

Submission #	Name / Affiliation	Section	Comment(s)	Response
1	Tony Reddin Environmental Coalition of PEI		<p>There is valuable information in the draft Scoping Document, the preliminary Environmental Assessment and other items on your website, but I can find nothing in any of those to address the most important consideration, which is the risk of an unexpected blow-out.</p> <p>The BP oil spill catastrophe on April 20, 2010 in the Gulf of Mexico shows the extreme risk of deep water oil development. Ecological destruction continues there, as is reported in http://www.nola.com/news/gulf-oil-spill/ including a story Dec.14, 2011 on "BP well blowout showed oil industry is not set up for safety, scientist panel finds". Any similar oil spill in the Gulf of St. Lawrence would ruin fish stocks, beaches and coastal communities in PEI and the rest of the Gulf region.</p>	<p>Potential accidental events are addressed in:</p> <p>Section 5.2 (pg7) <i>“General discussion of effects and mitigation of potential accidental events, as well as malfunctions associated with offshore oil and gas exploration activity”</i> and Section 5.2.4 (pg 10) <i>“Typical project-environment interactions associated with generic petroleum production activities will be briefly discussed for completeness. Potential project interactions include, but are not limited to the following: Accidental events – including offshore and coastal interactions, sensitive areas; mitigations”</i>.</p>
2	Gail Fraser York University	3.0 Objectives	<p>I request that species listed under the Species at Risk Act be specifically identified as an issue that requires addressing. Specifically:</p> <ul style="list-style-type: none"> a) What are the potential conflicts with the recovery plans for species which use the GoSL in licensing offshore exploration? b) What mitigation measures (seasonal restrictions, noise level limits, observers etc.) will be implemented with respect to seismic testing, particularly on the 	<p>A description of species listed under the <i>Species at Risk Act</i> and critical habitat (if applicable) is included in Section 5.2.2 Biological Environment.</p> <p>Species at Risk (as a VEC) are included in Section 5.2.4 Project-Environment Interactions.</p> <p>The following has been added to Section 5.2.4. <i>“Monitoring and</i></p>

			<p>boundaries of the Board’s jurisdiction (given that sound travels beyond the boundaries)?</p> <p>c) For each SARA species present in the GoSL, what would constitute population level effects (for example, if one blue-whale had the potential to be exposed to seismic noise, (sub-lethal effects), is that enough to restrict activities to prevent that from happening)?</p>	<p><i>mitigation, specifically related to Species at Risk and consistent with recovery strategies/actions plans (endangered/threatened) and management plans (special concern) will be described. Effects, particularly related to population level, should also be discussed.”</i></p>
3	<p>Claudie Gagné</p> <p>Les Jardins de la Mer</p>		<p><i>General comments not specific to the Draft Scoping Document</i></p>	
4	<p>Len Zedel</p> <p>MUN</p>		<p>Overall the document is fairly generic as is expected of a scoping document for a strategic assessment and it appears to include the usual important considerations. One point that I would like to draw attention to is that the general ocean circulation in the Gulf of St. Lawrence has a northward flow along Newfoundland's Northern Peninsula with an area of mixing and recirculation in the Strait of Belle Isle and a subsequent flow southward along the Quebec coastline. With this general circulation pattern, any significant oil spills within the identified study area have the potential to move northward and even send pollutants over to the Quebec coastline. Importantly, given the existence of this known general circulation pattern, it is inappropriate to have the study area restricted to be within the NL boundary</p>	<p>The C-NLOPB decided in 2002 to conduct a SEA of portions of the Newfoundland and Labrador Offshore Area that may have the potential for offshore oil and gas exploration activity but that were not subject to recent SEA nor to recent and substantial site-specific assessments. However, the following has been added to Section 1.0 (pg 1) “<i>Figure 1 depicts the proposed focus for the SEA Update (the SEA Update Area). The western limits of the SEA Update Area have been extended to the boundary of the ongoing Quebec SEA. The report may include consideration, if applicable, of potential effects on Valued Ecosystem Components (VECs) in adjacent areas. The boundaries may vary with each</i></p>

			when the entire northern end of the Strait of Belle Isle is obviously within the range of potential impacts.	VEC and the factors considered.”
5	Jocelyn Plourde		<p>I am a resident of Prince Edwards Island and I strongly disagree with the exploration of oil and gas in the in the Gulf of St. Lawrence. I have wide range of issues with such a project, including the fact that my province runs the risk of having two major industries (fishing and tourism) ruined if ever there is to be a spill.</p> <hr/> <p>To support my point of view, I have attached a document (a newsletter) that I have written to my friends and family. I have attached it because it deals with important issues regarding oil and gas exploration that a proper Strategic Environmental Assessment would take into account. <i>(Air emissions)</i></p>	<p>Potential accidental events are addressed in:</p> <p>Section 5.2 (pg 7) “<i>General discussion of effects and mitigation of potential accidental events, as well as malfunctions associated with offshore oil and gas exploration activity</i>” and Section 5.2.4 (pg 10) “<i>Typical project-environment interactions associated with generic petroleum production activities will be briefly discussed for completeness. Potential project interactions include, but are not limited to the following: Accidental events – including offshore and coastal interactions, sensitive areas; mitigations</i>”.</p> <hr/> <p>The following has been added in Section 5.2.4.</p> <ul style="list-style-type: none"> • Air quality issues (may include a discussion of typical greenhouse gas emissions associated with typical drilling and production operations);
6	Stéphane Poirier		<i>General comments not specific to the Draft Scoping Document</i>	

