



**Committee of the Whole Meeting
Municipal Council Chambers, Municipal Office
May 9, 2016 at 4:30 PM
Agenda**

- 1. CALL MEETING TO ORDER**
- 2. PAUSE TO SEEK GUIDANCE**
- 3. ADOPTION OF AGENDA – Additions or Deletions**
- 4. PRESENTATION/ DELEGATION**
 - 4.1**
- 5. DANGEROUS AND UNSIGHTLY PREMISES**
 - 5.1**
- 6. APPROVAL OF MINUTES**
 - 6.1** COTW Minutes – April 11, 2016
- 7. OLD BUSINESS/BUSINESS ARISING**
 - 7.1** Clean Ocean Action Committee (COAC)
- 8. NEW BUSINESS**
 - 8.1** Area Response Planning Initiative
 - 8.2**
- 9. CHIEF ADMINISTRATIVE OFFICER REPORT**
 - 9.1** Meeting Dates/Reminders
 - 9.2** CAO Update
 - 9.3** Department Reports
 - 9.4** Updates from Previous Action Items
 - 9.5** Capital Project Update

COTW AGENDA – May 9, 2016

10. CORRESPONDENCE/INFORMATION ITEMS

10.1

10.2

11. IN CAMERA

11.1 Municipal Properties

12. ADJOURNMENT

Report to Municipal Councilors

Rationale for the Permanent Removal of Sites 3 and 4 from any future Canada Nova Scotia Offshore Petroleum Board Oil and Gas Exploratory Lease Site Auctions

Prepared by: John Davis, Director

The Clean Ocean Action Committee (COAC)

Membership

1. Cold Water Lobster Association
2. Maritime Fishermen's Union, Local 9
3. Maritime Fishermen's Union, Local 6
4. Maritime Fishermen's Union, Local 4
5. Lobstermen's Organization, Area 33
6. Lobstermen's Organization, Area 34
7. Shelburne County Quota Group
8. Scotia Fundy Inshore Fishermen's Association
9. Nova Scotia Fish Packers Association
10. Acadian Fish Processors Ltd

Executive Representative

Bernie Berry
Graeme Gawn
K. Squires
Gordon Beaton
Pat Gray
Ashton Spinny
Eric Holmes
Judith Maxwell
Nathan Blades
Richard "Bee" d'Entremont

February 16, 2016

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Executive Summary

The Scotian Shelf fishing industry has been the primary resource supporting coastal Nova Scotia for thousands of years. Today our multifaceted fishery is the monetary backbone that supports the majority of community small business, and direct and indirect contributions to the tax base make a massive contribution toward municipal infrastructures and band activities in our Mi'kmaq communities.

The Canada Nova Scotia Offshore Petroleum Board (CNSOPB) regulates oil and gas exploration and extraction on our Scotian Shelf. This report addresses two specific sites (CNSOPB lease sites 3 and 4) whose locations present unique concerns. This report follows careful assessment of the framework for oil and gas exploration as set out by our regulators, including the oil industry's capacity to safely work in close proximity to commercial species.

We do not oppose the development of our oil and gas resources on the Scotian Shelf. We simply demand that proper consideration be given to our industry and to the communities which depend on the harvest of these fully sustainable, highly regulated, resources. The information contained in this report should clearly describe why oil exploration and extraction cannot be allowed to take place on CNSOPB lease sites 3 and 4.

All of our most important commercial species, as well as critical spawning and nursery grounds for these species, are concentrated either in, or directly to the north-northwest of, CNSOPB Lease Sites 3 and 4. This area is within the tidal flow of the Bay of Fundy.

Offshore oil exploration can include the requirement for high temperature, high pressure wells. Existing lease agreements from CNSOPB for oil exploration on the Scotian Shelf or Slope have included: no regulatory requirement for the lease holder to have functional, mechanical clean up equipment available for any sizable offshore oil spill, and no requirement to have a capping stack immediately available in the event of a major blowout. Even smaller operational spills of oil during the extraction phase (which are numerous on production platforms worldwide) would be devastating due to the nature of this extremely sensitive area. The agreements do, however, include provisions for the use of chemical dispersants (Corexit) in response to major spills. This report will show recent scientific research on the effects of chemical dispersants, once they are mixed with spilled oil in an ocean environment, which strongly point to their ineffectiveness in enhancing biodegradation (their intended purpose) and to the dangerous effect that dispersant-laced oil can have on the entire ecosystem that sustain fishing industries.

We fully expect that every Council Member in all the area councils and every interested community member will read this report, and that each Council and citizen will actively support our position. This is critical, as CNSOPB is preparing yet another oil and gas exploratory lease site auction for April 2016.

Lease sites 3 and 4 must be permanently removed from the CNSOPB oil and gas exploratory lease site auction process.

Section 1. Introduction to COAC and Rationale for this Report

The Clean Ocean Action Committee (COAC) is made up of South Shore/South West Nova taxpayers, concerned citizens, fishermen and fish plant owners who utilize the sustainable resources on the Scotian Shelf. We are deeply troubled by the lack of regulatory oversight by our Federal and Provincial Governments as it relates to the exploration and extraction of our oil and gas resources.

We are particularly concerned that the growing body of scientific evidence concerning oil spill cleanup and the use of chemical dispersants generated since the “Macondo, Deep Water Horizon” disaster is not being recognized or assessed, and that that important scientific data that should inform our regulatory process seems to have been totally ignored. We believe that the research work of independent and university-based scientists that has been published both before and after the 2010 disaster in the Gulf of Mexico deserve consideration. There is in fact mounting evidence within the scientific community that dispersants do not achieve what industry proponents, including Shell here in Nova Scotia, claim. We do not feel that the Canada Nova Scotia Offshore Petroleum Board (CNSOPB), by apparently ignoring this mounting evidence, is meeting its stated mandate of, “protecting the offshore environment” during oil and gas exploration and extraction.

Using the regulations that CNSOPB has in place for Shell Canada as an example, we are faced with this stark reality. Shell Canada has no capacity, nor any regulatory responsibility to actually clean up any large offshore oil spill. Shell’s response plan, which has been approved by CNSOPB, allows up to 72 hours for any oil spill cleanup equipment to arrive on site. Even then, they have no cleanup equipment that can function in seas greater than 1 meter, or in tides and currents greater than one knot. The only response that Shell plans to undertake is to spray chemical dispersants into the water column. In the case of Lease Sites 3 and 4, this means directly onto Browns Bank and into the tidal flow of the Bay of Fundy.

We absolutely believe that our federal and provincial governments as represented by the CNSOPB are not adequately protecting the sustainable resources on the Shelf or the economic base of our Scotian Shelf coastal communities. We feel strongly that we need to step forward and act in our own best interests and we need to act now.

We have compiled the following report for several reasons:

1. To demonstrate the specific threats that the leasing of CNSOPB exploratory sites 3 and 4 represent to our fully sustainable fisheries resources on the Scotian Shelf
2. To indicate our specific concerns about how the existing Canada/Nova Scotia regulatory process is creating a massive, ongoing and unnecessary threat
3. To call on our Municipal Governments to take immediate action aimed at removing sites 3 and 4 from any future CNSOPB Lease Site Auctions

Figure 1 shows the current and proposed sites which have been selected by the Canada Nova Scotia Offshore Petroleum Board (CNSOPB) for oil and gas exploration on the Scotian Shelf.

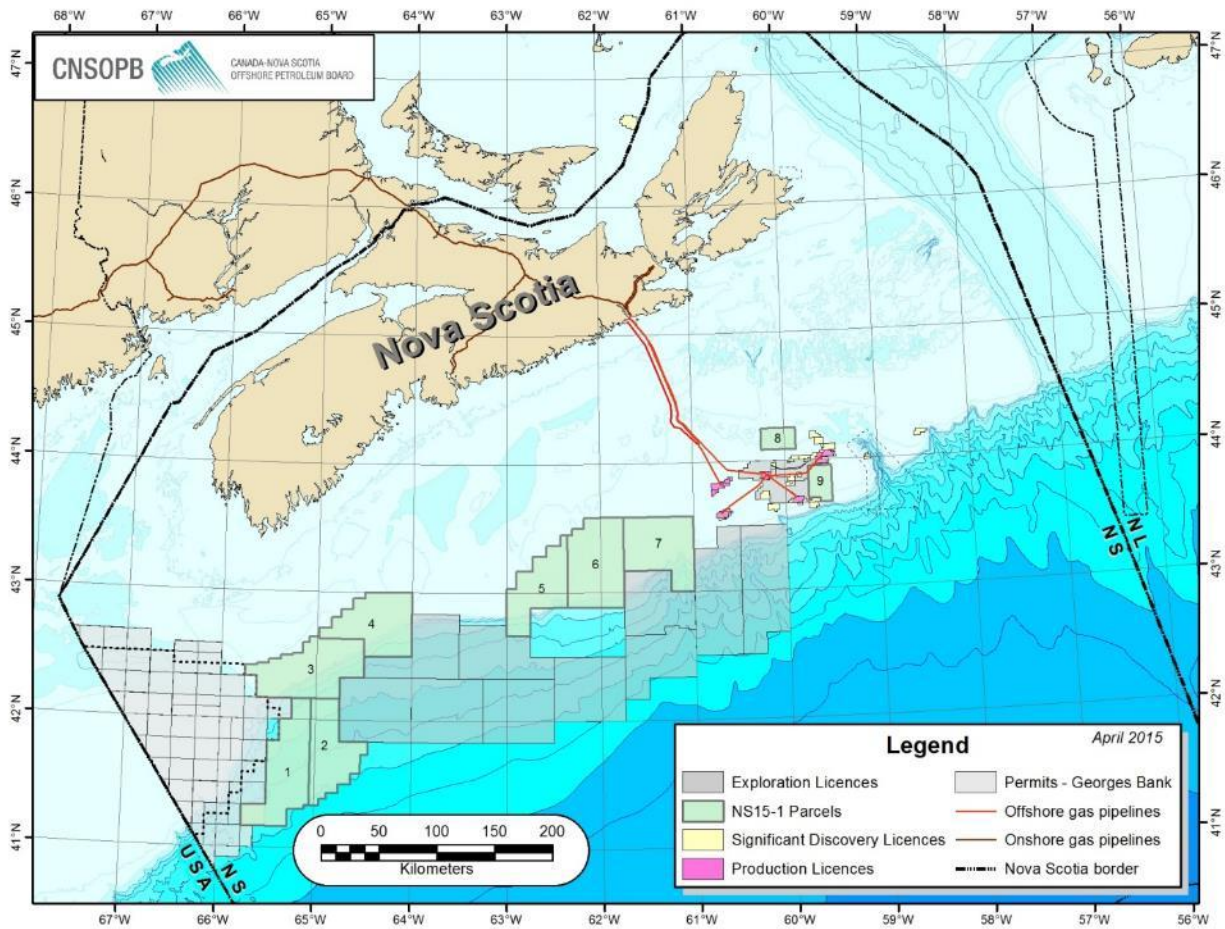


FIGURE 1: CNSOPB Lease Site Map, 2015

The charts, graphs and information which follow in this report are designed to clearly explain the exact reasons why oil and gas exploration and extraction cannot take place on CNSOPB lease sites 3 and 4.

Canadians must be able to trust that government will engage in appropriate regulatory oversight, including credible environmental assessments, and that it will respect the rights of those most affected, such as Indigenous communities. While governments grant permits for resource development, only communities can grant permission.”

-- Liberal Party of Canada, 2015

Section 2. Vulnerability of Fishery Habitat in Relation to Lease Sites 3 and 4

This section will demonstrate how oil and gas exploration and extraction on sites 3 and 4 would present an unacceptable risk to our fish stocks, spawning grounds, and nursery areas.

Lease Sites 3 and 4 encroach on Browns Bank, Baccaro Bank and La Have Bank. Site number 3 shares a border with the moratorium area on Georges Bank. Both sites are directly within the tidal flow of the Bay of Fundy. Each Bay of Fundy tide moves 160 billion tons of water.

Georges Bank is a moratorium site protected from oil and gas exploration because it is such an important spawning and nursery ground. LFA 40 on Browns Bank is permanently closed as a lobster spawning ground. LFA 40 also contains several industry-sponsored closed nursery areas for scallops. In addition, there are exceedingly important seasonal closures on Browns Bank that protect groundfish stocks during spawning.

2.1 Currents and Tidal Flow

The flow of water over Browns Bank is heavily influenced by the immense Bay of Fundy Tides. Twice a day, every day, 160 billion tons of water flows into the Bay and is forcefully discharged back into the Gulf of Maine. This is more than the outflow of all the rivers on the planet.

The tides on Browns Bank turn every 12 hours and average 3 knots to the northwest. Closer to German Bank the tides become even faster and stronger. A number 3, 30" large orange buoy with a three to one ratio on the line, depth to length, will be pulled completely under water and disappear in a flood tide.

Figures 2 and 3 show where CNSOPB lease sites 3 and 4 are positioned in this massive tidal flow. Using the nose of George's Bank as a reference, consider where spilled oil will travel from sites 3 and 4, and think about the speed and power of the Fundy tides. The following charts won't show these currents, but it is imperative to keep them in mind.

