

May 19, 2023

Lauchie MacLean  
Project Manager, Atlantic Region  
Impact Assessment Agency of Canada  
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Dear Mr. MacLean,

Thank you for your letter of May 12, 2023, regarding a designation request for the Port au Port-Stephenville Wind Power and Hydrogen Generation Project, Newfoundland and Labrador. In your letter, you asked for further information in five areas:

1. Key activities and components being proposed and, if applicable, the relationship of the Project to existing infrastructure (e.g., distance to existing infrastructure, use of existing infrastructure);
2. Activities currently underway and estimated timelines for planning, approvals, construction, operation, and decommissioning;
3. A list of known or anticipated regulatory approvals (federal, provincial, municipal, other);
4. World Energy GH2 Inc.'s views regarding whether any of its proposed or potential future activities are described on the Project List; and
5. Any other information World Energy GH2 Inc. is able to provide that may be relevant in the Agency's review.

After a brief update on our project status, this letter addresses each of these below.

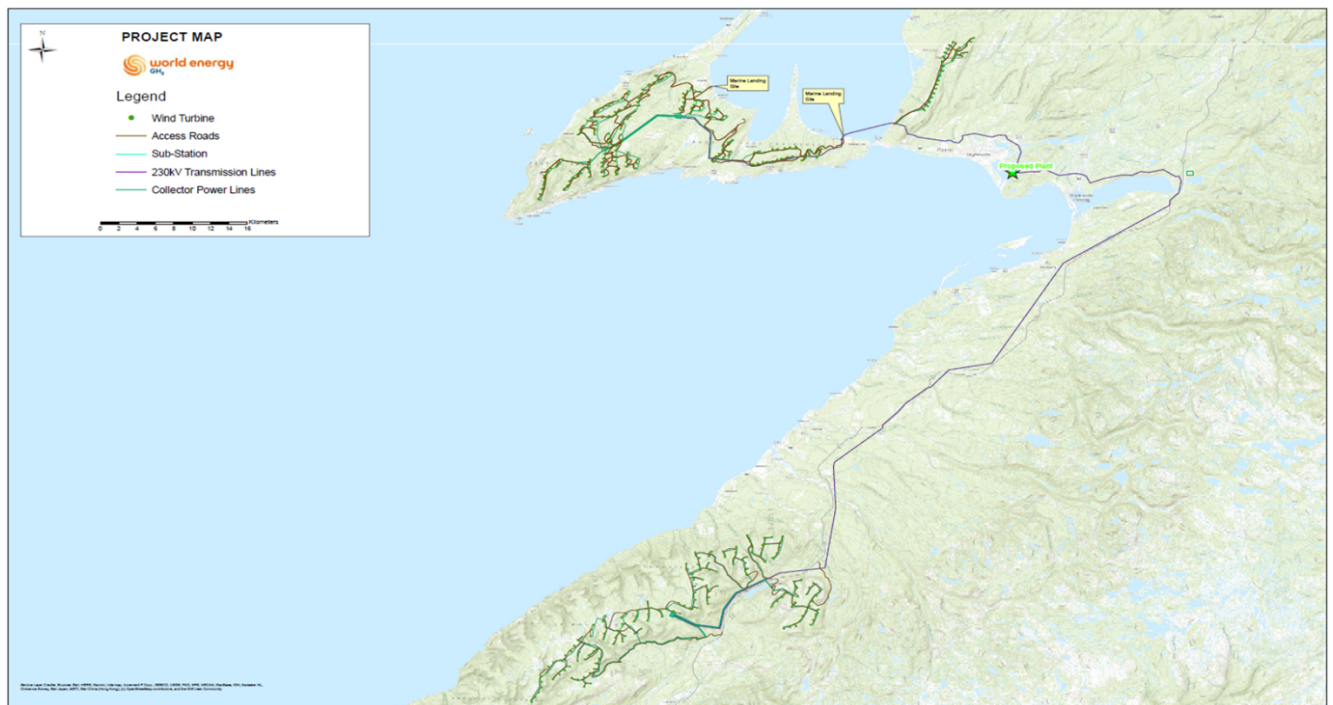
### Project Update

Project Nujio'qonik was registered under the Newfoundland and Labrador *Environmental Protection Act*, SNL 2002 cE-14.2 (the Act) and the Environmental Assessment Regulations, 2003 (the Regulations) on June 21, 2022. After a public review of both the Registration Document and the draft Environmental Impact Statement (EIS) guidelines, final EIS guidelines were issued to World Energy GH2 by the Minister of Environment and Climate Change on December 13, 2022 (<https://www.gov.nl.ca/ecc/files/2202-Registration-Document.pdf>). The EIS Guidelines issued for this project require a complete environmental, health and socioeconomic impact assessment, requiring 22 supporting studies and 12 management plans. The EIS Guidelines for Project Nujio'qonik state:

The EIS shall describe all components and sites that are needed to make the Project operational and viable (i.e., Sites B and C1 referenced in the Proponent's environmental assessment registration document, if applicable, and other sites if required).

The initial Project included one wind farm site, the Port au Port Wind Farm. Resulting from the ongoing intensive design, engineering, and financial analysis of the Project, one of the potential future expansion sites (Site C – Codroy Wind Farm) was considered necessary to make the Project “operational and viable” and has been scoped into the Project. Additionally, an extended Port au Port Wind Farm location was identified and is named Port au Port East. Site B was dropped from the subsequent Crown land nomination process. The addition of the Codroy Wind Farm to the core Project plan was presented to the Environmental Assessment Committee (EAC) on February 7, 2023. The Project is definitively a single project with two wind farm locations.

**Figure 1 – Project Nujio'qonik Layout**



Project Nujio'qonik has further evolved since the Project Registration was submitted on June 21, 2022, as follows:

- 1) We have updated the layout to remove all wind turbines from municipal water supply areas, thereby reducing the number of turbines on the Port au Port Peninsula. Note the designation of LeCointre's Brook as a protected public water shed occurred in 2023, subsequent to the Project Registration.

- 2) We no longer plan to discharge wastewater from the H<sub>2</sub>/NH<sub>3</sub> Plant into the municipal wastewater system of Stephenville. A marine discharge point is now proposed for Plant discharge water. The Plant discharge is freshwater that has been rejected through the electrolysis process.
- 3) We have proposed two temporary marine landing sites to alleviate traffic concerns on the Port au Port Peninsula.
- 4) We are proposing a 230kV submarine cable, approximately 6 km in length, from the Port au Port Peninsula, across Port au Port Bay, to avoid the congested Port au Port Isthmus with the transmission line.
- 5) We are also investigating the use of a jettyless offloading system to minimize the port development.
- 6) Although subject to bathymetry survey and tanker size, dredging may be required within the channel to Port Harmon and within the Port itself. The Port has undertaken routine maintenance dredging several times in recent history, but since the most recent dredging activity was in 2004, a subsequent dredging program would not be considered maintenance dredging given the lapse in time.

Through ongoing engagement with provincial and federal regulators, we have presented project modifications, including those in the marine environment to the 27-member EAC on April 20, 2023. We have also consulted with each federal department represented on the EAC (i.e., Environment and Climate Change Canada; Transport Canada; and Fisheries and Oceans Canada) specifically to review activities associated with the Project within federal jurisdiction. In each of those engagements, guidance was provided on how to assess those impacts within the provincial EIS, and which federal permits would apply. This guidance has confirmed that the potential adverse effects will be adequately managed by existing regulatory mechanisms, complemented by provincial EIS release conditions. At no time was there a suggestion of a federal impact assessment being required.

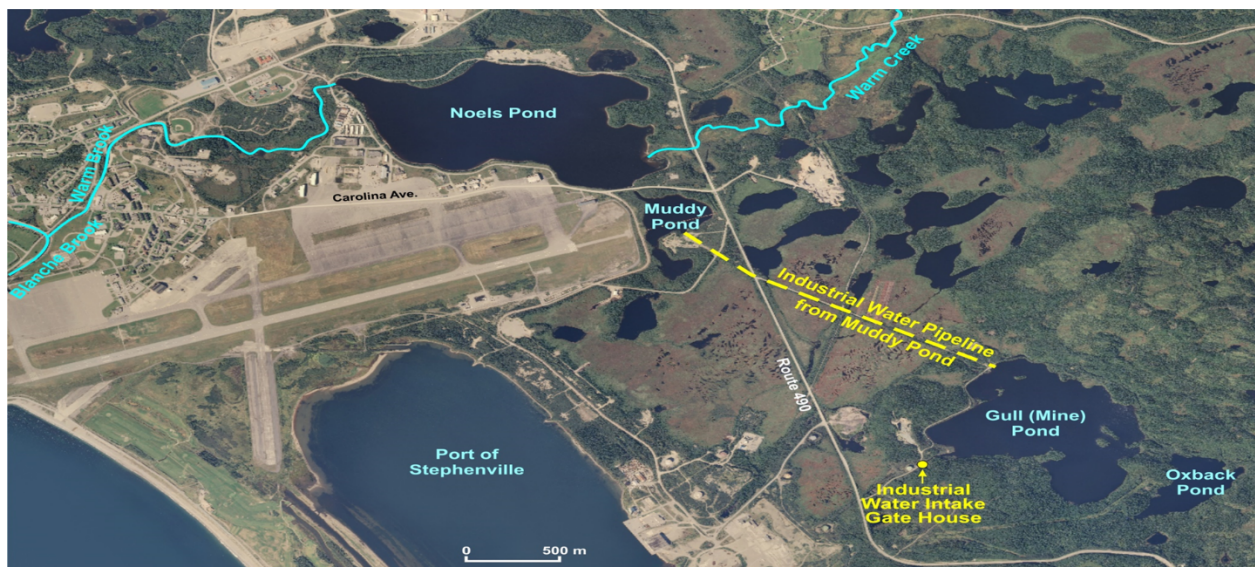
Our marine activities all require federal permits, each of which requires an assessment of potential effects, as well as consultation with stakeholders and rightsholders. There is a regulatory framework in place for permit application review and for conditions to be imposed as part of the approval process. None of our planned activities are on the Designated Projects List. Although marine activities were not fully described in the initial registration document due to the early stage of the project ideation, they have been communicated in full to the EAC and will be assessed in the EIS as a standalone chapter.

