

# Appendix A: Indigenous Engagement - What We Heard

## ***Summary of Indigenous Engagement for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador***

January 23, 2025

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

*Please note this document is a non-attributional summary of views expressed by those who participated in the Regional Assessment process. Opinions and perspectives documented in this report should not be considered representative of all Indigenous peoples, communities, or organizations.*

**Contents**

- 1 Report Purpose ..... 1
- 2 Engagement Phases and Activities .....2
  - 2.1 Introducing the Regional Assessment.....5
  - 2.2 Defining the Focus Area .....5
  - 2.3 Identifying Preliminary Offshore Wind Energy Licencing Areas .....7
  - 2.4 Preparing the Draft Report .....7
  - 2.5 Finalizing the Report .....9
- 3 What We Heard from Indigenous Peoples, Communities, and Organizations ..... 11
  - 3.1 Focus / Study Area ..... 11
  - 3.2 Site Selection / Constraints Process ..... 12
  - 3.3 Indigenous Knowledge and Data Collection, Storage, Consideration, & Distribution ..... 15
  - 3.4 Participation & Capacity ..... 16
  - 3.5 Regional Assessment Process ..... 19
  - 3.6 Environmental Impacts ..... 21
  - 3.7 General Wind Energy & Technology ..... 25
  - 3.8 Future Development..... 26
  - 3.9 Impact on Indigenous Communities ..... 28
  - 3.10 Legislative Changes / Environment ..... 32
  - 3.11 Education, Training, & Opportunities ..... 33
  - 3.12 Commercial, Food, Social, Ceremonial, & Recreational Fishing ..... 34
- Appendix A: List of Indigenous Knowledge Advisory Group Members ..... 37

## 1 Report Purpose

This Report describes the Committee’s Indigenous engagement activities for the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador (the Regional Assessment). It documents the issues and concerns Indigenous peoples, communities, and organizations raised with and input they provided to the Committee. Along with the [Indigenous Participation Plan](#) (IPP), this is an important document to provide additional Indigenous engagement details beyond the Committee’s Regional Assessment Report.

In addition to engagement activities specifically for Indigenous communities, and organizations, Indigenous peoples were also invited to participate in engagement activities for the public, fisheries, and stakeholders program. Indigenous participation in those activities is documented in Appendix B of the Committee’s Report: Public, Fisheries, and Stakeholder Engagement - What We Heard.

The views and opinions documented in this Report should be considered in project-level impact assessments, alongside the Committee’s Final Report.

Importantly, Indigenous knowledge that was provided in confidence is confidential and has not knowingly been disclosed without written consent in accordance with Section 119 of the *Impact Assessment Act*.

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## 2 Engagement Phases and Activities

The Committee’s engagement activities unfolded in five phases, as summarized in Table 1. While the Committee’s engagement efforts focused on specific topics at certain times, the Committee welcomed all participants to share concerns and provide input on any matter relevant to the Regional Assessment at any time throughout the process.

As per the [Committee’s operational procedures](#), all engagement materials mentioned throughout this Report (e.g., presentations from engagement sessions, handouts, etc.) and any written commentary participants submitted to the Committee are on the [Registry](#).<sup>1</sup>

The Committee had 20 meetings with Indigenous communities and organizations, 13 meetings with stakeholders who requested to meet, 21 meetings with government departments, 10 advisory group meetings and 33 public engagement sessions, attended by nearly 500 participants overall.<sup>2</sup> These participants included 45 Indigenous persons representing Indigenous communities or organizations, 129 members of the public (or did not provide any affiliations with an organization), 141 government representatives or staff, 37 fishers or fishing organizations, 11 environmental groups, 16 participants representing energy industry organizations, 16 academics, 96 consultants, and 7 other stakeholder groups.<sup>3</sup> Annex A of this Report lists the Indigenous Knowledge Advisory Group members.

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<sup>1</sup> Except for those rare exceptions where confidentiality was requested and granted as per the [Committee’s confidentiality procedures](#).

<sup>2</sup> “nearly 500 participants overall” refers to the number of participants throughout the engagement process, many of whom participated in numerous meetings and sessions.

<sup>3</sup> Where affiliation of an individual was not provided/unknown, that individual was categorized as a member of the public.

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador  
Appendix A: Indigenous Engagement – What We Heard, January 23, 2025

<b>Table 1. Engagement Phases during the Conduct of the Regional Assessment</b>		
<b>Phase</b>	<b>Timeframe</b>	<b>Focus of Committee’s Engagement Efforts</b>
Introducing the Regional Assessment	May 2023 – September 2023	<ul style="list-style-type: none"> <li>• Gathering Indigenous knowledge and perspectives</li> <li>• Gathering Community knowledge, and input from the public, fisheries, and stakeholders</li> <li>• Providing an overview of the Regional Assessment objectives, scope, and timelines</li> <li>• Inviting feedback on the IPP and PP</li> <li>• Promoting advisory groups</li> </ul>
Defining the Focus Area	August 2023 – October 2023	<ul style="list-style-type: none"> <li>• Gathering Indigenous knowledge and perspectives</li> <li>• Gathering Community knowledge, and input from the public, fisheries, and stakeholders</li> <li>• Inviting feedback on the Proposed and Final Focus Area based on technical and economic constraints</li> <li>• Engaging advisory groups</li> </ul>
Identifying Preliminary Offshore Wind Licencing Areas	November 2023 – March 2024	<ul style="list-style-type: none"> <li>• Gathering Indigenous knowledge and perspectives</li> <li>• Gathering Community knowledge, and input from the public, fisheries, and stakeholders</li> <li>• Inviting feedback on the proposed constraints analysis</li> <li>• Inviting feedback on the final constraints analysis and resulting preliminary offshore wind energy licencing areas for the Interim Report</li> <li>• Engaging advisory groups</li> </ul>
Preparing the Draft Report	March 2024 – September 2024	<ul style="list-style-type: none"> <li>• Gathering Indigenous knowledge and perspectives</li> <li>• Gathering Community knowledge, and input from the public, fisheries, and stakeholders</li> <li>• Making adjustments to constraints analysis and preliminary offshore wind energy licensing areas based on feedback</li> <li>• Inviting input on existing conditions, effects, mitigation, follow-up, and monitoring</li> <li>• Engaging advisory groups</li> </ul>

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador  
 Appendix A: Indigenous Engagement – What We Heard, January 23, 2025

<b>Table 1. Engagement Phases during the Conduct of the Regional Assessment</b>		
<b>Phase</b>	<b>Timeframe</b>	<b>Focus of Committee’s Engagement Efforts</b>
Finalizing the Report	October 2024 – December 2024	<ul style="list-style-type: none"> <li>• Gathering Indigenous knowledge and perspectives</li> <li>• Gathering Community knowledge, and input from the public, fisheries, and stakeholders</li> <li>• Gathering feedback on Draft Report via the public review and comment period (October 1-November 29, 2024)*</li> <li>• Engaging the GBA+ Advisory Group</li> </ul>

**Table Description:** The table lists the five phases of engagement for the Regional Assessment, indicating timeframes and the focus of engagement efforts for each phase. Engagement started in May 2023 and ended in December 2024.

\*The Committee has prepared a summary of the comments received on the Draft Report and will post this summary to the Registry.

## 2.1 Introducing the Regional Assessment

The Committee’s introductory sessions with Indigenous peoples, groups, and organizations are identified in Table 2.