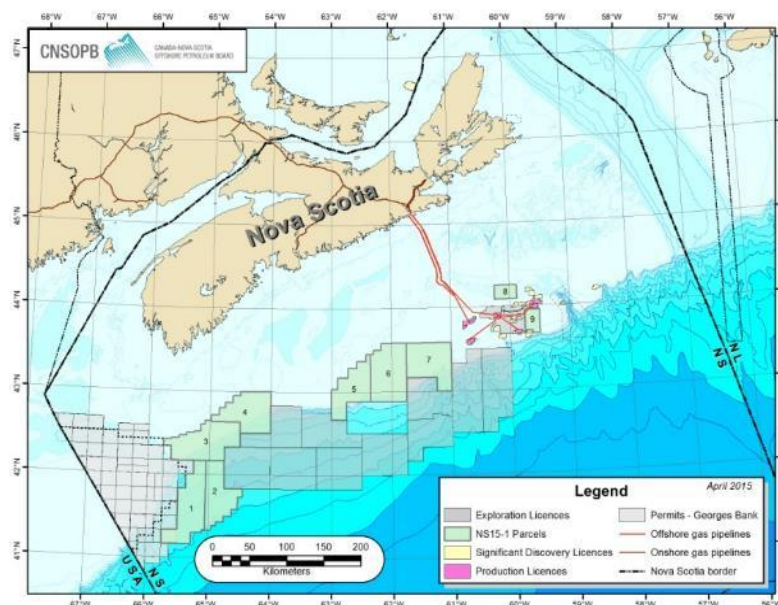


FIGURE 2: CNSOPB Lease Site Map, 2015



FIGURE 3: Tidal Flow, Gulf of Maine
Council on the Maine Environment

2.2 Fishing Banks

CNSOPB Lease Sites 3 and 4 cut across the Southern edge of Browns Bank, encroach on Baccaro Bank from the South West and then take in the Southern portion of La Have Bank, as evidenced by Figure 4.

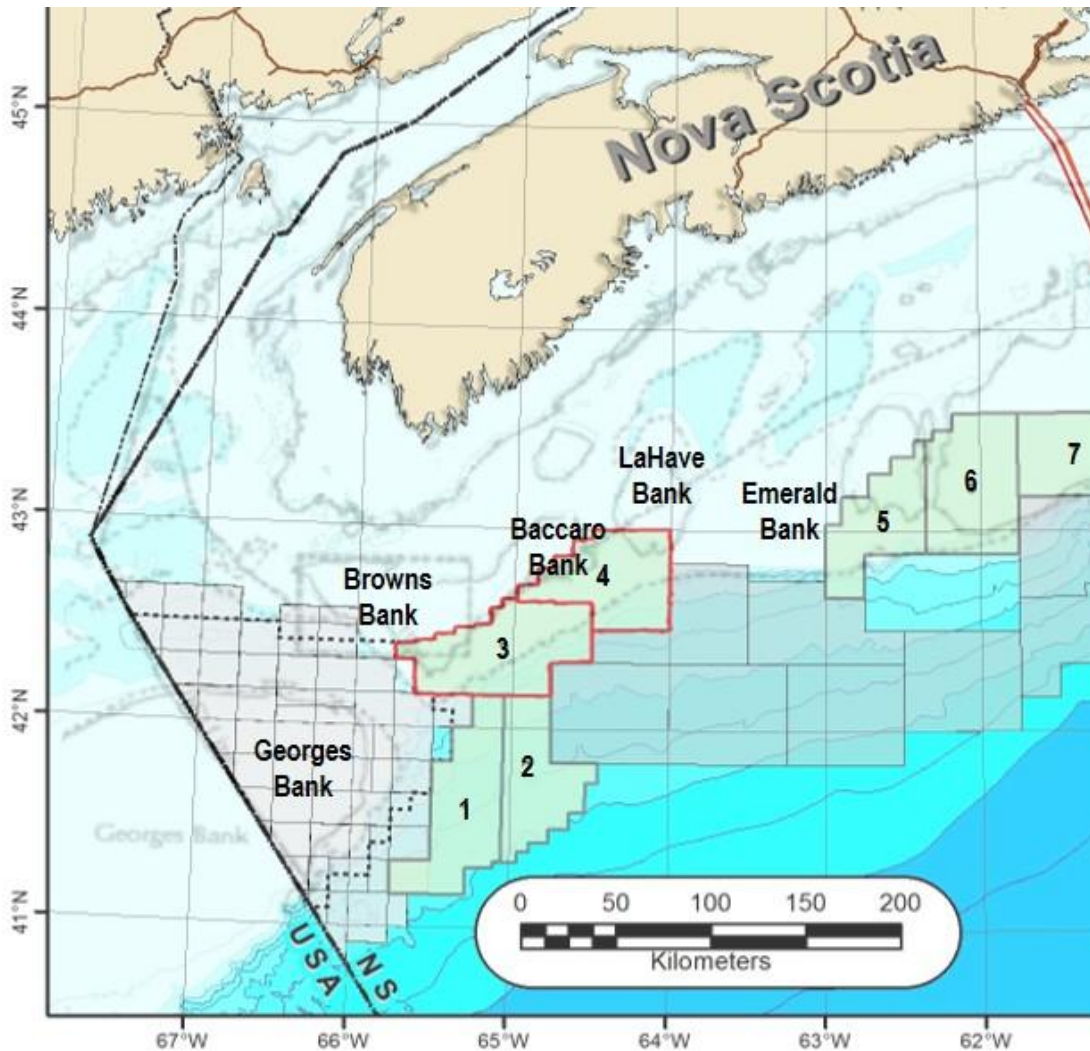


FIGURE 4. CNSOPB Lease Sites Overlaid on Chart of Key Fishing Grounds, DFO

These sites allow oil drilling to take place directly on three of our most important fishing banks and in the tidal currents of the Bay of Fundy.

The critical point here is that the sustainability of any fishery depends not just on fishing practices, but also on the protection of spawning grounds and the nurturing of spat and fry in designated nursery areas. This protection is carried out by seasonal closures during spawning times, and by permanent closures for areas that are deemed too sensitive and too important for stock sustainability to allow any fishing at all. The reason that the Scotian Shelf fishery is unsurpassed in productivity is adherence to sensible and functional regulation. No one on the Scotian Shelf fishes to capacity. Everyone limits their catch rates to sustainable levels. LFA 40 (discussed in the next section) is an excellent example of this reality.

2.3 Lobster

This section will show that CNSOPB Lease Sites 3 and 4 overlap with the only specifically identified lobster spawning ground on the Scotian Shelf, and overlaps with the areas of highest lobster density.

Lobster Fishing Area 40

LFA 40 is the only identified lobster spawning ground on the whole Scotian Shelf, in fact, on the whole Eastern Seaboard. For this reason, it remains permanently closed year round. There are 2,000 lobster licenses from Halifax to the Maine Border and not one fisherman drops a trap in LFA 40.

Larval Flow from LFA 40

The charts below show how LFA 40 populates the lobster fishery for LFA 33, 34, 35, 36 and LFA 38.

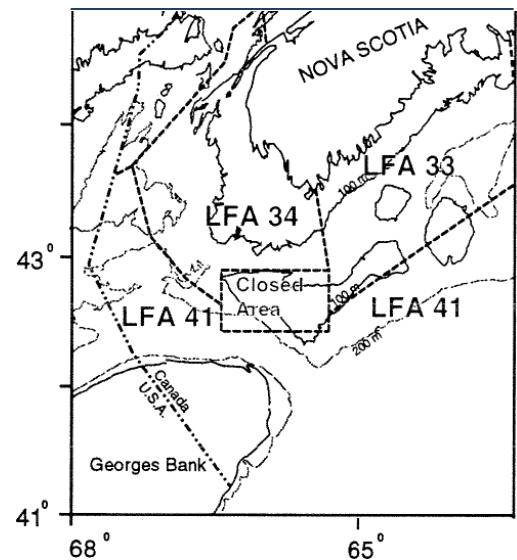


FIGURE 5: Closed Area LFA 40

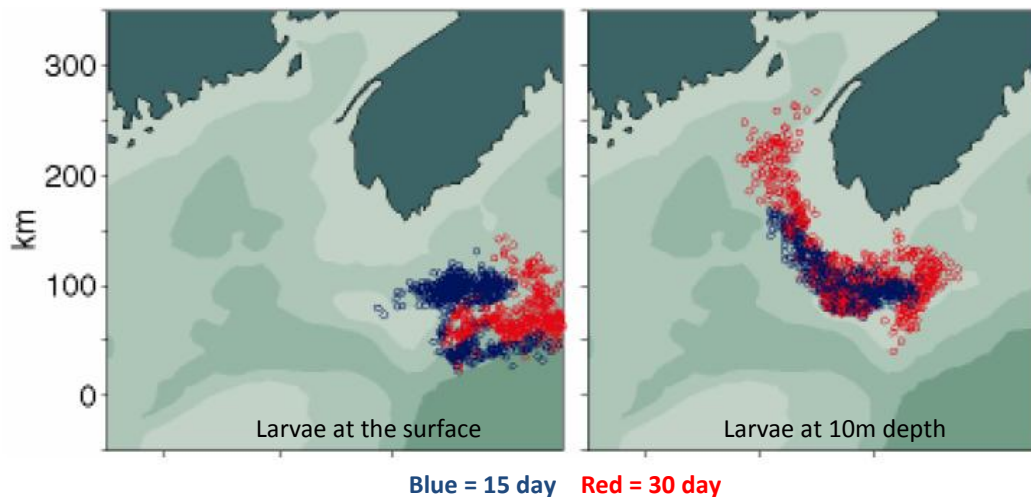


FIGURE 6: Drift of larval lobster.

DFO Image, from Drinkwater et al, 2001.

Figure 7 shows the LFAs marked out for view. Carved out of the Southern edge of LFA 34 you can see the Northern outline of closed LFA 40. Think about what even a small operational oil spill could destroy if allowed to flow over area 40 and then on to areas 33 and 34. Please note that the two charts represent larva at various depths. In a future section we will explore the toxic impact of oil laced with dispersant in the water column. The various depths at which the larva is distributed is of critical importance.

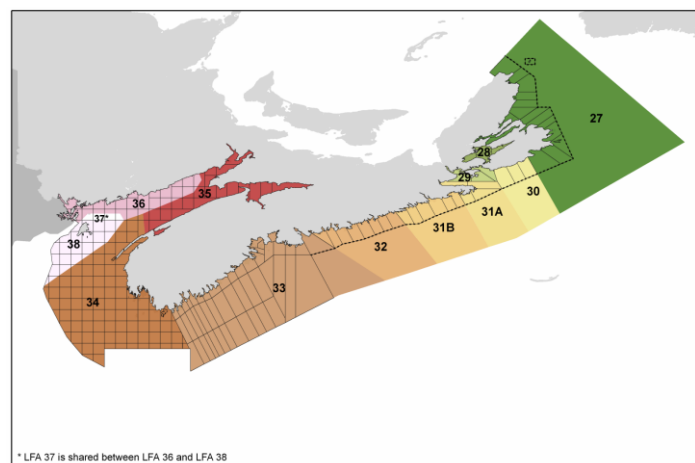


FIGURE 7: Lobster Fishing Areas, DFO

Lobster Density

Figure 8 shows the density of the lobster population on and near lease sites 3 and 4, based on a DFO survey of composite lobster catches in the summers from 1999–2012.

