

**Environmental Assessment Revitalization Engagement
Canadian Association of Petroleum Producers (CAPP)**

Wednesday, April 25, 2018 / 1:30 PM to 3:30 PM MST
Suite 2100 – 350 7th Avenue, Calgary, AB

Meeting Participants

- Scott Bailey, Environmental Assessment Office (EAO)
- Nathan Braun, EAO
- Alli Morrison, EAO
- Geoff Morrison, CAPP
- Sherry Sian, CAPP
- Patrick McDonald, CAPP
- Jennifer Ezekiel, EnCana
- Jodie Didow, Shell Canada
- Chris King, Canbriam Energy Inc.
- Brendan Galloway, Progress Energy
- Julie Woo, CNRL
- Andrew Morgan, BC Oil and Gas Commission (OGC) – on phone
- Jody Prior, ConocoPhillips Canada – on phone
- Jim Chramosta, Shell Canada – on phone
- Richard Grieve, Ministry of Energy, Mines and Petroleum Resources (MEMPR) – on phone

Summary Notes

Scott Bailey provided a brief overview of environmental assessment (EA) revitalization and an update on EA revitalization engagement since the previous CAPP meeting on March 14, 2018. Nathan Braun led a discussion regarding the phases and related objectives of the proposed conceptual model. The following represents a summary of the discussion between the EAO and CAPP during the meeting.

Public Perception

- How wide-spread is the public confidence issue? Does the public confidence issue reflect a process deficiency that needs to be addressed or a perceived lack of public confidence based on limited understanding of the current process? The EAO responded that it may not always be possible to determine the extent of the lack of public confidence in the EA process. At times, the lack of public confidence may be perceived while, on the other hand, it is likely that substantive and communication improvements can be made.
- Does the EAO track trends related to criticisms of the EA process geographically across the province? This could be a useful tool for proponents in deciding where to construct a project. The EAO indicated that it is not possible to provide this information currently but encouraged reference to various government plans.

- Will there be data analytics to inform problem definition in order to inform the development of options and solutions. In some cases, a substantive problem may not require a change to the EA process but a different tool to raise awareness, to better use existing government analyses, etc. The EAO responded that these trends have not been analyzed in this way.

Reviewable Projects Regulation (RPR)

- Are there plans to review the current criteria in the RPR? The EAO responded that they will be reviewing the RPR in the next phase of EA revitalization, potentially starting in fall.

Early Engagement Phase

- CAPP supported statutory timelines for government's review of reports and other tasks, while the proponent should be responsible and in control of their own engagement processes and timelines. Government should clearly set the purpose and scope of the early engagement phase.
- CAPP noted concerns with the federal government's suggestions on early planning and engagement as industry has already been undertaking these. The additional early engagement phase proposed by the federal government may be challenging for industry as there is a lot of pieces to fit into 180 days (proposed in the new federal act). CAPP suggested there is risk related to this proposal, which CAPP has outlined in their submission for the federal EA review.
- CAPP noted that proponents need some expectation or certainty regarding how long the early engagement phase would take.
- CAPP noted that it would be useful for the EAO to reflect on recent projects that have gone through the EA process and through the lens of the proposed conceptual model phases to see if similar timelines could be achieved and/or if outcomes or processes would potentially be improved. The EAO responded that some initial comparisons have already been made, and that this analysis will continue.
- CAPP noted there is a balance between the regulator telling a proponent where you can/cannot build a project, and saving money and time from not proposing a project in what might be considered a no-go area. CAPP encouraged consideration of adequacy of information through the lens of community and investors.

Information Requirements

- CAPP noted that they would prefer to have direction as early as possible from government agencies regarding studies and methodology – an error or issue should be identified prior to years of studies being completed.

Demonstrating Independence and Neutrality

- CAPP noted that it is important to understand the rationale as to how a significance determination is made. CAPP also noted that there may never be the right ecological thresholds

that everyone can agree on. A more holistic approach using existing, completed policies and plans may be required instead.

- CAPP noted concerns with the potential increased costs to proponents in the use of independent reviewers. Escalation of costs concerns were discussed, as duplication of a shadow consultancy team could be the unintended result. Note also the importance of professional reliance model in this regard. The potential benefit to all was also acknowledged.

Advancing Reconciliation

- CAPP inquired if the Ministry of Indigenous Relations and Reconciliation has been engaged on EA revitalization and is providing advice. The EAO responded that all relevant agencies have participated in some form, and at various levels throughout the organizations.

Next Steps

- CAPP to consider submitting feedback to the EAO for consideration in the discussion paper, and/or engage with the EAO on the discussion paper after it has been drafted.
- CAPP to consider providing references to the EAO regarding key submissions for the federal EA review.