

August 2, 2023

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Government of Canada
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Dear Ms. Lalonde:

RE: Designation request received by the Minister of Environment and Climate Change Canada for the Port au Port-Stephenville Wind Power and Hydrogen Generation Project (also known as Project Nujio'gonik).

Thank you for the opportunity to respond to the request to designate the proposed Project Nujio'gonik under subsection 9(1) of the Impact Assessment Act.

The area under consideration for Project Nujio'gonik lies entirely within the traditional and ancestral territory of the Mi'kmaq people of Qalipu First Nation (QFN), the only recognized Indian Act Band within this portion of the Island of Newfoundland. Qalipu First Nation represents 25,000 First Nation members of which 10,000 members reside in the Port au Port, Stephenville, Codroy and Bay St. George areas of our territory.

QFN has five regional offices that offer community access to services and supports. These offices are in Corner Brook (Head Office), Grand Falls-Winsor, Glenwood, Gander, St. George's, and Stephenville. Four offices offer community space, where cultural events, gatherings, meetings and workspace can share with community free of charge. Core programs and services are delivered by a growing body of staff. Our service offering includes education and training, tourism development, health benefits and services, employment programs, registration assistance, environmental monitoring, culture and heritage and community economic development. Qalipu also conducts a variety of special programs which vary from year to year.

Qalipu First Nation believes in and supports the underlying premise behind the Canadian government's policy consistent with various Supreme Court decisions, and the landmark "1998 Commission on Aboriginal People" of "reconciliation" which underpins that First Nations are constitutionally recognized as self-governing with an undistinguishable right to benefit economically from resources and developments which exist or are proposed within their traditional territorial areas.

In 2022, prior to the commencement of this project, Qalipu First Nation, by Band Council Resolution, signed a Memorandum of Understanding (MOU) with World Energy GH2 which recognizes that the Government of Canada has provided its full, unqualified support to the United Nations Declaration on the Rights of Indigenous Peoples (“UNDRIP”) and the Call to Action no. 92 of the Truth and Reconciliation Commission which calls on the corporate sector to adopt UNDRIP “as a reconciliation framework” and to ensure that Aboriginal peoples have equitable access to jobs, training, and education opportunities in the corporate sector...”.

Given the aforementioned, as Chief of Qalipu First Nation, speaking on behalf of all our members, I am pleased to respond to the 2 questions submitted to us by your agency.

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)

Within the project footprint there were no ceremonial or burial sites reported by participants of past Traditional Use (TU) studies.

(b) current use of lands and resources for traditional purposes (e.g., hunting, fishing, trapping)

Reflecting on previous Traditional Use (TU) studies in the Port au Port area, participants identified a multitude of locations for harvesting medicinal plants, food plants and berries, which made up the vast majority of data on the peninsula, followed closely by farming. The peninsula was also identified as an active area for harvesting waterfowl, other birds, cutting logs for firewood, cabins, and wharves. Additionally, moose hunting, trapping, harvesting rabbit, harvesting ptarmigan/grouse as well as fishing for trout have been and continue to be important activities for people of this area. These activities spanned the entirety of the peninsula, though to a lesser extent than in the Bay St. George South – Codroy region.

Bay St. George south, ranging from the Robinsons area and extending down to the Codroy valley was identified as a hotbed of Indigenous activity with many past participants using the landscape as general hunting grounds that include moose, ptarmigan/grouse, waterfowl and other birds, rabbit, bear, and caribou. Harvesting wild berries, food and medicinal plants, farming and cutting logs were also popular activities in this region. Many past participants of our aboriginal traditional knowledge (ATK) Caribou study identified a caribou herd in the area and a potential migration route.

Roads that are created during the installation of the windmills may grant access to more remote areas and create new routes into new hunting and gathering grounds that were inaccessible before, but they may also negatively impact the current grounds that are utilized by our members by fragmenting

habitats and destroying existing berry patches or areas where medicinal plants are harvested. Ponds and streams that have been traditionally fished could be negatively impacted by siltation resulting from road construction as well. Windmills have been known to have negative impacts on marine bird and songbird populations, which may have adverse effects on memberships ability to harvest waterfowl. Spatial analysis using GIS software with more precise data of the project could help narrow the focus to get a better understanding of how traditional lands and activities would be impacted. Additional research and work will be required on an ongoing basis to better understand and help mitigate any negative impacts this project might have on the natural environment.

