



Equinor Canada Ltd.

**Flemish Pass Exploration Environmental
Assessment Conditions Closure Report
2023 Pre-Site Clearance Coral and Sponge Survey
Authorization No. 25620-020-002
August 2023**

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1.0 INTRODUCTION

The following document has been prepared in accordance with the Environmental Assessment (EA) Decision Statement, issued under to Section 54 of the Canadian Environmental Assessment Act (CEAA) 2012. EA Decision Statement established 119 conditions in relation to the environmental effects referred to in subsection 5(2) of CEAA 2012, with which Equinor must have complied to during the 2023 Pre-Clearance Survey Program, Flemish Pass, Newfoundland and Labrador (NL).

The conditions cover a broad range of activities including the development and implementation of programs, plans and procedures, conducting Indigenous and stakeholder engagement, implementing monitoring and mitigation measures, and document control. Each of the 119 conditions applies to all wells and associated activities, unless otherwise specified. Each of the conditions are to be implemented either pre-drilling, during drilling, during well testing, post drilling or over all phases of well activity.

Equinor had an Accord Acts Environmental Assessment (EA) filed with the Canada Newfoundland-Labrador Offshore Petroleum Board (C-NLOPB) that covered a temporal scope of 2008 to 2019. The C-NLOPB indicated through letter correspondence in January 2019 (file #: 7705 N54-3/07) that the CEAA 2012 Flemish Pass EA meets the Accord Acts EA requirements within the project area defined in the Flemish Pass Environmental Impact Statement (EIS) (figure 2-1 in Statoil 2017), provided conditions in the Decision Statement issued by the Minister of Environment and Climate Change Canada (ECCC 2019) are implemented. This approval therefore applies to Exploration Licence (EL) 1156 and was used for the 2023 Pre-Clearance Survey Program.

This document meets the requirement of condition 2.7:

“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:

- 2.7.1: the activities undertaken by the Proponent in the reporting year to comply with each of the conditions set out in this Decision Statement;
- 2.7.2: how the Proponent complied with condition 2.1;
- 2.7.3: 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;
- 2.7.4: the information referred to in conditions 2.4 and 2.5 for each follow-up program;
- 2.7.5: the results of the follow-up program requirements identified in conditions 3.12 and 4.3; and
- 2.7.6: any modified or additional mitigation measures implemented or proposed to be implemented by the Proponent, as determined under condition 2.6.”

1.1 Project Description

The Project Area, as defined in the previously approved EA (Statoil 2017) is illustrated in Figure 1.0 and coordinates are provided in Tables 1.0 and 1.1 for the Northern and Southern Sections of the Project Area, respectively. Table 1.2 provides the coordinates for the 2023 Program Area.

