

Regional Assessment of Offshore Wind Development in Nova Scotia

FISHERIES PARTICIPATION PLAN

**Prepared by: The NS Regional Assessment Committee
July 2023
Revision: 00**

Contents

1.0	Introduction	3
1.1	Engagement Objectives	3
1.2	Regional Assessment Background	3
1.3	Funding	4
2.0	Stakeholder Identification	4
2.1	Advisory Groups	4
3.0	Engagement Planning	5
3.1	Participants	5
3.1.1	Fishers, Fishing Organizations, and the Fishing Industry	5
3.1.2	Fisheries and Other Ocean Users Advisory Group	5
3.1.3	Provincial and Federal Agencies	6
3.2	Engagement Approach	6
3.2.1	Fishers	7
3.2.2	Fishing Organizations and the Fishing Industry	7
3.2.3	Fisheries and Other Ocean Users Advisory Group	7
3.2.4	Provincial and Federal Agencies	7
3.2	Timing of Engagement	7
3.3	Engagement Topics	8
4	Confidentiality	8
	Appendix A: Key Links	9
	Appendix B: Advisory Groups	10
	Appendix C: Fisheries Engagement Activities and Tracking Log	12

1.0 Introduction

Under the conditions of its Agreement and Terms of Reference (TOR), the Committee established for the Regional Assessment (RA) of Offshore Wind Development in Nova Scotia (“the Committee”) has prepared this Fisheries Participation Plan (the Plan) to outline the engagement approach for fishers, fisheries organizations and the fishing industry to participate throughout the conduct of the RA.

This Plan will continue to be revised throughout the RA as additional fishery interests, including Indigenous commercial fishers and fisheries, are identified and provide feedback. As per the TOR, this plan will be posted to the Registry and updated regularly by the Committee, with advice from Advisory Groups, to ensure that participants are aware of planned participation approaches and upcoming activities. The Plan will also provide a public record of the engagement activities undertaken with fishers, fisheries organizations and the fishing industry.

Additional information on the Committee operational procedures and the confidentiality procedure is complementary to this Plan and is available on the RA Registry page.

Links relevant to the information provided in this Plan are provided in Appendix A.

1.1 Engagement Objectives

The overall objective of engagement is to collect information, including Community knowledge and scientific information from Indigenous and non-Indigenous fishers, fisheries organizations and the fishing industry that will inform the Committee’s analysis and recommendations for the RA.

To facilitate this overall objective the Committee will strive to:

- Encourage fishers, fisheries organizations and the fishing industry to actively participate in the RA;
- Identify various opportunities for participation in the RA for fishing related groups; and
- Establish an open and constructive dialogue with fishers, fisheries organizations and the fishing industry.

1.2 Regional Assessment Background

On April 5, 2022, the Minister of Environment and Climate Change (the Minister) announced that a Regional Assessment of Offshore Wind Development in Newfoundland and Labrador and Nova Scotia would be carried out under the *Impact Assessment Act (IAA)* to help inform future project-specific federal impact assessments for offshore wind projects in these areas. Early planning included an engagement program conducted in the summer and fall of 2022 to provide information on the regional assessment process and to gather feedback to inform the development of a draft Agreement and TOR. The draft Agreement and TOR underwent a public review and comment period in October/November 2022 and final versions were posted the Canadian Impact Assessment Registry (the Registry) when the RA was announced in March 2023.

A five-member, independent Committee was established pursuant to subsection 93(1) of the *IAA*. The Committee will conduct the RA in accordance with the *IAA*, the Agreement, and the TOR. A Secretariat

was also established to provide administrative and technical support to the Committee during the conduct of the RA.

1.3 Funding

The Agency offered contribution funding to participants to support participation in the conduct phase of the RA. Funding can be used for participation in meetings and on Advisory Groups, review of materials, and review and comment on the Committee's draft Reports.

