

**Eastern Newfoundland Offshore Exploration Drilling Program**  
**Decision Statement Conditions Implementation Schedule (EL 1165A)**  
**Last Updated: July 6, 2022**

*\*Commitments below stem from the Conditions in the Decision Statement from the Canadian Environmental Assessment Agency (CEAA).*

Sort	Condition	Topic	Condition Description	Activity to Comply/Verification	As needed or deliverable	Status/Start Date	End Date
1	2.1	General	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.	Project Management: all ongoing actions will be conducted in a careful and precautionary manner using best available and technically feasible technologies.	As needed	Closed	Closed
2	2.2	Consultation	The Proponent shall, where consultation is a requirement of a condition set out in this document:		Heading	Heading	Heading
3	2.2.1	Consultation	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	For the 2022 exploration activities, ExxonMobil has provided information and solicited feedback from various government agencies and external parties including the following:  <ul style="list-style-type: none"> <li>• Canada-Newfoundland and Labrador Offshore Petroleum Board (C-NLOPB);</li> <li>• Impact Assessment Agency of Canada (IACC);</li> <li>• Department of Fisheries and Oceans (DFO);</li> <li>• Environment and Climate Change Canada- Canadian Wildlife Services division (ECCC-CWS);</li> <li>• Commercial Fisheries Stakeholders, and</li> <li>• Indigenous Groups.</li> </ul>	As needed	Closed	Closed
4	2.2.2	Consultation	Provide sufficient information on the scope and the subject matter of the consultation in a period of time agreed upon with the party or parties being consulted, to prepare their views and information	Various plans and follow-up programs were developed by ExxonMobil in consultation with various regulators, organizations and subject matter experts. Draft copies of these plans/programs have been provided to the various groups for their review. Based upon the feedback provided, the plans have been updated accordingly in advance of implementation.	As needed	Closed	Closed
5	2.2.3	Consultation	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	Various plans and follow-up programs were developed by ExxonMobil in consultation with various regulators, organizations and subject matter experts. Draft copies of these plans/programs have been provided to the various groups for their review. Based upon the feedback provided, the plans have been updated accordingly in advance of implementation.	As needed	Closed	Closed
6	2.2.4	Consultation	Advise in a timely manner the party or parties being consulted on how the views and information received have been considered by the Proponent	Various plans and follow-up programs were developed by ExxonMobil in consultation with various regulators, organizations and subject matter experts. Draft copies of these plans/programs have been provided to the various groups for their review. Based upon the feedback provided, the plans have been updated accordingly in advance of implementation.	As needed	Closed	Closed
7	2.3	Consultation + Indigenous Group Engagement	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 2.2, 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.	Consultation with Indigenous Groups has been ongoing since 2017. A consistent approach has been implemented through the use of a single point of contact for all interactions/communications.	As needed	Closed	Closed
8	2.4	Follow up	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:		Heading	Heading	Heading
9	2.4.1	Follow up	The methodology, location, frequency, timing and duration of monitoring associated with the follow-up program as necessary to verify the accuracy of the environmental assessment predictions as they pertain to the particular condition and to determine the effectiveness of any mitigation measure(s);	The methodology, location, frequency and duration of monitoring for the follow-up program is specified in the associated follow-up plans (bird monitoring plan, marine mammal monitoring plan and drilling discharges follow-up program).	Deliverable	Closed	Closed

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Sort	Condition	Topic	Condition Description	Activity to Comply/Verification	As needed or deliverable	Status/Start Date	End Date
10	2.4.2	Follow up	The scope, content and frequency of reporting of the results of the follow-up program	The scope, monitoring and frequency of reporting for the follow-up program is specified in the associated follow-up plans (bird monitoring plan, marine mammal monitoring plan and drilling discharges follow-up program).	Deliverable	Closed	Closed
11	2.4.3	Follow up	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 be required to stop Designated Project activities; and	The levels that would require additional mitigation are specified in the associated follow-up plans (bird monitoring plan, marine mammal monitoring plan and fish and fish habitat monitoring plan).	Deliverable	Closed	Closed
12	2.4.4	Follow up	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 have reached or exceeded the limits referred to in condition 2.4.3	The mitigation measures to be implemented are, where possible, specified in the associated follow-up plans (bird monitoring plan, marine mammal monitoring plan and drilling discharges follow-up program).	Deliverable	Closed	Closed
13	2.5	Follow up	The Proponent shall submit the information referred to in condition 2.4 to the Board prior to the implementation of each follow-up program. The Proponent shall update that information in consultation with relevant authorities during the implementation of each follow-up program, and shall provide the updated information to the Board within 30 days of the information being updated.	The follow-up plans (bird monitoring plan, marine mammal monitoring plan and drilling discharges follow-up program) have been submitted to the Board prior to their implementation.	Deliverable	Closed	Closed
