REGIONAL ASSESSMENT OF OFFSHORE WIND DEVELOPMENT IN NEWFOUNDLAND AND LABRADOR

Interim Report: Preliminary Offshore Wind Licencing Area Recommendations

March 22, 2024

Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador: Shayne McDonald (Chair), Glenn Blackwood, Leslie Grattan, Brian Power, and Paul W. Saunders

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LIST OF ACRONYMS

ACSS	Atlantic Canada Shorebird Survey
AIS	Automatic Identification System
AOI	Area(s) of Interest
C-NLOER	Canada – Newfoundland and Labrador Offshore Energy Regulator
COSEWIC	Committee on the Status of Endangered Wildlife in Canada
CPCAD	Canadian Protected and Conserved Areas Database
DFO	Fisheries and Oceans Canada
DND	Department of National Defence
EBSA	Ecologically and Biologically Significant Areas
ECCC	Environment and Climate Change Canada
ECCC CWS	Environment and Climate Change Canada, Canadian Wildlife Service
ECCC-CWS-ATL	Environment and Climate Change Canada – Canadian Wildlife Service – Atlantic Region
ECSAS	Atlas of Seabirds at Sea in Eastern Canada
GIS	Geographical Information Systems
IAA	Impact Assessment Act
IAAC	Impact Assessment Agency of Canada
IBA	Important Bird and Biodiversity Area
IPP	Indigenous Participation Plan
IUCN	International Union for Conservation of Nature
KBA	Key Biodiversity Area
km	Kilometres
m	Metres
MBS	Migratory Bird Sanctuaries
MOU	Memorandum of Understanding
MPA	Marine Protected Area
MSP	Marine Spatial Planning
NL	Newfoundland and Labrador
NMCA	National Marine Conservation Area
NRCan	Natural Resources Canada
NWA	National Wildlife Areas
OUV	Outstanding Universal Value
PP	Public, Fisheries, and Stakeholder Participation Plan
SBA	Significant Benthic Area
UNESCO	United Nations Educational, Scientific and Cultural Organization
UN EWCMC	United Nations Environment Programme World Conservation Monitoring Centre
USAID	United State Agency for International Development

UXO	Unexploded Explosive Ordnance
WERAC	Wilderness and Ecological Reserve Advisory Council
WHS	World Heritage Site
WHSRN	Western Hemisphere Shorebird Reserve Network

ACKNOWLEDGEMENTS

The Interim Report is preliminary. Much work remains to inform future offshore and licensing and impact assessment processes in the Canada-Newfoundland and Labrador Offshore Area. However, this report's delivery marks one year since our appointment, and we wish to acknowledge all who have contributed to this Regional Assessment so far.

We thank the Indigenous peoples throughout Mi'kma'ki, Wolastoqiyik, Nunavik, Nitassinan, and NunatuKavut. We value your knowledge and expertise and appreciate your willingness to share it with us. We look forward to continuing our work together.

We appreciate the participation of fish harvesters in this process. We understand your concern that another marine industry will further add to the pressures you already face, may displace your activities, and affect your livelihood. We hope to work with you to ensure our future analyses and recommendations are informed by your information and perspectives.

We are grateful for the involvement of all participants in this Regional Assessment, including members of the Indigenous Knowledge, Fisheries and Other Ocean Users, and Scientific Information and Community Knowledge advisory group members. Your diverse viewpoints and expertise will continue to be invaluable to this process.

We have benefitted greatly from participants in jurisdictions where offshore wind is an established industry. Your insights and lessons learned will continue to provide valuable information as Newfoundland and Labrador and Canada work towards establishing the industry here at home.

We thank all federal authorities for providing their expertise on matters relevant to this Regional Assessment. We appreciate the information and advice that the Canada Energy Regulator, Fisheries and Oceans Canada, Environment and Climate Change Canada, Impact Assessment Agency of Canada, Natural Resources Canada, Parks Canada, and Transport Canada have provided in response to our inquiries. We look forward to continuing this collaborative relationship in the next phase of the Regional Assessment.

Since our appointment one year ago, we have learned so much from everyone who has shared their knowledge, voiced their concerns, provided their expertise, and responded to our questions. We thank you for helping us get to this point and we look forward to working with you in the coming year.

Wela'lin, Wela'lioq, Thank you,

Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador: Shayne McDonald, Glenn Blackwood, Leslie Grattan, Brian Power, Paul W. Saunders

1 INTRODUCTION

On March 23, 2023, the Governments of Canada and Newfoundland and Labrador launched the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador (the Regional Assessment). The federal and provincial Ministers[1] released an Agreement and Terms of Reference between the Governments of Canada and Newfoundland and Labrador to conduct the Regional Assessment (the Agreement) and appointed the Committee responsible for conducting the assessment. In response to the Committee's October 18, 2023, request for amendments to the original Agreement, the Ministers issued amendments to the Agreement on March 15, 2024. The Committee is conducting the Regional Assessment in accordance with these amendments.[2]

The main purpose of a regional assessment under the *Impact Assessment Act* (IAA) is to contribute to the efficiency and effectiveness of future impact assessments of projects that are subject to the IAA.[3]

As stated in the Agreement, the purpose of this Regional Assessment is:

> 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.

The Agreement specifies four objectives to support this overarching goal:

> A) Provide 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.
>
> B) Provide an understanding of the regional context that can be used in considering and evaluating the potential effects (including cumulative effects) of future offshore wind development activities to inform future planning and licencing processes and impact assessments.

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[1] The term "Ministers" refers collectively to the federal Ministers of Environment and of Natural Resources, and the provincial Ministers of Industry, Energy and Technology, of Environment and Climate Change and of Intergovernmental Affairs.

[2] The Committee sent a letter to the Ministers in October 2023 requesting amendments to the Agreement. The Ministers sent a response on March 15, 2024, along with the amendments to the Agreement.

[3] The Committee is aware of the Supreme Court of Canada opinion on the IAA. The opinion does not affect the Committee's work. The Agreement (Interpretation, pg. 3) clearly states that the Agreement remains valid should the IAA be repealed, amended, or replaced by new legislation.

C) Identify and recommend mitigation and follow-up measures and other approaches for addressing potential positive and adverse effects (both project-specific and cumulative) as part of future decision-making for offshore wind development activities.

D) Describe how the findings or recommendations of the Regional Assessment could be used to inform future planning and licencing processes for these activities in a manner that fosters sustainability and enhances the effectiveness and efficiency of their impact assessments.

As per the Agreement amendments, the Interim Report contains preliminary information and analysis to help inform future planning and licencing for offshore wind in the Regional Assessment Study Area (the Study Area).

The Regional Assessment Report (Draft Report in September 2024 and Final Report in January 2025) will contain information and analysis addressing all objectives (i.e., the Committee's findings in support of Objectives A through D). The Regional Assessment Report will include any refinements and revisions to the preliminary information, analysis, and recommendations presented in this Interim Report.

1.1 Purpose of the Interim Report

This Interim Report is the first of two reports the Committee will submit to the federal and provincial Ministers. The Committee will submit the second report, the Regional Assessment Report, to the Ministers no later than January 23, 2025. Before submitting the Regional Assessment Report to the Ministers, the Committee will publish a Draft Regional Assessment Report no later than September 30, 2024, for a 60-day public review and comment period.

The purpose of this Interim Report is to provide the Governments of Canada and Newfoundland and Labrador with timely information and recommendations for their consideration as they develop a joint management framework for offshore wind development activities in the Canada – Newfoundland and Labrador Offshore Area (the Offshore Area).

This report focuses on information with relevance to and implication for future licencing processes. It contains:

- the Committee's preliminary recommendations of particular locations that may and may not be suitable for future licencing processes for offshore wind development activities, and the rationale behind these recommendations;
- any information and knowledge gaps the Committee has identified to date, and preliminary recommendations to address such information and knowledge gaps as appropriate; and
- engagement outcomes to date.

This Interim Report is preliminary. The Committee continues to engage with Indigenous peoples, fishers and other ocean users, government agencies, environmental organizations, research groups, industry stakeholders, and the public. The information, analysis, and recommendations provided in the Interim Report may be refined or revised in the Regional Assessment Report.

1.2 Scope of the Interim Report

As per the Agreement, the Committee's work is based on offshore wind projects consisting of 10 or more wind turbines (see Section 1.3.2 of this report). Importantly, this Committee is not tasked with considering the eventual use of the electricity produced by offshore wind developments. The Committee is not mandated to consider the activities associated with the development of land-based infrastructure that may be included in the design of a specific offshore wind project (i.e., onshore substations, ports, and transmission lines).

This Regional Assessment focuses on current offshore wind technologies that may be in use in the reasonably foreseeable future. Turbine technologies are changing rapidly and while turbines are getting larger, less of them are required to produce the same output. Floating technologies are feasible in increasingly greater depths. Given the rapid pace at which technology changes, the Committee believes that portions of the Study Area they have currently identified as unsuitable for offshore wind at this time could become suitable in the future.

The precautionary principle is central to the Committee's work. Applying the precautionary principle means basing decisions on evidence available now to show that potential impacts to environmental, health, social and economic components can be avoided or mitigated before offshore wind development can proceed in a given area. Since identification of preliminary offshore wind licencing areas at this time is important to the Ministers, the Committee recommends the preliminary offshore licencing areas identified in this report be treated as a starting point. The Committee strongly recommends additional work be carried out in advance of issuing licenses for offshore wind development.

1.3 Regulatory Context

This subsection provides information on the regulatory context for offshore wind development in the Offshore Area. This context is important for understanding the timing and contents of the Interim Report, and the key definitions and assumptions informing the Committee's work.

1.3.1 Regulating Offshore Wind Development in Newfoundland and Labrador's Offshore Area

As per the *Canada – Newfoundland and Labrador Atlantic Accord Implementation Act* (1987), (the Accord Act) the Governments of Canada and Newfoundland and Labrador jointly manage offshore petroleum resources. The federal and provincial governments are also planning a joint management framework for offshore renewable energy, including offshore wind.

In May 2023, the federal Minister of Energy and Natural Resources introduced *Bill C-49, An Act to amend the Canada—Newfoundland and Labrador Atlantic Accord Implementation Act and the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act and to make consequential amendments to other Acts* (Bill C-49) at the House of Commons (First Reading). On October 16, 2023, Bill C-49 was referred to the Standing Committee on Natural Resources.

Bill C-49 includes proposed amendments to the Accord Act to support joint management of offshore renewable energy in the Offshore Area including:

- changing the name of the Canada–Newfoundland and Labrador Offshore Petroleum Board to the Canada–Newfoundland and Labrador Offshore Energy Regulator (the Regulator);
- establishing the Regulator as the regulating body for offshore renewable energy projects (including the ability to conduct regional and strategic assessments);
- establishing a land tenure regime for the issuance of submerged land licences to carry out offshore renewable energy projects, as well as the revenues regime associated with those licences and projects;
- establishing a ministerial decision-making process respecting the issuance of submerged land licences and the Regulators' exercise of certain powers or performance of certain duties;
- expanding the application of the safety and environmental protection regime and its enforcement powers to include offshore renewable energy projects;
- providing that the Governor in Council may make regulations to prohibit the commencement or continuation of renewable energy activities, or the issuance of interests, in respect of any portion of the offshore area that is located in an area that has been or may be identified as an area for environmental or wildlife conservation or protection; and,
- establishing the regulatory and liability regime for abandoned facilities relating to offshore renewable energy projects.

The Governments of Canada and Newfoundland and Labrador established an Agreement for this Committee to conduct a Regional Assessment, in part to provide information and recommendations to help inform the development of the joint management framework. The Committee's delivery of this Interim Report is important to both governments to align with the legislative process underway to support framework development. At the time of Interim Report publication, Bill C-49 remains with the Standing Committee on Natural Resources. The Government of Canada anticipates this legislation will receive royal assent in Spring 2024.

Other elements of the regulatory framework are also progressing. On December 6, 2023, the Honourable Dr. Andrew Furey, Premier of Newfoundland and Labrador, and the Honourable Jonathan Wilkinson, Minister of Energy and Natural Resources, signed a Memorandum of Understanding (MOU) on offshore wind to enable Newfoundland and Labrador to take the regulatory lead on offshore wind projects within its inland bays.[4]

On February 24, 2024, the Government of Canada pre-published the proposed Canada Offshore Renewable Energy (ORE) Regulations in the *Canada Gazette, Part I* for public feedback. Publication of these regulations in the *Canada Gazette, Part II*, is anticipated for Fall 2024. These regulations would apply only to renewable energy projects in federally managed offshore areas, though they will serve as a model for offshore renewable projects under the Accord Act. The Government of Canada anticipates publishing the Accord Act ORE Regulations in the *Canada Gazette*, *Part I* in Fall 2024, and in *Canada Gazette, Part II* in late 2024. [5]

The Governments of Canada and Newfoundland and Labrador anticipate identifying Strategic Priorities for the Call for Bids in late 2024 or early 2025, followed by the Call for Bids for Offshore Wind Areas sometime in 2025.

[4] This MOU does not affect the Committee's work. The Agreement states that "offshore area has the same meaning as set out in section 2 of the Accord Acts." If the definition of offshore area changes in the Accord Acts during the Committee's mandate, then the Committee will apply the new definition.

[5] Natural Resources Canada (NRCan) leads the Offshore Renewable Energy Regulations (ORER) Initiative. The ORER initiative is separate from this Regional Assessment.

1.3.2 Offshore Wind Projects under the IAA

The Committee's work is based on offshore wind projects consisting of 10 or more turbines. This scope is specified in the Agreement and aligns with the description of offshore wind projects under the IAA[6].

Offshore wind projects are designated projects under sections 45 and 46 of the Schedule to the Physical Activities Regulations under the IAA:

- The construction, operation, decommissioning, and abandonment in an offshore area or in boundary water of a new wind power generating facility that has 10 or more wind turbines.
- The expansion in an offshore area or in boundary water of an existing wind power generating facility, if the expansion would result in an increase in production capacity of 50% or more and a total number of wind turbines of 10 or more.

1.3.3 Exclusion of Offshore Wind Projects from IAA Requirements

The Committee's work is based on the key assumption that an exclusion regulation is not an outcome of this Regional Assessment, and that offshore wind projects would be assessed under the IAA.

Under the IAA, the Minister may make regulations that would designate offshore wind development activities that, under established conditions, would be excluded from having to undergo an impact assessment, after considering a regional assessment.[7]

The Committee has not been mandated to conduct this Regional Assessment to inform the development of a regulation excluding offshore wind projects from IAA requirements. The Committee wrote the Minister in October 2023 regarding his intent to develop such a regulation, and the Minister replied there is no regulation being developed at this time.[8,9]

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[6] The Committee is aware of the Supreme Court of Canada opinion on the IAA. The opinion does not affect the Committee's work. The Agreement (Interpretation, pg. 3) states that the Agreement remains valid should the IAA be repealed, amended, or replaced by new legislation.

[7] s. 109 and s. 112 of the IAA, s.s.2(2) of the Physical Activities Regulations.

[8] Letter from Shayne McDonald, Chair of the Regional Assessment Committee to The Honourable Steven Guilbeault, Minister of Environment and Climate Change, October 4, 2023.

[9] Letter from The Honourable Steven Guilbeault to Shayne McDonald, Chair of the Regional Assessment Committee, November 16, 2023.

1.4 Committee Composition and Governance

The Committee consists of five members appointed by the federal and provincial Ministers. The Committee members come from diverse backgrounds, with expertise in Indigenous engagement, law, engineering, meteorology, environmental assessment, ecology, Geographical Information Systems (GIS), commercial fisheries, marine biology, and public participation. The Committee is supported by a Secretariat, comprised of staff seconded from the Impact Assessment Agency of Canada (IAAC). The Secretariat carries out technical, engagement, and administrative tasks at the direction of the Committee.

Procedural fairness is fundamental to the Committee's governance. The Committee's priority is conducting a transparent process and remaining unbiased and free from real or perceived conflict of interest with respect to the Regional Assessment. Following completion of administrative justice training in May 2023, the Committee developed Operational Procedures and a Confidentiality Procedure. The procedures elaborate upon the general principles and processes described in the Agreement and inform participants[10] how the Committee intends to function. The procedures describe how the Committee handles bias and conflict of interest, ensures information is publicly accessible in a timely manner, and facilitates confidentiality. The procedures are available on the Canadian Impact Assessment Registry (the Registry) and the contents of these procedures will not be presented in this report. Though records of meetings between the Committee and the Secretariat are protected by deliberative privilege, the Committee and its secretariat maintain a high-level summary of its meetings on the Registry.

2 ENGAGEMENT

Indigenous, public, and stakeholder participation is important to this Regional Assessment. The Committee strives to facilitate an engagement process that:

- respects Indigenous rights, culture, and traditional knowledge;
- encourages stakeholders to actively participate in the Regional Assessment; and,
- establishes an open and constructive dialogue with participants.

Since May 2023, the Committee has been engaging with Indigenous peoples, fishers and other ocean users, municipal leaders, federal and provincial governmental agencies, environmental organizations, research groups, offshore wind developers, and individuals possessing

[10] Throughout this report, the term "participant" refers broadly to any Indigenous peoples and organizations, stakeholder groups, federal and provincial authorities, and members of the public participating in the Regional Assessment process.

information, knowledge, and interests relevant to the Regional Assessment. The Committee has had over 60 meetings and engagement sessions, attended by nearly 700 participants.

This section provides an overview of the Committee's engagement approaches, and engagement activities completed to date. Section 3 of this report describes how specific engagement outcomes helped inform the Committee's recommendations for future offshore wind licensing processes, including their constraints analysis and preliminary offshore wind licensing areas. It is important to note that the Committee will continue to engage with participants on all contents of this Interim Report as they develop the Regional Assessment Report.

2.1 Indigenous Engagement

The Committee has invited Indigenous groups and organizations throughout Atlantic Canada and Quebec to participate in the Regional Assessment.[11] To date, the Committee has held 10 one-on-one meetings with Indigenous groups, most being with Miawpukek First Nation and Qalipu First Nation on the island of Newfoundland. The Committee has held two meetings with the Indigenous Knowledge Advisory Group. The Committee has also invited all Indigenous groups and organizations and the Indigenous Knowledge Advisory Group to participate in document review, as well as to attend engagement sessions open to all participants. Section 3 of this report describes if and how specific outcomes from Indigenous engagement helped inform the Committee's recommendations for future offshore wind licensing processes, including their constraints analysis and preliminary offshore wind licensing areas.

2.1.1 Indigenous Participation Plan

The Indigenous Participation Plan (the IPP) is intended to be developed and implemented in collaboration with Indigenous groups. The IPP outlines meaningful opportunities for engagement in the Regional Assessment and ensures that Indigenous groups are aware of planned approaches, and upcoming and completed activities. The IPP describes in detail the Committee's Indigenous engagement program, including:

- Identification of potentially interested Indigenous groups and organizations;
- Indigenous Knowledge Advisory group formation, function, and membership;
- Participant funding;
- Planned engagement activities; and
- Completed engagement activities.

[11] The IAAC provided the Committee with a list of Indigenous groups and organizations that could be potentially interested in the Regional Assessment (see IPP for list). The Committee has also welcomed the participation of other Indigenous groups and organizations beyond that initial list.

The IPP is posted on the Registry and is appended for convenience (Appendix A). The details of the IPP will not be presented in this report.

Challenges to IPP Development

The Committee had hoped the IPP would also contain community-specific engagement plans, developed in collaboration with interested Indigenous groups. However, there were challenges to co-developing the IPP in this way.

On July 24, 2023, the Committee circulated a draft framework for the Indigenous Participation Plan (the draft framework) via email to all Indigenous groups and organizations. On August 11, 2023, the Committee emailed all Indigenous groups and organizations indicating the draft framework had been posted to the Registry. On both occasions, the Committee's correspondence invited all Indigenous groups and organizations to provide written feedback on the draft framework and welcomed meetings to discuss the document. The Committee reiterated this invitation for written comments and discussion when meeting with Indigenous groups throughout summer and into fall of 2023. Two communities provided feedback specifically on the draft framework.

Some Indigenous groups indicated the timing of the draft framework release was not ideal. While there was interest in the Regional Assessment and in working collaboratively with the Committee, several groups indicated being at capacity and requested the Committee re-engage them later. The Committee also heard many concerns regarding the overall scope and timeline for this Regional Assessment process, and the implications for Indigenous engagement. These concerns were central to the Committee's request to the Ministers to amend the Agreement.

With the revised scope and additional time afforded through the Agreement amendments, the Committee looks forward to continued collaboration with all Indigenous groups and organizations and the Indigenous Knowledge Advisory Group on this IPP and the Regional Assessment. Two Indigenous groups indicated they will be preparing formal written submissions for the Committee regarding the Regional Assessment. These submissions will include their comments, concerns, and recommendations regarding the potential impact of future offshore wind development on their interests and rights.

2.1.2 Indigenous Knowledge Advisory Group

As per the original Agreement, the Committee has established the Indigenous Knowledge Advisory Group. Indigenous Knowledge Advisory Group formation, function, and membership are detailed in the IPP. Interested Indigenous persons may come forward at any time during the Regional Assessment to express their interest in participating in this advisory group. Indigenous peoples are also members of the Scientific Information and Community Knowledge and Fisheries and Other Ocean Uses advisory groups (see Section 2.2.2 of this report).

The Committee seeks knowledge and perspectives from Indigenous peoples on matters relevant to the Regional Assessment. This includes seeking Indigenous knowledge and perspectives, in accordance with established Indigenous protocols and procedures as applicable. This advisory

group also provides 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*. This advisory group also advises the Committee on approaches for the collection, sharing and consideration of such knowledge and its incorporation into the Regional Assessment.

In addition to the above, the Indigenous Knowledge Advisory Group will provide information and advice to the Committee on the same topics as the other advisory groups (see Section 2.2.2 of this report).

2.2 Public, Fisheries, and Stakeholder Engagement

To date, the Committee has held over 50 engagement sessions and meetings attended by participants representing Indigenous groups and organizations, fishers and other ocean users, governmental agencies, environmental organizations, and members of the public. The Committee has held two meetings each with the Indigenous Knowledge, Fisheries and Other Ocean Users, and Scientific Information and Community Knowledge advisory groups (the advisory groups). The Committee has also invited all participants, including advisory group members, to participate in document review. Section 3 of this report describes if and how specific outcomes from public, fisheries, and stakeholder engagement helped inform the Committee's recommendations for future offshore wind licensing processes, including their constraints analysis and preliminary offshore wind licensing areas.

2.2.1 Public, Fisheries and Stakeholder Participation Plan

In June 2023, the Committee published their Public, Fisheries and Stakeholder Participation Plan (PP) to outline its approach to provide meaningful opportunities for members of the public, fishers and fishing organizations, and other stakeholders to engage in the conduct of the Regional Assessment. The PP describes in detail the Committee's engagement program, including:

- Participant identification;
- Advisory group formation, function, and membership;
- Participant funding; and,
- Engagement with federal and provincial authorities.

The PP is posted on the Registry and updated regularly to reflect planned and completed engagement activities. The most recent version of the plan is the March 15 Update and is appended here for convenience (Appendix B). The details of the plan will not be presented in this report.

2.2.2 Advisory Groups

The Committee has established the three advisory groups specified in the original Agreement:

- Indigenous Knowledge Advisory Group (as described in section 2.1.2, above)
- Scientific Information and Community Knowledge Advisory Group
- Fisheries and Other Ocean Uses Advisory Group

Each of the advisory groups provide information and advice to the Committee on the following topics, as required and requested:

- Environmental, health, social and economic conditions.
- Information and knowledge gaps, and potential opportunities to address these during or following the completion of the Regional Assessment.
- Future offshore wind development activities in the Study Area, including their:
  - Need and purpose;
  - Physical activities associated with their construction, including expansion, operation, decommissioning, and abandonment;
  - Key locations of interest for future offshore wind development activities in the Study Area (to help focus the Committee's work on areas which are most likely to see future development interest, based on technical and economic factors);
  - Regulatory requirements;
  - Potential positive and adverse effects, including cumulative effects and associated sustainability considerations;
  - Mitigation, and other approaches for avoiding or reducing potential adverse effects and creating and maximizing potential positive effects; and
  - Follow-up requirements.
- Other topics relevant to the Regional Assessment, as requested by the Committee.

The Agreement also permits the Committee to establish additional advisory groups. Advisory group formation, function, and membership are detailed in the IPP and PP. It is important to note that the advisory groups function as a voluntary roster of experts from which the Committee can select when they want information or advice on a specific topic. There are no pre-determined hours or defined activities for advisory groups, and timing and method of engagement is completely at the discretion of the Committee.

2.2.3 Engagement with Federal and Provincial Authorities

Federal and provincial authorities have an obligation to provide the Committee with relevant information and expertise under the provisions of the IAA and the Agreement.

The Committee engages with federal and provincial government departments and agencies in a transparent manner. Meetings are listed in the PP, as are written information requests and responses to those requests. These requests and responses are also posted on the Registry,

except in three instances where the Committee granted confidentiality to NRCan and ECCC[12] in accordance with the Confidentiality Procedure. Representatives from government departments are also invited to and have attended the open engagement sessions and participated in the advisory groups. Please refer to the PP for details on federal and provincial authority participation to date. Section 3 of this report indicates where specific advice from federal and provincial authorities helped inform the Committee's recommendations for future offshore wind licensing processes, including their constraints analysis and preliminary offshore wind licensing areas.

2.3 Engagement Activities

The Committee engagement activities to date unfolded in three main phases: introducing the Regional Assessment, defining a Focus Area, and identifying preliminary offshore wind licensing areas. Section 3 of this report indicates where engagement outcomes helped inform the Committee's recommendations for future offshore wind licensing processes, including their constraints analysis and preliminary offshore wind licensing areas.

The Committee also distributed a document to all advisory groups for review in December 2023. This document was exclusively on the topic of potential effects of offshore wind development activities. Feedback on this document will inform the assessment component of this Regional Assessment and is therefore not discussed in this Interim Report. This document review activity and its outcomes will be described in the Draft Regional Assessment Report (September 2024).

The IPP and PP describe all completed engagement activities. The plans are posted on the Registry and the most recent versions of each plan are appended for convenience (Appendices A and B).

2.3.1 Introducing the Regional Assessment

The Committee initiated their engagement program in May 2023, starting with virtual introductory sessions with all participants. The Committee provided an overview of the Regional Assessment objectives, scope, and timeline, notified participants of the PP, and encouraged involvement in the advisory groups.

In addition to welcoming their participation in the public introductory sessions, the Committee invited all Indigenous groups and organizations throughout Atlantic Canada and Quebec to meet directly with the Committee. From June to September 2023, the Committee met with Miawpukek First Nation, Qalipu First Nation, Qalipu Development Corporation, NunatuKavut Community Council, Innu Nation, and Wolastoqey Nation of New Brunswick for introductory

[12] The Committee granted confidentiality to NRCan on two occasions (see Registry documents 179 and 137) and to ECCC on one occasion (see Registry document 222).

meetings. The Committee provided an overview of the Regional Assessment objectives, scope, and timeline, invited feedback on the draft framework for the IPP, and encouraged involvement in advisory groups. Introductory meetings that occurred after August 21, 2023, also covered the Proposed Focus Area topic (Section 2.3.2 of this report).

2.3.2 Defining the Focus Area

From August to October 2023, the Committee's engagement program sought to gather input on a Proposed Focus Area within the broader Study Area. The engagement process and outcomes during this phase are covered in detail in the Committee Decision Regarding the Focus Area (the Focus Area Decision), published on the Registry and shared with participants on November 7, 2023. It is also appended for convenience (Appendix C). The details of the Focus Area Decision will not be presented in this report.

On August 21, 2023, the Committee published a Proposed Focus Area document for public review and comment. The Committee had identified an area within the broader Study Area that they felt was more likely to see offshore wind development in the foreseeable future based on the technical and economic challenges of iceberg presence and water depth. The Committee contacted all participants via email with Registry links to the Proposed Focus Area document and to the September 12, 2023, public information session details. The Committee also welcomed written feedback on the document, with an initial deadline of September 15, 2023, that was later extended to September 22, 2023. The Committee received 45 written submissions. The Focus Area Decision summarizes these submissions and demonstrates how the Committee considered this input in making their decision (Appendix C).

In addition to welcoming their participation in the public information sessions, the Committee invited all Indigenous groups and organizations throughout Atlantic Canada and Quebec to meet directly with the Committee to discuss the Proposed Focus Area. The Committee met with Miawpukek First Nation, Qalipu First Nation, Qalipu Development Corporation, and NunatuKavut Community Council, as well as with the Indigenous Knowledge Advisory Group, to gather their feedback on the Proposed Focus Area. Qalipu First Nation, Benoit First Nation, Flat Bay Band, NunatuKavut Community Council, Innu Nation, and Kwilmu'kw Maw-klusuaqn provided written comments on the Proposed Focus Area. The Focus Area Decision summarizes these submissions and demonstrates how the Committee considered this input in making their decision (Appendix C).

2.3.3 Identifying Preliminary Offshore Wind Licencing Areas

2.3.3.1 November In-Person Engagement

In November 2023, the Committee's engagement program sought to gather input on the Focus Area, and the additional constraints the Committee was considering applying to determine preliminary offshore wind licensing areas.

In response to participant requests for in-person engagement, the Committee held eight Open House public sessions in Marystown, Harbour Breton, Corner Brook, and Stephenville, Newfoundland and Labrador. The outcomes from these sessions are covered in detail in In-Person Public Engagement Sessions Summary, November 2023 (Open House Summary). The Committee published the Open House Summary on the Registry and shared it with participants on November 29, 2024. The summary is also appended for convenience (Appendix D) and will not be presented in this report.

In addition to welcoming their participation in the public open houses, the Committee met directly with Miawpukek First Nation, Qalipu First Nation, and Qalipu Development Corporation to gather their input on the Focus Area and proposed constraints analysis.

2.3.3.2 Final Engagements Before Interim Report Release

From February 26 to February 29, 2024, the Committee met with each of the three advisory groups and held two virtual public sessions. Nearly 170 participants attended these sessions, representing Indigenous groups and organizations, fishers, industry stakeholders, environmental organizations, federal and provincial authorities, and members of the public. The Committee presented their constraints analysis to date and their preliminary offshore wind licensing areas.

The Committee notified all participants via email on February 1, 2024, that virtual engagement sessions were being planned for the last week of February 2024. On February 5, 2024, the Committee sent an email to all advisory group members to determine meeting times when most members would be available. Based on feedback received, the Committee scheduled meetings with the Indigenous Knowledge, Fisheries and Other Ocean Users, and Scientific Information and Community Knowledge advisory groups on February 26, 27 and 28, 2024, respectively. The Committee planned two public virtual engagement sessions on February 29, 2024, and invited all participants to attend via email on February 5, 2024. Participants were asked to register for one or both sessions to receive the meeting information. On February 23, 2024, the Committee provided materials for all engagement sessions to any participant who had registered to that point and continued to share meeting details and materials with any participants who registered thereafter.

The Committee also met virtually with the Miawpukek First Nation Consultation Committee on February 28, 2024, and in-person with Miawpukek First Nation Chief and Council on March 4, 2024. The Committee also met virtually with Wolastoqey Nation of New Brunswick on March 13, 2024. The Committee shared the same presentation that had been shared during the advisory group and public sessions February 26 to 29, 2024.

Appendix E summarizes questions, comments, and concerns participants shared during the February and March 2024 engagement sessions, as well as any written comments provided by March 1, 2024. Section 3 of this report indicates where engagement outcomes helped specifically inform the Committee's recommendations for future offshore wind licensing processes, including their constraints analysis and preliminary offshore wind licensing areas.

3 IDENTIFYING PRELIMINARY OFFSHORE WIND LICENCING AREAS

As above, some of the purposes of the Interim Report include:

- To provide Ministers preliminary recommendations of particular locations that may and may not be suitable for future licencing processes for offshore wind development activities; and
- To outline any information and knowledge gaps the Committee has identified to date, and preliminary recommendations to address such information and knowledge gaps as appropriate.

This section outlines the Committee's approach, supporting research and rationale used to identify these areas. It also outlines information and knowledge gaps and preliminary recommendations for addressing these gaps. Appendix F outlines more detailed methodology.

3.1 Approach for Identifying Areas

The Committee used a series of constraints analyses to identify preliminary offshore wind licencing areas (Figure 1). In November 2023, the Committee decided on a Focus Area, where they determined offshore wind development interest is more likely in the foreseeable future. This includes portions of the Study Area set out in the Agreement where water depths do not exceed 300 m and where the presence of medium to large icebergs is unlikely.[13] A map depicting the Study Area[14] and Focus Area is shown in Figure 2.

Since November 2023, the Committee has focused on identifying preliminary offshore wind licencing areas within the Focus Area. The Committee's work has been based on a broad regional perspective, and the Committee has aimed to identify areas where development could have a lesser impact on environmental, health, social and economic components.

To identify these areas, the Committee applied a precautionary buffer around constraints wherever expert authorities advised use of a specific, precautionary buffer. In some other cases, the Committee applied more conservative measures to identify preliminary offshore wind licencing areas.

A key assumption informing the Committee's approach is that project-level impact assessments would occur following the Regional Assessment. The Committee is not implying offshore wind development may or should occur everywhere within these areas. The Committee strongly recommends additional work be carried out in advance of offshore wind development to identify

[13] Details about the process used to identify the Focus Area were published on the Registry on November 7, 2023, and area available in Appendix C.

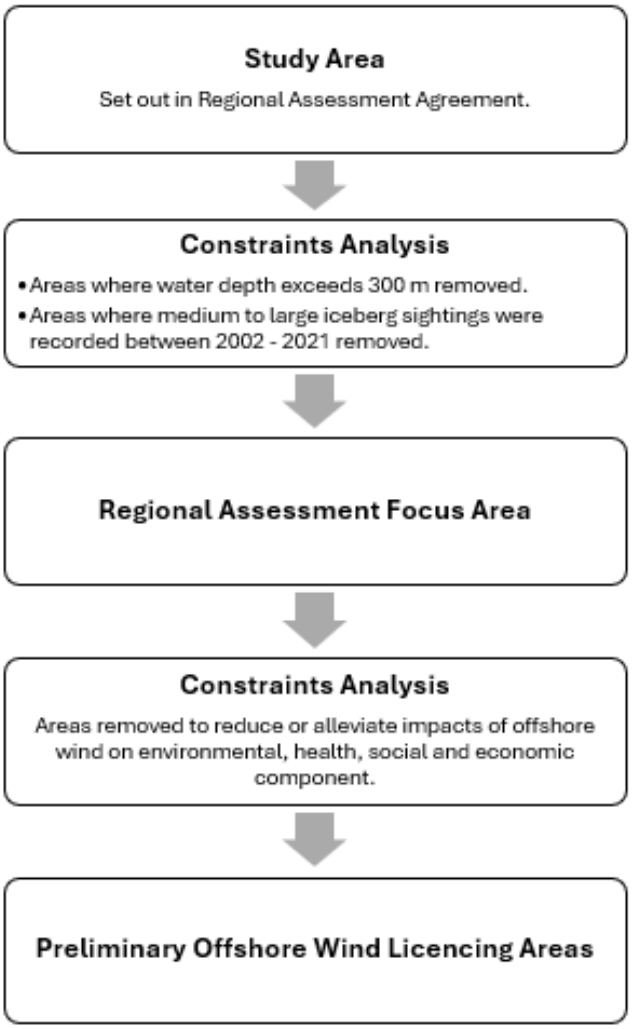
[14] While the Committee has defined a Focus Area, all geospatial data the Committee used in the Interim Report is available for the full extent of the Study Area on the Canada Marine Planning Atlas – Atlantic.

more specific setback distances from various constraints. These setback distances should inform considerations during project-level impact assessments[15].

Overall, the Committee advocates for the use of a precautionary principle when siting offshore wind development projects. Applying the precautionary principle means evidence needs to show that potential impacts to environmental, health, social and economic components can be avoided or mitigated before offshore wind development can proceed in each area.

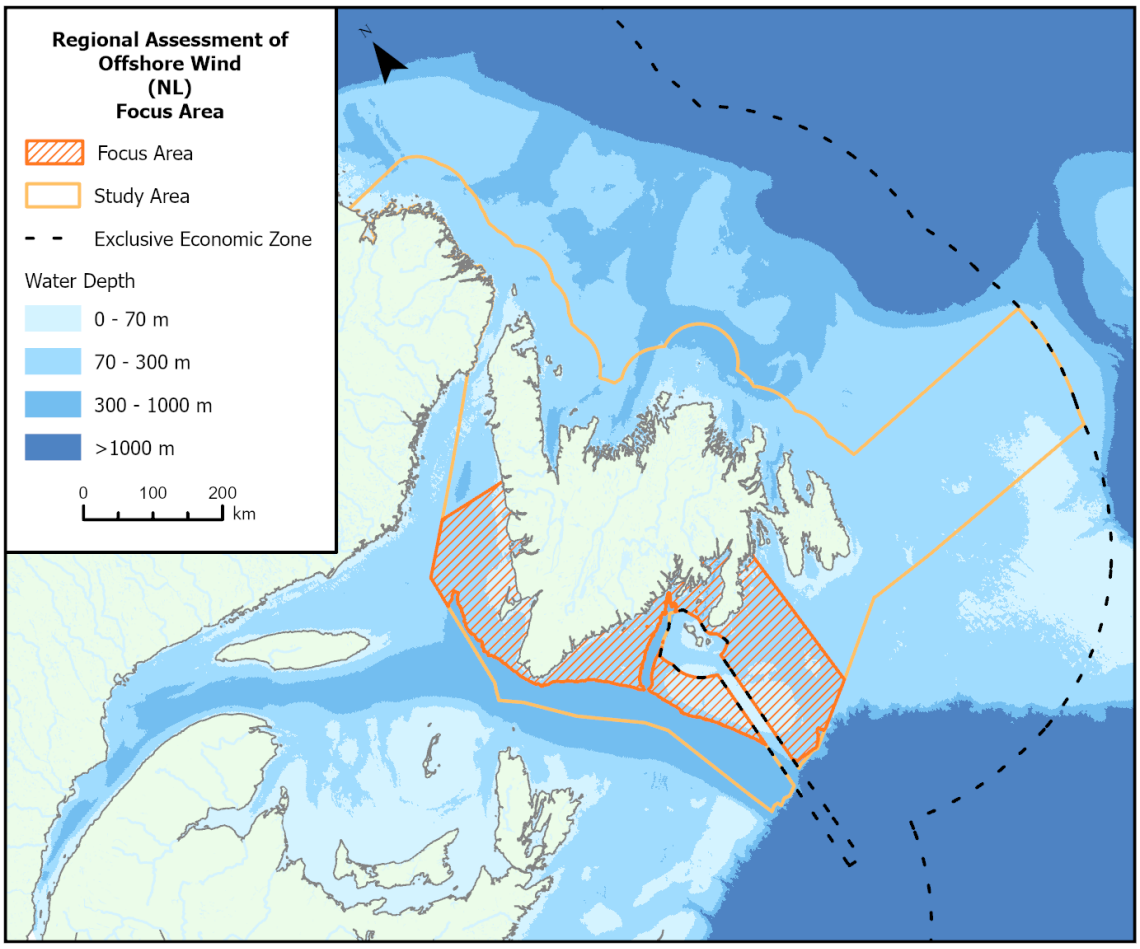
[15] More specific recommendations related to this approach and each constraint used to identify preliminary offshore wind licencing areas are identified in Section 3.2.2 of this report. All recommendations are again summarized under Section 4.

Figure 1. Approach for Identifying Preliminary Offshore Wind Licencing Areas



Beginning with the Study Area set out in the Agreement, the Committee completed a series of constraints analyses to identify the Focus Area for continued work under the Regional Assessment (November 2023) and preliminary offshore wind licensing areas they will submit to Ministers in the Interim Report (March 2023).

Figure 2. Regional Assessment of Offshore Wind Development in Newfoundland and Labrador - Focus Area.



This map depicts the Focus Area the Committee decided on in November 2023. The map additionally shows the Study Area set out in the Agreement and information on water depth.

Datasets used to produce this map include:

GEBCO Compilation Group. (2023). GEBCO 2023 Grid. [Dataset] (doi:10.5285/f98b053b-0cbc-6c23-e053-6c86abc0af7b)

IAAC. (2023). Focus Area for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador [shapefile]. Open Government. https://open.canada.ca/data/en/dataset/81560d1e-8394-4b51-8212-2bbe4d8a5ea2

IAAC. (2023). Study Area for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador [shapefile]. Open Government. https://open.canada.ca/data/en/dataset/e7dec0ae-f1dc-49ac-8230-5cb1a3b39c54

3.1.1 Use of Publicly Available Data

The Committee is mandated to conduct the Regional Assessment in a manner that promotes transparency and encourages public input and participation.

Wherever possible, the Committee uses publicly available information and data to complete their work. Most geospatial data used to identify the preliminary offshore wind licencing areas can be found on the Open Government Portal and/or the Canada Marine Planning Atlas.

The Study Area and the Focus Area are also publicly available on Open Government and the Canada Marine Planning Atlas. The Committee will similarly publish the preliminary offshore wind licencing areas outlined in this report. This will allow Regional Assessment participants to easily access geospatial representations of the recommendations and to view those areas in relation to other data curated on the Canada Marine Planning Atlas.

To find the Study Area and Focus Area on the Canada Marine Planning Atlas:

- Go to the "Add Data" tool;
- Select either "Content", "MSP Data" or "Human Use Data Categories;"
- Type "OSW" in the Search bar;
- Select "Add" to add it to the map.

The Committee has agreed to keep select information provided by NRCan, ECCC, and an offshore wind developer confidential[16] as per the Committee's Confidentiality Procedure.

3.1.2 Preliminary Offshore Wind Licencing Areas Over Time

The Committee expects to further refine the preliminary offshore wind licencing areas presented in the Interim Report based on ongoing work completed during this Regional Assessment. The Committee will continue to engage on the preliminary offshore wind licencing areas over the course of the Regional Assessment and will present its final recommendations for offshore wind licencing areas in the Regional Assessment Report submitted to the Ministers in January 2025.

The Committee expects their preliminary offshore wind licencing areas could be further refined through other government initiatives. Additionally, the Committee does not expect the areas they recommend would be the only licencing areas over time. The Committee anticipates, and recommends, that multiple rounds of offshore wind licencing take place in the Offshore Area. They recommend licencing areas evolve as more information and data becomes available and as experience is gained in the Canada-Newfoundland and Labrador offshore wind industry.

[16] Please refer to Registry documents 137 (NRCan), 179 (NRCan), 222 (ECCC), and 190 (Simply Blue Group).

Finally, the Committee does not expect offshore wind development in these areas to have no significant impact and is of the view that project-level impact assessments are needed to further avoid and mitigate potential impacts.

3.2 Selecting Constraints

The Committee defined 'constraints' as distinct areas where offshore wind licences should not be considered because of potential impacts to environmental, health, social and economic components.

The Committee selected constraints for identifying preliminary offshore wind licencing areas based on:

- Processes used in other jurisdictions for identifying offshore wind development areas;
- Information and recommendations provided to the Committee by federal government departments and agencies with specialist or expert information or knowledge;
- Publicly available spatial data;
- Components the Committee is required to assess under the Agreement;
- Information and knowledge shared by and feedback from Indigenous groups; and
- Feedback received during engagement activities, including from advisory groups.

3.2.1 Licencing and Project Siting in Other Jurisdictions

The Committee has found that jurisdictions with established and expanding offshore wind industries consider various factors when selecting offshore wind licencing areas.

To date the Committee has reviewed offshore wind licencing processes in the United Kingdom, New England (United States), Belgium, the Netherlands, France, Denmark, Germany, and Albania. In these jurisdictions, potential impacts of offshore wind are considered at various stages from area identification, to licencing, and project approval processes (BOEM, 2023a; 2023c; Danish Energy Agency, 2022; Mahdi, 2022; Ministère de la transition écologique, 2019; 2021; The Crown Estate 2019; 2021; Wind and Water Works NL, 2022). Furthermore, several jurisdictions, particularly in the European Union, use Marine Spatial Planning (MSP), as a proactive, early planning process to identify broader "offshore renewable energy areas" before designating licensing areas specifically for offshore wind (Department for Environment, Food, and Rural Affairs, 2023; European Commission, 2024a; 2024b; 2024c; 2024d; The Crown Estate, 2023a).

The Committee views the broader planning phases used in other jurisdictions as having the most relevance to this Regional Assessment. Some factors considered during broader planning phases in other jurisdictions include public opinion; stakeholder and international interests; existing uses or defined areas in the marine space (e.g., transportation infrastructure, cultural heritage sites, protected areas, aquaculture, military use, and recreational spaces) and potential impacts to the environment (BOEM, 2023a; 2023c; European Commission, 2024a; 2024b; 2024c; 2024d; The Crown Estate 2019; 2021).

At the licencing stage, a central body typically selects a designated area within which licenses would be issued and bidders are required to submit the following as a part of their application: a site plan, evidence of financial capacity and cost plan, construction plan, decommissioning plan, and an environmental impact assessment if not conducted by a governing body (BOEM, 2023b; 2023c; Danish Energy Agency, 2015; 2020; 2022; Government of Netherlands, 2021; The Crown Estate, 2022; 2023a; 2023b; Ministère de la transition écologique, 2021). In some jurisdictions (e.g., France and Denmark), developers have additionally been allowed to bring forward proposals for locations through a 'non-tender' or 'open-door' process, though this approach has not been successful to date (Barthelemy & Rubio, 2017; Danish Energy Agency, 2023; Nielsen & Hemmer, 2017).

3.2.2 Potential Constraints in the Focus Area

Within the Focus Area, the Committee considered applying each of the constraints discussed below to identify preliminary offshore wind licencing areas.

3.2.2.1 Critical Habitat

Species at Risk and their critical habitats are protected under the *Species at Risk Act* and are important considerations in impact assessments for designated projects under the IAA.[17] For example, according to the IAAC's Tailored Impact Statement Guidelines Template, proponents of potential projects are required to describe in their Impact Statements how avoidance of effects to Species at Risk and critical habitat may be achieved through alternative means of carrying out the project (e.g., alternative siting) (IAAC, 2020a; IAAC, 2020b).

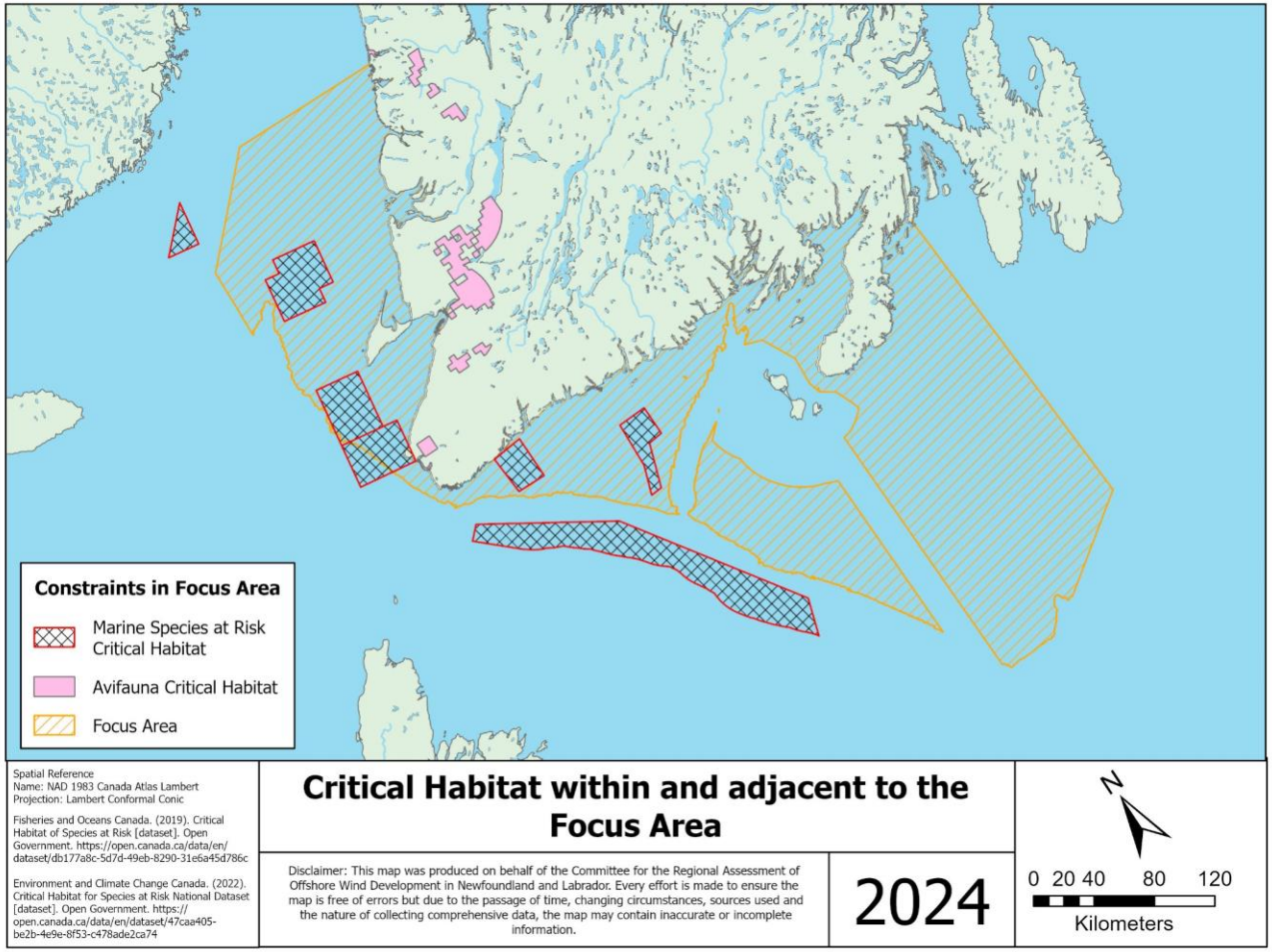
Critical habitat is defined under the *Species at Risk Act* as habitat necessary for the survival or recovery of listed wildlife species as identified in their species recovery document[18]. Critical habitat within or along the coastal boundaries of the Focus Area include northern wolffish,

[17] Critical habitat is only protected under the *Species at Risk Act* on federal lands after a protection order, and it is the responsibility of provincial authorities to protect critical habitat under their own legislation.

[18] Listed species refers to species listed under Schedule 1 of the *Species at Risk Act*. Critical habitat is specifically identified for species listed as Endangered or Threatened and species recovery documents are available on the Species at Risk Public Registry.

spotted wolfish, bank swallow, bobolink, and piping plover (Figure 3). Critical habitats for other avifauna and/or bats and butterflies do not occur in the Focus Area.

Figure 3. Critical Habitat within and Adjacent to the Focus Area



This map depicts critical habitat for marine and avifauna Species at Risk in proximity to the Regional Assessment Focus Area. All datasets utilized to produce this map can be found in Appendix F.

Federal Authority Expert Advice

Federal and provincial authorities have not provided the Committee with recommendations regarding consideration of fish critical habitats in offshore wind licencing processes.

The Canadian Wildlife Service (ECCC-CWS-ATL) advised the Committee about Species at Risk that occur near the Focus Area and minimum buffers that should be respected around their critical habitats (ECCC-CWS-ATL, 2023). Regarding bank swallow and piping plover, ECCC-CWS-ATL recommends licencing areas should not occur within 10 km of their critical habitats or other potentially important areas for those species, at a minimum. They provided the Committee with a map showing shorelines designated as bank swallow critical habitat with an additional 10 km buffer and maps showing locations of piping plover critical habitat and other potentially important areas (e.g., stopover sites, pre- or post- breeding areas, and breeding locations) with an additional 10 km buffer where these occur along shorelines. In both cases ECCC-CWS-ATL advised the 10 km buffer is a conservative estimate of the flight distances required for swallows and plovers to reach a height greater than 300 m. ECCC-CWS-ATL assumed this height would be required to avoid turbines. They cautioned that foraging distances of these birds could likely exceed 10 km beyond the shore. For bank swallows, Willmot et al. (2023) collected video data showing observations of unidentified swallows approximately 43 km offshore at flight heights ranging from 23-127.4 m. ECCC-CWS-ATL also provided the Committee with a list of Species at Risk or species under consideration for listing that may occur in either the Focus Area or in the Study Area for the Regional Assessment of Offshore Wind Development in Nova Scotia. They provided confidential maps depicting potential use locations (other than critical habitat). Of these maps only important stopover areas for red knot showed overlap with the Focus Area. Additionally, while maps showing migration tracks for lesser yellowlegs and locations of bat and monarch observations did not overlap the Focus Area, ECCC-CWS-ATL identified serval limitations associated with these data.

Indigenous and Public, Fisheries, and Stakeholder Engagement Outcomes

In November 2023 meetings with the Committee, Miawpukek First Nation and Qalipu First Nation supported avoiding critical habitat, specifically referencing that for seabirds.

Committee Approach

Based on these above considerations, critical habitats for fish species as delineated in DFO's (2019) Critical Habitat of Species at Risk dataset was completely removed from preliminary offshore wind licencing areas. Critical habitats for avifauna species, including an additional 10 km buffer, were avoided in preliminary offshore wind licencing areas by removing a 10 km coastal buffer around the island of Newfoundland.

Data and Information Gaps

Limitations associated with these constraints include:

- The DFO and ECCC Species at Risk datasets display areas within which critical habitats for Species at Risk occurs and/or may not align exactly with natural watercourses due to the nature of dynamic systems and the resolution of datasets. To precisely define critical habitat for a particular Species it is essential to consider this geospatial information in conjunction with complimentary information provided in a species' recovery document.
- Recovery planning documents (and, therefore, critical habitats) may be amended as new information becomes available. The Species at Risk Public Registry should always be considered as the primary source for critical habitat information.
- Lesser yellowlegs, monarch, eastern red bat, hoary bat, leach's storm-petrel, and silver-haired bat are currently under listing consideration under the federal *Species at Risk Act*. Critical habitat for these species is not yet defined.
- Habitat use (e.g., foraging distance) and movement behaviour around critical habitats are not well understood.

Recommendations

To address information and data gaps related to Species at Risk critical habitats:

1. **The Committee recommends specific setback distances for offshore wind projects from critical habitats be considered by regulators and offshore wind project proponents in consultation with ECCC-CWS-ATL and DFO. This should also include consideration of any newly designated critical habitat.**

2. **The Committee recommends migratory routes and/or important areas (e.g., stopover sites) be identified and avoided during project-level impact assessments for Species at Risk and for any migratory species under consideration for addition to Schedule 1 of the *Species at Risk Act*.**

3.2.2.2 Marine Protected Areas

The creation and establishment of Marine Protected Areas (MPAs) in Canada is facilitated through the federal *Oceans Act*, with DFO administering the process of identifying, establishing, and managing such areas. Designating an MPA provides legal protection for marine ecosystems and associated resources in areas that are considered important, and that may contain species or ecological processes that require special consideration and protection.

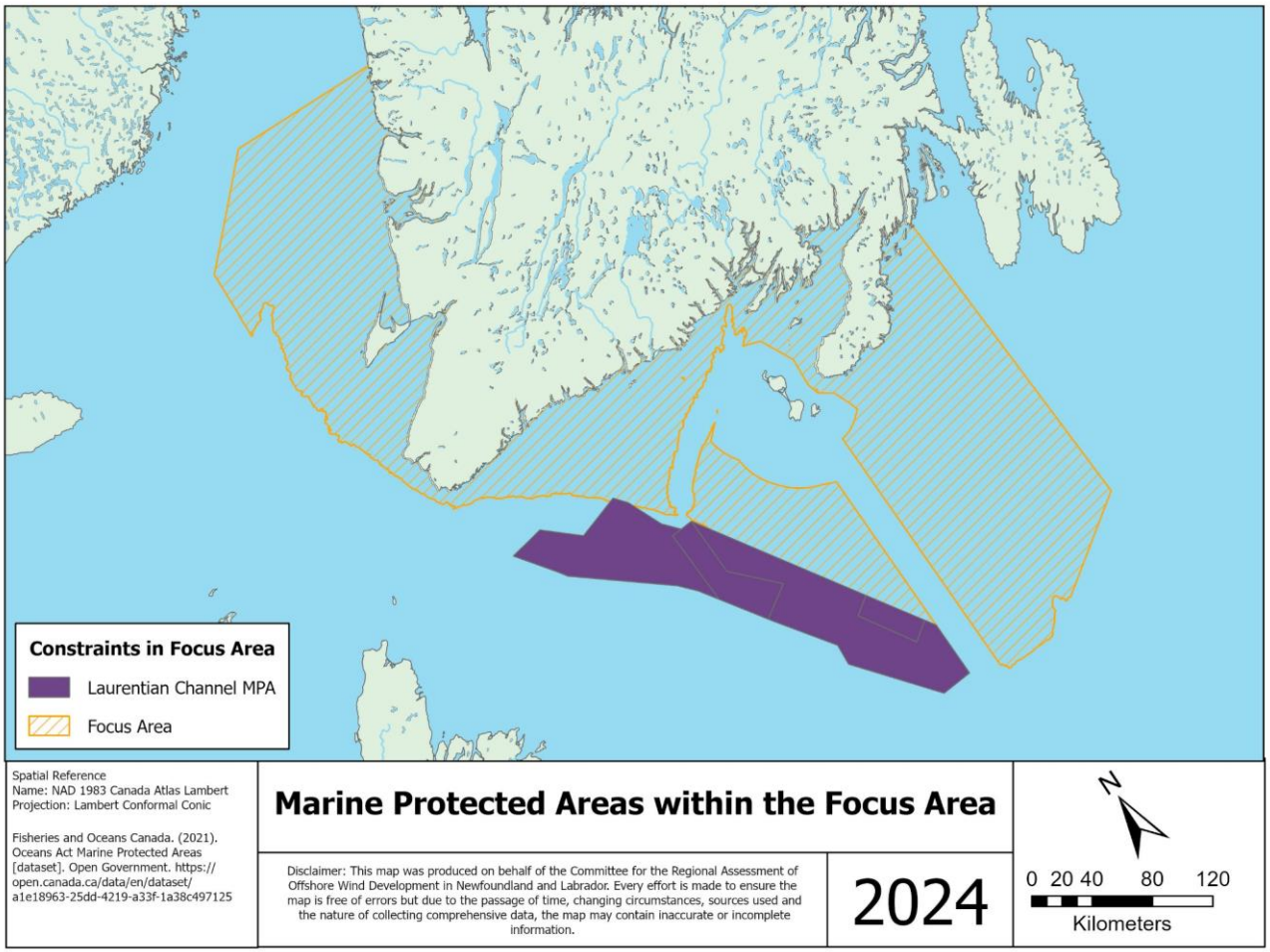
The process for creating an MPA begins with the identification of Areas of Interest (AOI) within the different bioregions in Canada. This process is carried out by DFO, in consultation with other federal departments and scientific experts. These selected AOI then undergo public engagement initiatives, along with detailed assessments for biological/ecological, socioeconomic, and cultural

factors. Once these analyses have been completed, a decision is made around whether to formally designate an area as an MPA. Once an area has been designated as such, specific regulations are created that dictate what activities may or may not occur within the MPA. For the existing Newfoundland and Labrador MPAs, prohibited activities include disturbing, damaging, destroying, or removing living organisms or habitat; or depositing, discharging, or dumping substances that may have the same result (DFO, 2023d). Additional permissions or prohibitions for other activities are set out in the regulations specific to that area. The Laurentian channel is the only MPA within the Focus Area (Figure 4).