**Table 2. Summary of Introductory Sessions**

<b>Date</b>	<b>Activity</b>	<b>Participating Individuals, Communities, and Organizations</b>
June 14, 2023	Virtual meeting	Miawpukek First Nation
June 20, 2023	Virtual meeting	Innu Nation
June 28, 2023	Virtual meeting	Wolastoqey Nation in New Brunswick
August 8, 2023	Virtual meeting	Qalipu First Nation
August 23, 2023*	Virtual meeting	NunatuKavut Community Council
September 14, 2023*	Indigenous Knowledge Advisory Group virtual meeting	Kwilmu'kw Maw-klusuaqn Negotiation Office (KMKNO), AECOM (supporting KMKNO), Keepers of the Circle
September 27, 2023	Virtual meeting	Qalipu Holdings

**Table Description:** Table summarizing the introductory sessions with Indigenous peoples, communities, and organizations.

\* Given the time at which the meeting occurred, the Committee’s Focus Area was discussed in addition to Introductory material.

## 2.2 Defining the Focus Area

The Committee’s engagement activities on the Focus Area with Indigenous peoples, communities, and organizations are in Table 3.

The Committee published a Proposed Focus Area on August 17, 2023. The Committee welcomed written comments on the Proposed Focus Area until September 22, 2023. The

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador  
Appendix A: Indigenous Engagement – What We Heard, January 23, 2025

Committee also held virtual and in-person 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](#)), and via email. Participants provided comments on the Registry and via email to the Regional Assessment inbox.

On November 7, 2023, the Committee announced its decision to prioritize the remainder of their work within the Focus Area. [In its Focus Area decision document](#), the Committee described the selection of the Focus Area based on feedback received and further information gathered since the release of the Proposed Focus Area. The decision document included a summary of feedback received.

**Table 3. Summary of Engagement Activities on the Focus Area**

<b>Date</b>	<b>Activity</b>	<b>Participating Individuals, Communities, and Organizations</b>
August 23, 2023*	Virtual meeting	NunatuKavut Community Council
September 14, 2023*	Indigenous Knowledge Advisory Group Virtual Meeting	KMKNO, AECOM (supporting KMKNO), Keepers of the Circle
September 22, 2023	Feedback period closed on Proposed Focus Area	Innu Nation
November 7, 2023	In-person meeting	Miawpukek First Nation Consultation Committee
November 16, 2023**	In-person meeting	Qalipu First Nation and Qalipu Holdings

**Table Description:** Table summarizing the Indigenous engagement sessions that occurred on the topic of the Focus Area.

\* Note these meetings were also recorded in Table 2 as they included the introductory material.

\*\* Note that this meeting is also recorded in Table 4 as it included the Preliminary Offshore Licencing Areas

## 2.3 Identifying Preliminary Offshore Wind Energy Licencing Areas

The Committee’s engagement activities during this phase with Indigenous peoples, communities, and organizations are in Table 4.

Starting in November 2023, the Committee’s engagement program focused on the additional constraints the Committee was considering applying to determine the preliminary version of initial offshore wind energy licencing areas (preliminary offshore wind energy licencing areas). The Committee continued to seek input on this topic leading up to the publication of the Interim Report in March 2024.

**Table 4. Summary of Engagement Activities on Identifying Preliminary Offshore Wind Energy Licencing Areas**

<b>Date</b>	<b>Activity</b>	<b>Participating Individuals, Communities, and Organizations</b>
November 16, 2023*	In-person Meeting	Qalipu First Nation, Qalipu Holdings
February 26, 2024	Virtual Meeting	Indigenous Knowledge Advisory Group
February 28, 2024	Virtual Meeting	Miawpukek First Nation Consultation Committee
March 4, 2024	In-person Meeting	Miawpukek First Nation
March 13, 2024	Virtual Meeting	Wolastoqey Nation in New Brunswick

**Table Description:** Table summarizing the Indigenous engagement sessions that occurred on the topic of identifying preliminary offshore wind licencing areas.

\* Note these meetings were also recorded in Table 3 as they included the Focus Area material.

## 2.4 Preparing the Draft Report

The Committee’s engagement activities with Indigenous peoples, communities, and organizations during this phase are in Table 5.

While the Interim Report was not subject to an official public review and comment period, the Committee welcomed feedback on it from all participants. Innu Nation and

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador  
Appendix A: Indigenous Engagement – What We Heard, January 23, 2025

Miawpukek First Nation both submitted comments to the Committee regarding the Interim Report.

Following the publication of the Interim Report on March 22, 2024, the Committee continued to receive input on the constraints analysis and initial licencing areas. The Committee also started focusing engagement efforts on the various environmental, social, economic, and health components of the Regional Assessment. In addition to welcoming their participation in the public open houses, the Committee met directly with Indigenous peoples, communities, and organizations.

**Table 5. Summary of Engagement Activities - Further input for consideration in the Draft Report**

<b>Date</b>	<b>Activity</b>	<b>Participating Individuals, Communities, and Organizations</b>
June 19, 2024	Virtual Meeting	QFN
August 20-21, 2024	4 In-Person Meetings	Indian Head First Nation, Port au Port Indian Band, Three Rivers Mi'Kmaq Band, Flat Bay Band
September 11, 2024	Virtual Meeting	Atlantic Policy Congress of First Nations Chiefs Secretariat

**Table Description:** Table summarizing the Indigenous engagement activities that provided the Committee further input for consideration in the Draft Report.

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## 2.5 Finalizing the Report

The Committee’s engagement activities with Indigenous peoples, communities, and organizations during this phase are in Table 6.

**Table 6. Summary of Engagement Activities - Further input for consideration in the Final Report**

Date	Activity	Participating Individuals, Communities, and Organizations
November 6, 2024	Hybrid Meeting	MFN Chief and Council, and Consultation Committee
November 12, 2024	Hybrid Meeting	Atlantic Policy Congress of First Nations Chiefs Secretariat
November 29, 2024	Public review and comment period on the Draft Report closed.	<ul style="list-style-type: none"> <li>• Terry Cormier</li> <li>• Qalipu First Nation</li> <li>• Miawpukek First Nation</li> <li>• Innu Nation</li> <li>• Nunatukavut Community Council</li> <li>• Port au Port Indian Band Inc.</li> <li>• Indian Head First Nation Inc.</li> <li>• Kwilmu’kw Maw-Klusuaqn First Nation</li> <li>• Sipekne'katik First Nation</li> <li>• Keepers of the Circle and the AnânuKatiget Tumingit Regional Inuit Women’s Association</li> <li>• Atlantic Policy Congress of First Nation Chiefs Secretariat</li> <li>• One First Nation requested and received confidentiality</li> </ul>

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador  
Appendix A: Indigenous Engagement – What We Heard, January 23, 2025

December 4, 2024*	In-person community engagement session	Miawpukek First Nation community members
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**Table Description:** Table summarizing the Indigenous engagement activities that provided the Committee further input for consideration in the Final Report.

\* The community engagement session in Miawpukek First Nation was originally scheduled for June 12, 2024, but was postponed at their request.

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## 3 What We Heard from Indigenous Peoples, Communities, and Organizations

The following is a summary of the feedback received from Indigenous peoples, communities, and organizations throughout the Regional Assessment process.

It is summarized in the following general themes:

- Focus/Study Area
- Site selection/constraints process
- Indigenous knowledge and data collection/storage/consideration/distribution
- Participation and Capacity
- Regional Assessment Process
- Environmental Impacts
- General Wind Energy and Technology
- Future Development
- Impact on Indigenous Communities
- Legislative changes/environment
- Education, Training and Opportunities
- Commercial, Food, Social, Ceremonial and Recreational Fishing

*Please note this is a non-attributional summary of views expressed by those who participated in the Regional Assessment process. Opinions and perspectives noted here should not be considered representative of all Indigenous peoples, communities, or organizations.*

### 3.1 Focus / Study Area

- The Focus Area should have considered onshore community factors and infrastructure for grid integration and onshore hydrogen potential to reduce transmission cost for potential domestic high-demand areas (i.e. the Avalon Peninsula) and connection to the Nova Scotia grid.
- The initial Study Area is too large for an informative and meaningful assessment in the given time frame, but the Focus Area appears sufficiently large enough for multiple gigawatts of power.
- Choosing a Focus Area that excludes existing Offshore Oil and Gas infrastructure as well as large areas of Offshore Oil and Gas exploration would omit these activities from the cumulative effects assessment.

