

# CLEANNL

Est. 1992 Inc. 1996

11 May 2023

Hon. Steven Guilbeault (Steven.Guilbert@parl.gc.ca)  
Minister of Environment and Climate Change  
200 Sacre-Coeur Boulevard  
Gatineau, QC, K1A 0H3

and

Impact Assessment Agency of Canada  
Atlantic Region ([atlanticregion-regiondelatlantique@iaac-aeic.gc.ca](mailto:atlanticregion-regiondelatlantique@iaac-aeic.gc.ca))  
301-10 Barter's Hill, St. John's, NL, A1C 6M1  
Headquarters 22<sup>nd</sup> Floor, 160 Elgin Street  
Ottawa, ON, K1A 0H3

Dear Minister Guilbeault,

**Re: Request for Designation under the *Impact Assessment Act (IAA)* with respect to the Port au Port Wind Power and Hydrogen Generation Project (Nujio'qonik GH2; World Energy GH2) Newfoundland and Labrador, submitted by the Environmental Transparency Committee (ETC) of the Port au Port Peninsula, NL.** The project has been registered for the provincial Environmental Assessment process, Project # 2202.

The Centre for Long-term Environmental Action in Newfoundland and Labrador (CLEANNL) agrees that the above named activity should indeed require a federal Impact Assessment under the *Impact Assessment Act* and fully supports the local Environmental Transparency Committee (ETC) in its request for expedited designation as such.

We would seek an opportunity to participate in the federal IA process in keeping with our function as a community-based volunteer non-governmental organization that serves as a resource for environmental action in the province of Newfoundland and Labrador.

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<sup>1</sup> Centre for Long-term Environmental Action in Newfoundland and Labrador (CLEANNL)  
34 Rennie's Mill Road St. John's NL A1C 3P8

CLEANNL'S primary purpose since its establishment in 1992 has been to support local communities facing large-scale industrial development. In the case of World Energy GH2, we are advised by the area's Environmental Transparency Committee (ETC) that 84% of the people who would be directly affected by this project are very much opposed to its implementation. ETC comprises Indigenous and non-Indigenous individuals to whom the peninsula is home, whose livelihoods are based in their communities, and who strongly identify with the physical environment in which they live and work.

We fundamentally accept, respect, and affirm the right of local and Indigenous communities to make important -- indeed, transformative -- decisions about their environment, as well as their right to make such decisions having access to full and transparent processes and clear, comprehensible information. This has not, however, been the case with this proposal and the project, now registered with the provincial government, is fast-tracked to the point that it risks being "substantially begun" before being assessed.

ETC's application cites other grounds for an IA as well, including migratory seabird impacts, fisheries impacts, and the unknown consequences that might be experienced when large structures originally designed for an offshore project are transferred directly to a land base. People are asking, "Was the shift [to a land-based wind farm] made to avoid the federal IA that would automatically be involved if it was offshore?" Concern has also been expressed that the proponents opted for a land-based project because of the "looser" provincial environmental regime.

The latest news, which shows the provincial government having signed a Memorandum of Understanding with the Port of Rotterdam, only serves to add to the anxiety and distrust experienced by the people of this region.

We earnestly entreat the Minister to intervene with urgency in this fast-developing environmental imbalance.

CLEANNL<sup>2</sup> is calling upon the federal government to designate this project for IA on the simple grounds that the people of this area, and all of Canada, need to see and to participate in this unique learning and decision-making process at this relentlessly uncertain time. Designating an IA would, we think, go a long way towards helping people all across the country who are vulnerable to emerging existential threats directly involving their homes and personal lives, their physical and social environments.

As long-time local activists, we've often had cause to be grateful to the federal government for helpful interventions, and, in dire circumstances, have considered the merits of the World Court as an option. Some of us believe that the inherent value of Confederation lies in its power of oversight, which can be brought to bear on a situation exactly like this, one in which individuals and communities are subject

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<sup>2</sup> Established in 1992 (incorporated 1996), CLEANL engages in the process of environmental assessment on behalf of or in coalition with individuals and community groups dealing with government and industry on matters of environmental concern. Over the course of three decades, CLEANL has engaged in both federal and provincial EA, participated in Five Year Reviews, tested the legislation in federal court, and been involved with national environmental caucus work and lobbying as well as serving on federal government committees and working groups.

to extraordinary levels of anxiety and perhaps outright danger with respect to an industrial entity.

People need somewhere to go with these intensely valid and pressing concerns, and are turning, as is their constitutional right, to our federal government and to processes mandated in the *IAA* for our collective protection.

It would, in our view, be a service to the whole country if the issues raised by this proposal – issues of transparency, conflicting interests, inappropriate technology and location, violations of basic process and community rights, issues respecting the well-being of Indigenous persons and the safety of Species at Risk -- could be thoroughly explored and considered by our federal government in an open and transparent manner through the mechanisms and structures offered by the *IAA*.

In addition, we point to criteria that should trigger a federal assessment, and these include fisheries issues, the protection of migratory birds, year-round shipping hazards, and possibly the question of any federal funding, either direct or indirect, that is going to the project.

These and other subjects would take many pages of text to outline and an in-depth analysis is beyond the scope of this letter, but we would be ready and willing to make submissions under the federal Impact Assessment process of matters that fall within our areas of expertise and competence.

In our view and proximate experience, a federal IA could provide the necessary opportunity to strengthen local and community knowledge, facilitate understanding and engagement, and contribute overall to a higher level of trust between communities and their federal government. While the just outcome of a full and comprehensive IA cannot be determined until all the available evidence has been placed before all stakeholders, we confidently assert that the IA process itself is essential to any acceptable resolution to the broader conflicts of this energy proposal.

Yours truly,

Linda Whalen  
President and CEO  
CLEANNL