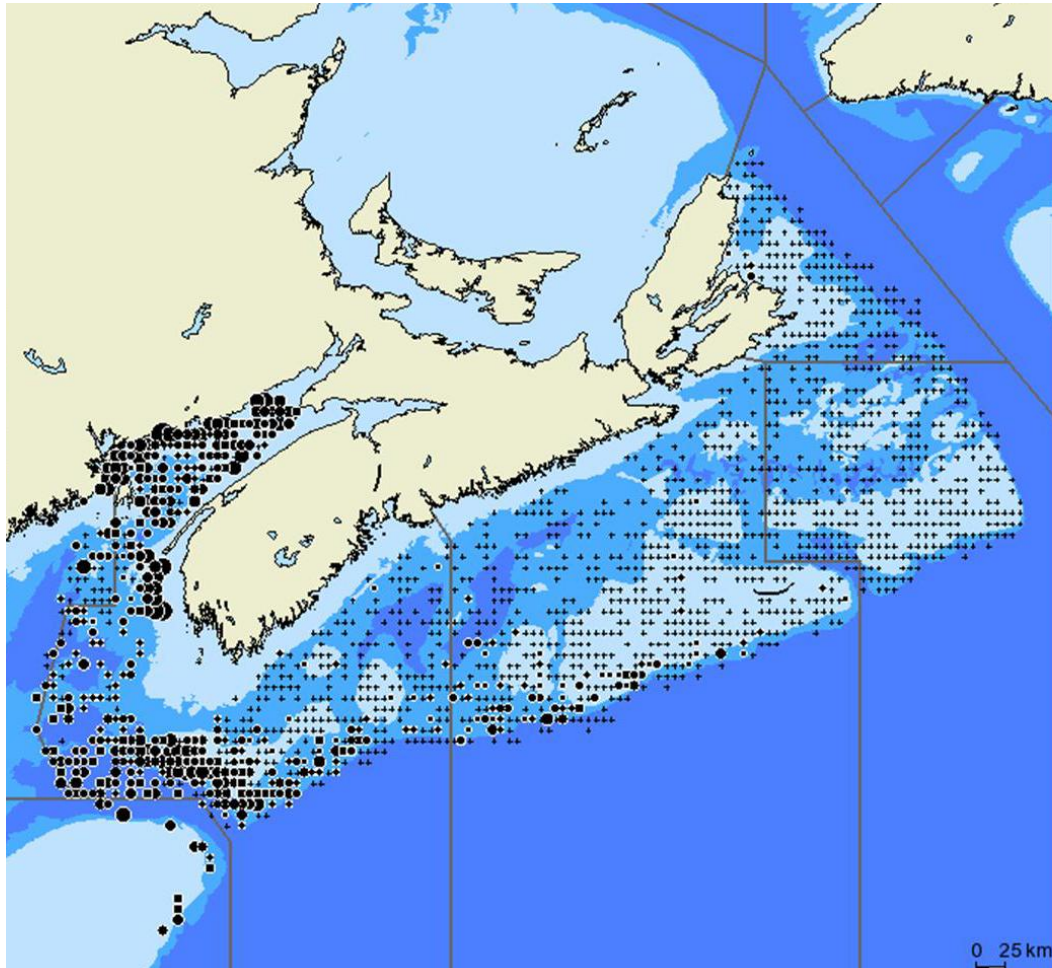


FIGURE 8: Lobster Density, DFO Virtual Data Centre

This was a stratified random survey with average adjusted total number. Data are aggregated by 5-minute squares. Crosses indicate zero catches.

This clearly identifies the high density of lobsters on and around closed area 40. All of these lobster sit just to the north of lease sites 3 and 4, and are directly in the North Westerly tidal flow generated by the Bay of Fundy tides.

2.4 Scallops

Browns Bank hosts a number of industry-managed nursery areas, or “seed boxes,” for juvenile scallops that are rotationally closed. They were established by the industry in 2005, and the industry has chosen to maintain the closure areas to protect juvenile scallops.

The following graph shows the industry-managed closure areas from 2012, along with landings by ton on Northern Browns Bank.

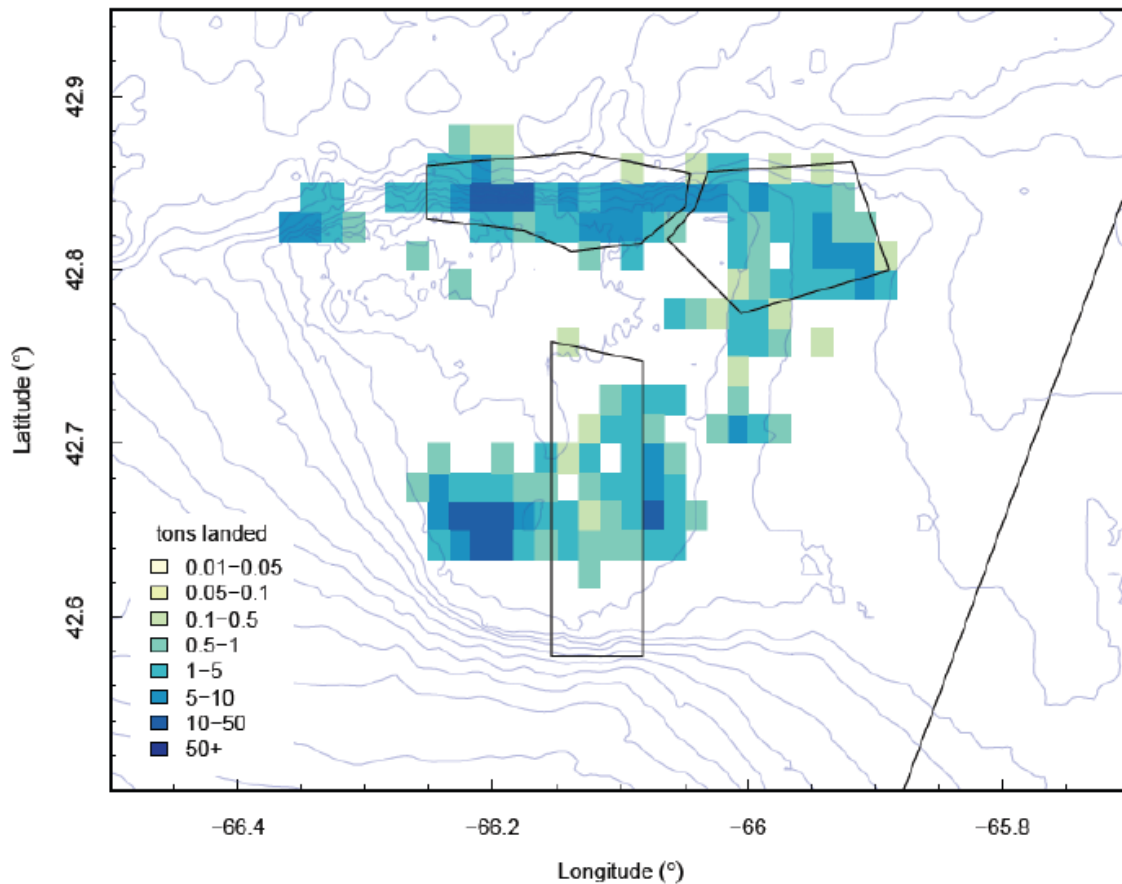


FIGURE 9: 2012 scallop tons landed and industry-managed closure areas, DFO

2.5 Groundfish

This section will show how CNSOPB Lease Sites 3 and 4 have the potential to impact the most sensitive areas of the groundfishery, including the location of longline stocks, bottom trawl stocks, and areas which are closed for spawning. Figure 10 is a reminder of the location of the main fishing banks.

Although this report concentrates on Browns Bank, Baccaro Bank and LaHave Bank are also critically important fishing grounds that are impacted by the tidal flow of the Bay of Fundy.

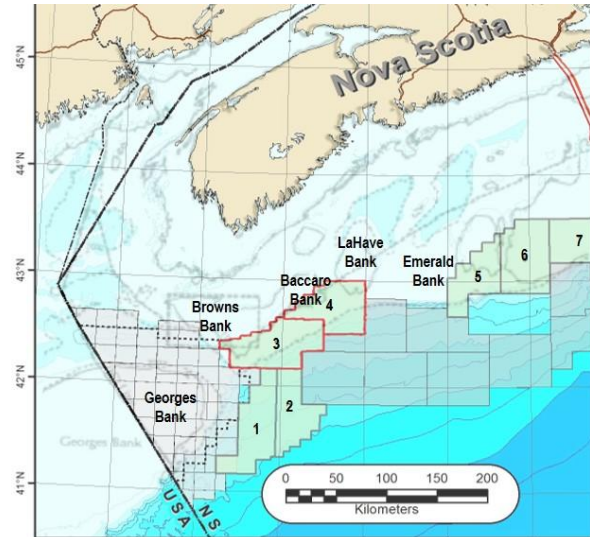


FIGURE 10. CNSOPB Lease Sites Overlaid on Chart of Key Fishing Grounds, DFO

Longline Groundfish Landings

The vast majority of our longline ground fish are caught either in or just to the northwest of the oil exploratory lease sites 3 and 4. Again, these sites are directly in the northwesterly path of any spilled oil.

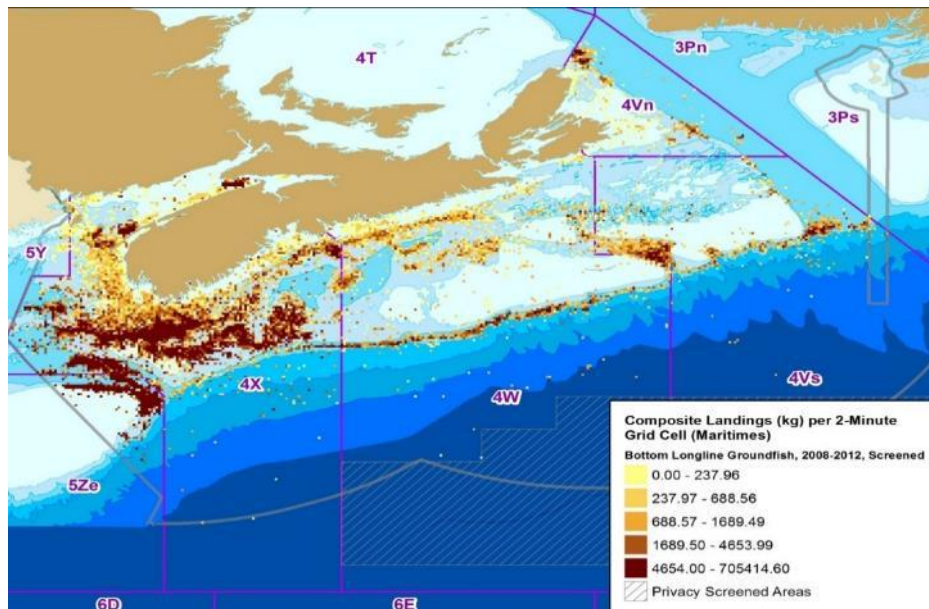


FIGURE 11. Longline Groundfish Landings, DFO

Bottom Trawl Groundfish Landings

Here again, the majority of groundfish stocks that are caught by bottom trawl are within or just to the northwest of lease sites 3 and 4. Figure 13 shows German Bank and the edges of Crowell

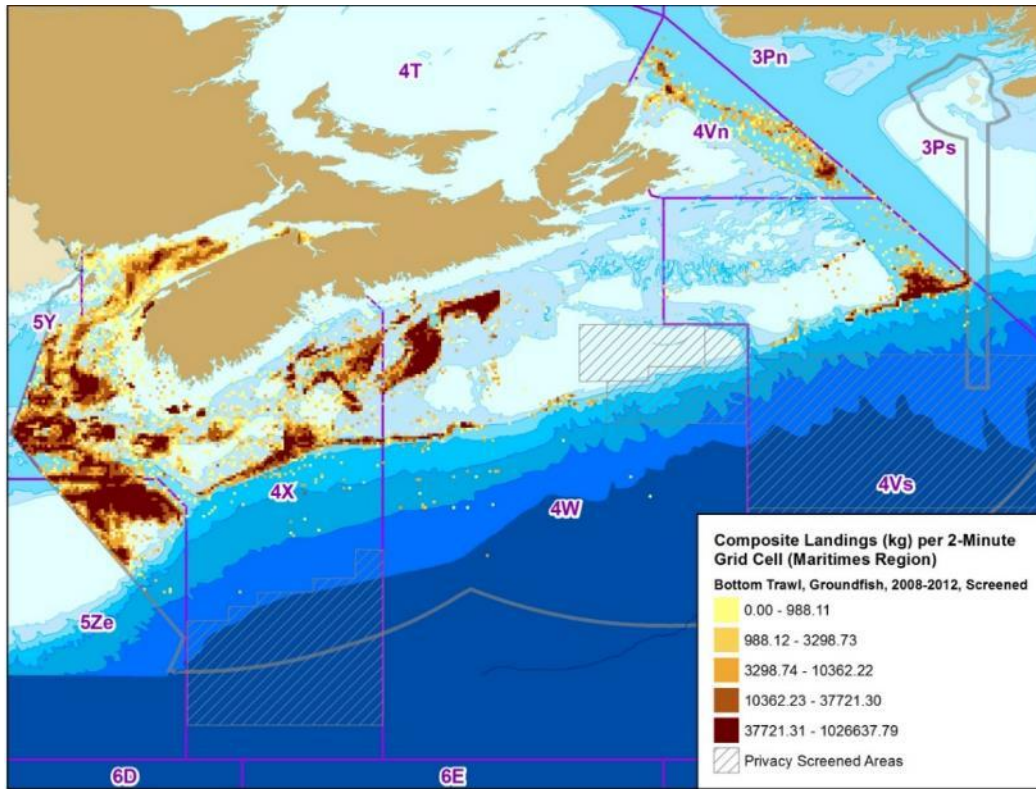


FIGURE 12. Bottom Trawl Groundfish Landings, DFO

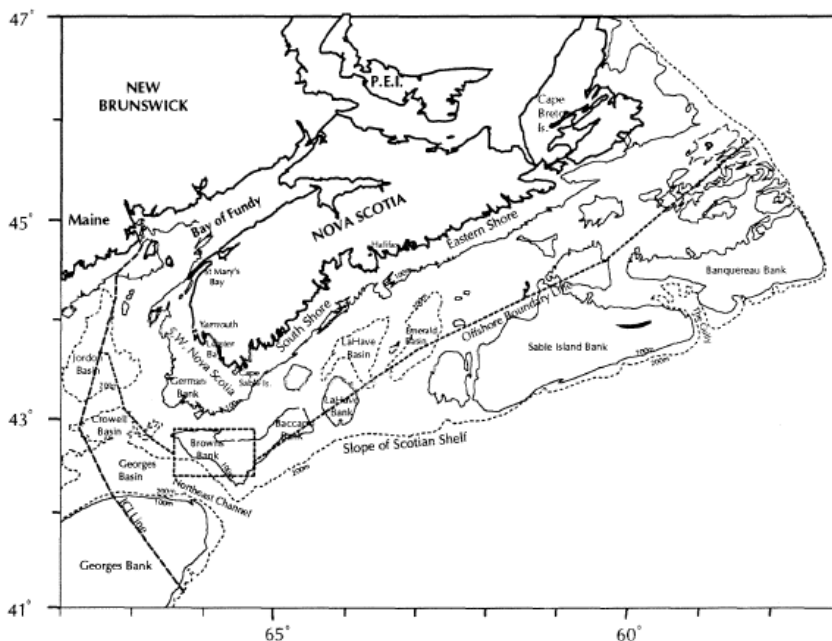


FIGURE 13: Groundfish, DFO

and Jordon Basins where the groundfish off southwest Nova Scotia congregate. It shows the area where the groundfish that support our many fish plants are harvested. The following section will show the location of the main Scotian Shelf spawning grounds.