The Laurentian Channel MPA is a deep submarine valley from the intersection of the St. Lawrence and Saguenay Rivers to the edge of the continental shelf off Newfoundland, is an important habitat for a variety of marine species. It is made up of two management zones, each with various exceptions. The main conservation objectives of this MPA include protecting corals, sea pens, black dogfish, smooth skate and porbeagle sharks from human induced mortality, while also promoting the survival and recovery of northern wolffish and leatherback sea turtles by reducing the risks of harm from human activities. Prohibited activities within the areas include any that disturb, damage, destroy, or remove (or likely to do so) any living marine organism or any part of its habitat. While prohibited activities have exceptions (DFO, 2019b), they currently do not exclude offshore wind development activities.

In studies from other jurisdictions, such as the Albania offshore wind siting study, a buffer up to 20 km around MPAs was recommended to minimize disturbance during construction and operation (United States Agency for International Development, 2022). Another study focused on the edge effects of MPAs (the degradation of the effective size of protected areas caused by human related stressors in the surrounding areas), and suggested that all MPAs be surrounded by, at a minimum, 1 km precautionary buffer to reduce these effects (Ohayon, Granot & Belmaker, 2021).

Figure 4. Marine Protected Areas within the Focus Area



This map depicts Marine Protected Areas (MPAs) within the Regional Assessment Focus Area. The Laurentian Channel MPA is the only MPA in the Focus Area. All datasets utilized to produce this map can be found in Appendix F.

Federal Authority Expert Advice

In response to the Committee's call for feedback on the Focus Area, DFO submitted advice (DFO, 2023a) to remove the MPA from areas being considered for offshore wind development. They noted while there is no direct reference to offshore wind development activities being prohibited in the MPA, there may be potential conflicts with the Federal Marine Protected Areas Protected Standard 2023 (DFO, 2023d).

Indigenous and Public, Fisheries, and Stakeholder Engagement Outcomes

In their November 2023 meeting with the Committee, Miawpukek First Nation supported the avoidance of MPAs.

In their February 2024 engagement with the public, a participant suggested the Committee consider applying a buffer around MPAs.

Committee Approach

Based on these above considerations, the Laurentian Channel MPA was completely removed from preliminary offshore wind licencing areas.

Data and Information Gaps

Limitations associated with this constraint include:

- Recommendations on setback distances to reduce edge effects are not included, and it is unknown if the MPA was designed with a built-in buffer to offset effects from any activities.

Recommendations

To address information and data gaps related to MPAs:

3. **The Committee recommends that application of additional buffers to MPAs be considered during project-level impact assessments.**

4. **The Committee recommends offshore wind project proponents undertaking project-level impact assessments consider, in consultation with DFO, setback distances from areas important for the various species on which MPA conservation objectives are based.**

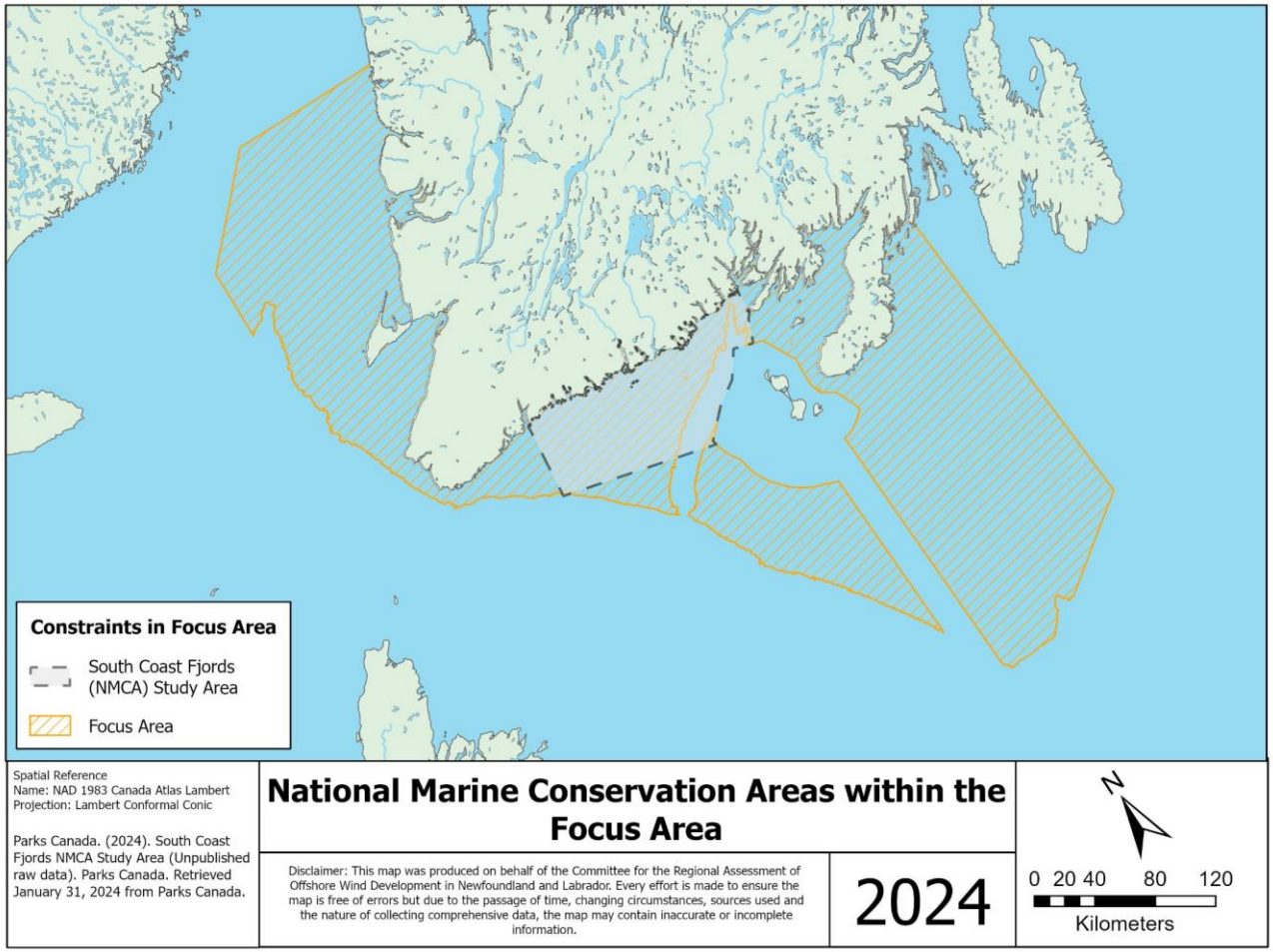
3.2.2.3 National Marine Conservation Areas

Parks Canada, through the *National Marine Conservation Areas Act*, is responsible for the creation and management of National Marine Conservation Areas (NMCAs) nationwide. The primary goal of this process is to achieve ecological sustainability while creating enjoyable experiences for visitors, promoting awareness and understanding of conservation, and providing benefits for Indigenous peoples and coastal communities (Parks Canada, 2023a). NMCAs can

comprise the seabed and water column above it, and may also include wetlands, estuaries, islands, and other coastal lands. Access and use by Indigenous peoples of an NMCA pursuant to their rights will not be subject to restrictions except for conservation, public health or public safety reasons determined in consultation with Indigenous rights holders. Prohibited activities in NMCAs can include the exploration and extraction of hydrocarbons, minerals, aggregates, and other inorganic matter (Parks Canada, 2023a).

Currently, there is no designated NMCA within Newfoundland and Labrador waters; however, Parks Canada, along with the Province, Miawpukek First Nation, Qalipu First Nation and the Town of Burgeo signed an MOU on June 23, 2023, to assess the feasibility of creating an NMCA in the South Coast Fjords area on the southwest coast of the island and to assess the redesignation of the Sandbanks Provincial Park to a national park (Figure 5). The proposed NMCA is within the Focus Area. The NMCA Study Area is approximately 9,112 km² and includes significant coastal and marine ecosystems, key migration routes, and habitat for many species. The study area for the proposed redesignation of Sandbanks Provincial Park is about 2.26 km², which would protect the fragile sand dunes ecosystem, the habitats of endangered and migratory birds, and become an ecotourism destination (Parks Canada, 2023b).

Figure 5. National Marine Conservation Areas within the Focus Area



This map depicts National Marine Conservation Areas (NMCAs) within the Regional Assessment Focus Area. The proposed South Coast Fjords NMCA Study Area is the only NMCA within the Focus Area. All datasets utilized to produce this map can be found in Appendix F.

Federal Authority Expert Advice

In their recommendation report to the Committee, Parks Canada recommended that the Committee remove the NMCA Study Area from consideration for offshore wind licencing areas at this time. This will allow the NMCA designation process to unfold (Parks Canada, 2023b).

Indigenous and Public, Fisheries, and Stakeholder Engagement Outcomes

In their November 2023 meeting with the Committee, Miawpukek First Nation supported the avoidance of the NMCA Study Area at this time.

In their February 2024 engagement with the public, a participant suggested the Committee consider applying a buffer around the NMCA Study Area.

Committee Approach

Based on these above considerations, the South Coast Fjords NMCA Study Area was completely removed from preliminary offshore wind licencing areas. The Committee did not apply a buffer to the NMCA Study Area.

Data and Information Gaps

Limitations associated with this constraint include:

- The area removed from the preliminary offshore wind licencing areas may not reflect the final South Coast Fjords NMCA. The NMCA Study Area boundaries are subject to change during the NMCA designation process.

Recommendations

To address information and data gaps related to NMCAs:

5. **The Committee recommends the South Coast Fjords NMCA Study Area as a constraint be reconsidered, once the NMCA designation process is complete. Offshore wind licencing areas should avoid the final South Coast Fjords NMCA. If offshore wind development is proposed in proximity to the South Coast Fjords NMCA before completion of the designation process, the Committee recommends offshore wind project proponents consult Parks Canada regarding the NMCA Study Area and status of designation process.**

3.2.2.4 Areas Important for Viewscapes

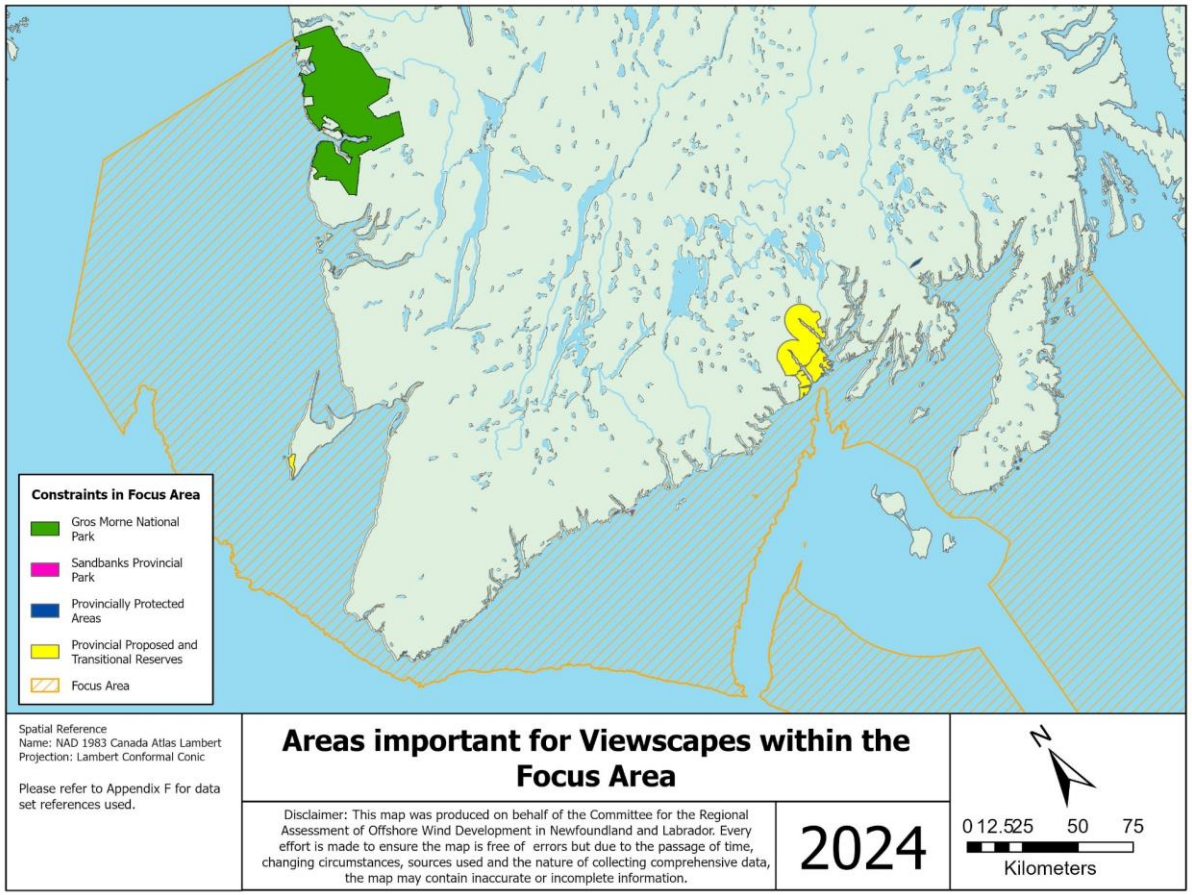
Potential impacts of offshore wind development to viewscapes can be avoided or reduced by excluding projects within a certain distance of the coast to reduce turbine visibility. This is particularly important where sensitive viewscapes occur (e.g., areas with rare or high scenic quality, popular tourist areas, and natural or wilderness areas,).

In Newfoundland and Labrador, particularly sensitive areas could include nationally and provincially protected areas or other coastal views with high scenic quality and/or value. National parks are "dedicated to the people of Canada for their benefit, education, and enjoyment…and…shall be maintained and made use of so as to leave them unimpaired for the enjoyment of future generations" (*Canada National Parks Act*, 2000). They are established under the *Canada National Parks Act* and are managed by Parks Canada. Parks Canada has not published any overarching policy, guidance, or regulations with information about protecting visual resources at national parks. However, management plans for individual parks may, on a case-by-case basis, include direction about managing visual resources.

Provincially protected areas include wilderness reserves, ecological reserves, provincial parks, wildlife parks, wildlife reserves and special management areas. Based on information gathered to date, the province of Newfoundland and Labrador has not published any overarching policy, guidance, or regulations with information about protecting visual resources. Section 4 of the *Wilderness and Ecological Reserve Act* includes the experience and appreciation of natural environment as a possible reason for establishing a wilderness reserve and the province lists recreation and ecotourism as some of the many reasons parks and reserves are maintained (Newfoundland and Labrador Department of Environment and Climate Change, 2020). Furthermore, the province recognizes the benefits of provincially protected areas include providing for the enjoyment and appreciation of outstanding scenery, landscape, and wildlife (Newfoundland and Labrador Department of Environment and Climate Change, 2020).

The Committee expects offshore wind development within the Focus Area could impact viewscapes at Gros Morne National Park and World Heritage Site, Sandbanks Provincial Park (proposed national park), provincially protected areas along the coast, and coastal communities and cottage viewscapes (Figure 6).

Figure 6. Areas Important for Viewscapes within the Focus Area



This map depicts existing and proposed federally and provincially protected areas along the coastal boundaries of the Regional Assessment Focus Area. At this extent, it is understood that not all components depicted can be easily seen, if at all. The Committee will ensure all components are visible within their Final Report. In the meantime, please visit the Canada Marine Planning Atlas – Atlantic to further explore these components. All datasets utilized to produce this map can be found in Appendix F.

Federal Authority Expert Advice

On October 31, 2023, Parks Canada submitted the Parks Canada Agency Recommendation Report to the Committee. In their recommendation report and follow-up meeting (January 24, 2024) with the Committee, Parks Canada identified the following national parks as having viewscapes potentially impacted by offshore wind development in the Focus Area:

- Gros Morne National Park and World Heritage Site; and
- Sandbanks Provincial Park (proposed redesignation as a national park)

Gros Morne National Park was inscribed on the World Heritage List in 1987 with Outstanding Universal Values (OUVs) related to exceptional natural beauty and internationally significant illustrations of geological evolution (IUCN & UN EWCMC, 2011). In March 2023, UNESCO published *Guidance for Wind Energy Projects in a World Heritage Context.* According to the Guidance any potential impact from projects needs to be measured in relation to OUVs they may impact and any potential, irreversible negative impacts on OUVs should be avoided. Furthermore, projects in other jurisdictions proposed in proximity to WHS with important viewscapes have been subject to intense public debate, project cancellations and court rulings against projects that could threaten UNESCO WHS because of visual intrusions (Wieduwilt & Wirth 2018).

The Parks Canada report to the Committee recommends that, "[g]iven the importance of viewscapes in Gros Morne National Park as well as the outstanding wilderness environment and area of exceptional natural beauty of the [world heritage site], offshore wind development result in no impacts on viewscapes from the park" (Parks Canada Agency, 2023c). Furthermore, they recommend an 80 km buffer be used around Gros Morne National Park when identifying offshore wind licencing areas to ensure no visual impacts. This recommendation was based on research findings outlined in Wieduwilt & Wirth (2018) which suggest wind farm facilities of heights up to 350 m could be visible at distances up to 50 km, and that this would be extended from elevated viewpoints; and that 200 m high turbines are visible up to 80 km in lowlands (no obstructions) and up to 30 km in low mountain ranges (Nohl, 2001; Wieduwilt & Wirth, 2018). During a follow-up meeting with the Committee (January 24, 2024), Parks Canada confirmed they recommended an 80 km buffer based on a precautionary approach. Existing studies about offshore wind turbine visibility suggest visibility distance is based on many site and project-specific factors. Viewshed modeling at Gros Morne could be used to set a more accurate buffer. Parks Canada recommends a precautionary buffer (80 km) should be used until a viewshed modeling exercise can be completed, because of the sensitivity of Gros Morne.

Regarding Sandbanks Provincial Park, a multi-party MOU was signed on June 23, 2023, to launch an assessment of feasibility of a South Coast Fjords NMCA and the redesignation of Sandbanks Provincial Park as a national park. The South Coast Fjords NMCA Study Area surrounds the coastal border of Sandbanks Provincial Park. During the January 24, 2024, follow up meeting with the Committee, Parks Canada recommended excluding the South Coast Fjords NMCA Study Area from offshore wind licencing areas to avoid visual intrusions within Sandbanks Provincial Park.

The province has not provided any information or recommendations about viewscapes at provincially protected areas to date. The following provincially protected areas are located within 10 km of the Focus Area: Bay du Nord Wilderness Reserve, Big Barasway Wildlife Reserve, Blow Me Down Provincial Park, Codroy Valley Provincial Park, and Fortune Head Ecological Reserve (Figure 6). The Government of Newfoundland is also considering the designation of additional areas. The Wilderness and Ecological Reserve Advisory Council (WERAC) released a draft Protected Areas Plan for the Island of Newfoundland in 2020 for public review, then identified priority areas for protection. In May 2023, the Newfoundland and Labrador Department of Environment and Climate Change asked WERAC to move forward with consultations on these priority sites (Environment and Climate Change Newfoundland and Labrador, 2024). Three of these sites occur within 10 km of the Focus Area: Facheaux Bay Proposed Reserve, Facheaux Bay Transitional Reserve, and Cape St. George Transitional Reserve (Figure 6).

Indigenous and Public, Fisheries, and Stakeholder Engagement Outcomes

During February 2024 engagement with the Indigenous Knowledge Advisory Group, a participant noted that a coastal buffer for offshore wind development is generally larger than 10 km in most jurisdictions, with the goal of protecting viewscapes. However, if the coast is not largely inhabited, and protection of the viewscape is not of significant concern, then the 10 km coastal buffer may be sufficient. A participant suggested a coastal buffer of 20 km or more, depending on the size of the turbines and significance of the viewscape.

Committee Approach

Based on the above considerations, the Committee removed an 80 km buffer zone perpendicular to Gros Morne's coastal boundaries. Potential impacts to viewscapes at Sandbanks Provincial Park were avoided by completely removing the NMCA Study Area from preliminary offshore wind areas. Potential impacts on viewscapes from provincially protected areas (existing and proposed), coastal communities and cottages were reduced by removing a 10 km coastal buffer around the islands of Newfoundland and Ramea from preliminary offshore wind licencing areas.

Data and Information Gaps

Limitations associated with this constraint includes:

- The province has not provided the Committee any information or recommendations regarding viewscapes to date and public information about viewscapes (e.g., visual quality, character, sensitivity etc.) in Newfoundland and Labrador is scarcely available. The Committee assumed important viewscapes could occur anywhere along the coast of inhabited islands and applied a conservative (small) buffer as a starting point.
- There are no overarching policy, guidance, or regulations regarding protection of visual resources at nationally or provincially protected areas.

- No viewshed analyses were completed by Parks Canada or the Committee to inform the Committee's recommendations. The Committee assumed offshore wind turbines up to 80 km from coastal park boundaries could be visible from elevated viewpoints at Gros Morne National Park.
- The South Coast Fjords NMCA and Sandbanks Provincial Park (proposed redesignation to national park) boundaries are not finalized.
- Proposed provincially protected areas are not finalized.

Recommendations

To address information and data gaps related to impacts on viewscapes:

6. **The Committee recommends that the C-NLOER complete visual assessments to identify viewscapes that could be impacted by offshore wind development in offshore wind licencing areas before issuing a call for bids. Offshore wind project proponents should be required to avoid or, where appropriate, mitigate potential impacts to these viewscapes during project-level impact assessments.**

7. **The Committee recommends that the C-NLOER, in consultation with federal and provincial authorities, identify and characterize viewscapes in Newfoundland and Labrador and prioritize completing this work for sensitive viewscapes in proximity to the Focus Area.**

8. **The Committee recommends that buffers used to identify preliminary offshore wind licencing areas be revisited following any work completed because of Recommendation 7. Revised buffers should avoid or reduce impacts to sensitive viewscapes as appropriate. Revised buffers should be reflected in a Marine Spatial Plan established for the province or in licencing areas established by Ministers. Should this work not be completed before governments issue a call for bids, offshore wind project proponents should still be required to avoid or, where appropriate, mitigate potential impacts to sensitive viewscapes during project-level impact assessments.**

3.2.2.5 Areas Important for Avifauna

As set out in the Agreement, avifauna refers to birds, bats, and associated Species at Risk.

In August 2023, the Committee requested information and advice from Environment and Climate Change Canada including:

- Bird density and trends on where and when portions of the Focus Area have higher bird densities;
- Locations of coastal bird colonies and any other potentially important areas for birds (e.g., migratory bird sanctuaries, foraging areas, and migration corridors);
- Known areas of higher risk for marine/migratory bird species as it relates to offshore wind or marine industrial activities and recommended setbacks to help mitigate those risks; and
- Information related to bat species and their movements within the Focus Area.

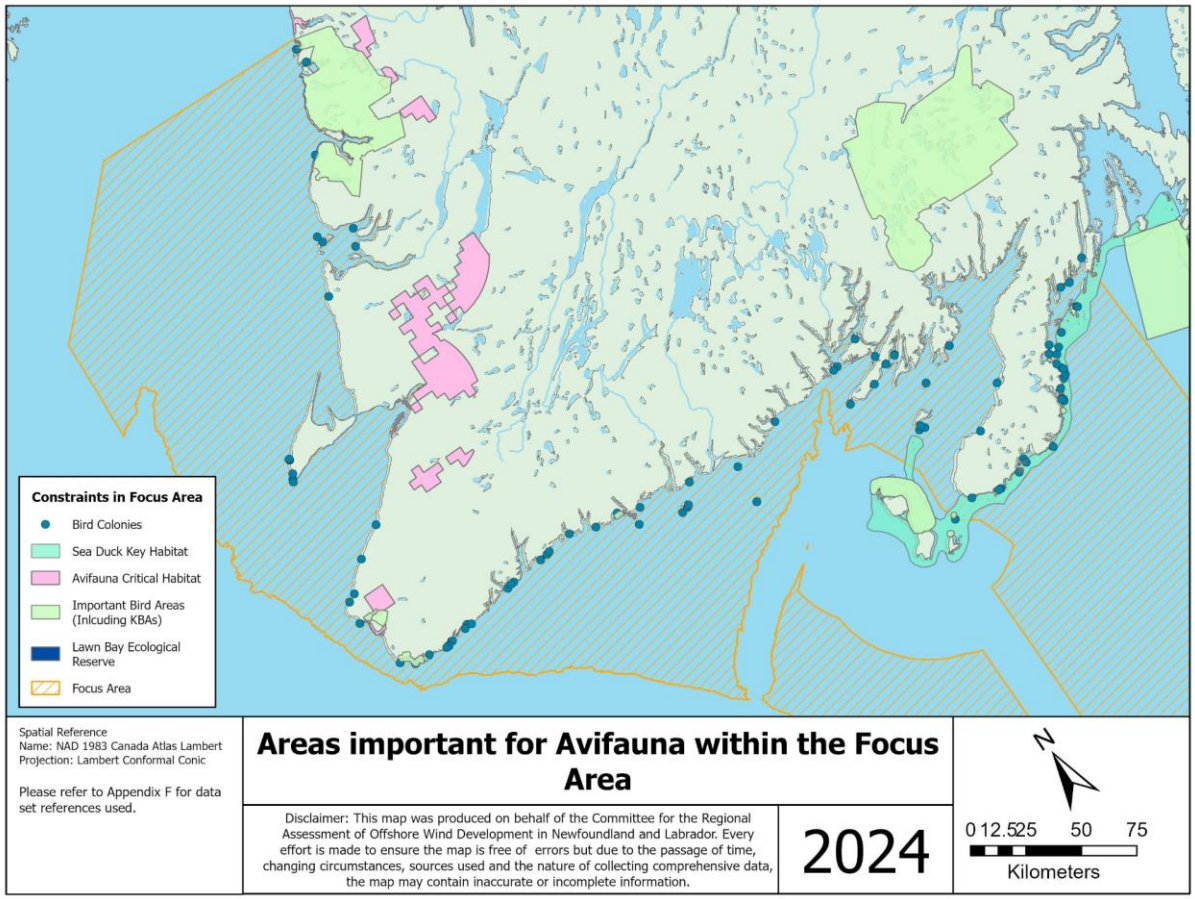
In response, ECCC-CWS-ATL provided the Committee with several mapping products and descriptive text identifying areas important for avifauna throughout Atlantic Canada. Based on ECC-CWS-ATL's submission, the following areas are important for or likely used by avifauna and may occur within the Focus Area. Unless otherwise specified, each of these is described in more detail below. Figure 7 shows areas important for avifauna near the Focus Area. Areas important for avifauna are only shown if verified, public geospatial data was available to the Committee. Areas important for or likely used by avifauna within the Focus Area include:

- Avifauna critical habitat (see section 3.2.2.1 Critical Habitat).
- Important bird and biodiversity areas (see section 3.2.2.6 Key Biodiversity Areas)
- Bird colonies
- Sea duck key habitat sites
- Red knot important stop over areas
- Important shorebird sites
- Lawn Islands Archipelago
- Possible migration routes for northern gannet, whimbrel, American golden plover, black-billed plover, pectoral sandpiper, and shorebirds.

ECCC-CWS-ATL also provided the Committee with maps showing other spatial data such as relative distribution, abundance, and density estimates for specific species (e.g., pelagic bird density, shorebird coastal density, waterfowl relative abundance, and waterfowl band encounters). This information did not inform the Committee's preliminary offshore wind licencing areas because of data and information gaps. For example, some data used to produce maps comes from the Atlas of Seabirds at Sea in Eastern Canada (ECSAS), collected via opportunistic surveys. This data is a good information source for identifying areas where birds could be found but density estimates need to be interpreted with caution. Further details on data and information gaps and the Committee's recommendation are outlined below.

ECCC-CWS-ATL indicated that their submission should remain confidential as some data displayed in their submitted maps is currently undergoing publication or is a part of ongoing work. Respecting their request, the Committee has not published ECC-CWS-ATL's full submission on the Registry. Where relevant to the constraints analysis, the sections below describe information submitted by ECCC-CWS-ATL in general terms.

Figure 7. Areas Important for Avifauna within the Focus Area



This map depicts areas designated as important to birds, including colonies, along the coastal boundaries of the Regional Assessment Focus Area. At this extent, it is understood that not all components depicted can be easily seen, if at all. The Committee will ensure all components are visible within their Final Report. In the meantime, please visit the Canada Marine Planning Atlas – Atlantic to further explore these components. All datasets utilized to produce this map can be found in Appendix F.

Bird Colonies

Bird colonies may support high densities of birds during sensitive life periods, such as during breeding. ECCC-CWS-ATL provided the Committee with maps showing bird colony locations[19] and advised that setback distances from colonies be established on a case-by-case basis because of variation across colonies, species and individual traits, years, and project factors. Work completed by Ronconi et al. (2022) provides further support for using a case-by-case approach. This study used tracking data for seabird species in Atlantic Canada to develop prediction models for foraging distributions around breeding sites. Results show large variation in foraging distance between species and colonies.

ECCC-CWS-ATL is currently developing a risk assessment tool to aid in project- and species-specific setback distance determinations. The tool would consider species-specific vulnerability to collision and displacement due to offshore wind activities, all phases of projects, variation in vulnerability across colonies/years, and the influence of project specific factors (e.g., turbine size, configuration, and quantity; timing of activities; proximity to other offshore infrastructure etc.). ECCC-CWS-ATL advises that offshore wind project proponents would be reasonably expected to provide information on parameters set out in the tool, and ECCC-CWS-ATL would, in turn, provide project specific recommendations for setback distances.

Sea Duck Key Habitat Sites

Sea Duck Key Habitat Sites are important areas for sea ducks across North America. They include habitats most critical to sea ducks during at least one season (particularly migration and breeding seasons). Designation of Sea Duck Habitat sites is intended to heighten awareness about these important habitats and aid in prioritizing habitats for conservation and protection efforts (Sea Duck Key Habitat Sites Atlas, n.d.).

ECCC-CWS-ATL provided the Committee a map of Sea Duck Key Habitat Sites in Atlantic Canada.[20] Most sites occur outside of the Focus Area, with some along the coast of Newfoundland. Part of the St. Pierre and Miquelon to Cape St. Mary's Sea Duck Key Habitat Site occurs within the Focus Area southwest of Bird Island.

Red Knot Important Stop Over Areas

Red Knot is as a migratory species listed as Endangered under Schedule 1 of the *Species at Risk Act*. ECCC-CWS-ATL provided the Committee with a confidential map showing locations of shoreline identified as Red Knot priority stopover sites with an additional 10 km buffer. They

[19] Data on bird colony locations and density estimates is publicly available on the Open Government Portal.

[20] Sea Duck Key Habitat sites can also be viewed using the Sea Duck Key Habitat Sites Atlas map viewer

indicated that this buffer is a conservative estimate of the distance required for Red Knot to reach flight altitudes higher than anticipated heights of turbine rotor swept zones (20-300 m). Priority stopover sites were identified by ECCC-CWS-ATL based on Atlantic Canada Shorebird Survey Data collected since 1974, including unpublished data. ECCC-CWS-ATL also indicated that other important stopover sites may be identified through ongoing research.

Important Shorebird Sites

Important Shorebird Sites relate to the Western Hemisphere Shorebird Reserve Network (WHSRN) sites. WHSRN sites are nominated and proved important for shorebirds in the Western Hemisphere on a regional, international, or hemispheric scale. Designation depends on peak species counts and/or percentage of biogeographic populations using the site annually. Important shorebird sites are regionally important but not yet nominated for WHSRN status or do not qualify for nomination.

In their November 2023 submission, ECCC-CWS-ATL identified important shorebird sites within the Focus Area. No recommendations have been provided to date regarding specific buffers to avoid these sites. However, ECCC-CWS-ATL indicated that shorebird sites are assumed to be connected and could imply movements between sites. They recommended that in the absence of offshore distribution or movement data for shorebirds, this information can be used alongside other data sources and expert knowledge to assess areas where shorebirds may experience higher risks with respect to offshore wind energy development.

No WHSRN sites occur within the Focus Area.

Lawn Islands Archipelago

Lawn Islands Archipelago is a provincial ecological reserve. In their submission to the Committee (November 2023) ECCC-CWS-ATL indicated that species experts recommend considering this an important area for birds.

Movement Patterns

Avoiding known flyways and migration routes when siting offshore wind projects could reduce collision risk. Based on their 2006 studies on bird migration and potential collision risk, Hüppop et al. recommends avoiding windfarms in zones with dense migration, keeping migration corridors free with several km width between farms, and avoiding windfarms between resting and foraging grounds. Some jurisdictions also avoid migration routes during project licencing stages. For example, the German Offshore Installations Ordinance precludes licenses where obstacles jeopardize bird migration (Hüppop et al., 2006).

ECCC-CWS-ATL provided the Committee with confidential maps showing available information on movement patterns for the following species in the Focus Area: northern gannet, whimbrel, golden plover, black-bellied plover, pectoral sandpiper, and shorebirds. The Committee did not

use this information to identify preliminary offshore wind licencing areas because of information and data gaps.

Indigenous and Public, Fisheries, and Stakeholder Engagement Outcomes

During engagement with an offshore wind developer in January 2024, the Committee heard they do not tend to use a standard setback distance around bird colonies when siting offshore wind project in other jurisdictions. Instead, proponents tend to track, model, and predict the distribution of birds and aim to avoid areas where a high distribution of birds is expected. Standard setback distances around colonies are not used because of high variation in foraging distances around colonies.

In the February 2024 Indigenous Knowledge Advisory Group session, a participant noted that it is important to consider bird migratory routes when identifying areas for offshore wind development. The Committee's coastal buffer attempts to address this somewhat, but the Committee acknowledged bird migratory routes are a data gap at this time.

During February 2024 engagement with the Fisheries and Other Ocean Uses Advisory Group, a member suggested the exclusion of bird migratory routes and foraging areas. A similar suggestion was made during a February 2024 public engagement session to exclude the Atlantic migratory flyway at the west coast of the Island of Newfoundland.

Committee Approach

Important areas for avifauna were avoided in preliminary offshore wind licencing areas by removing a 10 km coastal buffer around the islands of Newfoundland and Ramea and an additional 5 km buffer around coastal islands with bird colonies.

Data and Information Gaps

Limitations associated with these constraints are outlined here.

Bird Colonies

- The ECCC (2016) Atlantic Colony dataset may not include all marine bird colonies or reflect changes in species composition at individual colonies since the last recorded observations. Furthermore, the dataset includes colonies that are not currently suitable for breeding. ECCC-CWS-ATL advised colonies may reactivate after years of non-use therefore all colonies with count data were considered when identifying preliminary offshore wind licencing areas.
- Impacts of sea level rise and climate change on colonial nesting habitats remains a data/knowledge gap. This information will be required to assess long-term impacts on populations of colonial nesting birds.
- Habitat use around colonies (e.g., foraging distance is unclear). ECCC-CWS-ATL is in the process of developing a risk assessment tool to aid in project- and species- specific setback distance determinations.

Sea Duck Key Habitat Sites

- Information on sea duck use of the sites considered is based on expert opinion and single or infrequent surveys.

Red Knot Important Stopover Sites

- Confidential, unpublished data associated with a Species at Risk.
- List of priority sites was developed by ECCC-CWS-ATL and is based on Atlantic Canada Shorebird Survey (ACSS) data (maximum counts) collected since 1974. ACCS are volunteer-based surveys and are rarely conducted annually.
- Other important stopover sites may be identified through ongoing research.

Important shorebird sites

- ECCC-CWS-ATL advised offshore distribution or movement data would better estimate high risk areas for shorebirds.
- Additional sites could be identified through ongoing work.

Lawn Islands Archipelago

- No recommendations or information provided by province to date.

Movement Patterns

- Data for most species shows locations and tracks for only a few individuals. Small sample sizes may not accurately represent movement patterns at the population level.
- Some data on movement patterns provided by ECCC-CWS-ATL is confidential, unpublished data**.**

Marine Bird Foraging Areas

- Poor data output due to insufficient tracking information for some species.
- Small number of samples sizes (not a true representative of the entire population), with missing information on key stopovers.
- Densities based on tracks from few individuals/few species. Not representative of the population and needs to be considered with caution.
- Data collected at inappropriate temporal or spatial scales.
- Tracking data may be less representative of true foraging behaviours.

Migratory Bird Sanctuary (MBS) and National Wildlife Areas (NWAs)

- Canada's MBS and NWA list are continuously updated as new locations are identified and designated.

Potential Distribution, Abundance and Density

- Information provided about pelagic bird density was based on ECSAS surveys. ECSAS surveys use ships of opportunity surveys to collect data resulting in low survey effort and high variation in some areas. ECCC-CWS-ATL advised this data is a good resource for identifying areas where seabirds at sea are found in eastern Canada, but density estimates need to be interpreted with caution.
- Information on shorebird coastal density provided by ECCC-CWS-ATL was based on unpublished, internal data.
- ECCC-CWS-ATL indicated information on waterfowl relative abundance and waterfowl band encounters was based on unpublished, internal data and/or ongoing, incomplete assessments.

Recommendations

To address information and data gaps related to areas important for avifauna:

9. **The Committee recommends more work be completed on avian migratory routes and species-specific buffers during project-level impact assessments.**
10. **The Committee recommends project- and colony- specific buffers should be set case-by-case during project-level impact assessments. Offshore wind project proponents should consult ECCC-CWS-ATL for specific recommendations based on the risk evaluation tool ECCC-CWS-ATL is currently developing.**
11. **The Committee recommends that offshore wind project proponents consult ECCC-CWS-ATL to consider any updated information on sea-duck key habitat sites and appropriate measures to avoid or mitigate impacts during project-level impact assessments.**
12. **The Committee recommends that offshore wind project proponents consult ECCC-CWS-ATL to consider any updated information on shorebird movement patterns and appropriate measures to avoid or mitigate impacts during project-level impact assessments.**
13. **The Committee recommends that offshore wind project proponents consult ECCC-CWS-ATL to consider any updated information about important stopover areas for red knot and appropriate measures to avoid or mitigate impacts during project-level impact assessments.**
14. **Offshore wind project proponents consult ECCC-CWS-ATL for an up-to-date list of MBSs and NWAs, as well as any updated information on foraging range, species-by-species and to avoid them during offshore wind siting.**
15. **The Committee recommends site assessments and / or project-level impact assessments set appropriate buffer/setback distances that adequately protect MBS and NWA.**

16. **The Committee recommends proponents of offshore wind projects consult ECCC-CWS-ATL for species density information to know where species might be congregating, and the areas where species might transit/migrate, and should avoid those areas during siting.**

3.2.2.6 Key Biodiversity Areas

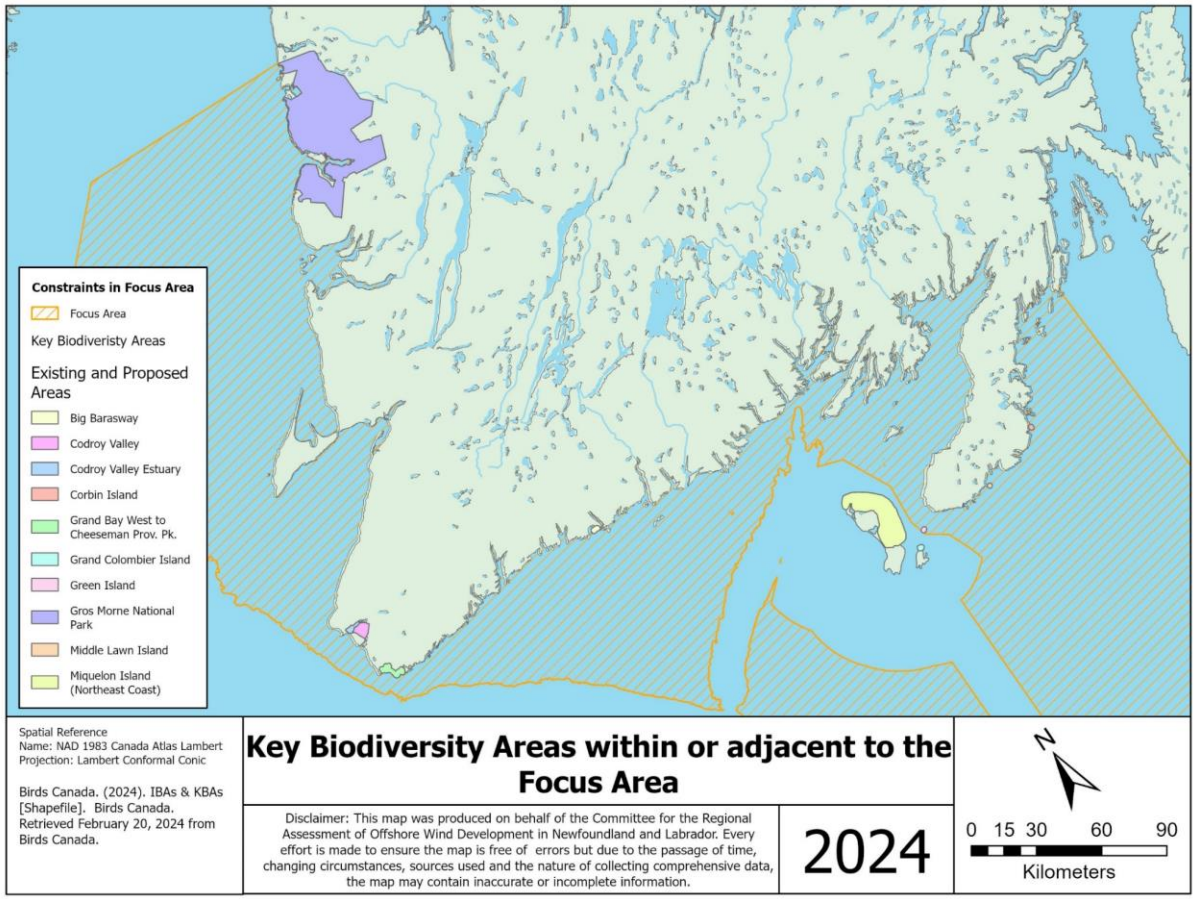
Key Biodiversity Areas (KBAs) are designated geographic areas that contribute to the persistence of biodiversity nationally and globally. They are designated according to internationally accepted standards, and a National Standard for KBAs in Canada was published in 2021. KBAs are an information tool and the identification of a site as a KBA does not prescribe land-use management recommendations or other regulatory recommendations. However, the Committee considers them important to consider in the context of development decisions as their protection can support rare and threatened species and ecosystems, as well as natural processes.

Globally and nationally significant KBA sites are currently being identified and assessed in Canada. These sites are assessed based on criteria related to the presence of threatened or rare biodiversity (at the species or ecosystem level), ecological integrity of broader systems, biological processes (e.g., migratory staging areas or hibernation sites) and irreplaceability. As a part of the KBA assessment process, Birds Canada is also reassessing and transitioning Important Bird and Biodiversity Areas (IBAs) to KBAs. The IBA program designated areas considered internationally significant for the conservation of birds. In Canada, these areas have been used to design conservation reserve networks and prioritize land acquisitions and protection.

The Canada KBA program hosts a map viewing tool on their website that identifies designated and candidate KBAs. A separate mapping tool, Crosswalk Results: Important Bird and Biodiversity Areas to Key Biodiversity Areas in Canada, shows ongoing results for the reassessment of IBAs to KBAs in Canada. Birds Canada also provided the Committee a shapefile identifying accepted and potential KBAs important for birds, for their consideration when identifying preliminary offshore wind licencing areas. Birds Canada cautioned specific sites are subject to change as the reassessment process progresses.

Existing and proposed KBA sites within or along the coast of the Focus Area are shown in Figure 8. KBA status and criteria are outlined in Table 1. These sites are subject to change as site assessment continues.

Figure 8. Key Biodiversity Areas within or adjacent to the Focus Area



This map depicts existing and proposed Key Biodiversity Areas for birds along the coastal boundaries of the Focus Area. At this extent, it is understood that not all components depicted can be easily seen, if at all. The Committee will ensure all components are visible within their Final Report. In the meantime, please visit the Canada Marine Planning Atlas – Atlantic to further explore these components. All datasets utilized to produce this map can be found in Appendix F.

Table 1. Existing and Proposed Key Biodiversity Areas within the Focus Area.

KBA Name	Criteria Description
Technical review by biodiversity experts completed. Site undergoing quality control check by KBA Secretariat.	
Gros Morne National Park (NL045)	• Candidate for Black-Headed Gull, Dovekie, Great Black-backed Gull, Griscom's Arnica, Newfoundland Chickweed. • Existing IBA being reassessed for KBA status.
Currently being investigated as a potential KBA.	
Codroy Valley Estuary (NL041)	• Candidate for Piping Plover. • Existing IBA being assessed for KBA status.
Codroy Valley (NL040)	• Preliminary results show no species at the site meet KBA thresholds. • Existing IBA being assessed for KBA status.
Big Barasway (NL037)	• Candidate for Piping Plover. • Existing IBA being assessed for KBA status.
Grand Colombier Island (NL036)	• Candidate for Leach's Storm-Petrel and Leach's Storm-Petrel - Atlantic population. • Existing IBA being assessed for KBA status.
Miquelon Island (Northeast coast) (NL034)	• Preliminary results show no species at the site meet KBA thresholds. • Existing IBA being assessed for KBA status.
Green Island (NL032)	• Candidate for Leach's Storm-Petrel and Leach's Storm-Petrel - Atlantic population. • Existing IBA being assessed for KBA status.
Middle Lawn Island (NL031)	• Candidate for Leach's Storm-Petrel and Leach's Storm-Petrel - Atlantic population. • Existing IBA being assessed for KBA status.
Corbin Island (NL030)	• Candidate for Leach's Storm-Petrel and Leach's Storm-Petrel - Atlantic population. • Existing IBA being assessed for KBA status.
Submitted for acceptance at the National Level	
Grand Bay West to Cheeseman Provincial Park (NL038)	• Candidate for Piping Plover. • Existing IBA being assessed for KBA status.

This table outlines assessment status and criteria for existing and candidate KBAs. This table is based on publicly available information from the KBA Canada (2024) website. Globally and nationally significant KBA sites are currently being identified and assessed in Canada. As a part of the KBA assessment process, Birds Canada is also reassessing and transitioning previously designated IBAs to KBAs.

Indigenous and Public, Fisheries, and Stakeholder Engagement Outcomes

Engagement to date has not resulted in feedback specific to the Committee's consideration of KBAs in determining preliminary offshore wind licencing areas.

Committee Approach

Based on these above considerations, the Committee avoided KBAs by removing a 10 km coastal buffer around the islands of Newfoundland and Ramea and a 5 km buffer around bird colonies from preliminary offshore wind licencing areas.

Data and Information Gaps

Limitations associated with this constraint include:

- KBAs are currently being identified and assessed for designation in Canada, including the reassessment and designation of Important Bird and Biodiversity Areas (IBAs). Boundaries for KBAs the Committee considered to date could change and new information about KBAs could become available as they are reassessed.

Recommendations

To address information and data gaps related to KBAs:

17. **The Committee recommends more specific setback distances be considered during project-level impact assessments based on the objectives of the KBA (e.g., protect piping plover). Setback distances should be selected in consultation with the appropriate expert authorities well in advance of projects.**

3.2.2.7 Ecologically and Biologically Significant Areas

Ecologically and Biologically Significant Areas (EBSA) are marine areas identified by DFO that have high ecological and/or biological significance, and that may be considered important for several marine species or ecological processes within them. While these areas have been identified as being significant, this identification does not provide legal protection through existing legislation, but rather it helps inform processes that may result in an area's management measures or future protections. The goal of the EBSA process is to "facilitate provision of a greater-than-usual degree of risk aversion in management of activities in areas of especially high ecological and biological significance" (DFO, 2004). The process of selecting EBSAs includes compiling various data layers and obtaining expert science advice to help delineate areas. Areas are then identified using the following criteria (Templeman, 2007; DFO, 2019b):

- Fitness Consequence: Areas where life history activities and processes take place that make an important contribution to the fitness of the current and future populations of species that use the area.

- Aggregation: Areas where most individuals of a species are aggregated for some part of the year, use the area for some important life function, and/or some structural feature or ecological process occurs with exceptionally high density.
- Uniqueness: Areas with characteristics that are unique, rare, distinct, and for which alternatives do not exist elsewhere.

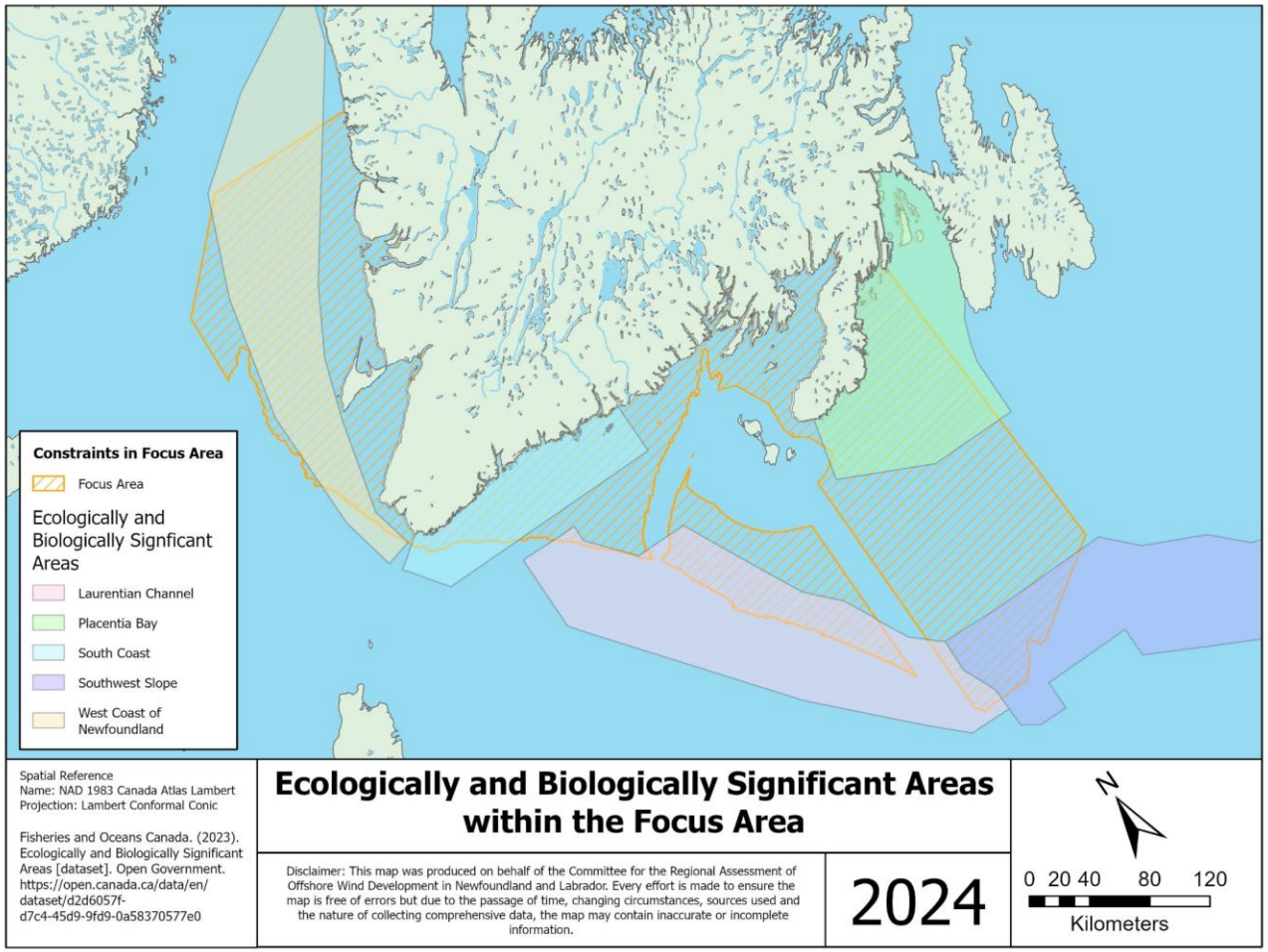
While most areas have some ecological function, the EBSA process seeks to identify areas that are considered "significant" and that if the area were to be disturbed the ecological consequences (in space, in time, or outward through the food web) would likely be greater than the effect of an equal disturbance of most other areas, although it is recognized that the nature of those consequences could differ greatly among specific cases (DFO, 2004). There are currently five EBSAs that fall within the Focus Area in whole or in part. These are outlined in the Table 2 (DFO, 2023e) and shown in Figure 9.

Table 2. Ecologically and Biologically Significant Areas Summaries

Name of EBSA	Summary of Area
West Coast of Newfoundland	The main concentration area for many species of groundfish (juvenile Atlantic cod, redfish, American plaice and Atlantic wolffish), and a significant area for pelagic fish. The area has significant sections for marine mammals (blue whale, divers, krill eaters).
South Coast	Known important habitat for the Blue Whale and other marine mammals. Other key features include three fish functional groups, two seabird functional groups, two seal species, and sea pen and sponge sensitive benthic areas. Atlantic cod, redfish, and shrimp Important Areas, as well as several eelgrass beds are also found within the EBSA. Two IBAs Grand Bay West to Cheeseman Provincial Park IBA and Big Barasway IBA, are within the EBSA as well.
Laurentian Channel	The EBSA supports a variety of species including Greenland Halibut, Witch Flounder, Blue Whale, sea pens and small gorgonian corals. It also houses key mating grounds, nursing areas and habitats for many Species at Risk (smooth skate, thorny skate, white hake, winter skate, porbeagle shark and blue whale).
Placentia Bay	Overall, the EBSA boasts significant ecological importance and serves as a crucial habitat for various marine species. It has important salmon rivers, capelin spawning beaches, eelgrass habitat, seabird colonies, and other key features such as Large Gorgonian Coral Important Areas, Soft Coral Important Areas, and Sponge Important Areas, which are found just outside the bay.
Southwest Slope	An important area for several species and taxonomic groups, including American plaice, Atlantic cod, northern wolffish, redfish, roundnose grenadier, smooth skate, thorny skate, white hake, winter skate and blue whale. It also harbours various fish functional groups, including small and large benthivores, planktivores, plankpiscivores and piscivores. Coral Important Areas are also included, which house black corals, small and large gorgonian corals, stony cup corals and sea pens.

This table summarizes the five Ecologically and Biologically Significant Areas that fall within the Focus Area, in whole or in part: West Coast of Newfoundland, South Coast, Laurentian Channel, Placentia Bay, and Southwest Slope.

Figure 9. Ecologically and Biologically Significant Areas within the Focus Area



This map depicts Ecologically and Biologically Significant Areas within the Focus Area. All datasets utilized to produce this map can be found in Appendix F.

Federal Authority Expert Advice

At time of writing, no advice was received from federal authorities regarding EBSAs and their inclusion in the Committee's constraint analysis.

Indigenous and Public, Fisheries, and Stakeholder Engagement Outcomes

Engagement to date has not resulted in feedback specific to the Committee's consideration of EBSAs in determining preliminary offshore wind licensing areas. However, participants did provide input and share concerns that, in the Committee's view, are related to EBSAs.

In February and March 2024, Indigenous groups and Indigenous Knowledge Advisory Group members noted that it is important to consider migratory routes for whale and bird species, and Atlantic salmon, and American eel when identifying areas for offshore wind development. The Committee noted that some EBSAs within the Focus Area do hold significance for these species, but acknowledged migratory routes are a data gap at this time.

Committee Approach

Due to the broad extent of considerations within these vast areas, and the lack of legislative protection of these specific areas, the Committee did not remove these areas from consideration for preliminary offshore wind licencing areas.

Data and Information Gaps

Limitations associated with this constraint include:

- The distribution of evaluated components within an EBSA is not clearly delineated.

Recommendations

To address information and data gaps related to EBSAs:

18. **The Committee recommends that for licencing areas identified within these EBSAs, offshore wind project proponents assess potential impacts to key features or species identified within the specific EBSA and avoid or, where appropriate, apply mitigation measures to ensure projects are not damaging/disturbing these components.**

19. **The Committee recommends further work in defining migratory routes within EBSAs prior to issuing call for bids, in consultation with the applicable regulators.**

3.2.2.8 Marine Refuge and Fisheries Closures

The identification of Marine Refuges is another mechanism that the Government of Canada, through DFO and the *Fisheries Act*, can implement legal protection and apply conservation

measures to marine areas within Canadian jurisdiction. This includes closing areas to specific types of commercial or recreational fishing activity (DFO, 2023c). Marine Refuges are considered by DFO as "Other Effective Area Based Conservation Measures", which are complementary to MPAs to help further protect coastal and marine areas. The process for determining these areas uses five broad criteria (DFO 2017a):

1. Providing a clearly defined geographic location;
2. Conservation or Stock Management Objectives: The measure must have a conservation or stock management objective, and the objective must reference at least one species of regional importance or a habitat that is important to biodiversity conservation;
3. Presence of Ecological Components of Interest: The measure must contain at least two ecological components of interest: a habitat that is important to biodiversity conservation and a species of regional importance that uses the habitat;
4. Long-term Duration of Implementation: The measure must either be entrenched via legislation, or provide clear evidence that the measure is intended for long-term use (minimum of 25 years); and
5. The Ecological Components of Interest are Effectively Conserved: No human activities that are incompatible with conservation of the ecological components of interest (the species and habitat(s) identified through criterion #2 and #3) may occur or be foreseeable within the defined geographic location.