2.0 Stakeholder Identification

During the planning phase, the Agency undertook a widespread exercise to develop comprehensive stakeholder lists; one for government stakeholders (federal and provincial agencies), and one for non-government stakeholders including those who identified as fishers and/or belonging to any interested fisheries organizations or the fishing industry. This exercise involved reaching out to various federal and provincial government departments, and other organizations, such as the Canada Nova Scotia Offshore Petroleum Board, to develop distribution lists of fishers and fishing associations. Through outreach emails and engagement sessions completed during the planning phase, all participants were encouraged to continue to participate and to inform any additional groups or individuals they thought may be interested.

The Agency also undertook a media campaign using radio and social media advertising to raise awareness of a regional assessment planning phase. The stakeholder lists have grown from these efforts, and the Committee and its Secretariat will continue to add to the lists as the RA progresses. If you wish to be added to the stakeholder list, please contact OffshoreWindNS-EolienneExtracotiereNE@iaac-aeic.gc.ca.

2.1 Advisory Groups

The Agency also initiated a preliminary call for interest, in February 2023, for individuals with expertise in one or more fields related to the RA to indicate their interest in participating on one or more Advisory Groups during the conduct of the RA. Responses to this call for interest were used to further identify organizations or individuals interested in participating in the RA. The Advisory Groups are:

- Indigenous Knowledge Advisory Group
- Scientific and Community Knowledge Advisory Group
- Fisheries and Other Ocean Uses Advisory Group

A description of each Advisory Group is provided in Appendix B. The purpose of the Advisory Groups is to enable the Committee to bring together multiple subject matter experts with different perspectives to discuss specific topics of interest (e.g., marine birds, fisheries, marine mammals, etc.). These discussions will be more focused and comprehensive than general engagement approaches. The Committee will seek assistance from Advisory Groups to:

- identify, provide, and support the use of Indigenous knowledge, Community knowledge, and scientific information in the conduct of the RA, as appropriate; and,
- identify and evaluate information and knowledge gaps and recommend approaches to address these gaps.

Expressions of Interest for Advisory Groups will be accepted from individuals throughout the conduct of the RA. An Expression of Interest Form is posted on the Registry site and a link is provided at the end of this document in Appendix A.

3.0 Engagement Planning

3.1 Participants

Engagement will be with individual fishers, fisheries organizations and the fishing industry that have commercial fisheries information, fisheries knowledge or fisheries interests relevant to the RA. This will include Indigenous and non-Indigenous fishers, fisheries organizations, the fishing industry and members of the Fisheries and Other Ocean Uses Advisory Group. Engagement on fisheries will also take place with relevant government departments.

Note that for Indigenous fishery participants, this engagement will focus on commercial fisheries. Engagement on Traditional fisheries, Treaty fisheries, and fishing for food, social and ceremonial purposes will be done under the Indigenous engagement process and is covered within the Indigenous Participation Plan.

3.1.1 Fishers, Fishing Organizations, and the Fishing Industry

Any questions and comments, including requests to be added to the (non-government) stakeholder list, can be sent to the Committee via the RA email: OffshoreWindNS-EolienneExtracotiereNE@iaac-aeic.gc.ca or via the public commenting tool, available on the RA Registry page. The email and the public commenting tool are monitored regularly by the Secretariat and any communications received will be forwarded to Committee members on a weekly basis. All correspondence will be posted to the Registry (subject to any confidentiality considerations). These tools can be used during any point of the RA process.

Committee communications to participants on the stakeholder list will be sent via the RA email and will also be posted to the RA Registry page as general updates.

Committee documents related to the conduct of the RA will be posted to the RA Registry site for public access and review. Documents will include but are not limited to:

- Participation Plans
- Meeting Summaries
- Committee Procedures
- Draft Reports
- Final Reports

3.1.2 Fisheries and Other Ocean Users Advisory Group

Communications to specific members of the Fisheries and Other Ocean Users Advisory Group will be via direct e-mail using the contact information provided in the Expression of Interest Form for those that have shown relevant expertise (i.e., those with fishing experience, knowledge of fish species, tourism, offshore research, shipping and transportation, etc.).

