

IAAC ASSESSMENTS, By the Numbers

Planning Phase:	21
• Planning Phase (Ongoing):	7
• Planning Phase (Ended):	14
• Impact Assessment Not Required:	4
• Proponent Terminated:	1
• IA Required (NOC issued):	7
• IA Required (Substituted)	2
Impact Statement Phase	7
• Agency-led Assessments	5
• Review Panel	1
• Integrated Review Panel	1
Substituted Assessments (BC)	2
Regional Assessments	4
• RA Completed	1
• RA Planning	3
Strategic Assessments	1
• SA Completed	1
Requests for Assessments:	54
• Requests to Designate Projects	44
• Projects Designated	5
• Designation Request (Ongoing)	6
• Requests for RA	9
• Requests Accepted	4
• Request for RA (Ongoing)	0
• Request for SA	1
• Request for SA (Ongoing)	0

Anticipated for Next Nine Months (Apr-Dec):

• Receipt of Project Descriptions:	6-10
• Projects Entering IS Phase:	3-5
• Receipt of Impact Statements:	2
• Projects Entering IA Phase:	0
• IA Decisions:	1

Ongoing CEAA 2012 Assessments:	42
• Agency-led:	30
• Substituted:	7
• Review Panel:	5
Anticipated EA Decisions:	7-9
(February 1, 2022- October 31, 2022)	
EA Decisions (since August 2012)	38
EA Decisions (since August 2019)	14

List and status of RA/SAs and Designation requests

Status of Regional and Strategic Assessments, and Requests for these assessments

All Regional and Strategic Assessments, as well relevant requests for, including their status and all related documents, are included on the dedicated IAAC webpage on [Regional and Strategic Assessments](#). The table below provides an overview of the **three regional assessments (RA)** and **one strategic assessment (SA)**, as well as the **seven requests for RAs** and **one request for a SA**.

Regional Assessments (4)		
Regional Assessment	Status	Decision date
Ring of Fire Area in Northern Ontario	Planning in Progress	
St. Lawrence River Regional Assessment	Planning in Progress	
Regional Assessment of Offshore Wind Development (NL and NS)	Planning in Progress	
Offshore Oil and Gas Exploratory Drilling East of Newfoundland and Labrador	Post-RA Activities	04/06/2020
Minister's Response to Request: RA Warranted (2)		
Ring of Fire (ON) x3 – EJSC, James Bay Lowlands, WCS	RA warranted	10/02/2020
St. Lawrence River Regional Assessment	RA warranted	15/07/2021
Minister's Response to Request: RA Not Warranted (5)		
Coal Development in Southwest Alberta	RA not warranted	16/06/2021
Western Energy Corridor	RA not warranted	21/06/2021
Toronto Danforth area including lands on the west side of the Don River	RA not warranted	19/07/2021
Radioactive Disposal in the Ottawa Valley	RA not warranted	30/07/2021
Regional Assessment of Infilling in Halifax Harbour	RA not warranted	30/11/2021
Strategic Assessments (1)		
Strategic Assessment	Request Status	Decision date
Strategic Assessment of Climate Change	Completed, ECCC developing technical guidelines	08/2019
Minister's Response to Request: SA Not Warranted (1)		
In Situ Decommissioning of Nuclear Facilities	SA not warranted	05/07/2021

List and status of RA/SAs and Designation requests

Status of Requests to Designate Physical Activities and Ministerial Responses¹

All designation requests are posted on IAAC's Registry when the request is received and deemed to be an official request. Related documents, including the Minister's Response, are also available on the Registry. The table below includes the **41 designation requests under IAA**, including ongoing requests and related correspondence. Under CEAA 2012, the Agency received 35 requests.

Designation Requests: Ongoing (6)		
Project Name	Result	Response date
Lambert La Ronge Peat Harvest Project	Ongoing	21/04/2022*
Tenas	Ongoing	29/04/2022*
Northern Pulp Mill Transformation and Effluent Treatment Facility Project	Ongoing	30/05/2022*
Chin Reservoir Expansion and Modernization Project	Ongoing	11/07/2022*
Snake Lake Reservoir Expansion Project	Ongoing	11/07/2022*
Deadhorse Coulee Reservoir Project	Ongoing	11/07/2022*
*Anticipated dates of Ministerial responses		
Minister's Response: Designation Warranted (5)		
Fording River	Project designated by the Minister	18/08/2020
Highway 413 (GTA West)	Project designated by the Minister	03/05/2021
Tent Mountain Coal Mine Expansion	Project designated by the Minister	28/06/2021
Coalspur Vista Coal Underground Mine	Projects designated by the Minister ²	29/09/2021
Coalspur Vista Coal Mine Phase II Expansion	Projects designated by the Minister ²	29/09/2021
Minister's Response: Designation Not Warranted (29)		
Goldboro Gold Mine*	Designation not warranted	12/12/2019
Reid Road Reservoir Quarry*	Designation not warranted	12/12/2019
Rycroft Alternative Water Hub Facility*	Designation not warranted	12/12/2019
Xplornet Telecommunications Tower*	Designation not warranted	12/12/2019
600 Creek Drainage Network*	Designation not warranted	13/12/2019
Atwater Drainage Network*	Designation not warranted	13/12/2019
Blackbird Creek Drainage Network*	Designation not warranted	13/12/2019
Brooksby Drainage Network*	Designation not warranted	13/12/2019
Dry Lake Drainage Network*	Designation not warranted	13/12/2019

¹ All Ministerial Responses listed were issued under the IAA. Those denoted with an * were requested under CEAA 2012.

² December 20, 2019, Minister's response for the existing Vista Coal Mine Phase I Project (open-pit surface coal mine) – designation not warranted: [Minister's Response - Canada.ca \(iaac-aeic.gc.ca\)](#); July 30, 2020, Minister's response for the Vista Coal Underground Mine Project and Vista Coal Mine Phase II Expansion Project – designation warranted: [Minister's Response - Canada.ca \(iaac-aeic.gc.ca\)](#); September 29, 2021, the Minister re-designated these physical activities following the July 2021 Federal Court decision to quash the designation order.

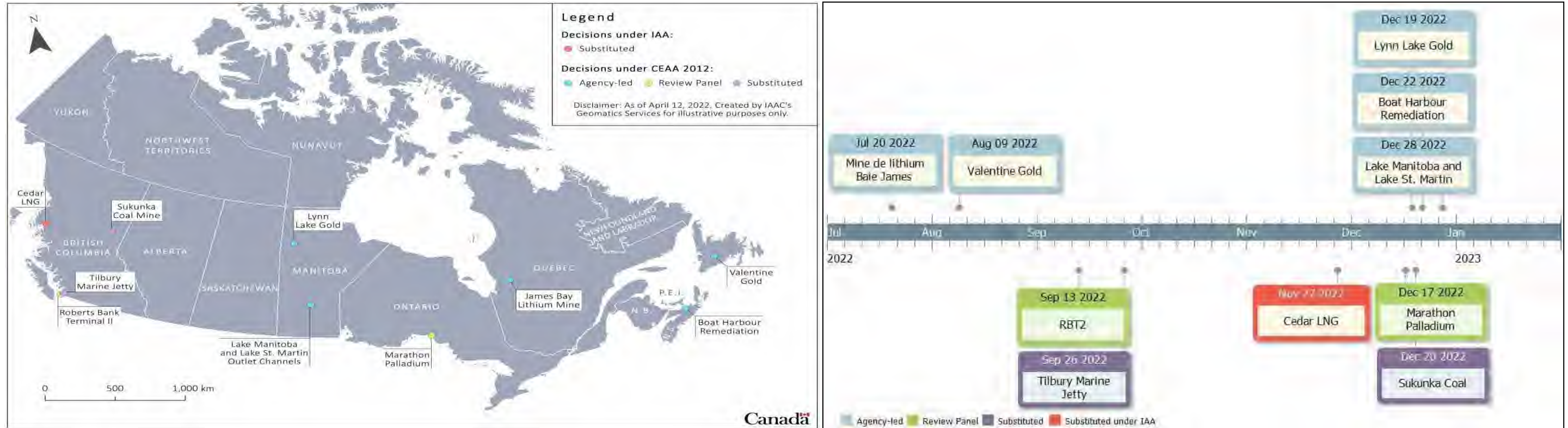
List and status of RA/SAs and Designation requests

Lang Creek West Drainage Network*	Designation not warranted	13/12/2019
Saline Lake Drainage Network*	Designation not warranted	13/12/2019
Vipond Drainage Network*	Designation not warranted	13/12/2019
Wascana Block A Drainage Network*	Designation not warranted	13/12/2019
Northern Pulp Replacement Effluent Treatment Facility*	Designation not warranted	16/12/2019
West Path Delivery Projects	Designation not warranted	27/05/2020
CanPacific Potash - Project Albany	Designation not warranted	26/08/2020
Surrey-Langley Sky Train	Designation not warranted	28/09/2020
Vivian Sand Processing Facility Project and Vivian Sand Extraction	Designation not warranted	16/11/2020
Great Sandhills Railway Switching Operation at North West Terminal	Designation not warranted	19/01/2021
Ontario Line	Designation not warranted	16/04/2021
Bradford Bypass	Designation not warranted	03/05/2021
Town of Erin Urban Centre Wastewater Treatment Plant	Designation not warranted	26/05/2021
CP Logistics Park: Vancouver	Designation not warranted	04/11/2021
Pitt Meadows Road and Rail Improvements Project	Designation not warranted	04/11/2021
Lake Diefenbaker Irrigation Expansion Projects	Designation not warranted ³	04/11/2021
Touquoy Gold Mine Expansion	Designation not warranted	05/11/2021
Meltech Industrial Building	Designation not warranted	21/11/2021
Vivian Sand Project (reconsideration)	Designation not warranted	07/12/2021
PADCOM Potash Solution Mining	Designation not warranted	14/02/2022
Minister's Response: Minister Cannot Designate (4)		
Broadway Subway	Minister cannot designate per subsection 9(7) limitation	28/09/2020
Highway 101 Twinning Phase II Aboiteau and Bridges	Minister cannot designate per subsection 9(7) limitation	11/05/2021
Long Pond Development	Minister cannot designate per subsection 9(7) limitation	03/08/2021
The Ottawa Hospital Civic Campus Project	Minister cannot designate per subsection 9(7) limitation	08/02/2022

³ Minister's response notes in its reasons that there is insufficient information to determine a number of considerations, including the applicability of the Physical Activities Regulations. The Agency is requiring further information from the Proponent; the Agency has committed to evaluating this information without a new designation request.

