

**State of Conservation Report
Gros Morne National Park
World Heritage Committee Decision 44 COM 7B.102**

Gros Morne National Park (Canada) (N 419)

1. Executive Summary of Report

As per the World Heritage Committee decision (44 COM 7B.102), Canada has prepared a State of Conservation Report for Gros Morne National Park and UNESCO World Heritage Site. The State Party representative, Parks Canada, is also the managing authority responsible for this property. Parks Canada is confident that there are no actual or perceived threats to the Outstanding Universal Value (OUV) of Gros Morne National Park.

The Outstanding Universal Value of the park relates to its scenic beauty (criterion vii) and its illustration of plate tectonics (criterion viii):

Gros Morne National Park illustrates some of the world's best examples of the process of plate tectonics. Within a relatively small area are classic, textbook examples of monumental earth-building and modifying forces that are unique in terms of their clarity, expression and ease of access. The property presents the complete portrayal of the geological events that took place when the ancient continental margin of North America was modified by plate movement by emplacement of a large, relocated portion of oceanic crust and ocean floor sediments. The park also presents an outstanding demonstration of glaciations in an island setting. The fjords, waterfalls and geological structures of the park combine to produce a landscape of high scenic value.¹

Within the national park boundary, the *Canada National Parks Act* provides legal protection for the park, and a suite of federal and provincial legislation is in place to regulate and manage potential resource extraction activities outside the property – both onshore and offshore. Parks Canada continues to work closely with the Government of Newfoundland and Labrador, the Canadian province responsible for administering the lands adjacent to Gros Morne National Park, to monitor and manage any potential interest in oil and gas exploration adjacent to the Park, and to ensure that any activity does not impact the World Heritage Site's OUV.

Parks Canada has completed many deferred maintenance projects within the property, including the Western Brook Pond Trail upgrade and other critical infrastructure projects. The impact assessment processes used were, and continue to be, rigorous and include public engagement. While impact to the OUV of the property has always been considered, it is now a formal part of Parks Canada's impact assessment process at Gros Morne National Park. All deferred maintenance projects incorporate modern technology and practices to ensure safety, sustainability, and resilience to a changing climate. The recently updated *Guidance and Toolkit for Impact Assessments in a World Heritage Context* will be incorporated in all impact assessment projects moving forward.

This report provides a paragraph-by-paragraph response to the World Heritage Committee decision.

It is the opinion of the State Party that there are no current threats to the OUV of the property and that Reactive Monitoring is no longer required.

¹ <https://whc.unesco.org/en/list/419/>

2. Response to the World Heritage Committee

Response to paragraph 3:

Welcomes the establishment of the Federal-Provincial Land Use Committee to collaboratively manage activities in and around the property, and strongly encourages the State Party to strengthen the mandate of this Committee to assign it decision-making powers pertaining to any future oil and gas licenses in the vicinity of the property;

The Federal-Provincial Land Use Committee has been established to serve as a buffering mechanism that affords Gros Morne National Park greater consideration in regional land use planning and management. Terms of Reference for the committee place Gros Morne's OUV and its ecological integrity as a central focus for consideration. The objective of the Federal-Provincial Land Use Committee, as stated in the Terms of Reference, is as follows:

The Committee will increase intergovernmental communication and collaboration in support of the areas of shared interest, including: protection of the ecological integrity of Gros Morne National Park; maintenance of the park's Outstanding Universal Value as a World Heritage Site; maintenance of natural levels of landscape connectivity and conservation of ecosystems; and effective management of trans-boundary wildlife populations.

Through this committee, Parks Canada and neighbouring provincial land managers can collaboratively assess potential risks to the property's ecological integrity and OUV, and ensure appropriate responses and courses of action are initiated by the responsible jurisdiction. This relationship-based approach affords the OUV of the property an added level of protection and monitoring. The State Party, in consultation with the Government of Newfoundland and Labrador, reiterates that the existing legislative and regulatory regime provides a sufficient and effective framework to ensure the protection of the property.

