

May 7, 2015

1 - Letter to The Editor

Letter to the Editor

Dept. of Natural Resources in conflict of interest on Fracking

Last Thursday the Department of Natural Resources issued a news release, "Minister Encourages Participation in Panel Discussions on Hydraulic Fracturing in Western Newfoundland".

In the release Minister Derrick Dalley states, "The health and safety of our people and protection of the environment are our main considerations, and will continue to guide our decisions, as we pursue opportunities to develop our natural resources."

If this truly is the case why weren't the "health and safety of our people and protection of the environment" the main features of the graphic at the head of the news release, instead of the words "A Vibrant Economy" accompanied by an image of two workers in an industrial workplace? If health, safety and environmental protection are main considerations on the issue of hydraulic fracturing, as stated by the Department of Natural Resources and the provincial government, then why is it we so rarely, if at all, see media releases pertaining to hydraulic fracturing from the premier, the environment minister, and the health minister?

I have yet to see or hear any real acknowledgement from my provincial government of the widely recognized threats to health, safety and the environment, as recognized by Nova Scotia's Wheeler Panel and the federal government-commissioned Council of Canadian Academies report, among others.

Instead of mainly considering and representing the health, safety and environmental interests of the people of our province, Mr. Dalley and his government associates appear to mostly represent the interests of oil corporations on the issue of hydraulic fracturing. Yes, we need economic development, but not at unacceptable risks to our health, safety and the environment, and as well as to our tourism and fishery economies.

We do not need a questionable panel to determine if fracking is safe and socially and environmentally acceptable. We need our government to stop wasting our money by trying to reinvent the wheel. We need Mr. Dalley and our government to represent our health, safety and environmental interests by either banning fracking or imposing an indefinite moratorium on its use. Why is it that practically all the provincial government media releases and public pronouncements pertaining to fracking are coming from the natural resources minister and a department that mostly focuses on natural resource development? I suggest Mr. Dalley and his Department of Natural Resources is in a conflict of interest in this regard.

Letter to The Editor

The recently announced public consultation locations the fracking review panel will visit include only Corner Brook and Stephenville, thus framing the situation as if fracking is an issue limited to the Newfoundland west coast. The health, safety and environmental impacts of fracking are not only local but are also provincial, national and global. The fracked oil and the chemical waste will be transported outside the drilling sites through, and to, other areas of our province and elsewhere. Any legitimate, democratic community public consultations regarding hydraulic fracturing should not be limited to just Stephenville and Corner Brook and should be at least provincial in scope.

B. Diamond

May 20, 2015

2 - Blatant Omission in Terms of Reference- Panel's Topics Under Consideration

The Panel's Terms of Reference omits possibly what may be the most important physical feature which will be impacted by hydraulic fracturing - the ocean and more specifically the coastal marine ecosystem of the Gulf of St. Lawrence in the Western Newfoundland region. The relatively recent oil industry plans and proposals for hydraulic fracturing in Western Newfoundland were for drilling on land to offshore under the ocean bed with potential for moving to direct offshore drilling and use of hydraulic fracturing technology.

The Canadian government is pushing for energy development and gives full control of offshore drilling activities to unelected Petroleum Boards which are tipped in favour of the oil industry. The Canada-Newfoundland *Offshore* Petroleum Board is the main Newfoundland and Labrador coastal and offshore regulator and facilitator for the exploration and development of hydrocarbon resources.

The omission of the ocean – Gulf of St. Lawrence marine ecosystem is a blatant flaw in the panel's topics under consideration in their terms of reference and must be included if the review is to be anyway considered credible and legitimate.

B. Diamond

September 24, 2015

3 - Port au Port Bay Fishery Committee

MEDIA RELEASE

Ongoing oil leak at Shoal Point - a symptom of serious governance and regulatory problems.

