

Affaires autochtones et Développement du Nord Canada Aboriginal Affairs and Northern Development Canada



# Aboriginal Affairs and Northern Development Canada Role in Oil and Gas Management in Nunavut

Nunavut Oil and Gas Summit – January 13, 2015

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# **AANDC** objectives for this presentation and Summit

- -Explain the role of AANDC in oil and gas
- Update current status of Strategic Environmental Assessment
  - Including summary of What We Heard from Feb 2014
     Community Visits
- Learn, hear views, get ideas to better define best way to proceed
- -Continue to build relationships



# **Northern Legislative Framework**

- Two primary statutes govern oil and gas management in the Arctic offshore (and on Crown lands in NWT and Nunavut):
  - Canada Petroleum Resources Act (CPRA)
     Administered by the Minister of Aboriginal Affairs and Northern
     Development Canada (AANDC) north of 60
  - Canada Oil and Gas Operations Act (COGOA)
     Administered by the National Energy Board
- Administrative separation between policy, land management and royalty mandate of AANDC and the technical, regulatory and advisory roles of the National Energy Board



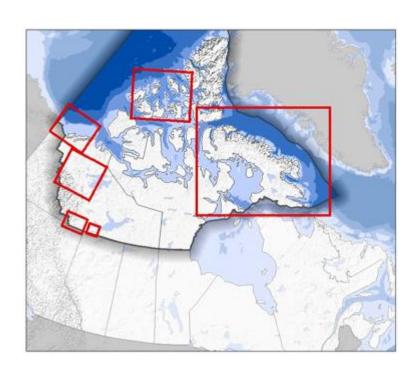






## **Roles and Responsibilities**

- Aboriginal Affairs and Northern Development
   Canada (AANDC) is the land manager for northern offshore oil and gas, including Baffin Bay / Davis Strait. This means that:
  - AANDC issues <u>licences</u> for exploration and development in the Arctic offshore.
  - Oil and gas <u>operations</u>, including seismic surveys, exploration and production drilling, must be approved by the National Energy Board, and by the Nunavut Impact Review Board within the Nunavut Settlement Area.
    - Seismic companies do not need licences from AANDC to operate, but they do require approval from the NEB. AANDC and NRCan Ministers also must approve **Benefit Plans** for these projects
    - <u>Drilling</u> for, and <u>production</u> of, oil and gas is not possible until AANDC makes the **decision to open** the region to licensing, and approvals are obtained from NEB and/or NIRB.





## **AANDC Northern Oil and Gas Mandate**

- govern the allocation of federal Crown lands to the private sector for oil and gas exploration
- 2) assess and collect royalties
- approve benefit plans before activities take place
- 4) develop the regulatory environment
- 5) participate in the advancement of Arctic scientific research





## Northern Land Tenure and Rights Management for **Exploration Licences**

Typical Rights Issuance process and steps.

#### **Step 1 - Consultations**

Community input, traditional knowledge and scientific research engages partners and informs potential call area decisions

