

To: The Honourable Steven Guilbeault, P.C., M.P., Minister of Environment and Climate Change Canada; The Honourable Jonathan Wilkinson, P.C., M.P., Minister of Energy and Natural Resources; The Honourable Andrew Parsons, K.C., M.H.A., Minister of Industry, Energy and Technology, Government of Newfoundland and Labrador; The Honourable Bernard Davis, M.H.A., Minister of Environment and Climate Change, Government of Newfoundland and Labrador; The Honourable Andrew Furey, M.H.A., Minister of Intergovernmental Affairs, Government of Newfoundland and Labrador (*via email*)

Date: May 2, 2024

Re: Regional Assessment of Offshore Wind Development in Newfoundland and Labrador, Interim Report – Follow-up to Ministers’ March 15 response

Dear Ministers,

Thank you for your March 15, 2024, response to our October 18, 2023, request for clarification and amendments to the Agreement. We appreciate your understanding of the complexities of this Regional Assessment and acknowledging the concerns of the participants in this process. We were pleased to be able to produce an Interim Report that addresses one of the key priorities of the Agreement signatories, recommending areas within in the Study Area for your consideration as you develop the licensing process for offshore wind energy development. We are also pleased to have additional time for engagement and research to complete the Regional Assessment.

We believe it appropriate to clarify several of the comments presented in your March 15, 2024, letter.

Regarding our approach to the Study Area and your statement that it is not consistent with the original Terms of Reference - as we have communicated previously, our interpretation was deemed valid in May 2023 by a senior staff member in one of the signatory departments who lead the development of the Agreement. We also note that the Interim Report by the Committee for the Regional Assessment in Nova Scotia similarly identifies specific offshore wind areas within their broader Study Area. We expected this outcome, as both Committees had the same interpretation of the Agreement and both Committees had that interpretation validated early in the process.

During the five months we awaited the Ministers’ response to our request, we had also shared our interpretation, intent, and process throughout all our engagement sessions and materials. This included during one-on-one meetings with federal authorities, open public sessions to which all government authorities were invited (including representatives of all signatory departments, some of whom attended), and via publication of various documents, which are shared with all government authorities, including representatives of all signatory departments. Also, the Committee’s intention regarding defining a Focus Area was originally shared in August 2023 and we requested feedback from all participants, including all government authorities, in the subsequent months. The input received from this engagement process informed our decision on our approach, which was published on the Registry on November 7, 2023, and circulated to all participants.

The invitations, documents, and requests for information/advice are shared with the identified “one-window contact” we have for every federal and provincial authority. We feel it is reasonable to expect that whoever is fulfilling that role within their department is reporting upwards as appropriate, especially if they have concerns with our process. We believe it is also reasonable to anticipate that any

staff representing a federal or provincial authority is briefed before meeting with us or is providing us with pre-approved written advice to ensure their input is in line with departmental goals. This one-window approach has proven effective in coordinating meetings with and gathering input and advice from federal authorities to date, as demonstrated throughout our Interim Report. Please be assured that we were not asking for these one-window contacts to speak for the Ministers regarding our clarification or amendments request, but the information and advice shared with us by federal authorities from May to October 2023 did indeed help us formulate our request to the Ministers. With respect to the expectation that the Committee and signatory Departments discuss and resolve mandate-related issues independently from the conduct of the Regional Assessment, we feel we did exactly that by issuing our October 2023 request to Ministers and then continuing with our process and engagement activities to gather input and advice on matters relevant to the Regional Assessment.

Federal and provincial authorities have an important role to play in contributing information and expert advice to this process. Federal authorities have been contributing their time and effort to this process, as is apparent throughout the Interim Report. Moving forward, we hope to see all signatory departments take interest in this Regional Assessment, including reaching out to us in a timely manner if there is concern about how our process is unfolding, and having timely responses to our requests for meetings, information, and advice. We are happy to share our contact list for all federal and provincial authorities, so that you may consider if alternate or additional contacts should be added. Also, we thank all federal authorities who have contributed to this Regional Assessment so far.

We assure the signatories of the Agreement that, given the high-level nature of Regional Assessment, the potential effects of offshore wind energy development, the mitigation measures we identify, and our recommendations for offshore wind licensing and future impact assessments will be relevant throughout the entire Study Area.

Finally, we thank you again for accepting our requested amendments to the Agreement to conduct the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador.

Thank you,

Shayne McDonald (Chair), Glenn Blackwood, Leslie Grattan, Brian Power, and Paul W. Saunders
Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador