

Mi'kmaq First Nations Consultation & Collaboration Report

FORCE (Fundy Tidal Energy Demonstration Project) 2008-2014

OUTLINE

This report includes:

- a) A detailed summary of interaction/engagement related to the original Project EA with First Nations from March 2008 until October 2009, when the EMAC and CLC were formed and had their initial meetings (Pages 2-4);
- b) A detailed summary of interaction/engagement related to the EA for FORCE Project Addendum and Transmission Line, 2010 through 2011 (Pages 4-5);
- c) List of FORCE CLC and EMAC meeting dates (Page 5-6);
- d) Details of FORCE CLC and EMAC (meetings, discussions and reports), both committees' membership includes Mi'kmaq representatives (via the FORCE website);
- e) Details of public meetings, fishers meetings, and information releases (via the FORCE website);
- f) References to public meetings, fishers liaison/consultation meetings which Mi'kmaq representatives were invited to attend (all contents);
- g) Discussion outlines, references from meetings between FORCE, Mi'kmaq representatives and other parties (Pages 6-7);
- h) Examples of communications (email updates) to Mi'kmaq representatives (Pages 8-12); and
- i) Detailed list of communication and consultation with Mi'kmaq First Nations representatives, 2013 - 2014 (Attachment)

Contributors:

- a) Joe Kozak (FORCE Director Environmental Programs 2008-2014, Advisory Consultant)
- b) Mary McPhee (FORCE Facilities Manager, CLC Secretary/Co-Chair 2011-2014)

References & Attachments:

- a) FORCE website re. CLC/EMAC: <http://fundyforce.ca/about/advisory-committees/>
- b) FORCE Consultation: Mi'kmaq First Nations Details (up-to-date 2014, Excel SpreadSheet)
- c) FORCE website re. announcements/releases: <http://fundyforce.ca/media-center/press-releases/>

FIRST NATIONS ENGAGEMENT SUMMARIES

NS Mi'kmaq Engagement Activities – By FORCE/Minas Basin P&P related to the Fundy Tidal Energy Demonstration Project (As of October 29, 2009)

Pre-Engagement 2008 (prior to SEA decision):

- Nova Scotia Native Council, Truro – Met with Roger Hunka, Franz Kesick, Tim Martin and Amanda Facey on March 18, 2008
- Contacted Millbrook FN for meeting, but they declined.
- Several telephone discussions and E-mail exchanges with Twila Gaudet of KMK during the period of late March through August 2008, regarding how best to engage FNs in NS
- A KMK representative participated in a boat tour of the proposed general Demo Facility area on June 24, 2008 hosted by Minas Basin P&P

Engagement Activities (after SEA decision – June 26, 2008):

- Distributed a RFP for a MEKS dated July 2, 2008, and have had follow-up discussions with Membertou Geomatics and the Confederacy of Mainland Mi'kmaq, but put on hold due to the high bids. Further discussions required on scope and cost.
- Letters dated July 15, 2008, from Scott Travers, COO of Minas Basin Pulp & Power to all 13 Chiefs of NS Mi'kmaq FN and Chief Knockwood of Fort Folly FN, NB, offering to meet with them individually or in a workshop setting to describe the project and get their feedback. Clearly noting this is engagement, not consultation. All letters copied to: Union of NS Indians, Confederacy of Mainland Mi'kmaq; Assembly of NS Mi'kmaq Chiefs (and KMK); and, the Atlantic Policy Congress of DFB Chiefs. Also, NS Office of Aboriginal Affairs copied on NS letters and Fort Folly letter copied to NB Aboriginal Affairs Secretariat.
- Letter dated July 15, 2008 from Scott Travers to Chief Conrad of Native Council of NS offering the same briefing as for the FNs.
- Presentation to Assembly of NS Mi'kmaq Chiefs tentatively scheduled for Sept 11, 2008 via KMK, but did not happen due to full agenda.
- Acknowledgement by telephone received from NCNS but no presentation scheduled in late July.
- In August 2008, FNs and NCNS representatives have been invited to participate on a Stakeholders Liaison Committee (as observers – Twila Gaudet and Roger Hunka- interested but not confirmed) and aboriginal fisher (from fort Folly First Nations) has been invited to participate on Fishers Contact Committee, both formed as part of the projects' ongoing public engagement activities.
- Presentation to Assembly of NS Mi'kmaq Chiefs on November 14, 2008 in Dartmouth, NS.
- Follow-up discussion with Twila Gaudet on Dec 15, 2008, and the Assembly have not indicated the need for further presentations at this time, but likely a meeting after the Project Description is distributed in mid to late January 2009. To be confirmed in early January 2009
- Discussion with Roger Hunka of NCNS on Dec 15, 2008, and he indicated an interest in a meeting after the Project Description is available, sometime in mid-January, 2009.

