

June 4, 2024

ELECTRONIC MAIL

To: Emma Marotte

Subject: Request for Information - Committee for the Regional Assessment of Offshore Wind Development in Nova Scotia

Dear Ms. Marotte:

The federal Ministers of *Environment and Climate Change* and of *Energy and Natural Resources* and the provincial Minister of *Natural Resources and Renewables* established a Committee, pursuant to subsection 93(1) of the *Impact Assessment Act* (IAA), to conduct the Regional Assessment of Offshore Wind Development in Nova Scotia.

On March 23, 2023, Canada and Nova Scotia entered into an Agreement to Conduct a Regional Assessment of Offshore Wind Development in Nova Scotia (the Agreement) including an Appendix A Terms of Reference (TOR) which was posted on the Canadian Impact Assessment Registry site: [Regional Assessment of Offshore Wind Development in Nova Scotia \(iaac-aeic.gc.ca\)](https://iaac-aeic.gc.ca).

In accordance with section 5 of the Agreement and pursuant to section 23 of the IAA, the Committee may request specialist or expert information or knowledge from any department or agency¹, which must then be made available to the Committee. This includes providing information, knowledge or advice related to any matter relevant to the Regional Assessment.

There Committee is seeking your feedback on:

- 1) Impact Producing Factors;**
- 2) Potential Future Development Areas (PFDA) (as proposed in the Interim Report);**
- 3) Cumulative Effects; and**
- 4) Responses to Specific Questions.**

The Committee issued a previous Information Request to DFO on April 5th, 2024, and received draft responses on May 22, 2024, and May 31, 2024. To the extent that this

¹ All subsequent references to department mean department or agency.

Information Request overlaps with information previously provided, please refer the Committee to that response without the need for duplication.

1) Impact Producing Factors (IPFs)

For this Regional Assessment, IPFs identify those factors associated with an offshore wind (OSW) development project that may cause impacts to valued physical, biological, economic, or cultural components.

The Committee is now seeking input on IPFs that may impact fisheries, fish and fish habitat, and marine mammals and sea turtles. Table 1 (attached) lists the potential IPFs within each of the following phases of an OSW development:

- Pre-construction/Development Phase;
- Construction Phase;
- Operation Phase; and
- Decommissioning Phase.

For each IPF, a summary of the Committee's understanding of the potential impact or issue, known mitigation and relevant monitoring measures, and a supporting literature review are provided.

Table 1 is to be used as a guide to support your responses to the following questions/requests for information and opinion:

- Please expand and/or comment on the characterisation of impacts to fish and fish habitat and marine mammals and sea turtles;
- Please provide additional issues not listed that you see as relevant to fish and fish habitat and marine mammals and sea turtles;
- Please identify known data gaps related to an issue, (i.e., what is poorly understood about the IPF and its potential interaction(s) on valued components during the OSW project phases within the Study Area), and any efforts currently underway within DFO or otherwise to fill these data gaps;
- Please expand and/or comment on the identified mitigation and monitoring measures; and
- Please inform us of any current, planned, or recommended regulations or guidelines related to the issue.

Responses to the above questions can be provided in tabulated or written form. Should you wish to reference aspects of Table 1 in your response, please identify the relevant phase(s) of OSW development, i.e., PC = Pre-Construction, C = Construction, O = Operation and D = Decommissioning, followed by the numerical reference of the IPF.

2) Potential Future Development Areas (PFDA's)

Pursuant to the Agreement, the Committee submitted an Interim Report to Ministers on March 22, 2024 (<https://iaac-aeic.gc.ca/050/evaluations/document/156046?culture=en-CA>) that identified six PFDAs. The PFDAs were based on the Committee's assessment of the data reviewed and information obtained from the engagement process to that point in time, are considered preliminary and may be refined as work on the draft final report for the Regional Assessment proceeds.

While many of the IPFs and associated issues and impacts apply broadly to OSW development in general, the Committee also requests that the information provided in response to (1) above be considered with specific reference to the PFDAs.

