

May 6th, 2024

To: Steven Guilbeault, Minister of Environment and Climate Change
cc: Prime Minister Justin Trudeau
Jonathan Wilkinson, Minister of Natural Resources

Dear Minister Guilbeault,

As scientists, academics, and energy system modellers, we strongly support your efforts to put an effective cap on the oil and gas sector's emissions. However, we are deeply concerned that the proposed regulatory timeline and loopholes outlined in the Framework will undermine the effectiveness of the cap and Canada's ability to meet its emissions targets.

Our climate cannot afford any more delays. From wildfires to extreme heat to floods, Canadians are already experiencing devastating climate impacts. The emissions cap must come into effect by 2025 at the latest, necessitating that draft regulations be out by this summer. This decade is crucial in reducing emissions and keeping the rise in global average temperature to below 1.5°C.

We strongly urge you not to include loopholes, such as domestic and international offsets and a decarbonization fund, in the oil and gas emissions cap because these will enable carbon pollution rather than much-needed emissions reductions.

The Framework proposes using compliance market offsets from Canada's GHG Offset Credit System and recognized provincial systems. Domestic offsets are notoriously unreliable as permanent additional emission reductions, and should not be counted as such. International offsets, often referred to as Internationally Transferred Mitigation Outcomes (ITMOs), through the Paris Agreement's Article 6.2, are even more dubious.¹ There are no agreed upon rules to assure their quality, and prospects for agreement on such rules is unlikely. Meanwhile, contributions to the decarbonization fund in lieu of emissions reductions mean producers can continue to emit in exchange for uncertain future emissions outcomes from the expenditures (investments) from the decarbonization fund creating the further risk of double-counting. Further, we are concerned this fund will become a new fossil fuel subsidy and will be used for investments in technologies like carbon capture and storage, which are expensive and unproven at scale.

¹ Watson Institute of International and Public Affairs, Brown University. Response Report to Canada's Proposed Regulatory Framework for GHG Emissions from Oil and Gas. https://watson.brown.edu/climatesolutionslab/files/csl/imce/research_briefs/2024/CSI_%20White%20Paper%20on%20Canada%20G%20emissions%20regs%20-2023Jan14.pdf

Allowing these loopholes in the oil and gas emissions cap will delay and weaken emissions cuts – the exact opposite approach to what science says we need. The oil and gas sector is the biggest² source of carbon pollution in Canada. A 2023 study on GHG emissions from oil sands facilities found them to be 65 per cent higher than those reported by industry.³ **Canada’s oil and gas sector needs regulations to cut emissions – not loopholes that undercut the cap and enable industry to continue polluting.**

Under the draft framework, the oil and gas sector will receive preferential treatment. The framework proposes capping oil and gas emissions at 35-38 per cent below 2019 levels by 2030 – far less than Canada’s whole-of-economy target of 54 per cent below 2019 levels by 2030. This would require other sectors and individual Canadians to cut more emissions than Canada’s most polluting sector.

The International Energy Agency states that to limit warming to 1.5°C, the global oil and gas sector must cut emissions by 60 per cent by 2030, from 2023 levels.⁴ In Canada, this would mean the oil and gas sector must reduce their emissions by 57 per cent from 2019 levels by 2030. In contrast, oil and gas companies in Canada that buy offsets would only be required to reduce emissions by 20-23%. This is not in line with climate science.

Canada’s oil sands are among the most carbon-intensive energy producers in the world. Canada is poised to become the world’s second largest developer of *new* oil and gas extraction from 2023 to 2050.⁵ Carbon pollution generated by *new* oil and gas production in Canada by 2050 would be equivalent to the lifetime emissions of 117 new coal plants.⁶

Loopholes not only threaten to undermine government efforts to reach net-zero by 2050, they risk preventing Canada from meeting our legally binding international commitments under the Paris Agreement. We implore you not to introduce yet another way for oil and gas companies to continue to sidestep their responsibility for their pollution.