3.1.3 Provincial and Federal Agencies

In addition to feedback and advice from fishers, fishing organizations and the fishing Industry, the Committee will rely on the advice of relevant federal and provincial departments, namely Fisheries and Oceans Canada (DFO) and the Nova Scotia Department of Fisheries and Aquaculture, who have an obligation to provide the Committee with relevant information and expertise during the conduct of the RA, under the provisions of the *IAA* and the RA Agreement. The Committee will engage with Federal and Provincial government agencies in the manner that it believes to be the most logical and efficient to conduct its work.

Government departments have the ability to attend larger open engagement sessions and can participate in the Fisheries and Other Ocean Users Advisory Group as they have extensive knowledge, data, and expertise to be considered. The Committee also may hold individual meetings with government agencies on specific topics or initiatives related to fisheries in the Study Area.

3.2 Engagement Approach

The Committee has identified various ways and methods to approach engagement based on feedback and views gathered during the planning phase of the RA, and from comments submitted as part of the public comment period on the draft Agreement and TOR.

During the conduct of the RA, the Committee will be committed to working with fishers, fishing organizations and the fishing industry to support and tailor involvement based on feedback throughout the conduct of the RA. Engagement approaches may therefore be modified or new approaches integrated, and this Plan will be updated accordingly.

In general, engagement activities could include, but are not limited to:

- Communications (to the Committee) via the public comment tool on the RA Registry site
- Communications (to and from the Committee) via the general RA email
- Communication (from the Committee) via official notices and updates posted to the RA Registry site
- General engagement sessions, either in-person or virtual
- Focused Advisory Group engagement sessions on a particular topic of interest

Engagement sessions will be offered in-person and/or virtually throughout the RA. The Committee understands the logistical task involved in scheduling engagement sessions with fishing individuals and groups and the need to consider fishing seasons. The Committee will strive to provide as much advance notice as possible and multiple options for days and times for public sessions to facilitate maximum participation.

Background materials considered relevant to the upcoming discussion and agendas will be distributed beforehand and draft meeting notes will be circulated to all attendees for review following each meeting/session.

The Committee recognizes that time and capacity of fishers, fishing organizations and the fishing industry is limited. Where possible and acceptable, the Committee is open to meeting with multiple organizations at one time, or attending general fisheries meetings already in place, to reduce the

number of meetings, material review and feedback required by participants. Options will be explored throughout the conduct of the RA.

All engagement sessions will be logged in Appendix C of this Plan, which will also act as part of the public record of engagement.

3.2.1 Fishers

General engagement sessions will include a larger public invitation for participation via a general email to the non-government stakeholder lists; and/or a notice on the RA Registry page; and/or a posting in the *Information Sessions* section of the RA Registry page. Where possible, media options (e.g., Facebook and Twitter) will also be utilized.

Anyone can participate in these general sessions.

3.2.2 Fishing Organizations and the Fishing Industry

The Committee may also meet with fishing organizations and/or fishing industry groups in a one-on-one setting.

The Committee will engage with these groups in the manner that is most efficient to conduct its work and that considers the timing restrictions related to various fishing seasons in Atlantic Canada. Engagement may involve individual meetings with these groups on specific topics related to the fisheries and may also include briefing sessions where groups may provide the Committee with background information relevant to fisheries and to the RA.

3.2.3 Fisheries and Other Ocean Users Advisory Group

Advisory Group sessions will involve invitations to members that have submitted an Expression of Interest Form and have shown relevant expertise (i.e., those with fishing experience, knowledge of fish species, fish movements etc.). The Expressions of Interest will be used to develop a roster of experts that the Committee will refer to and select from based on the topic to be discussed.

The composition and activities of the Advisory Group may therefore vary from time to time, based on the needs, work or expertise required and requested by the Committee during the conduct of the RA. There will be no set schedule for Advisory Group meetings; it will be decided on an as-needed basis.

3.2.4 Provincial and Federal Agencies

The Committee may hold individual meetings with key government departments on fisheries related topics including briefing sessions where government departments may provide the Committee with background fisheries information or data relevant to the RA.