14	2.6	Follow up	The Proponent shall, where a follow-up program is a requirement of a condition set out in this Decision Statement:		Heading	Heading	Heading
15	2.6.1	Follow up	conduct the follow-up program according to the information determined pursuant to condition 2.4	ExxonMobil are to complete the following programs: <ul style="list-style-type: none"> <li>• Fish and Fish Habitat – Synthetic-based Drilling Fluid Measurement</li> <li>• Fish and Fish Habitat – Drilling Discharges Follow-up Program</li> <li>• Marine Mammals and Sea Turtles – Marine Mammal Monitoring Program</li> <li>• Bird Monitoring Program</li> </ul> Results from the above referenced programs will be available on the ExxonMobil external website for viewing.	Deliverable	Open	Open
16	2.6.2	Follow up	Undertake 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);	ExxonMobil are to complete the following follow-up programs: <ul style="list-style-type: none"> <li>• Fish and Fish Habitat – Synthetic-based Drilling Fluid Measurement</li> <li>• Fish and Fish Habitat – Drilling Discharges Follow-up Program</li> <li>• Marine Mammals and Sea Turtles – Marine Mammal Monitoring Program</li> <li>• Bird Monitoring Program</li> </ul>	Deliverable	Open	Open
17	2.6.3	Follow up	Determine whether modified or additional mitigation measures are required based on the monitoring and analysis undertaken pursuant to condition 2.6.2; and	Details on monitoring and mitigation for each program is included in the relevant follow-up plan and programs will include comparisons between monitoring results and baseline data.	Deliverable	Open	Open
18	2.6.4	Follow up	If modified or additional mitigation measures are required pursuant to condition 2.6.3, develop and implement these mitigation measures in a timely manner and monitor them pursuant to condition 2.6.2.	Any modified or additional mitigation measures required will be developed and implemented in a timely manner and monitored as per condition 2.6.3.	Deliverable	Open	Open
19	2.7	Reporting	The Proponent shall, within 90 days of the completion of the drilling program for a single year program, or annually within 90 days of the end of each calendar year of a multi-year drilling program, submit to the Board and the Agency a report, including an executive summary of the report in both official languages. The Proponent shall document in the report:	A CEAA Conditions Closure Report and associated Executive Summary (in both English and French) will be prepared and submitted in accordance with the required timelines.	Deliverable	Open	Open
20	2.7.1	Reporting	the activities undertaken by the Proponent in the reporting year to comply with each of the conditions set out in this Decision Statement;	To be included in the report referenced in condition 2.7 above.	Deliverable	Open	Open
21	2.7.2	Reporting	how the Proponent complied with condition 2.1;	To be included in the report referenced in condition 2.7 above.	Deliverable	Open	Open

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22	2.7.3	Reporting	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;	To be included in the report referenced in condition 2.7 above.	Deliverable	Open	Open
23	2.7.4	Reporting	the information referred to in conditions 2.4 and 2.5 for each follow-up program;	To be included in the report referenced in condition 2.7 above.	Deliverable	Open	Open
24	2.7.5	Reporting	the results of the follow-up program requirements identified in conditions 3.12 and 4.3; and	To be included in the report referenced in condition 2.7 above.	Deliverable	Open	Open
25	2.7.6	Reporting	any modified or additional mitigation measures implemented or proposed to be implemented by the Proponent, as determined under condition 2.6.	To be included in the report referenced in condition 2.7 above.	As needed	Open	Open
26	2.8	Information submission and publication	The Proponent shall cause to be published on the Internet the reports and the executive summaries referred to in condition 2.7, the coral and sponge survey results referred to in condition 3.6, the communication plan referred to in condition 5.1, the well and wellhead abandonment plan referred to in condition 5.2, the well control strategies referred to in condition 6.5, the spill response plan referred to in condition 6.6, the Spill Impact Mitigation Assessment	ExxonMobil has developed an external internet site for posting the required items within the various commitments.  Final reports for the following have been posted to the ExxonMobil external website: <ul style="list-style-type: none"> <li>• Coral and Sponge Survey Results;</li> <li>• Indigenous Fisheries Communications Plan;</li> <li>• Commercial Fisheries Communication Plan;</li> <li>• Well and Wellhead Abandonment Plan;</li> <li>• Well Control Strategies;</li> <li>• Spill Response Plan; and</li> <li>• Spill Impact Mitigation Assessment.</li> </ul> The following will be posted to the ExxonMobil external website: <ul style="list-style-type: none"> <li>• CEAA Conditions Closure Report with Executive Summary;</li> </ul>	Deliverable	Open	Open
27	2.9	Information submission	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 the start of the drilling program, unless otherwise required through the condition.	Any required plans have been submitted prior to the start of the drilling program or specific activity.	As needed	Closed	Closed
28	2.10	Indigenous Group Engagement	The Proponent shall notify the Agency and Indigenous groups in writing no later than 60 days after the day on which there is a change of operator for the Designated Project.	Closed - no change in operator planned for Designated Project.	As needed	Closed	Closed
29	2.11	Designated Project	The Proponent shall consult with Indigenous groups prior to initiating any material changes to the Designated Project that may result in adverse environmental effects, and shall notify the Board and the Agency in writing no later than 60 days prior to initiating the change(s).	Closed - no material changes to Project occurred that may result in adverse effects.	As needed	Closed	Closed