Provincial Minister of Environment and Conservation Minister, Dan Crummell via a phone connection to a recent meeting on September 16th of the Port au Port Bay Fishery Committee stated that it will be mid October before onsite work starts to stop the oil leaking from the abandoned drilling site at Shoal Point.

It has been over a year and a half since the Fishery Committee first reported the oil leakage to the provincial Department of Environment and Conservation, Environment Canada, Fisheries and Oceans Canada and the Canadian Coast Guard. Members of the Port au Port Bay Fishery Committee are increasingly frustrated about the long time it is taking to contain the oil leak and clean-up the site.

Minister Crummell, in June of this year announced that a contract would be awarded to a consulting firm to determine the source and nature of the leak and propose remedial action plans. However, the source and nature of the flow at the Shoal Pont site had already been formally reported to and documented by his department back in April 2014.

In addition to requesting a more prompt response to the oil leak, the Fishery Committee has asked the Environment Minister to help resolve serious systemic governance and regulatory problems including jurisdictional disputes as to who is responsible for toxic spills related to oil and gas developments and other pollutants impacting on the environment of the Port au Port Bay and the larger Gulf of St. Lawrence.

The Provincial Department of Environment and Conservation, Environment Canada, Fisheries and Oceans Canada, the Canadian Coast Guard and the Canada Newfoundland Offshore Petroleum Board (C-

NLOPB)Board, have been aware of the Shoal Point oil leak problem for an extended period of time but have apparently been unable to agree as to who is responsible to fix the problem and remediate the site.

Bill O'Gorman Chair of the Fishery Committee asks "Where is the regulatory oversight supposed to be provided by the Canada - Newfoundland and Labrador Offshore Petroleum Board in this regard? We haven't heard a peep from them. The C-NLOPB is mandated to facilitate oil exploration and development and to protect worker safety and the environment and it was the government agency responsible for conducting the environmental assessment of the last oil drilling project at Shoal Point."

Bob Diamond another committee member asserts that: " The C-NLOPB is in a conflict of interest by being responsible for both facilitating oil and gas development and also being responsible for worker safety and environmental protection. The Environment Minister and the Government of Newfoundland and Labrador should strongly request the Government of Canada to establish a separate independent regulatory agency for worker safety and environmental protection as recommended by Judge Robert Wells in his 2010 Offshore Safety Report."

Bill O' Gorman asks:

"How can our fishery committee, our neighbours and friends, and the general public have any confidence in the ability and commitment of the provincial and federal government to provide responsible regulatory oversight for oil exploration and development including proposed hydraulic fracturing when they cannot agree as to who should be responsible for and respond to what the provincial Environment Minister (not us) considers to be a relatively minor leak at Shoal Point? "

Members of the Fishery Committee strongly expressed to the Minister their concerns regarding the lack of a timely response, the downplaying of the seriousness of the leakage, and the lack of adequate regulatory oversight of oil developments in the region. However, there is agreement that both the fishery committee and his department should explore ways to collaborate and work together to better protect Port au Port Bay and the environment in general.

The Port au Port Bay Fishery Committee was formed in November 2013 in reaction to the collapse of the scallop fishery in Port au Port Bay. Fish harvesters reported never experiencing such a widespread

collapse of the scallop fishery in the bay, and some believe environmental pollutants may be contributing to the drastic scallop decline and loss of income averaging over \$25,000 per year.

October 15, 2015

4 – Second Letter to the Editor

Please note the attached and as follows letter to the Editor:

Port au Port Bay Fishery Committee

Letter to the Editor

October 5, 2015

Dear Editor:

We the Port au Port Bay Fishery Committee would like to alert the public to misleading information regarding the Shoal Point Oil Leak.

Mark Jarvis, Chief Executive Officer of Shoal Point Energy, is incorrect in his recent statements to news media related to "oil seepage" coming from or around a "rusty 100 year old pipe" that "opponents are linking to an abandoned well' at Shoal Point. Jarvis claims that "oil is coming from the spot (at Shoal Point) but it is also coming from many, many other spots around the bay."