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador  
Appendix A: Indigenous Engagement – What We Heard, January 23, 2025

- The Committee should consult offshore wind energy and infrastructure subject matter experts when considering technological constraints for defining the Focus Area. While most participants were supportive of excluding large iceberg prone areas, some questioned the rationale. Seasonal ice is not found to affect offshore wind turbines in the Emissions Reduction Fund – Offshore Program.
- The limited potential for wind energy integration into the grid and the potential for the planned wind-hydrogen projects to exhaust the availability of acceptable onshore wind development lands raises several issues for consideration by the Committee in selecting a Focus Area for this Regional Assessment. Offshore wind development may need to play a role in meeting future domestic electricity requirements, and the Focus Area should be inclusive of locations for smaller-scale (< 200 MW) wind facilities potentially suitable for that purpose.
- Several areas were suggested for inclusion in the Focus Area including Sandwich Bay, Sir Charles Hamilton Sound, and Jeanne D’Arc Basin while some groups questioned why the Focus Area didn’t extend further north and include inland lakes.
- Activities within the Study and Focus Area are guaranteed to effect proximate Indigenous groups, requiring increased engagement with those communities.
- Development should be considered outside the Focus Area with changing conditions in the future (i.e., climate change, technology).
- The Focus Area approach may undermine future offshore wind development as inclusion of Offshore Oil and Gas regions, and the potential participation of Oil and Gas companies may facilitate faster research and development of new wind technologies and decarbonization of fossil fuel extraction.
- The Focus Area should not be designed to omit the gathering and analyzing of knowledge in relation to “current and foreseeable” technologies, as required in the Agreement.

### **3.2 Site Selection / Constraints Process**

- Groups were eager to see the criteria proposed by the Committee for recommended potential development sites, and inquired about the sources of data used for the constraints analysis.
- General questions were received inquiring about the presence of specific exclusion areas for species, habitat, oil and gas, and offshore wind infrastructure, as well as maximum distance from shore.
- Setbacks and buffers should not be used synonymously as setbacks refer to a prescribed distance from a facility, project, emissions source where typically no

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador  
Appendix A: Indigenous Engagement – What We Heard, January 23, 2025

development can occur. A buffer is an area adjacent to an environmental resource that exists to protect or preserve that resource. Modifiers should be defined to buffers and setbacks (i.e., precautionary buffer, conservative buffer, standard setback, etc.), and they should not overlap.

- The Committee should present each depth category of preliminary licensing areas individually.
- Smaller-scale offshore wind facilities for domestic electricity would need to be located near shore to minimize transmission costs, at depths that permit fixed offshore wind turbines, and meet the other criteria established by the Committee. The Focus Area should be inclusive of shallow near-shore areas, ideally in locations across the province to optimize site selection.
- While the 10 kilometer buffer takes care of the majority of concerns some participants advocated for it to be increased citing that fish harvesters have been moving to deeper waters over the years, fixed based turbines may impact the seasonal inshore migration of lobsters from overwintering habitat, and other important species and fisheries (i.e., scallops, crab, and halibut) that exist beyond the 10 kilometer buffer need protection.
- Participants felt that a 10 kilometer buffer for residents was unfair when Gros Morne was given an 80 kilometer buffer for tourists, arguing their viewsapes are just as important.
- If viewshed is a consideration, the Committee may want to expand that to 20 kilometer depending on factors such as population density of the proximate areas as they have immense cultural value, shaping Indigenous people's connection to the landscape.
- What comments have the province provided regarding the removal of the waters around the coast of the Island of Newfoundland?
- To assist regulators in reviewing the state of the knowledge, the Final Report should include a table (or tables) summarizing the state of the knowledge in relation to each proposed setback and buffer, including relevant policy or regulations, regulatory responsibility, and the Committee's findings.
- The Committee should clearly state in its Final Report what it believes are the costs and benefits associated with an approach that imposes policymaking onto project-level impact assessment, including in relation to the establishment of setbacks and buffers.
- Communication cables and potential future ferry routes were not identified on the constraints map.

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador  
Appendix A: Indigenous Engagement – What We Heard, January 23, 2025

- Marine traffic buffer may need to be adjusted for Turf Point, Lower Cove Quarry, Aquathuna, Bay of Islands, and Port Harmon. Boats leaving Lower Cove must take a certain route out when loaded down to avoid the shallower areas and potential future routes should be considered.
- Development potential in Southern Labrador area may change with the effects of climate change.
- A participant questioned rationale/methods for excluding areas with iceberg traffic but was generally supportive requesting the Committee to provide adequate evidence for excluding regions based on iceberg presence. This needs to be supported by substantial evidence and advice from subject matter experts.
- Recent work by CCORE and Intecsea evaluating ice risks, assessing impacts on offshore wind turbines east of Newfoundland, and two recent research projects funded through the Emissions Reduction Fund – Offshore Program, the first investigating offshore renewable energy electrification, and the second floating wind technology should be considered in the site selection and constraints analysis.
- Participants noted the following important considerations: proximity to shore and consensus with locals and fish harvesters, there will likely have to be a minimum distance from shore (e.g., 20 nm min distance from the shore in U.S.) and proximity to transmission/storage infrastructure. Distance from shore significantly adds to workover, inspection, and maintenance costs, and issue response times.
- There should be a buffer around the protected areas.
- If Indigenous Protected Conservation Areas (IPCAs) are designated in the future, these areas should also be excluded from preliminary licensing areas along with Ecological and Biological Significant Areas.
- Area in the middle of Bay St. George where it's orange on the preliminary licensing map is prime area for cod fishing, duck and bird hunting, mackerel, and bait fishery.
- Port au Port Bay and Bay St. George should be removed from consideration for development.
- Salmon migration routes should be studied, mapped, and protected in collaboration with Indigenous communities. These migration routes should be excluded from future licensing areas.
- The Focus Area includes migratory routes of birds, ducks, gannets, and Blue Whales.
- MFN supports the 10 kilometre coastal buffer which significantly reduces potential impact on areas of concern (i.e. food fishery, cultural and traditional use areas, sensitive ecosystems, culturally relevant species, etc.).

- MFN supports the exclusion of the proposed South Coast Fjords National Marine Conservation Area.

### **3.3 Indigenous Knowledge and Data Collection, Storage, Consideration, & Distribution**

- Some Indigenous groups have a lot of baseline data and Indigenous knowledge throughout the Study Area. Indigenous knowledge should be considered as valid as scientific knowledge. For example, while Atlantic Salmon is not on the list of species at risk, the list doesn't consider Indigenous knowledge and recent data on the decline of their population.
- Groups were glad that Indigenous knowledge will be given fulsome consideration, that Indigenous groups are being involved from the beginning and that comments from engagement will be included in the Final Report.
- Consent needs to be received before using or commercializing Traditional Knowledge.
- An updated Traditional Use Study should be completed prior to any offshore wind development. Some groups have already started to gather information pertaining to potential offshore wind development in their regions. This data along with local feedback would be of benefit.
- Participants asked how information will be collected, stored, and shared during the assessment. They requested that a clear and concise list of effects for each community and migratory fish and animals should be generated.
- Questions were asked pertaining to submitted data accessibility in the future and potential limitations to that access.
- Etuaptmumk (Two-eyed seeing) and cumulative effects need to be considered.
- A participant informed the Committee that eel migration maps are available for Nova Scotia regional research. They navigate by the poles travelling east and then south but unsure if they cross the bottom of NAFO 3PS.
- Data should be leveraged from the World Energy project in Port au Port.
- Research and public opinion polls conducted in other countries with offshore wind energy should be considered.
- Experts should be consulted along with government departments. However, there was a level of distrust expressed regarding advice from government experts and studies funded by industry.
- There's a local individual in the Bay St. George region that knows all the salmon migration routes.
- Data from commercial fisheries would provide a lot of information for the process.