Groundfish Spawning Areas

Browns Bank is also the site of seasonally important closures for haddock and redfish.

Haddock Spawning Closures. There are two closures on Browns Bank aimed at protecting spawning haddock:

Redfish: Closure to the use of small mesh gear (square mesh less than 130 millimetres) for redfish from January 1 to June 30 each year for the protection of spawning haddock.

Groundfish: Closed from February 1 to June 15 each year for all directed groundfish fisheries to protect spawning haddock.

Bowtie Redfish Closure: Closed to redfish gear with < 130 mm mesh year round (January 1 - December 31) to protect small redfish.

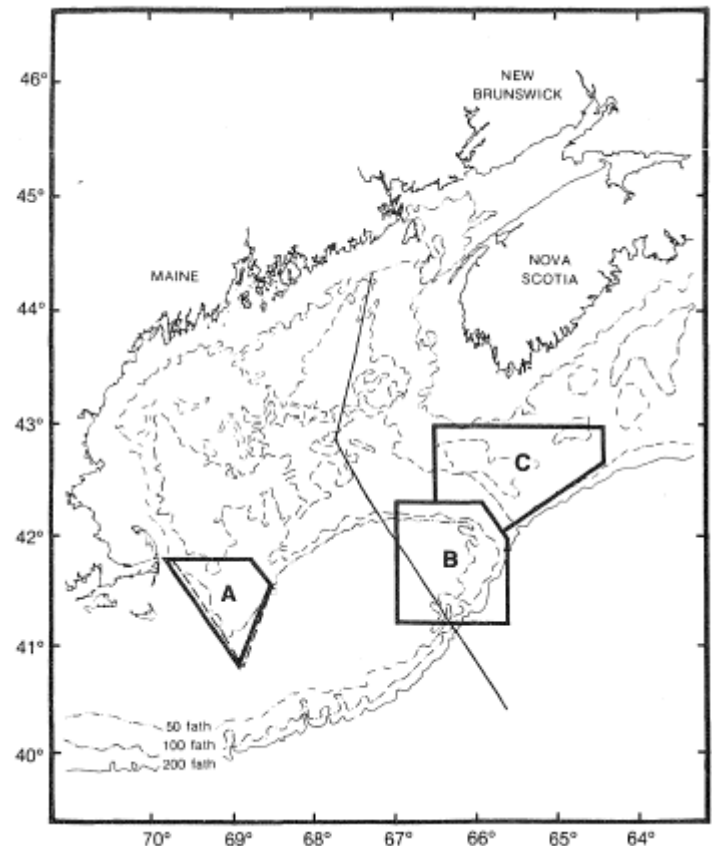


FIGURE 14: Groundfish Seasonal Closure Areas, DFO

The Haddock seasonal closure areas change slightly from year to year, but the boundaries will always include Browns Bank. Figure 14 is indicative of past seasonal closures. It shows that the areas that require protection are either in, or to the northwest of lease sites 3 and 4, and directly in the flow of the north westerly currents that would deliver any highly toxic spilled oil right into the heart of our Scotian Shelf Haddock fishery.

The majority of all of our most important commercial species, and critically the spawning and nursery grounds for these species, are concentrated either in, or directly to the north-northwest of, CNSOPB Lease Sites 3 and 4 and would be directly in the path of any, highly toxic, dispersant-laced spilled oil.

Section 3: Chemical Dispersants

The information below explains why it is COAC's position that there is no possible, "Net Environmental Benefit" that could justify the introduction of dispersant-laced oil into the water column in lease sites 3 and 4, or for that matter in any ecosystem that sustains a viable fishing industry such as ours. As demonstrated in Section 2, their close proximity to our most important fishing, spawning and nursery grounds, within the tidal flow of the Bay of Fundy, makes oil and exploration and extraction incompatible with our sustainable resource.

It is important to note that chemical dispersants, once mixed with oil, substantially increase the toxic impact of oil in an ocean environment. Those who seek to justify the use of dispersants often describe their characteristics in isolation, but this does not reflect the true impact that would be felt if dispersant-laced oil was introduced on the Scotian Shelf.

Dispersant-laced oil is known to have the following properties and impacts:

- a) The dispersed oil sinks into the water column immediately, giving the oil no chance to naturally weather on the surface and to evaporate off some of its most toxic polycyclic aromatic hydrocarbons (PAHs).
- b) The dispersed oil droplets exponentially increase the surface area of the oil, making it more available for negative interaction with all biological forms
- c) The dispersed oil, in micro-droplet form, sinks much more slowly in the water column making the toxins available for a much longer timeframe and over a much larger geographic area than oil alone. Points (b.) and (c.) are very important because the dispersed oil droplets inhabit all levels of the water column in the same fashion as larval lobster, scallop and groundfish spawn.
- d) The dispersant is an emulsifier which acts on lipids. This property allows it to act as a delivery system for the toxins in the oil by breaking down cell membranes and allowing the toxic PAHs direct access to internal organs.
- e) Gills are extremely susceptible to this process of lipid breakdown because of the very thin membrane required for oxygen exchange.
- f) Dispersed oil will deform embryonic herring at 1 part per million (PPM). Dispersed oil will kill embryonic herring at 10 PPM in exposure times of only one hour. There is little difference between embryonic herring and the embryonic forms of other commercial species.

It has long been known to the spill response community that dispersant-treated oil can increase the threat to fish ecosystems in the water column where dispersed oil is present. The recent report (2015) by the Royal Society of Canada, *Behaviour and Environmental Impacts of Crude Oil Released into Aqueous Environments*, puts things into perspective. It notes that "even brief exposures [of dispersed oil] can cause delayed effects that are evident in the weeks, months and years following a spill." (p. 127, <https://rsc-src.ca/en/expert-panels/rsc-reports/behaviour-and-environmental-impacts-crude-oil-released-into-aqueous>). What has been claimed by industry is that there is a trade-off between lethal effects on the ecosystems in the waters beneath a spill,

versus the threat of oil reaching beaches or affecting animals on the surface. However, hundreds of scientific papers and scores of independent scientists have carried out research on dispersants since the Deep Water Horizon disaster in the Gulf of Mexico in 2010, and these question fundamentally this notion of a tradeoff. The following section will highlight the work of three scientists who have intimate knowledge of the impacts of dispersant-laced oil in an ocean environment, and whose work seems to have been completely ignored by the regulators at the CNSOPB.

Dr. Terry Snell, Chair, School of Biology, Georgia Institute of Technology.

Dr. Snell's research found that mixing the dispersant with oil increased the toxicity up to 52-fold. In toxicity tests, the mixture's effects increased mortality of rotifers, a microscopic grazing animal at the base of the Gulf's food chain (*Environmental Pollution*, volume 173, February 2013).

Dr. Snell raises very important questions:

"What remains to be determined is whether the benefits of dispersing the oil by using Corexit are outweighed by the substantial increase in toxicity of the mixture"

"Perhaps we should allow the oil to naturally disperse. It might take longer, but it would have less toxic impact on marine ecosystems."

Dr. Snell agreed to discuss his research. In a phone conversation on February 20, 2015, he stated:

1. When commercial fisheries are at risk from hydrocarbon pollution the use of dispersants is not an advantage. Dispersant use would, in fact, be a disadvantage in trying to protect commercial fish or shellfish species from the toxic impacts of hydrocarbon pollution.
2. The massive use of dispersants in the Gulf of Mexico was rationalized by the perceived requirement to keep oil off the beaches in an effort to protect the critically important tourism industry in the Gulf. If it is commercial fisheries that are most at risk, then the use of dispersants is contraindicated.
3. Dr. Snell concluded that given the information he had available at the time he saw, "No Scientific Rationale" for the use of dispersants at a site with low potential for shoreline oiling, and a higher potential for negative impacts to important commercial species.

Dr. Samantha Joye, Department of Marine Sciences, The University of Georgia

Dr. Joye was one of the first scientists to get into a submersible vehicle and directly assess the sea floor in the Gulf of Mexico after the Deepwater Horizon spill. On her first series of dives in 2011, she identified over 1,300 sq. km of desolated and lifeless ocean floor, covered in about 10 cm of dispersant-laced oil. In 2014 she returned and identified over 3,000 sq km of desolate and lifeless ocean floor.

The fact that so much dispersant-laced oil remained on the ocean floor nearly 4 years after the disaster raised serious questions in Dr. Joye's mind about oil company claims that dispersants augmented the biodegradation of oil, by breaking it down into small droplets. She then began to study the impact of dispersants on carbon-based bacteria. Her recently published research found that dispersants do not work in the way our regulators or the oil industry would have us believe. In fact, they work in reverse by actually slowing down the biodegradation of oil (<http://www.pnas.org/content/112/48/14900.full.pdf>).

Following is one excerpt from that report:

“Oil spills are a significant source of hydrocarbon inputs into the ocean. In response to oil spills, chemical dispersants are applied to the oil-contaminated seawater to disperse surface slicks into smaller droplets that are presumed to be more bioavailable to microorganisms. We provide evidence that chemical dispersants applied to either deep water or surface water from the Gulf of Mexico did not stimulate oil biodegradation. Direct measurement of alkane and aromatic hydrocarbon oxidation rates revealed either suppression or no stimulation of oil biodegradation in the presence of dispersants. However, dispersants affected microbial community composition and enriched bacterial populations with the ability to use dispersant-derived compounds as growth substrates, while oil-alone amendments enriched for natural hydrocarbon degraders.”

In layman's terms, this final sentence states that a grouping of the available bacteria eat the dispersant and leave the hydrocarbons behind. This population of bacteria grows at the expense of the type of bacteria prone to consuming the oil thus slowing the desired process of hydrocarbon biodegradation. Oil without dispersant allowed the oil consuming bacteria to grow unhindered and act more quickly in the process of hydrocarbon biodegradation.

**Dr. Peter Hodson, Professor Emeritus, School of Environmental Studies,
Queens University, Ontario Canada**

Dr. Hodson is one of the leading Canadian authorities on the impacts of dispersants on commercial species. He has stated that, “Dispersed oil has a more toxic effect than non-dispersed oil since toxic components like polycyclic aromatic hydrocarbons (PAHs) are spread around more widely in the water column.”

Hodson's research suggests that fish embryos are extremely sensitive to dispersed oil. Exposures as limited as 1 PPM and as brief as an hour can have a negative effect on embryonic fish. Combined with the fact that large numbers of fish can spawn at about the same time of year, an entire hatch could be decimated by a single plume of contaminated water.

Most recently, Dr. Hodson was one of the authors of a 2015 Royal Society Expert Panel Report referred to above. This report states clearly that we do not yet have the information required to state that dispersants can be used safely in proximity of important commercial species.

The Royal Society Report states that research is still needed to:

“1) assess the toxicity of dispersed oil to deepwater corals, ground fish and invertebrate species that have high economic importance (e.g., lobster, crab, scallops); 2) model the distribution of deepwater plumes of dispersed oil in relation to areas of known fisheries productivity, such as the fishing banks of Canada’s east coast or unique habitats like the sponge reefs off Canada’s west coast; and 3) assess the potential for effects of chemically dispersed oil on marine bird and mammals.” (Royal Society of Canada, November 2015, p. 161; emphasis added)

This is a stunning admission from the highest levels of the Canadian scientific community that there has not been enough scientific data generated to state that dispersant use is safe. In light of these assertions, we felt compelled to contact Dr. Hodson directly to better understand what research must be undertaken to more fully describe the impacts of dispersed oil on our commercial species, including the relatively newly discovered phenomenon of, “Dispersed Oil Plumes.”

Dr. Hodson’s response reflected the comments in the Royal Society Report. Assurances of our regulators and of the oil and gas industry notwithstanding, the scientific community has not yet accumulated anywhere near enough data to make definitive statements about the impact of dispersant-laced oil on our most important commercial species. He emphasized that much more research needs to be accomplished.

