

<b>REGIONAL ASSESSMENT OF OFFSHORE OIL AND GAS EXPLORATORY DRILLING EAST OF NEWFOUNDLAND AND LABRADOR</b> <b>Engagement Activity / Meeting Notes: Regional Assessment Committee and Environmental and Fisheries Groups</b>			
<b>Date and Time / Duration</b>	May 28, 2019 1:00 pm to 3:00 pm		
<b>Location</b>	Canadian Environmental Assessment Agency, 200-1801 Hollis Street, Halifax, NS		
<b>Organization(s)</b>	Environmental and fisheries groups		
<b>Participants (External)</b>	Keith MacMaster – Ecology Action Centre Sarah Saunders – WWF - Canada Mike Kofahl – East Coast Environmental Law Kris Vascotto – Atlantic Groundfish Council James Gunvaldersen Klaassen – Ecojustice Lisa Mitchell – East Coast Environmental Law Susanna Fuller – Oceans North Gretchen Fitzgerald – Sierra Club Canada Jordy Thompson – Ecology Action Centre (teleconference)		
<b>Participants (Internal)</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;">           Garth Bangay Wes Foote (teleconference) Maureen Murphy-Rustad (teleconference) Keith Storey (teleconference) Gerald Anderson(teleconference)         </td> <td style="width: 50%; vertical-align: top;">           Steve Bonnell Tonya Warren (Teleconference)         </td> </tr> </table>	Garth Bangay Wes Foote (teleconference) Maureen Murphy-Rustad (teleconference) Keith Storey (teleconference) Gerald Anderson(teleconference)	Steve Bonnell Tonya Warren (Teleconference)
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<b>Key Questions / Issues Raised</b>	<ul style="list-style-type: none"> <li>• <u>Data:</u> <ol style="list-style-type: none"> <li>1. There was positive feedback on the current gathering of information/data.</li> <li>2. There were concerns on the use of proprietary data. Committee explained that data permissions could be set so that only certain people could access certain datasets. However, this raises the question of transparency and there were views expressed that there should be full transparency during the decision making process, including the information used for decisions.</li> <li>3. Global Fishing Watch system: This system was mentioned as an example of a global system using international data that shows where people are fishing and where the Rule of Five is not applied. However, the site does not identify species or gear type. This is a much more transparent system with respect to data. However, some of the stakeholders advised caution in that not using the “rule of five” could cause problems as well.</li> <li>4. It was suggested that CEAA obtain NAFO data. Some NAFO data has already been obtained.</li> </ol> </li> </ul>		

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5. DFO has suggested using a specific list of species. However, Industry in offshore NL uses a Norwegian species list which is not relevant to NL waters.
  6. CSAS paper on the incorporation of Western Knowledge & Indigenous Knowledge (Nunavut) would be very beneficial to look at as a resource.
  7. Database of SAR being done by DFO and ECCC – opportunity to collaborate.
  8. Bill C-68 (*Fisheries Act* Amendments) mentions development of a database in relation to Authorizations based on the habitat provisions of the *Fisheries Act*. Might be more beneficial if departments worked together.
  9. Stakeholders asked if consultants were engaged in the RA. Committee responded yes and that the majority of their work was with respect to the development of GIS products and support. Consultants would not likely produce the RA report.
- Purposes of the RA:
    1. General questions raised regarding the purpose of the RA.
    2. Concerns expressed with respect to the overall RA process. How does it relate to Strategic Environmental Assessments? Several SEAs conducted as well as project EAs, so how will this one be different? Is it just a summary of the others? The difference between an SEA and an RA was explained stating that the purpose of an SEA is to inform and influence licencing decisions whereas the purpose of the RA is to inform and influence project decisions.
    3. General discussion on the format of the RA and how it will be in the form of an evergreen GIS platform with text and mitigations included as part of the functionality of that platform. Data will then be uploaded to the platform and can be routinely updated and queried. It would provide the most up to date information possible to better inform the decision making process. The platform will also provide standard mitigations that have been used in the past and may evaluate new or different ones for specific situations.
  - Timelines/processes:
    1. There were concerns expressed regarding the timing of the RA. The committee explained that there was a desire to do things differently from the regular project-specific EA review processes that had become onerous and repetitive. Wanted to make the process more efficient and effective for all involved.
    2. There is also lots of planned activity in this area. Looking to do more comprehensive assessment in a more meaningful and effective way.