List and status of RA/SAs and Designation requests

ANTICIPATED ASSESSMENT DECISION-MAKING - 9 MONTH LOOK AHEAD (APRIL – DECEMBER 2022)



Project Name	James Bay Lithium Mine (QC)	Valentine Gold (NL)	Roberts Bank Terminal 2 (BC)	Tilbury Marine Jetty (BC)	Cedar LNG (BC)	Marathon Palladium (ON)	Lynn Lake Gold (MB)	Sukunka Coal (BC)	Boat Harbour Remediation (NS)	Lk. Manitoba and Lk St. Martin (MB)
Project Type	Lithium Mine (Critical Mineral)	Gold Mine	Marine Terminal	LNG Transport Jetty	LNG Processing Facility and Terminal	Palladium Mine (Critical Mineral)	Gold Mine	Metallurgical Coal Mine	Waste Management and Remediation	Water Management
Capital Investment	\$507 million	\$662 million (life of project)	\$2.5 billion (for construction)	\$260 million	\$2.5 billion	\$1.067 billion (life of project)	\$493 million	\$443.7 million	\$311 million	\$540 million
Next Ministerial Decision*	July 2022	August 2022	September 2022	September 2022	November 2022	December 2022	December 2022	December 2022	December 2022	December 2022
Anticipated Final Project Decision*	July 2022	August 2022	Mid-late Fall 2022^	Early-mid Fall 2022^	Late Fall 2022^	December 2022^	December 2022	Late December 2022- Early January 2023^	December 2022	December 2022
Assessment Type	Agency-led (jointly with Cree)	Agency-led	Review Panel	Substituted (province-led)	Substituted under IAA (province-led)	Joint Review Panel	Agency-led	Substituted (province-led)	Agency-led	Agency-led
Current Status / Next Milestone	EA Report to Minister in June 2022	EA Report to Minister in July 2022	After Comment Period issuance of new IR on feasible mitigation measures	EA Report to Minister July 2022	BC submits IA Report to Minister by late Summer 2022	The Panel is expected to hear closing remarks no later than May 19, 2022	Submission of outstanding information expected in late April 2022	BC submits report to IAAC in July 2022	IAAC and FAs are reviewing recent IR responses.	Submission of outstanding information in late May 2022
Provincial Status	Provincial EA under James Bay Agreement	Provincial EA, ongoing	BC EA to be concluded after federal decision	BC leading substituted EA, ongoing	BC leading substituted IA, ongoing	Joint Review, ongoing	Provincial EA, ongoing	BC leading substituted EA, ongoing	No provincial EA. NS funding. Proponent is a NS Crown corp	Provincial EA, ongoing
Key Issues / Considerations	Cumulative effects of road traffic and water management	Surface and groundwater quality	Cumulative effects on SRKW; Salmon; Biofilm; Impacts on Indigenous rights	Cumulative effects of marine shipping (Southern Resident Killer Whale; Indigenous rights)	Cap on Oil & Gas; Indigenous-led project; Marine shipping	SARA (Woodland Boreal Caribou); Water quality and quantity; Impacts to Indigenous rights	SARA (Woodland Boreal Caribou); Air; Ground and surface water; Indigenous impacts	SARA (Southern Mountain Caribou); Selenium; Impacts on Indigenous rights	Lack of support from Pictou Landing First Nation for disposal location	Effects to fish and fish habitat; Impacts on Indigenous communities

Note: As of March 29, 2022

*Dates contingent on the timing and quality of project information from proponents
 ^Project decisions that are anticipated to require Governor in Council decision-making



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Government Accepts Agency's Recommendation on Bay du Nord Development Project, Subject to the Strongest Environmental GHG Condition Ever

From: [Impact Assessment Agency of Canada](#)

News release

April 6, 2022 — Ottawa — Impact Assessment Agency of Canada

Now more than ever, Canadians expect the Government of Canada to take action and promote innovative measures to combat climate change. We know that we can build a Canadian energy sector that is world-leading on environmental measures for today, and innovating for our clean future. Today, we have taken an important step in that direction.

Following a thorough and science-based environmental assessment conducted by the Impact Assessment Agency of Canada (the Agency) over four years, the Honourable Steven Guilbeault, Minister of Environment and Climate Change, has agreed with the conclusions in the Agency's [Environmental Assessment Report](#) that determined the proposed [Bay du Nord Development Project](#) is not likely to cause significant

adverse environmental effects when mitigation measures are taken into account. The project is therefore allowed to proceed with strict measures to protect the environment.

Today, a Decision Statement to this effect was issued under the *Canadian Environmental Assessment Act, 2012* (CEAA 2012).

The Decision Statement sets out 137 legally-binding conditions that the Norwegian company Equinor (the proponent) must comply with throughout the life of the project, which is approximately 500 kilometres east of St. John's, Newfoundland and Labrador. These conditions include requirements to reduce greenhouse gas emissions (GHGs) and measures to protect fish and fish habitat, migratory birds, species at risk, air quality, human health and Indigenous peoples' use of resources. For the first time ever, a Decision Statement has also been issued requiring the proponent to achieve net-zero GHG emissions by 2050.

In addition to reaching net-zero emissions by 2050, Equinor is also legally-required to consider best available and new technologies to allow for the adaptive management of GHGs, as well as incorporate measures to reduce GHG emissions in the design of the project. The proponent will be responsible for reporting to Environment and Climate Change Canada and to the Canada-Newfoundland and Labrador Offshore Petroleum Board (C-NLOPB) on how these measures will be incorporated into the final project design. At five times less emissions intensive than the average Canadian oil and gas project, and ten times less than the average project in the oil sands, the Bay du Nord Development Project is an example of how Canada can chart a path forward on producing energy at the lowest possible emissions intensity while looking to a net-zero future.

The Bay du Nord Development Project fits within the Government's plan to reach an overall 40 percent reduction in emissions compared to 2005 levels by 2030, as laid out in the *Emissions Reduction Plan*. It also fits within a projected sectoral emissions reduction contribution of a little over 30 percent from 2005 levels from the oil and gas sector, as the Government moves forward on capping and cutting oil and gas sector emissions.

As per the *Impact Assessment Act*, the C-NLOPB will be responsible for enforcing the conditions in the Decision Statement. Failure by the proponent to comply with these conditions is a violation of federal law.

Going forward, Equinor can now proceed with obtaining any other necessary authorizations and permits from federal departments as well as the C-NLOPB.

This Decision Statement comes after Government of Canada and the Government of Newfoundland and Labrador announced an intent to expand the mandate of the Canada-Newfoundland and Labrador offshore energy regime to include the development of renewable energy such as offshore wind and clean hydrogen.

Quotes

"The federal government concurs with the recommendation of the Impact Assessment Agency of Canada. As a result, the Bay du Nord Development Project may proceed, subject to some of the strongest environmental conditions ever, including the historic requirement for an oil and gas project to reach net-zero emissions by 2050. The project has undergone a robust federal environmental assessment and scrutiny through every part of Canada's legislated review process. As the demand for oil and gas falls throughout the coming decades, it will be more important than ever that Canadian projects are running at the best-in-class, low-emissions performance to play a competitive role."

— The Honourable Steven Guilbeault, Minister of Environment and Climate Change

Quick facts

- Equinor Canada Limited is proposing to develop the Bay du Nord field into an offshore oil production project located in the Flemish Pass, approximately 500 kilometres east of St. John's, Newfoundland and Labrador.
- Equinor, the company that will operate the Bay du Nord Development Project, estimates that the project will emit as little as 8kgCO₂ per bbl of production, compared to the average oil sands emissions of 80kgCO₂/bbl and the overall Canadian average of 40kgCO₂/bbl.
- According to figures provided by the proponent, the project will contribute an estimated \$3.5 billion in government revenue, contribute to research and development, as well as new technology to increase the local supply capacity.

- The Bay du Nord Development Project is the first offshore oil and gas production project to complete a federal environmental assessment process under the *Canadian Environmental Assessment Act, 2012* (CEAA 2012). While the project is the first offshore oilfield production project assessed under CEAA 2012 (Canadian Environmental Assessment Act 2012), it would be the province's fifth of its kind and a major contributor to the economic development of Newfoundland and Labrador.
- The Government of Canada would like to thank all participants for their invaluable comments received throughout the environmental assessment process. Over a hundred comments were submitted and considered, with participants contributing local knowledge and expertise, and working with the Agency to review information, address issues, review potential mitigation measures, and provide input on the project's monitoring and follow-up requirements.
- Experts from many federal departments participated in the process by providing robust scientific advice and technical expertise throughout the project's review. These departments include: Fisheries and Oceans Canada, Environment and Climate Change Canada, Natural Resources Canada, Transport Canada and Health Canada.
- Consultations with Indigenous communities throughout the environmental assessment were extensive, with 42 groups participating in the process. A total of \$304,154.00 of funding was allocated to support Indigenous participation in the various steps of the review.

Associated links

- [Minister's Environmental Assessment Decision Statement \(Impact Assessment Agency of Canada\)](#)
- [Environmental Assessment Report \(Impact Assessment Agency of Canada\)](#)
- [Bay du Nord Development Project \(Impact Assessment Agency of Canada\)](#)
- [Basics of Environmental Assessment \(Impact Assessment Agency of Canada\)](#)

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Date modified:

2022-04-06

Decision Statement
Issued under Section 54 of the *Canadian Environmental Assessment Act, 2012*

to
Equinor Canada Ltd.
c/o Clark Stokes, Manager, Safety and Sustainability

2 Steers Cove
St. John's, Newfoundland and Labrador
A1C 6J5

for the
Bay du Nord Development Project

Description of the Designated Project

Equinor (formerly Statoil Canada Ltd.) is proposing to install and operate a floating offshore oil and gas production facility in the Flemish Pass, approximately 500 kilometres east of St. John's, Newfoundland and Labrador, in the Atlantic Ocean. As proposed, the Bay du Nord Development Project would be in operation for approximately 30 years, with the potential for additional wells and tie-backs to the production facility.

Conduct of the environmental assessment

The Impact Assessment Agency of Canada (the Agency) conducted an environmental assessment of the Designated Project in accordance with the requirements of the *Canadian Environmental Assessment Act, 2012*. The Agency commenced the environmental assessment on August 9, 2018 and submitted its report to me in my capacity as Minister of Environment and Climate Change.

Decision on environmental effects referred to in subsection 5(1) of the *Canadian Environmental Assessment Act, 2012*

In accordance with paragraph 52(1)(a) of the *Canadian Environmental Assessment Act, 2012*, after considering the report of the Agency on the Designated Project and the implementation of mitigation measures that I consider appropriate, I have determined that the Designated Project is not likely to cause significant adverse environmental effects referred to in subsection 5(1) of the *Canadian Environmental Assessment Act, 2012*.