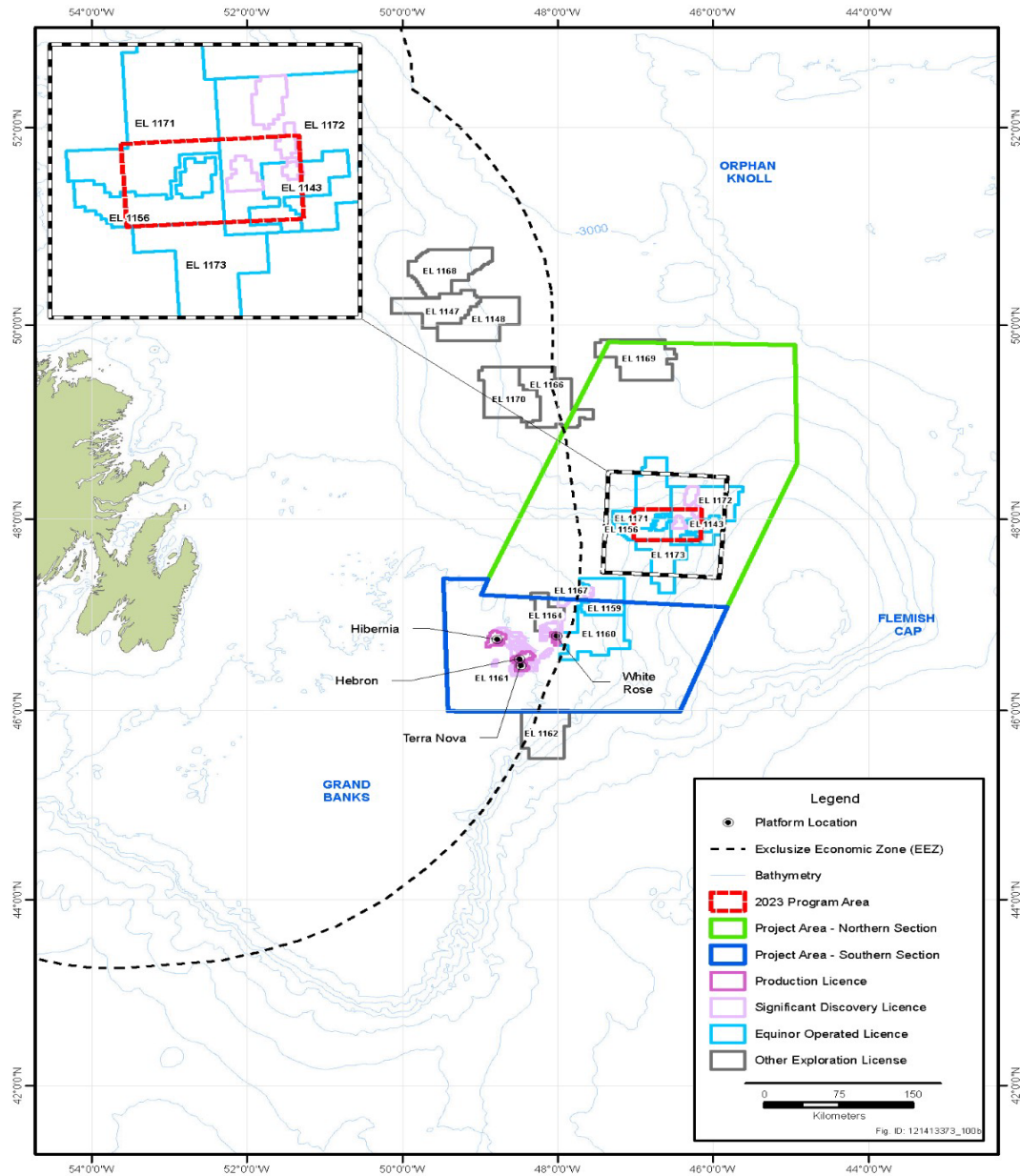


Figure 1.0 Project Areas and 2023 Program Area

Table 1.0 Project Area – Northern Section Coordinates

Project Area Vertices	Coordinates – NAD83 UTM ZONE 22N			
	Longitude (DMS)	Latitude (DMS)	Easting (m)	Northing (m)
A	44° 56' 48" W	49° 47' 31" N	935562	5533101
B	44° 55' 21" W	48° 34' 30" N	948190	5398059
C	45° 49' 04" W	47° 04' 57" N	893344	5227380
G	48° 59' 13" W	47° 12' 49" N	652421	5230868
I	47° 21' 04" W	49° 49' 18" N	762440	5525202

Table 1.1 Project Area – Southern Section Coordinates

Project Area Vertices	Coordinates – NAD83 UTM ZONE 22N			
	Longitude (DMS)	Latitude (DMS)	Easting (m)	Northing (m)
C	45° 49' 04" W	47° 04' 57" N	893344	5227380
D	46° 26' 02" W	45° 59' 28" N	853605	5103218
E	49° 25' 01" W	45° 59' 42" N	622584	5094695
F	49° 28' 29" W	47° 23' 03" N	615122	5248990
G	48° 59' 13" W	47° 12' 49" N	652421	5230868
H	48° 54' 10" W	47° 22' 44" N	658314	5249404

Table 1.2 2023 Program Area Corner Coordinates

Longitude (DMS)	Latitude (DMS)	Easting U23 (NAD 83, CM 45°W)	Northing U23 (NAD 83, CM 45°W)
47° 1' 35.005" W	47° 46' 59.640" N	348211.2843	5294196.2934
47° 1' 45.237" W	48° 6' 2.389" N	348926.4583	5329480.3084
46° 9' 15.860" W	48° 6' 0.165" N	414053.7801	5328064.5045
46° 9' 42.197" W	47° 46' 51.232" N	412975.0708	5292601.8013

2.0 GENERAL CONDITIONS

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.

