

November 26, 2022

Impact Assessment Agency of Canada
22nd Floor, Place Bell
160 Elgin Street
Ottawa ON K1A 0H3

Dear Members of the Impact Assessment Agency of Canada

Re: Comments on the draft Agreements and draft Terms of Reference for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador and Nova Scotia

The Cape Breton Partnership (the Partnership), as the administrator of the Cape Breton Regional Enterprise Network (CBREN) and the Cape Breton Regional Municipality Regional Enterprise Network (CBRM REN), is pleased and encouraged to have the opportunity to comment on the *Draft Agreement – Nova Scotia* and the *Draft Regional Assessment Terms of Reference* prepared for the *Regional Assessment of Offshore Wind Development in Newfoundland and Labrador and Nova Scotia*, led by the Impact Assessment Agency of Canada.

The Partnership takes a collaborative approach to sustainable, community economic development everywhere in Cape Breton – Unama’ki, including industrial port regions in the Strait of Canso and Sydney Harbour in the CBRM. The Cape Breton provides community economic development support and services to all Municipalities on the Cape Breton – Unama’ki (the Counties of Richmond, Victoria, Inverness, the Town of Port Hawkesbury and the Cape Breton Regional Municipality). The Partnership’s primary goals are to support conditions required for sustainable and inclusive community economic growth, support the development and attraction of new businesses and investment, and to support the retention and expansion of existing private and community-owned businesses. As such, we are keenly interested in the development of renewable energy assets in our region including marine renewables and specifically Offshore Wind, and are well aware of the profound impacts that such development will have on the prosperity of many stakeholder communities in Cape Breton – Unama’ki.

The Partnership has also taken action to become informed through a Mitacs research project. The work being conducted has evaluated best practices in offshore wind development in jurisdictions globally, through a regulatory and social license lens. The opportunities and challenges that have occurred in jurisdictions globally will be analyzed in the context of the Strait Area to inform and guide decision-makers as they move forward with the development of offshore wind in the region. The use of these best practices will also inform community engagement strategies as the project moves forward. Should this work be of benefit to the Regional Assessment Committee, both the Partnership and Mitacs Accelerate Intern would be pleased to collaborate further.

Comments from the Partnership on the documents provided are separated into four main categories:

- 1) The inclusion of the Strait of Canso in the Study Area;
- 2) The Balance between consideration of positive and adverse impacts of the Offshore Wind industry in the Terms of Reference;
- 3) Improved clarity regarding the timelines, processes, and unforeseen delays in the Regional Assessment Process; and
- 4) The specific inclusion of the experience of public and private sector entities in international jurisdictions as a factor to guide the Regional Assessment Committee during this process.

1 – The inclusion of the Strait of Canso in the Study Area

Though much of the Strait of Canso falls under provincial jurisdiction, this does not preclude a potential proponent from having to complete a federal impact assessment. If the Strait of Canso is not included in the Study Area, there will be no description of existing conditions should the federal impact assessment be triggered. In addition to delaying potential projects, shareholders or stakeholders within the Strait Area will not have access to the same body of research that other parts of Nova Scotia will have. There will be no baseline measure to evaluate project-specific or cumulative effects, which will delay potential projects and stifle economic development. The Strait of Canso has its own unique geography, economy, environment, and culture. The other regions of Nova Scotia and Cape Breton – Unama’ki highlighted in the Study Area cannot act as a proxy for the Strait Area.

Recommendation 1: For the above-mentioned reasons, the Partnership recommends that the Strait of Canso be included in the Regional Assessment’s Study Area for Offshore Wind Development.

2 – The Balance between consideration of positive and adverse impacts of the Offshore Wind industry in the Terms of Reference

The widescale production of offshore wind will facilitate decarbonization, decrease reliance on fossil fuels, improve energy security locally and with global partners; and reduce greenhouse gas emissions. The Terms of Reference and Draft Agreement both note that one objective of the Regional Assessment is to ensure that potential offshore wind development will provide sustainable economic development while contributing to the federal and provincial government’s climate change strategies and goals. Canada’s Federal Sustainable Development Strategy (FSDS) 2022-2026 explicitly states that by 2030, we will increase substantially the share of renewable energy in the global energy mix, and by 2035 that we will reach net-zero electricity across the country. These goals cannot happen without the rapid deployment of known renewable energy sources with proven technologies and processes from jurisdictions that share Canadian values and goals, such as Offshore Wind.

Recommendation 2: The Partnership recommends a more balanced approach to the evaluation of the positive and adverse impacts of offshore wind development in the Terms of Reference.

3 – Improved clarity regarding the timelines, processes, and unforeseen delays in the Regional Assessment Process

The *Draft Terms of Reference* states that the Regional Assessment Committee will complete its work and submit a final report to the Ministers within 18 months of the announcement of the appointment of its Committee Members. As the Committee completes its work, the *Draft Terms of Reference* states that information and analysis to inform future licensing for offshore wind in the Study Area will occur in the first 12 months. It is not clear how this phased approach will be conducted to ensure that these timelines are met. The *Draft Terms of Reference* should provide a clearer timeline for each objective and state if the report components in Section A3 will happen in tandem or consecutively. Additionally, Section A4 suggests that the Committee can “request clarification of, or an amendment to, its Terms of Reference by sending a letter to the Ministers setting out the request. Upon receiving such a request, the Ministers will provide the Committee such clarification or a response to the request in a timely manner”. Specific timelines should be created for this process to remove ambiguity and ensure adherence to the Regional Assessment’s scheduled timeline.

Recommendation 3:

- a) The Partnership recommends that the Terms of Reference include a statement acknowledging that should delays occur in the Regional Assessment process that the reason for these changes and a new timeline be clearly communicated to all stakeholders to improve transparency in the process; and further
- b) The Partnership recommends that there be clarification in the Terms of Reference that provides an explicit time limit within which clarifications or amendments will be made by the Ministers.

4 – The specific inclusion of the experience of public and private sector entities in international jurisdictions as a factor to guide the Regional Assessment Committee during this process

The short-term strategies to reach Canada’s Federal Sustainable Development Strategy (FSDS) goals include working with other governments and the private sector to advance the deployment of clean and renewable energy. Canada has an opportunity to benefit from the experience of many like-minded jurisdictions where the positive and adverse impacts of offshore wind development have previously been experienced and studied. The regulatory process can be streamlined by learning about the challenges and successes in other jurisdictions. Many challenges or stumbling blocks can be avoided through early engagement with the public sector in global jurisdictions. Similarly, members of the offshore wind industry in other jurisdictions have an extensive body of research and experience that can be applied to the Canadian context to expedite the development of offshore wind regulations.

Recommendation 4:

- a) The Partnership recommends that the Terms of Reference include how and when collaboration will occur between the Regional Assessment Committee, Advisory Groups, and public and private sectors in international jurisdictions; and further
- b) The Partnership recommends that the Terms of Reference also include how that knowledge will be used in the Regional Assessment process.

Thank you for the opportunity to comment. We look forward to working with all stakeholders and the Impact Assessment Agency of Canada to ensure continued progress towards sustainable and inclusive community economic development in Cape Breton – Unama’ki.

If you have any further questions please do not hesitate to reach out to me.

Yours truly,



Tyler Mattheis,
President & CEO