October 31, 2019

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act (LAS 006 2019)

On October 3, 2019 the Labrador Affairs Secretariat received your request for access to the following records:

“A would like the dates, and locations the Minister has travelled to in Labrador since Dec. 4, 2015 and any briefing notes associated with the visits”.

On October 8, 2019, this request was modified to only include the following information:

“The dates and locations the Minister responsible for Labrador Affairs Secretariat has travelled to in Labrador since Dec. 4, 2015 and any notes in which the Minister met with either Municipal Governments or Indigenous organizations during these visits”.

I am pleased to inform you that a decision has been made by the Deputy Minister for the Labrador Affairs Secretariat to provide access to some of the requested information. Access to the remaining records, and/or information contained within the records, has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act (the Act):

Section 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;

Section 30 (2) The head of a public body may refuse to disclose to an applicant information that is subject to solicitor and client privilege or litigation privilege of a person other than a public body;

As required by 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible.

In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). 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 appeal should identify your concerns with the request and why you are submitting the appeal.
The appeal may be addressed to the Information and Privacy Commissioner 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 (a copy of this section of the Act has been enclosed for your reference).

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.

If you have any further questions, please contact me by telephone at 709-896-1780 or by email at chrisgmyrden@gov.nl.ca

Sincerely,

Chris Myrden
ATIPP Coordinator
Enclosures

Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.
(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52(1) or 53(1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

**Direct appeal to Trial Division by an applicant**

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner’s refusal under subsection 45(2).
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<tr>
<th>Year</th>
<th>Date</th>
<th>Locations of Meetings</th>
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<tr>
<td>2016</td>
<td>February 15-16</td>
<td>Happy Valley-Goose Bay and Wabush</td>
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<td>March 13-14</td>
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<td>June 26-28</td>
<td>Happy Valley-Goose Bay and Mary's Harbour</td>
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<td>August 16-19</td>
<td>Churchill Falls, Happy Valley-Goose Bay and Wabush and the border (Labrador straits)</td>
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Meeting Note
Department of Environment and Conservation
Premier Ball Meeting with Nunatsiavut Government
Sunday, June 26, 2016, 7:30 p.m.
Labrador and Aboriginal Affairs Office, Happy Valley-Goose Bay

Attendees:
Honourable Johannes Lampe, President, Nunatsiavut Government
Honourable Greg Flowers, Minister of Health and Social Development, Nunatsiavut Government
Honourable Darryl Shiak, Minister of Lands and Natural Resources, Nunatsiavut Government
Honourable Kate Mitchell, First Minister, Nunatsiavut Government
Mr. Carl McLean, Deputy Minister of Natural Resources, Nunatsiavut Government
Mr. Bert Pomeroy, Director of Communications, Nunatsiavut Government
Honourable Dwight Ball, Premier
Ms. Colleen Janes, Deputy Minister, Department of Environment and Conservation
Mr. Aubrey Gover, Deputy Minister, Labrador and Aboriginal Affairs
Mr. Ron Bowles, ADM, Labrador Affairs
Mr. Greg Mercer, Senior Strategist, Office of the Premier

Purpose of Meeting:
- This meeting is to discuss the Nunatsiavut Government’s ongoing concerns regarding methylmercury, related to the Muskrat Falls project, and their reaction to Minister Trimper’s recent announcement on the Human Health Risk Assessment Plan.

Background:
- On March 15, 2012, Nalcor’s Lower Churchill generation project was released from environmental assessment (EA) after a comprehensive independent Joint (federal-provincial) Review Panel (JRP) process. The project was released subject to an extensive list of terms and conditions as outlined in the Lower Churchill Hydroelectric Generation Project Undertaking Order 18/12 (the Order) that required Nalcor to submit documents such as a variety of environmental protection plans, environmental effects monitoring plans, socio-economic benefits plan and the establishment of an Environmental Monitoring and Community Liaison Committee.

- One of the key findings of the Lower Churchill JRP was regarding the issue of methylmercury accumulation in the reservoir due to flooding and the possibility of bi-accumulation in country foods in particular fish and seals in Lake Melville. The Nunatsiavut Government (NG) was particularly concerned with this issue claiming it may impact on their treaty fishing rights.

- Methylmercury is created in reservoirs whereby normally occurring inorganic mercury (relatively non-toxic form) is converted to methylmercury (toxic form) by the action of microbes that live in aquatic systems. Methylmercury is taken up by fish and other aquatic species and, rather than being excreted, remains in animal tissue and then bio-accumulates up the food chain. High levels of methylmercury can cause adverse human health effects. As such, consumption advisories may be required in order to protect human health.

- Nalcor will be conducting downstream effects surveys on methylmercury. Sampling programs will include fish, otter, osprey, and seals. The reservoir and downstream sites will
be tested to determine the presence of methylmercury.

- Limits are set by Health Canada on the amount of methylmercury that can be consumed in country foods (i.e. fish and seals). If the studies indicate methylmercury exceeds recommended guidelines in food by Health Canada, then consumption advisories will be issued. Health Canada also has guidelines for total mercury in drinking water. ENVC continues to monitor ambient water quality of Lake Melville, including for total mercury.

- In addition to the methylmercury monitoring and research being conducted by Nalcor, the NG is conducting their own human health research in Lake Melville and potential impacts to their communities. The NG contributed funding to a study entitled “Freshwater discharges drive high levels of methylmercury in Artic marine biota” which included researchers from Harvard University (Schartup et al 2015).

**Agenda Item #1: Methylmercury, Human Health Risk Assessment Plan (HHRAP) and Muskrat Falls**

- On November 9, 2015, (during the fall 2015 caretaker period) the NG wrote ENVC requesting a meeting to discuss the potential for the Muskrat Falls hydroelectric dam to cause harm to downstream Inuit communities. In that letter, the NG requested that Government direct Nalcor Energy to:
  - Fully clear the Muskrat Falls reservoir (in later meetings they confirmed that this included topsoil removal);
  - Negotiate an Impact Management Agreement;
  - Establish an Independent Expert Advisory Committee; and,
  - Grant Inuit joint decision-making authority over downstream environmental monitoring and management of the Lower Churchill project.

- On January 18, 2016, Minister Trimper called President Sarah Leo seeking support for scientific workshop to discuss the methylmercury issue. While President Leo welcomed the idea at that time, the NG subsequently indicated they would not take part. Minister Trimper reiterated this invitation at a February 23, 2016 meeting with NG and Harvard researchers, noting that participation from all parties would be valuable. On March 10, 2016 the NG wrote the Minister indicating they would not attend any workshop and issued a press release entitled, “Facts indisputable; no value to hold workshop on downstream effects of Muskrat Falls, says Shiwak.”

- On March 22, 2016, the Minister convened the scientific workshop in St. John’s titled “Methylmercury and Muskrat Falls: Sharing and Understanding Our Varied Perspectives”. Workshop attendees included scientific experts from: ENVC, HCS, Health Canada, DFO and Nalcor Energy along with their environmental/health expert consultants.

- In April 2016, the NG released a further report on methylmercury research. The report predicts that the levels of methylmercury will rise in Lake Melville by 13-380 per cent; Minister Shiwak has subsequently written Minister Trimper urging full consideration of the recent findings in his future decision making.

- On June 14, 2016, the Minister announced the approval of the HHRAP, subject to the following condition:
  - Should downstream methylmercury monitoring identify the need for consumption advisories as a result of the project, Nalcor shall consult with relevant parties
representing Lake Melville resource users. Based on the location of the consumption advisories these users could include Aboriginal Governments and organizations as well as other stakeholder groups. Following consultation, Nalcor shall provide reasonable and appropriate compensation measures to address the impact of the consumption advisory.

- Several protests have occurred since the Minister’s announcement and the NG have indicated that they will continue to pursue all avenues available to them, noting that “Flooding of the Muskrat Falls reservoir shall not be permitted until full clearing is carried out.”

- On June 23, 2016, the NG issued a news release entitled: “Trimper misleading the public in methylmercury debate.” The release asserts that the NG did not request compensation and that the Minister intentionally misled the public and the media as to why the NG did not participate in the scientific workshop.

Analysis
- The decision was informed by key agencies – critical among them was Health Canada and HCS. These health agencies felt the HHRAP was appropriate and they will review monitoring results as they become available.

- Input from Fisheries and Oceans Canada (DFO) was also valuable, including their decision to require further downstream monitoring. In a recent discussion with the DM of ENVC, DFO indicated they fully support the Province’s assessment of the NG’s research and the position taken on further clearing, and noted that the amendments to the monitoring plan are being finalized and will be publicly posted once complete (anticipated to be several weeks from now).

- The scientific workshop held in March 2016 provided high caliber input from numerous fields – environmental health, food safety, ecological aquatic science, toxicology, health risk assessment, hydrology, environmental research, methylmercury monitoring and fisheries – and helped inform the decision.

- Minister Trimper’s June 21 letter to the NG (attached) outlines his approval of the HHRAP and the condition applied, provides a full explanation of the reasons for the decision reached, as well as a detailed response to the NG’s four specific requests related to methylmercury and Muskrat Falls.

-

Full clearing of reservoir
- The NG wants full tree clearing and removal of all the brush and soil from the reservoir.

- Full versus partial clearing of vegetation would result in effectively the same reduction of methylmercury.

- At the scientific workshop participants agreed that soil removal is not practical and would
create other significant environmental effects.

- Full vegetation clearing and topsoil removal would create a sterile environment affecting fish habitat and would leave no watershed protection of the Churchill River.

- Even if the extraordinary measure of soil removal were undertaken, monitoring for methylmercury would still be necessary to protect human health.

- The NG is opposed to the use of consumption advisories as a matter of principle, preferring to eliminate the risk altogether as opposed to having to monitor the risk and issue an advisory should a risk manifest itself. The rejection of advisories appears to overlook the fact that monitoring will still be required for this project, and consumption advisories may still be necessary, regardless of the extent of reservoir clearing.

**Impact Management Agreement**
- In recent media interviews, President Lampe has stated they never asked for compensation.

- The NG requested an impact management agreement consistent with Recommendation 13.9 of the Joint Review Panel Report, which specifically referenced “compensation measures including financial redress if necessary.”

- The condition announced by Minister Trimper, requiring compensation should consumption advisories be necessary, is in response to this specific request from the NG for an Impact Management Agreement.

**Independent Expert Committee**
- With regard to establishing an Independent Expert Advisory Committee, it is noted that the Order required Nalcor, prior to the commencement of construction, to establish an “Environmental Monitoring and Community Liaison Committee” to provide feedback to Nalcor Energy and government on the effects of the project. The NG was invited to be a member of this committee but declined to participate. Government considers that this Committee would have and still does provide an opportunity for discussion of the NG’s concerns on the downstream effects of the Project.

**Joint decision making**
- With regard to granting joint decision-making authority on downstream monitoring and management, LAAO notes the following:
Potential Speaking Points

- We made an informed decision based on the advice of experts from various provincial and federal agencies and with full consideration of the research from the Nunatsiavut Government.

- The research was discussed by highly qualified experts from key federal and provincial departments at a workshop held in March, which the Nunatsiavut Government and their researchers declined to attend.

- We are committed to taking this same approach as we move forward, and the door remains open for the Nunatsiavut Government to come to the table.

- If the Nunatsiavut Government is willing, we will reconvene the group of federal, provincial and other scientific experts. These discussions will continue to inform our decisions.

Proposed Actions

- As regulator, ENVC will continue to monitor adherence to conditions of approval.

- Government has consulted, and will continue to consult, the NG on permits and other authorizations required for the Project.

