Dear [Redacted] 

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, file # NR-010-2015

On March 17, 2015, the Department of Natural Resources received your request for access to the following records/information:

All briefing records/information notes and materials/discussion papers/reports or correspondences of any kind in relation to the Quest Rare Mineral project located in the Strange Lake area of Labrador. Information to include, but shall not be limited to, any and all details/proposals/work plan etc. concerning an all-weather access road (corridor) from the Strange Lake mine site to the Labrador coast.

On April 8, 2015, the ATIPP Coordinator contacted you seeking an extension due to extenuating circumstances with our former ATIPP Coordinator. We also contacted the Office of the Information and Privacy Commissioner (OIPC) to inform them of the extension you agreed upon.

I am pleased to inform you that your request for access to these records has been granted, in part. Access to some 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):

Sec 20(1) The head of a public body may refuse to disclose to an applicant information that would reveal

(a) advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister;

P.O. Box 8700, St. John's, NL, Canada A1B 4J6 t 709.729-3214 f 709.729-1613
(c) consultations or deliberations involving officers or employees of a public body, a minister or the staff of a minister;

Sec 23(1) The head of a public body may refuse to disclose information to an applicant if the disclosure could reasonably be expected to

(a) harm the conduct by the government of the province of relations between that government and the following or their agencies:

(i) the government of Canada or a province, or

(v) the Nunatsiavut Government

Sec 24(1) The head of a public body may refuse to disclose to an applicant information which could reasonably be expected to disclose

(f) positions, plans, procedures, criteria or instructions developed for the purpose of contractual or other negotiations by or on behalf of the government of the province or a public body, or considerations which relate to those negotiations;

(g) information, the disclosure of which could reasonably be expected to prejudice the financial or economic interest of the government of the province or a public body

Sec 30 The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party's personal privacy.

Section 43 of the Act provides that you may ask the Information and Privacy Commissioner to review this partial refusal of access or you may appeal the refusal to the Supreme Court Trial Division. A request to the Information and Privacy Commissioner shall be made in writing within 60 days of the date of this letter or within a longer period that may be allowed by the Commissioner.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John’s, NL A1B 3V8
Telephone: (709) 729-6309
Facsimile: (709) 729-6500
In the event that you choose to appeal to the Trial Division, you must do so within 30 days of the date of this letter. Section 60 of the Act sets out the process to be followed when filing such an appeal.

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 Office of Public Engagement's 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 feel free to contact the department’s ATIPP Coordinator at (709) 729-1651.

Sincerely,

[Signature]

CHARLES W. BOWN
Deputy Minister
Marshall, Andrea

From: Liverman, Dave  
Sent: Friday, March 20, 2015 1:50 PM  
To: Marshall, Andrea  
Subject: FW: Meeting Request - Peter Cashin

From: Liverman, Dave  
Sent: Friday, March 08, 2013 4:28 PM  
To: Bown, Charles W.; Griffiths, Sharon; Haynes, Brenda; Maclean, Heather; Wells, Larry  
Subject: RE: Meeting Request - Peter Cashin

No problem with a meeting but I would not consider it top priority. Quest's project is in Quebec, and their main interest is in a road to the coast, and port access. There are other, higher priority meetings needed (Tata Steel, Mining NL, Prospectors Association and Marathon would like to meet), but if this fits in the Minister's schedule we will prepare a meeting note.

Dave

Dave Liverman  
Assistant Deputy Minister  
Mines Branch  
Department of Natural Resources  
dliverman@gov.nl.ca  
709-729-2768

From: Bown, Charles W.  
Sent: Friday, March 08, 2013 4:18 PM  
To: Liverman, Dave; Griffiths, Sharon; Haynes, Brenda; Maclean, Heather; Wells, Larry  
Subject: Fw: Meeting Request - Peter Cashin

From: [Redacted]  
Sent: Friday, March 08, 2013 04:10 PM  
To: Bown, Charles W.  
Subject: Meeting Request - Peter Cashin

HI Charles,

Great to see you again at PDAC. As briefly discussed, Peter Cashin, President and CEO of Quest Rare Minerals Ltd., would like to meet the Minister and brief him on the Strange Lake project.
He can be in St. John's during the week of the 18th, on the 20th through to the 22nd. Please advise if there are any times later that week that may work for the Minister. The meeting should take no more than ½ hour.