² Government of Canada. Greenhouse gas emissions by economic sector. <https://www.canada.ca/en/environment-climate-change/services/environmental-indicators/greenhouse-gas-emissions.html>

³ Aircraft and satellite observations reveal historical gap between top-down and bottom-up CO₂ emissions from Canadian oil sands. PNAS Nexus. April 2023. <https://academic.oup.com/pnasnexus/article/2/5/pgad140/7127723>

⁴ The Oil and Gas Industry in Net Zero Transitions. International Energy Agency. November 2023. <https://www.iea.org/reports/the-oil-and-gas-industry-in-net-zero-transitions>

⁵ Canada Fact Sheet - Planet Wreckers. Oil Change International. September 2023. <https://priceofoil.org/content/uploads/2023/09/Planet-Wreckers-Canada.pdf>

⁶ Ibid.

Last summer, record-breaking wildfires in Canada scorched 18 million hectares – six times the average amount of land lost a year to fire.⁷ Smoke from the wildfires blanketed skies across Canada (in Vancouver,⁸ Calgary,⁹ Toronto,¹⁰ Ottawa,¹¹ Montreal,¹² and more), the U.S. (New York,¹³ and Washington, DC) and stretched as far as Norway.¹⁴ Climate scientists linked the rise in wildfires over the past 30 years in parts of North America to emissions from specific oil and gas companies.¹⁵ Fossil fuel emissions are wreaking havoc on our climate.

Effective solutions to achieve deep emissions reductions in the next decade along a pathway to net zero emissions are available, including renewable energy, electrification, energy storage and energy efficiency. This is what Canada should be leaning into – not letting its most polluting sector off the hook with loopholes.

We strongly urge you not to introduce offsets into the emissions cap as this is not in line with science. If the Government of Canada proceeds with offsets, it must include the following conditions:

- **Offsets must be from within the domestic oil and gas sector specifically.**
- **Allowable offsets must be from sources that are unquestionably permanent and additional.**

Thank you for your efforts to ensure that the oil and gas sector's emissions are subject to a declining cap. We recognize there is intense industry pressure to weaken, delay or dilute the

⁷ Zurowski, Monica. The Summer Canada Burned. Excerpt from *The Summer Canada Burned*, Calgary Herald. 22 November 2023. <https://calgaryherald.com/feature/wildfires-novascotia-bc-alberta-summer-canada-burned-book-smoke>

⁸ Jussinoja, Jaija. Metro Vancouver issues air quality advisory due to wildfire smoke. CTV News. 19 August 2023. <https://bc.ctvnews.ca/metro-vancouver-issues-air-quality-advisory-due-to-wildfire-smoke-1.6526480>

⁹ Sharp, Jonathan. Wildfire smoke descends on Calgary, air quality index at 'very high risk.' CBC News. 16 May 2023. <https://www.cbc.ca/news/canada/calgary/wildfire-smoke-air-quality-statement-calgary-1.6844824>

¹⁰ Vega, Manuela. Toronto's air quality is among the worst in the world due to wildfire smoke. Toronto Star. 28 June 2023. https://www.thestar.com/news/gta/toronto-s-air-quality-is-among-the-worst-in-the-world-due-to-wildfire-smoke/article_81645fb7-20ed-5a77-9979-33a23bba85f1.html

¹¹ Air quality risk 'off the charts' in Ottawa because of smoke. CBC News. 5 June 2023. <https://www.cbc.ca/news/canada/ottawa/air-quality-fire-smoke-ottawa-gatineau-1.6865730>

¹² Wildfire smog gives Montreal worst air quality of any major city, says pollution monitor. Agence France-Presse. VOA News. 26 June 2023. <https://www.voanews.com/a/wildfire-smog-gives-montreal-worst-air-quality-of-any-major-city-says-pollution-monitor/7152820.html>

¹³ Amatulli, Jenna. Canadian wildfire smoke to engulf New York skies again. The Guardian. 27 June 2023. <https://www.theguardian.com/us-news/2023/jun/27/canada-wildfire-smoke-returns-new-york-air-quality>

