



***ANNUAL PROGRESS REPORT***

***JOINT 2016 WORK PLAN ACTIVITIES***

***CANADA-NOVA SCOTIA OFFSHORE PETROLEUM BOARD***

***FISHERIES and OCEANS CANADA***

***AND***

***ENVIRONMENT and CLIMATE CHANGE CANADA***

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**Introduction**

The Canada-Nova Scotia Offshore Petroleum Board (CNSOPB) renewed and updated existing Memoranda of Understanding (MOU) with both Fisheries and Oceans Canada (DFO) Maritimes and Gulf Regions and Environment and Climate Change Canada (ECCC), in 2014 and 2015, respectively. Under these MOUs, there exists a deliverable to present an Annual Progress Report to the Executive Committee. The purpose of the Annual Report is to summarize the progress of joint projects defined in the 2016 Work Plan. The intent of this report is to meet that purpose.

**Discussion**

In 2016, the CNSOPB, DFO and EC agreed to continue to work collaboratively on a tri-partite work plan, with the objective of enhancing current mechanisms and practices for delivering environmental protection and conservation measures in the offshore environment that are of mutual interest.

The 2016 Work Plan included a total of nine projects, the majority of which were completed. Many are appropriately classified as 'ongoing' projects. Table 1 provides a summary of the progress for each project. Details regarding progress made in 2016 on each project are outlined in Appendix 1.

**TABLE 1: Summary of Progress on Work Plan Projects**

PROJECT	LEADS/CO-LEADS	ALL / MOST DELIVERABLES COMPLETED	SOME DELIVERABLES COMPLETED	NO SIGNIFICANT DELIVERABLES COMPLETED
1- Joint Priority Setting, Planning and Coordination	CNSOPB, ECCC, and DFO	X		
2 – Environmental Assessment	CNSOPB	X		
3 – Environmental Monitoring	CNSOPB		X	
4 – Regulatory Compliance Activities	CNSOPB, ECCC and DFO	X		
5 – Integrated Management and Conservation	CNSOPB and DFO	X		
6 –Spill Preparedness and Response	CNSOPB, ECCC and DFO	X		
7 – Framework for Oil Spill Fate and Effects monitoring	CNSOPB/EC CC		X	
8 – Ocean Disposal	ECCC		X	
9 – Reporting on Progress	CNSOPB	X		

Progress was made on all of the work plan projects for 2016. Major collaborative activities that took place in 2016 included:

- oversight of the Shelburne Basin Venture exploratory drilling program;
- completion of the Sydney Basin/Orpheus Graben SEA;
- review and approval of the environmental effects monitoring (EEM) plans for the Deep Panuke Project and the Sable Offshore Energy Project (SOEP); and
- continued collaboration on SARA-related issues;

As a supplement to the information in Table 1, a summary of the status and progress of each project in the Work Plan is included in Appendix 1.

Representatives from the three organizations reviewed and discussed the status of various projects under the 2016 Work Plan throughout the year. Overall, the progress on work plan deliverables was positive.

**Approvals**

For Fisheries and Oceans Canada:

original signed

02/12/2016

Date

By

**Ms. Rhea**

Regional Director  
Ecosystem Management  
Maritimes Region

original signed

02/12/2016

Date

**Mr. Luc Bouche**

A/Regional Director  
Ecosystem Management  
Gulf Region

For Environment Canada:

original signed

2/12/16

Date

**Mr. I. R Geoff Merc**

Regional Director General  
Atlantic and Quebec Regions

For the Canada-Nova Scotia Offshore Petroleum Board:

original signed

Dec. 2, 2016

Date

**Ms. Dena Murphy**

Director  
Operations/Health, Safety & Environment

**APPENDIX 1****STATUS REPORT ON CNSOPB/DFO/ECCC 2016 JOINT PROJECTS**

The following summarizes progress on the eight projects defined in the 2016 CNSOPB/DFO/ECCC Work Plan.

**PROJECT 1- Joint Priority Setting, Planning and Coordination**Project Team Leaders:

Dena Murphy (CNSOPB)

Geoff Mercer (ECCC)

Rhea King (DFO Maritimes) and Sophie Bastien-Daigle (DFO Gulf)

Coordination Team:

Elizabeth MacDonald (CNSOPB)

Glen Herbert (DFO Maritimes)

Lisa Fougere (ECCC)

Guy Robichaud (DFO Gulf)

**Deliverables:**

- Discussions of issues/areas requiring collaborative work, and an estimate of associated workloads.
- Development of a joint 2017 Annual Work Plan, coordinated by the CNSOPB with DFO and ECCC.
- Implementation Committee members will continue to identify the lead individuals from their agencies whom will coordinate Work Plan projects.