30	2.12	Designated Project	In notifying the Board and the Agency pursuant to condition 2.11, the Proponent shall provide the Board and the Agency with a description of the potential adverse environmental effects of the change(s) to the Designated Project, the proposed mitigation measures and follow-up requirements to be implemented by the Proponent and the results of the consultation with Indigenous groups.	Closed - no material changes to Project occurred that may result in adverse effects.	As needed	Closed	Closed
31	3.1	Discharge	The Proponent shall treat all discharges from offshore drilling into the marine environment which, at a minimum, will meet the volumes and concentration limits identified in the <i>Offshore Waste Treatment Guidelines</i> , issued jointly by the National Energy Board, the Canada-Newfoundland and Labrador Offshore Petroleum Board, the Canada-Nova Scotia Offshore Petroleum Board, and any other legislative requirements, where applicable.	Discharges from the MODU into the marine environment will be managed in accordance with the Project Environmental Protection Plan (EPP) and Project Waste Management Plan (WMP) to achieve compliance with the Offshore Waste Treatment Guidelines and any other legislative requirements.	Deliverable	Open	Open

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32	3.2	Waste	The Proponent shall dispose of spent or excess synthetic-based drilling muds that are not re-used at an approved on-shore facility.	Any spent or excess synthetic-based drilling muds that are not reused will be disposed of at an approved onshore facility.	Deliverable	Open	Open
33	3.3	Chemicals	The Proponent shall apply, at a minimum, the standards identified in the <i>Offshore Chemical Selection Guidelines for Drilling &amp; Production Activities on Frontier Lands</i> , 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 or use and discharge into the marine environment, including drilling fluid constituents, and shall submit any necessary risk justification pursuant to Step 10 of the Guidelines to the Board for acceptance prior to use.	The process for the selection and use of all chemicals is detailed in the ExxonMobil Exploration MODU Chemical Management Plan which has been developed in accordance with the Offshore Chemical Selection Guidelines.	Deliverable	Closed	Closed
34	3.4	Discharge	The Proponent shall treat all discharges from supply vessels into the marine environment in accordance with the International Maritime Organization's <i>International Convention for the Prevention of Pollution from Ships</i> and any other legislative requirements, where applicable.	Detailed in Marine Operations Manual as submitted to C-NLOPB.	As needed	Closed	Closed
35	3.5	Pre-drill Site Survey, Unexploded Ordnances	The Proponent shall conduct a pre-drill survey with qualified individual(s) at each well site to confirm the presence or absence of any unexploded ordnance or other seabed hazards. If any such ordnance or seabed hazard 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 drilling.	The site clearance survey was completed in the fall of 2018 for EL 1165A. Following the survey, a geohazard specialist completed review of the ROV footage and determined that no unexploded ordnance or other seabed hazards were observed.	Deliverable	Closed	Closed
36	3.6	Coral Sponge Survey	The Proponent shall develop and conduct, in consultation with Fisheries and Oceans Canada and the Board, a coral and sponge survey, using remote-operated vehicles guided by a qualified individual, to confirm the presence or absence of any aggregations of habitat-forming corals or sponges or any other environmentally sensitive features. Survey transect length and pattern around wellsite's shall be based on applicable drill cutting dispersion model results. Transects around anchor sites should extend at least 50 metres from the extent of the anchor pattern.	The coral and sponge survey methodology was developed in consultation with the DFO and the C-NLOPB. The survey was completed in the fall of 2018 and the report has been posted to the ExxonMobil external website.	Deliverable	Closed	Closed
37	3.7	Coral Sponge Survey	If the survey(s) conducted in accordance with condition 3.6 confirm(s) the presence of aggregations of habitat-forming corals or sponges, or if other environmentally sensitive features are identified by a qualified individual, the Proponent shall change the location of the well on the seafloor or redirect drill cuttings discharges to avoid affecting the aggregations of habitat-forming corals or sponges, unless not technically feasible, as determined in consultation with the Board. If not technically feasible, the Proponent shall consult with the Board and Fisheries and Oceans Canada prior to commencing drilling to determine an appropriate course of action, subject to the approval of the Board, including any additional mitigation measures.	The well location for EL 1165A was selected in consultation with DFO and the Board and outlined in the survey report posted to the ExxonMobil external website.	Deliverable	Closed	Closed
38	3.8	Passive Acoustic Monitoring, Sound	The Proponent shall apply Fisheries and Oceans Canada's <i>Statement of Canadian Practice with Respect to the Mitigation of Seismic Sound in the Marine Environment</i> during the planning and the conduct of vertical seismic surveys. In doing so, the Proponent shall establish a safety zone of a minimum radius of 500 metres from the seismic sound source.	A Marine Mammal Monitoring Plan has been submitted to and accepted by the Board. The Plan includes the monitoring and mitigation measures that are to be followed during this program which were outlined in the Statement of Canadian Practice with Respect to the Mitigation of Seismic Sound in the Marine Environment (SOCP) (produced by the Department of Fisheries and Oceans) as a minimum	Deliverable	Open	Open
