

**Presentation to the Law Amendments Committee,
Nova Scotia Legislature regarding Bill 59-An Act to Amend Chapter 3 of the Acts of 1987, the Canada-
Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act**

The Ecology Action Centre has been actively involved in protecting Sable Island for over a decade. We have been a member of the 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. Throughout this period the Province was stalwart in its support for the Station.

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 increased protection for the Island from oil and gas activities. 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 were disappointed to see that with the proposed amendments in Bill 59 there are effectively no new protections for Sable Island. The exclusion zone has not been expanded. A company could install a drill rig 1.1 nautical miles from the Island and drill under the Island. Furthermore, oil and gas exploration is being permitted on the Island itself. 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.

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. To us it appears like the governments wanted to have their cake and eat too or have their park and drill under it too. Some media reports have suggested that it is the oil companies that were pushing to drill under Sable Island and also to be able to conduct low level seismic on the Island. Of course the EAC does not have access to conversations between the companies and the governments, but it is our impression that if the governments had requested a larger exclusion zone and other measures the companies might have agreed.

We would like to request that provincial and federal governments, with the support of opposition parties, seek a larger exclusion zone around the Island and drop the option of conducting low level seismic on the Island. There is a bountiful amount of goodwill around Sable Island. Let's make use of it and push for the highest possible level of protection for the Island.

Mark Butler, April 29, 2013