**Status: Complete**

The three organizations were effective in achieving all deliverables identified under this project.

**PROJECT 2 – Environmental Assessment**

Project Team Leaders: Elizabeth MacDonald and Janice Ray (CNSOPB)

Project Team Resources: Eric Theriault (CNSOPB)

Michael Hingston (ECCC)

Mike Wambolt and Glen Herbert (DFO Maritimes) and Guy Robichaud (DFO Gulf)

**Deliverables:**

- Continued cooperation in addressing post-EA commitments on the Sable Offshore Energy Project (SOEP), the Deep Panuke project, and the Shell program, including follow-up compliance.
- DFO and ECCC will provide advice on content of SEAs under development.
- DFO and ECCC will provide advice on EAs as received.
  - The following anticipated EAs will be led by the CNSOPB in 2016:
    - BP wellsite survey
    - BP exploratory drilling EA (if an RA – currently being led by the CEA Agency)

**Status: Ongoing**

There was successful achievement of the deliverables identified as a part of this project. Efficient and effective cooperation allowed for oversight of the Shell drilling program.

The Sydney Basin/Orpheus Graben SEA program is now complete and an addendum to the Western Scotian Shelf SEA (2012) is underway.

The BP Scotian Basin drilling program EA process led by the Agency began in July, 2015 and collaboration on the review remains ongoing.

BP did not submit an EA for a wellsite survey.

**PROJECT 3 – Environmental Effects Monitoring**

Project Team Leader: Elizabeth MacDonald and Eric Theriault (CNSOPB)

Project Team Resources: Maria Dober (ECCC)  
Mike Wambolt (DFO Maritimes) and Guy Robichaud (DFO Gulf)

**Deliverables:**

- *The Environmental Effects Monitoring (EEM) Coordination Framework (April 2005)* document to be updated to reflect changes in the MOUs, departments and capacity. Once revised, the new *Environmental Effects Monitoring Coordination Framework* will further outline commitments for collaborative efforts.
- *Ongoing review of Deep Panuke and SOEP EEM programs and results on an as-needed basis (DFO and CNSOPB).*

**Status: Ongoing**

Both the SOEP and Deep Panuke EEM programs were reviewed and approved in a timely and effective manner. The work on the draft revised Framework has begun and will carry forward into 2017.

#### **PROJECT 4 – Regulatory Compliance Activities**

Team Co-leads: Eric Theriault, Janice Ray and Elizabeth MacDonald (CNSOPB) for all deliverables. Mike Wambolt and Guy Robichaud (DFO), Dave Wood and Craig Smith (ECCC) for compliance verification (inspection/audit) activities. Heidi Schaefer (DFO Maritimes), Diane Amirault-Langlais (DFO Gulf), Julie McKnight (ECCC), and Elizabeth MacDonald and Janice Ray for SARA.

#### **Deliverables:**

- ECCC, DFO and the CNSOPB will endeavor to undertake joint compliance verification activities each year where opportunities present themselves, including monitoring and audits/inspections, under their respective mandates.

The CNSOPB will continue to participate in the development of Recovery Strategies, Action Plans and Management Plans, as well as listings, for Species at Risk through participation in workshops, meetings and responses to consultation requests.

- ECCC and the CNSOPB will collaborate on development of advice regarding avoidance and enhanced mitigation of impacts on migratory birds.
- The CNSOPB and DFO will continue to collaborate on the development of enhanced mitigation requirements for programs within the distribution of species at risk, such as the Northern Bottlenose Whale, North Atlantic Right Whale, and Leatherback Sea Turtle.
- The CNSOPB/Canada-Newfoundland and Labrador Offshore Petroleum Board (C-NLOPB) SARA Working Group will continue to meet and share information to help interpret SARA requirements and provide guidance.
- Continued collaboration and input into research objectives of various funding groups, such as Environmental Studies Research Funds (ESRF) and the Program of Energy and Research Development (PERD).

#### **Status: Ongoing**

No joint inspections or audits have been required this year.

The CNSOPB participated in consultations on a number of Recovery Strategies, Action Plans and/or future protection of critical habitat for species at risk.

Collaborative efforts continue among the parties regarding input into research objectives and priorities.

