

*Northeast Avalon Times June 2019*

**Removing the environment from impact assessment act  
Birds I View  
Bill Montevecchi**



With 2018 census of fewer than 40 piping plovers, this endangered species is just hanging on some of the sandy beaches on the island of Newfoundland. (photo: Bill Montevecchi)

Bill C-69, the new Impact Assessment Act, which will replace the Canadian Environmental Assessment Act, is awaiting a vote in the House of Commons. The bill has been discussed at public hearing in the Senate and across Canada.

Oil industries, lobbyists and the NL government rail against the bill contending that it gives the federal government and minister too much influence in offshore environmental assessments. They want the Canada-Newfoundland Offshore Petroleum Board (C-NLOPB) to control regional assessments for offshore oil development and exploration.

Environmental groups, the FFAW and Elizabeth May are concerned that the bill gives too much influence to the offshore petroleum boards by allowing them to chair and stack the assessment review panels (see <https://www.sierraclub.ca/en/fixbillC69>).

Following the public hearings, Senator Jane Cordy from Nova Scotia introduced an amendment that would preclude the C-NLOPB and the Nova Scotia board from chairing assessment panels as that could further bias what is seen by many as an inherently biased regulatory regime. This amendment was defeated in the senate, with provincial Senators Doyle, Manning, Marshall and Ravalia voting against, and Senators Furey and Wells not present for the vote.

Instead, the Senate approved an amendment that would allow the C-NLOPB to chair and appoint a second member to a five person review panel. Owing to pressure from the NL government, the federal government has accepted this pro-oil amendment.

Consider the C-NLOPB's support for Husky's decision to resume pumping oil in November storm seas that resulted in the largest spill from a platform in Canadian history. Then ask yourself how this organization could possibly be given responsibility for environmental assessments? Circumstances will not improve if the NL government has its way.

### **Names matter**

Removing "Environment" from the title of the Impact Assessment Act will ensure that economics will have an even greater role in environmental assessments. We know too well how the juxtaposition of environment and economics plays out in government decision-making.

Like it or not, we are embedded in the environment from which we derive our energy, our economy and our well-being. And though ecosystems are resilient, they are being pushed over breaking points – note the scientific evidence for climate change and the loss of natural habitat. Our only realistic option for long-term sustainability and for life itself is to accommodate wildlife and our environment – to work with rather than against them.

### **Timing is everything**

Much of the NL government and corporate concern is about the new act's focus on the potential durations of environmental assessments. They want environmental assessments to be made rapidly, arguing that "time is money". Yet the oil isn't going anywhere, and sufficient time is required for an assessment process to ensure its scientific credibility.

The economic pressure is for "fast-tracking" assessments, whereas the environmental pressure is to understand the risks and the cumulative effects of offshore developments as comprehensively as possible.

Fast-tracking of assessment is already at play. Multiple exploratory drilling proposals are being reviewed under a single assessment. The NL government and the oil lobbyists refer to this as efficiency. While efficiency of process is important, the stakes are too high to compromise the validity of environmental assessments

It's not like the oil corporations are being hard done by on the ocean front. Their profit margins are beyond the pale, and their confidentiality privileges in the Atlantic Accord allow them to not report pollution events during offshore exploration to Environment Canada. Now who in their right mind concerned about ocean protection could have possibly formulated such a "no evidence – no problem" option?

### **There is so much we can do**

As has been argued, pleaded for decades, independent arms-length observers on hydrocarbon platforms as is required on fishing vessels could give credibility, transparency and

scientific evidence about what is happening with onsite pollution events and with seabird attraction and mortality.

The unnecessary light projected skyward does nothing for the work environment and attracts birds at night. It can be reduced and blinds on windows can be drawn. Flares that lure and incinerate birds can be shut down during critical fall migration periods in September and October. Migrating storm-petrels and land birds can be attracted in the myriads and dispatched at the brilliantly illuminated platforms in the otherwise opaque ocean.

Yet no constructive mitigation addressing these issues has been made during the decades that corporations have been making withdrawals from the Grand Bank. The C-NLOPB's complacency in these matters is truly shameful. It's just the way it is, but it shouldn't be.

We can only keep sweeping storm-petrels off the decks of oil platforms for so long. We will likely run out of storm-petrels well before we run out of brooms. It's way past time to clean up our act in the offshore, just don't count on the NL government to help.

### **Birds in the area**

Leach's storm-petrels crashing into the bright lights illuminating the new Quinlan fish plant in Bay de Verde at night and being tossed off the wharf in the morning. The plant is just across the tickle from the massive but plummeting storm-petrel colony on Baccalieu Island. The plant manager informed me that unnecessary lights will be off. Let's hope this helps reduce the needless kill of these tiny seabirds. Keep looking.

A pair of common loons on Hughes Pond in St. Philips (Wendy Decker) will hopefully nest there. In Portugal Cove a flock of common goldeneye was on Hughes Pond in early May (Gordon Butt), and in mid-May on Murray's Pond a pair of ring-ducks were being dogged two males with a keen interest in the female.

Single apparently transient endangered piping plovers were seen in Deadman's Bay on the northeast coast (Marina Montevicchi, Pierre Ryan) and at Western Brook beach in Gros Morne National Park (Darroch Whitaker). With fewer than 40 birds on the limited sandy coasts of the island of Newfoundland, these little shorebirds are surviving in very precarious circumstances.

In Portugal Cove a bittern has been "lunking" in a healthy bog off Witch Hazel Road (Harry Burden). In mid-May a sizable flock of about 30 evening grosbeaks was on Western Gully Road. Resident pairs of pine grosbeaks and purple finches will hopefully nest in our yard (Aspen and Janet Montevicchi).

A white-headed starling has been seen in Portugal Cove (Julie Huntington), and a white-tailed starling is nesting in MUN's Bonne Bay Marine Station in Norris Point. Starlings are such interesting birds in so many of their dimensions.

A lone male red crossbill visited Bruce and Linda Somerton's feeder on Bennett's Road in St. Philips, where nearby Wendy Decker had a pair of red crossbills and white-throated sparrows at her feeder. Belted kingfishers and gray jays are also in the area.

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