Much appreciated.

Cheers,
Information Note
Department of Environment and Conservation (ENVC)

Title: Considerations relative to the upcoming environmental assessment of the proposed Strange Lake Road & Port Access Project (the project) in Northern Labrador

Issue: This proposed project, by Quest Rare Minerals Ltd. (Quest), will trigger environmental assessment legislation with the government of Newfoundland & Labrador (NL), the Nunatsiavut Government (NG) and the Canadian Environmental Assessment Agency (CEAA). The challenge is to carry out an efficient EA review in all three jurisdictions with as little overlap and duplication as possible. Some level of harmonization (formalized or not) among the three jurisdictions will be required to ensure this occurs.

Background and Current Status:

Quest is proposing a mining project comprising three components:

1. the Strange Lake Rare Earth Element (REE) mining project (in Quebec), roughly 235 km northeast of Schefferville, Quebec;
2. a private road from the mine in Quebec to a port facility at Voisey’s Bay, on the Labrador coast;
3. a shipping and processing facility in southern Quebec.

- Part III of the NL Environmental Assessment Regulations, 2003 lists designated undertakings that must be registered with the Department of Environment and Conservation, according to the Newfoundland and Labrador Environmental Protection Act, SNL 2002 (EPA). This list includes “construction projects other than buildings that involve the construction of roads ... where a portion of the road will be more than 500 metres from an existing right of way” (paragraph 35 (1)(b)).

- Federal involvement, via CEAA, would be due to the proposed construction of a port facility at the Voisey’s Bay site, not far from the existing Voisey Port facility.

- According to Section 4.5.4 of the Nunatsiavut Environmental Protection Act, “the commencement of a summary assessment under federal or provincial law”, constitutes a trigger to proceed to a review under the Nunatsiavut Environmental Protection Act.

- Also, in Schedule D of the Regulations Regarding Environmental Reviews of Initiatives on Labrador Inuit Lands, there is a list of projects requiring a detailed review that includes the following: “mines, mills and facilities, including roads and rights of way, related to the mining, production, concentration, milling, transportation, shipment, smelting or refining of Subsurface Resources”.

- This is the first proposed project that will trigger both NG and provincial EA legislation.

- Officials from the EA Division and LAAO met via a teleconference call on January 26, 2015 with CEAA and officials from the NG in preparation for a face-to-face meeting scheduled for February 5, 2015 in St. John's.
Section 72 of the EPA provides the authority to enter into such an agreement as follows:

72. (2) Notwithstanding section 47, the minister may, with the approval of the Lieutenant-Governor in Council, enter into an agreement with the government of another province or territory, of Canada, or with a combination of them, with respect to the conduct of environmental assessments in accordance with a uniformly applied process.

(3) Where an agreement is entered into under this section, this Part, a provision of this Part or regulations made with respect to this Part shall apply in accordance with the agreement only and the process established by that agreement shall be considered to satisfy the requirements of this Part or regulations made with respect to this Part.

EA Division met with Quest officials in St. John's on January 29th, 2015. At that meeting Quest indicated they would be ready to submit a revised project description by March 31st, 2015.

Examples were provided where such a principled approach was used and was successful in minimizing duplication and improving efficiencies without formalized agreements for such projects as the Maritime Link Project, LITL Project, Kami Project and the Howse Project.

All parties agreed to examine their processes and to be prepared to discuss measures and means possible to harmonize processes to the extent possible at the February 5th meeting.

A spreadsheet was prepared that outlines the three processes and timelines and will be used to facilitate discussions concerning harmonization measures that can be adopted.