2009 Engagement Activities:

- Project Description distributed to KMK and NCNS on January 14, 2009. This is not required by the Regulators but was provided to encourage their involvement in the Project.
- FORCE participated in a scoping session on the Tidal Energy EA process with the Province of Nova Scotia and KMK on January 26, 2009.
- KMK/Assembly and NCNS invited to the Stakeholder Open House in Parrsboro on Jan 29, 2009. There was no participation at the Open House by either the NS Mi'kmaq or NCNS.
- FORCE met with NCNS to review the project on February 27, 2009 in Truro.
- KMK and NCNS invited to the Fishers Meeting on March 27, 2009 in Truro. Both groups participated at this meeting, but no specific feedback provided on aboriginal fishing activities provided at the meeting.
- Ongoing involvement of KMK and NCNS by copying them on all Emails related to Stakeholder Liaison Committee and Fishers Contact Committee, so they were aware of the EA Registration (June 17, 2009) and encouraged to provide input during the Public Comment period (until July 17, 2009). KMK submitted comments to NS Environment.
- FORCE agreed to co-fund a MEKS Phase 1 study for Bay of Fundy (Phase 1 focused on the Minas Channel area) in cooperation with the OEER and NS Energy. The MEKS was done by the Membertou Geomatics Consultants. The MEKS was initiated in April 2009 and the Final Report submitted in September 2009. The MEKS recommended that "In consideration that Mi'kmaq undertake fishing activity for commercial and harvest, directly within the Project Site where the turbines are to be built as well as in various locations throughout the study area, it is recommended that the proponent meet with the Assembly of Nova Scotia Mi'kmaq Chiefs to determine possible future steps to be taken in regards to Mi'kmaq use of the area."
- Based on the new information provided by the MEKS, FORCE undertook further discussions with the MCG, KMK and DFO, and it was determined that the Annapolis Valley First Nations have in the past operated a commercial and food lobster fisheries in the Project area.
- On September 30, 2009, a letter from FORCE was sent to Chief Julian acknowledging the MEKS' recommendation and offering to meet with the NS Mi'kmaq to discuss further.
- Telephone calls and Emails were provided to KMK in mid-September making them aware that the NS Mi'kmaq will be invited to participate on Community Liaison Committee (CLC) and the Environmental Monitoring Advisory Committee (EMAC).
- On October 7, 2009, a letter was sent from FORCE to Chief Julian inviting the NS Mi'kmaq to participate on the CLC and EMAC.
- Telephone discussions and Email exchanges with Twila Gaudet, KMK, indicated that the Assembly would be naming representatives to the CLC and EMAC (as of October 29, 2009, no representatives named).

- FORCE met with the Annapolis Valley First Nations in Cambridge, NS, on October 20, 2009 to discuss their fisheries concerns and as a follow-up to the MEKS. This was a very positive meeting, and the AVFN requested greater involvement in the Project. The AVFN Fisheries Coordinator was provided with information regarding the deployment schedule of NSPI/Open Hydro Turbine and her contact information provided to NSPI for further updates on changes to deployment scheduling (now Nov 10th timeframe, instead of Oct 30-31).
- After requested, the KMK sent an observer to participate in the 1st CLC meeting in Parrsboro on October 22, 2009.

(Updated 29/Oct/09 by J. Kozak (AECOM) on behalf of FORCE)

First Nations Engagement Activities - EA for FORCE Project Addendum and Transmission Line 2010-11

Context:

As the Project will receive federal funding from NRCan and ACOA, an addendum to the EA is required by NRCan as a result of the addition of a 4th berth and changes to landfall location. The potential for construction of a transmission line was identified but a decision by the FORCE Board to proceed with this option was not made until late spring 2010. A CEEA screening is required to cover all aspects of the project, including the new location of the onshore facilities and the transmission line option.

Key Dates:

- February 5, 2010, FORCE officially notified NS Environment and the other relevant provincial and federal agencies regarding the revised landfall location and proposed transmission line option.
- June 28, 2010 - Project Description for Power Transmission Line submitted to relevant agencies.
- July 22, 2010 - EA Addendum report re new landfall location/4th Berth & Cable submitted (Note: No provincial EAs were required, only a federal CEEA screening level EA)..
- October 1, 2010 - Transmission Line EA Report submitted.
- February 22, 2011 – NRCan approved screening EA for Addendum and Transmission line.

Engagement Activities (KMK has representatives on both EMAC and CLC):

- KMK (T. Gaudet and M. Nevin) was informed by telephone and Emails re. the EA Addendum and proposed TL option in late February 2010. FORCE offered to provide presentations to the NS Mi'kmaq, but no request for updates was received.
- A detailed presentation on the status of the EA Addendum (landfall location changes and addition of the 4th berth) and the proposed Transmission Line was provided to the CLC on April 26, 2010.
- EMAC was provided ongoing updates on project status at their 2010 meetings.