	Le Québec doit prendre en mains propres son avenir énergétique			
7	Mark Butler Ecology Action Centre		Federal and provincial governments should ensure that First Nations are adequately involved and that the tourism, fishing and aquaculture industries have been fully consulted along with environmental groups and other interested stakeholders.	The following has been added to Section 5.4. “Throughout the development of the SEA Update, the C-NLOPB and its contractor(s), with assistance by the Working Group, will consult with the provincial and federal government departments, First Nations , communities, the fishing industry and local non-governmental organizations.”
8	Gretchen Fitzgerald Sierra Club Canada		Support and recommend implementing comments made by the Coalition St. Laurent on the Draft Scoping Document.	See response to the Coalition St. Laurent comments.
9	Dr. Irene Novaczek UPEI	1.0 Introduction	The most compelling reason for updating the SEA is missing from this section, that is, the opportunity to learn from the experience of the BP Horizon blowout and subsequent and ongoing social, human health, ecological and economic damages. Other cogent rationales that ought to be included are evaluation of any changes in exploration and drilling technologies since 2007; documentation of all changes to the regulatory system in Canada since the previous SEA; changes in the capacity for	As stated in Section 1.0 “ <i>This update to the 2005 and 2007 reports is in consideration of the elapsed time since the documents were published; SEAs are normally reviewed every five years to determine whether an update is required. In addition, the Minister of the Environment requested (http://www.cnlopb.nl.ca/pdfs/corridor/esinc/letter_from_minister_en.pdf) that the Board update the 2007 SEA for the Western Newfoundland Offshore</i>

			<p>relevant agencies such as DFO and Environment Canada to perform essential primary research required to support decision-making; changes in our understanding of the health of the receiving ecosystem (Gulf of St Lawrence); and advances in our understanding of the pace and potential impacts of climate change related to the processing and consumption of petroleum products. These last two are especially relevant for the process of identifying and assessing the relative value of sustainable alternatives to the exploration for petroleum in the Gulf, for meeting public policy objectives.</p>	<p><i>Area.”</i></p>
		<p>2.0 Background</p>	<p>Note that the 1999 Cabinet Directive for SEA has been acknowledged to be inadequate and outdated. It would be best for the CNLOPB, as the lead agency, to proactively adopt the IAIA standard, which is in the spirit of the Directive but much more explicit and useful as a guide to competent SEA.</p> <hr/> <p>As described here, the proposed SEA is hardly much more than a project specific EA. To be strategic it does need to identify and evaluate ALTERNATIVES to petroleum development in the Gulf, in light of the larger context which includes climate change and the ongoing ecological changes, diminishment of oxygen and accumulation of persistent pollutants in marine mammals</p>	<p>The C-NLOPB believe that the 2010 Cabinet Directive for SEA’s broad-based approach to environmental assessment, as stated in Section 2.0, is sufficient for the purpose and that no alteration of the Scoping Document is required.</p> <hr/> <p>The C-NLOPB believes that the Scope, as outlined, is sufficient for the purpose and that no alteration of the Scoping Document is required.</p>

			resident in the Gulf, among others. (See for example DFO 2010 report on the state of Canadian oceans).	
		3.0 Objectives	<p>The list of objectives requires the addition of several points, i.e.</p> <ul style="list-style-type: none"> ▪ Update on the policy and regulatory environment, ▪ Update on the capacity of (funding to) relevant departments capable of providing scientific advice, ▪ Account of all accidental releases of toxic substances reported by Canada’s offshore petroleum industry, at least over the past decade, ▪ Lessons learned from major spills world-wide (including but not restricted to the BP Horizon), including lessons concerning impacts of human error, technological failures and climate changes (e.g. increased storm activity etc) ▪ Update on the status of alternatives (including energy reduction/conservation) for meeting Canada’s energy requirements. <hr/> <p>Assessment of cumulative impacts MUST NOT be restricted to offshore petroleum development activities in the Gulf but consider in a holistic way the health of the ecosystem, activities of other sectors, and the system’s capacity to absorb further insults.</p>	<p>These objectives are outside the scope of the Strategic Environmental Assessment.</p> <hr/> <p>Section 5.2.4 (pg 10) states “<i>will also consider other non-petroleum activities ongoing in the SEA Update Area (such as commercial fishing, hunting, marine traffic, tourism operations, fisheries research surveys).</i>”</p>