The project changes noted above were discussed at each of four open houses conducted in the Project Area during the week of April 24, 2023. World Energy GH2 welcomed approximately 400 people through 20 hours of open house sessions. Visitors of the sessions were overwhelmingly supportive of the Project with approximately 40 comments received (~10%) of an unsupportive nature.

1. Key activities and components

During Phase One (1), Project Nujio'qonik will be operated using up to 164 wind turbines between the Port au Port Peninsula and Port au Port East wind farm areas, as the primary power source to generate approximately 1,000 MW of wind energy. Figure 1 illustrates the preliminary layout of turbines, collector lines and transmission lines. The electrolysis plant will be sized initially to accommodate input of 600 MW (due to capacity factor of the wind resource being ~ 50%). We estimate approximately 70,000 tonnes of hydrogen per annum will be produced during the first phase of the Project, which amounts to 360,000 tonnes per annum of ammonia (when converted to ammonia). The water supply from day one of the plant operation will come from the same surface water source and infrastructure used by the former Abitibi paper mill at the Port of Stephenville. Figure 2 illustrates the existing water diversion infrastructure (in yellow) to be used by Project Nujio'qonik. The water intake gate house is less than 1 kilometer from the proposed hydrogen/ammonia plant site at the former Abitibi mill site at the bottom centre of Figure 2.

**Figure 2 – Existing Industrial Water Infrastructure**



Phase Two (2) is comprised of a renewable power expansion including an additional approximately 1,000 MW of installed wind energy from up to 164 wind turbines within the Codroy Wind Farm. Accordingly, the hydrogen / ammonia plant capacity will be increased with the addition of a second 600 MW electrolyser to achieve a cumulative electrolysis capacity of 1,200 MW. We estimate approximately 140,000 tonnes of hydrogen per annum will be produced which amounts to 720,000 tonnes per annum of ammonia (cumulative) at the completion of this second phase.

Depending on market demand and utilization, there may be potential opportunity for future expansion of the Project through additional wind power generation; however, the Project is economically viable on the basis of Phase One and Phase Two. Future expansion may be viable and some of the plant facilities are planned to be larger to accommodate potential future expansion. The nominal design life of the project is 30 years.

## 2. Activities currently underway

World Energy GH2 has undertaken a wind measurement campaign using meteorological towers and instruments to collect site specific data with which to optimize site layout and turbine specifications. Each tower site has attained the appropriate provincial and federal permits for crown lands, road access, tree clearing and tower installation.

World Energy GH2 and its team of consultants are continuing to prepare the EIS in compliance with the Projects EIS Guidelines, for planned submission in September 2023. In accordance with the Newfoundland and Labrador *Environmental Protection Act* and Environmental Assessment Regulations, the public was given 35 days to review the registration document for Project Nujio'qonik and provide comment. Additionally, the public was given 40 days to review the draft EIS guidelines and provide comment. In accordance with the published guidelines, the public will have an additional 50 days to review the document and provide comment once our EIS is submitted in September 2023.

In cooperation with the Qalipu First Nation, a key project partner, we currently are gathering data on Indigenous fisheries and traditional land and resource use. A survey is being completed within the First Nation communities to ensure we solicit feedback from the local people on traditional land use. This information will be included in the EIS as a stand-alone chapter.

Civil works associated with construction of the Port au Port area wind farm are scheduled to commence in late 2023, with wind farm construction beginning 2024 to power hydrogen and ammonia plant production in Q1 2026. Plant commissioning and first

hydrogen production is planned using grid power in 2025. Early civil works are scheduled to begin in 2024 and wind farm construction scheduled for 2025 at this location.

3. A list of known or anticipated regulatory approvals

The list of known and anticipated regulatory approvals for Project Nujio'qonik is appended (Attachment 2).

4. World Energy GH2 Inc.'s views regarding whether any of its proposed or potential future activities are described on the Project List

Our view is Project Nujio'qonik is not a designated project pursuant to the Physical Activities Regulations and, respectfully, should not otherwise be designated by the Minister for assessment pursuant to the discretionary authority in subsection 9(1) of the *Impact Assessment Act*.

Project Nujio'qonik is **not** planning any activities defined within the Physical Activities Regulations. Any tankers calling at the port are expected to be **less** than 25,000 Deadweight Tons (DWT) and we are **not** constructing or expanding water diversion infrastructure. We **will** use **existing** infrastructure and, if an expansion is required/identified through the progression of the Project design, we would **not** increase total diversion capacity by greater than 50%.

5. Any other information World Energy GH2 Inc. is able to provide that may be relevant in the Agency's review.

We have a strong and formal partnership with the Qalipu First Nation. We have also established a formal partnership with the Three Rivers Mi'kmaq Band and are currently advancing discussions with the Flat Bay Band, the Benoit First Nation, and the St. George's Mi'kmaq Band, amongst others. All local First Nations are highly supportive of Project Nujio'qonik.

Overall, the response to the Project has been extremely positive; the majority of inquiries made are pertaining to employment, training and service / supplier opportunities. Our approach is to continue engaging with community leaders to share information about the Project, and to work with Indigenous, industry and local business leaders to build understanding of the opportunities this project will bring to the area, the province and Canada. Project Nujio'qonik supports the Canada-Germany Hydrogen Alliance and aims to ensure Canada is able to meet its commitments to our important ally (<https://natural-resources.canada.ca/climate-change/adapting-impacts-and-reducing-emissions/canadas-green-future/the-hydrogen-strategy/joint-declaration-intent-between-the-government-canada-and-the-government-the-federal/24607>).

We would be happy to discuss our response with you at your convenience.

Sincerely,

<Original signed by>

David Pinsent, M.Sc  
Environment and Sustainability Manager

Attachment 1: WEGH2 Response to ETC letter of April 18, 2023 & Letters of Support

Attachment 2: Project Nujio'qonik list of anticipated permits

May 19, 2023

**Response to the Request for Project Designation by the Port au Port Peninsula Environmental Transparency Committee (ETC) dated April 18, 2023**

World Energy GH2 is excited to propose Canada's first and lowest carbon intensity green hydrogen project in Newfoundland and Labrador. Our project is situated to harness one of world's best wind resources, all within land areas made available by the province.

We are compelled to provide a substantive response to a letter dated April 18, 2023, addressed to Minister Guilbeault. We received this letter on May 11, 2023. The letter was prepared by a member of the Port au Port Peninsula ETC. This small group is well known in the area for opposition to various development opportunities. Active leadership of the ETC includes NL United political party leader Darrell Shelley. Mr. Shelley is not a resident of the Port au Port Peninsula. The group of 12 – 20 people has shown extreme actions both in person via protest / blockades and through inflammatory posts and attacks on social media. WEGH2 is confident the number of people associated with this very vocal group is extremely small compared to the thousands of local supporters the Project is pleased to have gained. The Port au Port Peninsula has a population of approximately 3,500 people and includes the approximate 2,000-person strong Benoit First Nation, who is a formal and vocal supporter of World Energy GH2.

As a result of engineering work and stakeholder input, Project Nujio'qonik has evolved in many ways since the Project Registration was submitted nearly one year ago. Planned modifications include the following:

- Redesign of the layout to remove all wind turbines from municipal water supply areas.
- Zero discharge from the Plant site into the municipal wastewater system of Stephenville. The Plants discharge of rejected freshwater from the electrolysis process will be discharged to the marine environment.
- Two marine landing sites to alleviate traffic concerns on the Port au Port Peninsula.
- Submarine cable approximately 6 km in length to bypass the congested Port au Port Isthmus.
- A jettyless offloading system to further improve safety of the shipping operations.
- Dredging of the port channel if necessary following bathymetric surveys.