A comparison of ‘government time’ to complete an EA indicates that NL requires 332 days, the CEA Agency, 365 and the NG, 520 days.
Action Being Taken:
- The Province should consider other measures to promote
- ENVC officials will report back after the face-to-face meeting with CEAA and the NG.

Sec 20 (1) (a), Sec 20 (1) (c)

Prepared / Approved by: I. Stone, EA Scientist/B. Cleary, Director/ M. Goebel/ADM
February 3, 2015
From: Dutton, Sean  
Sent: Tuesday, February 03, 2015 5:23 PM  
To: Bown, Charles W.; Chippett, Jamie; Gover, Aubrey  
Cc: Liverman, Dave; Scott, Paul G.  
Subject: Re: Strange Lake Information note

As the Innu only have an AIP they would presumably be consulted but would not act as a regulator like the NG.

What would be the role of BAPE in QC, given parts of the components are in QC?

Sean

From: Bown, Charles W.  
Sent: Tuesday, February 03, 2015 02:51 PM  
To: Chippett, Jamie; Dutton, Sean; Gover, Aubrey  
Cc: Liverman, Dave  
Subject: RE: Strange Lake Information note

As this road will cross the Voisey’s Bay Area (which is defined in the NG and Innu agreements) is there anything in the Innu agreement that will require their participation in the EA? Innu was a participant in the VB project.

From: Chippett, Jamie  
Sent: February 03-15 2:38 PM  
To: Dutton, Sean; Bown, Charles W.; Gover, Aubrey  
Cc: Liverman, Dave  
Subject: FW: Strange Lake Information note

Gentlemen,

Could I have your views on the attached note please as pertains to means of proceeding with an EA assessment of the above project given it triggers, provincial, federal, and NG assessments? I’m copying in Dave in event Charles is still off.

Meeting is to be held on Thursday.
Jamie and Martin,

Attached is an information note on the proposed project. There is a face-to-face meeting proposed for this Thursday weather permitting.

Bas

Sec 20 (1) (a)
Marshall, Andrea

From: Liverman, Dave  
Sent: Friday, March 20, 2015 1:47 PM  
To: Marshall, Andrea  
Subject: FW: Strange Lake information note

From: Chippett, Jamie  
Sent: Wednesday, February 04, 2015 10:45 AM  
To: Gover, Aubrey; Dutton, Sean; Bown, Charles W.  
Cc: Liverman, Dave  
Subject: Re: Strange Lake Information note

Thanks for this. The mtg tomorrow will be exploratory in nature and we'll use you feedback and refinement of positioning of ceaa and NG to update/revise note and forward back to you for comments/consideration.

Jamie

Jamie Chippett  
Deputy Minister  
Environment and Conservation

From: Gover, Aubrey  
Sent: Wednesday, February 04, 2015 09:04 AM  
To: Chippett, Jamie; Dutton, Sean; Bown, Charles W.  
Cc: Liverman, Dave  
Subject: RE: Strange Lake Information note

Sec 20 (1) (c), Sec 24 (1)(f)(g)
From: Chippett, Jamie
Sent: Tuesday, February 03, 2015 2:38 PM
To: Dutton, Sean; Bown, Charles W.; Gover, Aubrey
Cc: Liverman, Dave
Subject: FW: Strange Lake information note

Gentlemen,

Could I have your views on the attached note please as pertains to means of proceeding with an EA assessment of the above project given it triggers, provincial, federal, and NG assessments? I’m copying in Dave in event Charles is still off.

Meeting is to be held on Thursday

Jamie

From: Ceary, Bas
Sent: Tuesday, February 03, 2015 2:13 PM
To: Chippett, Jamie; Goebel, Martin
Cc: Stone, Ivy
Subject: Strange Lake Information note

Jamie and Martin,

Attached is an Information note on the proposed project. There is a face-to-face meeting proposed for this Thursday weather permitting.

Bas