			<p>Also, the decision should not be expressed as being between issuing exploration rights in whole or in part. The SEA may also advise whether or not exploration should proceed at all.</p> <p>A <i>Strategic EA</i> ought to be conducted at a level where, with participation of affected public and governments, an evidence-based decision can be made as to whether the Gulf ought to be opened for exploration that could lead to offshore drilling, or provided the protection of a partial or complete moratorium. Such a decision ought to be made with all data on the table concerning sustainable alternatives and the relative vulnerability of this ecosystem in comparison with others from which petroleum products could be extracted. The overarching reality is that in global terms, the petroleum industry has identified reserves well in excess of what is safe and rational to pursue. Current science suggests that we can only burn perhaps 20% of the oil that is known to be extractable from the earth; to go further would pitch the planet into extreme climate change. The Precautionary Principle, which is part of Canada’s Oceans Act, dictates that our strategic decisions take into consideration such overarching realities that are supported</p>	<p>As stated in Section 5.3 “<i>conclusions will be presented regarding recommended planning approaches for the C-NLOPB to consider in the issuance of exploration licences in the area.</i>”</p> <p>Outside the scope of the SEA Update.</p>
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			by legitimate science.	
		4.0 Past & Present Oil & Gas Activities	For the CNLOPB to have offered up additional offshore Gulf areas for bids and then accept those bids while at the same time responding to what they recognize as an unprecedented degree of public concern over Old Harry suggests that our system is extremely broken, and the CNLOPB incapable of protecting the public interest.	<i>General comment not specific to the Draft Scoping Document</i>
		5.0 Scope of SEA Update	<p>How can it be said that the SEA <i>may include</i> consideration of VECs in adjacent areas. This is the ocean. Fish swim. Water moves. Of course the panel must consider the entire Gulf. This should be an explicit requirement governing the SEA.</p> <hr/> <p>A blowout is possible even with an exploratory well. This hazard, as well as chronic low-level impacts of daily emissions from the platform, must be included in the SEA.</p>	<p>The following has been added to Section 1.0 (pg 1) “<i>Figure 1 depicts the proposed focus for the SEA Update (the SEA Update Area). The western limits of the SEA Update Area have been extended to the boundary of the ongoing Quebec SEA. The report may include consideration, if applicable, of potential effects on Valued Ecosystem Components (VECs) in adjacent areas. The boundaries may vary with each VEC and the factors considered.</i>”</p> <hr/> <p>Potential accidental events are addressed in:</p> <p>Section 5.2 (pg 7) “<i>General discussion of effects and mitigation of potential accidental events, as well as malfunctions associated with offshore oil and gas exploration activity</i>” and Section 5.2.4 (pg 10) “<i>Typical project-environment interactions associated</i></p>

			<p>Finally, any SEA worth putting on paper needs to go beyond the particular activities of exploration (which would be an appropriate limit of a project specific EA, provided a proper and up to date SEA was in place). An SEA must consider the wider implications of what the proponents hope exploration will lead to – exploitation. Where else can this crucial public discussion take place in the current Canadian system? Why would one allow corporations to invest in exploration without providing them some assurance of return on investment, i.e. the definite prospect that, all things considered, they might be able to develop operational wells, and definite guidance as to what areas are out of bounds for exploration and development? An SEA, to be strategic and effective, must consider the long range impacts AND alternatives from the perspective of energy policy, sustainability and the public good. The scope for this SEA, as defined, is woefully inadequate. It</p>	<p><i>with generic petroleum production activities will be briefly discussed for completeness. Potential project interactions include, but are not limited to the following: Accidental events – including offshore and coastal interactions, sensitive areas; mitigations”.</i></p> <hr/> <p><i>General comments not specific to the Draft Scoping Document</i></p>
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			<p>serves only the interests of the petroleum industry, and does not even do that particularly well. The legacy of similar “SEA”s in the past is that, although vulnerable areas of the Gulf have finally been recognized and mapped, <i>none have been placed out of bounds for petroleum development</i>. Again, this is evidence of a very broken system that fails to meet any minimum standard for long range, effective protection of the environment and the public good.</p>	
		5.1 Spatial & Temporal Boundaries	<p>The administrative boundaries bear no relation to the underlying ecological systems and, being contested by both provinces and the federal government, hardly qualify as rational boundaries even for administrative purposes. This SEA ought to be an intergovernmental consideration of the entire Gulf.</p>	<p>The Canada-Newfoundland and Labrador Offshore Petroleum Board (C-NLOPB) has the responsibility pursuant to the <i>Canada-Newfoundland Atlantic Accord Implementation Act</i> and the <i>Canada- Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act</i> (Accord Acts) to ensure that offshore oil and gas activities proceed in an environmentally responsible manner. The C-NLOPB decided in 2002 to conduct SEAs of portions of the Newfoundland and Labrador offshore area that may have the potential for offshore oil and gas exploration activity but that were not subject to recent SEA nor to recent and substantial site-specific assessments.</p>
		5.2 Factors & Issues to be	<p>Missing elements include beaches, viewscapes (not only from land but also</p>	<p>Outside the scope of the SEA Update.</p>