We have presented specifically on these project modifications at each of numerous community engagement sessions in the Project Area during recent months. Most recently, World Energy GH2 welcomed over 400 people over 20 hours of open house sessions during the week of April 24, 2023. There were approximately 40 individual comments received that were not supportive of the Project. Over 90% of the participants that attended the open houses were in support of the Project.



We have reviewed the Physical Activities Regulations (Projects List) and can state confidently that Project Nujio'qonik is not planning any activities on the Projects List. Green ammonia tankers are planned to be less than 25,000 DWT and we are not constructing or expanding water diversion infrastructure. We plan to use existing infrastructure and, if an expansion is required, we would not increase total diversion capacity by 50% or more.

The environmental assessment process in Newfoundland and Labrador is both thorough and rigorous. The Environmental Impact Statement (EIS) Guidelines issued for this Project require a complete environmental, health and socioeconomic impact assessment, requiring 22 supporting studies and 12 management plans.

## **RESPONSE to RATIONALE FOR DESIGNATION**

Generally, many of the points made within the ETC letter (April 18, 2023, to Minister Guilbeault), are predicated on the Project being designated under the Impact Assessment Act, which it has not been. Nevertheless, a response is offered to each point on this topic is outlined below.

### **ETC Assertion**

1. *Adverse Impacts in Areas of Federal Jurisdiction*

### **WE GH2 Response:**

Through ongoing engagement with provincial and federal regulators, we have presented project modifications, including those in the marine environment to the 27-member Environmental Assessment Committee (EAC). We have also held one-on-one conversations with each federal department represented on the EAC (Environment and Climate Change Canada, Transport Canada and Fisheries and Oceans Canada), specifically to review the marine activities associated with the Project. In each of those engagements we heard guidance on how to assess those impacts and which federal permits would apply. This guidance has confirmed that the potential adverse effects will be adequately managed by existing regulatory mechanisms, complemented by provincial EIS release conditions. We heard no suggestion of a federal impact assessment being required.

In partnership with the Qalipu First Nation, a project partner, we are gathering data on Indigenous fisheries and traditional land and resource use. A survey is being completed within the First Nation communities to ensure we hear from the local people on traditional land use.

We have a strong and formal partnership with the Qalipu First Nation. We also have an established partnership with the Three Rivers Mi'kmaq Band Council and are currently advancing discussions with the Flat Bay Band, the Benoit First Nation, and the St George's

Mi'kmaq Band, amongst others. All local First Nations are supportive and excited about Project Nujio'qonik.

**ETC Assertion:**

2. *As we will also note below, there are a number of exceptional elements of this project, and of the process so far, which are of significance to all Canadians, and which require federal involvement of the highest order. These include:*
  - a) *the unique and untried nature, scale, and complexity of this project*

**WE GH2 Response:**

According to the Canadian Renewables Energy Association, wind energy is now the lowest-cost source of new electricity generation in Canada. There has been more wind-energy capacity installed in Canada over the last decade than any other form. There is over 743 GW of wind power capacity worldwide, helping to avoid over 1.1 billion tonnes of CO<sub>2</sub> globally (<https://gwec.net/global-wind-report-2021/>). Hydrogen and ammonia plants have been safely in operation all over the world for over a hundred years. Newfoundland and Labrador has been producing hydrogen for decades at the Come by Chance refinery. Powering a hydrogen / ammonia facility by wind power is becoming more common around the world - the Project components are certainly not unique and use proven technologies.

**ETC Assertion:**

- b) *the blatant project-splitting that has been used in seeking approval*

**Response:**

As directed by the Project's EIS Guidelines, WEGH2 will assess all components and sites of the Project required to make the Project operational and viable. Project Nujio'qonik consists of the Port au Port Wind Farm, the Codroy Wind Farm, the hydrogen / ammonia plant and the associated connector and transmission lines. The Project is a single project involving two wind farms; there is no project-splitting.

**ETC Assertion:**

- c) *the compromised and un-transparent process (by both the provincial and federal government) that has blindsided us and imposed this situation on us against our will.*

**Response:**

Since March 2022, stakeholder engagement regarding Project Nujio'qonik has included meetings with individuals and groups, drop-in sessions within communities, opening a Community Information Office in Stephenville, delivering presentations to communities and business leaders, distributing brochures and household mailouts, launching a website

and social media accounts, sharing a monthly e-newsletter, conducting media interviews, and participating in community events and sponsorships. All federal and provincial regulations and guidelines have been followed and stakeholder engagement activities conducted by WE GH2 have greatly exceeded these requirements.

Our approach is to be open and responsive, and to build trusting relationships with our key stakeholders, including:

- Indigenous communities
- Community leaders and residents within the Project areas
- Business leaders
- Education partners
- Industry partners
- Government (municipal, provincial and federal)

So far, our engagement has resulted in the following:

- Complete support from Indigenous leaders, including letters of support and MOUs
- Strong community activity and engagement, including a committee developed to work with us representing all of Port au Port
- Strong support from the Town of Stephenville and all municipalities in the area
- Strong public opinion research results

Overall, the response to the Project has been extremely positive, with the vast majority of inquiries regarding employment, training and service / supplier opportunities. Our approach is to continue engaging with community leaders to share information about the Project, and to work with Indigenous, industry and business leaders to build understanding of the opportunities this Project will bring to the area, the province and Canada.

Most recently, during the week of April 24, 2023, our senior management team, including our CEO, and 10 subject matter experts visited the region to participate in 20 hours of community open houses over four days. Darrell Shelley and members of the ETC attended these open houses.

Further to the foregoing, in accordance with the Environmental Protection Act and Environmental Assessment Regulations, the public were given 35 days to review the registration document for Project Nujio'qonik and provide comment and were given 40 days to review the draft EIS Guidelines and provide comment. Once the EIS has been submitted, the public will have an additional 50 days to review the document and provide comment.

The claim that our approach has lacked openness and transparency is misinformed and entirely unsupported.

**ETC Assertion:**

*2. Species at Risk*

**WE GH2 Response:**

Project Nujio'qonik has been designed to not have any wind generating turbines located in existing or proposed ecological reserves, such as the Cape St. George Transitional Reserve on the Port au Port Peninsula. The EIS process is undertaking an ecological land classification to identify other areas where rare plants may occur, and field surveys will be conducted in high-risk areas. The first and most effective mitigation is impact avoidance. WEGH2 has committed to aligning infrastructure to avoid impacts to rare plants.

**ETC Assertion:**

*3. Migratory Birds Convention Act (MBCA)*

**WE GH2 Response:**

Systematic surveys with emphasis during the autumn and spring migration periods are a requirement of the Project's EIS Guidelines. Avifauna surveys began in the fall of 2022 and will continue up until construction to understand the migratory patterns of various species for the purposes of effects assessment and operational monitoring programs.

**ETC Assertion Item:**

*4. The Fisheries Act: Adverse Impacts on Marine Species, Fish and Fish Habitat, Aquatic Species at Risk.*

**WE GH2 Response:**

The marine activities associated with Project Nujio'qonik include routine civil works associated with installing a non-invasive, floating, jettyless loading system. Dredging plans are limited to within the channel and harbour for routine maintenance dredging which has been done for decades, installation of temporary marine access docks, and a submarine cable approximately 6 km in length to bypass the congested Port au Port Isthmus – this modification was made in response to community engagement sessions with local communities. We will continue our consultation with TC, DFO and ECCC to ensure compliance with the requirements of assessment and permitting. Impacts to fish and fish habitat on land are easily mitigated through the implementation of routine civil construction best practices.

**ETC Assertion Item:***5. Oceans***WE GH2 Response:**

As per the response to the question above regarding fish and fish habitat, we are engaged with various federal government departments to ensure we understand requirements for the complete assessment of marine activities within the EIS and associated permitting from each department.

**ETC Assertion Item:***6. Health Concerns***WE GH2 Response:**

The health of people and communities is a large part of the requirements of the EIS Guidelines. The following is a list of studies required as part of the EIS to understand and to inform the assessment:

- Transportation Impact Study
- Quantitative Risk Assessment
- Ammonia Effects Model
- Noise Modelling
- Air Dispersion Modelling
- Shadow Flicker Study
- Vibration Study
- Light Assessment
- Visual Impact Assessment
- Ice Throw Study
- Economic Model
- Labour Capacity Study
- Traditional Land Use Study

**ETC Assertion Item:***7. Canadian Navigable Waters Act***WE GH2 Response:**

We have been and will continue engagement with Transport Canada regarding requirements under the Canadian Navigable Waters Act.

**ETC Assertion***8. Public Participation***WE GH2 Response:**

WEGH2 has conducted industry-leading efforts to keep the municipalities and public informed of Project-related activities. Opportunities for the public to be engaged throughout the EIS process are outlined above.

WEGH2 has obtained permits as necessary for activities associated with Meteorological Evaluation Tower (MET) installations.

