



2020 WORK PLAN

MEMORANDUM OF UNDERSTANDING

CANADA-NOVA SCOTIA OFFSHORE PETROLEUM BOARD

FISHERIES AND OCEANS CANADA

AND

ENVIRONMENT AND CLIMATE CHANGE CANADA

Fisheries and Oceans Canada (DFO), Environment and Climate Change Canada (ECCC), and the Canada-Nova Scotia Offshore Petroleum Board (CNSOPB) will collaborate on the projects outlined below, with the objective of enhancing current mechanisms and practices for delivering environmental protection and conservation measures in the Nova Scotia offshore area. The Work Plan does not preclude DFO, ECCC and the CNSOPB from working on other priority issues or projects, which may be identified during the course of the 2020 calendar year.

Project 1 – Joint Priority Setting, Planning and Coordination

Project Description:

The CNSOPB, DFO and ECCC all have legislative and regulatory responsibilities related to petroleum activities offshore Nova Scotia. As such, it is desirable that the agencies develop a set of focus areas for collaborative work and develop strategies to ensure resources are available to carry out this work.

To achieve this outcome, the three parties have agreed to meet as required, and at least annually, to discuss and plan for anticipated workloads and to identify priorities. These meetings will be led by the Implementation Committee Chair.

Deliverables:

- Discussion of issues/areas requiring collaborative work, and an estimate of associated workloads.
- Development of a joint 2020 Annual Work Plan, coordinated by the CNSOPB with DFO and ECCC.
- Implementation Committee members will continue to identify the lead individuals from their agencies who will coordinate Work Plan projects.
- The CNSOPB will proactively coordinate with DFO and ECCC on the development of external communications materials related to process changes, projects, emergency response and other initiatives where there is potential for overlap in jurisdiction and responsibilities.

Timing: Ongoing

Project Team Leaders:

Dena Murphy (CNSOPB)
 Lisa Fougere (ECCC)
 Rhea King (DFO Maritimes)
 Alain Hebert (DFO Gulf)

Coordination Team:

Elizabeth MacDonald (CNSOPB)
 Mike Wambolt (DFO Maritimes)
 Jaclyn Poole (ECCC)
 Jean-Francois Mallet (DFO Gulf)

Project 2- Environmental Assessment

Project Description:

The Work Plan signatories share an interest in improving the environmental assessment (EA) process, such that impacts are understood and managed effectively and efficiently. The exchange of expertise and information is fundamental to the conduct of an EA that fulfills CNSOPB, DFO and ECCC obligations. This project will facilitate that exchange and ensure appropriate linkages are made to other relevant Work Plan items.

Strategic Environmental Assessments (SEA) are undertaken on an as-needed basis by the CNSOPB, and help to inform the Call for Bids process. DFO and ECCC will work collaboratively with the CNSOPB during the SEA preparation process.

The Impact Agency of Canada (IAAC) intends to formally initiate a Regional Assessment (RA) for exploratory drilling for a large portion of the NS offshore jurisdictional area.

Deliverables:

- Continued cooperation in addressing post-EA commitments on the Sable Offshore Energy Project (SOEP) and the Deep Panuke project, as applicable. See Project 3 regarding decommissioning and abandonment/removal activities and post abandonment monitoring.
- DFO and ECCC will provide advice on content of SEAs under development and/or review. In 2020, an SEA for the Western Scotian Shelf and Slope will be conducted.
- An environmental assessment for a potential speculative seismic program may be initiated in 2020. DFO and ECCC will provide expert advice to the CNSOPB on scoping for any such EA and conduct a review of EA related documents.
- The Impact Assessment Agency of Canada (IAAC), in collaboration with the CNSOPB, will conduct a regional assessment (RA) for oil and gas exploratory drilling for a significant portion of the Canada-Nova Scotia Offshore Area. DFO and ECCC will provide expert advice and support for this initiative. The RA is expected to begin in Q1 2020 and continue through Q2-Q3 of 2021.

Timing: Ongoing

Project Team Leader:

Janice Ray (CNSOPB)
Elizabeth MacDonald (CNSOPB)

Project Team Resources:

Michael Hingston (ECCC)
Mike Wambolt (DFO Maritimes)
Glen Herbert (DFO Maritimes)
Chris Burbidge (DFO Maritimes)

Project 3 – Environmental Effects Monitoring**Project Description:**

As both production projects (SOEP and Deep Panuke) are in the decommissioning and abandonment phase and will complete facility removals in 2020, environmental monitoring activities will be limited as appropriate. Both operators will complete as-left surveys at the end of facility removals and will conduct post-abandonment monitoring as approved by the CNSOPB. The CNSOPB will seek input from DFO and ECCC related to as-left surveys and post abandonment monitoring.