RESPONSE:

Equinor, by developing and implement compliance plans, has met all the conditions outlined in the Decision Statement. These plans were guided by the Equinor vision of zero harm as well as our values - open, collaborative, courageous, and caring. Our values in conjunction with our management systems provided guidance which has been derived from experience gained from our global operations. Continuous improvement provides the analysis and oversight to allow for best practices to be implemented wherever possible.

During all stages of operations, including the pre-planning, of the 2023 Pre-Clearance Survey Program requirements associated with any of the applicable decision statement conditions were implemented. Engagement with regulatory departments and agencies, Indigenous Groups, and Fisheries Groups have provided valuable feedback to assist in the continuous improvement process.

2.2 Consultation

The Proponent shall, where consultation is a requirement of a condition set out in this Decision Statement:

- 2.2.1 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;
- 2.2.2 provide sufficient information on the scope and the subject matter of the consultation in a period of time that allows the party or parties being consulted, to prepare their views and information;
- 2.2.3 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
- 2.2.4 advise in a timely manner the party or parties being consulted on how the views and information received have been considered by the Proponent.

RESPONSE:

Equinor has been engaging with Indigenous groups in Atlantic Canada since 2017. Through ongoing engagement activities in 2022 and 2023, Equinor continued to provided opportunities for virtual meetings, as well as information to support capacity building on a wide range of subject matter associated with the project. Equinor has maintained an ongoing information exchange with Indigenous groups, including annual operational updates, updates on proposed and ongoing operations at meetings with other operators, and regular outreach.

Fisheries and related fishing industry groups were provided with project details and work scope details prior the start of the survey program. Throughout the 2023 Pre-Clearance Survey Program Equinor provided fisheries and related fishing industry groups with logistical updates and provided navigational warnings (NAVWARN) associated with vessel departure/arrival.

Equinor did meet with and engage federal, provincial, and local regulatory agencies during the development of project plans, documents, reports and submissions as described in these conditions. Regulatory agencies

included ECCC, Department of Fisheries and Oceans Canada (DFO), Canadian Coast Guard (CCG) and CNLOPB.

See Condition 5.1 for a description of the application of this process.

2.3 Consultation

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.

RESPONSE:

Where consultation has been a requirement of a condition, Equinor provided written notice of the opportunity to present their views; appropriate information and a period for review; considered and discussed the views and information arising from engagement; and, advised Indigenous groups how their views were considered and addressed.

2.4 Follow-up and adaptive management

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:

2.4.1 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);

2.4.2 the scope, content and frequency of reporting of the results of the follow-up program;

2.4.3 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

2.4.4 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.

RESPONSE:

Follow up program consisted of Seabird Monitoring protocol, including marine mammal observations. This program provided real-time data which provided the opportunity to adjust practices to reduce environmental impacts, where appropriate. More detail can be found in the specific condition within this document – 4.3 for Seabirds.

2.5 Follow up and adaptative management

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.

RESPONSE:

For the programs above this occurred, reference the specific condition for more detail.

2.6 Follow up and adaptative management

The Proponent shall, where a follow-up program is a requirement of a condition set out in this Decision Statement:

2.6.1.1 conduct the follow-up program according to the information determined pursuant to condition 2.4;

2.6.1.2 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);

2.6.1.3 determine whether modified or additional mitigation measures are required based on the monitoring and analysis undertaken pursuant to condition 2.6.2; and

2.6.1.4 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.