¹⁴ Paddison, Laura. Smoke from Canada's wildfires has reached as far as Norway. CNN. 9 June 2023. <https://www.cnn.com/2023/06/09/europe/canada-wildfires-norway-smoke-climate-intl/index.html>

¹⁵ Kristina A Dahl, John T Abatzoglou, Carly A Phillips, J Pablo Ortiz-Partida ^{et al.} Quantifying the contribution of major carbon producers in vapor pressure deficit and burned area in western US and southwestern Canadian forests. Environmental Research Letters. Vol 18:6. 16 May 2023. <https://iopscience.iop.org/article/10.1088/1748-9326/acbce8>

effectiveness of the cap and we call for the above to ensure that industry invests in real emissions reductions that will achieve the 2030 target.

À : Steven Guilbeault, ministre de l'Environnement et du Changement climatique

cc. : Justin Trudeau, premier ministre

Jonathan Wilkinson, ministre des Ressources naturelles

Monsieur le ministre,

En qualité de scientifiques, universitaires et modélisateurs du système énergétique, nous appuyons fermement les efforts que vous consentez pour plafonner efficacement les émissions du secteur gazier et pétrolier. Cependant, nous craignons vivement que l'échéancier réglementaire proposé et les échappatoires indiquées dans le cadre sapent l'efficacité du plafond et la capacité du Canada d'atteindre ses objectifs en matière d'émissions.

Notre climat ne supportera pas de retard supplémentaire : des feux de forêt aux inondations, en passant par les vagues de chaleur extrême, les Canadiens subissent déjà les effets dévastateurs du changement climatique. Comme le plafonnement des émissions doit entrer en vigueur d'ici à 2025 au plus tard, il faut que le règlement préliminaire soit publié cet été. Cette décennie est cruciale pour réduire les émissions et faire en sorte que la hausse de la température mondiale moyenne demeure sous la barre de 1,5°C.

Nous vous exhortons vivement à ne pas inclure d'échappatoires, comme des compensations nationales et internationales et un fonds de décarbonation, dans le plafonnement des émissions gazières et pétrolières parce qu'elles entraîneraient de la pollution par le carbone et non pas des réductions d'émissions, actuellement si vitales.

Ce cadre propose d'utiliser des compensations commerciales fondées sur la conformité à partir du système de crédits de compensation des GES du Canada et de systèmes provinciaux reconnus. Il est de notoriété publique que les compensations nationales ne sont pas fiables, contrairement aux réductions des émissions supplémentaires permanentes, et ne doivent pas être considérées comme telles. Les compensations internationales, souvent désignées sous le terme de résultats d'atténuation transférés à l'échelle internationale (ITMO), établies selon l'article 6.2 de l'Accord de Paris, sont encore plus douteuses^[1]. Il n'y a pas de règles consensuelles pour assurer leur qualité, et il est peu probable que l'on réussisse à obtenir un accord à leur sujet. Par contre, en contribuant à des fonds de décarbonation au lieu de tenter de réduire les émissions, on permet aux producteurs de continuer à émettre en échange de résultats d'émissions futures incertaines à partir des dépenses [investissements] du fonds de décarbonation, ce qui crée le risque

supplémentaire d'un double comptage. De plus, nous craignons que ce fonds devienne une nouvelle subvention pour les combustibles fossiles et serve à investir dans des technologies comme le captage et l'entreposage du carbone, qui sont dispendieuses et non éprouvées à grande échelle.