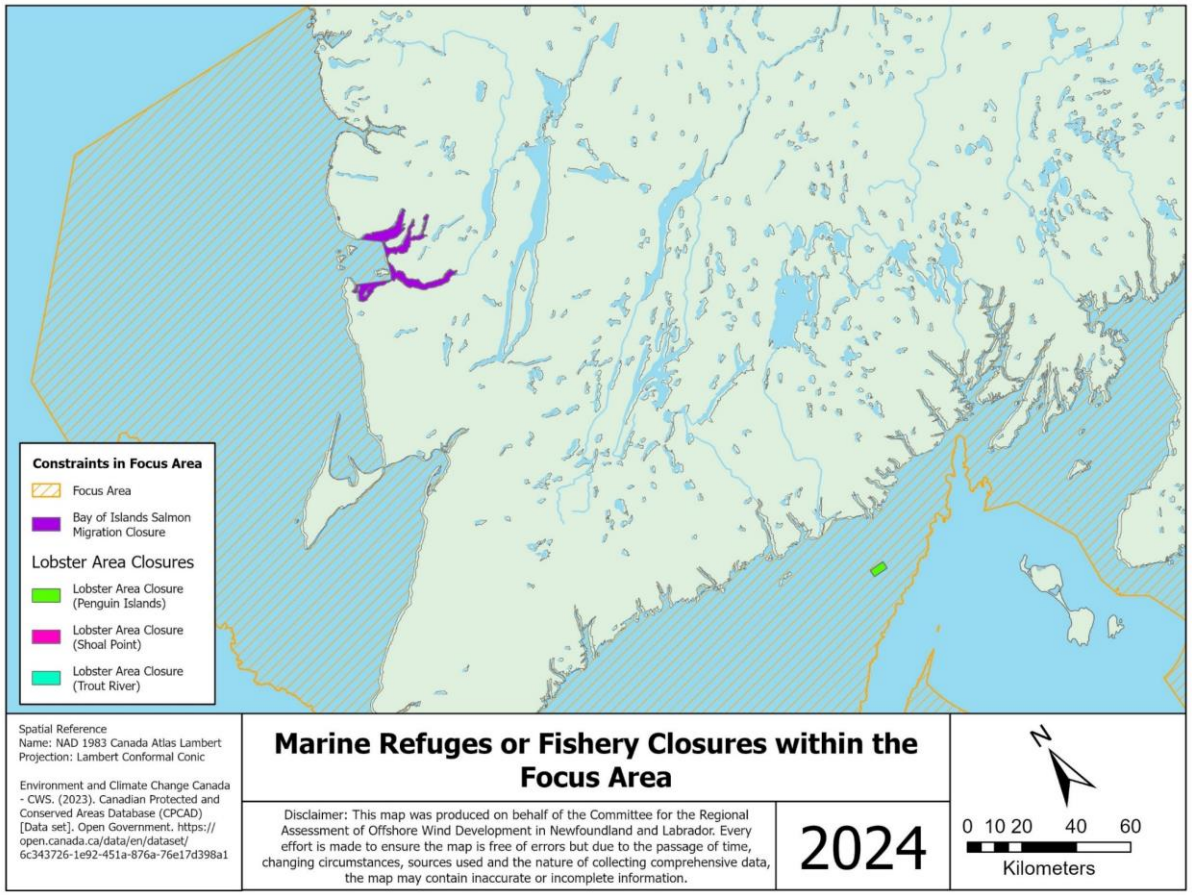
Once these areas are selected, they are implemented using management measures under the *Fisheries Act*, such as licence conditions and variation orders. Most of these areas either prohibit bottom contact fishing or have limitations on what type of fishing activity can occur in the area to conserve the existing ecological / biological functions that the area provides to the marine and benthic communities it supports. This includes the conservation of corals and sponges, as well as fish and invertebrate species that are considered ecologically, socially, or commercially important (DFO, 2017a). Table 3 and Figure 10 identify the four marine refuges within or adjacent to the Focus Area.

Table 3. Marine Refuge or Fishery Closure Areas within or adjacent to the Focus Area

Title of Marine Refuge or Fisheries Closure Area	Reason for Establishment	Prohibited Activities
Bay of Islands Salmon Migration closure	To protect Atlantic salmon migratory area	Prohibits all pelagic fixed gear fisheries
Lobster Area closure (Trout River)	To increase lobster spawning and egg production	Prohibits all lobster fishing
Lobster Area closure (Shoal Point)	To increase lobster spawning and egg production	Prohibits all lobster fishing
Lobster Area closure (Penguin Islands)	To increase lobster spawning and egg production	Prohibits all lobster fishing

This table summarizes the four marine refuges and fishery closure areas within or adjacent to the Focus Area: Bay of Islands Salmon Migration closure, Lobster Area closure (Trout River), Lobster Area closure (Shoal Point), and Lobster Area closure (Penguin Islands). The table describes the reason each refuge or closure was established and lists prohibited activities.

Figure 10. Marine Refuges or Fishery Closure Areas within the Focus Area



This map depicts marine refuges and fishery closures along the coastal boundaries of the Regional Assessment Focus Area. At this extent, it is understood that not all components depicted can be easily seen, if at all. The Committee will ensure all components are visible within their Final Report. In the meantime, please visit the Canada Marine Planning Atlas – Atlantic to further explore these components. All datasets utilized to produce this map can be found in Appendix F.

Federal Authority Expert Advice

At time of writing, no advice was received from federal authorities regarding Marine Refuges or Fishery Closure Areas and their inclusion in the Committee's constraints analysis.

Indigenous and Public, Fisheries, and Stakeholder Engagement Outcomes

Indigenous groups and Indigenous Knowledge Advisory Group members have expressed to the Committee the importance of protecting Atlantic salmon and American eel, including avoiding migratory routes of these species.

During the Committee's engagement with public stakeholders in February 2024, a participant suggested the exclusion of the Bay of Islands to protect the Atlantic salmon and other fish migratory routes within the preliminary offshore licencing areas.

Committee Approach

Due to the complimentary nature of Marine Refuges and Fisheries Closures to MPAs, the Committee agreed that these areas would not be included in the preliminary offshore wind licencing areas. Since these specific areas are adjacent to the shore, the currently established Marine Refuges and Fisheries Closures, including an additional buffer, was avoided in preliminary offshore wind licencing areas by removing a 10 km coastal buffer around the island of Newfoundland.

Data and Information Gaps

The Committee has not identified any limitations associated with these constraints to date.

Recommendations

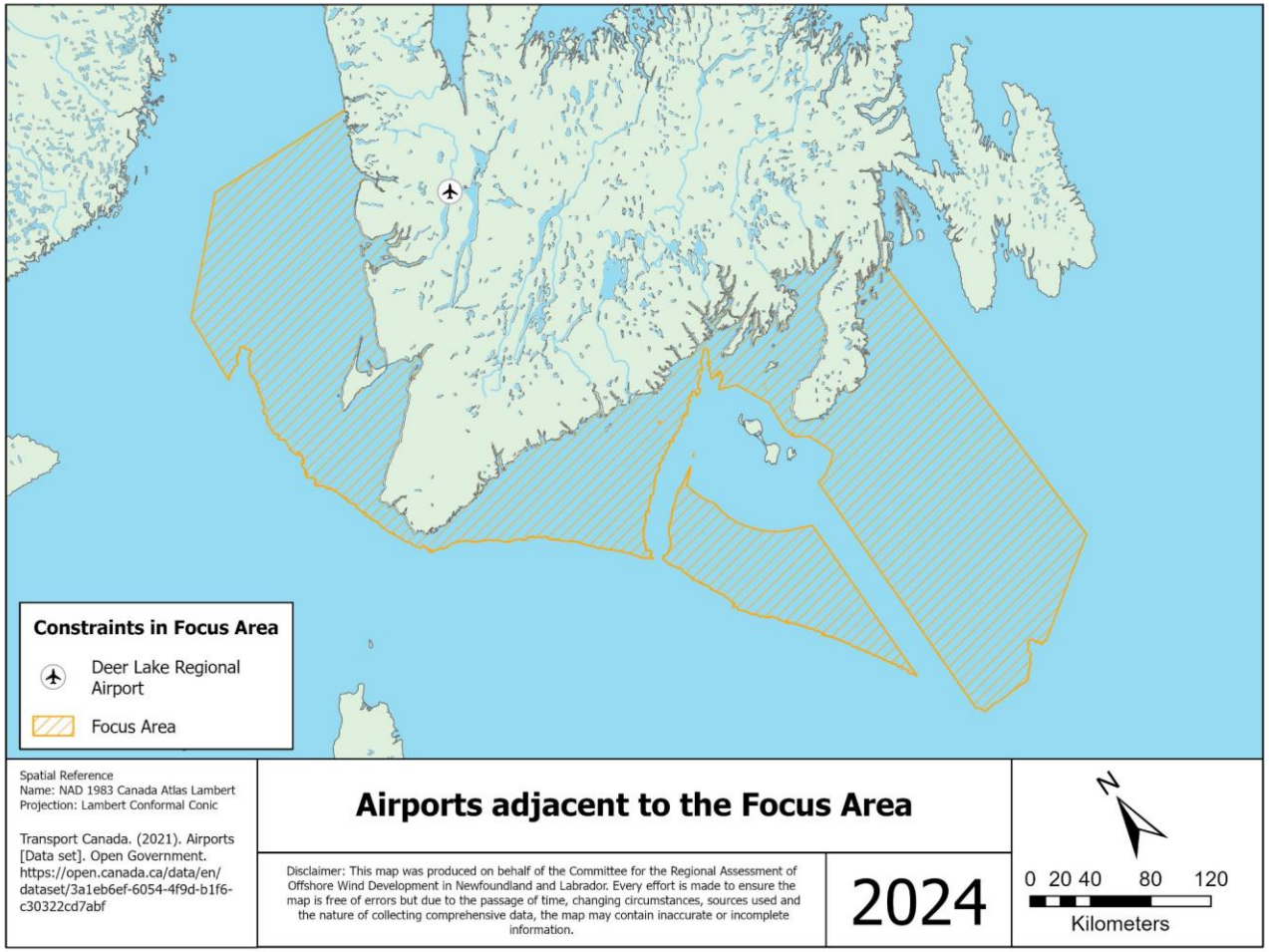
The Committee has not identified any recommendations to address information and data gaps related to Marine Refuges or Fishery Closure Areas to date.

3.2.2.9 Airports, and Inland and Marine Aerodromes

There are two airports that are located near the Focus Area: Deer Lake Regional Airport and Stephenville Dymond International Airport (Figure 11).[21] Turbines have the potential to impact aircraft navigation systems, as well as their radar and communications equipment. The safeguarding distances required is dependent on the size of an individual offshore wind farm, as buffer distances in other jurisdictions range from 8 – 30km, dependent on the varying size of the farms (Jago & Taylor, 2002).

[21] Dymond International Airport is not currently included in the publicly available Canadian Airports dataset used by the Committee to create Figure 11.

Figure 11. Airports adjacent to the Focus Area



This map depicts airports that can be found adjacent to the Regional Assessment Focus Area. All datasets utilized to produce this map can be found in Appendix F.

Federal Authority Expert Advice

At time of writing, no advice was received from federal authorities regarding airports and inland and marine aerodromes and their inclusion in the Committee's constraints analysis.

Indigenous and Public, Fisheries, and Stakeholder Engagement Outcomes

Nothing was heard during the Committee's engagements that relates to airports and aerodromes as far as the constraints analysis is concerned.

Committee Approach

The Committee used a 10 km buffer around the island of Newfoundland to identify preliminary offshore licencing areas. The Committee agreed that, given the distance of the airports from the coastline, the application of the coastal buffer, could address potential impacts to airports as a starting point.

Data and Information Gaps

Limitations associated with these constraints include:

- Data only includes airports served by NAV Canada control towers or flight service stations.
- Safeguard distance between airports and windfarms is unclear. The distance varies across jurisdictions and is dependent on project-specific factors.

Recommendations

To address information and data gaps related to airports and aerodromes:

20. The Committee recommends that the appropriate authority develop specific setback distances from airports and aerodromes for offshore wind project proponent consideration during project-level impact assessments.

3.2.2.10 Other Ocean Uses

The Committee understands that the waters surrounding Newfoundland and Labrador house various industries and marine infrastructure. While not all ocean uses are mentioned here, the Committee will be looking into all uses, and the effects and mitigations surrounding them in their final report. In the constraints analysis process, the Committee tried to focus on ocean uses that have specific routes or static points which could be removed from consideration from their preliminary offshore wind licencing areas, which include marine traffic routes, submarine cables, military activity, and unexploded explosive ordnance (UXO) sites.

Marine Traffic

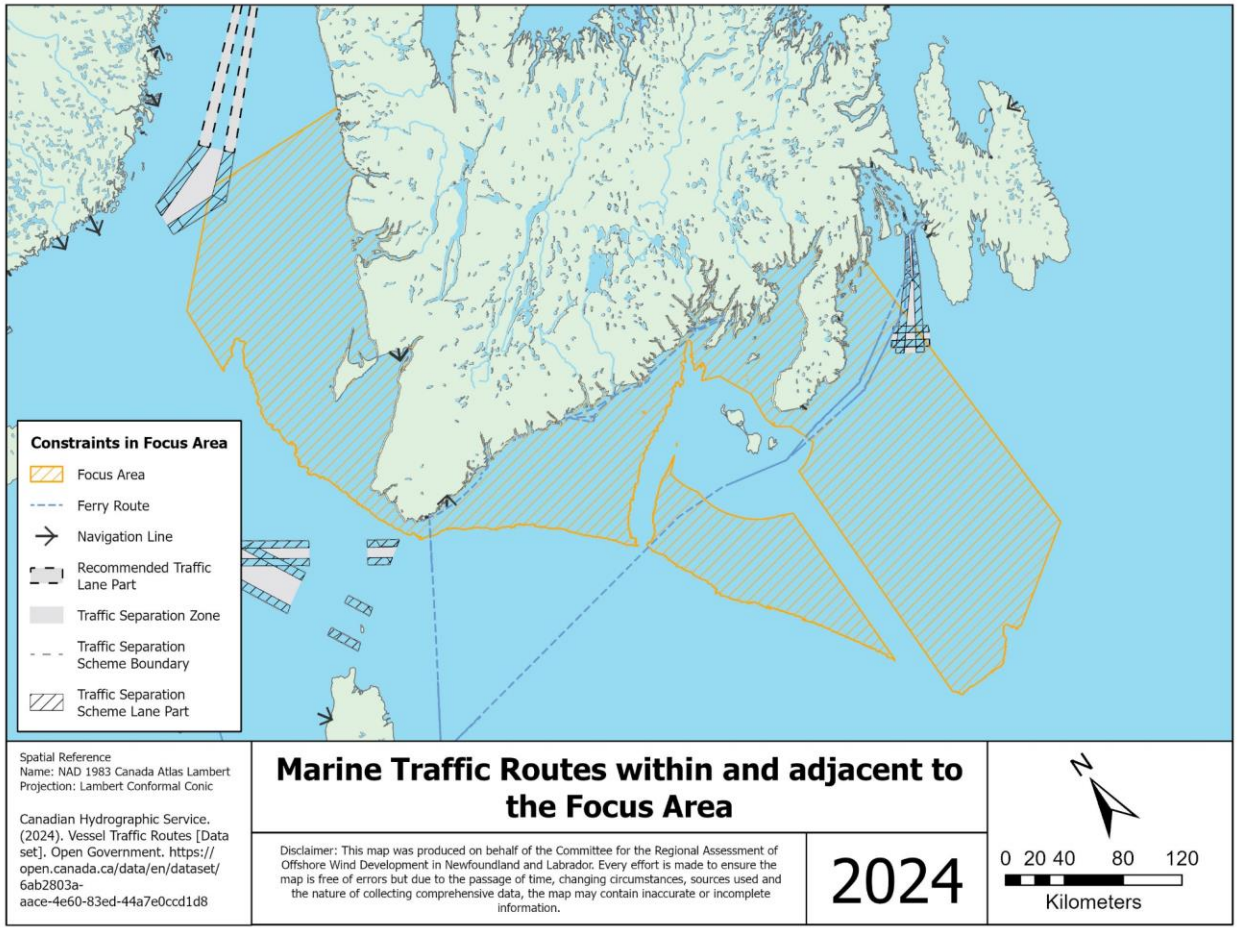
There is extensive marine vessels transit through the Focus Area throughout all seasons of the year. Marine traffic can include fisheries and research vessels; domestic activity such as cargo,

cruise vessels, and passenger vessels moving to and from Canadian ports and/or between Newfoundland communities and Nova Scotia; and international traffic passing through the Focus Area or to ports within Newfoundland.

Some of the major traffic routes that can be found within the Focus Area (Figure 12), which houses some of the most intense vessel activity in Newfoundland and Labrador, includes:

- The Cabot Strait is a major traffic route for both domestic and international vessel activity. Port aux Basques is one of the main ferry terminals for passenger vessels to and from the island of Newfoundland.
- Placentia Bay is also a major area for industrial activity for various sectors and is heavily trafficked.

Figure 12. Marine Traffic Routes within and adjacent to the Focus Area



This map depicts fairways designated by regulatory authorities, precautionary areas and recommended separation lines & zones for marine traffic that can be found within and adjacent to the Regional Assessment Focus Area. All datasets utilized to produce this map can be found in Appendix F.

In other jurisdictions, offshore wind development is not allowed within a certain distance of marine traffic routes. The Committee found some examples of specific buffer distances used in some jurisdictions. For example, in the Western Black Sea Region of Türkiye, the Committee has found buffers ranging from 3.7 km to 9.3 km applied (Gahramanov & Beji, 2023). The Committee has also found examples where buffers are selected at a project-specific level. For example, based on the UK's Safety of Navigation guidance requirements for offshore wind, specific setback distances from marine traffic routes are selected using a standard risk matrix (Maritime & Coastguard Agency, n.d.).

Submarine Cables

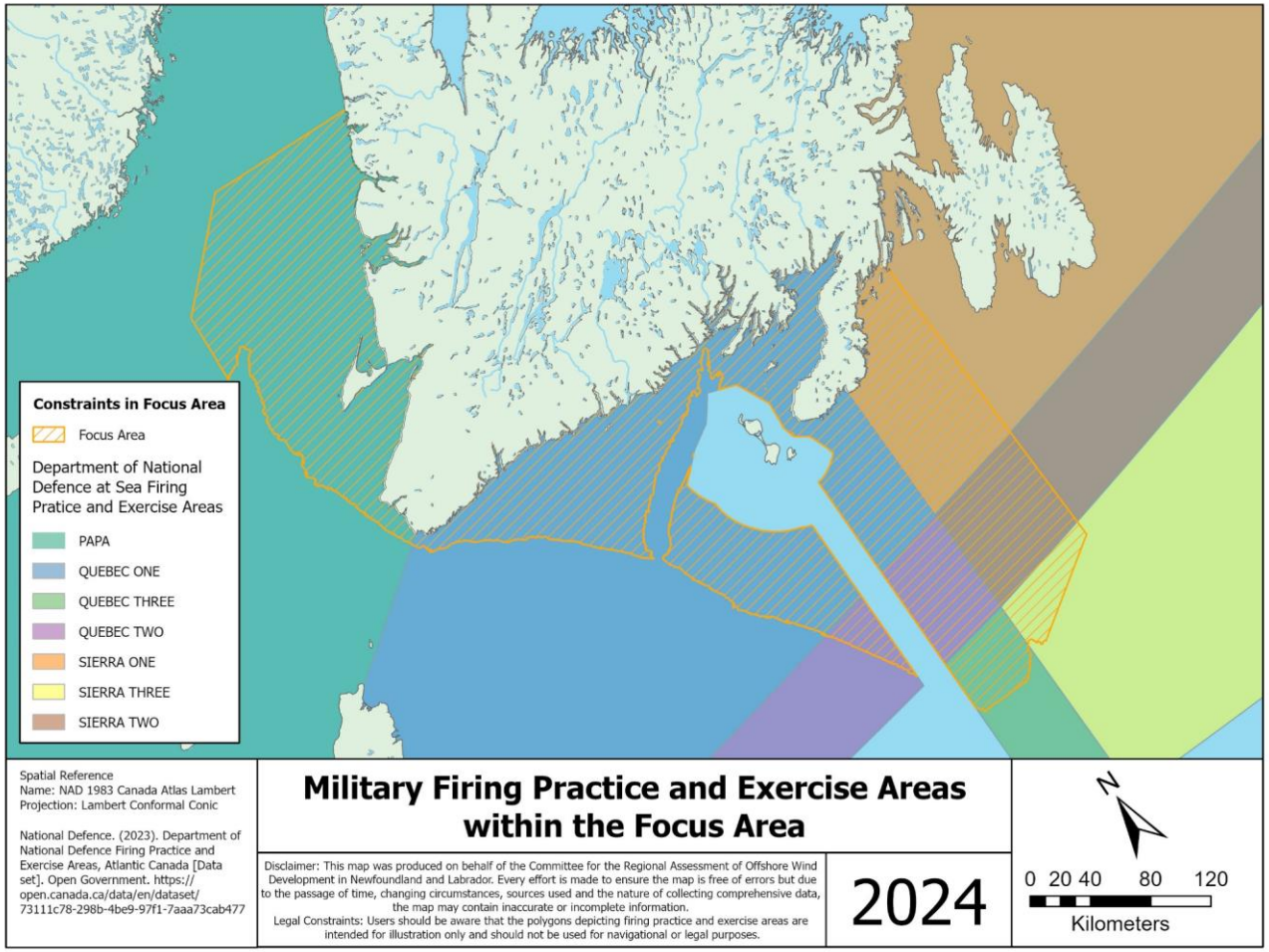
Within the Focus Area there are both active and inactive submarine cables present. There are telecommunications cables that extend between Nova Scotia and Newfoundland and Labrador, as well as international cables between Europe and North America that may run through portions of the Focus Area (i.e., between the island of Newfoundland and St. Pierre et Miquelon). TeleGeography maintains an interactive map showing locations of global submarine cables. The Committee does not have access to nor verified datasets used to develop this resource.

Military Use Sites & Unexploded Ordinances

The Royal Canadian Navy and Air Force both may conduct practice exercises and undertake planned military activities along Canada's coasts, including within the Focus Area. Activities may involve ships, submarines, aircraft, or other components. Canada's Department of National Defence (DND) has designated areas for exercises that involve only sub-surface activities, and those that may involve live firing and testing of ammunition and explosives. There is potential for live firing exercises in the Focus Area.

Some of these exercises have also resulted in the deposition of unexploded ordinance (UXO) in various locations. These are military explosives that did not explode or function as intended, which can include bombs, grenades, artillery shells, flares, mortars, and hazardous residues resulting from partial or failed detonation (DND, 2021). There are currently no known UXO sites located in or around the Focus Area (Figure 13).

Figure 13. Military Firing Practice and Exercise Areas within the Focus Area



This map depicts military firing practice and exercise areas that can be found within the Regional Assessment Focus Area. All datasets utilized to produce this map can be found in Appendix F.

Federal Authority Expert Advice

The Committee asked Transport Canada for any recommendations on buffers to apply to marine traffic routes either in general or related specifically to offshore wind or other marine activities. Transport Canada indicated they do not have legislative authority to impose exclusion or safety zones or buffers.

At time of writing, no advice was received from federal authorities regarding submarine cables, military use sites, or UXO sites, and their inclusion in the Committee's constraints analysis.

Indigenous and Public, Fisheries, and Stakeholder Engagement Outcomes

During the Committee's engagement with public stakeholders in February 2024, participants suggested the consideration and removal of existing structures (e.g., pipelines and cables), military dumping grounds, shipwrecks, and existing structures (e.g., pipelines and cables). These constraints have not yet been considered.

Committee Approach

Since most ferry and transportation routes are predetermined, the Committee utilized the publicly available 'Vessel Traffic Routes' dataset, which includes separation zones and fairways designated by regulatory authority. Most ferry routes that run along the south coast of the island of Newfoundland were mostly captured within the Committee's Coastal Buffer. The Placentia Bay traffic separation scheme was removed from consideration for the preliminary offshore wind areas. Based on the above considerations the Committee has imposed a 500 m buffer on the ferry routes between ports on the island of Newfoundland (Argentia and Port aux Basques) and Nova Scotia (North Sydney), which were removed.

Subsea cables, military use sites and unexploded ordinances were not applied as constraints to identify preliminary offshore wind licencing areas.

Data and Information Gaps

Limitations associated with these constraints include:

- The Canadian hydrographic service (2024) vessel traffic route dataset does not include known vessel routes into Stephenville and Corner Brook. The Committee has requested DFO to provide an update on if these routes will be included in the publicly available geospatial dataset. Updates have not been received to date.
- There is currently no reliable publicly available data for subsea cables.
- While the Committee is aware of the broad areas determined for DND firing practice and exercise areas, there is currently no public dataset of georeferenced UXO sites.

Recommendations

To address information and data gaps related to other ocean uses:

21. **The Committee recommends that vessel routes and traffic be investigated further at the project level to impose appropriate buffers and management plans with that industry. The Committee notes a pre-development survey would identify submarine cables to be avoided when siting a project.**

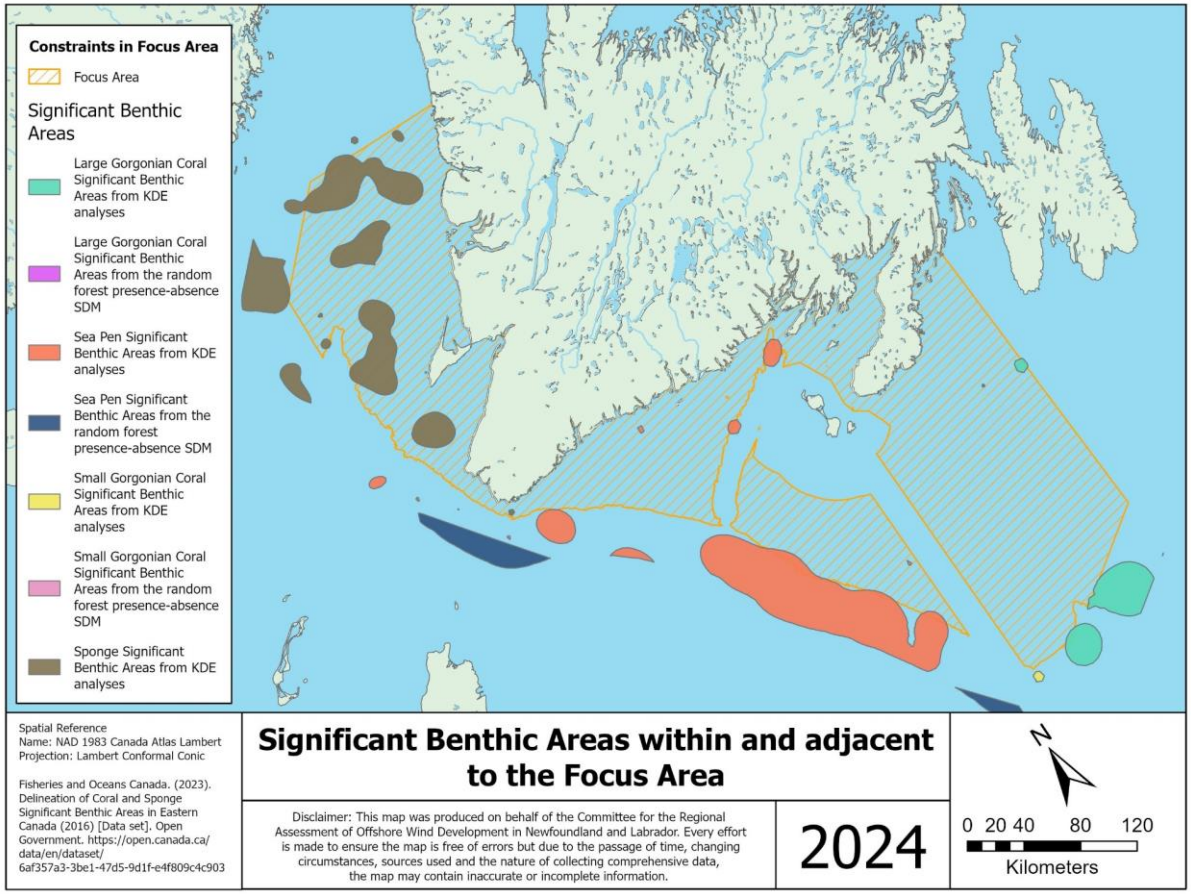
22. **The Committee recommends that at offshore wind project proponents consult with DND to ensure there no conflicts with planned or future exercises, or UXO sites. The Committee notes a pre-development survey would identify UXO hazards to be avoided or removed when siting a project.**

3.2.2.11 Significant Benthic Areas

Corals and sponges play an important ecological role in marine ecosystems where they are present, and are key components of healthy, productive marine environments. DFO has undertaken analysis of existing data to help delineate areas offshore Newfoundland and Labrador that may contain large densities or aggregations of corals and sponges. These areas are known as Significant Benthic Areas (SBAs).

SBAs are defined in DFO's Ecological Risk Assessment Framework as "significant areas of cold-water corals and sponge dominated communities" where their significance is determined "through guidance provided by DFO-lead processes based on current knowledge of such species, communities and ecosystems" (Kenchington et al., 2016; DFO, 2017b). Such areas have been delineated using information on known observations of corals and sponges from various research programs (e.g., DFO Research Vessel surveys and individual surveys from peer-reviewed literature), along with spatial (kernel density) analysis and species distribution modelling to determine areas with relatively high known or potential densities of these species. DFO has defined four SBA types among cold-water corals and sponges based on the dominant taxa, namely SBAs for sponges, sea pens, large gorgonian, and small gorgonian corals (DFO 2017c). These areas do not carry legal protection and there are no regulated prohibitions or restrictions of activities within them. The SBAs that occur within the Focus Area are situated primarily within the Laurentian Channel, South Coast and West Coast of Newfoundland EBSAs and include areas associated with sea pens, sponges, and large and small gorgonian corals (Figure 14).

Figure 14. Significant Benthic Areas within and adjacent to the Focus Area



This map depicts Significant Benthic Areas within and adjacent to the Regional Assessment Focus Area. At this extent, it is understood that not all components depicted can be easily seen, if at all. The Committee will ensure all components are visible within their Final Report. In the meantime, please visit the Canada Marine Planning Atlas – Atlantic to further explore these components. All datasets utilized to produce this map can be found in Appendix F.

Federal Authority Expert Advice

At time of writing, no advice was received from federal authorities regarding SBAs and their inclusion in the Committee's constraints analysis.

Indigenous and Public, Fisheries, and Stakeholder Engagement Outcomes

Engagement to date has not resulted in feedback specific to the Committee's consideration of SBAs in determining preliminary offshore wind licensing areas.

Committee Approach

The Committee did not remove SBAs during their constraints analysis.

Data and Information Gaps

The Committee has not identified any limitations associated with this constraint to date.

Recommendations

To address information and data gaps related to SBAs the Committee recommends the following:

23. **The Committee recommends that project-level impact assessments identify SBAs overlapping a proposed project and ensure the least amount of disturbance to those areas as possible.**

3.2.2.12 Areas Important for Commercial Fisheries

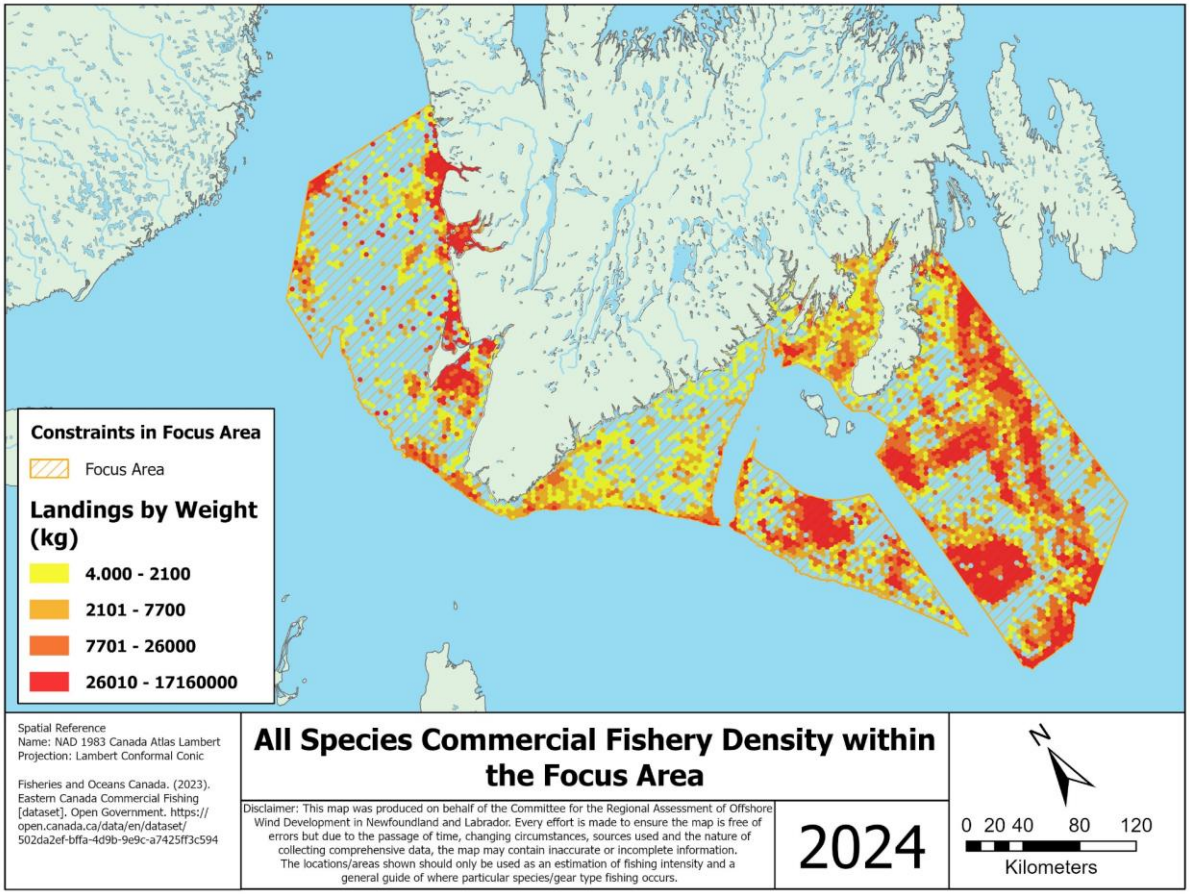
Newfoundland and Labrador have a strong historic connection to the ocean through its fisheries which led to its settlement and the geographic distribution of its population along the coastline. Historically the fishery was based primarily upon groundfish. Since the collapse of groundfish stocks in the early 1990's, the fishery has been transformed into a shellfish industry based primarily on snow crab with other species such as shrimp and lobster having regional economic importance. Lobster is the most valuable fishery in the focus are with Snow crab being the second most valuable.

These activities are an important component of the Newfoundland and Labrador economy, especially in rural coastal communities (both Indigenous and non-Indigenous), and to the overall social and cultural fabric of the province.

DFO has provided an overview of fisheries within the Focus Area, within their response to the request for advice (DFO, 2023e), which includes both georeferenced and non-georeferenced fisheries in an attempt to have a better overall picture. The georeferenced data generally includes vessels greater than 35 feet, with an automatic identification system (AIS) on board, while non-georeferenced 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 (Figure 15). Lobster is one of the fisheries that is currently not captured within the fishing density data, as it is a part of the small vessel fishery, occurring along the coastlines of the province.

Figure 15. All Species Commercial Fishery Density within the Focus Area



This map depicts the commercial fishery density of all species that can be found within the Regional Assessment Focus Area. The locations/areas shown should only be used as an estimation of fishing intensity and a general guide of where particular species/gear type fishing occurs. All datasets utilized to produce this map can be found in Appendix F.

Federal Authority Expert Advice

At time of writing, no advice was received from federal authorities regarding fisheries and their inclusion in the Committee's constraints analysis.

Indigenous and Public, Fisheries, and Stakeholder Engagement Outcomes

Miawpukek First Nation and Qalipu First Nation indicated that the entire Focus Area is important for Indigenous commercial, ceremonial, and communal fisheries.

During the Committee's engagement with an offshore wind developer in October 2023, a participant suggested the avoidance of high-density fishing areas to prevent conflict. This constraint has been considered to the extent to which data is available, and the Committee continues to engage on the constraint.

In their February 2024 engagement with the Fisheries and Other Ocean Uses Advisory Group, a participant suggested a coastal buffer of 12 miles (~19 km) would be more suitable as the Committee's 10 km coastal buffer does not encompass the fishing activities in 3PN and parts of 4R.

During the February 2024 engagement with the public, and the Fisheries and Other Ocean Uses and the Scientific and Community Knowledge advisory groups, participants suggested the consideration of fisheries data in logbooks as many vessels under 35ft do not carry AIS, and not rely solely on data from the DFO Marine Atlas.

Committee Approach

The Committee created and removed coastal buffers to reduce impacts to lobster and nearshore fisheries. The Committee applied a 10 km buffer around the islands of Newfoundland and Ramea, and a 5 km buffer around coastal islands with bird colonies to avoid or reduce impacts to several constraints. These buffers could also help avoid or reduce impacts to lobster and nearshore fisheries. The Committee also assumed lobster and nearshore fisheries could occur around any coastal island in the Focus area. We additionally created and removed a 3 km coast buffer around islets not already removed from the Focus Ares because of the previously described buffers.

The Committee has heard concerns regarding leaving commercial fisheries (i.e., groundfish, pelagics, and other shellfish) to be addressed at the project level. As a starting point, the Committee has removed the highest 50% of fishing density from preliminary offshore wind licencing areas. The Committee acknowledges that fishing density may not be the most accurate depiction of fisheries, as some species will vastly outweigh others, may not reflect the economic output these fisheries create and that within the data used there are some fisheries not captured. The Committee also understands more work needs to be done in engaging fishers to ensure more accurate depictions of their fisheries are captured during the remainder of the Regional Assessment and strive to create strong recommendations that will ensure the sustainability of the province's fisheries for generations to come.

Data and Information Gaps

Limitations associated with this constraint include:

- No access to geospatial data delineating lobster fishing areas.
- The Committee assumed a lobster fishery could occur within 3km of any coastal island.
- Fishing density data that is publicly available only captures most geo-referenced fisheries and has incorporated logbook data as best as possible. Small vessel fisheries (vessels smaller than 35 feet) and certain species are not captured in this dataset, so much more engagement is needed to fill these gaps.
- It is understood that fishing density may not give the best overall picture of fisheries (i.e., density does not equal economic value).

Recommendations

To address information and data gaps related to areas important to the commercial fishery:

24. **The Committee recommends that fisheries be assessed at the project level, with input from the fishing industry. The Committee additionally recommends consideration of co-location, which is in place in jurisdictions where offshore wind farms and fisheries co-exist. This includes applying buffers around turbines to limit negative impacts and avoid fisheries conflict.[22]**

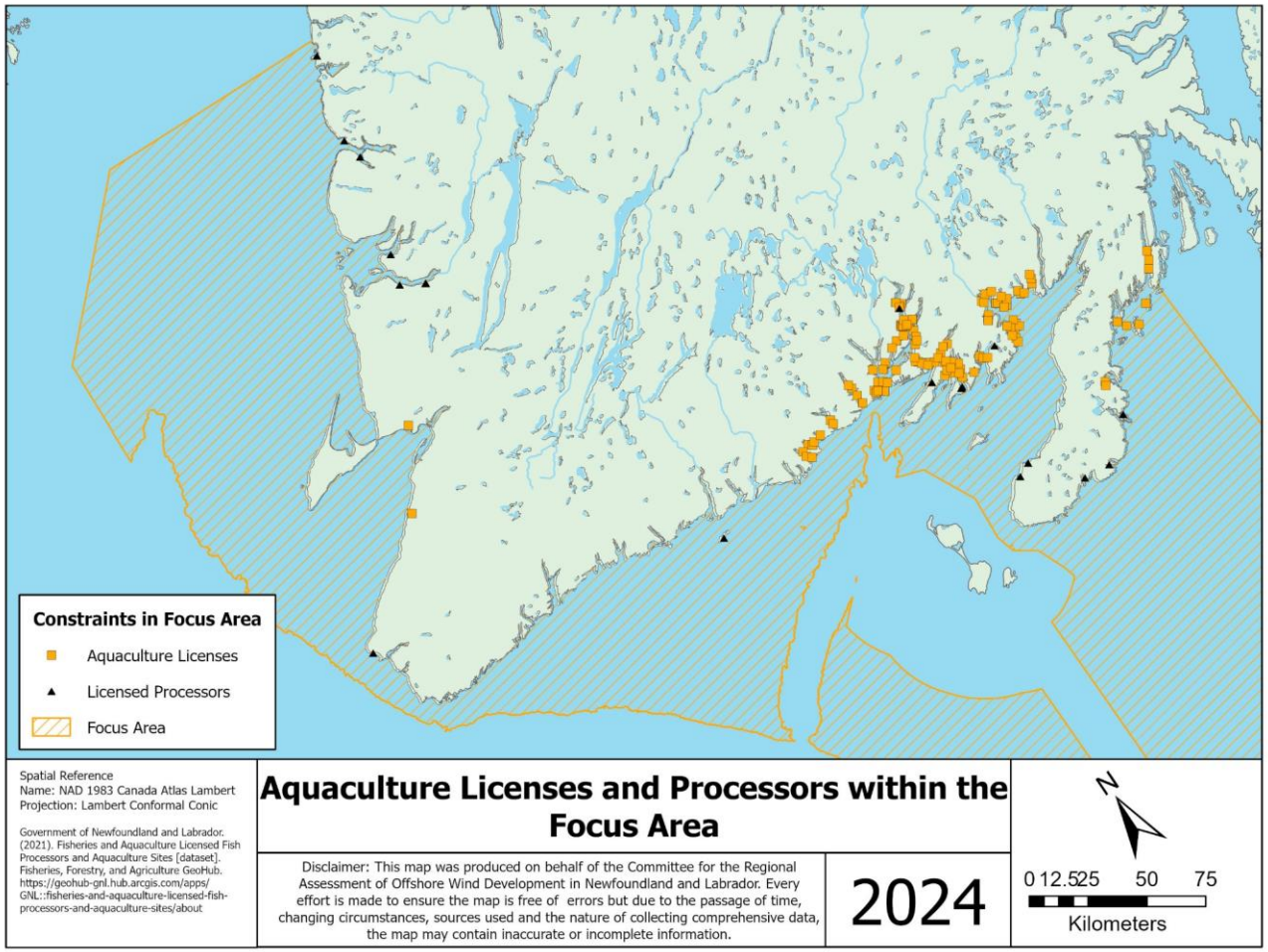
25. **The Committee recommends that DFO compile and analyze logbook data based on offshore wind licensing areas identified by the C-NLOER, to aid in setting strategic for the call for bids.**

3.2.2.13 Aquaculture

Aquaculture facilities for steelhead trout, Atlantic salmon, blue mussels, and Atlantic cod are located throughout coastal Newfoundland, including within coastal regions adjacent to the Focus Area (Department of Fisheries, Forestry and Aquaculture, n.d.). Specifically, there is a large concentration of licenced aquaculture facilities and grow out sites on the south coast of Newfoundland near Hermitage and within Fortune Bay, along the Burin Peninsula within Placentia Bay and hatchery facilities around St. George's Bay (Figure 16).

[22] United States Agency for International Development, 2022

Figure 16. Aquaculture Licenses and Processors within the Focus Area



This map depicts aquaculture licences and licensed processors that can be found within the Regional Assessment Focus Area. All datasets utilized to produce this map can be found in Appendix F.

Federal Authority Expert Advice

At time of writing, no advice was received from federal authorities on aquaculture and its inclusion in the Committee's constraints analysis.

Indigenous and Public, Fisheries, and Stakeholder Engagement Outcomes

Engagement to date has not resulted in feedback specific to the Committee's consideration of aquaculture in determining preliminary offshore wind licensing areas.

Committee Approach

Conflict with the Aquaculture industry was avoided in preliminary offshore wind licencing areas by removing a 10 km coastal buffer around the island of Newfoundland.

Data and Information Gaps

The Committee has not identified any limitations associated with this constraint to date.

Recommendations

The Committee has not identified any recommendations to address information and data gaps related to aquaculture to date.

3.2.2.14 Physical and Cultural Heritage

A cultural heritage resource is considered a human piece of work or place that has historic value, spiritual or cultural meaning, or provides evidence of past human activity. These valued resources may not always have official designation, be formally recognized, or documented. They can also include movable and immovable resources, above or below ground, on land or in water and can have features that are natural or fabricated (Impact Assessment Agency of Canada, 2016). Due to Newfoundland and Labrador's rich maritime history, there are many coastal features that are symbols of the province's past, holding great value to both residents, tourists, and researchers alike.

Federal Authority Expert Advice

At time of writing, no advice was received from federal authorities on physical and cultural heritage components and their inclusion in the Committee's constraints analysis.

Indigenous and Public, Fisheries, and Stakeholder Engagement Outcomes

In their November 2023 meeting with the Committee, Miawpukek First Nation indicated support for further consideration of historical and culturally significant areas, noting that islands off the south coast of the island of Newfoundland are archaeologically significant.

In their February 2024 engagement with public stakeholders, a participant suggested the consideration of culturally or historically significant Indigenous submerged areas. However, the Committee continues to engage with Indigenous peoples and will consider any historical and/or culturally significant areas.

Committee Approach

The Committee understands that shipwrecks, marine archeological sites, and other historical and cultural marine sites would have to be avoided during offshore wind project development. However, since there is currently no publicly available and published geospatial dataset to show exact locations, the Committee could not include these sites in the constraints analysis.

Data and Information Gaps

Limitations associated with this constraint include:

- The Committee, to date, has not found any publicly available geospatial data on components related to physical and cultural heritage.

Recommendations

To address information and data gaps related to physical and cultural heritage:

26. The Committee recommends preconstruction surveys be conducted to accurately identify these features, so that project proponents can avoid these areas.

3.2.2.15 Areas Important for Indigenous Use

The entire Focus Area and all preliminary offshore wind licensing areas are within the traditional lands and waters of Miawpukek First Nation and Qalipu First Nation. These areas are also important for Indigenous commercial, ceremonial, and communal fisheries. The Committee is committed to continued collaboration with Miawpukek First Nation and Qalipu First Nation to gather information, knowledge and perspectives on their communities, activities, and other interests, including Aboriginal or Treaty rights protected by section 35 of the *Constitution Act, 1982.*

3.2.3 Constraints Analysis

The Committee applied the following constraints to identify preliminary offshore wind licencing areas:

- Removed coastal buffers to alleviate or reduce various impacts;
- Removed Marine Critical Habitat;
- Removed Marine Protected Areas;
- Removed Marine Traffic Routes;

- Removed National Marine Conservation Areas;
- Removed areas around National Parks and World Heritage Sites in consideration of impacts to viewscapes;
- Removed high density fishing areas.

Overall, the constraints analysis involved successively removing portions of the Focus Area that corresponded to the constraints identified above. The Focus Area published on Open Government by the Impact Assessment Agency (on behalf of the Regional Assessment Committee) on December 1, 2023, was used as a starting point.[23]

After removing these areas, any remaining areas less than 10 km^2 were also removed. They assumed wind farms with 10 turbines or more would not be less than 10 km^2 at a minimum. During February 2024 meetings with the Scientific Information and Community Knowledge and Indigenous Knowledge advisory groups, participants shared their views on the 10 km^2. One participant felt this size is likely an underestimate and suggested a minimum of 50 km^2 would be more likely based on the 2023 Offshore Wind Market Report. Another participant felt 10 km^2 is reasonable, though something of this size is likely to be a pilot project.

3.2.3.1 Using a Coastal Buffer

Several potential impacts of offshore wind development could be reduced or avoided by applying a buffer around the Island of Newfoundland and other coastal islands within the Focus Area. Applying such a coastal buffer means the Committee would recommend offshore wind development not occur within a certain distance of the coast. Based on research to date, the Committee has seen several examples of coastal buffers used at the licencing or project assessment stage to reduce impacts of offshore wind developments. These include buffers ranging from 1 – 20 km and some recommendations suggesting larger buffers (e.g., 30 – 40 km) could be preferred around the coast (Musial & Ram, 2010; Spyridonidou & Vagiona, 2020; USAID, 2022; Zuckerman et al., 2023). Coastal buffers are typically used to limit the impact of offshore wind farms to viewscapes but have also been based on jurisdictional zoning in some jurisdictions.

For offshore Newfoundland and Labrador, the Committee is of the view that a coastal buffer be used as a starting point during the licencing stage to alleviate various impacts of offshore wind development. The Committee used a coastal buffer to address the following constraints:

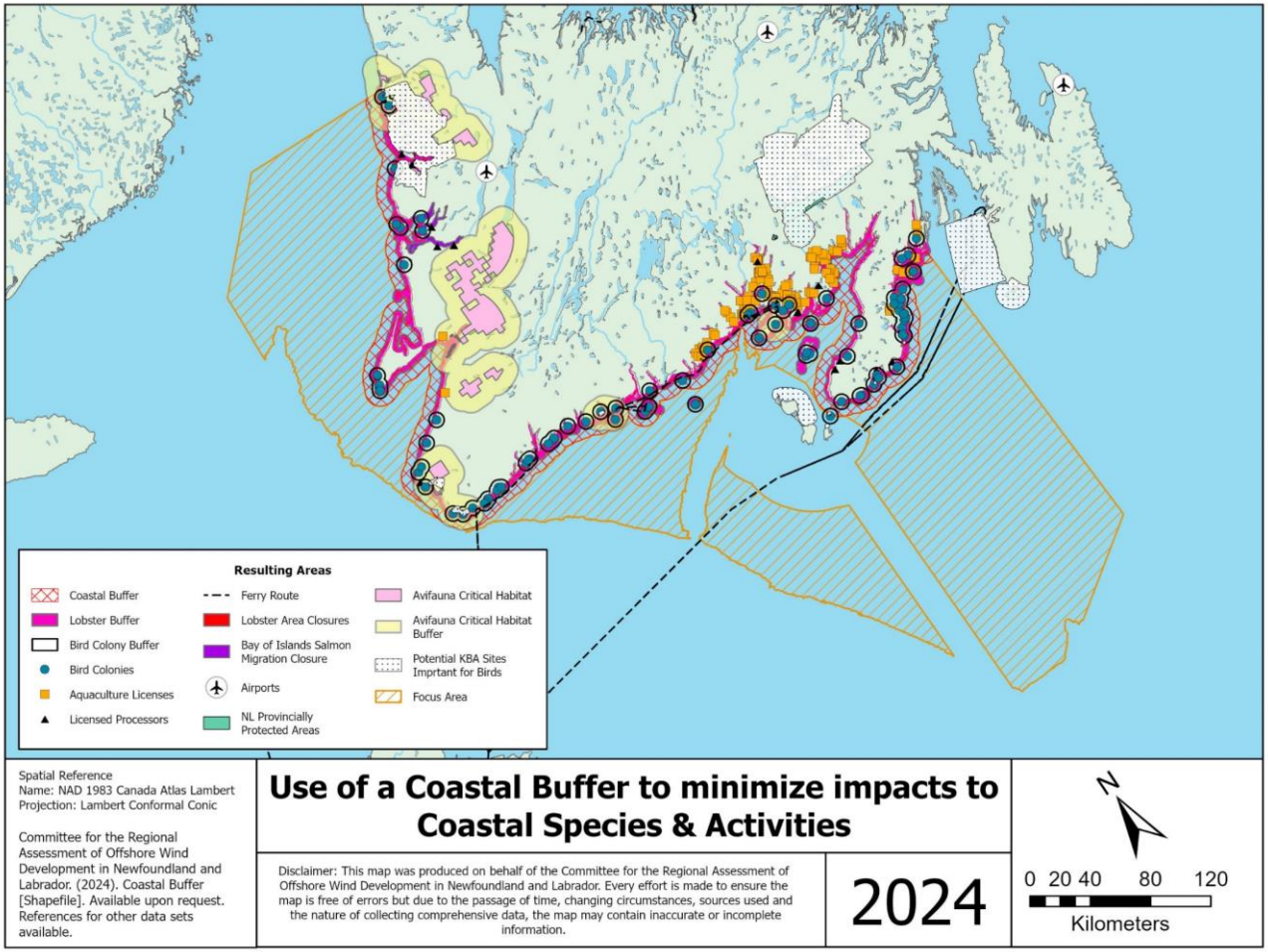
- Important areas for birds including Avifauna Critical Habitat, Bird Colonies, Sea Duck Key Habitat Sites, Important Shorebird Sites, Red Knot Important Stopover Sites, and Lawn Island Archipelago.
- Key Biodiversity Areas.
- Marine Refuge or Fisheries Closures.

[23] A static image of the same Focus Area was originally published on the Registry on November 7, 2023. The publication on Open Government includes geospatial data.

- Coastal fisheries, such as lobster fisheries.
- Aquaculture Sites and Licenses.
- Airports and Marine Aerodromes.
- Provincially protected areas.
- Community and Cottage Viewscapes.

Figure 17 illustrates how the use of a coastal buffer could avoid some of these constraints.

Figure 17. Use of a Coastal Buffer to Minimize Impacts to Coastal Species and Activities



This map depicts how a coastal buffer can help avoid conflicts with coastal species and activities. All datasets utilized to produce this map can be found in Appendix F.

3.2.3.2 Constraints Analysis Steps

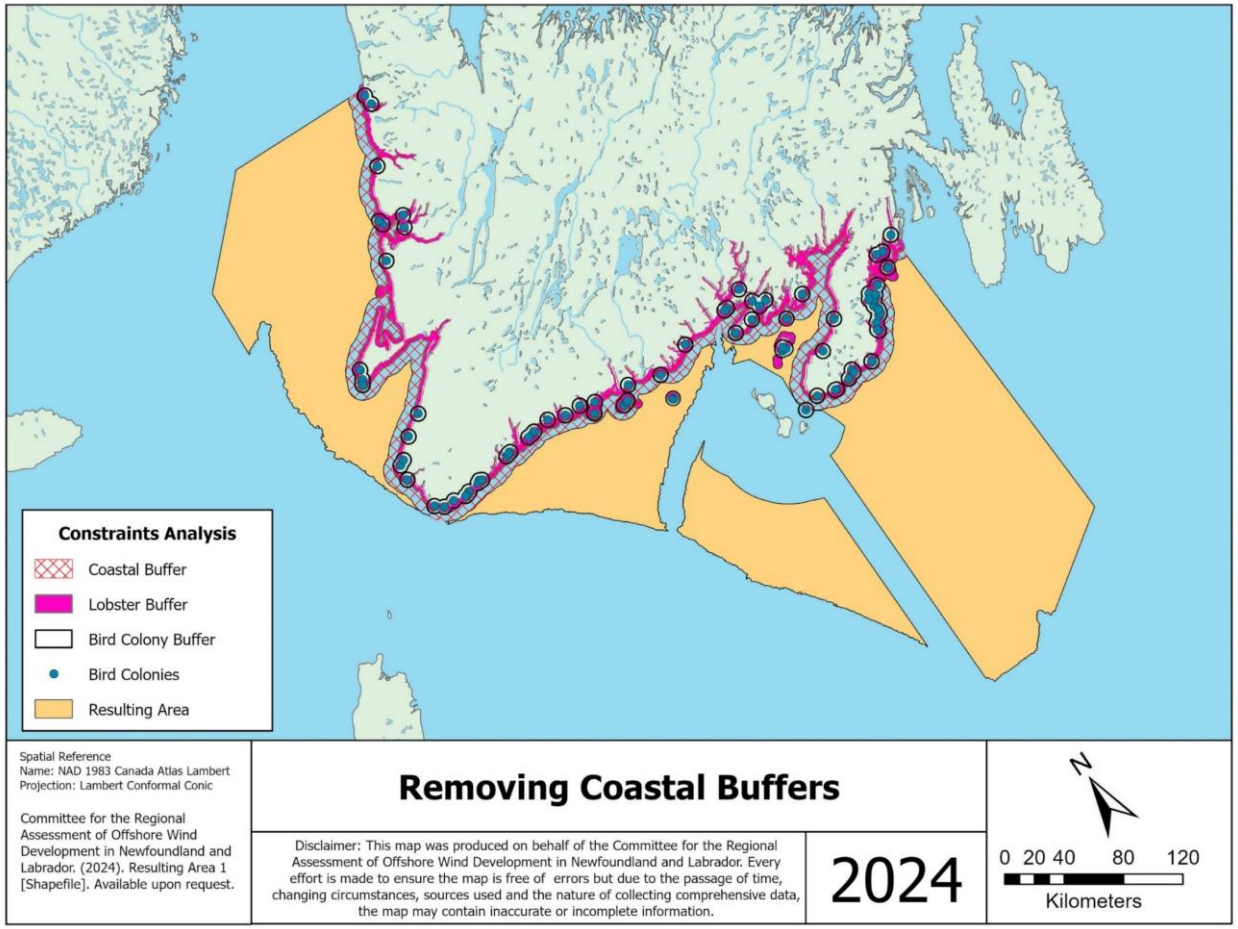
The following map series shows each step in the constraints analysis. These include:

- **Step 1: Removing a Coastal Buffer (Figure 18)** - A map depicting the removal of coastal buffers from the Focus Area and the Resulting Area 1.[24] Coastal buffers included a 10 km buffer around the islands of Newfoundland and Ramea, a 5 km buffer around coastal islands withs bird colonies and a 3 km buffer around any remaining coastal island in consideration of coastal fisheries.
- **Step 2: Removing Marine Critical Habitat (Figure 19)** - A map depicting the removal of all the above constraints and marine Species at Risk critical habitat from the Focus Area, and the Resulting Area 2.
- **Step 3: Removing Marine Protected Areas (Figure 20)** - A map depicting the removal of all the above constraints and MPAs, and the Resulting Area 3. As shown in the map, Laurentian Channel is the only MPA in the Focus Area.
- **Step 4: Removing Marine Traffic Routes (Figure 21)** - A map depicting the removal of all the above constraints and marine traffic routes, and the Resulting Area 4. Marine traffic routes removed include only those delineated in the Fisheries and Oceans Canada (2019) Vessel Traffic Routes dataset. An additional 500 m buffer was applied and removed around delineated ferry routes.
- **Step 5: Removing South Coast Fjords NMCA Study Area (Figure 22)** - A map depicting the removal of all the above constraints and any existing or proposed NMCAs, and the Resulting Area 5. As shown in the map, the proposed South Coast Fjords NMCA Study Area is the only NMCA in the Focus Area.
- **Step 6: Removing Areas around National Parks & World Heritage Sites (Figure 23)** - A map depicting the removal of all the above constraints and areas around national parks and WHSs, and the Resulting Area 6. The Committee applied and removed an 80 km buffer perpendicular to the coastal boundary of Gros Morne National Park and WHS. Sandbanks Provincial Park (proposed redesignation to a national park) also occurs along the coastal boundaries of the Focus Area, however, the previously removed South Coast Fjords NMCA Study Area surrounds Sandbanks Provincial Park.
- **Step 7: Removing High Density Fishing Areas (Figure 24)** - A map depicting the removal of all the above constraints and high-density fishing areas, and the Resulting Area 7. High density fishing areas were identified based on DFO's (2023) Eastern Canada and Commercial Fishing, All Species dataset. Areas with an average catch density greater than 7,800 kg and areas less than 10 km^2 were removed from the Focus Area.
- **Result: Preliminary Offshore Wind Licencing Areas (Figure 25)** - A map depicting the preliminary offshore wind licencing areas, which resulted from the removal of all the above constraints. The map additionally depicts which of these areas may be suitable for technologies designed for depths up to 60 m, 60-80 m, and 80-300 m. The Committee is providing these preliminary offshore wind licencing

[24] Resulting areas refer to remaining portions of the Focus Area after each step in the constraints analysis. The final resulting area, Resulting Area 7, was used to identify preliminary offshore wind licencing areas.