- A lengthy baseline study prior to project development is recommended with one group mentioning areas around Burgeo specifically. Identified data gaps need to be filled as well.
- Species modeling would be a useful tool, and interest was expressed in doing such work if funding is available.
- Marine Spatial Planning would be a valuable tool here and it's unfortunate that funding for that program has been cut after four years.
- The land use study conducted by the Federation of Newfoundland Indians does not appear to be included.

### 3.4 Participation & Capacity

- Traditional advertising options like local newspapers and local radio are absent in many communities. It was recommended that advertisements are shared on CBC and NTV or calling groups directly, along with posters at high traffic areas and social media as participation at information sessions was generally low. Advertisements shared with municipalities were found to be ineffective.
- Non-digital communications need to be used for advertisements to accommodate technological literacy of aging populations.
- Local non-registered bands wish to be contacted directly, though the online contact information for some groups was found to be incorrect.
- Two participants indicated they applied to be a part of the Indigenous Knowledge Advisory Group but never heard if they were accepted.
- Indigenous fish harvesters should be on the Indigenous Knowledge Advisory Group.
- The Indigenous Knowledge Advisory Group membership should have changed to reflect the Focus Area.
- Concern expressed over low participation of Indigenous groups in advisory groups (i.e., the Indigenous Knowledge Advisory Group). Local Indigenous people and leaders should be on the Indigenous Knowledge Advisory Group and vetted by the Indigenous community.
- Indigenous Knowledge Advisory Group members should attend information sessions.
- Multiple groups availed of participation funding to facilitate their engagement activities and have cited internal capacity concerns and engagement fatigue opting to submit written comments after in-person or virtual engagement.
- Additional time for feedback would help alleviate capacity issues.
- The importance of capacity support to assist in fulsome Indigenous participation was highlighted.

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador  
Appendix A: Indigenous Engagement – What We Heard, January 23, 2025

- Some participants said they are hesitant to be vocal because people are so argumentative these days.
- The timeline for input between the Port au Port engagement session, August 21, 2024, and the publishing of the Draft Report is too short, leaving participants feeling that Indigenous engagement has been an afterthought and Indigenous peoples, knowledge, values, and perspectives have not been meaningfully incorporated. More advanced notice is requested.
- Local non-registered bands inquired why they're only being contacted directly at this point in the Regional Assessment process, and not prior. These groups expressed they were not consulted, and proper Indigenous Nation to Nation Consultation hasn't occurred.
- When planning in-person engagement, consideration should be given to other meetings happening in the region.
- Virtual meetings can be arranged with a cohort of locals if desired, but in-person engagement needs to happen to build trust in the communities.
- Chiefs of two local bands requested engagement in their communities (Flat Bay and Codroy Valley) specifically. In person community engagement is preferred as most community members are over 58 in age and have little access to or knowledge of how to use computers and the internet.
- One participant stated that engagement sessions should be held in all communities proximate to proposed development areas.
- While every Indigenous person has a voice, not all are considered leaders or representative of the majority.
- While some groups preferred engagement with staff, others requested the Committee to meet with the Chief and Council as well.
- Some groups requested to review Interim and Final Reports prior to submission to the Minister.
- Indigenous knowledge keepers and community members have in-depth knowledge of the local areas, which needs to be shared and considered. Meaningful consultation has not been done, and government and the Committee are urged to engage local Indigenous communities in respectful discussions.
- Participants are skeptical of the Regional Assessment because onshore wind proponents didn't listen to Indigenous feedback. This left participants skeptical of tokenistic engagement, questioning the incorporation of their concerns, and expressing the importance of and opposition to offshore wind development without Free, Prior, and Informed Consent (FPIC).

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador  
Appendix A: Indigenous Engagement – What We Heard, January 23, 2025

- Indigenous people in Newfoundland must be afforded FPIC with regards to any developments affecting their lands, waters and way of life.
- A participant is in favor of any development as long as it's done collaboratively and respectfully towards the people and environment.
- Indigenous groups wish to be involved in conversations regarding appropriate buffering from shoreline and development planning of potential sites.
- Any reference to Indigenous groups or organizations that don't hold Section 35 rights as per the *Constitution Act, 1982* should be included in stakeholder engagement and not considered for Indigenous engagement.
- Consideration should be given to the impacts faced by proximate groups and their participation over other Indigenous collectives.
- Government and industry should consult with officially recognized First Nations if an offshore wind project or proposed development is in waters adjacent to a First Nation or if it has potential to impact its treaty, Section 35 rights or title.
- Indigenous participants were unhappy with their representation through their band noting that they have not been engaged.
- One participant stated that Indigenous organizations based outside of Newfoundland and Labrador do not represent Indigenous communities in Newfoundland.
- The Focus Area is directly adjacent to Indigenous communities and therefore requires more engagement with those communities.
- Fish harvesters need to be engaged as few attended engagement events. The participation of harvesters proximate to the Focus Area was noted specifically.
- All administrative departments within Indigenous groups should be engaging in the Regional Assessment to provide meaningful feedback on interdisciplinary effects.
- Some groups discussed forming and implementing a formal consultation plan and requested more time for feedback and input on various aspects of engagement (e.g., the Indigenous Participation Plan).
- Indigenous communities must be engaged with to hear their concerns and incorporate their rights, interests, traditional practices, and knowledge.
- One group stated the procedure for Duty to Consult should be followed to support the sustainability of the Mi'kmaq way of life.
- Details on Indigenous engagement throughout the Regional Assessment were requested with attention brought to the engagement of women and vulnerable sectors of their communities.
- Concerns need to be incorporated if you want community 'buy-in'.

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador  
Appendix A: Indigenous Engagement – What We Heard, January 23, 2025

- Clarification on the Committee’s definition of community knowledge was requested.
- Mi’Kmaq across Atlantic Canada should be working together in the two Regional Assessments.
- The local non-registered bands expressed the assertion of their rights.
- Data gaps surrounding migratory species make it difficult to assess the level of impact on some Indigenous communities and their rights.
- Requesting feedback via written communications (e.g. feedback handouts, email, registry submissions) is not inclusive of traditional and Indigenous ways of sharing such as storytelling.
- One group requested capacity assistance to complete a comprehensive land study to effectively participate in engagement and gain a better understanding of offshore wind development.
- The Newfoundland Aboriginal Consultation Policy on Land and Resource Development needs to be followed.
- Community engagement needs to be ongoing with any materials developed at a reading level that’s easily accessible to the community.
- The United Nations Declaration Act emphasizes the right of Indigenous peoples to self-determination and to participate in decision making processes that affect them.
- Proponents should engage adjacent First Nation as per Truth and Reconciliation Commission Call to Action 92.

### **3.5 Regional Assessment Process**

- Clarification was sought about who’s doing the study, who formed the Committee and who the Committee represents.
- Participants asked about the timeline for the Regional Assessment and if the Committee was going to ask for another extension.
- Participants inquired why an “Indigenous Communities, Activities, Interests, Rights” slide was not included in the June Public Information Session slide deck.
- Feel the Committee/Secretariat should seek expertise with regards to:
  - Design or construction of offshore structures.
  - Effects of pack ice and icebergs on offshore structures.
  - Integration of wind facilities into electricity transmission networks.
- One participant felt that plebiscites should decide on projects.
- A comprehensive and transparent assessment process must occur to understand potential hazards and mitigate adverse effects.