En permettant ces échappatoires dans le plafonnement des émissions gazières et pétrolières, on reporte et contrecarre la baisse des émissions, ce qui est l'approche directement opposée à celle préconisée par les scientifiques. Le secteur gazier et pétrolier est la plus importante source^[2] de pollution par le carbone, et celle qui affiche la croissance la plus rapide au Canada. Lors d'une étude menée en 2023 sur les émissions de GES des installations d'exploitation des sables bitumineux, on a constaté qu'elles étaient supérieures, à hauteur de 65 %, à celles signalées par l'industrie^[3]. **Le secteur gazier et pétrolier du Canada a besoin de règlements visant à réduire les émissions, et non pas d'échappatoires qui compromettent le plafonnement et permettent à l'industrie de continuer à polluer.**

Selon le cadre préliminaire, le secteur gazier et pétrolier bénéficiera d'un traitement préférentiel. Ce cadre propose de plafonner les émissions de ce secteur à 35 à 38 % en dessous des niveaux de 2019 d'ici à 2030, soit un niveau bien inférieur à la cible fixée pour l'ensemble de l'économie du Canada, qui est de 54 % en dessous des niveaux de 2019 d'ici à 2030. Pour ce faire, il faudrait que d'autres secteurs et des Canadiens, individuellement, éliminent plus d'émissions que le secteur le plus polluant du Canada.

Selon l'Agence internationale de l'énergie, pour limiter le réchauffement à 1.5°C, le secteur gazier et pétrolier mondial doit abaisser ses émissions de 60 % d'ici à 2030, par rapport aux niveaux de 2023^[4]. Au Canada, il faudrait donc que le secteur gazier et pétrolier réduise ses émissions de 57 % par rapport aux niveaux de 2019 d'ici à 2030. Par contre, les entreprises gazières et pétrolières du Canada qui achètent des crédits devraient seulement réduire leurs émissions de 20 à 23 %. Or, ces chiffres ne correspondent pas à ceux de la science sur le climat.

Les sables bitumineux du Canada font partie des producteurs énergétiques qui émettent le plus de carbone au monde. Le Canada s'apprête à devenir le deuxième plus grand promoteur de *nouveaux* projets d'extraction pétrolière et gazière entre 2023 et 2050^[5]. La pollution par le carbone générée par ces *nouveaux* projets pétroliers et gaziers au Canada d'ici 2050 équivaldrait aux émissions à vie de 117 nouvelles usines au charbon^[6].

Les échappatoires risquent non seulement de saper les efforts du gouvernement d'atteindre la carboneutralité d'ici à 2050, mais aussi d'empêcher le Canada de respecter ses

engagements internationaux légalement contraignants en vertu de l'Accord de Paris. Nous vous demandons instamment de ne pas introduire encore un autre moyen que les entreprises gazières et pétrolières pourront utiliser pour se dégager de la responsabilité de leur pollution.

L'été dernier, des feux de forêt records ont dévoré 18 millions d'hectares au Canada, soit six fois la superficie moyenne annuelle^[7]. La fumée des feux de forêt a assombri le ciel de tout le Canada (à Vancouver^[8], Calgary^[9], Toronto^[10], Ottawa^[11], et Montréal^[12], entre autres) et des É.-U. (New York^[13] et Washington, DC) pour s'étendre jusqu'en Norvège^[14]. Des scientifiques experts du climat ont associé la hausse des feux de forêt au cours des 30 dernières années dans certaines parties de l'Amérique du Nord aux émissions d'entreprises gazières et pétrolières spécifiques^[15]. Les émissions issues des combustibles fossiles font des ravages climatiques.

Parallèlement à une voie vers la carboneutralité, il existe des solutions efficaces pour réduire réellement les émissions durant les prochaines décennies, notamment les énergies renouvelables, l'électrification, l'entreposage énergétique et l'efficacité énergétique. C'est la voie que le Canada doit emprunter, au lieu de laisser à son secteur le plus polluant le loisir d'en faire à sa tête grâce à des échappatoires.

Nous vous exhortons vivement à ne pas introduire de compensations dans le plafonnement des émissions, car cette méthode ne correspond pas aux exigences scientifiques. Si le gouvernement du Canada décide d'adopter des mesures compensatoires, il doit inclure les conditions suivantes :

- **Les crédits doivent provenir spécifiquement du secteur pétrolier et gazier national.**
- **Les crédits permis doivent provenir de sources indubitablement permanentes et additionnelles.**

Nous vous remercions de vos efforts visant à faire en sorte que les émissions du secteur gazier et pétrolier soient assujetties à un plafond décroissant. Nous sommes conscients du fait qu'il y a une intense pression industrielle pour affaiblir, retarder ou diluer l'efficacité du plafonnement, mais nous réclamons le respect des conditions ci-haut pour veiller à ce que l'industrie investisse dans de réelles réductions des émissions de sorte à atteindre la cible de 2030.

