

December 11, 2020

Mr. David McGovern  
President, Impact Assessment Agency of Canada  
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160 Elgin Street  
Ottawa, ON K1A 0H3

**RE: CAPP response to the Draft – Terms of Reference Regional Assessment of Offshore Exploratory Drilling East of Newfoundland and Labrador: Follow-up Program**

On behalf of the Canadian Association of Petroleum Producers (CAPP), I am pleased to respond to the draft Terms of Reference Regional Assessment (RA) of Offshore Exploratory Drilling East of Newfoundland and Labrador: Follow-up Program.

Based on previous CAPP submissions, I would like to reiterate that the policy decisions made by the Impact Assessment Agency (IAA) have a direct impact on future offshore exploration activity. With the projected global rebound in energy demand, Canada's natural gas and oil industry can drive a strong recovery that Canadians can be proud of. Given current economic conditions, I firmly believe that any changes made to the Regional Assessment of Offshore Exploratory Drilling East of Newfoundland and Labrador before an offshore exploration project has been approved through this new process will signal uncertainty to potential investors.

CAPP offers the following recommendations and comments in relation to the *Draft – Terms of Reference Regional Assessment of Offshore Exploratory Drilling East of Newfoundland and Labrador: Follow-up Program* as follows:

- Legislative Authorities (page 7) CAPP is pleased to see the joint management provisions for the offshore recognized in the draft Terms of Reference.
- **CAPP recommendation:** Add a flow chart to the Terms of Reference to articulate the reporting structure of the various RA committees, agencies and government department.
- Objectives (page 6): "The RA Follow-up Program will track and report on the implementation and effectiveness of the commitments outlined in the Ministerial Response. Through the RA Follow-up Program, new and updated information will be identified and examined on an annual basis to determine its applicability to offshore exploratory drilling and to ensure that the Regional Assessment remains current and valid into the future."  
**CAPP recommendation:** The process for reviewing new and updated information should be clearly defined. More specifically, who can submit information to the RA Follow-up Program,

how will the information be validated and how the information will be considered, should be clarified.

- Objectives (page 6): “Evaluate the implementation of the conditions in Schedule 2 of the Ministerial Regulation and provide advice on any areas where amendments or additions may be required to address identified issues or gaps.”  
**CAPP recommendation:** This objective should be revised to include “evaluation after an exploration drilling campaign.”
- Objectives (page 6): “Regularly review past, on-going and planned exploratory drilling activities and other projects and activities in the Study Area to consider potential cumulative effects, and provide advice to the relevant authorities on how these may be managed through applicable regulatory and planning mechanism.”
- **CAPP recommendation:** “Regularly review past, on-going and planned exploratory drilling activities and other projects and activities in the Study Area and to provide advice on potential cumulative effects to the relevant authorities”
- The RA Follow-up Steering Committee (page 7) (Steering Committee) “will be responsible for directing the development and implementation of the RA Follow-up Program. The Steering Committee will track and report on the commitments outlined in the Ministerial Response and will be responsible for the production of the Regional Assessment Ministerial Response Progress Report and subsequent annual Regional Assessment Follow-up Program Reports.”  
**CAPP recommendation:** Issue the Regional Assessment Follow-up Program Reports as new information becomes available, is reviewed and deemed appropriate to the process (or every five years) versus annual reports.

We are committed to ongoing engagement to develop policy options that allow Canada’s offshore oil and gas industry to remain viable and competitive while meeting our mutual desire to protect the environment. For questions or follow up related to the submission please contact me at (709) 724-4200.

Sincerely,



R. Paul Barnes  
Director, Atlantic Canada and Arctic  
Canadian Association of Petroleum Producers

cc. T. Hubbard, Impact Assessment Agency of Canada