39	3.9	Marine Mammals	The Proponent shall develop, in consultation with Fisheries and Oceans Canada and the Board, a marine mammal monitoring plan that shall be submitted to the Board at least 30 days prior to the commencement of any vertical seismic survey. The Proponent shall implement the plan during the conduct of vertical seismic surveys. As part of the plan, the Proponent shall:	A Marine Mammal Monitoring Plan has been submitted to and accepted by the Board.	Deliverable	Closed	Closed

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40	3.9.1	Marine Mammals	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 vertical seismic surveys;	A Marine Mammal Monitoring Plan has been submitted to and accepted by the Board.	Deliverable	Closed	Closed
41	3.9.2	Marine Mammals, Sea Turtles	Ensure that observation requirements specify the requirement for shut down of the seismic sound source if any marine mammal or sea turtle is observed within the 500 metre safety zone; and	A Marine Mammal Monitoring Plan has been submitted to and accepted by the Board.	Deliverable	Closed	Closed
42	3.9.3	Marine Mammals	submit the results of the activities undertaken as part of the marine mammal observation requirements to the Board within 60 days of the end of the vertical seismic surveys.	The results of the activities undertaken as part of the marine mammal observation requirements to the Board within 60 days of the end of the vertical seismic surveys.	Deliverable	Open	Open
43	3.10	Marine Mammals, Sea Turtles	The Proponent shall implement measures to prevent or reduce the risks of collisions between supply vessels and marine mammals and sea turtles, including:		Heading	Heading	Heading
44	3.10.1	Supply Vessel, Transit	requiring supply vessels to use established shipping lanes, where they exist;	Communication sent to all vessel masters on any supply vessels assisting the Project to ensure condition is being followed.	Deliverable	Closed	Closed
45	3.10.2	Marine Mammals, Sea Turtles	requiring supply vessels to reduce speed to a maximum of 7 knots when marine mammals or sea turtles are observed or reported within 400 metres of a supply vessel, except if not feasible for safety reasons.	Communication sent to all vessel masters on any supply vessels assisting the Project to ensure condition is being followed.	Deliverable	Closed	Closed
46	3.11	Supply Vessel, Collisions	The Proponent shall report any collisions of a supply vessel with marine mammals or sea turtles to the Board, Fisheries and Oceans Canada's 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.	Communication sent to all vessel masters on any supply vessels assisting the Project to ensure condition is being followed.	As needed	Closed	Closed
47	3.12	Follow up	The Proponent shall develop and implement follow-up requirements, pursuant to condition 2.4, to verify the accuracy of the predictions made during the environmental assessment as it pertains to fish and fish habitat, including marine mammals and sea turtles, and to determine the effectiveness of mitigation measures identified under conditions 3.1 to 3.11. As part of these follow-up requirements, the Proponent shall:		Heading	Heading	Heading
48	3.12.1	Discharge	for every well, measure the concentration of synthetic-based drilling fluids retained on discharged drilling cuttings as described in the <i>Offshore Waste Treatment Guidelines</i> to verify that the discharge meets the limits set out in the Guidelines and in accordance with the requirements of the <i>Fisheries Act</i> and report the results to the Board;	Drilling discharges will be treated and discharged in compliance with the Offshore Waste Treatment Guidelines and therefore will be considered compliant with the Fisheries Act.  Monthly compliance monitoring reports will be submitted once drilling commences.	Deliverable	Open	Open

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49	3.12.2	Well Survey Benthic	for the first well in each exploration licence, and for any well where drilling is undertaken in an area determined by coral and sponge surveys to be sensitive benthic habitat, and for any well located within a special area designated as such due to the presence of sensitive coral and sponge species, or a location near a special area where drill cuttings dispersion modelling predicts that drill cuttings deposition may have adverse effects, develop and implement, in consultation with Fisheries and Oceans 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 cuttings discharges on benthic habitat. Follow-up shall include:  3.12.2.1 measurement of sediment deposition extent and thickness post-drilling to verify the drill waste deposition modeling predictions;  3.12.2.2 benthic fauna surveys to verify the effectiveness of mitigation measures; and  3.12.2.3 The Proponent shall report the information collected, as identified in conditions 3.12.2.1 and 3.12.2.2, including a comparison of modelling results to in situ results, to the Board within 60 days following the drilling of the first well in each exploration licence; and	A Drilling Discharges Follow-up Plan has been developed in consultation with C-NLOPB and DFO and has been submitted.  A final report will be submitted once the post well survey has been completed.	Deliverable	Closed	Closed
50	3.12.3	Well Survey Benthics	for the first well in each exploration licence, develop and implement, in consultation with Fisheries and Oceans Canada and the Board, follow-up requirements to verify the accuracy of the environmental assessment as it pertains to underwater noise levels. As part of the development of these follow-up requirements, the Proponent shall determine how underwater noise levels shall be monitored through field measurement by the Proponent during the drilling program and shall provide that information to the Board prior to the start of the drilling program.	Not applicable as this condition was satisfied during the acoustic monitoring program that was completed in 2020. The Acoustic Monitoring Report is posted to the website.	Deliverable	Closed	Closed