- The Transmission Line (EA) Public Open House was held on August 5, 2010 in Parrsboro, NS. In addition to broader invitation via the CLC, individual invitations regarding the Open House were sent to KMK (contact for the Mi'kmaq Chiefs of NS) and the Native Council of NS. No representatives from either KMK or NCNS attended the August 5th Open House.
- FORCE continued to offer to meet with NS Mi'kmaq re the EA Addendum and Transmission Line projects. No uptake.
- Transport Canada - FORCE applies for NWPA amendment (cables) and Permit related to Transmission Line (Farrell River) in late 2010. TC consults with First Nations.
- NRCan contacts the NS Mi'kmaq contacts re consultation via a letter dated February 3, 2011 on the FORCE project (This was NRCan's responsibility and were late in undertaking the appropriate level of consultation).
- Doug Keefe met with NS Mi'kmaq Benefits Committee on February 22, 2011 to provide an update and address any questions regarding the changes to the FORCE Project.
- On April 1, 2011, a letter was received from the NS Mi'kmaq listing a number of concerns regarding the archaeology assessments completed for the Transmission Line and at the landfill site by FORCE.
- FORCE engaged Davis McIntyre & Associates (archaeology consultant) to review the First Nations' concerns and to prepare a detailed response. In a response to the NS Mi'kmaq on April 11th, FORCE indicated that it believes all their concerns have been addressed and reiterated its commitment to follow-up archaeological monitoring, and invited their participation at any excavation activities at the FORCE site.
- No further concerns identified by NS Mi'kmaq; and, FORCE provides prior notice on an ongoing basis regarding any excavation activities at the site. To date no KMK or NS Mi'kmaq representative (archaeologist) has attended any excavation operations at the FORCE site.
- Telephone calls and emails to KMK re. Updates on these EAs occurred on several occasions during this period. No specific requests for presentations were made by the KMK or other representatives.

(Prepared 22/Sept/14 – Joe Kozak, on behalf of FORCE)

FORCE's EMAC and CLC meetings

FORCE's EMAC and CLC have included First Nations representatives since they were initiated in 2009. Below is a list of all of the meetings conducted to date for both committees:

October 26, 2009 – CLC meeting

November 19, 2009 – EMAC meeting

January 29, 2010 – EMAC meeting

February 19, 2010 – EMAC meeting

March 19, 2010 – EMAC meeting

April 26, 2010 – CLC meeting
May 7, 2010 – EMAC meeting
November 14, 2010 – CLC meeting
February 4, 2011 – EMAC meeting
March 4, 2011 – EMAC meeting
October 28, 2011 – EMAC meeting
March 8, 2012 – EMAC meeting
May 22, 2012 – CLC meeting
September 19, 2012 – CLC meeting
November 26, 2013 – CLC meeting
April 9, 2014 – EMAC meeting
May 20, 2014 – CLC meeting
October 16, 2014 – EMAC meeting
December 2, 2014 – CLC meeting
March 3, 2015 – EMAC meeting

SAMPLE DISCUSSION OUTLINE

Meeting with Mi'kmaq Benefits Committee on February 22, 2011 – Doug Keefe representing FORCE

Cultural:

- FORCE has committed to having professional archaeologists on site during excavations for the cables trenches across the beach at the FORCE landfall and the Farrell River area for the transmission line.
- NS Mi'kmaq will be notified well in advance of any beach disturbance so a representative Mi'kmaq archaeologist can be on site. This activity is presently scheduled for August, but no firm dates yet.
- Discussions are being held with Steven Davis (Davis MacIntyre & Associates) to undertake this work on behalf of FORCE.

Fishers and Compensation:

- No compensation for loss of fishing has been paid to any fishers in the area, since none has been observed.
- The deployment and retrieval of the turbine was coordinated with the lobster fishers, so there was no loss of access and minimized any disruption to commercial fishing activity in the area.
- For the future, FORCE will be developing a Framework for Compensation in discussion with fishers in the event one maybe required.

NS Mi'kmaq Involvement:

- FORCE is open to opportunities for the Mi'kmaq to participate in monitoring or activities, as has been discussed previously. This could possibly include training where additional skills may be

required, through provincial training mechanisms or other approaches e.g. seabirds and mammals observations.

- We would be pleased to learn more about NS Mi'kmaq capacity in relevant areas.

Lobster Studies in Minas Passage:

- Lobster catch studies have been completed and the final report is complete and being reviewed by EMAC. Meetings will be scheduled with fishers to update them on the information gathered from these studies and get their feedback on future work.
- The lobster studies (3 studies – 2 in 2009 and 1 in 2010, before and after turbine removed) indicate that there are lobsters in the demonstration area. But very high currents in the specific FORCE project area, including the location of NSPI turbine, indicated no lobster fishing there. Lobster fishing occurs near shore, around Black Rock and on the periphery of the demonstration Crown Lease area.
- Some lobster traps used for the testing moved 1 kilometer or more (300 pound weighted traps).
- No major effect identified in lobster abundance due to the presence of the turbine.
- The techniques used for this work indicated that it can detect changes in lobster abundance, as shown by the decrease in lobster catches during commercial fishing season.

