

# Statement of Canadian Practice with Respect to the Mitigation of Seismic Sound in the Marine Environment



  
**NOVA SCOTIA**  
Department of Energy

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# Outline

- Principles of Good Regulatory Policy for Offshore Energy
- Policy Drivers for Mitigation of Seismic Sound Impacts
- Policy Development
- Statement of Practice
- Conclusions



# Principles

- Risk-based
- Consistent with Science Advice
- Respects Federal-Provincial Responsibilities
- Result should be Efficient and Effective Regulatory Regime



# Policy Drivers

- Mitigation Requirements should:
  - Address issues raised as significant scientific risks
  - Improve public confidence
  - Improve regulatory certainty



# Policy Development

- Process
  - Science Risk Assessment
  - Policy Analysis
    - International Experience
    - Integration of science into operations
  - Public Input
  - Final Drafting
  - Release



# Policy Development

- Timelines
  - DFO Science Review - May 2004
  - Statement Drafting - Fall 2004
  - Statement Release - Winter 2005
  - Public Comment - Spring 2005
  - Final Drafting - late 2005
  - Release - Spring 2006
  - Aboriginal Dialogue - Spring 2006



# Statement of Practice

- Context
  - Statement Coverage
    - Environmental impacts only
  - Relationship with Other Regulatory Requirements
    - Oil and Gas activities still need
      - Approvals from offshore boards
      - To follow regulations under Accord Acts
      - To follow fisheries and petroleum interaction requirements of Offshore Boards
      - Environmental Assessments under CEAA



# Statement of Practice

- Application
  - All seismic surveys planned to be conducted in open marine waters, which propose to use an air source array(s).



# Statement of Practice

- Risk Based
  - Recognition of sensitive biological activities
    - Spawning, nursing, migration
  - Recognition of sensitive species
    - Endangered or threatened on Schedule 1 of the *Species at Risk Act*
    - Others identified through EA process



# Statement of Practice

- Precautionary
  - Surveys must be planned to:
    - Use only the energy required,
    - Be directed at the targets; and
    - Minimize frequency spread
  - Surveys not allowed when significant adverse effects may occur at:
    - A population level for any species
    - An individual level for endangered and threatened species
  - Extra operational caution is exercised when the following are present:
    - Endangered or threatened species; or
    - Any species, if an EA identifies them as being susceptible to population-level significant adverse effects



# Statement of Practice

- Based upon Best Practice and Technology
  - Safety Zone
  - Marine Mammal Observers
  - Ramp up and Shutdown
  - Passive Acoustic Monitoring (PAM)



# Statement of Practice

- Responsive to Circumstances
  - Each activity subject to an EA
    - EA may identify variations
  - Equivalencies
  - New Technologies and Evolving Best Practices
  - Annual Reviews



# Conclusion

- Responsive to Public Interests
  - Environmental
  - Economic
  - Social
- Increases Regulatory Certainty
- Respects Federal and Provincial Responsibilities