RESPONSE:

See Condition 2.5 above.

2.7 Executive Summary

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:

2.7.1 the activities undertaken by the Proponent in the reporting year to comply with each of the conditions set out in this Decision Statement;

2.7.2 how the Proponent complied with condition 2.1;

2.7.3 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;

2.7.4 the information referred to in conditions 2.4 and 2.5 for each follow-up program;

2.7.5 the results of the follow-up program requirements identified in conditions 3.12 and 4.3; and

2.7.6 any modified or additional mitigation measures implemented or proposed to be implemented by the Proponent, as determined under condition 2.6.

RESPONSE:

This report addresses this condition.

2.8 Report Posting

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 referred to in condition 6.10, the implementation schedule referred to in condition 7.1, monitoring and follow-up results for marine mammals, fish and fish habitat, and migratory birds 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 notify Indigenous groups of the availability of these documents within 48 hours of their publication.

RESPONSE:

Indigenous groups were notified as required in 2023 year to provide notice of implementation schedule posting and additional documentation posting to the Equinor designated website. Any outstanding reports will be posted to the Internet site, once available, and Indigenous groups were notified within 48 hours. Follow up reports are expected in third quarter of 2023 and communicated to the via posting on the website.

2.9 Reporting Submission Timeline

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.

RESPONSE:

Not applicable for the scope of 2023 Pre-Clearance Survey Program.

2.10 Change of Proponent

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.

RESPONSE:

No operator changes have occurred.

2.11 Change to the 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).

RESPONSE:

Not applicable for the scope of 2023 Pre-Clearance Survey Program.

2.12 Change to the 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.

RESPONSE:

This condition is not applicable as no material changes were made to the project that would require notification for 2.11, and therefore this condition as well.

3.0 FISH AND FISH HABITAT

3.1 Discharges

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 Offshore Waste Treatment Guidelines, 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.

RESPONSE:

Not applicable for the scope of the 2023 Pre-Clearance Survey Program.

3.2 Drilling Mud Discharge

The Proponent shall dispose of spent or excess synthetic-based drilling muds that are not re-used at an approved on-shore facility.

RESPONSE:

Not applicable for the scope of the 2023 Pre-Clearance Survey Program.

3.3 Chemical Selection

The Proponent shall apply, at a minimum, the standards identified in the Offshore Chemical Selection Guidelines for Drilling & Production Activities on Frontier Lands (OCSG), 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.

RESPONSE:

During the project development Equinor worked with chemical suppliers and associated contractors to ensure all chemicals were selected based on the OCSG. All contractors provide a complete list of chemicals to be used prior to program commencement. Equinor completed an internal screening of the chemicals against all regulatory requirements and standards to ensure acceptability. No chemicals selected required a dispensation/approval within Equinor or from the CNLOPB.

3.4 Fish and Fish Habitat

The Proponent shall treat all discharges from supply vessels into the marine environment in accordance with the International Maritime Organization's International Convention for the Prevention of Pollution from Ships and any other legislative requirements, where applicable.

RESPONSE:

The vessel that supported Equinor 2023 Pre-Clearance Survey Program was MARPOL compliant and had segregated ballast, therefore the routine discharge of ballast water did not pose a risk of discharge of hydrocarbons. Bilge discharges, if required at sea, were done in compliance with MARPOL.

Prior to the 2023 Pre-Clearance Survey Program Equinor SSU team conducted a management assessment of all contactor vessel, within that scope a review of existing certifications and management tools were reviewed to ensure compliance to regulatory and Equinor standards. Daily reports were also provided to Equinor to ensure full visibility on vessel operations, including record of any discharge and fueling operations.

3.5 Pre-Drill Survey

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.

RESPONSE:

Not applicable for the scope of the 2023 Pre-Clearance Survey Program.

3.6 Coral and Sponge Survey

The Proponent shall develop and conduct, in consultation with Fisheries and Oceans Canada and the Board, a coral and sponge survey to confirm the presence or absence of any aggregations of habitat-forming corals or sponges or any other environmentally sensitive features. The equipment used to conduct the surveys shall be operated by a qualified individual. Survey transect length and pattern around well sites 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.