Fish Movement Surveys:

- These surveys have been completed with over 92 netting tows and acoustic surveys, undertaken between June and October 2010. No SARA species caught during these tows.
- Preliminary report completed and with EMAC for review but a more detailed report is being prepared but will not be available until mid-late March 2011.
- When all analyses are completed, this information will be shared with all fishers.
- No commercial fishing of ground fish or herring in the Minas Passage area because of high currents. In fact, FORCE had to talk to 4 commercial fishers before one agreeing to undertake netting trials in the Minas Passage, mainly related to safety concerns related to high currents and netting.
- Initial qualitative results indicate that herring is the main species caught during the survey, and that most fish move through the Passage more to the centre and the southern shore of the Passage. However, more analysis of the data is underway to better define this and at what level in the water column fish move through the area.
- No impacts, such as fish kills or mammals were observed or reported during the deployment of the turbine.

(20/Feb/11 – JHK)

SAMPLE EMAIL CONSULTATIONS & PROJECT UPDATES

Upcoming FORCE Activities

Joe Kozak

Tue 2013-11-12 2:56 PM

To: Melissa Nevin <MelissaNevin@mikmaqrights.com>;

Cc: Clayton Coppaway <CCoppaway@mikmawconservation.ca>; Joe Kozak; Mary McPhee;

Hi Melissa,

How are things?

As follow-up to my voice mail message today, FORCE will be undertaking Barge Trials this December 2013 at the FORCE site to test cable deployment procedures. It is anticipated that a Data Cable will be deployed shortly following these Barge Trials. In the future, the Data Cable will be attached to an environmental effects and research monitoring platform (probably in 2015).

As part of the Data Cable deployment/installation, the data cable will be buried in the beach and attached to an onshore vault (between the beach berm and wetlands). This operation will likely take place sometime during the 2nd week of December. FORCE will have an archaeologist on site to monitor any excavations for the cable trenching and vault installation. As discussed previously, the NS Mi'kmaq are welcome to have an archaeologist on site to observe this activity. Once the timing is confirmed, should I contact you regarding this installation?

Secondly, FORCE will be holding an Information Session for lobster fishers to describe the Data Cable deployment and answer any questions. We plan on inviting the Annapolis Valley First Nations as it was indicated that they fish in the Minas Passage area. My question is: should I send the invitation to you (or Clayton) as the point of contact, or directly to Annapolis Valley FN?

Please contact me if you have any questions.

Thanks and regards,

Joe

Joe Kozak
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1(902)222-5067 Cell

Sea-Earth Return Test Excavation

Mary McPhee

Tue 2014-04-29 3:56 PM

To: Melissa Nevin <melissanevin@mikmaqrights.com>;

This message was sent with high importance.

Hi Melissa,

Redacted: personal information

The reason for my call and now email is to consult with you, and the KMK on a test FORCE would like to do of an electrical equipment piece in the cable corridor area on the beach at the FORCE site.

This is the testing of a sea-earth return to see if we can ground our data cable for battery power using a zinc anode placed in the beach gravel. This test involves excavating a small hole and burying a 14"x14" metal plate and connecting a piece of cable to see if they can achieve the correct ground and sea-earth return for battery (DC) powering through the cable (in order to power an instrument/sensor that will eventually be placed at the cable subsea end).

So, this would require excavation of some beach gravel to place the plate to test for a couple days to see if the sea-earth method will work, or if we will have to go another route. If the test were to prove successful, then we will proceed with the necessary steps to use this system for the data cable vault termination in the coming months.

For this excavation to install the test anode, I have been tasked with consulting with you to determine whether or not the NS Mi'kmaq would wish to have an archaeologist on site to observe the excavation of the hole for the test plate.

I look forward to hearing from you with your advisement re. the above testing.

Kind Regards,

Mary

Mary McPhee • Visitor Centre Manager
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Lobster Fishers Meeting Invite - Thurs. September 11th, 6pm – FORCE

Mary McPhee

Sat 2014-09-06 4:38 PM

To: Twila Gaudet <TwilaGaudet@mikmaqrights.com>; Melissa Nevin
<melissanevin@mikmaqrights.com>;

This message was sent with high importance.

Hello Twila and Melissa,

FORCE will be hosting a meeting this Thursday, 11th September at 6:00pm at our Visitor Centre for lobster fishers who fish:

Minas Passage/Greville Bay, in vicinity of FORCE Crown Lease Area,
West Bay/East Bay/Partridge Island, and
those who have berths at Parrsboro Harbour/Wharf.

This meeting will be regarding the upcoming power cable installation, Cable Safety Zone, anchoring/mooring of vessels, wharf use and access, and will serve to inform fishers who are affected by operations, and placement of cable at the FORCE site of operations, scheduling, and who to contact with concerns, as well as defining roles in reporting any issues with the FORCE site.

We would be pleased to have participation at this meeting from the KMK and/or Annapolis Valley First Nation lobster fishers.

If you have any questions, please advise.

Please RSVP if you or another rep will attend.

Kind Regards,

Mary

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RE: Laying of the Cable and Wetland

Mary McPhee

Tue 2014-07-29 2:31 PM

To: Melissa Nevin <MelissaNevin@mikmaqrights.com>;

Cc: Angie Gillis <agillis@mikmawconservation.ca>; Twila Gaudet <TwilaGaudet@mikmaqrights.com>;
Anne-Marie Belliveau;

Hi Melissa,

Things are slowly getting started with the trenching of the cable and associated work.