These findings are 180-degrees out of phase with industry assertions that dispersants can be used safely in proximity to our most important commercial species. These are the assertions that our regulators appear to be accepting at face value. We respectfully submit that current evidence says otherwise.

Section 4. Regulatory Oversight

The Canada Nova Scotia Offshore Petroleum Board (CNSOPB) is tasked with local regulation of oil and gas exploration and extraction on the Scotian Shelf. Their mandate states that they are responsible for the, “protection of the environment during offshore petroleum activities.”

In 2015, CNSOPB approved Shell Canada’s, “Environmental Impact Statement” (EIS) for the Shelburne Basin. This EIS demonstrates substantial deficiencies in offshore oil spill cleanup regulation and functional capacity.

Shell’s EIS states that in the event of a major spill, oil spill cleanup crews have 72 hours to respond to the site. Once they arrive, there is currently no mechanical oil spill cleanup equipment available to the oil industry that is capable of working in seas greater than one meter or in tides or currents greater than one knot. Recall that the tides on Browns Bank turn every 12 hours and average 3 knots to the northwest.

The unfortunate fact is that the oil industry has not undertaken to develop better technologies to clean up spilled oil because regulators have made no demands that they do so. It is the communities that depend on sustainable fishery that are being asked to shoulder all of the risk. This is simply not acceptable.

It becomes absolutely clear that the Shell Oil Spill Response Plan (OSRP) for larger offshore spills is completely dependent on the large scale use of chemical dispersants. As the previous section has shown, chemical dispersants do not clean up anything. They simply put the oil into a more toxic state and drive it out of sight below the ocean’s surface so that it permeates the whole water column. On top of this, the recent research shows that dispersants do not increase the speed in which spilled oil biodegrades, but in fact slow this process down.

COAC has shared copies of the recent research on chemical dispersants with both Shell and CNSOPB. To date we have received no response to our request that, in light of this new information, they cease with plans to use chemical dispersants. Shell is now actively drilling exploratory wells on the Scotian Slope.

A large oil spill on lease sites 3 and 4, in the flow of the Bay of Fundy tides over Browns Bank and LFA 40 would be totally devastating. If that oil were laced with dispersant it could be catastrophic. If the spill took place during spawning season or while larval lobster were in the water column it would destroy our coastal economy and wipe out not just our stocks but years of careful regulatory process.

Existing regulations and industry capabilities are simply not compatible with oil and gas exploration or extraction from CNSOPB lease sites 3 and 4.

Section 5. Lessons from Norway

If you are an elected representative, you may find this section of special interest. In the Nova Scotian context, the position taken by the, “Clean Ocean Action Committee” has been deemed by our regulators as being radical and unreasonable. This is not the case. In other jurisdictions the regulating authorities would consider our position on lease sites 3 and 4 as both “Mainstream” and correct. Norway has both a thriving oil and gas industry and a thriving fishery. This is true because they have found a real and functional balance between the rights of the sustainable fishery resource and the needs of the oil and gas industry. Important fishing, spawning and nursery grounds are protected. We are simply asking for that same level of functional regulation.

Political Debate

In Norway, a debate related to oil exploration and extraction on and near important commercial spawning grounds recently took place. The oil industry has stated that there are immense oil and gas reserves below the, “Lofoten-Vesterålen” fishing and spawning grounds, which includes the subareas Nordland VI & VII and Tromsø II (shown in Figure 15).

This area includes spawning grounds for cod, herring, haddock, and saithe, vulnerable areas with fragile bottom fauna (deepwater coral reefs etc.), and also contained subareas for allocation of petroleum licenses.

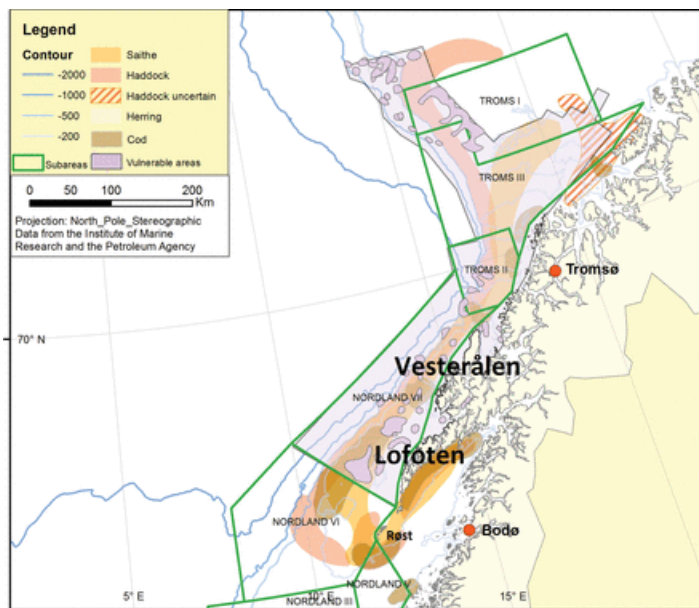


FIGURE 15: “Lofoten-Vesterålen” Areas

The management plan process was led by the Ministry of the Environment, with participation by the ministries of Fisheries, Trade, Justice, and Foreign Affairs. About 30 directorates, agencies, and research institutes were involved. The first Lofoten–Barents Sea management plan was presented as a white paper to the Norwegian Parliament and ratified in June 2006.

This process resulted in the Norwegian Government stating that Lofoten–Vesterålen would not be opened for offshore oil exploration in the coming term. Subsequent pressure from the oil and gas industry led to the revision of the Lofoten–Barents Sea management plan in 2011, when a new white paper was ratified by the Parliament. This revised plan confirmed that the vulnerable areas off Lofoten–Vesterålen should remain closed for offshore oil exploration for the next four years.

Even after this confirmation, ongoing pressure led government to continue further data collection on the impact of offshore oil exploration on fisheries, tourism, the marine environment, and coastal societies at local and regional scales.

A recent report from the Ministry of Petroleum and Energy concluded that the prospects for oil and gas in the Lofoten–Vesterålen areas are quite good (Ministry of Oil and Energy, 2012). Estimates based on geological models, with input from seismic surveys carried out in 2007–2009, indicate a 95% probability for 76 million Sm³ oil equivalents and a 5% probability for >370 million Sm³ oil. But despite such good prospects for value creation and new jobs, ongoing environmental and sustainability concerns have led the Minister of Petroleum and Energy to conclude that the areas would not be opened for offshore oil exploration.

The debate boils down to the question of whether some areas have such a high biological value—regardless of the economic value of associated fisheries—that even low risks of accidental spills are unacceptable—regardless of the monetary benefits of petroleum development. The possibility of opening the Lofoten–Vesterålen areas to petroleum activities has become the focus issue of a united environmental lobby in Norway. The oil industry argues that the risk is minute and that even a large spill only affects a fraction of the stocks and might be remedied within 1–3 years.

Government, however, recognized that the consequences of underestimating the environmental risk in a uniquely valuable and sensitive area such as Lofoten–Vesterålen would be much more serious than in any other part of the Norwegian marine environment. Faced with such uncertainty and dire potential consequences, they felt that the precautionary approach should come into play and the government should refrain from allowing potentially harmful petroleum activity until all problems are resolved.

Intrinsic values

So why is it so difficult for the offshore oil industry to gain access to the Lofoten–Vesterålen areas? The foremost reason put forward by Government is that the areas represent the main spawning grounds for several economically and ecologically important fish stocks. In addition, the areas harbour large seabird colonies, sensitive benthic habitats, and populations of marine mammals. The government position is that the protection of this bio-system and the fully sustainable fishery resource it contains requires that the area remain closed to the potential dangers of oil and gas exploration and extraction. The oil resource is finite and transitory. The Norwegian people will always require the valuable, high protein, fully sustainable fishery resource that the ocean provides.

The following references provide additional information:

1. Olsen E., Gjørseter H., Røttingen I., Dommasnes A., Fossum P., Sandberg P. The Norwegian ecosystem-based management plan for the Barents Sea. *ICES Journal of Marine Science* 2007;64:599-60.
2. Ottersen G., Olsen E., Meehren G. I., Dommasnes A., Loeng H. O. The Norwegian plan for integrated ecosystem-based management of the marine environment in the Norwegian Sea. *Marine Policy* 2011;25:389-398.
3. Winsnes I., Skjoldal H. R. Management plan for the Norwegian part of the Barents Sea Ecosystem. In: Bianchi G., Skjoldal H. R., editors. *In The Ecosystem Approach to Fisheries*. FAO: Rome; 2008. p. 228-249.

Section 6. Conclusion and Call for Action

Recently our new Federal Government announced in their Platform and Policy Statement on Environmental Assessments that;

“We will make environmental assessments credible again”

and they further declare;

“Canadians must be able to trust that government will engage in appropriate regulatory oversight, including credible environmental assessments, and that it will respect the rights of those most affected, such as Indigenous communities. While governments grant permits for resource development, only communities can grant permission.”

The statement calls for an immediate review of Canada’s environmental assessment processes and the introduction of new, fair processes that will:

- *“restore robust oversight and thorough environmental assessments of areas under federal jurisdiction, while also working with provinces and territories to avoid duplication;*
- *ensure that decisions are based on science, facts, and evidence, and serve the public’s interest;*
- *provide ways for Canadians to express their views and opportunities for experts to meaningfully participate; and*
- *require project advocates to choose the best technologies available to reduce environmental impacts.”*

The Clean Ocean Action Committee feels strongly that the CNSOPB has not done a, "thorough environmental assessment". The inadequate regulatory requirements that have put in place for Shell Canada and the fact they have offered lease sites 3 and 4 for auction are in direct conflict with any understanding of the unique features of our sustainable resources on the Scotian Shelf and specifically on Browns Bank and surrounding area. In addition, the CNSOPB regulatory process does not appear to take into consideration the significant and growing body of scientific evidence about the role of chemical dispersants, their lack of efficacy, or their negative impacts on the environment.

As members of the, “Impacted Coastal Communities” that bear 100% of the risk from oil and gas exploration on the Scotian Shelf, we have been given no assurance that our views have been heard and we have not been offered, "meaningful participation." For these reasons, the work of CNSOPB to date cannot be seen to serve the public's interest. We do not grant the permission, that our new federal government provides for “Impacted Communities” for CNSOPB sites 3 and 4 to be leased for oil and gas exploration or extraction.

This report is an urgent call to action to all municipal governments and to all concerned citizens. The health of the offshore environment, the economic base of our communities, the health of our fisheries and the rights of our fishing industry are all at risk. It is now time to have our voices heard.

Subject: article MODL offshore drilling presentation- Lighthouse Now

Municipality of Lunenburg (MODL) council has thrown its full support behind a fisheries group that wants its concerns addressed as the province and federal government regulate oil and gas drilling on the Scotian Shelf off southwest Nova Scotia.

Following a presentation at the March 23 council meeting by John Davis, director of the Clean Ocean Action Committee (COAC), council unanimously agreed to push for a number of measures to be taken in the oil and natural gas exploration and extraction regulatory process "for the protection of our renewable fisheries resources."

According to Davis, the COAC represents "basically everyone in the in-shore fishery," including the Cold Water Lobster Association, Maritime Fishermen's Union Locals 4,6 and 9, the Lobsterfishermen's Organization for Areas 33 and 34, the Shelburne County Quota Group, the Scotia Fundy Inshore Fisherman's Association, the Nova Scotia Fish Packers Association and Acadia Fish Processors Ltd.

"We feel that there are critical problems with the regulatory process as it exists right now, particularly as they relate to spawning and nursery grounds on the Scotian Shelf. And we feel it's imperative municipal councils have input," Davis said in his presentation.

COAC's director said he was particularly concerned about Lobster Fishery Area 40 (LFA 40), which is "closed all year, every year."

Noting that there are more than 2,000 lobster licences issued between Halifax and the coast of Maine, Davis said, "No one drops a trap in LFA 40. It is the only designated spawning ground for lobster, not just on the Scotian Shelf but on the Eastern Seaboard of North America."

Davis explained that last year, the Canada-Nova Scotia Offshore Petroleum Board (CNSOPB) offered nine exploratory oil and gas leases on the Scotian Shelf. "Seven of these were industry-nominated sites." CNSOPB is responsible for approving drilling licenses in the offshore.

His group is concerned about four of the sites, including Sites 1 and 3, which share a common border with the closed area on Georges Bank. "We felt that they were just too close," he said.

Sites 3 and 4 take in the southern edge of Browns Bank, which is the southern edge of LFA 40. "And the southeastern edge of Baccaro Bank, and a large area on the southern edge of LaHave Bank - all critically important fishing grounds."

Moreover, all of the sites, particularly 3 and 4, sit within the tidal waters of the Bay of Fundy, he noted, adding that 160 billion tons of water flow in and out of the Bay of Fundy twice a day.

"The potential for securing and mitigating an oil spill in this area is, really, almost impossible to

comprehend."

Davis said the oil and gas industry has no capability of cleaning up an offshore spill event "of any kind." He claimed the only process the industry touts in respect of this area is the spraying of chemical disbursements into the water column of the Scotian Shelf.

"This is not a good plan." Davis complained that the industry is using outdated material in arguing that such chemical disbursements are not harmful.