Government departments may also attend larger open engagement sessions and can participate in the Fisheries and Other Ocean Users Advisory Group if they have demonstrated relevant expertise.

3.2 Timing of Engagement

There is no pre-determined schedule for engagement sessions or meetings with the Advisory Group. As the RA progresses the Committee will conduct engagement based on information needed and feedback from fishers, fishing organizations and the fishing industry.

3.3 Engagement Topics

In conducting their analysis, the Committee will engage on topics as per section A1.6 of the TOR, which includes:

- existing environmental, health, social and economic conditions;
- information and knowledge gaps;
- positive and adverse effects, including cumulative effects of future offshore wind development activities;
- effects on any Indigenous peoples, and any impact that they may have on the rights of the Indigenous peoples recognized and affirmed by section 35 of the *Constitution Act, 1982*;
- mitigation and follow-up measures;
- existing legislation, regulations, guidelines and standards, and associated approvals or authorizations;
- sustainability and climate change;
- intersection of sex and gender with other identity factors; and
- scientific information, Indigenous knowledge — including the knowledge of Indigenous women — and Community knowledge.

The Committee may, based on its analysis and engagement activity, further refine, or add to the list of components listed above.

4 Confidentiality

The Committee will endeavour to be as transparent as possible with the information it considers in the conduct of the RA. As such, if a Participant holds information relevant to the RA that they want to share with the Committee but wishes for that information to remain confidential, the Committee will follow the process outlined in the *Procedures for Requesting Confidentiality*.

Additional information related to confidentiality is provided on the RA Registry page in the Committee's *Confidentiality Procedure*.

Appendix A: Key Links

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

Confidentiality Procedure: <https://www.iaac-aeic.gc.ca/050/evaluations/document/152086>

Operational Procedures: <https://www.iaac-aeic.gc.ca/050/evaluations/document/152087>

Final Agreement and Terms of Reference: <https://www.iaac-aeic.gc.ca/050/evaluations/document/147038>

Preliminary Call for Interest for Advisory Group Members: <https://www.iaac-aeic.gc.ca/050/evaluations/document/146787>

Expression of Interest Form (for Advisory Groups): <https://www.iaac-aeic.gc.ca/050/evaluations/document/146788>

Public Comment Tool: <https://www.iaac-aeic.gc.ca/050/evaluations/proj/83514/participation>

Appendix B: Advisory Groups

Fisheries and Other Ocean Uses Advisory Group

The Fisheries and Other Ocean Uses Advisory Group will assist the Committee by:

- Providing knowledge, information, and advice regarding current and potential fishing activity, and potential interactions between fishing activity and offshore wind development activities
- Advising on approaches for avoiding or minimizing adverse effects and creating or maximizing opportunities for positive effects on fisheries and other ocean uses
- Gathering and analyzing relevant data and information and conducting analyses
- Providing input on the development, implementation and updating of the Public, Fisheries and Stakeholder Participation Plan

This Fisheries and Other Ocean Uses Advisory Group will be comprised of individuals and representatives from organizations, including Indigenous Peoples and Indigenous organizations, engaged in commercial, traditional, and recreational fisheries, in inshore, mid-shore, and offshore areas. This advisory group will also include those with experience / expertise in other ocean uses including, but not limited to, tourism, marine shipping, offshore energy, research, and aquaculture.

Scientific Information and Community Knowledge Advisory Group

The Scientific Information and Community Knowledge Advisory Group will assist the Committee by:

- Sharing scientific information, including technical information and advice, and Community knowledge relevant to the RA
- Providing advice and expertise related to environmental, health, social and economic components, and issues
- Gathering and analyzing relevant data and information and conducting analyses
- Providing input on the development, implementation and updating of the Public and Stakeholder and the Fisheries Participation Plans

This Scientific and Community Knowledge Advisory Group will be comprised of representatives from federal and provincial government departments and agencies and non-governmental organizations and individuals, including Indigenous Peoples and Indigenous organizations. These representatives will have information and expertise related to, and/or community knowledge of, the following components:

- Air Quality and Greenhouse Gases
- Marine Fish and Fish Habitat (including species at risk)
- Avifauna (including birds, bats, and associated species at risk)
- Marine Mammals and Sea Turtles (including species at risk)
- Protected and Special Areas (established and proposed)
- Visual Aesthetics / Viewscapes and Acoustic Environments

- Physical and Cultural Heritage (including structures, sites, or things of historical, archaeological, paleontological, or architectural significance)
- Health
- Communities
- Economy

Indigenous Knowledge Advisory Group

The Indigenous Knowledge Advisory Group will assist the Committee by:

- Sharing Indigenous knowledge and perspectives on matters relevant to the conduct of the RA
- Providing information, knowledge and perspectives on Indigenous peoples and their communities, activities, and other interests, including Aboriginal or Treaty rights protected by section 35 of the *Constitution Act, 1982*
- Advising on approaches for the collection, sharing and consideration of Indigenous knowledge and perspectives, and its incorporation into the RA, in accordance with established Indigenous protocols and procedures
- Providing input on the development, implementation and updating of the Indigenous Participation Plan (*posted to the Registry*).

The Indigenous Knowledge Advisory Group will be comprised of Indigenous peoples participating in the Regional Assessment.

Appendix C: Fisheries Engagement Activities and Tracking Log

Engagement Activities ¹	Objective(s)	Tracking
Spring and Summer 2023 (April - August)		
Committee Update Notice	To provide an update of early Committee activities. This update was posted to the Registry (https://www.iaac-aeic.gc.ca/050/evaluations/document/152022)	Completed and posted June 13, 2023
Registry Posting of Committee Documents	Provide the Committee's Operational Procedure on the Registry (https://www.iaac-aeic.gc.ca/050/evaluations/document/152087)	Completed and posted June 16, 2023
	Provide the Committee's Confidentiality Procedure on the Registry (https://www.iaac-aeic.gc.ca/050/evaluations/document/152086)	
Briefing	Briefing provided by the Canada Nova Scotia Offshore Petroleum Board (CNSOPB) to inform the Committee: <ul style="list-style-type: none"> Briefing: Fisheries Advisory Committee (CNSOPB) 	Completed as part of the Committee meetings on June 19/20, 2023
Engagement Meeting - Fisheries Advisory Committee of CNSOPB	<ul style="list-style-type: none"> Introductions of the Committee members Update on the early progress of the RA Answer questions from fisheries stakeholders about the RA, Advisory Groups 	Completed June 21, 2023
Registry Posting of Committee Documents	Provide the Committee's Public and Stakeholder Participation Plan and Fisheries Participation Plan on the Registry: <i>Note: These Plans will be updated regularly based on feedback from Advisory Groups</i>	Completed July 2023
General Openhouse Session (Virtual) (open to all)	<ul style="list-style-type: none"> Introduction of the Committee Committee to pose the planned engagement approach Committee to provide an overview of the Regional Assessment and gather initial thoughts and answer questions from participants 	Completed July 5, 6, 11, 12, 2023
Initial outreach to Fisheries and Other Ocean Uses Advisory Group	<i>TBD</i>	<i>Planned for July 25, 27, 28, 2023</i>
Fall 2023 (September - November)		

¹ This table is not meant to be inclusive of all potential engagement activities that can be undertaken during the conduct of the RA. The Committee understands that as the RA evolves and the Committee learns new information, additional engagement sessions may be required. The Committee will work with fishers and fisheries organizations to determine additional engagement opportunities as needed.

Engagement Activities ¹	Objective(s)	Tracking
Winter 2023/2024 (December - March)		
Interim Report: Public Review Period	Review and comment on the Committee's Interim Report (Future Planning and Licencing)	<i>Planned for January/February 2024</i>
MILESTONE: Committee submits Interim Report to Ministers (March 2024)		
Spring - Summer 2024 (April - August)		
Final Report: Public Review Period	Review and comment on the Committee's Final Report (Recommendations)	<i>Planned for July/August 2024</i>
Fall 2024 (September - October)		
MILESTONE: Committee submits Final Report to Ministers (September 2024)		