Deliverables:

- DFO and ECCC will review post abandonment monitoring plans and provide comments as requested by the CNSOPB.
- DFO and ECCC will be provided copies of as-left reports and monitoring reports and will provide comments to the CNSOPB as requested.

Timing: Ongoing.

Project Team Leader:

Janice Ray (CNSOPB)
Elizabeth MacDonald (CNSOPB)

Project Team Resources:

Maria Dober (ECCC)
Mike Wambolt (DFO Maritimes)

Project 4 – Regulatory Activities**Project Description:**

There are several ongoing activities that require regular collaborative work by the CNSOPB, ECCC and DFO in 2020 and in years to follow.

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.

- Team co-leads: Mike Wambolt (DFO Maritimes), Elizabeth MacDonald and Janice Ray (CNSOPB), and Carina Gjerdrum (ECCC).
- 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.
 - Team co-leads: Heidi Schaefer (DFO Maritimes), Diane Amirault-Langlais (DFO Gulf), Julie McKnight (ECCC), Elizabeth MacDonald and Janice Ray (CNSOPB).
- ECCC and the CNSOPB will collaborate on development of advice regarding avoidance and enhanced mitigation of impacts on migratory birds, e.g. Leach's Storm Petrel, and will initiate a systematic monitoring program conducted by trained and experienced observers using established methods and protocols for observations and data management to search for, collect and document the occurrence of stranded birds on offshore platforms.
 - Team co-leads: Elizabeth MacDonald (CNSOPB) and Carina Gjerdrum (ECCC)
- DFO will collaborate with the CNSOPB regarding the ongoing review and potential update to the Statement of Canadian Practice with Respect to the Mitigation of Seismic Sound in the Marine Environment. Expected to extend beyond 2020.
 - Team co-leads: Glen Herbert (DFO Maritimes), Mike Wambolt (DFO Maritimes) Elizabeth MacDonald (CNSOPB)
- 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).
 - Team co-leads: Mike Wambolt (DFO Maritimes), Dena Murphy (CNSOPB) and Jean-Francois Mallet (DFO Gulf)

Timing: Ongoing.

Project 5 – Marine Planning and Conservation

Project Description:

Under the *Oceans Act*, the Minister of Fisheries and Oceans has the responsibility to lead and facilitate the development and implementation of integrated management plans for all marine waters and a national system of Marine Protected Areas (MPAs). The Minister is also responsible for leading efforts to reach Canada's marine conservation targets. The Minister may also establish marine environmental quality guidelines, objectives and criteria. Within the Maritimes and Gulf Regions of DFO, there are a number of marine planning and conservation initiatives that require CNSOPB awareness, involvement and/or collaboration.

Deliverables:

- The CNSOPB and DFO will collaborate on initiatives and governance structures developed under the Oceans Act, such as the Regional Oceans Coordination Table.
- The CNSOPB and DFO will collaborate in support of the planning, management and conservation of the Gully MPA and the St. Anns Bank MPA, the Fundian Channel - Browns Bank Area of Interest (AOI), and the Gulf Region Area of Interest (exact location to be determined).

- The CNSOPB and ECCC will continue to participate in the federal bioregional marine protected area network development processes, including processes for new AOIs and "Other Effective Area-Based Conservation Measures", with focus on identified areas.

Timing: Ongoing

Project Team Leaders:

Wendy Williams (DFO Maritimes)
Richard Ruest (DFO Gulf)
Elizabeth MacDonald (CNSOPB)
Janice Ray (CNSOPB)

Project Team Resources:

Glen Herbert (DFO Maritimes)
Carole Godin (DFO Gulf)
Karel Allard (ECCC)

Project 6 – Spill Preparedness and Oversight

Project Description: ECCC, DFO and CNSOPB have independent but related mandates regarding preparedness and oversight to environmental emergencies related to offshore activities. This project facilitates the exchange of information to ensure a coordinated approach.

