

## Terms of Reference

### Beaufort Regional Strategic Environmental Assessment

#### 1. Context

To support the Government's commitment to a clean environment and a strong economy, decisions around potential resource development and conservation plans involve balancing risks and benefits at project-specific, regional and national scales. Government, Indigenous communities, industry and local stakeholders have an interest in understanding and assessing the balance of potential development and conservation scenarios. In particular, the detection, management and monitoring of cumulative effects of resource development is at the interface of project-specific and regional concerns and is often raised as a priority by all stakeholders.

Building on the recommendations made from the Beaufort Sea Strategic Regional Plan of Action, the Beaufort Regional Environmental Assessment (BREA) addressed top priority gaps in science and generated regional environmental and socio-economic research intended to gather new information that would be of value to regulatory decisions for future oil and gas exploration and development in the Beaufort Sea. Both new, and historical, information was made available and accessible to all parties and stakeholders. The primary goal for BREA was to produce relevant scientific and socio-economic data that would inform project-level environmental assessments and regulatory decision-making for oil and gas activities, while strengthening the relationship between environmental assessments and integrated management and planning in the region.

Partners in the BREA have expressed an interest in ongoing commitments by Government to advance research and monitoring priorities related to resource management and conservation objectives. The Beaufort Regional Strategic Environment Assessment (BRSEA) will provide an opportunity to ensure continuity and continued interest in the outcomes of the Beaufort Regional Environmental Assessment.

Elements of the BRSEA will include: providing a framework in which to support efficient future environmental assessments and regulatory decision-making; examining the cumulative effects of multiple activities or forecasted development and conservation scenarios; setting desired economic and environmental outcomes and thresholds; addressing regional interests and policy issues; and, take into account the risks and benefits of changes in the state of the ecosystem.

A Regional Strategic Environmental Assessment has been defined as "a process designed to systematically assess the potential environmental effects, including cumulative effects, of alternative strategic initiatives, policies, plans, or programs for a particular region"<sup>1</sup>. The goal of

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<sup>1</sup> CCME. 2009. Regional Strategic Environmental Assessment in Canada: Principles and Guidance. Canadian Council of Ministers of the Environment, Winnipeg, MB.

RSEA is therefore, not simply expanding the scope of the spatial and temporal boundaries of a particular project, rather, it encompasses a comprehensive examination of the interrelationships between the environment, social, cultural and economic conditions, the traditional use and wildlife harvesting of natural resources and decision-making by Inuvialuit, regulatory and planning authorities.

The Government of Canada's *Budget 2016* announced \$19 million to conduct new research over the next five years to assess the potential environmental impacts of future oil and gas activity in the Arctic. Of that, \$9.5 million will be used to support achievement of outcomes under the BRSEA.

The delicate nature of the Arctic ecosystem and the unique logistical and scientific challenges associated with potential offshore oil and gas activities were key considerations in prohibiting the issuance of new offshore oil and gas licences of all Arctic Canadian waters as part of the *United States-Canada Joint Arctic Leaders' Statement* on December 20, 2016. This prohibition will allow time for the risks and benefits of oil and gas activities in the Beaufort Sea to be assessed ahead of review of the decision in 2021. The completed BRSEA report will form part of the Prime Minister announced science-based review taking into account marine and climate change science that will inform future decisions on Arctic Oil and Gas

Conduct of an RSEA will not remove the requirement for project-specific environmental assessment of individual exploration activities that may be proposed.

## 2. Objective

The BRSEA will form part of the science-based review included in the December 20, 2016 *United States-Canada Joint Arctic Leaders' Statement*. The BRSEA will:

- a) Recommend desired economic and environmental outcomes and thresholds for oil and gas development in the Beaufort region while respecting the Inuvialuit Final Agreement and relevant regulatory processes.
- b) Advance baseline information and the state of knowledge for the Beaufort Sea while reflecting the dynamic nature of the environment.
- c) Support informed decision-making around possible future resource development and management, environmental conservation programs, community sustainable and subsistence activities, and other complementary commercial activities.

The BRSEA will promote engagement, education, monitoring, and research projects in the Western Arctic (i.e. the Canadian Beaufort Sea and Inuvialuit Settlement Region) local and traditional knowledge and community input will be essential to developing recommendations which will inform these decisions.

### **3. Anticipated Activities and Results**

This work aims to develop a framework to support regulatory decision-making and environmental assessments; through a state of the marine environment analysis driven by Indigenous knowledge; an examination of multiple activities or forecasted development and conservation scenarios; and the merging of traditional knowledge with western science to inform decision-making with consideration of the environmental change.

In addition to the main focus of the work described below, consideration will be given to how this work intersects with: a) the regulatory context around decision-making; and b) spatial planning initiatives, such as Fisheries and Oceans Canada's Integrated Oceans Management Plan and marine conservation targets. It is anticipated that the BRSEA will contribute to, and take into consideration, recommendations from other complimentary processes.

#### Activities and Outcomes:

- Developing a consistent process for coordinated information management.
- Developing a cumulative effects assessment framework.
- Continuing support for ongoing community based monitoring program (may include ice forecasting/modelling, fish and habitats, underwater acoustic monitoring, instrument-based polar bear-seal survey).
- Developing management strategies and joint decisions on mitigation by Canada and the Inuvialuit.
- Developing a partnership approach to develop a plan to take action and address environmental and socio-economic stressors.
- Completing research projects to advance baseline information, filling gaps in knowledge, prioritizing Indigenous knowledge and analysis of information.
- Providing support to Inuvialuit organizations for a report on Indigenous knowledge on the Beaufort marine environment.
- Developing scenarios for oil and gas, tourism and shipping/transport.
- Strengthening community engagement.
- Developing recommendations for desired economic and environmental outcomes and thresholds for oil and gas development in the Beaufort region.