RESPONSE:

Equinor developed a coral and survey plan to be implemented during the 2023 Pre-Clearance Survey Program. The results of the survey program will be provided to the CNLOPN and DFO for acceptance.

3.7 Location of Well

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.

RESPONSE:

Wellsite coral and sponge survey was completed as part of the 2023 Pre-Clearance Survey Program. During the infield operation no mitigations as per condition 3.7 were required to be implemented.

3.8 Vertical Seismic Profiling VSP

The Proponent shall apply Fisheries and Oceans Canada's Statement of Canadian Practice with Respect to the Mitigation of Seismic Sound in the Marine Environment 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.

RESPONSE:

Not applicable during the 2023 Pre-Clearance Survey Program.

3.9 Vertical Seismic Survey Plan

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:

3.9.1 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 vertical seismic surveys;

3.9.2 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

3.9.3 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.

RESPONSE:

Not applicable during the 2023 Pre-Clearance Survey Program

3.10 Collisions During Operations

The Proponent shall implement measures to prevent or reduce the risks of collisions between supply vessels and marine mammals and sea turtles, including:

3.10.1 requiring supply vessels to use established shipping lanes, where they exist; and

3.10.2 requiring supply vessels to reduce speed to a maximum of 7 knots when a marine mammal or sea turtle is observed or reported within 400 metres of a supply vessel, except if not feasible for safety reasons.

RESPONSE:

There were no encounters with marine mammals or sea turtles which required the above procedure to be implemented. Marine traffic was conducted using established shipping lanes where applicable.

3.11 Collision Reporting

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.

RESPONSE:

There were no collisions with marine mammals or sea turtles during the 2023 Pre-Clearance Survey Program.

3.12 Verification and 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, for the duration of the drilling program, the Proponent shall:

3.12.1 for every well, measure the concentration of synthetic-based drilling 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;

RESPONSE:

Not applicable during the 2023 Pre-Clearance Survey Program

3.12.2 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

RESPONSE:

Not applicable during the 2023 Pre-Clearance Survey Program

3.12.3 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.

RESPONSE

Not applicable during the 2023 Pre-Clearance Survey Program

3.13 Research and Development

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 (*Salmo salar*) in the Jeanne d'Arc Basin and the Flemish Pass and update the Board and Indigenous groups annually on related research activities.

RESPONSE:

In 2023 exploration drilling activity did not occur however Equinor continues to contribute and participate in research to determine presence of Atlantic Salmon (*Salmo salar*).

4.0 MIGRATORY BIRDS

4.1 Migratory bird avoidance

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.

RESPONSE:

Equinor and associated marine vessels did avoid established bird colonies. No helicopters were used as part of the program.

Equinor Canada Ltd. obtained a Handling and salvage of Seabirds Permit (Number LS 2677), issued for 1May-2023 to 31-Oct-2023 . This permit was issued under Section 4 (1) of the Migratory Birds Regulations in Accordance with Section 19.

Following the Canadian Wildlife Services (CWS) protocols routine searches for stranded birds were conducted on the contracted vessels. Appropriate programs and protocols for the collection and release of marine and migratory birds were implemented for migratory birds which became stranded (i.e., "ECCC-CWS's Oiled Birds Protocol and Protocol for Collecting Dead Birds from Platforms. Best Practices for Stranded Birds Encountered Offshore Atlantic Canada (Draft 2)" and Williams and Chardine (n.d.): The Leach's storm petrel: General Information and Handling Instructions).

In addition to the above Equinor implemented, with close review and input from ECCC-CWS, a Seabird Survey, Handling, and Observation Protocol which was implemented throughout the 2023 Pre-Clearance Survey Program. This report provided guidance and requirements for the onboard Seabird Observer to adhere to during the roles and duties associated with document. All persons onboard the vessel were familiar with and well versed in procedures, purpose and actions associated with the Equinor protocol. Both the designated Seabird Observer, and the onboard Equinor safety and sustainability coach were designated responsible persons in the event of a stranding. Daily reports were provided to the onboard Equinor Safety and Sustainability Coach, which were also disturbed to the onshore Environmental and Sustainability Advisor for compliance and verification check.