#### **Step 2 - Call for Nominations**

Enables industry to identify areas of interest

#### Step 3 - Call for Bids

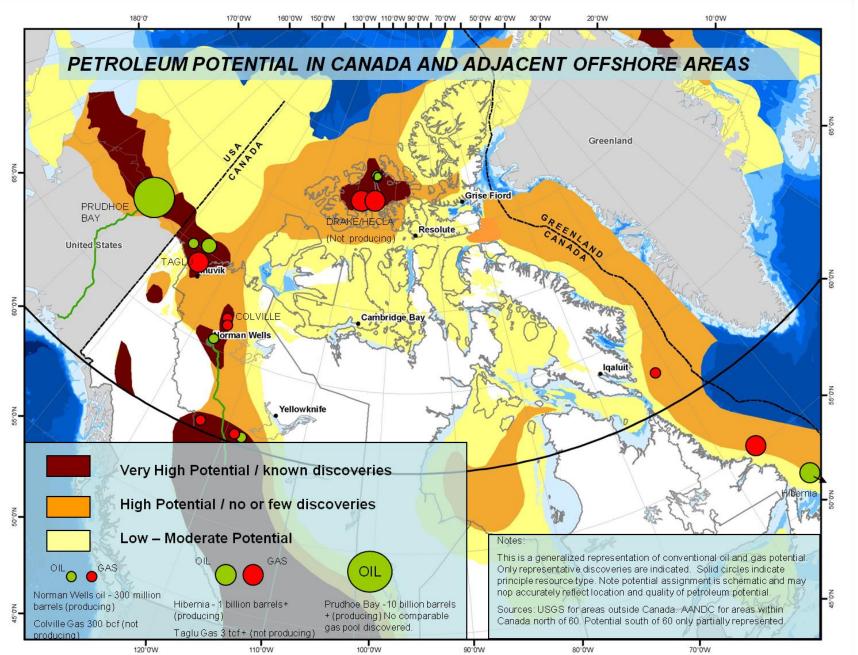
Parcels open for competitive bids; Auction like process

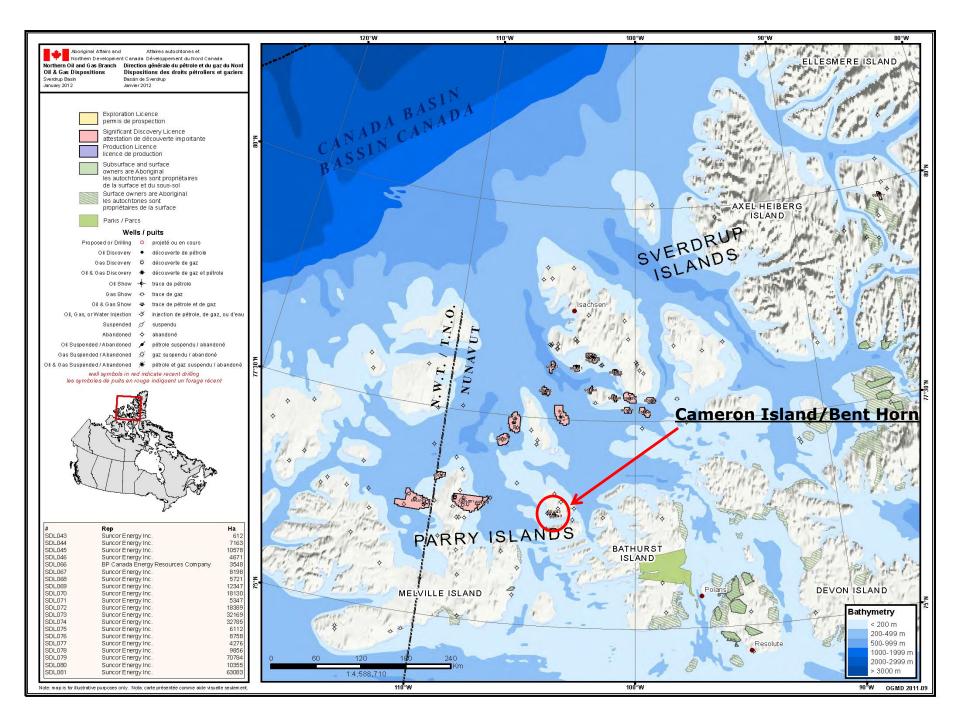
#### **Step 4 - Rights Issuance**

- Exploration Licence awarded to the company that proposes the highest work expenditure bid
- Subject to the CPRA and the COGOA, the Licence confers the exclusive right to drill and test for petroleum