		Considered	from pleasure boats and cruise ships), regional food security and of course climate; historical overviews of the industry’s environmental and safety records inside and beyond Canadian waters; alternative energy solutions to meet the public policy objective of sustainable energy; a discussion of the data and information gaps evident from the previous commission (1992) dealing with potential drilling in the southern Gulf (Parcel 1, Nova Scotia) and whether any of these gaps have been filled; and cumulative impacts of all relevant sectors (Gulf-wide), including pollutant loading into the Gulf from land-based sources.	<p>However, the following has been added to Section 5.2.3 (pg 9) Human Activities.</p> <ul style="list-style-type: none"> • Description of traditional use of the coastal environment in the SEA Update Area (e.g. beaches)
		5.2.1 Physical Environment	Include projected future changes in climatic conditions especially storm frequency and intensity, rising surface water temperatures, mega icebergs from collapsing polar ice fields (note 10 km ice island off Newfoundland in 2011)...	<p>Climate change has been added to the following Sections.</p> <p>Section 5.2.1</p> <ul style="list-style-type: none"> • Meteorology and climatology (extreme events, means and seasonal variations, climate change) <p>And Section 5.2.5</p> <ul style="list-style-type: none"> • Future changes in climatic conditions (e.g. storm frequency and intensity, rising surface water temperatures, icebergs).
		5.2.2 Biological Environment	Note that our knowledge of what constitutes a sensitive area is in its infancy and the boundaries of currently mapped sensitive	<i>General comments not specific to the Draft Scoping Document.</i>

			<p>areas are at best, ballpark approximations. Note that it was clear from the Parcel 1 debate in NS that commercially and ecologically important larval and juvenile organisms in the water column, and/or seasonally migrating fishes and marine mammals are present in the water column in every month of the year. There is in fact no good or entirely safe temporal window for potentially polluting industrial activity in the Gulf. This must be acknowledged so that an honest and information-based discussion of acceptable risk can proceed.</p> <hr/> <p>With respect to human use, issues of land based tourism, coastal property values and quality of life must be considered because impacts of any accident inside the Gulf may be felt directly or indirectly (through economic impacts of public perceptions of taint etc) in any/all coastal communities of the 5 provinces bordering the Gulf.</p>	<hr/> <p>The following has been added to Section 5.2.3 (pg 9) Human Activities.</p> <p>Description of traditional use of the coastal environment in the SEA Update Area (e.g. beaches)</p> <p>Project-environment interactions (i.e. coastal) are addressed in Section 5.2.4</p>
		5.2.3 Project-Environment Interactions	<p>As noted above, a truly <i>strategic</i> SEA must consider more than project-specific interactions, including impacts of potential future development, extraction and burning of petroleum products; sustainable alternatives; and a discussion of which if any of Canada's untapped petroleum reserves should be pursued at this point in time.</p>	<p>Outside the scope of the SEA Update.</p>

			As noted above, non-petroleum activities need to include land based sources of marine pollution and the related ongoing oxygen depletion of inshore waters (because of the slow flushing and circulation patterns); atmospheric depositions; climate changes and the related physical and ecological changes.	
		5.2.4 Environment -Project Interactions	Add to the list: implications of loss of winter sea ice, unusually warm summer water temperatures, icebergs from polar ice fields etc.	Climate change has been added to the following Sections. Section 5.2.1 <ul style="list-style-type: none"> • Meteorology and climatology (extreme events, means and seasonal variations, climate change) And Section 5.2.5 <ul style="list-style-type: none"> • Future changes in climatic conditions (e.g. storm frequency and intensity, rising surface water temperatures, icebergs).
		5.3 Conclusions & Recommen- dations	Ought to explicitly include the possibility that an SEA may result in a decision to place sensitive areas or the entire Gulf under moratorium for offshore petroleum development. After all, the Gulf has been acknowledged by DFO (2001) to be more vulnerable than Georges Bank, which is already under moratorium.	Section 5.3 states “ <i>Based on the information presented in the physical and biological environment overview, the description of project-environment interactions and the application of mitigation measures, conclusions will be presented regarding recommended planning approaches for the C-NLOPB to consider in the issuance of exploration licences in the area.</i> ”

				Section 5.2.2 (pg 9) also states that “ <i>The description of an area as a sensitive area within the SEA Update, in itself, does not automatically imply that this area will require the application of non-typical mitigations or restriction on activities. The timing, spatial extent, and nature of proposed oil and gas activities, in addition to mitigations prescribed by legislation, will determine the level of restriction or mitigation that will be required.</i> ”
		5.4 Consultations	The timing, scope and process for public consultation should be explicit, and subject to public review and adjustment as required, to ensure a transparent, credible and effective process. Criteria for what input will be deemed “appropriate” for inclusion in the final document should also be explicit, and subject to public review and adjustment as necessary.	The C-NLOPB believes that the Scope, as outlined, is sufficient for the purpose and that no alteration of the Scoping Document is required.
		General	There is no note of the constitutional duty to consult aboriginal peoples in this document. That must be rectified.	The following has been added to Section 5.4. “Throughout the development of the SEA Update, the C-NLOPB and its contractor(s), with assistance by the Working Group, will consult with the provincial and federal government departments, First Nations , communities, the fishing industry and local non-governmental organizations.”
10	Sylvain Archambault	2.0 Background	The draft Scoping document states that “ <i>Information from the SEA will assist the</i>	Outside the scope of the SEA Update.

