



August 21, 2024

Regional Assessment Committee for Offshore Wind Development in Newfoundland and Labrador

Impact Assessment Agency of Canada

301-10 Barbers Hill

St. John's, Newfoundland and Labrador

A1C 6M1

To Members of the Regional Assessment Committee:

Energy NL is providing the attached submission, in response to your Committee's request for feedback stemming from your June 2024 stakeholder engagement sessions. As a prelude to our answers to some of the questions posed in your handout of June 25, 2024, this letter outlines some significant concerns our association has regarding the completion of this Regional Assessment. Energy NL has also provided similar feedback to the federal and provincial ministers responsible for natural resources.

Energy NL is a non-for-profit industry association which has existed since 1972, and which represents over 500 companies participating in or involved with the energy industry in Newfoundland and Labrador. We have substantial experience with the supply chain associated with energy development and are the predominant industry group representing all forms of energy development in the province. Our experience and expertise within our association and membership provides us with a strong position of knowledge which can add value to research surrounding new energy development in our province, including the ongoing Regional Assessment of Offshore Wind. While Energy NL and a number of its individual members have provided input to the Regional Assessment process, we are disappointed that these views, all of which have been fully supported by local experience and examples from other jurisdictions which have deployed offshore wind, have not been given greater consideration.

Specifically, Energy NL views the decision last Fall by the Committee to drastically reduce the area being studied, by the creation of a "Focus Area", to be limiting and not reflective of the true potential for offshore wind adjacent to our waters. This decision seemed to not fully consider the consultations undertaken by the Impact Assessment Agency prior to the Committee's formation which led to the establishment of the initial "Study Area". It also appears to not consider Newfoundland and Labrador's proven track record in cold-ocean and harsh environment activities, nor the near-to-medium term prospect for offshore wind projects which may be associated with powering offshore oil and gas facilities.

Energy NL

100 New Gower Street, Cabot Place, Suite 902, St. John's, NL, Canada A1C 6K3

T: 709-758-6610 F: 709-758-6611 www.energynl.ca

Furthermore, the notion that the deepest water in which offshore wind can be deployed is 300m has been used as a parameter in determining the “Focus Area” because that is the approximate depth of the Hywind-Tampen project in Norway’s offshore, yet the Committee has provided no substantial evidence to support this notion.

The *Agreement to Conduct a Regional Assessment of Offshore Wind Development in Newfoundland and Labrador* which was jointly released on March 23, 2023 by the Government of Canada and the Government of Newfoundland and Labrador, outlines the purpose, goals, and objectives of the Regional Assessment. The goal is stated as:

*“To provide information, knowledge and analysis regarding future offshore wind development activities in the Study Area **and their potential effects**, in order to inform and improve future planning, licencing, and impact assessment processes for these activities in a way that helps protect the environment and health, social and economic conditions while also creating opportunities for sustainable economic development.”* [emphasis added]

We suggest that the work of the Committee to date and the initial recommendations regarding areas for offshore wind, as outlined in the Committee’s interim report released in March 2024, have not been sufficiently informed with evidence-based research on the “potential effects” of offshore wind. The recommendations, specifically regarding the approach to the constraint analysis deployed, provides no consideration for offshore wind compatibility with other marine and offshore activities and does not reference evidence or proof of the actual effects of offshore wind on such other activities – a key requirement of the stated goal of the Regional Assessment. As such, the recommendations to date are being made void of such knowledge or information in favour of recommending total avoidance versus mitigation or planning for coexistence. The selected “Focus Area” coupled with the application of the constraint analysis, is leading to an end result that is not reflective of Newfoundland and Labrador’s true offshore wind potential, or the already proven ability of the offshore energy sector to co-exist with other sectors and is limiting the possibility of advancing an offshore wind industry.

With the announcement in April 2022 of governments’ intentions to initiate a Regional Assessment for Offshore Wind in Newfoundland and Labrador, Energy NL and our members were excited regarding the prospects and potential such an initiative could lead to for our province. Unfortunately, the approach as taken to date, appears to be leading to a document with only limited value as a tool to advance the opportunities and potential of an offshore wind energy industry in Newfoundland and Labrador.