(c) structures, sites or things of historical, archaeological, paleontological or architectural significance

Past TU and Aboriginal Traditional Knowledge (ATK) studies have identified sites where our members have built cabins, lean-tos/wigwams and old Mi'kmaw village sites within the general project area of interest in both Port au Port and Bay St. George South-Codroy. While these sites have been reported by membership, there are no formally recognized historical, archaeological or paleontological sites in these areas that have been identified to date. Additional research and work will be required for Qalipu First Nation to identify these potentially significant cultural areas.

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).

i) Employment Opportunities

Qalipu First Nation (QFN) recognizes that a project of this scale will create a considerable number of direct and indirect job opportunities for our members and other residents who live in close proximity to the proposed development. At the outset of this project, QFN was invited to meet and discuss the project and then entered into an agreement with World Energy GH2 in the form of an MOU to ensure that our members in the local area have priority to new job opportunities. To ensure that our members are ready for these new jobs, QFN is also working with Memorial University, the College of the North Atlantic, Skilled Trades NL and others to ensure our members will have the skills they require to avail of these jobs.

Our wholly owned, arm's length business arm, Qalipu Holding Limited Partnership, has recently signed a joint venture agreement with De Oude Bibliotheek Academy ("DOB Academy") of the Netherlands, a recognized leader in Wind and Hydrogen education and training programs, to establish an Institute on the West Coast of Newfoundland in association with Project Nujio'qonik.

This will allow for the transfer of their knowledge, experience and expertise to our own educators and through them to local workers involved in the wind and hydrogen industry. This will create a better opportunity for our members to find meaningful, long-term employment within this new industry. GH2 estimates that as many as 1800 full-time equivalent jobs will be created over the startup phases of the Project with an additional 200-300 long-term, well-paying jobs once construction on the project has been completed. We believe this will have a significant, long-term, positive, and meaningful social and economic impact on what has for decades been an economically disadvantaged region of our territory.

Qalipu Holdings is also in advanced discussions with several national and international companies related to engineering, construction, workforce camp services, industrial equipment supply, specialized industrial site security and human resources recruitment and management. These would be long-term contracts which would employ local residents and Qalipu members.

Education and Training

The mandate of QFN's Education and Training Department is to improve the employability of individuals and help ensure they enter the labour market with adequate jobs. In particular to:

- Support the creation of local opportunities in the labour market;
- Help communities develop and implement measures likely to solve their labour market problems; and,
- Encourage employers to assume responsibility for satisfying the labour market's changing needs for skills.

QFN, through Education & Training (ET), administers several education, training, and employment initiatives from various funding sources such as funding individuals for post-secondary education, funding employment programs such as wage subsidies, self-employment assistance, targeted training initiatives, and skills parachute programs. We currently have clients completing programs, and clients who have already completed programs to prepare them for positions related to World Energy GH2.

QFN also has access to members education and work experience through the Indigenous Labour Market Initiative (ILMI). This database includes a skills inventory of the working age population (15+) and labour market information. The information contains current and previous employment situations, education, and skills levels of Community members. This database will assist QFN in the development and implementation of future projects for the advancement of its members such as the World Energy GH2 project.

Therefore, QFN's Education and Training Department is well positioned to work with World Energy GH2 and our partner companies and organizations in support of our members who may require training to prepare them for employment within this new energy sector and to assist members who will have a greater opportunity to establish their own businesses and create their own opportunities in relation to

this project. We see this as an opportunity to grow our programs and create greater internal capacity in support of all our members.

It is our priority to ensure that our members are prepared for this new industry that will be created on their doorstep.

ii) Health and Wellness

It is well understood that a significant increase in well-paying jobs will create a greater demand for more and better services in a region. We anticipate and understand that there will be an increased demand for a wide variety of services due to an increase in new workers moving into the area. This applies particularly to health services.

