



Impact Assessment
Agency of Canada

Agence d'évaluation
d'impact du Canada

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June 3, 2020

Agency File Number: 80132

Stephen C. Edwards, P.Eng.
SSHE & External Affairs Manager
Safety, Security, Health & Environment
ExxonMobil Canada Ltd.
Telephone: <personal information removed>
Email: <email address removed>

Dear Mr. Edwards:

On March 3, 2020, the Impact Assessment Agency of Canada (the Agency) received information from ExxonMobil Canada Ltd. on its agreement with the Canada-Newfoundland and Labrador Offshore Petroleum Board (C-NLOPB) for the consolidation of Exploration Licences (EL) 1134 and 1135, which form part of the Eastern Newfoundland Offshore Exploration Drilling Project (the Project). Portions of EL 1134 would be surrendered with remaining portions consolidated into a new EL, in accordance with the provisions of the Consolidation Agreement approved by the Federal and Provincial Ministers on December 13th, 2019. The Agency notes that the C-NLOPB agreed, on May 2, 2020, to consolidate certain sections of EL 1134 with the lands of EL 1135 into a single EL 1165.

On August 28, 2019, the IAA came into force, repealing the *Canadian Environmental Assessment Act, 2012* (CEAA 2012), under which the Decision Statement for the Project was issued. Section 184 of the IAA provides that decision statements issued under CEAA 2012 are deemed to be decision statements under the IAA and are therefore subject to the provisions of the IAA. Pursuant to section 68 of the IAA, the Minister may amend the decision statement (including modifying, adding or removing a condition) in light of the proposed changes to the project. It is important to note that the IAA does not permit the Minister to amend the decision statement to change the decision.

After reviewing the information provided by ExxonMobil Canada Ltd., the Agency is of the view that the proposed changes do not constitute a new designated project, which could require a new impact assessment under the *Impact Assessment Act* (IAA). The Agency has also determined that the information provided meets the requirements of conditions 2.11 and 2.12 of the Decision Statement. The Agency will now conduct an analysis of the information provided, including information related to the potential adverse environmental effects of the proposed changes, to determine which changes, if any, to the Decision Statement will be recommended to the Minister of Environment and Climate Change (the Minister).



Based on the information available to date, it is likely that changes to the Decision Statement will be required to reflect the consolidation of the Exploration Licences. The Agency may also recommend other changes to specific conditions, based on the proposed project changes, to the Minister.

Pursuant to section 69 of the IAA, if the Minister intends to amend the decision statement, the Minister must ensure that the public has an opportunity to provide comments on the draft amended decision statement. In addition to the draft amended Decision Statement, the Agency will post the information you are providing on the proposed changes and the Agency's draft analysis to the Canadian Impact Assessment Registry (CIAR) for the purpose of supporting the consultation on the amended Decision Statement. As part of its recommendation to the Minister, the Agency will consider comments from the public, Indigenous groups and federal authorities on the proposed changes and the draft amended Decision Statement. The Agency will also consider comments that you may provide on the draft amended Decision Statement. Should the Minister decide to amend the Decision Statement, the Agency will post the reasons for that decision, including the results of the Agency's analysis, to the CIAR.

As the Agency conducts its analysis, the Minister may require additional information from you, pursuant to section 72(1) of the IAA. Please note that until the Minister issues an amended Decision Statement, you remain bound by the conditions set out in the current Decision Statement.

If you require additional information, please contact the Agency's Compliance and Enforcement Unit at iaac.compliance-conformite.aeic@canada.ca.

Sincerely,

Philip Seeto
A/Director, Compliance, Enforcement and Follow-up, National Programs

CC: Tim Murphy, Canada-Newfoundland and Labrador Offshore Petroleum Board
Mike Atkinson, Regional Director Atlantic for Impact Assessment Agency of Canada