51	3.13	Atlantic Salmon	The Proponent shall submit to the Board a letter, prior to drilling, confirming its intent to participate in research pertaining to the presence of Atlantic salmon ( <i>Salmo salar</i> ) in the Jeanne d'Arc Basin and the Flemish Pass and update the Board and Indigenous groups annually on related research activities.	Update has been provided to the Board and to the Indigenous groups prior to drilling on Atlantic Salmon research conducted and/or planned.	Deliverable	Closed	Closed
52	4.1	Birds	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 with the <i>Migratory Birds Convention Act, 1994</i> , the <i>Migratory Birds Regulations</i> and with the <i>Species at Risk Act</i> and shall take into account Environment and Climate Change Canada's <i>Avoidance Guidelines</i> .	ExxonMobil was issued a Canadian Wildlife Service Scientific Permit from Environment and Climate Change Canada-Canadian Wildlife Service (ECCC-CWS) on May 4, 2022.  This permit is authorized for use on the Stena Forth drillship and EMCL supply vessels.  A follow-up monitoring program has been developed and will be implemented during the exploration drilling program.	Deliverable	Open	Open
53	4.2	Birds	The Proponent shall implement measures to avoid harming, killing or disturbing migratory birds, including:		Heading	Heading	Heading
54	4.2.1	Birds	Using formation testing while tripping, or similar technology, rather than formation testing with flaring, where acceptable by the Board;	Any testing program will be developed in consultation with the C-NLOPB.	As needed	Closed	Closed
55	4.2.2	Birds	Limiting flaring to the length of time required to characterize the wells' hydrocarbon potential and as necessary for the safety of the operation;	Closed - no flaring planned.	As needed	Closed	Closed

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56	4.2.3	Birds	Flaring as early as practicable during daylight hours to limit flaring that occurs during nighttime;	Closed - no flaring planned.	As needed	Closed	Closed
57	4.2.4	Birds	Operating a water curtain barrier around the flare during flaring;	Closed - no flaring planned.	As needed	Closed	Closed
58	4.2.5	Birds	Notifying the Board at least 30 days in advance of planned flaring to determine whether the flaring would occur during a period of migratory bird vulnerability and consult with Environment and Climate Change Canada to identify measures to avoid adverse environmental effects on migratory birds caused by flaring during period of migratory bird vulnerability; and	Closed - no flaring planned.	As needed	Closed	Closed
59	4.2.6	Special Areas	Requiring supply and other support vessels to maintain a minimum lateral distance of 300 metres from Cape St. Francis and Witless Bay Islands Important Bird and Biodiversity Areas, unless there is an emergency situation; and	Communication sent to all vessel masters on any supply vessels assisting the Project to ensure condition is being followed.	Deliverable	Closed	Closed
60	4.2.7	Birds	requiring supply helicopters to fly at altitudes greater than 300 metres above sea level, and at a lateral distance of 1000 metres from Cape St. Francis and Witless Bay Islands Important Bird and Biodiversity Areas except for approach, take-off and landing maneuvers and if not feasible for safety reasons.	Communication sent to helicopter services provider (Cougar) to ensure condition is being followed.	Deliverable	Closed	Closed
61	4.3	Birds	The Proponent shall develop, prior to the start of the drilling program and in consultation with Environment and Climate Change Canada, and the Board, follow-up requirements, pursuant to condition 2.4, 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 to 4.3. The Proponent shall implement these follow-up requirements for the duration of the drilling program. As part of the follow-up, the Proponent shall:		Heading	Heading	Heading
62	4.3.1	Bird Monitoring	monitor daily for the presence of marine birds from the drilling installation using a trained observer following Environment and Climate Change Canada's <i>Eastern Canada Seabirds at Sea Standardized Protocol for Pelagic Seabird Surveys from Moving and Stationary Platforms</i> ; and	A Seabird Monitoring Plan has been submitted to and accepted by the Board.	Deliverable	Open	Open
63	4.3.2	Stranded Birds	monitor the drilling installation and supply vessels daily for the presence of stranded birds and follow Environment and Climate Change Canada's <i>Procedures for Handling and Documenting Stranded Birds Encountered on Infrastructure Offshore Atlantic Canada</i>	A Seabird Monitoring Plan has been submitted to and accepted by the Board.	Deliverable	Open	Open
64	5.1	Indigenous and Commercial Fisheries	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 drilling and implement it for the duration of the drilling program. The Proponent shall include in the Fisheries Communications Plan:	Both an Indigenous Fisheries Communication Plan and a Fisheries Communication Plan that outlines operations and emergency response for offshore exploration has been developed and submitted to the Board, Indigenous groups and commercial fishers.	Deliverable	Closed	Closed
65	5.1.1	Indigenous and Commercial Fisheries	procedures to notify Indigenous groups and commercial fishers of planned drilling activity, a minimum of two weeks prior to the start of drilling of each well;	The Indigenous Fisheries Communication Plan and the Commercial Fisheries Communication Plan detail communications plans and procedures for notifying commercial fishers and Indigenous groups.	Deliverable	Closed	Closed