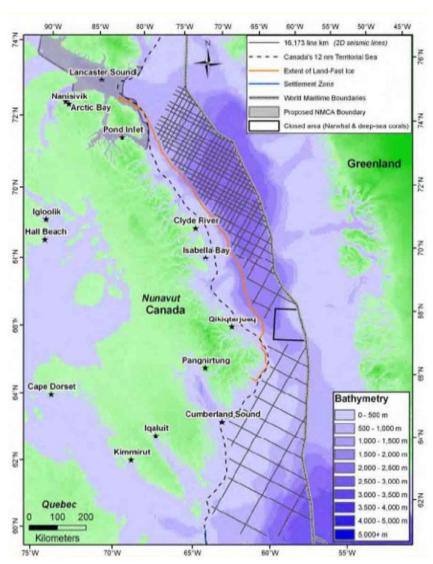




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## **Exploration Activity in Baffin Bay**

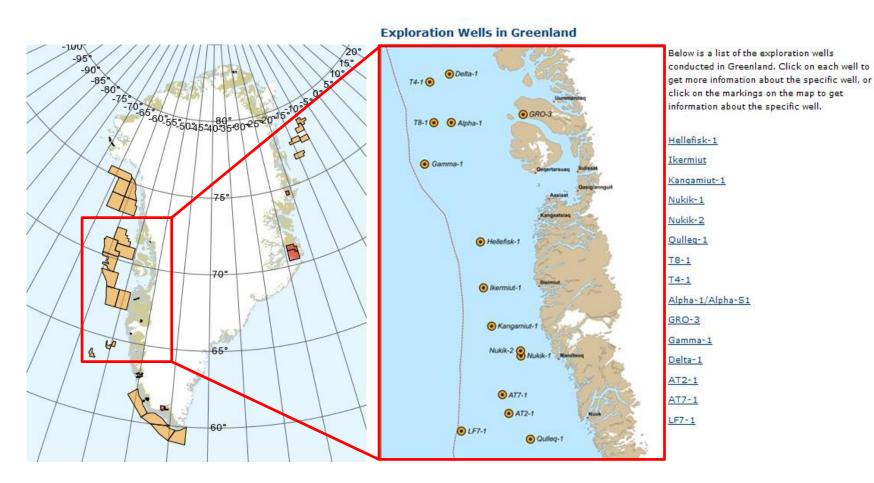
- On 8 January 2011, MKI filed a preliminary project description with the National Energy Board for the purpose of conducting a two dimensional offshore seismic program in the Baffin Bay and Davis Strait area.
- The whole review process was completed on the 26th of June 2014 when the NEB approved a Geophysical Operations Authorization application to conduct the seismic survey over five years during the open water season. Litigation launched soon afterwards.
- In a letter addressed to the NEB dated July 16, 2014, MKI states that it is postponing the work, which was supposed to start this year, until the summer of 2015.







# Offshore oil and gas exploration in Greenland



http://www.govmin.gl/petroleum

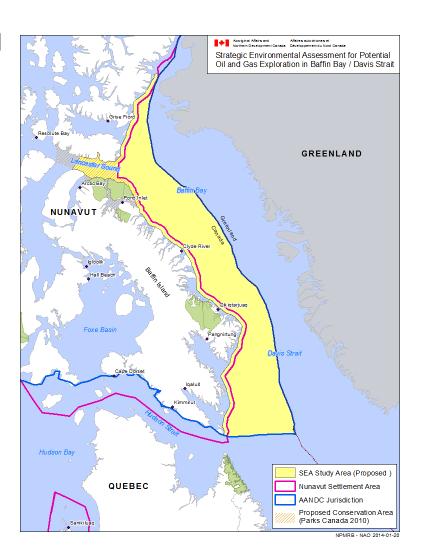


# Strategic Environmental Assessment (SEA)

- <u>Purpose</u>: Inform a ministerial decision around inviting oil and gas companies to bid on land for exploration rights in Canada's Eastern Arctic offshore
  - Minister of AANDC has publicly committed to undertake an SEA before a decision on plans for a call for bids for exploration licences

#### Approach:

 AANDC leads SEA and defines scope, in partnership and through engagement with local Inuit, territorial, and federal stakeholders