- Government is committed to the full and fair consideration of all comments received during such consultations, including those of independent experts that provide advice to the NG and other Aboriginal governments and organizations.

- If the NG and its researchers wish to participate in an expert discussion on methylmercury monitoring, mechanisms for exchanging and assessing information from such monitoring, processes for determining whether consumption advisories are required and their nature and extent, or other important aspects of the project related to methylmercury, ENVC will facilitate a further meeting with the various agencies.

- ENVC will continue to engage LAAO on consultation with the NG.

Prepared/approved by: M. Thomas/B. Cleary/M. Goebel/C. Janes, in consultation with LAAO
Reviewed by: M. Collins/K. Quinlan, Cabinet Secretariat
Ministerial approval: Received from Hon. Perry Trimper

June 24, 2016

Cabinet Secretariat Comment:

- The HHRAP is part of a broad environmental effects monitoring program laid out by Nalcor as a condition of release from environmental assessment. The HHRAP proposes to address conditions of the Environmental Assessment release related to methylmercury; contaminant levels in country foods; and, human health. Key components include: dietary survey; a human biomonitoring program (hair sampling); and an objective to determine the potential human health effects of downstream exposure to methylmercury in fish and other country foods (i.e. seal, waterfowl, berries).

- NR and HCS do not have any concerns.
At the request of the Communications Branch, ENVC has provided supporting background information (attached as Annex B) respecting details of NG comments in the public. ENVC advises key messages have been provided to the PO.

There are media reports of a planned protest on Monday. ENVC advises that notice of the planned rally on Monday has previously been shared with PO staff. LAAO further notes that given two protests have taken place LAAO offices over the past few weeks 29(1) a
Annex A

Newfoundland Labrador

Government of Newfoundland and Labrador
Department of Environment and Conservation
Office of the Minister

JUN 2 1 2016

EA Reg. 1305

Mr. Darryl Shiwak
Minister, Lands and Natural Resources
Nunatsiavut Government
25 Ikaqutuviq Road
PO Box 70
Nain, NL A0P 1L0

Dear Minister Shiwak:

Re: Human Health Risk Assessment Plan (HHRAP)
Lower Churchill Hydroelectric Generation Project

I write in response to your letters of November 9, 2015 and April 27, 2016 regarding the above HHRAP (April 12, 2016) and the Nunatsiavut Government’s (NG’s) requests for methylmercury reduction.

As we discussed in our telephone conversation on June 14, 2016, and as was announced at the press conference held subsequent to our call that morning, the HHRAP has been approved, subject to the following condition:

Should downstream methylmercury monitoring identify the need for consumption advisories as a result of the project, Nalcoor shall consult with relevant parties representing Lake Melville resource users. Based on the location of the consumption advisories these users could include Aboriginal Governments and organizations as well as other stakeholder groups. Following consultation, Nalcoor shall provide reasonable and appropriate compensation measures to address the impact of the consumption advisory.

As regulator of the environmental assessment process, there was abundant and high quality information available to me in making this decision. My decision was informed by federal and provincial government agency comments from Health Canada and Health and Community Services respectively. Both agencies found the HHRAP to be acceptable and have indicated they will continue to review and assess results of future monitoring activities. Consultation with Aboriginal groups on the HHRAP, including a meeting with the NG on February 23, 2016 in Happy Valley-Goose Bay, was invaluable to my department in ensuring all perspectives were fully considered in arriving at a decision. The February meeting included a presentation by teleconference with researchers which was also carefully reviewed and considered. Further, the information presented at the NG’s press conference held in St. John’s
on April 18, 2016 and new report “Lake Melville: Avativut, Kanuitailinnivut (Our Environment, Our Health)”, where you describe the NG’s HHRA, including a Dietary Survey and Inuit Health Survey was considered as well.

Other important inputs into the decision making process included:

- Fisheries and Oceans Canada’s Canadian Science Advisory Secretariat (CSAS) report titled: *Review of Mercury Bioaccumulation in the Biota of Lake Melville* which provided advice on the Schartup *et al.* (2015) study and on downstream methylmercury monitoring; and

- A scientific workshop undertaken on March 22, 2016 in St. John’s to discuss the HHRAP specifically and methylmercury more generally, including the Schartup *et al.* (2015) study. The workshop participants included representatives of Environment and Conservation, Health and Community Services, Office of Public Engagement, Fisheries and Oceans Canada, Health Canada, Nalcor, Dillon Consulting, Reed Harris Environmental, with expertise in numerous fields including environmental health, food safety, ecological aquatic science, toxicology, health risk assessment, hydrology, environmental research, methylmercury modelling and fisheries. A summary of the scientific workshop report is attached.

Full and fair consideration was given to the input received from the NG in accepting the HHRAP.

I would also like to take this opportunity to reply to your four specific requests related to methylmercury and Muskrat Falls. Your requests and my response are outlined below.

1. **Fully clear the future Muskrat Falls reservoir**

   Please be advised, the provincial government indicated on March 15, 2012, in its response to recommendation 4.5 of the Joint Review Panel (the “JRP”), that “the Government supports partial harvesting of the flood zone.” The partial clearing plan for the reservoir proposed by Nalcor will result in effectively the same reductions of methylmercury as the “full” clearing scenario which was studied by the JRP. Nalcor’s clearing plan will see the removal of approximately 70 to 75 percent of vegetation. As regulator, I accept this clearing plan as the most practical and safe option.

   With respect to the NG’s request for clearing including soil please be advised this was assessed, and was discussed by experts at the March 2016 workshop. Our assessment determined that soil clearing is inappropriate based on the following factors:
   - Environmental concerns (i.e. sedimentation, erosion);
   - Loss of fish habitat due to sterile reservoir;
   - Stripping 25cm of accessible soil on half of the flooded area = 5 million m³ would create additional environmental management challenges in terms of soil disposal.
In addition, even if such an extraordinary measure was taken, downstream monitoring for methylmercury in order to determine whether consumption advisories are needed as a result of the project would still be required.

2. Negotiate an Impact Management Agreement

The NG requested an Impact Management Agreement "consistent with recommendation 13.9 of the Joint Review Panel". The JRP recommendation referenced the need to engage with appropriate parties in the event of consumption advisories "to reach agreement regarding further mitigation where possible and compensation measures, including financial redress if necessary." In 2012, the Government of Newfoundland and Labrador accepted the intent of recommendation 13.9 of the JRP, indicating that "if consumption advisories are required as a result of the downstream mercury assessment, then Nalcor should consult with downstream resource users on further mitigation measures, including the potential for compensation."

The condition of my acceptance of the HHRAP addresses the intent of impact management and reflects the core elements of the JRP recommendation.

3. Establish an independent Expert Advisory Committee

The Government of Newfoundland and Labrador accepted the JRP’s recommendation, that Nalcor establish an “Environmental Monitoring and Community Liaison Committee” to provide feedback on the effects of the Project.

In accordance with the Lower Churchill Hydroelectric Generation Project Undertaking Order (18/12), an Environmental Monitoring and Community Liaison Committee has been established by Nalcor. I understand the NG were invited by Nalcor to be a member of the committee, but unfortunately declined to participate. The Provincial Government considers that this Committee would have and still does provide an opportunity for discussion of the NG’s concerns on the downstream effects of the Project. I would encourage the NG to reconsider participation on this committee.

4. Grant Inuit joint decision-making authority over downstream environmental monitoring and management.

As you are aware the JRP considered the issue of downstream effects and did not direct a recommendation to the Government of Newfoundland and Labrador to establish joint decision-making with the NG or any other Aboriginal organization. Both the Federal and Provincial Governments issued their respective responses to the JRP’s recommendations on March 12, 2013, after engaging the NG on that Report. The Provincial Government accepted the intent of JRP recommendations 13.9 to 13.13, which related to consumption advisories, human health and mercury monitoring, dietary surveys and country food.

The Provincial Government has consulted, and will continue to consult, the NG on permits and other authorizations required for the Project. The NG is welcome to seek whatever expertise it considers appropriate to inform its response to Government authorizations, as it has
done with the research from Harvard University (Schartup et al. 2015). The Provincial Government is committed to the full and fair consideration of all comments received during such consultations, including those of independent experts that provide advice to the NG and other Aboriginal governments and organizations. It is for that reason that I welcomed the NG’s participation, with their expert researchers, at the recently held scientific workshop. As I have recently indicated to the NG and others, I remain committed to facilitating open dialogue amongst experts. If the NG and its researchers wish to participate in an expert discussion on methylmercury monitoring, mechanisms for exchanging and assessing information from such monitoring, processes for determining whether consumption advisories are required and their nature and extent, or other important aspects of the project related to methylmercury, I would be pleased to facilitate a further meeting of experts of the various agencies.

I trust this provides a comprehensive response and explanation of our decisions.

Sincerely,

[Signature]

PERRY TRIMPER, MHA
District of Lake Melville
Minister

cc: Honourable Dwight Ball, Premier
Laborador and Aboriginal Affairs Office
Annex B

NEWS RELEASE

March 10, 2016

Facts ‘indisputable’; no value to hold workshop on downstream effects of Muskrat Falls, says Shiwak

The Nunatsiavut Government has rejected an invitation from provincial Environment and Conservation Minister Perry Trimper to participate in a workshop later this month to discuss the potential downstream effects of the Muskrat Falls development, the peer-reviewed research conducted by Harvard University and Nalcor Energy’s Human Health Risk Assessment.

“The Nunatsiavut Government’s interpretation of downstream effects is anchored in peer-reviewed scientific fact,” states Nunatsiavut’s Minister of Lands and Natural Resources, Darryl Shiwak, in a letter sent to Minister Trimper today.

Minister Trimper has been presented with the scientific data collected over the past three years from the Lake Melville ecosystem – data that “clearly demonstrates that methylmercury inputs to Lake Melville will increase significantly once the Muskrat Falls reservoir is flooded,” says Minister Shiwak.

Nalcor’s assertion that there would be no downstream effects on Lake Melville from the Muskrat Falls project relied solely on modelling and assumptions about Lake Melville, but not on any measurements throughout Lake Melville – nor an understanding of how the estuary functions, says Minister Shiwak.

The Joint Environmental Assessment Panel that reviewed Nalcor’s assumptions concluded that “Nalcor’s assertion that there would be no measurable effect on levels of mercury in Goose Bay and Lake Melville has not been substantiated,” and that “Nalcor did not carry out a full assessment of the fate of mercury in the downstream environment.” The Panel recommended that a full downstream effects assessment be done prior to flooding of the reservoir.

“In sanctifying the project, the federal and provincial governments ignored this recommendation,” adds Minister Shiwak. “Meanwhile, Harvard University carried out the Panel’s recommended assessment and its peer-reviewed results demonstrate that Nalcor’s assumptions were incorrect. The facts and evidence, based on actual measurements from Lake Melville, are indisputable.”
Harvard is expected to release further data in April on projected impacts of mercury exposure on Inuit once the Muskrat Falls reservoir is flooded, Minister Shiwak notes. The data was collected from a survey involving over 1,500 Inuit who depend on Lake Melville for food security.

The workshop being proposed by Minister Trimper would be of no added value to the Nunatsiavut Government as it will not change any of the facts, says Minister Shiwak.

“As a former scientist, Minister, you would surely recognize that there is only one peer-reviewed, evidence-based downstream impacts assessment for Lake Melville,” states the letter from Minister Shiwak.

“The Nunatsiavut Government will not compromise Inuit health and rights,” the letter reads. “Minister, you have an opportunity now to chart a new direction on this important issue. We implore you to focus on the actual data available and the information that will be forthcoming in April. There is still an opportunity to Make Muskrat Right, to follow the science, to adopt the precautionary principle, and to make evidence-based decisions.”