66	5.1.2	Fisheries Mitigations	procedures to determine the requirement for a Fisheries Liaison Officer and/or fisheries guide vessel during drilling installation movement and geophysical programs;	The procedures for determining the requirement for an FLO is included in the Fisheries Communication Plan and will follow the risk matrix as identified by One Ocean.  ExxonMobil have communicated planned drilling installation movements and will implement mitigations as agreed to with FFAW-Unifor.	Deliverable	Closed	Closed

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67	5.1.3	Indigenous and Commercial Fisheries Communications	procedures to communicate with Indigenous groups and commercial fishers, in the event of an accident or malfunction, the results of the monitoring and any associated potential health risks referred to in condition 6.9; and	The Indigenous Fisheries Communication Plan and the Commercial Fisheries Communication Plan detail communications plans and procedures for notifying commercial fishers and Indigenous groups.	Deliverable	Closed	Closed
68	5.1.4	Indigenous and Commercial Fisheries Communications	the type of information that will be communicated to Indigenous groups and commercial fishers, and the timing of distribution of this information, that will include but not be limited to: a description of planned Designated Project activities; location(s) of safety exclusion zones; anticipated vessel traffic schedule; anticipated vessel routes; and locations of suspended or abandoned wellheads.	The Indigenous Fisheries Communication Plan and the Commercial Fisheries Communication Plan detail communications plans and procedures for notifying commercial fishers and Indigenous groups.	Deliverable	Closed	Closed
69	5.2	Indigenous and Commercial Fisheries Communications	The Proponent shall develop and implement a well and wellhead abandonment plan and submit it to the Board for acceptance at least 30 days prior to abandonment of each well. If the Proponent proposes to abandon a wellhead on the seafloor in a manner that may interfere with Indigenous or commercial fisheries, the Proponent shall develop the wellhead 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.	A notice of abandonment will be included as part of the regular updates to Indigenous and Commercial Fishing groups as outlined in the Indigenous Fisheries Communication Plan and the Fisheries Communication Plan.  As part of the application to the Board for an Approval to Drill a Well (submitted to the C-NLOPB) a Well head Abandonment Plan was submitted as part of the application.  In addition, a well and wellhead abandonment plan is posted to the ExxonMobil external website.	Deliverable	Closed	Closed
70	5.3	Indigenous and Commercial Fisheries Communications	The Proponent shall provide the details of its operation, including the safety exclusion zones during drilling and testing, and the location information of abandoned wellheads if left on the seafloor, to the Marine Communications and Traffic Services for broadcasting and publishing in the Notices to Shipping, to the North Atlantic Fisheries Organization Secretariat, and to the Canadian Hydrographic Services for future nautical charts and planning.	When required notice of rig mobilization, commencement of drilling and establishment of the exclusion safety zone, rig demobilization and well abandonment will be provided through email notifications to Marine Communications and Traffic Services for broadcasting and publishing in the Notices to Shipping.  Following abandonment of the wellhead on the seafloor, ExxonMobil provided the location of any abandoned wellhead to Canadian Hydrographic Services for publication in a Notice to Mariners as required.	Deliverable	Open	Open
71	5.4	Reporting	The Proponent shall report annually to the Board on known incidents of lost or damaged fishing gear attributed to the Designated Project.	Details of any known incidents of lost or damaged fishing gear attributed to the Designated Project will be provided to the Board.	As needed	Open	Open
72	6.1	Accidents	The Proponent shall take all reasonable measures to prevent accidents and malfunctions that may result in adverse environmental effects and shall implement emergency response procedures and contingency plans developed in relation to the Designated Project in the event of an accident or malfunction. This shall include the development and implementation of operating procedures including thresholds for cessation of a work or activity, with respect to meteorological and oceanographic conditions experienced at the 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.	Details are included in the Emergency Response Plan, Oil Spill Response Plan, Adverse Weather Plan, Collision Avoidance Plan, Helicopter Operations Plan, Ice Management Plan, Marine Operations Plan and Operations Safety Plan as submitted in support of the Operation Authorization amendment.	Deliverable	Closed	Closed
73	6.2	Information submission	The Proponent shall develop, in consultation with the Board and Environment and Climate Change Canada, and implement for the duration of the drilling program, a physical environment monitoring program, in accordance with the <i>Newfoundland Offshore Petroleum Drilling and Production Regulations</i> that meets or exceeds the requirements of the <i>Offshore Physical Environmental Guidelines</i> (September 2008). The physical environment monitoring program shall be submitted to the Board for approval prior to commencing drilling.	The Exploration MODU Physical Environmental Monitoring Plan has been submitted to the Board.	Deliverable	Closed	Closed



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**Decision Statement Conditions Implementation Schedule (EL 1165A)**  
**Last Updated: July 6, 2022**

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Sort	Condition	Topic	Condition Description	Activity to Comply/Verification	As needed or deliverable	Status/Start Date	End Date
74	6.3	Accidents	The Proponent shall prepare a plan for avoidance of drilling installation 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 drilling.	Details are included in the ExxonMobil Collision Avoidance Plan which was submitted to the Board as part of the Operations Authorization amendment application.	Deliverable	Closed	Closed