Deliverables:

- Develop a summary document to clarify mandates, jurisdictions and roles for ECCC, DFO and the CNSOPB regarding offshore spills and other relevant incidents. Timing Q3 – Q4 2020.
- ECCC's National Environmental Emergencies Centre (NEEC), based on its capacity, CWS for marine birds, and DFO to provide comment and advice to the CNSOPB 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.
- Finalize the update to the ECCC-CNSOPB MOU Annex A: Cooperation Concerning Environmental Emergencies to account for the Spill Treating Agents Offshore Regime and other coordination activities as necessary to include additional comments by ECCC legal and senior management review. Timing Q3 – Q4 2020.

Timing: Ongoing unless otherwise indicated.

Project Team Leaders:

Dena Murphy (CNSOPB)
Matthieu Dussault (ECCC)

Project Team Resources:

James Porter (ECCC)
Glen Herbert (DFO)
Janice Ray (CNSOPB)

Project 7 – Framework for Oil Spill Fate and Effects Monitoring

Project Description:

During a major spill incident, it is important to monitor both the fate of the oil and environmental effects. The purpose of this project is to develop a framework for the three agencies to monitor the fate and effects of the spill. The objective of the on-site operational science may be to support the mission to aid the response effort by gaining a better understanding of the fate and behavior of the spilled material, to support regulatory enforcement, and/or environmental damage assessment and restoration concerns. Although this project will focus on offshore activities, a national effort will be made, so that it applies to various sectors.

Upon completion of ECCC's study to assess the current state-of-the-art on-site and laboratory scientific analysis to support the Department mission at an oil spill, consideration will be given to expanding the spill monitoring framework to include further detailed descriptions of the roles and requirements by federal agencies to provide operational on-site scientific support, including sampling and analysis related to a spill.

Deliverables:

- Continued discussions of issues/areas requiring collaborative work and addressing identified gaps. Timing: Q4 2020.
- Finalize the 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. Timing: Q4 2020.

Timing: Q4 2020.

Project Team Leaders:

Stephane Leblanc (ECCC-NEEC)
Tom Kling (DFO-COOPER)
Janice Ray (CNSOPB)

Project 8 – Ocean Disposal

Project Description: This project examines Disposal at Sea regulatory requirements as they relate to activities undertaken by the offshore oil and gas industry.

Deliverables:

- As an interim measure, pending planned Canadian Environmental Protection Act (CEPA) amendments to clarify the application of disposal at sea provisions to offshore oil and gas activities, ECCC will work with CNSOPB to draft guidance for the CNSOPB and the C-NLOPB and industry to assist in understanding how the Disposal at Sea provisions of CEPA currently apply to common activities in the sector.
- ECCC will work with the CNSOPB and the C-NLOPB to communicate to CAPP and their members the current guidance on application of CEPA Disposal at Sea in the sector and the implementation of any future amendments to CEPA disposal at sea regulatory requirements. A potential compliance promotion workshop with industry representatives to be discussed with the CNSOPB and C-NLOPB.

Timing:

- Following completion of the guidance document, follow up discussions with the CNSOPB and C-NLOPB in Q2-Q3 of 2020.

- Target for compliance promotion effort to be determined, but anticipated in Q1 2021.

Project Team Leader:

Jayne Roma (ECCC)

Janice Ray (CNSOPB)

Project 9 - Reporting on Progress

Project Description:

The Implementation Committee Members will keep the MOU Executive Committee signatories advised of the status of projects. A progress report will be completed mid-year, and an annual report will be finalized by December 31, 2020 on the previous year's progress under the MOU.

Deliverables:

- Mid-year meeting for operations staff of DFO, ECCC, and CNSOPB to discuss each deliverable and provide updates regarding progress and resourcing. The mid-year report will be based on these discussions.
- Mid-year and annual report to the Executive Committee.

Timing: Mid-year report – September 2020 & Annual Report - December 2020.

Project Team Leader:

Dena Murphy (CNSOPB)

Project Team Resources:

Elizabeth MacDonald (CNSOPB)

Lisa Fougere (ECCC)

Rhea King (DFO Maritimes)

Alain Hebert (DFO Gulf)

Approvals:

Whereas the parties have signed this MOU on the dates indicated below.

for: Canada-Nova Scotia Offshore Petroleum Board

original signed

Christine Bonnell-Eisnor
Acting Chief Executive Officer

Date

for: Environment and Climate Change Canada

original signed

Mr. I.R. Geoffrey Mercer
Regional Director General
Atlantic and Quebec Regions

Date

for: Fisheries and Oceans Canada

original signed

Mr. Serge Poucet
Regional Director General (Gulf Region)

Date

and

original signed

Ms. Mary-Ellen Vaquermer
Regional Director-General (Maritimes Region)

Date

JUL 10 2020