### **4. Structure/Organization:**

#### **4.1 Co-chairs**

The BRSEA will be led by 2 parties: Canada [represented by Indigenous and Northern Affairs Canada (INAC)] and the Inuvialuit (represented by the Inuvialuit Regional Corporation and the Inuvialuit Game Council). Project support to the BRSEA will be jointly provided and managed by the Inuvialuit Regional Corporation for the Inuvialuit Settlement Region and by the Northern Affairs Organization at INAC. This includes establishing a BRSEA framework that will guide the

identification of research gaps, establishing a workplan and ensuring timely completion the final BRSEA report.

While the organizations commit to working in partnership, INAC will be responsible for ensuring ongoing communication, coordination and participation as required of the federal family, including Department of Fisheries and Oceans Canada, Environment and Climate Change Canada, Natural Resources Canada (including the Geological Survey of Canada), Canadian Coast Guard, Canadian Environmental Assessment Agency, and Transport Canada.

Likewise, the Inuvialuit Regional Corporation and Inuvialuit Game Council will be responsible for ensuring ongoing communication, coordination and participation as required of Inuvialuit participants, including the Fisheries Joint Management Committee, the Wildlife Management Committee – NWT and the Wildlife Management Committee – North Slope.

#### **4.2 Advisory Committee**

The BRSEA Advisory Committee will provide advice on BRSEA from their organizational perspectives to the Co-chairs related to the BRSEA. The committee will meet at least twice annually either in person or via teleconference.

It is anticipated that a number of other organizations will have an interest in the outcomes/results of the BRSEA and will want to share their perspectives or provide support to the initiative. Their organizational expertise will be called upon by the Co-Chairs as needed.

The committee will include representatives from:

- Inuvialuit Regional Corporation
- Inuvialuit Game Council
- Indigenous and Northern Affairs Canada
- Government of the Northwest Territories
- Government of Yukon
- National Energy Board
- *Other organizations/groups as needed*

### **5. Roles and Responsibilities**

#### **5.1 Co-chairs**

- Ensuring that BRSEA is fair and transparent;
- Facilitating discussions;
- Taking minutes of the meetings (secretariat);
- Agree on approaches, criteria and processes for targeting and evaluating research
- Lead review of progress and provide general oversight on BRSEA plans and projects;
- Ensuring that BRSEA material is communicated in a timely manner;
- Engaging BRSEA participants on a regular basis; and,

- Enhancing capacity and providing guidance to BRSEA participants.

## **5.2 Advisory Committee**

- Provide advice from their organizational perspectives to the BRSEA Co-chairs related to the BRSEA.
- Provide advice on other matters related to the 5-year review of the suspension of new licence issuance in the Arctic offshore.
- Provide uniform and coordinated input between the BRSEA and other actions and future regulatory and legislative initiatives that will inform the 5-year review

## **6. Meetings**

Meetings concerning the BRSEA will be held at least quarterly. Whenever possible, those meetings will be face-to-face. If required, additional meetings can be scheduled in response to specific circumstances. Members unable to attend a meeting may send a substitute to BRSEA meetings. The Co-chairs may invite subject matter experts to the meetings as required.

The agenda for the meetings will be set jointly by the Co-chairs and shall be sent to BRSEA members prior to the next meeting, along with the minutes from any previous BRSEA meeting.

In addition, regular updates will be provided to communities and the Inuvialuit Game Council via appropriate engagement activities.

## **7. Communications**

The Co-chairs and all participants agree to an open and transparent process. In addition to regular meetings and engagement activities, the Co-chairs commit to public sharing of documents and updates via existing Inuvialuit and INAC websites and press releases as appropriate.

## **8. Financial and Administrative Support**

Participants of the BRSEA will serve without remuneration. There is no payment for meeting preparation or participation. The intention is that the BRSEA advisory committee be an independent, voluntary, advisory group. Funding resources may be available for Inuvialuit members in accordance with federal directives, for reasonable travel and living expenses incurred for his/her participation as a BRSEA member. Federal departments and agencies will cover the costs for their employees to serve on the BRSEA, including travel expenses.

**8. Signature**

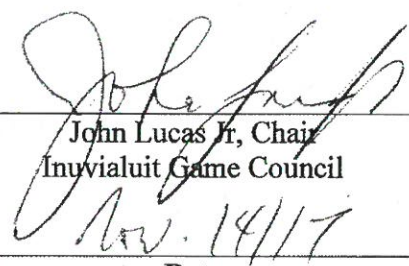


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Duane Ningaqsiq Smith, Chair & CEO  
Inuvialuit Regional Corporation

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Date

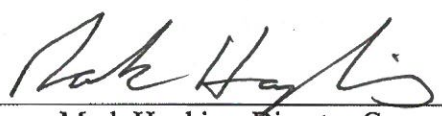


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John Lucas Jr, Chair  
Inuvialuit Game Council

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Date



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Mark Hopkins, Director General  
Natural Resources and Environment  
Branch  
Indigenous and Northern Affairs Canada

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Date