

Impact Assessment Agency of Canada

REGIONAL ASSESSMENT OF
OFFSHORE WIND DEVELOPMENT IN
NEWFOUNDLAND AND LABRADOR AND NOVA SCOTIA

Regional Assessment Planning Workshop
July 2022



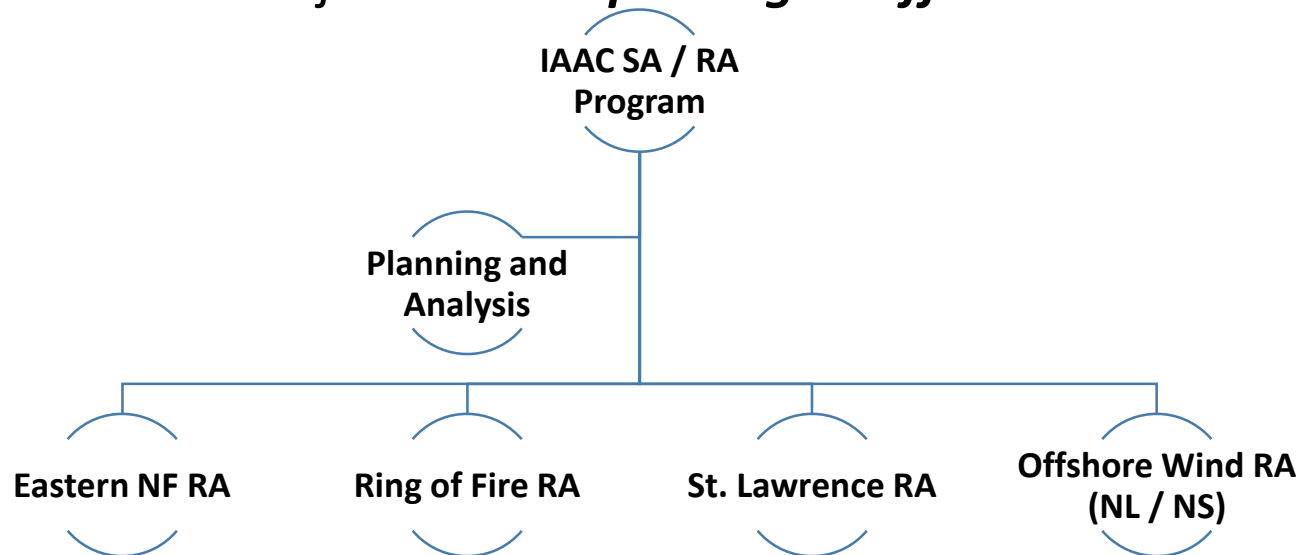
AGENDA

- Welcome and Introductions
- Overview of the Regional Assessment (RA) of Offshore Wind Development in NL and NS
 - RA initiation / rationale
 - Status of on-going RA planning
 - Some key concepts and considerations
- Potential RA Schedule / Milestones
- Areas where input is encouraged for RA design
- Q&A / Discussion
- Future engagement activities / How to provide input
- Next Steps



REGIONAL ASSESSMENTS UNDER IAA

- *Impact Assessment Act* (IAA) allows the Minister to establish a committee or authorize IAAC to conduct a RA of the effects of existing or future physical activities in a region
 - IAA sets out various principles and procedural requirements for RAs
 - Requires that Minister respond, with reasons, to public requests for an RA
 - RAs must be considered at several points in subsequent project-specific IAs
- RAs have overall objective of ***improving IA effectiveness and efficiency***



RA INITIATION / RATIONALE

- RA of offshore wind development in Newfoundland and Labrador and Nova Scotia was initiated and announced by the Minister of ECCC on April 5, 2022
- Minister's reasons for determination:
 - RA could inform future federal impact assessment decisions, as offshore wind developments are described under Section 44 of the *Physical Activities Regulations*;
 - Potential for offshore wind development activities...to result in effects within federal jurisdiction, including cumulative effects;
 - Opportunities for collaboration with Governments of NL and NS;
 - Potential for impacts, including cumulative impacts, to the rights of Indigenous people;
 - Public interest related to offshore wind development and its potential effects...;
 - No known existing or planned initiatives outside of an RA that would adequately address the need and objectives outlined above; and,
 - RA can be conducted using the resources that are available to IAAC.
- Minister directed IAAC to commence with a planning exercise for the RA

<https://iaac-aeic.gc.ca/050/evaluations/document/144376>



OFFSHORE RENEWABLE ENERGY (ORE)

- *April 2022*: Governments announced intent to expand the mandates of the Offshore Petroleum Boards to include the regulation of ORE
 - Boards will be renamed to reflect their new mandates and become the life cycle regulators for ORE in the Canada-NS and Canada-NL offshore areas
 - Approach will leverage the existing petroleum regime and make changes where necessary to address ORE requirements
- Next steps include drafting legislation and moving Bill through federal and provincial parliaments
- This will result in a scheduled land tenure / licensing system for offshore wind in the NS and NL Offshore Areas
- NRCan is developing *Offshore Renewable Energy Regulations* under the *Canadian Energy Regulator Act*, which will be used to complete the ORE regulatory regime under the *Accord Acts*