The Federal-Provincial Land Use Committee is not a decision making body, rather it is a committee of decision makers who have authority in their own jurisdictions. The committee meets twice a year and either party can request additional meetings through an e-mail transaction if there is any concern whatsoever related to the principles as outlined in the Federal Provincial Land Use Committee Terms of Reference. This committee cannot be assigned decision-making powers pertaining to any future oil and gas licenses in the vicinity of the property as the authority for offshore oil and gas licenses rests exclusively with the Canada-Newfoundland and Labrador Offshore Petroleum Board, as legislated by the *Canada–Newfoundland and Labrador Atlantic Accord Implementation Act*. Jurisdiction for onshore oil and gas licenses on lands surrounding the property rests solely with the Government of Newfoundland and Labrador. Both the federal and provincial governments are responsible for oversight of the Canada-Newfoundland and Labrador Offshore Petroleum Board, and executives from the responsible provincial departments for onshore oil and gas licenses are represented on the Federal-Provincial Land Use Committee. Were the committee to have concerns related to potential future offshore oil and gas extraction in the vicinity of the property, they would be formally brought to the Canada-Newfoundland and Labrador Offshore Petroleum Board by either or both the provincial representatives and Parks Canada in collaboration with Natural Resources Canada. Potential future concerns related to onshore oil and gas licenses would be raised with executive representatives on the Committee.

Response to paragraph 4:

Acknowledging the continued "pause" on hydraulic fracturing outside the property, reiterates its request to the State Party to ensure that long-term, substantive measures are introduced to prevent future oil and gas licenses being awarded in the vicinity of the property, and before the "pause" on hydraulic fracturing outside the property is lifted;

The provincial government is not accepting proposals that involve hydraulic fracturing and there are no project proposals registered adjacent to the property at this time. As such, Canada does not consider the OUV of the World Heritage site to be at risk as a result of potential hydraulic fracturing activity.

Furthermore, there is a suite of federal and provincial legislation to manage resource extraction activities outside the property (See Appendix 1). For example, the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Act* is the provincial legislation that governs offshore oil and gas exploration and the *Newfoundland and Labrador Environmental Protection Act* provides a framework for environmental protection and preservation in the province. Additional strategic documents provide added protection such as “Growing Our Renewable and Sustainable Forest Economy: Provincial Sustainable Forest Management Strategy 2014-2024” which outlines that no harvesting will be permitted within protected areas and no access roads can be developed within 500 m of their boundary. A wide variety of federal legislation applies to lands outside the park including: *Canada–Newfoundland and Labrador Atlantic Accord Implementation Act*, *Impact Assessment Act*, *Migratory Birds Convention Act*, and the *Fisheries Act*. Within the national park, the *Canada National Parks Act* provides protection.

Long-term measures:

The State Party has introduced substantive measures to ensure the Outstanding Universal Value and ecological integrity of the property are protected:

1. The State Party will continue to work directly with senior decision makers from the Government of Newfoundland and Labrador to ensure Parks Canada is aware of any developments near the property’s boundary as stated in the Terms of Reference for the Federal-Provincial Land Use Committee. These Terms of Reference were previously provided to the World Heritage Centre as part of the 2019 State of Conservation report. If a proposal is received, the committee will review to consider the impact on the site and, if an impact to the OUV is considered possible, the WHC will be notified.
2. Currently, the Federal-Provincial Land Use Committee meets twice a year; if there are potential threats to the OUV or ecological integrity identified, the committee will meet more frequently.
3. The State Party will work with the Canada-Newfoundland and Labrador Offshore Petroleum Board to ensure that the OUV of the property is fully considered in the 2024 Western Newfoundland and Labrador Offshore Area Strategic Environmental Assessment for oil and gas industry activity (see response to paragraph 6 for more detail on this assessment).

