

Public Concern as a Trigger for a Shale Gas Strategic Environmental Assessment (SEA) in Québec

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Outline

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Geographical context

◆ Québec

- ◆ Second most populous province of Canada (nearly 8 million inhabitants)
- ◆ Largest province in Canada (1,7 million km²)
- ◆ Economic vitality due to:
 - Abundant natural resources
 - Hydro-electric power at relatively low production costs



Source: Wikipedia, 2011

Environmental Assessment in Québec

1980 Québec Environmental Quality Act (EQA)

→ *EIA process for projects and a few programmes*

→ *Gas and oil exploration and production not subject to EIA process*

1988 Lacoste Committee recognizes the need to extend EIA application to policies, plans and programmes

→ *Several attempts to officialise SEA over the years*

2012 Systematic SEA procedure still not adopted

→ *Ad hoc SEAs carried out*

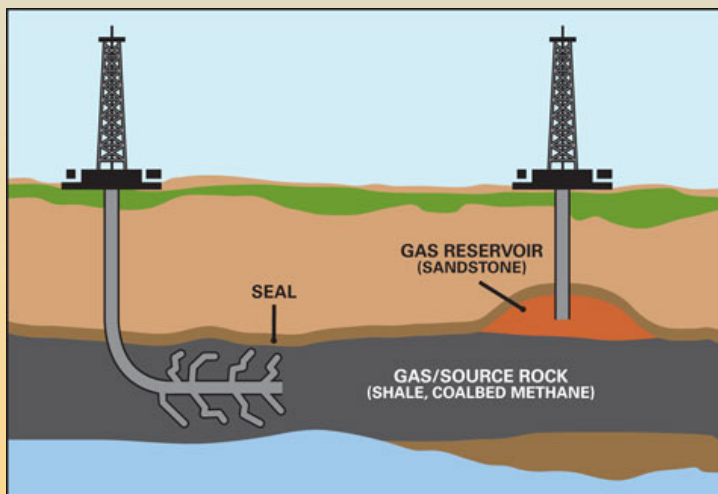
A changing energy production profile

- ◆ **Energy production largely dominated by hydro power, with wind power recently increasing in importance**
- ◆ **Gas production is negligible (even if gas represents 13% of energy used)**
- ◆ **Since early 2000s**
 - Offshore gas and oil exploration in Estuary and Gulf of Saint-Lawrence
 - Exploration drilling in Southern Québec for shale gas (about 30 wells since 2006)
 - Permits given out by ministry responsible for natural resources under the Mining Act
 - Not subject to EIA process

Concerns over Shale Gas

Context

- Controversial exploration program in Southern Québec, a densely populated agricultural region



Source: 24-7 pressrelease.com



Source: BAPE, 2011

Issues

- Water quality
- Air quality
- Risk management
- Land-use planning
- Economic benefits

Concerns over Shale Gas

◆ Early 2010: Civil society mobilized over shale gas related issues

- Demonstrations
- Newletters from NGOs
- Website pages

◆ The Oil and Gas Association of Québec

- Held public information sessions on this energy option in 2010
- These sessions did not convince the public about the safety of the industry particularly for those populations in areas targeted for exploration

Concerns over Shale Gas

- ◆ Heated debates involving environmental groups, politicians, academics and the industry
- ◆ Many of these debates were taken up in the media where “shale gas web pages” were set up
- ◆ Committees formed in several regions to voice the concerns of local communities
- ◆ A collective of scientists launched a major website on shale gas where technical information, opinions and position papers can be found and discussed

Public hearing mandate

◆ September 2010

- ◆ Environment Minister mandates independent board (*Bureau d'audiences publiques sur l'environnement* – BAPE) to conduct an inquiry and public hearing on the sustainable development of the shale gas industry in Québec.
 - No background document
 - Short time-frame
- ◆ Inputs from 85 experts from government, academia and the private sector
- ◆ 199 memoranda from the public

◆ March 2011: The BAPE report found that:

- ◆ There were several major issues for which it could not find a satisfactory answer, especially in regard to the risk of groundwater pollution
- ◆ A strategic environmental assessment was therefore a necessary element of both an informed decision and improved social acceptability

SEA mandate

◆ May 2011

- ◆ Government appoints a committee made up of 11 persons from government, municipalities, academia, industry, civil society and environmental groups to conduct an SEA on the shale gas industry.
 - Inclusion of two members from the shale gas industry raised concerns about the committee's credibility. In June, one of these two members resigned from the committee.
- ◆ During the committee's mandate all hydraulic fracturing activities are suspended.
- ◆ The committee's mandate is a follow-up on the four SEA objectives identified in the BAPE report:
 1. Assess the socioeconomic relevance of developing the resource with a view to maximize State revenues
 2. Assess environmental impacts and risks, and define acceptable thresholds and mitigation measures
 3. Prepare regulations concerning the environmental assessment of gas projects
 4. Assess the relevance of setting up scientific monitoring observatories in order to continuously acquire knowledge on the matter

SEA mandate

- ◆ **December 2011:** Information sessions on SEA work plan (scoping document)
 - ◆ Several participants reiterated their concerns about the risks associated with shale gas exploration and production
 - ◆ The committee's credibility and independence was again questioned because of the remaining member from the shale gas industry. The committee indicated that the technical studies outlined in the work plan will be done by universities and public organizations and will be available to the public, thus, in its opinion, ensuring the production of unbiased information
 - ◆ It was felt that the consultation period was too short and the timing (just before the Christmas holidays) not conducive to the preparation of documented comments by the public

Conclusion

- ◆ Clearly, civil society had a **major influence** in putting shale gas development on the political agenda and on initiating the SEA
- ◆ In Québec, because public participation is legally framed since 1978, civil society has extensive experience on environmental issues. However, because the BAPE can act on strategic issues such as shale gas development only when the Minister requests it, **civil society must be vigilant and exert relentless pressure on the government in order to be heard**
- ◆ It is hoped that the ongoing SEA can adequately and transparently characterize environmental, economic and social issues associated with shale gas development in Québec, **a still highly polarized debate**

Conclusion

- ◆ As an indicator of **ongoing public resistance** to shale gas development, as of March 2012, over 27 000 persons had signed a form indicating that they will not accept any shale gas drilling on their land.
- ◆ The Québec **Sustainable Development Commissioner's** 2011 report pointed out several **government shortcomings** in handling the shale gas issue, including:
 - ◆ Not meeting its own responsibilities under the Québec *Sustainable development Act* and the *Environment quality Act*
 - ◆ No clear alignment between shale gas development and territorial planning priorities
 - ◆ Late implementation of government mechanisms for public participation
 - ◆ Lack of a coordination between the principal ministries involved
 - ◆ Deliverance of drilling permits by the Ministry of Natural resources and Wildlife without ensuring beforehand that environmental safeguards were in place
 - ◆ Weaknesses in the control done in the field by the relevant ministries