4.2 Mitigation Required

The Proponent shall implement measures to avoid harming, killing or disturbing migratory birds, including:

- 4.2.1 using formation testing while tripping, or similar technology, rather than formation testing with flaring, where acceptable by the Board;
- 4.2.2 limiting flaring to the length of time required to characterize the wells' hydrocarbon potential and as necessary for the safety of the operation;
- 4.2.3 flaring as early as practicable during daylight hours to limit flaring that occurs during nighttime;
- 4.2.4 operating a water curtain barrier around the flare during flaring;

4.2.5 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 to determine how the Proponent plans to avoid adverse environmental effects on migratory birds;

4.2.6 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

4.2.7 requiring supply helicopters to fly at altitudes greater than 300 metres above sea level from active bird colonies 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, as required under the Canadian Civil Aviation Regulations or if not feasible for safety reasons.

RESPONSE:

Not applicable to the scope of the 2023 Pre-Clearance Survey Program.

4.3 Verification of Environmental Assessment

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 and 4.2. The Proponent shall implement these follow-up requirements for the duration of the drilling program. As part of the follow-up, the Proponent shall:

4.3.1 monitor daily for the presence of marine birds from the drilling installation using a trained observer following Environment and Climate Change Canada's Eastern Canada Seabirds at Sea Standardized Protocol for Pelagic Seabird Surveys from Moving and Stationary Platforms; and

4.3.2 monitor the drilling installation and supply vessels daily for the presence of stranded birds and follow Environment and Climate Change Canada's Procedures for Handling and Documenting Stranded Birds Encountered on Infrastructure Offshore Atlantic Canada.

RESPONSE:

See response details from Condition 4.1.

In addition, throughout the 2023 Pre-Clearance Survey Program onboard Seabird Observers performed the roles and duties associated with seabird observations, surveying, stranding, and handling of all marine and migratory birds. Daily reports were completed by the observer and provided to the onboard Safety Security Sustainability coach.

Included in the reporting requirements were the daily survey of the vessel to search for stranded marine birds. Encounters were reported and handlings conducted only by the designated, trained, and certified marine seabird handlers. When/if marine birds were discovered contact with ECCC-CWS were conducted to obtain further instruction (if applicable).

Migratory seabird reports will be posted on the Equinor external website.

5.0 INDIGENOUS AND COMMERCIAL FISHERIES

5.1 Indigenous and Commercial Fisheries Communication Plan

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:

- 5.1.1 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;
- 5.1.2 procedures to determine the requirement for a Fisheries Liaison Officer and/or fisheries guide vessel during drilling installation movement and geophysical programs;
- 5.1.3 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
- 5.1.4 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:
 - 5.1.4.1 a description of planned Designated Project activities;
 - 5.1.4.2 location(s) of safety exclusion zones;
 - 5.1.4.3 anticipated vessel traffic schedule;
 - 5.1.4.4 anticipated vessel routes; and
 - 5.1.4.5 locations of suspended or abandoned wellheads.

RESPONSE:

Equinor updated their Indigenous Fisheries Communication Plan in 2022 to support the 2022 exploration drilling program, this plan was developed and implemented according to Conditions 2.1 and 5.1. For the scope of the 2023 Pre-Clearance Survey Program this document was accepted and implemented.

Notification of planned work scope was provided to Indigenous groups and Fishing Industry via email notification and in person consultation. During the duration of the program notification of operations, departure for field, transit infield and departure from field locations were provided. Updates included details and routes of support vessels, schedule updates, and contact information for feedback. In addition, any navigational warnings (NAVWARN) and transit details (within or outside the project area) were communicated to the Fishing Industry.

