



The Port au Port/Bay St George Fracking Awareness Group

September 18, 2013

Scott Tessier, Chair & CEO
Canada-Newfoundland and Labrador
Offshore Petroleum Board (C-NLOPB)
5th Floor TD Place, 140 Water Street
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Dear Mr Tessier:

Re: The C-NLOPB, and the Western Newfoundland and Labrador Offshore Area Strategic Environmental Assessment and Update Report

The Port au Port/ Bay St. George Fracking Awareness Group was formed on February 18, 2013, to develop strategies dealing with the potential social, health and environmental impacts of hydraulic fracturing planned for Shoal Point on the Port au Port Peninsula. The Fracking Awareness Group is actively involved in increasing public awareness regarding hydraulic fracturing and oil and gas exploration in Western Newfoundland. Our group has organized seventeen community public presentations and a well attended public Forum on hydraulic fracturing which was held at Port au Port East in April of this year.

The Fracking Awareness Committee submits the following comments regarding the role of the C-NLOPB, the Strategic Environmental Assessment Process, and the Strategic Environmental Assessment (SEA) Update Report.

Underlying Systemic Contextual Problem

We begin with reference to Section 2.2 Spatial and Temporal Boundaries and Figure 1.1 in the SEA Update Report and an underlying systemic problem. The spatial and temporal areas that have been delineated in the Western Newfoundland and Labrador Offshore Area in the SEA and the Update Report are integral to the larger Gulf of St. Lawrence marine and coastal ecosystem.

It is our view that you must establish an appropriate governance and regulatory regime for the whole spatial - temporal area before you start dividing it and selecting parts to develop petroleum resources. Before an offshore petroleum development agency, such as the C-NLOPB, gives licences, authorizations to oil and gas companies for exploration and development within specific spatial and temporary boundaries, we should first have some form of legitimate democratic governance and management system for the larger spatial context - the Gulf of St. Lawrence. Oil and gas and other developments in the Gulf region should be reviewed and approved subject to a democratic process which includes legitimate collaboration, cooperation and consultation with and between the federal government, provincial governments,, communities, industry, NGOs and especially the general public.

With reference to the Federal and Provincial Government, the C- NLOPB and the regulation of oil and gas development, Scott Vaughan, Canada's Federal Government Commissioner of the Environment in January, 2013, reported that environmental protection (which includes regulating) is not keeping up with resource development, leaving people and their environment exposed to the risks of oil spills, pollution and damage to fragile habitat.

Independence and objectivity of the C-NLOPB? Conflicting mandate -

We are concerned about the independence and objectivity of the C-NLOPB. We support the recommendation of Judge Robert Wells, in his report on offshore safety in the oil industry, that there should be a separate independent regulatory agency for worker safety and environmental protection. Our Group believes that the C-NLOPB and the Provincial Department of Environment and Conservation as partners in the conjoint regulatory body, should not be both a facilitator of oil and gas development and a regulator for worker safety and environmental protection.

The C-NLOPB is increasingly losing credibility and legitimacy with the general public. The Board is conducting a strategic environmental assessment to supposedly determine if it is appropriate to proceed with oil and gas development in Newfoundland's gulf waters and, at the same time, it is allowing seismic testing, issuing licenses, making land ownership and control agreements with oil companies and otherwise facilitating oil and gas exploration and development.

Mitigation Focus

The C-NLOPB has a conflicting mandate for petroleum industry development, worker safety and environmental health. Its focus is on oil and gas exploration and development backed up by industry consultants who focus on 'mitigation' of negative impacts, instead of protecting vulnerable and poorly understood ecosystems.