Last year, Sites 1 and 2 were leased to Statoil, the Norwegian national oil company.

"I can just about assure you if these sites had been looked at in Norway, they would never have been put up for lease. They're too close to important spawning areas. And the Norwegian government has a very, very specific plan for a balance between the demands of offshore oil and gas development and the existing sustainable resources for the fishery."

COAC is encouraging Canadian regulators to follow the Norwegian model of balancing interests of the different industries.

While Sites 3 and 4 did not receive bids last year, Davis notes that Shell's drilling activity offshore is looking promising, and there is the possibility that Sites 3 and 4 will have bidders next year.

"This is such a critically important area" to the lobster industry, he emphasized, noting that the 2014 landing values approached \$600 million.

"This is a major part of our local economy. It deserves substantial consideration," insisted Davis. "An oil spill on 3 and 4 would be a catastrophic event."

Pointing out the areas of ground fishing that would be impacted, he reminded the councillors, "This is where our exports come from. Landed values, not our export values, but our landed values went up 30 per cent from 2014 to 2015. Our export value of our fishery is approaching \$1.7 billion a year. It is an industry that deserves some defence in these processes."

He also noted that scallop landings are the highest they've been in years, while the last three years have been the best out of the past 50 years for haddock fishing.

Davis warned that areas set aside by the fishing industry for seasonal spawning ground for haddock are directly in Sites 3 and 4, which the CNSOPB is planning to lease for oil and gas exploration.

"It doesn't make sense to the fishing industry that these sites would be not only contingent but literally right on top of one another."

"These issues are known to CNSOPB and they've not taken any appropriate action, as far as we're

concerned. This is extremely distressing to the fishing industry right now," said Davis.

The director further noted that CNSOPB has indicated it could get a capping stack to a blowout spot "'on average'" in 10-12 days.

"This is not some black hole in the ocean off the coast of Malaysia. This is the richest fishing ground in North America. This is the economic backbone of all of the communities on the Southwest and South Shore of Nova Scotia. We don't care about 'on average.' We want protection that relates to the relevance of the resource base that exists out here. And we're not getting it."

Pointing to the economic multiplier effect of the fisheries industry on South Shore communities, he added, "We're talking about \$2.5 billion in potential damage. There aren't enough royalty payments anywhere to make up that kind of a loss, if in fact a spill occurred."

As an "insurance policy" against this, COAC is requesting that Sites 3 and 4 be left alone as a "buffer zone" between oil and gas activity, the major spawning grounds and major fishing grounds for lobster, ground fish and scallops.

MODL's deputy mayor, Claudette Garland, told Davis he had her full support.

"I have personal involvement. My husband is a scallop captain. Thirty-seven years fishing on Georges and Browns. I myself have fished on Georges Bank on a scallop vessel. 27 years ago. I know how lucrative and how popular this area is. I know what the devastation would be," she said after the presentation. "You're singing to the choir."

Meanwhile, the South Shore Chapter of the Council of Canadians held a public forum on the implications of offshore oil drilling for the communities and economy of southwestern Nova Scotia on March 23 at the Lunenburg Fire Hall.

A press release listed Davis as one of the panelists, along with Nathan Blades of the Nova Scotia Fish Packers Association and Mark Butler, policy director for the Ecology Action Centre in Halifax.

The statement noted forum organizers invited the CNSOPB to take part in the panel, but the board declined.

"We are disappointed they chose not to participate," Marilyn Keddy, a Council of Canadians spokesperson, was quoted saying. "A recent CNSOPB 'open house' left too many questions unanswered. We felt they should return to respond to legitimate public concerns about the risks of drilling for oil in our offshore."



March 8, 2016

Dear Colleagues,

We are writing to you to seek your participation and collaboration on the Area Response Planning Initiative, a pilot project that aims to further enhance Canada's already robust Marine Safety System.

As a trading nation, Canada depends on ships for many of its imports and exports. Canada's marine safety system protects Canadians, communities and the environment while fostering an efficient and sustainable transportation system worthy of public confidence. While we have one of the safest marine safety systems in the world, we believe that, with your involvement, we can do more.

The Area Response Planning Initiative will pilot a regional, risk-based planning approach to preparing and responding to ship-source oil spills. This approach will take into consideration the particular conditions and marine activities in a given area to tailor preparedness and response measures.

The participation and collaboration of Indigenous groups and stakeholders including local communities and industry are essential to the success of this pilot project.

It is with this in mind that we would like to invite you to participate in upcoming engagement sessions that will provide you with opportunities to learn more about the Initiative and how to get involved.

Your knowledge and input matter. We look forward to working with you as the Area Response Planning Initiative moves forward.

Scott Kennedy
Regional Director
Marine Safety and Security
Transport Canada

Anne Miller
Regional Director
Coast Guard Programs, Atlantic Region
Canadian Coast Guard



Le 8 mars 2016

Chers collègues,

Par la présente, nous sollicitons votre participation et votre collaboration à l'Initiative de planification d'intervention localisée, projet pilote qui vise à renforcer le système de sécurité maritime du Canada, déjà très rigoureux.

En tant que nation commerçante, le Canada dépend des navires pour une grande partie de ses importations et de ses exportations. Le système de sécurité maritime du Canada vise à protéger les Canadiens et les Canadiennes, les collectivités et l'environnement tout en favorisant un réseau de transport efficace et durable digne de la confiance du public. Bien que nous possédions l'un des systèmes de sûreté maritime les plus sécuritaires au monde, nous croyons que le Canada peut faire encore mieux.

L'Initiative de planification d'intervention localisée mettra à l'essai une approche de planification régionale axée sur les risques pour la préparation et l'intervention en cas de déversements d'hydrocarbures par des navires. Cette approche tiendra compte des conditions et des activités maritimes propres à un secteur donné pour créer des mesures de préparation et d'intervention adaptées.

Le succès de ce projet pilote découle de la participation et de la collaboration des groupes autochtones et d'intervenants divers, notamment les collectivités locales et l'industrie.

C'est pourquoi nous vous invitons à assister aux séances d'engagement à venir, où vous pourrez en apprendre davantage sur l'Initiative et la façon d'y participer.

Vos connaissances et vos commentaires sont importants pour nous. Nous nous réjouissons à la perspective de collaborer avec vous au cours de l'Initiative de planification d'intervention localisée.

Scott Kennedy
Directeur régional
Sûreté et sécurité maritime
Transports Canada

Anne Miller
Directrice régionale
Programmes de la Garde côtière,
Région de l'Atlantique
Garde côtière canadienne



Area Response Planning Initiative

Background

This initiative aims to identify opportunities to enhance Canada's already robust Marine Safety System by further protecting Canada's marine environment and communities from the harmful effects of ship-source oil pollution spills.

What is the Area Response Planning Initiative?

The Area Response Planning Initiative is a pilot project which seeks to identify where improvements can be made to further strengthen the current preparedness and response regime for ship-source oil spills and ensure that it remains responsive to changing demands and practices. Using a risk management framework, Area Response Plans will be developed that allow flexibility for regional differences and levels of risks.

Specifically, the risk management framework will identify the critical elements of ship-source oil spill prevention, preparedness and response. Transport Canada is already developing an Area Risk Assessment Methodology to perform a quantitative analysis of these elements to determine the levels of risks and, ultimately, to inform tailored Area Response Plans.

Four pilot areas have been selected for the Initiative based on levels of vessel traffic and areas of response for Canada's four certified Response Organizations.

The pilot areas are:

- The Southern portion of British Columbia (BC);
- The St. Lawrence (Montréal to Anticosti Island) (QC);
- Port Hawkesbury and the Strait of Canso (NS); and
- Saint John and the Bay of Fundy (NB).



Area Response Planning Initiative Pilot Areas



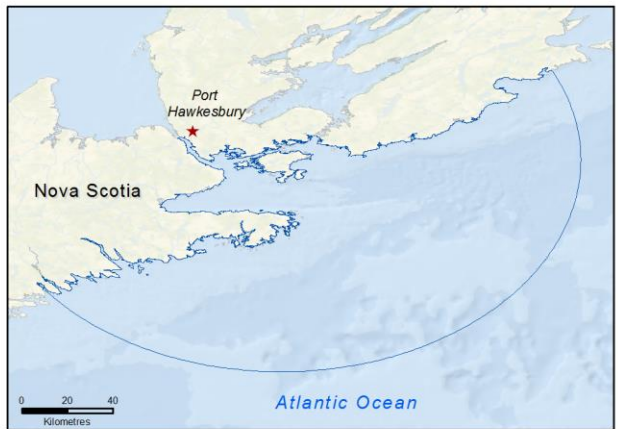
The Southern portion of British Columbia



The St. Lawrence (Montréal to Anticosti Island)



Saint John and the Bay of Fundy



Port Hawkesbury and the Strait of Canso

What is the objective of the Initiative?

The Area Response Planning Initiative aims to pilot a collaborative risk-based planning approach to ship-source oil spill preparedness and response. Once completed, the results of the pilot project will be assessed to identify lessons learned and best practices in order to develop options for a nationally consistent process. This project will seek to develop two critical elements: an Area Risk Assessment Methodology to help identify levels of risks, and Area Response Plans tailored to each pilot area. The objective of this pilot project is to provide stakeholders various opportunities to contribute to the development of the project elements.



How to Get Involved

In order to promote participation and collaboration of stakeholders, including local communities, Indigenous groups, not-for-profit organizations, industry, and representatives from all levels of government, the Area Response Planning Initiative will be conducting engagement sessions in each pilot area.

City	Dates
Port Hawkesbury, NS	June 1, 2016 (AM)
Port Hawkesbury, NS	June 1, 2016 (PM)
Saint John, NB	June 28, 2016 (AM)
Saint John, NB	June 28, 2016 (PM)
Digby, NS	July 5, 2016 (AM)
Digby, NS	July 5, 2016 (PM)

These engagement sessions will seek to:

- share information and collaborate with other stakeholders, Indigenous groups and representatives from other levels of government;
- foster important regional and local relationships and partnerships; and
- inform local communities about the roles and responsibilities of public and private sector partners in preparedness and response in the context of ship-source oil spills.

In order to prepare for these engagement sessions, participants are encouraged to become familiar with the *Area Risk Assessment Methodology Development for Ship-Source Oil Spills in Canadian Waters* (available upon demand to Transport Canada). This methodology is a risk assessment model that factors geography, environmental sensitivities, and traffic volumes, into its efforts to determine region-specific risks and sensitivities. Planners will then incorporate localized risks into region-specific Area Response Plans (ARP).

If you are interested in receiving the Area Risk Assessment Methodology or attending one of the engagement sessions, please contact your regional representatives identified below, or respond by email to: TC.ARPI-IPIL.TC@tc.gc.ca.



In addition, the Community Participation Funding Program (CPFP) has been put in place to help eligible Indigenous groups and local communities participate in the Area Response Planning Initiative pilot project.

More information about this program is available on the CPFP website: www.tc.gc.ca/cpfp

Learn More

The Area Response Planning Initiative is following a recommendation made by an independent [Tanker Safety Expert Panel](#) appointed by the Government in 2013. Its first report entitled: “[A Review of Canada’s Ship-Source Oil-Spill Preparedness and Response Regime – Setting the Course for the Future](#)”, was released later that year.

More information on our pilot project is available at: canada.ca/area-response-planning.

If you have questions, please contact:

Kazi Shah Jalal
Transport Canada Marine Safety and Security –
Atlantic Region
Area Response Planning (ARP) - Transport
Canada Task Force Lead
kazi.shahjalal@tc.gc.ca
Tel: 902-237-0666

John Doucet
Canadian Coast Guard Environmental
Response –Atlantic Region
Area Response Planning (ARP) – Canadian
Coast Guard Task Force Lead
john.doucet@dfo-mpo.gc.ca
Tel: 902-426-7720

For emails, please specify Area Response Planning (ARP) in the subject line.



Community Participation Funding Program (CPFP)

The Community Participation Funding Program (CPFP) can help eligible Indigenous groups and local communities participate in the in the development and improvement of Canada's marine transportation system in Canada.

CPFC Program Overview

The CPFP provides recipients with an opportunity to contribute knowledge for the development and improvement of Canada's marine transportation system including Area Response Planning (ARP) to ensure that these plans will be tailored to local conditions and environmental sensitivities.

We fund eligible activities that support the development of Area Response Plans for the following four pilot areas:

- Southern portion of British Columbia (BC);
- St. Lawrence (Montréal to Anticosti Island) (QC);
- Port Hawkesbury and the Strait of Canso (NS); and
- Saint John and the Bay of Fundy (NB).

Eligible Recipients

- Indigenous groups;
- Local groups and local organizations;
- Municipalities with a population of less than 10,000; and
- Not-for-profit organizations.

Applicants must meet the following criterion to be eligible:

- Depend on the local marine environment in at least one of the four areas indicated above for social and/or economic/commercial activities.

Applicants will be asked to provide a brief description of how they meet this criterion.



Financial Information

Eligible applicants may receive:

- Funding to **reimburse** the costs to prepare for and attend meetings related to the development and improvement of Canada's marine transportation system (e.g. travel, salaries, and administrative costs) – For more information on eligible activities and expenditures refer to the Applicant's Guide.
- Additional funding may be provided to **reimburse** the costs for consultant services, if needed to prepare for meetings.