5.2 Well and Wellhead Abandonment Plan

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.

RESPONSE:

Not applicable during the scope of the 2023 Pre-Clearance Survey Program.

5.3 Safety Exclusion Zone

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.

RESPONSE:

Not applicable during the 2023 Pre-Clearance Survey Program.

5.4 Damage to Fishing Gear

The Proponent shall report annually to the Board on known incidents of lost or damaged fishing gear attributed to the Designated Project.

RESPONSE:

There have been no known incidents of lost or damaged fishing gear attributed to the Designated Project.

6.0 ACCIDENTS AND MALFUNCTIONS

6.1 Emergency and Contingency Plan

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.

RESPONSE:

Equinor submitted required documentation as part of the operations authorization application for the 2023 Pre-Clearance Survey Program.

6.2 Physical Environment Monitoring Plan

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 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 approval prior to commencing drilling.

RESPONSE:

Not applicable to the 2023 Pre-Clearance Survey Program.

6.3 Collision Avoidance Plan

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.

RESPONSE:

Equinor submitted required documentation as part of the operations authorization application for the 2023 Pre-Clearance Survey Program.

6.4 Ice Management Plan

The Proponent shall prepare an Ice Management Plan that will include measures for avoidance of collisions with icebergs and submit the plan to the Board for acceptance prior to drilling.

RESPONSE:

Equinor submitted required documentation as part of the authorization operations application for the 2023 Pre-Clearance Survey Program.

6.5 Well Control

The Proponent shall prepare and submit to the Board well control strategies that include:

- 6.5.1 measures for well control and containment and the drilling of a relief well, as well as options to reduce overall response timeline; and
- 6.5.2 measures to quickly disconnect the marine drilling riser from the well in the event of an emergency or extreme weather conditions.

RESPONSE:

Not applicable to the scope of the 2023 Pre-Clearance Survey Program.

6.6 Spill Response Plan

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:

- 6.6.1 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;
- 6.6.2 reporting thresholds and notification procedures;
- 6.6.3 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
- 6.6.4 roles and responsibilities for offshore operations and onshore responders.

RESPONSE:

Not applicable to the scope of the 2023 Pre-Clearance Survey Program.

6.7 Spill Response Plan Exercise

The Proponent shall conduct an exercise of the Spill Response Plan prior to drilling activities as recommended in the Newfoundland Offshore Drilling and Production Guidelines, document any deficiencies observed during this exercise and provide these deficiencies to the Board for review, and adjust the plan to the satisfaction of the Board to address any deficiencies identified during the exercise.

RESPONSE:

Not applicable for the scope of the 2023 Pre-Clearance Survey Program.

6.8 Spill Response Plan Review

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.

RESPONSE:

Not applicable for the 2023 Pre-Clearance Survey Program.

6.9 Notification of Spill

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:

- 6.9.1 sensory testing of seafood for taint, and chemical analysis for oil concentrations and any other contaminants, as applicable;
- 6.9.2 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, to determine the fishing area closure status;
- 6.9.3 monitoring for marine mammals, sea turtles and birds for signs of contamination or oiling and reporting results to the Board; and
- 6.9.4 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.

RESPONSE:

Not applicable for the scope of the 2023 Pre-Clearance Survey Program.

6.10 Spill Impact Mitigation Assessment

The Proponent shall undertake a Spill Impact Mitigation Assessment (SIMA) 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.

RESPONSE:

A SIMA was developed and accepted by the Board. It is posted on Equinor Canada's website (<https://www.equinor.com/sustainability/impact-assessments-canada-offshore-exploration-drilling-program>).

6.11 Communication of Spill Exercise Results

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.

RESPONSE:

Not applicable for the scope of the 2023 Pre-Clearance Survey Program.

6.12 Sub-sea Hydrocarbon Release

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.

RESPONSE:

Not applicable for the scope of the 2023 Pre-Clearance Survey Program.