### **PROJECT 5 – Integrated Management and Conservation**

Project Team Leaders: Rhea King (DFO Maritimes) and Sophie Bastien-Daigle (DFO), Elizabeth MacDonald and Eric Theriault (CNSOPB)

Project Team Resources: Janice Ray (CNSOPB)  
Glen Herbert (DFO Maritimes) and Mireille Chiasson (DFO Gulf)  
Karel Allard (ECCC)

#### **Deliverables:**

- The CNSOPB will collaborate with DFO on initiatives and governance structures developed under the *Oceans Act*, such as the Regional Committee on Ocean and Coastal Management (RCCOM) and NORSTEMP.
- The CNSOPB and DFO will collaborate in support of the planning, management and conservation of the Gully MPA and the St. Anns Bank Area of Interest.
- The CNSOPB and ECCC will continue to participate in the federal bioregional marine protected area network development process, as appropriate.

#### **Status: Ongoing**

The CNSOPB continues to participate on DFO's Gully Advisory Committee. The St. Ann's Bank AOI Advisory Committee has completed its work, and the AOI will be designated as an MPA in the short term. The CNSOPB continues to provide advice and comments on DFO's spatial planning processes, including sensitive benthic area, AOI and MPA network planning processes. Also, collaborative efforts to develop enhanced mitigation related to the Northern bottlenose whale, and other species at risk within the CNSOPB jurisdictional area, continued in 2016 and will continue into 2017.

### **PROJECT 6 – Spill Preparedness and Response**

#### **Status: Ongoing**

Project Team Leaders: Lo Cheng (ECCC) and Eric Theriault (CNSOPB)

Project Team Resources: Glen Herbert (DFO)

- **Deliverables:** Exchange of information between ECCC, DFO and the CNSOPB regarding response to offshore spills.
- ECCC (NEEC), based on its capacity, and DFO to provide comment and advice to the Board on spill response plans and net environmental benefit analysis, as needed.
- Invitations to be provided by all parties to relevant spill response exercises and/or planning sessions.

**Status: Ongoing**

There is ongoing exchange of information between ECCC, DFO and the CNSOPB regarding response to offshore spills. No exercises were planned in 2016.

**PROJECT 7 – Framework for Oil Spill Fate and Effects**

Project Team: Eric Theriault (CNSOPB), Mathieu Dussault (ECCC-NEEC), Patrick Lambert (ECCC-ESTS), Tom King (DFO-COOPER).

- Discussions of issues/areas requiring collaborative work.
- Development of a framework document describing how the three organizations will work together and an outline of the types of information to be collected, and available equipment and resources.

**Status: Ongoing**

Discussion of issues and areas requiring collaborative work is ongoing. The CNSOPB is developing a draft outline for the framework document.

**PROJECT 8 – Ocean Disposal**

Project Team Leader: Kevin Power (EC)

Project Team Resources: Eric Theriault (CNSOPB)

**Deliverables:**

- ECCC's Marine Programs –Atlantic has tabled a discussion piece with its program colleagues in National Capital Region aimed at seeking possible actions to address long standing policy questions regarding the application of CEPA Disposal at Sea provisions to the offshore oil and gas sector.

- Finalization of ECCC Disposal at Sea Program's review of Canadian Environmental Protection Act Section 122 (1) (k), referred to as the Offshore Exemption paragraph, in order to provide the two Offshore Boards, Canadian Association of Petroleum Producers (CAPP) and their industry members an update on the outcome of that review and guidance on what that means to the regulatory process in the offshore oil and gas sector.
- Work with Boards, CAPP, CAPP members and other relevant government regulators (such as DFO) to establish a working group to enhance regulatory efficiency related to Disposal at Sea activities associated with offshore oil and gas activities.

**Status: Ongoing.**

The CEPA discussion piece has been tabled with the National Director for review and comment. It is expected that by year end decisions will be taken on potential actions. Next step would be to discuss the outcome of that review early in 2017 with the CNSOPB and CNLOPB.

Proposal for change to the language of CEPA 122(1)(k) has been tabled for approval as part of a broad package of proposed CEPA amendments to be published in Canada Gazette. Timing for that approval and publication is unknown at this time

Opportunity to inform CAPP, industry partners and other regulators of outcomes and discuss the need for establishment of a working group will be delayed until later in 2017 pending further discussion between ECCC and the Boards in early 2017 and publication of proposed CEPA amendment in Canada Gazette.

**PROJECT 9 – Reporting on Progress**

Project Team Leader: Dena Murphy (CNSOPB)

Project Team Resources: Geoff Mercer (ECCC)

Rhea King (DFO Maritimes) and Sophie Bastien-Daigle (DFO Gulf)

**Deliverables:**

- Mid-year summary of progress
- Annual report to Executive Committee

**Status: Complete**

The mid-year summary was completed in August 2016. This Annual Progress Report satisfies the second deliverable outlined under this project.