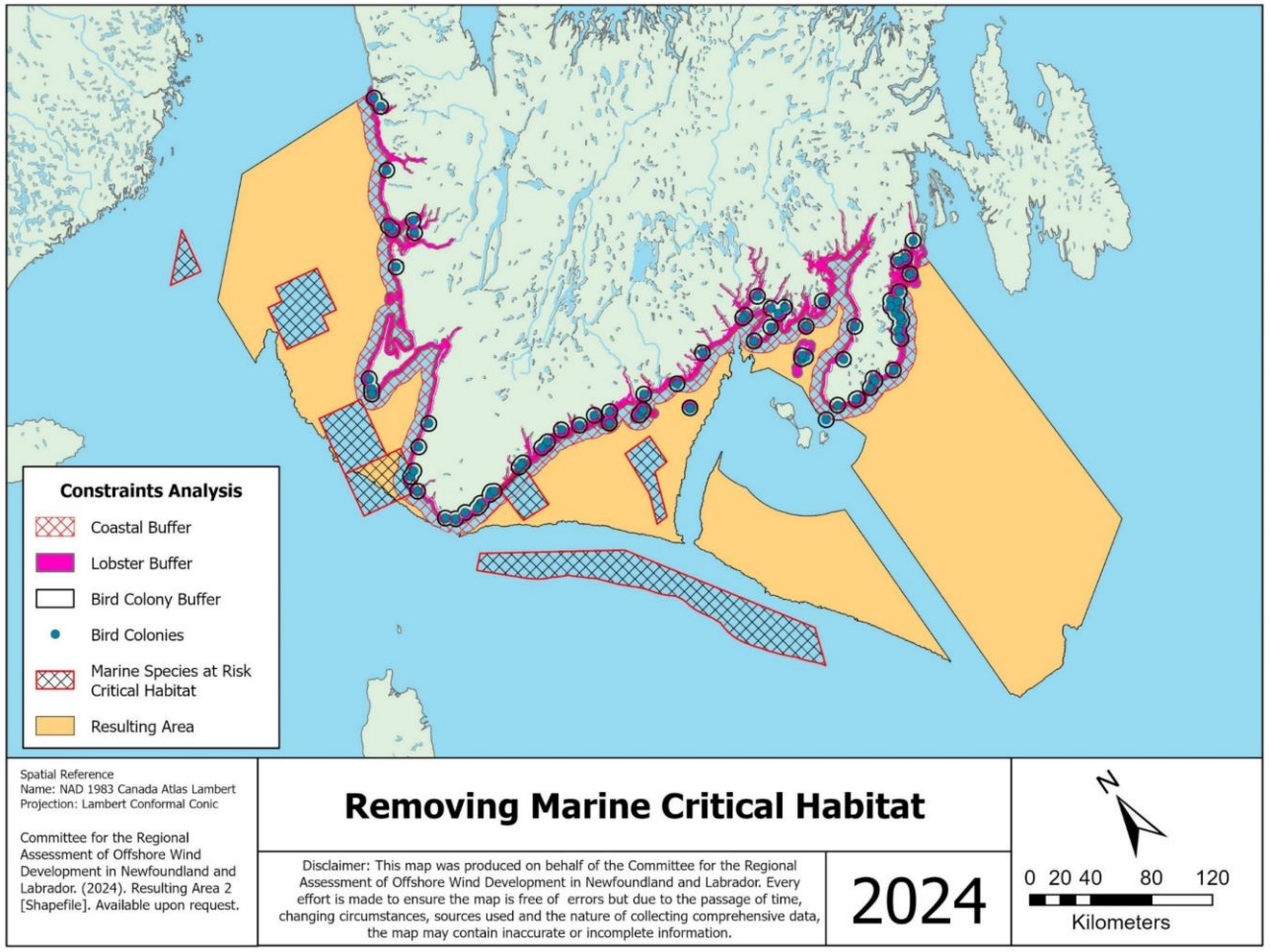
areas to Ministers in the Interim Report. These areas are subject to change as the Regional Assessment progresses.

Figure 18. Step 1: Removing Coastal Buffers



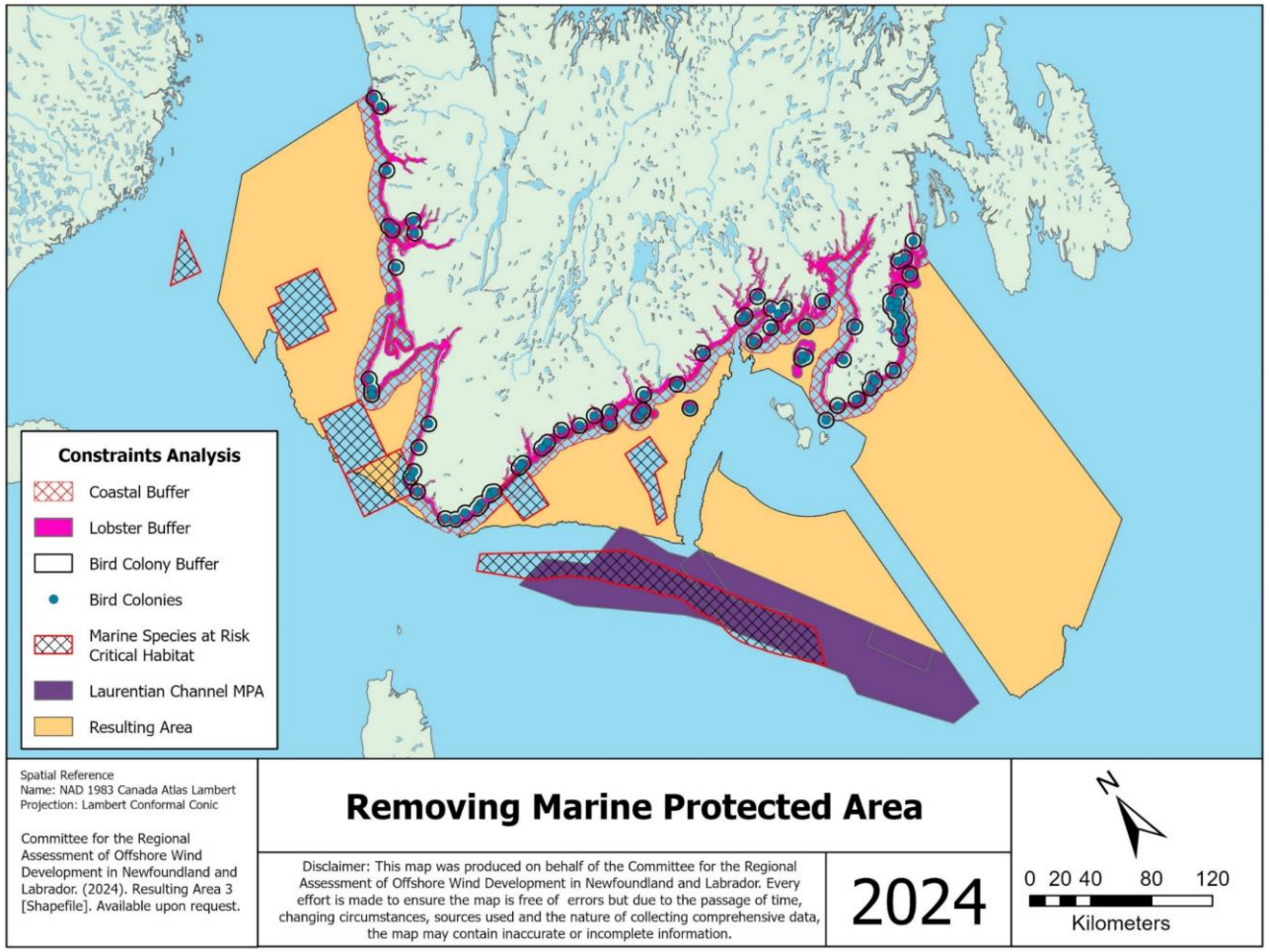
This map is a depiction of the removal of coastal buffers from the Focus Area and the Resulting Area 1. Coastal buffers included a 10 km buffer around the islands of Newfoundland and Ramea, a 5 km buffer around coastal islands withs bird colonies and a 3 km buffer around any remaining coastal island in consideration of coastal fisheries. All datasets utilized to produce this map can be found in Appendix F.

Figure 19. Step 2: Removing Marine Critical Habitat



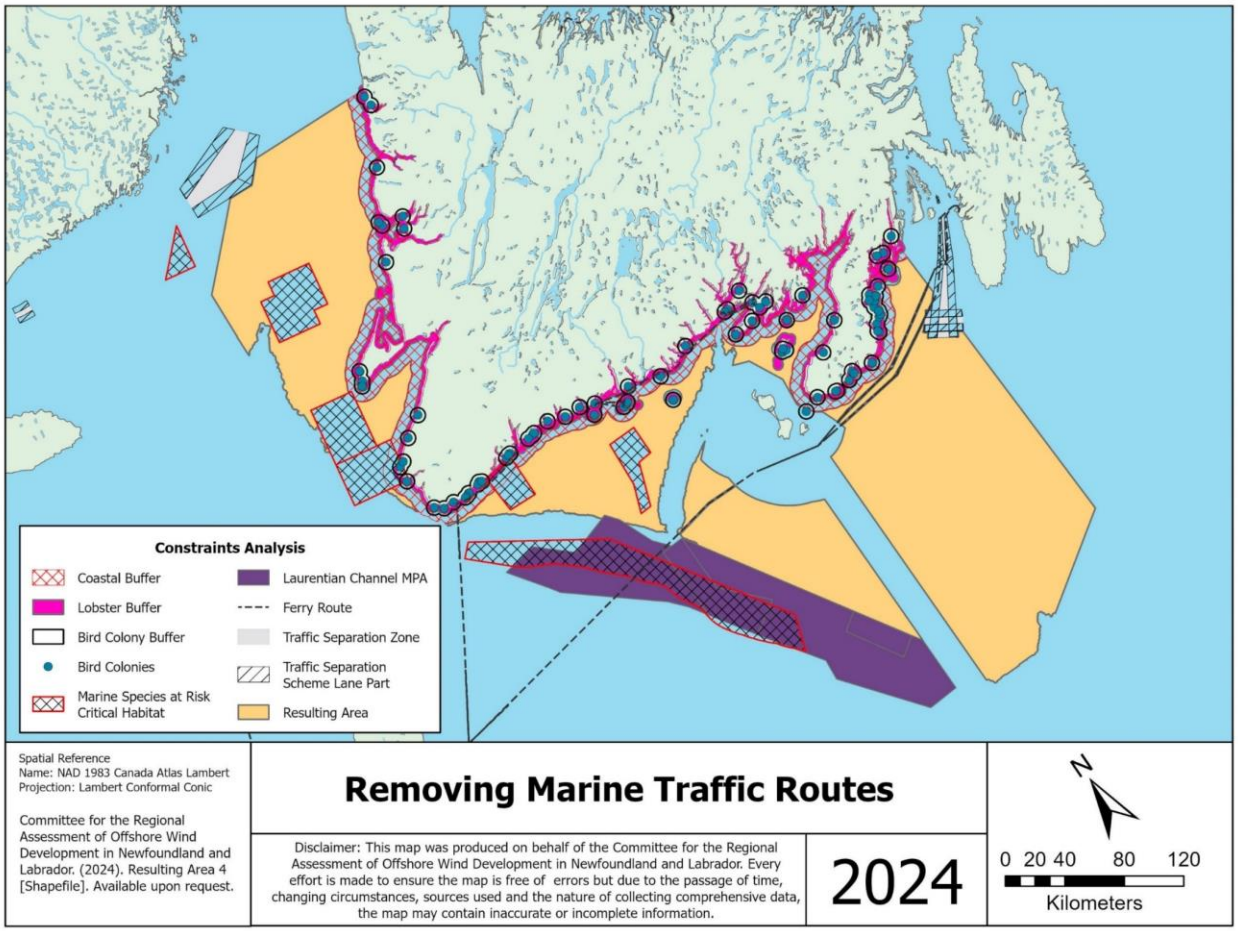
This map is a depiction of the removal of all the above constraints and marine Species at Risk critical habitat from the Focus Area, and the Resulting Area 2. All datasets utilized to produce this map can be found in Appendix F.

Figure 20. Step 3: Removing Marine Protected Area



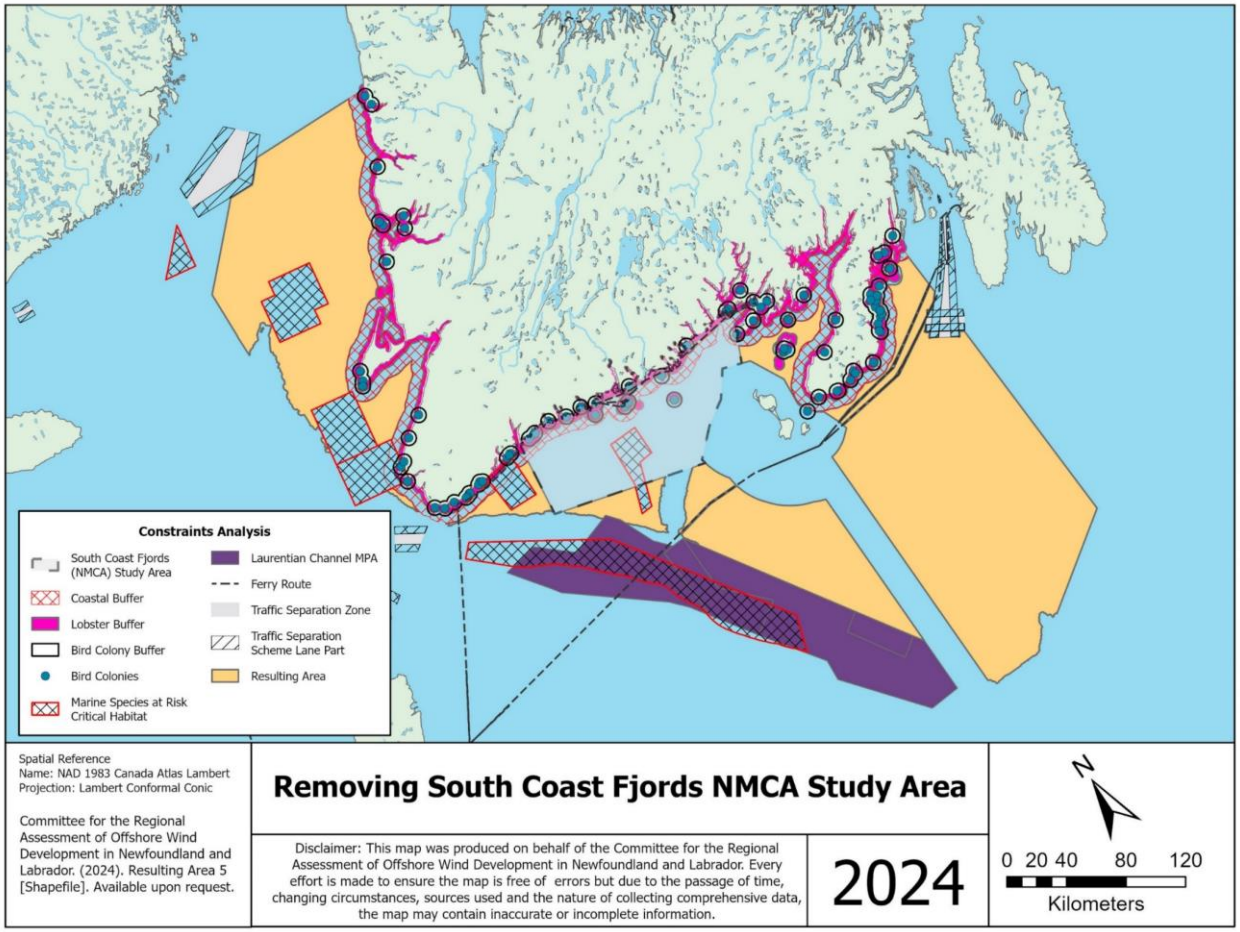
This map is a depiction of the removal of all the above constraints and MPAs, and the Resulting Area 3. As shown in the map, Laurentian Channel is the only MPA in the Focus Area. All datasets utilized to produce this map can be found in Appendix F.

Figure 21. Step 4: Removing Marine Traffic Routes



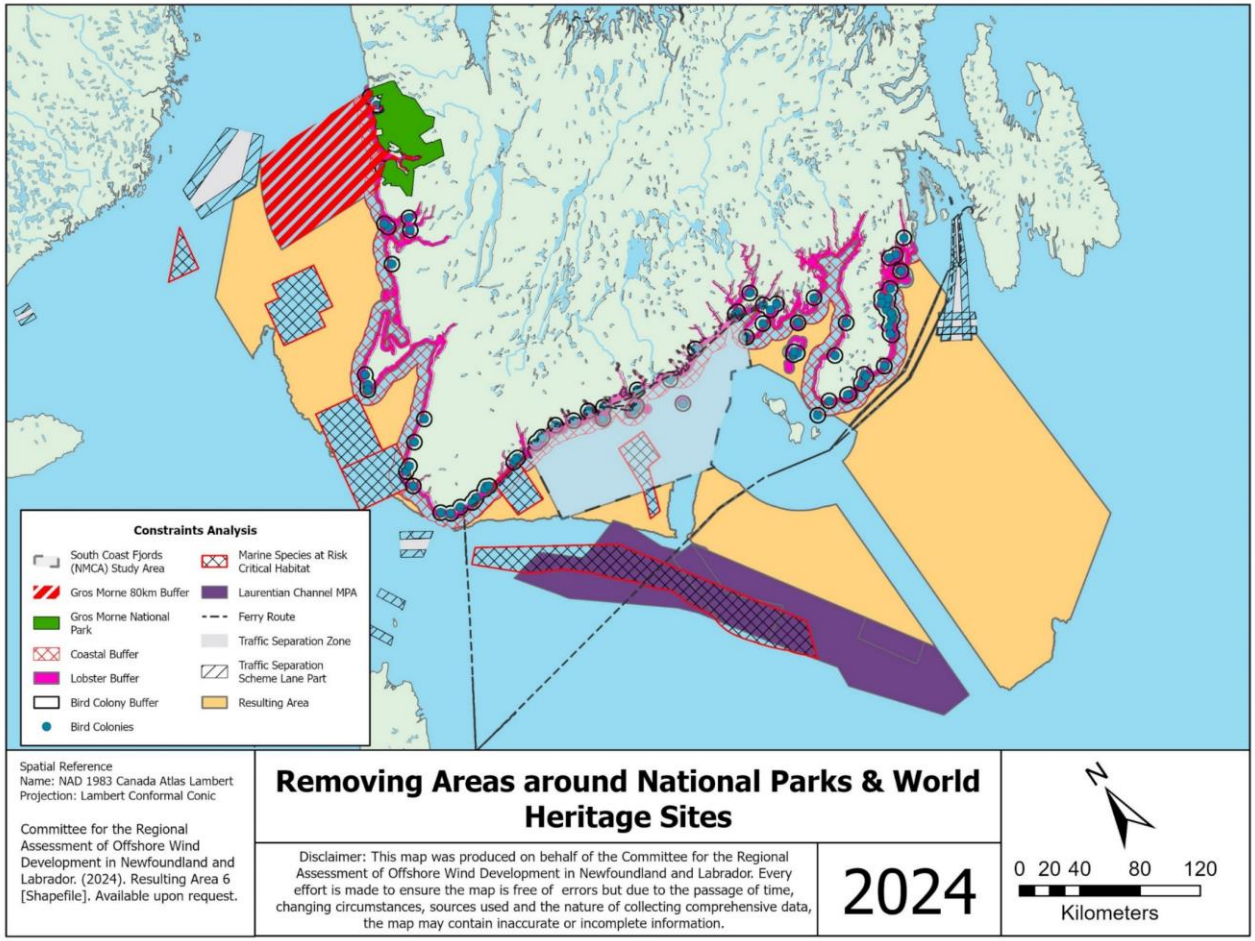
This map is a depiction of the removal of all the above constraints and marine traffic routes, and the Resulting Area 4. Marine traffic routes removed include only those delineated in the Fisheries and Oceans Canada (2019) Vessel Traffic Routes dataset. An additional 500 m buffer was applied and removed around delineated ferry routes. All datasets utilized to produce this map can be found in Appendix F.

Figure 22. Step 5: Removing South Coast Fjords NMCA Study Area



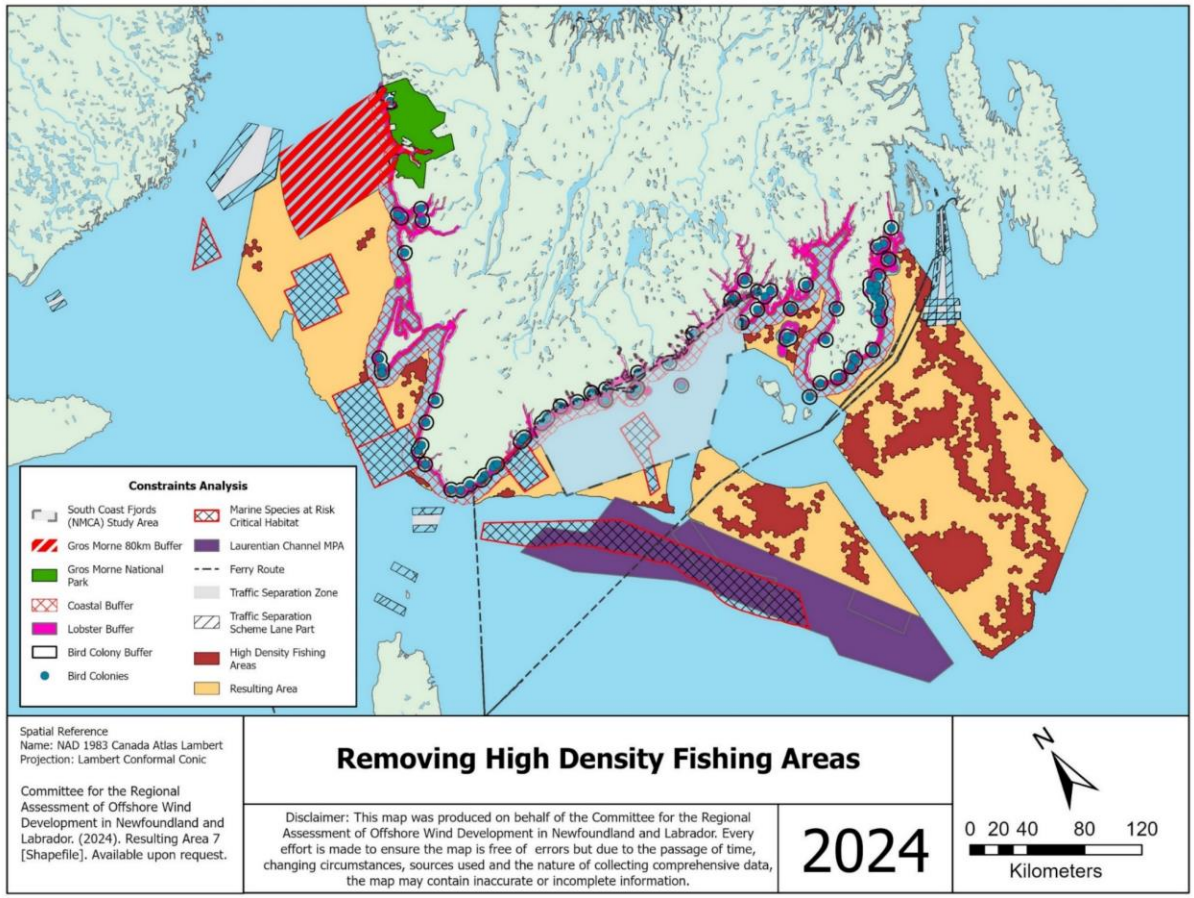
This map is a depiction of the removal of all the above constraints and any existing or proposed NMCAs, and the Resulting Area 5. As shown in the map, the proposed South Coast Fjords NMCA Study Area is the only NMCA in the Focus Area. All datasets utilized to produce this map can be found in Appendix F.

Figure 23. Step 6: Removing Areas around National Parks & World Heritage Sites



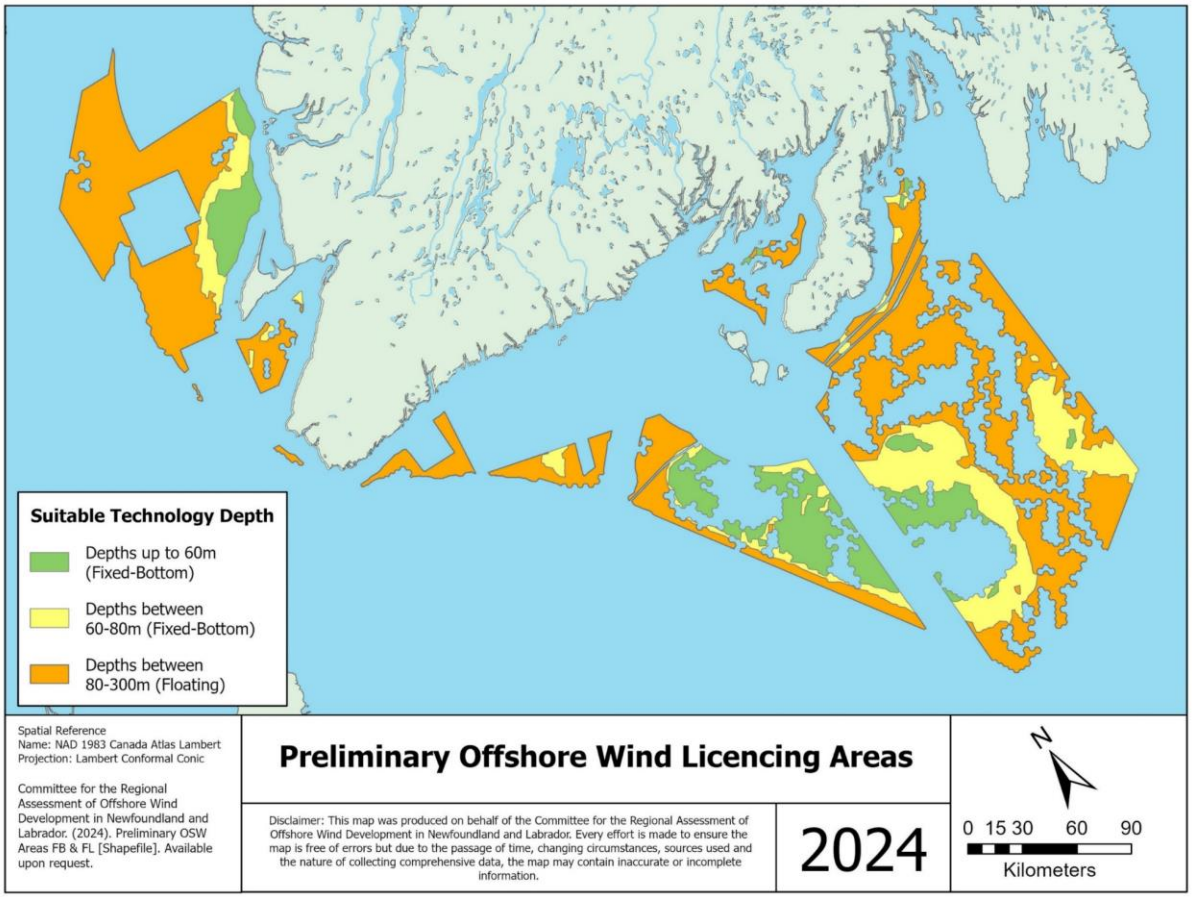
This map is a depiction of the removal of all the above constraints and areas around national parks and WHSs, and the Resulting Area 6. The Committee applied and removed an 80 km buffer perpendicular to the coastal boundary of Gros Morne National Park and WHS. All datasets utilized to produce this map can be found in Appendix F.

Figure 24. Step 7: Removing High Density Fishing Areas



This map is a depiction of the removal of all the above constraints and high-density fishing areas, and the Resulting Area 7. High density fishing areas were identified based on DFO's (2023) Eastern Canada and Commercial Fishing, All Species dataset. Areas with an average catch density greater than 7,800 kg and areas less than 10 km^2 were removed from the Focus Area. All datasets utilized to produce this map can be found in Appendix F.

Figure 25. Preliminary Offshore Wind Licencing Areas



This map is a depiction of the preliminary offshore wind licencing areas, which resulted from the removal of all the above constraints. The map additionally depicts which of these areas may be suitable for technologies designed for depths up to 60 m, 60-80 m, and 80-300 m. The Committee is providing these preliminary offshore wind licencing areas to Ministers in the Interim Report. These areas are subject to change as the Regional Assessment progresses. All datasets utilized to produce this map can be found in Appendix F.

4 RECOMMENDATIONS AND CONCLUSIONS

4.1 Preliminary Offshore Wind Licencing Areas

The Committee's preliminary offshore wind licensing areas are shown in Figure 25. Overall, the Committee has identified 31,620 km^2 of area most likely suitable for offshore wind development in the foreseeable future.

Areas in green are areas where depth does not exceed 60m (i.e. suitable for fixed bottom turbines). Areas in yellow are areas where depths are between 60 – 80m (i.e. suitable for fixed bottom turbines in the foreseeable future). Areas in orange are areas where depths are between 80 – 300m (i.e., suitable for floating turbines in the foreseeable future).

Specifically, the Committee identified:

- 17 areas where depths do not exceed 60m, totaling an area of > 5,000 km².
- 28 areas where depths are between 60 – 80m, totaling an area of > 6,700 km².
- 32 areas where depths are between 80 – 300m, totaling an area of > 20,000 km².

4.2 Recommendations for Future Offshore Wind Licencing Processes

As described throughout Section 3 of this report, the Committee recommends.

1. Specific setback distances for offshore wind projects from critical habitats be considered by regulators and offshore wind project proponents in consultation with ECCC-CWS-ATL and DFO. This should also include consideration of any newly designated critical habitat.

2. Migratory routes and/or important areas (e.g., stopover sites) be identified and avoided during project-level impact assessments for Species at Risk and for any migratory species under consideration for addition to Schedule 1 of the *Species at Risk Act*.

3. Application of additional buffers to MPAs be considered during project-level impact assessments.

4. Offshore wind project proponents undertaking project-level impact assessments consider, in consultation with DFO, setback distances from areas important for the various species on which MPA conservation objectives are based.

5. The South Coast Fjords NMCA Study Area as a constraint be reconsidered, once the NMCA designation process is complete. Offshore wind licencing areas should avoid the final South Coast Fjords NMCA. If offshore wind development is proposed in proximity to the South Coast Fjords NMCA before completion of the designation process, the Committee

recommends offshore wind project proponents consult Parks Canada regarding the NMCA Study Area and status of designation process.

6. The C-NLOER complete visual assessments to identify viewscapes that could be impacted by offshore wind development in offshore wind licencing areas before issuing a call for bids. Offshore wind project proponents should be required to avoid or, where appropriate, mitigate potential impacts to these viewscapes during project-level impact assessments.
7. The C-NLOER, in consultation with federal and provincial authorities, identify and characterize viewscapes in Newfoundland and Labrador and prioritize completing this work for sensitive viewscapes in proximity to the Focus Area.
8. Buffers used to identify preliminary offshore wind licencing areas be revisited following any work completed because of Recommendation 7. Revised buffers should avoid or reduce impacts to sensitive viewscapes as appropriate. Revised buffers should be reflected in a Marine Spatial Plan established for the province or in licencing areas established by Ministers. Should this work not be completed before governments issue a call for bids, offshore wind project proponents should still be required to avoid or, where appropriate, mitigate potential impacts to sensitive viewscapes during project-level impact assessments.
9. More work be completed on avian migratory routes and species-specific buffers during project-level impact assessments.
10. Project- and colony- specific buffers should be set case-by-case during project-level impact assessments. Offshore wind project proponents should consult ECCC-CWS-ATL for specific recommendations based on the risk evaluation tool ECCC-CWS-ATL is currently developing.
11. Offshore wind project proponents consult ECCC-CWS-ATL to consider any updated information on sea-duck key habitat sites and appropriate measures to avoid or mitigate impacts during project-level impact assessments.
12. Offshore wind project proponents consult ECCC-CWS-ATL to consider any updated information on shorebird movement patterns and appropriate measures to avoid or mitigate impacts during project-level impact assessments.
13. Offshore wind project proponents consult ECCC-CWS-ATL to consider any updated information about important stopover areas for red knot and appropriate measures to avoid or mitigate impacts during project-level impact assessments.
14. Offshore wind project proponents consult ECCC-CWS-ATL for an up-to-date list of MBSs and NWAs, as well as any updated information on foraging range, species-by-species and to avoid them during offshore wind siting.
15. Site assessments and / or project-level impact assessments set appropriate buffer/setback distances that adequately protect MBS and NWA.

16. Proponents of offshore wind projects consult ECCC-CWS-ATL for species density information to know where species might be congregating, and the areas where species might transit/migrate, and should avoid those areas during siting.

17. Specific setback distances be considered during project-level impact assessments based on the objectives of the KBA (e.g., protect piping plover). Setback distances should be selected in consultation with the appropriate expert authorities well in advance of projects.

18. For licencing areas identified within EBSAs, offshore wind project proponents assess potential impacts to key features or species identified within the specific EBSA and avoid or, where appropriate, apply mitigation measures to ensure projects are not damaging/disturbing these components.

19. Further work in defining migratory routes within EBSAs prior to issuing call for bids, in consultation with the applicable regulators.

20. The appropriate authorities develop specific setback distances from airports and aerodromes for offshore wind project proponent consideration during project-level impact assessments

21. Vessel routes and traffic be investigated further at the project level to impose appropriate buffers and management plans with that industry. The Committee notes a pre-development survey would identify submarine cables to be avoided when siting a project.

22. Offshore wind project proponents consult with DND to ensure there no conflicts with planned or future exercises, or UXO sites. The Committee notes a pre-development survey would identify UXO hazards to be avoided or removed when siting a project.

23. Project-level impact assessments identify SBAs overlapping a proposed project and ensure the least amount of disturbance to those areas as possible.

24. Fisheries be assessed at the project level, with input from the fishing industry. The Committee additionally recommends consideration of co-location, which is in place in jurisdictions where offshore wind farms and fisheries co-exist. This includes applying buffers around turbines to limit negative impacts and avoid fisheries conflict.

25. DFO compile and analyze logbook data based on offshore wind licensing areas identified by the C-NLOER, to aid in setting strategic priorities for the call for bids.

26. Preconstruction surveys be conducted to accurately identify physical and cultural heritage features, so that project proponents can avoid these areas.

Additionally, the Committee recommends:

27. The Governments of Canada and Newfoundland and Labrador include Indigenous peoples and Indigenous knowledge in the offshore wind regulatory and licencing processes.

28. The Governments of Canada and Newfoundland and Labrador, in collaboration with industry and researchers, support research and development regarding offshore wind turbines under various local conditions (e.g., icebergs and depth). This includes exploring technologies and management approaches in areas where offshore oil and gas platform operators are exploring reducing emissions via electricity from offshore wind turbines.

29. The Governments of Canada and Newfoundland and Labrador conduct multiple rounds of identifying offshore wind licencing areas as more information and data becomes available and as experience is gained in the Canada-Newfoundland and Labrador offshore wind industry.

30. The Governments of Canada and Newfoundland and Labrador develop a Marine Spatial Plan that designates renewable energy areas, within which offshore wind areas could be selected for licencing consideration to help reduce conflicts in advance of impact assessment processes.

31. The federal Minister of Environment and Climate Change does not exclude proposed offshore wind projects within the Study Area from future project-level impact assessments, including at sites within the proposed preliminary offshore wind licencing areas.

32. The provincial Minister of Environment and Climate Change require all offshore wind projects within the Study Area to undergo provincial environmental assessment (should portions of the Offshore Area become exclusively provincial jurisdiction).

33. Federal agencies (e.g., DFO, ECCC) begin a sustained series of surveys and programs to develop the basic information regarding the marine physical and biological environment in the Focus Area.

34. The C-NLOER exercise a precautionary approach and not recommend licencing areas for offshore wind development where icebergs may be present until the potential implications of collisions with icebergs are better understood, and demonstration projects provide proof of concept.

35. The C-NLOER re-evaluate the constraints used in this report at fixed intervals, in consultation with relevant government agencies to establish their validity over time.

4.3 Conclusion

The Committee's preliminary offshore wind licensing areas are based on their research to date, currently available and publicly accessible geospatial data, and feedback and advice gained through Indigenous and public, fisheries, and stakeholder engagement processes so far.

The preliminary offshore wind licencing areas avoid marine critical habitat, marine traffic routes, MPAs, a potential NMCA, significant viewscapes from a National Park, and high-density commercial fishing areas. By applying a coastal buffer when identifying these licensing areas, the Committee sought to avoid or minimize impacts to IBAs, KBAs, marine refuges, fisheries closures, coastal fisheries (including lobster fisheries), aquaculture sites and licenses, airports and marine aerodromes, provincially protected areas, and community and cottage viewscapes.

The preliminary information, analyses, and recommendations presented in this report are useful for consideration as governments develop a joint management framework for offshore renewable energy. However, this is a starting point. The Committee continues to compile information, conduct analyses, and development recommendations to inform future offshore and licensing and impact assessment processes. Importantly, the Committee continues to engage with Indigenous peoples, fishers and other ocean users, government agencies, environmental organizations, research groups, industry stakeholders, and the public, to inform the Committee's work.

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6 APPENDICES

- Appendix A: Indigenous Participation Plan
- Appendix B: Public, Fisheries, and Stakeholder Participation Plan
- Appendix C: Committee Decision Regarding the Focus Area
- Appendix D: Open House Summary, November 2023
- Appendix E: Summary of Feedback Received in February and March 2024
- Appendix F: Methodology
- Appendix G: Summary of Constraints Used to Identify Preliminary Offshore Wind Licencing Areas
- Appendix H: Summary of Constraints Unable to be Applied

Appendix A: Indigenous Participation Plan

Please note this document is posted on the Registry.

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador

Indigenous Participation Plan

PREPARED BY: THE REGIONAL ASSESSMENT COMMITTEE

Last updated: March 15, 2024

Acknowledgment

The Committee thanks those who provided feedback on the Draft Framework for the Indigenous Participation Plan. The Committee acknowledges the concerns shared regarding the timing of the release of the draft framework as not being ideal for some Indigenous groups.

The Committee also heard many concerns regarding the overall scope and timeline for this Regional Assessment process, and the implications for Indigenous engagement. These concerns were taken seriously and were central to the Committee's request to the Ministers to amendment to the Agreement[25].

The Committee thanks all Indigenous peoples, groups, and organizations who have participated in the Regional Assessment process thus far, and looks forward to collaborating further on the development and implementation of this Indigenous Participation Plan.

[25] The Committee sent a letter to the Ministers in October 2023 requesting amendments to the Agreement. This plan will be updated to reflect any changes to the Agreement once the Ministers provide a response.

1 Introduction

The Committee has prepared this Indigenous Participation Plan ("the IPP") to outline meaningful opportunities for Indigenous groups to engage in the conduct of the Regional Assessment (RA), and to ensure that Indigenous groups are aware of planned approaches, and upcoming and completed activities.

The Committee continues to collaborate with Indigenous peoples on the development and implementation of the IPP. The IPP will be updated as needed, with advice from Indigenous groups and the Indigenous Knowledge Advisory Group. The Committee has also developed a Public, Fisheries and Stakeholder Participation Plan ("PP") under a separate cover. Both plans are posted to the Canadian Impact Assessment Registry ("the Registry").

1.1 Background

On March 23, 2023, the federal Minister of Environment and Climate Change ("the Minister") released the final Agreement and Terms of Reference ("the Agreement") and appointed an independent Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador ("the RA"). The Agreement states the RA will be conducted over an 18-month period with two report components, with the first report component submitted to the Ministers[26] within 12-months of the Committee's appointment, and a final report (with all components), submitted to the Ministers within 18-months of the Committee's appointment.[27]

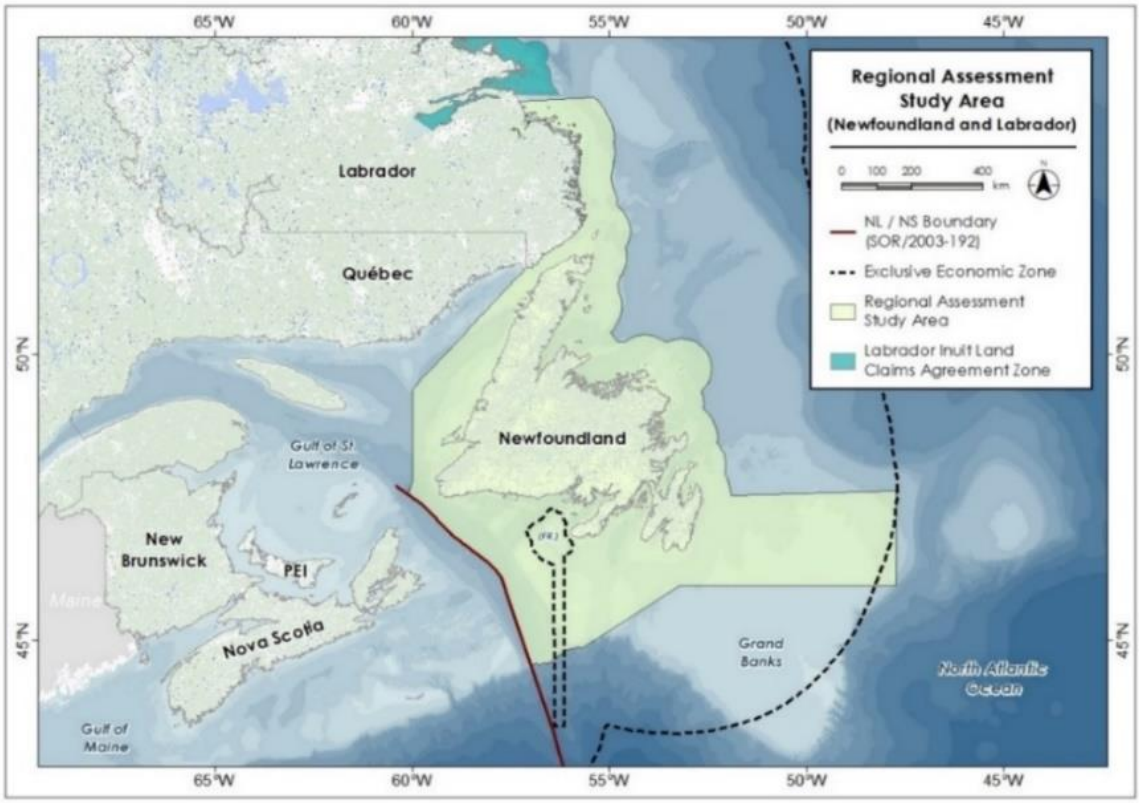
1.2 Regional Assessment Goal

The goal of the RA is to provide information, knowledge and analysis regarding future offshore wind development activities in the Study Area (Figure 1) 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, health, social and economic conditions while also creating opportunities for sustainable economic development.

[26] The term "Ministers" means, collectively, the federal Ministers of Environment and Natural Resources and the provincial Ministers of Industry, Energy and Technology, Environment and Climate Change and for Intergovernmental Affairs.

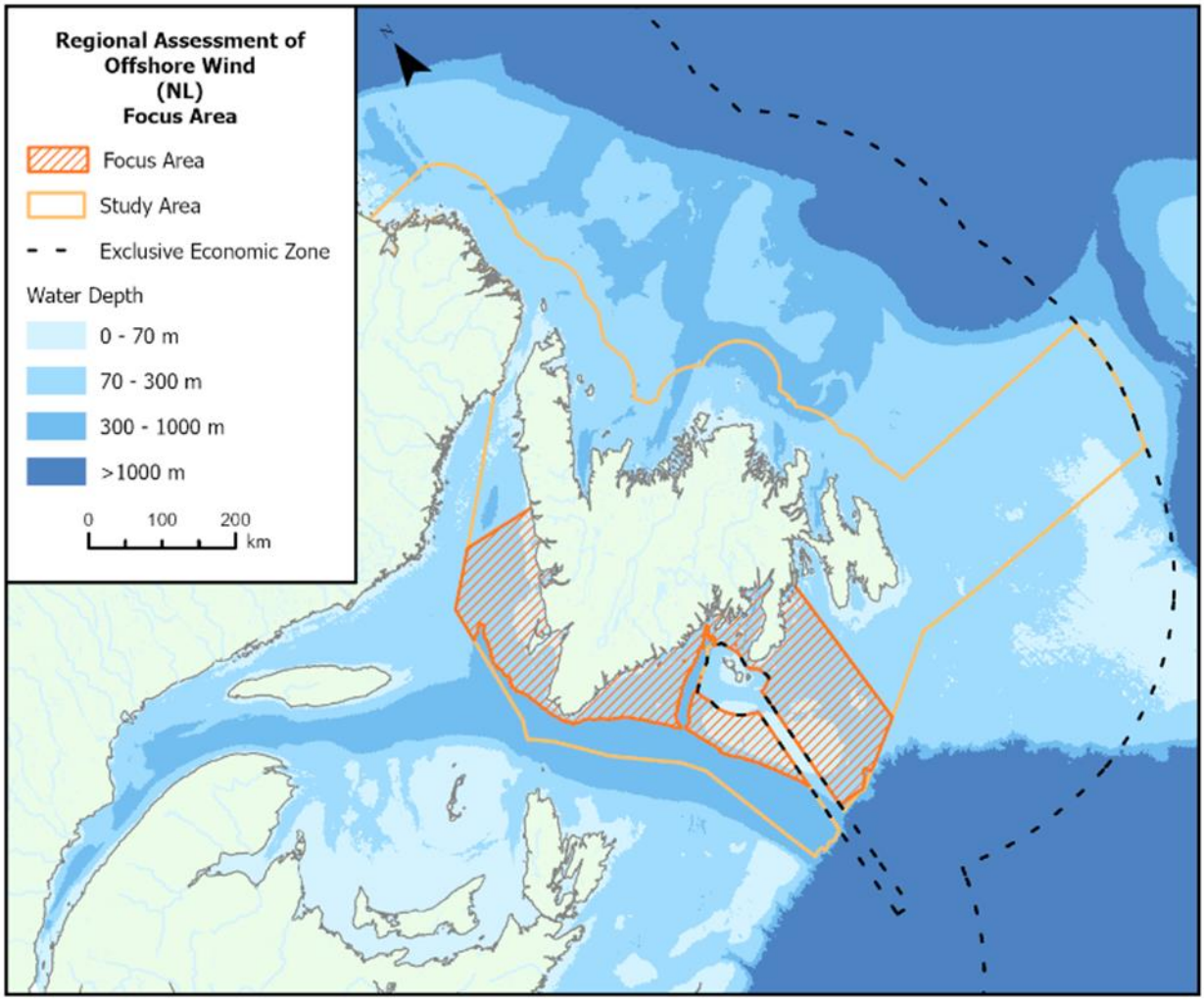
[27] The Committee sent a letter to the Ministers in October 2023 requesting amendments to the Agreement. This plan will be updated to reflect any changes to the Agreement once the Ministers provide a response.

FIGURE 1: REGIONAL ASSESSMENT STUDY AREA (NEWFOUNDLAND AND LABRADOR)



The Committee has since identified a Focus Area (Figure 2) within the Study Area.[28,29] The constraints analysis will continue further within this Focus Area to identify potential areas for offshore wind development. The assessment (i.e., setting, effects, mitigation, etc.) will be carried out in the Focus Area.

Figure 2: Regional Assessment Focus Area



[28] Refer to the Committee Decision Regarding the Focus Area for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador.

[29] The Committee sent a letter to the Ministers in October 2023 requesting amendments to the Agreement, including a clarification of the Committee's ability to focus their efforts within the Study Area. This plan will be updated to reflect any changes to the Agreement once the Ministers provide a response.

1.3 Regional Assessment Objectives

The objectives of the RA are to facilitate the above goal by:

a) 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.

b) Providing an understanding of the regional context that can be used in considering and evaluating the potential effects (including cumulative effects) of future offshore wind development activities to inform future planning and licencing processes and impact assessments.

c) Identifying and recommending mitigation and follow-up measures and other approaches for addressing potential positive and adverse effects (both project specific and cumulative) as part of future decision-making for offshore wind development activities.

d) Describing how the findings or recommendations of the RA could be used to inform future planning and licencing processes for these activities in a manner that fosters sustainability and enhances the effectiveness and efficiency of their impact assessments.

1.4 Engagement Prior to Committee Appointment

The Impact Assessment Agency of Canada (the Agency) conducted Indigenous engagement activities prior to the appointment of the Committee. Feedback received during this engagement was used to inform the Agreement.

The following outlines comments received by the Agency from Indigenous groups pertaining to the Agreement:

- Open and transparent communication throughout the process;
- Earlier opportunities for involvement in the process;
- Consideration of Indigenous knowledge, in accordance with the OCAP© principles (ownership, control, access, possession) and with existing Indigenous knowledge inclusion protocols;
- Respect for the original formats and processes of the knowledge of the Nations, communities and sub-groups represented (songs, storytelling, etc.);
- Respect for the unique nature of each community and adjustment of the process based on preferences where possible;
- Ensure the inclusion of diverse perspectives (women, seniors, minority groups, intergenerational, etc.) throughout the process;

- Knowledge of the timelines in advance and sufficient time allotted to schedule meetings, prepare, review documents and provide input (process predictability);
- Availability of funding to support participation throughout the process; and
- Respect and integration of the United Nations Declaration on the Rights of Indigenous Peoples.

2. Regional Assessment Conduct

The activities that will take place during the conduct of the RA will be led by the Committee, with support from their secretariat. The Committee may also request advice and guidance from the Agency's Indigenous Relations Sector to support the Committee's ongoing efforts in conducting the RA in an inclusive and collaborative way with Indigenous groups.

It is important to note that while the conduct of the RA may involve collecting information on Indigenous rights, the RA process is not an Aboriginal or Treaty rights-determining process.

2.1 Committee Mandate

The RA will be conducted in accordance with the *Impact Assessment Act* (IAA) and the Agreement. The roles and responsibilities of the Committee are detailed in the Agreement. During the conduct of the RA, the Committee will conduct engagement activities with Indigenous groups, as well as with the public and stakeholder groups.

The Committee is mandated to receive information from Indigenous peoples on the nature and scope of any Aboriginal or Treaty rights protected by section 35 of the *Constitution Act, 1982* in the Study Area, as well as information on potential adverse impacts that future offshore wind development activities in the Study Area may (individually or cumulatively) have on these rights. Information provided to the Committee as part of this process may also inform Crown efforts to develop and implement meaningful consultation processes with Indigenous peoples in future project-specific impact assessments and other regulatory and decision-making processes. The Committee will consider any information received regarding Aboriginal or Treaty rights and will consider that information in its analysis and the development of its recommendations.

In conducting its work, the Committee will recognize that, for the purposes of the RA, Indigenous knowledge is an important component of understanding existing conditions, potential effects (both positive and adverse, including cumulative effects), mitigation measures and other measures for addressing them, and that the RA can provide a means of gathering and presenting Indigenous knowledge, Community knowledge, and scientific information to inform future impact assessments. The Committee will submit a report to the Ministers after the RA has been completed indicating how the Committee

has taken into account and used the Indigenous knowledge provided with respect to the assessment.

The Committee is not mandated or empowered by the Agreement to make any determination as to the existence or validity of Aboriginal or Treaty rights, the probability of adverse impacts upon any such rights, or whether any duty to consult has arisen and been discharged in any particular context.

2.2 Committee Engagement Activities and Objectives

Throughout the conduct of the RA the Committee will:

- Ensure that Indigenous peoples are provided with opportunities to participate meaningfully in the Regional Assessment
- Engage with Indigenous peoples and organizations that have information, knowledge or interests relevant to the RA. This will include any person or group with information and interests related to the RA and who wishes to participate in it.
- Develop and implement an IPP, with the advice of the Indigenous Knowledge Advisory Group and Indigenous peoples. This plan will be posted to the Registry once completed and updated regularly by the Committee, with advice from the Indigenous Knowledge Advisory Group, to ensure that participants are aware of planned participation approaches and upcoming activities.

The Committee has identified the following Indigenous engagement objectives:

- Establish an open and constructive dialogue with Indigenous groups interested in participating in the RA;
- Encourage Indigenous groups to actively participate in the RA;
- Work with Indigenous groups to determine opportunities for participation and collaboration on the RA;
- Develop an IPP in cooperation with participating Indigenous groups and peoples that reflects their interests and a collaborative framework for their participation.

2.2.1 Indigenous Knowledge Advisory Group

The Committee has established the Indigenous Knowledge Advisory Group with a view to ensuring it is inclusive and diverse in its membership. Interested Indigenous persons may come forward at any time during the RA to express their interest in participating in this and the Scientific Information and Community Knowledge and Fisheries and Other Ocean uses advisory groups. In addition to the three advisory groups listed, the Committee may choose to establish additional advisory groups as it deems necessary, and to combine or integrate the activities of two or more advisory groups, as applicable. Indigenous groups may also recommend representatives to participate in any advisory group on their behalf.

Advisory groups aid in identifying, accessing, analyzing, and using information and knowledge that is relevant to the RA, as well as in identifying and evaluating information and knowledge gaps and recommending approaches to address any knowledge gaps. The advisory groups identify, provide and support the consideration and use of Indigenous knowledge, Community knowledge, and scientific information in the conduct of the RA, as appropriate.

The Committee seeks knowledge and perspectives from Indigenous peoples on matters relevant to the conduct of the RA, including through the Indigenous Knowledge Advisory Group. This includes seeking Indigenous knowledge and perspectives on some or all of the topics listed below during the conduct of the RA, in accordance with established Indigenous protocols and procedures as applicable. This advisory group also provides 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*. This advisory group also advises the Committee on approaches for the collection, sharing and consideration of such knowledge and its incorporation into the RA. The advisory group provides information and advice to the Committee on the topics outlined below, as required and requested:

a. Environmental, health, social and economic conditions;
b. Information and knowledge gaps, and potential opportunities to address these during or following the completion of the Regional Assessment;
c. Future offshore wind development activities in the Study Area, including their:
    i. Need and purpose;
    ii. Physical activities associated with their construction, including expansion, operation, decommissioning and abandonment;
    iii. Key locations of interest for future offshore wind development activities in the Study Area (to help focus the Committee's work on areas which are most likely to see future development interest, based on technical and economic factors);
    iv. Regulatory requirements;
    v. Potential positive and adverse effects, including cumulative effects and associated sustainability considerations;
    vi. Mitigation, and other approaches for avoiding or reducing potential adverse effects and creating and maximizing potential positive effects; and
    vii. Follow-up requirements.
d. Other topics relevant to the RA, as requested by the Committee.

2.3 Overview of Engagement Activities

Planned engagement activities will be listed and updated in Appendix A. All Indigenous engagement activities, including Indigenous Knowledge Advisory Group meetings and activities, will be logged, and included in Appendix B of this plan. A list of all the Indigenous Knowledge Advisory Group members is available in Appendix C and updated as new members are added. The activities and membership list for the Indigenous Knowledge Advisory Group are listed in the PP as well.

2.4 Information and Analysis

In conducting the Regional Assessment, the Committee, along with the assistance of the Indigenous Knowledge Advisory Group will identify and consider the effects, both positive and adverse, that offshore wind development activities may have 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*. The Committee will also take into account any scientific information, Indigenous knowledge — including the knowledge of Indigenous women — and Community knowledge provided with respect to the RA, as per the requirements of subsection 97(2) of the IAA.

2.5 Report and Records

The Committee will describe the conduct and document the results of the RA in its Report as outlined in the Agreement. Additionally, the Committee will include a summary of its Report in plain language available in English and French, and in Mi'kmaw, Innu-aimun and Inuktitut if requested by one or more participating Indigenous groups.

The Committee will include a description of the Indigenous participation activities undertaken by the Committee during the conduct of the RA, including a summary of any comments received and of where and how these were considered in the RA. An overview of how the Committee considered and used any Indigenous knowledge and Community knowledge provided during the RA. In doing so, the Committee must obtain consent to disclose any confidential Indigenous knowledge provided as per section 119 of the IAA unless otherwise required by law.

2.6 Participant Funding

In July 2022, participant funding was provided by the Agency to interested Indigenous groups to support Indigenous participation in the planning phase of the RA. The Agency posted a second contribution funding offer in December 2022 to support Indigenous participation in the conduct of the RA. This will include participation in meetings and on advisory groups, review of materials, and review and comment on the draft Committee's Report.