6.13 Capping Stack

If drilling is anticipated in water depths in excess of 2 500 m, the Proponent shall undertake further analysis to confirm the capping stack technology selected can be operated safely at the proposed depth and submit this analysis to the Board for approval.

RESPONSE:

Not applicable for the scope of the 2023 Pre-Clearance Survey Program.

6.14 Compensation

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.

RESPONSE:

This condition was not triggered.

6.15 Safe Operating Procedure

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.

RESPONSE:

Not applicable for the 2023 Pre-Clearance Survey Program . Safe operating procedures and maximum sea state conditions allowable for deployment and retrieval of field equipment were incorporated into daily operations, planning, and implementation. Operations were only conducted when sea states were within operating procedures and cessation of work or activity thresholds for the vessel.

7.0 IMPLEMENTATION SCHEDULE

7.1 Schedule Posting

The Proponent shall submit to the Board a schedule for each condition set out in this Decision Statement at least 30 days prior to the start of a drilling program. 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.

RESPONSE:

No drilling operations were conducted in 2023 however the implementation schedule was updated to reflect any condition that would be applicable to the 2023 Pre-Clearance Survey Program. Website posting were completed and associated notifications provided to stakeholders.

7.2 Schedule Activities

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.

RESPONSE:

The schedule was presented in final revision to the C-NLOPB prior to commencement of operations.

7.3 Schedule Updates

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.

RESPONSE:

This will occur in 2023.

7.4 Schedule Revision

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.

RESPONSE:

Equinor Canada will provide updates as required.

8.0 RECORD KEEPING

8.1 Record Keeping

The Proponent shall maintain all records required to demonstrate compliance with the conditions set out in this Decision Statement. The Proponent shall provide the records to the Board or the Agency upon demand within a timeframe specified by the Board or the Agency.

RESPONSE:

Equinor Canada will retain all required documentation and will provide to regulatory agencies upon request.

8.2 Record 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.

RESPONSE:

Equinor Canada will retain all documentation and records for the required timeframe and will comply with the above process of notification if/when applicable.

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.

RESPONSE:

Equinor will comply with the above condition.

9.0 ADDITIONAL INFORMATION

9.1 Abbreviations

ADW	Authority to Drill Well
AGC	Atlantic Groundfish Council
ASP	Association of Seafood Producers
CCG	Canadian Coast Guard
CEAA 2012	<i>Canadian Environmental Assessment Act, 2012</i>

CEAR	Canadian Environmental Assessment Registry
CIAR	Canadian Impact Assessment Registry (formerly the Canadian Environmental Assessment Registry)
C-NLOPB	Canada-Newfoundland and Labrador Offshore Petroleum Board
CWS	Canadian Wildlife Service
DFO	Department of Fisheries and Oceans Canada
DP	Dynamic Positioning
EA	Environmental Assessment
ECCC	Environment and Climate Change Canada
EEZ	Exclusive Economic Zone
EIS	Environmental Impact Statement
EL	Exploration License
EPCMP	Environmental Protection Compliance and Monitoring Plan
Equinor	Equinor Canada Ltd.
FCA	Fishery Closure Area
FFAW	Fish, Food and Allied Workers Union
HSE	Health Safety Environment
IAAC	Impact Assessment Agency of Canada (formerly the Canadian Environmental Assessment Agency)
MARPOL	International Convention for the Prevention of Pollution from Ships
MMSTP	Marine Mammal Sea Turtle Plan
NAFO	North Atlantic Fisheries Organization
NAVWARN	Navigational Warning
NL	Newfoundland and Labrador
NM	Nautical Mile
OA	Operations Authorization
OCSG	Offshore Chemical Selection Guidelines for Drilling & Production Activities on Frontier Lands
OSRP	Oil Spill Response Plan
PP&A	Permanent Plug and Abandon
ROV	Remotely Operated Vehicle
SBM	Synthetic Based Mud
SDL	Significant Discovery License
SIMA	Spill Impact Mitigation Assessment
Statoil	Statoil Canada Ltd.
SOC	Synthetic oil on cuttings
VSP	Vertical Seismic Profile