Notwithstanding the above perspective, Energy NL is providing a response to some of the questions posed in your June Engagement 2024 Handout. In this document, Energy NL’s primary comments are directed towards the Community & Economy section, the area we have the most to offer. We agree that all of the questions posed in this document are important. There is much debate in the international community regarding the real impacts

of offshore wind activities on other marine industries, such as fisheries, and Energy NL encourages the Committee to gather as much evidence-based data as possible, and include research related to mitigation of impacts and methods to ensure coexistence. The notion of coexistence of offshore wind energy with other marine activities in Newfoundland and Labrador is a consideration we feel the Regional Assessment has been void of to date.

Additionally, the work undertaken for the Regional Assessment appears to be overwhelmingly focused on assumptions of negative aspects of development. As an example, we point to one of the questions posed in the recent handout, which is presented purely from a negative perception of offshore wind activity – the question on Component 1: Community & Economy – the Committee is listing all topics as “Potential Topics of Concern.” Energy NL views the development of a Regional Assessment approached in such a manner as not beneficial for the sector, the province, or the country. Energy NL believes that Regional Assessments can lead to development of sustainable projects with positive economic and social benefits.

Energy NL continues to recognize the importance of a Regional Assessment and the important role of the Committee in recommending an approach to both the Government of Canada and the Government of Newfoundland and Labrador. This task should be undertaken with full adherence to the parameters established by the *Agreement to Conduct a Regional Assessment of Offshore Wind Development in Newfoundland and Labrador*, and the objectives of both governments to develop a prosperous offshore wind energy sector. Energy NL strongly believes that offshore wind development can provide clean energy to the world while engaging a world-class supply and service sector and creating significant employment and economic benefits, and is an industry that can coexist with other marine sectors and protect our natural environment.

Of interest to Energy NL is the recent direction provided by the *Ministers Response Letter to the Nova Scotia Regional Assessment Interim Report*. As you are aware, the Regional Assessment of Offshore Wind Development in Nova Scotia is being undertaken with similar purpose, objectives and parameters as the Regional Assessment of Offshore Wind in Newfoundland and Labrador. This letter, dated July 23, 2024 is on public record on the database for the Regional Assessment of Offshore Wind in Nova Scotia. This response letter provides direction to the Nova Scotia Regional Assessment that we believe to be quite relevant to the Newfoundland and Labrador Regional Assessment, specifically the interest of Ministers to have:

- broader initial potential future development areas, with identified potential conflicts, which could then be assessed, and avoided or mitigated as conditions of Impact Assessments or project reviews;
- inclusion of data that considers positive socio-economic and environmental impacts of offshore wind to help ensure a balanced final report; and
- going forward, attention to the identification and recommendation of approaches that address potential effects of offshore wind development, and mitigation measures.

Energy NL would be interested in seeing such concepts applied in the Newfoundland and Labrador Regional Assessment.

Should the Committee as a whole or any members have any questions about the submission of Energy NL, or wish to discuss the Newfoundland and Labrador energy sector supply and service, I welcome the opportunity to do so.

Sincerely,



Charlene Johnson
CEO
Energy NL

Attachments included

CC: The Honourable Dr. Andrew Furey, M.H.A., Premier of Newfoundland and Labrador
The Honourable Jonathan Wilkinson, P.C., M.P, Minister of Energy and Natural Resources, Government of Canada
The Honourable Andrew Parsons, K.C., M.H.A., Minister of Energy, Industry and Technology, Government of Newfoundland and Labrador

REGIONAL ASSESSMENT OF OFFSHORE WIND DEVELOPMENT IN NEWFOUNDLAND & LABRADOR

June Engagement 2024 Handout

This handout is intended to support engagement sessions for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador, held from June 3rd to 13th, 2024. It outlines summary information and questions for participants about some of the topics the Committee is reviewing under the Regional Assessment.

For further information on the Regional Assessment and work completed to date, please visit our website <https://iaac-aeic.gc.ca/050/evaluations/proj/84343>

HANDOUT INSTRUCTIONS

Please read the information pertaining to each topic and answer the listed questions as you would like to. Please also provide any other feedback or information about the potential effects of offshore wind in the Focus Area in the 'Additional Feedback' section. The committee is open to receiving any information you would like to provide on the topic.