Response to paragraph 5:

Also reiterates its request to the State Party to clarify when a full assessment of the Newfoundland and Labrador Hydraulic Review Panel’s recommendations will be completed, and to submit the final analyses when available to the World Heritage Centre;

The Newfoundland and Labrador Hydraulic Review Panel’s report was completed in 2016 and recommended the pause on hydraulic fracturing continue (<http://nlhfrp.ca/final-report/>). The Government of Newfoundland and Labrador has followed this recommendation and the pause on hydraulic fracturing remains in place. At present it is not clear when or even if the provincial government will complete its review of the Panel’s report as there appears to be limited industry

interest in hydraulic fracturing in the region. If the provincial government completes a full assessment of this report, the State Party will forward the analysis to the World Heritage Centre.

Response to paragraph 6:

Also acknowledging the vast size of the Gulf of St Lawrence and its multi-jurisdictional spread, but considering the ecological connectivity of the Gulf with the property, requests the State Party to closely monitor any proposed and planned exploratory activity in the Gulf of St Lawrence that has the potential to impact on the Outstanding Universal Value (OUV) of the property;

The State Party is committed to monitoring any proposed exploratory activity in the Gulf of St. Lawrence in three ways:

1. The State Party will continue to monitor emerging issues through direct communication with all levels of government, stakeholders, partners and communities. Parks Canada and the Government of Newfoundland and Labrador have established a process to discuss project review and impact assessments for projects which may pose a threat to OUV and ecological integrity. The process includes contact through an established e-mail address, direct contact with the Gros Morne National Park Resource Conservation manager and direct contact with the chairs of the Federal-Provincial Land Use Committee. The State Party will also continue to work directly with decision makers from the Government of Newfoundland and Labrador to ensure awareness of any potential developments near the property's boundary through the Federal-Provincial Land Use Committee. One of the key principles outlined in the Committee's Terms of Reference is:

The Committee recognizes the importance of identifying any potential negative impacts to the Outstanding Universal Value and ecological integrity of Gros Morne National Park as a result of activities occurring within and around the Park, and of mitigating these impacts.

2. Currently, the Federal-Provincial Land Use Committee meets twice a year; if there are potential threats to the OUV and ecological integrity of the property identified, the Committee will meet more frequently.

3. The State Party will work with the Canada-Newfoundland and Labrador Offshore Petroleum Board to ensure that the OUV of the property is fully considered in the 2024 Western Newfoundland and Labrador Offshore Area Strategic Environmental Assessment for oil and gas industry activity. The Canada-Newfoundland and Labrador Offshore Petroleum Board's regulatory guidelines require that Strategic Environmental Assessments (SEA) be updated at 10-year intervals. The last one for the Western Newfoundland and Labrador Offshore Area was completed in 2014. It is currently the practice of the Canada-Newfoundland and Labrador Offshore Petroleum Board to review the SEA after five years to determine whether the nature of oil and gas industry activity in the area has changed to the extent that a further update is required in the case of the Western Newfoundland and Labrador Offshore Area. The Canada-Newfoundland and Labrador Offshore Petroleum Board has stated that Parks Canada will be provided an opportunity to be involved in any future SEA review processes for this area.

Response to paragraph 7:

Notes with concern that the upgrade project of the Western Brook Pond was completed without sufficient Environmental Impact Assessment (EIA) or stakeholder consultation and also requests the State Party to ensure the restoration of any damaged vegetation and landscape;

Before the Western Brook Pond Trail upgrade was initiated, Parks Canada undertook a full Environmental Impact Assessment and stakeholder engagement. Regular environmental monitoring was carried out throughout all phases of the project and periodic newsletters were distributed in the community and posted online with project updates and other information. The project addressed significant deferred maintenance issues and visitor safety concerns. Vegetation restoration and landscaping along the margins of the trail are now complete, and slower growing, long-lived plants such as trees and shrubs continue to infill the trail margins. Rest areas and viewpoints are in place and interpretive panels are installed.