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3. There was significant concern expressed about the current timeline and the deadline of fall 2109. Data management and the existence of data gaps were specifically identified. The time should be taken to ensure the RA is done right to ensure a quality product.
  4. It was noted that given the focus on a single set of projects in the area, the RA sounds a lot like a “Class EA” approach.
  5. It was noted that the Committee might request an amendment to its Terms of Reference by writing to the Minister to clarify the timelines or change the boundaries to make the study area smaller. We could end up with a number of sub-regions based on knowledge levels and other factors. Obtaining data has also been slower than anticipated.
  6. Concern was also expressed regarding the decision making process and the role the RA might play in facilitating exploratory drilling. Some groups do not want to see the RA replace the need for detailed project-specific EAs for individual projects.
  7. The committee responded by saying that there was no recollection that the Minister or anyone has said that the role of the RA was to facilitate future drilling, but rather the RA process was intended to increase efficiency in the EA Process and to consider new ways of bringing data and information to the table to make the best decisions possible. The purpose was not to facilitate exploratory drilling.
  8. It was also clarified that the Committee does not have any decision-making capability but the RA will allow decision makers to have better information and analytical capability to make decisions that are more informed.
  9. There was some discussion on how records would be maintained and stored. The committee stated that discussions were ongoing as to how this would be done and what a public registry for the RA would look like. There was also discussion on the distribution of meeting notes so session attendees could review them to ensure all topics were covered. Some participants were also interested in all meeting notes being made available publicly for full transparency.
  10. There was a discussion of key steps and milestones of the RA and their anticipated timeframes, such as consultations and the provision of a draft report that will be submitted to the Minister.
- Transboundary Considerations:
    1. Question was asked if any advice had been sought regarding jurisdictional issues and International law implications of the RA. The committee’s response was that it hadn’t at this point but it was very early in the process and would be something to address later. Specific mention was made of the BBNJ (Biodiversity

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<p><b>Key Questions / Issues Raised</b></p>	<p>Beyond National Jurisdiction) treaty negotiations and the fact that EIAs and MPAs are a part of what is being negotiated. Transboundary EAs and SEAs are also being discussed</p> <ol style="list-style-type: none"> <li>2. It was noted that the RA will draw attention from the international community and that it is important to ensure that this RA is done well as Canada may be held up as an example. If not done right, Canada could lose an opportunity.</li> <li>3. There was an academic study done with respect to Marine Spatial Planning and the Laurentian Channel. Suzanne Fuller was to provide additional information on this.</li> <li>4. Concerns were raised with regards to the NAFO VME closures as well as the Canadian Marine Refuge closures and the fact that the boundaries for these areas are not made available during the CNLOPB leasing process.</li> </ol> <ul style="list-style-type: none"> <li>• <u>The TAG and the role of the CNLOPB:</u> <ol style="list-style-type: none"> <li>1. Stakeholders asked what the role of the CNLOPB was. Their role as co-chairs of the Task Team was identified and would be members of the Technical Advisory Group (TAG).</li> <li>2. The purpose of the TAG was then explained to the stakeholders and an invitation offered by CEAA (Steve Bonnell) to participate. Steve Bonnell said he would send out invitations to all participating organizations to become involved in the TAG process.</li> </ol> </li> <li>• <u>Cumulative effects:</u> <ol style="list-style-type: none"> <li>1. There was discussion on the inclusion of cumulative effects and that the plan was to address them however further discussions would be required.</li> </ol> </li> <li>• <u>Climate Change</u> <ol style="list-style-type: none"> <li>1. There was discussion on how climate change would be addressed by the RA. It was stated that it is one of the factors to be considered in the RA, as specified in the RA Agreement, but also that the Committee was still considering how best to address that issue in the RA.</li> <li>2. Stakeholders responded saying that it should be considered, and that a letter had been sent by EcoJustice during the review of the RA Agreement expressing concerns. CEAA responded by stating that the Agency had responded to any comments on the Agreement by posting the final agreement and a list / table of responses on the registry.</li> </ol> </li> </ul>
<p><b>Follow-up / Action Items</b></p>	<ol style="list-style-type: none"> <li>1. Steve Bonnell to send out invitations for membership on TAG.</li> <li>2. Susanna Fuller to send information on academic study with respect to Marine Spatial Planning and the Laurentian Channel.</li> </ol>
<p><b>Prepared By:</b></p>	<p>Tonya Warren</p>