	Coalition St. Laurent		<p><i>Board in determining whether exploration rights should be offered in whole or in part within the area.” It is not clear by which standards the Board will eventually make those decisions. These standards have to be clearly stated and should include, for instance:</i></p> <ul style="list-style-type: none"> • Possible negative financial effects on communities around the Gulf engaged in renewable resources activities (fishing, tourism, etc.) • Environmental data demonstrating negative effects on populations of certain species. 	
		3.0 Objectives	<p>Species at risk listed under the Species at risk Act should be specifically addressed in the SEA Update objectives, in particular concerning conflicts that could arise between offshore activities and the species recovery plans.</p>	<p>A description of species listed under the <i>Species at Risk Act</i> and critical habitat (if applicable) is included in Section 5.2.2 Biological Environment.</p> <p>Species at Risk (as a VEC) are included in Section 5.2.4 Project-Environment Interactions.</p> <p>The following has been added to Section 5.2.4. <i>“Monitoring and mitigation, specifically related to Species at Risk and consistent with recovery strategies/actions plans (endangered/threatened) and management plans (special concern) will be described. Effects, particularly related to population level, should also be discussed.”</i></p>

			<p>Gaps in knowledge of certain species essential habitat need to be specifically addressed: beluga, blue whale, North Atlantic right whale, etc.</p>	<p>One of the objectives of the SEA Update is to identify knowledge and data gaps (Section 3.0).</p>
		5.0 Scope of SEA Update	<p>The second sentence reads “<i>The report may include consideration of potential project interactions with VECs [Valued ecosystem component] in adjacent and expanded areas of interest.</i>” The words in bold need clarification :</p> <ul style="list-style-type: none"> • Do “adjacent areas of interest” mean other provinces? • What are exactly “expanded areas of interest”? 	<p>“In adjacent and expanded areas of interest” has been replaced with “in adjacent areas”.</p> <p>The focus of the SEA Update report would be the SEA Update Area; however, the effects on VECs from activities (i.e. potential project interactions) would not be limited to the SEA Update Area as stated in Section 1.0.</p>
		5.1 Spatial & Temporal Boundary	<p>The outer limits of the SEA Update Area fall short of the NL-QC interprovincial boundary line on two occasions. The total gap is close to 2 000 km² (see fig. 1, annex) and this area will not be studied by the NL SEA Update. This 2 000 km² area is also not covered by the ongoing Quebec SEA because it is in Newfoundland waters. These gaps should be explained and corrected since they will leave an uncalled for omission in the study of the Gulf.</p> <p>It is extremely interesting to read on p. 6 that “<i>The area to be studied will not be confined to the SEA Update Area</i>”. This is a step towards considering the Gulf as one</p>	<p>The western limits of the SEA Update Area have been extended to the boundary of the ongoing Quebec SEA. The configuration of the SEA Update Area should in no way be construed as a comment on any outstanding interprovincial boundary issues.</p> <p>The focus of the SEA Update report would be the SEA Update Area; however, the effects on VECs from activities (i.e. potential project</p>

			<p>vast ecosystem, all of which can be potentially impacted by an accidental event. However, in many parts of the Scoping Document to be pinpointed later, the area studied is specifically confined to the SEA Update Area.</p> <hr/> <p>It should be clearly pointed out in the draft Scoping Document that the area studied will consist of the whole Gulf of St. Lawrence.</p>	<p>interactions) would not be limited to the SEA Update Area as stated in Section 1.0.</p> <hr/> <p>Figure 1 of the Scoping Document depicts the focus for the SEA Update.</p>
		<p>5.2 Factors & Issues to be Considered</p>	<p>The Scoping Document states that “<i>VECs will be determined based on consultations with interested stakeholders, the public and regulatory agencies</i>”. However, no details are given as to how this consultation will be done. It is essential that independent academics, environmental groups, First Nations, or other interested stakeholders be involved in the selection of VECs.</p> <hr/> <p>A section is supposed to be devoted to an “<i>overview of typical offshore petroleum activities</i>”. This important section should be expanded to include :</p> <ul style="list-style-type: none"> • Information on routine discharges and their toxicity (produced waters, drilling muds, etc.) • Information on treatment, pre-treatment, or transport of hydrocarbons extracted during exploration or production activities. • Information on the extremely limited liability cap of \$30 million. 	<p>The referenced consultation will occur through solicitation of comment on the Scoping Document and through consultations undertaken during development by the consultant of the SEA Update report.</p> <hr/> <p>The following (in bold) has been added to Section 5.2.</p> <ul style="list-style-type: none"> • Overview of typical offshore petroleum activities (well site surveys, vertical seismic profiling, 2D/3D seismic, exploration drilling (including onshore to offshore drilling), well abandonment) including methods to carry out these activities (including a brief description of various types of rigs and vessels and their