Public engagement is a priority for Parks Canada and input from local communities, Indigenous partners, stakeholders and the public informs decision-making. Parks Canada provided information (e.g. maps and construction drawings) prior to initiation of the Western Brook Pond project at open houses in May and June 2017 and on the Gros Morne National Park website, in community newsletters, through the media, as well as in additional meetings with community mayors. During 2018 while construction was taking place, and at public engagement sessions for the 2019 Gros Morne National Park management planning, Parks Canada heard public criticism concerning Western Brook Pond Trail and, as a result, the trail surface was narrowed. Recent public feedback has been positive and expresses an appreciation for improvements in accessibility.

The State Party invests significantly in public engagement. Parks Canada continues to visit town council offices in the Gros Morne region to provide updates and information, participates on many advisory boards and committees, and establishes external advisory boards for specific projects such as annual Forest Health Stakeholder meetings and the Visitor Center Renewal Exhibit Committee. Parks Canada continues to communicate with the public through the Gros Morne National Park website, the media and public information bulletins.

Response to paragraph 8:

Further requests the State Party to reassess the impacts of the multiple upgrade and of the maintenance projects currently underway within the property on the OUV and other natural values of the property and to review the projects to ensure the visitor infrastructure remains non-intrusive and blends in with the landscape of the property;

There have been numerous deferred-maintenance projects and upgrades since 2015 to address failing fifty-year-old infrastructure within Gros Morne National Park. Critical infrastructure within the park, including highways and transmission corridors, supports local communities and more than 30,000 households in the region. For each project undertaken, Parks Canada has employed up-to-date techniques for design and construction, and modern technology to create infrastructure that is safer, more enjoyable, and more sustainable. All projects which occur within the national park boundary are subjected to a rigorous Impact Assessment process, meeting requirements outlined in Canada's national *Impact Assessment Act* (2019) and which include an explicit assessment of potential impacts to OUV. If potential impacts to OUV are identified, measures are implemented to mitigate them. The same process is applied to the other World Heritage Sites administered by Parks Canada in Western Newfoundland and Labrador, and this approach is being shared across Parks Canada nationally. Moving forward, Gros Morne National Park will also incorporate the updated *Guidance and Toolkit for Impact Assessments in a World Heritage Context* in its impact assessment process.

The infrastructure improvements in Gros Morne National Park have also been used to realize conservation gains. For example, highway culverts that have been repaired or replaced now allow passage of fish and other aquatic species in addition to being better designed to withstand climate change impacts. Ultimately, maintenance and infrastructure projects have improved the outlook for long-term asset sustainability and visitor experience while ensuring that visitation does not have significant residual adverse effects on valued components of the property, including its OUV.

Finally, as per the IUCN *World Heritage Advice Note on Environmental Assessment*, Parks Canada included a section specifically addressing the OUV of the World Heritage site in its Strategic Environmental Assessment for the 2019 Gros Morne National Park Management Plan. This can be provided to the World Heritage Centre and IUCN if requested. This assessment followed an approach that has been previously applied at other sites within and outside of Canada with positive results. This approach is also being used to complete Strategic Environmental Assessments as part of the management planning process for other World Heritage Sites that are managed by Parks Canada. For Gros Morne National Park, the Statement of OUV was broken into component parts, and:

- (1) key examples of values or attributes were identified for each component;
- (2) factors affecting those values or attributes were identified;
- (3) high priority threats were evaluated; and
- (4) management obligations to address the highest priority threats were considered.

This assessment concluded that actions identified in the 2019 Gros Morne National Park Management Plan would be sufficient to address potential threats such that there would be no anticipated residual impacts on OUV.

Response to paragraph 9:

Its request to the State Party to invite, if the "pause" on petroleum exploration in the vicinity of the property is discontinued, a joint World Heritage Centre/IUCN Reactive Monitoring mission to the property to assess the risks to the property's OUV.

Canada notes the request for a joint World Heritage Centre/IUCN Reactive Monitoring mission. It is the position of the State Party that a Reactive Monitoring Mission is not required at this time.

The creation of the Federal-Provincial Land Use Committee for Gros Morne National Park, a UNESCO World Heritage Site, provides the additional, appropriate measures that will ensure protection of the OUV of the property. The State Party will continue to provide updates to the World Heritage Centre as new information becomes available or if there is any change in the pause on accepting applications for hydraulic fracturing activity around the property. Should the pause be lifted, the State Party is committed to working with the World Heritage Centre and IUCN to determine if a Reactive Monitoring Mission is warranted.