RA OUTPUTS AND USES

- RA is being designed as a key component of that new regulatory framework, with 2 types of (inter-related) outputs to inform future planning and decision-making:
 - 1) Regional analysis conducted through the RA will help identify optimal areas for future wind development (+ any with key constraints), which informs selection of areas for future Calls for Bids, and
 - 2) RA provides information and analysis (existing conditions, potential effects, mitigation) to help inform and improve future IAs of offshore wind projects once identified and proposed



RA PLANNING AND ENGAGEMENT

- In initiating the RA, the Minister of ECCC directed IAAC to:
 - “*[W]ork with the Governments of Newfoundland and Labrador and Nova Scotia, Indigenous groups, federal authorities, non-government organizations and the public to plan the Regional Assessment, including defining its goal, objectives, geographic boundaries, activities, outcomes and governance structure*”
- IAAC is in discussions with the Governments of NS and NL regarding RA cooperation, including Draft RA Agreement(s) and Terms of Reference (TOR)
- RA planning is being informed by public and Indigenous engagement:
 - RA email distribution list (OffshoreWind-EolienneExtracotiere@iaac-aeic.gc.ca)
 - Public Releases, IAAC Twitter and Facebook sites
 - IAAC *Participant Funding Program* (PFP), Call for applications in early July
 - Meetings / Workshops to provide updates and seek input
 - Written input can be provided by email or through IAAC Registry page
 - Public and Indigenous review period for Draft Agreement(s) and TOR (Fall 2022)

POTENTIAL RA OBJECTIVES / OUTCOMES

- Some key, proposed aspects of RA format and governance include:
 - Conducted by a 5 member independent Committee
 - Supported by Secretariat (fed-prov) and various Advisory Groups
 - Public and Indigenous engagement throughout RA conduct (with funding)
 - Consideration and weaving of Indigenous Knowledge and Western Science
- Possible RA objectives and outcomes include:
 - a) Description of existing environmental, health, social and economic conditions (information compilation, analysis, data gaps)
 - b) Identification of key issues / potential effects associated with future offshore wind development in the regions
 - c) Recommendation of mitigation and follow-up measures for future projects + Other approaches to address potential effects
 - d) Provision of “regional context” for future projects and their assessments
- Committee will conduct RA and report to Ministers in accordance with its TOR (activities, timelines) – RA Report + potential GIS application



SOME KEY CONSIDERATIONS

- A number of fundamental aspects of RA planning remain under active consideration and discussion, including:
 - 1) *Conduct of RA(s) in NL and NS*: 2 RA Committees working under “mirrored” TOR, possibly on different timelines
 - 2) *RA Schedule*: Planned “phasing” of RA outcomes (regional analysis to inform future planning / licencing, followed by information and recommendations for future project IAs)
 - 3) *RA Relationship to Other Programs*: Potential overlap / interactions with other existing, related initiatives (eg, DFO Marine Spatial Planning), and opportunities to optimize linkages and efficiencies

POTENTIAL RA SCHEDULE (TBC)

