



October 12, 2018

VIA EMAIL: ceaa.nloffshorestudy-etudeextracotieretnl.acee@canada.ca

Canadian Environmental Assessment Agency
Newfoundland and Labrador Satellite Office
10 Barbers Hill, Suite 301
St. Johns NL A1C 6M1

Dear Sir/Madam,

Re: Request for Comments on the Draft Agreement to Conduct a Regional Assessment of Offshore Oil and Gas Exploratory Drilling East of Newfoundland and Labrador (draft Agreement)

On September 6, 2018, the Canadian Environmental Assessment Agency along with Canada-Newfoundland and Labrador Offshore Petroleum Board, Natural Resources Canada and the Department of Natural Resources for Newfoundland and Labrador invited comments on a draft Agreement with the intention of improving the efficiency of the environmental assessment process, with comments due on or before October 12, 2018.

We have reviewed the draft Agreement and have the following comments:

1. Mi'gmawé'l Tplu'taqnn is concerned that Indigenous Peoples are not full partners in this Regional EA with the Government of Canada and the Province of Newfoundland and Labrador. Indigenous Groups should have direct representation on the Joint Committee, the Task Team, and the Technical Advisory Group. Otherwise this is not a true joint environmental assessment.
2. Clause 4.17 says that the Committee will “engage with Indigenous groups and any others ... whose interests and uses may be affected”. Appendix “A”, section 1.2 likewise refers to engaging with “public and Indigenous” groups. This seems to treat Indigenous Groups as stakeholders with interests, and not rights holders with constitutionally protected rights. It seems to contradict Appendix C, section 1 (c), which states that the regional assessment will consider “the impact that exploratory drilling may have on the rights of Indigenous peoples”. If the RA is going to consider rights impacts, then the RA Committee must consult with Indigenous Groups, and not just engage. The language of the Agreement should reflect that.

Mi'gmawé'l Tplu'taqnn Incorporated

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3. Appendix "A", section 2.4 refers to "traditional knowledge", while Appendix "B", s. 3 refers to "Indigenous knowledge". References should be corrected to "Indigenous Knowledge" throughout. These are living bodies of knowledge.

All of which is respectfully submitted.

Yours Truly,

<Original signed by>

Marcy Cloud,
Mi'gmawe'l Tplu'taqnn Incorporated

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