

La'o Hamutuk

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29 June 2010

Sr. Augusto Manuel Pinto, Msc (ERM)
Director, National Environmental Directorate (DNMA)
RDTL Ministry of Economy and Development

Sr. Cristovão da C. P. Martins
Chief, Environmental Impact Analysis Department

Reference: Environmental Management Plan for GeoStreamer 2D Seismic Survey

Dear Sr. Pinto:

Thank you for inviting La'o Hamutuk to participate in the public consultation process on the proposed Environmental Management Plan for the GeoStreamer 2D Seismic Survey on 22 June 2010. We greatly appreciate that DNMA has extended this consultation due to the lack of timely notification, and that you are working to improve effective participation from civil society and other stakeholders.

As a civil society organization which has worked for ten years to help ensure that petroleum development in Timor-Leste is conducted for the benefit of our people, La'o Hamutuk suggests the following three issues for DNMA and Eni to consider. We have raised some of them in past consultations, and we hope that they can be improved in the future.

No seismic operations during dark hours

The seismic array is scheduled to operate continuously for two days, and La'o Hamutuk is concerned¹ that the mammal observer will not be able to see whales and dolphins at night, and that the low power and shut-down protections incorporated in the EMP² will not be practically implementable. According to data from Eni, the Beaufort Explorer will require about eight hours to traverse the longer acquisition line, and four hours for the shorter one. Given that two days are allocated to seismic exploration, this testing could be done entirely during daylight hours, with the intervening night being used to travel from the end of the first line to the start of the second. The EMP³ acknowledges that marine animal observation is more difficult at night, and keeping the chase vessel five km ahead of the *Beaufort Explorer* is insufficient to ensure that no such animals will be within 500 m of the acoustic source.

¹ See www.laohamutuk.org/Oil/Project/07EniEPseismicLH.htm for La'o Hamutuk's discussion of this issue in relation to Eni's Bicuda seismic survey.

² Section 4.2.4 (page 33) of the draft GeoStreamer EMP TL-HSE-PL-008 Rev 0"

³ Ibid, page 26

Invite Timor-Leste regulatory personnel to participate in testing and observation

La' o Hamutuk suggests that DNMA, ANP and other regulatory personnel be invited aboard the survey ships both while they are in Dili port and during the two-day survey. This will improve understanding and communication between agency staff and Eni contractors, and will help DNMA learn more about and contribute to petroleum-related activities in Timor-Leste. We also encourage Eni and Petroleum Geoservices to invite other stakeholders, including civil society, to visit the vessels in Dili port for a first-hand introduction to the process of seismic exploration.

Hold more effective consultations

The two civil society groups who attended last Tuesday's consultation expressed concern that they did not receive adequate advance information and documents to effectively participate. Although the draft EMP was issued on 11 May 2010, we did not receive a copy until 21 June 2010 (the day before the consultation), and only after we requested it from ENI.

At the 22 June meeting, Eni and DNMA agreed that Eni should directly distribute documents such as this to civil society groups in the future, without waiting for specific DNMA authorization. DNMA agreed to confirm this in writing, which La' o Hamutuk hopes has been done. As we said at the meeting, La' o Hamutuk is happy to facilitate distribution of these documents via internet, since both Eni and DNMA have logistical problems with internet posting. We remain ready to receive electronic copies of EMPs, EIAs and other documents subject to public consultation, and will post them on our website within a few days of receipt in Tetum, English, and other languages.⁴

As we have requested several times previously, La' o Hamutuk continues to await the *Cova Environmental Impact Statement* and finalised *Kitan Field Development Plan*.

Eni and DNMA should make documents such as these be made public one month before the related consultation to provide sufficient time for useful analysis that can lead to constructive contributions from stakeholders. Thank you very much for your attention, and we look forward to your responses to the concerns we have raised, as well as to continuing dialogue. As always, La' o Hamutuk is ready to assist DNMA, ANP and other Timor-Leste regulatory authorities in your essential task of protecting this country's resources, its rights and its environment.

Sincerely,



Scott Mackinnon, Juvinal Dias, Charles Scheiner
La' o Hamutuk Natural Resources Team

Cc: Mr. Tony Heynen (Eni Timor-Leste), Mr. Rob Phillips (Eni Australia), Ms. Carrie Doncon (Eni Australia), Sr. Gualdino da Silva (ANP), website

⁴ Eni provided the current EMP in electronic form to La' o Hamutuk yesterday in English, and we have posted it to <http://www.laohamutuk.org/Project/GeoStreamerTL-HSE-PL-008Rev0.pdf>