3. Other current conservation issues identified by the State(s) Party(ies) which may have an impact on the property's Outstanding Universal Value

N/A

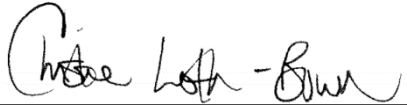
4. In conformity with Paragraph 172 of the Operational Guidelines, describe any potential major restorations, alterations and/or new construction(s) intended within the property, the buffer zone(s) and/or corridors or other areas, where such developments may affect the Outstanding Universal Value of the property, including authenticity and integrity.

N/A

5. Public access to the State of Conservation Report

Canada authorizes the World Heritage Centre to publicly release this report.

6. Signature of the Authority

A handwritten signature in black ink, reading "Christine Loth-Bown". The signature is written in a cursive style with a large initial "C".

Christine Loth-Bown

Head of Canadian Delegation to the World Heritage Committee and
Vice President, Indigenous Affairs and Cultural Heritage, Parks Canada

Appendix 1

Legislation managing resource extractive activities adjacent to Gros Morne National Park

PROVINCIAL JURISDICTION (GOVERNMENT OF NEWFOUNDLAND AND LABRADOR)	
Acts Applying To All Prov. Lands/Waters	<p><i>NL Environmental Protection Act</i> (Dept. of Environment and Climate Change)</p> <p><i>NL Motorised Snow Vehicles and All-Terrain Vehicles Act</i> (Digital Government and Services)</p>
Wildlife and Forest Resources	<p><i>The Forestry Act</i> (Dept. of Fisheries, Forestry and Agriculture)</p> <p><i>NL Endangered Species Act</i> - complements SARA in areas of provincial jurisdiction (Dept. of Fisheries, Forestry and Agriculture)</p>
Crown Lands	<p><i>Lands Act</i> (Dept. of Fisheries, Forestry and Agriculture)</p> <p><i>Municipalities Act</i> (Dept. of Municipal and Provincial Affairs)</p> <p><i>Urban and Rural Planning Act, 2000</i> (Dept. of Municipal and Provincial Affairs)</p> <p><i>Provincial Parks Act</i> and Regulations (Dept. of Tourism, Culture, Arts and Recreation)</p>
Mineral Lands	<p><i>The Quarry Materials Act, 1998</i> (Dept. of Industry, Energy and Technology)</p> <p>The <i>Mineral Act</i> and mineral licences (Dept. of Industry, Energy and Technology)</p>
Water	<p><i>The Water Resources Act, 2002</i>, and Environmental Control Water and Sewage Regulations, 2003 (Dept. of Environment and Climate Change)</p> <p><i>The Aquaculture Act</i> (Dept. of Fisheries Forestry and Agriculture)</p>
Energy	<p><i>The Petroleum and Natural Gas Act</i>. Three land title documents govern petroleum activities in NL: Exploration Licences, Exploration Permits and Leases (Dept. Industry, Energy and Technology)</p>

FEDERAL JURISDICTION (GOVERNMENT OF CANADA)	
Acts Applying To All Prov. Lands/Waters	<p><i>Canadian Environmental Assessment Act</i> (Canadian Environmental Assessment Agency)</p>
Wildlife and Forest Resources	<p><i>Species at Risk Act (SARA)</i> (Environment and Climate Change Canada, DFO, Parks Canada)</p> <p><i>Migratory Birds Convention Act*</i> Applies on both federal and provincial lands (Canadian Wildlife Service)</p>
Crown Lands	n/a
Mineral Lands	n/a
Water	<p><i>Canada Shipping Act</i> (DFO and Transport Canada)</p> <p><i>Oceans Act</i> (DFO)</p> <p><i>Navigation Protection Act</i> (Transport Canada)</p> <p><i>Fisheries Act</i> ((DFO)</p>
Energy	n/a