



ANNUAL PROGRESS REPORT

JOINT 2018 WORK PLAN ACTIVITIES

CANADA-NOVA SCOTIA OFFSHORE PETROLEUM BOARD

FISHERIES and OCEANS CANADA

AND

ENVIRONMENT and CLIMATE CHANGE CANADA

Introduction

The Canada-Nova Scotia Offshore Petroleum Board (CNSOPB) has existing Memoranda of Understanding (MOUs) with both Fisheries and Oceans Canada (DFO) Maritimes and Gulf Regions and Environment and Climate Change Canada (ECCC). 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 2018 Work Plan. The intent of this report is to meet that purpose.

Discussion

In 2018, the CNSOPB, DFO and ECCC 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 2018 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 2018 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 Effects Monitoring	CNSOPB	X		
4 – Regulatory Activities	CNSOPB, ECCC and DFO		X	
5 – Integrated Management and Conservation	CNSOPB and DFO	X		
6 –Spill Preparedness and Oversight	CNSOPB, ECCC and DFO	X		
7 – Framework for Oil Spill Fate and Effects monitoring	CNSOPB/ECCC		X	
8 – Ocean Disposal	ECCC		X	
9 – Reporting on Progress	CNSOPB	X		

Progress was made on all of the work plan projects for 2018. Major collaborative activities that took place in 2018 included:

- All parties participated in completing the Environmental Impact Statement and associated documents, such as the Marine Mammal Monitoring Plan, for the BP exploratory drilling program;
- review and approval of the final environmental effects monitoring (EEM) plans for the Deep Panuke Project production phase and the penultimate EEM plan for the Sable Offshore Energy Project (SOEP) ; and
- continued collaboration on matters related to the *Species at Risk Act*.

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 2018 Work Plan throughout the year. Overall, the progress on the Work Plan deliverables was positive.

Approvals

For Fisheries and Oceans Canada:

original signed

Ms. Rhea King
Regional Director
Ecosystem Management
Maritime Region

Dec 7/18

Date

original signed

Mr. Alain Hebert
Regional Director
Ecosystem Management
Gulf Region

le 7 dec 2018

Date

For Environment and Climate Change Canada:

original signed

Ms. Lisa Fougere
Manager
Regional Analysis and Relations
Atlantic and Quebec Regions

Dec 7, 2018

Date

For the Canada-Nova Scotia Offshore Petroleum Board:

original signed

Ms. Dena Murphy
Director
Operations/Health, Safety & Environment

Dec 7, 2018

Date

APPENDIX 1**STATUS REPORT ON CNSOPB/DFO/ECCC 2018 JOINT PROJECTS**

The following summarizes progress on the nine projects defined in the 2018 CNSOPB/DFO/ECCC Work Plan.

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

Dena Murphy (CNSOPB)

Lisa Fougere (ECCC)

Rhea King (DFO Maritimes) and Alain Hebert (DFO Gulf)

Coordination Team: Elizabeth MacDonald (CNSOPB)

Mike Wambolt (DFO Maritimes)

Barbara Fullarton (ECCC)

Guy Robichaud (DFO Gulf)

Deliverables:

- Discussions of issues/areas requiring collaborative work, and an estimate of associated workloads.
- Development of a joint 2019 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 three organizations were effective in progressing all deliverables identified under this project.

Status: Ongoing/Complete

PROJECT 2 – Environmental Assessment

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

Project Team Resources:

Eric Theriault (CNSOPB)

Michael Hingston (ECCC)

Mike Wambolt (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 drilling program, including follow-up compliance.
- DFO and ECCC will provide advice on content of SEAs under development and/or review. In 2018 the Misaine and Banquereau Banks SEA will be reviewed and updated as appropriate.
- DFO and ECCC will provide advice on EAs as received.
 - The following EAs will continue to be reviewed by the CNSOPB in 2018:
 - BP exploratory drilling EA (EIS; currently being led by the CEA Agency)
 - Equinor (Statoil) Waverley seismic program EA (CNSOPB led)
- Relevant partners (CNSOPB, ECCC, DFO, CEA Agency, CNLOPB) in the EA process to participate in a workshop following the release of CEA Act Review details to confirm how best to implement any changes .

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

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 Misaine and Banquereau Banks SEA is being revised and cooperation on this deliverable is likely to continue into 2019.

The BP Scotian Basin drilling program EA process has been completed. Follow-up remains ongoing throughout the drilling program.

The Equinor (formerly Statoil) EA process was put on hold by the operator but the Project Description has not been withdrawn.

An additional EA began in August 2018 when MKI submitted a project description for a speculative seismic program. The Scoping Document is complete and has been sent to MKI to guide preparation of their Environmental Assessment.

PROJECT 3 – Environmental Effects Monitoring

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

Project Team Resources:

Maria Dober (ECCC)

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

Eric Theriault (CNSOPB)

Deliverables:

- The *Environmental Effects Monitoring (EEM) Coordination Framework* (April 2005) document will be updated in 2018 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).
- Development of an EEM Synopsis Report as described in the EEM Coordination Framework.

Status: Ongoing/Complete

- The EEM Coordination Framework document is undergoing final edits.
- EEM programs and results for both the SOEP and Deep Panuke projects were reviewed by all parties. Both programs are in decommissioning mode. SOEP is still producing on some wells. Encana is no longer producing.
- The EEM Synopsis Report was completed in June 2018.