75	6.4	Ice/Weather	The Proponent shall prepare an Ice Management Plan that will include measures for avoidance of collisions with icebergs and submit to the Board for acceptance prior to drilling.	Details are included in the ExxonMobil Ice Management Plan which was submitted to the Board as part of the Operations Authorization amendment application.	Deliverable	Closed	Closed
76	6.5	Well Control	The Proponent shall prepare and submit to the Board well control strategies that include:		Heading	Heading	Heading
77	6.5.1	Well Control	measures for well control and containment and the drilling of a relief well, as well as options to reduce overall response timeline; and	Details are included in the ExxonMobil Well Intervention Plan and the Well Control Plan which was submitted to the Board as part of the Operations Authorization amendment application.	Deliverable	Closed	Closed
78	6.5.2	Well Control	measures to quickly disconnect the marine drilling riser from the well in the event of an emergency or extreme weather conditions.	Details are included in the ExxonMobil Well Intervention Plan and the Well Control Plan which was submitted to the Board as part of the Operations Authorization amendment application.	Deliverable	Closed	Closed
79	6.6	Spill Response	After considering the views of Indigenous groups, the Proponent shall prepare and submit a Spill Response Plan to the Board for acceptance prior to drilling. The Spill Response Plan will include the following:	The Exploration MODU Oil Spill Response Plan was submitted to the Board as part of the Operations Authorization amendment application.	Deliverable	Closed	Closed
80	6.6.1	Spill Response	procedures to respond to and mitigate the potential environmental effects of a spill of any substance that may cause adverse environmental effects, including spill containment and recovery procedures;	Included in the Exploration MODU Oil Spill Response Plan was submitted to the Board as part of the Operations Authorization amendment application.	Deliverable	Closed	Closed
81	6.6.2	Spill Response	reporting thresholds and notification procedures;	Included in the Exploration MODU Oil Spill Response Plan was submitted to the Board as part of the Operations Authorization amendment application.	Deliverable	Closed	Closed
82	6.6.3	Spill Response	measures for wildlife response, protection and rehabilitation including procedures for the collection and cleaning of marine mammals, migratory birds, sea turtles and species at risk, and measures for shoreline protection and clean-up; and	Included in the Exploration MODU Oil Spill Response Plan was submitted to the Board as part of the Operations Authorization amendment application.	Deliverable	Closed	Closed
83	6.6.4	Spill Response	roles and responsibilities for offshore operations and onshore responders.	Included in the Exploration MODU Oil Spill Response Plan was submitted to the Board as part of the Operations Authorization amendment application.	Deliverable	Closed	Closed
84	6.7	Spill Response	The Proponent shall conduct an exercise of the Spill Response Plan prior to drilling activities as recommended in the <i>Newfoundland Offshore Drilling and Production Guidelines</i> , document any deficiencies observed during this exercise and provide to the Board for review, and adjust the plan to the satisfaction of the Board to address any deficiencies identified during the exercise.	ExxonMobil has completed a spill response exercise prior to drilling activities. Details of this exercise, including the scenario, attendees, response tactics, and any deficiencies that were noted during the exercise have been provided to the Board.	Deliverable	Closed	Closed
85	6.8	Spill Response	The Proponent shall review the Spill Response Plan prior to the drilling of each well to verify that it continues to be appropriate and shall update the plan as necessary and in a manner acceptable to the Board	The Exploration MODU Oil Spill Response Plan was submitted to the Board as part of the Operations Authorization amendment. The Exploration MODU Oil Spill Response Plan was reviewed for appropriateness for EL 1165A and found that it continues to be applicable and accurate.	Deliverable	Closed	Closed

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Sort	Condition	Topic	Condition Description	Activity to Comply/Verification	As needed or deliverable	Status/Start Date	End Date
86	6.9	Spill Response	In the event of a spill or unplanned release of oil or any other substance that may cause adverse environmental effects, the Proponent shall notify the Board and any other relevant authorities as soon as possible and implement its Spill Response Plan, including procedures for notification of Indigenous groups and commercial fishers. As required by and in consultation with the Board, this 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:	The Exploration MODU Oil Spill Response Plan includes notification and response procedures to be implemented in the event of a spill.  Protocols for notification of Indigenous groups and commercial fishers are outlined in the respective Fisheries Communications Plans.	As needed	Closed	Closed
87	6.9.1	Environmental Effects Monitoring	sensory testing of seafood for taint, and chemical analysis for oil concentrations and any other contaminants, as applicable;	Monitor and measure as needed. Environmental Effects Monitoring outlined in section 9.5 of the Exploration MODU Oil Spill Response Plan.	As needed	Closed	Closed
88	6.9.2	Environmental Effects Monitoring	measuring levels of contamination in recreational and commercial fish species with results integrated into a human health risk assessment to determine the fishing area closure status	Monitor and measure as needed. Environmental Effects Monitoring outlined in section 9.5 of the Exploration MODU Oil Spill Response Plan.	As needed	Closed	Closed
