

2023-2024 Activity Report

Memorandum of Understanding between Canada-Newfoundland and Labrador Offshore Petroleum Board and Fisheries and Oceans Canada

April 2024

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Context

The Memorandum of Understanding (MOU) between the *Canada-Newfoundland and Labrador Offshore Petroleum Board (C-NLOPB)* and *Fisheries and Oceans Canada (DFO) Newfoundland and Labrador Region* (updated July 2020) supports and promotes the effective coordination and planning of activities of mutual interest of the C-NLOPB and DFO with respect to each entity's regulatory oversight in the Canada-Newfoundland and Labrador Offshore Area.

The Chief Executive Officer of the Board and the Regional Director-General of DFO Newfoundland and Labrador Region approve the annual Activity Report and the annual Work Plan, which are developed by the Implementation Committee. The Implementation Committee comprises staff representing the C-NLOPB and DFO.

This 2023-2024 Activity Report describes the areas of collaboration during fiscal year 2023-2024. It focuses on activities and deliverables identified in the 2023-2024 Work Plan. Most of these activities are conducted each year and are part of the routine, ongoing activities of both the C-NLOPB and DFO. Other activities, such as Environmental Effects Monitoring (EEM), are multi-year in nature and can be ongoing for several years. Additional information has been added to the status updates where key milestones or deliverables have been met/completed, or activities were deferred.

Table 1: Status of the 2023-2024 work plan initiatives

Initiative	Lead	Activities / Deliverables	Status @ March 31, 2024	Year-end Summary
1. Joint priority setting, planning, coordination, and administration	C-NLOPB Regional Director General's (RDG) Office	Regular meetings of the Executive Committee will continue throughout 2023-24 to discuss priorities and progress of the 2023-2024 Work Plan.	Complete	
	C-NLOPB	DFO and the C-NLOPB will make the annual MOU 2023-24 Work Plan publicly available on the C-NLOPB and DFO websites.	Complete	The document was posted to the DFO and C-NLOPB websites on June 28, 2023.
	DFO - Fish and Fish Habitat Protection Plan (FFHPP) - Integrated Planning and Partnerships (IPP)	DFO and the C-NLOPB will make the 2022-23 Activity Report publicly available on their websites.	Complete	The document was posted to the DFO and C-NLOPB websites on November 08, 2023.
		The Implementation Committee will meet to identify issues/areas requiring collaboration and identify anticipated projects for inclusion in the 2024-25 Work Plan.	Complete	
		A joint 2024-2025 Work Plan will be developed for approval by DFO and the C-NLOPB.	Complete	
2. Regulatory Activities	C-NLOPB DFO - Regulatory Review (RR)	DFO will advise the C-NLOPB on Accord Act Environmental Assessments (EAs), EA Amendments, and EA Validation Reports.	Active	Ongoing In 2023/24 DFO provided advice on: <ul style="list-style-type: none"> • Multiklient Invest Newfoundland Offshore Seismic Program, 2024-2028 • Cenovus Energy West White Rose Project) Environmental Assessment Drill Cuttings Amendment

Initiative	Lead	Activities / Deliverables	Status @ March 31, 2024	Year-end Summary
		DFO will advise the C-NLOPB and provide information pertaining to proponent compliance with relevant conditions as set out in Federal Impact Assessment (IA)/EA Decision Statements and/or the Regulations Respecting Excluded Physical Activities (NL Offshore Exploratory Wells).	Active	Ongoing In 2023/24 DFO provided advice on: <ul style="list-style-type: none"> • Eastern Newfoundland & Labrador Offshore Exploration Drilling Project EL 1169 (Persephone C-54 Well) • BP Newfoundland Orphan Basin Exploration Drilling Project • ExxonMobil Jeanne D'Arc Basin Exploration Drilling Project • Equinor Flemish Pass Exploration Drilling Project
		DFO will advise the C-NLOPB on Environmental Effects Monitoring (EEM) programs for Offshore petroleum development projects and revisions to existing EEM plans.	Active	Ongoing. 2022 EEM reports (White Rose, Hebron Platform, Hibernia Platform and Hibernia South Extension) were received in Q3 of FY 2023/24. The 2022 EEM Report was reviewed, and comments were provided to C-NLOPB in Q4 of FY 2023/24.
	C-NLOPB DFO - Species at Risk (SAR)	DFO will inform and seek input from the C-NLOPB regarding the potential listing of marine species on Schedule 1 of SARA.	Operational	DFO informed the C-NLOPB of the consultations on the potential listing of Lumpfish, Harbour Porpoise (Northwest Atlantic population) and Ringed Seal.
3. Incident response and preparedness	C-NLOPB DFO - FFHPP Integrated Marine Response Planning (IMRP)	DFO will continue to communicate with the C-NLOPB regarding National Environmental Emergencies Centre (NEEC) notifications related to potential pollution events so that appropriate actions can be coordinated if required.	Operational	The C-NLOPB will continue to communicate oil and gas industry incidents that are reported to it to DFO as necessary.