Media Contact:
Bert Pomeroy
Director of Communications
(709) 896-8582
NEWS RELEASE

June 23, 2016
For Immediate Release

Trimper misleading the public in methylmercury debate, says Shiwak

Lands and Natural Resources Minister Darryl Shiwak says he’s at a loss in understanding why Environment and Conservation Minister Perry Trimper is distorting the facts as to why Nunatsiavut Government officials did not attend a March 22 workshop to discuss Nalcor’s Human Health Risk Assessment Plan in relation to the downstream impacts of the Muskrat Falls development.

“We advised Minister Trimper that we were not available to attend that workshop because our own Human Health Risk Assessment research, conducted by Harvard University, was not ready to be released at that time, and that we wanted to ensure Labrador Inuit were informed of the results first,” says Minister Shiwak. “As well, our researchers were not available to attend at that time. We also noted that we were not prepared to debate Harvard’s research.”

Nalcor’s mercury modelling work and predictions, which have been available for scrutiny for years, notes Minister Shiwak, are inadequate and unsubstantiated, and any objective assessment of the work carried out by Nalcor and Harvard University would have revealed that the science is not equal.

The Nunatsiavut Government maintains that if Minister Trimper had been purely objective on this issue, then he would not have organized a workshop to try and find common ground between peer-reviewed science and assumptions.

“This is not a difference of opinion on the science, as Minister Trimper suggests,” says Minister Shiwak. “Nalcor’s work is based on assumptions, which is not credible science, and to attend the workshop would have legitimized Nalcor’s work which, as Minister Trimper knows, has already been discarded through independent third-party expert review.”

The Lake Melville Scientific Report was released on April 18, nearly one month after the March workshop.

“The report is the result of credible, transparent, rigorous and independent science,” notes Minister Shiwak. “It’s disappointing Minister Trimper continues to ignore the hard facts, suggesting that they are nothing more than opinions.”

Minister Trimper was given a detailed preliminary briefing on the Harvard work on February 23. At that time, he was made aware of the fact there would be significant increases in human exposure to methylmercury at levels harmful to human health.
“He knew the facts, and he knows full well that methylmercury levels will exceed current Health Canada guidelines,” says Minister Shiwak. “By holding the March 22 workshop Minister Trimper avoided having to make an independent judgment based on scientific facts. That’s obvious, since his decision to sign off on Nalcor’s Human Health Risk Assessment on June 14 was based entirely on the discussions that took place during that workshop, which upheld much of Nalcor’s discredited science.”

During a public rally in front of his Happy Valley-Goose Bay constituency office on June 17, Minister Trimper claimed the Nunatsiavut Government refused to attend the workshop because it ‘did not trust Nalcor’.

“Based on the facts of the matter, Minister Trimper intentionally misled the public and the media as to why we didn’t participate,” says Minister Shiwak.

Minister Trimper also indicated that he would be willing to host another workshop if the Nunatsiavut Government is willing to participate. Before responding to Mr. Trimper’s invitation, the Nunatsiavut Government would first want to know the names and titles of all participants, as well as the purpose of the meeting, its goals and objectives, notes Minister Shiwak.

As well, during the June 17 rally, Minister Trimper stressed that the Nunatsiavut Government asked for “compensation” as part of an Impact Management Agreement.

“We have never raised the issue of compensation. How can you compensate for a loss of culture and a way of life?”

One of four recommendations put forward by the Nunatsiavut Government calls on both the federal and provincial governments to require Nalcor to negotiate an Impact Management Agreement with the Nunatsiavut Government to the satisfaction of all parties before Muskrat Falls reservoir flooding and subsequent adverse downstream impacts occur.

“We asked for a negotiated agreement to ensure we find ways to deal with the downstream impacts that are sure to arise as a result of this development,” says Minister Shiwak. “We have not had any discussions on what would be contained in such an agreement, so for Minister Trimper to suggest we asked for compensation is again misleading.

“By his own admission, Minister Trimper is acknowledging, as the science demonstrates, that there will be an increase in methylmercury because of Muskrat Falls. Labrador Inuit have well-established aboriginal rights and titles downstream from Muskrat Falls that are Constitutionally-protected in the Labrador Inuit Land Claims Agreement. By refusing to accommodate our concerns, we believe Mr. Trimper is directly violating our rights to self-determination.”

The Nunatsiavut Government is not going to back down from this issue, says Minister Shiwak, until steps are taken to mitigate, as much as possible, increases in methylmercury exposures for downstream Inuit populations, including fully clearing the Muskrat Falls reservoir of wood, brush, vegetation and topsoil.

Media Contact:
Bert Pomeroy
Director of Communications
(709) 896-8582
Public Notice

Rally planned to Make Muskrat Right

A public rally will be held on Monday, June 27 calling on the Government of Newfoundland and Labrador to take all the necessary steps to mitigate impacts of the Muskrat Falls project.

Nunatsiavut President Johannes Lampe, Innu Nation Grand Chief Anastasia Qupee, and NunatuKavut President Todd Russell will speak during the event.

Time: 11:30 a.m.

Where: Royal Canadian Legion
       Happy Valley-Goose Bay

"The time has come to stand together, shoulder to shoulder, and to say that we will not stand by and allow our way of life, our culture, and our future to be taken away from us."

- Nunatsiavut President Johannes Lampe
Meeting Note
Labrador and Aboriginal Affairs
Premier’s Meeting with Town of North West River
4:00pm-4:30 pm, February 15, 2016
North West River Town Office
North West River

Attendees:
Ernest McLean, Mayor
Glendene Beal, Deputy Mayor
Melanie Blake, Councilor
Jennifer Ring, Councilor
Timothy Blake, Councilor
Lowell Barkman, Councilor
Edward Tuttauk, Councilor

Honourable Dwight Ball, Premier, Minister for Labrador and Aboriginal Affairs
Honourable Perry Trimper, MHA Lake Melville, Minister of Environment and Conservation
Aubrey Gover, Deputy Minister, Labrador and Aboriginal Affairs
Ron Bowles, Assistant Deputy Minister, Labrador and Aboriginal Affairs
Peter Miles, Senior Policy Advisor, Premier’s Office

Purpose of Meeting:
- Premier Ball and Minister Trimper are meeting with the Town Council of North West River (NWR) to discuss issues of interest between both parties.
- Potential discussion topics include:
  - Hydro Outages;
  - Use of Salt on Route 520;
  - Administrative Centre for Mealy Mountain National Park; and
  - Regional Waste Management Facility

Background:
- NWR (which was formerly known as Fort Smith) is a town with over 250 years of history. The Hudson’s Bay Company had a successful trading post in the community for over 100 years. NWR was often the starting point for such famous explorations as the Hubbard Expedition. The 2011 census has the population at approximately 550. Most of the residents of NWR commute to Happy Valley-Goose Bay for employment.
- NWR is known as a prime visitation spot for tourists in the Upper Lake Melville area featuring such locations as Sunday Hill Park, NWR Beach (Festival), Labrador Heritage Museum and the Labrador Interpretation Centre.
Agenda Item 1: Hydro Outages

- There have been several extended power outages in the Upper Lake Melville area during this past winter. Some of these outages have been up to seven hours in duration in temperatures exceeding -20°C.
- When the outages have been long, NL Hydro has attempted to employ rolling blackouts to different areas of Happy Valley-Goose Bay.
- The Council in NWR believes their community as well as the neighbouring community of Sheshatshiu experience the full duration of every power outage without the benefit of the relief offered by a rolling blackout.

Analysis

- Power loss (line loss) associated with delivering power to outlying areas (i.e., NWR and Sheshatshiu) is greater than the losses associated with delivering power to the areas closest to the source. When power is limited, NL Hydro tends to supply areas that can benefit the most from the limited supply.
- Initial power restoration (cold load pickup) after a power outage is a huge factor when responding to an outage condition. Resources (people and trucks) are kept closest to the generation site to minimize response times when sectionalizing has to be done to restore customers. Often times the lines have to be broken down into 5-6 sections (i.e., sections of Happy Valley-Goose Bay) to find trouble spots and restore customers in small increments. This is not practical to do in outlying areas due to the length of response.
- Outages often occur during storm conditions (high wind, lightening etc.). Using the power to supply areas with long distribution lines has too much exposure to the elements so NL Hydro reduces exposure by reducing the size of exposure to feeders closest to the source.

Potential Speaking Points

- NL Hydro continues to upgrade and improve the power distribution network to NWR and around the town site itself. In 2012, $1.3 million spent on the distribution line between Happy Valley-Goose Bay and NWR and in 2015, $804 thousand was spent in upgrading the distribution line within NWR.
- NL Hydro is aware of the issues caused by power outages and will do everything possible to minimize the negative effects of this procedure.

Agenda Item 2: Use of Salt on Route 520

- NWR is connected to Happy Valley-Goose Bay via a 33km paved road (Route 520). This road is maintained by the Department of Transportation and Works (TW).
- Route 520 is the only paved road in NL where road salt is not used in winter highway maintenance in accordance with current policy. Sand only is applied to improve highway driving conditions, unless Ministerial approval is given to apply salt when warranted.
- The Town of HVGB, NWR and many residents do not support salt usage and have written TW requesting none be applied within the Town limits. The general concern is that salt may damage vehicles.
- During winter months, a mixture of salt and sand is used to ensure safe driving conditions. The practice of using sand mixed with salt is a relatively new practice.
In light of the effectiveness of salt usage in western Labrador and the fact that temperatures are generally warmer in central Labrador, road salt would improve driving conditions and road safety on Route 520.

As per TW’s policy the mixture ratio in Labrador is as follows:
  - gravel roads: 5 per cent salt – 95 per cent sand
  - paved roads: 25 per cent salt – 75 per cent sand

Analysis
- Though the effectiveness of salt decreases below -10 degrees Celsius it can be effective in the presence of sun and heavy traffic volume down to -18 degrees Celsius. Below -18 degrees Celsius it is more prudent to use sand only as a means to improve traction.

- In recent years, salt has been used in rare occasions on Route 520 in response to freezing rain events. During these events scrap ing with plow trucks or graders and sand only applications do not achieve acceptable service levels. The use of a salt/sand mixture is the only effective means to improve driving conditions. Potential Speaking Points
- The application of salt is recognized both in the Province and in Canada as one of the more efficient and effective tools to improve winter highway driving conditions.
- Experience and data has shown the addition of salt to the sand mixture on provincial roadways makes the surface of the road safer for the traveling public.
- TW has a responsibility for enhancing safe road conditions, and the desire of the residents that TW not use salt on the road must be balanced with TW’s responsibilities for safe road practices.
- Salt is used in situations where it is necessary to enhance road safety.

Agenda Item 3: Administrative Centre for Mealy Mountain National Park
- Parks Canada and the Government of Newfoundland and Labrador signed a Land Transfer Agreement which provides for the transfer of administration and control of lands from the province to Parks Canada for establishment and management of the Akami–uapi shk’u – KakKasuak – Mealy Mountains National Park Reserve.

- Parks Canada will establish an administration headquarters in the Upper Lake Melville area, in support of the administration, planning and management of the National Park Reserve or the National Park.

- Parks Canada may also have an administration presence in the communities of Rigolet and Cartwright.

- Parks Canada will establish visitor reception and orientation facilities and services in the area of Upper Lake Melville and in Cartwright. Parks Canada will also create a visitor reception and orientation presence in Rigolet.

Analysis
- With its close proximity to the Park boundaries, NWR believes it should be the administrative/visitor information centre for the Mealy Mountain National Park.