In accordance with subsection 53(1) of the *Canadian Environmental Assessment Act, 2012*, I have established the conditions below in relation to the environmental effects referred to in subsection 5(1) of the *Canadian Environmental Assessment Act, 2012*, with which the Proponent must comply.

Decision on environmental effects referred to in subsection 5(2) of the *Canadian Environmental Assessment Act, 2012*

The carrying out of the Designated Project may require the following federal authorities to exercise a power or perform a duty or function conferred on them under an Act of Parliament other than the *Canadian Environmental Assessment Act, 2012*:

- The Canada-Newfoundland and Labrador Offshore Petroleum Board may issue an authorization under paragraph 138(1)(b) of the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Act*;
- The Minister of Fisheries and Oceans may issue authorization(s) under paragraph 35(2)(b) of the *Fisheries Act*; and
- The Minister of Fisheries and Oceans may issue a permit under the *Species at Risk Act*.

In accordance with paragraph 52(1)(b) of the *Canadian Environmental Assessment Act, 2012*, after considering the report of the Agency on the Designated Project and the implementation of mitigation measures that I consider appropriate, I have determined that the Designated Project is not likely to cause significant adverse environmental effects referred to in subsection 5(2) of the *Canadian Environmental Assessment Act, 2012*.

In accordance with subsection 53(2) of the *Canadian Environmental Assessment Act, 2012*, I have established the conditions below in relation to the environmental effects referred to in subsection 5(2) of the *Canadian Environmental Assessment Act, 2012*, with which the Proponent must comply.

Decision Statement under the *Impact Assessment Act*

Pursuant to section 184 of the *Impact Assessment Act*, a Decision Statement issued by me under subsection 54(1) of the *Canadian Environmental Assessment Act, 2012* is deemed to be a Decision Statement issued under subsection 65(1) of the *Impact Assessment Act*, other than for the purposes of section 70.

Consultation with Indigenous groups

In establishing the conditions below in relation to the environmental effects referred to in subsections 5(1) and 5(2) of the *Canadian Environmental Assessment Act, 2012*, I took into account the concerns and interests identified in the consultation process with Indigenous groups. I also considered the measures to address these concerns and interests that have been identified in the environmental assessment and consultation processes. I am satisfied that the consultation process undertaken is consistent with the honour of the Crown and, with the conditions I have established, that the concerns and interests of Indigenous groups are appropriately accommodated for the purpose of issuing this Decision Statement.

1 Definitions

- 1.1 *Abandoned* means “abandoned” as defined in subsection 1(1) of the *Newfoundland Offshore Petroleum Drilling and Production Regulations*.

- 1.2 *Accord Acts* means the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Act* and the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act*.
- 1.3 *Agency* means the Impact Assessment Agency of Canada.
- 1.4 *Aggregation of habitat-forming corals or sponges* means an aggregation of coral or sponges that are known or observed to support fish.
- 1.5 *Baseline* means the environmental conditions prior to initiating the Designated Project.
- 1.6 *Board* means the Canada-Newfoundland and Labrador Offshore Petroleum Board as established by the joint operation of section 9 of the *Canada–Newfoundland and Labrador Atlantic Accord Implementation Act* and section 9 of the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Newfoundland and Labrador Act*.
- 1.7 *Canada-Newfoundland and Labrador Offshore Area* means the area as defined by the *Accord Acts*.
- 1.8 *Commercial fisher* means an individual who holds a commercial fishing licence issued under the *Fisheries Act* and who fishes within the regional study area, as identified in Figure 1 of the environmental assessment report.
- 1.9 *Days* means calendar days.
- 1.10 *Decommissioning* means the phase of the Designated Project during which the Proponent permanently ceases production and commences removal from service of Designated Project components and infrastructure in accordance with the *Accord Acts* and applicable regulations, and continues until the removal from service of Designated Project components and infrastructure is complete.
- 1.11 *Designated Project* means the Bay du Nord Development Project as described in section 2 of the environmental assessment report.
- 1.12 *Designated Project Area* means “Project Area”, as identified in Figure 1 of the environmental assessment report.
- 1.13 *Eastern Canadian offshore areas* means “offshore area” as defined by the *Accord Acts*, the *Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act* and the *Canada-Nova Scotia Offshore Petroleum Resources Accord*.
- 1.14 *Environment and Climate Change Canada* means the Department of the Environment as established under subsection 2(1) of the *Department of the Environment Act*.
- 1.15 *Environmental assessment* means “environmental assessment” as defined in subsection 2(1) of the *Canadian Environmental Assessment Act, 2012*.
- 1.16 *Environmental assessment report* means the report prepared by the Impact Assessment Agency of Canada pursuant to subsection 25(2) of the *Canadian Environmental Assessment Act, 2012* (Canadian Impact Assessment Registry Reference Number 80154).

- 1.17 *Environmental effects* means “environmental effects” as described in section 5 of the *Canadian Environmental Assessment Act, 2012*.
- 1.18 *Environmental impact statement* means the 2020 document entitled *Bay du Nord Development Project Environmental Impact Statement* (Canadian Impact Assessment Registry Reference Number 80154, Document Number 18).
- 1.19 *Fish* means “fish” as defined in subsection 2(1) of the *Fisheries Act*.
- 1.20 *Fish habitat* means “fish habitat” as defined in subsection 2(1) of the *Fisheries Act*.
- 1.21 *Fisheries and Oceans Canada* means the Department of Fisheries and Oceans as established under subsection 2(1) of the *Department of Fisheries and Oceans Act*.
- 1.22 *Follow-up program* means “follow-up program” as defined in subsection 2(1) of the *Canadian Environmental Assessment Act, 2012*.
- 1.23 *Indigenous groups* means the following Aboriginal Peoples: Abegweit First Nation, Acadia First Nation, Annapolis Valley First Nation, Bear River First Nation, Buctouche First Nation, Eel Ground First Nation, Eel River Bar First Nation, Elispogtog First Nation, Esgenoopetitj First Nation, Eskasoni First Nation, Fort Folly First Nation, Glooscap First Nation, Indian Island First Nation, Les Innus de Ekuanitshit, Première Nation des Innus de Nutashkuan, Kingsclear First Nation, La Nation Micmac de Gespeg, Lennox Island First Nation, Listuguj Mi’gmaq Government, Madawaska Maliseet First Nation, Membertou First Nation, Metepenagiag Mi’kmaq Nation, Miawpukek First Nation, Micmacs of Gespapegiag, Millbrook First Nation, Mushuau Innu First Nation, Nunatsivut Government, NunatuKavut Community Council, Oromocto First Nation, Pabineau First Nation, Paqtnkek First Nation, Peskotomuhkati Nation at Skutik, Pictou Landing First Nation, Potlotek First Nation, Qalipu First Nation, Sheshatshiu Innu First Nation, Sipekne’katik First Nation, St. Mary’s First Nation, Tobique First Nation, Wagmatcook First Nation, We’kmoqma’q First Nation, and Woodstock First Nation.
- 1.24 *Listed species at risk* means a species that is listed on the List of Wildlife Species at Risk set out in Schedule 1 of the *Species at Risk Act*.
- 1.25 *Migratory bird* means “migratory bird” as defined in subsection 2(1) of the *Migratory Birds Convention Act, 1994*.
- 1.26 *Mitigation measures* means “mitigation measures” as defined in subsection 2(1) of the *Canadian Environmental Assessment Act, 2012*.
- 1.27 *Nighttime* means all that portion of the day extending from one-half hour after sunset until one-half hour before sunrise.
- 1.28 *Non-routine flaring* means “non-routine flaring” as defined by the World Bank Group’s 2016 document entitled *Global Gas Flaring Reduction Partnership – Gas Flaring Definitions*.
- 1.29 *Operator* means a person that holds an operating licence and an authorization issued by the Canada-Newfoundland and Labrador Offshore Petroleum Board.

- 1.30 *Participate* means to directly or indirectly assist or support initiatives through the provision of resources, including knowledge, time, data, access and other means that are economically and technically feasible and within the care and control of the Proponent.
- 1.31 *Pollution* means “pollution” as defined in subsection 1(1) of the *Newfoundland Offshore Petroleum Drilling and Production Regulations*.
- 1.32 *Proponent* means Equinor Canada Ltd. and its successors or assigns.
- 1.33 *Qualified individual* means someone who, through education, experience and knowledge relevant to a particular matter, provides the Proponent with advice within their area of expertise. Knowledge relevant to a particular matter may include community and Indigenous traditional knowledge.
- 1.34 *Record* means “record” as defined in subsection 2(1) of the *Canadian Environmental Assessment Act, 2012*.
- 1.35 *Relevant authorities* means federal and/or provincial authorities that are in possession of specialist or expert information or knowledge, or that have a responsibility for the administration of a law or regulation, with respect to the subject matter of a condition set out in this Decision Statement.
- 1.36 *Reporting year* means January 1 of a calendar year through December 31 of the same calendar year.
- 1.37 *Safety exclusion zone* means a safety zone as defined in subsection 71(1) of the *Newfoundland Offshore Petroleum Drilling and Production Regulations*.
- 1.38 *Safety flaring* means “safety flaring” as defined by the World Bank Group’s 2016 document entitled *Global Gas Flaring Reduction Partnership – Gas Flaring Definitions*.
- 1.39 *Safety zone* means the area around the seismic sound source, described in Fisheries and Oceans Canada’s *Statement of Canadian Practice with Respect to the Mitigation of Seismic Sound in the Marine Environment*.
- 1.40 *Seabed investigation survey* means a survey to identify aggregations of habitat-forming corals or sponges or any other benthic fish habitat around the proposed locations of all subsea infrastructure prior to conducting any activities on the seafloor related to the installation of this infrastructure.
- 1.41 *Subsea infrastructure* means any physical structures needed for the operation of the Designated Project that will be placed partially or completely on the seabed, including, but not limited to, well templates, flowlines, mooring points, anchors, anchor chains and associated protection features.
- 1.42 *Tier 2 and tier 3 spill response* means “tier 2” and “tier 3” as set out in the document entitled *Tiered Preparedness and Response* published by the IPIECA and the International Association of Oil & Gas Producers (IOGP Report 526).

- 1.43 *Well* means “development well” as defined in subsection 119(1) of the *Canada-Newfoundland and Labrador Atlantic Accord Implementation Act*.

Conditions

These conditions are established for the sole purpose of the Decision Statement issued under the *Canadian Environmental Assessment Act, 2012*. They do not relieve the Proponent from any obligation to comply with other legislative or other legal requirements of the federal, provincial, or local governments. Nothing in this Decision Statement shall be construed as reducing, increasing, or otherwise affecting what may be required of the Proponent to comply with all applicable legislative or legal requirements.