Initiative	Lead	Activities / Deliverables	Status @ March 31, 2024	Year-end Summary
		DFO will advise on operator incident avoidance, preparedness, and response planning (e.g., Spill Response Plans, Spill Impact Mitigation Assessments, and Wildlife Plans).	Operational	No Activity to report during the 2023-24 FY
		DFO will support and advise the C-NLOPB during operator-led Spill Response Plan exercises.	Operational	DFO staff participated in Exercise Synergy 2023 conducted by Cenovus Energy.
4. Collaborative Information exchange	C-NLOPB DFO - SAR	DFO will notify the C-NLOPB of proposed or final postings of recovery documents on the SARA Public Registry.	Operational	C-NLOPB was notified of the posting of the proposed Recovery Strategy on White Shark in February 2024.
	C-NLOPB DFO - Marine Planning and Conservation (MPC)	The C-NLOPB and DFO will facilitate information exchange through participation in the Regional Oversight Committee on Oceans Management (ROCOM), the Canada-Newfoundland and Labrador Committee on Oceans Management (C-NLCOM), and associated working groups, which DFO coordinates.	Operational	The C-NLOPB participated in two ROCOM meetings and two CNLCOM meetings hosted by DFO. Updates from C-NLOPB included the proposed expansion of the Board's mandate to include the regulation of offshore renewable energy projects.
		The C-NLOPB and DFO will meet as needed to facilitate the exchange of marine spatial planning-related information.	Operational	DFO staff met periodically with C-NLOPB to exchanged marine spatial planning information, including the use of the Canada Marine Planning Atlas (CMPA).
		The C-NLOPB and DFO will collaborate to ensure that respective marine spatial planning-related data on the Canada Marine Planning Atlas (CMPA) is current and relevant.	Operational	Oil and gas-related data in the CMPA was updated and formatted in consultation with the C-NLOPB in April 2023.

Initiative	Lead	Activities / Deliverables	Status @ March 31, 2024	Year-end Summary
		DFO and the C-NLOPB will collaborate to develop and implement protocols to operationalize guidance for protecting cold-water corals and sponges from potential impacts relating to exploratory drilling in Other Effective Area-Based Conservation Measures (OECMs).	Active	<p>DFO continues to work with the C-NLOPB to operationalize Regional Corals Guidance for British Petroleum’s Exploration Program in the Northeast Newfoundland Slope Marine Refuge.</p> <p>Feedback on all stages of British Petroleum’s Exploration Program in the Northeast Newfoundland Slope Marine Refuge (EL 1168) was completed in February 2024.</p> <p>DFO review and advice on upcoming exploratory drilling programs by ExxonMobil (EL 1169) and Equinor (EL 1156, SDL 1059) is ongoing.</p>
	C-NLOPB DFO - RR/RM	The CNLOPB will provide DFO with geophysical, geological, geotechnical, or environmental program “Mitigation and Monitoring Reports” to allow DFO to verify operator conformity with measures outlined in the “Statement of Canadian Practice with respect to the Mitigation of Seismic Sound in the Marine Environment.”	Operational	There were no seismic programs in 2023/24.
	C-NLOPB DFO - Impact Assessment and Major Projects (IAMP)/RM	<p>DFO will collaborate with the C-NLOPB to facilitate the provision of information and/or data for inclusion in semi-annual forecasts and reporting for submission to the NAFO Secretariat, and may include:</p> <ul style="list-style-type: none"> • planned petroleum-related activities in the Canada-NL Offshore Area; • notification of incidents on the water; • notification of environmental incidents (e.g., spills and discharges); and • notification of C-NLOPB Authorization Applications and Approvals. 	Operational	The semi-annual forecast was provided in October 2023.