			<p>The 2005 Scoping Document (p. 6) stated : <i>“Project-environment interactions of the activities included above on those Valued Ecosystem Components (VECs) most likely to be in the Study Area will be identified and qualitatively assessed, with consideration of the unique physical oceanographic characteristics of Gulf of St. Lawrence that influences the study area.”</i>. This reference to the <i>“unique”</i> characteristics of the Gulf has been dropped in the draft 2012 version. This reference to the uniqueness of the Gulf of St. Lawrence must be kept in the Scoping Document.</p> <hr/> <p>The draft Scoping Document calls for <i>“General discussion of effects and mitigation of potential accidental events”</i>. This section must be expanded to include :</p> <ul style="list-style-type: none"> • Information on emergency intervention capacity in the Gulf. The Auditor General recently reported that this capacity is clearly inadequate. • Knowledge gaps, such as the inadequacy of intervention techniques in the case of a spill in the presence of ice. • Information on dispersants and their toxicity, as well as problems with surface oil burning techniques, etc. 	<p>associated discharges).</p> <p>The following (in bold) has been added to Section 5.2.</p> <ul style="list-style-type: none"> • Project - environment interactions of the VECs will be identified and qualitatively assessed, with consideration of the unique physical oceanographic characteristics of the Gulf of St. Lawrence. <hr/> <p>Potential accidental events are addressed in:</p> <p>Section 5.2 (pg 7) <i>“General discussion of effects and mitigation of potential accidental events, as well as malfunctions associated with offshore oil and gas exploration activity”</i> and Section 5.2.4 (pg 10) <i>“Typical project-environment interactions associated with generic petroleum production activities will be briefly discussed for completeness. Potential project interactions include, but are not limited to the following: Accidental events –</i></p>
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		<p>The draft Scoping Document should address the question of spill modeling and simulations in the SEA Update Area. This section should include the best available information upon which any spill modeling should be modeled, including: flow rate anticipated, calculation methods, method for surrogate oil type selection, etc.</p> <hr/> <p>The draft Scoping Document requires the SEA to consider “<i>potential cumulative effects associated with multiple activities in the SEA Update Area</i>” (p. 7). Considering that other provinces could eventually engage in oil/gas activities in the Gulf, the cumulative effects analysis should not be confined to the SEA Update Area, but should consider the whole Gulf of St. Lawrence.</p> <p>In addition, it is impossible to consider cumulative effects until a clear understanding of the nature, location, and number of future projects is determined. Otherwise, the cumulative effects analysis will remain theoretical.</p> <p>The draft Scoping Document examines “Physical Environment” (sect. 5.2.1) and “Biological Environment” (sect. 5.2.2). Human activities (fisheries, aquaculture, tourism, marine traffic, submarine cables,</p>	<p><i>including offshore and coastal interactions, sensitive areas; mitigations”.</i></p> <p>The level of detail suggested is appropriate in project-specific environmental assessments.</p> <hr/> <p>Cumulative effects can only be examined in consideration of an estimate of potential exploration activity in the SEA Update Area.</p> <hr/> <p>A new section called “Human Activities” has been added to the SEA Update Scoping Document in which human activities (e.g. aquaculture, tourism, marine traffic,</p>
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			etc.) are all considered under “Biological Environment” and are somewhat lost in the process. A separate section should address all human activities, which are quite extensive in the SEA Update Area.	submarine/underwater cables) will be described. Commercial, recreational and Aboriginal fisheries have been moved from Section 5.2.2 to this section.
		5.2.1 Physical Environment	<p>Climatic change has started to become apparent in the Gulf with many physical factors slowly changing (increasing storm frequency, fragmented ice cover, iceberg condition, etc.). All these changes will make offshore drilling a riskier business in the future and they should be specifically addressed, possibly under the single heading “Climatic change”.</p> <p>Any perceptible or measured changes must be documented.</p> <hr/> <p>Location of explosive dumping grounds or submerged artifacts (wrecks, etc.) need to be documented.</p>	<p>Climate change has been added to the following Sections.</p> <p>Section 5.2.1</p> <ul style="list-style-type: none"> • Meteorology and climatology (extreme events, means and seasonal variations, climate change) <p>And Section 5.2.5</p> <ul style="list-style-type: none"> • Future changes in climatic conditions (e.g. storm frequency and intensity, rising surface water temperatures, icebergs). <hr/> <p>The following bullet will be added to Section 5.2.1.</p> <ul style="list-style-type: none"> • Unexploded ordinances (historical overview, location)
		5.2.2 Biological Environment	<p>According to the draft Scoping Document, the majority of items (coastal environments, marine invertebrates, commercial fisheries, water birds, sea turtles, etc.) are required to be documented “<i>within the SEA Update Area</i>”. This clearly contradicts section 5.1 (spatial and temporal boundaries), where it is clearly stated that “<i>The area to be studied</i></p>	<p>The focus of the SEA Update report would be the SEA Update Area; however, the effects on VECs from activities (i.e. potential project interactions) would not be limited to the SEA Update Area as stated in Section 1.0.</p>

