



CANADIAN ASSOCIATION
OF PETROLEUM PRODUCERS

September 27, 2013

Ms. Elizabeth Young
Environmental Assessment Officer
Canada-Newfoundland and Labrador Offshore Petroleum Board
5th Floor, TD Place
140 Water Street
St. John's, NL A1C 6H6

Dear Ms. Young:

Re: Western Newfoundland and Labrador Offshore Area Strategic Environmental Assessment Update Draft Report

The Canadian Association of Petroleum Producers (CAPP) welcomes the opportunity to provide feedback on the *Western Newfoundland and Labrador Offshore Area Strategic Environmental Assessment Update Draft Report* (the Western NL SEA Update). CAPP is supportive of the responsible development of oil and gas resources in Canada which strikes an appropriate balance between generating economic benefits and protecting the environment.

The Newfoundland and Labrador offshore oil and gas industry has transformed the economy of the province. Oil production accounts for more than 30% of provincial GDP. The industry directly employs over 5,000 people and cumulative industry expenditures to develop Newfoundland Labrador's oil resources total over \$31 billion to date. In order to sustain the industry for future generations, additional exploration activity is key. The Western Newfoundland and Labrador offshore area is a relatively unexplored basin which could have the potential for additional oil and gas resources to be developed. However, CAPP fully recognizes the need to ensure that any oil and gas related activity is conducted safely with the goal of minimizing any impact on the environment. To that end, we fully support the C-NLOPB's efforts to update the strategic environmental assessment of this area to support a science/fact-based discussion that addresses key environmental issues and seeks to find solutions.

CAPP has reviewed the Western NL SEA Update developed by AMEC Environment & Infrastructure and offers the following comments for consideration:

General Comments:

- The Western NL SEA Update is an extensive report providing a comprehensive description of physical, biological and human environments in the update area and the Gulf of St. Lawrence in general.

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- It is challenging to review the report and identify what new information has been added since the 2007 version. Since the report was intended as an update it could have been reduced significantly in size by referencing sections of the 2007 and 2005 updates of the SEA that did not require any updating in this version. Sections that likely required little or no updating include: Section 3.1.1 (Land Rights Issuance), Section 3.1.2 (Authorizations and Approvals), Section 3.2 (Generic Description of Oil and Gas Activities), and Section 4.1 (Physical Environment). These sections would have been reduced in size by simply making reference to information covered in the earlier reports. This would have resulted in the report properly focusing on new environmental information, deviations from previous assessments and updated analyses as stated in Section 1.1 (Nature, Purpose and Context of the SEA Update).
- Terms such as “update area”, “study area”, “zone of influence” and “project footprint” are not clearly defined in the report. These terms are often used interchangeably throughout the report despite having different meanings in some contexts. For example, these terms have different meanings in the *Canadian Environmental Assessment Act*. It is therefore recommended that these terms be clearly defined in the final version of the Western NL SEA Update.
- In contrast to the biological effects assessment, the effects assessment of socio-economic related components was restricted to the ‘Marine Fisheries’ sector. There is no actual effects assessment of activities related to other ocean uses which would include industries such as marine shipping and transportation, marine cables, military activities, and tourism. Typically, “Other Ocean Uses” is considered as a Valued Ecosystem Component in most offshore petroleum related environmental assessments and forms the basis for the cumulative effects assessment. This omission is more surprising given the inclusion in the report of activities summaries for each of these sectors in Section 4.3.6 (Other Human Communities).
- It is recommended that the final Western NL SEA Update include an Executive Summary and that consideration be given to overall readability and navigation of such a large document to improve usability.

Specific Comments by Section:

- Section 2.3: It would have been helpful in this section to have cross-referenced the relevant section(s) in the report with deal with each key objective as was done for issues arising out of the consultation program (Table 2.2.).
- Section 3.1: There is no reference to key legislation relevant to Environmental Assessments such as the *Migratory Birds Convention Act*, *Fisheries Act*, and *Canadian Wildlife Act* in this section which provides an overview of associated regulatory processes.
- Section 5.4: While ‘Protected and Sensitive Areas’ was selected as a Valued Ecosystem Component category, the effects assessment was considered and assessed integrally within other Valued Ecosystem Components. Typically, special designated environmental areas (including inhabitants) such as a marine protected area, marine area of interest, national park

or conservation area, wildlife area and migratory bird sanctuary are assessed as distinct entities. There is no single map that shows all the sensitive and protected areas included in the report.

- Section 5: Given that the overall objective of the Western NL SEA Update is the identification and analysis of potential environmental issues and effects associated with oil and gas exploration activities, it is surprising that residual effects (effects following application of appropriate mitigation) were not discussed more fully in Section 5 (Environmental Interactions, Mitigation and Key Planning Considerations). Without such a discussion, it makes it difficult for the reader to understand the outcomes of the assessment and to compare with the recommendations and conclusions of the 2005 and 2007 Western NL SEA reports. It is recommended that this information be included in Section 5 as well as in the conclusions section once completed.
- Section 5: The Western NL SEA Update states that the report focuses on those environmental components or Valued Ecosystem Components and potential interactions which are of primary concern and therefore are most relevant to strategic planning and decision-making related to possible future oil and gas exploration in the SEA Update Area. However, Species at Risk is not given separate treatment in the analysis of effects in Section 5, but is instead addressed under “Fish and Fish Habitat”, “Water Birds” and “Marine Mammals and Sea Turtles” Valued Ecosystem Components. It is recommended that Species at Risk be included as a separate Valued Ecosystem Component in this section since Species at Risk are by definition more environmentally sensitive to disturbance, requiring a higher level of consideration and protection in an environmental assessment than other components of the ecosystem. Further, appropriate mitigation measures to protect at-risk species of fish, marine mammals, sea turtles, and marine birds should also serve to reduce the risk of adverse effects on less vulnerable species.

Thank you for the opportunity to provide comments on the Western NL SEA Update. Should you wish to discuss these comments please feel free to contact me at (709) 724-4200 or barnes@capp.ca.

Sincerely,



R. Paul Barnes
Manager, Atlantic Canada