

November 9, 2016

Johanne G elinas  
Chair  
Expert Panel, Review of Environmental Assessment Processes  
Via e-mail

Dear Ms. G elinas,

Thank you for inviting the Canada-Newfoundland and Labrador Offshore Petroleum Board (“C-NLOPB” or “the Board”) to participate in the November 2, 2016 technical briefing of the Expert Panel reviewing federal environmental assessment (EA). Our Director of Environmental Affairs, Dave Burley, and I were pleased to attend and we found the discussions to be meaningful and forthright.

Many of the Board’s views are shared by provincial and territorial EA administrators, based on their comments that day. I am writing to underscore key elements of the Board’s submission, which was delivered on October 26, and to follow up on some of the points that the Panel has heard so far, particularly with respect to the offshore petroleum boards.

For over 30 years, the C-NLOPB has effectively served the public as the independent regulator for petroleum activity in the Canada-Newfoundland and Labrador Offshore Area. Board staff have a wealth of policy and operational experience and expertise, with an excellent track record of robust environmental protection.

Environmental assessment is a key tool in the Board’s effective delivery of our mandate under the Canada-Newfoundland and Labrador Atlantic Accord regime. The Board supports and embodies the interim environmental assessment principles released by the federal government in January 2016.

Over the past 13 years alone, the Board has successfully completed 57 environmental assessments in the areas of offshore drilling and production, geophysical, geotechnical and geological programs, as well as eight Strategic Environmental Assessments or updates in four sub-regions that comprise our jurisdiction. We are best placed to lead environmental assessments for petroleum activities in the Canada-Newfoundland and Labrador Offshore Area as a Responsible Authority (RA) under the *Canadian Environmental Assessment Act, 2012*.

Designation of the C-NLOPB as an RA would:

- minimize duplication;
- further enhance an already robust regulatory regime;

- respect joint management of the offshore under the Atlantic Accord and its implementing, mirror federal and provincial legislation;
- provide clear lines of transparency and accountability to Canadians;
- enable a more formal mechanism for the Board to assist governments in the Crown's constitutional Duty to Consult with Indigenous peoples; and
- appropriately recognize the value of the Board's expertise and experience along with its knowledge of and physical proximity to offshore activities.

I have reviewed some of the submissions to the Panel by interested parties from the east coast of Canada. I would respectfully suggest that any criticism the Panel has heard with respect to the motivation or mandate of the offshore regulators is to a very large degree limited to those opposed to offshore oil and gas exploration and production for other reasons.

The Board welcomes the recent improvements in the appointment processes of the federal government and the Government of Newfoundland and Labrador for merit-based selection of members of agencies, boards and commissions. At the same time, it is important to note that the C-NLOPB is comprised of more than its appointed Board members. We employ 85 dedicated professionals who are world-class experts in all elements of our mandate, including our top priorities of offshore safety and environmental protection, which are paramount in all Board decisions. Our appointed Board relies on the expertise of our professional staff in all of its decisions, and we are collectively and singularly motivated by the objective of providing world-class regulatory oversight of offshore petroleum activities in the public interest.

I wish the Panel all the best in its important work and would be pleased to further assist you in any way possible upon request the weeks ahead. I am available at your convenience at (709) 778-1456 or [stessier@cnlopb.ca](mailto:stessier@cnlopb.ca) should you wish to further discuss the Board's work or any other element of the Panel's task.

Yours truly,



Scott Tessier  
Chair and CEO