As mentioned above, over the past 12 months, the Project has held community meetings in over 20 communities, met directly with hundreds of people, and has reached thousands of people online. Our local community representatives are also available daily to answer questions in our community office.

**ETC Assertion***9. Climate Change***WE GH2 Response:**

Hydrogen emissions are not expected from this Project, as suggested. WEGH2 is required to account for all air emissions associated with this Project for provincial and federal reporting, plus for clean fuel certification in Europe. Low carbon intensity ammonia production is fundamental to Project Nujio'qonik, and we will be held responsible by regulators and buyers to supply an accounting of upstream and downstream emissions associated with this Project.

**ETC Assertion***10. Additional Area / Departments of Federal Jurisdiction that may be impacted***WE GH2 Response:**

There is tremendous regulatory oversight on this Project. We have been, and will continue to be, engaged with all 27 provincial and federal departments comprising the EAC and any other department that may require a permit for the Project. We estimate 167 permits will be required for this Project. The EIS Guidelines for this Project require a complete environmental, health and socioeconomic impact assessment, requiring 22 supporting studies and 12 management plans.

Regarding the Lynx sightings, we agree it is uncommon to see Lynx on the open road, but it does happen occasionally. The activities of WEGH2 during the winter of 2023 on the Port au Port Peninsula were contained to existing roads and areas accessible publicly by truck or snowmobile and ATV. WEGH2 did not demonstrably increase traffic in the area. Borehole drilling to anchor a meteorological tower was perhaps the most disturbing activity undertaken by WEGH2 on the Peninsula. There is no evidence to indicate that

the Lynx observed on the distant highway were there as a result of WEGH2 activities. WEGH2 staff or contractors did not see a Lynx while undertaking those activities.

### **ETC Assertion**

#### *11. Project Splitting*

### **WE GH2 Response:**

Project Nujio'qonik is not proposing any wind turbines offshore. As directed by the Project's EIS Guidelines, WEGH2 will assess all components and sites of the Project required to make the Project operational and viable. Project Nujio'qonik consists of the Port au Port Area Wind Farm, the Codroy Area Wind Farm, the hydrogen / ammonia plant, and the associated connector and transmission lines. Each of these Project components has been presented to the 27 member EAC and will be thoroughly assessed, including for potential cumulative effects. The Project is a single two-phased project; there is no project splitting.

### **ETC Assertion**

#### *12. Compromised and Un-transparent Process*

### **WE GH2 Response:**

WEGH2 has redesigned the Port au Port Wind Farm since the registration document was submitted to remove all turbines from water supply areas. Contrary to the assertion, the Minister of Environment and Climate change has advised the residents of Mainland that their water supply is safe to drink. (Please refer to this CBC article from March 31, 2023: <https://www.cbc.ca/news/canada/newfoundland-labrador/mainland-water-concerns-1.6796476>).

Since March 2022, stakeholder engagement regarding Project Nujio'qonik has included meetings with individuals and groups, drop-in sessions within communities, opening a Community Information Office in Stephenville, delivering presentations to communities and business leaders, distributing brochures and household mailouts, launching a website and social media accounts, sharing a monthly e-newsletter, conducting media interviews, and participating in community events and sponsorships.

Our approach is to be open and responsive, and to build trusting relationships with our key stakeholders, including:

- Indigenous communities
- Community leaders and residents within the Project areas
- Business leaders
- Education partners
- Industry partners

- Government (municipal, provincial, and federal)

So far, our engagement has resulted in the following:

- Complete support from Indigenous leaders, including letters of support and MOUs
- Strong community activity and engagement, including a committee developed to work with us representing all of Port au Port
- Strong support from the Town of Stephenville and all municipalities in the area
- Strong public opinion research results

Overall, the response to the Project has been positive with the vast majority of inquiries regarding employment, training and service / supplier opportunities. Our approach is to continue engaging with community leaders to share information about the Project, and to work with Indigenous, industry and business leaders to build understanding of the opportunities this Project will bring to the area – and the province.

Most recently, during the week of April 24, 2023, our senior management team, including our CEO, and 10 subject matter experts visited the region to participate in 20 hours of community open houses over four days. Darrell Shelley and members of the ETC attended these open houses.

In accordance with the Environmental Protection Act and Environmental Assessment Regulations, the public were given 35 days to review the registration document for Project Nujio'qonik and provide comment and were given 40 days to review the draft EIS Guidelines and provide comment. Once the EIS has been submitted, the public will have an additional 50 days to review the document and provide comment.

The claim that our approach has lacked openness and transparency is misinformed and entirely unsupported.

### **ETC Assertion**

*13. Subsidies (Provision of Federal Financial Assistance)*

### **WE GH2 Response:**

Once again, the reference to requirements for assessment under the Impact Assessment Act do not apply to Project Nujio'qonik. The economics of Project Nujio'qonik are carefully modelled and include government incentive programs for clean energy. Investment tax credits are predicated on the production of low carbon intensity fuels, in an effort to encourage private investment in clean energy.



### **ETC Assertion**

#### *14. Public Concern*

*“During the fall of 2022, we polled 11 of the 13 communities on our peninsula to get their views on this proposal from WEGH2. Eighty-four percent of those polled signed petitions not to allow this project to go ahead.”*

### **WE GH2 Response:**

As outlined previously in this document, the opposition to Project Nujio'qonik appears to be a within a small minority of residents of Port au Port. Over 90% of the comments received at the open houses were in support of the Project.

To provide some context regarding the Environmental Transparency Committee (ETC) and this poll, the ETC is a very small group of anti-development activists, led in the background by an aspiring provincial politician, Darrell Shelley. Shelley is a freedom convoy organizer and former PPC candidate who is leveraging the Project as a platform to build support for a proposed provincial party, NL United. Shelley has established himself as a spokesperson and organizer for the Port au Port Peninsula but resides in Stephenville. Shelley is well known to the provincial government as one who engages in vexatious activities. He and his followers are known for opposing any type of development in the area. This group is disruptive and antagonistic and will likely be active for the duration of the industry's development. We should not let extremists stifle this industry for the province, the country, and the world. Approximately 20-30 people are associated with this group, and they began anti-Trudeau and anti-development protests around the Aug. 23, 2022, Canada – Germany Hydrogen Alliance event in Stephenville, NL.

The ETC poll was administered door-to-door by Darrell Shelley and members of the ETC, along with anti-development material and a sign-up sheet for Shelley's proposed political party, NL United. The poll was not conducted in an objective, scientific method, and respondents were heavily influenced by the people conducting the poll. Many community members have since reported that they felt intimidated by the people conducting the poll and agreed with them to avoid conflict. The ETC poll does not reflect community sentiment regarding the Project.

### **ETC Assertion**

#### *15. Onshore and Offshore Wind*

### **WE GH2 Response:**

As stated above, Project Nujio'qonik consists of two on-land wind farms. As an aside, the regulatory framework for onshore wind has become much clearer than for offshore wind. Canada does not yet have a means to review applications for offshore licences and operational oversight.

**ETC Assertion**

*16. Risks of Hydrogen production and shipping: especially ammonia leaks and explosion*

**WE GH2 Response:**

Ammonia has been shipped around the world safely for decades. The EIS will include a risk assessment of the plant process as well as an effects assessment for an ammonia spill in the marine environment.

**ETC Assertion**

*17. Upstream and Downstream Impacts*

**WE GH2 Response:**

There are significant local economic benefits arising from this Project.

World Energy GH2 is committed to ensuring that the province and its residents receive significant economic and social benefit from the Project. The Project will be particularly impactful to the communities of western Newfoundland, and we will ensure our commitments are reflected and embodied in a robust and thoughtful project benefits agreement.

Overall, World Energy GH2 will remain committed throughout the Project to maximize benefits that will flow to the province through employment and skills development, contracting and participation for traditionally underrepresented groups, opportunities for Newfoundland and Labrador suppliers and contractors, as well as significant planned community investment. Our commitment to the Qalipu First Nation and the Local Band Councils ensures that local Mi'kmaw people have opportunities to participate in the project.

**Community Vibrancy Fund:**

- We have committed a \$10 million Community Vibrancy Fund to the three Project areas: the Town of Stephenville, Port au Port, and the Codroy area.
- The fund will be paid over three years, and equally divided across the Project areas, commencing with construction.
- Community committees:
  - We're working with a committee of Port au Port residents to allocate and administer the construction phase of the Community Vibrancy Fund, and to negotiate the production phase of the fund.
  - A similar committee will be developed in the Codroy area, and preliminary discussions have begun with community leaders, including the Bay St. George South Area Development Association and the Codroy Valley Area Development Association.

*Taxes and grants in lieu:* The Project will also pay grants to communities that are unable to collect taxes in an amount equal to those taxes being paid to the Town of Stephenville.