2 General Conditions

- 2.1 The Proponent shall ensure that its actions in meeting the conditions set out in this Decision Statement during all phases of the Designated Project are considered in a careful and precautionary manner, promote sustainable development, are informed by the best information and knowledge available at the time the Proponent takes action, including community and Indigenous traditional knowledge, are based on methods and models that are recognized by standard-setting bodies, are undertaken by qualified individuals, and have applied the best available economically and technically feasible technologies.
- 2.2 The Proponent shall ensure that its actions in meeting the conditions set out in this Decision Statement are taken in a way that is consistent with any applicable recovery strategy and action plans for listed species at risk.

Consultation

- 2.3 The Proponent shall, where consultation is a requirement of a condition set out in this Decision Statement:
- 2.3.1 provide a written notice of the opportunity for the party or parties being consulted to present their views and information on the subject of the consultation;
 - 2.3.2 provide sufficient information on the scope and the subject matter of the consultation in a reasonable period of time that allows the party or parties being consulted, not to be less than 30 days, to prepare their views and information;
 - 2.3.3 undertake an impartial consideration of all views and information presented by the party or parties being consulted on the subject matter of the consultation; and
 - 2.3.4 advise in a reasonable period of time the party or parties being consulted on how the views and information received have, or have not been integrated into the subject matter of consultation by the Proponent and provide justification.
- 2.4 The Proponent shall, where consultation with Indigenous groups is a requirement of a condition set out in this Decision Statement, communicate with each Indigenous group with respect to the manner by which to satisfy the consultation requirements referred to in condition 2.3, including methods of notification, the type of information and the period of time to be provided when seeking input, the process to be used by the Proponent to undertake impartial consideration of all

views and information presented on the subject of the consultation, the period of time to advise Indigenous groups of how their views and information were considered by the Proponent and the means by which Indigenous groups will be advised.

- 2.5 The Proponent shall, where participation is a requirement of a condition set out in this Decision Statement, notify potential parties responsible for applicable research programs of the Proponent's interest in participating in these programs and determine, in consultation with the parties that have expressed interest in the Proponent's participation, the actions and resources needed to carry out the Proponent's participation.

Follow-up requirements

- 2.6 The Proponent shall, where a follow-up program is a requirement of a condition set out in this Decision Statement, determine the following information, for each follow-up program:
 - 2.6.1 the methodology, location, frequency, timing and duration of monitoring associated with the follow-up program;
 - 2.6.2 the scope, content and frequency of reporting of the results of the follow-up program;
 - 2.6.3 the frequency at which the follow-up program must be updated, unless already specified in the condition;
 - 2.6.4 the levels of environmental change relative to baseline conditions and predicted effects as described in the environmental impact statement, that would require the Proponent to implement modified or additional mitigation measure(s), including instances where the Proponent may require Designated Project activities to stop; and
 - 2.6.5 the technically and economically feasible mitigation measures to be implemented by the Proponent if monitoring conducted as part of the follow-up program shows that the levels of environmental change referred to in condition 2.6.4 have been reached or exceeded.
- 2.7 The Proponent shall update the information determined for each follow-up program pursuant to condition 2.6 during the implementation of each follow-up program, at the minimum frequency determined pursuant to condition 2.6.3 and in consultation with the party or parties being consulted during the development of each follow-up program.
- 2.8 The Proponent shall provide the follow-up programs referred to in conditions 3.13 and 4.6, including information pursuant to condition 2.7, to the Board and to party or parties being consulted during the development of each follow-up program prior to the implementation of each follow-up program. The Proponent shall also provide any update made pursuant to condition 2.7 to the Board and to the party or parties being consulted during the development of each follow-up program within 30 days of the information being updated.
- 2.9 The Proponent shall, where a follow-up program is a requirement of a condition set out in this Decision Statement:
 - 2.9.1 implement the follow-up program according to the information determined pursuant to condition 2.6;

- 2.9.2 conduct monitoring and analysis to verify the accuracy of the environmental assessment as it pertains to the particular condition and/or to determine the effectiveness of any mitigation measure(s);
- 2.9.3 determine whether modified or additional mitigation measures are required based on the monitoring and analysis undertaken pursuant to condition 2.9.2; and
- 2.9.4 if modified or additional mitigation measures are required pursuant to condition 2.9.3, develop and implement these mitigation measures in a timely manner and monitor them pursuant to condition 2.9.2. The Proponent shall notify the Board within 24 hours of any modified or additional mitigation measure being implemented. If the Proponent implements any additional or modified mitigation measure not previously submitted to the Board pursuant to condition 2.8, the Proponent shall submit a detailed description of the measure(s) to the Board within seven days of their implementation; and
- 2.9.5 report, no later than March 31 following any reporting year during which the follow-up program is implemented unless otherwise agreed to by the Board, all results of the follow-up program to the Board, and, subject to information determined pursuant to 2.6.2, to the party or parties being consulted during the development of the follow-up program.

Annual Reporting

- 2.10 The Proponent shall, prepare an annual report that sets out, for each reporting year:
 - 2.10.1 the activities undertaken by the Proponent in the reporting year to comply with each of the conditions set out in this Decision Statement;
 - 2.10.2 how the Proponent complied with condition 2.1;
 - 2.10.3 for conditions set out in this Decision Statement for which consultation is a requirement, how the Proponent considered any views and information that the Proponent received during or as a result of the consultation;
 - 2.10.4 the information referred to in conditions 2.6 and 2.7 for each follow-up program;
 - 2.10.5 the summary of available results of the follow-up program requirements identified in conditions 3.13 and 4.6;
 - 2.10.6 for any plan that is a requirement of a condition set out in this Decision Statement, any update(s) to the plan that have been made during the reporting year; and
 - 2.10.7 any modified or additional mitigation measures implemented or proposed to be implemented by the Proponent, as determined pursuant to condition 2.9.
- 2.11 The first reporting year for which the Proponent shall prepare an annual report pursuant to condition 2.10 shall start on the day the Minister of the Environment issues the Decision Statement to the Proponent pursuant to subsection 54 (1) of the *Canadian Environmental Assessment Act, 2012*.
- 2.12 The Proponent shall submit to the Board and the Agency the annual report referred to in condition 2.10, including a plain language executive summary in both official languages, no later than March 31 following the reporting year to which the annual report applies.

Information submission and publication

- 2.13 The Proponent shall cause to be published on the Internet the reports and the executive summaries referred to in condition 2.10 and 2.12, the seabed investigation survey results referred to in condition 3.6, the communication plan referred to in condition 5.1, the decommissioning and abandonment plan referred to in condition 5.2, the well control strategies referred to in condition 7.5, the Spill Response Plan referred to in condition 7.7, the Spill Impact Mitigation Assessment referred to in condition 7.11, the implementation schedule referred to in condition 8.1, monitoring and follow-up results for marine mammals, sea turtles, fish and fish habitat, and migratory birds referred to in conditions 3.10, 3.13 and 4.6, the descriptions of the Proponent's participation during the previous year in research and monitoring programs referred to in conditions 3.14 and 4.7, and any update(s) or revision(s) to the above documents, upon submission of these documents to the parties referenced in the respective conditions. The Proponent shall keep these documents publicly available until the end of decommissioning. The Proponent shall notify the Board and Indigenous groups of the availability of these documents within 48 hours of their publication.
- 2.14 When the development of a plan is a requirement of a condition set out in this Decision Statement, the Proponent shall submit the plan to the Board prior to conducting any activities within the Designated Project Area, unless otherwise required through the condition.

Change of Operator

- 2.15 The Proponent shall notify the Agency and Indigenous groups in writing no later than 30 days after the day on which there is a change of operator for the Designated Project.

Change to the Designated Project

- 2.16 If the Proponent is proposing to carry out the Designated Project in a manner other than described in condition 1.11, the Proponent shall notify the Agency in writing in advance. As part of the notification, the Proponent shall provide:
- 2.16.1 a description of the proposed change(s) to the Designated Project and the environmental effects that may result from the change(s);
 - 2.16.2 any modified or additional measure to mitigate any environmental effect that may result from the change(s) and any modified or additional follow-up requirement; and
 - 2.16.3 an explanation of how, taking into account any modified or additional mitigation measure referred to condition 2.16.2, the environmental effects that may result from the change(s) may differ from the environmental effects of the Designated Project identified during the environmental assessment.
- 2.17 The Proponent shall submit to the Agency any additional information required by the Agency about the proposed change(s) referred to in condition 2.16, which may include the results of consultation with Indigenous groups and relevant authorities on the proposed change(s) and environmental effects referred to in condition 2.16.1 and the modified or additional mitigation measures and follow-up requirements referred to in condition 2.16.2.

3 Fish and fish habitat

- 3.1 The Proponent shall treat all discharges from Designated Project activities prior to discharging into the marine environment, in order to, at a minimum, meet the volumes and concentration limits identified in the *Offshore Waste Treatment Guidelines*, issued jointly by the National Energy Board, the Canada-Newfoundland and Labrador Offshore Petroleum Board, and the Canada-Nova Scotia Offshore Petroleum Board, and any other legislative requirements, where applicable.
- 3.2 The Proponent shall, for all spent or excess synthetic-based drilling muds that have not been retained on cuttings and treated and discharged pursuant to condition 3.1, dispose of these spent or excess synthetic-based drilling muds at an approved on-shore facility.
- 3.3 The Proponent shall apply, at a minimum, the standards identified in the *Offshore Chemical Selection Guidelines for Drilling & Production Activities on Frontier Lands*, issued jointly by the National Energy Board, the Canada-Newfoundland and Labrador Offshore Petroleum Board and the Canada-Nova Scotia Offshore Petroleum Board, to select lower toxicity chemicals for use and discharge into the marine environment, including drilling fluid constituents, and shall submit any necessary risk justification pursuant to the Guidelines to the Board for acceptance prior to use.
- 3.4 The Proponent shall treat all discharges into the marine environment from vessels associated with the Designated Project in accordance with the requirements of the *Canada Shipping Act, 2001* and *Ballast Water Control and Management Regulations*, and the International Maritime Organization's *International Convention for the Prevention of Pollution from Ships* and any other legislative requirements, where applicable.
- 3.5 The Proponent shall conduct a pre-installation survey with qualified individual(s), around the planned location of all subsea infrastructure, to confirm the presence or absence of any unexploded ordnance or other seabed hazards. If any such ordnance is detected, it shall not be disturbed and the Proponent shall contact the Canadian Coast Guard's Joint Rescue Coordination Centre in Halifax and the Board to determine an appropriate course of action, prior to commencing any work on the seabed floor. For all other seabed hazards detected, the Proponent shall contact the Board to determine an appropriate course of action, prior to commencing any work on the seabed floor.
- 3.6 The Proponent shall develop and conduct, in consultation with Fisheries and Oceans Canada and the Board, a seabed investigation survey of benthic fish habitat based on the locations of any subsea infrastructure prior to conducting any activities on the seafloor related to the installation of this infrastructure. In doing so, the Proponent shall:
 - 3.6.1 retain the services of an individual that is qualified to operate the equipment used to conduct the survey(s);
 - 3.6.2 collect data on the presence or absence of benthic fish habitat, including aggregations of habitat forming corals and sponges and listed species at risk; and
 - 3.6.3 survey transect length and pattern around well templates based on modelling predictions of the areas to be affected by applicable drill cutting dispersion in the water column and survey transects that extend 50 metres around all other subsea infrastructure.