The following financial conditions apply:

- The CPFP will provide funding up to 100 per cent of eligible expenditures;
- Applicants should have enough *up-front funding* to incur the costs associated with eligible activities. **The CPFP does not provide advance funding**; and
- Funding is conditional on the availability of funding under the Program.

Eligible Expenditures

- Travel costs;
- Honoraria and ceremonial costs for Indigenous recipients;
- Staff salaries and benefits;
- Administrative costs; and
- Professional fees for contracted services to assist in the preparation for meetings (e.g. environmental expertise, etc.).

Submitting an Application and Deadlines

Applicants must submit their Application Package at least 15 business days prior to the date(s) of the meeting(s) they plan to attend. The *Applicant's Guide* will help you prepare your Application Package for funding under the Community Participation Funding Program.

The Application Package and Applicant's Guide is available on the CPFC website:

www.tc.gc.ca/cfp



Gouvernement du Canada Government of Canada

Contact Us

Community Participation Funding Program
Transport Canada
330 Sparks Street, Place de Ville – Tower C (AHEC)
Ottawa, ON
K1A 0N5
Email: TC.CPFP-PFPC.TC@tc.gc.ca

Good day,

On behalf of the Government of Canada, I would like to take this opportunity to thank you for your consideration and initial recommendations reference the Area Response Planning Initiative. Based upon feedback from you, we have re-scheduled the Town Hall sessions in the Saint John and Digby areas to ensure maximum participation in the communities. Additionally, the venues for each of the sessions will be provided to you for your planning purposes as soon as they are confirmed.

Attached for your convenience is the original invitation which includes an overview of the initiative as well as information on the Transport Canada Community Participation Funding Program (CPFP). Please note that the attachments do not reflect the change for the town hall sessions; the most up to date schedule is as follows:

Area of Consideration: Port Hawkesbury and the Strait of Canso

Date	Time	Location	CPFP Application deadline	CPFP Reimbursement deadline
June 1, 2016	1:30-4:30pm	Port Hawkesbury, NS	May 11, 2016	June 29, 2016
June 1, 2016	7:00-9:30pm	Port Hawkesbury, NS	May 11, 2016	June 29, 2016

Area of Consideration: Bay of Fundy

Date	Time	Location	CPFP Application deadline	CPFP Reimbursement deadline
June 28, 2016	1:30-4:30pm	Digby, NS	June 7, 2016	July 27, 2016
June 28, 2016	7:00-9:30pm	Digby, NS	June 7, 2016	July 27, 2016
July 5, 2016	1:30-4:30pm	Saint John, NB	June 14, 2016	August 3, 2016
July 5, 2016	7:00-9:30pm	Saint John, NB	June 14, 2016	August 3, 2016

For those of you who had confirmed your interest for the original Saint John and Digby sessions, we kindly ask if you could re-confirm your availability to participate.

As noted in the invitation letter, your participation and collaboration are essential to the success of this pilot project. If you are interested in participating at any the sessions in your area or would like to send a representative, please contact the undersigned with the specified session so we can ensure that the appropriate amenities are available. We encourage you to forward on this invitation to others in your community whom you feel may be interested in attending these sessions.

We look forward to hearing from you.

Dora Marrão
Dora.marrao@dfo-mpo.gc.ca

(on behalf of)

John Doucet
Regional Project Manager - Area Response Planning
Canadian Coast Guard
Atlantic Region
john.doucet@dfo-mpo.gc.ca
Government of Canada

Chief Administrative Officer Report

Meeting Date	<i>May 9, 2016</i>
Submitted To	<i>Committee of the Whole</i>
Submitted By	<i>Linda Fraser, Chief Administrative Officer</i>
Carbon Copies	<i>Jeff Sunderland, Deputy CAO CoraLee Bremner, Manager Corporate Services Pat Stevens, Executive Secretary</i>

Meeting Dates/Reminders (As of May 4, 2016)

Date & Time	Meeting/ Event	Who Attends	Location
May 16 th @ 4:30 pm	TIR	All Council	Municipal Board Room
May 16 th @ 5:30 pm	By-law & Policy (Budget)	All Council	Municipal Board Room
May 23 rd	No Meeting		
May 24 th Tuesday	Council	All Council	Council Chambers
May 30 th @ 4:30	No Meeting		
June 6 th	No Meeting		
June 13 th @ 4:30	COTW	All Council	Council Chambers
June 14 th @ 4:00	DDA	Gregory, MacAlpine	Town Hall
June 20 th @ 4:30	By-law & Policy	All Council	Municipal Board Room
June 27 th @ 6:00	Council	All Council	Council Chambers

Request for Decision or Direction

#1	
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CAO UPDATE

Activities

- ✓ Auditors are expected to be in the office the week of June 20th. Grant Thornton has promised that the statements will be ready for our July Council meeting;
- ✓ Finalizing the 2016-17 Operating Budget. I am hoping that it will be ready for approval at the June Council meeting;
- ✓ On-discussions with doctor recruiting firm and Gordon Wilson, MLA regarding the vacant position in Weymouth
- ✓ Documents approved for loan from Municipal Finance Corp for the purchase of the RESL Turbine
- ✓ Waiting for Minister approval for the loan guarantee for Brighton Barton Fire Dept
- ✓ Working with Design Point and DDA on final report for the Industrial Park
- ✓ Attended the CAO/CEO Forum and the workshop on Municipal Structure in Truro
- ✓ The Management Team continuing to meet bi-monthly to discuss projects, activities, and HR issues;
- ✓ Participated in conference calls regarding the Legacy 150 application
- ✓ The Department Heads are meeting quarterly with management team to update each department of activities of other departments;
- ✓ Ongoing updates with Terry Thibodeau regarding renewable energy activities;
- ✓ Ongoing updates with Rob Hersey on his many activities and projects;
- ✓ Ongoing updates with Dan Harvey on Economic Development activities;
- ✓ Prepared meeting packages for Council, COTW, By-law & Policy, Council & TIR, DDA and followed up on all action items.

Other meetings:

- ✓ DDA
- ✓ Digby Annapolis Development Corporation
- ✓ Western Regional Enterprise Network L&O meeting
- ✓ Nova Scotia Business Inc presentation of their new Strategy to the WREN board, staff and L&O Committee

DEPARTMENT REPORTS	
Deputy CAO Report	Monthly Report
Corporate Services Report	Monthly Report
Building Department Reports	Building Permits Report Fire Inspector Report
Airport/Dispatch	Airport Report Dispatch Call Report
Dog Control	Dog Control Activity Report /Dog Financial Report
Coordinator Program Development	Monthly Report
Renewable Energy & Climate Change Coordinator	Monthly Report

UPDATES FROM PREVIOUS MEETINGS ACTION ITEMS
COUNCIL ACTION ITEM – JANUARY 2015
Letter to Minister of Justice request a review of the RCMP complement.
<p>Feb 2016 – RCMP staff from Strategic Planning and Client Services, Senior RCMP from H Division, staff from Dept of Justice met with members of Council and staff from the Municipality of Clare, the Town of Digby, and Municipality of Digby to present the results of the Policing Resource Model PRM looking at Digby Detachment, Meteghan Detachment, and a hypothetical District Policing Model with Digby and Meteghan combined. A recommendation from the report is that the current level of front line personnel, 10 in Digby and 5 in Clare remain. The report, along with the speaking notes will be distributed to Council. There was a discussion about the pros and cons of merging the two detachments. Further studies are needed to look at social/economic factors. The issue of needing French speaking members in Clare was discussed. Next step is to do further studies looking at Clare merging with either Digby or Yarmouth; This will take from 4 to 6 months to complete.</p> <p>Apr 2016 - Copy of presentation with comments circulated to Council and RCMP Joint Advisory Committee</p> <p>May 2016 - No update from last report</p>

COUNCIL ACTION ITEM – JUNE 2015

Regional Tourism VIC Kiosk – Halifax Waterfront

June/July 2015 – Letters to the following municipal units were sent the last week of June: Middleton, Annapolis Royal, Annapolis Co, Town of Digby, Clare, Town of Yarmouth, Municipality of Yarmouth, Municipality of Argyle, Municipality of Shelburne, Municipality of Barrington, Town of Shelburne, Lockport, Clarks Harbour, and the Region of Queens. The letter was to determine if there was any interest in participating in the initiative.

Aug 2015 – I have received positive responses from the following Municipalities: County of Annapolis, Town of Shelburne, Barrington (depending upon costs), and District of Shelburne. Yarmouth Acadian Shores (Town of Yarmouth, District of Yarmouth, Argyle) – dependent upon equal sharing of costs and Board approval on Sept 15th. Region of Queens staff is in the process of preparing a report to take to Council.

Sept/Oct/Nov 2015 – Letter received from Region of Queens that they are referring the matter to the South Shore Regional Enterprise Network.(They are just in the process or hiring the CEO). Their Economic Development Staff provided feedback (see attached) on the type of questions that would require further investigation before determining whether or not to proceed. I have received a letter providing support in principal from the Town of Digby. I have not heard anything yet from Municipality of Clare, the Towns of Lockport, Clarks Harbour.

It is my recommendation that we take a serious look at the questions raised by Queens at a By-law & Policy Committee.

Nov/2015 Decision to put on hold until more information regarding the provinces plan regarding VIC's is known.

Jeb/Feb 2016 - I have reached out to Destinations Cape Breton Association regarding their plans for the upcoming tourism season. They are expecting to make a final decision this month. I have also requested the name of the contact at Halifax Waterfront Development Corporation that they have been working with. I have reached out to Halifax Waterfront Development Corp for some information. Waiting for a response. Deputy Warden MacAlpine is reaching out to Michael Johnson, the new Executive Director for NS Tourism Agency

Mar 2016 – Deputy Warden MacAlpine contacted Michael Johnson who is putting him in touch with another person in the Agency.

May 2016 – I contacted Mary Tulle from Destinations Cape Breton, she indicated they had moved out of the Kiosk this past weekend.

COTW ACTION ITEMS -January 2016

Lack of Internet Services in Little River

Feb 2016 – Evan Nemeth, Research EDO, Western Regional Enterprise Network prepared the attached synopsis on Rural Internet in Nova Scotia.

Mar 2016 – Council waiting on study being conducted by NS Business. The study is to be completed by early spring.

May 2016 – \$ 6 Million in provincial budget for rural internet. NS Dept of Business is looking at how best to distribute funds. Suggestion that the province should provide project management and engineering for any internet projects as municipal units don't have the expertise for complex internet projects.

CAPITAL PROJECTS – 2015/2016

General Government Services

No planned projects

Protective Services

No planned projects

Transportation Services

Utility Trailer
Budget- \$ 7,200
Actual - \$ 7,152

Aug 2015 Purchased and in service

Replacement of Avgas Pump
Budget \$ 23,000
Actual - \$ 20,753

Jan 2016 Delivery date of Dec 21th not met, hope for delivery before fiscal year end.

Feb 2016 Pump has arrived, and installed

Environmental Health Services-Wastewater

Upgrades to Pump Stations – As needed
Budget \$ 84,500
Actual \$ 8,134

March 2016 – New pump installed in pump station in Bear River located near the Fire Hall.

Collection Expansion on Shore Road
Budget \$ 1,262,000

Aug 2015 – Decision to postpone project until provincial and/or federal funding in place

Environmental Health Services-Solidwaste

No planned projects

Environmental Development Services

<p>Wind Turbine 50 KW Budget \$ 500,000 Actual \$</p>	<p>Dec 2015 -Waiting for written notification of approval. Once received we can move forward with purchasing turbine. Jan/Feb 2016 – Written confirmation of Comfit approval received. Mar 2016 – Terry Thibodeau is developing a tender document for the purchase of a 50 KW wind turbine. April 2016 – Recommendation coming to Council on results of tender.</p>
<p>Purchase of 800 KW Wind Turbine Budget \$ 690,000 Actual to date \$ 603,630</p>	<p>Mar 2016 – Documents associated with sale reviewed by our lawyers. Sale to be finalized no later than Mar 31st. May 2016 – Funds released to lawyer in trust for purchase of Turbine.</p>
<p>EV Car Charging Stations Budget \$ 7,500 Actual \$</p>	<p>Dec 2015 – Sun Country is not getting funding for EV Charging Stations. Terry has been meeting with Super Store management to find out if they would be willing to fund the \$ 15,000 cost of a fast charger if we would cover the installation costs. He expects an answer sometime after Jan 1st. Feb 2016 – Terry Thibodeau has reached out to manager of Superstore for an update Mar 2016 – Superstore has agreed to cost share to a maximum of \$ 15,000 in the installation of a Fast EV Charging Station. Unfortunately the used EV Charging Station is no longer available. New fast charging stations cost \$ 30,000. The Federal budget included a funding program for EV charging stations. Terry is looking at getting details of the program. Apr/May 2016 – No Update since last report</p>

SPECIAL PROJECTS/INITIATIVES

<p>Citizen Engagement On-line Budget Tool</p>	<p>Council Strategic Priority – Social/Community Goal: More effectively engage and communicate with the community ICSP Goal S-1.1 Improve communication between the Municipality and citizens and amongst citizens</p> <p>Jan/Feb 2016 –By-law & Policy Committee approved the launch of Citizen Budget, a powerful online tool to involve residents in decision-making processes and to demonstrate a municipality’s commitment to citizen engagement. Information on the budget tool will be included in an article for the February Coastline Citizen Budget On-line Tool to be launched mid February</p> <p>Mar 2016 – Engagement tool up and running. Deputy CAO to provide report to Council at next Budget meeting.</p> <p>April 2016 – Deputy CAO reported that only 16 people completed the survey. Council decided to keep the citizen engagement on-line budget up for a few more months.</p> <p>May 2016 - No update</p>
<p>Cold Storage Facility</p>	<p>Jan/Feb 2016 – Andrew Forsythe from Design Point Engineering & Surveying met with Dan Harvey and the developer to discuss the preferred location of the cold storage facility and how that would impact the engineering and pre design work being done by Design Point in the Industrial Park. Report submitted to Council by Dan Harvey</p> <p>March/April 2016 – Timelines within the MOU with potential developer extended for two months. (May 1, 2016)</p> <p>May 2016 – DDA approved a motion to withdraw the MOU. Potential developer may still be interested in building a cold storage facility, but are not interested in operating one.</p>

In the event that any new information has been received from the time of distribution of this report and the meeting, the Administration will provide the additional information at the meeting.

