

**Presentation to the Environment and Sustainable Development Committee regarding Bill S-15
June 17, 2013**

My name is Mark Butler and I am the Policy Director at the Ecology Action Centre. My presentation will be under 5 minutes.

The Ecology Action Centre has been actively involved in protecting Sable Island for over a decade. We have been a member of the government-led Sable Island Stakeholder Advisory Committee for many years. We held our first annual event in 2004 in association with Zoe Lucas and the Green Horse Society. Every year since, we have held an annual update which regularly attracts over 300 people, a testament to the ongoing interest in the Island and its protection. We first became involved because there was a good chance that the federal government would close the Sable Island Station. The EAC along with many other groups and citizens strongly made the case that the Island required a year-round human presence. Luckily and eventually the federal government agreed, and committed to maintaining a year-round human presence on the Island.

The EAC, along with the Green Horse Society and the Canadian Parks and Wilderness Society, was supportive of Sable Island becoming a national park when first proposed in 2010. We have maintained that support over the last three years. Despite significant public concern that by making Sable Island a national park Canadians might 'love it to death' through increased visitation and supporting infrastructure, EAC has seen the designation as the best possible outcome for the Island.

We supported park designation for a number of reasons including the expectation that designation would result in the exclusion of oil and gas activities from the Island. In the summer of 2011 we participated in Parks Canada's consultation on the Island as a national park and made the following comment regarding oil and gas activities:

The EAC opposes oil and gas activities on Sable Island including seismic. We would encourage licence holders to relinquish any existing licences on Sable Island. In addition, oil and gas activities should be kept as far away as possible from Sable Island both to reduce the impacts of pollution on the Island and to protect the integrity of the visitor experience. The federal and provincial government should expand the current 1 nautical mile exclusion zone and put it into law. Parks Canada should not make any arrangement regarding sub-surface petroleum rights for Sable Island which would set a bad precedent for other national parks in Canada.

Consequently, we are disappointed to see that with this legislation drilling under the Island is still permitted or the exclusion zone has not been expanded, and we hadn't expected this, exploration is allowed on the Island. There are effectively no new protections for Sable Island from oil and gas activities. We appreciate that the Canada-Nova Scotia Offshore Petroleum Board guidelines around surface drilling and the one nautical mile exclusion zone are now being enshrined in legislation. However, in practice, most of us realize that it would be highly unlikely for any oil company to propose drilling on Sable itself or in the surf and shallow water immediately adjacent to the Island or to do high impact seismic on the island. Because of the shape of the Island, long and narrow like a banana, a drill rig one nautical mile from the Island will feel like it is on top of the Island. In terms of impacts, our main concerns are flaring, light and noise, produced water, and small spills. (If there is a large spill, it probably won't matter whether the rig is 1 or 5 nautical miles away.) We are happy to elaborate on these concerns.

We are opposed to the proposed amendments in their current form because of the ecological risk to the Island and the precedent they set for other national parks, if not in legislation in the public's mind. We are also worried that this decision erodes the public's confidence in the Nova Scotia's or federal Government's resolve to stand up for Sable Island on other matters, such as tourism. We note that both governments have received considerable praise for their decision to protect the Island and EAC was happy to add our voice to that praise. We also like to think that government is also willing to take tough positions on behalf of the Island.

We have followed some of the deliberations in Parliament. We are distressed that MPs and Senators are in a position having to choose between a park that permits oil and gas activities in its boundaries or delaying the establishment of a national park. It is an unfortunate choice and one we think could have been avoided. There is a tremendous amount of goodwill within government and industry when it comes to Sable Island and of course, the level of public interest and

support for the Island, never ceases to amaze. Because we weren't part of the discussions, we can only surmise, but we feel that the both the federal and provincial governments missed an opportunity to bring all the players together and hammer out a deal which put the best interests of the Island first. If for whatever reason, there is an opportunity to improve on this legislation we would encourage that there be frank and inclusive discussions about how to meet the interests of the licence holders while keeping oil and gas activities out of the park.

Thank you for your time and your work to protect Sable Island.

Mark Butler
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Halifax