

June 5, 2017

Agency File: 80109

Ms. Anita Perry
Regional Manager, Nova Scotia
BP Canada Energy Group ULC
Suite 505, CIBC Building
1809 Barrington Street
Halifax, NS B3J 3K8

Dear Ms. Perry:

SUBJECT: Scotian Basin Exploration Drilling Project - Response to Information Request (IR) 114

Dear Ms. Perry:

The Agency has completed its review of the additional information that you provided on May 16, 2017 in response to the Agency's Information Request (IR) 114. In IR 114, the Agency had requested, for specified First Nations communities:

- information similar to that provided in sections 5.2 (Commercial Fisheries) and 5.3 (Food, Social and Ceremonial Fisheries) and 5.4 (Summary of Interviews Completed) of the TUS (Traditional Use Study);
- summary tables of species fished, seasons of harvest, occurrence in the PA, LAA and RAA (e.g. similar to Table 7 of the TUS);
- a summary of fishing activity in each of the PA, LAA and RAA (similar to sections 5.4.1, 5.4.2 and 5.4.3 of the TUS);
- maps showing the locations where fishing activity is practiced, similar to those provided in the TUS Appendices; and
- a description of the relative importance of fishing activity to the socio-economic conditions of communities; provide a quantitative description where feasible.

The Agency also requested an updated assessment of potential effects on individual communities based on the above information.

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In its May 16 response, BP provided the information requested in the first four points of the IR (e.g. species fished, times of year and locations of fishing activities, maps). However, the response to the final point (socio-economic importance of fishing to the community) is largely limited to general statements and a commitment to continued engagement with individual communities as the Project advances; it does not provide the requested information, which the Agency requires in order to complete its analysis and prepare the Draft Environmental Assessment Report.

Given that the Agency can still progress the EA In lieu of the requested information, and in the interest of advancing the process, the Agency requests confirmation from BP of when the additional engagement activities with individual communities will occur and when the information gathered will be provided to the Agency. Specifically, the Agency requests:

1. a schedule of planned engagement activities, and
2. the date by which BP will report its findings and provide an updated assessment of effects, in writing, to the Agency.

The report of findings and updated assessment of effects must contain:

- a description of the relative importance of fishing to the social and economic conditions of each community so that potential effects on each community can be better understood. Quantitative information is preferred, but a qualitative and comparative approach could be used if quantitative information is unavailable. For example, the response could outline which communities rely more than others on fishing as a source of income, a source of food for community sharing and ceremonial purposes, or for transferring Indigenous knowledge; and
- an updated assessment that identifies specific potential adverse effects (the EIS currently refers to simply a “change in traditional use”) on current use of lands and resources for traditional purposes as well as on socio-economic conditions in communities that could result from an oil spill. These may include social and economic effects that could occur within communities if commercial or food, social and ceremonial fisheries or other activities such as recreation or tourism are disrupted by a spill (e.g. effects on livelihoods, increased cost of living, loss of culturally-important traditional knowledge, changes to community social practices such as sharing the proceeds of traditional use amongst community members). The updated assessment must describe the magnitude, geographic extent, timing, frequency, duration and reversibility of the potential effects on socio-economic conditions of First Nations communities. Qualitative and comparative descriptions that elaborate on which factors may make certain communities more susceptible to effects due to their reliance on fishing or the likelihood of their shorelines being affected could be used. Refer to oil spill trajectory modelling results, such as shoreline oiling shown in figure 8.4.19 of the Environmental Impact Statement (EIS), or other relevant information from the EIS as appropriate, to accurately characterize the potential effects. According to the EIS, communities in Prince Edward or

along the eastern shore of New Brunswick are not predicted to see shoreline oiling, while communities along the south shore of Nova Scotia may. This information could be used to predict the adverse socio-economic effects, as well as the extent and reversibility of effects on communities potentially affected by disruption of fishing or shoreline oiling.

Upon transmission of this letter, and consistent with the Agency's Operational Policy Statement: *Information Requests and Timelines* (<https://www.canada.ca/en/environmental-assessment-agency/news/media-room/media-room-2016/information-requests-timelines.html>) the legislated environmental assessment timeline will be paused until the Agency receives either the originally-requested information, or the engagement schedule and reporting date described above. Upon receipt of a response from BP the Agency will determine whether the response provides the information requested in accordance with the Operational Policy Statement.

I trust this is self-explanatory, but please contact me if you require further information.

Yours truly,

<Original signed by>

Derek McDonald, P.Eng.
Project Manager