Currently, the Band offers a number of services to our members, services which can expand as the need grows.

Non-Insured Health Benefit(s) – Medical Transportation & Mental Health Counselling

QFN administers mental health counseling and medical transportation benefits provided to members through funding supports provided by the Federal Government. The Health and Wellness Department has Support Specialists in place to provide members with the support they need in understanding these benefits and to process claims submitted for financial reimbursement. All QFN members are also eligible for confidential mental health counseling that is directly billed to QFN. As part of the administration of Mental Health Counselling, QFN approves all Mental Health Clinicians working with membership, including third party services and QFN Mental Health Clinicians, the number of sessions, extensions, account payable and receivable. This flexibility allows QFN to adjust and adapt to current regional needs, allowing the hire and assignment of additional mental health resources to meet community needs related to mental health and addiction, as necessary. Simply put, as the need grows our services will grow.

Navigators

The Health and Wellness Department has created three positions within their department to help its members navigate the often confusing and stressful health care system. These positions allow QFN to help alleviate the burden on its membership while connecting them with needed supports.

NIHB Navigator: this position supports First Nation and Inuit communities in accessing and gaining an increased understanding of existing health services, the NIHB program, and what is covered while identifying ways of improving health services for First Nations & Inuit.

Mental Wellness Navigator: this position will support and be a point of contact for individuals, families, and the community who want to access Band, Provincial, and Federal mental health programming.

The purpose of this position is to aid in removing barriers for the clients; ensuring clients can access mental wellness, addiction, trauma, and life promotion programs where needed.

Indigenous Patient Navigator: this position advocates, supports, navigates and is a point of contact for individuals and families who are receiving care within the provincial health system. The navigator acts as a bridge between patients, their community, and the health care system with the aim of improving health care access, equality, and culturally appropriate health care.

Jordan's Principle Service Coordinator.

The Jordan's Principle Service Coordinator provides support and a point of contact for individuals, families, and the community by supporting case management, intake, assessment, and service coordination while providing outreach and community engagement related to Jordan's Principle. The Service Coordinator removes barriers for the client to ensure they can access equitable and culturally safe health, social, and educational supports.

As you can see from the above, QFN already provides a wide range of Health and Wellness programs for our members. In anticipation of Project Nujio'gonik moving forward, we have already started working with local towns, community organizations, government agencies and private providers. QFN has also begun work on a number of new initiatives to help alleviate existing gaps in service in the areas of seniors' housing, affordable housing, and access to health care and long-term care in this largely rural area of our territory by developing our own services and programs in direct support of our members in the areas that will be most directly impacted by the project. This preliminary work is being undertaken now to help QFN to expand and in several cases, develop new and innovative programs and services for our members in the local area in anticipation of this project being sanctioned.

By taking a proactive approach, and in collaborating with our community partners, we are confident that, by directing any potential new revenues generated by QFN owned businesses as a result of this project moving forward, we will be able to develop additional capacity to support our members needs using new, own source revenues that are not currently available to us.

It is important to recognize that First Nations are constitutionally recognized as self-governing with a right to benefit economically from resources and developments which exist or are proposed within their traditional territorial areas. As a non-reserve Band, Qalipu First Nation is almost completely dependent on the Federal Government and Federal agencies for all our operating funds. Our own source revenues are extremely limited and amount to approximately 5% of our revenues on an annual basis. Project Nujio'gonik presents itself as an opportunity to move towards greater financial self-sufficiency which in turn will allow us to invest in the programs and services that our members need, the majority of whom, live on the West Coast of the island of Newfoundland.

In closing, Project Nujio'gonik aims to be North America's first commercial green hydrogen project and holds the possibility to produce the first commercial scale quantities of green hydrogen in the world. Newfoundland and Labrador's resource sector, specifically related to wind energy, presents considerable opportunity for increased economic activity in Qalipu traditional territory and communities as well as the province as a whole.

We recognize that energy markets are evolving rapidly, and there is increased focus on green technologies which will become an important and growing part of the future global energy mix. Newfoundland and Labrador's abundance of wind and water resources make it a world-class area for green energy development. We view this project as a win for our economy, for many of our People and for our natural environment.