- It’s unclear at this point whether Parks Canada has made a decision regarding the location of an administrative base and/or visitor reception facility in NWR.
Potential Speaking Points

- To date, there has been no further discussion with Parks Canada regarding the specific location of visitor facilities in the Upper Lake Melville area.

Proposed Actions

- Officials from the Province consult with Parks Canada on NWR’s desire to be an administrative/visitor information centre for the Mealy Mountain National Park.

Agenda Item 4: Regional Waste Management Facility

- The communities of Happy Valley-Goose Bay, NWR, Sheshatshiu and Mud Lake have been working to develop a regional waste management plan using the existing Happy Valley-Goose Bay landfill site.
- They hired a consultant who recently completed an assessment of the existing landfill at Happy Valley-Goose Bay that indicates the site has capacity to meet the future needs of the area for the next 20+ years.

Analysis

- The site will require some minor upgrades and infrastructure such as weigh scales and a new attendant building at the site. The estimated cost to complete upgrades is $1.5 million.
- The consultant also provided recommendation related to the most economical approach to community curb side collection service. MA will be working with the group over the next several months to have infrastructure upgrades completed and formalize a regional approach to curbside collection and operational governance of the landfill.

Potential Speaking Points

- Government is encouraged that all the communities in the Upper Lake Melville area identify waste management as a priority and are willing to work together to insure effect practical organization of waste products.

Prepared/approved by: C Myrden/M/Watkins/R Bowles/Janice Barnes/A Gover in consultation with NL Hydro, Transportation and Works, Environment and Conservation and Municipal Affairs

Reviewed by: K. Quinlan/P. Burt, Cabinet Secretariat

Ministerial Approval: February 14, 2016
Meeting Note  
Labrador and Aboriginal Affairs  
Town Council Happy Valley-Goose Bay  
February 15, 2016 7:00-8:00PM  
Labrador and Aboriginal Affairs Boardroom  
Happy Valley–Goose Bay, NL

Attendees:
Mr. Jamie Snook, Mayor – Happy Valley-Goose Bay (HV-GB)  
Ms. Cora Hamel-Pardy, Deputy Mayor – HV-GB  
Mr. Tony Chubbs, Councillor – HV-GB  
Mr. Reginald Bowers, Councillor – HV-GB  
Ms. Tanya Michelin, Councillor – HV-GB  
Mr. Bert Pomeroy, Councillor – HV-GB  
Ms. Jackie Compton-Hobbs, Councillor – HV-GB  
Mr. Wyman Jacque, Town Manager – HV-GB  
Ms. Naomi Sharpe, Manager of Public Relations and Special Events- HV-GB

Hon. Dwight Ball, Premier, Minister of Labrador and Aboriginal Affairs  
Hon. Perry Trimper, MHA Lake Melville, Minister of Environment and Conservation  
Mr. Aubrey Gover, DM Labrador and Aboriginal Affairs (LAA)  
Mr. Ron Bowles, ADM LAA  
Mr. Peter Miles, Senior Policy Advisor, Premier’s Office

Purpose of Meeting:
• The meeting allows the Premier and Minister Trimper the opportunity to meet with members of the Town Council of Happy Valley-Goose Bay and its senior staff to discuss municipal issues specific to the Town.
• Items that are expected to be discussed during the meeting include:
  1. Labrador Wellness Centre Project  
  2. Capacity Agreement

Background:
• On December 15, 2015, Jamie Snook, Mayor of Happy Valley-Goose Bay requested a meeting with Premier Ball and Minister Trimper to discuss future partnerships and opportunities between the Town of Happy Valley-Goose Bay and the Government of Newfoundland and Labrador.  
• The current council has been publically vocal regarding the level of support/benefits provided to the community from Government and Nalcor as a result of the Lower Churchill Projects, since Muskrat Falls is occurring about 20 kilometres outside of the Town.

Agenda Item 1: Labrador Wellness Centre Project
• The current Town Council has been lobbying government for several years to help fund the construction of a new wellness centre for the area. The Town has completed a feasibility and concept design report that was funded by the Province and ACOA. The study identified a $45 million wellness centre that could be completed in phases.
The three phases include a multi-purpose space and gymnasium; a hockey arena and curling club; and an aquatics centre. It is MA’s understanding the Town is considering completing the Aquatics and multi-purpose space as the first phase at a value of approximately $25 million.

In October 2015, government announced that it would provide $11 million in provincial funding for the project. The funding would come from funding provided to the Province by Vale through the Voisey’s Bay Agreement.

**Analysis**

- The Town has been clear in its messaging that its priority is the funding of a new wellness centre. The Town originally included this request as part of negotiations for a capacity agreement.
- The study entitled “Facilities Audit, Redevelopment Scenarios & Financial Analysis” noted that the current infrastructure in the Town is aging and in need of replacement. It is estimated that a new wellness centre will cost approximately $42.7-$58.7 million. This would include the construction of a new pool to replace the Labrador Training Centre which is currently operated by the Province.
- During Northern Lights in Ottawa the Town held a media launch for the centre to raise private funds for the Labrador Wellness Centre project. 29 (1) a
- On January 28, 2016 the Premier met with Mayor Snook during the Northern Lights Business and Cultural Showcase in Ottawa. Finance Minister Bennett and Minister Trimper met with the council in Happy Valley-Goose Bay on February 9, 2016. At both meetings the Town requested information on the $11 million in funding for the Wellness Centre that had been promised in October 2015. No information was provided during those meetings 29 (1) a
- The Vale money will flow from 2017 to 2019 in equal installments of $10 million per year.

**Potential Speaking Points**

- Decision will be taken on this as part of the 2016-17 budget process.

**Proposed Action:**

- N/A – this Note was prepared for the information of the Premier for the scheduled meeting with the Town Council of Happy Valley-Goose Bay.

**Agenda Item 2: Capacity Agreement**

- The 2011 *Report of the Joint Review Panel- Lower Churchill Hydroelectric Generation Project* included the recommendation that a capacity agreement be developed with the Town of Happy Valley-Goose Bay to provide financial resources to increase the capacity of the Town to address additional administrative demands relating to the impact of the Project on municipal infrastructure.
- In August 2015 a capacity agreement was signed between the Province and the Town that agreed to funding contributions of $5 million through the Multi-Year Capital Program; to cost share the purchase of a fire pumper; and, to provide $750,000 over three years under Special Assistance Funding to enable the Town to address the additional administrative demands related to the Project.
• In addition to the financial agreement, the Province also agreed to engage the Council in a discussion on building capacity and preparing for potential social and economic opportunities in the event of the Gull Island Project.

• Municipal Affairs (MA) has indicated that the first payment of $250,000 has been provided. The agreement is effective until March 31, 2018 and is not subject to extension or renewal.

• As part of the obligation of the Town, they are to provide updates on emergency preparedness planning related to the project and low income and in-migration effects relating to the project through the Senior Officials Working Group (SOWG) on the Lower Churchill Impacts on the Town of Happy Valley-Goose Bay.

Analysis
• As a result of the Muskrat Falls development many of the businesses in Town are experiencing economic growth. From a business standpoint the development has been mostly positive. However, the Town has been critical of the former provincial government’s lack of investment relating to “impacts” from the Lower Churchill Projects.

• The SOWG was formed in late 2012 and co-chaired by LAA and the Town. The committee included senior officials from Transportation and Works (TW), Environment and Conservation (ENVC), Service NL (SNL), and MA. In March 2014, the Town stepped away from the committee noting its frustration on the lack of financial support from the Province. Since the capacity agreement has been signed there have been no meetings of the SOWG.

Potential Speaking Points
• Funding has been provided to the Town through the above noted capacity agreement.

Proposed Action:
• LAA will work with MA on any requirements for future SOWG meetings.


Reviewed by: K. Quinlan/P. Burt, Cabinet Secretariat

Approved by: [Signature]

February 14, 2016
Meeting Note
Premier to Meet with the Town Council of Wabush
February 16, 2016 at 10:50am
Wabush Council Chambers
Wabush, NL

Attendees:
Mr. Colin Vardy, Mayor – Wabush
Mr. Terry Curran, Deputy Mayor – Wabush
Mr. Rick Burke, Councillor – Wabush
Ms. Gertie Canning, Councillor – Wabush
Mr. Frankie Delahunt, Councillor – Wabush
Mr. Trevor Dove, Councillor – Wabush
Ms. Danyelle Lavers, Councillor – Wabush

Hon. Dwight Ball, Premier, Minister of Labrador and Aboriginal Affairs
Mr. Graham Letto, MHA Labrador West, Parliamentary Secretary to the Minister of Municipal Affairs and the Minister of Service NL
Peter Miles, Senior Policy Advisor, Premier’s Office
Aubrey Gower, Deputy Minister, Labrador and Aboriginal Affairs (LAA)
Janice Barnes, Executive Director, LAA

Purpose of Meeting:
- The meeting allows the Premier and MHA Graham Letto to meet with members of the Town Council of Wabush and its senior staff to discuss municipal issues specific to the Town.

- Items that are expected to be discussed during the meeting include:
  1. Wastewater and Infrastructure
  2. Recreation
  3. Twin Falls
  5. Economic development and diversification
  6. Underpass

Background:
- Cliffs Natural Resources announced the idling of the Wabush Mine – Sculley Mine in February 2014. In October of that same year, Cliffs announced the closure of the Sculley Mines.

- The closure resulted in 400 displaced workers, mostly from the Town of Wabush. It also resulted in a loss to the Town in the form of a grant in lieu of taxes at approximately 30% of the town’s revenue.

- On May 20, 2015 Cliffs extended CCAA protection to the Wabush Mines Joint Venture properties, including the mine near Wabush and the mine’s port facilities in Sept-Îles,
Quebec. The CCAA stay of proceedings against Wabush Mines has been extended to April 22, 2016.

- The Government of Newfoundland and Labrador committed to provide $3.8M to the Town of Wabush in December 2014 to off-set the loss in revenue due to the closure of Wabush Mines. The $3.8M is allocated over three years: 90% in 2015, 60% in 2016 and 30% in 2017. The funding is contingent on the absence of a new operator.

- In 2015, Cliffs notified the Government of Newfoundland and Labrador of its intent to proceed with the decommissioning and rehabilitation of Wabush Mines. The process went through the Environmental Assessment and many stakeholders were consulted; including the Town of Wabush and the Town of Labrador City. A decision on the EA is ongoing.

- In January 2016, a potential buyer (no name has been released publicly) expressed interest in purchasing Wabush Mines. The buyer visited Wabush to tour the infrastructure and begin discussions on the property in December 2015.

**Agenda Item #1: Wastewater and Municipal Infrastructure**

- In July 2012, the Wastewater Systems Effluent Regulations (WSER) came into effect to address untreated or undertreated sewage being discharged into receiving waters. The WSER are federal regulations established under the federal Fisheries Act that set mandatory minimum effluent quality standards that can be achieved through secondary wastewater treatment. Requirements for monitoring, record-keeping, reporting and toxicity testing are specified in the regulations.

- The WSER apply to any outfall with an average daily volume of effluent of 100 cubic meters/day or more (equates to the discharge for about 294 people). Wastewater systems with effluent volumes less than this threshold are exempt from the regulations. Wastewater systems located in the far north (Nunavut, the Northwest Territories); north of 54th parallel in Quebec; and the communities of Nain, Natuashish, Hopedale, Makkovik, Postville, and Rigolet north of 54th parallel in Newfoundland and Labrador are also exempt from the regulations.

- The WSER are now law and municipalities must adhere to them. If municipalities are non-compliant, they are subject to prosecution under the Fisheries Act and may not qualify for future federal cost shared funding under the various federal/provincial infrastructure programs including the new Building Canada Fund.