3. Indigenous Groups

The Agency initiated discussions with Indigenous groups during the 2022 planning phase of both the RA of Offshore Wind Development in NL and the RA of Offshore Wind Development in Nova Scotia (lists provided below). In total, there were 55 Indigenous groups who were engaged and offered participant funding.

Given the Committee's decision to define a Focus Area, the Committee understands there may be varying degrees of interest and participation as the RA progresses.

Indigenous communities engaged in the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador and the Regional Assessment of Offshore Wind Development in Nova Scotia:

Newfoundland and Labrador

- Nunatsiavut Government
- Innu Nation representing Sheshatshui Innu First Nation and Mushuau Innu First Nation
- NunatuKavut Community Council
- Qalipu First Nation
- Miawpukek First Nation

Ten Mi'kmaq First Nation communities in **Nova Scotia** represented by Kwilmu'kw Maw-klusuaqn Negotiation Office (KMKNO):

- Acadia First Nation
- Annapolis Valley First Nation
- Bear River First Nation
- Eskasoni First Nation
- Glooscap First Nation
- Paqtnkek Mi'kmaw Nation
- Pictou Landing First Nation
- Potlotek First Nation
- Waycobah First Nation
- Wagmatcook First Nation

Three Mi'kmaq First Nation communities in **Nova Scotia** not represented by KMKNO:

- Membertou First Nation
- Millbrook First Nation
- Sipekne'katik First Nation

Two Mi'kmaq First Nation communities in **Prince Edward Island**, represented by L'nuey:

- Abegweit First Nation
- Lennox Island First Nation

Eight Mi'gmaq First Nation communities in **New Brunswick** represented by Mi'gmawe'l Tplu'taqnn Inc. (MTI):

- Fort Folly First Nation
- Eel Ground First Nation
- Pabineau First Nation

- Esgenoôpetitj First Nation
- Buctouche First Nation
- Indian Island First Nation
- Eel River Bar First Nation
- Metepenagiag Mi'kmaq Nation

One Mi'gmaq First Nation community in **New Brunswick** not represented by MTI:

- Elsipogtog First Nation

Six Wolastoqey First Nation communities in **New Brunswick** represented by Wolastoqey Nation in New Brunswick (WNNB):

- Kingsclear First Nation
- Madawaska Maliseet First Nation
- Oromocto First Nation
- Saint Mary's First Nation
- Tobique First Nation
- Woodstock First Nation

Three Mi'gmaq First Nation communities in **Quebec** represented by Mi'gmawei Mawiomi Secretariat (MMS):

- La Nation Micmac de Gespeg
- Listuguj Mi'gmaq Government
- Micmacs of Gesgapegiag

Seven Innu communities in **Quebec**

- Conseil des Innus d'Unamen Shipu
- Conseil des Innu de Ekuanitshit
- Conseil des Innus de Pakua Shipu
- Conseil des Innus de Pessamit
- Conseil de la Première Nation des Innus Essipit
- Innu Takuaikan Uashat mak Mani-Utenam
- Première Nation des Innus de Nutashkuan

Indigenous Organizations engaged in the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador and the Regional Assessment of Offshore Wind Development in Nova Scotia:

Newfoundland and Labrador:

- Agence Mamu Innu Kaikusseht (AMIK)
- Atlantic Policy Congress of First Nations Chiefs Secretariat
- Newfoundland Aboriginal Women's Network (NAWN)
- Keepers of the Circle

Nova Scotia:

- Atlantic Policy Congress of First Nations Chiefs Secretariat
- Confederacy of Mainland Mi'kmaq
- Mi'kmaq Conservation Group
- Native Council of Nova Scotia / Maritime Aboriginal Peoples Council
- Nova Scotia Native Women's Association
- Union of Nova Scotia Mi'kmaq
- Unama'ki Institute of Natural Resources
- Wskijnu'k Mtmo'taqnuow Agency Ltd

3.1 Group specific participation notes

In this section, the Committee would like to highlight each Indigenous group's requested methods for participation, special areas of concern, etc.

4. Confidentiality and Operational Procedures

Any Indigenous knowledge that is provided in confidence is considered confidential and will not knowingly be, or be permitted to be, disclosed without written consent in accordance with section 119 of the IAA.

Comments and other documents received by the Committee throughout the RA process will be posted on the Registry, except for the ones deemed to be confidential or subject to non-disclosure. The Committee has developed its own confidentiality procedures on how it will conduct itself regarding confidentiality and sensitive information. The Committee has also developed its operational procedures, which elaborate upon the general principles and processes described in the agreement and inform participants on how the committee intends to function throughout the conduct of the RA on the issues of bias and conflict of interest, accessibility to information, and other confidential information handling.

5. Schedule

The Committee will complete its work in a phased manner and will, following the public review of drafts as referenced in Section A1.6 of the Agreement[30], submit the various components of its Report to the Ministers as follows:

Report Component	Overview	Relevant Components (From Sections A2.3 and A2.4 from the Agreement)	Submission to Ministers
1	Information and analysis to inform future planning and licencing for offshore wind in the Study Area	Section A 2.3 Objective A, items a) to d) Objective B, item a) Objective D, item a) Section A 2.4 Items a) to e)	12 months from Committee appointment *
2	Identification of, and recommendations on, mitigation, and other approaches to address potential effects, and monitoring and follow-up requirements, to inform future impact assessments for offshore wind in the Study Area	Section A 2.3 Objective C, items a) to b) Objective D, items a) to b) Section A 2.4 Items d) to e)	18 months from Committee appointment *
* As noted above, the Committee may choose to present information in an electronic format, such as through a GIS. While this information is part of Component 1 (and any such GIS is therefore to be submitted with 12 months), it is recognized that the system may continue to be refined during the remainder of the Regional Assessment process, and that an updated version may be included in the Committee's final deliverable (at 18 months). The Committee was appointed on March 23, 2023.			

[30] The Committee sent a letter to the Ministers in October 2023 requesting amendments to the Agreement. This plan will be updated to reflect any changes to the Agreement once the Ministers provide a response.

Appendix A - Planned / Ongoing Indigenous Engagement Activities

The Committee uses this table to provide notice on upcoming engagement activities with the Indigenous groups and organizations, and the Indigenous Knowledge Advisory Group. It will be updated as plans are refined.

Planned / Ongoing Indigenous Engagement Activities **Last updated: March 15, 2024**		
Activity	**Date**	**Description**
Meeting – Keepers of the Circle	April 2, 2024	Meeting to discuss Effects Table document activity that was distributed to all Advisory Groups.
Community Engagement Session - Miawpukek First Nation	TBD	The Committee is working with Miawpukek First Nation to plan a community engagement session in Spring 2024.
Meeting - Qalipu First Nation	TBD	The Committee is working with Qalipu First Nation to plan another meeting in Spring 2024.
Engagement planning for 2024	Throughout 2024	The Committee is working on their engagement plan for 2024, including a combination of in-person and virtual engagement sessions. The Committee continues to welcome all Indigenous peoples, communities, and organizations to contact the Committee to request a meeting.

Appendix B – Completed Indigenous Engagement Activities

The Committee uses this table to document completed engagement activities exclusively with the Indigenous groups and organizations, and the Indigenous Knowledge Advisory Group. The PP lists all completed engagement activities with stakeholders and the public, and all Advisory Groups

Completed Indigenous Engagement Activities **Last updated: March 15, 2024**			
Date	**Activity**	**Participating Organization(s)**	**Topics Discussed**
June 14, 2023	Virtual meeting	• Miawpukek First Nation	• Introductory meeting
June 20, 2023	Virtual meeting	• Innu Nation	• Introductory meeting
June 28, 2023	Virtual meeting	• Wolastoqey Nation in New Brunswick	• Introductory meeting
August 8, 2023	Virtual meeting	• Qalipu First Nation	• Introductory meeting
August 23, 2023	Virtual meeting	• NunatuKavut Community Council	• Introductory meeting
September 14, 2023	Indigenous Knowledge Advisory Group Virtual Meeting	• KMKNO • AECOM (supporting KMKNO) • Keepers of the Circle	• Feedback on the Proposed Focus Area
September 27, 2023	Virtual meeting	• Qalipu Development Corporation	• Introductory meeting
November 7, 2023	In-person meeting	• Miawpukek First Nation Consultation Committee	• Feedback on the Proposed Focus Area

Completed Indigenous Engagement Activities **Last updated: March 15, 2024**			
Date	**Activity**	**Participating Organization(s)**	**Topics Discussed**
November 16, 2023	In-person meeting	• Qalipu First Nation and Qalipu Development Corporation	• Feedback on the Proposed Focus Area
December 11, 2024	Effects Table Advisory Group Activity	• Indigenous Knowledge Advisory Group	• Effects Table Document sent to Advisory Groups for review and comment
February 11, 2024	Effects Table Advisory Group Activity	• Indigenous Knowledge Advisory Group	• Advisory Group Input Submission Deadline for Effects Table Document
February 26, 2024	Virtual Meeting	• Indigenous Knowledge Advisory Group	• Feedback on Committee's constraints analysis and preliminary OSW licencing areas.
Feb 28, 2024	Virtual Meeting	• Miawpukek First Nation Consultation Committee	• Feedback on Committee's constraints analysis and preliminary OSW licencing areas.
March 4, 2024	In-person meeting	• Miawpukek First Nation Chief and Council	• Feedback on Committee's constraints analysis and preliminary OSW licencing areas.
March 13, 2024	Virtual Meeting	• Wolastoqey Nation in New Brunswick	• Feedback on Committee's constraints analysis and preliminary OSW licencing areas.

Appendix C – List of Indigenous Knowledge Advisory Group Members

Last Updated: March 6, 2024.
*** indicates new members added since last Plan update**

- Patrick Butler - Kwilmu'kw Maw-Klusuaqn Negotiation Office (KMKNO)
- Angelina Franic Mcdonald – Miawpukek First Nation
- Johanna Tuglavina - AnanauKatiget Regional Inuit Women's Association & Keepers of the Circle
- Marie-Eve Desmarais – Communaute Innue de Nutashkuan
- Chris Gosse – Longshoremen’s Protective Union (I.L.A.) Local 1953
- Desiree Wolfrey – Keepers of the Circle / ATRIWAI
- Randy Miles – Flat Bay Band
- Charlene Combdon – Qalipu Mi’kmaw First Nation Band

Appendix B: Public, Fisheries, and Stakeholder Participation Plan

Please note this document is posted on the Registry.

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador

Public, Fisheries and Stakeholder Participation Plan

PREPARED BY: THE REGIONAL ASSESSMENT COMMITTEE

Last updated: March 15, 2024

Summary of Updates
Last Updated: March 15, 2024

This table summarizes the updates made to the Public, Fisheries and Stakeholder Participation Plan. The document will be updated bi-weekly.

Date	Amendments
March 15, 2024	Added Appendix D – Requests for Advice to Federal and Provincial Authorities and Responses. Added Appendix D to the Table of Contents Appendix B: • Added the effects table Advisory Group Exercise that was circulated in December 2023. • Added the virtual meeting with DFO & Harbour Authorities. • Added the virtual meeting with Rhenus.
March 1, 2024	Appendix A: • Added anticipatory engagement session for future. • Deleted events that have occurred and added them to Appendix B. Appendix B: • Added advisory groups sessions that were held in February • Added virtual public sessions that were held February 19, 2024.
February 16, 2024	Appendix A: • Added planned advisory group sessions for February. • Added virtual public sessions for February 29, 2024. Appendix B: • Added completed effects table advisory group exercise. Appendix C: • Added new advisory group members.
February 1, 2024	Section 1: Introduction • Added footnote regarding Committee's October 2023 letter to Ministers requesting amendments to the Agreement. • Added short section on Focus Area. Section 2: Approaches to Engagement

	• Deleted table on potential activities and now all activities planned, ongoing and completed are in the Appendices. • Added text to subsection 2.2 on continued additions to the distribution list. • Added text so subsection 2.3 to mention that Committee may establish additional Advisory Groups. • Added third level headings throughout subsection 2.3 to better present Advisory Group information. • Added text to 2.3.1 to describe the various ways the Committee has asked for, and continues to invite, applications for Advisory Groups. Section 4: Schedule • Added footnote regarding Committee's October 2023 letter to Ministers requesting amendments to the Agreement. Appendix A: • Added table with Planned/Ongoing Engagement Activities (this information was previously in main body of Plan) • Updated table with activities. Appendix B: • Updated with completed activities. Appendix C: • Lists of Advisory Group members (this information was previously in table format in Appendix A). • Added new Advisory Group members.
December 1, 2023	Appendix A: • Added Christopher Williams, Vanessa Byrne, Darren McQuillan and Mark Fuglem to the Scientific Information and Community Knowledge Advisory Group. • Added Vanessa Byrne and Darren McQuillan to the Fisheries and Other Ocean Uses Advisory Group. Appendix B:

	• Added the In-Person Public Engagement Sessions held November 6, 8, 16, and 17, 2023.
November 17, 2023	Appendix A: • Added Charlene Combdon to the Indigenous Knowledge Advisory Group • Added Delia Warren to both the Scientific Information and Community Knowledge and Fisheries and Other Ocean uses Advisory Groups.
November 3, 2023	Appendix A: • Updated the planned engagement activities table. Appendix B: • Added meetings with offshore wind developers.
October 20, 2023	Appendix A: • Added Karl Hodge to the Fisheries and Other Ocean Uses Advisory Group. • Added Sara Pearce Meijerink to the Scientific and Community Knowledge Advisory Group • Updated the planned engagement activities table. Appendix B: • Added meeting with NRCan and engagement sessions with physical constraints experts and offshore wind developers.
October 6, 2023	Appendix A: • Updated the planned engagement activities table. • Added CarolLee Giffin, Troy Hardy and Elizabeth Barlow to both the Scientific Information and Community Knowledge and Fisheries and Other Ocean uses Advisory Groups. • Added Eugene Conway and Randy Miles to the Fisheries and Other Ocean Uses Advisory Group. • Added Randy Miles to the Indigenous Knowledge Advisory Group.
September 22, 2023	Appendix A: • Updated the planned engagement activities table. Appendix B:

	• Added meetings that have taken place since the last update: ECCC, CNLOPB, Focus Area Feedback Sessions and Advisory Group Meetings
September 8, 2023	Appendix A: • Added Michael Hingston and Sam Imbeault to both the Scientific Information and Community Knowledge and Fisheries and Other Ocean uses Advisory Groups. • Added Ashley Noseworthy to the Fisheries and Other Ocean Uses Advisory Group.
August 30, 2023	Appendix A: • Added Focus Area Feedback Session to 'Planned Engagement Activities' table. • Removed Tara Barnett as main contact for Shell Canada • Substituted Christina Clarke as main contact for Natural Resources Canada • Added Rob Strong, Mohammad Alikhani, Aaron Mulrooney, Katherine Cumming, Martin Tremblay, Denise Sudom, Sara Courbis, Cam Howlett, Todd Delaney and Chris Paterson to the Scientific Information and Community Knowledge Advisory Group • Added Robert Coombs, Martin Trembley and Todd Delaney to the Fisheries and Other Ocean Uses Advisory Group • Corrected typo: 'Memorial University' • Addition of Desiree Wolfery to the Indigenous Knowledge Advisory Group • Corrected typo: 'Qalipu' Appendix B: • Corrected typo: 'National Research Council' • Added Committee engagement with Parks Canada

1 Introduction

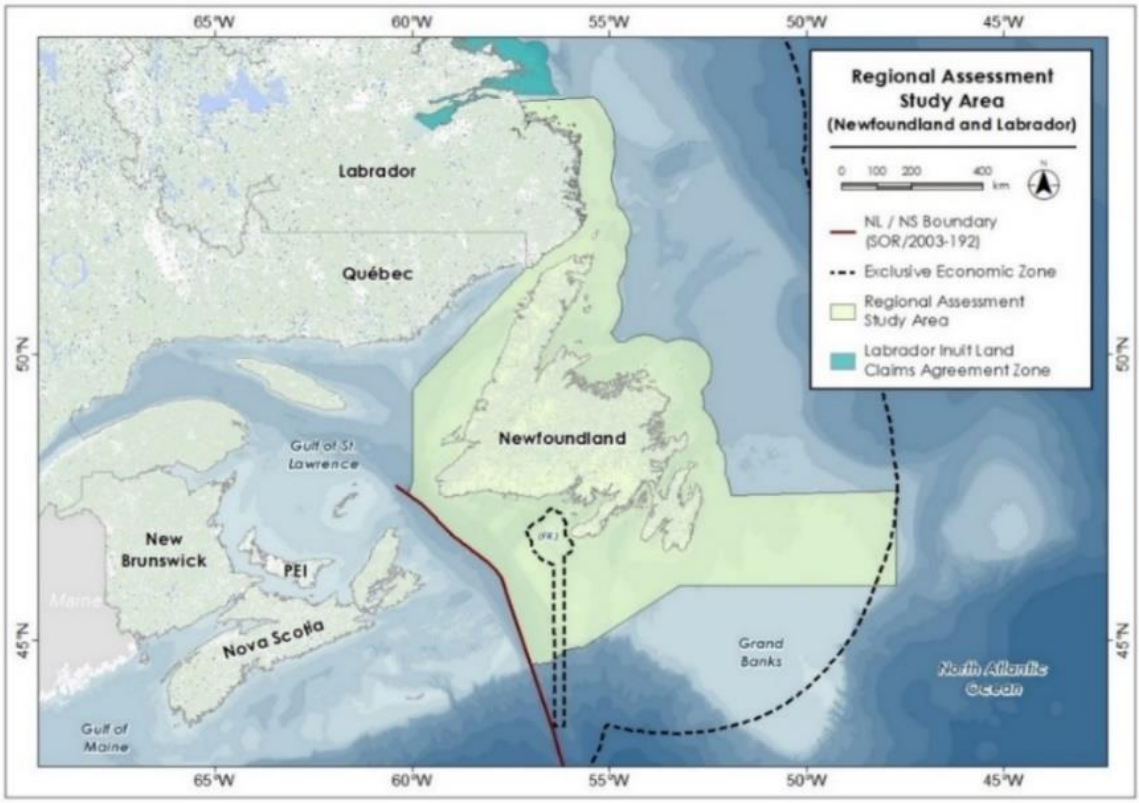
The federal Minister of Environment and Climate Change ("the Minister") released the final Agreement and Terms of Reference ("the Agreement") and appointed an independent Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador (the RA) on March 23, 2023. This RA will be conducted over an 18-month period with two report components. The first report component submitted to the Ministers[31] within 12-months of the Committee's appointment, and a final report (with all components), submitted to the Ministers within 18-months of the Committee's appointment (Section 5. Schedule. The Study Area for the RA is provided in Figure 1.[32]

The Committee has prepared this Public, Fisheries and Stakeholder Participation Plan ("the Plan") to outline its approach to provide meaningful opportunities for members of the public, fishers and fishing organizations and other stakeholders to engage in the conduct of the RA. The Committee is also developing an Indigenous Participation Plan (IPP) in collaboration with Indigenous peoples under a separate cover. This plan and the IPP are posted to the Canadian Impact Assessment Registry ("the Registry") and are updated regularly by the Committee, with advice from the Advisory Groups as applicable to ensure that participants are aware of planned participation approaches and upcoming activities.

[31] The term "Ministers" means, collectively, the federal Ministers of Environment and Natural Resources and the provincial Ministers of Industry, Energy and Technology, Environment and Climate Change and for Intergovernmental Affairs.

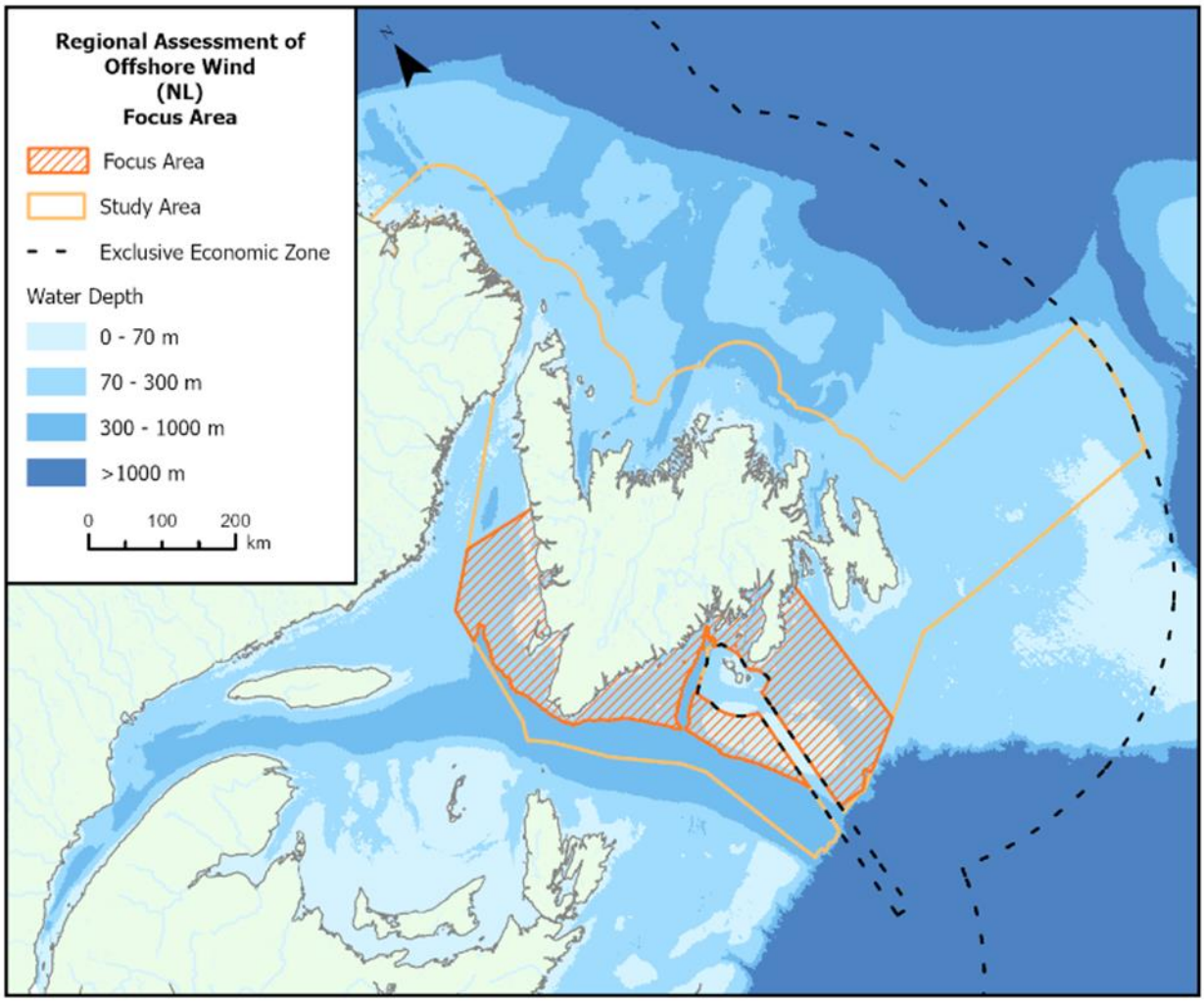
[32] The Committee sent a letter to the Ministers in October 2023 requesting amendments to the Agreement. This plan will be updated to reflect any changes to the Agreement once the Ministers provide a response.

FIGURE 2: REGIONAL ASSESSMENT STUDY AREA (NEWFOUNDLAND AND LABRADOR)



The Committee has since identified a Focus Area (Figure 2) within the Study Area.[33,34] The constraints analysis will continue further within this Focus Area to identify potential areas for offshore wind development. The assessment (i.e., setting, effects, mitigation, etc.) will be carried out in the Focus Area.

Figure 2: Regional Assessment Focus Area



[33] Refer to the Committee Decision Regarding the Focus Area for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador.

[34] The Committee sent a letter to the Ministers in October 2023 requesting amendments to the Agreement, including a clarification of the Committee's ability to focus their efforts within the Study Area. This plan will be updated to reflect any changes to the Agreement once the Ministers provide a response.

1.1 Committee's Mandate and Commitments

The Committee is conducting the RA in accordance with the *Impact Assessment Act* (IAA) and the Agreement. The roles and responsibilities of the Committee are detailed in the Agreement. During the conduct of the RA, the Committee conducts engagement activities with participants[35] to:

a. Seek scientific information and advice relevant to the conduct of the RA from individuals (Indigenous and non-Indigenous)
b. Seek information from fishing organizations, industry reps, and fishers on:
   Potential interactions between fishing activities and offshore wind (OSW) development activities
c. Ensure Indigenous peoples and the public are provided with opportunities to participate meaningfully in the RA.
d. Engage with Indigenous peoples, governmental and non-governmental organizations and individuals that have information, knowledge or interests relevant to the RA.
e. Collaborate in a way that respects Indigenous rights, culture, and traditional knowledge.

1.2 Engagement Objectives

The Committee has tried to structure the engagement process in a way that achieves the following:

a. Establishes an open and constructive dialogue with public stakeholder groups interested in participating in the RA,
b. Encourages stakeholders to actively participate in the RA, and
c. Works with stakeholders to determine opportunities for participation in the RA.

2 Approaches to Engagement

2.1 Activities

Error! Reference source not found. Engagement activities include, but are not limited to:

a. Engagement sessions, either in-person or virtual, open to all participants in the RA process, including Indigenous peoples and federal and provincial authorities.
b. Focused Advisory Group engagement sessions on a particular topic of interest to the

[35] Throughout the plan, the term "participants" refers broadly to public, fisheries and stakeholder groups, Indigenous peoples and organizations, federal and provincial authorities participating in the RA process.

Committee.

c. Engagement sessions on specific topics with subject matter experts, who may or may not be members of an Advisory Group.

Engagement can be broad or more focused, depending on the questions and needs of the Committee. General engagement sessions will include a larger public invitation for participation through methods such as a general email to stakeholders, and a notice on the RA registry page. Anyone can participate. Engagement sessions on specific topics will be focused and directed towards subject matter experts. Invitations to these sessions will be targeted based on the selected topic.

2.2 Identifying Participants

During the planning phase of the RA[36], the Impact Assessment Agency ("the Agency") undertook a widespread exercise to develop a comprehensive participant list (or, "Distribution List"). This included reaching out to other federal and provincial government departments, and other organizations to begin developing an initial distribution list. Through outreach emails and engagement sessions completed prior to the appointment of the Committee, 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 this process. The participant list has grown from these efforts, and the Committee, and their secretariat, have been promoting participation through emails and virtual and in-person engagements to further identify and include those who want to participate in the process. New participants continue to email to request they be added to the Distribution List. The Committee also adds engagement session participants to the Distribution List.

2.3 Advisory Groups

The Agency also initiated an additional process to identify organizations or individuals with expertise in one or more fields to become members of one or more Advisory Groups. These include the following:

a) Indigenous Knowledge Advisory Group
b) Scientific Information and Community Knowledge Advisory Group
c) Fisheries and Other Ocean Uses Advisory Group

The Committee may also establish additional Advisory Groups on other topics, at their discretion. This Plan will be updated should a new Advisory Group be established.

[36] The planning phase is the period between April 5, 2022, when the Minister announced the conduct of the RA and March 23, 2023, when the Committee was appointed.

2.3.1 Calls for Interest

The Agency posted a notice in February 2023 for an initial expression of interest to participants, inviting them to apply to be involved in one or more of these groups. In addition to the three Advisory Groups listed, the Committee may choose to establish additional Advisory Groups as it deems necessary, and to combine or integrate the activities of two or more Advisory Groups, as applicable. Individuals or organizations may participate in more than one Advisory Group. The Committee has also made a public call for interest via email, the Registry, social media and during its meetings with Indigenous groups, stakeholders, and the public. The Committee continues to invite participants to apply to Advisory Groups.

2.3.2 Advisory Group Function

Members of an Advisory Group will function as a voluntary roster of experts from which the Committee can select when they want information or advice on a specific topic. There are no pre-determined hours or defined activities for Advisory Groups, and activities may include, but are not limited to, participating in meetings, providing feedback on literature relevant to the RA, or reviewing a document. Planned engagement activities will be listed and updated in Appendix A. All public and stakeholder engagement activities, including Advisory Group meetings, will be logged, and included in **Error! Reference source not found.** of this plan, as part of the public record of engagement. A list of all the selected Advisory Group members will be made available in Appendix Aand updated as new members are added. The list for Indigenous knowledge Advisory Group will be captured by the IPP as well. Each of the Advisory Groups will provide information and advice to the Committee on the topics outlined below, as required, and requested:

a. Environmental, health, social and economic conditions.
b. Information and knowledge gaps, and potential opportunities to address these during or following the completion of the RA.
c. Future offshore wind development activities in the Study Area, including their:
    i. Need and purpose.
    ii. Physical activities associated with their construction, including expansion, operation, decommissioning and abandonment.
    iii. Key locations of interest for future offshore wind development activities in the Study Area (to help focus the Committee's work on areas which are most likely to see future development interest, based on technical and economic factors).
    iv. Regulatory requirements.

v. Potential positive and adverse effects, including cumulative effects and associated sustainability considerations.
vi. Mitigation, and other approaches for avoiding or reducing potential adverse effects and creating and maximizing potential positive effects; and
vii. Follow-up requirements.

d. Other topics relevant to the RA, as requested by the Committee.

2.3.3 Indigenous Knowledge Advisory Group

The Committee will establish the Indigenous Knowledge Advisory Group, the details of which, will be shared in the IPP.

2.3.4 Scientific Information and Community Knowledge Advisory Group

The committee will seek Scientific information, including technical information and advice, and Community knowledge from representative of federal and provincial government department and agencies and non-governmental organizations and individuals (both Indigenous and non-Indigenous) on matters relevant to the conduct of the RA. This will include information and advice related to environmental, health, social and economic components.

This Advisory Group will assist the Committee in gathering and analyzing relevant data and information and in conducting analyses, and will provide expertise in relation to the RA. This will include sharing information and expertise on some or all topics listed in Section 2.3 Advisory Groups above, as requested by the Committee during the conduct of the RA.

2.3.5 Fisheries and Other Ocean Uses Advisory Group

The Committee will seek knowledge, information and advice from fishing organizations, fishing industry representatives and fishers (both Indigenous and non-Indigenous) regarding current and potential fishing activity (commercial, traditional, recreational – including inshore, midshore, and offshore fisheries), as well as potential interactions between fishing activity and offshore wind development activities in the Study Area.

This Advisory Group will include organizations and individuals that are involved in and/or otherwise have expertise regarding other ocean uses including, but not limited to, tourism, marine shipping, offshore energy, research, aquaculture, infrastructure, and other components and activities.

The Advisory Group will also provide advice to the Committee on approaches for avoiding or minimizing adverse effects and creating or maximizing opportunities for positive effects on fisheries and other ocean uses.

2.3.6 Advisory Group Activities

Planned and ongoing engagement activities, including Advisory Group activities, are listed and updated in Appendix A of this plan. All completed public and stakeholder engagement activities, including Advisory Group activities, are included in Appendix B of.

2.3.7 Advisory Group Membership

A list of all the selected Advisory Group members is available in Appendix C of this plan and is updated as new members are added. The list for Indigenous Knowledge Advisory Group will be in the IPP as well.

2.4 Participant Funding

In July 2022, the Agency provided participant funding to interested public and Indigenous groups to support their participation in the early planning phase of the RA. The Agency posted a second contribution funding offer in December 2022 to support continued participation in the conduct of the RA. This will include participation in meetings and in Advisory Groups, review of materials and comment on the draft Committee's draft Report.

2.5 Engagement with Federal and Provincial Authorities

In the conduct of the RA, the Committee will consider the advice of many federal and provincial departments, who have an obligation to provide the Committee with relevant information and expertise under the provisions of the IAA and the Agreement. The Committee will engage with federal and provincial government departments and agencies in the manner that it believes to be transparent and most efficient to conduct its work. The Committee may solicit information or advice via written correspondence with the expectation that the authority will reply in writing with the requested information or advice (see Appendix D). The Committee may also request to meet with authorities to receive the requested information or advice. In either case, the Committee will ensure the applicable documentation is made publicly available[37] (subject to confidentiality considerations).

Government departments could also attend larger open engagement sessions and can participate in one or more Advisory Groups if they have demonstrated pertinent expertise. The Committee may hold individual meetings with government agencies on specific topics or initiatives, if it feels that this method would be most effective to receive input on a specific topic or subject. These meetings will be logged, so that there is a public record of the meeting and the general discussion.

[37] "Publicly available" means posted on the Registry or readily available to a participant upon request.

3 Confidentiality and Operational Procedures

Comments and other documents received by the Committee throughout the RA process will be posted on the Registry, except for the ones deemed to be confidential or subject to non-disclosure. The Committee has developed its own confidentiality procedures and how it will conduct itself regarding confidentiality and sensitive information which can be found on the Registry. The Committee has also developed its operational procedures, which tends to elaborate upon the general principles and processes described in the agreement and inform participants on how the committee intends to function throughout the conduct of the RA on the issues of bias and conflict of interest, accessibility to information, and other confidential information handling.

4 Schedule

The Committee will complete its work in a phased manner and will, following the public review of drafts as referenced in Section A1.6 of the Agreement[38], submit the various components of its Report to the Ministers as follows:

Report Component	Overview	Relevant Components (From Sections A2.3 and A2.4 from the Agreement)	Submission to Ministers
1	Information and analysis to inform future planning and licencing for offshore wind in the Study Area	Section A 2.3 Objective A, items a) to d) Objective B, item a) Objective D, item a) Section A 2.4 Items a) to e)	12 months from Committee appointment *
2	Identification of, and recommendations on, mitigation, and other approaches to address	Section A 2.3 Objective C, items a) to b) Objective D, items a) to b)	18 months from Committee appointment *

[38] The Committee sent a letter to the Ministers in October 2023 requesting amendments to the Agreement. This plan will be updated to reflect any changes to the Agreement once the Ministers provide a response.

	potential effects, and monitoring and follow-up requirements, to inform future impact assessments for offshore wind in the Study Area	Section A 2.4 Items d) to e)	
* As noted above, the Committee may choose to present information in an electronic format, such as through a GIS. While this information is part of Component 1 (and any such GIS is therefore to be submitted with 12 months), it is recognized that the system may continue to be refined during the remainder of the Regional Assessment process, and that an updated version may be included in the Committee's final deliverable (at 18 months). The Committee was appointed on March 23, 2023.			

Appendix A - Planned / Ongoing Engagement Activities

The Committee uses this table to provide notice on upcoming engagement activities with the Public, Fisheries, and other stakeholders, including Advisory Groups, and will be updated as plans are refined.

Planned / Ongoing Engagement Activities Last updated: March 15, 2024		
Activity	**Date**	**Description**
Upcoming Engagement Sessions	TBA	The Committee is planning to complete more engagement sessions (in-person and virtual) in the near future.

Appendix B – Completed Engagement Activities

Completed Engagement Activities

Last updated: March 15, 2024

*External participants only (i.e., does not include Committee and Secretariat members). Engagement activities with Indigenous peoples will be captured within the IPP.

Date	Activity	Participating Organization(s)	No. of Participants*	Topics Discussed
May 10, 2023	Virtual Meeting	• Fisheries and Oceans Canada (DFO)	13	• Introductory meeting to learn of available DFO expertise
May 24, 2023	Virtual Meeting	• DFO: Marine planning and conservation	5	• Demo of the Canada Marine Planning Atlas to the Committee
May 31, 2023	Virtual Meeting	• The Agency	1	• Gender based analysis plus (GBA+) presentation to the Committee
May 31, 2023	Virtual Meeting	• The Agency	1	• RA scoping presentation to the Committee
June 7, 2023	Virtual Meeting	• Natural Resources Canada (NRCan)	4	• Accord act amendments presentation to the Committee
June 13, 2023	Virtual Meeting	• Newfoundland and Labrador Wildlife Federation • EcoNext • Dominion Diving • DFO • Energy NL	14	• Public and stakeholder introductory session of the Committee

Completed Engagement Activities

Last updated: March 15, 2024

*External participants only (i.e., does not include Committee and Secretariat members). Engagement activities with Indigenous peoples will be captured within the IPP.

Date	Activity	Participating Organization(s)	No. of Participants*	Topics Discussed
		• AECOM • Canada Energy Regulator (CER) • Memorial University of Newfoundland and Labrador (MUN) • East Coast Environmental Law • Baird Consultants • Starboard Wind • Salmonid Council of NL		
June 14, 2023	Virtual Meeting	• Canadian Parks and Wilderness Society Newfoundland and Labrador Chapter (CPAWS NL) • Keepers of the Circle • The Agency • DFO • Port of Corner Brook • RelyOn Nutec Canada • BP • Energy NL • Sabik Offshore GmbH • LSPU (I.L.A.) Local 1953 • EDF Renewables • Baird	45	• Public and stakeholder introductory session of the Committee

Completed Engagement Activities

Last updated: March 15, 2024

*External participants only (i.e., does not include Committee and Secretariat members). Engagement activities with Indigenous peoples will be captured within the IPP.

Date	Activity	Participating Organization(s)	No. of Participants*	Topics Discussed
		• Black Bawks Data Science Ltd/World Seabird Union • Ausenco • ABO Wind • Crown Indigenous Relations and Northern Affairs Canada (CIRNAC) • Wood • Edgewise Environmental • Marine Renewables Canada • MUN Grenfell Campus • Dovre Group • Fish, Food and Allied Workers (FFAW-Unifor) • Embassy of Belgium in Canada • Canada Newfoundland Offshore Oil and Petroleum Board (C-NLOPB) • ICI Innovations • Nunatukavut Community Council (NCC) • Government of Newfoundland and Labrador • Qalipu First Nation • Innergex		

Completed Engagement Activities

Last updated: March 15, 2024

*External participants only (i.e., does not include Committee and Secretariat members). Engagement activities with Indigenous peoples will be captured within the IPP.

Date	Activity	Participating Organization(s)	No. of Participants*	Topics Discussed
June 15, 2023	Virtual Meeting	• North American Worley Advisian • NCC • Generation Electricity Canada • Wolastoqey Nation (WNNB) • MUN • Stantec • Canadian Coast Guard (CCG) • Camerado Energy Consulting • SubC Imaging • West Coast Environmental Law • NCC • East Coast Environmental Law • Marine Institute (MI) • Fagiloi • NRCan • Oceans North • DFO • Government of Newfoundland and Labrador • Keepers of the Circle	35	• Public and stakeholder introductory session of the Committee

Completed Engagement Activities

Last updated: March 15, 2024

*External participants only (i.e., does not include Committee and Secretariat members). Engagement activities with Indigenous peoples will be captured within the IPP.

Date	Activity	Participating Organization(s)	No. of Participants*	Topics Discussed
June 22, 2023	Virtual Meeting	• Environment and Climate Change Canada (ECCC)	8	• Introductory session, and to provide overview to the Committee
June 28, 2023	Virtual Meeting	• Net Zero Atlantic • ASL Environmental Services • Government of Newfoundland and Labrador • The Agency • PESCA Environmental • C-NLOPB • Council of Canadians • Transport Canada (TC) • Member of the Public • ABL Group • University of Waterloo • DOF Subsea • Coldwater Lobster Association • Edgewise Environmental • Seafood Producers Association of Nova Scotia • Rob Strong Consulting • DFO	27	• Public and stakeholder introductory session of the Committee

Completed Engagement Activities

Last updated: March 15, 2024

*External participants only (i.e., does not include Committee and Secretariat members). Engagement activities with Indigenous peoples will be captured within the IPP.

Date	Activity	Participating Organization(s)	No. of Participants*	Topics Discussed
		• National Research Council Canada (NRC)		
	Virtual Meeting	• PhD Student in Law at Dalhousie University • Bear Head Energy • Canadian Renewable Energy Association • DFO • Natural Forces • eDNAtec • Parks Canada • STRUM • One Ocean • A Recent Graduate and Member of NGOs	10	• Public and stakeholder introductory session of the Committee
July 7, 2023	In person meeting	• C-NLOPB	5	• Update on C-NLOPB's mandate • Trip to Germany: lessons learned by C-NLOPB on offshore wind energy. • Experience implementing the offshore drilling RA, including GIS product

Completed Engagement Activities

Last updated: March 15, 2024

*External participants only (i.e., does not include Committee and Secretariat members). Engagement activities with Indigenous peoples will be captured within the IPP.

Date	Activity	Participating Organization(s)	No. of Participants*	Topics Discussed
July 18, 2023	Hybrid virtual & in person meeting	• DFO: Marine planning and conservation	5	• In-depth Session on the Canada Marine Planning Atlas to the Committee
August 9, 2023	Virtual Meeting	• Parks Canada	3	• Proposed parks and National Marine Conservation Areas (NMCAs) in the Study Area • Offshore wind development in existing/proposed NMCAs • Protection of viewscapes and offshore wind developments inside viewscapes of parks, NMCAs and historic sites
August 17, 2023	Public feedback period opened	• Open to all	N/A	• Posted Proposed Focus Area Document to Registry and welcomed feedback.
September 5, 2023	Virtual Meeting	• DFO: Offshore Wind Working Group	11	• Feedback on the Proposed Focus Area

Completed Engagement Activities

Last updated: March 15, 2024

*External participants only (i.e., does not include Committee and Secretariat members). Engagement activities with Indigenous peoples will be captured within the IPP.

Date	Activity	Participating Organization(s)	No. of Participants*	Topics Discussed
September 7, 2023	Virtual Meeting	• Parks Canada	2	• Feedback on the Proposed Focus Area
September 11, 2023	Virtual Meeting	• ECCC	4	• Feedback on the Proposed Focus Area
September 11, 2023	Virtual Meeting	• C-NLOPB	7	• Feedback on the Proposed Focus Area
September 12, 2023	Virtual Meeting	• Government of Newfoundland and Labrador • Fish Harvesters • The Agency • Energy NL • Flat Bay Band • FFAW • Net Zero Project • Tamarack Environmental • Clearwater Seafoods • Oceans North • Member of Parliament • DFO • Town of St. Anthony	28	• Public Session for Feedback on the Proposed Focus Area

Completed Engagement Activities

Last updated: March 15, 2024

*External participants only (i.e., does not include Committee and Secretariat members). Engagement activities with Indigenous peoples will be captured within the IPP.

Date	Activity	Participating Organization(s)	No. of Participants*	Topics Discussed
		• GNPNL • Exxon Mobil • Members of the Public		
September 12, 2023	Virtual Meeting	• Ekuanitshit Legal Counsel • Trades NL • Seafood Producers • Fish Harvesters • Exxon Mobil • Qalipu First Nation • FFAW • Strum Consulting • Camerado Energy • Government of Newfoundland and Labrador • The Agency • East Coast Environmental Law • eDNATec • NRCan • DFO • Member of Parliament • One Ocean • Members of the Public	26	• Public Session for Feedback on the Proposed Focus Area

Completed Engagement Activities

Last updated: March 15, 2024

*External participants only (i.e., does not include Committee and Secretariat members). Engagement activities with Indigenous peoples will be captured within the IPP.

Date	Activity	Participating Organization(s)	No. of Participants*	Topics Discussed
September 14, 2023	Indigenous Knowledge Advisory Group Virtual Meeting	• KMKNO • AECOM (supporting KMKNO) • Keepers of the Circle	3	• Meeting for Feedback on the Proposed Focus Area
September 18, 2023	Fisheries and Other Ocean Users Advisory Group Virtual Meeting	• Fish Harvesters • NRCan • Fisheries advisor for NunatuKavut Community Council • Burin Healthy Oceans Initiative • FFAW • ECCC • EverWind Fuels • One Ocean • DFO • Rhenus Logistics Canada • Wood • Members of the Public	24	• Meeting for Feedback on the Proposed Focus Area

Completed Engagement Activities

Last updated: March 15, 2024

*External participants only (i.e., does not include Committee and Secretariat members). Engagement activities with Indigenous peoples will be captured within the IPP.

Date	Activity	Participating Organization(s)	No. of Participants*	Topics Discussed
September 19, 2023	Scientific Information and Community Knowledge Advisory Group Virtual Meeting	• Parks Canada • Sabik Offshore • Fish Harvesters • Energy Consultant • FFAW • DFO • Oceans North • JASCO Applied Sciences • Rhenus Logistics • East Coast Environmental Law • EcoNext • Worley • FFAW • NRCan • Members of the Public	18	• Meeting for Feedback on the Proposed Focus Area
September 22, 2023	Public feedback period closed.	• Open to all		• Posted Proposed Focus Area Document to Registry and welcomed feedback.

Completed Engagement Activities

Last updated: March 15, 2024

*External participants only (i.e., does not include Committee and Secretariat members). Engagement activities with Indigenous peoples will be captured within the IPP.

Date	Activity	Participating Organization(s)	No. of Participants*	Topics Discussed
October 12, 2023	Virtual Meeting	• NRCan	7	• Offshore Wind Forward Planning
October 17, 2023	Virtual Meeting	• ECCC • AECOM • Wood • Rhenus Logistics	10	• Engagement Session with Physical Constraints Experts
October 18, 2023	Virtual Meeting	• ACOD • CIP	2	• Engagement Session with Offshore Wind Developer
October 18, 2023	Virtual Meeting	• eDNATec • NRCan • ExxonMobil • MUN • Department of National Defense	5	• Engagement Session with Physical Constraints Experts
October 25, 2023	Virtual Meeting	• Northland Power	2	• Engagement Session with Offshore Wind Developer
October 26, 2023	Virtual Meeting	• Simply Blue Group	2	• Engagement Session with Offshore Wind Developer

Completed Engagement Activities

Last updated: March 15, 2024

*External participants only (i.e., does not include Committee and Secretariat members). Engagement activities with Indigenous peoples will be captured within the IPP.

Date	Activity	Participating Organization(s)	No. of Participants*	Topics Discussed
November 6, 2023	In-person Open House	• Members of the public	40	• In-person public engagement session (Marystown)
November 8, 2023	In-person Open House	• Members of the public	20	In-person public engagement session (Harbour Breton)
November 16, 2023	In-person Open House	• Members of the public	30	• In-person public engagement session (Corner Brook)
November 17, 2023	In-person Open House	• Members of the public	53	• In-person public engagement session (Stephenville)
December 11, 2023	Email Correspondence	• Advisory Group Distribution List	N/A	• Distributed Effects Table Document for feedback from Advisory Group Members
January 10, 2023	Virtual Meeting	• Government of Newfoundland and Labrador • NRCan • The Agency	11	• Committee's Letter to the Ministers, Priority Assessment Areas and Possible Approaches and Path Forward for the RA

Completed Engagement Activities

Last updated: March 15, 2024

*External participants only (i.e., does not include Committee and Secretariat members). Engagement activities with Indigenous peoples will be captured within the IPP.

Date	Activity	Participating Organization(s)	No. of Participants*	Topics Discussed
January 23, 2024	Virtual Meeting	• Xodus	4	• Xodus' submission on the Effects Table Document
January 24, 2023	Virtual Meeting	• Parks Canada	4	• Clarifications and discussion on Parks Canada Recommendation Report
January 30th, 2024	Virtual Meeting	• Rhenus Logistics	4	• Rhenus' submission on the Effects Table Document
February 11th, 2024	Effects Table Advisory Group Activity	• IK Advisory Group • SI&CK Advisory Group • FOO Advisory Group		• Advisory Group Input Submission for Effects Table Document
February 26, 2024	Virtual Meeting	• Indigenous Knowledge Advisory Group	16	• The Committee had virtual engagement sessions to review their constraints analysis with the Advisory Groups.
February 27, 2024	Virtual Meeting	• Fisheries & Other Ocean Users Advisory Group	35	• The Committee had virtual engagement sessions to review their constraints analysis with the Advisory Groups.

Completed Engagement Activities

Last updated: March 15, 2024

*External participants only (i.e., does not include Committee and Secretariat members). Engagement activities with Indigenous peoples will be captured within the IPP.

Date	Activity	Participating Organization(s)	No. of Participants*	Topics Discussed
February 28, 2024	Virtual Meeting	• Scientific Information & Community knowledge Advisory Group	35	• The Committee had virtual engagement sessions to review their constraints analysis with the Advisory Groups.
February 29, 2024	Virtual Meeting	• Members of the Public	66	• The Committee had virtual engagement sessions to review their constraints analysis with members of the public.
February 29, 2024	Virtual Meeting	• Members of the Public	66	• The Committee had virtual engagement sessions to review their constraints analysis with members of the public.
March 12, 2024	Virtual Meeting	• DFO • Harbour Authorities	12	• The Committee had a virtual engagement session to review their constraints analysis with Harbour Authorities and DFO.
March 13, 2024	Virtual Meeting	• Rhenus	3	• The Committee had a virtual meeting with Rhenus to discuss regulatory affairs associated with Offshore Wind Development.

Appendix C – List of Advisory Group Members

Last Updated: March 15, 2024.
*** indicates new members added since last Plan update**

Indigenous Knowledge Advisory Group Members:

- Patrick Butler - Kwilmu'kw Maw-Klusuaqn Negotiation Office (KMKNO)
- Angelina Franic Mcdonald – Miawpukek First Nation
- Johanna Tuglavina - AnanauKatiget Regional Inuit Women's Association & Keepers of the Circle
- Marie-Eve Desmarais – Communaute Innue de Nutashkuan
- Chris Gosse – Longshoremen's Protective Union (I.L.A.) Local 1953
- Desiree Wolfrey – Keepers of the Circle / ATRIWAI
- Randy Miles – Flat Bay Band
- Charlene Combdon – Qalipu Mi'kmaw First Nation Band

Fisheries and Other Ocean Users Advisory Group Members:

- Kate Hendry – Canadian Coast Guard, Atlantic Region
- Quinn Gallagher - Canadian Coast Guard, Atlantic Region
- Stephenie Landers - Kleinschmidt Associates
- Aaron Mulrooney – Rhenus Logistics Canada
- Candice Cook-Ohryn – Shell Canada Energy / Atlantic Canada offshore Developments (ACOD)
- Chris Pitts - Siem Offshore Canada
- David Long – Siem Offshore Canada
- Mike Kohfal & Tina Northrup – East Coast Environmental Law
- Dave Anglin – Baird & Associates
- Philip S. Bassil – Northgreen Capital, inc
- Patrick Butler - Kwilmu'kw Maw-Klusuaqn Negotiation Office

- Greg Veinott – LeeWay Marine
- Christina Clarke – Natural Resources Canada (NRCan)
- Troy Atkinson – Nova Scotia Swordfishermen's Association
- Gemma Rayner – Oceans North
- Katie Power – Fish, Food & Allied Worker's Union (FFAW-Unifor)
- Kimberly Keats – Fisheries and Oceans Canada (DFO) NL Region
- Daniel J. Fleck – Brazil Rock 3334 Lobster Association
- Chris Gosse – Longshoremens Protective Union (I.L.A.) local 1953
- Gerard Chidley – G & D Fisheries Ltd – Harvesting Sector
- Dante Newold – Royal Greenland Fisheries
- Robert Coombs – Nunatukavut Community Council
- Martin Tremblay – Wood
- Todd Delaney – N/A
- Michael Hingston – Environment and Climate Change Canada (ECCC – EA Program)
- Sam Imbeault – Everwind Fuels
- Eugene Conway - Fish Harvester
- CarolLee Giffin – Department of National Defense
- Troy Hardy – Fish Harvester
- Elizabeth Barlow – St. Alban's, MAMKA
- Randy Miles – Flat Bay Band
- Karl Hodge – Fish Harvester (3PS)
- Delia Warren – Xodus Group
- Vanessa Byrne – Atlantic Groundfish Council
- Darren McQuillan – Barxex Corporation
- Ahmed Derradji – National Research Council of Canada
- Fred Scott – Baird & Associates
- John Salsburry – SPANS
- Ivan Lear – FFAW inshore council member *
- Jamie Barnett – FFAW inshore council member *
- Alfred Fitzpatrick – FFAW inshore council member *

Scientific Information & Community Knowledge Advisory Group Members:

- Jason Day – BBA Engineering and Environmental
- Kate Hendry & Quinn Gallagher – Canadian Coast Guard, Atlantic Region
- Candice Cook-Ohryn – Shell Canada Energy / Atlantic Canada Offshore Developments (ACOD)
- David Long – Siem Offshore Canada
- Mike Kohfal & Tina Northrup – East Coast Environmental Law
- Philip S. Bassil – Northgreen Capital Inc.
- Patrick Butler - Kwilmu'kw Maw-Klusuaqn Negotiation Office
- Greg Veinott – LeeWay Marine
- Christina Clarke – Natural Resources Canada (NRCan)
- Troy Atkinson – Nova Scotia Swordfishermans Association
- Gemma Rayner – Oceans North
- Katie Power – Fish, Food & Allied Workers Union (FFAW-Unifor)
- Kimberly Keats – Fisheries and Oceans Canada (DFO) NL Region
- Chris Gosse – Longshoremen's protective Union (I.L.A) Local 1953
- Gerard Chidley – G & D Fisheries' LTD Harvesting Sector
- Dante Enewold – Royal Greenland Fisheries
- Mike Paulin – Worley Canada Services Ltd
- Todd Ralph – Fugro Canada Corp.
- Grant Humphries – Black Bawks Data Science
- Bruce Martin – JASCO Applied Sciences
- Stewart Erwin – Sabik Offshore
- Scott Dickey – Strum Consulting
- Richard Hendricks – Innu Nation /University of Toronto
- Johanna Tuglavina - AnanauKatiget Regional Inuit Women's Association & Keepers of the Circle
- Ahmed Derradji – National Research Council of Canada
- Ivan Lear – FFAW inshore council member*
- Jamie Barnett – FFAW inshore council member*
- Alfred Fitzpatrick – FFAW inshore council member*

Appendix D – Requests for Advice to Federal and Provincial Authorities and Responses

Last Updated: March 15, 2024

Date	Request or Response & Federal or Provincial Authority	Link to Document on Registry
May 12, 2023	Request for Amendments to Agreement – Federal and Provincial Ministers	https://iaac-aeic.gc.ca/050/evaluations/document/152498
June 29, 2023	Response to Request for Amendments to Agreement – Federal and Provincial Ministers	https://iaac-aeic.gc.ca/050/evaluations/document/152499
August 4, 2023	Request for Advice – Natural Resources Canada	https://iaac-aeic.gc.ca/050/evaluations/document/152787
August 4, 2023	Request for Advice – Environment and Climate Change Canada	https://iaac-aeic.gc.ca/050/evaluations/document/152786
August 4, 2023	Request for Advice – Fisheries and Oceans Canada	https://iaac-aeic.gc.ca/050/evaluations/document/152785
August 29,2023	Request for Advice – Impact Assessment Agency of Canada	https://iaac-aeic.gc.ca/050/evaluations/document/152925
September 19, 2023	Response to Request for Advice – Impact Assessment Agency of Canada	https://iaac-aeic.gc.ca/050/evaluations/document/153056
September 19, 2023	Revised Request for Advice – Fisheries and Oceans Canada	https://iaac-aeic.gc.ca/050/evaluations/document/153055
September 28, 2023	Request for Advice – Impact Assessment Agency of Canada	https://iaac-aeic.gc.ca/050/evaluations/document/153224

Date	Request or Response & Federal or Provincial Authority	Link to Document on Registry
October 4, 2023	Request for Information – Minister of Environment and Climate Change Canada	https://iaac-aeic.gc.ca/050/evaluations/document/153308
October 6, 2023	Response to Request for Advice - Impact Assessment Agency of Canada	https://iaac-aeic.gc.ca/050/evaluations/document/153225
October 18, 2023	Request for Amendments to the Agreement – Federal and Provincial Ministers	https://iaac-aeic.gc.ca/050/evaluations/document/153389
October 18, 2023	Request for Advice – Government of Newfoundland and Labrador	https://iaac-aeic.gc.ca/050/evaluations/document/153309
October 26, 2023	Committee Approval of Extension on Response to Request for Advice – Fisheries and Oceans Canada	https://iaac-aeic.gc.ca/050/evaluations/document/153395
October 31, 2023	Response to Request for Advice – Fisheries and Oceans Canada (First Package)	https://iaac-aeic.gc.ca/050/evaluations/document/153394
November 1, 2023	Response to Request for Advice - Environment and Climate Change Canada (Meteorological Service of Canada)	https://iaac-aeic.gc.ca/050/evaluations/document/153393
November 1, 2023	Preliminary Response to Request for Advice - Environment and Climate Change Canada (Canadian Wildlife Service)	https://iaac-aeic.gc.ca/050/evaluations/document/154689
November 1, 2023	Response to Request for Advice – Environment and Climate Change Canada (Climate Research Division)	https://iaac-aeic.gc.ca/050/evaluations/document/153391
November 15, 2023	Committee Approval of Extension on Response to Request for Advice – Fisheries and Oceans Canada	https://iaac-aeic.gc.ca/050/evaluations/document/153511

Date	Request or Response & Federal or Provincial Authority	Link to Document on Registry
November 16, 2023	Response to Information Request – Minister of Environment Climate Change Canada	https://iaac-aeic.gc.ca/050/evaluations/document/153554
November 22, 2023	Response to Request for Advice – Fisheries and Oceans Canada (Final Package)	https://iaac-aeic.gc.ca/050/evaluations/document/154753
November 24, 2023	Response to Request for Advice – Natural Resources Canada	https://iaac-aeic.gc.ca/050/evaluations/document/154706
February 6, 2024	Request for Advice – Impact Assessment Agency of Canada	https://iaac-aeic.gc.ca/050/evaluations/document/155514
February 6, 2024	Request for Advice – Canada Energy Regulator	https://iaac-aeic.gc.ca/050/evaluations/document/155512
February 13, 2024	Response to Request for Advice - Canada Energy Regulator	https://iaac-aeic.gc.ca/050/evaluations/document/155797

Appendix C: Committee Decision Regarding the Focus Area

Please note this document is posted on the Registry.