Impartiality of Consultants

AMEC Environment & Infrastructure(AMEC) is a division of AMEC, one of the world's leading engineering, project management and consultancy companies whose clients include BP and Shell. According to the company's website, the company is on the

London Stock Exchange in the Oil Equipment and Services Sector, and offers services which extend from environmental and front end engineering design before the start of a project to decommissioning at the end of an asset's life.

www.amec.com/aboutus/at_a_glance.htm

Federal and Provincial Policies- Energy Production and Climate Change

The petroleum sector also has to operate within a national policy agenda which sets out national goals, priorities and direction. Environmental assessment related to oil and gas exploration must address the urgent need to take action on climate change and must take into consideration National and Provincial Strategies to reduce greenhouse gas emissions. The careful management of petroleum production and minimizing environmental impacts are part of the contribution to the sustainable development of our country. Canada was committed to cutting its greenhouse emissions to 6% -below 1990 levels by 2012, but in 2009 emissions were 17% higher than in 1990. Human activities that involve burning fossil fuels (e.g.. coal, oil) can change the composition of the atmosphere through emissions of greenhouse gases and other substances. The build-up of greenhouse gases in the atmosphere is the primary cause for concern about climate change now and into the immediate future.

The Government of Newfoundland and Labrador made a commitment in their 2011 Climate Change Action Plan to be a global leader in the arena of climate change which they indicate is “one of the greatest long-term challenges facing the planet”. In the bigger picture there is a necessary shift that must happen towards more sustainable and renewable forms of energy within a green economy.

Requesting a Moratorium

The Port au Port/ Bay St. George Fracking Awareness Committee is asking our provincial and federal governments to enact a moratorium on oil and gas exploration and development in the Gulf of St. Lawrence until they have established a more democratic governance and ecosystem based management system and until oil and gas exploration and development are subject to a credible independent, science based environmental assessment process.

Alternative Model - Marine and Coastal Ecosystem Based Management

We refer to a June 2011, United Nations Environment Program Document, *Taking Steps Towards a Marine and Coastal Ecosystem -Based Management System; An Introductory Guide*.

See the full report: http://www.unep.org/pdf/EBM_Manual_r15_Final.pdf

This ecosystem based management system model offers an alternative to the present form of undemocratic, single sector, petroleum industry centered resource management being facilitated by Offshore Petroleum Boards.

I refer to the Wikipedia articles on "Marine and Coastal Ecosystem Based Management"

http://en.wikipedia.org/wiki/Ecosystem-based_management

"Ecosystem-based management for marine environments *moves away from the traditional strategies in which single species and single sectors are managed individually* (Slocombe 1993); rather it is an integrated approach which considers all key activities, particularly anthropogenic, that affect marine environments (Levin and Lubchenco 2008). The objective is to ensure sustainable ecosystems, thus protecting the resources and services they provide (Guerry 2005).

In recent years there has been increasing recognition of disruption to marine ecosystems resulting from climate change, overfishing, nutrient and chemical pollution from land runoff, coastal development, bycatch, habitat destruction and other human activities (Levin and Lubchenco 2008). There are very clear links between human activities and marine ecosystem functioning; this has become an issue of high importance because there are many services provided by marine ecosystems that are declining as a result of these impacts. These services include the provision of food, fuel, mineral resources, pharmaceuticals, as well as opportunities for recreation, trade, research and education (Leslie and McLeod 2007).

Guerry (2005) has identified an urgent need to improve the management of these declining ecosystems, particularly in coastal areas, to ensure a sustainable future. Human communities depend on marine ecosystems for important resources, but without holistic management these ecosystems are likely to collapse. *It has been suggested that the degradation of marine ecosystems is largely the result of poor governance and that new approaches to management are required* (Olsson et al. 2008). The Pew Oceans Commission (POC 2003) and the US Commission of Ocean Policy (USCOP 2004) have indicated the importance of moving from current piecemeal management to a more integrated ecosystem-based approach (Guerry 2005)

In conclusion, we have proposed for your consideration and action, means for more democratic civil engagement in land and marine-coastal use governance and planning which offer citizens and community groups an opportunity to democratically participate in ecosystem management and resource development which profoundly affect their lives and the environment.

Yours sincerely,

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