

March 1, 2017



s.40(1)

Dear : s.40(1)

Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act, 2015* [File #: EC/4/2017]

On February 20, 2017, Executive Council received your request, via transfer from the Department of Environment and Conservation, for access to the following records/information:

"WRT ATIPPA response EC/44/2016, a copy of all the pages and information deleted as "non-responsive" to a request for specific information. The completed response is contained here: <http://www.atipp-search.gov.nl.ca/public/atipp/requestdownload?id=3988>"

I am pleased to inform you that a decision has been made by the Deputy Clerk of Executive Council to provide access to the requested information. In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

You may ask the Information and Privacy Commissioner to review the processing of your request, as set out in section 42 of the *Access to Information and Protection of Privacy Act* (the *Act*). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John's, NL. A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the *Act*.

Responsive records will be published following a 72 hour period after the response is sent electronically to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time.

If you have any further questions, please feel free to contact me by telephone at (709)729-5691 or by e-mail at rachellecutler@gov.nl.ca.

Sincerely,



Rachelle Cutler
ATIPP Coordinator

Enclosure

From: [Collins, Chrysta](#)
To: [Joyce, Luke](#); [Barfoot, Scott](#)
Cc: [Tompkins, John](#); [Foote, Carla](#)
Subject: ECC KMs - HOA Hot 3 for review
Date: Friday, November 04, 2016 10:53:54 AM
Attachments: KM - HOA Top 3- November 2016).docx

Hi Folks,

Please see our HOA hot 3 for review.

Thanks

C.

Environment and Climate Change

Addressing Methylmercury Concerns at Muskrat Falls

November 2, 2016

Summary

The Nunatsiavut Government, the Innu Nation, and NunatuKavut Community Council asked the Provincial Government to address their concerns about methylmercury in Lake Melville as a result of the flooding of the Muskrat Falls reservoir. The Provincial Government met with Indigenous leaders on October 25 and together have committed to further address and mitigate concerns about methylmercury.

Key messages:

- The protection of human health has always been, and remains, our Government's utmost priority.

- The Government of Newfoundland and Labrador, in partnership with the Innu Nation, Nunatsiavut Government, and the NunatuKavut Community Council, together have committed to resolving several key issues surrounding the pending initial flooding of the Muskrat Falls reservoir.

- The October 25th meeting resulted in significant strides forward and includes:
 - If an independent assessment confirms the timing and rationale of initial impoundment, water levels will be raised to the minimum acceptable level.

 - Following initial impoundment, Nalcor will release water from the reservoir in the spring of 2017 to its natural flow, as ordered by the Government of Newfoundland and Labrador.

- This will facilitate the opportunity for additional mitigation measures, which may include clearing trees, vegetation and soil from the reservoir.
- The Province has provided Indigenous leaders with multiple engineering reports with respect to the timing and rationale of initial reservoir filling and the three leaders are currently individually reviewing the reports.
- As well, all parties agreed that an Independent Expert Advisory Committee will be established which will be comprised of representatives of the Innu Nation, Nunatsiavut Government, the NunatuKavut Community Council, and federal, provincial and municipal governments.

Secondary messages:

- Mitigation measures will be realized through utilizing best available science that incorporates Indigenous Traditional Knowledge. The full mandate of the Independent Expert Advisory Committee continues to be refined.

Environment and Conservation

Placentia Bay Aquaculture Salmon Project (Grieg)

November 2, 2016

Summary

On August 31, 2016, the Atlantic Salmon Federation (ASF) appealed the release of the Grieg Project under s. 107 of the Environmental Protection Act. On September 19, 2016, the Salmonid Council (SC) of Newfoundland and Labrador also appealed the release of the Grieg Project. The Minister's responses to the both appeals have been made public through the Environmental Assessment Bulletin process. The ASF, as well as Mr. Owen Myers, have filed applications with the Court regarding the Minister's decision. Two Access to Information requests seeking materials that informed the Minister's Environmental Assessment Decision have been received and responded to.

Key Messages

- The Minister's full response to the appeal by the Atlantic Salmon Federation is publically available to online. The response to the second appeal will be made available shortly.
- The Minister's decision to release the project from further review came after

- An environmental assessment;
 - Consideration of all comments received during public consultation; and,
 - Input from the key regulatory agencies - the Department of Fisheries and Oceans, and the Department of Fisheries and Aquaculture.
- Both DFO, and Fisheries and Aquaculture have an ongoing, and critically important, regulatory role with respect to this project.

 - The Minister's decision was reached in accordance with my responsibilities as enunciated in the Act.

 - As the matter is now before the courts, we are unable to comment further at this time.

Secondary messages:

- Completing the environmental assessment process is one step in a larger process.

- All comments from the public and referring agencies were comprehensively reviewed and fully considered, as was the significant input and comments from the biologists and environmental scientists within my own department.

- I respect the numerous opinions and input provided to me throughout this extensive review process.

Environment and Conservation

Climate Change/Carbon Tax

November 2, 2016

Summary:

On October 3, 2016 Minister Trimper participated in the Canadian Council of Ministers of the Environment meeting in Montreal. A national plan to tax carbon was simultaneously

announced in the meeting by federal Environment Minister Catherine McKenna, while Prime Minister Trudeau announced the same measures to Parliament. Three provincial Ministers left the meetings early, including Minister Trimper.

- Climate change is a priority that requires urgent action by all jurisdictions, including Newfoundland and Labrador. Our government is examining all the possible impacts of the federal government's proposed carbon pricing system on our province.
- We agree with the federal government and the other provinces and territories that climate change must be addressed. But as was agreed by all the provinces and the federal government – it must be a collaborative approach.
- While the federal approach presented in Montreal is not what we expected – we are prepared to work with our federal and provincial counterparts.
- My priority is to ensure our approach to carbon pricing be tailored to our local circumstances and balance the economic, fiscal and environmental considerations of our province. The Vancouver Declaration was designed to accommodate this kind of flexible approach to dealing with the problem of climate change.
- It is imperative that we take the necessary time to provide a full analysis before taking a position on this matter.

Secondary messages:

- The Pan Canadian framework on clean growth and climate change is a significant move with many implications for all goods and services.
- It is imperative that we consider consequences surrounding access to our province, and the impact on both the island portion and Aboriginal and Labrador communities.
- Our province is already making great progress in addressing climate change. We have developed our own form of carbon pricing with the Management of Greenhouse Gas Act, which will help reduce emissions from large industry.

Chrysta Collins
Media Relations Manager
Department of Environment & Climate Change
Government of Newfoundland & Labrador
709-729-5783
chrystacollins@gov.nl.ca

Environment and Climate Change Addressing Methylmercury Concerns at Muskrat Falls

November 2, 2016

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