*Employment and Procurement:* The Project is committed to providing a fair and full opportunity to compete for employment opportunities and provide goods and services from the province on a competitive basis. In line with this concept, we are committed to hiring and procuring goods and services locally and will make every reasonable effort to do so. Our commitment to the Qalipu First Nation and the Local Band Councils ensures that local Mi'kmaq people have opportunities to be employed by the Project. Please refer to attached letters from Qalipu First Nation and Benoit First Nation in this regard.

World Energy GH2 is also working closely with College of the North Atlantic and has committed to providing funding for student training at the College in the Wind Turbine and Hydrogen Technician programs. We have also committed to providing employment to those candidates at our wind farms sites and providing additional on-the-job training at our partners' sites.

*Local, diverse, and inclusive employment opportunities:* The Project will create a significant number of jobs, including an estimated 1,800 direct jobs from construction, 300 direct jobs from operations and maintenance, and 3,000 indirect jobs. As we develop a workforce attraction and retention strategy, we remain intent on hiring locally. To ensure we provide a full and fair opportunity to locals, we are focused on creating greater awareness of clean energy job opportunities in Newfoundland and Labrador.

*Local opportunities to provide goods and services:* The Project will also benefit the local Newfoundland and Labrador economy through opportunities for local suppliers and contractors to provide goods and services to the Project. The Project is committed to looking first locally when sourcing contracts and, as such, offering the local community a full and fair opportunity to participate in the supply of goods and services for the Project on a competitive basis. Doing so will add to the Newfoundland and Labrador economy on multiple fronts, through supporting local businesses, indirectly adding local employment opportunities, and generating additional tax revenue for the province.

## **ETC Assertion**

18. Rights of Indigenous Peoples

### **WE GH2 Response:**

Legitimate Indigenous groups are fully in support of the Project. With a major focus on collaborating with local stakeholders to create shared value, we have engaged key Indigenous communities from very early stages, and we are committed to involving them throughout the process. In connection with this effort, we have received letters of support from a number of Indigenous communities which are provided attached. In addition to these letters of support, we have signed a memorandum of understanding (MOU) with

both the Qalipu First Nation and the Three Rivers Mi'kmaq Band, showing strong co-operation with Project Nujio'qonik.

Letters of support include:

- Letter of support from Qalipu First Nation
- Additional letter of support from Qalipu First Nation indicating exclusive support on the Project areas
- Letter of support from Three Rivers Mi'kmaq Band
- Additional letter of further support from Three Rivers Mi'kmaq Band
- Letter of support from Benoit First Nation
- Email of support from Benoit First Nation
- Letter of support from NARMN (Newfoundland Alliance of Rural Mi'kmaq Nations)
- Letter of support from NL Indigenous People's Alliance

### **ETC Assertion**

*19. Arrests: Yet Again*

### **WE GH2 Response:**

The court injunction was an unfortunate but necessary step to secure the safety of the community and WEGH2 personnel working to install the MET towers. No arrests have been made and the injunction has proven to be effective in providing a safe working environment.

### **ETC Assertion**

*20. Inadequacy of Alternatives*

### **WE GH2 Response:**

The province's environmental impact assessment is a rigorous process designed with several opportunities for public engagement. When combined with the many studies and plan requirements, WEGH2 expects the EIS submission to total approximately 5000 pages. The requirements for environmental approval in Newfoundland and Labrador are considered onerous when compared to assessment requirements for similar projects in other provinces. By comparison, two hydrogen production plants have been approved this year in Nova Scotia after a 45-day review of a project registration document. Federal impact assessment is required for wind farm projects of 10 turbines or more in an offshore environment. Otherwise, a provincial assessment is usually required.

**ETC Assertion***21. Optimism Bias***WE GH2 Response:**

As the proponent of a clean energy project designed to replace fossil fuel-based power and processes, we are indeed optimistic. We are optimistic for the opportunity a new industry can bring to the province and the country. The rigour of the environmental assessment process will ensure a thorough review of potential impacts by the public, stakeholders, rights holders, and government regulators.

**ETC Assertion***22. Capacity of our Communities***WE GH2 Response:**

As mentioned above, there are several opportunities for public participation in the EIS process, and through community meetings and open houses that are akin to the opportunities during a federal assessment.

List of Potential Permit / Approval / Licence Requirements for the Project Nujio'qonik

Jurisdiction (Federal, Provincial, Municipal, Private)	Approving Agency	Permit title	Explanation of Permit (Why needed)	Project Phase (Required in Development or Construction phases)	Application Submission Precursors (Permitting layout, Final layout, GIA, building Permit, Field Surveys, Transportation Study, EPC agreement, etc)	Act or Regulation	Permit Required Purpose (for Land Use, Site Mobilization, Road Works, Collection Line, Turbine Erection U&D Deliveries, COD, etc.)	Estimated Duration (Prep., Approval, Appeal, 2nd round)	Notes (additional info)
FEDERAL	Environment and Climate Change Canada (ECCC)	Dredging of harbour	project may involve disposal of dredged material at sea		Consultation with nearest regional Disposal at sea program office to ensure pre-application information is provided. submittal of Dredged material application form	Schedule 5, Waste or Other Matter of the Canadian Environmental Protection Act, 1999	Disposal at sea permit for dredged materials	The permit publication and public notification process can take up to 14 days and permit start dates cannot precede the end of the 7 day publication period in the CEPA Registry.	Fees Application fee 2,689.32 Permit fee 505.59 per 1000 m³ application completion guide can be found on <a href="https://www.canada.ca/en/environment-climate-change/services/disposal-at-sea/permit-applicant-guide.html#X-201708101406455">https://www.canada.ca/en/environment-climate-change/services/disposal-at-sea/permit-applicant-guide.html#X-201708101406455</a>
FEDERAL	Environment and Climate Change Canada (ECCC)	Storage Tank Regulations	regulations came into force in 2008 to help reduce the risk of releases of petroleum products, such as leaks and spills			Storage Tank Systems for Petroleum Products and Allied Petroleum Products Regulations, Canadian Environmental Protection Act, 1999	Storage tanks for Petroleum and allied petroleum products Regulations (ammonia might be exempt) design and registration of tanks (possibly applicable due to the port);		
FEDERAL	Environment and Climate Change Canada (ECCC), Parks Canada	Permits Authorizing an Activity Affecting Listed Wildlife Species	any activity involving individuals of a SARA-listed species on federal lands, or on lands affected by a protection order, a SARA permit may be required		A completed SARA permit application	Species at Risk Act	Several species listed under the Newfoundland and Labrador or Endangered Species Act (NLESA) are located within the Port au Port region.		
FEDERAL	Environment and Climate Change Canada (ECCC), CWS	Migratory bird permit	Permits may be issued under the Migratory Birds Regulations with conditions for the husbandry, release, scaring, capture, killing or disposal of migratory birds, or any other matter concerning the conservation of migratory birds.		MBCA permit applications can be obtained from ECCC-CWS via email at <a href="mailto:Permi.atl@ec.gc.ca">Permi.atl@ec.gc.ca</a> .	Migratory Birds Convention Act	A seabird handling permit will be required to implement the instructions in this reference document and the proponent must be advised that such a permit would have to be in place prior to the initiation of proposed activities		
FEDERAL	ECCC; Canadian Wildlife Service (CWS)	Nest Removal Permit	The Migratory Birds Regulations 2022 (MBRs 2022) prohibits the damage, destruction, removal or disturbance of the nests of all migratory birds when there is a live bird or viable egg, or if the nest was built by a species that is listed in Schedule 1		Environment and Climate Change Canada has received a notification through the electronic Abandoned Nest Registry regarding the potentially abandoned nest; and the nest remains unoccupied by a migratory bird for the period of time designated in Schedule 1 (12, 24 or 36 months, depending on the species)	Migratory Birds Convention Act	If proponent requires to remove destroy or disturb a nest from a migratory species located on the Schedule 1 list of 18 migratory species whose nests are known to be reused in subsequent years		
FEDERAL	Fisheries and Oceans Canada	Authorization or Letter of Advice pursuant to Section 35(2) of the Fisheries Act	under paragraphs 34.4(2)(b) and 35(2)(b) of the Fisheries Act, the Minister of fisheries and Oceans (the Minister) may issue an authorization with any terms and conditions in relation to proposed work, undertaking or activity that may, respectively, result in the death of fish or the harmful alteration, disruption or destruction of fish habitat	Development/ Planning	Completion of Application Form	Fisheries Act	The Port of Stephenville services a variety of industries including fishing. Since this project aims to use the Port of Stephenville for importing industrial equipment and exporting ammonia, there is potential for overlap with local fish and seafood harvesters	60 days to determine if application is complete and 90 days to issue	<a href="https://www.dfo-mpo.gc.ca/pnw-ppp/reviews-revues/applicants-guide/candidats-eng.html">https://www.dfo-mpo.gc.ca/pnw-ppp/reviews-revues/applicants-guide/candidats-eng.html</a>
FEDERAL	Natural Resources Canada	License to Store, Manufacture, or Handle Explosives	The use of or storage of Explosives needed for any blasting activities throughout the project	Construction Phase	Licences, permits and certificates issued pursuant to section 7 and permits issued pursuant to section 9 shall be in the form prescribed by the Minister	Explosives Act	allows the use of and storage of explosives needed for blasting activities in the construction phase of project		
FEDERAL	NAV Canada	Land Use Approval	Verify proposed location of wind turbines, towers, etc won't interfere with airports and air navigation infrastructure	Development/ Planning	- location of wind turbines / towers / tall infrastructure - map of proposed locations - ground elevation (ASL) - structure height - construction schedule - construction method (i.e. cranes used)	Civil Air Navigation Services Commercialization Act	Confirms the proposed location of wind turbines, towers, other tall infrastructure, etc won't interfere with air navigation. Locations will be documented to support flight routes as needed. NOTE: Normally completed in parallel with TC Aeronautical Assessment submission	Minimum 12 to 24 months prior to construction.	
FEDERAL	Coast Guard, Environment and Climate Change Canada, Fisheries and Oceans Canada, Natural Resources Canada, Port Authorities and Pilotage	Marine Terminal Approval	When a marine terminal or transshipment site is built, modified or re-commissioned, this changes regional shipping activity. Vessels carrying cargoes like oil, chemicals and liquefied gases may also threaten the environment or communities along their routes	Development/ Planning	Figure 1 of <a href="https://tc.canada.ca/en/marine-transportation/marine-safety/termpol-review-process-2019-edition-tp-743-#1">https://tc.canada.ca/en/marine-transportation/marine-safety/termpol-review-process-2019-edition-tp-743-#1</a> outlines application process	TERMPOL Review Process	-TERMPOL review process to support marine terminals and shipping (process is being updated, unable to find the most recent reference); voluntary process with TC and supporting the Oceans Protection Plan		
FEDERAL	Transport Canada	Aeronautical Assessment Obstacle Evaluation	Evaluation of wind turbines, towers, etc greater than 12 m. Refer form for applicable criteria	Development/Planning/Prior to procurement	<a href="https://www.wapps.tc.gc.ca/Corp-Serv-Gen/5/forms-formulaires/">https://www.wapps.tc.gc.ca/Corp-Serv-Gen/5/forms-formulaires/</a>	Aeronautics Act; Canadian Aviation Regulations	Note: Visual markings and lighting maybe required on infrastructure based on proximity to aerodrome, flight paths, etc. NOTE: Normally completed in parallel with NavCanada Land Use Approval	Minimum 18 to 24 months prior to construction.	
FEDERAL	Transport Canada	Emergency response assistance plan	No person shall import, offer for transport, handle or transport dangerous goods in a quantity or concentration that is specified by regulation — or that is within a range of quantities or concentrations that is specified by regulation — unless the person has an emergency response assistance plan that is approved under this section before		an approved Emergency response assistance plan by the Minister	Transportation of Dangerous Goods Act	Transporting high pressured gas or NH3 applicable within Canada may apply if H2/NH3 is transported by road or vessel <a href="https://laws-lois.justice.gc.ca/eng/acts/t-19.01/">https://laws-lois.justice.gc.ca/eng/acts/t-19.01/</a>		