Please submit your responses during the in-person engagement sessions or by email to offshorewindnl-eolienneextracotieretnl@iaac-aeic.gc.ca by July 26, 2024.

Hard copies of the document will be available for your use during engagement sessions.

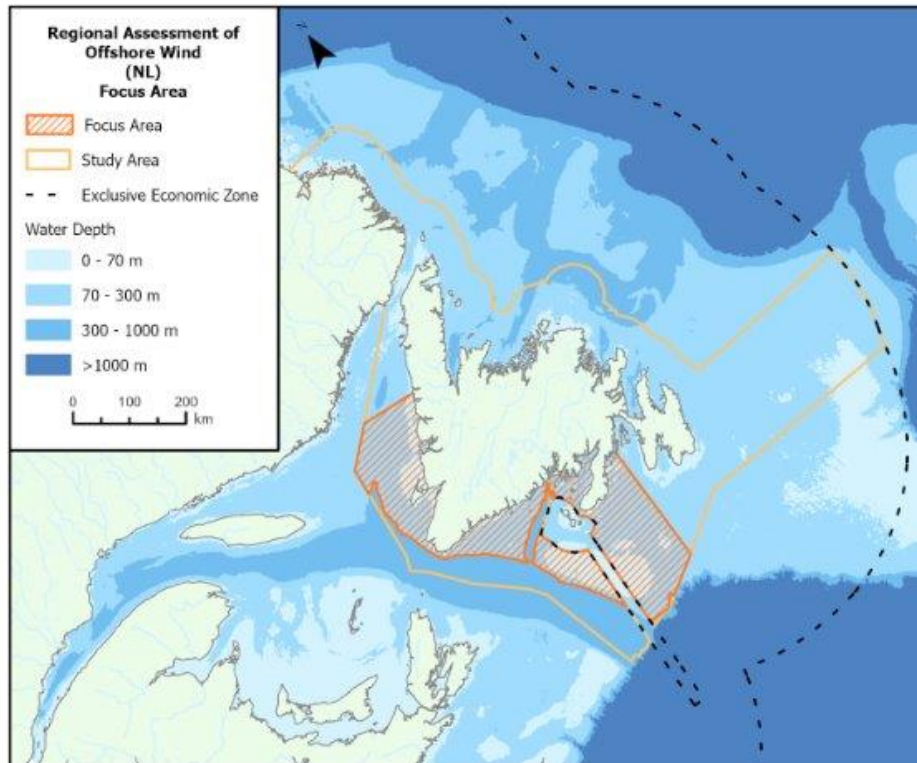
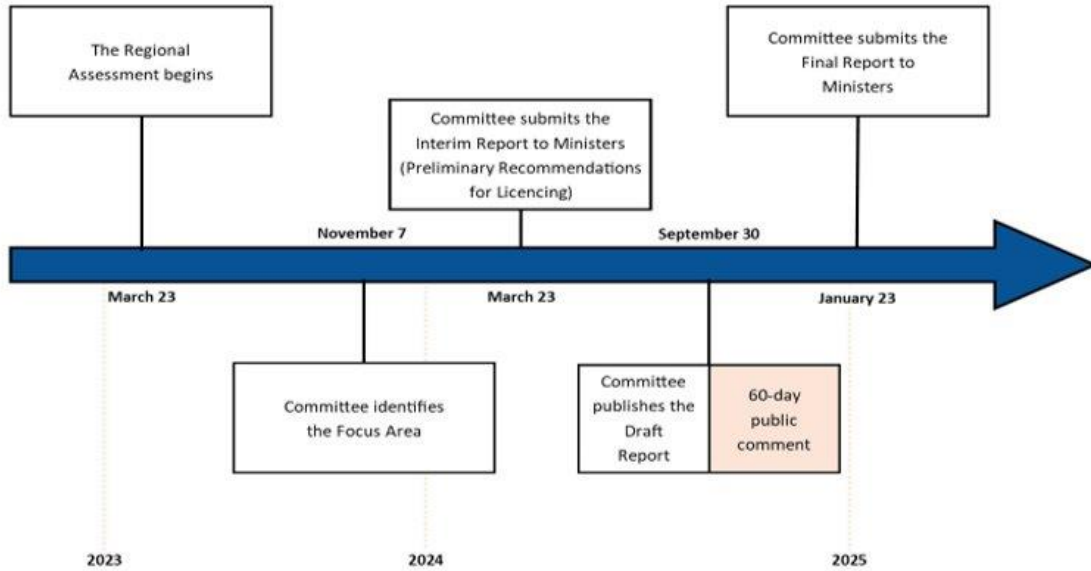
How To Submit Your Feedback / Answers:

1. *Submit this handout, with your responses, in-person during the Engagement Session*
2. *Email your typed answers to offshorewindnl-eolienneextracotieretnl@iaac-aeic.gc.ca*
3. *Enter your feedback in the digital document circulated, and email it to offshorewindnl-eolienneextracotieretnl@iaac-aeic.gc.ca*
4. *Scan or take a photo of this handout with your responses and email it to offshorewindnl-eolienneextracotieretnl@iaac-aeic.gc.ca*

This Regional Assessment also has an online commenting tool that is always active. Please feel free to submit further comments at any time using this tool: <https://iaac-aeic.gc.ca/050/evaluations/proj/84343/participation>

Information and feedback submitted, or otherwise provided during the June engagement sessions, will be compiled, and summarized in a 'What We Heard' document. This document will be shared publicly on the Regional Assessment Registry Page and will be included in the Committee's Regional Assessment Report. The report will be submitted to provincial and federal Ministers. It is intended to provide them with information, knowledge, and analysis to inform and improve future planning, licencing and impact assessment processes for offshore wind activities in a way that helps protect the environment and health, social and economic conditions while also creating opportunities for sustainable economic development.

SECTION 1: REGIONAL ASSESSMENT BACKGROUND INFORMATION



SECTION 2: UNDERSTANDING THE POTENTIAL EFFECTS OF OFFSHORE WIND AND THE COMPONENTS IN THE REGIONAL ASSESSMENT FOCUS AREA

COMPONENT 1: COMMUNITY & ECONOMY

A major project can bring concerns and questions regarding possible changes – some good, some worrisome. Depending on the stage (early research, construction, installation, operation, decommissioning) and location of an offshore wind energy project, communities can be involved in various ways.

Potential topics of concern:

- Influx of workers, both temporary and permanent.
- Displacement of local and traditional users of the port and harbor.
- Change in community norms and culture (access to services, local seascapes and recreation, road traffic, noise).
- New tax revenue for the community.
- New training, employment and/or business opportunities.
- Impacts on local industries and businesses.
- Considering impacts to all individuals in your community, including Indigenous peoples and peoples with diverse, intersecting identity factors.
- Any other topics you would like to discuss.

YOUR RESPONSE: Offshore Wind projects can provide substantial local benefits with respect to contracting and employment from the development stage, continuing through construction, and during operations. For Newfoundland and Labrador, the potential for an offshore wind energy industry offers the opportunity for supply and service companies and workers to expand on what is already a diverse complement of knowledge, capability, and capacity. Our region has extensive experience in energy project development and operations in a marine environment, and with little adjustment, is fully capable of participating in such activities for offshore wind.

Stemming from the experience of our offshore oil and gas industry, it will be extremely important for governments to include provisions for local benefits during offshore land/area sales for offshore wind development and for those benefits expectations to be applicable through the life of the project. Energy NL recently contracted the international consultancy firm DAI to undertake a review of local benefits regimes in other jurisdictions. The findings show that many jurisdictions, including those which have Free Trade Agreements with Canada, are finding ways to incorporate local benefits into their renewable energy initiatives, including offshore wind projects. This study, which we are providing to you with this submission, also provides a high-level overview of some of the capacity available in our local supply and service industry to support offshore wind development.

Offshore wind energy projects are a source of clean, renewable, energy which can be added to the province's current energy mix, for both export and domestic use which will directly contribute towards GDP, as well as government revenues and taxation. From a community perspective, real potential exists in rural areas adjacent to our offshore, which could be best positioned to realize the benefits through such activity as port upgrades; transfers of workers; transshipment of equipment/supplies; and even some specialized fabrication – to name just a few.