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador  
Appendix A: Indigenous Engagement – What We Heard, January 23, 2025

- A full Indigenous assessment and study should be done before an industry begins that has so much potential for environmental, health, social, and economic impacts on Indigenous community and members.
- The Newfoundland and Labrador Regional Assessment Committee should collaborate with the Nova Scotia Regional Assessment Committee to compare recommendations before finalizing theirs.
- Concern expressed over the Regional Assessment replacing Impact Assessments for future proponents.
- Groups inquired about the Regional Assessment timeline and procedure, indicating they feel the timeline is too short and the Study Area too large. Participants don't want the process to be rushed and result in blanket policy and procedures.
- A participant expressed concern that the Final Report will be disregarded in five years and questioned the 'shelf life' of the Report.
- Participants sought clarification on who receives the Final Report and if local Chiefs and Indigenous leaders will receive a copy.
- Participants questioned if the Regional Assessment would result in policy or regulations regarding offshore wind development and if recommendations in the Final Report will be binding.
- The Final Report would benefit from a subsection clearly articulating limitations on the findings resulting from the Committee's mandate and from the Committee's interpretation of its mandate. The Committee mandate excludes significant limitations on the utility of their findings when considering onshore factors.
- Participants expressed a lack of trust in the government as Reports tend to highlight positive impacts rather than negative impacts, expressing concern that this will be a 'rubber stamp process'.
- Participants are fearful regarding the coincidence that the onshore project is being pursued the same time that the offshore Regional Assessment is being completed and feel it may be for the benefit of industry.
- Baseline data was not considered in the Oil and Gas Regional Assessment as a tactic to streamline the approval process.
- Several expressed that if the Committee is being paid by the federal government, then it is not truly independent from them. While others expressed the importance for the public to understand that the Committee is independent of the Federal Government.
- One participant questioned the Committee members' affiliations with the onshore wind industry.
- Feedback forms distributed at future engagement sessions should be updated.

- The Regional Assessment needs to incorporate Indigenous knowledge and perspectives and ensure that future projects do not negatively affect cultural heritage or way of life.
- Aboriginal rights and titles need to be more sufficiently addressed.
- Committee members should not be using personal email addresses for data sovereignty, privacy, and confidentiality purposes.

### 3.6 Environmental Impacts

- Effects of offshore wind development (installation, electromagnetic frequencies, subsea cable, benthic disturbance, vibrations) throughout the marine environment on eel, elver, salmon, other migratory fish, marine mammals, their migratory routes, shellfish and crustaceans is a data gap. This needs to be taken into careful consideration as it was brought forward multiple times by multiple groups citing additional concern over compounding and cumulative effects from offshore infrastructure. The timing of activities and impact at critical life cycle stages should be considered.
- Cumulative effects of multiple ongoing and proposed industries need to be considered (i.e. forestry operations, onshore wind development, mining, and offshore wind development).
- Port au Port Bay and Bay St. George are homes to important fish spawning grounds, migrations routes, sensitive benthic habitats, and are areas of ecological significance.
- Salmon and eel are both very culturally important. The salmon population is struggling or declining in multiple areas within and around the Focus Area.
- American Eel is found throughout Bay St. George. Glass eels die on contact with petrochemicals. The eels in Flat Bay are unique and have enzymes found in no other population.
- One group is expanding their eel research including monitoring eelgrass beds, but are having difficulty mapping the extent. European Green Crabs are having a notable impact on eelgrass beds.
- Bait fish is as important as any other species and all fish habitat needs to be protected.
- Participants asked what the long-term effects of offshore turbines on fish and fish habitat are.
- Turtles are rare in Bay St. George.
- Tuna have returned to northern portion of Bay St. George.

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador  
Appendix A: Indigenous Engagement – What We Heard, January 23, 2025

- Concerns expressed about birds (including waterfowl), bats, and the impact of noise, frequencies/harmonics, lights, and obstacles on their migration routes and critical habitat. This is both an environmental and regulatory concern (since there are no Canadian precedents for offshore wind activities and development).
- Participants inquired about interactions between turbines and ducks, asking if ducks follow the same exact migratory route year after year or would they fly around the turbines.
- Radio collaring for some species exists along the eastern seaboard but none yet in Newfoundland that they're aware of. One group has an abundance of data for marine bird monitoring (acoustic recording units) from the Port au Port area but haven't been able to analyze yet.
- Bald Eagles are all along the coast from Port Aux Basques to Bonne Bay. There are groups in the U.S. that advocate for no turbines near Bald Eagle habitat. One participant observed three dead eagles in three weeks while working on a wind farm in Ontario.
- The Atlantic flyway goes right along Newfoundland's west coast. Migratory routes for birds need to be protected, the Port au Port Peninsula is a launch pad for migratory birds, and they will consider any offshore structure as a 'rest-stop'. For these reasons there shouldn't be any turbines between Port Aux Basques and Cape St. George.
- There is world class bird hunting in the middle of Bay St. George.
- Islands off the south coast of Newfoundland are breeding grounds for seabirds.
- There is a large presence of gannets in Cape St. George.
- The number of people eating wild birds these days has declined because people are concerned with contaminants and disease.
- Impacts from offshore wind activity and their installation can disrupt marine ecosystems and coastal habitats. Underwater noise, electromagnetic fields, and changes in water quality are factors that will contribute to this. Participants inquired how long it will take those areas to rebound after installation.
- Concern was expressed over the preservation of local biodiversity.
- Impacts from vibrations and very low frequencies on marine life, specifically whales, were highlighted.
- Acoustics generated from pile driving would impact marine mammals, but pleased that there are mitigative measures in place.
- Attempts at citizen science projects for marine mammals aren't well subscribed. Fish harvesters are reluctant to Report sightings of marine mammals and sea turtles for fear of impacting their fishing. But if you could get the skippers to record that

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador  
Appendix A: Indigenous Engagement – What We Heard, January 23, 2025

data and get them to understand that it's to help protect the fishery that would be the best route.

- The footprint from gravity-based structures will destroy the benthic environment in that location. Participants noted the importance of eelgrass meadows and kelp forests and that they should be mapped out and considered. Kelp forests are important habitats for sea urchins and carbon sequestration.
- Concern was expressed about coastal erosion where cables will come ashore as turbines may affect longshore drift. Most of the shore from Kippens to Cape St. George is already an erosional shoreline.
- Onshore activities should be considered as the energy will need to come ashore somewhere.
- Concern expressed about migratory marine mammals, bird, and fish species by multiple groups, highlighting Atlantic Salmon and American Eel. Both are culturally significant species.
- Any area that has development will have some sort of effect and participants inquired about other environmental impacts from offshore wind development stating that if something is going to harm the environment to not move forward with it.
- Concern was expressed about pollution (i.e. petrochemicals and microplastics) from turbines and their effects on the environment, wild foods, and potential increased risk of respiratory diseases, waterborne illness, and soil degradation.
- Light pollution can disrupt local wildlife populations and their natural behaviors.
- The footprint of offshore wind facilities could negatively impact the migration of aerofauna and marine fauna. This needs to be closely considered from both an environmental and cultural perspective (i.e., impact on fishing activities) and some groups expressed not wanting to trade one industry for another (fishing for wind energy).
- Annual Greenhouse Gas (GHG) emissions from hydropower are lower when compared to offshore wind energy GHG emissions and Newfoundland and Labrador has sole reliance on hydropower.
- Concern was expressed that monopiles from turbines might strike oil and cause a leak.
- One community has started a seabird and shorebird project looking at Avian influenza and transmission to other mammals.
- The spread and expansion of aquatic invasive species during installation and maintenance is a concern.

