

February 6, 2024

**ELECTRONIC MAIL**

**To:** Canada Energy Regulator

**Subject: Request for Advice - Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador**

Dear Suchaet Bhardwaj,

The federal Ministers of Environment and Natural Resources and provincial Ministers of Industry, Energy and Technology, Environment and Climate Change and for Intergovernmental Affairs established a Committee, pursuant to subsection 93(1) of the *Impact Assessment Act* (the IAA), to conduct the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador.

On March 23, 2023, the Regional Assessment Agreement was posted on the Canadian Impact Assessment Registry Internet site: [Regional Assessment of Offshore Wind Development in Newfoundland and Labrador \(iaac-aeic.gc.ca\)](https://iaac-aeic.gc.ca). This commenced the 18-month work period for the Committee.

In accordance with section 5 of the Committee's Agreement, and with section 23 of the IAA, the Committee can request specialist or expert information or knowledge, from any department or agency<sup>1</sup>, which must then be made available to the Committee. This may include providing information, knowledge or advice related to any matter relevant to the Regional Assessment.

Attached to this correspondence is the Request for Advice form that contains further detail on the request. The Committee requires your department to respond no later than March 4, 2024. You can contact the Committee to discuss the due date if needed. Your department is encouraged to provide as much detail as practicable in responding to the questions in this request.

As per the Committee's [Operational Procedure](#), the information submitted to the Committee in response to this Request for Advice will be made public on the Canadian Impact Assessment Registry Internet Site. Please do not include any information that cannot be shared publicly. The Committee's [Confidentiality Procedure](#) outlines the procedures in place regarding participants confidential information.

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<sup>1</sup> All subsequent references to department mean department or agency.

If you have any questions regarding the regional assessment process or this request, please do not hesitate to contact the Committee at <email address removed> .

Sincerely,

The Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador

/Attachment

**ATTACHMENT: February 6, 2024  
Advice Record**

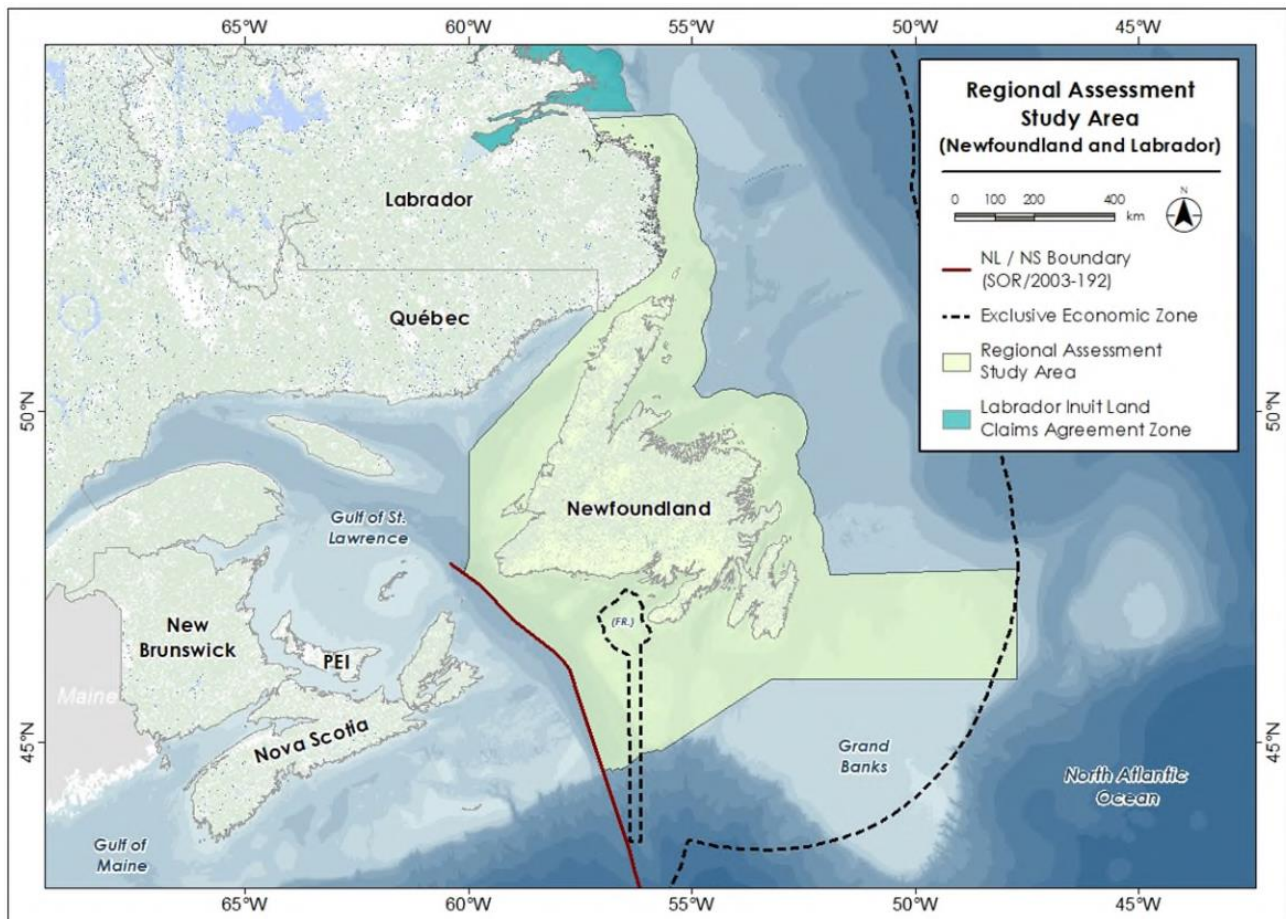
**Response due by March 4, 2024**

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador

Department/Agency	Canada Energy Regulator (CER)
Lead Contact	Suchaet Bhardwaj
Email	<email address removed>

**Overview of Request:**

The Study Area in the Committee's Agreement reaches the shoreline of Newfoundland and Labrador (the Province).



While the Committee understands that an offshore area under Canadian Energy Regulator Act (CERA) is defined as:

- (a) the part of the internal waters of Canada or of the territorial sea of Canada that is not situated in
  - (i) a province other than the Northwest Territories, or
  - (ii) the onshore, as defined in section 2 of the Northwest Territories Act; and
- (b) the continental shelf of Canada and the waters superjacent to the seabed of that shelf.

A memorandum of understanding was released on December 6, 2023, between Natural Resources Canada and the Province of Newfoundland and Labrador, in which these parties are engaged to modify the joint management regime to allow the defined 'Offshore Renewable Energy Areas' (as seen below) to be under the regulatory authority of the Province.



Is CER aware of any ongoing discussions with the Province to modify the definition currently in the CERA, and if so, would these changes be made officially before the end of the Committee's mandate (I.e., September 2024).

\_\_\_\_\_  
Name of Departmental / Agency  
Responder

\_\_\_\_\_  
Title of Responder

\_\_\_\_\_  
Date