PROJECT 4 – Regulatory Activities

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), Guy Robichaud (DFO Gulf), Eric Theriault, Elizabeth MacDonald and Janice Ray (CNSOPB)
- 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.
 - Team co-leads: Elizabeth MacDonald (CNSOPB) and Carina Gjerdrum (ECCC)

- The CNSOPB and DFO will continue to collaborate on the development of enhanced mitigation requirements for programs within the distribution of species at risk, with focus on the Northern Bottlenose Whale, Leatherback Turtle and North Atlantic Right Whale.
 - Team co-leads: Mike Wambolt (DFO Maritimes), Diane Amirault-Langlais (DFO Gulf), Eric Theriault, Elizabeth MacDonald and Janice Ray (CNSOPB), Dave Wood and Craig Smith (ECCC), and Linda Porebski (ECCC)

- 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.
 - Team co-leads: Heidi Schaefer (DFO Maritimes), Diane Amirault-Langlais (DFO Gulf), Elizabeth MacDonald (CNSOPB), and Julie McKnight (ECCC)

- The CNSOPB, ECCC, and DFO will collaborate on the development of standard wildlife observation reporting and data filing requirements for operators.
 - Team co-leads: Mike Wambolt (DFO Maritimes), Carina Gjerdrum (ECCC), and 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), Guy Robichaud (DFO Gulf) and Eric Theriault (CNSOPB)

Status: Ongoing

A joint audit was scheduled for the BP VSP program in November, however the VSP program did not proceed (CNSOPB and DFO). However, planning for the process was good experience.

The CNSOPB participated in consultations on a number of Recovery Strategies, Action Plans and/or future protection of critical habitat for species at risk, including the loggerhead turtle, blue whale and leatherback turtle.

DFO provided input to BP's acoustic monitoring and marine mammal monitoring plans and preliminary input into the review of the drilling mud release in 2018.

Requirements for SARA permits renewals for both Encana and EMCP led to discussions where mutual agreements were reached on appropriate handling of stranded birds, focused on Petrels (ECCC/CNSOPB).

The requirements for the Northern bottlenose whale have been determined. The next steps are finalizing the report, preparation for further distribution to a broader audience, including the C-NLOPB, CAPP and throughout DFO, and planning meetings for discussion of the next species.

Scheduling SARA Working group meetings continues to be a challenge to do participant workload and finding common availability. The C-NLOPB is helping to organize these meetings in the future, on an as-needed basis.

PROJECT 5 – Integrated Management and Conservation

Project Team Leaders:

Rhea King (DFO Maritimes) and Alain Hebert (DFO Gulf)
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 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 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.

Status: Ongoing

There was a ROCT conference call on June 28, 2018 and a face-to-face meeting is planned for the Q4, 2018. The CNSOPB continues to provide advice and guidance on oil and gas related matters to DFO on existing MPAs and upcoming AOIs, such as the Fundian Channel/Brown’s Bank.

PROJECT 6 – Spill Preparedness and Oversight

Status: Ongoing

Project Team Leaders: Tanya Bryant and Matthieu Dussault (ECCC) and Eric Theriault (CNSOPB)

Project Team Resources: James Porter (ECCC) and Glen Herbert (DFO)

Deliverables:

- Exchange of information between ECCC, DFO and the CNSOPB regarding offshore spills and other relevant incidents.
- ECCC's National Environmental Emergencies Centre (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.
- Initiate 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.

Status: Ongoing

There is an open exchange of information between all parties when there are spills that warrant the attention of multiple regulators. All parties participated in the BP spill response exercise (December 2017).

ECCC and CNSOPB staff have reviewed Annex A, and reached agreement on proposed updates. Next steps include legal review and approval by senior management.

PROJECT 7 – Framework for Oil Spill Fate and Effects Monitoring

Project Team:

Eric Theriault (CNSOPB)

Mathieu Dussault (ECCC-NEEC)

Patrick Lambert (ECCC-ESTS)

Tom King (DFO-COOPER)

Project Team Resources:

Janice Ray (CNSOPB)

Deliverables:

- Continued discussions of issues/areas requiring collaborative work.
- 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.

Status: Ongoing

No progress to date.

PROJECT 8 – Ocean Disposal**Project Team Leader:** Kevin Power (EC)**Project Team Resources:** Eric Theriault (CNSOPB)**Deliverables:**

- A proposal to change the language of Canadian Environmental Protection Act Section 122 (1) (k), referred to as the Offshore Exemption paragraph, is pending approval as part of a broad package of proposed CEPA amendments. Upon confirmation of approval status, Atlantic Marine Programs Unit Head will meet with the CNSOPB and the CNLOPB Environment leads to discuss any proposed amendments and how this may impact Authorization processes or MOUs with the Boards.
- ECCC will work with Boards to inform CAPP, CAPP members and other relevant government regulators (such as DFO) on the outcomes of the proposed regulatory change and related actions taken to clarify regulatory roles in the offshore oil and gas sector. Also there will be a discussion of the potential need to establish a working group to enhance regulatory efficiency related to Disposal at Sea activities associated with offshore oil and gas activities.

Status: Ongoing.

A proposed CEPA amendments package has been delayed and there is currently not an established timeline for those amendments to be tabled. Marine Programs Project Leader met with CNSOPB lead and agreement was reached to attempt to collaboratively produce a succinct Guidance document on how CEPA Disposal at Sea (DAS) currently applies in the sector as an

interim measure while pending the outcome of CEPA review. The target is to have a draft complete by the end of 2018.

Discussions of the need to establish a working group to enhance regulatory efficiencies related to disposal at sea will be determined following discussions between ECCC and the CNSOPB later this year.

PROJECT 9 – Reporting on Progress

Project Team Leader: Dena Murphy (CNSOPB)

Project Team Resources:

Lisa Fougere (ECCC)

Annette Daley (DFO Maritimes)

Mr. Richard Ruest (DFO Gulf)

Deliverables:

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

Status: Complete

The mid-year summary has been completed. This Annual Progress Report satisfies the second deliverable outlined under this project.