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador  
Appendix A: Indigenous Engagement – What We Heard, January 23, 2025

- Cumulative effects to the environment and territories of proposed onshore and offshore wind development in Newfoundland and Nova Scotia, from a regional perspective, needs to be considered along with their interaction with other offshore infrastructure and industrial activities (e.g., Oil and Gas).
- Climate change is affecting species range, migration routes, and timing for both endemic and invasive species and should be considered. The interaction between climate change on the marine environment and ecosystem and with new offshore infrastructure development (e.g., increase in ice flow due to warming temperatures) should be considered.
- The proposed Study Area along the South Coast of the Island of Newfoundland covers an area that is the subject of a MOU to collaborate on establishing a National Marine Conservation Area (NMCA) in the South Coast Fjords area involving the Government of Canada, the Province of Newfoundland and Labrador, MFN, QFN, and the town of Burgeo indicated consideration should be given to the potential impacts or conflicts that offshore wind development in the area could have on the establishment of the proposed NMCA.
- Some windfarms turn into Marine Protected Areas or habitat builders.
- Participants want existing, future, and proposed Marine Protected Areas, National Marine Conservation Areas, and the like to be considered in the constraints analysis.
- A participant highlighted the biological significance of the Labrador coast out to the 200 meter ledge.
- Some have observed oil leaking from onshore wind turbines and expressed concern if that might be the case for offshore wind turbines as well, questioning the fail-safes in place for mechanical failures and oil leaks.
- Though the eventual use of power produced by offshore wind is outside the scope of the Committee's mandate, considering the potential uses would assist the Committee in identifying and considering the physical activities associated with the construction, including expansion, operation, decommissioning, and abandonment of an offshore wind power generation facility, including the transmission of electricity and any other ancillary or supporting activities and their effects.
- Waste from the construction of turbine bases can pollute water and the environment.
- Guidelines should be developed to minimize noise and light pollution during the construction and operation of offshore turbines.

### 3.7 General Wind Energy & Technology

- Participants asked many general offshore wind energy questions such as:
  - What's the lifespan of turbines?
  - What are the decommissioning procedures for turbines?
  - Are wind turbines and windmills the same?
  - What's the density of turbines for floating versus fixed turbines?
  - Will power be transmitted by subsea cable?
  - Is the noise and vibrations from wind turbines proportionate to their size?
  - Does foundation type dictate turbine height?
- Offshore Newfoundland and Labrador, specifically the Grand Banks, is known to have challenging seabed conditions. There is limited commercial experience with installation of wind farms under similar conditions.
- Participants inquired about wind energy infrastructure capacity for withstanding extreme weather (e.g., wave climate, high wind cut off speeds, waterspouts).
- 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. These are conditions that push the current design envelope for offshore wind development.
- Floating farms should be secondary to the consideration of fixed based farms. However, considering supply chain issues concerning fixed base farms, industry might lean in favor of floating farms.
- Qualifying dynamic cables for this type of harsh environment is a technical gap in the industry that has yet to be closed.
- Significant work remains in characterizing the impacts and potential loads under power production, as well as possible additional complications from atmospheric icing. Ice interaction may drive selection of foundation types, as some mooring configurations may be more prone to ice interactions. This is perceived as the most significant technical risk along with iceberg impact. If icebergs are too large for turbine foundations and anchoring to withstand resulting impacts/loads, ice management programs may need to be put in place. One participant shared that they read ice flow in Bay St. George is a restrictive factor to offshore wind development as well.
- A 2020 report indicated that the wind energy industry would be worth \$17 trillion and now the industry is only estimated at \$1.7 trillion. Participants questioned economic feasibility.
- A participant would like to have subject matter experts at future discussions and expressed concern that there have been no long-term studies on offshore wind farms.

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador  
Appendix A: Indigenous Engagement – What We Heard, January 23, 2025

- A participant inquired about site specific suitability studies after the Regional Assessment.
- Offshore wind energy is non-dispatchable, which may result in grid stability issues. Significant storage capability would have to be developed, or wind would have to serve as a fuel displacement strategy (instead of a replacement strategy) as wind can only make up 15% of grid demand.
- Offshore turbines will require a lot of maintenance to preserve them and there is concern over the chemicals used to preserve them.

### 3.8 Future Development

- Onshore wind is happening rapidly on the Island of Newfoundland. Participants like that this Regional Assessment are considering repercussions before the pursuit of a project. It's important to consider the health of community, economic, health, and social wellbeing. Sustainable development should be pursued to strike a balance between economic development and environmental conservation. Without development our communities won't grow.
- Would like to see a Precautionary Approach to development that protects the environment and Indigenous rights and allows for observations from Nova Scotia's proposed offshore projects to be studied before development occurs in Newfoundland and Labrador.
- No development of an offshore wind area should be permitted or licensed until after the area has been thoroughly studied from an environmental and ecological point of view. Coastal Communities and Indigenous First Nations should be engaged to assist with any studies, including the collection of Indigenous knowledge, pertinent scientific data and analysis, decision-making, construction, and post development environmental monitoring.
- Development should not occur until migratory routes of Atlantic Salmon and migratory birds are understood and mapped.
- Some participants were opposed to development in Bay St. George.
- Impacts vary by end use of offshore wind energy and project site as does feasibility based on proximity to onshore infrastructure.
- Participants wanted to know if there were any offshore wind projects proposed, what the total calculated area of the initially proposed licencing areas is and will there be a geographical interface created where development will be based on geography.
- Maine and Massachusetts (U.S.) have lots of interest for offshore wind development.

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador  
Appendix A: Indigenous Engagement – What We Heard, January 23, 2025

- Installation of turbines should avoid spawning seasons.
- Wind energy was originally proposed for offshore inside Bay St. George in the past and then industry moved on land to avoid federal jurisdiction. Now that the province is going to regulate the bays some participants felt the focus will be offshore again.
- Some proponents split their project into multiple parts to avoid federal or provincial level impact assessments. This should be regulated as project splitting has a large impact on social licensing.
- Before onshore wind was brought to the attention of the public, helicopters with LIDAR were flying around for two years mapping the area. Fearful that foreign industry will come in and exploit the natural resources.
- Wind integration is a key planning and licencing issue in Newfoundland & Labrador. Reliable integration into the Island Interconnected System (IIS), the Labrador Interconnected System (LIS), both or neither are directly relevant to future planning for both onshore and offshore wind facilities and to the selection of an appropriate and meaningful Study Area for this Regional Assessment.
- Interactions between the Newfoundland and Labrador Regional Assessment area and the Nova Scotia electrical grid should be considered as portions of the proposed Focus Area lie within 200 kilometer of Nova Scotia, which may be a more technically and economically feasible interconnection point for a large-scale wind facility off the south coast of Newfoundland.
- Considering the challenges facing other forms of offshore wind development in Newfoundland and Labrador, producing hydrogen offshore may, in the long term, be the most prevalent form of development. Since this form of offshore wind development is adaptable to many offshore locations, the selection of the Proposed Focus Area is unlikely to minimize its potential for development.
- It is recommended that the Committee thoroughly consider the design options (e.g., for hydrogen storage, hydrogen transport, desalinization, etc.) related to offshore wind development for offshore hydrogen production when “identifying and recommending mitigation and follow-up measures and other approaches for addressing potential positive and adverse effects (both project-specific and cumulative)” in accordance with its mandate.
- An over-reliance on project-level Impact Assessments will result in key policy matters best informed by the Committee and/or best addressed by regulators during regulation- or policy-specific consultations remaining unresolved in advance of final identification of potentially suitable offshore wind licencing locations.
- Post project remediation, decommissioning (i.e. disposal of turbine blades) needs to be considered to ensure the ecosystem is returned to its natural functional state

- Accidents and damage to turbine components during installation can negatively affect aquatic ecosystems and thus humans and wildlife.
- Environmental monitoring needs to occur to ensure best practices are being followed.
- Social licensing along with free, Prior, and Informed Consent must be granted before development.
- Mi'kmaq communities should be involved in all aspects of development (planning, implementation and monitoring).
- A system for ongoing monitoring of impacts should be established with regular reporting to the public and Indigenous groups.
- Alternative locations and methods for renewable energy should be considered that would have a lesser impact on the environment and Indigenous communities.
- Robust mitigation measures should be developed to minimize impacts on rights and the environment.

