



December 19, 2018

Mr. Todd Hartlaub  
Regional Manager – Atlantic Canada  
Nexen Energy ULC  
701A 215 Water Street  
St. John's, NL  
A1C 6C9

Dear Mr. Hartlaub:

File No: 32006-020-001

**Re: Nexen Energy ULC - Eastern Newfoundland Offshore Geophysical, Geochemical, Environmental and Geotechnical Program (2018 – 2023) Environmental Assessment**

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The Canada-Newfoundland and Labrador Offshore Petroleum Board (C-NLOPB) has reviewed the environmental assessment (EA) information regarding the proposed program as described in the *NEXEN ENERGY ULC Eastern Newfoundland Offshore Geophysical, Geochemical, Environmental and Geotechnical Program (2018 – 2027) Environmental Assessment* (Amec Foster Wheeler June 2017), and the *NEXEN ENERGY ULC Eastern Newfoundland Offshore Geophysical, Geochemical, Environmental and Geotechnical Program (2018 – 2023) Environmental Assessment Addendum (Revised) Final Report #3* (Amec Foster Wheeler December 2018). During the review, it was stated by Nexen Energy ULC (Nexen) that it is committed to ongoing communications and cooperation throughout the life of the Project in order to help identify potential interactions between its planned activities and the fishing industry, and to seek to avoid any such issues and potential effects through planning, coordination and cooperation. The C-NLOPB fully expects that this planning, coordination and cooperation shall occur.

The C-NLOPB has completed its EA determination respecting the Project. A copy of our EA review form is enclosed for your information.

The EA Report and EA Addendum, as referenced above, describe the Project in sufficient detail and provide an acceptable assessment of the potential environmental effects of the Project. We have considered this information and the advice of the Board's advisory agencies and have

determined that the proposed project, following the application of mitigation measures, is not likely to cause significant adverse environmental effects.

At the time of application for subsequent program authorizations in the Project Area, Nexen will be required to provide information to the C-NLOPB. This information should outline the proposed activities, confirm that the proposed program activities fall within the scope of the previously assessed program, and indicate if, with this information, the EA predictions remain valid. In addition, Nexen shall provide information regarding the adaptive management of requirements of the *Species at Risk Act (SARA)* into program activities (e.g., introduction of new species or critical habitat to Schedule 1; additional mitigations; implementation of recovery strategies and/or monitoring plans). If there are any changes in the scope or if new information becomes available that may alter the EA conclusions, then a revised EA will be required at the time of authorization application and/or renewal.

No later than thirty (30) days prior to commencement of the Project, Nexen shall submit a table that lists all of the environmental commitments and mitigation measures made during the EA with the subsequent status of those commitments and measures.

The following conditions are recommended to be appended to authorizations granted by the C-NLOPB for the program, as described in the EA reports referenced above.

- *The Operator shall implement or cause to be implemented, all the policies, practices, recommendations and procedures for the protection of the environment included in or referred to in the Application and in the NEXEN ENERGY ULC Eastern Newfoundland Offshore Geophysical, Geochemical, Environmental and Geotechnical Program (2018-2027) Environmental Assessment (Amec Foster Wheeler June 2017) and the NEXEN ENERGY ULC Eastern Newfoundland Offshore Geophysical, Geochemical, Environmental and Geotechnical Program (2018-2023) Environmental Assessment Addendum (Revised) Final Report #3 (Amec Foster Wheeler December 2018).*
- *The Operator, or its contractors, shall shut down the seismic airgun array if a marine mammal or sea turtle listed as **Endangered or Threatened** (as per Schedule 1 of SARA) is observed in the safety zone during ramp-up procedures and when the array is active. The safety zone shall have a radius of at least 500 m, as measured from the centre of the air source array(s).*
- *A report on mitigation and monitoring identified in the EA, and undertaken during the program, should be submitted to the C-NLOPB within **six (6)** months of completion of the fieldwork in a format that is suitable for public release (e.g. PDF). The report should include a description of the mitigation and monitoring measures identified in the EA, including those described in the Statement of Canadian Practice with respect to the Mitigation of Seismic Sound in the Marine Environment, and implemented during the program as well as the assessment of the effectiveness of these measures. It shall*

*include, but not be limited to, copies of the Fisheries Liaison Officer (FLO), marine mammal observer (MMO) and seabird observer reports that were produced during the program.*

If you have any questions on the attached, or wish to discuss the EA review process, I may be reached at 709-778-1482 or via email at [imurphy@cnlopb.ca](mailto:imurphy@cnlopb.ca).

Yours truly,

*Original signed by Ian Murphy*

Ian Murphy  
Environmental Assessment Officer

Enclosure  
Cc E. Young