**Analysis:**

- In the Summer of 2015, Wabush submitted an application with the call for municipal projects associated with the new Building Canada Fund, for sewage treatment systems valued at approximately $19M.

- The Towns of Wabush and Labrador City will likely have to comply with the new WSER by 2020. The wastewater treatment infrastructure in both towns is nearing the end of their useful life and will soon need to be replaced. There has been some discussion about both towns
coming together to do a feasibility study. The project would likely cost somewhere between $35M and $40M, and would be eligible for federal funding under the new Building Canada Fund.

- Infrastructure decisions are anticipated to come in the budget process.

Potential Speaking Points:
- Given the current fiscal environment of the Province, additional funding provided for municipal infrastructure will need to be reviewed.

Agenda Item #2: Recreation
- The Town of Wabush operates and maintains the Mike Adams Recreation Complex that houses a gym, ice rink and pool. There is also a bowling alley, weight room and teen center in the facility.

- In an effort to establish operational efficiencies, the Town of Wabush enlisted the assistance of the Department of Business, Tourism, Culture and Rural Development to conduct an operational analysis on the Recreation Centre.

Analysis:
- BTCRD worked with the Town of Wabush in 2015 to assess the recreation facility and suggested ways to improve operations. The choice before Council was to either increase revenues, decrease expenditures or a combination of both while avoiding a negative impact to customer service.

- It became evident very early on during the assessment process; the focus was mainly on reducing the overall cost of administration, eliminating waste and redundancy. Revenues for the most part have remained consistent over the 5 years. Wages and benefits however were deemed to be excessive in relation to revenues, accounting for 70% of total expenses for 2015. This has been the case for the last 5 years.

- To improve operating efficiency, Council was also advised to implement basis standard operating procedures for the operation of the swimming pool. For example, having the required number of life guards on staff for the number of patrons in the pool.

- The Town of Labrador City has been lobby for funding to build a multiplex recreation facility for the region of Labrador West. The Town of Wabush the town of wabush is not in support of the establishment of a new multiplex facility and believe the funds would be better served to keep the recreational infrastructure already in existence maintained.

- The Town of Wabush has made repeated requests to the Town of Labrador City for financial assistance toward the Mike Adam Recreational Complex. All requests, to date, have been denied.
• In the Town of Wabush’s projected budget for 2016, there were no cuts to the $1.3M recreation budget. However, the Town of Wabush have communicated that, after this year, they can no longer bear the sole financial responsibility for the Recreation Complex.

Potential Speaking Points:
• N/A

Agenda Item #3: Twin Falls
• The Twin Falls are a pair of waterfalls located on a tributary of the Churchill River.

• Hydroelectric power development rights on the river were acquired by the British Newfoundland Development Corporation (Brinco) in the 1950s.

• In partnership with Wabush Mines Limited and the Iron Ore Company of Canada, the two mining corporations operating in Western Labrador, Brinco created the Twin Falls Power Corporation to deliver power 115 miles (185 km) west to the two mining operations being developed near the Labrador-Quebec border.

Analysis:
• The Town of Wabush was receiving $105,000 in taxation from the Twin Falls Corporation. The agreement ended on December 31, 2014 and all Twin Falls Corporation assets reverted to Nalcor.

• Nalcor, as a crown corporation, is not subject to municipal taxation.

• The Town of Wabush is looking to the Government to assist in covering the shortfall. MHA Letto has been approached by the Town of Wabush on this issue.

Potential Speaking Points:
• Issue has been raised in December meeting with Minister Joyce and MHA Letto and commitment was given to investigate the matter further.

Agenda Item #4: Wabush Mines Assets and Pensions
• In December 2015, Honourable Eddie Joyce, Minister of Service NL and Mr. Graham Letto, MHA Labrador West, Parliamentary Secretary to the Minister of Municipal Affairs and the Minister of Service NL meet with pensioners to explain the windup of the pension plan and the rationale for doing so.

• Toward the end of January, Wabush Mines pension plan members received notice from the company’s plan administrator stating they will now receive pension benefits in the range of 75-80 per cent. This prompted plan members to demand a meeting with their elected representatives at the Federal and Provincial level to discuss the situation. A meeting was held on Wednesday, February 10, 2016.
• From the February 10 meeting, it was determined that there was a need for a committee to ensure accurate material/information is communicated to all Wabush Mines pensioners. The Wabush Mines Pensioners Committee was established and includes:
  • MP Yvonne Jones
  • MHA Graham Letto
  • Town of Wabush rep—either mayor or manager
  • Ron Barron
  • Mark Mcgrath
  • Rita Pynn
  • Roy Lacey
  • Euclid Hache—International Rep

Analysis:
• Pension regulators at both the Federal and Provincial level decided to order wind up these plans in December because of the high likelihood of a bankruptcy.
  • A drawn-out liquidation process under creditor protection would have resulted in a deterioration of the funds in the pension plans.
  • Furthermore, the court had set December 18, 2015 as the claims bar date. Acting before this date provided more certainty for the amount to be claimed.

Potential Speaking Points:
• Service NL representatives continue to be available to answer any questions that members may have regarding the process. Questions related to the plan benefits or an individual’s pension information should be referred to the plan administrator or company.

• Decisions on these types of issues are made under the authority and expertise of the Superintendent of Pensions, and are not Cabinet decisions.

• A pension plan termination is a complex process that may take a number of years to complete, but Service NL will provide oversight throughout the process.

Proposed Action:
• Continue to monitor the termination of pension plans.

Agenda Item #5: Economic Development and Diversification
• BTCRD continues to work with key stakeholders and businesses to identify opportunities for development and diversification through its various programs and services, and supports economic development initiatives that focus on business development, diversification and innovation.

Analysis:
• BTCRD provided funding to the Labrador West Chamber of Commerce to complete research regarding the socio economic impact on the business community as a result of the recent closures and downsizing of the iron ore mines in Labrador West. The consultant completed the project November, 2015.
• BTCRD established a Business Development Working Group, consisting of various business resource partners, to develop and implement a business supports plan for Labrador West.

• With funding provided by BTCRD and ACOA, Hospitality Newfoundland and Labrador (HNL) and Destination Labrador offered a workshop and networking event to tourism operators in Labrador West in October 2015.

Potential Speaking Points:
• BTCRD continues to work with community stakeholders and businesses to advance opportunities and support economic development initiatives.

Proposed Action:
• BTCRD continues to work with community stakeholders and businesses to advance opportunities and support economic development initiatives.

Agenda Item #6: Underpass
• The underpass is a portion of road connecting Wabush to Labrador City. The underpass was built to avoid traffic interference with the railway crossing.

• Transportation and Works (TW) maintains the snow clearing and maintenance of this road.

• The cost of the Cliff's underpass lights is currently being absorbed by the Town of Wabush at a cost of $100.00/month.

Analysis:
• The Town of Wabush would like TW to cover the costs associated with the lights.

• Cliff Natural Resources are aware of their obligations to the Province regarding the underpass and have advised that their intention is to honour those obligations.

Potential Speaking Points:
• The province would not expect either of the adjacent municipalities to assume responsibility for the ongoing maintenance of this structure, either solely or jointly.

Prepared/approved by: K. Michelin
Approved by:

February 10, 2016
Meeting Note  
Premier to Meet with the Town of Labrador City  
February 16, 2016 at 12:00  
Labrador City, NL

Attendees:  
Ms. Karen Oldford, Mayor – Labrador City (LC)  
Mr. Junior Humphries, Deputy Mayor – LC  
Mr. Rick Casmey, Councillor – LC  
Mr. Edward Conway, Councillor – LC  
Mr. Christopher Lacey, Councillor – LC  
Mr. John Penney, Councillor – LC  
Mr. Clarence Rogers, Councillor – LC  
Mr. Gary Wensman, Chief Administrative Officer - LC  
Hon. Dwight Ball, Premier, Minister of Labrador and Aboriginal Affairs  
Mr. Graham Letto, MHA Labrador West, Parliamentary Secretary to the Minister of Municipal Affairs and the Minister of Service NL  
Peter Miles, Senior Policy Advisor, Premier’s Office  
Janice Barnes, Executive Director, LAA

Purpose of Meeting:  
• The meeting allows the Premier and MHA Graham Letto to meet with members of the Town Council of Labrador City and its senior staff to discuss municipal issues specific to the Town.

• Items that are expected to be discussed during the meeting include:  
  1. Wastewater  
  2. Recreation  
  3. Emergency Generator  
  4. Essential Service Designation for Town Employees.  
  5. Economic Development and Diversification  
  6. Landfill  
  7. Regional Fire and Emergency Services

Agenda Item #1: Wastewater  
• In July 2012, the Wastewater Systems Effluent Regulations (WSER) came into effect to address untreated or undertreated sewage being discharged into receiving waters. The WSER are federal regulations established under the federal Fisheries Act that set mandatory minimum effluent quality standards that can be achieved through secondary wastewater treatment. Requirements for monitoring, record-keeping, reporting and toxicity testing are specified in the regulations.

• The WSER apply to any outfall with an average daily volume of effluent of 100 cubic meters/day or more (equates to the discharge for about 294 people). Wastewater systems
with effluent volumes less than this threshold are exempt from the regulations. Wastewater systems located in the far north (Nunavut, the Northwest Territories); north of 54th parallel in Quebec; and the communities of Nain, Natuashish, Hopedale, Makkovik, Postville, and Rigolet north of 54th parallel in Newfoundland and Labrador are also exempt from the regulations.

- The WSER are now law and municipalities must adhere to them. If municipalities are non-compliant, they are subject to prosecution under the Fisheries Act and may not qualify for future federal cost shared funding under the various federal/provincial infrastructure programs including the new Building Canada Fund.

**Analysis**

- In the summer of 2015, Wabush submitted an application with the call for municipal projects associated with the new Building Canada Fund, for sewage treatment systems valued at approximately $19M.  

- The Towns of Wabush and Labrador City will likely have to comply with the new WSER by 2020. The wastewater treatment infrastructure in both towns is nearing the end of their useful life and will soon need to be replaced. There has been some discussion about both towns coming together to do a feasibility study. The project would likely cost somewhere between $35 million and $40 million, and would be eligible for federal funding under the new Building Canada Fund.

- Infrastructure decisions are anticipated to come in the budget process.

**Potential Speaking Points**

- Given the current fiscal environment of the Province, additional funding provided for municipal infrastructure will need to be reviewed.

**Agenda Item #2: Recreation**

- The Town of Labrador City has lobbied for funding to construct a recreational multiplex for Labrador West.

**Analysis**

- The Town of Wabush is not in support of a new multiplex. They believe that funding should be sought to improve the recreational facilities that currently exist in the region.

- Town of Labrador City’s recreation budget is $1.7 million for 8,000 people and the Town of Wabush’s budget is $1.3 million for 1,700 people. The predominant cost for the Town of Wabush is associated with the Mike Adam Recreational Complex which has a pool, bowling alley and gymnasium.
• The Town of Labrador City does not contribute to the funding towards the recreational facilities in Wabush; however, Labrador City residents do pay user fees.

**Potential Speaking Points**
• The Government continues to work with both Towns as they examine regional recreation.

**Agenda Item #3: Emergency Generator**
• The Emergency Generator is a long standing issue with the Town of Labrador City. Labrador City requires it as part of their emergency plan for a warming centre, since they will need power in the event of an emergency as capacity does not exist for backup power.

• Council for the Town of Labrador City raised the issue in a December meeting with Minister Joyce, Minister of Service NL and MHA Letto, Parliamentary Secretary to the Minister of Service NL. The Town previously wrote a letter to then-Premier Davis requesting the reestablishment of a funding program that allows for emergency preparedness initiatives such as this one.