My apologies for the delay in communications; it has been very busy here, both with visitors and the project.

1) Possible Meeting - If you or Angie Gillis from MCG are interested in a meeting in-person to discuss, please advise. One 24th June, Anne-Marie sent an email asking if you wanted to meet to receive a project update, and pending scheduling, that invite still stands. Please contact myself or Anne-Marie if you wish to have a meeting. This invite also extends to the MCG personnel.

2) Monitoring - In late June, the monitoring plan was laid out at the site, but due to changes in the project parameters for trenching, etc. - as well as delays, the baseline data for the wetland associated with cable trenching is just getting under way, with both Envirosphere and a student monitoring component with Hanna Doyle, one of our summer students at the VC.

Hanna is looking at the effects of trenching (disturbing) a wetland (salt marsh) on the plant community, including water availability, stem/rooting density, and growth rate, including 3 indicator species, one of which is sweet grass. Envirosphere are completing annual monitoring for baseline data this year, then will review once a year for next five years.

3) Plunge Pool - will be initiating work on plunge pool as part of wetlands compensation for August - this project will divert upland water flows & sediments from entering the Barachois pond and contributing to changes in its ecology as well as flooding the area with sediments.

4) Interpretive Panels (final piece of wetlands compensation) - We are in the very beginning stages (some background info) on developing 2 panels for the observation deck of the Visitor Centre, which will discuss the Barachois Pond, and wetland ecology. We would appreciate if, once we have a draft for the panels (text, images, layout), if anyone inclined to ecology or the Barachois pond from KMK or MCG would review those materials and/or contribute some passages (particularly as we discussed the significance of Barachois ponds for eel fishing by the Mi'kmaq) for the design. Is this something that would interest anyone within your organization or MCG personnel?

5) The actual works of vault install and wetland trenching - We are still a couple weeks away from any work, which will be the movement of the vaults to the beach, installation of the vaults, and following that, trenching of the wetlands, installation and termination of the cable (in the wetland). (The subsea power cable will follow in September/October.)

6) Permits & Archaeologists - For the processes involving excavation (vault install, trenching wetland), we have initiated both the Coastal Permit and Heritage Research permit, and will be scheduling to have a senior archaeologist from Davis MacIntyre & Associates on site during excavation. We have processes in place to liaise with Dept. Environment as well, and have approvals in place, as well as ongoing updates, for the wetlands trenching, etc. For the excavation portions of this work, would KMK wish to have an archaeologist or representative present? Please advise, and if so, I can contact you once we have a firm schedule.

I hope this provides you with some information to digest and an adequate update on the above-discussed work.

If there are any questions with the above or the FORCE project in general, please feel free to contact myself and/or Anne-Marie Belliveau.

Kind Regards,

Mary

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Attachment: Detailed FORCE Consultation Summary 2013-2014

Mi'kmaq First Nation - KMK, MCG, Council

Date	Communication Type	Contact Name	Parent Organization	FORCE Rep	Subject
01/11/2013	Email	Melissa Nevin	KMK	Mary McPhee	Mi'kmaq students, summer employment programs
02/13/2013	Email	Melissa Nevin	KMK	Matt Lumley	Atlantis wins funding for FORCE site turbine
03/19/2013	Email	Melissa Nevin	KMK	Matt Lumley	RFP for FORCE sensor platform trials, marine support
04/16/2013	Call/Emails	Melissa Nevin	KMK	Mary McPhee	Mi'kmaq students, summer employment programs
04/19/2013	Teleconference	Melissa Nevin	KMK	Mary McPhee	Mi'kmaq students, summer employment programs
04/19/2013	Email	Melissa Nevin	KMK	Mary McPhee	FORCE Student Job descriptions
05-08-2013	Email	Melissa Nevin	KMK	Mary McPhee	FORCE Visitor Centre Hours/Operation, update
05/21/2013	Email	Melissa Nevin	KMK	Mary McPhee	Consultation re. best timing for CLC meetings
05/23/2013	Email	Melissa Nevin	KMK	Mary McPhee	CLC membership, feedback
05/27/2013	Email	Melissa Nevin	KMK	Mary McPhee	FORCE Oceans Week Open House Invite
05/31/2013	Email	Melissa Nevin	KMK	Mary McPhee	CLC Meeting Announcement
06-03-2013	FORCE Open House	Melissa Nevin	KMK	Mary McPhee, Doug Keefe	Oceans Week 2013 Open House, meeting public, discussions re. EMAC, CLC, etc.
06/14/2013	Email	Melissa Nevin	KMK	Mary McPhee	Rescheduling CLC meeting.
11-12-2013	Email 11/12-13/2014	Melissa Nevin	KMK, MCG	Joe Kozak	Upcoming FORCE activities, barge trials, data cable deployment, cable burial/archaeology consultant, permits, lobster fishers meeting
11/19/2013	Email	Melissa Nevin	KMK, MCG, AVFN	Joe Kozak	Update on Data Cable activities, announcement/invite Info Meeting, FORCE VC 11/26/2013
11/19/2013	Email	Melissa Nevin	KMK	Mary McPhee	CLC Meeting Announcement + Update re. upcoming operations
11/26/2013	CLC Meeting, Info Session	Melissa Nevin	KMK	Mary McPhee, Tony Wright	Visitor Centre season overview, upcoming operations, 2013 highlights, info for fishers
12-03-2013	Email	Allison Bernard	KMK	Joe Kozak	Notice re. Cable trials to fishers.
12-03-2013	Email	Melissa Nevin	KMK	Mary McPhee	Notice re. Cable trials
12-03-2013	Email	Melissa Nevin	KMK	Mary McPhee	Sharing documents w/ CLC membership (EEMP, FORCE 2013 Highlights, etc.)
12-11-2013	Email	Melissa Nevin	KMK	Mary McPhee	Parrsboro Wharf Notice re. possible closures.
12/17/2013	Email, video	Melissa Nevin	KMK	Mary McPhee	Sharing Data Cable News Release, video.
02/25/2014	Email	Melissa Nevin	KMK	Joe Kozak	Sharing Archaeological Impact Assessment Report, Data Cable
03/28/2014	Email, photos	Melissa Nevin	KMK	Mary McPhee	Sharing News Release re. New Berthholders, \$4.2 million Provincial electrical upgrades funding + photos
04/09/2014	EMAC meeting	Clayton Coppaway	MCG	Joe Kozak, Anne-Marie Belliveau	Obtain feedback from the EMAC members on the conceptual design of future EEM program based
04/29/2014	Email	Melissa Nevin	KMK	Mary McPhee	Update re. excavation work relating to data cable/sensor platform. Consultation/feedback request re. archaeology reporting.
04/30/2014	Call	Melissa Nevin	KMK	Mary McPhee	Update re. excavation work relating to data cable/sensor platform. Consultation/feedback request re. archaeology reporting.

