



CAMPAIGN TO PROTECT
OFFSHORE NOVA SCOTIA

In response to the Board's call for public comment we wish to reflect and comment upon the approach CNSOPB is taking to its mandate.

The Board has appeared to take the view that its mandate is essentially to promote to affected communities the merits of oil & gas exploration and production, accompanied by bland reassurances that any risks are both acceptable and manageable. It is our view that CNSOPB should not be determining what are acceptable risks to potentially affected communities.

Instead, the Board should be listening to the concerns raised by those communities, and to experts not associated with the proponent industries. Although prefaced by an exculpatory 'may', in s44(1) of the *Implementation Act* (1986, 2016) the Board clearly has authority to call a public inquiry. What we would envision is full public participation, where public representations would be treated as evidence of equal value to that of the fossil fuel industry and where the commissioners of inquiry must publicly account for their disposal of that evidence.

Only a more general public inquiry could provide the information and overview that informed democratic decision-making requires. That inquiry would entertain evidence beyond that which the CNSOPB typically examines (or is required and expected to examine) in its project-by-project approach to impact assessment. The new *Impact Assessment Act* recognizes the need for "regional IAs" that set the context for project Impact Assessments within that region. What we lack in offshore Nova Scotia is precisely that kind of regional IA that would set the parameters within which the regulatory board would be required to operate. Hence the requirement for a far-ranging public inquiry before any further leases are approved - that includes the ones the CNSOPB has opened up by way of a regulatory carve-out around and in the Sable Island National Park zone.

Clearly the CNSOPB does not currently view such an inquiry as necessary, but the accumulating offshore accidents -- Shell's dropped pipe, BP's drilling mud spill at its initial exploratory drilling site and the recent oil spill at Sea Rose production platform in Nfld/Lab, among other incidents -- attest to the need for an updated review of the entire offshore enterprise.

Democratically elected governments established the 'independent' Offshore Boards and to date have permitted them to operate entirely with personnel from the proponent industries. This is not a credible way to determine what are the acceptable risks to communities and non-oil/gas stakeholders whose economic livelihoods would be devastated by a major uncontrolled oil or gas release or other accident.

The CNSOPB should not claim the right to determine that a risk, once estimated, is acceptable to the citizens of this province or even to Canadians in general. That would require a credible process of public education about the full extent of both the risks and opportunities of offshore development, so that the communities most affected could be better informed in order to decide for themselves.

This different approach was promised during the last federal election campaign, but has not yet come to pass. It is our view that the offshore Board is operating in a way that is neither fair nor credible. As a community-based group of volunteers, we will therefore continue to do our best to alert and inform the public that offshore drilling is "not worth the risk".

Sincerely,

Byron Rogers on behalf of CPONS (Campaign to Protect Offshore Nova Scotia)

Lunenburg, NS



CC:

Hon. Amerjeet Sohi, Minister of Natural Resources, Ottawa

Hon. Derek Mombourquette, Minister of Energy, Nova Scotia

Ms. Sue LeBlanc, MLA Dartmouth North, Energy Critic & Caucus Chair, NS-NDP, Nova Scotia

Mr. Allan MacMaster, MLA Inverness, Energy Critic, Nova Scotia Progressive Conservatives,