**Analysis**
• In a letter sent to then-Premier Davis on July 23, 2015, the Town of Labrador City proposed that the estimated request of $700,000 was to acquire:
  ▪ a new 900km, 347/600Vac standby generator suitable to power Menihek and AP Low schools as emergency warming stations;
  ▪ construction of an enclosure to house the generator; and
  ▪ a step up transformer from 600Vac to 25,000Vac to supply NL Hydro’s overhead line infrastructure.

• Labrador City verbally approached NL Hydro on this initiative. NL Hydro indicated that an emergency generator is the most reliable source of emergency backup power. The revised proposed cost is $500,000.

**Potential Speaking Points**
• Government recognizes the importance of emergency planning for the Town. It is unfortunate that the federal government eliminated the Joint Emergency preparedness Program in March 2013.

**Proposed Action**
• N/A. Fire and Emergency Services-NL (FES-NL) does not have a program that could support funding an emergency generator. Municipal Affairs (MA) may be able to fund a generator under infrastructure programming, but a request would have to be submitted to the department.

**Agenda Item #4: Essential Service Designation for Town Employees**
• The Town of Labrador City was certified in 1981 by the United Steel Workers (USW) under the *Labour Relations Act*. The Town successfully negotiated renewal collective agreements
with the USW without a work stoppage. Based on previous discussions with USW reps during bargaining, the parties always believed that in the event of a work stoppage, the Town could apply to the Labour Relations Board for a determination of essential service employees under section 10 of the Public Service Collective Bargaining Act (PSCBA).

- During the most recent round of bargaining, the Town proposed essential services language related to fire services as well as water and sewer operations. The USW has categorically refused to negotiate such language. The Town has been advised by a conciliation officer with the Board that a municipality would not fall within the definition of public sector employer for whom an essential services application could be made to the Board. Therefore, the Town would have to negotiate into the collective agreement the necessary essential services protection.

- The Labour Relations Act governs collective bargaining in the private sector and has no requirement for essential services agreements to be in place prior to a strike or lockout occurring.

- All unionized municipalities within the province are certified under the Labour Relations Act.

Analysis

- In order to obtain an essential services agreement, a unionized municipality would need to negotiate collective agreement language with the union which would outline the level of service that would be continued in the event of a labour dispute. While not common, there are some municipal collective agreements that contain such language.

- In the absence of such language, during a labour dispute, services such as snow clearing and removal, ice control, water supply and, where applicable, fire services are performed by management.

- Unions, in general, are opposed to essential services agreements as they believe they diminish their bargaining power. However, it has been the experience of the LRA that in instances where it appears a labour dispute is likely discussions between the parties take place regarding some level of service in the case of an emergency.

- Unlike the Labour Relations Act, the PSCBA requires essential services agreements for the vast majority of bargaining units that are governed by that legislation. The PSCBA stipulates that if over 50 per cent of employees are essential, then the union does not have the right to strike and the matter proceeds to binding arbitration if an agreement is not reached.

- The lack of a legislative requirement for essential services in the private sector was also raised recently by the Town of Happy Valley-Goose Bay in anticipation of the current labour dispute. This municipality does have collective bargaining language providing for continuation of services.
Potential Speaking Points

- As to the designation of essential town employees, collective bargaining between any employer and its employees rests essentially with the Town and its employees.

- The Labour Relations Agency may be able to provide guidance with respect to this or other labour issues.

Agenda Item #5: Economic Development and Diversification

- BTCRD continues to work with key stakeholders and businesses to identify opportunities for development and diversification through its various programs and services, and supports economic development initiatives that focus on business development, diversification and innovation.

Analysis

- BTCRD provided funding to the Labrador West Chamber of Commerce to complete research regarding the socioeconomic impact on the business community as a result of the recent closures and downsizing of the iron ore mines in Labrador West. The consultant completed the project November, 2015.

- BTCRD established a Business Development Working Group, consisting of various business resource partners, to develop and implement a business supports plan for Labrador West.

- With funding provided by BTCRD and ACOA, Hospitality Newfoundland and Labrador (HNL) and Destination Labrador offered a workshop and networking event to tourism operators in Labrador West in October 2015.

Potential Speaking Points

- BTCRD continues to work with community stakeholders and businesses to advance opportunities and support economic development initiatives.
**Proposed Action**

- BTCRD continues to work with community stakeholders and businesses to advance opportunities and support economic development initiatives.

**Agenda Item #6: Landfill Use/Scully Mine Decommissioning**

- The Wabush Mines decommissioning and rehabilitation of the Wabush Scully Mine site was registered on November 26, 2015 under the *Environmental Protect Act*. The Minister’s decision date was extended three times, mostly recently Friday past. The new decision date is now February 26. One issue for Labrador City is the potential disposal of large quantities of material from the mine site into their landfill, which will shorten the useable life of the landfill site.

**Analysis**

- The Town of Labrador City provided a written response in relation to the EA expressing concerns with the use and capacity of the local landfill for the disposal of material from the Scully Mine. This will be taken into consideration before a final decision is made.

**Potential Speaking Points**

- Government of NL, through the Department of Environment and Conservation, is conducting the EA process with respect to the Wabush Mines closure.

- The Minister will consider the concerns of the town during the review and prior to making a decision on the plan.

**Agenda Item #7: Regional Fire and Emergency Services**

- The mayors from the Town of Labrador City and Wabush co-wrote a letter addressed to FES-NL requesting funding to hire a consultant to examine the potential for regionalized fire and emergency services in January and October 2014.

- Funding was provided by MA and a regionalization study as it relates to fire and emergency services was completed. The Fire Chief position in Wabush is understood to be vacant at the present time.

**Analysis**

- The study identifies six potential options for proceeding, but a recommended option has not been provided at this time.

- It is MA’s understanding that the towns have engaged a consultant to examine potential sharing of services pertaining to water and/or waste water services. The Department does not know when this study will be completed, but will be available to provide advice and meet with the towns once it is finalized.
Potential Speaking Points
• FES-NL and MA have reviewed the study and are available to discuss with the towns when appropriate.

Reviewed by: K. Quinlan/P. Burt, Cabinet Secretariat
Approved by: 

February 14, 2016
Meeting Note
Labrador and Aboriginal Affairs Office
Premier to Meet with the Town Councilors of Labrador City
Labrador City Council Chambers
August 18, 2016 at 1:30
Labrador City, NL

Attendees:
Ms. Karen Oldford, Mayor – Labrador City (LC)
Mr. Rick Casmey, Councillor – LC
Mr. Christopher Lacey, Councillor – LC
Mr. John Penney, Councillor – LC
Ms. Cathy Etsell, Director of Finance and Administration – LC
Mr. Gary Wensman, Chief Administrative Officer - LC
Hon. Dwight Ball, Premier, Minister of Labrador and Aboriginal Affairs
Ms. Yvonne Jones, MP for Labrador
Mr. Graham Letto, MHA Labrador West, Parliamentary Secretary to the Minister of Municipal Affairs and the Minister of Service NL
Michelle Cannizzaro, Media Relations Manager, Premier’s Office
Rodney Mercer, EA, Premier’s Office
Janice Barnes, Executive Director, LAA
Trisha Brown, MP Jones’ CA (may attend)
Sabrina Hunt, MHA Letto’s CA (may attend)
Rex Goudie, ACOA (may attend)

Purpose of Meeting:
• The meeting allows the Premier and MHA Graham Letto to meet with members of the Town Council of Labrador City and its senior staff to discuss municipal issues specific to the Town.

• Items that are expected to be discussed during the meeting include:
  1. NL Hydro/Nalcor
  2. Recreation
  3. Emergency Generator
  4. Fibre Optic Redundencies
  5. Old Hospital Site
  6. Healthcare

Background:
• The Premier is scheduled to visit Labrador from August 17-19, 2016. As part of this tour, He will meet with the Town Council of Labrador City on August 18th to discuss issues relevant to the Town.

• On February 16, 2016, the Premier had a similar meeting with Town officials. This upcoming meeting will hold a similar format to the previous meeting; introducing new issues of concern by Council but may also be accompanied by updates from the February 2016 meeting.

Agenda item #1 (NL Hydro/Nalcor)
• Issue was raised in meeting held with MHA Letto and MP Jones and Council of Labrador City on August 9, 2016 (Department of Natural Resources to supply separate note on this matter).
• Labrador City Council indicated that the feedback from local developers and high-energy users (Great North Data) specified that participation and cooperation from NL Hydro was the biggest stumbling block in development in the region.

• In a meeting with MP Jones and MHA Letto on August 9, it became apparent that further discussion was necessary on this issue. A conference call plan is planned for August 12, 2016 at 2:00pm for the Mayor of Labrador City, MP Jones, MHA Letto and the Executive Director of Labrador and Aboriginal Affairs with Great North Data.

Agenda item #2 (Recreation)
• The Town of Labrador City has lobbied for funding to construct a recreational multiplex for Labrador West similar to the proposed Wellness Centre for Happy Valley-Goose Bay.

• The Town is a multi-year capital works (MYCW) recipient. According to the list of projects submitted under this program, no funds have been identified for a multiplex recreational facility.

• The Town has received funding from ACOA and BTCRD to study sites-develop plans for a Multiplex.

Analysis
• The Town of Wabush is not in support of a new multiplex. They believe that funding should be sought to improve the recreational facilities that currently exist in Wabush to support the region.

• The Town of Labrador City does not contribute to the funding towards the recreational facilities in Wabush; however, Labrador City residents do pay user fees.

• The Town of Labrador City held a Public Session on May 26th at the Arts Centre. Over 200 people attended to discuss recreation in the region, particularly the new Multiplex. The meeting overwhelmingly turned to discussion on Mike Adam Recreation Centre in Wabush. Those in attendance voiced their concern about ensuring Recreation Centre remains open while plans move forward for a new Multiplex. As an action item, both councils committed to comparing financials and investigating governance models for oversight of the Recreation Centre. Both town managers were tasked with this undertaking and asked to report back to their respective councils.

Potential Speaking Points
• If further funding is required, the Provinces should take action, and the Town develop facilities.
• The Town of Labrador City should contribute more towards the funding of recreational facilities in Wabush.
• The concern about the future of Recreation Centre in Wabush should be addressed.
• The joint investigation of governance models should be conducted.

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• The Province continues to work closely with the federal government on infrastructure, including Phase 2 of the federal government’s plan expected to be detailed in Federal Budget 2017. Depending on the eligibility categories, and other priorities, there may be an opportunity for the municipality, provincial and federal governments to reach a funding arrangement.

Proposed Actions
• Government Departments will requirement that the Town apply for this funding under one of its various cost sharing programs. If approved, further assessment and requirements such as tendering etc. will need to be undertaken.

Agenda item #3 (Emergency Generator)
• The Emergency Generator is a long standing issue with the Town of Labrador City. Labrador City requires it as part of its emergency plan for a warming centre. They will need power in the event of an emergency as capacity does not exist for backup power.

• The Generator would support a warming centre in event of an emergency. Currently, this power backup does not exist.

• The Town of Labrador City Council raised the issue in a December meeting with Minister Joyce, Minister of Service NL and MHA Letto, Parliamentary Secretary to the Minister of Service NL. The Town previously wrote a letter to then-Premier Davis requesting the reestablishment of a funding program that allows for emergency preparedness initiatives such as this one.

• Council raised this issue with Premier Ball during a meeting in February 2016.

Analysis
• The July 23, 2015 proposal from the Town of Labrador City had an estimated request of $700,000 to acquire:
  ▪ a new 900km, 347/600Vac standby generator suitable to power Menihek and AP Low schools as emergency warming stations;
  ▪ construction of an enclosure to house the generator; and
  ▪ a step up transformer from 600Vac to 25,000Vac to supply NL Hydro’s overhead line infrastructure.

