



Friday, February 21, 2020

Regional Assessment Committee
Offshore Oil and Gas Exploratory Drilling East of Newfoundland and Labrador
c/o John Cabot Building, 10 Barter's Hill, Suite 301
St. John's NL A1C 6M1

Re: FFAW-Unifor Comments regarding the Draft Regional Assessment Report

Dear Committee Members,

Please accept Fish, Food and Allied Workers' Union (FFAW-Unifor) comments regarding the Draft Regional Assessment Report for Offshore Exploratory Drilling East of Newfoundland and Labrador. The contents of this letter highlight our members' concerns with respect to the draft report as well as reiteration of some commentary expressed during various meetings/sessions with the Committee over the past year.

The Regional Assessment process has been a major undertaking and I'd like to thank the Committee for their work to introduce a new approach to offshore oil and gas development planning. Going forward, the Committee's recommendation for the establishment of a **Regional Oversight Committee** to provide continued scrutiny of the Regional Assessment will be fundamental to keeping information current and assessing new research and/or policy and planning decisions in a meaningful way.

This extends to the associated **GIS decision-support tool** and the Committee's recommendations regarding its long-term housing, maintenance, use and development and implementation of procedures to keep the data up to date. Investment is key. As discussed in the report, the changing nature of the fishery, for example, will make the use of this GIS tool, for validation, even more important and relevant if the information is updated on a regular basis.

Further to this, the draft report highlights **data deficiencies** and recommends that initiatives are explored to better understand key fishing activities and key environmental components, areas and potential sensitivities (i.e., spawning and nursery areas and other locations that support important life stages for marine biota). The fishing industry is very supportive of improving our knowledge of the ocean. Investment is also required in this instance, including in the suggested development

and implementation of a protocol to gather, document, and share information and knowledge.

In many ways, we understand how the Regional Assessment will result in improved efficiency and reduction of unnecessary regulatory burden and process fatigue. However, in other ways, we are apprehensive that the fast-track process may be a step backwards as there could be less opportunity to comment on exploratory drilling projects prior to their approval, specifically on projects that could take place on valuable fishing grounds. Therefore, the Committee's recommendation to **establish procedures for operators seeking exemptions**, including a 30 day public posting enabling public comments, is supported, along with posting a determination of IAAC's decision regarding the exemption. Transparency is critical.

The draft report discusses generic mitigation measures that have become standard industry practice over time. We contend that there are required improvements however. The Committee's recommendation with respect to the timing of the **Fisheries Communication Plan** is welcomed. Oftentimes, the exact drilling location of an exploratory well is not known to the fishing industry prior to discussions with the operator regarding the Fisheries Communication Plan.

The potential for any exploratory drilling to interact with and directly affect the fishing industry will be highly dependent on the nature, location, timing, activities and the equipment and/ or gear involved. Exploratory drilling programs need to be well planned to strategically avoid certain areas at certain times. Operational planning should fully consider open fishing seasons and consultation *with* the fishing industry **in advance** of activities and consider the full scope of work for the season, including potential work. Providing little to no advance notice of drilling programs and safety zones with the expectation that fish harvesters will be able to alter fishing plans accordingly to mitigate potential space-use conflicts is not considered a mitigative measure by the fishing industry.

We continue to seek balance and consideration for the fishing industry's socio-economic value to the Province as oil and gas activities increase offshore. **Protecting important fishing grounds is a top priority for FFAW-Unifor.** The Committee is not recommending that any portions of the Study Area be excluded from future exploratory drilling activities in this draft report, including valuable fishing grounds. This is very problematic for our members as there are broad, unintended consequences related to oil and gas activities such as reduced areas available for fishing, increased shipping activity across fishing grounds, and the risk of a catastrophic oil spill that have a huge potential to impact the fishing industry. Displacing harvesters from highly productive fishing grounds could have far-reaching consequences as well.

As the report discusses, if potential adverse effects of exploratory drilling are to be avoided or minimized there requires a more proactive and holistic approach through

associated policy and planning decisions by the federal and provincial governments. As such, we suggest that the Committee recommend that a **process be formalized by governments** to address adverse effects in addition to the recommendations to use the GIS decision-support tool in future decisions with respect to the scheduled land tenure system. We are open to continued discussions with both levels of government on ways to avoid or minimize potential impacts of offshore oil and gas activities on the fishing industry.

Thank you again for your diligent work on the Regional Assessment Committee. We look forward to future engagement with the Impact Assessment Agency following the release of the Committee's final report, particularly on how the fishing industry as an important ocean stakeholder can continue to participate in applicable oil and gas regulatory and planning processes.

If you have any questions or comments please feel free to contact the undersigned.

Kind regards,
<Original signed by>

Keith Sullivan
President