Jurisdiction (Federal, Provincial, Municipal, Private)	Approving Agency	Permit title	Explanation of Permit (Why needed)	Project Phase (Required in Development or Construction phases)	Application Submission Precursors (Permitting layout, Final layout, GIA, Building Permit, Field Surveys, Transportation Study, EPC agreement, etc)	Act or Regulation	Permit Required Purpose (for Land Use, Site Mobilization, Road Works, Collection Line, Turbine Erection U& Deliveries, COD, etc.)	Estimated Duration (Prep., Approval, Appeal, 2nd round)	Notes (additional info)
FEDERAL	Transport Canada	Review or approval pursuant to section 4 or 5 under CNWA	Under the CNWA, owners of works who propose to construct, place, alter, rebuild, remove or decommission works that are in, on, under, through or across any navigable water may be required to apply to TC	Development/ Planning	Completed application form located on <a href="https://tc.canada.ca/en/programs/navigation-protection-program/apply-npp">https://tc.canada.ca/en/programs/navigation-protection-program/apply-npp</a>	Canadian Navigable Water Act (CNWA)	<a href="https://tc.canada.ca/en/programs/navigation-protection-program/apply-npp">https://tc.canada.ca/en/programs/navigation-protection-program/apply-npp</a>		
FEDERAL	CAN/BNQ	Canadian Hydrogen Installation Code	The code sets out standards and requirements for the building and maintaining hydrogen generating or hydrogen powered equipment	Development/Planning/ Prior to procurement		CAN/BNQ.1784-000 Canadian Hydrogen Installation Code (CHIC)	Canadian Hydrogen Installation Code (CHIC) includes various requirements for operation and maintenance of any hydrogen system.		
FEDERAL	Department of National Defence (DND)	Wind Turbine Assessment	Verify proposed location of wind turbines won't interfere with air defence, air traffic management radar systems or become physical obstructions	Development/Planning	- Maps of the location of the proposed wind farm and all the wind turbines - Latitude and Longitude (NAD83 or WGS84) of each wind turbine including: - Turbine Number - Ground Elevation - Nacelle Height - Rotor Diameter - Total Height - Ground or base elevation above MSL for each turbine - Height of each nacelle above ground level - Diameter of the rotating blades - Blade material	N/A - RCAF Policy with Radio Advisory Board of Canada (RABC) and Canadian Wind Energy Association (CanWEA)	Review if proposed location of wind turbines interference with air defence, navigational aid and major military installations and radio communication systems; if so it must be approved.	3 months	
FEDERAL	Environment and Climate Change Canada (ECCC)	Weather Radar Assessment	Verify proposed location of wind turbines won't interfere with weather radars	Development/Planning	- coordinates for proposed locations of turbine(s) - number of turbines proposed - hub/nacelle height - turbine blade sweep diameter (or length of the blades) - turbine base diameter (if known)	N/A - ECCC Guidelines for Wind Turbine and Weather Radar Siting	Review if proposed location of wind turbines interfere with weather radars; if so it must be approved.	3 months	
FEDERAL	Port of Stephenville						<a href="https://portofstephenville.ca/index.html">https://portofstephenville.ca/index.html</a>		Approval/Permits to be determined
PROVINCIAL	Department of Environment and Climate Change (NLDECC), EA Division	Environmental Assessment Approval	The environmental assessment process ensures that projects proceed in an environmentally acceptable manner	Development Phase	- Registration and Review with 1 paper copy and 1 digital copy of the Registration along with Fee. - within 45 Days the Minister will advise the proponent of the decision of the undertaking - Preparation of EPR/EIS - Proponent Preparation of EPR/EIS	Environmental Protection Act			The fee for registration is \$400 plus HST
PROVINCIAL	Department of Transportation and Infrastructure, Government Services Centre	Protected Road / Area	A development permit is required to build on and develop land, whether Crown or privately owned, within the building control lines of a Protected Road or within the boundaries of a Protected Area	Development/ Planning	A completed application two copies of a site plan showing the location of the proposed structure two copies of the building plans.	Urban and Rural Planning Act, 2000 Butterpot – Witless Bay Line Environs Development Control Regulation Gander River Protected Area Regulations Marble Mountain Protected Area Land Use Zoning Regulations Protected Road Zoning Regulations	application shall be submitted under the Protected Road Regulations and highway access for this project if any area is developed or access is required from a provincially maintained road near the Port au Port Highway (Route 460) from its intersection with the Trans-Canada Highway (Route 1) to a point where the eastern municipal planning boundary of the Town of Stephenville, as defined, crosses the highway		
PROVINCIAL	NLDECC; Pollution Prevention Division Industrial Compliance Section	Certificate of Approval for Construction and/or Operation of industrial facilities	A Certificate of Approval consists of terms and conditions which regulate the activities of the industrial facility. This ensures that degradation of the environment does not occur and that the facility is in compliance with provincial environmental requirements	Development Phase	To be Determined	Environmental Protection Act		Processing Time: four to six weeks for standard applications, upon receipt of all required information	Examples of active Certificates of Approval: <a href="https://www.gov.nl.ca/ecc/env-protection/ics/approvals/">https://www.gov.nl.ca/ecc/env-protection/ics/approvals/</a>
PROVINCIAL	Newfoundland and Labrador Department of Fisheries, Forestry, and Agriculture (NLDFFA), Wildlife Division	Permit to engage in an Economic Activity under the Endangered Species Act	for a person to engage in an activity affecting a designated species, the residence of a specimen of a designated species or critical or recovery habitat, where, in the opinion of the minister, (a) the impact on the designated species is incidental to the carrying out of an activity that is economically beneficial to the province; (b) there is no reasonable alternative; and (c) the activity will not prevent the recovery or survival of the designated species.	Construction Phase	approval of the Lieutenant-Governor in Council	Endangered Species Act	To be determined	Can take an extended period due to possible multiple reviews of the Species at Risk Mitigation and Monitoring Plan by Wildlife Division and the requirement for Provincial Cabinet approval of the permit	