Committee Decision Regarding the Focus Area for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador

November 7, 2023

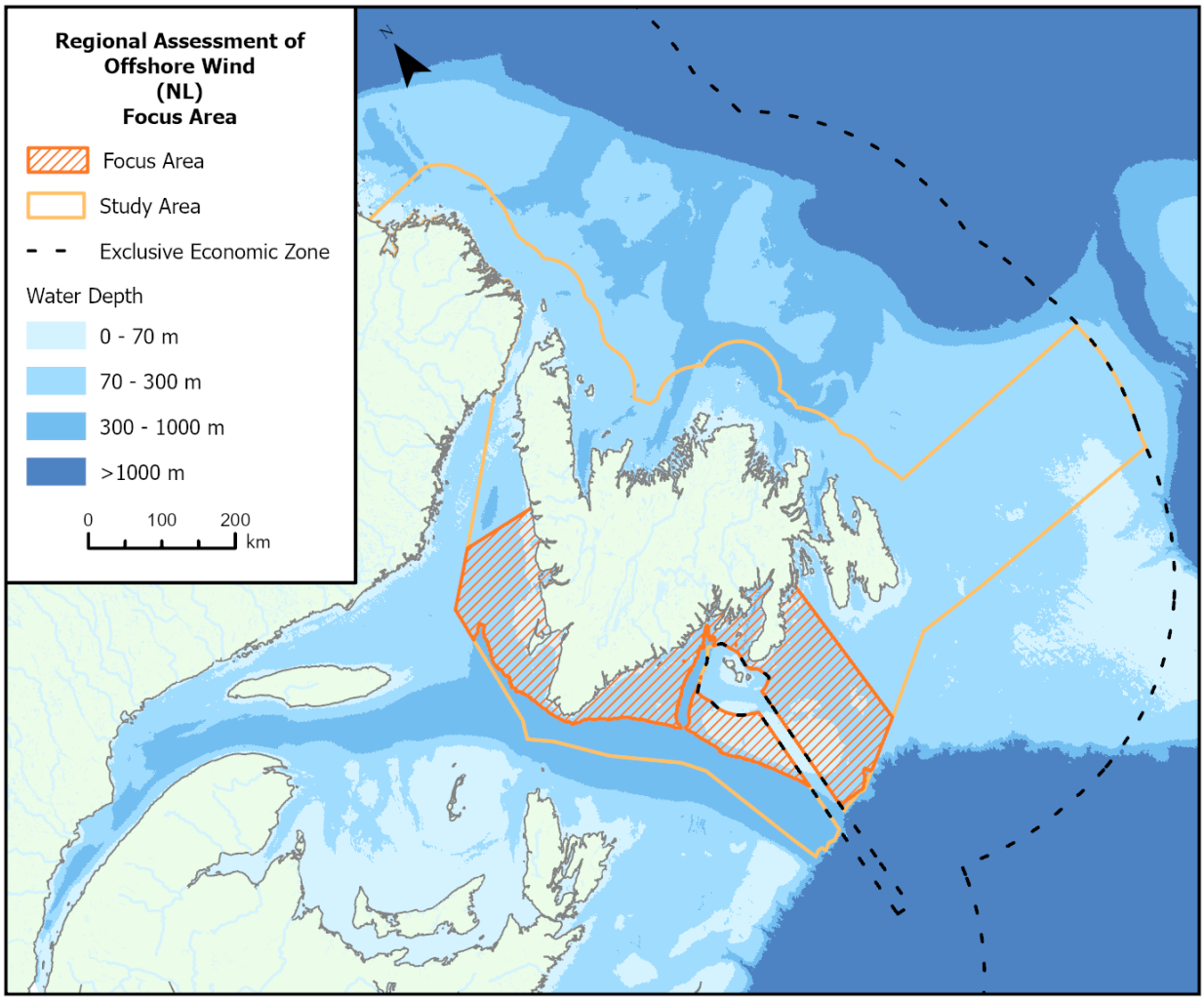
Please note, the Committee is in the process of translating this document. A French version will be posted as soon as possible.

Committee Decision

The Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador (the Committee) is prioritizing the remainder of their work within the Focus Area shown in Figure 1.

Figure 1.

Focus Area for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador



Water Depth data from: GEBCO Compilation Group. (2023). *GEBCO 2023 Grid.* [Dataset] (doi:10.5285/f98b053b-0cbc-6c23-e053-6c86abc0af7b)

Focus Area delineated by the Committee, using data from:

GEBCO Compilation Group. (2023). *GEBCO 2023 Grid.* [Dataset] (doi:10.5285/f98b053b-0cbc-6c23-e053-6c86abc0af7b)

International Ice Patrol. (1995). *International Ice Patrol (IIP) Iceberg Sightings Database*, *Version 1*, *2002-2021.* [Dataset]. Boulder, Colorado USA. National Snow and Ice Data Center. https://doi.org/10.7265/N56Q1V5R. Date Accessed 10-31-2023.

The Committee selected the Focus Area based on feedback received, as well as additional information gathered since initially proposing the Focus Area for public feedback in August 2023. The Committee has determined that **the Focus Area is where offshore wind development (OSW) interest is more likely in the foreseeable future.** The Committee interprets foreseeable to mean there is evidence available now showing OSW is feasible (i.e., technically and economically possible) and likely. The Committee has also determined a precautionary approach should be applied to OSW development where icebergs may be present.

The Focus Area prioritizes where work under the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador (the RA) is most needed at this time. The Committee continues to conduct the assessment (i.e., present information on existing conditions and consider potential impacts of OSW) within the Focus Area. **The Committee is not saying OSW should occur throughout the entire Focus Area, nor is the Committee saying that OSW should not occur at all outside the Focus Area.**

Feedback on the Proposed Focus Area

The Committee announced a Proposed Focus Area for public feedback on August 17, 2023. The Proposed Focus Area includes portions of the Study Area set out in the Agreement to Conduct a RA of Offshore Wind Development in Newfoundland and Labrador (the Agreement). The Committee identified the Proposed Focus Area based on a review of OSW technologies in other jurisdictions and potential technical and economic constraints to OSW in the Study Area, such as icebergs and water depths. The Committee welcomed written comments on the Proposed Focus Area until September 22, 2023. Participants provided comments on the Canadian Impact Assessment Registry (the Registry) and via email to the RA inbox (OffshoreWindNL-EolienneExtracotiereTNL@iaac-aeic.gc.ca). The Committee also held virtual public and Advisory Group sessions on the Proposed Focus Area. The Committee notified the public of these engagement opportunities by posting on the Registry (Proposed Focus Area – We Request your Feedback, Impact Assessment Registry) and via email.

Overall, forty-five participants submitted written feedback and fifty-four participants attended public sessions (held on September 12, 2023). Participants included OSW developers, participants from other industries, fisheries, environmental and research groups, federal and provincial departments and agencies, a member of Parliament, union representatives, Indigenous communities and organizations, municipal citizen's groups and individual members of the public. The Committee held sessions with the Indigenous Knowledge, Fisheries and Other Ocean Users, and Scientific Information and Community Knowledge Advisory Groups on September 14, 18, and 19, 2023, respectively. Attendees included three Indigenous Knowledge Advisory Group members, 9 Fisheries and Other Ocean Users Advisory Group members, and twelve Scientific Information and Community Knowledge Advisory Group members. Members of the public also attended the Fisheries and Other Ocean Users, and Scientific Information and Community Knowledge Advisory Group sessions. Attendees included industry, fisheries, environmental and research groups, federal and provincial departments/agencies, union representatives, Indigenous communities and organizations, municipal citizen's groups and individuals.

The following summarizes feedback received on the Proposed Focus Area. A more detailed, non-attributional summary of written submissions is available in Annex I of this document.

- Support for the Focus Area and/or Focus Area Approach.
- There are potential consequences of prioritizing a Focus Area; the Committee should assess the original Study Area.
    - It limits the scope of the cumulative effects assessment undertaken; and
- The Minister has discretion to exclude OSW projects in the RA Study Area from future impact assessments following completion of the RA. If the Committee does not assess the entire Study Area, any OSW projects proposed outside the Focus Area would not be excluded from future impact assessment.
- Varied agreement/disagreement with criteria used to select the Focus Area, including:
    - Excluding areas based on presence of icebergs and water depths is unjustified;
    - Using icebergs as a constraint is valid but the Committee should not consider depth as a constraint;
    - The Committee should consider future technologies and conditions when defining a Focus Area; and
    - Support for applying a precautionary approach.
- Recommendations to include or exclude specific areas in the Focus Area, and to identify additional Focus Areas;
- Recommendations for additional or alternative criteria that should be used to define the Focus Area, such as:
    - Grid integration, minimum distance from shore, and potential for eventual use;
    - Pack ice;
    - Important ecosystem areas including but not limited to Marine Protected Areas and critical habitats; and
    - Important fishing areas, displacement of fishers, and related economic impacts.
- Recommended information sources, experts to contact, additional information and data and analysis.
- Dissatisfaction with engagement.
- Concerns and information about potential impacts of OSW on environmental, social, health and economic components within the Focus Area.

Throughout October 2023, the Committee also engaged experts to validate their work. The Committee reached out via email to OSW developers and contacts with experience in ice management, and/or monitoring and data in Atlantic Canada (Table 1). The experts were those RA participants and Advisory Group members recommended during the public feedback period, and some experts were already participants in the RA. The Committee also contacted Marine Renewables Canada to request contact information for OSW developers with potential interest in Newfoundland and Labrador (NL). Some OSW developers were already participants in the RA process while others had not yet been engaged by the Committee. The Committee contacted these OSW developers to request meeting to discuss areas of potential interest in NL

Table 1. Meetings with expert parties about the RA Focus Area. The Committee also requested to meet with ABO-Wind, Everwind Fuels, BP, Equinor, EDF, SSE, SBM-Offshore, Hexicon, DP Energy. The Committee held meetings with all parties who responded to their request.

Date	Expert Parties	Feedback Summary
October 17, 2023	• Wood • Rhenus Logistics • Environment and Climate Change Canada (ECCC) • Meteorological Survey of Canada, ECCC • AECOM	• Regarding icebergs, consider data over the past fifty years and use the National Research Council's Iceberg Sighting Database. A twenty-year period may not be reflective of future conditions. • We do not have the science to support notable change in icebergs over the next ten to twenty years because a lot of data is based on opportunistic surveying. Depending on your risk tolerance, we advise planning for extremes. • Icebergs and sea ice are both important considerations and will impact turbines differently. • From an environmental risk tolerance perspective, iceberg collisions with turbines will not have the same level of impact as iceberg collisions with oil and gas platforms. • Examples of vessel strikes in Europe may provide some insight on the impacts of collisions with icebergs. In these cases, you see damage to foundations but no examples of turbines toppling. • Optimal operations & maintenance conditions with a "Walk-to-Work" system are sea states with maximum 5-6 m waves. Sea state plays a bigger role than visibility. • Given the pace at which OSW technology is advancing, considering technical aspects such as depth, icebergs and economics may be better left to developers.
October 18, 2023	• Atlantic Canada Offshore Developments • Copenhagen Infrastructure Partners (CIP)	• Support Committee's approach to defining a Focus Area and agree icebergs and water depth are major considerations for developers. Substrate type is also an important constraint when considering investment and development areas. • OSW development interest in areas with icebergs is highly unlikely in the near future. Developers are considering foundations capable of withstanding pack ice but do not currently intend to operate in areas where icebergs are present. • Advise a more restrictive depth constraint be used to select the Focus Area. OSW development interest in Atlantic Canada will likely focus on fixed technologies in the next 5-10 years (<70 m). While floating OSW can be deployed in deeper waters, fixed technologies are more economical. The only examples of full-scale floating projects have significant financial subsidies. Floating technologies are not currently commercially viable.
October 18, 2023	• Department of National Defense • eDNAtec • C-CORE • National Research Council • ExxonMobil	• Committee should not consider physical and technical constraints. This should be considered by OSW developers and engineers. • Consider more than 20-years of iceberg data. Consider the probability of icebergs in an area, size of icebergs and the success of iceberg management to date for those types of icebergs. • The idea of using OSW to offset emissions in the current offshore oil and gas industry was brought forward. • Assuming icebergs are a threat to offshore development is not valid. The offshore oil and gas sector has been managing and monitoring icebergs for years. • Recommendation to review: https://insight.oilconl.com/ReportViz/Index
October 25, 2023	Northland Power	• It is helpful for the RA to set some parameters for the Focus Area on technical constraints without being prescriptive. • Previous site experience allowed us to avoid ice conditions, but heavy ice conditions are a challenge as it limits year-round access for operations and maintenance. • Nothing we've heard to date deters us from developing OSW in NL, but we are prioritizing NS as an area of interest first.

October 26, 2023	Simply Blue Group	• Committee agreed to keep meeting discussion confidential.

Key Analysis and Considerations

The Committee reviewed all information, data, and views participants provided on the Proposed Focus Area. Some key analysis and considerations are described here. Annex I presents a more detailed summary of the Committee's response to feedback.

The Committee also received information and heard concerns during this process about potential impacts of OSW to environmental, health, social and economic components, and key locations for various RA components. The Committee values this information and will continue assessing these topics over the course of the RA, within the Focus Area.

Validity of Assessing a Focus Area

Some reviewers did not support the Focus Area approach and asserted the Committee should assess the Study Area identified in the Agreement. The Committee believes defining a Focus Area is reasonable, and beneficial in consideration of the required RA outcomes and the Committee's Agreement.

Regarding RA outcomes, one of the goals of the RA is to inform and improve future OSW licencing (Agreement, Section 1.1). To achieve this goal, the Committee intends to provide recommendations about areas that, based on the Committee's work, should or should not be considered for licencing at this time, or that could be considered in the future, subject to certain conditions. Defining a Focus Area brings the Committee one step closer to this objective.

Regarding their Agreement, the Committee understands sections 1.4 and A1.6 of their Agreement to indicate parts of the Study Area may not support OSW and that the Committee could focus efforts in areas which are most likely to see future development interest.

Section 1.4 of the Agreement states:

> "The Study Area comprises portions of the Offshore Area where future offshore wind development activities may be technically and economically feasible, based on current and foreseeable technologies. It does not include or exclude specific locations or features based on potential environmental, health, social or economic effects, in order to allow the regional assessment to provide a complete and fulsome analysis of these issues across this region, to inform future decision-making. For greater clarity, the inclusion or exclusion of specific portions of the Offshore Area in the Study Area does not reflect whether particular locations will or should be subject to future offshore wind development activities.
>
> The Study Area therefore comprises the geographic region within which the regional assessment will help inform future decisions around whether particular locations may be subject to future licencing processes for offshore wind development activities, as well as the impact assessments of any such development activities" (p. 5).

Section A1.6 paragraph e) of the Committee's Agreement further allows the Committee to:

"focus [their] work on areas which are most likely to see future development interest, based on technical and economic factors" (p. 13).

Constraints and Data used to Define a Focus Area

The entire Study Area was considered in the determination of the Focus Area. The Committee reviewed several considerations that could influence OSW development interest throughout the Study Area. As a starting point, the Committee decided to use physical constraints to define a priority area where impacts on other components would be investigated in more detail. Of the physical constraints reviewed (e.g., wind resource, subsea geology, sea ice, and wave height), the Committee found icebergs and water depth were likely among the most limiting for foreseeable OSW development in NL. Not discounting the importance of other physical constraints, the Committee used iceberg presence and water depth to define the Focus Area[39].

Regarding icebergs, no OSW farms currently operate or have been demonstrated to safely operate in areas with icebergs. Some work has been completed to understand the dynamics of ice loads (including pack ice and icebergs) on OSW (Aker Arctic, N.D.; Eranti et al. 2011; Hammer et al. 2023; Fuglem et al. 2022; King et al. 2022; Wang et al. 2022). Regarding these technologies, few projects with foundations built for sea ice are in operation or planned, including the Tahkoluoto wind farm and expansion in the North Sea. The initial project was piloted in 2010 and completed in 2017 as the world's first OSW farm to encounter frozen sea conditions. A demonstration project for a different foundation type, built for deeper waters, is to be implemented in the same area between 2023-2026 followed by the construction of the wind farm extension (The Maritime Executive, 2023). Research on turbine-iceberg interaction is also advancing but work to date is theoretical and based on modelling (Fuglem et al. 2022; King et al. 2022). The Committee is therefore of the view that a precautionary approach should be taken whereby commercial OSW development should not be allowed in regions where icebergs could be present, until demonstration projects provide proof of concept. The Committee has not taken the same stance on areas subject to sea ice at this time, given this technology is further developed.

Regarding water depths, the deepest operating turbine to date is the Hywind Tampen project, in full operations since summer 2023 at depths up to 300 meters (Equinor, 2023). Following this project, deepest floating turbines include the Tetraspar Demonstration Project at a 200-meter test site, and other pre-commercial or demonstration projects at depths no greater than 125 meters (Stiesdal, ND; ABSG Consulting, 2021). Though technically possible, discussions with OSW developers to date (see Table 1 above) suggest floating options may not be commercially feasible at this time and sites suitable for more economical, fixed turbines or concrete gravity-based structures (tested to withstand pack ice) are preferred in NL. Fixed turbines are currently suitable to depths up to 60 meters (ICF, 2020; Tang and Kilpatrick, 2021). The Committee will continue assessing impacts in areas with waters not exceeding 300 meters as demonstrations show they are technically feasible with floating turbines.

[39] The Committee continues to consider other potential effects of the environment on OSW turbines (as required in A2.4 of the Committee's Agreement) within the Focus Area.

In order to complete the constraints analysis, the Committee used data from the Global Bathymetric Chart of the Oceans, GEBCO 2023 and the International Ice Patrol Iceberg Sighting Database Version 1 (IIP), showing sightings from 2002-2021. The Committee also reviewed data from the National Research Council of Canada's Iceberg Sighting Database[40] and across a longer time period. The Committee found inclusion of such data only served to reduce their Focus Area further, and concluded proceeding with the IIP 2002-2021 data would be sufficient for their purposes.

Other Key Areas Recommended

Feedback on the Proposed Focus Area included recommendations to include or exclude specific areas. For example, participants raised concerns about key fishing areas and protected areas. The Committee did not adjust the Focus Area based on these considerations because the Focus does not indicate the Committee recommends OSW occur anywhere throughout the Focus Area. Instead, the Focus Area is where the Committee will focus their detailed analysis for identifying potential areas for OSW licensing, and their detailed assessment of effects.

Feedback also suggested inclusion of sites around offshore oil and gas platforms. Work completed by Growler (2022) and Paulin et al. (2022) evaluate options for electrifying offshore oil and gas platforms and show OSW is being considered. However, both reports also present conclusions regarding challenges with icebergs and deep waters. In a Strengths, Weaknesses, Opportunities, and Threats analysis for OSW, Growler notes:

> "While floating wind technology has improved, wind location sites for the current project are in very deep waters with high sea states and ice infestation. In general terms, these are conditions that push the current design envelope for offshore wind." (p. 94).

Paulin et al. (2022) similarly states:

> "To develop an economical ice resistant floating wind turbine foundation, additional research, engineering, and proof of concept work would need to be carried out." (p. 10).

[40] The Committee reviewed data provided to them by the National Research Council, including, the NRC-PERD Iceberg Management Database, version 2019; NRC-PERD Iceberg Shapes Database, version November 2014; and the NRC-PERD Iceberg Sighting Database, version 2020 version.

Conclusions and Recommendations

Committee deliberations on whether to proceed with the Proposed Focus Area included in depth discussions about:

- the appropriateness of defining a Focus Area, in the context of the RA Agreement;
- whether presence of icebergs and water depth exceeding 300 meters are reasonable constraints to define the Focus Area;
- the specific iceberg datasets that should be used; and
- whether additional focus areas should be defined to include specific locations, such as existing and planned offshore oil and gas platforms, despite the presence of icebergs and deep waters.

The Committee revisited information on OSW from in other jurisdictions, and information and views provided by the public and expert parties.

Conclusion 1: The Committee concluded defining a Focus Area is justifiable given the requirements and allowances in their Agreement and TOR, and that focusing their work where OSW development is most likely in the foreseeable future is favourable.

Conclusion 2: The Committee concluded while OSW technology is rapidly advancing to accommodate deeper waters and research and development for turbines in the presence of icebergs is a local priority, this remains a challenge for current technologies. The Committee concludes a precautionary approach should be exercised as work in these areas has not progressed to a degree where the Committee can confidently recommend full-scale OSW development in areas where these constraints are present.

Conclusion 3: Finally, the Committee concluded the IIP Iceberg Sighting Database with data from 2002-2021 provides a sufficient picture of icebergs in the region for the purpose of defining a Focus Area.

The Committee did not reach a consensus on Conclusion 2. One of five Committee members concluded that the Focus Area should be expanded to include areas in proximity to the four oil producing platforms located in the Jeanne D'Arc basin in water depths of approximately 80 m. The Committee member also concluded that any OSW development within this area would be subject to detailed project-level assessments which would provide a risk assessment of ice encounters within the area and information on ice management planning, including a history of ice management by oil producing operators and how ice management would include the OSW operations.

Recommendations

The following recommendations pertain to areas within the Study Area but outside the Focus Area.

1) The Committee recommends regulators exercise a precautionary approach and do not recommend licencing areas for OSW development where icebergs may be present until the potential implications of collisions with icebergs are better understood, and demonstration projects provide proof of concept.

2) The Committee recommends regulators revisit areas where waters exceed 300 meters when and if developers indicate interest in these areas.

3) The Committee recommends continued research and development regarding OSW turbines under these conditions.

4) The Committee recommends continued research and development be prioritized in areas where current/proposed offshore oil and gas platform operators have confirmed that they are considering OSW as an option for offsetting emissions. These areas will not be given further consideration in this RA as the Committee has no indication of any such projects (current or proposed).

5) The Committee recommends the Minister of Environment and Climate Change does not exclude proposed OSW projects within the RA Study Area from future project-level impact assessments, including at sites beyond the Focus Area.

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Annex I – Summary of Feedback Received

The table below provides a summary of written submissions received during the Proposed Focus Area feedback period (August 17 – September 22, 2023). Full submissions are available on the RA Registry site, subject to the Committee's confidentiality procedures.

Summary of Comments	Committee Response
The Committee should/should not define the Proposed Focus Area.	
Assess the original Study Area for the following reasons: • The RA will have greater long-term value if it provides a baseline cataloguing of conditions and assesses suitability of OSW across the Study Area. Excluding areas from further study will require governments to begin this work again; • It is unknown when and if another RA would take place to scope areas not included in this initial study. We encourage the Committee to avoid limiting that area now; • Developments outside the Focus Area will be at a disadvantage for not having the same data collection, knowledge creation and assessment consideration as other areas; • Reducing the Study Area will communicate a confusing message to prospective developers and investors on what opportunities exist for OSW development; • Reducing the size of the area being assessed for potential OSW development would provide fewer options for potential OSW development and heighten the risk of conflict with current ocean-users; • The Committee's mandate does not task them with licencing decisions or with excluding certain areas from possible licencing. In general, it should be up to future developers/ investors to determine what's feasible in terms of water depths, wind speed and ice prone areas.	The Committee's Agreement and TOR allows them to focus the RA where OSW development interest is most likely. The Committee met with OSW developers throughout October 2023 to discuss the validity of their Focus Area approach, and developers confirmed shallower areas without icebergs would be prioritized in the foreseeable future. The Committee's process does not involve licencing decisions. The Governments of Canada and NL are currently planning a joint management regime for offshore renewable energy in NL. The forthcoming regulatory framework will dictate the process for licencing. One of the goals of the RA is, however, to inform and improve future licencing. To achieve this goal, the Committee intends to recommend areas within the

	Focus Area for licencing, after considering potential impacts of OSW on environmental, social, health and economic components. The Committee recommends locations outside the Focus Area not be proposed for licencing at this time.
If the purpose of this Focus Area is to permanently remove the areas outside the Focus Area from consideration, then we find it to be unreasonably restrictive.	The Focus Area approach prioritizes where the Committee will scope their work under the RA process. The Committee recommends regulators revisit areas for OSW as technologies advance.
The Proposed Focus Area allows for a more informative assessment. • Expert departments supporting the assessment can concentrate their analysis on areas of greatest relevance. • A Focus Area would help focus resources on the most prospective OSW areas around the province. The Study Area is too large for an informative assessment to be completed with the available timeframe.	The Committee acknowledges concerns about the geographic scope and timeframe for completing the RA. The Committee agrees an assessment of a Focus Area is a manageable scope. In October 2023, the Committee also submitted a letter to the Ministers requesting amendments to their Agreement to address scope and timeline challenges. The request is publicly available on the RA Registry site here.
Many areas within the full Study Area will be excluded from cumulative effects assessments and other important assessment measures that were intended for this RA.	The Committee intends to recommend future regional assessments or other similar studies be carried out in areas excluded from the Proposed Focus

	Area before such areas are opened for OSW development.
The Committee's recommendations will not limit OSW developments to the areas or sites deemed most suitable by the Committee. It is crucial that the Committee develop formal recommendations indicating future RAs or other similar studies be carried out in areas excluded from the Proposed Focus Area before such areas are opened for OSW development. We understand the Committee is already contemplating such recommendations, from our participation in public engagement sessions and Advisory Group meetings.	As indicated, the Committee is considering such recommendations.
Following consideration of a RA, the Minister of Environment and Climate Change has the discretion to create a regulation allowing for the exclusion of OSW projects from impact assessment, if specific conditions are met. It is important for the Committee to recommend that, in a scenario where regulations are used to exclude OSW developments from impact assessments, that a condition for exclusion must be that a future RA or other similar studies be carried out in any areas originally excluded from the Proposed Focus Area.	The Committee recommends the Minister of Environment and Climate Change does not exclude proposed OSW projects within the RA Study Area from future project-level impact assessments, including at sites beyond the Focus Area.
Feedback about the approach and criteria used to define the Focus Area.	
The Committee seems to be identifying areas where OSW would cause serious or even irreversible damage to the environment, taking note that OSW development in Canada is a new industry, and is thus taking measures to prevent environmental degradation. We support the application of a precautionary approach in this manner. This approach aligns with the purposes and requirements of the *Impact Assessment Act* and has received support from courts across Canada. We encourage the Committee to think about additional ways that a precautionary approach can shape the Committee's analysis of environmental and socio-economic factors within the Proposed Focus Area and inform its conclusions and recommendations.	As indicated, the Committee is applying a precautionary approach. The Committee recommends regulators exercise a precautionary approach and do not recommend licencing areas for OSW development where icebergs may be present until the potential implications of collisions with icebergs are better understood, and demonstration projects provide proof of concept.
The Focus Area should include deeper waters. 80% of the world's OSW potential is in depths of 60+ meters where floating technologies would be required. Floating OSW technologies are suited to water depths up to 1000+ meters	The deepest operating OSW turbine to date is the Hywind Tampen project located in an area with depths up to 300 meters (Equinor, 2023a). Lease

and there are established lease areas in the United States (Oregon and California) that exist in water depths that are mostly greater than 300 meters. The technology continues to evolve to help unlock deep water sites.	areas at depths greater than 300m have not been established in Oregon. The Bureau of Ocean Energy Management identified draft energy areas for public review in August 2023. These areas are in the Coos Bay Call Area and Brookings Call Area where depths range from 120-220m and 125-340m respectively (BOEM, 2023). The Committee recognizes some lease areas, including deeper waters, were awarded in California in 2022. These are the first floating OSW leases issued in the United States. Projects in these lease areas are in early development stages and are some developers' first-ever awarded commercial scale floating wind projects (Perkins Coie, 2022; Golden State Wind, 2023; Equinor, 2023b; Energy Watch, 2022; RWE, 2023; BOEM 2022). Further, based on discussions with OSW developers expressing interest in NL, The Committee understands areas in deeper waters would not be prioritized in NL in the foreseeable future. The Committee recommends regulators revisit areas where waters exceed 300-meters when and if developers indicate interest in these areas.

It is important to consider OSW development beyond a 10-year outlook. With the rapid increase in OSW deployment over the preceding decade, as well as the related advances in turbine size and output, it is possible that technology may be developed which could address the challenging factors identified by the Committee.	Focusing efforts where OSW is expected in the foreseeable future aligns with the Agency's approach to reviewing requests for RAs. The Operational Guide: Requesting a Regional or Strategic Assessment under the *Impact Assessment Act* indicates the Agency considers whether a RA could inform future federal impact assessments when making recommendations about proposed RAs, and specifically asks requesters to answer, "is large scale development, including potential designated projects under the Act, expected in the next 5-10 years in the region?".
The Committee should reduce the Focus Area further. By including areas of water depth up to 300 meters, the Proposed Focus Area implies that floating OSW will be considered for development in the next decade which is unrealistic. As a global pioneer in floating OSW with a multi-gigawatt portfolio of floating projects under development, we hold strong conviction about the eventual technical, economic, and environmental feasibility of floating OSW. However, in jurisdictions where fixed bottom feasible seabed remains available, the cost premium, technical complexity, and longer schedule lead-time of floating OSW places it at a significant disadvantage. Currently, the economical and technically feasible water depth limit for fixed bottom OSW is approximately 65 meters. NL have considerable shallow seabed areas under this threshold available that would enable fixed bottom OSW development. Furthermore, these seabed areas will accommodate more OSW capacity than required to serve the industrial load than can be reasonably expected in the next decade.	The Committee notes the increased likelihood of deploying fixed-bottom turbines and the additional depth constraints this imposes. The Committee proceeded with including areas with depths up to 300 meters in their Focus Area because current technologies demonstrate this capability.
The Committee seems to have narrowed its review to present day OSW turbine experience in sea-ice prone regions (not icebergs) as opposed to considering technology limitations. This was short sighted since presently there has been no requirement for such developments and has led to a false perception of the term "harshness" used to describe our region. Excluding areas based on iceberg risk is not adequate and is based on an incomplete data review with no local environmental context. Depending on the location, iceberg occurrence may not be a design	No OSW turbines have been tested or deployed in areas with icebergs to date. The Committee is exercising a precautionary approach by recommending full-scale OSW does

constraint, as documented in King et. al. (2022), an award-winning best paper at OTC 2022. On the premise of safety, the probability of iceberg impact with a single turbine is so low that it may not need further consideration. Wind turbines are already designed for loads such as waves and ship impacts, so ice only becomes a consideration once the ice loads exceed these other loads. A preliminary analysis of iceberg impact loads corresponding to an acceptable return period (i.e. 50 years) can be conducted for the entire region using the approach outlined in King et al. (2022). Further, King and Turnbull (2022) show how conditions are changing and illustrate a reduction in seabed risk by an order of magnitude (10x) over the last 20 years, a trend that according to experts will continue. Much of the required data is already documented in the Insight database, freely available on-line (Turnbull et al., 2023), which covers the entire offshore NL region.	not proceed in areas with icebergs until demonstration projects provide proof of concept. The Committee is not suggesting these areas should be excluded indefinitely but is strategically focusing its work where OSW development is proven possible and most probable to occur. The Committee recommends continued research and development regarding OSW turbines under these conditions.
Data on iceberg sightings go back to the 1600s and come from a variety of sources. Some cut-off has to be made on which years to use; I note that for the initial Focus Area the last 20 years are used – it would be good to compare with iceberg sighting locations for earlier years, if it has not already been done. Furthermore, the Focus Area analysis only included icebergs with size classification of “medium” and larger – but even bergs classified as “small” are likely to be much larger than what an OSW turbine could handle in terms of structural loading.	In order to complete the constraints analysis, the Committee used data from the International Ice Patrol Iceberg Sighting Data Base Version 1 (IIP), showing sightings from 2002-2021. The Committee also reviewed data from the National Research Council (NRC) of Canada’s Iceberg Sighting Database and across a longer period. The Committee found inclusion of such data only served to reduce their Focus Area further and concluded proceeding with the IIP 2002-2021 data would be sufficient for their purposes. Regarding the inclusion of icebergs classified as medium or larger, this decision was made in consideration of the following factors: • Some modeling done by c-core seems to indicate floating

	structures can withstand impacts of smaller icebergs. • In the IIP database, icebergs that did not have size estimated at the time of sighting were classified as medium, therefore the category does contain some icebergs from categories below medium. • Given the information gathered from developer meetings it appears that they currently have no intention of placing wind farms in iceberg prone waters or placing a high priority on development of the technology. The current economic crises in the industry also will prevent moving this technology forward or provide a business case for development in iceberg prone waters.
Locations and amount of icebergs may change due to climate change. This may be the case, in particular, around the southeast coast of NL spanning from Placentia Bay to Conception Bay.	The Meteorological Service of Canada (Environment and Climate Change Canada) indicated data gathered on iceberg sightings in NL is opportunistic, and analysis of the data does not indicate any clear trends of change in iceberg locations or amount in the next several years.
For the "Wave Height" constraint, we suggest that – if not already factored in – the wave height analysis be mindful of new trends in increasing severe storms in the Northwest Atlantic, which are believed by many scientists to be fueled by climate change.	The Committee has proceeded to define the Focus Area based on icebergs and water depth only.
The constraints and parameters used to determine the Proposed Focus Area is generally sound. We also agree with the Proposed Focus Area because other factors should exclude offshore Labrador as a site for future OSW, including	The Committee acknowledges the importance of other factors when

Marine Protected Areas, Ecological Reserves, ecologically or biologically significant areas (EBSAs), salmon rivers, important estuaries, vessel traffic corridors that are essential for mobility between, recreational use areas, and important landscapes. We understand these will be considered during subsequent stages of the RA, and we intend to provide detailed comments concerning those factors and more at the appropriate time in the process.	considering areas for OSW development. The Committee will consider those listed, and potential impacts on other environmental, social, health and economic components over the course of the RA and before providing further recommendations relevant to licencing.
We would like to express our support for the Committee's decision to employ a precautionary approach in this assessment. It is important that this process considers the long-term health and integrity of our marine environment, and we strongly encourage the Committee to continue this approach and exclude existing and proposed Marine Protected Areas (MPAs), SARA Critical Habitats and other important ecological areas from the Proposed Focus Area.	The Committee will continue considering these factors as work on recommendations for licencing areas progresses.
The Committee should consider the implications of wind integration into the existing grid and potential use of OSW on a Focus Area. Potential uses include domestic electricity, electrification of offshore oil and gas facilities, onshore hydrogen production and offshore hydrogen production. The selection of regions for addition to or removal from the Proposed Focus Area should also be based on including multiple sites, cumulative effects, knowledge acquisition for current and foreseeable technologies, emissions reductions, economies of scale, and mainland interconnection.	The Committee's Agreement defines OSW activities and indicates It does not include the associated and eventual use of the electricity produced by that OSW power generation facility. On May 31, 2023 the Committee met with the Agency to request clarification on the required scope of the RA. The Agency clarified the eventual use of OSW is outside of the Committee's scope.
Some participants suggest the Committee consider other physical constraints. For example: • Consider wind resource suggested by the Global Wind Energy Atlas and other reanalysis data sources, icing conditions and resulting production loss, sea ice and completing a foundation feasibility study before recommending optimal areas for licencing. • Consider pack ice in the next iteration of the Focus Area. During winter, wind turbines off the northwest coast of NL will encounter high concentrations of sea ice. The sea ice is very dynamic in the region with active ridging.	The Committee values this information and will continue their constraints analysis on the Focus Area to eventually finalize their recommendations for licencing areas. The Committee intends to recommend areas for licencing, within the Focus Area, in considerations of impacts to

	environmental, health, economic and social conditions. The Committee will also consider the effects of the environment on potential OSW, as set out in the Agreement.
Consider minimum distance from the coast, or minimum distance from particular areas of interest. Visual impacts from the coast are generally a concern, and many jurisdictions have addressed this with fixed minimum distances from shore or minimum distances from areas of interest (ie. Coastal communities, national parks, etc.).	As per their Terms of Reference, the Committee is considering potential impacts of OSW to visual aesthetics and viewscapes including measures to address them. The Committee will consider buffer zones as a potential option.
ECCC reviewed the Proposed Focus Area in light of the technical constraints and parameters identified by the Committee. They provided the following expertise: • Based on the MSC Wave Atlas Map, average annual wind speed would exceed 7 m/s at a height of 100 m • Results from the MSC50 hindcast dataset show limited locations within the Focus Area where wave height does not exceed 2 m 80% of the year • Disagree with the north-west boundary of the Focus Area if the absence of icebergs is a criterion for development. Data from IIP Iceberg Sightings database shows the presence of large and very large icebergs off the west coast of NL. Further, most of the sightings in the Focus Area are from this source come from a 2017 surveillance flight. We recommend to include the National Research Council (NRC) of Canada's Iceberg Sighting Database in your review. The NRC database includes IIP sightings as well as sightings from other sources (e.g., Government of Canada, offshore oil and gas industry). We also recommend you Increase the 20-year period used for the analysis to a 50-year period. There is supporting evidence to consider a longer time-period as we do not see a notable decrease in the number of icebergs crossing 48N and long-term changes in the spatial distribution of icebergs is not well documented.	The Committee proceeded with defining the Focus Area based on icebergs and water depth only. Following ECCC's submission the Committee reviewed data from the National Research Council (NRC) of Canada's Iceberg Sighting Database and across a longer period. The Committee found inclusion of such data only served to reduce their Focus Area further and concluded proceeding with the IIP 2002-2021 data would be sufficient for their purposes. As per their Terms of Reference the Committee will continue to consider potential effects of the environment on OSW, such as sea state and significant wave height, within the Focus Area. Since initially proposing the Focus Area, the Committee understands 'Walk to Work'

	systems may accommodate greater significant wave height.
We understand the Committee is continuing to consider other factors to inform future planning, licencing and impact assessment processes. For continued consideration, we note: • the Focus Area overlaps with established ferry routes for Marine Atlantic Inc. between North Sydney, NS and Port aux Basques and Argentia, NL. • consider existing traffic separation schemes (TSS) (e.g. shipping lanes) in and around Placentia Bay. Transport Canada's continued participation will provide us an opportunity to comment and inform the RA at a later date, if necessary.	The Committee has requested transportation route buffers from Transport Canada, which they are actively looking into. The Committee will continue engaging with Transport Canada and other Federal and Provincial Authorities as required on their expert knowledge of their mandated subject matters.
Does Committee intend to request the Ministers amend the Agreement to change the Study Area?	The Committee does not intend to request the Ministers amend the Agreement to change the Study Area. The Committee has asked the ministers to confirm the Focus Area approach aligns with the RA Agreement. The Committee's request Is publicly available here.
Based on public outreach to-date, we have learned that the Committee intends to carry out sequential constraints analysis to identify suitable areas for development as part of the RA process. This approach is valid, but we also recommend that the Committee considers simultaneous constraints analysis in addition to sequential analysis.	The Committee recognizes the validity of both approaches. Currently, the Committee plans to continue using a sequential approach.
The Committee's approach is antiquated and lacks details and references. The Committee should use / build upon the GIS tools developed for the RA of Offshore Oil Exploratory Drilling (the first RA) and OilCo NL. They declined ICI's offer to present their software and its use in EAs.	The Committee appreciates that a static map may be viewed as antiquated. However, it allowed for a timelier publication of this information. Use of a static map at this stage does not mean the Committee is not considering other means of sharing

	information as the RA progresses. The Committee is currently evaluating existing federal government open access systems for RA use. The Committee is aware of the tools consultants have developed for the local oil and gas industry. The Committee is also aware that the CNLOPB, not the Agency, is taking ownership of the tool developed for the first RA and incorporating that data and select functions into the CNLOPB's existing data hub. Unlike the Agreement for the first RA, the Agreement for this RA does not require development of a GIS. This Committee has not been directed by the Ministers to build upon the GIS tool developed for the first RA. The Committee declined the offer as the Committee felt it inappropriate to meet with a potential future service provider in the event the Committee held a procurement process for GIS / data services later in the RA process.
Several commenters reviewed the Focus Area and indicated they have no comments or concerns.	Noted.
Additional areas to include in the Focus Area	
The Proposed Focus Area is adjacent the Traditional Territories of the Mi'kmaq people of the Qalipu First Nation. Highest use includes from Bay of Islands south to Codroy Valley, and the Burgeo area on the southern shore. These	The Committee values Indigenous and community knowledge and is mandated to consider both in the RA.

areas should remain included in the Focus Area and the Committee should engage with QFN regarding appropriate buffering from the shoreline and development planning.	We welcome your input on appropriate buffers. We are planning in-person engagement in mid-November and have been in touch with QFN and other Indigenous groups to organize in-person meetings.
Unless an operator such as ExxonMobil will not require a license to develop OSW power (i.e. to support existing facilities) the Focus Area should be expanded to include offshore oil and gas areas. OSW could be used to electrify platforms and excluding these areas could delay OSW development for offshore electrification to at least 2040. By that time, global fossil fuel extraction will need to be highly decarbonized, and markets for emissions intensive hydrocarbons from NL may be less available and less lucrative., then the region must be expanded. A case could be made to include the Jeanne d'Arc region, prospective oil and gas areas of the Orphan Basin and Flemish Pass, and regions included in the insight (2022) database. There is also potential for a significant discovery at the Blue Jacket site off the southern tip of the Grand Banks, an area not even considered in the originally proposed study. Reference: Insight (2022). https://insight.oilconl.com/, Oil and Gas Corporation of NL (Oilco). Accessed August 29, 2023.	On September 28, 2023, the Committee requested clarification from the Impact Assessment Agency about requirements for impact assessments in these cases. The Agency's response is publically available on the RA's Registry site here. The Committee has received no evidence from developers indicating they plan to use OSW to decarbonize oil and gas facilities and has not been presented sufficient evidence to prove it will be feasible in the foreseeable future, given the depth and iceberg conditions outside the Focus Area. The Committee understands the potential for this use when technology advances and has recommended future work in those areas.
The Committee received several recommendations to include specific areas in the Focus Area: • Include the entirety of Placentia Bay and south to the limits of NL waters. These areas may have competitive OSW siting potential, with features including limited sea ice, competitive winds, and competitive water depth. Furthermore, this area could have potential proximity to hydrogen projects both on Burin Peninsula and near Come by Chance.	The Committee values these suggestions. Following meetings with OSW developers in October 2023, the Committee finds the Focus Area appropriately identifies areas of most

• Given the high wind speeds and low bathymetry in the Grand Banks, we would like to suggest investigating this area further. Climate change may significantly reduce the risk associated with icebergs and based on experience in Europe, fishing community-related impacts might be lesser than anticipated. • From a geological and bathymetric perspective, the “Straight Shore” (Musgrave Harbour to Cape Freels, District 8) merits remaining in consideration. Similarly, the south shore of Avalon also should remain in consideration, for similar reasons. There are suitable sediments and water depths to support gravity base foundations in these regions, which match the ice-resistant foundation type tested and deployed in Finland in the Baltic Sea. • The Focus Area should include coastline in and adjacent to Sandwich Bay and Sir Charles Hamilton Sound. These areas have nearshore ocean water depths that are sufficiently shallow (< 50m) to permit fixed OSW turbines, iceberg sightings that are rare, mean wind speeds above 8 m/s at 80m hub heights and adjacent onshore areas that are accessible by road permitting siting of fabrication facilities and laydown areas. • Maritime Transmission Link and Labrador Island Transmission Link were both completed in 2018. A cluster of projects on the Western tip and around Stephenville would be most attractive considering proximity to transmission lines. Limited transmission availability also suggests necessity of hydrogen exports.	interest and where the Committee should focus its continued work. The Committee recommends further research and development regarding OSW turbines subject to potential impacts of icebergs and in water depth exceeding 300 meters. The Committee recommends prioritizing this work where current/proposed offshore oil and gas platforms have confirmed that they are considering OSW as an option for offsetting emissions.
Suggested resources and expertise.	
Before finalizing a Focus Area, we recommend the Committee retain appropriate expertise from government and/or the private sector to: • review and summarize the literature pertaining to the potential effects of pack ice and icebergs on fixed and floating offshore wind turbines. • assist the Committee in finalizing the Focus Area and identifying appropriate mitigation measures based on expertise in the design and construction of offshore structures.	The Committee acknowledges advancements in research and development regarding the potential effects of pack ice and icebergs on OSW turbines. In October 2023, the Committee held additional Physical Constraints meetings and met with several OSW developers before finalizing the Focus Area. The Committee maintains a precautionary approach should be applied until demonstration projects provide proof of concept. The Committee may consider consulting parties with OSW design expertise when considering appropriate mitigation measures.

Feedback included the following references for Committee review: Bureau of Ocean Energy Management. (n.d.-a). Gulf of Maine Task Force Meeting—May 19, 2022. Retrieved September 29, 2023, from https://www.boem.gov/renewable-energy/state-activities/maine/gulf-maine-task-force-meeting-may-19-2022 Bureau of Ocean Energy Management. (n.d.-b). Lease and Grant Information. Retrieved September 29, 2023, from https://www.boem.gov/renewable-energy/lease-and-grant-information Bureau of Ocean Energy Management. (2023). Gulf of Maine. https://www.boem.gov/renewable-energy/state-activities/maine/gulf-maine Eamer, J. B. R., Shaw, J., King, E. L., & MacKillop, K. (2021). The inner shelf geology of Atlantic Canada compared with the North Sea and Atlantic United States: Insights for Atlantic Canadian offshore wind energy. Continental Shelf Research, 213, 104297. https://doi.org/10.1016/j.csr.2020.104297 Eamer, J., Shaw, J., King, E. L., & Mackillop, K. (2020). Seabed conditions on the inner shelves of Atlantic Canada. Geological Survey of Canada. https://www.researchgate.net/publication/344164288_Seabed_conditions_on_the_inner_shelves_of_Atlantic_Canada Federal Ministry for Economic Affairs and Climate Action, Germany. (2023). BMWK. https://www.bmwk.de/Navigation/EN/Home/home.html Fuglem, M., Shayanfar, H., Liu, L., King, T., Paulin, M., C-CORE, & Intecsea. (2022, June). Evaluation of floating offshore wind turbine platforms with respect to iceberg impacts. 26th IAHR International Symposium on Ice, Montreal Canada. https://www.iahr.org/library/infor?pid=22114 Growler Energy. (2022). Barriers and Opportunities to Offshore Renewable Energy Electrification, A Strategic Risk-Based Approach.https://energyresearchinnovation.ca/wp-content/uploads/2022/10/E010_Growler-Energy-FINAL-2-Redacted-Version-POST.pdf	The Committee reviewed and considered all recommended information sources.

Josenhans, H. (2007). Atlas of the marine environment and seabed geology of the Gulf of St. Lawrence (Open File 5346; p. 142). Geological Survey of Canada. https://doi.org/10.4095/222864 King, E. L. (2014). Quaternary unconsolidated sediment thickness on the Grand Banks of NL and northeast NL Shelf; a GIS database (Open File 7513; p. 44). Geological Survey of Canada. https://doi.org/10.4095/295113 King, T., Ralph, F., Fuglem, M., Stuckey, P., Thijssen, J., Turnbull, I., Huang, Y., Talimi, V., Liu, L., Yulmetov, R., Shayanfar, H., Howell, M., & Paulin, M. (2022, April 25). Ice Risk Analysis for Floating Wind Turbines, Offshore NL. Offshore Technology Conference. https://doi.org/10.4043/31716-MS King, T., & Turnbull, I. (2022). The Changing Iceberg Regime and Links to Past and Future Climate Change Offshore NL. The Journal of Ocean Technology (JOT), 17(3), 38–60. Paulin, M., Humby, D., Cooke, N., & King, T. (2022). Evaluation of Floating Wind Technology to Reduce Emissions in NL's Offshore Hydrocarbon Industry. Day 3 Wed, May 04, 2022, D031S031R009. https://doi.org/10.4043/32002-MS Turnbull, I. D., King, T., White, M., & Gillis, E. (2023, June 19). Insight: A Metocean and Ice Climatology Database for Offshore NL. The 33rd International Ocean and Polar Engineering Conference. https://dx.doi.org/	
The Hibernia and Hebron Projects are conducting a joint R&D study to assess the potential wind resource and the feasibility of using wind generated power to supplement current power generation. The C-NLOPB 2022 emissions report (https://www.cnlopb.ca/wp-content/uploads/emrep/emrep2022.pdf) published that this is an ongoing study. Information generated by this study could be useful for the Committee, however this study is subject to confidentiality provisions.	The Committee responded by providing information about their confidentiality process. The commenter did not follow up with a submission.
Recommend requesting and considering the National Research Council (NRC) of Canada's Iceberg Sighting Database and the MSC50 Wind and Wave Climate Hindcast dataset.	The Committee contacted the National Research Council requesting NRC's Iceberg Sighting Database. NRC provided access and also confirmed their membership on the RA's Scientific Information and Community Knowledge Advisory Group.

Recommend engaging the Government of Alberta about the circumstances that have contributed to its pause of wind development in the province and to consider whether any of the factors influencing their decision should apply to NL.	Noted.
The following organizations/groups may have additional information with respect to the Focus Area and the constraints analysis conducted: • Energy NL • The Canadian Association of Petroleum Producers • Marine Renewables Canada • Indigenous Groups • One Ocean • Fisheries Groups (e.g. Fish Food and Allied Workers Union, Association of Seafood Producers, Ocean Choice international, Atlantic Groundfish Council • Port of Argentia • Seismic Operator • EcoNext • C-Core	Throughout October 2023, the Committee engaged experts to validate their work. The Committee reached out via email to contacts with potential expertise in OSW development, ice management, and/or monitoring and data in Atlantic Canada to arrange meetings. The Committee considered all experts suggested during the public feedback period, and by Advisory group members. The Committee also contacted Marine Renewables Canada to request information on OSW developers who may be interested in developing OSW in NL and requested to meet with said developers.
Encourage the Committee to participate in the Canadian Association of Petroleum Producer's 2023 NL Offshore Environmental Forum on November 20-21, 2023. The forum will have a variety of sessions on a number of topics including spill prevention and response, new technology/emerging research, understanding and mitigating potential impacts of oil and gas on marine life, seabirds, and emissions reduction progress/research and updates from research organizations.	Noted.
The C-NLOPB would be pleased to provide relevant and shareable information from other jurisdictions as it becomes available. C-NLOPB representatives participated in an OSW study tour organized by the Canada-Germany partnership. Details on Germany's experience with OSW can be found at https://www.bmwk.de/Navigation/EN/Home/home.html	The Committee welcomes all information and will review and consider the experiences of other jurisdictions with OSW development activities.
The Government of Canada recently established a $75 million Emissions Reduction Fund –Offshore Program, supporting capital, research and development, and demonstration projects designed to reduce emissions or improve environmental performance. One funded research project concluded the work conducted to date indicate that global system loads arising from the addition of seasonal ice do not appear to be a major impediment which might render an offshore floating wind turbine in this region infeasible. The Committee is strongly encouraged to directly consult the	The Committee held or proposed meeting with several of the contacts engaged in the Emissions Reduction Fund in October 2023 (see Table 1 above).

companies and organizations engaged in the Emissions Reduction Fund – Offshore Program in relation to the feasibility of wind turbines in iceberg-prone waters and the delineation of the Focus Area. Contacts can be found at https://energyresearchinnovation.ca/projects/	
Engagement	
Committee gave short time period for participants to provide feedback.	The Committee acknowledges the short time period for participants to provide feedback. A short time period was allotted because of the timelines for the overall RA set out in the Agreement. The Committee felt it better to seek input on this first step before proceeding further in their work. The Committee submitted a letter to the ministers on October 18, 2023 expressing timeline concerns and requesting more time to complete the RA. The letter to the ministers is available here.
Unaware of/short notice for feedback sessions on Focus Area. Do better job communicating with public and inshore enterprise owners.	The Committee has heard participants' suggestions about preferred communication methods beyond email, website and social media and will consider these when planning future engagement.
Extremely dissatisfied with the lack of notice and overall delivery of Focus Area Feedback and Advisory Group sessions. FFAW membership feels these engagement sessions were inadequate in capturing a clear picture of the true impacts imposed on the families and fish harvesters that would be most affected by offshore developments in this Proposed Focus Area.	Identifying the Focus Area prioritizes where work under the RA is most needed at this time. The Committee is not saying OSW should occur throughout the entire Focus Area. The Committee continues to engage and consider potential impacts of

It is imperative that in depth discussions with the fishing industry and engagement with experts in fisheries science and management occur. Coexistence of OSW with sustainable fisheries requires a strong understanding of OSW impacts to fisheries and the marine ecosystem to avoid, minimize, and mitigate impacts.	OSW on fisheries and the marine ecosystem within the Focus Area.
Due to the demographics of NL and the nature of the communities within the Proposed Focus Area, engagements must be in-person and there must be sufficient time in advance provided for these affected communities to prepare their thoughts and concerns. The timing of these consultations must also consider seasonal availability for attendance.	The Committee has heard participants' suggestions about preferred in-person sessions and will consider these when planning future engagements.
A more substantial scientific and regulatory review on the potential effects of wind development needs to be conducted, in parallel with in-depth consultations with all affected marine stakeholders, including producers.	The Committee is reviewing available scientific information about the potential effects of OSW in other jurisdictions. The Committee's recommendations will be reviewed and considered by federal and provincial ministers and regulators who will oversee OSW development. The Committee acknowledges in depth engagement is challenging in the RA timeline. The Committee submitted a letter to the ministers on October 18, 2023 expressing timeline concerns and requesting more time to complete the RA. The letter to the ministers is available here.
We support the development of low-carbon energy production that aligns with the company's goals for transition to a low-carbon economy. We look forward to an engagement process that enables all stakeholders in NL who contribute to Canada's blue economy strategy the opportunity to provide meaningful feedback to this future development.	The Committee will continue to engage any interested participants throughout the RA.
In Advisory Group meetings, the Committee mentioned using DFO VMS fishing data to identify areas of fishing activity in reducing spatial conflict with fisheries. It is important to note that small, inshore fishing vessels are not required to use VMS, therefore their fishing patterns will not be identifiable this way. Inshore fishing data is particularly important for this Proposed Focus Area on the southwest coast with respect to the emerging halibut and	The Committee is aware of this data gap and will continue to engage FFAW and consult various data sources. The Committee intends to draft

lobster fisheries. The Committee must appreciate that this data is complex and not readily available. FFAW is making an effort to collect more useful inshore fishing data for the Committee, however, it is complicated and difficult to compile and display visually. Moreover, the Committee must consider long-term fishing areas and trends, over time, and of all species fished in the Proposed Focus Area. Continuous consultations with FFAW throughout the planning process for OSW development must occur.	recommendations about data gaps regarding impacts of OSW and about how they should be addressed.
Consultation	
The Committee received some submissions related to meaningful Indigenous consultation including: • I would like to see proper consultation in all regions affected. We need a full indigenous assessment and study done. Meaningful consultation has not been done. We urge the government and the Committee to embrace our communities in discussions that are respectful to all involved about the need for more information around the current technologies that are being considered and the potential effects to our communities. • Our Mi'kmaq people are not being respected and have not be consulted. When will the UN Declaration on the Rights of Indigenous Peoples come into play and your duty to consult and seek direction and permission? This proposal puts us in jeopardy and is totally unacceptable.	The Committee continues to engage Indigenous communities who have expressed interest in the RA according to the Indigenous Participation Plan available on the Impact Assessment Registry and shared with Indigenous groups for their input. The Committee is not a decision-making body and so the RA does not trigger any Duty to Consult. The Committee understands project-level impact assessments will be conducted for proposed OSW projects in NL once a licence and regulatory regime is in place. Project-level impact assessments will include consultation with potentially impacted Indigenous peoples.
Other	
Environmental Assessments and Environmental Impact Statements have historically disregarded impacts on the fishing industry.	The Committee's Agreement requires they identify and consider the potential positive and adverse effects of various components, including fisheries and other ocean users.

Individual projects need to be assessed.	The Committee has received no indication to date that the Minister of Environment and Climate Change intends to exclude future OSW projects from impact assessment following this RA. The Committee wrote to the Minister on October 4, 2023 to request confirmation. The letter to the Minister is publically available on the RA Registry site here. Further, The Committee recommends the Minister of Environment and Climate Change does not exercise their power to exclude proposed OSW projects within the RA Study Area from future project-level impact assessments, including at sites beyond the Focus Area.
The current Proposed Focus Area is far too large to accurately gauge the full extent of impacts. Without any knowledge of possible areas of extent for development, safety zones around possible offshore structures, and other subsequent no-go zones for fishing, it is challenging to communicate just how detrimental any offshore instillations would be. It is impossible to accurately articulate the impacts of OSW developments in the Proposed Focus Area without knowing the intentions of the developments themselves.	The Committee expects and recommends project-level impact assessments will be conducted for proposed OSW projects in NL once a licence and regulatory regime is in place. These will analyze the specific impacts of any future projects.
Bill C-49 envisions the Canada-NL Offshore Energy Regulator (“CNLOER”) being empowered to conduct RAs and strategic assessments of the effects of any existing or future works or activities related to offshore renewable energy projects within its jurisdiction. These powers are not currently held by the Canada-NL Offshore Petroleum Board. The Committee should consider how its learning and experience can be translated into a suite of recommendations to support future assessments by the CNLOER.	The Committee intends to provide recommendations, based on their work, to future regulators of OSW. These recommendations will be included in the Committees final report.