- 3.7 If a qualified individual, in consultation with Fisheries and Oceans Canada confirms the presence of aggregations of habitat-forming corals or sponges or other sensitive benthic fish habitat, the Proponent shall:
- 3.7.1 change the location of the subsea infrastructure on the seafloor. If changing the location of a well template is not economically or technically feasible, as determined in consultation with the Board, the Proponent shall redirect drill cutting discharges;
 - 3.7.2 consult with the Board and Fisheries and Oceans Canada to determine an appropriate course of action, including the implementation of any additional mitigation measures and monitoring, prior to commencing any activities on the seafloor related to the installation of any subsea infrastructure, subject to the acceptance of the Board, if changing the location of the subsea infrastructure, or redirecting drill cuttings discharges pursuant to condition 3.7.1 is not technically or economically feasible, as determined in consultation with the Board; and
 - 3.7.3 include mitigation options to reduce any identified risk to habitat-forming coral and sponge aggregations or other sensitive benthic fish habitat in accordance with the provisions of the *Fisheries Act* when consulting with Fisheries and Oceans Canada pursuant to condition 3.7.2.
- 3.8 The Proponent shall apply, during the planning and the conduct of all applicable geophysical surveys, Fisheries and Oceans Canada's *Statement of Canadian Practice with Respect to the Mitigation of Seismic Sound in the Marine Environment*, including by establishing a safety zone of a minimum radius of 500 metres from the sound source.
- 3.9 The Proponent shall ensure that it does not undertake seismic testing concurrently with any planned seismic testing occurring within 30 kilometres of the Designated Project. The proponent shall consult with the Board in respect of planned seismic testing and, if the Board indicates that seismic testing will be occurring within 30 kilometres of the Designated Project, the proponent shall alter its seismic testing schedule to avoid testing concurrently with that planned seismic testing.
- 3.10 The Proponent shall develop, in consultation with Fisheries and Oceans Canada and the Board, a Marine Mammal and Sea Turtle Monitoring Plan that shall be submitted to the Board at least 30 days prior to the commencement of any geophysical survey. The Proponent shall implement the plan during the conduct of applicable geophysical surveys. As part of the plan, the Proponent shall:
- 3.10.1 develop and implement marine mammal observation requirements, including the use of passive acoustic monitoring, or equivalent technology, and visual monitoring by marine mammal observers throughout all applicable geophysical surveys;
 - 3.10.2 ensure that observation requirements specify the requirement for shut down of the sound source if any marine mammal or sea turtle is observed within the safety zone established in condition 3.8;
 - 3.10.3 require a 60 minute pre-watch for marine mammals, within the safety zone established in condition 3.8, to ensure that no marine mammals are spotted 60 minutes prior to starting the sound source; and

- 3.10.4 submit the results of the activities undertaken as part of the marine mammal and sea turtle observation requirements to the Board as part of the annual report pursuant to condition 2.10.
- 3.11 The Proponent shall implement measures to prevent or reduce the risks of collisions between Designated Project vessels and marine mammals and sea turtles, including:
- 3.11.1 requiring Designated Project vessels to use established shipping lanes, where they exist; and
- 3.11.2 requiring all Designated Project vessels, including supply and standby vessels, to reduce speed to 7 knots (13 kilometres per hour) when a marine mammal or sea turtle is observed or reported within 400 metres of a vessel, except if not feasible for safety reasons.
- 3.12 The Proponent shall report any collisions of a Designated Project vessel with marine mammals or sea turtles to the Board, the Canadian Coast Guard Regional Operations Centre, and any other relevant authorities as soon as reasonably practicable but no later than 24 hours following the collision, and notify Indigenous groups within three days.
- 3.13 The Proponent shall have a qualified individual develop follow-up requirements pursuant to condition 2.6, to verify the accuracy of the predictions made during the environmental assessment as it pertains to fish and fish habitat, including marine mammals, and to determine the effectiveness of mitigation measures identified under conditions 3.1 to 3.11. The Proponent shall implement the follow-up requirements for the duration of the Designated Project and submit these follow-up requirements to the Board prior to conducting any Designated Project activities within the Designated Project Area. As part of these follow-up requirements, the Proponent shall:
- 3.13.1 for every well, measure the concentration of non-aqueous based fluids retained on discharged drill cuttings as described in the *Offshore Waste Treatment Guidelines* to verify that the discharge meets, at a minimum, the performance targets set out in the Guidelines and any applicable legislative requirements, and report the results to the Board;
- 3.13.2 for all subsea infrastructure, develop and implement, in consultation with Fisheries and Oceans Canada, Environment and Climate Change Canada, and the Board, follow-up requirements to verify the accuracy of the environmental assessment and effectiveness of mitigation measures as they pertain to the effects of drill cuttings discharges and infrastructure installation on benthic fish and fish habitat, including aggregations of habitat-forming corals or sponges. Follow-up requirements shall include:
- 3.13.2.1 measurement of sediment deposition extent, and quality pre- and post-drilling to verify the drill waste deposition modeling predictions;
- 3.13.2.2 measurement of suspended particulate matter prior to and during drilling to verify drilling mud and cuttings dispersion predictions;
- 3.13.2.3 benthic fauna surveys to verify the effectiveness of mitigation measures;

- 3.13.2.4 monitor recovery of sediment quality, and fish habitat determined to be affected following measurements pursuant to 3.13.2.1 and 3.13.2.3 to verify recovery time as predicted in the environmental assessment report;
 - 3.13.2.5 survey colonization by sessile epifauna of subsea infrastructure, and
 - 3.13.2.6 the Proponent shall report the information collected, as identified in conditions 3.13.2.1 through 3.13.2.5, including a comparison of modelling results to *in situ* results, at a frequency determined by the Board;
- 3.13.3 develop and implement, in consultation with Indigenous groups, Fisheries and Oceans Canada and the Board, follow-up requirements to verify the accuracy of the environmental assessment as it pertains to the effects of underwater sound emissions on fish, including marine mammals, taking into account all project sound sources. The follow-up requirements shall include:
- 3.13.3.1 measurement of underwater sound levels to verify acoustic modeling results and predicted geographic extent of likely effects;
 - 3.13.3.2 surveys of marine mammal presence, distribution, important habitat areas, and behavior, including mating, calving, nursing and feeding, within the zones of influence for behavior predicted by modelling and geographic extent of likely effects prior to installing subsea infrastructure and during drilling, production and seismic activities;
 - 3.13.3.3 the requirement that surveys of marine mammal behavior pursuant to condition 3.13.3.2 be conducted by a marine mammal observer, unless otherwise agreed to by the Board and Fisheries and Oceans Canada; and
 - 3.13.3.4 an annual summary report of all north Atlantic right whale (*Eubalaena glacialis*) observations recorded, which the Proponent shall provide to Indigenous groups annually.
- 3.14 The Proponent shall participate in research programs in the Eastern Canadian offshore areas pertaining to the presence of Atlantic salmon (*Salmo salar*) and the behavior, presence, distribution, and important habitat areas of cetaceans, where available and agreed upon by the party(ies) responsible for the research programs. The Proponent shall provide Indigenous groups with updates, published annually on the internet pursuant to condition 2.13, describing how the Proponent has participated in these research programs during the previous year. The Proponent shall also provide these updates directly to the Board as part of the annual report pursuant to condition 2.10.

4 Migratory birds

- 4.1 The Proponent shall carry out the Designated Project in a manner that protects migratory birds and avoids harming, killing or disturbing migratory birds or destroying, disturbing or taking their nests or eggs. In this regard, the Proponent shall be in compliance, where applicable, with the *Migratory Birds Convention Act, 1994*, the *Migratory Birds Regulations* and with the *Species at Risk Act* and shall take into account Environment and Climate Change Canada's *Avoidance Guidelines*.
- 4.2 The Proponent shall implement measures to avoid harming, killing or disturbing migratory birds, including:

- 4.2.1 conducting only non-routine or safety flaring;
 - 4.2.2 starting all scheduled flaring as early as practicable during daylight hours to limit flaring that occurs during nighttime;
 - 4.2.3 identifying specific circumstances under which the Proponent shall not commence scheduled flaring during conditions of poor visibility including when there is a low cloud ceiling or fog, and not commencing flaring during these circumstances;
 - 4.2.4 notifying the Board at least 30 days in advance of any scheduled flaring to determine whether the flaring would occur during a period of migratory bird vulnerability and to determine how the Proponent plans to avoid adverse environmental effects on migratory birds, including by implementing modified or additional mitigation measures; and
 - 4.2.5 requiring supply helicopters to fly at altitudes greater than 300 metres above sea level from active bird colonies and at a lateral distance of 1 000 metres from Quidi Vidi Lake Important Bird Area, and known bird colonies with the Baccalieu Island and Eastern Avalon's Ecologically and Biologically Significant Areas, except for approach, take-off and landing maneuvers, as required under the *Canadian Civil Aviation Regulations* or if not feasible for safety reasons.
- 4.3 The Proponent shall develop, in consultation with Environment and Climate Change Canada and the Board, measures to mitigate impacts of lighting from the Designated Project's mobile offshore drilling unit(s), floating production storage and offloading vessel(s) and other Designated Project vessels on migratory birds, including measures to control the direction, timing, intensity, and glare of light fixtures while meeting operational health and safety requirements. The Proponent shall implement these measures for the duration of the Designated Project and submit these measures to the Board prior to conducting any Designated Project activities within the Designated Project Area. In doing so, the Proponent shall:
- 4.3.1 use lighting, including nighttime lighting, only to the extent necessary to carry out the Designated Project and meet operational health and safety requirements; and
 - 4.3.2 for all measures, including spectral modified lighting, shielding lights downward, changing the type and intensity of light and any other measures identified by Environment and Climate Change Canada, determine the economic and technical feasibility of these measures and how they meet health and occupational safety requirements and provide this evaluation to Environment and Climate Change Canada and the Board prior to conducting any Designated Project activities within the Designated Project Area.
- 4.4 The Proponent shall determine the economic and technical feasibility of a pilotless flaring system in the design of the Designated Project, and shall include such a system in the Designated Project Design unless not technically or economically feasible. If not technically or economically feasible, the Proponent shall provide their analysis to the Board for review and approval prior to finalizing the design of the Designated Project.
- 4.5 The Proponent shall develop and implement awareness training on migratory bird strandings for all offshore workers associated with the Designated Project including a process for offshore workers associated with the Designated Project to report these strandings to the relevant personnel tasked with monitoring strandings pursuant to condition 4.6.2.