			<p><i>will not be confined to the SEA Update Area</i>".</p> <p>The biological environment needs to be addressed for the totality of the Gulf of St. Lawrence and not just for the Sea Update area.</p> <hr/> <p>In the fisheries section, the following sentence is incomplete: "<i>Description of commercial, recreational and aboriginal fisheries in;</i>"</p> <hr/> <p>In the fisheries section, all fishing activities should be documented, whether the landings occur in Newfoundland or in other provinces.</p> <p>Information on migration corridors and essential habitats is required for all groups of species, and not only for "<i>finfish and marine invertebrates</i>" as requested by the draft Scoping Document.</p> <hr/> <p>The Species at Risk section needs clarification. The draft Scoping Document requires only the "<i>habitat... that have been identified or are believed to be present</i>". Who decides if a habitat is "believed to be</p>	<hr/> <p>The full sentence should be "Description of commercial, recreational and aboriginal fisheries in the SEA Update Area. This description should include a summary of historical fisheries"</p> <hr/> <p>The 2005 SEA report used fisheries data from DFO (NL Region, Maritimes Region, Gulf Region, and Quebec Region) georeferenced catch and effort datasets. It also utilized information gathered from fishers during the consultations for the SEA report. It is expected that information available at the time of writing the SEA Update report will be included.</p> <hr/> <p>A description of species at risk and their habitat as listed in Schedule 1 of the <i>Species at Risk Act (SARA)</i>, and those under consideration by COSEWIC, that have been identified,</p>
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		<p>present” and if so, under what criteria? The critical habitats of many species at risk are currently under study in the Gulf of St. Lawrence. This knowledge gap is problematic, and oil/gas activities should be postponed until scientific knowledge is adequate.</p> <p>Species at Risk should be described in all of the Gulf of St. Lawrence and not only in the SEA Update Area.</p> <hr/> <p>In the Special/Sensitive Area section, we find only a definition of the terms and no spatial extent requirement. The draft Scoping Document should require identification of these areas in all of the Gulf of St. Lawrence.</p> <p>In the Special/Sensitive Area section, it is written that a sensitive area does not automatically require restrictions on oil/gas activities, nor special mitigation measures. This is unacceptable, and all sensitive areas should <i>de facto</i> be off-limit to oil/gas activities.</p> <p>Sensitive areas should include any areas where fish stock rebuilding or habitat restoration is ongoing.</p> <p>The draft Scoping Document calls for “<i>substantive uncertainties or information</i></p>	<p>or are believed likely to be present, in the SEA Update Area will be included.</p> <hr/> <p>The focus of the SEA Update report would be the SEA Update Area.</p> <hr/> <p><i>General comment not specific to the Draft Scoping Document.</i></p>
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			<p><i>gaps [to be] identified</i>" (p. 7). There is considerable subjectivity in the term "substantive". All information gaps must be pointed out, specifically those crucial to project-environment interactions.</p>	
		<p>5.2.3 Project- Environment Interactions</p>	<p>The first sentence calls for a "<i>description of the interactions of petroleum exploration activity with the environment</i>" with no mention of exploitation/production activities. Yet, the third bullet mentions production activities. The opening sentence should be changed to include production activities.</p> <hr/> <p>The draft Scoping Document restricts the cumulative effects analysis to activities strictly conducted within the SEA Update Area. This is in clear contradiction to section 5.1 (spatial and temporal boundaries) where it is clearly stated that, "<i>The area to be studied will not be confined to the SEA Update Area</i>". The cumulative effects analysis should be expanded to consider potential oil/gas activities conducted in other provinces.</p> <p>The main potential "project-environment interaction" is a major oil spill. However, the draft SEA Scoping document does not once use the word "spill". Only on two occasions does the document even hint at an accident and uses very soft wording: "<i>effects and mitigation of potential</i></p>	<p>"Production" has been added to the first sentence (now Section 5.2.4).</p> <hr/> <p>Cumulative effects can only be examined in consideration of an estimate of potential exploration activity in the SEA Update Area.</p>

