



July 14, 2023

ELECTRONIC MAIL

Qalipu First Nation
3 Church Street
Corner Brook, NL A2H 2Z4
bmitchell@qalipu.ca

Dear Chief Brendan Mitchell and Council:

Subject: Request for Comments on the Designation Request for the Proposed Port au Port-Stephenville Wind Power and Hydrogen Generation Project (also known as Project Nujio'gonik) under the *Impact Assessment Act*

On April 18, 2023, the Minister of Environment and Climate Change (the Minister) received a request to designate the proposed Project Nujio'gonik (the physical activities referred to as the Project) under subsection 9(1) of the *Impact Assessment Act* (the IAA).

The Proposed Project

World Energy GH2 Inc. is proposing to construct and operate a new hydrogen and ammonia production facility along with two new wind farms, all located on the west coast of Newfoundland. As proposed, Project Nujio'gonik would produce roughly 140,000 tonnes of hydrogen at the facility located in Stephenville, a year, most of which would be converted to ammonia. Each wind farm (one located on the Port au Port Peninsula and the other in the Codroy area) would contain up to 164 wind turbines and produce roughly one gigawatt of renewable electricity. The project would cover a surface area of roughly 4100 hectares and operate for about 30 years. The Project as proposed is not a designated project as described in the *Physical Activities Regulations*.

Designation Request

Under subsection 9(1) of the IAA the Minister may, by order, designate a physical activity that is not prescribed in the *Physical Activities Regulations*. The Minister may do this, if, in the Minister's opinion, the physical activity may cause adverse effects within federal jurisdiction or adverse direct or incidental effects (resulting from federal decisions, including funding), or public concerns related to those effects warrant the designation. In accordance with subsection 9(4) of the

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IAA, it is expected that the Minister will respond, with reasons, to the request by October 3, 2023.

Note, as per the limitation of subsection 9(7) of the IAA, the Minister must not make the designation if (a) the carrying out of the physical activity has substantially begun; or (b) a federal authority has exercised a power or performed a duty or function conferred on it under any Act of Parliament, other than the IAA, that could permit the physical activity to be carried out, in whole or in part. The Agency will review information to determine whether substantial physical works have begun, or if a federal authority has exercised a power or performed a duty or function under an Act of Parliament other than the IAA. The Agency will review information about the Project; any concerns expressed by your community, from the public (that the Agency is aware of) and other Indigenous groups; and expert advice and information from federal authorities and provincial ministries to inform the Minister on whether the Project should be designated. If designated, to proceed with the Project World Energy GH2 Inc. would be required to submit an Initial Project Description, thereby commencing the planning phase of the IAA. In that case, the planning phase would include the Agency determining whether a federal impact assessment is required.

Additional information regarding the process for designation requests can be found at the following link: <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/designating-project-impact-assessment-act.html>.

Seeking your views

Information on the Project can be found in the designation request letter (attached), and additional information submitted to the Agency by World Energy GH2 (attached). The Agency notes that while some updates have been made by the World Energy GH2 to the Project since it was registered for a provincial environmental assessment on June 21, 2022, the registration document for the Project is available at the following link: <https://www.gov.nl.ca/ecc/files/2202-Registration-Document.pdf>.

The Agency is requesting that you provide responses to the following:

1. Please describe whether and how the potential adverse effects of the Project could result in changes to your community's:
 - (a) physical and cultural heritage (e.g. ceremonial sites, burial sites, cultural landscapes)
 - (b) current use of lands and resources for traditional purposes (e.g. hunting, fishing, trapping)

(c) structures, sites or things of historical, archaeological, paleontological or architectural significance (e.g. artifacts, important historic buildings or symbols)

2. Please describe whether and how the Project may result in changes to your community's health, social or economic conditions (e.g. employment opportunities, access to goods and services, economic development, access to health-care services).

Given the 90-day legislated timeline, your response is requested by **August 3, 2023**.

Provincial review

The Project is also subject to provincial environmental assessment. Please contact Eric Watton at the Newfoundland and Labrador Department of Environment and Climate Change for additional information. Eric Watton may be reached at 709-729-0834 or ericwatton@gov.nl.ca.

Next Steps

A page for the Project will be available on the Canadian Impact Assessment Registry Internet site, found at the following link: <https://iaac-aeic.gc.ca/050/evaluations>.

Important Note: All records produced, collected or received in relation to the designation request process – unless prohibited under the *Access to Information Act* or *Privacy Act* – will be considered public and may be released. Should you wish to provide any comments or documents that contain confidential or sensitive information that you believe should be protected from release to the public, please contact the Agency before submitting the information. Information marked as confidential will not be accepted without prior contact made with the Agency.

If you have any questions regarding the designation process, please do not hesitate to contact Karen Lalonde at 902-399-8839 or PortAuPort@iaac-aeic.gc.ca.

Sincerely,

<Original signed by>

Karen Lalonde
Project Manager, Atlantic Region

Attachments (4):

- 1) Designation Request Letter
- 2) Project information submitted to the Agency on May 19, 2023
- 3) Project information submitted to the Agency on June 26, 2023
- 4) Project information submitted to the Agency – Presentation to EAC

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