

**Speaking Notes for Presentation to Law Amendments Committee by Mark Butler,  
Policy Director, Ecology Action Centre for Bill 82 on December 6, 2010**

Thank you for the opportunity to present today.

My name is Mark Butler. I am Policy Director at the Ecology Action Centre. Ecology Action Centre is an active member of NoRigs and we fully support the proposed amendments presented by Mr. Morrow.

EAC was active in the two previous reviews. I was particularly active in the 1996-1999 review in which our organization invested thousands of hours.

We have worked closely with other Canadian environmental groups now and in the past to get the moratoria extended. The recent announcement by the Nova Scotia government was welcomed by organizations across Canada.

We have worked closely with American environmental groups in supporting a moratorium on both the Canadian and American side. We have also worked with American fishermen—and it was Joe Sinagra of Gloucestershire, Mass. gave me this sweatshirt in 1998 in lead-up to 1999 decision.

Since the oil industry expressed interest in drilling on Georges there have been three Canadian reviews, several American extensions. They have all reached the same conclusion. Leave Georges Bank alone.

The 1999 Panel summed it up nicely:

“The arguments that point to the great value of Georges Bank, ecologically and as a fishery, weighed against a lack of public need for and limited benefits from petroleum exploration are persuasive”

It is also encouraging to note that all political parties have supported the moratorium over the years. Georges Bank has been a place of bipartisan agreement.

Given that we continue to reach the same conclusion over and over again at considerable expense to government, fishing industry, oil industry and environmental groups we called for a permanent or indefinite moratorium this time around.

EAC welcomed the announcements on May 13 and November 3, 2010. In particular, we welcomed the following comment by the Premier in the November 3<sup>rd</sup> press release:

“It’s just not worth the risk to drill in an area this important to Nova Scotians,” said Premier Darrell Dexter. “Rather than continue the debate every few years, this legislation will provide certainty about our intentions around George’s Bank. Until a compelling case can be made for this decision to be reconsidered, the moratorium will stand.”

After the announcement and the cameras we sat down and read the legislation carefully. We felt some unease. We sought legal advice which only heightened our unease.

While we wanted to avoid the endless reviews which continue to reach the same conclusion, we felt we had traded a timeline which at least provided some certainty, ie an extension of the moratorium for a 10 year period, for open season on the moratorium. That is at any time the oil industry or individuals within the government could take a run at the moratorium.

As a result we are very concerned about the legislation in its present form. We think that it creates a unacceptable level of uncertainty for all those with an interest in Georges Bank, I would even argue for the oil industry.

Therefore, we definitely cannot support the legislation in its present form.

We support the amendments put forward by Norigs. We think they are fair, sensible and reasonable. The five year rollover with the default being no review, but the option for a review is a hybrid between a mandatory review every x years and an indefinite moratorium with no review date. The choice of five years puts us in accord with the Americans.

We truly hope all parties can support this significant improvement in the Bill.

If you ask the public what the biggest negative impact from oil drilling would be, many would likely say an oil spill. Now after watching the consequences of the BP spill (and the complete inability of the most powerful industry and the most powerful government in the world to stop it) they might be right. However, exploring and drilling have a range of other impacts.

I think that seismic testing or blasting is one of the most significant and negative impacts on the marine system and marine life. You are blasting powerful sounds into the ocean every 10-20 seconds, 24 hours/day, sometimes for weeks at a time. Seismic blasting can be picked up by sensors thousands of kilometres away from the source. An air gun will blow your hand off. Ask any scuba diver how close they would like to be to an active seismic vessel. This is an extremely invasive technology. Marine animals from fish to whales rely on sound to find food, find mates, navigate, etc. I think we underestimate the impact of seismic. As scientists do more research, we find more impacts.

Georges Bank is the gate way to Canadian waters. Each spring a huge wave of marine life enters Canadian waters to feed and grow fat. Mackerel, blue sharks, tuna, swordfish, pilot whales, right whales, and leatherback and loggerhead turtles all pass across Georges Bank on their way to the Scotian, Gulf of St. Lawrence or Newfoundland waters. Seismic could act as a sound fence during this annual migration in the spring and fall.

Because of our concern regarding seismic, EAC supports the request by NoRigs to have the word 'commercial' removed from 6 (b).

### **Conclusion**

Nova Scotia has always made the right decision in the end when it comes to Georges Bank. While moratorium may not be the oil industry's favourite word we should remind ourselves that

Atlantic Canada has the least amount of ocean under moratorium of any region or coast in North America--except for possibly the Gulf Coast-but even there, Florida has a moratorium on its waters from 125 to 300 miles off its coast.

The Premier has stated his intentions to protect Georges Bank. All political parties have been and are supportive of protecting Georges Bank. We believe the suggested amendments presented today by NoRigs will provide the protection for Georges that we all want.

Thank you.