STREET S.W. CAUGARY, ALBERTA T2P 1X2

PHONE (403) 233-0900 FAX (403) 265-3874 e-mail: lorrnel @ locrnel.com

### FACSIMILE TRANSMITTAL

To: Martinine	LAWEY ENVIRONMENTAL	IMAT LEVIEW BUMPS	Date: Ave 23 02
-			

Attention: Mr. Vern CHRISTIENSEN

Fax Number: (867) 93 4761 (867) 766 7074

From: NATHAN Ciconia

LORRNEL CONSULTANTS 400 - 6 St. S.W.
CALGARY, ALBERTA
T2P 1X2

\* c-mail: info@lorruel.com (403) 233-0900 FAX (403) 265-3874 AUG 2.6 2002 AUG 2.6 2002 AUG 2.6 2002 ENVIRONMENTAL IMPACT

Notice: This fax is intended only for the use of the addressee above named and may contain information that is privileged and confidential. If you are not the addressee or the person responsible for delivering this fax in error, please notify as immediately by telephone at the above number. Thank you.

Celebrating 15 years of Service to the Oil & Gas Industry

4.9

#### **Lorrnel Consultan** A joint venture comprised of Dowcoo Enterprises Ltd. and Lorrnel Consulting Group Ltd.

400 - 6th Street S.W. Calgary, Alberta, Canada **T2P 1X2** 

Phone: (403) 233-0900 Fax: (403) 265-3974

e-mail: info@lorrnel.com

Mackenzie Valley Environmental Impact Review Board 200 Scotia Centre 5102 ~ 50<sup>th</sup> Avenue Yellowknife, NT X1A 2N7

August 19, 2002

Our File: #010025 NEB File: #9180-N753-1

Attention: Mr. Vern Christensen

Subject: Northern Rivers Surveys Ltd. \ Liard River Geophysical Survey

Dear Mr. Christensen.

On behalf of Northern Rivers Surveys, a newly formed Canadian owned and operated company, we would like to respond to the letter, dated August 13, 2002 sent to your office by WesternGeco, addressing their concerns between the recent Mackenzie River Application and the above-mentioned program (a copy is attached).

We would like to clarify that contrary to the misinformation that has been received by WesternGeco, the NRS application was submitted to the National Energy Board well in advance of the Mackenzie River application. In fact, the NRS application precedes the WesternGeco application by over 3 months, as the two applications were submitted to the NEB on January 2, 2002 and April 23, 2002 respectively. While it is unfortunate that this confusion has occurred it is a relevant note in determining which proponent has the competitive advantage over whom. Furthermore, we would also like to clarify that while the NRS application had been granted preliminary approval through the NEB's Preliminary Screening Process (March 28, 2002), our application was referred to an Environment Assessment Review by the MVEIRB on April 8, 2002 whereas the NEB referred the WesternGeco application to this process, on June 25, 2002.

In regards to comments made by WesternGeco implying that NRS unethically used material from their application, we are deeply insulted by this accusation and would like to make it known to both the MVEIRB and WesternGeco that it is common practice both

Celebrating over 20 years of Service to the Oil & Gas Industry

## Lorrnel Consultants A joint venture comprised of Dowcon Enterprises Ltd. and Lacrnel Consulting Group Ltd.

400 - 6<sup>th</sup> Street S.W. Calgary, Alberta, Canada T2P 1X2

Phone: (403) 233-0900 Fax: (403) 265-3974 e-mail: info@lorrnel.com

in professional and academic fields to use <u>public information</u> as a means of gathering material pertinent to the assessment at hand. It is very disconcerting to us that a company of WesternGeco's status and diversity would not be aware that all applications submitted to the NEB become available to the general public by means of federal legislation upon submission. While it is understood that WesternGeco feels that it is unfair that results of their testing program be used to support a competitor's application, NRS should be commended for their use of all available resources at their disposal. To further clarify this accusation, we would like to make note that in all instances where IMG-Golder information was used in the NRS EA document, sufficient reference was given to the authors and at no time was such information conveyed as primary data collected by NRS.

Additionally, we would like to confirm that NRS has no intentions of using equipment on the riverbanks of either the South Nahanni or Liard Rivers. Mention had been made in the original application that should extenuating circumstances arise, crews may resort to hand laying hydrophones in the water, adjacent to riverbanks but at no point was it the intent of NRS to conduct a terrestrial survey.

Northern Rivers Survey would like to take this opportunity to commend WesternGeco for their commitment to the regulatory process and the considerable expense that they have assumed in collecting environmental information proving that surveys of this aquatic nature are not a threat to the integrity of river systems. However, given that NRS' is without a boundless coffer of financial resources, we have been required to actively pursue economical and practical alternatives to testing. Such alternatives were sought out through various literature reviews, consultations with professionals and academics in the field of underwater acoustics and continual communication and discussion with such regulatory agencies as the Department of Fisheries and Oceans and GNWT-RWED. While NRS has provided considerable information and data supporting that this program will be of minimal impact to the environment, a final ruling has yet to be received indicating whether or not further environmental testing is required to obtain approval.

In further response to WesternGeco's concerns, NRS too has missed the operational window for the summer and fall months of 2002, and therefore we feel that WesternGeco's request for "Intervener Status" on the NRS program is unsubstantiated and conversely would like to request that NRS be given this position on the Mackenzie River program as we feel it is WesternGeco who has infringed on the NRS application; which we would like to reiterate was submitted prior to the Mackenzie submission.