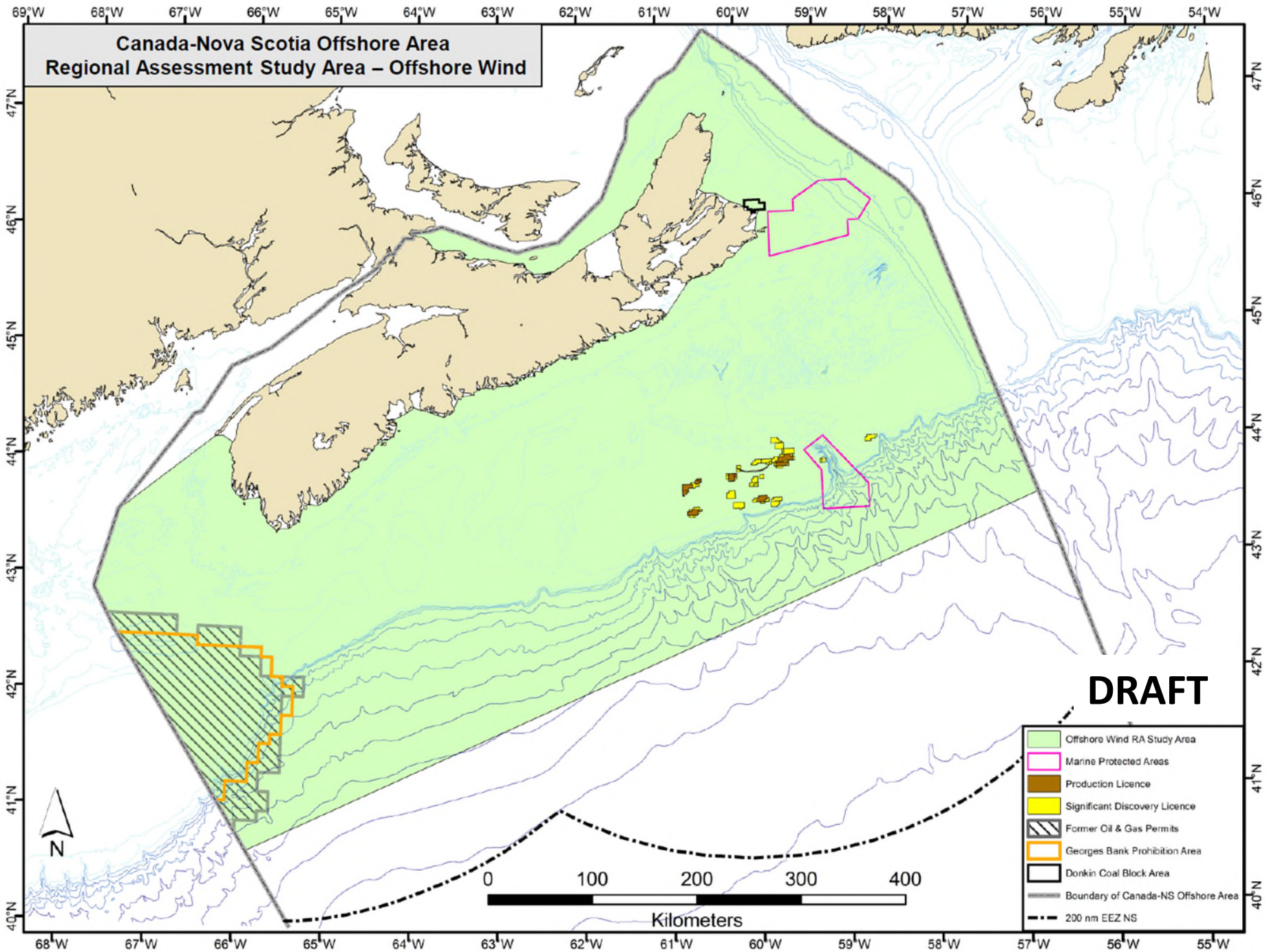
<i>Engagement for RA Planning:</i>	To September 2022
<i>Public Review and Comment Period: Draft Agreement(s) and TOR</i>	Commences October 1, 2022 (45 days)
<i>Final Agreement(s) and TOR, Ministerial Approvals</i>	December 2022
<i>Committee(s) Appointed, RA Commencement</i>	January 2023 (NS and NL timelines TBD)
<i>RA Completion</i>	Apx 18 months from initiation (with phased RA deliverables)



SOME AREAS FOR DISCUSSION / INPUT

- 1) RA goal and objectives
- 2) Geographic scope (NS and NL Study Areas)
- 3) Key environmental, health, social and economic components / issues upon which the RA should focus
- 4) Governance structure (Committee, Secretariat, Advisory Bodies)





SOME AREAS FOR DISCUSSION / INPUT

- 5) Information and knowledge sources / systems
- 6) Public and Indigenous participation opportunities and approaches
- 7) RA Processes and Timelines

Q&A / DISCUSSION



FUTURE ENGAGEMENT

- RA planning is still very much in progress, and there are opportunities and avenues for all interested parties to be involved and provide input:
 - IAAC will provide updates and information through the RA email distribution list (OffshoreWind-EolienneExtracotiere@iaac-aeic.gc.ca), the Canadian Impact Assessment Registry, and through its Twitter and Facebook sites
 - IAAC *Participant Funding Program* (PFP), Call for applications issued July 5, closes Aug 5 (Covers RA planning and eventual Draft Agreement / TOR review)
 - Initial Workshops (July 20 / 27) + Additional workshops to present and discuss draft TOR content
 - Written input to IAAC by email or through the IAAC Registry page
 - Public and Indigenous review period for Draft Agreement(s) and TOR (likely Oct-Nov 2022)



FOR FURTHER INFORMATION

1) Regional Assessment of Offshore Wind Development in Newfoundland and Labrador and Nova Scotia

Email: Offshorewind-eolienneextracotiere@iaac-aeic.gc.ca

Canadian Impact Assessment Registry:

<https://iaac-aeic.gc.ca/050/evaluations/proj/83514>

2) Fact Sheet: Regional Assessment Under the *Impact Assessment Act*:

<https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/regional-strategic-assessments/regional-assessment-impact-assessment-act.html>

3) Operational Guide: Requesting A Regional Or Strategic Assessment

Under the *Impact Assessment Act*: <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/regional-strategic-assessments/requesting-regional-strategic-assessment-iaa.html>