### 3.9 Impact on Indigenous Communities

- Some Indigenous groups stated the *Indian Act* recognized Nations take precedence over any other non-recognized Indigenous organizations that may come forward. While others noted that Indigenous rights have been disregarded historically and UNDRIP needs to be incorporated and implemented.
- Some groups are concerned with the potential impacts on our Aboriginal and Treaty rights. The overall health of our waters and the species, which have high cultural significance, including species relied on for food, social and ceremonial, such as Atlantic Salmon, whales, birds, and their migratory routes which travel through the Regional Assessment area are of particular concern.
- It was inquired if there will be Impact Benefit Agreements with Indigenous groups and if Indigenous people will be hired/trained, highlighting women specifically. Some groups will be looking for an Impact Benefits Agreement/compensation for potential impacts from activities.
- Fear that the process leaves Indigenous communities responsible for shouldering the defense of their rights and territories at the project level.
- Some participants stated they are not in favor of development in Bay St. George without there being a social license approved by people and benefits to locals.
- Cumulative effects need to be evaluated considering other existing industries in the area which could have cascading effects impacting the marine ecosystem and ultimately the cultural and spiritual connection between Indigenous people and the environment.

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador  
Appendix A: Indigenous Engagement – What We Heard, January 23, 2025

- The entirety of the Study Area is traditional use, including areas that are both within and outside of the constraints analysis.
- The environment and economy are valued equally. A participant is not against development but cautious.
- Groups will be focusing on gathering information on impacts to food security and diet, effects on food fishery, offshore/inshore interactions and impacts, long term effects.
- Traditionally important species in the area as well as the impact on commercial fishing are of concern.
- There are many important Atlantic Salmon rivers between Stephenville and Codroy.
- Past experiences with industry and organizations responsible for conducting impact assessments leaves Indigenous communities wary of them respecting ancestral and treaty rights for their territories and the resources they contain.
- There are a lot of groups/businesses engaging with Indigenous groups. Social licensing is important, and participants feel as though the projects don't benefit locals.
- Measuring community impacts is qualitative, difficult to measure, and cannot be underestimated. Potential environmental, cultural, and socio-economic impacts could be far reaching.
- Proximate Indigenous communities shouldn't have to sacrifice their lands and waters to produce energy they do not need and will not use.
- Development could affect social relationships and community cohesion between those that are 'for' or 'against' development.
- Community support differs based on the end use of the power. More supportive of green and cheaper power for residents than export and projects that don't negatively impact other community assets such as the natural and cultural landscape. Effects on these landscapes directly affect the ability to transfer Indigenous knowledge.
- Communities must be ready to accept changes in our environment and communities with the influx of workers for these projects. For example, there's an existing housing shortage which will be exacerbated with an increase in population.
- With the Study Area being exclusively marine, it's difficult to provide input regarding physical structure (e.g., archaeological, paleontological, architectural impacts).
- More information is needed around the current technologies that are being considered and the potential effects on communities.

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador  
Appendix A: Indigenous Engagement – What We Heard, January 23, 2025

- It would be nice to have a Community Navigator position to help guide local services and infrastructure development to accommodate influxes of people and immigrants.
- Existing government services (e.g. education and healthcare) are insufficient for the current level of population. Road conditions, water, and other municipal infrastructure and services would deteriorate further with an influx of people.
- Port capacity, traffic, road infrastructure, and laydown areas need to be considered.
- It's important to consider the health of the community, economy, and social wellbeing. Some groups have recently had to give out food stipends to members because of loss of access to traditional foods from other industrial activities. One group talked about the hydroelectric facility in their community and the rise in cancer and decrease in wildlife/wild food in the bay since it's development. Feel as though there's a double-edged sword when it comes to economics and food security.
- MFN has a Food, Social and Ceremonial (FSC) fishing right and agreement with Fisheries and Oceans Canada (DFO) where designated fish harvesters catch what is needed for themselves and their community.
- The importance of time spent on the land/water for community health was highlighted. Concerns were expressed over having to travel further and further to partake in traditional activities due to development.
- Safety of our community (health, family, children, women) is paramount. An influx of transient workforces can affect crime rates, gender-based violence, and substance abuse can threaten the safety and well-being of the community.
- Immigration needs to be considered (e.g., foreign nationals, stowaways, increased enforcement).
- While the developments may be offshore, there are still concerns as to the use of traditional lands for transportation of building materials and other items associated with the development process. Should these occur, affected groups will require to be included in planning discussions to reduce any adverse effects to traditional lands or persons.
- Any point of contact on land from offshore wind development should consider burial sites and Mi'kmaq territory, highlighting that the islands off the south coast of Newfoundland are archeologically significant.
- There's a carboniferous fossil sinkhole site in Aquathuna Quarry.
- The proposed Focus Area is adjacent to the locations of highest Traditional Use Territories of the Mi'kmaq people, of QFN, and MFN.

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador  
Appendix A: Indigenous Engagement – What We Heard, January 23, 2025

- All of Newfoundland is unceded Indigenous territory and have been used by Indigenous peoples for thousands of years. The focus area exists within the unceded territory which was affirmed by the Governor General.
- 3PS is very important to proximate Indigenous peoples for both food social and ceremonial fisheries and commercial-communal fisheries. Potential loss of fishery would have large economic impact on communities as fishing is the biggest industry in rural Indigenous communities. This leaves them particularly susceptible to socio-economic impacts and interdisciplinary effects from offshore wind development.
- Port au Port Bay and Bay St. George hold a critical importance to Mi'kmaq for cultural, commercial, ceremonial and communal fishing activities as well as food security.
- While offshore wind development has potential for far reaching effects, it also has potential for this to be a 'legacy project'.
- Offshore wind development may generate jobs and spur other development (i.e. infrastructure and secondary/spin-off industries), increasing income levels, reducing unemployment, and improving economic stability, while also increasing cost of living, change employment opportunities, and pose challenges to socio-economic well-being and ability to sustain traditional way of life.
- An influx of vehicles and people will increase traffic congestion, noise pollution, and strain existing infrastructure and services.
- Industrial development may bring support for community development initiatives (i.e. social programs, cultural preservation efforts, and environmental conservation).
- There may be an economic 'boom-bust' cycle with offshore wind development which would contribute to economic instability and the dependence on transient work opportunities amongst women. This can perpetuate gender inequalities and restrict opportunities for women's empowerment and economic independence.
- Indigenous and non-indigenous views are important as all communities are mixed communities.
- Participants sought assurances that the Committee is going to work to represent Indigenous interests.
- Efforts should be made to inform the Committee about the Indigenous political landscape in Newfoundland with respect to rights recognition. More discussion and recommendations pertaining to these rights should be included in the Report.
- The federal government and government of Newfoundland and Labrador need to acknowledge Indigenous rights of the Mi'kmaq of Newfoundland.