			<p><i>accidental events</i>” (p. 6) and “<i>Accidental events – including offshore and coastal interactions</i>” (p. 10).</p> <hr/> <p>The Scoping document should be much more specific and accurate. It should require the Updated SEA to review the implications of a worst case scenario spill, including all impacts on the environment and the Gulf communities. The Scoping Document should also require a review of the impacts of any countermeasure used such as dispersants or oil burning.</p> <hr/> <p>The Cabinet Directive on SEAs¹ states that an SEA should consider follow-up measures to monitor any adverse environmental effects resulting from implementing the policy (in the present case opening up the Gulf to oil/gas activities). The SEA should provide clear directives as to how the SEA’s conclusions and recommendations will be followed in any future environmental assessment</p>	<hr/> <p>Outside the scope of the SEA Update.</p> <hr/> <p>As stated in Section 5.3, conclusions will be presented regarding recommended planning approaches for the C-NLOPB to consider in the issuance of exploration licences in the area.</p>
		5.2.4 Environment-project Interactions	<p>Section 5.2.3 (Project-environment interactions) calls for an analysis that includes both exploration and production activities. However, section 5.2.4 (Environment-project interactions) restricts the analysis to exploration activities only. This is incoherent.</p> <p>Impacts of the environment (storms, ice,</p>	<p>“Production” has been added to Section 5.2.5.</p>

			etc.) on production activities should also be addressed since production occurs year-round and is bound to be influenced by sea ice, winter storms, or iceberg presence.	
		5.3 Conclusions & Recommendations	<p>If the Gulf of St. Lawrence is found to be too sensitive to support offshore oil/gas activities, a final recommendation of the SEA could be that exploration rights should not be offered within the SEA Update Area. This is consistent with section 2, which says: “<i>Information from the SEA will assist the Board in determining whether exploration rights should be offered in whole or in part within the area</i>”.</p> <p>Yet exploration rights that have already been given (EL 1105) would be unaffected and would continue to be evaluated under the CEAA screening process. This, in our view, is a contradiction and is unacceptable. All exploration activities should be postponed until the end of the SEA process.</p> <p>Standards should be established to frame the C-NLOPB’s final decision on whether or not to authorize offshore activities in a specific area.</p> <hr/> <p>The results of the SEA will, in the future, be used to inform specific environmental assessments as they are being conducted. The SEA should provide clear directives as to how the SEA’s conclusions and</p>	<p><i>General comments not specific to the Draft Scoping Document.</i></p> <hr/> <p>Outside the scope of the SEA Update report.</p>

			<p>recommendations are to be followed by any future environmental assessment.</p>	
		5.4 Consultations	<p>The draft Scoping Document states that consultations will be held “<i>in communities in and around the Gulf of St. Lawrence</i>”. This wording implies that communities in all provinces around the Gulf will be consulted. Yet the following sentence states that “<i>consultation sessions will be held in communities adjacent to the SEA Update Area</i>”. This restricts consultations to the Western Coast of Newfoundland. This section is not coherent.</p> <p>It should be clearly specified that consultation sessions will be held in communities around the Gulf of St. Lawrence (i.e. in five provinces).</p> <hr/> <p>Issues and concerns expressed by stakeholders during the consultations should be reported accurately in the SEA Report, to give an idea of the social acceptance of opening the Gulf to oil/gas activities. This is in clear respect of the Cabinet Directives on SEAs. However, the draft Scoping Document states that “<i>Issues and concerns within the scope of the report will be taken under consideration and incorporated into the draft SEA Update report if appropriate</i>”. The words “<i>if appropriate</i>” should be dropped and a special part of the final SEA Report should specifically</p>	<p>“<i>Will be held in communities adjacent to the SEA Update Area and</i>” has been removed from Section 5.4.</p> <hr/> <p>The following has been included in Section 5.4. “<i>A separate report providing the results of consultations will be included in the SEA Update report.</i>”</p>

			address stakeholder concerns.	
11	Peter Baker		<p>I support and agree with the comments emailed to your enquiry dated January 10th 2012 by Tony Reddin. As an owner of a P.E.I. business dependent on tourism, I strongly urge the CNLOPB set up a fund to cover damages to the tourism industry on P.E.I. in case of an oil spill that could occur from an exploratory or production well development in the gulf of St. Lawrence. Negative impacts to tourism have occurred in Florida even in areas unaffected by oil from the Deepwater Horizon disaster. Just the perception by potential tourists to Florida that beaches there would be ruined by oil kept them away in droves. This situation was studied and reported by the U.S Travelers association, I can forward a copy of the report if you like. Figures from this report showed at least a 50% drop in tourism numbers for Florida as a result of the blowout. The P.E.I. tourism industry currently grosses nearly \$500 million annually, by 2015 it's predicted by the tourism department that tourism growth will exceed this figure. Taking into account the losses to the P.E.I. fishing industry in the case of a spill and the expected cascade effects through out the P.E.I. economy, it wouldn't be inordinate to expect damages approaching \$1 billion to P.E.I. alone. We are one small province among five bordering the Gulf of St. Lawrence. It</p>	<p>See above response to Tony Reddin's comments.</p> <p>Compensation for accidental damage resulting from project activities is dealt with at the project-specific environmental assessment stage.</p>

			would be expected that the 4 other provinces would demand a reparations/damages fund as well.	
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¹ The Cabinet Directive on the Environment Assessment of Policy, Plan and Program Proposals” (1990, updated 1999 and 2004) online: Canadian Environmental Assessment Agency <http://www.ceaa.gc.ca/default.asp?lang=En&n=A4C57835-1> [Directive].