There can be no path to achieving Net Zero as a province or a country without a swift and meaningful commitment to end the use of fossil fuels, and there can be no path to Net Zero without the participation of Indigenous Nations. Qalipu First Nation does not agree, with the request to designate Project Nujio'gonik as requiring a full Federal Impact Assessment under the Impact Assessment Act (IAA) for Project Nujio'gonik and further state that such designation by the Minister would be extremely detrimental to the interests of many of our Band members who live in the area, to our Nation as a whole, and for the next seven generations to follow.

Sincerely,

<Original signed by>

Brendan Mitchell, Chief

Qalipu First Nation

Backgrounder: Who is Qalipu?

Qalipu First Nation is part of the Mi'kmaq Nation whose territory extends from Maine to Quebec, through the Maritime Provinces and into Ktaqmkuk (Newfoundland). This territory is also known as Mi'kma'ki. This Indian Act Band is unique in its size (one of the largest Bands in Canada) and representation; Most Mi'kmaq ancestors who were denied rights when Newfoundland joined Canada in 1949 would not live long enough to see the government finally recognize their existence more than sixty years later. Instead, today, some twenty-five thousand of their descendants proudly claim Indian status in their place.

According to Hanrahan (2003) Mi'kmaq oral history there has been a Mi'kmaw presence on the island since the 1400s. The earliest documentation, however, of Mi'kmaq living in Ktaqmkuk was in 1594 by J.D Rogers, who noted "Indians" had a village on St. George's Bay and hunted the shores of White Bear Bay (Rogers, 1931).

In the 1870's, the colonial government of the time established 5 reserves in Newfoundland. St. George's, Conne River, Hall's Bay, Gambo, and Codroy Valley.

Qalipu First Nation is what Indigenous Services Canada calls a "landless band," meaning that QFN does not manage any government-owned reserve lands. Although most bands are not landless, this is not a unique situation. Throughout Canada, other First Nation bands are landless.

It is important to note that being a non-reserve band does not imply Qalipu has given up any ancestral or territorial rights. Certain Indigenous rights have been enshrined in section 35 of the Canadian constitution and have been interpreted by the supreme court on numerous occasions. The predecessor of Qalipu, the Federation of Newfoundland Indians, asserted Mi'kmaq traditional rights for over 60 years after confederation. Their efforts culminated in the formal recognition of the Qalipu First Nation, under the Indian Act, in 2011, making it the second of two recognized Indian Act Bands on the Island of Newfoundland that speak for Mi'kmaq people: Qalipu First Nation and Miawpukek First Nation. As such, Qalipu First Nation would certainly enjoy its constitutional right to be the primary recipient of any resource benefits resulting from developments within its traditional communities and adjacent territories.

The underlying premise behind the Canadian government's policy of "reconciliation" consistent with various Supreme Court decisions, and the landmark "1998 Commission on Aboriginal People", underpins that First Nations are constitutionally recognized as self-governing with a right to benefit economically from resources and developments which exist or are proposed within their traditional territorial areas.

Qalipu traditional territory includes an area equivalent to about two-thirds of the island portion of the province as defined by its electoral wards and recognized by the federal government.

Today, Qalipu is made up of 67 traditional Mi'kmaq communities, spread out over 9 Electoral Wards (Appendix A), while an additional 112 adjacent communities also fall under the Band's recognized territory (Appendix B). An elected Chief and Council govern the Qalipu First Nation. Ward Councillors are elected to represent each of the nine Wards. Additionally, two Vice-Chiefs represent western and central Newfoundland, and the Chief is the official spokesperson and leader of the Qalipu First Nation as a whole.

Qalipu has five satellite offices located in Gander, Glenwood, Grand Falls-Windsor, St. George's, and Stephenville and its central administrative office is in Corner Brook. These offices give representation to the regions of our dispersed Mi'kmaq communities.

Core programs and services are delivered by a growing body of staff. Our service offering includes education and training, tourism development, health benefits and services, employment programs, registration assistance, environmental monitoring, culture and heritage and community economic development. Qalipu also conducts a variety of special programs which vary from year to year.