Shapefile request	Sent shapefile
Parks Canada will continue to conduct site analysis within the final Focus Area and will provide recommendations to the Committee as it relates to Parks Canada's Protected Heritage Places and Parks Canada administered World Heritage Sites, with the goal to help inform the Committee's future planning, licencing, and impact assessment processes during the remainder of the RA.	The Committee confirms they have provided direction to government departments with expert information to prioritize their work according to the Focus Area.
I would like to submit my support for the offshore windmill project proposal by World Energy GH2.	The RA is not affiliated with any specific projects.
It is not clear what the implications of Bill C-49 would be on this RA. It should be noted that FFAW-Unifor has not been engaged on or consulted with whatsoever on this proposed legislation but serves to be directly affected by it.	The Committee is not aware of any impacts that Bill C-49 would have on the RA and is not associated with the consultation or implementation of this Bill.
An extensive literature review of data outside of that provided by DFO needs to be undertaken. Explore all data available on the occurrence of spawning and nursing grounds within the proposed area and make an active effort to seek out data that is not provided by DFO, such as peer-reviewed academic papers, grey literature, and traditional and ecological knowledge	The Committee has been undertaking literature reviews and research of publicly available information to include in their findings alongside any information that a federal authority (such as DFO) will be providing.
Grieg Seafood NL embraces innovation and advancements towards carbon neutral energy. At this early stage we are unsure of any potential impacts to our operations on the Burin Peninsula and in Placentia Bay. We would welcome the opportunity to meet and discuss site locations and construction process to ensure minimal impact on our aquaculture sites and communication towers in the area. We look forward to the project developing.	The Committee values the input and welcomes any stakeholder to participate in their upcoming engagement sessions to have opinions heard and to apply to their Advisory Groups to share expert opinions on topics. There is also no project tied to the RA. The final output will be recommendations for OSW licencing

	areas and recommendations surrounding effects and mitigations.
Potential Impacts of OSW on environmental, social, health and economic components.	
The Committee received several comments about the potential impacts of OSW on environmental, social, health and economic components which the Committee will assess throughout the course of the RA: • Cannot support any OSW developments in and around Bay St George and the Port au Port peninsula. We approve of the on-shore windfarm development and feel that no more impacts to our ecosystem and way of life is acceptable. • We are strongly opposed to OSW energy development of the West Coast of NL. Port au Port Peninsula is currently slated to be the site of a multibillion mega project that has high potential to negatively impact the ecosystems, environment, wildlife, water and quality of life of residents. • The province is not adequately positioned to pursue OSW at this time because not enough is known about potential impacts to the fishing industry. • Direct and indirect impacts on fisheries is of concern. For example: o Physical avoidance by fish, changes in recruitment potential and relocation of fish to more suitable habitats. o Changes of socially and commercially important ground fish stocks, which can lead to difficulties for harvesters in catching their quotas. o Poorly understood population effects from OSW farms for species with planktonic larvae (e.g., cod, halibut, flounder, etc.). o Leaky turbines and the impacts of oil and other lubricants should this occur at sea. o Coexistence with several marine uses places cumulative pressure on the fishing industry. o Potential restrictions for fishing in windfarms or, where allowed, required circumnavigation resulting in lost fishing time and increased operational cost. o Disruption of physical oceanographic elements (temperature, current, and ocean stratification) can affect lower trophic level community structures and ecosystem productivity. o Impacts on the fishing industry and coastal communities where fisheries provide significant economic contributions. Impacts will include direct displacement of fishing activity, population level influences on fish stocks, and effects to scientific stock assessment surveys, assessment results, and subsequent fisheries management decisions. o Disruptions in stock assessment survey completion and changes to assessment methodology can result in over cautious management decisions about harvest rates for fishers. o Impact on the perceived or actual success of fish stock rebuilding plans (e.g., in 3Ps Cod Rebuilding Plan). o Impacts on both inshore and offshore fishers • Spawning grounds, reproductive areas and productive fishing grounds change season to season and species to species. Any area under 200 fathom will be fished so long as the fisheries is allowed to do so. It is extremely unfair to ask harvesters which fishing areas they are willing to sacrifice for OSW advancement. • The Focus Area includes sections of NAFO divisions 3Ps, 3Pn, and 4R. These areas have high commercial fishing activity with a number of directed and bycatch groundfish fisheries including, American plaice,	The Committee values this information. It will be considered as the Committee continues to assess these topics over the course of the RA, within the Focus Area.

Atlantic cod, Witch flounder, Atlantic halibut, Greenland halibut, haddock, pollock, redfish, and yellowtail flounder. Atlantic Cod (Gadus morhua) in NAFO Subdivision 3Ps spans southern NL, from Cape St. Mary's to west of Burgeo Bank, and over St. Pierre Bank and most of Green Bank. The 3Ps cod fishery is managed jointly by Canada and France (in respect of St. Pierre et Miquelon). There are long standing catch histories for the 3Ps Atlantic cod fishery within the Focus Area. Along the Halibut Channel (east of the French waters) is an important area for the Mobile Gear (MG) fleet. The St. Pierre Bank and Placentia Bay are key fishing areas for the gillnet fishery, and there is a high level of fishing activity from the longline fishery on the southwestern edge of the St. Pierre Bank, the Haddock Channel, and Placentia Bay. Additional commercial fish stocks that are important to the Proposed Focus Area are capelin, snow crab, American lobster, and sea cucumber. We are concerned that proposed wind activity within the Focus Area could have significant and detrimental effects to spawning and nursing grounds for commercial fish stocks. • Fisheries need to be avoided. Identified areas include: o NAFO fishing area 3Ps and parts of Placentia Bay. There are important spawning areas within this bay for cod and crab, and important fishing areas between 95-130 fathom, depending on the year and seasonality of crab. o Heavily fished areas such as the southwest coast and within Placentia Bay. Important cod spawning grounds exist along the Burgeo and St. Pierre Banks and within Placentia Bay from March to August. o All inshore lobster fishing areas. The lobster fishery takes places from mid-April to mid-July every year and occurs in water depths of 30m or less. Their molting and mating seasons must be protected. This fishery is particularly important along the southwest coast where harvesters have an increased reliance on this fishery as other fisheries in NAFO area 4R and 3Pn have been shut down by DFO. For many harvesters, lobster is their primary or sole commercial fishery o Lobster fishing zones 13a, 13b, 11 are directly adjacent priority traditional use areas. Lobster fishery can be particularly affected by spatial conflict with OSW. Lobster primarily feed on ocean floor, OSW development disturbs it. o Directed fishery for Witch flounder (Glyptocephalus cynoglossus) in the Proposed Focus Area, with significant fishing effort occurring east of the French Exclusive Economic Zone (EEZ), on the edge of the slopes of the Grand Banks, south of St. Pierre Bank, as well as the Halibut Channel and Green Bank. o The Atlantic halibut stock in NAFO Divisions 3NOPs4VWX5Zc –currently well within the Healthy Zone of the Department of Fisheries and Ocean's (DFO) Precautionary Approach (PA) Framework and has the potential to be a long lasting, sustainable fishery resource. OSW effects can hamper the potential for stocks like these to continue providing sustainable product to fish harvesters and processors in Atlantic Canada and to consumers worldwide. o Stocks in the critical zone of DFO's Precautionary Approach Framework including 3Ps cod, 3Pn4Rs Northern gulf cod, and 4R herring (spring and fall spawners). o Proximity of developments to important river systems with Atlantic salmon may be a concern. Two areas of particular concern which we would suggest this Committee keep in mind are in the Bay of Islands zone and St. George's Bay to Cape Ray zone. These two zones contain the Great Codroy River system and tributaries and the Humber River system and tributaries, both of which are immense importance to our wild Atlantic stocks here in the province. These areas need to be carefully considered if any development is to occur off the coast of these zones. NL is the last stronghold for wild Atlantic salmon in North America, and we must ensure this species is not put at risk from economic developments.	

• Every effort should be made to clearly identify when and where annual RV surveys and fisheries-dependent data collection is occurring to ensure that impacts to these critically important surveys are avoided and mitigated wherever possible. Scientific survey work should be a key consideration when narrowing areas for OSW development. Some examples include:
  ○ DFO annual research vessel (RV) botom trawl survey (conducted in NAFO Subdivision 3Ps since the early 1980s);
  ○ DFO RV botom trawl survey in 4RS (since 1990);
  ○ mobile gear sentinel fishery program (botom trawl) in 4RS3Pn has occurred since 1995; and
  ○ DFO-Industry Halibut Longline Survey is conducted throughout the Scotian Shelf and Southern Grand Banks (overlapping with the southern portion of the Focus Area) since 1998.
• We are living in a time of climate change and climate uncertainty; therefore, it is essential to consider potential shifts in species distribution over time and if the presence of wind activity could hinder the rebuilding of commercial fish stocks or prevent them from future longevity. We recommend considering 20 years at a minimum. The average lifetime of a wind turbine (about 20 years) is equivalent to 2.5 generation times for cod and around 4 generation times for herring.
• A compilation of comprehensive economic data must be a key component of assessing the economic impact of OSW on the fishing industry.
• Considering sensitive benthic habitats is important. The Proposed Focus Area overlaps several Significant Benthic Areas (SBAs), including aggregations of sponges and sea pens. Cold-water sponges and corals are important components of benthic ecosystems, that provide complex habitat structure important to invertebrates, fish, and other sea life. Due to their slow growth rates, mitigation of impacts on SBAs is essential in avoiding serious and irreversible harm to these already vulnerable systems.
• Some comments emphasized the importance of considering cumulative effects. Comments include:
  ○ Consider cumulative effects of all stages of OSW development on spawning and nursing grounds.
  ○ Consider the wider cumulative effects of industrial activity on commercial fish stocks
  ○ Consider the cumulative effects of increased shipping and the impacts it can have on marine life (e.g., increased underwater noise, increased risk of marine pollution, and an increase of greenhouse gas emissions from the shipping industry)
  ○ Consider cumulative impacts including from onshore wind energy development currently being considered for the Port au Port peninsula. Any OSW installations near that peninsula could be highly problematic for migratory birds and bats if the Port au Port project goes forward, since that project would create its own, extremely problematic risks and stresses for migratory species.
• Consider how increased shipping due to OSW will impact the International Maritime Organizations roadmap targets for reducing global shipping emissions. Targets were revised in July 2023 and include a 10% clean fuel standard and 30% reduction in emissions by 2030.
• There is the possibility of an underwater wreck that could be impacted by OSW in NL. Provincial legislation is in place (Historic Resources Act and archaeological regulations) to protect underwater resources.	

Appendix D: Open House Summary, November 2023

Please note this document is posted on the Registry.

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador
In-Person Public Engagement Sessions Summary, November 2023
Meeting Records

The Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador (the Committee) conducted four in-person public engagement sessions in November 2023 in Marystown, Harbour Breton, Corner Brook, and Stephenville. IAAC Communications team advertised these sessions in advance, on the registry and social media (Facebook, X (formerly Twitter), LinkedIn). Emails were also sent out to the distribution list, containing the advertisements and invited them to circulate within their networks. They were conducted in an 'open house' fashion, with meeting materials printed in poster format and placed around the venue. In addition, maps of the study area and Focus Area were placed on the tables. At each of the open houses, the committee held two discussions – afternoon and evening. Discussions were held from 1:00 – 3:00 pm and 4:00 – 6:00 pm. Participants were asked to sign in upon arrival. During these discussions, each committee member presented a portion of the materials regarding the Regional Assessment and the Focus Area, followed by question periods from the participants. Once the group discussion was over, some participants spoke to Committee members in smaller groups, or one-on-one. November 2023 - In person Engagement Session Materials (iaac-aeic.gc.ca)

Recurring Themes:

The following themes were mentioned by participants in multiple sessions.

- Need for offshore wind energy / Use of electricity produced?
- Impacts on fisheries and communities
- Impact on marine environment
- Committee mandate and the regional assessment process
- Future information sessions

Below is a summary of each session.

Marystown Sessions, November 6, 2023, 1:00 pm – 3:00 pm & 4:00 pm – 6:00 pm
Meeting Summary

Attendees:
Committee – 4 members
Secretariat – 3 members
Participants – 31 participants, many from fishing industry

Summary of discussion:

Need for OSW / Use of electricity produced

- Potential uses of electricity generated by the OSW turbines in other jurisdictions include for export, for the local grid, for ammonia/hydrogen production. Does NL need OSW for any of these purposes?
- NL is already a net exporter (hydroelectricity). The Atlantic Loop is stalled so there is no link for export. Government NL has issued Crown land for numerous onshore wind projects, one onshore project going ahead on private land - those are for ammonia/hydrogen production and export.
- Going offshore with wind power elsewhere is sometimes due to lack of land capacity – not the case in NL.
    - Not within the Committee's mandate to determine how it should be used, but the Committee has heard from participants in the process that all those are possible uses.
    - The federal and provincial governments have not indicated to the Committee there are specific planned uses for electricity generated from offshore wind in NL.

    - This Committee has been asked to identify offshore wind licensing areas.
- OSW is 5x the cost of onshore wind. Economic viability is questionable for NL. In northeastern USA, two developers just pulled out of development because of economics.

Negative impacts on fisheries, fishers, and their communities

- Fishing and offshore wind are not compatible activities. Having offshore wind projects in important fishing areas is essentially forcing resettlement of the adjacent communities that depend on the fishery. The entirety of the Focus Area is fished – different species in different areas, at different times.
    - The Committee is looking for participants to share information about where they fish with the Committee.
    - Participants feel that governments should have this information already, they submit paper logbooks.
    - The Committee explained DFO is contributing to this RA, but Marine Atlas is missing information that DFO doesn't have in digital form; the Committee hopes fishers can fill in this gap for the Committee (e.g., by indicating on maps on tables areas that are fished).
    - The Committee acknowledges "smaller" fisheries (relatively speaking) still have significant local benefits and is trying to get that information.
    - The Committee is trying to get a complete picture of fisheries (e.g., sea cucumber data missing).
    - The Committee wonders if a coastal buffer would at least remove lobster fishery from further consideration for potential OSW licensing areas.
- Effects of seismic work on fisheries – recent study from Australia demonstrating effects on lobster
    - The second part of the Committee's mandate is to gather information on effects just like this, drawing upon research from other jurisdictions.
- Effects of climate change on fisheries – what and where fisheries are conducted now and how the fisheries may change in years to come.
- Concern that the Committee omitted Avalon Peninsula from Focus Area – no negative impacts will be experienced there and will instead be experienced by those on the south and west coast of the island.
    - This area was omitted based on iceberg presence.
    - Committee has much more work to do, many more constraints to apply (including important spawning areas, critical habitat, etc.) before they identify the areas, they feel are most suitable for OSW for the foreseeable future
- Onshore wind projects have much less negative impact on fisheries, fishers and their communities. There is nowhere in NL to put OSW.

Visual aesthetic

- Participant noted losing sight of land at 32 miles.

Federal / provincial government mandates

- Participants feel that Federal and Provincial governments' desire to develop OSW is out of nowhere.
- Developing the regulatory framework for OSW is being handled incorrectly by federal and provincial governments.
- Seems like federal and provincial governments are competing in a way (with province's recent focus on onshore wind development).

Committee mandate

- The broad mandate is hindering the process, makes it hard to determine impacts without knowing what is being proposed, where, and for what purpose.
    - The Committee agrees it is a challenge and understands the frustration.

- The Committee's recommended OSW licensing areas are just recommendations for government consideration. Governments are not compelled to accept these recommendations. Question on if OSW will be placed in existing oil and gas fields, and the further impact that could cause to fishers.
    - The Committee is not conducting an environmental impact assessment a specific project The Committee has no intention of recommending the placement of OSW in high conflict areas with other industries. It is attempting to obtain an overall view of ocean uses and determine out how OSW can fit within.

Suggestions for future open houses

- Have more information on effects.
- Give a presentation and have a Q/A rather than open house style.
- Reach out directly to Energy Advisory Boards and Municipalities.
- Mail drop flyers with questionnaire, have drop box for completed questionnaires at sessions.
- Advertise on local radio (VOCM specifically).
- Do an on-air interview with local media.
- Avoid dinner time (i.e., around 5pm).

Harbour Breton Sessions, November 8, 2023, 1:00 pm – 3:00 pm & 4:00 pm – 6:00 pm
Meeting Summary

Attendees:
Committee – 4 members
Secretariat – 2 members
IAAC – 1 employee
Participants – 13 participants – many from municipalities leadership

Summary of Discussion:

Offshore Wind Development, and Physical Components

- Is the RA only for ocean-based wind farms, not land based?
    - The Committee clarified the difference between onshore and offshore wind, and that their mandate does not include onshore wind. The RA is not project based.It is intended to provide a broad view for potential of OSW development in the province, utilizing constraints analysis, effects of OSW, etc.
- What is considered offshore in this case?
    - The Committee clarified that they were given a Study Area from the shore and extended out into offshore areas. The Committee has read some information from Europe on using a 22km buffer from shore where OSW is not allowed within. It is also looking for information on buffers used for coastal bird colonies and has received recommendations from Parks Canada to establish an 80 km buffer around the coast of Gros Morne park. If those types of buffers get included, then near shore areas may be excluded. Some communities may not have strong aversion to near shore infrastructure, while others may.
- Are the buffers the Committee mentioned the same for all areas it is considering, or would they depend on community concerns and interests?
    - The Committee mentioned that it could recommend differences depending on the communities and their needs/wants.
- What is the lifespan of the turbines and the cost?
    - The Committee mentioned that the information it has found suggests that most turbines last 25 years.
- Could turbines be placed within the St. Pierre & Miquelon Exclusive Economic Zone (EEZ)?

    - The Committee won't be considering areas within the EEZ, as it is outside their jurisdiction. If St. Pierre & Miquelon decide to place turbines within their EEZ in the future, the provincial and federal governments wouldn't have any control over that.
- Water depths around the province are more suited for floating. Doesn't floating increase the footprint of the infrastructure?
    - The Committee clarified the RA and mandate, that projects of 10 turbines or more are included.
- The overall footprint of a project would depend on a variety of variables, mainly the desired energy output and the size of each turbine. The Committee has seen through its research wind farms that range from 2 – 200 km². Will the Committee consider how turbines function in intense storms?
    - The Committee mentioned how the technology is designed to protect the turbines during very high winds and seastates, with positive results in south east Asia where turbines are exposed to typhoons.
    - The Committee added that the seabed geology is also factored into turbine design.

Impact on Environment and Commercial Fishery

- Will the Committee take into account the migration routes of species in their analysis?
    - The Committee discussed taking into account the migration routes of salmon and eel.
- Mention of studies that show that vibrations from the turbines result in the decrease of species?
    - The Committee mentioned that they are still looking into the effects of OSW on a multitude of aspects, including marine species.
- First time since the moratorium that they are seeing fish stocks finally improving. Seeing capelin in Fortune Bay. Do you know the impacts on the ground fishery from OSW?
    - The Committee mentioned they've heard similar and are looking at the effects on all fisheries.
- Fresh water had previously been put into Bay d'Espoir (from surrounding infrastructure) and it affected the fish and surrounding environment. Need to study environmental impacts fully for OSW.
    - The Committee clarified it had the same discussion in Conne River. Very valid discussion. RA will be looking at the impacts on the environment, communities, potential mitigations to the effects, etc. Canadian government not bound by the Committee's findings/decisions from the RA but will hopefully take their recommendations. All projects will have to have a project specific environmental impact assessment regardless of the RA's findings.
- The Committee also included that they will be identifying any potential data/information gaps that will need to be filled before proceeding with specific projects. Have seen some areas in Europe where they studied potential areas for 3-5 years to fully understand the benthic environment before proceeding with a project.

Impact on Communities and Funding

- The Committee mentioned it is considering the effects of OSW on communities. IT mentioned an example from the Netherlands of colleges introducing programs to aid in developing skilled workforces for the industry.
- How do communities financially benefit from OSW?
    - The Committee mentioned they are looking into those impacts. Most likely would come from staging support, vessels, workers, etc.
    - Municipalities probably won't directly benefit from having OSW, as they won't collect taxes from infrastructure in the water.
- When bringing power to land, there will still be onshore impact. More work on effects needs to be done before this happens.

The Regional Assessment Process

- Is the information gathered for the RA for government use?

    - The Committee clarified it will inform the licensing and regulation regime of governments. The RA will be indicating potential areas for licensing, recommendations for effects, etc.
- Is the Committee/RA funded by industry or government?
    - The Committee clarified that it was established (and its TOR and Agreement signed) by both the federal and provincial government (funded by the federal government) but it is committee independent from both levels of government. Industry is not involved in funding. The Committee does not have answers on why the RA was mandated now, especially in the middle of the new developments just starting with onshore.
    - The Nova Scotia Committee has a different scenario since Nova Scotia has set targets and has developers wanting to bid on areas already.
- After these in-person sessions are done, will there be another Focus Area in the future?
    - The Committee clarified that, first constraints analysis has been completed, now continuing from there to decrease area and eventually have the potential areas for recommended OSW licensing. Also the Committee has asked for an extension to their work timeline and, if accepted, its timeline will shift and further comment periods will occur later than originally planned. Participants can find more information on the Registry as the Committee progresses.
- Will there be other information sessions?
    - The Committee discussed that this is the first round of in-person sessions with plans for more engagement as the RA continues.
- Will areas be identified based on different aspects? Then once areas are decided, will projects still need to have assessments completed before proceeding? Also brought up concerns from the first RA where an exclusionary regulation was introduced.
    - The Committee mentioned it has asked for clarification from the Minister on not having an exclusionary regulation for this RA and are waiting for a response.

Corner Brook Sessions, November 16, 2023, 1:00 pm – 3:00 pm & 4:00 pm – 6:00 pm
Meeting Summary

Attendees:
Committee – 4 members
Secretariat – 3 members
IAAC – 1 employee
Participants – 21 participants

Summary of discussion:

Need for OSW/Use of electricity produced

- Potential uses of electricity generated by the OSW turbines in other jurisdictions include for export, for the local grid, for ammonia/hydrogen production. What's the use in NL?
    - It is not within the Committee's mandate to determine how it should be used, but the Committee has heard from participants in the process that all those are possible uses.
- With Gov NL talk of onshore wind, Upper Churchill, Gull Island, and now offshore wind, difficult to understand the big picture of the energy plan for this province. Is all of this needed?

Effects of OSW

- Negative effects on fish – important to understand migration patterns. Not only effects on fish, there are the associated socio-economic impacts – compensation will have to be considered.
- Must consider effects on marine mammals, birds; make recommendations on mitigation measures such as Marine Mammal Observers, shutdowns for noise.

- The Committee should consider the terrestrial effects as well, such as bats, migratory bird flyways. There are components of OSW projects that are land-based (converter station, cable, power lines).
- Visual impacts are important to consider. Closer to shore increases the visual impact to people on land (recreation, tourism). For participants in the GH2 project area, there will be onshore and offshore turbines in viewsheds.
- Economic effects, in terms of jobs, are mostly construction phase – few long-term jobs locally.
- The Committee has to consider the effects on human health.

Committee Mandate

- Importance of identifying gaps, and making recommendations to fill those with more studies, including a follow-up program (e.g., RA as a living document that should be updated).

Stephenville Sessions, November 17, 2023, 1:00 pm – 3:00 pm & 4:00 pm – 6:00 pm
Meeting Summary

Attendees:
Committee – 4 members
Secretariat – 2 members
IAAC – 1 employee
Participants – 47 participants

Need for OSW/Use of electricity produced

- What will be the end use of energy? This will be good information for the people. We have hydroelectric power, what is the use of OSW to us? Will it be used for hydrogen and ammonia projects?
    - The Committee clarified that the end use of energy is not part of its mandate, and through our consultations none of the industries have expressed their interest in establishing OSW in NL. To that effect,it can't confirm the actual end use. That being said, hydrogen and ammonia production are possible end uses.
    - Germany and other European countries who will be interested in hydrogen and ammonia have their own OSW projects ongoing and have been looking at OSW energy to hydrogen and ammonia production. There is so much energy loss in the process of hydrogen and ammonia production. For no local use of the energy because of the existence of hydroelectric power, so why OSW in NL in terms of viability?
- The Committee clarified that any projects that may be proposed after the RA is completed will be subject to full EIAs. Nova Scotia is going for OSW and setting up a target because they have a need for the energy. NL has an abundance of clean energy. Why is the government doing this when we don't have a use?
    - The Committee described that its mandate is to assess the study area and to come up with suitable areas of OSW development, considering the positive and negative impacts of such development on the social, economic, environmental, and health of the people. The end use of the energy is not part of its mandate.
- The notion that hydro power is overly abundant in NL is not correct and that is the reason why they want to build the Gull Island hydro project. The speaker said he had knowledge of this from his long work experience with NL Power.

Impact on Fisheries, Communities, Health, and Economy

- Will the Committee also consider human health impact – people living close to turbines. There are very low frequency (VLF) and EMF interference.
    - The Committee mentioned they are mandated to look into environmental, social, economic, and health impacts and it will be considered in its recommendations.
- The Committee should also consider the cumulative effect, not just on the community but also on the workers who will be working in the industry.
- Will this OSW industry bring in $1.6 billion yearly as the fisheries are bringing in now?
- What data do you have on fisheries at Bay St. Georges?
    - The committee discussed what they have is from DFO and the reason why it is here in the community is to seek your input on where you fish and what you fish, to be able to make a better impact assessment and recommendation.
- Are there any positive impacts to the fisheries?
    - The Committee mentioned that there is experience in the UK where lobster numbers were seen to increase around turbine foundations.
- NL will make more money from the lobster fisheries than we will make from OSW. We might not be fishing much lobster offshore now but, with all the changes happening, there will be a time when we decide to fish lobster offshore. You should also consider where the lobster comes from when the offshore turbines are placed.
- I don't understand having OSW in this St. George's Bay because it's a spawning area.
    - The Committee explained that is why it is here to find out from fishers where and what they fish to help inform the RA report and recommendations.
- The West Coast is known to be the heart of fisheries. We have onshore wind and now OSW consideration. How is that going to effect marine mammals? We will have turbines all around us, and there's going to be a lot of concerns. We have both inshore and offshore fisheries on the West Coast, and you should not put turbines in our Bay.
- What is the buffer zone for fishing around wind turbines / farm?
    - The Committee described that in Europe, they use half a kilometer.
- The whole West Coast is known as a corridor for migratory birds. How would you take care of this?
    - The Committee mentioned that it is in touch with the Canadian Wildlife Service and birds' migratory routes are being considered.
- Wind energy has gotten to a point where it is getting so much. In the town of Cape St. George, they've installed towers, and the environment has no boundaries. They are taking away so much from our people to benefit other companies and countries.
    - The Committee clarified it is here for offshore wind but can appreciate the frustration they are having with the onshore wind.
- There is no way this will benefit NL economically if it's going to take away all these tourism and fishing industries.
- Do you have data on the vibration scale of the turbines offshore, and how it will impact our homes?
    - Another participant commented that for noise yes, but for vibrations, it's not like a generator, otherwise the structure will break. Offshore means the structures will be far from homes and the noise will not be a problem.

Process of the Regional Assessment

- How long is the regional assessment going to take?
    - The Committee explained that it was set up to execute its work within 18 months, with a report due in 12 months and a final report in 18 months. To allow for more consultation and stakeholder engagements, the committee has written to the Ministers for an extension. If that is granted, then the duration will change.
- As a leader of my community, I did not receive any invitation, why was the municipality not invited?

    - The Committee described that the invitation was sent to the Registry, social media, and the public. Invitations were not targeted at individuals or organizations.
- The Committee described the next steps in their constraints analysis, they will be looking at important fishing areas, marine conservation areas, fish spawning areas, marine transport routes, etc. Relying on the Marine Atlas alone, we might miss some of the important fisheries in the community. Also, the ocean is warming and where and what people fish keeps changing too.

Appendix E: Summary of Feedback Received in February and March 2024

This table provides a summary of questions, comments, and concerns participants shared with the Committee during engagement sessions and meetings in February and March 2024, and written comments submitted via email or the Registry's online commenting tool up to and including March 1, 2024. Emailed submissions are published on the Registry site, subject to the Committee's confidentiality procedure. Section 3 of this report indicates where specific engagement outcomes from this period helped inform the Committee's recommendations for future offshore wind licensing processes, including their constraints analysis and preliminary offshore wind licensing areas.

Summary of Comments	Committee Response
Indigenous knowledge, activities, interests, and rights	
The entire Focus Area and all preliminary offshore wind licensing areas are within the traditional lands and waters of Miawpukek First Nation and Qalipu First Nation.	The Committee is committed to continued collaboration with Miawpukek First Nation and Qalipu First Nation to gather information, knowledge, and perspectives on their communities, activities, and other interests, including Aboriginal or Treaty rights protected by section 35 of the *Constitution Act, 1982*.
There are gaps in the Committee's data on commercial fisheries. A full understanding of Indigenous commercial, ceremonial, and communal fisheries is required so that the Committee may give fulsome consideration.	
Miawpukek First Nation and Qalipu First Nation indicated a lack of engagement on Bill C-49 on the proposed amendments to the Accord Acts. The federal and provincial governments should be increasing Indigenous involvement in these processes, including exploring joint management or some other elevated role for First Nations in the regulatory framework for offshore wind.	The Committee is not involved with Bill C-49. The Committee acknowledges these concerns.
Some Indigenous groups expressed concern regarding the MOU between the federal and provincial governments regarding provincial jurisdiction over select inland bays. Offshore wind projects in these areas will affect Indigenous peoples. In the spirit of economic reconciliation, the federal and provincial governments should be increasing Indigenous involvement in these processes, including exploring joint management or some other elevated role for First Nations in the regulatory framework for offshore wind.	

Summary of Comments	Committee Response
Some Indigenous groups inquired if they would have the opportunity to review the Interim Report before the Committee submitted it to the Ministers.	While the Committee was unable to provide a draft of the Interim Report for review, the Committee decided to hold engagement sessions and meet with Indigenous groups in late February and early March to present their constraints analysis and preliminary offshore wind licensing areas. All content shared in that presentation is in this Interim Report. Additionally, the Committee will continue to engage with participants on all contents of this Interim Report. The Committee will issue a Draft Report in September 2024 for a 60-day comment period.
Engagement to date	
Concern with lack of engagement on the constraints analysis and the preliminary offshore wind licensing areas the Committee has presented.	The Committee has been engaging on this since August 2023. The Committee has been sharing proposed constraints and has been welcoming feedback on those constraints. The Interim Report is preliminary. All contents in this report are subject to change based on engagement that will occur throughout 2024. The Committee will revise the preliminary offshore wind licensing area recommendations based on engagement outcomes, and all input received will be presented in the Draft Report (September 2024). The Committee is planning engagement for 2024, including advisory group engagement, and will be seeking advice from advisory group members on how to increase their participation in the process while staying true to the intent of the advisory groups as described in the Agreement.
The Committee has not adequately leveraged some of the Advisory Groups.	
Concern regarding the March 1, 2024, deadline the Committee had given for receiving additional written commentary.	The March 1 deadline reflected a timeline that enabled the Committee to make changes to their analysis to date and to their resultant preliminary offshore wind licensing areas in time to publish this Interim Report by March 23, 2024. The Committee will consider any input received after March 1 and will continue to engage throughout 2024. The Committee will revise the preliminary offshore wind licensing area recommendations based on engagement outcomes, and all input received will be presented in the Draft Report (September 2024).

Summary of Comments	Committee Response
The Committee needs to give more advanced notice of engagement sessions and use more traditional methods of advertising session (beyond digital methods).	The Committee is planning engagement for 2024 and will ensure more advance notice is given to all participants. The Committee will also be advertising sessions via radio and print media, and other means. The Committee will also be seeking advice from advisory groups on this matter.
Work Underway for Draft Regional Assessment Report	
Meteorological (i.e., wind speed), geophysical (e.g., sand, rock, clay), engineering (e.g., cables, mooring lines), cost, and supply chain considerations for fixed and floating technologies.	The Committee has wind speed data and does not consider it a determining factor at a regional scale. The Committee has used depth as the main technical/economical constraint to define areas suitable for fixed versus floating technologies. The Committee is aware that sediment type further dictates suitability and installation methods and will be investigating this further in the coming months. The Committee will consider potential effects of cables and mooring lines as part of the assessment. Cost effectiveness, economic viability, and supply chain readiness of offshore wind development is outside of the Committee's mandate.
Concerns regarding the effects of offshore wind development on various environmental, social, economic and health components.	This is part of the Regional Assessment, forthcoming in the Draft Report (2024).
It is important for the Committee to consider climate change (e.g., effect on species range and migration, shift fishing areas over time, etc.).	
Comments Relevant to Interim Report contents	
Constraints the Committee used to identify the preliminary offshore wind licensing areas, gaps associated with those constraints, and recommendations for addressing those gaps.	Some Indigenous groups, federal authorities, and stakeholders, including advisory group members, provided input on these matters. Section 3 of this report indicates where that input helped inform the Committee's work.
Recommendations for offshore wind licencing processes.	
It is not within the Committee's mandate to identify preliminary offshore wind licensing areas.	The Committee is of the view that identifying preliminary offshore wind licensing areas is within their mandate. The amendments to the Agreement demonstrate the Ministers accept this approach.

This table provides a summary of questions, comments, and concerns participants shared with the Committee during engagement sessions and meetings in February and March 2024, and written comments submitted via email or the Registry's online commenting tool up to and including March 1, 2024.

Appendix F: Methodology

As described in the Interim Report, the Committee used a constraints analysis to identify preliminary offshore wind licencing areas. This section describes the technical steps used by the Committee to complete this constraints analysis. This section also outlines the technical steps the Committee used to develop thematic maps shown throughout the interim report.

The Committee used publicly available geospatial data and GIS software[41] to complete the constraints analysis and to develop thematic maps.

Please refer to section 3.2.2, Potential Constraints in the Focus Area, of the Interim Report for more information on constraints the Committee has considered applying to identify preliminary offshore wind licencing areas to date. Appendix G summarizes information on constraints used to identify preliminary offshore wind licencing areas. Appendix H summarizes information on constraints unable to be applied and the Committee's recommendations for addressing related data and information gaps.

Please refer to section 3.2.3, Constraints Analysis, of the Interim Report for more information on why the Committee created a coastal buffer. Please also refer to section 3.2.3 for an overview of constraints analysis steps and thematic maps illustrating the constraints analysis process.

Constraints Analysis Steps

The constraints analysis used to identify preliminary offshore wind licencing areas involved successively removing portions of the Focus Area. Beginning with the Focus Area, published to Open Government on December 1, 2023, each of the following steps reduced the size of the remaining area. The resulting area produced after each step was a starting point in the next step.

Step 1: Creating Coastal Buffers

In this step, the Committee created and removed coastal buffers from the Focus Area. For a visual representation of this step, please refer to Figure 18. Step 1: Creating Coastal Buffers, in section 3.2.3 of the Interim Report.

To develop coastal buffers, the Committee used 50K geospatial data for Newfoundland from Natural Resources Canada's (2023) Topographic Data of Canada – Canvec Series. A 10 km coastal buffer was created around any permanently inhabited islands, including the islands of Newfoundland and Ramea. A 5 km buffer was created around bird colonies that are located within the Focus Area. Bird colonies within the Focus Area were identified using Environment and Climate Change Canada's 2016 Atlantic Colonies – Density Analysis dataset. The Committee

[41] The Committee used ArcGIS Pro Version 3.1.0, ArcGIS Pro Version 3.0.2 and ArcMap10.8.2 to complete the constraints analysis and develop thematic maps.

assumed lobster and other nearshore fisheries could occur around any coastal island, therefore a 3 km buffer was created around any remaining coastal islands within the Focus Area.

The resulting coastal buffers were isolated and removed from the Focus Area. The resulting area was used as a starting point when applying the next step in the constraints analysis.

The Committee used the following data in this step:

- Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024a). Bird Colony Buffer [Shapefile]. Available upon request.
- Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024b). Coastal Buffer [Shapefile]. Available upon request.
- Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024d). Lobster Buffer [Shapefile]. Available upon request.
- Environment and Climate Change Canada. (2016). Atlantic Colonies—Density Analysis [dataset]. Open Government. https://open.canada.ca/data/en/dataset/87bf8597-4be4-4ec2-9ee3-797f5eafbd97
- Impact Assessment Agency of Canada. (2023). Focus Area for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador [shapefile]. Open Government. https://open.canada.ca/data/en/dataset/81560d1e-8394-4b51-8212-2bbe4d8a5ea2
- Natural Resources Canada. (2023). CanVec 50K [dataset]. Topographic Data of Canada - CanVec Series. https://open.canada.ca/data/en/dataset/8ba2aa2a-7bb9-4448-b4d7-f164409fe056/resource/59968c05-6a94-4120-b525-947ca8298d7b

Step 2: Removing Marine Critical Habitat

In this step, the Committee removed critical habitat for fish Species at Risk from the area resulting from the steps above. For a visual representation of this step, please refer to Figure 19. Step 2: Removing Marine Critical Habitat, in section 3.2.3 of the Interim Report.

The Committee identified critical habitat for fish and avifauna Species at Risk within the Focus Area using the Fisheries and Oceans Canada, Critical Habitat for Species at Risk (2019) dataset and the Environment and Climate Change Canada Critical Habitat for Species at Risk National Dataset (2022). Avifauna critical habitat and an additional 10 km buffer were already removed from the Focus Area because of the use of coastal buffers in step 1.

Critical habitat for fish Species at Risk, as delineated in the Fisheries and Oceans Canada dataset, was removed.

The Committee used the following data in this step:

- Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024f). Resulting Area 1 [Shapefile]. Available upon request.
- Fisheries and Oceans Canada. (2019). Critical Habitat of Species at Risk [dataset]. Open Government. https://open.canada.ca/data/en/dataset/db177a8c-5d7d-49eb-8290-31e6a45d786c

Step 3: Removing Marine Protected Areas

In this step, the Committee removed MPAs from the area resulting from the steps above. For a visual representation of this step, please refer to Figure 20. Step 3: Removing Marine Protected Areas, in section 3.2.3 of the Interim Report.

The Committee removed MPAs as delineated in the Fisheries and Oceans Canada (2021) Marine Protected Areas dataset from the area resulting from step 2 above.

The Committee used the following data in this step:

- Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024g). Resulting Area 2 [Shapefile]. Available upon request.
- Fisheries and Oceans Canada. (2021). Oceans Act Marine Protected Areas [dataset]. Open Government. https://open.canada.ca/data/en/dataset/a1e18963-25dd-4219-a33f-1a38c497125

Step 4: Removing Marine Traffic Routes

In this step, the Committee removed Marine Traffic Routes from the area resulting from the steps above. For a visual representation of this step, please refer to Figure 21. Step 4: Removing Marine Traffic Routes, in section 3.2.3 of the Interim Report.

Marine traffic routes identified in the Canadian Hydrographic Service (a division of the science branch of Fisheries and Oceans Canada) (2019) Vessel Traffic Routes dataset were removed from the area resulting from step 3 above. The traffic separation zone and traffic separation scheme lane part delineated in the dataset were removed. A 500 m buffer was additionally applied around ferry routes and removed. This small buffer was used because ferry routes are represented linearly in the dataset and could not be removed without a buffer. The 500 m buffer is not reflective of the distance that should be maintained between ferry routes and wind farms.

Transportation routes in bays/coastal areas were already removed from the Focus Area because of the use of coastal buffers in step 1.

The Committee used the following data in this step:

- Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024h). Resulting Area 3 [Shapefile]. Available upon request.
- Canadian Hydrographic Service. (2024). Vessel Traffic Routes [Data set]. Open Government. https://open.canada.ca/data/en/dataset/6ab2803a-aace-4e60-83ed-44a7e0ccd1d8

Step 5: Removing National Marine Conservation Areas

In this step, the Committee removed NMCAs from the area resulting from the steps above. For a visual representation of this step, please refer to Figure 22. Step 5: Removing National Marine Conservation Areas, in section 3.2.3 of the Interim Report.

The proposed South Coast Fjords NMCA Study Area is the only existing or proposed NMCA that occurs within the Focus Area. Parks Canada provided the Committee with unpublished data for

the NMCA Study Area. The Study Area delineated in the provided dataset was removed. A static image of the proposed NMCA Study Area is publicly available on the Parks Canada Agency website (Parks Canada, 2023).

The Committee used the following data in this step:

- Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024i). Resulting Area 4 [Shapefile]. Available upon request.
- Parks Canada. (2024). South Coast Fjords NMCA Study Area (Unpublished raw data). Parks Canada. Retrieved January 31, 2024, from Parks Canada.

A static image of the proposed NMCA Study Area is available here:

- Parks Canada (2023). South Coast Fjords Study Area, Newfoundland—South Coast Fjords Study Area. https://parks.canada.ca/amnc-nmca/cnamnc-cnnmca/fjords-cote-sud-south-coast-fjords

Step 6: Creating Buffers Around National Parks and World Heritage Sites

In this step, the Committee created and removed buffers surrounding National Parks and WHS from the area resulting from the steps above. For a visual representation of this step, please refer to Figure 23. Step 6: Creating Buffers Around National Parks and World Heritage Sites, in section 3.2.3 of the Interim Report.

The Committee removed an 80 km buffer surrounding Gros Morne National Park and WHS from the area resulting from step 5 above. The Committee used Natural Resources Canada's (2022) National Parks and National Reserves of Canada Legislative Boundaries dataset to represent the park area. The Committee then created an 80 km buffer around the park boundary. The resulting buffer was modified so it only included areas perpendicular to the park's coastal boundary. The modified buffer was removed.

The Committee used the following data in this step:

- Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024j). Resulting Area 5 [Shapefile]. Available upon request.
- Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024c). Gros Morne 80km Buffer [Shapefile]. Available upon request.
- Natural Resources Canada. (2022). National Parks and National Park Reserves of Canada Legislative Boundaries (Record ID: 9e1507cd-f25c-4c64-995b-6563bf9d65bd) [dataset]. Open Government. https://open.canada.ca/data/en/dataset/9e1507cd-f25c-4c64-995b-6563bf9d65bd

Step 7: Removing High Density Fishing Areas

In this step, the Committee removed high density fishing areas from the area resulting from the steps above. For a visual representation of this step, please refer to Figure 24. Step 7: Removing High Density Fishing Areas, in section 3.2.3 of the Interim Report.

The Committee used the Fisheries and Oceans Canada (2023) Eastern Canada Commercial Fishing. The 'all species data' was used. This data includes catch density for all species/gear type in kg from 2012 to 2021 (sum of all weights). It is represented by 10 km^2 grids. It only includes vessels carrying National Vessel Monitoring Systems (otherwise known as Automatic Identification Systems (AIS)). These are only required for vessels greater than 35 ft and for specific fisheries.

The Committee classified this data according to 4 classes using the quantile method to account for skewed data. This resulted in 4 classes with an equal number of values in each. Classes were:

- 8 – 2,100 kg
- 2,200 – 7,700 kg
- 7,800 – 26,000 kg
- 27,000 – 940,000 kg

Areas with an average weight range greater than 7,800 kg/grid were removed. Areas less than 30km^2 were not removed.

The Committee used the following data in this step:

- Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024k). Resulting Area 6 [Shapefile]. Available upon request.
- Fisheries and Oceans Canada. (2023). Eastern Canada Commercial Fishing [dataset]. Open Government. https://open.canada.ca/data/en/dataset/502da2ef-bffa-4d9b-9e9c-a7425ff3c594

Step 8: Removing Areas Smaller than 10 km^2 and Delineating Suitable Technology Depths

As a final step for identifying preliminary offshore wind licencing areas the Committee removed any areas resulting from step 7 that were less than 10 km^2 in size. The Committee also identified potentially suitable technologies for each remaining area based on water depth. Water depth was considered in greater detail when delineating the Focus Area.

For a visual representation of the constraints analysis results, including this step, please refer to Figure 25. Preliminary Offshore Wind Licencing Areas, in section 3.2.3 of the Interim Report.

To complete this step, the Committee used the 'Calculate Geometry' function in ArcGIS. We calculated the surface area for each contiguous polygon remaining after all other steps in the constraints analysis were completed. Any polygons with an area less than 10 km2 were removed.

Finally, the GEBOC (2023) grid was overlaid with the resulting offshore wind licencing areas. The data was reclassed according to the categories:

- Water depth up to 60 m
- Water depth greater than 60 m and up to 80 m
- Water depth greater than 80 m and up to 300 m

These categories are intended to represent areas suitable for fixed bottom turbines, fixed bottom turbines in the foreseeable future, and floating turbines in the foreseeable future.

The 'Boundary Clean' tool in ArcGIS was used to simplify boundaries between zones (i.e., areas within the same water depth class). The 'Sort by Descending' option was selected so zones with larger total areas expanded into zones with smaller total areas.

Finally, the 'Raster to Polygon' tool was used to create distinct polygons representing multiple licencing areas for each water depth category. Where polygons were less than 10 km^2 they were again incorporated into the larger surrounding polygon. As a result of our methods and the resolution of the GEBCO (2023) grid, water depth a specific location in each licencing area may vary.

The Committee used the following data in this step:

- Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024l). Resulting Area 7 [Shapefile]. Available upon request.
- GEBCO Compilation Group (2023) GEBCO 2023 Grid (doi:10.5285/f98b053b-0cbc-6c23-e053-6c86abc0af7b)

Producing Thematic Maps

In addition to completing the constraints analysis, the Committee used GIS software to develop several thematic maps. These maps illustrate various constraints the Committee considered when identifying preliminary offshore wind licencing areas and each of the steps in the constraints analysis. Table 4 outlines the datasets used to produce thematic maps. Each map was produced by clipping or selecting the attributes which intersect within the datasets listed using one of the following:

- The IAAC (2023) Regional Assessment Focus Area shapefile (Figure 4, Figure 5, Figure 9, Figure 10, Figure 13, Figure 15, Figure 16)
- A modified shapefile of the Focus Area which included a 10km buffer around the boundary of the Focus Area, also extending into the coast of the island of Newfoundland (Figure 6, Figure 8)
- A modified shapefile of the Focus Area which included a 50km buffer around the boundary of the Focus Area, also extending into the coast of the island of Newfoundland (Figure 3, Figure 7, Figure 11, Figure 12, Figure 14)

Clipped datasets were added to a basemap showing general geospatial data (e.g., landmass, island boundaries, rivers etc.) from: Natural Resources Canada. (2023). CanVec 1M [dataset]. Topographic Data of Canada - CanVec Series. https://open.canada.ca/data/en/dataset/8ba2aa2a-7bb9-4448-b4d7-f164409fe056/resource/59968c05-6a94-4120-b525-947ca8298d7b

Table 4. Data used to Produce Thematic Maps

Figure Title	Data Used to Produce Maps
Thematic Maps Illustrating Constraints Considered	
Figure 3. Critical Habitat within or Adjacent to the Focus Area	Avifauna Critical Habitat: Environment and Climate Change Canada. (2022). Critical Habitat for Species at Risk National Dataset [dataset]. Open Government. https://open.canada.ca/data/en/dataset/47caa405-be2b-4e9e-8f53-c478ade2ca74 Marine Species at Risk Critical Habitat: Fisheries and Oceans Canada. (2023). Critical Habitat for Species at Risk [Data set]. Open Government. https://open.canada.ca/data/en/dataset/db177a8c-5d7d-49eb-8290-31e6a45d786c Focus Area: Impact Assessment Agency of Canada. (2023). Focus Area for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador [shapefile]. Open Government. https://open.canada.ca/data/en/dataset/81560d1e-8394-4b51-8212-2bbe4d8a5ea2
Figure 4. Marine Protected Areas within the Focus Area	Laurentian Channel MPA: Fisheries and Oceans Canada. (2021). Oceans Act Marine Protected Areas [dataset]. Open Government. https://open.canada.ca/data/en/dataset/a1e18963-25dd-4219-a33f-1a38c497125 Focus Area: Impact Assessment Agency of Canada. (2023). Focus Area for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador [shapefile]. Open Government. https://open.canada.ca/data/en/dataset/81560d1e-8394-4b51-8212-2bbe4d8a5ea2
Figure 5. National Marine Conservation Areas within the Focus Area	South Coast Fjords (NMCA) Study Area: Parks Canada. (2024). South Coast Fjords NMCA Study Area (Unpublished raw data). Parks Canada. Retrieved January 31, 2024, from Parks Canada. Focus Area: Impact Assessment Agency of Canada. (2023). Focus Area for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador [shapefile]. Open Government. https://open.canada.ca/data/en/dataset/81560d1e-8394-4b51-8212-2bbe4d8a5ea2
Figure 6. Areas Important for	Gros Morne National Park:

Figure Title	Data Used to Produce Maps
Viewscapes within the Focus Area	Natural Resources Canada. (2022). National Parks and National Park Reserves of Canada Legislative Boundaries (Record ID: 9e1507cd-f25c-4c64-995b-6563bf9d65bd) [dataset]. Open Government. https://open.canada.ca/data/en/dataset/9e1507cd-f25c-4c64-995b-6563bf9d65bd Sandbanks Provincial Park & Provincially Protected Areas: Environment and Climate Change Newfoundland and Labrador. (2022). *Provincial Protected Areas Newfoundland* (Version 2024) [dataset]. https://www.gov.nl.ca/ecc/natural-areas/gis/gis-data/#PPPNL Provincial Proposed and Transitional Reserves: Environment and Climate Change Newfoundland and Labrador. (2023). *Ten Proposed Sites 2023* [dataset]. https://www.gov.nl.ca/ecc/natural-areas/gis/gis-data/#PPPNL Focus Area: Impact Assessment Agency of Canada. (2023). Focus Area for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador [shapefile]. Open Government. https://open.canada.ca/data/en/dataset/81560d1e-8394-4b51-8212-2bbe4d8a5ea2
Figure 7. Areas Important for Avifauna within the Focus Area	Bird Colonies: Environment and Climate Change Canada. (2016). Atlantic Colonies—Density Analysis [dataset]. Open Government. https://open.canada.ca/data/en/dataset/87bf8597-4be4-4ec2-9ee3-797f5eafbd97 Sea Duck Key Habitat: Sea Duck Joint Venture. (n.d.). Sea Duck Key Habitat Sites Atlas [dataset]. Retrieved February 22, 2024, from https://seaduckjv.org/science-resources/sea-duck-key-habitat-sites-atlas/ Avifauna Critical Habitat: Environment and Climate Change Canada. (2022). Critical Habitat for Species at Risk National Dataset [dataset]. Open Government. https://open.canada.ca/data/en/dataset/47caa405-be2b-4e9e-8f53-c478ade2ca74 Important Bird Areas (Including KBAs): Birds Canada. (2024). IBAs & KBAs [Unpublished Shapefile]. Birds Canada. Retrieved February 20, 2024, from Birds Canada. Lawn Bay Ecological Reserve: Environment and Climate Change Newfoundland and Labrador. (2022). *Provincial Protected Areas Newfoundland* (Version 2024) [dataset]. https://www.gov.nl.ca/ecc/natural-areas/gis/gis-data/#PPPNL Focus Area:

Figure Title	Data Used to Produce Maps
	Impact Assessment Agency of Canada. (2023). Focus Area for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador [shapefile]. Open Government. https://open.canada.ca/data/en/dataset/81560d1e-8394-4b51-8212-2bbe4d8a5ea2
Figure 8. Key Biodiversity Areas within or Adjacent to the Focus Area	Focus Area: Impact Assessment Agency of Canada. (2023). Focus Area for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador [shapefile]. Open Government. https://open.canada.ca/data/en/dataset/81560d1e-8394-4b51-8212-2bbe4d8a5ea2 Key Biodiversity Areas: Birds Canada. (2024). IBAs & KBAs [Unpublished Shapefile]. Birds Canada. Retrieved February 20, 2024, from Birds Canada.
Figure 9. Ecologically and Biologically Significant Areas within the Focus Area	Focus Area: Impact Assessment Agency of Canada. (2023). Focus Area for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador [shapefile]. Open Government. https://open.canada.ca/data/en/dataset/81560d1e-8394-4b51-8212-2bbe4d8a5ea2 Ecologically and Biologically Significant Areas: Fisheries and Oceans Canada. (2023). Ecologically and Biologically Significant Areas [dataset]. Open Government. https://open.canada.ca/data/en/dataset/d2d6057f-d7c4-45d9-9fd9-0a58370577e0
Figure 10. Marine Refuge or Fisheries Closures within the Focus Area	Focus Area: Impact Assessment Agency of Canada. (2023). Focus Area for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador [shapefile]. Open Government. https://open.canada.ca/data/en/dataset/81560d1e-8394-4b51-8212-2bbe4d8a5ea2 Bay of Islands Salmon Migration Closure & Lobster Area Closures: Environment and Climate Change Canada - CWS. (2023). Canadian Protected and Conserved Areas Database (CPCAD) [Data set]. Open Government. https://open.canada.ca/data/en/dataset/6c343726-1e92-451a-876a-76e17d398a1c
Figure 11. Airports Adjacent to the Focus Area	Deer Lake Regional Airport: Transport Canada. (2021). Airports [Data set]. Open Government. https://open.canada.ca/data/en/dataset/3a1eb6ef-6054-4f9d-b1f6-c30322cd7abf Focus Area:

Figure Title	Data Used to Produce Maps
	Impact Assessment Agency of Canada. (2023). Focus Area for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador [shapefile]. Open Government. https://open.canada.ca/data/en/dataset/81560d1e-8394-4b51-8212-2bbe4d8a5ea2
Figure 12. Marine Traffic Routes within or Adjacent to the Focus Area	Focus Area: Impact Assessment Agency of Canada. (2023). Focus Area for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador [shapefile]. Open Government. https://open.canada.ca/data/en/dataset/81560d1e-8394-4b51-8212-2bbe4d8a5ea2 Ferry Route, Navigation Line, Recommended Traffic Lane Part, Traffic Separation Zone, Traffic Separation Scheme Boundary & Traffic Separation Scheme Lane Part: Canadian Hydrographic Service. (2024). Vessel Traffic Routes [Data set]. Open Government. https://open.canada.ca/data/en/dataset/6ab2803a-aace-4e60-83ed-44a7e0ccd1d8
Figure 13. Military Firing Practice and Exercise Areas within the Focus Area	Focus Area: Impact Assessment Agency of Canada. (2023). Focus Area for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador [shapefile]. Open Government. https://open.canada.ca/data/en/dataset/81560d1e-8394-4b51-8212-2bbe4d8a5ea2 Department of National Defence at Sea Firing Practice and Exercise Areas: National Defence. (2023). Department of National Defence Firing Practice and Exercise Areas, Atlantic Canada [Data set]. Open Government. https://open.canada.ca/data/en/dataset/73111c78-298b-4be9-97f1-7aaa73cab477
Figure 14. Significant Benthic Areas within or Adjacent to the Focus Area	Focus Area: Impact Assessment Agency of Canada. (2023). Focus Area for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador [shapefile]. Open Government. https://open.canada.ca/data/en/dataset/81560d1e-8394-4b51-8212-2bbe4d8a5ea2 Significant Benthic Areas: Fisheries and Oceans Canada. (2023). Delineation of Coral and Sponge Significant Benthic Areas in Eastern Canada (2016) [Data set]. Open Government. https://open.canada.ca/data/en/dataset/6af357a3-3be1-47d5-9d1f-e4f809c4c903
Figure 15. All Species Commercial	Focus Area:

Figure Title	Data Used to Produce Maps
Fishery Density within the Focus Area	Impact Assessment Agency of Canada. (2023). Focus Area for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador [shapefile]. Open Government. https://open.canada.ca/data/en/dataset/81560d1e-8394-4b51-8212-2bbe4d8a5ea2 Landings by Weight (kg): Fisheries and Oceans Canada. (2023). Eastern Canada Commercial Fishing [dataset]. Open Government. https://open.canada.ca/data/en/dataset/502da2ef-bffa-4d9b-9e9c-a7425ff3c594
Figure 16. Aquaculture Licenses and Processors within the Focus Area	Aquaculture Licences & Licensed Processors: Government of Newfoundland and Labrador. (2021). Fisheries and Aquaculture Licensed Fish Processors and Aquaculture Sites [dataset]. Fisheries, Forestry, and Agriculture GeoHub. https://geohub-gnl.hub.arcgis.com/apps/GNL::fisheries-and-aquaculture-licensed-fish-processors-and-aquaculture-sites/about Focus Area: Impact Assessment Agency of Canada. (2023). Focus Area for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador [shapefile]. Open Government. https://open.canada.ca/data/en/dataset/81560d1e-8394-4b51-8212-2bbe4d8a5ea2
Figure 17. Use of a Coastal Buffer to Minimize Impacts to Coastal Species and Activities	Coastal Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024b). Coastal Buffer [Shapefile]. Available upon request. Lobster Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024d). Lobster Buffer [Shapefile]. Available upon request. Bird Colony Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024a). Bird Colony Buffer [Shapefile]. Available upon request. Bird Colonies: Environment and Climate Change Canada. (2016). Atlantic Colonies—Density Analysis [dataset]. Open Government. https://open.canada.ca/data/en/dataset/87bf8597-4be4-4ec2-9ee3-797f5eafbd97 Aquaculture Licenses & Licensed Processors:

Figure Title	Data Used to Produce Maps
	Government of Newfoundland and Labrador. (2021). Fisheries and Aquaculture Licensed Fish Processors and Aquaculture Sites [dataset]. Fisheries, Forestry, and Agriculture GeoHub. https://geohub-gnl.hub.arcgis.com/apps/GNL::fisheries-and-aquaculture-licensed-fish-processors-and-aquaculture-sites/about Ferry Routes: Canadian Hydrographic Service. (2024). Vessel Traffic Routes [Data set]. Open Government. https://open.canada.ca/data/en/dataset/6ab2803a-aace-4e60-83ed-44a7e0ccd1d8 Lobster Area Closures & Bay of Islands Salmon Migration Closure: Environment and Climate Change Canada - CWS. (2023). Canadian Protected and Conserved Areas Database (CPCAD) [Data set]. Open Government. https://open.canada.ca/data/en/dataset/6c343726-1e92-451a-876a-76e17d398a1c Airports: Transport Canada. (2021). Airports [Data set]. Open Government. https://open.canada.ca/data/en/dataset/3a1eb6ef-6054-4f9d-b1f6-c30322cd7abf NL Provincially Protected Areas: Environment and Climate Change Newfoundland and Labrador. (2022). Provincial Protected Areas Newfoundland (Version 2024) [dataset]. https://www.gov.nl.ca/ecc/natural-areas/gis/gis-data/#PPPNL Avifauna Critical Habitat: Environment and Climate Change Canada. (2022). Critical Habitat for Species at Risk National Dataset [dataset]. Open Government. https://open.canada.ca/data/en/dataset/47caa405-be2b-4e9e-8f53-c478ade2ca74 Avifauna Critical Habitat Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024). Avifauna Critical Habitat Buffer [Shapefile]. Available upon request. Potential KBA Sites Important for Birds: Birds Canada. (2024). IBAs & KBAs [Unpublished Shapefile]. Birds Canada. Retrieved February 20, 2024, from Birds Canada. Focus Area: Impact Assessment Agency of Canada. (2023). Focus Area for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador [shapefile]. Open Government. https://open.canada.ca/data/en/dataset/81560d1e-8394-4b51-8212-2bbe4d8a5ea2

Figure Title	Data Used to Produce Maps
Thematic Maps Illustrating Constraints Analysis Steps	
Figure 18. Step 1: Creating Coastal Buffers	Coastal Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024b). Coastal Buffer [Shapefile]. Available upon request. Lobster Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024d). Lobster Buffer [Shapefile]. Available upon request. Bird Colony Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024a). Bird Colony Buffer [Shapefile]. Available upon request. Bird Colonies: Environment and Climate Change Canada. (2016). Atlantic Colonies—Density Analysis [dataset]. Open Government. https://open.canada.ca/data/en/dataset/87bf8597-4be4-4ec2-9ee3-797f5eafbd97 Resulting Area: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024f). Resulting Area 1 [Shapefile]. Available upon request.
Figure 19. Step 2: Removing Marine Critical Habitat	Coastal Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024b). Coastal Buffer [Shapefile]. Available upon request. Lobster Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024d). Lobster Buffer [Shapefile]. Available upon request. Bird Colony Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024a). Bird Colony Buffer [Shapefile]. Available upon request. Bird Colonies: Environment and Climate Change Canada. (2016). Atlantic Colonies—Density Analysis [dataset]. Open Government. https://open.canada.ca/data/en/dataset/87bf8597-4be4-4ec2-9ee3-797f5eafbd97

Figure Title	Data Used to Produce Maps
	Marine Critical Habitat: Fisheries and Oceans Canada. (2019). Critical Habitat of Species at Risk [dataset]. Open Government. https://open.canada.ca/data/en/dataset/db177a8c-5d7d-49eb-8290-31e6a45d786c Resulting Area: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024g). Resulting Area 2 [Shapefile]. Available upon request.
Figure 20. Step 3: Removing Marine Protected Area	Coastal Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024b). Coastal Buffer [Shapefile]. Available upon request. Lobster Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024d). Lobster Buffer [Shapefile]. Available upon request. Bird Colony Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024a). Bird Colony Buffer [Shapefile]. Available upon request. Bird Colonies: Environment and Climate Change Canada. (2016). Atlantic Colonies—Density Analysis [dataset]. Open Government. https://open.canada.ca/data/en/dataset/87bf8597-4be4-4ec2-9ee3-797f5eafbd97 Marine Critical Habitat: Fisheries and Oceans Canada. (2019). Critical Habitat of Species at Risk [dataset]. Open Government. https://open.canada.ca/data/en/dataset/db177a8c-5d7d-49eb-8290-31e6a45d786c Laurentian Channel MPA Fisheries and Oceans Canada. (2021). Oceans Act Marine Protected Areas [dataset]. Open Government. https://open.canada.ca/data/en/dataset/a1e18963-25dd-4219-a33f-1a38c497125 Resulting Area: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024h). Resulting Area 3 [Shapefile]. Available upon request.