Attachment: Detailed FORCE Consultation Summary 2013-2014

Mi'kmaq First Nation - KMK, MCG, Council

Date	Communication Type	Contact Name	Parent Organization	FORCE Rep	Subject
05-06-2014	Email	Melissa Nevin	KMK	Tony Wright, Mary McPhee	FORCE notice: Subsea Cable Location & Safety Zone to fishers, CLC
05-06-2014	Email	Melissa Nevin	KMK	Mary McPhee	Introduce Anne-Marie Belliveau, set up meeting.
05-06-2014	Email	Melissa Nevin	KMK	Mary McPhee	CLC meeting announcement, May 20. Updates, feedback request.
05-06-2014	Call	Melissa Nevin	KMK	Mary McPhee	Consultation re. archaeology, reporting re. excavation work relating to data cable/sensor platform.
05/14/2014	Email	Melissa Nevin	KMK	Mary McPhee	Invitation to Tidal Energy Update, May 20, Parrsboro
05/14/2014	Meeting	Melissa Nevin	KMK	Anne-Marie Belliveau	Introductory meeting, updates re. FORCE project, discussion
05/19/2014	Email	Melissa Nevin	KMK	Mary McPhee	Sharing documents for CLC meeting, background
05/20/2014	CLC Meeting	Melissa Nevin	KMK	Mary McPhee	Visitor Centre season, Hours/operation, student employment, programs, tours, EEMP update, power cable update, TOR review, membership discussion
05/20/2014	Meeting	Melissa Nevin	KMK	Mary McPhee	Discussion, review, permits/approvals Wetlands Compensation/Watercourse Alteration, monitoring, student project, interpretive panels, Mi'kmaq participation, cultural significance, natural resources, contacts sharing.
05/21/2014	Email	Melissa Nevin	KMK	Mary McPhee	CLC Membership
05/29/2014	Email	Melissa Nevin	KMK	Mary McPhee	Tour invitation
06-10-2014	Email	Melissa Nevin	KMK + MCG	Mary McPhee	MCG contact and FORCE direct liaison with MCG
06/24/2014	Email	Melissa Nevin	KMK	Anne-Marie Belliveau	Propose meeting (FORCE, KMK, MCG) re. FORCE project, Mi'kmaq contributions to Wetlands Compensation project
07/17/2014	Email	Melissa Nevin	KMK	Mary McPhee	Request for any updates.
07/29/2014	Email	Melissa Nevin	KMK + MCG	Mary McPhee	Update re. planning, timelines: 1) Meeting invitation FORCE/MCG/KMK, 2) Wetlands Monitoring, Student Project, 3) Plunge Pool - Wetlands Compensation, 4) Interpretive Panels - Wetlands Compensation, 5) Wetlands trenching, cable, vault installation, 6) Permits, archaeology consulting, reporting. Request feedback.
07/29/2014	Email	Clayton Coppaway	MCG	Mary McPhee	Update re. planning, timelines: 1) Meeting invitation FORCE/MCG/KMK, 2) Wetlands Monitoring, Student Project, 3) Plunge Pool - Wetlands Compensation, 4) Interpretive Panels - Wetlands Compensation, 5) Wetlands trenching, cable, vault installation, 6) Perm
08-11-2014	Email	Melissa Nevin	KMK	Mary McPhee	Sharing Advisory re. Marine Activity in Minas Passage, re. FORCE FAST Trials, exercises
08/20/2014	Email	Melissa Nevin	KMK	Mary McPhee	Scheduling possible meeting, vacation dates, MCG office closures
09-06-2014	Email	Melissa Nevin	KMK	Mary McPhee	Lobster Fishers Meeting 09/11/2014, invite, request for sharing
09-09-2014	Email	Allison Bernard	KMK	Mary McPhee	Lobster Fishers Meeting 09/11/2014, invite, request for sharing
09/16/2014	Email	Melissa Nevin	KMK + MCG	Mary McPhee	Update re. wetlands excavation, cable burial, permits, archaeology.
09/16/2014	Email	Melissa Nevin	KMK + MCG	Mary McPhee	Update re. planning, timelines: 1) Vault installation, 2) Trenching wetland, cable burial, 3) Power Cables, 4) Lobster Fishers meeting, and 5) possible meeting of FORCE/KMK/MCG