Business and corporate development are led by Qalipu Holdings Limited Partnership (QHLP). QHLP was established by the Chief and Council as an independent, arms-length corporate business entity. It functions as a holding company for all business operations and investments of QFN. It now owns and manages two international companies based in the US and The Netherlands. Its primary mandate is to manage the Band's portfolio of existing business operations and seek new investment and joint-venture opportunities to ensure the Band's long-term economic growth and overall sustainability.

"Qalipu Mi'kmaq First Nation exists to achieve the advancement of our people."

Appendix A:

The Government of Canada has recognized the following list of Newfoundland Mi'kmaq communities as part of Qalipu first Nation: there are a total of 67 communities accepted by the Enrolment Committee.

These communities include: • Abraham's Cove • Appleton • Badger • Birchy Bay • Bishop's Falls [Kjipa'tila'sewey] • Black Duck Brook • Black Duck Siding • Boswarlos • Botwood • Brown's Arm • Buchans • Burgeo [Nujio'qon] • Campbells Creek • Campbellton • Cape St. George • Comfort Cove • Corner Brook • Cox's Cove • Deer Lake [Qalipue'katik] • Flat Bay [Epwikek] • Fox Island River • Gallants • Gander • Gander Bay South • Gander Bay North • Gillams • Glenwood • Grand Falls-Windsor [Qapsku'k] • Hughes Brook • Humber Arm South • Irishtown/Summerside • Kippens • Lark Harbour • Leading Tickles • Lewisporte • Lourdes • Lower Cove • Mainland • Massey Drive • Mattis Point • McIvers • Meadows • Millertown • Mount Moriah • Norris Arm • Northern Arm • Pasadena • Peterview • Piccadilly • Point Leamington • Port au Port East • Port au Port West • Red Island • Sheaves Cove • Ship Cove • Sop's Arm, • Swift Current • St. Albans • St. Fintan's • St. George's [Nujio'qonik] • St. Teresa's • Steady Brook • Stephenville • Stephenville Crossing • Three Rock Cove • West Bay • York Harbour

Appendix B:

In addition to Appendix A, an additional 112 communities fall under the group acceptance criteria for membership in Qalipu First Nation residency requirements in/around Appendix A communities:

They include: • Barachois Brook • Baytona • Beaver Cove • Bellmans Cove • Benton • Berry Head • Bonne Bay Pond • Bottle Cove • Boyd's Cove • Bridgeport • Brighton • Buchans Junction • Camp Boody • Carmanville • Cartyville • Chanceport, • Clarkes Head • Codroy Pond • Cold brook • Cormack • Cottlesville • Cottrell's Cove • Curing • Davidsville • De Grau • Dormans Cove • Embree • Fairbanks-Hillgrade • Fischells • Fortune Harbour • Fredrickton • Gambo • Garden Cove • Glover Harbour • Goose Cove • Grand Jardin • Heatherton • Highlands • Horwood • Howley • Humber Village • Jackson's Arm • Jeffrey's • Jerry's Nose • Laurencton • Little Burnt Bay • Little Harbour • Little Rapids • Lock Leven • Long Point • Loon Bay • Lunches Bight/Beaumont • Maidstone • Main Point • Marches Point • Masons Cove • McKay's • Michaels Harbour • Milltown/Head of Bay d'Espoir • Moreton's Harbour • Morrisville • Nicholville • Noels Pond • Noggin Cove • Norris Arm North Side • North Branch • North Harbour • Notre Dame Junction • Petit Jardin • Petries • Phillips Head • Pilley's Cove/Island • Pleasantview • Point au Mal • Point of Bay • Pollard Point • Port Albert • Porterville • Purbeck's Cove • Pynn's Brok • Ramea • Red Brook • Reidville • River Brook • Robinsons • Rodgers Cove • Romaines • Salmon Cove • Seal Rocks • Shallops Cove • Sop's Arm • Spruce Brook • St. Veronica's • St. David's • St. Joseph's Cove • Stanhope • St-Judes • Stoneville • Summerford • Swanger Cove • Triton • Valley Pond • Victoria Cove • Virgin Arm/Carter's Cove • Westport • Wings Point • Winterhouse