The story Mr. Jarvis portrays of tons of oil naturally seeping in the bay is not valid. People living in the area are not seeing and reporting sightings of natural oil seepages. However, thousands of people locally and globally are seeing either directly or through mainstream and social media the continuing, unnatural oil leak coming from a human created abandoned drilling site at Shoal Point.

The Amec Consultant Report commissioned by the Department of Environment indicates that the origin of the leaking pipe is unknown and only speculates that it could have been related to drilling occurring in the late nineteenth or early twentieth century. The Consultant Report (executive summary) also comments on the rate and consistency of the leak: "It is not known if the rate of seepage is constant over time or how the tide and groundwater fluctuations may affect the rate. Further monitoring would be required to appropriately evaluate potential variability in the seepage rate."

Mr Jarvis suggests you should "check with Larry Hicks," the Provincial Government Geologist who mapped and documented seeps around the area. Jarvis says "there is tons of it. It is all over the place" and "there is no way to stop these natural seeps"

A member of the Port au Port Bay Fishery Committee has contacted Larry Hicks who agrees with the statement that there are numerous oil seeps/shows around Port au Port Bay. However Hicks also clarifies this :

"In my usage of the terms, a seep can be categorized as a "live" hydrocarbon show, either liquid (oil) or gaseous (gas) observed at surface, whereas a show can apply to both "live" or "dead" hydrocarbons observed in rock exposures at surface or from the subsurface (drill core, cutting or drilling fluid). Most all the shows observed at surface around Port au Port Bay are minor in nature."

Questioned as to if these shows/ seepages were of the same nature and extent as the leak from the abandoned drilling site, the geologist indicated that they were not and that the flow from the abandoned pipe did not appear to be a natural occurring seepage.

The Minister of Environment, Dan Crummell acknowledges that there is a jurisdictional dispute involving federal and provincial government regulatory agencies over which agency is responsible for containing the leaking oil and remediating the site at Shoal Point. The Provincial Department of Environment has also known about the leak since 2013 yet the oil is still leaking from the site and no actual work to contain it has begun although work according to the Minister was to begin in August.

Minister Crummell in a government news release dated August 18, 2015 states

" I have also been very clear that if it was determined that there was anything adding to the natural seepage, that this government would take action to deal with it. I am pleased to advise that this is exactly what we are doing and that this next phase of work, which will involve excavation to isolate the specific source of the leak in order to contain it, will now begin."

Regarding the Department of Environment hiring a consulting firm and taking action to control the leak, Shoal Point Energy CEO, Mark Jarvis has said "You may plug the pipe but that is not going to change anything in a material way." Given the experts opinion that the natural shows are minor in nature and the abandoned pipe leak is not naturally occurring, we disagree. Further, it is important that we hold ourselves accountable. This is a leak caused by human hands, it cannot be allowed to continue.

There have been fly over surveillance flights of Port au Port Bay by the Canadian Coastguard during recent months and they have not reported any evidence of oil leaking into the bay from natural seepage sites. However Coastguard has spotted, reported and documented the sheen/slick on Port au Port Bay coming from the abandoned drilling site at Shoal Point.

The Port au Port Bay Fishery Committee is advocating for a sustainable economy, environment and communities. Our Committee members and many, many other citizens see through the strategies of stirring up division by personal attacks and the false jobs versus the environment argument in an effort to advance their own and corporate financial gain. We are not contesting the existence of natural shows, we want accountability for the man-made leak that threatens our environment and our way of life.

Yours Sincerely,

On Behalf of the Port au Port Bay Fishery Committee

Background Information:

The Mark Jarvis CBC Radio interview can be heard at this link:

<http://goo.gl/zxzOKI>

AMEC Consultants Report report is available online at

http://www.env.gov.nl.ca/env/env_protection/Shoal_Point_Report.pdf