



Agency File No: 005892

July 14, 2023

ELECTRONIC MAIL

Request for Federal Expert Advice

- Environment and Climate Change Canada
- Natural Resources Canada
- Fisheries and Oceans Canada
- Transport Canada
- Health Canada
- Innovation, Science and Economic Development Canada
- Indigenous Services Canada
- Indigenous Services Canada, First Nations and Inuit Health Branch
- Crown-Indigenous Relations and Northern Affairs Canada
- Infrastructure Canada
- Parks Canada
- Public Health Agency of Canada
- Women and Gender Equality Canada
- Heritage Canada
- Employment and Social Development Canada

Dear Colleagues:

Subject: 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 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 Impact Assessment Agency of Canada (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 from the public (that the Agency is aware of) and Indigenous groups; and expert advice from federal authorities and input from provincial ministries in order 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 Federal Authority Advice

The Agency is requesting that you complete and provide the attached form by **August 3, 2023**.

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 Proponent 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>.

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 or the response sheet, 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 (5):

- 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
- 5) Federal Authority Advice Record