• NL Hydro indicated that an emergency generator is the most reliable source of emergency backup power. Labrador City verbally approached NL Hydro to assist in covering the cost of the generator. NL Hydro has not agreed to provide funding for the purchase of this Generator.

• Neither Municipal Affairs (MA) or Fire and Emergency Services - NL (FES-NL) has a project that would only fund generators (similar stance on rolling stock equipment). FES-NL used to cost-share such purchases until the federal government eliminated such a program in 2013.

Potential Speaking Points
• Government recognizes the importance of emergency planning for the Town. It is unfortunate that the federal government eliminated the Joint Emergency preparedness Program in March 2013.
Proposed Actions

Agenda item #4 (Fibre Optic Redundancies)

- Western Labrador is provided internet service from a fibre build from Sept-Iles through Fermont Quebec to Lab City and Wabush. This fibre is owned by Bell Aliant.

- In 2011 BTCRD in partnership with Bell Aliant, Nalcor and ACOA funded a fibre optic cable build from Happy Valley-Goose Bay (which includes Churchill Falls) to Emeril Station. Bell Aliant extended that fibre to Labrador City which completed the transit of fibre from Sept-Iles to Happy Valley-Goose Bay.

- The issue with a single fibre optic cable from a single point of entry is it does not provide for redundancy in the event of a cable break. The forest fire of 2013 severed the line and caused an outage in both Churchill Falls and Happy Valley-Goose Bay. Likewise, the road from Sept-Iles to Fermont has washed out from catastrophic weather event taking out the fibre line which caused service disruption to Labrador West to Happy Valley-Goose Bay.

Analysis

- Whereas the line is originating from a single entry point is not ideal; another route would alleviate the issue. This will happen in 2017 when the Muskrat Falls Transmission Line is complete from Muskrat Falls to Flowers Cove. In the transmission line is embedded fibre optic cable (24 in total). Nalcor is the sole owner of this fibre optic cable and is currently negotiating a deal with Bell Aliant and maybe one other carrier for access to these fibres. When that happens there will be complete redundancy for Labrador West and Happy Valley-Goose Bay.

- For attracting data (cloud) centres, redundancy of communications infrastructure and access to power are primary concerns. The communications aspect will be accommodated in 2017 and upon completion of a successful swap agreement between Nalcor and Bell Aliant.

- In a meeting Tuesday, August 9th with Labrador city council, MHA Letto and MP Jones, this issue was raised. Discussion focused on whether or not Labrador City would qualify for a fibre optic upgrade. IOC has a fibre line for at least 5 years operated by Telus. MP Jones had indicated she’s heavily involved in this file throughout Labrador and has contacts within Telus. MP Jones committed to following up with her contacts at Telus to arrange future meeting. MHA Letto committed to engaging Minister Mitchelmore, BTCRD, to determine if there’s an ability for provincial involvement.

Potential Speaking Points

- Government appreciates the need to grow the data industry in this area.

- Fibre redundancy is one key to that growth.
• We are working to resolve the redundancy issue when the Muskrat Falls Transmission Line is complete from Muskrat Falls to Flowers Cove. In that transmission line is embedded fibre optic cable (24 in total). When that line is completed and Nalcor has arrived as satisfactory arrangements with a carrier there will be complete redundancy for Labrador West and Happy Valley-Goose Bay.

Proposed Actions
• N/A

Agenda item #5 (Old Hospital Site)
• The Captain William Jackman Memorial hospital opened in 1965. It was constructed by the Iron Ore Company of Canada as a 73 bed hospital at a cost of $5 million.

• The building consists of two wings, the Annex and the Hospital. The overall facility has a building foot print of approximately 3180 square metres and a total gross building area of 9417 square metres.

• The hospital was replaced by the new Labrador West Health Centre which officially opened on February 4, 2015. The building is now past its life expectancy.

Analysis
• The building is currently vacant and it costs the Department of Transportation and Works approximately $25,000 in annual operating and maintenance costs.

• The hospital was identified for possible sale or transfer during the Government Renewal Initiative. In a sale or transfer, GNL would no longer be responsible for the operating costs or any liabilities associated with owning the building.

• It has been recommended that the buildings be made available on an “as is, where is” basis whereby any environmental liabilities associated would be transferred with the sale.

• It is expected that there are environmental liabilities associated with the site and any known information would be disclosed to prospective buyers.

Potential Speaking Points
• The building will be made available through a public tender process before the end of the year.

Proposed Actions
N/A

Agenda item #6 (Healthcare)
• Issues: Ambulance, Lab Testing and Dialysis

Please HCS materials attached.

Other Matters
• The Town received approval for three projects under the Clean Water and Waste Water Fund (CWWF): $4.274 million for a Water Treatment Plant at Harrie Lake; $1.9 million
for water system upgrades; and $1.247 million for storm water upgrades. These projects are to be completed by March 31, 2018.

- In the February 16th meeting with Premier Ball and MHA Letto, the Harrie Lake Sewer Treatment Plant’s desperate condition was raised as an issue. The Town of Labrador City indicated at that time that they would require approval from Municipal Affairs to borrow $2.5 million to complete this work. With the recent wastewater announcements, this amount will be significantly reduced. The town will embark on a budget review to ascertain how much, if any, they will be required to borrow in an effort to complete this work.

- The Mayor for the Town of Labrador City will likely acknowledge the contribution from both the Federal and Provincial Governments on this matter.

Prepared/Approved by: C. Myrden/M. Watkins/J. Barnes/R. Bowles/A. Gover in consultation with Transportation and Works, Health and Community Services, Municipal Affairs and Business Tourism Culture and Rural Development

Ministerial Approval:

August 12, 2016
Meeting Note
Premier’s Office
Meeting with the Town of Wabush
August 18, 2016 at 10:30
Wabush Council Chambers, Wabush, NL

Attendees:

Mr. Terry Curran, Deputy Mayor – Wabush
Mr. Rick Burke, Councillor – Wabush
Ms. Gertie Canning, Councillor – Wabush
Mr. Frankie Delahunty, Councillor – Wabush
Mr. Trevor Dove, Councillor – Wabush
Ms. Danyelle Lavers, Councillor – Wabush

Hon. Dwight Ball, Premier, Minister of Labrador and Aboriginal Affairs
Michelle Cannizzaro, Media Relations Manager, Premier’s Office
Rodney Mercer, Executive assistant, Premier’s Office
Mr. Graham Letto, MHA Labrador West, Parliamentary Secretary to the Minister of Municipal Affairs and the Minister of Service NL
Yvonne Jones, MP, Government of Canada
Janice Barnes, Executive Director, Labrador and Aboriginal Affairs
Sabrina Hunt, MHA Letto’s CA (may attend)
Trisha Brown, MP Jones’ Constituency Assistant (may attend)
Rex Goudie, Manager, Field Operations, ACOA, Newfoundland and Labrador (may attend)

Purpose of Meeting:

• The meeting allows the Premier and MHA Graham Letto to meet with members of the Town Council of Wabush and its senior staff to discuss municipal issues specific to the Town.

• Items expected to be discussed during the meeting include:
  1. Reinstatement of the Wabush Court
  2. Wabush Mines; Pension and Benefits situation
  3. Wabush Mines; Interested Parties progress (NR)
  4. Dust Situation
  5. Alderon Development (NR)
  6. Local Vacant Government Positions
  7. Support for Labrador West Chamber of Commerce
  8. Town of Wabush 90/60/30 assistance
  9. Recreation Support

• Other potential concerns that may be raised but not part of the Town of Wabush agenda:
  o Wastewater Concerns

Background:

• Cliffs Natural Resources announced the idling of the Wabush Mine – Sculley Mine in February 2014. In October of that same year, Cliffs announced the closure of the Sculley Mines.
- The closure resulted in 400 displaced workers, mostly from the Town of Wabush. It also resulted in a loss to the Town in the form of a grant in lieu of taxes at approximately 30% of the town’s revenue.

- On May 20, 2015 Cliffs extended CCAA protection to the Wabush Mines Joint Venture properties, including the mine near Wabush and the mine’s port facilities in Sept-Iles, Quebec. The CCAA stay of proceedings against Wabush Mines has been extended to April 22, 2016.

- In 2015, Cliffs notified the Government of Newfoundland and Labrador of its intent to proceed with the decommissioning and rehabilitation of Wabush Mines. The process went through the Environmental Assessment and many stakeholders were consulted; including the Town of Wabush and the Town of Labrador City. A decision on the EA is ongoing.

- In January 2016, Virginia-based ERP Compliant Fuels LLC expressed interest in purchasing Wabush Mines. The buyer visited Wabush to tour the infrastructure and begin discussions on the property in December 2015. In mid-May, 2016 ERP announced that it would not proceed with the purchase of the mining facility.

**Agenda item #1 (Reinstatement of the Wabush Court)**

- The landscape regarding Wabush Court has shifted since mid-April.

- A recent Supreme Court of Canada decision clearly stated that an individual must have timely access to having their case heard.

- There are also new occupational health and safety considerations which we were very recently made aware of with respect to circuit courts. Now, two Sheriff’s Officers are required to be present during proceedings at circuit courts. The Sheriff’s Officers currently employed in Wabush will help to meet this requirement.

- 2 Provincial Court staff and 3 Sherriff Officers will be reinstated in Wabush.

**Analysis**

- The July 8th R. v. Jordan decision brought down by the Supreme Court of Canada introduced new time limits from which criminal cases must go to trial.

- With the new ceiling where cases generally have to be ready for trial within 18 or 30 months of a charge being laid, the courts will need to evaluate its processes and procedures to ensure that criminal cases are heard on a timely basis. Undue delays may now lead to the risk of a stay of proceedings, or possibly even dismissal of very serious charges including sexual assault or murder.

- Currently, it takes over six months to get a trial date in Happy Valley-Goose Bay. Given that the closure of Harbour Grace and Wabush would increase case loads in already busy centres in Happy Valley-Goose Bay and St. John’s, and the time it takes to typically get a case to trial, it is not desirable to put any additional scheduling pressures in these areas.
**Potential Speaking Points**

- All along, I had indicated a willingness to work with communities to generate alternative options to allow the courts to remain open. I also had several conversations with the community, area MHAs, and officials in the justice community.

- I thank Town and the Graham for their perseverance and commitment to working with government to identify options to effectively allow the Provincial Court in Wabush to remain open.

- I have always maintained that we would keep the courts open if we could find a solution to do so, and I am delighted we have together found that solution.

**Proposed Actions**

- N/A

**Agenda item #2 (Wabush Mines; Pension and Benefits situation)**
SNL supplied materials in separate note.

**Agenda item #3 (Wabush Mines; Interested Parties progress)**
NR supplied materials in separate note.

**Agenda item #4 (Dust Situation)**

- Wabush Mines has had a history of dust releases. Sources have included: the concentrator and concentrate loading, the open pit mine and the tailings disposal area. Other sources of dust in the area include roads and construction activities.

- With the concentrator closed and the mine pits being flooded, the tailings area is the main significant source of dust.

- Wabush Mines generated approximately 1110 hectares over the life of their operations. Approximately 40% of these tailings (425 hectares) were re-vegetated prior to closure in 2014. Much of the remaining area could not be re-vegetated because it was still actively receiving tailings.

- The post closure re-vegetation program began in 2015, with approximately 200 hectares of tailings re-vegetated that year. As of the end of 2015, approximately 45% of the tailings area remained to be re-vegetated. Re-vegetation work will continue in 2016 and is planned to be completed in 2017.