Attachment: Detailed FORCE Consultation Summary 2013-2014

Mi'kmaq First Nation - KMK, MCG, Council

Date	Communication Type	Contact Name	Parent Organization	FORCE Rep	Subject
09/23/2014	Energy Consultation Table Meeting	Melissa Nevin, Twila Gaudet, Beata Dera	KMK + NS Dept of Aboriginal Affairs	Anne-Marie Belliveau	Update on project. OpenHydro also presented an update on their project.
09/23/2014	Email	Melissa Nevin	KMK	Mary McPhee	Invitation/info re. Public Meeting, Project update, 09/30/2014
10-06-2014	Email	Melissa Nevin	KMK + MCG	Mary McPhee	Update re. planning, timelines for FORCE Submarine Cable Project, marine assets, schedule, deployment plan, beach activity, burial, archaeology consulting and reporting.
10-06-2014	Email	Melissa Nevin	KMK + MCG	Mary McPhee	Update re. wetlands excavation, cable burial, completion, environmental & archaeological monitoring, wetlands compensation update, request for input/feedback re. wetlands panels.
10/16/2014	EMAC meeting	Clayton Coppaway, Alannah Hunt	MCG	Anne-Marie Belliveau, Joe Kozak	Discuss the proposed Request for Proposals (RFP) for the design of a future FORCE Environmental Effects Monitoring Program (EEMP)
10/17/2014	Email	Melissa Nevin	KMK	Mary McPhee	ICOE tour of FORCE, Mon. 3rd Nov. Invitation, details
11-01-2014	Email	Melissa Nevin	KMK	Mary McPhee	ICOE tour itinerary
11-04-2014	ICOE - discussion	Melissa Nevin	KMK	Anne-Marie Belliveau	Verbal update re. subsea cable project, wetlands compensation, interpretive panels
11/21/2014	Email	Melissa Nevin	KMK	Mary McPhee	CLC meeting announcement, invite, request for feedback
11/26/2014	Email	Alannah Hunt	MCG	Anne-Marie Belliveau	Answers to questions regarding environmental monitoring, berth site locations, stakeholder notification and potential environmental impacts.
11/27/2014	Email	Melissa Nevin	KMK + MCG	Mary McPhee	Melissa Nevin sharing contact info for MCG rep for wetlands interpretive panels project, Kate Nelson.
11/28/2014	Email	Melissa Nevin	KMK	Mary McPhee	CLC TOR, Agenda, Minutes for review.
11/29/2014	Email	Kate Nelson	MCG	Mary McPhee	Wetlands Interpretive Panels overview, background, team, highlights, focus areas, request for feedback
12-02-2014	CLC Meeting	Melissa Nevin	KMK	Mary McPhee, Anne-Marie Belliveau	Cable operations video, minutes review, TOR/membership review, update of FORCE project, update on EEMP, update on Visitor Centre 2014 season, discussion re. Parrsboro wharf/harbour developments
12-02-2014	Discussion	Melissa Nevin	KMK	Mary McPhee, Anne-Marie Belliveau	Discussion re. concerns of AVFN re. update FORCE project, break-down of communications, and issues surrounding unrest re. Halcyon tidal project, upcoming fishers meeting, sharing of info, updates to Mi'kmaq representatives, sharing.
12-03-2014	Email	Melissa Nevin	KMK	Matt Lumley	FORCE Fishers Update Meeting invitation, request for sharing
12-03-2014	Email	Alannah Hunt	MCG	Anne-Marie Belliveau	FORCE Fishers Update Meeting invitation
12/09/2014	Email	Melissa Nevin	KMK	Anne-Marie Belliveau	FORCE Fishers Update Meeting invitation, inquiry into Annapolis Valley First Nations concerns identified at FORCE's presentation to the Mi'kmaq of Nova Scotia through the Energy Consultation Table
12/15/2014	Email	Alannah Hunt	MCG	Anne-Marie Belliveau	FORCE Fishers Update Meeting invitation reminder
12/15/2014	Email	Melissa Nevin	KMK	Anne-Marie Belliveau	FORCE Fishers Update Meeting invitation reminder

Attachment: Detailed FORCE Consultation Summary 2013-2014

Mi'kmaq First Nation - KMK, MCG, Council

Date	Communication Type	Contact Name	Parent Organization	FORCE Rep	Subject
12-16-2014	Fishers Meeting	Melissa Nevin, Alannah Hunt, Angie Gillis	KMK + MCG	Mary McPhee, Anne-Marie Belliveau, Matthew Lumley	Update on FORCE project including recently deployed subsea power cables. Introduction to FORCE's recommended Safety Zone around the cables.