3) Cumulative Effects Assessment

The TOR requires the Committee to consider the potential cumulative effects of OSW development as set out below:

- OSW development in combination with other physical activities that have been, or will be carried out;
- Providing information, knowledge and analysis related to environmental, health, social and economic conditions, and the potential effects (including cumulative effects) of offshore wind development activities in the Study Area, with consideration of Indigenous knowledge, Community knowledge, and scientific information throughout; and
- Providing recommendations on potential approaches and measures to address regional scale and non-project specific (including cumulative) effects. This may include potential policy, plan, program, regulatory or other initiatives by governments or other relevant parties.

Table 2 (attached) provides a preliminary list of potential cumulative effects and issues derived from associated literature.

The Committee requests that DFO review Table 2 and provide information and feedback relating to potential cumulative effects on fisheries, fish and fish habitat, and marine mammals and sea turtles, with reference to the PFDAs. As part of the response, please identify any relevant work either currently underway or planned (within DFO or otherwise) that is relevant to the assessment of cumulative effects.

4) Responses to Specific Questions

The Committee would also appreciate responses to the following specific issues/questions:

- 1) Are there specific acoustic monitoring programs that you see value in implementing to support the data gaps that have been identified?
- 2) How the Canadian Coast Guard's mandate applies to all phases OSW development and its anticipated response to:
 - a) Accidents at sea such as spills, fire, collision and personal injury;
 - b) Search and rescue operations within and in proximity to OSW developments; and,
 - c) Sea ice in the vicinity of OSW facilities that may inhibit an operators access to conduct operations or maintenance.
- 3) What responsibilities does the Canadian Coast Guard have to require developers to mark and light turbines and will they adopt the International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA) best practices?
- 4) Will the Canadian Coast Guard require potential developers to adopt measures to minimize light pollution and mitigate light attraction to avian species?
- 5) Whether OSW development is anticipated to trigger a requirement for an approval to alter or impact fish habitat (the Harmful Alteration, Disruption and Destruction (HADD) process)? As part of any HADD process, would there be flexibility to consider any replacement of lost habitat areas in nearby waters, possibly in collaboration with the local fishing industry?
- 6) In recent open houses the importance of the fishery to local and national food security in the light of climate change has been raised as a concern. Can DFO offer any insight into this topic?

In responding to any of the above matters, the Committee would appreciate reference to any applicable legislation, regulation or policy directive pertaining to the topic.

The Committee would like feedback on this request no later than **July 31, 2024**. Please contact the Committee to discuss the due date if needed.

In addition, the Committee will hold a **workshop with DFO in approximately two weeks**. The intent of the workshop will be to provide an opportunity for DFO to seek clarification on this request (where needed) and for the Committee to provide guidance on what feedback is most crucial to support the RA Final Report. A specific meeting invite to the workshop will be sent out shortly.

As per the Committee's, the information submitted for this Request for Advice will be posted to the Canadian Impact Assessment Registry, unless otherwise requested to

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As per the Committee's Operational Procedure?

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The information submitted for this Request for Advice will be posted to the....

remain confidential. The Committee's [Confidentiality Procedure \(iaac-aeic.gc.ca\)](http://iaac-aeic.gc.ca) outlines the procedures in place regarding confidential information.

If you have any questions regarding the Regional Assessment process or this request, please do not hesitate to contact the Committee at OffshoreWindNS-EolienneExtracotiereNE@iaac-aeic.gc.ca.

Sincerely,

The Committee for the Regional Assessment of Offshore Wind Development in Nova Scotia

Attachments:

- Advice Record
- RA DFO Communication Table 1
- RA DFO Communication Table 2

ATTACHMENT: June 4, 2024

Advice Record

Response due by: July 31, 2024

Regional Assessment of Offshore Wind Development in Nova Scotia

Department/Agency	Fisheries and Oceans Canada
Lead Contact	Emma Marotte
Email	Emma.Marotte@dfo-mpo.gc.ca

Name of Departmental / Agency
Responder

Title of Responder

Date