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By email to: CEAA.EARReview-ExamenEE.ACEE@ceaa-acee.gc.ca

Subject: Review of Environmental Assessment Processes: Expert Panel Draft Terms of Reference (ToR)

Suncor is Canada's largest integrated energy company with operations in all stages of the oil and gas industry – upstream, midstream and downstream. Our Oil Sands business is focused on the responsible development of one of the world's largest petroleum resource basins – the Athabasca oil sands – through both mining and in situ technologies. Suncor holds one of the largest positions in the oil sands and we are committed to delivering safe, reliable, low-cost production, while being leaders in growth, technical innovation, social and environmental sustainability.

In the Oil Sands Mining industry new mines and major expansions are subject to the *Canadian Environmental Assessment Act* along with other federal and provincial regulatory processes. Suncor is supportive of an overall review of the environmental assessment processes to regain public trust and help get resources to market through a fair, efficient and transparent process focused on the public interest.

Please find below Suncor's comments on the '*Review of Environmental Assessment Processes Expert Panel Draft Terms of Reference*' published on June 20, 2016.

Complementary Mandates

As stated in the complementary mandates section of the ToR "in addition to the Minister's mandate to review environmental assessment processes, other Ministers have also been mandated to carry out reviews and propose reforms to matters that intersect with environmental assessment". While it is important to focus on areas where these other reviews may intersect, environmental assessment is just a part of the overall regulatory process which needs to be considered within the broader context of balanced and informed government decision-making through a fully integrated review and approvals process that ensures alignment (with other policies and regulations), robust oversight and enhanced regulatory certainty.

Scope of Review

In considering the detailed matters outlined in the Minister's mandate letter we would suggest that the panel not constrain themselves to some of the detailed wording but focus on an overall understanding of what has or hasn't worked with CEAA 2010 and 2012. By doing this the panel can focus on the

important components of; ensuring robust oversight, avoiding duplication, ensuring decisions are based on science, facts and evidence which serve the public's interest related to sustainable development, and ensuring stakeholders have meaningful participation in the process.

In terms of point four, which requires project advocates to choose the best technologies available to reduce environmental impacts – we would like to highlight that “best” can be very dependent on the type of project and its local circumstances and should consider overall environment and socio-economic impacts that comply with all protections, safeguards and standards outlined in applicable legislation. Additionally, new and existing technology and standards should be included as an engagement process outside the context of single proponent's project to ensure timely review.

Overall, Suncor supports the work of the Panel in considering how to enhance regulatory certainty in the development of major projects in Canada.

Conduct of the Review

Timeline - Given the ambitious timeline and scope of the review, it would be beneficial for the ToR to provide detail in terms of schedule and milestones of the planned next steps.

Indigenous Engagement and Consultation - Clarity, transparency, and coordination are very important qualities for meaningful engagement and participation with indigenous communities. Clear and meaningful engagement with indigenous organizations will be a critical component of this review. While the ToR refers to Panel discussions with National Indigenous Organizations we would like to highlight the importance of consultation and engagement with local communities as an important component of the on-going review process.

Multi-Interest Advisory Committee – An apparent gap in the ToR related to the make-up of the Multi-Interest Advisory Committee would be the involvement of Provincial Governments. An understanding of provincial processes as a part of this process will be important in avoiding duplication and helping to ensure coordination in reviews going forward. In Alberta the province is the life-of-project regulator for mining and so federal assessment must take into account that future regulatory decisions taken by the province will be based on information that is not available at the time of the assessment.

Overall Suncor supports a review process that will focus on ensuring robust oversight and enhanced regulatory certainty through a fair, efficient and transparent process focused on the public interest. We thank you for this opportunity to provide comments and we look forward to on-going engagement in the review process.

Sincerely,



Ginny Flood
VP Government Relations
Suncor Energy