Figure Title	Data Used to Produce Maps
Figure 21. Step 4: Removing Marine Traffic Routes	Coastal Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024b). Coastal Buffer [Shapefile]. Available upon request. Lobster Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024d). Lobster Buffer [Shapefile]. Available upon request. Bird Colony Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024a). Bird Colony Buffer [Shapefile]. Available upon request. Bird Colonies: Environment and Climate Change Canada. (2016). Atlantic Colonies—Density Analysis [dataset]. Open Government. https://open.canada.ca/data/en/dataset/87bf8597-4be4-4ec2-9ee3-797f5eafbd97 Marine Critical Habitat: Fisheries and Oceans Canada. (2019). Critical Habitat of Species at Risk [dataset]. Open Government. https://open.canada.ca/data/en/dataset/db177a8c-5d7d-49eb-8290-31e6a45d786c Laurentian Channel MPA Fisheries and Oceans Canada. (2021). Oceans Act Marine Protected Areas [dataset]. Open Government. https://open.canada.ca/data/en/dataset/a1e18963-25dd-4219-a33f-1a38c497125 Ferry Route, Traffic Separation Zone & Traffic Separation Scheme Lane Part: Canadian Hydrographic Service. (2024). Vessel Traffic Routes [Data set]. Open Government. https://open.canada.ca/data/en/dataset/6ab2803a-aace-4e60-83ed-44a7e0ccd1d8 Resulting Area: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024i). Resulting Area 4 [Shapefile]. Available upon request.
Figure 22. Step 5: Removing National Marine Conservation Areas	Coastal Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024b). Coastal Buffer [Shapefile]. Available upon request. Lobster Buffer:

Figure Title	Data Used to Produce Maps
	Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024d). Lobster Buffer [Shapefile]. Available upon request. Bird Colony Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024a). Bird Colony Buffer [Shapefile]. Available upon request. Bird Colonies: Environment and Climate Change Canada. (2016). Atlantic Colonies—Density Analysis [dataset]. Open Government. https://open.canada.ca/data/en/dataset/87bf8597-4be4-4ec2-9ee3-797f5eafbd97 Marine Critical Habitat: Fisheries and Oceans Canada. (2019). Critical Habitat of Species at Risk [dataset]. Open Government. https://open.canada.ca/data/en/dataset/db177a8c-5d7d-49eb-8290-31e6a45d786c Laurentian Channel MPA Fisheries and Oceans Canada. (2021). Oceans Act Marine Protected Areas [dataset]. Open Government. https://open.canada.ca/data/en/dataset/a1e18963-25dd-4219-a33f-1a38c497125 Ferry Route, Traffic Separation Zone & Traffic Separation Scheme Lane Part: Canadian Hydrographic Service. (2024). Vessel Traffic Routes [Data set]. Open Government. https://open.canada.ca/data/en/dataset/6ab2803a-aace-4e60-83ed-44a7e0ccd1d8 South Coast Fjords (NMCA) Study Area: Parks Canada. (2024). South Coast Fjords NMCA Study Area (Unpublished raw data). Parks Canada. Retrieved January 31, 2024, from Parks Canada. Resulting Area: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024j). Resulting Area 5 [Shapefile]. Available upon request.
Figure 23. Step 6: Creating Buffers Around National Parks and World Heritage Sites	Coastal Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024b). Coastal Buffer [Shapefile]. Available upon request. Lobster Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024d). Lobster Buffer [Shapefile]. Available upon request.

Figure Title	Data Used to Produce Maps
	Bird Colony Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024a). Bird Colony Buffer [Shapefile]. Available upon request. Bird Colonies: Environment and Climate Change Canada. (2016). Atlantic Colonies—Density Analysis [dataset]. Open Government. https://open.canada.ca/data/en/dataset/87bf8597-4be4-4ec2-9ee3-797f5eafbd97 Marine Critical Habitat: Fisheries and Oceans Canada. (2019). Critical Habitat of Species at Risk [dataset]. Open Government. https://open.canada.ca/data/en/dataset/db177a8c-5d7d-49eb-8290-31e6a45d786c Laurentian Channel MPA Fisheries and Oceans Canada. (2021). Oceans Act Marine Protected Areas [dataset]. Open Government. https://open.canada.ca/data/en/dataset/a1e18963-25dd-4219-a33f-1a38c497125 Ferry Route, Traffic Separation Zone & Traffic Separation Scheme Lane Part: Canadian Hydrographic Service. (2024). Vessel Traffic Routes [Data set]. Open Government. https://open.canada.ca/data/en/dataset/6ab2803a-aace-4e60-83ed-44a7e0ccd1d8 South Coast Fjords (NMCA) Study Area: Parks Canada. (2024). South Coast Fjords NMCA Study Area (Unpublished raw data). Parks Canada. Retrieved January 31, 2024, from Parks Canada. Gros Morne 80km Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024c). Gros Morne Buffer [Shapefile]. Available upon request. Gros Morne National Park: Natural Resources Canada. (2022). National Parks and National Park Reserves of Canada Legislative Boundaries (Record ID: 9e1507cd-f25c-4c64-995b-6563bf9d65bd) [dataset]. Open Government. https://open.canada.ca/data/en/dataset/9e1507cd-f25c-4c64-995b-6563bf9d65bd Resulting Area: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024k). Resulting Area 6 [Shapefile]. Available upon request.
Figure 24. Step 7: Removing High	Coastal Buffer:

Figure Title	Data Used to Produce Maps
Density Fishing Areas	Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024b). Coastal Buffer [Shapefile]. Available upon request. Lobster Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024d). Lobster Buffer [Shapefile]. Available upon request. Bird Colony Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024a). Bird Colony Buffer [Shapefile]. Available upon request. Bird Colonies: Environment and Climate Change Canada. (2016). Atlantic Colonies—Density Analysis [dataset]. Open Government. https://open.canada.ca/data/en/dataset/87bf8597-4be4-4ec2-9ee3-797f5eafbd97 Marine Critical Habitat: Fisheries and Oceans Canada. (2019). Critical Habitat of Species at Risk [dataset]. Open Government. https://open.canada.ca/data/en/dataset/db177a8c-5d7d-49eb-8290-31e6a45d786c Laurentian Channel MPA Fisheries and Oceans Canada. (2021). Oceans Act Marine Protected Areas [dataset]. Open Government. https://open.canada.ca/data/en/dataset/a1e18963-25dd-4219-a33f-1a38c497125 Ferry Route, Traffic Separation Zone & Traffic Separation Scheme Lane Part: Canadian Hydrographic Service. (2024). Vessel Traffic Routes [Data set]. Open Government. https://open.canada.ca/data/en/dataset/6ab2803a-aace-4e60-83ed-44a7e0ccd1d8 South Coast Fjords (NMCA) Study Area: Parks Canada. (2024). South Coast Fjords NMCA Study Area (Unpublished raw data). Parks Canada. Retrieved January 31, 2024, from Parks Canada. Gros Morne 80km Buffer: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024c). Gros Morne Buffer [Shapefile]. Available upon request. Gros Morne National Park:

Figure Title	Data Used to Produce Maps
	Natural Resources Canada. (2022). National Parks and National Park Reserves of Canada Legislative Boundaries (Record ID: 9e1507cd-f25c-4c64-995b-6563bf9d65bd) [dataset]. Open Government. https://open.canada.ca/data/en/dataset/9e1507cd-f25c-4c64-995b-6563bf9d65bd High Density Fishing Areas: Fisheries and Oceans Canada. (2023). Eastern Canada Commercial Fishing [dataset]. Open Government. https://open.canada.ca/data/en/dataset/502da2ef-bffa-4d9b-9e9c-a7425ff3c594 Resulting Area: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024l). Resulting Area 7 [Shapefile]. Available upon request.
Figure 25. Preliminary Offshore Wind Licencing Areas	Depths up to 60m, Depths between 60-80m & Depths between 80-300m: Committee for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador. (2024e). Preliminary OSW Areas FB & FL [Shapefile]. Available upon request. Bathymetry Data (used to delineate depth ranges for each area): GEBCO Compilation Group (2023) *GEBCO 2023 Grid* (doi:10.5285/f98b053b-0cbc-6c23-e053-6c86abc0af7b)

This table provides the references for datasets utilized for each Figure throughout the report.

Appendix G: Summary of Constraints Used to Identify Preliminary Offshore Wind Licencing Areas

CRITICAL HABITATS	
Avifauna Critical Habitat	
Geospatial Data Source	Environment and Climate Change Canada. (2022). Critical Habitat for Species at Risk National Dataset [dataset]. Open Government. https://open.canada.ca/data/en/dataset/47caa405-be2b-4e9e-8f53-c478ade2ca74
Key Considerations	• Critical habitat is protected under the *Species at Risk Act* on federal lands after a protection order. It is the responsibility of provincial authorities to protect critical habitat under their own legislation. • Critical habitat for bank swallow, bobolink and piping plover occurs along the coast of the Focus Area. • ECC-CWS-ATL recommends offshore wind development avoid shoreline with critical habitat or important areas for avifauna Species at Risk by 10 km at a minimum and cautions that foraging distances around critical habitats could exceed this buffer (ECC-CWS-ATL, 2023). • The Netherlands reports they exclude offshore wind from 'bird directive areas' with a minimum distance of 1500 m (SEANSE Project Partners, 2019). Bird directive areas aim to protect all wild bird species in the EU and their habitats. Critical habitats for declining species likely warrant additional protection. • Relative to other species, potential impacts pose a greater risk to Species at Risk because the loss of a few individuals can have detrimental effects at the population level. • In November 2023 meetings with the Committee, Miawpukek First Nation and Qalipu First Nation supported avoiding critical habitat, specifically referencing that for seabirds.
Committee Approach	Critical habitats for avifauna species, including an additional 10 km buffer, were avoided in preliminary offshore wind licencing areas by removing a 10 km coastal buffer around the island of Newfoundland.
Information and Data Gaps	<u>Gaps associated with Critical Habitat for Species at Risk National Dataset</u> • Dataset displays geographic areas within which critical habitat for Species at Risk occurs. To precisely define critical habitat for a particular species it is essential to consider this geospatial information in conjunction with complimentary information provided in a species' recovery document.

	• Recovery planning documents (and, therefore, critical habitat) may be amended as new information becomes available. The Species at Risk Public Registry should always be considered as the primary source for critical habitat information. Other Information and Data Gaps • Habitat use (e.g., foraging distance) and movement behaviour around critical habitats not well understood. • Lesser yellowlegs, monarch, eastern red bat, hoary bat, leach's storm-petrel, and silver-haired bat are currently under consideration for designation as Species at Risk. Critical habitat for these species is not yet defined.
Recommendations	The Committee recommends: • specific setback distances for offshore wind projects from critical habitats be considered by regulators and offshore wind project proponents in consultation with ECCC-CWS-ATL and DFO. This should also include consideration of any newly designated critical habitat. • migratory routes and/or important areas (e.g., stopover sites) be identified and avoided during project-level impact assessments for Species at Risk and for any migratory species under consideration for addition to Schedule 1 of the Species at Risk Act.
Fish Critical Habitat	
Geospatial Data Source:	Fisheries and Oceans Canada. (2019). Critical Habitat of Species at Risk [dataset]. Open Government. https://open.canada.ca/data/en/dataset/db177a8c-5d7d-49eb-8290-31e6a45d786c
Key Considerations	• Critical habitat for northern wolffish and spotted wolffish occur within the Focus Area. • Critical habitat is protected under the *Species at Risk Act* on federal lands after a protection order. It is the responsibility of provincial authorities to protect critical habitat under their own legislation. • The *Species at Risk Act* makes it illegal to destroy any part of the critical habitat of Species at Risk and may impose restrictions on development and construction. • Relative to other species, potential impacts pose a greater risk to Species at Risk because the loss of a few individuals can have detrimental effects at the population level.
Committee Approach	Critical habitats for fish species as delineated in DFO's (2019) Critical Habitat of Species at Risk dataset was completely removed from preliminary offshore wind licencing areas.

Information and Data Gaps:	• Geographic representations of Species at Risk in this dataset are for general guidance only. To precisely define critical habitat for a particular species it is essential to consider this geospatial information in conjunction with complimentary information provided in a species' recovery document. • Due to the nature of dynamic systems and the resolution/accuracy of these data sets, areas within which critical habitat is found as displayed on the mapping tool may not align exactly with natural watercourses.
Recommendations	The Committee recommends: • specific setback distances for offshore wind projects from critical habitats be considered by regulators and offshore wind project proponents in consultation with ECCC-CWS-ATL and DFO. This should also include consideration of any newly designated critical habitat. • migratory routes and/or important areas (e.g., stopover sites) be identified and avoided during project-level impact assessments for Species at Risk and for any migratory species under consideration for addition to Schedule 1 of the *Species at Risk Act.*
MARINE PROTECTED AREAS	
Oceans Act Marine Protected Areas	
Geospatial Data Source	Fisheries and Oceans Canada. (2023c, February 8). *Marine Protected Areas*. Government of Canada. https://www.dfo-mpo.gc.ca/oceans/mpa-zpm-aoi-si-eng.html
Key Considerations	• Laurentian Channel is the only MPA located partially within the Focus Area, along the southwest edge. • The MPA was established to protect a variety of species from human activities, and while prohibited activities currently do not include offshore wind, prohibited activities do include any activities that disturb, damage, destroys, or removes (or likely to do so) any living marine organism or its habitat (DFO, 2023d). • DFO Newfoundland Region recommended that the MPA be fully removed from the Focus Area. • Albania Offshore Wind Siting Study recommends a buffer >20km, due to disturbance during construction and operation. Depending on the area being buffered and its protections, the buffer can decrease, to a minimum of 5km (United States Agency for International Development, 2022). • A study looking at the edge effects of MPAs (the degradation of the effective size of protected areas caused by human related stressors in the surrounding areas), suggests that all MPAs should be surrounded by, at a minimum, 1km precautionary buffer to reduce these effects (Ohayon, Granot & Belmaker, 2021).

	• In their November 2023 meeting with the Committee, Miawpukek First Nation supported the avoidance of MPAs. • In their February 2024 engagement with the public, a participant suggested the Committee consider applying a buffer around MPAs.
Committee Approach	The Laurentian Channel MPA was completely removed from preliminary offshore wind licencing areas.
Information and Data Gaps	Recommendations on setback distances to reduce edge effects from offshore wind projects, if the MPA was not designed with a built-in buffer to offset effects from any activities.
Recommendations	The Committee recommends: • application of additional buffers to MPAs be considered during project-level impact assessments. • offshore wind project proponents undertaking project-level impact assessments consider, in consultation with DFO, setback distances from areas important for the various species on which MPA conservation objectives are based.
NATIONAL MARINE CONVERSATION AREAS	
South Coast Fjords NMCA Study Area	
Geospatial Data Source	Parks Canada Agency, G. of C. (2023, June 2). South Coast Fjords Study Area, Newfoundland—South Coast Fjords Study Area. https://parks.canada.ca/amnc-nmca/cnamnc-cnnmca/fjords-cote-sud-south-coast-fjords Parks Canada. (2024). South Coast Fjords NMCA Study Area (Unpublished raw data). Parks Canada. Retrieved January 31, 2024, from Parks Canada.
Key Considerations	• Proposed South Coast Fjords NMCA is currently being assessed for feasibility to be designated as a formal NMCA, which would help protect significant coastal and marine systems, including the fragile sand dunes ecosystem and the habitats and key migration routes of endangered species. • Prohibited activities within designated NMCAs include the exploration and extraction of hydrocarbons, minerals, aggregates, and other inorganic matter. • Parks Canada advised not including the NMCA Study Area in the preliminary offshore wind licencing areas to ensure no overlap of significant areas that may be in the final NMCA area. • In their November 2023 meeting with the Committee, Miawpukek First Nation supported the avoidance of the NMCA Study Area at this time.

	• In their February 2024 engagement with the public, a participant suggested the Committee consider applying a buffer around the NMCA Study Area.
Committee Approach	The South Coast Fjords NMCA Study Area was completely removed from preliminary offshore wind licencing areas.
Information and Data Gaps	The area removed from the preliminary offshore wind licencing areas may not reflect the final South Coast Fjords NMCA. The NMCA Study Area boundaries are subject to change during the NMCA designation process.
Recommendations	The Committee recommends: • the South Coast Fjords NMCA Study Area as a constraint be reconsidered, once the NMCA designation process is complete. Offshore wind licencing areas should avoid the final South Coast Fjords NMCA. If offshore wind development is proposed in proximity to the South Coast Fjords NMCA before completion of the designation process, the Committee recommends offshore wind project proponents consult Parks Canada regarding the NMCA Study Area and status of designation process.
AREAS IMPORTANT FOR VIEWSCAPES	
Gros Morne National Park and World Heritage Site	
Geospatial Data Source	Natural Resources Canada. (2022). National Parks and National Park Reserves of Canada Legislative Boundaries (Record ID: 9e1507cd-f25c-4c64-995b-6563bf9d65bd) [dataset]. Open Government. https://open.canada.ca/data/en/dataset/9e1507cd-f25c-4c64-995b-6563bf9d65bd
Key Considerations	• UNESCO Guidance for Wind Energy Projects in a World Heritage Context recommends impacts need to be measured in relation to a site's outstanding universal values (OUVs) and any potential, irreversible negative impacts on OUVs should be avoided. Gros Morne's OUVs relate to exceptional natural beauty and internationally significant illustrations of geological evolution (IUCN, & UN EWCMC, 2011). • Parks Canada recommends Gros Morne is highly sensitive to visual intrusions and any impacts to viewscapes should be avoided. Parks Canada recommends a precautionary buffer of 80 km should be used to avoid impacts to viewscapes. This buffer could be adjusted if viewshed analyses provide evidence of no impacts to viewscapes. • Areas off the coast of Gros Morne National Park and World Heritage Site could be more technically suitable for development than other areas in the Focus Area. • Engagement to date has not resulted in feedback specific to the Committee's consideration of Gros Morne National Park and World Heritage Site in determining preliminary offshore wind licencing areas.

Committee Approach	The Committee removed an 80 km buffer zone perpendicular to Gros Morne's coastal boundaries.
Information and Data Gaps	No viewshed analyses were completed by Parks Canada or the Committee to inform the Committee's recommendations. The Committee assumed offshore wind turbines up to 80 km from coastal park boundaries could be visible from elevated viewpoints at Gros Morne National Park.
Recommendations	The Committee recommends: • the C-NLOER, in consultation with federal and provincial authorities, identify and characterize viewscapes in Newfoundland and Labrador and prioritize completing this work for sensitive viewscapes in proximity to the Focus Area. • buffers used to identify preliminary offshore wind licencing areas be revisited following any work completed because of Recommendation 7. Revised buffers should avoid or reduce impacts to sensitive viewscapes as appropriate. Revised buffers should be reflected in a Marine Spatial Plan established for the province or in licencing areas established by Ministers. Should this work not be completed before governments issue a call for bids, offshore wind project proponents should still be required to avoid or, where appropriate, mitigate potential impacts to sensitive viewscapes during project-level impact assessments.
Views from Sandbanks Provincial Park	
Geospatial Data Source	Parks Canada Agency, G. of C. (2023, June 2). South Coast Fjords Study Area, Newfoundland—South Coast Fjords Study Area. https://parks.canada.ca/amnc-nmca/cnamnc-cnnmca/fjords-cote-sud-south-coast-fjords
Key Considerations	• Sandbanks Provincial Park is being considered for redesignation as a national park. • Parks Canada recommended excluding the South Coast Fjords NMCA Study Area from offshore wind licencing areas would avoid visual intrusions within Sandbanks Provincial Park. • Engagement to date has not resulted in feedback specific to the Committee's consideration of views from Sandbanks Provincial Park in determining preliminary offshore wind licencing areas.
Committee Approach	Potential impacts to viewscapes at Sandbanks Provincial Park were avoided by completely removing the NMCA Study Area from preliminary offshore wind areas.
Information and Data Gaps	• No completed viewshed analysis. • No overarching policy, guidance, or regulations about protecting visual resources at nationally or provincially protected areas.

	• South Coast Fjords NMCA and Sand Banks National Park Boundaries are not finalized.
Recommendations	The Committee recommends: • the C-NLOER, in consultation with federal and provincial authorities, identify and characterize viewscapes in Newfoundland and Labrador and prioritize completing this work for sensitive viewscapes in proximity to the Focus Area. • buffers used to identify preliminary offshore wind licencing areas be revisited following any work completed because of Recommendation 7. Revised buffers should avoid or reduce impacts to sensitive viewscapes as appropriate. Revised buffers should be reflected in a Marine Spatial Plan established for the province or in licencing areas established by Ministers. Should this work not be completed before governments issue a call for bids, offshore wind project proponents should still be required to avoid or, where appropriate, mitigate potential impacts to sensitive viewscapes during project-level impact assessments.
Provincially Protected Areas	
Geospatial Data Source	Government of Newfoundland and Labrador. (2020). Provincially Protected Areas [dataset]. Fisheries, Forestry and Agriculture (FFA) GeoHub. https://geohub-gnl.hub.arcgis.com/datasets/GNL::provincial-protected-areas/explore?location=47.676837%2C-56.045228%2C6.51
Key Considerations	• Several provincially protected areas are adjacent or in proximity to the Focus Area. • Section 4 of the Wilderness and Ecological Reserve Act includes the experience and appreciation of natural environment as a possible reason for establishing a wilderness reserve and the province lists recreation and ecotourism as some of the many reasons parks and reserves are maintained (Newfoundland and Labrador Department of Environment and Climate Change, 2020). • The province recognizes benefits of provincially protected areas include providing for the enjoyment and appreciation of outstanding scenery, landscape, and wildlife (Newfoundland and Labrador Department of Environment and Climate Change, 2020). • Visibility distances and impacts on viewscapes are highly dependent on project- site- and viewer- specific factors. • During February 2024 engagement with the Indigenous Knowledge Advisory Group, a participant noted that a coastal buffer for offshore wind development is generally larger than 10 km in most jurisdictions, with the goal of protecting viewscapes. However, if the coast is not largely inhabited, and protection of the viewscape is not of significant concern, then the 10 km coastal buffer may be sufficient. The participant

	suggested a coastal buffer of 20 km or more, depending on the size of the turbines and significance of the viewscape.
Committee Approach	Potential impacts on viewscapes from provincially protected areas (existing and proposed), coastal communities and cottages were reduced by removing a 10 km coastal buffer around the islands of Newfoundland and Ramea from preliminary offshore wind licencing areas.
Information and Data Gaps	<u>Gaps associated with data source:</u> • The boundaries included in the data are graphical representations and are not meant to be used as a legal definition. The official record remains the order published in the Newfoundland Gazette. All users should consult legislative references when exact land descriptions are required. <u>Other information and data gaps:</u> • Based on information gathered to date the Committee has found limited information about visual resources at provincial parks, regulatory or policy direction about protecting those resources and/or existing viewshed analyses. • No information or recommendations provided by the province to date regarding viewscapes at provincially protected areas.
Recommendations	The Committee recommends: • the C-NLOER complete visual assessments to identify viewscapes that could be impacted by offshore wind development in offshore wind licencing areas before issuing a call for bids. Offshore wind project proponents should be required to avoid or, where appropriate, mitigate potential impacts to these viewscapes during project-level impact assessments. • the C-NLOER, in consultation with federal and provincial authorities, identify and characterize viewscapes in Newfoundland and Labrador and prioritize completing this work for sensitive viewscapes in proximity to the Focus Area. • buffers used to identify preliminary offshore wind licencing areas be revisited following any work completed because of Recommendation 7. Revised buffers should avoid or reduce impacts to sensitive viewscapes as appropriate. Revised buffers should be reflected in a Marine Spatial Plan established for the province or in licencing areas established by Ministers. Should this work not be completed before governments issue a call for bids, offshore wind project proponents should still be required to avoid or, where appropriate, mitigate potential impacts to sensitive viewscapes during project-level impact assessments.

Community and Cottage Viewscapes and Noise	
Geospatial Data Source	No data.
Key Considerations	• Visibility distances and impacts on viewscapes are highly dependent on project- site- and viewer- specific factors. • During February 2024 engagement with the Indigenous Knowledge Advisory Group, a participant noted that a coastal buffer for offshore wind development is generally larger than 10 km in most jurisdictions, with the goal of protecting viewscapes. However, if the coast is not largely inhabited, and protection of the viewscape is not of significant concern, then the 10 km coastal buffer may be sufficient. The participant suggested a coastal buffer of 20 km or more, depending on the size of the turbines and significance of the viewscape.
Committee Approach	Potential impacts on viewscapes from provincially protected areas (existing and proposed), coastal communities and cottages were reduced by removing a 10 km coastal buffer around the islands of Newfoundland and Ramea from preliminary offshore wind licencing areas.
Information and Data Gaps	• Limited information and/or methodical assessments of viewscape quality and viewsheds in Newfoundland. • The committee assumed important community and cottage viewscapes could occur anywhere along the coast of inhabited islands (Newfoundland and Ramea).
Recommendations	The Committee recommends: • the C-NLOER complete visual assessments to identify viewscapes that could be impacted by offshore wind development in offshore wind licencing areas before issuing a call for bids. Offshore wind project proponents should be required to avoid or, where appropriate, mitigate potential impacts to these viewscapes during project-level impact assessments. • the Committee recommends that the C-NLOER, in consultation with federal and provincial authorities, identify and characterize viewscapes in Newfoundland and Labrador and should prioritize completing this work for sensitive viewscapes in proximity to the Focus Area. Characterizing viewscapes means, for example, assessing visual quality, character, and sensitivity of viewscapes. • the Committee recommends that buffers used to identify preliminary offshore wind licencing areas be revisited based on work completed because of the recommendation above. Revised buffers should avoid or reduce impacts to sensitive viewscapes as appropriate. Revised buffers should be reflected in a

	Marine Spatial Plan established for the province or in licencing areas established by Ministers. In the case that this work is not completed before the province issues a call for bids, offshore wind project proponents should still be required to avoid or, where appropriate, mitigate potential impacts to sensitive viewscapes during project-level impact assessments.
AREAS IMPORTANT FOR AVIFAUNA	
Bird Colonies	
Geospatial Data Source:	Environment and Climate Change Canada. (2016). Atlantic Colonies—Density Analysis [dataset]. Open Government. https://open.canada.ca/data/en/dataset/87bf8597-4be4-4ec2-9ee3-797f5eafbd97
Key Considerations	• ECCC-CWS-ATL advises offshore wind licencing areas should avoid bird colonies. However, a catch-all buffer around bird colonies is not appropriate due to variation across colonies, species, individual traits, years, and project factors. • Ronconi et al. (2002) used tracking data for seabird species in Atlantic Canada to develop prediction models for foraging distribution around breeding sites. Results show large variation between species and colonies. • ECCC-CWS-ATL is developing a risk assessment tool that should be used at the impact assessment stage to aid in project- and species- specific distance determinations. • During engagement with an offshore wind developer in January 2024, the Committee heard they do not tend to use a standard setback distance around bird colonies when siting offshore wind project in other jurisdictions. Instead, proponents tend to track, model, and predict the distribution of birds and aim to avoid areas where a high distribution of birds is expected. Standard setback distances around colonies are not used because of high variation in foraging distances around colonies.
Committee Approach	Important areas for avifauna were avoided in preliminary offshore wind licencing areas by removing a 10 km coastal buffer around the islands of Newfoundland and Ramea and an additional 5 km buffer around coastal islands with bird colonies.
Information and Data Gaps	Gaps associated with the Atlantic Colonies – Density dataset: • Species colony counts are rarely conducted annually, and some species require different census techniques. • Some colonies included are not currently suitable for breeding. ECCC-CWS-ATL advised colonies may reactivate after years of non-use therefore all colonies with count data were included.

	• Data may not include all marine bird colonies or reflect changes in species composition at individual colonies. <u>Other data and information gaps:</u> • Impacts of sea level rise and climate change on colonial nesting habitats remains a data/knowledge gap. This information will be required to assess long-term impacts on populations of colonial nesting birds. • Habitat use around colonies (e.g., foraging distances) unclear.
Recommendations	The Committee recommends: • project- and colony- specific buffers should be set case-by-case during project-level impact assessments. Offshore wind project proponents should consult ECCC-CWS-ATL for specific recommendations based on the risk evaluation tool ECCC-CWS-ATL is currently developing.
Sea Duck Key Habitat Sites	
Geospatial Data Source	Bowman T. D., Churchill J. L., Lepage C., Badzinski S.S., Gilliland S.G., McLellan N. and Silverman E. 2022. Atlas of sea duck key habitat sites in North America. Sea Duck Joint Venture. March 2022. https://seaduckjv.org/science-resources/sea-duck-key-habitat-sites-atlas/
Key Considerations	• Designation is intended to heighten awareness of valuable sea duck habitats, and aid in prioritizing habitat conservation and protection efforts. • Most sites occur outside of the Focus Area or along the coast of Newfoundland. • A small part of the St. Pierre and Miquelon to Cape St. Mary's Sea Duck Key Habitat Site occurs within the Focus Area, mostly along the coast of Newfoundland. • ECCC-CWS-ATL has not provided any recommendations about setback distances to date. • Engagement to date has not resulted in feedback specific to the Committee's consideration of sea duck key habitat sites in determining preliminary offshore wind licencing areas.
Committee Approach	Important areas for avifauna were avoided in preliminary offshore wind licencing areas by removing a 10 km coastal buffer around the islands of Newfoundland and Ramea and an additional 5 km buffer around coastal islands with bird colonies.
Information and Data Gaps	<u>Gaps associated with the Bowman et al. dataset:</u> • Information on sea duck use of these sites is based on expert opinion and single or infrequent surveys.
Recommendations	The Committee recommends:

	• offshore wind project proponents consult ECCC-CWS-ATL to consider any updated information on sea-duck key habitat sites and appropriate measures to avoid or mitigate impacts during project-level impact assessments.
Important Shorebird Sites	
Geospatial Data Source	Canadian Wildlife Service (CWS). 2023a. Regionally Important Shorebird Sites (derived from ACSS data). Internal unpublished data. McKellar A. E., Aubry Y., Drever M. C., Friis C., Gratto-Trevor C. L., Paquet J., Pekarik C., & Smith P. A. 2020. Potential Western Hemisphere Shorebird Reserve Network sites in Canada: 2020 update. Wader Study 127(2). https://doi.org/10.18194/ws.00190 WHSRN. 2023a. Designated WHSRN site boundaries. https://www.arcgis.com/home/item.html?id=f7c833f6be3e44ff8e1db47821f6bd65 WHSRN. 2023b. Important Shorebird Sites (Potential WHSRN sites). https://www.arcgis.com/home/item.html?id=35ebaf6b20ed4203988ab428fc07dae4
Key Considerations	• Important shorebird sites are regionally important sites for shorebirds. • ECCC-CWS-ATL identified these as potentially important to consider in the Regional Assessment and indicated that shorebird sites are assumed to be connected and could imply movements between sites. • No recommendations have been provided to date regarding specific buffers to avoid these sites. • Engagement to date has not resulted in feedback specific to the Committee's consideration of important shorebird sites in determining preliminary offshore wind licencing areas.
Committee Approach	Important areas for avifauna were avoided in preliminary offshore wind licencing areas by removing a 10 km coastal buffer around the islands of Newfoundland and Ramea and an additional 5 km buffer around coastal islands with bird colonies.
Information and Data Gaps	• Offshore distribution or movement data would better estimate high risk areas for shorebirds. • Additional sites could be identified through ongoing work.
Recommendations	The Committee recommends: • offshore wind project proponents consult ECCC-CWS-ATL to consider any updated information on shorebird movement patterns and appropriate measures to avoid or mitigate impacts during project-level impact assessments.

Red Knot Important Stopover Sites	
Geospatial Data Source	Environment and Climate Change Canada (ECCC). 2023d. Red Knot Priority Sites in Atlantic Canada. Internal unpublished data.
Key Considerations	• ECCC-CWS-ATL provided the Committee with a confidential map showing locations of shoreline identified as Red Knot priority stopover sites with an additional 10 km buffer. They indicated this buffer is a conservative estimate of the distance required for Red Knot to reach flight altitudes higher than anticipated heights of turbine rotor swept zones (20-300 m). • Engagement to date has not resulted in feedback specific to the Committee's consideration of red knot important stopover sites in determining preliminary offshore wind licencing areas.
Committee Approach	Important areas for avifauna were avoided in preliminary offshore wind licencing areas by removing a 10 km coastal buffer around the islands of Newfoundland and Ramea and an additional 5 km buffer around coastal islands with bird colonies.
Information and Data Gaps	• Confidential, unpublished data associated with a Species at Risk. • List of priority sites was developed by ECCC-CWS-ATL and is based on Atlantic Canada Shorebird Survey (ACSS) data (maximum counts) collected since 1974. ACCS are volunteer-based surveys and are rarely conducted annually. • Other important stopover sites may be identified through ongoing research.
Recommendations	The Committee recommends: • offshore wind project proponents consult ECCC-CWS-ATL to consider any updated information about important stopover areas for red knot and appropriate measures to avoid or mitigate impacts during project-level impact assessments.
Lawn Island Archipelago	
Geospatial Data Source	Government of Newfoundland and Labrador. (2020). Provincially Protected Areas [dataset]. Fisheries, Forestry and Agriculture (FFA) GeoHub. https://geohub-gnl.hub.arcgis.com/datasets/GNL::provincial-protected-areas/explore?location=47.676837%2C-56.045228%2C6.51
Key Considerations	• Provincial ecological reserve that ECCC-CWS-ATL advised the Committee to consider an important area for birds.

Committee Approach	Important areas for avifauna were avoided in preliminary offshore wind licencing areas by removing a 10 km coastal buffer around the islands of Newfoundland and Ramea and an additional 5 km buffer around coastal islands with bird colonies.
Information and Data Gaps	No recommendations or information provided by province to date.
Recommendations	Currently, the Committee has no additional recommendations related to this constraint.
KEY BIODIVERSITY AREAS	
Geospatial Data Source	Birds Canada. (2024). IBAs & KBAs [Unpublished Shapefile]. Birds Canada. Retrieved February 20, 2024, from Birds Canada. KBA Canada Coalition. (2024). Canada Key Biodiversity Areas—Map Viewer. https://kbacanada.org/explore/map-viewer/
Key Considerations	• Geographic areas that contribute to the persistence of biodiversity nationally and globally. • Designated according to internationally accepted standards. • KBAs are information tools. Designation does not change access/ownership or prescribe any use or regulatory recommendations or requirements. • KBA protection can support rare and threatened species and ecosystems, as well as natural processes. • All existing and proposed KBAs within the Focus Area occur along the coast of Newfoundland or within the St. Pierre Miquelon Exclusive Economic Zone. • Engagement to date has not resulted in feedback specific to the Committee's consideration of KBAs in determining preliminary offshore wind licencing areas.
Committee Approach	The Committee avoided KBAs by removing a 10 km coastal buffer around the islands of Newfoundland and Ramea and a 5 km buffer around bird colonies from preliminary offshore wind licencing areas.
Information and Data Gaps	KBAs are currently being identified and assessed for designation in Canada, including the reassessment and designation of Important Bird and Biodiversity Areas (IBAs). Boundaries are subject to change.
Recommendations	The Committee recommends: • Specific setback distances be considered during project-level impact assessments based on the objectives of the KBA (e.g., protect piping plover). Setback distances should be selected in consultation with the appropriate expert authorities well in advance of projects.
MARINE REFUGE AND FISHERIES CLOSURES	

Geospatial Data Source	Environment and Climate Change Canada - CWS. (2023). Canadian Protected and Conserved Areas Database (CPCAD) [Data set]. Open Government. https://open.canada.ca/data/en/dataset/6c343726-1e92-451a-876a-76e17d398a1c
Key Considerations	• Marine Refuge or Fisheries Closures are considered OEABCMs, which are complimentary to MPAs and can implement legal protection. • Within the Focus Area there is the Bay of Islands Salmon Migration Closure as well as three Lobster Area Closures (Trout River, Shoal Point & Penguin Islands), which prohibit all pelagic fixed gear fisheries and all lobster fishing, respectively. • DFO NL Region has not provided any recommendations on a buffer for these areas. • Indigenous groups and Indigenous Knowledge Advisory Group members expressed the importance of protecting Atlantic salmon and American eel, including avoiding migratory routes of these species. • Public stakeholders suggested the exclusion of the Bay of Islands to protect the Atlantic salmon and other fish migratory routes within the preliminary offshore licencing areas.
Committee Approach	The currently established Marine Refuges and Fisheries Closures, including an additional buffer, was avoided in preliminary offshore wind licencing areas by removing a 10 km coastal buffer around the island of Newfoundland.
Information and Data Gaps	The Committee has not identified any limitations associated with this constraint to date.
Recommendations	Currently, the Committee has no additional recommendations related to this constraint.
AIRPORTS, AND INLAND AND MARINE AERODROMES	
Geospatial Data Source	Transport Canada. (2021). Airports [dataset]. Open Government. https://open.canada.ca/data/en/dataset/3a1eb6ef-6054-4f9d-b1f6-c30322cd7abf
Key Considerations	• Two airports are near the Focus Area. • Turbines can impact aircraft navigation systems, radar, and communications equipment. • Setback distances in other jurisdictions vary depending on the size of the specific wind farm. • Engagement to date has not resulted in feedback specific to the Committee's consideration of airports and aerodromes in determining preliminary offshore wind licencing areas.
Committee Approach	Given the distance of the airports from the coastline, the application of a 10 km coastal buffer, could address potential impacts to airports as a starting point.

Information and Data Gaps	• Only contains airports served by NAV Canada control towers or flight service stations. • Safeguard distance between airports and windfarms is unclear. The distance varies across jurisdictions and is dependent on project-specific factors.
Recommendations	The Committee recommends: • the appropriate authorities develop specific setback distances from airports and aerodromes for offshore wind project proponent consideration during project-level impact assessments.
OTHER OCEAN USES	
Marine Traffic	
Geospatial Data Source	Canadian Hydrographic Service. (2024). Vessel Traffic Routes [Dataset]. Open Government. https://open.canada.ca/data/en/dataset/6ab2803a-aace-4e60-83ed-44a7e0ccd1d8
Key Considerations	• There is extensive marine vessel traffic throughout the Focus Area during all seasons, especially in the Cabot Strait and Placentia Bay. • Vessels can include and are not limited to fisheries and research vessels, cargo vessels, passenger vessels and cruise vessels, and can include both domestic and international traffic. • Setback distances for offshore wind projects from marine traffic routes vary across jurisdictions. The Committee has found examples where buffers ranging from 3.7 km to 9.3 km are used around marine traffic routes (Gahramanov & Beji, 2023). The Committee has also found examples where a standard risk matrix is used to select setback distances at a project-specific level (Maritime & Coastguard Agency, n.d.). • Engagement to date has not resulted in feedback specific to the Committee's consideration of marine traffic. Please see the "AREAS IMPORTANT FOR COMMERCIAL FISHERIES" section of this table for engagement outcomes specific to commercial fisheries.
Committee Approach	The Committee avoided marine traffic routes by removing vessel traffic routes identified in the Canadian Hydrographic Service's (2024) Vessel Traffic Routes dataset. A 500 m buffer was additionally removed around ferry routes between ports on the island of Newfoundland (Argentia and Port aux Basques) and Nova Scotia (North Sydney). This small buffer was used because ferry routes are represented linearly in the dataset and could not be removed without a buffer. The 500 m buffer is not reflective of the distance that should be maintained between ferry routes and wind farms.

	Transportation routes in bays/coastal areas were already removed from the Focus Area because of the use of coastal buffers.
Information and Data Gaps	The Canadian Hydrographic Service (2024) vessel traffic route dataset does not include known vessel routes into Stephenville and Corner Brook. The Committee has requested DFO to provide an update on if these routes will be included in the publicly available geospatial dataset. Updates have not been received to date.
Recommendations	The Committee recommends: • vessel routes and traffic be investigated further at the project level to impose appropriate buffers and management plans with that industry. The Committee notes a pre-development survey would identify submarine cables to be avoided when siting a project.
AREAS IMPORTANT FOR COMMERCIAL FISHERIES	
Lobster & Nearshore Fisheries	
Geospatial Data Source	Natural Resources Canada. (2023). CanVec 50K [dataset]. Topographic Data of Canada - CanVec Series. https://open.canada.ca/data/en/dataset/8ba2aa2a-7bb9-4448-b4d7-f164409fe056/resource/59968c05-6a94-4120-b525-947ca8298d7b
Key Considerations	• All fisheries in Newfoundland and Labrador contribute significant value to the economy, culture, and livelihood of the population, with the Lobster fishery being the most valued fishery, accounting for 80% of landed value, for small non-georeferenced fisheries within the Focus Area. • Miawpukek First Nation and Qalipu First Nation indicated that the entire Focus Area is important for Indigenous commercial, ceremonial, and communal fisheries. • In their February 2024 engagement with the Fisheries and Other Ocean Uses Advisory Group, a participant suggested a coastal buffer of 12 miles (~19 km) would be more suitable as the Committee's 10 km coastal buffer does not encompass the fishing activities in 3PN and parts of 4R.
Committee Approach	The Committee applied and removed a 3 km buffer around coastal islands that were not already removed from the Focus Area after applying other coastal buffers.
Information and Data Gaps	• The Committee did not have access to geospatial data delineating lobster fishing areas. The committee assumed a lobster fishery could occur within 3 km of any coastal island. • DFO NL Region has not provided any recommendations on a buffer for these fisheries.
Recommendations	The Committee recommends:

	• fisheries be assessed at the project level, with input from the fishing industry. The Committee additionally recommends consideration of co-location, which is in place in jurisdictions where offshore wind farms and fisheries co-exist. This includes applying buffers around turbines to limit negative impacts and avoid fisheries conflict. • DFO compile and analyze logbook data based on offshore wind licensing areas identified by the C-NLOER, to aid in setting strategic priorities for the call for bids.
All Commercial Species (that are included in the dataset)	
Geospatial Data Source:	Fisheries and Oceans Canada. (2023). Eastern Canada Commercial Fishing [dataset]. Open Government. https://open.canada.ca/data/en/dataset/502da2ef-bffa-4d9b-9e9c-a7425ff3c594
Key Considerations	• Fisheries in Newfoundland and Labrador are highly significant to the population's livelihood, the province's economy, and culture. • Other jurisdictions have implemented marine spatial plans where the co-location of fisheries is planned and explained for different marine industries, including offshore wind. Setback distances from specific fisheries or from turbines are based on these plans and on a project-by-project basis. • During the Committee's engagement with an offshore wind developer in October 2023, a participant suggested the avoidance of high-density fishing areas to prevent conflict. This constraint has been considered to the extent to which data is available, and the Committee continues to engage on the constraint. • During the February 2024 engagement with the public, and the Fisheries and Other Ocean Uses and the Scientific and Community Knowledge advisory groups, participants suggested the consideration of fisheries data in logbooks as many vessels under 35ft do not carry AIS, and not rely solely on data from the DFO Marine Atlas.
Committee Approach	As a starting point, the Committee has removed the highest 50% of fishing density from preliminary offshore wind licencing areas.
Information and Data Gaps	• Fishing density data that is publicly available only captures most geo-referenced fisheries and has incorporated logbook data as best as possible. Small vessel fisheries (vessels smaller than 35 feet) and certain species are not captured in this dataset, so much more engagement is needed to fill these gaps. • Fishing density may not be representative of a fisheries value, especially to local economies.
Recommendations	The Committee recommends:

	• fisheries be assessed at the project level, with input from the fishing industry. The Committee additionally recommends consideration of co-location, which is in place in jurisdictions where offshore wind farms and fisheries co-exist. This includes applying buffers around turbines to limit negative impacts and avoid fisheries conflict. • DFO compile and analyze logbook data based on offshore wind licensing areas identified by the C-NLOER, to aid in setting strategic priorities for the call for bids.
AQUACULTURE	
Aquaculture Sites and Licenses	
Geospatial Data Source	Government of Newfoundland and Labrador. (2021). Fisheries and Aquaculture Licensed Fish Processors and Aquaculture Sites [dataset]. Fisheries, Forestry, and Agriculture GeoHub. https://geohub-gnl.hub.arcgis.com/apps/GNL::fisheries-and-aquaculture-licensed-fish-processors-and-aquaculture-sites/about
Key Considerations	• There are many aquaculture sites for a variety of species located along the coastline within the Focus Area, specifically within Placentia Bay, Fortune Bay, and St. George's Bay. • No specific recommendations about setback distances have been provided by expert authorities to date. • Engagement to date has not resulted in feedback specific to the Committee's consideration of aquaculture in determining preliminary offshore wind licensing areas.
Committee Approach	Conflict with the Aquaculture industry was avoided in preliminary offshore wind licencing areas by removing a 10 km coastal buffer around the island of Newfoundland.
Information and Data Gaps	The Committee has not identified any limitations associated with this constraint to date.
Recommendations	The Committee has not identified any recommendations to address information and data gaps related to aquaculture to date.

This table summarizes the constraints the Committee used to identify their preliminary offshore wind licencing areas.

Appendix H: Summary of Constraints Unable to be Applied

In their constraint analysis, the Committee reviewed data received from government agencies related to the constraints listed in table below. The Committee also received suggestions during their engagement sessions to consider the constraints in identifying their preliminary offshore wind licencing areas. However, the Committee could not consider/apply the constraints due to significant data/information gaps (i.e., either due to the lack of geospatial data or existing data with significant limitations). The table summarizes the constraints, data/information gaps, and the Committee's recommendations.

Areas Important for Avifauna	
Avifauna Movement Patterns	
Source	Northern Gannet Spiegel, C. S., Berlin, A. M., Gilbert, A. T., Gray, C. O., Montevecchi, W. A., Stenhouse, I. J., Ford, S. L., Olsen, G. H., Fiely, J. L., Savoy, L., Goodale, M. W., & Burke, C. M. (2017). *Determining Fine-scale Use and Movement Patterns of Diving Bird Species in Federal Waters of the Mid-Atlantic United States Using Satellite Telemetry US Department of the Interior Bureau of Ocean Energy Management Office of Renewable Energy Programs*. https://www.boem.gov/sites/default/files/documents/environment/boem-2017-069.pdf Stenhouse, I. J., Berlin, A. M., Gilbert, A. T., Goodale, M. W., Gray, C. E., Montevecchi, W. A., Savoy, L., & Spiegel, C. S. (2020). Assessing the exposure of three diving bird species to offshore wind areas on the U.S. Atlantic Outer Continental Shelf using satellite telemetry. *Diversity and Distributions*, *26*(12), 1703–1714. https://doi.org/10.1111/ddi.13168 Northeast Ocean Data. (n.d.). *Data Explorer	Northeast Ocean Data Portal*. https://www.northeastoceandata.org/data-explorer/ Whimbrel Movebank. (n.d.). *Movebank*. Movebank - for Animal Tracking Data. https://www.movebank.org/cms/webapp?gwt_fragment=page%3Dstudies%2Cpath%3Dstudy7073245 CWS. (2016). Whimbrel Argos PTT tracking dataset. Unpublished Data. [CONFIDENTIAL]. American Golden-Plover, Black-billed Plover, shorebird movement tracks and density eBird. (2023). *Access and Analyze eBird Status and Trends Data Products*. ebirdst. https://ebird.github.io/ebirdst/

Information and Data Gaps	• Data for most species shows locations and tracks for only a few individuals. Small sample sizes may not accurately represent movement patterns at the population level. • Some data on movement patterns provided by ECCC-CWS-ATL is confidential, unpublished data.
Recommendations	The Committee recommends: • more work be completed on avian migratory routes and species-specific buffers during project-level impact assessments. • project- and colony- specific buffers should be set case-by-case during project-level impact assessments. Offshore wind project proponents should consult ECCC-CWS-ATL for specific recommendations based on the risk evaluation tool ECCC-CWS-ATL is currently developing. • offshore wind project proponents consult ECCC-CWS-ATL to consider any updated information on sea-duck key habitat sites and appropriate measures to avoid or mitigate impacts during project-level impact assessments. • offshore wind project proponents consult ECCC-CWS-ATL to consider any updated information on shorebird movement patterns and appropriate measures to avoid or mitigate impacts during project-level impact assessments. • offshore wind project proponents consult ECCC-CWS-ATL to consider any updated information about important stopover areas for red knot and appropriate measures to avoid or mitigate impacts during project-level impact assessments
Marine Bird Foraging Areas	
Source	Ronconi, R. A., Lieske, D. J., McFarlane, L. A., Abbott, S., Allard, K. A., Allen, B., Black, A. L., Bolduc, F., Davoren, G. K., Diamond, A. W., Fifield, D. A., Garthe, S., Gjerdrum, C., Hedd, A., Mallory, M. L., Mauck, R. A., McKnight, J., Montevecchi, W. A., Pollet, I. L., & Pratte, I. (2022). Predicting Seabird Foraging Habitat for Conservation Planning in Atlantic Canada: Integrating Telemetry and Survey Data Across Thousands of Colonies. *Frontiers in Marine Science*, *9*(816794). https://doi.org/10.3389/fmars.2022.816794
Information and Data Gaps	• Poor data output due to insufficient tracking information for some species. • Small number of samples sizes (not a true representative of the entire population), with missing information on key stopovers. • Densities based on tracks from few individuals/few species. Not representative of the population and needs to be considered with caution.

	• Data collected at inappropriate temporal or spatial scales. • Tracking data may be less representative of true foraging behaviours.
Recommendations	The Committee recommends offshore wind project proponents consult ECCC-CWS-ATL for an up-to-date list of MBSs and NWAs, as well as any updated information on foraging range, species-by-species and to avoid them during offshore wind siting.
Migratory Bird Sanctuaries (MBS) and National Wildlife Areas (NWAs)	
Source	Environment and Climate Change Canada. (2023b). *Canadian Protected and Conserved Areas Database*. Government of Canada. https://www.canada.ca/en/environment-climate-change/services/national-wildlife-areas/protected-conserved-areas-database.html
Information and Data Gaps	• Canada's MBS and NWA list are continuously updated as new locations are identified and designated.
Recommendations	The Committee recommends: • offshore wind project proponents consult ECCC-CWS-ATL for an up-to-date list of MBSs and NWAs, as well as any updated information on foraging range, species-by-species and to avoid them during offshore wind siting. • site assessments and / or project-level impact assessments set appropriate buffer/setback distances that adequately protect MBS and NWA
Bird Density, Abundance and Distribution	
Source	<u>Pelagic Bird Density:</u> ECCC. (2023c). Atlas of Seabirds at Sea in Eastern Canada 2006 - 2020 (50 km hex update, unpublished). [CONFIDENTIAL]. <u>Shorebird Coastal Density, Waterfowl Relative Abundance and Waterfowl Band Encounters:</u> Canadian Wildlife Service. (2012). Atlantic Canada Shorebird Surveys (ACSS) data, 1971-present. Internal database. Canadian Wildlife Service. (2023b). Purple Sandpiper Surveys. 1971-2023. Internal database. Canadian Wildlife Service. (2014). Semipalmated Sandpiper aerial survey data from Bay of Fundy 1976 – 2014. Internal database. Canadian Wildlife Service. (2015). Phalarope Aerial Surveys in the Bay of Fundy 2009, 2010 and 2015. Internal database. eBird. (2023). *Access and Analyze eBird Status and Trends Data Products*. ebirdst. https://ebird.github.io/ebirdst/

	Canadian Wildlife Service. (2023c). Coastal Waterfowl Block Observations. Internal database. USGS. (2023). *Bird Banding Data Exploration Tool*. USGS. https://www.pwrc.usgs.gov/BBL/Bander_Portal/login/bbl_data_request_summary.php data
Information and Data Gaps	• Information provided about pelagic bird density was based on ECSAS surveys. ECSAS surveys use ships of opportunity surveys to collect data resulting in low survey effort and high variation in some areas. ECCC-CWS-ATL advised this data is a good resource for identifying areas where seabirds at sea are found in eastern Canada, but density estimates need to be interpreted with caution. • Information on shorebird coastal density provided by ECCC-CWS-ATL was based on unpublished, internal data. • ECCC-CWS-ATL indicated information on waterfowl relative abundance and waterfowl band encounters was based on unpublished, internal data and/or ongoing, incomplete assessments.
Recommendations	The Committee recommends proponents of offshore wind projects consult ECCC-CWS-ATL for species density information to know where species might be congregating, and the areas where they might transit/migrate, and to avoid those areas when siting offshore wind farms.
Protected Area Buffers	
Marine Protected Area Buffer	
Source	N/A
Information and Data Gaps	• MPAs were excluded from the preliminary offshore wind licencing areas, with no additional buffer/setback distance. • Literature search for a potential buffer also revealed varied figures from different jurisdictions in dealing with edge effects of MPAs (Ohayon, Granot & Belmaker, 2021; United States Agency for International Development, 2022).
Recommendations	The Committee recommends: • application of additional buffers to MPAs be considered during project-level impact assessments. • offshore wind project proponents undertaking project-level impact assessments consider, in consultation with DFO, setback distances from areas important for the various species on which MPA conservation objectives are based.

National Marine Conservation Area Buffer	
Source	Parks Canada. (2023b). Parks Canada Agency Recommendation Report—Committee on the Regional Assessment for Offshore Wind Development in Newfoundland and Labrador. Government of Canada. https://iaac-aeic.gc.ca/050/evaluations/document/153390
Information and Data Gaps	• A proposed no-go area under study, with no specific buffer/setback distance recommended by an expert authority. • Buffer distance from other jurisdictions is non-existence as NMCAs only exist in Canada.
Recommendations	• The Committee recommends the South Coast Fjords NMCA Study Area as a constraint be reconsidered, once the NMCA designation process is complete. Offshore wind licencing areas should avoid the final South Coast Fjords NMCA. If offshore wind development is proposed in proximity to the South Coast Fjords NMCA before completion of the designation process, the Committee recommends offshore wind project proponents consult Parks Canada regarding the NMCA Study Area and status of designation process.
Ecologically and Biologically Significant Areas	
Source	DFO. (2004). *Identification of Ecologically and Biologically Significant Areas*. https://waves-vagues.dfo-mpo.gc.ca/Library/314806.pdf
Information and Data Gaps	Distribution of evaluated components not clearly delineated within a given EBSA.
Recommendations	The Committee recommends: • for licencing areas identified within EBSAs, offshore wind project proponents assess potential impacts to key features or species identified within the specific EBSA and avoid or, where appropriate, apply mitigation measures to ensure projects are not damaging/disturbing these components. • further work in defining migratory routes within EBSAs prior to issuing call for bids, in consultation with the applicable regulators.
Physical and Cultural Heritage	
Source	• N/A
Information and Data Gaps	The Committee, to date, has not found any publicly available geospatial data on components related to physical and cultural heritage.
Recommendations	The Committee recommends preconstruction surveys be conducted to accurately identify these features, so that project proponents can avoid these areas.

Significant Benthic Areas	
Source	DFO. (2017b). Canadian Science Advisory Secretariat National Capital Region Science Advisory Report 2017/007 DELINEATION OF SIGNIFICANT AREAS OF COLDWATER CORALS AND SPONGE-DOMINATED COMMUNITIES IN CANADA'S ATLANTIC AND EASTERN ARCTIC MARINE WATERS AND THEIR OVERLAP WITH FISHING ACTIVITY Context. https://waves-vagues.dfo-mpo.gc.ca/library-bibliotheque/40600099.pdf
Information and Data Gaps	The Committee has not identified any limitations associated with SBAs
Recommendations	The Committee recommends project-level impact assessments identify SBAs overlapping a proposed project and ensure the least amount of disturbance to those areas as possible
Other Ocean Uses	
Submarine Cables and Pipelines	
Source	N/A
Information and Data Gaps	The Committee, to date, has not found any publicly available geospatial data for all submarine cables and pipelines.
Recommendations	The Committee recommends preconstruction surveys be conducted to accurately identify these features, so that project proponents can avoid these areas.
Military Activity and Unexploded Explosive Ordnance (UXO) Sites	
Source	N/A
Information and Data Gaps	While the Committee is aware of the broad areas determined for DND firing practice and exercise areas, there is currently no public dataset of georeferenced UXO sites.
Recommendations	The Committee recommends offshore wind project proponents consult with DND to ensure there are no conflicts with planned or future exercises, or UXO sites. The Committee notes a pre-development survey would identify UXO hazards to be avoided or removed when siting a project.

This table summarizes the constraints the Committee was unable to apply in their constraints analysis, due to information and data gaps. The table also describes the Committee's recommendations for addressing the information or data gap.