- 4.6 The Proponent shall have a qualified individual develop, prior to conducting any Designated Project activities within the Designated Project Area and in consultation with Environment and Climate Change Canada and the Board, follow-up requirements, pursuant to condition 2.6, to verify the accuracy of the environmental assessment as it pertains to migratory birds and to determine the effectiveness of the mitigation measures implemented by the Proponent to avoid harm to migratory birds, their eggs and nests, including the mitigation measures used to comply with conditions 4.1 and 4.3. The Proponent shall implement these follow-up requirements for the duration of the Designated Project. As part of the follow-up requirements, the Proponent shall:
- 4.6.1 monitor daily for the presence of migratory birds at the mobile offshore drilling unit(s), floating production storage and offloading vessel(s), and other Designated Project-related vessels, excluding supply and standby vessels, by following Environment and Climate Change Canada's *Eastern Canada Seabirds at Sea Standardized Protocol for Pelagic Seabird Surveys from Moving and Stationary Platforms*, including the described survey methods and frequencies, unless otherwise agreed to by the Board and Environment and Climate Change Canada;
 - 4.6.2 develop and implement procedures and methods for systematic daily monitoring of the mobile offshore drilling unit(s), floating production storage and offloading vessel(s), and Designated Project-related vessels, excluding supply vessels, for the presence of stranded and re-stranded migratory birds and follow Environment and Climate Change Canada's *Procedures for Handling and Documenting Stranded Birds Encountered on Infrastructure Offshore Atlantic Canada*. Procedures and methods should include any technically and economically feasible ways to monitor strandings from areas of the mobile offshore drilling unit(s), and Designated Project-related vessels, excluding supply and standby vessels that are inaccessible to observers;
 - 4.6.3 monitor during flaring for the presence of migratory birds and document migratory bird behavior around the flares;
 - 4.6.4 conduct the monitoring of migratory birds pursuant to conditions 4.6.2 and 4.6.3, using, at a minimum, a trained observer who meets the observer standards outlined in Environment and Climate Change Canada's *Eastern Canada Seabirds at Sea Standardized Protocol for Pelagic Seabird Surveys from Moving and Stationary Platforms*, unless otherwise agreed to by the Board and Environment and Climate Change Canada;
 - 4.6.5 develop and implement procedures and methods for monitoring migratory bird interactions with lighting related to the Designated Project, including the effectiveness of any spectrally modified lighting measures, if implemented pursuant to condition 4.3. Methods shall consider and, where appropriate, incorporate the use of radar, infrared imaging, aerial surveys or telemetry studies;
 - 4.6.6 monitor for the presence of oil sheens and their extent and any migratory bird contact with these oil sheens; and
 - 4.6.7 report monitoring data collected pursuant to 4.6.1 through 4.6.6 annually to Environment and Climate Change Canada and the Board in a format determined in consultation with Environment and Climate Change Canada and the Board.
- 4.7 The Proponent shall participate in research and monitoring programs pertaining to the effects of light attraction on migratory birds in offshore areas and mitigation measures to reduce the

attraction of migratory birds to lighting, where available and agreed upon by the party(ies) responsible for the research and monitoring programs. The Proponent shall provide Indigenous groups with updates, published annually on the internet pursuant to condition 2.13, describing how the Proponent has participated in these research programs during the previous year. The Proponent shall also provide these updates directly to the Board as part of the annual report pursuant to condition 2.10. Research and monitoring programs pertaining to the effects of light on birds may include:

- 4.7.1 impacts of offshore lights on Leach's Storm-petrel (*Oceanodroma leucorhoa*) and other migratory birds;
- 4.7.2 migratory bird foraging and overwintering areas in the offshore;
- 4.7.3 migratory bird populations distributions and demographics in the offshore; and
- 4.7.4 reducing the attraction of migratory birds to lighting in offshore areas, including the effectiveness of measures related to the spectrum, type or intensity of light.

5 Indigenous and commercial fisheries

- 5.1 The Proponent shall develop and implement a Fisheries Communication Plan in consultation with the Board, Indigenous groups and commercial fishers. The Proponent shall develop the Fisheries Communication Plan prior to conducting any Designated Project activities within the Designated Project Area and implement it for the duration of the Designated Project. The Proponent shall include in the Fisheries Communications Plan:
 - 5.1.1 procedures to notify Indigenous groups and commercial fishers of planned drilling activity, and the anticipated movement of the mobile offshore drilling unit(s), and Designated Project vessels, excluding supply and standby vessels, a minimum of 60 days prior to conducting any Designated Project activities within the Designated Project Area;
 - 5.1.2 procedures to determine the requirement for a Fisheries Liaison Officer and/or fisheries guide vessel during the movement of mobile offshore drilling unit(s), floating production storage and offloading vessel(s), and Designated Project vessels, excluding supply and standby vessels and geophysical programs;
 - 5.1.3 procedures to notify Indigenous groups and commercial fishers in the event of a spill or unplanned release of oil or any other substance, and communicate the results of the monitoring and any associated potential health risks referred to in condition 7.10;
 - 5.1.4 procedures to engage in two-way communication with Indigenous groups and commercial fishers in the event of a spill requiring a tier 2 or tier 3 response over the duration of the spill response; and
 - 5.1.5 the type of information that will be communicated to Indigenous groups and commercial fishers, the timing of distribution of this information, and any update to the Designated Project activities, that will include but not be limited to:
 - 5.1.5.1 a description of planned Designated Project activities and the anticipated movement of the mobile offshore drilling unit(s), and Designated Project vessels, excluding supply and standby vessels;
 - 5.1.5.2 location(s) of safety exclusion zones and anti-collision zones;

- 5.1.5.3 anticipated vessel traffic schedule;
 - 5.1.5.4 anticipated vessel routes; and
 - 5.1.5.5 locations of decommissioned and abandoned subsea infrastructure.
- 5.2 The Proponent shall develop and implement a decommissioning and abandonment plan in accordance with the *Newfoundland Offshore Petroleum Drilling and Production Regulations* that meets or exceeds the requirements of the *Drilling and Production Guidelines* and submit it to the Board for acceptance prior to conducting any Designated Project activities within the Designated Project area. If the Proponent proposes to abandon any subsea infrastructure on the seafloor in a manner that may interfere with Indigenous or commercial fisheries, the Proponent shall develop the decommissioning and abandonment strategy in consultation with commercial fishers and potentially affected Indigenous groups with fishing licences that overlap with the Designated Project Area, identified in consultation with Fisheries and Oceans Canada.
- 5.3 The Proponent shall provide the details of its operation, including the safety exclusion zones and anti-collision zones for the duration of the Designated Project, and the location information of any decommissioned subsea infrastructure if left on the seafloor, to Fisheries and Oceans Canada, the Marine Communications and Traffic Services for broadcasting and publishing in the Navigational Warnings, and to the Canadian Hydrographic Services for future nautical charts and planning.
- 5.4 The Proponent shall report annually to the Board on known incidents of lost or damaged fishing gear attributed to the Designated Project and make this information available to Indigenous groups and commercial fishers upon their request.

6 Air quality and greenhouse gas emissions

- 6.1 The Proponent shall not release into the atmosphere gas produced from the wells associated with the Designated Project, with the exception of gas released following its use as fuel or through non-routine or safety flaring.
- 6.2 The Proponent shall identify and incorporate greenhouse gas and air emission reduction measures into the design of the Designated Project, and implement these measures for the duration of the Designated Project to avoid or reduce potential adverse environmental effects caused by these emissions. In doing so, the Proponent shall take into account the most recent guidance issued by Environment and Climate Change Canada related to greenhouse gas mitigation measures and the quantification of net greenhouse gas emissions. The Proponent shall submit a description of these final measures to Environment and Climate Change Canada and the Board along with an updated quantification of greenhouse gas and air emissions estimates associated with the Designated Project prior to conducting any Designated Project activities within the Designated Project Area.
- 6.3 The Proponent shall identify, in consultation with the Board and Environment and Climate Change Canada prior to each dry dock inspection of the floating production storage and offloading vessel(s) for the duration of the Designated Project, any modified or additional greenhouse gas and air emission reduction measures to be implemented when the floating production storage and offloading vessel(s) undergo(es) repair and maintenance as required during dry dock inspections over the duration of the Designated Project, and implement these measures. In doing

so, the Proponent shall submit to the Board and Environment and Climate Change Canada a description of these measure(s) and the anticipated reduction in greenhouse gas and air emissions associated with these measure(s). The Proponent shall provide justification if no modified or additional measures are implemented.

- 6.4 Commencing on January 1, 2050, the Proponent shall ensure that the Designated Project does not emit greater than 0 kilotonnes of carbon dioxide equivalents per year (kt CO₂ eq/year), as calculated in equation 1 (section 3.1) of Environment and Climate Change Canada's *Strategic Assessment of Climate Change* and any associated guidance documents published by the Government of Canada.
- 6.5 The Proponent shall comply with all applicable air quality emissions limits and limits on sulphur concentrations in diesel fuel for Designated Project vessels in accordance with the *Canada Shipping Act, 2001*, the *Multi-Sector Air Pollutants Regulations* and the *Regulations Respecting Reduction in the Release of Methane and Certain Volatile Organic Compounds (Upstream Oil and Gas Sector)* under the *Canadian Environmental Protection Act, 1999* and International Maritime Organization's *International Convention for the Prevention of Pollution from Ships* and any other legislative requirements, where applicable.

7 Accidents and malfunctions

- 7.1 The Proponent shall take all reasonable measures to prevent accidents and malfunctions that may result in adverse environmental effects and mitigate any adverse environmental effects from accidents and malfunctions that do occur. In doing so, the Proponent shall:
 - 7.1.1 develop, prior to conducting any Designated Project activities within the Designated Project Area, and implement for the duration of the Designated Project, operating procedures including thresholds for cessation of a work or activity, with respect to meteorological and oceanographic conditions experienced at the Designated Project location, and which reflect the facility's design limits and limits at which any work or activity may be conducted safely and without causing adverse environmental effects. These conditions include poor weather, high sea state, and presence of sea ice or icebergs; and
 - 7.1.2 implement emergency response procedures and contingency plans developed in relation to the Designated Project in the event of an accident or malfunction.
- 7.2 The Proponent shall develop, in consultation with the Board and Environment and Climate Change Canada, and implement for the duration of the Designated Project, a physical environment monitoring program, in accordance with the *Newfoundland Offshore Petroleum Drilling and Production Regulations* that meets or exceeds the requirements of the *Offshore Physical Environmental Guidelines* (September 2008). The physical environment monitoring program shall be submitted to the Board for acceptance prior to conducting any Designated Project activities within the Designated Project Area.
- 7.3 The Proponent shall prepare a plan for avoidance of mobile offshore drilling unit and floating production storage and offloading vessel collisions with vessels and other hazards that may reasonably be expected in the Designated Project Area and submit the plan to the Board for

acceptance prior to conducting any Designated Project activities within the Designated Project Area.