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1 PROVINCIAL	NLDECC, Pollution Prevention Division Industrial Compliance Section	Certificate of Approval for Generator Operation	A Certificate of Approval is required for prime power diesel generating facilities having a total installed capacity greater than 100 kW, and for standby diesel generating facilities having a total installed capacity greater than 100 kW and which operate or are anticipated to operate more than 500 hours per year	Development Phase/ Construction Phase	completed registration forms (contained in Appendix A of this guidance document) for the diesel generators; and  ground level ambient air concentrations for NO2 and particulate matter resulting from the facility's emissions, as determined using an approved dispersion modeling system in accordance with the Department's Guidance Document GDPPD-019.2 "Guideline for Plume Dispersion Modelling," or its successor.	Environmental Protection Act, Air Pollution Control Regulations		Processing Time: allow 4 weeks, assuming required modeling has been completed.	
1 PROVINCIAL	NLDECC, Water Resources Management Division	Application for Environmental Permit for Alterations to a Body of Water	Any work in and around streams, waterbodies, and wetlands a permit is needed	Development Phase	Permit application may need to include a number of activities under the different permit Schedules.	Water Resources Act		Completed Water Resources applications may take 4-6 weeks from the date received for review and processing	Fees: range from \$100 to \$50,000
1 PROVINCIAL	NLDECC, Pollution Prevention Division, Waste Management Section	Certificate of Approval for Transportation of Waste Dangerous Goods / Hazardous Waste	To ensure that degradation of the environment does not occur and that the activities are in compliance with provincial environmental requirements	Construction Phase	To be Determined	Environmental Protection Act	To be determined		
PROVINCIAL	NLDECC, Water Resources Management Division	Development Activity In A Protected Public Water Supply Area	required permit for work inside a Protected Public Water Supply Area.	Development/ Planning	Finished application and required fees	Water Resources Act	Work overlaps PPWSA's and therefore require a permit before work can start		Fee schedule is within application form
PROVINCIAL	NLDECC, Water Resources Management Division	Permit for Constructing a Non-Domestic Well	for a drilled well intended to supply water for any application other than a single family dwelling	Development/ Planning	Finished application and required fees	Water Resources Act	The proponent must apply for and obtain a Permit for Constructing a Non-Domestic Well under the Water Resources Act,		fee of \$400.00 + HST must accompany this permit application
2 PROVINCIAL	NLDECC, Water Resources Management Division	Application for Water Use Licence	Water use Licence is for permission to use water owned by the crown to withdraw and use water for the designated purpose by license	Construction Phase	Completed Application for water use licence and Fees	Water Resources Act		Completed Water Resources applications may take 4-6 weeks from the date received for review and processing.	Fees subject to application fee schedule <a href="https://www.gov.nl.ca/ecc/files/WUL-Fee-Schedule_Revised_Budget-2021_Jul-13-2021.pdf">https://www.gov.nl.ca/ecc/files/WUL-Fee-Schedule_Revised_Budget-2021_Jul-13-2021.pdf</a>
2 PROVINCIAL	Newfoundland and Labrador Department of Fisheries, Forestry, and Agriculture (NLDFFA), Wildlife Division	Permit to Control Nuisance Animals	A permit is required to destroy moose, black bears or other wildlife which may be interfering with farm crops, operations, dwellings or the like when other mitigation fail or may not be effective. Suitable particulars of the situation must be provided for a permit to be issued.	Construction Phase	To be Determined	Wild Life Act			Wildlife Division will advise if a fee is required.
2 PROVINCIAL	Newfoundland and Labrador Department of Fisheries, Forestry, and Agriculture (NLDFFA), Forestry Division	Permit to Cut	A permit issued under the Forestry Regulations to cut and remove from Crown or public land, timber for sale or barter may be needed	Construction Phase	Completed Application along with required fees	Forestry Act		Processing Time: allow up to two weeks, but can be quicker	Cutting Permit fee is \$50.00 once approved.
2 PROVINCIAL	Newfoundland and Labrador Department of Fisheries, Forestry, and Agriculture (NLDFFA), Forestry Division	Permit to Burn	Each year a specified period for the Forest Fire Season is declared by the minister. If conditions warrant, the season can be extended beyond the specified periods. During the Forest Fire Season a permit to burn must be obtained to ignite a fire on or within 300 meters of forest land	Construction Phase	To be Determined	Forestry Act			No fees required for permit.
2 PROVINCIAL	Newfoundland and Labrador Department of Fisheries, Forestry, and Agriculture (NLDFFA), Crown Lands	Licence to Lease (or Grant) Crown Lands	an Application need to be made to the Crown Lands division for any activity that will occur on crown lands for example Commercial use or Utility use	Development Phase	Application requires mapping that outlines the location of the Crown lands in question. See <a href="https://www.gov.nl.ca/crownlands/categories/business-or-organizational-use/">https://www.gov.nl.ca/crownlands/categories/business-or-organizational-use/</a> for specific details for each use	Lands Act		Processing Time: allow up to six weeks, but can be quicker	Fee: A non-refundable fee of \$150 + HST must accompany this permit application.
2 PROVINCIAL	Department of Transportation and Infrastructure, Government Services Centre	Highway Access Permit	The construction of an access to a highway that is classified as a Protected Road requires the prior approval of the Department of Transportation and Infrastructure and/or the Government Service Centre.	Development Phase/ Planning Phase	Completed application Location Plan	Works, Services and Transportation Act	Access to work sites through out the project		\$50.00 Residential \$500.00 Commercial
2 PROVINCIAL	Department of Industry, Energy, and Technology, Mining and Mineral Development	Quarry Development Permit	Quarry materials (e.g., aggregate, fill, rock, stone, boulders, gravel, sand, clay, borrow material, etc.) will be needed for project and this will need to be sourced from preexisting site covered by a quarry permit or developing new site and applying for a quarry permit	Construction Phase	Completed Quarry Application Form and required Fees. All applications must be accompanied by a digital boundary file (e.g., kmz, shapefile) outlining the proposed quarry area and access road.	Quarry Materials Act	To be determined		Application Fee: \$100 (non-refundable) Rental (\$120 per hectare) due before issuance of the permit (the applicant will be contacted when the payment is required).