Deputy Chief Administrative Officer Report

DATE	May 5, 2016
SUBMITTED TO	Linda Fraser, CAO
CARBON COPIES	Pat Stevens, Executive Secretary
SUBMITTED BY	Jeff Sunderland, Deputy CAO

DEPARTMENT	ITEM	STATUS
Airport		New av gas pump has been installed and minor repair work is being conducted on the rest of the fuel system before busy season.
Building Department		Staff training continues. We are offering assistance to Mun of Clare right now as their building inspectors are off.
Heritage		Completed work on Saltscapes show. Working on plan for municipal float and other projects for the year.
Public Works		Working on seasonal maintenance as snow equipment is put away and summer equipment is prepped.
Solid Waste		Things are going smoothly. Looking into some lighting upgrades for the transfer station, using Efficiency Nova Scotia.

Waste Water		New pumps have been installed in Bear River and are working very well.
Deputy CAO	<p>Open Spaces</p> <p>Lighthouses</p> <p>REMO</p> <p>Trails</p>	<p>Received instruction document from the province for our lawyers so work is progressing.</p> <p>Still working with lawyers to find out when the federal government will finalize the transfer.</p> <p>Worked to ensure smooth transition to new REMO coordinator.</p> <p>Conducted preliminary checks on Balancing Rock, Althouse and Bear Cove.</p>

Manager of Corporate Services Report

Submitted by: Cora Lee McBride

April 8, 2016 to May 5, 2016

Municipal Financial System:

The set-up is complete with the Municipal Finance system; however, we are trying to work with Procom to tweak the system for efficiency.

Tax Sale:

The 2016 tax sale took place on March 4, 2016. There have been 3 redemptions since that time. The redemption period will end on September 6, 2016.

Currently Pat is working on a tender process. This process will include the properties that she was unable to sell at the 2016 tax sale, any lingering unsold properties from previous tax sales, as well as properties the Municipality owns and wishes to sell. There has been an advertisement placed in the Tri-County Vanguard, Clare Shopper and on the Municipal website. The Municipal website includes links to maps and Schedule A's. Adjacent land owners have been notified in an attempt to get the properties sold. The deadline for tender submissions is Monday, May 16, 2016 until 12:00 noon. To date we have received 5 submissions.

The 2017 tax sale process will begin mid-July.

Administration Department:

The administration department prepared and mailed the interim tax bill during the first week in April. The department had a busy month. Things are starting to slow down during the month of May.

There has been lots of inquiries from taxpayers in response to the inserts that were developed by Nicole that were included in the tax mailing, advising tax payers of electronic payment options. The administration has seen an increase in electronic payments.

Municipal Audit:

Staff have been working on the pre-audit requirement list for the audit. Grant Thornton staff will be here on June 20 for the week. All of the audit work will be completed in the Municipality during that entire week to make the audit goes smoother than in the past couple years.

Conferences/Training/Meetings:

Linda F, Jeff and I continue to meet on a bi-weekly basis for a management meeting.

The AMA HR Training Opportunities initiative for Municipal staff and manager training is well under way. Staff began courses mid-April. There is five staff in total taking advantage of the courses. I've heard all positive feedback from staff from this office attending as well as other units. The committee is in preliminary stages of planning additional training for Fall.

I participated in a Regional planning committee meeting for the Association of Municipal Tax Collectors conference which will be held in the Fall.

I participated in a teleconference with the executive of the Association of Municipal Tax Collectors and Trudy LeBlanc from Property Valuation Services. Trudy was seeking help to prepare a presentation for her service desk staff which would provide them with more information on what the duties of front line staff are and how tax sales work.

DIGBY ANNAPOLIS REGIONAL AIRPORT

	JET FUEL PROFIT 2015-16	AVGAS PROFIT 2015-16	AIRCRAFT MOVEMENTS 2015-16	PASSENGER MOVEMENTS 2015-16
APR	\$210.25	\$1050.20	82	76
MAY				
JUN				
JUL				
AUG				
SEP				
OCT				
NOV				
DEC				
JAN				
FEB				
MAR				

NB:

AIRCRAFT MOVEMENTS - Include aircraft leaving and arriving at the airport
PASSENGER MOVEMENTS - The number of people in the aircraft arriving and leaving
excluding the pilot.

Digby Dispatch
Call Type and Log Item Counts

ALL
April 2016

	Count	YTD
Call Type		
1 Mutual aid 9	5	41
2 Ambulance assist 13	6	35
3 Alarm 10	6	24
4 MVC 3	1	21
5 Grass/Bush/Forest 6	16	21
6 Chimney 2	6	19
7 Other 12	4	14
8 Structure 1	1	9
9 Electrical 4	3	6
10 Vehicle fire 11	1	6
11 Smoke no fire 7	1	4
Total Call Type	50	200
Log Items		
1 Pager Message	26	117
2 Dog Call	47	86
3 Special TEXT message	17	59
4 10-7 (FD)	18	46
5 Sewer	4	11
6 Ferry Breakdown	0	6
7 Miscellaneous	3	4
8 Special Pager Check	2	3
9 Special Radio Check	0	1
Total Log Items	117	333

DIGBY ANNAPOLIS REGIONAL AIRPORT/DISPATCH MONTHLY REPORT

April 16

14 Interviews and reference checks were carried out on Apr 7th and 8th. The two successful candidates were Simone Richardson and Shalini Bodani. Training began on Apr 11th. Both are doing really well.

The new AVGAS dispenser was fitted on Apr 5th.

On Apr 7th the North ranger tower (Owned and managed by the Province) was inadvertently switched off by a technician. Our ability to page was effected but not completely compromised, due to our back up texting ability and the TMR 2 system. The Province was informed and it was restarted. I contacted Public Safety and field Communications about the incident. A new procedure has been put in place by the Province to ensure it will not happen again.

On Apr 29th - May 1st the Nova Scotia Hiking Summit was held in our area. A radio safety net was put in place using Radios from our REMO.

I attended the Fire Association meeting on Apr 20th.

I met with Don the EMC for our REMO on Apr 26th and with Jeff and Don for the final handover of EMC on Apr 28th. I have now assumed the position of EMC.

I attended the Provincial Dispatch Standards meeting on Apr 29th.

Respectfully Submitted,

Bruce Snell
Dispatch Supervisor
Digby REMO EMC
bsnell@municipality.digby.ns.ca
902-245-5885 Dispatch
902-308-0713 Cell

Activity Report Robert Hersey April 7 --- May 5th 2016

Conducted research at the Digby library regarding the Almes House in Marshalltown. Collected info from the report created in the 1950's on the history and operation of Provincial Poor Farms in the province.

Participated AS A JUDGE AT THE DRHS Heritage Fair.

Attended a 2016 Provincial Heritage Conference organizing meeting. Delivered documents from the 2015 conference. Consulted with host community.

Met with Hal Theriualt regarding update on the Electric City project in Weymouth.

Met with Don Hayden former resident of the Poor farm to discuss his recognition of the grave sites location on the farm.

Met with Larry Knox in Bear River to discuss completion of the First Impression project.

Met Allan Moore on site at the former site of the Poor Farm to determine the size and cost of leveling and sodding the cemetery areas. Estimate to follow.

Conducted research at the Digby Museum regarding the Poor Farm document at the museums. Looking for death records and descriptions of the burial process and burial site references.

Visited the community pasture in Roxville to investigate the broken grave stone of Capt. Fredrick Williams. Was accompanied by members of the Community Pasture Coop. Made calls to determine the best way to repair the stone and secure the site from grazing cattle.

Attend 2016 Saltscape Expo. Assembled and manage the Digby Area promotion booth & cooked scallops. (Four day event)

Met twice with students from the Middleton NSCC who are redesigning the Elder Transcripts for the internet. Delivered old elder transcript files and worked with the students to determine the best look for the site.

Conducted a website update. Corrected some spelling and added some documents.

Met with Jeff Sunderland & Barry Faulkner to discuss repairs to parade floats.

STAFF REPORT

Employee Name: **Terry Thibodeau** Date Prepared: Feb 4 2016

For the period of: March 14 – April 07 2016.

Tidal Development for Digby

- ITB (Industrial Technology Benefits, formerly known as, Industrial Regional Benefits program) working with consulting firm to identify possible strategy to take to Ottawa.
- Tidal Summit has been turned into a session with Atlantic MP's during the launch of Open Hydro's first turbine. Potential to conduct a tidal summit in fall
- Tidal Working Group have hired Allswater Consulting Group out of Dartmouth to undertake review of marine related infrastructure for tidal development. Digby will be reviewed again with Parrsboro, Hantsport
- Present MRC Supply Chain Development Project: MRC intend to present their report to our WREN

Anaerobic Digester

- Production started last month
- Generate produced 25,000 kwh after the breach was repaired
- Roads are open for distribution of digestate
- In conjunction with ACOA, we have hired Complete Synergy Systems who are conducting an operational optimization review of the process. Consultants have been to the site on two occasions. Report complete by early May.

Wind Development

- Discussions ongoing with the Town CAO to consult with him regarding the lease with the town and to identify a suitable site to add another turbine (50kw) as per our COMFIT approval
- RESL Negotiations for the purchase and sale are complete and all paper work is entered. Financial transactions are complete and funds are in escrow. Awaiting the handover of the keys
- RFP for the small wind turbine closed on April 20th. Two bids were entered. One for gearbox technology and the other for direct drive technology. Staff will have a recommendation for council at the next By-Law and Policy meeting on May 16th.
- Follow up and due diligence effort with bidding firms regarding details of the individual proposals.
- Working with insurance companies to secure proper insurance beyond the transfer of the RESL turbine. The effort to identify a suitable company will prepare the municipality when we insure our 50kw turbine.

Roadway Lighting

- No outages report which were our responsibility. Some for Dept of Transportation and confirmation of NSPI customer owned outages.

Climate Change

STAFF REPORT

- Investigating programs under the new federal budget which will assist the municipality in recognizing and recording sea level rise and onset conditions.

Digby Development Agency:

- Reported tidal activity to the DDA
-

Energy Storage:

- **See Community Energy Plan**

Electric Thermal Storage Program:

- Review of bids for PACE Administration complete. Recommendations have been made to the respective councils. An announcement will be made upon final acceptance by councils of the recommendations for a PACE Administrator.
- Letter sent to Dept of Energy requesting funds to market our PACE program has been sent.

Energy Efficiency and Electric Vehicle Report:

- Contacted NSPI regarding our efforts to secure a fast charge EV station for the Digby Superstore. I indicated that the municipality will consider the installation charges if NSPI and Superstore can share the cost of the unit. NSPI are interested in installing more EV charge stations around the province. My contact is going to let the municipality know of its intentions.

5 Year Renewable Energy Strategy:

- Working with UNSM regarding a municipal learning group for community energy planning. UNSM is working with Quest to deliver a session
- Developing a Community Energy Plan draft outline
- Working with other municipalities to develop common network for possible approach for funding . Proposal ready to submit to UNSM for approval
- Investigating all energy issues, grid, storage, demand, energy efficiency
- Concept of a solar program was discussed at the WREN

WREN

- Follow up with WREN regarding MRC supply chain development for tidal.

Other –

- Worked with local business to identify ways in which waste streams can be diverted from landfill
- Regular bi-weekly updates with CAO
- Internet searches, LinkedIn Group Discussions, Twitter activity
- Review council minutes for information purposes
- Review business journals; North American Wind Power, Power Engineer, Canadian Biomass Magazine, Network for Business Sustainability, Smart Grid News.com, Electrical Engineering Portal, Renewable Energy, Wind Systems, Tidal Today

Terry Thibodeau

Coordinator Renewable Energy – Climate Change