**Appendix G. Summary of Discussion from the April 14,
2015 FORCE Fishers Meeting**

DRAFT



Summary of Discussion Fishers Meeting

Truro, Nova Scotia
April 2015

In attendance:

Robert Vaughn	Scott Woolaver (Lobster)	Brian McLellan (Lobster, Scallops)
Tim Allen	Tony Lewis (Weir)	Don Fletcher (Council, Cumberland)
Scott Taylor	Wayne Linkletter (Weir)	Jack Gallagher (BRTP)
Paul Lewis	Sheldon Eagles (Weir)	Carys Burgees (Emera)
Cory Frances (CMM)	Croyden Wood (Lobster)	Natasha Power (DoE)
Gail Tupper (Glooscap)	Neil/June Wagstaff (Lobster)	Anne-Marie Belliveau (FORCE)
Alex Lynch (MCG)	Dave Rafuse (Lobster, Scallops)	Jessie Ross (FORCE)
Adam White (Lobster)	Tom Robarts (Lobster)	Mary McPhee (FORCE)

Presentations: PowerPoint presentation slides are attached.

Background: On April 15th 2015, FORCE held a Fishers meeting to provide a project update and solicit feedback on the proposed FORCE safety zone around its newly deployed power cables.

Summary of Key Discussion Points

1. DFO and Stakeholders Presence– Fishers feel that they are not getting the opportunity to meet with and discuss their concerns with the appropriate parties. There is strong interest in meeting with representatives from the Department of Fisheries as well as the turbine developers. Because FORCE cannot and does not speak on behalf of the regulators or developers, the Fishers believe that their concerns and opinions are not being heard or addressed.

All agreed that a Fishers liaison group should be re-established to help FORCE identify any further areas of concerns or comments, and to pass along their points of contact with government and the developers.

2. Marine Harm– Questions regarding the limit of environmental impact acceptance were raised, specifically the need to create or share a policy regarding shutting down turbine(s) if they are causing harm and verifying at what point a turbine(s) will be deemed as harmful to the marine environment.

There was extreme skepticism expressed from the group that a deployed turbine would ever be stopped regardless of the environmental effects it may cause, because of established contracts, legal issues with the developers etc.

3. Environmental Studies and Impacts – the fact that environmental monitoring has taken place from 2009 through to 2013 was not widely known; some meeting participants believed monitoring only took place during the actual deployment of the turbine in 2009.

Participants suggested:

- adding their feedback into future studies;
- more reference sites in order to gauge far field effects of the turbines;
- an impact assessment of the effect of the noise travelling through the Bay and potential impacts on fish migration; and
- further studies including; scallop impact, herring impact, acoustic noise effects and further lobster studies.

4. Damages to Turbines / Due Diligence – There were concerns regarding the possibility that even if a trap that was set outside the proposed safety zone, it could possibly be dragged into the zone and damage a turbine(s). The importance of practicing due diligence around the site was discussed. Fishers wanted further explanation of what developers consider due diligence.

Additional Comments, Questions and Suggestions

- Some participants were not aware that FORCE's Environmental Monitoring Advisory Committee (EMAC), whose mission is to provide independent expert scientific and traditional ecological knowledge advice to FORCE on their environmental effects monitoring programs, is an independent advisory committee and does not receive any funding from FORCE.
- Fishers stated that it was “highly unlikely” that a Fisher would report damage to the cable(s) out of fear of the repercussion e.g. being held financially responsible for the damage.
- MARS (Marine Animal Rescue Service) inspected a dead whale in the Minas Passage and concluded it had died long before entering the area. However, media speculated it might have had contact with a turbine. There continues to be public opinion that the first deployed turbine was responsible for killing the whale.
- When FORCE notified the fishers that there will be significant marine activities at FORCE for which the fishers could provide labour and assets, fishers were concerned that they may be asked to sign a confidentiality agreement if they worked with/for FORCE.
- Fishers feel that the Government is not concerned with the future of the fishing industry (their livelihoods).

Next Steps – Action Items

- A Fisher Liaison Group will be re-instated: FORCE will share information and respond to comments and questions via e-mail and meetings as the project continues to develop.
- FORCE will share issues brought up at the meeting with the appropriate stakeholders, including regulators and its berth holders, and will identify appropriate contacts and share their information with the Fisher Liaison Group.
- Fishers were asked to review the available public studies and reports and were asked to submit feedback.
- Fishers were asked to review FORCE's proposed safety zone and to provide any comments or feedback to FORCE by May 1st 2015.

Thank-you to all attendees,

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