

October 7, 2019



Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act* (File # NR-178-2019)

On September 17, 2019, the Department of Natural Resources received your request for access to the following records/information:

Any briefing materials, Q&A documents, Key Messages, etc prepared in the last year relating to Maritime Resources Corporation

We are providing access to the most information possible but have made redactions in accordance with Sections 29(1)(a) and 35(1)(d)(g) of ATIPPA, 2015 as follows:

29. (1)(a) The head of a public body may refuse to disclose to an applicant information that would reveal advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister;

35. (1)(d) The head of a public body may refuse to disclose to an applicant information which could reasonably be expected to disclose information, the disclosure of which could reasonably be expected to result in the premature disclosure of a proposal or project or in significant loss or gain to a third party.

35. (1)(g) The head of a public body may refuse to disclose to an applicant information which could reasonably be expected to disclose information, the disclosure of which could reasonably be expected to prejudice the financial or economic interest of the government of the province or a public body.

As set out in section 42 of the Act you may ask the Information and Privacy Commissioner to review the department's decision to provide access to the requested information. 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. Your request should identify your concerns with the department's

response and why you are requesting a review.

The request for review may be addressed to 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

Pursuant to section 52 of the Act, you may also appeal directly to the Supreme Court Trial Division within 15 business days after receiving the department's decision.

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed 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. Please note that requests for personal information will not be posted online.

For further details about how an access to information request is processed, please refer to the Access to Information Policy and Procedures Manual at <http://www.atipp.gov.nl.ca/info/index.html>.

If you have any questions, please feel free to contact me at 709-729-0463 or rhynes@gov.nl.ca.

Sincerely,



Rod Hynes
ATIPP Coordinator

**Decision/Direction Note
Department of Natural Resources**

Title: Issuance of Surface Lease 162 to Maritime Resources Corporation

Decision/Direction Required:

- Whether to Issue Surface Lease 162 to Maritime Resources Corporation
- It is recommended that Surface Lease 162 be issued to Maritime Resources Corporation

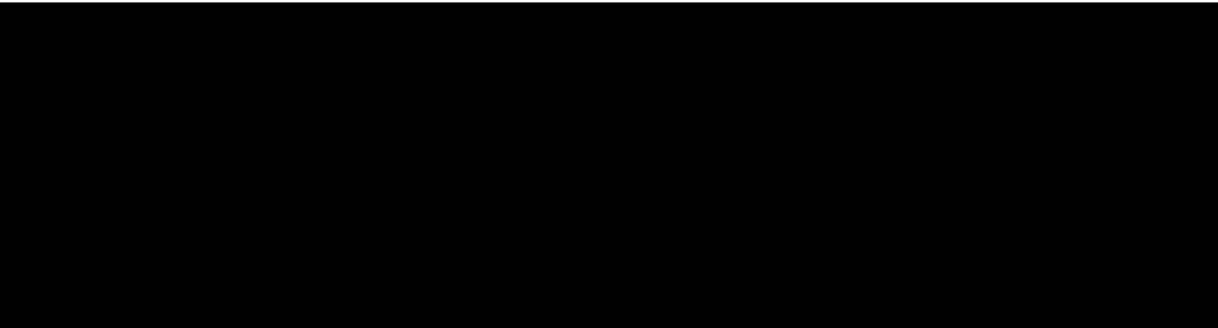
Background and Current Status:

- Maritime Resources Corporation (Maritime) is the holder of Mining Lease 237 (15579M) located at the formerly producing Hammerdown Gold Mine.
- Under Section 33 of the *Mineral Act* (the Act) the holder of a mining lease may apply to the Minister of Natural Resources for surface rights to facilitate the construction of infrastructure to support mining operations.
- Maritime has applied for a surface lease covering 111.694 hectares to cover the footprint and infrastructure associated with future mining operation at the Hammerdown gold deposit (Hammerdown).

Analysis:

- Under subsection 33(1) of the Act, where a mining lease has been issued under the Act on or under Crown land, or which cannot be accessed without going through Crown lands, the Minister of NR, in consultation with the Minister of FLR, is required to issue a surface lease, or other rights, to the holder of the mining lease on the terms and conditions as determined by the Minister of NR, in consultation with the Minister of FLR, to enable the holder of mining lease to carry out mining activities. Any surface lease issued under subsection 33(1) cannot extend beyond the period covered by the mining lease.
- A surface lease does not have to cover the exact or entire area of the Mining Lease(s), but rather areas where infrastructure is required by the development. A surface lease can and often extends beyond the Mining Lease(s) for a project.
- The surface lease has have been reviewed by JPS, NR's Mineral Development Division, and FLR. No concerns were noted and the leases contain all standard terms and conditions.
- The signature of the Minister of Natural Resources is required to issue the surface lease.

Alternatives:

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S.29.1.a

S.35.1.d

S.35.1.g

Prepared/approved by: J. Lake / K. Sheppard / P. Canning
Ministerial Approval:



June 3, 2019