89	6.9.3	Environmental Effects Monitoring	monitoring for marine mammals, sea turtles and birds for visible signs of contamination or oiling and reporting results to the Board; and	Monitor and measure as needed. Environmental Effects Monitoring outlined in section 9.5 of the Exploration MODU Oil Spill Response Plan.	As needed	Closed	Closed
90	6.9.4	Environmental Effects Monitoring	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	Monitor and measure as needed. Environmental Effects Monitoring outlined in section 9.5 of the Exploration MODU Oil Spill Response Plan.	As needed	Closed	Closed
91	6.10	Accidents and Malfunctions	The Proponent shall undertake a Spill Impact Mitigation Assessment to identify spill response options that will 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 drilling.	The final SIMA was submitted to the Board August 19, 2019 and is available on the ExxonMobil Exploration website.	Deliverable	Closed	Closed
92	6.11	Information Submission	The Proponent shall provide Indigenous groups with the results of the exercise conducted pursuant to condition 6.7, following its review by the Board. The Proponent shall provide the final Spill Response Plan to Indigenous groups prior to drilling and any updates to the Spill Response Plan pursuant to condition 6.8.	Exercise results have been provided to Indigenous groups upon completion of the exercise June 22, 2022 and the Spill Response Plan is posted to the ExxonMobil Exploration website with a link shared with Indigenous groups.	Deliverable	Closed	Closed
93	6.12	Accidents and Malfunctions	In the event of a sub-sea well blowout, the Proponent shall begin the immediate mobilization of subsea containment and capping equipment to the blowout location. Simultaneously, the Proponent shall commence mobilization of a relief well drilling installation.	Prior to commencement of drilling, as part of the Operations Authorization application submitted to the Board, ExxonMobil prepared a Well Intervention Plan which outlines the procedure for the initiation, mobilization and deployment of a primary capping stack and back-up capping stack, if required.	As needed	Closed	Closed
94	6.13	Accidents and Malfunctions	In the event of an accident or malfunction, the Proponent shall comply with the requirements of the <i>Accord Acts</i> and the <i>Canada-Newfoundland and Labrador Offshore Financial Requirement Regulations</i> and the requirements described in the <i>Compensation Guidelines Respecting Damages Relating to Offshore Petroleum Activity</i> .	Proof of Financial Responsibility Requirement is in place and has been submitted to the Board in support of this condition.	As needed	Closed	Closed
95	6.14	Reporting	The Proponent shall report annually to the Board on the effectiveness of operating procedures and cessation of a 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.	Physical Environmental Report will be submitted following completion of the well.	Deliverable	Open	Open

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Sort	Condition	Topic	Condition Description	Activity to Comply/Verification	As needed or deliverable	Status/Start Date	End Date
96	7.1	Information Submission	The Proponent shall submit to the Board a schedule for each condition set out in this document at least 30 days prior to the start of drilling program. This schedule shall detail all activities planned to fulfill each condition set out in this document and the commencement and estimated completion month(s) and year(s) for each of these activities.	The CEAA Conditions Implementation Schedule has been submitted to the C-NLOPB.	Deliverable	Closed	Closed
97	7.2	Information Submission	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 the start of the drilling program. The schedule shall indicate the commencement and estimated completion month(s) and year(s) and duration of each of these activities.	The schedule of project activities was include in the OA Overview document submitted as part of the Operations Authorization amendment application.	Deliverable	Closed	Closed
98	7.3	Information Submission	The Proponent shall submit to the Board in writing an update to schedules referred to in conditions 7.1 and 7.2 every year no later than June 30, until completion of all activities referred to in each schedule.	The CEAA Conditions Implementation Schedule has been submitted to the C-NLOPB.  The schedule of project activities was include in the OA Overview document submitted as part of the Operations Authorization amendment application.	Deliverable	Closed	Closed
99	7.4	Information Submission	The Proponent shall provide to the Board revised schedules if any change is made to the initial schedules referred to in condition 7.1 and 7.2 or to any subsequent update(s) referred to in condition 7.3, upon revision of the schedules.	The CEAA Conditions Implementation Schedule has been submitted to the C-NLOPB.  The schedule of project activities was include in the OA Overview document submitted as part of the Operations Authorization amendment application.  Any updates to these schedules will be provided to the Board.	As needed	Closed	Closed
100	8.1	Information Submission	The Proponent shall maintain all records required to demonstrate compliance with the conditions set out in this document. 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.	ExxonMobil has records retention policies in place.	As needed	Closed	Closed
101	8.2	Records Retention	The Proponent shall retain all records referred to in condition 8.1 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	ExxonMobil has records retention policies in place.	As needed	Closed	Closed
102	8.3	Contact Information	The Proponent shall notify the Board and the Agency of any change to the contact information of the Proponent included in the Decision Statement.	Email/ letter to Board and IAAC if a contact change occurs.	As needed	Closed	Closed