- 7.4 The Proponent shall prepare an Ice Management Plan that will include measures for avoidance of collisions with icebergs and procedures for updating the plan as needed over the life of the project taking into account updated climate observations and model predictions related to sea ice and submit the plan to the Board for acceptance prior to conducting any Designated Project activities within the Designated Project area.
- 7.5 The Proponent shall prepare and submit to the Board well control strategies prior to conducting any Designated Project activities within the Designated Project area. The well control strategies shall include:
 - 7.5.1 measures for well capping and containment of fluids released from well and the drilling of a relief well, as well as options to reduce overall response timeline; and
 - 7.5.2 measures to quickly disconnect the mobile offshore drilling unit(s), floating production storage and offloading vessel(s) and shuttle tankers from their respective infrastructure connections in the event of an emergency or extreme weather conditions.
- 7.6 The Proponent shall develop and implement procedures to maintain up-to-date information on the availability of capping stack(s), vessels capable of deploying the capping stack(s), and drilling rigs capable of drilling a relief well within the Designated Project area prior to and during the drilling of each well. The Proponent shall communicate this information to the Board and update the Board, when any of this information changes, prior to and during the drilling of each well.
- 7.7 The Proponent shall prepare a Spill Response Plan in consultation with Indigenous groups. The plan shall be submitted to the Board for acceptance prior to conducting any Designated Project activities within the Designated Project area. The Spill Response Plan will take into account the results of the modelling of spills identified in Appendix E and F of the environmental impact statement and shall include the following:
 - 7.7.1 procedures to respond to and mitigate the potential environmental effects of an oil spill or unplanned release of pollution that may cause adverse environmental effects, including containment and recovery procedures;
 - 7.7.2 the list of relevant authorities to be notified of a spill, notification thresholds and notification procedures;
 - 7.7.3 measures for wildlife response, protection and rehabilitation, including procedures for the collection and cleaning of marine mammals, birds, sea turtles and species at risk, and measures for shoreline protection and clean-up; and
 - 7.7.4 roles and responsibilities for offshore operations and onshore responders.
- 7.8 The Proponent shall, commencing before the first well is drilled and continuing until decommissioning is complete, conduct an exercise of its Spill Response Plan at a frequency determined in consultation with the Board as required under subparagraph 6(j)(ii) of the *Newfoundland Offshore Petroleum Drilling and Production Regulations*, document any deficiencies observed during this exercise, provide the record of these deficiencies to the Board for review, and adjust the plan to the satisfaction of the Board to address those deficiencies.

- 7.9 The Proponent shall, commencing before the first well is drilled and continuing until decommissioning is complete, review its Spill Response Plan annually or otherwise at a frequency determined in consultation with the Board to verify that the plan continues to be appropriate and, when necessary, shall update the plan in a manner acceptable to the Board.
- 7.10 In the event of an oil spill or unplanned release of other pollution that may cause adverse environmental effects, the Proponent shall begin implementation of the spill response plan immediately, notify the Board and any other relevant authorities verbally as soon as the circumstances permit, and implement procedures for notification of Indigenous groups and commercial fishers developed in condition 5.1.3. As required by and in consultation with the Board, implementation of the Spill Response plan may include monitoring the environmental effects of a spill on components of the marine environment until specific endpoints identified in consultation with relevant authorities are achieved. As applicable, this may include:
- 7.10.1 sensory testing of seafood for taint, and chemical analysis for oil concentrations and any other contaminants, as applicable;
 - 7.10.2 measuring levels of contamination in recreational, commercial and traditionally harvested fish species with results integrated into a human health risk assessment, to be submitted to relevant authorities, including those responsible for fishing area closures;
 - 7.10.3 monitoring for marine mammals, sea turtles and birds for signs of contamination or oiling and reporting results to the Board, Fisheries and Oceans Canada, and Environment and Climate Change Canada; and
 - 7.10.4 monitoring benthic organisms and habitats in the event of a spill or other event that could result in smothering or localized effects to the benthic environment.
- 7.11 The Proponent shall undertake a Spill Impact Mitigation Assessment to identify spill response options that may be implemented in the case of a spill to provide for the best opportunities to minimize environmental consequences, and provide it to the Board for review prior to conducting any Designated Project activities within the Designated Project Area.
- 7.12 The Proponent shall provide Indigenous groups with the results of the exercise conducted pursuant to condition 7.8, following its review by the Board. The Proponent shall provide the final Spill Response Plan to Indigenous groups prior to conducting any Designated Project activities within the Designated Project Area and any updates to the Spill Response Plan pursuant to conditions 7.8 and 7.9.
- 7.13 In the event of an uncontrolled subsea release from the well, the Proponent shall begin the immediate mobilization of subsea containment and capping equipment to the site of the uncontrolled subsea release. Simultaneously, the Proponent shall commence mobilization of a drilling installation to the site to drill a relief well.
- 7.14 If drilling is anticipated in water depths less than 500 metres, the Proponent shall undertake further analysis to confirm the capping stack technology selected can be deployed and operated safely at the proposed depth and submit this analysis to the Board for acceptance prior to conducting any Designated Project activities within the Designated Project Area.

- 7.15 In the event of an accident or malfunction, the Proponent shall comply with the requirements of the *Accord Acts* and the *Canada-Newfoundland and Labrador Offshore Financial Requirement Regulations* and the requirements described in the *Compensation Guidelines Respecting Damages Relating to Offshore Petroleum Activity*.
- 7.16 The Proponent shall report annually to the Board on the effectiveness of operating procedures and cessation of work or activity thresholds, established for operating in poor weather, high sea state, and sea ice or iceberg conditions. The report shall include a description of any modifications to operations implemented in response to adverse environmental conditions, in accordance with the *Newfoundland Offshore Petroleum Drilling and Production Regulations*.

8 Implementation Schedule

- 8.1 The Proponent shall submit to the Board a schedule for each condition set out in this Decision Statement at least 30 days prior to conducting any Designated Project activities within the Designated Project Area. This schedule shall detail all activities planned to fulfill each condition set out in this Decision Statement and the commencement and estimated completion month(s) and year(s) for each of these activities.
- 8.2 The Proponent shall submit to the Board a schedule outlining all activities required to carry out all phases of the Designated Project no later than 30 days prior to conducting any Designated Project activities within the Designated Project Area. The schedule shall indicate the commencement and estimated completion month(s) and year(s) and duration of each of these activities.
- 8.3 The Proponent shall submit to the Board in writing an update to schedules referred to in conditions 8.1 and 8.2 every year no later than March 31, until completion of all activities referred to in each schedule.
- 8.4 The Proponent shall provide to the Board revised schedules if any change is made to the initial schedules referred to in condition 8.1 and 8.2 or to any subsequent update(s) referred to in condition 8.3, upon revision of the schedules.

9 Record keeping

- 9.1 The Proponent shall maintain all records required to demonstrate compliance with the conditions set out in this Decision Statement. The Proponent shall provide the aforementioned records to the Board or the Agency upon demand within a timeframe specified by the Board or the Agency.
- 9.2 The Proponent shall retain all records referred to in condition 9.1 at a facility in Canada. The records shall be retained and made available for a minimum of five years after completion of the Designated Project, unless otherwise specified by the Board. The Proponent shall inform the Board of the location of the facility where records are retained and notify the Board and the Agency at least 30 days prior to any change to the location of the facility.
- 9.3 The Proponent shall notify the Board and the Agency of any change to the contact information of the Proponent included in this Decision Statement.

Issuance

This Decision Statement is issued in Ottawa, Ontario by:

<Original signed by>

The Honourable Steven Guilbeault
Minister of the Environment

April 6, 2022
Date _____



Government of Canada

Gouvernement du Canada

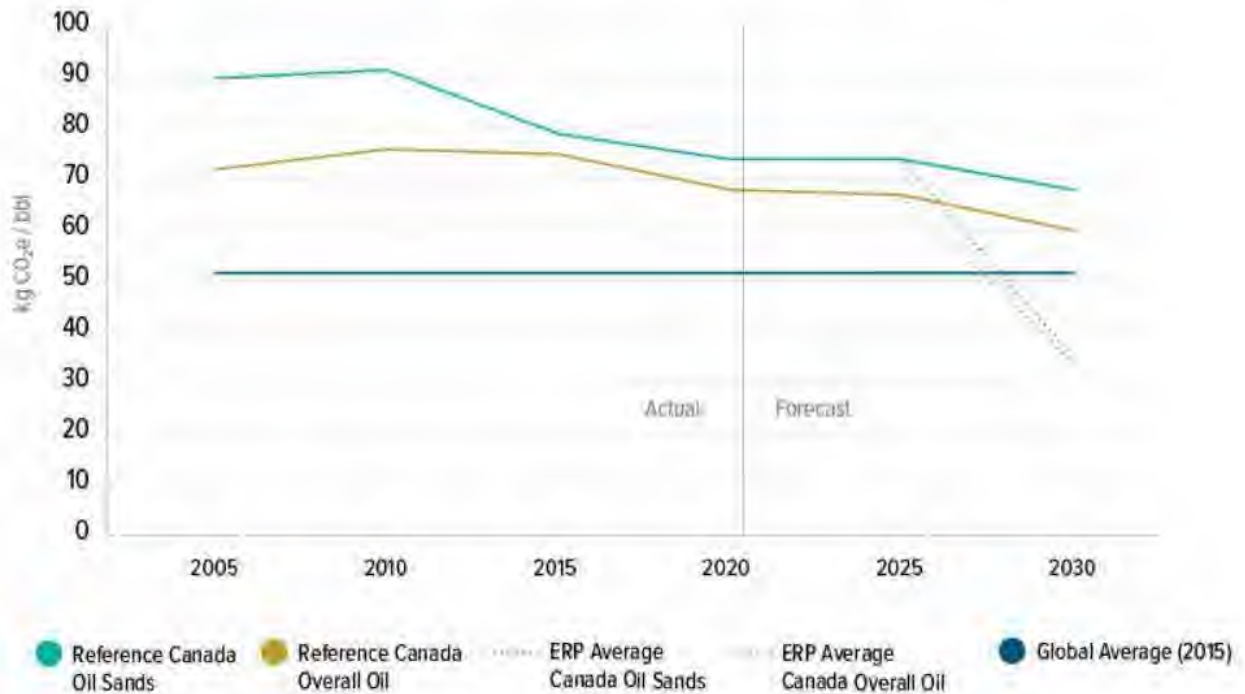
Canada.ca > [Environment and Climate Change Canada](#)

Government of Canada to develop guidance for best-in-class new oil and gas projects and net-zero emissions requirements by 2050

From: [Environment and Climate Change Canada](#)

News release

CANADA OIL CARBON INTENSITY VS GLOBAL AVERAGE



April 6, 2022 – Ottawa, Ontario

As a major economic contributor to the country and Canada's largest source of greenhouse gas emissions, the oil and gas sector has a critical role to play in meeting Canada's climate objectives. To remain competitive in a global market that is moving away from fossil fuels combustion to address climate change and enhance energy security, new Canadian oil production subject to federal impact assessment will have to meet even higher standards. New projects would have to deliver emissions performance—the amount of greenhouse gas pollution it takes to produce a barrel of oil or cubic metre of natural gas—that is best in class, and all future oil and gas projects would have to be net zero by 2050.