Celebrating over 20 years of Service to the Oil & Gas Industry

# Lorrnel Consultants A joint venture comprised of Dowcon Enterprises Ltd. and Lorrnel Consulting Group Ltd.

400 - 6<sup>th</sup> Street S.W. Calgary, Alberta, Canada T2P 1X2

Phone: (403) 233-0900 Fax: (403) 265-3974 e-mail: info@lorrnel.con

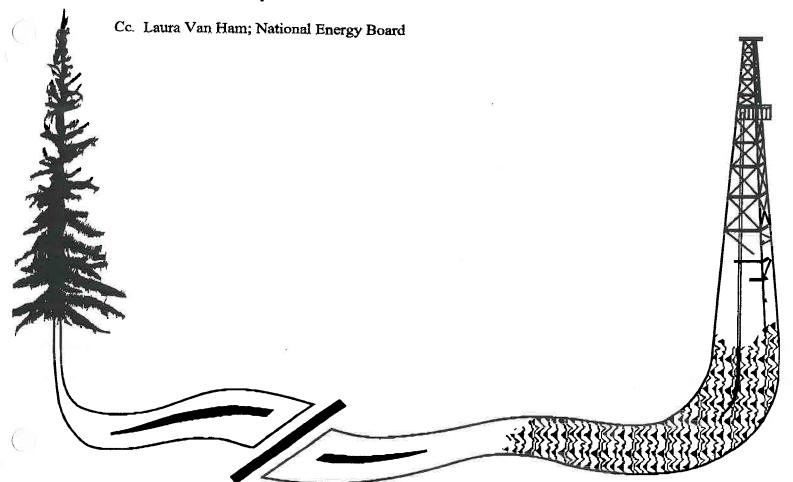
Should you or any of your staff wish to discuss this matter in further detail we would ask that you not hesitate to contact the undersigned at your earliest convenience. Thank you for your time and we look forward to talking with you in the near future.

Sincerely,

Robert Moore Vice-President

Northern Rivers Surveys

K.J. Moore



Celebrating over 20 years of Service to the Oil & Gas Industry

08/15/2002 11:23 FAX 867 920 4761 MVEIRB **12**003

SURV 2300, 645 • 7th Avenue S.W. Calgary, Albarta, 12P 4G8 Canada



August 13, 2002

Mackenzie Valley Environmental Impact Review Board. 200 Scotia Centre 5102 - 50th Avenue Yellowknife Northwest Territories X1A 2N7

Burn to War County

→ NRS

Attention Mr. Vem Christensen

Subject: Request For Intervener Status: NRSL Environmental Assessment

Dear Mr. Christensen,

As a result of questions raised by the Department of Fisheries and Oceans regarding WesternGeco's request for approval to record seismic data in the Mackenzie River, WesternGeco has been directed to conduct acoustic and biological tests. Acquisition of the tests has just been completed with encouraging initial reports. The results of the tests are being compiled and should be available soon.

The cost to WesternGeco of preparing for and operating the tests to date, exceeds three million dollars. However WesternGeco understands and accepts that the tests are required in order to provide scientific knowledge to substantiate its application to acquire the full seismic program.

WesternGeco has become aware of the fact that a competitor, Northern River Surveys Ltd. (NRSL) has applied for regulatory approval to conduct a 2D seismic program along the Liard and Nahanni Rivers. In connection with that application, NRSL filed an Environmental Assessment prepared by Lornel Consultants and dated June 2002. NRSL's application uses significant portions of material provided to IMG Golder by WesternGeco, Intended for the exclusive use of the WesternGeco Mackenzie River application.

In their application, NRSL refers to the WesternGeco Mackenzia River Survey as though the two surveys were similar in design, which is questionable, as we understand the NRSL proposal includes the use of equipment on the riverbanks. NRSL further claim that their 1200 cu inch airgun array will have a lesser pressure and sound impact than WesternGeco's 1500 cu inch array. Due to differences in the dimensions and clustering of the Individual airguns within the array, WesternGeco also consider this statement to be questionable.

→ NRS

On July 19, 2002, WesternGeco learned that NRSL may not be required to undertake a test program to assess the environmental impacts of the use of airgun sources for its proposed seismic operations on the Liard and Nahanni Rivers.

Due to the time and effort required for the environmental testing and monitoring, WesternGeco has now missed the early summer window of safe river conditions for the full survey in 2002. Subject to the appropriate approvals in 2003, WesternGeco will be delayed a year in acquiring the full seismic survey until summer 2003. WesternGeco is therefore very concerned that the results of the test program for which is paying, may be used to assess the NRSL application and that if that application is approved, NRSL may be given the opportunity to be the first to the market with its seismic information and may thereby be in a position to exclude WesternGeco from the Liard River portion of its planned survey.

WesternGeco believes that if the results of its efforts and expenditures could be used for the benefit of its competitors. WesternGeco's application should be approved in a manner that allows it to acquire its full planned survey well in advance of its competitors.

WesternGeco also feels that NRSL's references and comparisons between the differing surveys puts WesternGeco through association, in an uncomfortable position. WesternGeco are therefore requesting "Intervener status" for the NRSL Environmental Assessment.

We would welcome the opportunity to meet with yourself or representatives of the MVEIRB to discuss any aspect of the subject surveys.

Yours truly,

Graham Carter

Manager, Multi-client Canada WesternGeco Canada Limited Phone 403 509 4521 (direct)

In. w. Carles.

cc: Laura Van Ham. NEB.