Jurisdiction (Federal, Provincial, Municipal, Private)	Approving Agency	Permit title	Explanation of Permit (Why needed)	Project Phase (Required in Development or Construction phases)	Application Submission Precursors (Permitting layout, Final layout, GIA, building Permit, Field Surveys, Transportation Study, EPC agreement, etc)	Act or Regulation	Permit Required Purpose (for Land Use, Site Mobilization, Road Works, Collection Line, Turbine Erection U&A Deliverables, , COD, etc.)	Estimated Duration (Prep., Approval, Appeal, 2nd round)	Notes (additional info)
2	PROVINCIAL	Digital Government and Service NL	Certificate of Approval for a Sewage / Septic System	The site will require the installation of a subsurface sewage disposal system, the applicant must submit and receive approval from Service NL for plans and specifications for an approved sewage disposal system.	Construction Phase	Completed Application Form and details as laid out on <a href="https://www.gov.nl.ca/dgsnl/licenses/env-health/septic/greater/">https://www.gov.nl.ca/dgsnl/licenses/env-health/septic/greater/</a>	Health and Community Services Act and in conformance with the Sanitation Regulations and Private Sewage Disposal and Water Supply Standards		Application should be filed in advance of construction  Fees imposed under this policy: 1) Water and/or sewer servicing – ranges from \$200-\$1,000 Sewage pumping, outfall sewer, or sewage treatment – ranges from \$200-\$1,000 Water pumping/storage, transmission, or treatment – ranges from \$200-\$1,000 More infrastructure upgrading (ex. valve chamber) – \$200 Other works not noted above – \$200
3	PROVINCIAL	NL Hydro / Public Utilities Board of NL	Electrical System Interconnection	must submit and receive approval from Service NL for plans and specifications for an interconnection to existing grid	Development Phase/ Planning Phase	To be Determined	Electrical Power Control Act	WEGH2 may wish to register with PUB-NL as a utility to enable power of land expropriation for new transmission lines.	
3	PROVINCIAL	Digital Government and Service NL	National Building Code –Fire, Life Safety and Building Safety	Approval of all commercial building plans, including fire prevention and suppression systems is required	Construction Phase	1. Completed National Building Code form 2. 3 copies of detailed building plans (Including floor plan for each floor showing complete layout of each floor Area including exits) 3. Letter of referral from Municipal Council 4. Fees (See Notes)	Buildings Accessibility Act		Application should be filed in advance of construction Fees: •Buildings greater than 250 m2 and less than 600 m2 in total floor area – \$240 •Buildings greater than 600 m2 in total floor area – \$480
	PROVINCIAL	Department of Industry, Energy and Technology	Benefits agreement and Gender Equity, Diversity and Inclusion Plan	Approval from Minister responsible for Women and Gender Equality	Development Phase/ Planning Phase			Due to the size of the project a Benefits Agreement will need to be approved and must include a Gender Equity, Diversity and Inclusion Plan that meets the requirements of the Minister responsible for Women and Gender Equality	
	PROVINCIAL	Newfoundland and Labrador Department of Fisheries, Forestry, and Agriculture (NLDFFA), Forestry Division	Domestic Woodcutting Consultation Plan Approval	FFA requires the proponent to develop a domestic woodcutting consultation plan with domestic users on the Port au Port Peninsula to determine any concerns with the project and to develop appropriate mitigations	Development Phase/ Planning Phase	Development of plan with Port Au Port municipality	Forestry Act	This Domestic Woodcutting Consultation Plan is to be submitted to FFA (Forestry and Wildlife Branch) for review and approval before the project is released from EA	
3	PROVINCIAL	Digital Government and Service NL	Buildings Accessibility Registration and Permit or Building Accessibility Exemption Registration and National Building Code of Canada Plans Review	Approval of all commercial building plans, including fire prevention and suppression systems is required	Construction Phase	1. Completed Request for Approval of Plans form 2. 3 copies of detailed building plans (Including floor plan for each floor showing complete layout of each floor Area including exits) 3. Letter of referral from Municipal Council 4. Fees (See Notes)	Buildings Accessibility Act		•Application should be filed in advance of construction Fee Schedule: •Buildings less than 250m <sup>2</sup> in building area – \$120 •Buildings greater than 250m <sup>2</sup> and less than 600m <sup>2</sup> in building area – \$240 •Buildings greater than 600m <sup>2</sup> in building area – \$480
3	PROVINCIAL	Digital Government and Service NL	Food Establishment License	A Food Establishment Licence may be issued to any premises that is involved with the sale, production, manufacturing, preparation, storage and /or distribution of food subject to compliance with all pertinent legislation	Construction Phase	1. Completed Food/or Tobacco Licence Application 2. Floor Plan of the Proposed Premises indicating locations of equipment, rooms and sanitary facilities 3. Municipal approval, if applicable 4. Food and Safety Training - Health and Community services	Food Premises Act/ Smoke-Free Environment Act	To be determined	
3	PROVINCIAL	Digital Government and Service NL	Fuel and Associated Products Storage Tank Registration	Registration is required for all underground and above ground storage facilities for the storage and handling of gasoline and associated products.	Construction Phase	Completed Application along with detailed drawing or sketch containing pertinent information outlined in Section 3 of the application	Storage and Handling of Gasoline and Associated Products Regulations, 2003, under the Environmental Protection Act		Application should be filed in advance of installing the fuel tank (i.e., in advance of construction). Processing time: allow four weeks, No fees required for registration.
3	PROVINCIAL	Digital Government and Service NL	Electrical Permits	installation or repair of any electrical equipment commences, including:  Wiring installations in residential, public and industrial / commercial sites and or buildings  Installations for the private generation of electricity  The installation of apparatus such as generators, transformers, switchboards and large storage batteries	Construction Phase	1. A completed Application 2. Detailed Electrical Plans 3. Fees	Electrical Regulations under Public Safety Act		For all industrial installations permit fee is based on the total cost of the electrical work being completed, \$15,402 + \$0.12 for each \$100 over \$3M.  Multiple permits likely required. A completed application shall include Detailed electrical plans for all commercial/industrial permits, submitted in advance of any construction.  Separate permits will be required for various project components
3	PROVINCIAL	Digital Government and Service NL	Blasters Safety Certificate	certificate of qualification in the blaster trade issued under the Apprenticeship and Trades Qualifications Act	Construction Phase	to be Determined	Occupational Health and Safety Act Part XIX General Blasting	To be determined	
3	PROVINCIAL	Digital Government and Service NL	Pressure Piping System Registration	The Design of all pressure piping systems exceeding the size limitations specified by section 3 of the regulations must be registered	Development Phase	A completed Contractors Specification Form and Submit three copies of design drawings bearing the stamp of a Professional Engineer with application.	Section 4 of Boiler, Pressure Vessel and Compressed Gas Regulations under the Public Safety Act		Fees vary by equipment type.

Jurisdiction (Federal, Provincial, Municipal, Private)	Approving Agency	Permit title	Explanation of Permit (Why needed)	Project Phase (Required in Development or Construction phases)	Application Submission Precursors (Permitting layout, Final layout, GIA, building Permit, Field Surveys, Transportation Study, EPC agreement, etc)	Act or Regulation	Permit Required Purpose (for Land Use, Site Mobilization, Road Works, Collection Line, Turbine Erection U& Deliveries, , COD, etc.)	Estimated Duration (Prep., Approval, Appeal, 2nd round)	Notes (additional info)
3 PROVINCIAL	Digital Government and Service NL	Pressure Plant Registration	A Certificate of Plant Registration may be issued to owners of registered pressure plants who are operating a power plant, heating plant, refrigeration plant, compressed gas plant or combined plant as defined in the Regulations	?	A completed application Form with:  A cover letter from the owner's Chief Power Engineer or Operator explaining the proposed shift structure and assignment of duties.  A system flow diagram including pipework. The diagram should include all significant controls, valves and relevant safe operating limits with those of importance in an emergency clearly identified.  Fees	Section 3 of Boiler, Pressure Vessel and Compressed Gas Regulations under the Public Safety Act			Fees vary by equipment type.
3 PROVINCIAL	Digital Government and Service NL	Pressure System Inspections	Any installation of or alterations to a pressure system, in accordance with the Boiler, Pressure Vessel and Compressed Gas Regulations, must have a permit and must be inspected when the work is completed. In addition, all boilers and pressure vessels are inspected periodically in accordance with the Periodic Inspection Internal Policy	Construction Phase	When the work covered by the permit is completed, the permit holder is required to contact the Government Service Centre to arrange for an inspection of the pressure system.  An advance notice of 96 hours is required	Section 5 of Boiler, Pressure Vessel and Compressed Gas Regulations under the Public Safety Act			Fees  1. \$108.00/Hr (3 Hours min) plus travel and subsistence 2. The fee for a permit to install or Alter a pressure system is \$48.00 (H.S.T not applicable)
4 PROVINCIAL	Digital Government and Service NL	Pressure Welder and Brazer Testing	A certification as a Welder, Brazer, Operator may be issued to a welder or brazer who is employed by a licenced pressure system contractor, holding a registered Welding Procedure Specification when the candidate has passed a test meeting the requirements of ASME Code, Section IX	Construction Phase	A completed Form is required for new candidates only. Testing of candidates previously issued welding symbols may be arranged by telephone request by the employer	Section 3 of Boiler, Pressure Vessel and Compressed Gas Regulations under the Public Safety Act			Fees  \$90.00 (H.S.T. not applicable) employer is invoiced for all testing / certification fees. When test is by special request of owner, an additional fee of \$108.00 per hour (3 hours minimum) plus travel and subsistence is charged to the employer. \$216.00 (H.S.T. not applicable) for Welding Procedures design registration.
4 PROVINCIAL	Digital Government and Service NL	Contractor's Licencing – Pressure vessels	Before a person commences to fabricate, install, alter or repair a pressure system the person is required to hold a contractor's licence issued under section 34 and in relation, to the fabrication, installation, alteration or repair, is required to hold a permit issued by the chief inspector	Construction Phase	A completed Form with Two copies of applicant's Quality Control Manual for categories in Section 2, marked with an asterisk; and Section 10 of the application should be stamped with the applicant's Seal of Incorporation or have a copy of the Certificate of Incorporation attached  Fee	Section 3 of Boiler, Pressure Vessel and Compressed Gas Regulations under the Public Safety Act			
PROVINCIAL	Digital Government and Service NL	Pressure System Permits	Installation or alterations to a Pressure System require a Permit	Construction Phase	Contractor's specifications (if applicable);  Design drawings (if applicable);  Inspection and test plan (if applicable);  Fees and returned to <a href="mailto:pressurepermits@gov.nl.ca">pressurepermits@gov.nl.ca</a> .	Boiler, Pressure Vessel and Compressed Gas Regulations in the Public Safety Act			
PROVINCIAL	Digital Government and Service NL	Environmental Approval for Waste Management System	All waste management systems, both private and municipal, must receive prior environmental approval from the Government Service Centre	Planning/ Construction Phase	A completed application Engineering drawings of the proposed works; Engineering specifications of the proposed works; Surety bond, sum of money, or personal surety for waste management systems other than a municipal system. The amount is set at the discretion of the Minister; and Proof of newspaper advertisements or receipt of registered letters.	Environmental Protection Act, Air Pollution Control Regulations, Storage of PCB Wastes Regulations and Waste Management Regulations, 2003	All waste material generated during the construction and operation of the facility is to be placed in suitable refuse containers and removed to an approved waste disposal site		