# **Background**

- Two years of engagement with local Inuit, territorial, federal government and non-government organizations since 2012, to discuss concept of SEA and seek feedback on plans, including:
  - 2012: Multi-stakeholder workshop around Nunavut Petroleum Workshop to present early thinking on SEA
  - 2013: Meetings with community organizations in 5 Baffin communities to introduce AANDC's plans to develop an SEA
  - 2014: In partnership with Qikiqtani Inuit Association and Government of Nunavut, meetings with public and community organizations in 10 Baffin communities to outline how we hope to work with communities to develop an understanding of the environment and to help develop recommendations to Minister of AANDC





## What did we hear in communities in 2014?

- Oil and gas activities (including seismic activities, increased shipping, risk of oil spills) may negatively impact marine mammals in Baffin Bay, Davis Strait, Lancaster Sound and Hudson Strait and, hence, livelihood of residents of the region who rely on animals from the ocean for their survival.
- Oil and gas activities need to be aware of ice patterns and hazards. Ice is changing and it was noted that human built structures could not withstand forces of some of the ice.
- Concern that there are potentially too many industrial activities being considered in the region (e.g. increased ship traffic from mining, coupled with oil and gas) that may lead to cumulative impacts and/or may interfere with commercial fishery.

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## What did we hear in communities in 2014? (cont'd)

- Interest in the natural seep of oil at Scott Inlet and its effects on the environment, and questions about whether it can be capped or whether oil can be produced from the seep.
- Focus should be placed on producing oil and gas from known or proven reserves (e.g. on land or from existing wells in the High Arctic) before allowing exploration in Baffin Bay / Davis Strait.
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 Focus should be better placed on investing in clean and renewable energy in the North, rather than focusing on oil and gas.  $\begin{aligned} & \triangle \sigma \begin{aligned} & & & & \\ & & & & \\ &$ 





## What did we hear in communities in 2014? (cont'd)

- Several communities noted inconsistencies in government messaging: on one hand, efforts are being made to protect species at risk (in part through restrictions on hunting), or to protect spaces (e.g. marine conservation areas); on the other hand, government is encouraging resource development industry to increase activities.
- There was a clear and consistent concern raised that residents of the Qikiqtani absorb risks of oil and gas activities in Baffin Bay / Davis Strait, without reaping benefits of the activities.
  - Inuit expect to be able to access benefits of activities in their region, such as education and training on oil and gas to enable participation of younger generations in the industry.
  - Inuit also expect a compensation plan laid out for any offshore oil and gas activities that may affect marine wildlife.

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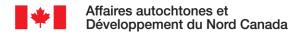


## What did we hear in communities in 2014? (cont'd)

- Communities want a voice in the planning process and want to ensure their input is reflected in ultimate decisions around oil and gas in the offshore.
- Communities are interested in hearing about experiences with oil and gas from other regions, and specifically mentioned the Inupiat, the Inuvialuit, and Inuit from Greenland.
- Communities are interested in knowing what environmental research has been conducted and scientific information is available for Baffin / Davis Strait

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## **Considerations**

- Government of Canada named in Judicial Review that was launched in July following National Energy Board decision to authorize MKI seismic program.
  - AANDC involvement primarily due to Minister's role in approving the project's Benefits
     Plan.
  - Litigation is not expected to alter plans to proceed with the SEA.
- Looking to advance SEA work in collaboration with stakeholders who are also interested in community engagement related to the seismic project and oil and gas activities.
  - SEA is a long-term initiative that is expected to take 2-4 years.
  - Working with QIA already; ramping up collaboration with GN and exploring options to have different (more visible and possible lead) role for NIRB in SEA.



# **Next steps**

- Continue to work with all stakeholders on further developing the scope and governance of the SEA
- Incorporate comments received at this meeting into the SEA
- Please share your ideas, your comments, and your concerns with us

### Thank You



## **Questions?**

#### **Contact information**

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