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador  
Appendix A: Indigenous Engagement – What We Heard, January 23, 2025

- One participant felt that colonists have been stealing the resources of Newfoundland's Indigenous people and trying to wipe them out like the Beothuk. Siting that they felt the government revoked status to over 10,500 Indigenous Newfoundlanders because there were too many.
- Any environmental impact that will directly impact natural resources relied on for subsistence and cultural practices threatens Indigenous way of life and about to pass on knowledge and practices to future generations.
- Indigenous cultural heritage, traditional knowledge, and practices need to be safeguarded, preserved, and promoted in cooperation with Indigenous communities.
- Development activities should contribute to the improvement of living conditions, education, healthcare, and access to basic services while creating opportunities for meaningful and equitable participation of Indigenous people in employment, training, and business opportunities.
- One group said communities in the Port au Port-Bay St. George area have been polarized with wind energy propaganda perpetuated by elected officials and truth and transparency are required.
- Impact Benefit Agreements with Indigenous communities and groups should be developed including equity stakes.
- Industry controlled access to waterways will impact Indigenous people's way of life and lead to unreasonable search and seizure by industry security and surveillance.
- One participant stated that local landfills do not have the capacity for increased industrial waste/refuse and inquired how components will be transported to the nearest recycling center.
- Communities need adequate emergency measures for flooding, road closures, medical, etc. with emergency drills involving all municipalities including simulations of blast, road closures, flooding, fires, torpedoes, etc.
- Mitigation and accommodation measures should be put in place pertaining to Mi'kmaq lands, waters, and resources.

### **3.10 Legislative Changes / Environment**

- Participants wanted to know which regulatory body would be conducting the project specific environmental assessments (Provincial or Federal) considering the MOU with NRCAN, stating that Provincial Environmental Assessments are a lot less stringent than the federal assessments and is cause for concern.
- Concerned about Canada Newfoundland and Labrador Offshore Petroleum Board (CNLOPB), Accord Act legislative changes, and the Memorandum of Understanding

between the province and Natural Resources Canada. There's a historic lack of meaningful consultation as little exists in the existing act regarding Indigenous consultation. Groups want new legislation to reflect economic reconciliation, Indigenous consent and consultation in the licencing process and supported by recommendations from the Committee. This was mentioned multiple times.

- Some participants advocated that the MOU should be amended to remove Port au Port Bay and Bay St. George from the Offshore Renewable Energy areas.
- Eagles are very culturally important. There's currently a legislative gap in their protection. Any deaths of eagles need to be returned to the Indigenous community.
- If CNLOPB is to be the regulator, proximate Indigenous groups would like Indigenous joint management, partnership or to have an elevated role with CNLOPB, incorporating Indigenous knowledge and issues.
- Provincial and federal legislation for offshore wind energy needs to be developed. With no offshore commercial wind operations in Canada and Newfoundland, the regulatory requirements are not as developed and understood as those in countries with an existing offshore wind industry. Early projects in this industry locally may serve as a test case, which could present some challenges.
- The province of Newfoundland and Labrador isn't willing to work with Indigenous groups.
- Groups were disappointed that the Final Report recommendations are non-binding and inquired if the Final Report recommendations will include accountability measures.
- One participant stated that no further work should be undertaken until Indigenous land claims in Newfoundland and Labrador have been addressed.
- Ensure mechanisms exist that protect and ensure accountability of human's rights of Indigenous people.
- The Calls to Action from the Truth and Reconciliation Report need to be upheld.
- The new regulatory framework for offshore wind development should incorporate lessons learned from other major offshore wind developments and maintain the duty to ensure that the best interests of the province's residents are safeguarded.
- Offshore wind projects, under no circumstance, should be excluded from the Impact Assessment Act requirements.

### **3.11 Education, Training, & Opportunities**

- Hopes were expressed that local post-secondary institutions will incorporate diploma, undergraduate, and graduate level programming to allow training for Indigenous peoples and communities to become leaders in wind energy.

- Renewable energy should be worked into the grade school curriculum so that our youth can become informed and engaged. Today's youth will be the ones to have the employment opportunities and research experiences that a future offshore wind industry will bring, and they will also be the ones affected by any negative effects to development.
- There is currently a gap in wind energy training in Newfoundland and Labrador. DOB (Educational Institution from the Netherlands) is partnered with Qalipu Holdings and might be collaborating with College of the North Atlantic to provide said training.
- Questioned if Indigenous people will be hired/trained, highlighting women specifically.
- Development may bring new opportunities for the local residents to acquire new skills through training programs and capacity building initiatives.

### **3.12 Commercial, Food, Social, Ceremonial, & Recreational Fishing**

- Commercial fisheries can shift throughout time and the Committee needs to consider past, current, and future use. If the timeline for potential development is approximately 10 years, fisheries data collected now will have changed by that point.
- Fish harvesters will be reluctant to share fishing locations/data/etc. and maybe the Committee could have some sort of honoraria to incentivize feedback. It was suggested that retired fish harvesters could be engaged for historic data collection.
- The importance of an advisory group of local fish harvesters in western Newfoundland to speak to fishing in this area was highlighted.
- Participants noted many changes in the marine environment over time including the change in lobster fishing areas. 20 years ago, they were fished in 20 fathoms and now it's 30 - 50 fathoms. They stated the 10 km buffer should be doubled or tripled to reflect that change along with their seasonal inshore migration. Additionally, Capelin used to roll 1 - 2 ft high years ago and now there's none.
- It is difficult to assess the impact of offshore wind turbines on fisheries where the environment is changing so much as it is.
- Regarding future fish species and abundance, QFN expects species in southern Newfoundland to migrate north with climate change.
- Netukulimk Fishery has licenses in the proposed Focus Area. There's a formula regarding financial compensation for impacts on those fisheries. Interactions with fisheries will have to be considered.

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador  
Appendix A: Indigenous Engagement – What We Heard, January 23, 2025

- Indigenous commercial, ceremonial, and communal fisheries licenses need to be considered and are protected constitutionally and legislatively. 3PS is very important to local groups for both commercial and commercial-communal fisheries. Potential loss of fishery would have large economic impact on communities. Preliminary offshore wind areas identified in the Interim Report overlap with MFN whelk, sea cucumber, crab, and cod fisheries and these areas should be redefined so as to not impact those activities.
- Indigenous traditional use areas are not limited to land. Lobster has been identified as a culturally significant fishery to the QFN people. Lobster fishing zones 13a, 13b, and 11 are directly adjacent to the priority traditional use areas. The lobster fishery, due to the nature of the species and their strong fidelity to specific sites, can be particularly affected by spatial conflict with offshore wind developments.
- Rights-based fisheries need to be assessed for groups proximate to the preliminary licencing areas.
- Wind farms and fisheries cannot coexist.
- The possibility of fishing within offshore wind farm areas depends on the type of fishing, safety, and the type/design of the offshore wind farm.
- Concerns were expressed about impacts on inshore and offshore commercial fisheries (e.g., cod, lobster, halibut) and their habitat as well as all other potentially impacted species compounded with the effects of climate change.
- It was stated that 75% of Indigenous business funding goes to fish harvesters to purchase bigger boats because they now must go further away from shore.
- Participants asked why the area at the mouth of Bay St. George was still included in the preliminary recommended licencing areas given the number of Indigenous fish harvesters participating in the fisheries.
- Fish harvesters in 3PS will be most affected by offshore wind development.
- Concerns were expressed about fixed base turbines' impact on seasonal inshore migration of lobster.
- The development phase of offshore wind projects may pose changes in the local populations of lobster as their territory would be disturbed. It is either recommended that these fishing areas be excluded from the Focus Area or should development occur in these offshore areas affected groups be further consulted as to next steps in maintaining integrity of their offshore resources.
- It was stated that it is unsure if there are any commercial eel harvesters in Flat Bay currently and DFO doesn't track if fish harvesters are Indigenous or not.

Regional Assessment of Offshore Wind Development in Newfoundland and Labrador  
Appendix A: Indigenous Engagement – What We Heard, January 23, 2025

- There are returning and rebounding fisheries that local groups intend on participating in such as redfish and cod. Some of this data is not captured by DFO's Marine Atlas.
- While fish landings on the west coast aren't as high as other areas, the fishery is just as important.

## Appendix A: List of Indigenous Knowledge Advisory Group Members<sup>4</sup>

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

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<sup>4</sup> As per an email request on August 21, 2024, a member of the Indigenous Knowledge Advisory Group has been removed and therefore their name is no longer listed.