

Submission re: Western NL Offshore Area Strategic Environmental Assessment Update
To: AMEC and C-NLOPB
Date: October 19, 2012

The initial Strategic Environmental Assessment (SEA) for the Western Newfoundland Offshore Area was conducted by the consulting firm LGL in 2005 and amended in 2007 to expand the geographic area covered by the SEA. For the purposes of this submission, these LGL reports will be referred to as the 2005 SEA.

The current SEA Update provides an opportunity for the consulting firm AMEC and the Canada-Newfoundland and Labrador Offshore Petroleum Board (C-NLOPB) to take a fresh look at “whether exploration rights should be offered in whole or in part within the area” (*Scoping Document* for the Strategic Environmental Assessment Update, p.4). The Update will consider, not only the SEA Update Area off the west coast of Newfoundland, but the area “that could potentially be affected by the potential exploration and production activities, including accidental events,” (*Scoping Document*, p. 6). As shown by the simulations noted below, the area that could be affected includes the entire Gulf of St. Lawrence and the coasts of five provinces.

Video simulations developed by the David Suzuki Foundation, with the assistance of experts, show that all five provinces bordering the Gulf of St. Lawrence could be affected by an oil spill at Old Harry, one of the sites within the SEA Update Area. See: <http://www.davidsuzuki.org/issues/oceans/science/marine-planning-and-conservation/an-oil-spill-in-the-gulf-of-st-lawrence-could-threaten-five-provinces/>

The simulations illustrate the potential spread of an oil spill of 10,000 barrels of oil per day over a 10 day period in each of the four seasons. It should be noted that this 100,000 barrel simulated spill is very small compared to the 4.9 million barrels spilled in the Gulf of Mexico in the 2010 BP Deep Horizon blowout.

In the 2005 SEA, the consulting firm LGL identified various outstanding and recurring issues, concerns, and data gaps. The SEA noted that an oil spill/blowout could affect plankton, especially eggs and larvae; benthic (bottom-feeding) communities; sea turtles; seabirds; sensitive cod and lobster spawning areas; intertidal and shallow sub-tidal benthos; and the commercial fishery; and suggested that adult fish and marine mammals could “detect and avoid” a spill or blowout (pp. 280-281). The SEA specifically mentioned “the Ixtoc blowout in the Gulf of Mexico, the Exxon Valdez tanker spill in Alaska, Ekofisk in the North Sea, and Uniacke G-72 gas blowout off Nova Scotia, and others,” yet stated that “accidental oil and gas blowouts are rare offshore” (p. 252). In spite of the identified risks, the SEA assumed that mitigations would be in place, and concluded that petroleum exploration could proceed in the Gulf of St. Lawrence. Of course, this was before the devastating blowout in the Gulf of Mexico in 2010.

It seems to me that the conclusions reached in the 2005 SEA were foregone conclusions: the intent at the time was that oil exploration and drilling in the Gulf would be permitted and the conclusion that it could proceed followed from this intent. Much has changed since then. I hope that C-NLOPB and AMEC are open to reversing the 2005 SEA conclusion through the current SEA Update.

Various reports alert us to the fragile state of the Gulf and the need for integrated management. The Fisheries and Oceans Canada 2012 report, *State of the Ocean Report for the Gulf of St. Lawrence Integrated Management (GOSLIM) Area* states on p. 4:

The Estuary and Gulf of St. Lawrence are subjected to a wide variety of human uses and related stressors that can cause adverse environmental effects on physical, chemical, and biological processes occurring in this region. These include but are not limited to:

- Advection and accumulation of contaminants resulting from industry and agriculture, originating from the Great Lakes region and within the St. Lawrence watershed;
- Hypoxic conditions in the deep waters and acidification throughout the water column that have been increasing since the 1930s as a result of climate change and eutrophication in the St. Lawrence Estuary;
- Increasing commercial, ecotouristic, and recreational navigation causing marine mammal disturbance and propagation of aquatic invasive species;
- Hydroelectric development and freshwater input modulations in the Estuary;
- Shoreline development and associated nutrient and sediment loading;
- Biomass removal, ghost fishing, entanglement, and habitat alteration resulting from fisheries;
- A large and expanding shellfish aquaculture industry that has transformed large portions of estuarine and lagoon waters into farms;
- Recent growing interest in oil and gas exploration (seismic surveys) and oceanic energy development (e.g., tides, currents).

The interactions between these different uses or stressors are poorly studied and their cumulative effects on local or global production are not known.

The same report (pp. 56-57) urges enhanced precaution in resource extraction and points to “the common obligation to manage ocean activities in a way that preserves the ecological health of the oceans while allowing for sustainable use.”

My point is that the Gulf ecosystem is already fragile and C-NLOPB should not risk further degradation by continuing to promote oil exploration and drilling within the Gulf.

Further, at least some of the mitigations assumed in the 2005 SEA no longer apply. The SEA assumes that Fisheries and Oceans Canada will continue to work towards addressing data gaps (p. 287), but key positions in that department, for instance toxicologists who have been studying the Gulf, have recently been cut.

The 2005 SEA also assumes “A project-specific environmental assessment will determine the nature and extent of [the listed] restrictions or non-standard mitigations for each activity proposed in each area” (p. 291). However, due to repeal of the old *Canadian Environmental Assessment Act* (CEAA) and enactment of a new CEAA in 2012, environmental assessments for exploratory seismic surveying and drilling are no longer required under the CEAA. The exception is the Old Harry project. The screening process which had begun under the old CEAA continued under the new CEAA because

the Minister of the Environment designated it as a project which “may cause adverse environmental effects.” Corridor Resources submitted its environmental assessment report for the Old Harry project to C-NLOPB on December 20, 2011. In March and April 2012, Environment Canada and Fisheries and Oceans Canada responded with approximately 100 pages of critical comments which demonstrated the inadequacy and inaccuracy of Corridor's environmental assessment. This example illustrates how crucial both the environmental assessment process and the expertise of federal scientists are to protecting the Gulf. Now the federal requirements are no longer applicable and the federal scientists are no longer available.

As long as C-NLOPB continues to promote oil exploration and development in the Gulf, oil companies will continue to invest their financial resources in seismic surveys, exploratory drilling, etc. and will expect a return on their investments. The oil companies will then pressure governments and petroleum boards to allow them to proceed regardless of the risks and the public opposition. As stated in *Hydrocarbons development in the Gulf of St. Lawrence: A challenge for policy and ecosystem sustainability* (Chantal Gagnon and Irene Novaczek, 2011), “This is a high-risk, high-stress investment environment, both for those interested in petroleum development and for those dependent on the renewable resources in the Gulf.”

It seems as if oil companies, petroleum boards, and governments are in a rush to use up all Canadian oil and gas resources as quickly as possible. Instead, we should be avoiding oil exploration and development in ecologically sensitive areas like the Gulf of St. Lawrence and focusing our efforts on developing renewable resources and using environmentally sound practices. I urge AMEC to recommend that all oil and gas exploration and development in the Gulf be put on hold and I urge C-NLOPB to follow that recommendation.

Ellie Reddin



c. Premier Robert Ghiz

Hon. Janice Sherry, Minister of Environment, Labour and Justice

Hon. Ron MacKinley, Minister of Fisheries, Aquaculture and Rural Development

Hon. Robert Henderson, Minister of Tourism and Culture

Hon. Wes Sheridan, Minister of Finance, Energy and Municipal Affairs

Hon. Peter Kent, Minister of the Environment

Wayne Easter, M.P., Malpeque

Greg Wilson, Manager, Environmental Assessment and Land Management