Today, the Minister of Environment and Climate Change, the Honourable Steven Guilbeault, announced plans to develop guidance that will require proponents of new oil and gas production projects subject to a federal impact assessment to demonstrate that they will have “best-in-class” low-emissions performance.

With some global demand for oil and gas expected even once the global economy reaches net-zero emissions, now is the right time to transform Canada into the cleanest global oil and gas producer. Moving to provide low-carbon and non-emitting energy products and services will help ensure economic competitiveness and prosperity, and create good, sustainable jobs for Canadians.

The new guidance will explain how proponents of new oil and gas projects subject to a federal impact assessment should use the analysis required by the Government of Canada's strategic assessment of climate change (SACC) to demonstrate that the project will be “best in class,” such as by:

- demonstrating that the project will integrate advanced technologies and best environmental practices (BEPs), including emerging technologies, to minimize emissions;
- comparing the project's emissions with high-performing projects in the world; and
- developing a plan to achieve net-zero emissions by 2050 if the project will continue to operate after that date.

The new guidance will also include information about how a proposed project is consistent with the overall economic transition to a low carbon-economy, including considerations such as how the project will remain competitive across global low-carbon transition and net-zero scenarios, and how it avoids supporting activities and assets that are at risk of becoming stranded from declining demand.

The development of the guidance will be informed by consultations with industry, provinces, territories, Indigenous Peoples, and other stakeholders.

Carbon competitiveness

As the world acts on climate change and the global supply of fossil fuels becomes cleaner, Canada's oil sector will need to continue to drive down emissions and costs to remain competitive. The following graph illustrates how the federal measures outlined in the 2030 Emissions Reduction Plan will ensure that Canadian oil and gas production becomes less emissions intensive (i.e. fewer emissions per barrel) over the next decade. While the actual trajectory to 2030 will unlikely be a straight line as portrayed, and the global average is also unlikely to remain static, reducing the carbon intensity of Canadian production below the global average is both possible and likely to be increasingly important in order for Canadian industry to compete in an increasingly constrained global market.

Quotes

“In a global market moving away from fossil fuels combustion, this new guidance will help steer oil and gas projects towards “best-in-class” low-emissions performance and maintain our competitive advantage. And by 2050, any projects operating in Canada will have to be net-zero emissions. This policy guidance helps implement our ambition for the sector and builds off our recently announced 2030 Emissions Reduction Plan, which included \$9.1 billion in new investments and a suite of new measures to help mobilize Canada towards a truly sustainable economy and a leading competitor in the global transition to cleaner industries and technologies.”

– The Honourable Steven Guilbeault, Minister of Environment and Climate Change

“Around the world, smart money is increasingly flowing away from assets that are not compatible with a transition to a net-zero world, and towards opportunities that are. Fuels that are produced in an ultra-low carbon fashion will have significant value internationally going forward, and Canada is positioned to provide these fuels as part of our broader suite of domestic and international climate measures.”

– The Honourable Jonathan Wilkinson, Minister of Natural Resources

Quick facts

- The oil and gas sector is Canada's largest source of greenhouse gas emissions. In 2019, it accounted for 26 percent of the country's emissions.
- On March 29, the Government of Canada published the [2030 Emissions Reduction Plan: Canada's Next Steps for Clean Air and a Strong Economy](#). The plan includes a projected contribution from the oil and gas sector of emissions reductions to 31 percent below 2005 levels in 2030 (or to 42 percent below 2019 levels). This commitment is a guidepost for action, and will guide the Government of Canada's work with industry, stakeholders, provinces and territories, Indigenous Peoples, and others to develop the cap on oil and gas sector emissions.
- Canada is positioning our industries to be green and competitive. The Government of Canada will introduce a tax credit to incentivize the development and adoption of carbon capture, utilization and storage (CCUS) technologies for a range of sectors.
- The International Energy Agency has demonstrated that in a net-zero world by 2050, oil consumption will go from roughly ninety million barrels per day to around twenty-four million.
- Last fall, the Government of Canada committed to cap oil and gas emissions at a pace and scale needed to achieve net zero by 2050. Projects approved under the *Impact Assessment Act* will need to fit in and comply with the cap once it is in place.

Associated links

- [Strategic Assessment of Climate Change](#)

Contacts

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Press Secretary

Office of the Minister of Environment and Climate Change

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Kaitlin.Power@ec.gc.ca

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Date modified:

2022-04-06



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www.suncor.com

April 05, 2022

Via Email Only: iaac.BaseMine-MineBase.aeic@canada.ca

Impact Assessment Agency of Canada

22nd Floor, Place Bell

160 Elgin Street

Ottawa, ON K1A 0H3

**RE: Suncor Energy Inc.
Base Mine Extension Project
Time Limit Extension – Impact Statement Phase
Canadian Impact Assessment Registry File No.: 80521**

Suncor submits this letter to the Impact Assessment Agency of Canada (IAAC), pursuant to section 19(2) of the *Impact Assessment Act* (IAA), requesting a time limit extension to the Impact Statement phase of the Base Mine Extension Project (The Project).

Suncor's strategy is focused on increasing shareholder returns and accelerating its progress to be a net-zero company by 2050. In support of this objective, Suncor is focusing its efforts in areas that are complementary to its base business including replacing coke-fired boilers at Base Plant with lower emission cogeneration units and accelerating commercial scale deployment of carbon capture technology (consistent with the Oil Sands Pathways initiative). Other targeted activities include partnering with ATCO on a project to build a world-scale hydrogen facility in Alberta and deploying next generation renewable fuel technologies like Lanzajet's sustainable aviation fuel technology and Enerkem's waste to fuels technology.

Suncor is currently reviewing our Project proposal to ensure alignment with our strategy to be a net-zero company. We plan to use this time to assess Project improvements, technology, feedback received from Indigenous communities and stakeholders, as well as review government initiatives (i.e., Federal Emissions Reduction Plan released March 29, 2022) and meet the requirements set out by IAAC. To support fulsome consideration of this feedback and potential implications to the project, Suncor requests a timeline extension of 9 months, thereby extending the current deadline established pursuant to section 19(1) of the IAA from May 31, 2024, until February 28, 2025.

Suncor remains committed to advance the review of The Project in a timely and efficient manner and appreciates the IAAC's efforts to provide an efficient regulatory review process. If you have any questions regarding this request, please contact the undersigned.



Suncor Energy Inc.
P.O. Box 2844
150 – 6th Avenue SW
Calgary, AB T2P 3E3
Tel 403 296 8000
Fax 403 296 3030
www.suncor.com

Sincerely,

<Original signed by>

Richard Murray
Regulatory Specialist, Mining Extraction & Upgrading Approvals
Suncor Energy Inc.
BaseMineExtension@suncor.com



Impact Assessment
Agency of Canada

Agence d'évaluation
d'impact du Canada

President

Président

160 Elgin St., 22nd floor
Ottawa ON K1A 0H3

160, rue Elgin, 22^e étage
Ottawa ON K1A 0H3

Sent by E-mail Only

April 6, 2022

Richard Murray
Regulatory Specialist – Mine, Extraction, and Upgrading Approvals
Suncor Energy Inc.
BaseMineExtension@suncor.com

Subject: Notification that the request for an Extension to the three-year time limit for the Impact Statement Phase of the Suncor Base Mine Extension Project is accepted

Richard Murray:

The Impact Assessment Agency of Canada (the Agency) acknowledges the receipt of your written request to extend the three-year time limit of the impact statement phase for the Suncor Base Mine Extension Project by nine months. The three-year time limit is the period within which Suncor Energy Inc. must submit a satisfactory Impact Statement to the Agency.

Your request for a nine-month timeline extension from the current deadline of May 31, 2024 to February 28, 2025, is accepted.

Should you have any questions, please contact either Kate Witherly at
<contact information removed> or Robyn-Lynne Virtue at
<contact information removed>

Sincerely,

<Original signed by>

Terence Hubbard





[Home](#) > [Impact Assessment Agency of Canada](#) > [Canadian Impact Assessment Registry](#)

> [Suncor Base Mine Extension Project](#) > Additional Information

> Notice of Determination on Time Limit Extension Request



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Notice of Determination on Time Limit Extension Request

Ottawa - April 6, 2022 – On April 6, 2022, the Impact Assessment Agency of Canada (the Agency) granted an extension to the three-year time limit for Suncor Energy Inc. (the Proponent) to provide the required information or studies described in the Final Tailored Impact Statement Guidelines, and any subsequent modifications, for the impact assessment of the Suncor Base Mine Extension Project.

The Agency has taken this action further to a written request from the Proponent that the time limit be extended by 9 months. The Agency made this determination taking into account the Proponent's request to ensure it has sufficient time to align the Project with its strategy to be a net-zero company, to assess Project improvements and technology and feedback received from Indigenous communities and stakeholders, as well as to review government initiatives such as the 2030 Emissions Reduction Plan.

The new deadline for the Proponent to provide the required information or studies described in the Final Tailored Impact Statement Guidelines, and any subsequent modifications, is February 25, 2025.

For further information on this impact assessment, please contact:

Suncor Base Mine Extension Project
Impact Assessment Agency of Canada
160 Elgin St, 22nd Floor
Ottawa, Ontario K1A 0H3
Telephone: 343-549-5813
Email: basemine-minebase@iaac-aeic.gc.ca

Date modified: 2022-04-06