COMPONENT 2: COMMERCIAL FISHERIES

DFO has provided an overview of fisheries within the Focus Area, which includes both georeferenced and non-georeferenced fisheries to have a better overall picture. The georeferenced data generally includes vessels greater than 35 feet, with an automatic identification system (AIS) on board, within the years of 2012-2021, hence not being representative of our historic fisheries. Any non-georeferenced data mostly covers vessels under 35 feet. Within the Focus Area, there is a vast amount of small vessel fisheries, but it is more difficult to determine with absolute certainty the location of these fishing activities since these fisheries are not georeferenced and is extracted as best as possible from logbook data.

#1: How can we improve engagement with the Newfoundland and Labrador fishery?

#2: How can the Committee reflect the past and present importance and geographic distribution of fisheries (e.g., commercial, commercial/communal, food social ceremonial, recreational, traditional) in the Focus Area?

#3: How can the Committee account for potential changes in future fish distribution and abundance due to factors such as climate change?

Energy NL suggests that the Committee needs to be fully informed regarding research which has taken place on the impacts offshore wind may or may not have, likely from other jurisdictions where offshore wind has been deployed, prior to making recommendations regarding mitigation or avoidance.

Energy NL recommends that the Committee consider the history of the offshore oil and gas sector and its coexistence with the fishing industry, and the role of organizations such as One Ocean in guiding the relationship.

COMPONENT 3: FISH & FISH HABITAT

The marine ecosystems of Atlantic Canada, including the Focus Area, are changing, due to climate change, natural variability and human activities. Fish and other species can be found throughout the water column, from sea surface to seabed. There are potential effects on the seabed and the nearby water column during construction and installation, possibly also during operation and maintenance. The RA Committee is recommending that a 10 km coastal buffer be established which would protect commercial and recreational activities in that area.

#1: Are there any specific marine fish or fish habitats that are important to you or your community in the Focus Area? Why are they important? What steps need to be taken to avoid or address any possible impacts of offshore wind development on those species?

#2: What research or information is needed to better understand the effects of offshore wind on marine fish and fish habitat in the Focus Area?

Energy NL suggests that the Committee needs to be fully informed regarding evidence-based research which has taken place, likely from jurisdictions where offshore wind projects have been deployed, regarding what impacts offshore wind developments may have or not have, prior to making recommendations regarding mitigation or avoidance.

#3: Are there locations or times of year that should be avoided during offshore wind development activities? Do you recommend any other measures to minimize impacts on species or habitats (e.g., monitoring programs for salmon or eel)?

COMPONENT 4: AEROFAUNA

Aerofauna refers to any species that flies or glides (e.g., birds, bats, insects, and butterflies).

#1: Are there any aerofauna species that are important to you or your community in the Focus Area? Why are they important? What steps need to be taken to avoid or address any possible impacts of offshore wind on those species?

#2: What research or information is needed to better understand the effects of offshore wind development activities on aerofauna in the Focus Area? Are you aware of any research, Indigenous or Community Knowledge that could improve our understanding of aerofauna?

Energy NL suggests that the Committee include evidence-based research which has taken place, likely from other jurisdictions where offshore wind projects have been deployed, regarding what impacts offshore wind development may have or not have on aerofauna, prior to making recommendations regarding mitigation or avoidance.

#3: Are you aware of any changes in aerofauna in this region over time?

COMPONENT 5: MARINE MAMMALS & SEA TURTLES

Several species of marine mammals and sea turtles may occur in or near the Focus Area, including some species at risk. However, data and information on the presence, movements, and seasonality for some of these species is limited.

Identifying areas and species of important for marine mammals and sea turtles will enable the Committee to make relevant recommendations on how to mitigate the impacts and/or effects offshore wind development may have on these species in the Focus Area.

#1: Are there any known areas of marine mammal and sea turtle presence within the Focus Area? Have these areas changed over time? Are marine mammals and sea turtles more likely to be in these areas at specific times of the year?

#2: Where could the Committee find expertise (e.g., research, Indigenous or Community Knowledge) on marine mammals and sea turtles in the context of offshore Wind development in the Focus Area?

#3: What research or information is needed to better understand the effects of offshore wind development activities on marine mammals and sea turtles in the Focus Area?

Experience and research from other jurisdictions which have undertaken, or are currently undertaking offshore wind development. One example is the Bureau of Ocean Energy Management