En vous remerciant de votre attention, nous vous prions d'agréer, Monsieur le ministre, l'expression de nos sentiments les meilleurs.

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- [1] Watson Institute of International and Public Affairs, Brown Université. Response Report to Canada's Proposed Regulatory Framework for GHG Emissions from Oil and Gas. https://watson.brown.edu/climatesolutionslab/files/csl/imce/research_briefs/2024/CSL%20White%20Paper%20on%20Canada%20G%20emissions%20regs%20-2023Jan14.pdf
- [2] Gouvernement du Canada. Émissions de gaz à effet de serre en fonction de secteurs économiques. <https://www.canada.ca/fr/environnement-changement-climatique/services/indicateurs-environnementaux/emissions-gaz-effet-serre.html>
- [3] Aircraft and satellite observations reveal historical gap between top-down and bottom-up CO₂ emissions from Canadian oil sands. PNAS Nexus. Avril 2023. <https://academic.oup.com/pnasnexus/article/2/5/pgad140/7127723>
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- [5] Canada Fact Sheet - Planet Wreckers. Oil Change International. Septembre 2023. <https://priceofoil.org/content/uploads/2023/09/Planet-Wreckers-Canada.pdf>
- [6] Ibid.
- [7] Zurowski, Monica. The Summer Canada Burned. Extrait de l'article *The Summer Canada Burned*, paru dans le Calgary Herald le 22 novembre 2023. <https://calgaryherald.com/feature/wildfires-novascotia-bc-alberta-summer-canada-burned-book-smoke>
- [8] Jussinoja, Jaija. Metro Vancouver issues air quality advisory due to wildfire smoke. CTV News. Le 19 août 2023. <https://bc.ctvnews.ca/metro-vancouver-issues-air-quality-advisory-due-to-wildfire-smoke-1.6526480>
- [9] Sharp, Jonathan. Wildfire smoke descends on Calgary, air quality index at 'very high risk.' CBC News. Le 16 mai 2023. <https://www.cbc.ca/news/canada/calgary/wildfire-smoke-air-quality-statement-calgary-1.6844824>
- [10] Vega, Manuela. Toronto's air quality is among the worst in the world due to wildfire smoke. Toronto Star. Le 18 juin 2023. https://www.thestar.com/news/gta/toronto-s-air-quality-is-among-the-worst-in-the-world-due-to-wildfire-smoke/article_81645fb7-20ed-5a77-9979-33a23bba85f1.html
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- [12] Wildfire smog gives Montreal worst air quality of any major city, says pollution monitor. Agence France-Presse. VOA News. Le 26 juin 2023. <https://www.voanews.com/a/wildfire-smog-gives-montreal-worst-air-quality-of-any-major-city-says-pollution-monitor/7152820.html>

[13] Amatulli, Jenna. Canadian wildfire smoke to engulf New York skies again. The Guardian. Le 27 juin 2023.
<https://www.theguardian.com/us-news/2023/jun/27/canada-wildfire-smoke-returns-new-york-air-quality>

[14] Paddison, Laura. Smoke from Canada's wildfires has reached as far as Norway. CNN. Le 9 juin 2023.
<https://www.cnn.com/2023/06/09/europe/canada-wildfires-norway-smoke-climate-intl/index.html>

[15] Kristina A Dahl, John T Abatzoglou, Carly A Phillips, J Pablo Ortiz-Partida et coll. Quantifying the contribution of major carbon producers in vapor pressure deficit and burned area in western US and southwestern Canadian forests. Environmental Research Letters. Vol 18:6. Le 16 mai 2023. <https://iopscience.iop.org/article/10.1088/1748-9326/abcce8>

Sincerely,

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