- Wabush Mines operates two air monitoring stations in in town of Wabush. Monitoring includes total particulate matter (less than 100 microns) and fine particulate (less than 2.5 microns).

- The Iron Ore Company of Canada (IOCC) operates 5 air monitoring sites in the town Labrador City. ENVC and Environment and Climate Change Canada have partnered with IOCC to establish an Air Quality Health Index (AQHI) at one of their monitoring stations for

Analysis

• The tailings re-vegetation program is a commitment made under Wabush Mine’s rehabilitation and closure plan. Accordingly, financial assurance has been provided to the Department of Natural Resources to ensure completion of this work.

• Complaints and regulatory violations are primarily associated with total particulate matter and there have been no exceedances of the total particulate standards at the monitoring stations since 2013.

• Total particulate matter is much less of a health concern than fine particulate, as larger particles tend not to penetrate deep into the lungs. Fine particulate is more associated with combustion processes than with dust lift-off.

• Since 2013, there have been no exceedances of the daily fine particulate standards at one of the stations while the other has shown two (both in January 2015). Wind and weather conditions on those dates suggest that the fine particulate levels were not likely attributable to the tailings.

Potential Speaking Points

• The Province will continue to monitor the Wabush Mines re-vegetation program and air quality in the region to ensure that there are no harmful impacts on the surrounding environment.

Proposed Actions

• N/A

Agenda item #5 (Alderon Development)
NR supplied materials in separate note.

Agenda item #6 (Local Vacant Government Positions)

1. Economic Development Officer (EDO), Business Tourism Culture Rural Development (BTCRD)
2. Tourism Development Officer (TDO), BTCRD

• TDO was responsible for tourism development for all regions of Labrador. This position has been vacant for 4 years.

Analysis

• BTCRD has hired an EDO for Labrador West office effective June 29th, 2016. As a result of budgetary constraints, BTCRD has decided one EDO for the Labrador West office will more than adequately service the needs of Labrador West with support from Labrador Regional Office.
Potential Speaking Points

- Government will continue to assist and contribute to solutions to the region through BTCRD’s Economic Development Officer with support services provided through the Labrador Regional Office in Happy Valley-Goose Bay and our corporate headquarters in St. John’s.
- BTCRD has recently hired an EDO for this region who is the author of the VIVA study for the LWCC.
- While BTCRD cannot support your request for additional Development Officers in the region, in the current provincial fiscal situation, we are very open to engaging additional specialized expertise for economic development initiatives as identified in partnership with local and regional organizations in your area, as per the VIVA Study.
- The region has significant potential and we are committed to taking the necessary steps to ensure that potential is realized.
- The task we have undertaken will take time, but with continued support, partnership and cooperation with municipalities, business and community leaders, the unions and affected workers, we will move forward on viable opportunities.
- BTCRD continues to work with key stakeholders and businesses to identify opportunities for development and diversification through its various programs and services, and supports economic development initiatives that focus on business development, diversification and innovation.

Proposed Actions

- N/A

3. Occupation Health and Safety Officer (2)

- Since 2010 there were six public competitions held for the positions without success in recruiting any qualified individuals.
- In February of 2015 a temporary competition was held to fill the 2 positions on a fly in fly out basis which was successful.
- Over the past number of years there has been difficulty recruiting qualified individuals for the 2 OHS positions in Lab West.
- Another competition began in June of 2016 to try to fill the 2 positions on a permanent basis in Lab West. The process is ongoing and screening of applicants will be completed later this month.

Analysis

- Recognizing the importance of filling the positions it is imperative that they only be filled by highly qualified candidates given the important nature of the work.
Agenda item #7 (Support for Labrador West Chamber of Commerce (LWCC))

- The LWCC is an organization representing the business community in Labrador West, including individuals with vast knowledge and expertise in all aspects of business. The Chamber currently has approximately 85 members and has one part-time employee, a Business Manager, responsible for projects and administration.

- BTCRD approved funding for the LWCC to complete research about the socio-economic impacts on the businesses and municipalities in Labrador West, due to changes in the mining sector. BTCRD and the Atlantic Canada Opportunities Agency (ACOA) provided $10,953 each, with the Chamber contributing $2,434, and the Report was completed in November, 2015.

- Diversification of the economy was a common trend from all interviews. Opportunities were identified in winter tourism, retail/service hub for Labrador, cold climate testing, data warehousing, mining training and research and development for the mining industry.

- The Report provided many recommendations, including basic actions such as enhanced attention to existing business supports, as well as broader goals regarding diversification. Several recommendations are currently being advanced within existing partnerships and initiatives, while others are being assessed to determine the strength and viability of the opportunities.

- BTCRD established a Business Development Working Group, consisting of various business resource partners, to develop and implement a business supports plan for Labrador West. Representatives include BTCRD (reps from Regional and Business Development, Trade and Investment, and Strategic Industries), ACOA, and the LWCC.

Analysis

- BTCRD continues to advance economic development activities with key stakeholders in Labrador West, including financial and non-financial supports such as:
  - A local business received $66,195 in funding from BTCRD to complete a market and skills development project in the country of Suriname, (announced previously).
A local business, Great North Data, received $420,000 in funding from BTRCD to establish a data centre in Labrador West (pending announcement).

With funding provided by BTRCD and ACOA, Hospitality Newfoundland and Labrador (HNL) and Destination Labrador offered a workshop and networking event to tourism operators in Labrador West in October 2015. The Tourism Support for You session provided tourism operators the opportunity to learn from industry professionals in areas that are relevant to their business, as well as meet face-to-face with experts to help their tourism business.

White Wolf Snowmobile – contributed to facility improvements in the amount of $25,000 (announced previously).

Smokey Mountain Ski Club – enhancement of tourism infrastructure in the amount of $201,000 (pending announcement).

College of the North Atlantic funding in the amount of $50K to conduct a feasibility study to support the mining industry (pending announcement).

The Town of Labrador City, in partnership with the Town of Wabush has recently submitted an application for funding for a rebranding and marketing strategy. The new brand strategy will build on the foundation work of Plan Big, which involved collaboration between all levels of government and industry. The scope of work includes the development of a marketing strategy for new economic opportunities and the creation and implementation of new marketing tools for the region. The Town is seeking funding from BTRCD in the amount of $18,450, ACOA in the amount of $92,500, while contributing $12,050 of their own funds for a total project cost of $123,000 (not yet approved, no announcement at this time).

Potential Speaking Points

- Government is committed to the mining industry in western Labrador, working with the Town, and seeking to diversify the region’s economy.

- Much work has been done, and the LWCC is an important part of that work such as the study it recently completed using the VIVA Group.

- Government looks forward to continuing to work with the many great business minds of the LWCC to advance the prosperity of this region.

- As that prosperity grows, so too, I am sure will the expertise, capacity, and strength of the LWCC.

Proposed Actions

- N/A

Agenda item #8 (Town of Wabush 90/60/30 assistance)

- The town was impacted due to the loss of revenues from the Grant-in-Lieu (GiL) they were receiving from Cliffs Natural Resources associated with the operations of the Wabush Mine.

- In 2014-15, a three-year declining funding model was approved by government and accepted by the town.
• The declining funding model is intended to provide towns with transitional funding to allow them to gradually right-size their budgets over a three-year period.

• This is consistent with compensation models provided to other communities following major industry closures.

• The specific amounts offered in each of the three years, as provided through the Department of Municipal Affairs’ (MA) Special Assistance Grant program are as follows:
  o Year 1: 90% of the 2014 GIL of $2.12M, equating to $1,908,000, paid April 2015;
  o Year 2: 60% of the 2014 GIL, equating to $1,272,000, paid April 2016; and
  o Year 3: 30% of the 2014 GIL, equating to $636,000, payable April 2017.

• This represents $3,816,000 in compensation over a three-year period.

• This three-year agreement is conditional on the absence of a new operator for the mine. Should a new operator enter the market, the funding arrangement is subject to reassessment.

• In addition to, and at the same time the above compensation was approved, MA also approved $800,000 in municipal capital works (MCW) funding on a 90/10 basis to assist with the repair of the town’s waste water treatment plant. This project is underway and scheduled to be completed this year.

• Since funding compensation approved due to the loss of revenue from the loss of Wabush Mines, other funding sources such as the share of Provincial Gas Tax Revenue and HST rebate have been put in place.

• In 2014, the town’s Municipal Operating Grant increased by 30% from $180,573 to $234,745. Through the sharing of Provincial Gas Tax Revenue, the town will receive $20,336 in 2016-17 and $27,115 in 2017-18. It is estimated that the town will receive about $98,000 in HST rebates in 2016-17 and about $170,000 in HST rebates in 2017-18.

Analysis

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Potential Speaking Points

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Proposed Actions

• N/A
Agenda item #9 (Recreation Support)

- BTCRD worked with the Town of Wabush in 2015 to assess the recreation facility and suggested ways to improve operations. The choice before Council was to either increase revenues; decrease expenditures or a combination of both.

Analysis

- Reducing the overall cost of administration, eliminating waste and redundancy were priorities revealed by the assessment; Revenues for the most part have remained consistent over the 5 years. Wages and benefits however were deemed to be high in relation to revenues, accounting for 70% of total expenses for 2015. This has been the case for the last 5 years.

- To improve operating efficiency, Council was also advised to implement basis standard operating procedures for the operation of the swimming pool. For example, having the required number of life guards on staff for the number of patrons in the pool.

- The Town of Labrador City has refused all requests to directly fund this “regional” facility, so the residents of Labrador City only pay user fees.

- Meanwhile, Labrador City is requesting a new Multiplex (see Town of Labrador City Note).

- Most recently, for budget 2016 – Town of Wabush requested Town of Labrador City provide $300,000.00 toward cost of operation of the Mike Adam Recreation Centre. This request was denied.

- Town Managers of both towns are collaborating to examine ways and means to keep the Mike Adam Recreation Centre open beyond 2016.

- If no solution is found, the Recreation Centre will close.

- Town of Labrador City held a Public Session on May 26th at the Arts Centre. 200+ people attended to discuss recreation in the region, particularly the new Multiplex.

- Meeting overwhelmingly turned to discussion on Mike Adam Recreation Centre. Those in attendance voiced their concern about ensuring Recreation Centre remains open while plans move forward for a new Multiplex.

- As an action item both councils committed to comparing financials and investigating governance models for oversight of the Recreation Centre. Both town managers were tasked with this undertaking and asked to report back to their respective councils.

Potential Speaking Points

- In these fiscal times cooperation, revenue generation, the elimination of waste, and streamlining are crucial values. Government, like the assessment BTCRCD carried out, will continue to help the Town find ways to achieve these values.

Proposed Actions

- N/A
Other potential concerns (Water Concerns)

- Mayor of Wabush was in media recently on need for funding for a proper wastewater system for the Town.

- There is also reference to a potential shared solution with Labrador City.

Analysis

- Wabush was not approved for any such funding in the recent federal-provincial announcement of the Clean Water and Wastewater Fund (CWWF) as it is still unclear on what the solution is for Wabush vis a vis wastewater and projects under the CWWF need to be completed in 2-3 years.

- There were applications for upgrades to a pumphouse and existing wastewater system that were not funded in the CWWF announcement – these will be reconsidered in upcoming rounds or a new call for applications may be held.

- There were far more applications and associated requested funding that were available through either provincial or federal-provincial municipal infrastructure funding programs this year as is the case in most years.

Potential Speaking Points

- N/A

Proposed Actions

- N/A

Prepared/Approved by: S. Melindy/M. Watkins/J. Barnes/A. Gover

Ministerial Approval:

August 8, 2016