Initiative	Lead	Activities / Deliverables	Status @ March 31, 2024	Year-end Summary
		DFO will provide the C-NLOPB with information and/or data about fishing activities in divisions of the NAFO Regulatory Area (NRA) (i.e., Vessel Monitoring System data, Vulnerable Marine Ecosystems (VME) closed to fishing activity), requested through the Information Exchange Arrangement, to inform petroleum-related activity planning in the NRA.	Operational	DFO advised the C-NLOPB of the Northwest Atlantic Fisheries Organization (NAFO) decision to extend the effective period for four (NAFO Vulnerable Marine Ecosystems (VME) areas.
	C-NLOPB DFO - Science	DFO and the C-NLOPB will continue to collaborate and provide input into research objectives relevant to the C-NLOPB and the petroleum industry.	Operational	Three field trips to investigate abandoned oil wells were conducted over the fall, 2023. The C-NLOPB was consulted and DFO continues to update partners, including the C-NLOPB. Research related to potential seismic effects on groundfish and the preliminary work on abandoned oil wells were presented to the Environmental Studies Research Fund (ESRF) and Canadian Association of Petroleum Producers (CAPP).
<p>Status Explanation:</p> <ul style="list-style-type: none"> • Complete – Work was conducted and completed. • Active – Work was conducted but not completed and will continue next fiscal year. • Operational – Routine, ongoing activities of the C-NLOPB and DFO. • Deferred – Work was not conducted but will be carried out next fiscal year. • Cancelled – Work was not conducted and will not be carried out next fiscal year. 				

5. Abbreviation index

- **RDG:** Regional Director General
- **MPC:** Marine Planning and Conservation
- **IPP:** Integrated Planning and Partnerships
- **SAR:** Species at Risk

- **C-NLCOM:** Canada-Newfoundland and Labrador Committee on Oceans Management
- **MSP:** Marine Spatial Planning
- **NAFO:** Northwest Atlantic Fisheries Organization
- **C-NLOPB:** Canada-Newfoundland and Labrador Offshore Petroleum Board
- **NRA:** NAFO Regulatory Area
- **IMRP:** Integrated Marine Response Planning
- **NEEC:** National Environmental Emergency Centre
- **DFO:** Fisheries and Oceans Canada
- **OECCM:** Other Effective Area-Based Conservation Measure
- **EA:** Environmental Assessments
- **MPC:** Marine Planning and Conservation
- **EEM:** Environmental Effects Monitoring
- **ROCOM:** Regional Oversight Committee on Oceans Management
- **ESRF:** Environmental Studies Research Fund
- **SARA:** Species at Risk Act
- **RR:** Regulatory Review
- **IAMP:** Impact Assessment and Major Projects
- **RM:** Resource Management
- **CMPA:** Canada Marine Planning Atlas
- **FFHPP:** Fish and Fish Habitat Protection Plan
- **VME:** Vulnerable Marine Ecosystems

- **MOU:** Memorandum of Understanding
- **VMS:** Vessel Monitoring System
- **CAPP:** Canadian Association of Petroleum Producers

6. Approval

The undersigned approve the Annual Activities Report 2023-2024 as per the "Memorandum of understanding between the Canada-Newfoundland and Labrador Offshore Petroleum Board and Fisheries and Oceans Canada".

Fisheries and Oceans Canada:

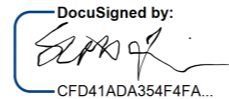
Signed on the 27th Day of June, 2024.



William McGillivray
Regional Director General
Fisheries and Oceans Canada
Newfoundland and Labrador Region

Canada-Newfoundland and Labrador Offshore Petroleum Board:

Signed on the 08 Day of July, 2024.

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Scott Tessier
Chief Executive Officer
Canada-Newfoundland and Labrador Offshore Petroleum Board