

## Searching for accountability in a sea of systemic dishonesty

### Birds I View



The semi-palmated plover was named by ornithologists for its partially webbed feet. This birds was nesting at St.Paul's Inlet on the west coast. [photo: Bill Montevecchi]

### Bill Montevecchi

Where is the accountability and justification for the \$640,000 retirement payout for Neil Martin at St. John's City Hall, for the \$6.4 million retirement heist for Ed Martin at Nalcor, for the needless destruction of Sandy Pond, for the killing of Don Dunphy? The list could easily be extended. Pick your favorite local horror.

Undeserved privilege and unearned entitlement rule the roost, and there is always supporting legal advice to make condoning politicians apoplectic to take an alternate course. Courage is needed to stand up and bear witness to untrammelled greedy opportunists. After all, they are our heroes.

As evident in a recent scientific analysis of environmental activity of offshore oil companies on the Grand Bank by Drs. Gail Fraser and Vincent Racine of York University, corporate persuasion rather than regulation is the working decree. Owing to the risks for seabirds posed by offshore oil activity highlighted in environmental assessments and reviews, Environment Canada requested oil companies to monitor and mitigate small spills. An industry response plan indicates compliance.

Non-compliance however is the reality. Using access to information about offshore spills, Fraser and Racine reported in more than 200 daytime spills, only 2% provided useful information on time to sheen dispersion and only 5% reported

whether seabirds were present. It is easier to get seabird information from rough-necks, rig-workers and vessel crews.

Why are oil companies permitted such an appalling lack of accountability? The answer is that the regulator – the Canada Newfoundland Labrador Offshore Petroleum Board [CNLOPB] supports it. And why you might ask is that so? The Board is inherently conflicted with responsibilities for both development and environmental vigilance. Commissioned with these two jobs, the Board is biased to oil development. This bias could be balanced but isn't.

Here's a concern underscored in the 2013 Auditor General of Canada Commissioner of the Environment's Report – "oil and gas exploration and drilling activities are exempt from reporting pollutant releases to Environment Canada". That rather frightening reality must also provide rationale for precluding independent observers and transparent information flow from offshore corporate activity.

There is no complexity in resolving these problems. The problem is that the CNLOPB has no interest in resolution nor in the comprehensive, transparent and systematic environmental vigilance needed to do the job properly. The CNLOPB failed to act on a recommendation in Justice Wells' report following the Cougar 491 crash for an independent safety board as there are in the US, UK, Norway and Australia.

The CNLOPB has no interest in an independent board for environmental concerns. Though this is exactly what was done in the US following the *Deepwater Horizon* blowout in the Gulf of Mexico, which President Obama attributed to a "scandalously close relationship between the oil companies and the regulator".

The CNLOPB isn't even interested in having marine ecologists or biologists on their Board. So we will continue the weakest form of accountability – self-reporting. In business dealings, an oil corporation or any credible company for that matter would not enter into an agreement that relies on self-reporting by partners. So why are offshore oil corporations are permitted unfettered self-reporting which in essence is no accountability at all?

Here's a sample of self-reporting gleaned from the media – on 18 December 2013, Hibernia reported a 10 liter crude oil spill. Two weeks later on 3 January 2014 parroting the company release, the CNLOPB reported the same. On the same day Hibernia reported 0.009 - 0.8 liters crude oil was on the water on 27 December 2013. This amount of oil would barely stain a teacup, yet presumably the company had the ability to engage this level of spill precision. If so, why on 18 January 2014, one month after the spill, did Hibernia increase their 18 December 2013 spill estimate by 600 times from 10 to 6,000 liters? You can't make this stuff up. It's not credible.

Lack of accountability and transparent information is in fact corporate strategy. Why? Because we presume that when there is no information about something, there is no problem. We know enough from all of the instances indicated and many others that what lies below the surface is often a very different story than what's reported [or not].

For decades the regulator with the support of ever-so-acquiescent Canadian Association of Petroleum Producers has ignored requests for independent observers on offshore platforms. Instead we are offered a dog's breakfast of reporting that wouldn't stand-up as a credible Honours Thesis at Memorial University of Newfoundland.

Clearly such an economically successful operations like Hibernia and others could easily address the environmental compliances that they have agreed to and very much more with little effort. But they won't.

Suffice here to close with this view from the 2013 Hebron Public Review Commissioner's Report – "A review of the previous intervention by environmentalists has revealed that the same outstanding questions remain unanswered after 20 years of public hearings." It's just the way it is, but it shouldn't be.

### **Destruction of the trails to Beachy Cove Mountain**

People who hike and enjoy the trails through the Neary's Farm meadows to Beachy Cove Mountain are deeply upset and appalled by utter destruction brought on by dirt bikes, ATVs and a crass crowd of young yahoos whose primary

perspective on the environment is adversarial. Hacked trees, mud trails, broken beer bottles and unmuffled screaming machines.

No sense in saving the environment for this component of the next generation because they don't even value it. Perhaps the PCSP council could help stop the illegal traffic on our roadways that allow the screamers access to the trails

### **Birds in our area**

Yodeling loons are celebrating early mornings over Neary's Pond.

Cliff Doran often discovers rarities at Cape Race. His latest photo documentation is of a European whimbrel on 21 May. Chantelle Burke scored a pair of whimbrels at Stephenville Crossing in early June.

The insects and swallows have returned. On 19 May a flock of 12 tree swallow flew near Neary's Pond [Janet Montevecchi].

The robins' nest beside our house contained newly hatched chicks on the chilly evening of 22 May. All chicks fledged on 30 May.

On 14 May, Kyran Power came upon a wayward flock of 30 - 40 white-crowned sparrows accompanied by a catbird at Cape St. Mary's.

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