

October 4, 2018



Dear 

Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act* (File # NR-149-2017)

On September 20, 2018, the Department of Natural Resources received your request for access to the following records/information:

Please provide a copy of the following briefing note: Decommissioning of Labrador Island Link access roads.

I am pleased to inform you that a decision has been made by the Department of Natural Resources, confirmed by the Deputy Minister, to provide access to the requested record. The record is attached.

As set out in section 42 of the Act you may ask the Information and Privacy Commissioner to review the department's decision to provide access to the requested information. A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your request should identify your concerns with the department's response and why you are requesting a review.

The request for review may be addressed to the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive

P.O. Box 13004, Stn. A
St. John's, NL. A1B 3V8

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

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

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

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

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

Sincerely,

A handwritten signature in cursive script that reads "Rod Hynes".

Rod Hynes
ATIPP Coordinator

Information Note
Department of Natural Resources

Title: Decommissioning of Labrador-Island Link (LIL) Access Roads

Issue: To provide an overview of current issues related to the decommissioning of LIL access roads.

Background and Current Status:

- Building the transmission components of the Muskrat Fall Project required construction of over 1600km of access road, including approximately 1100km of access roads to facilitate construction of the LIL.
- In some areas, these roads allowed access into previously inaccessible areas. This raised concerns among hunting and fishing outfitters on the basis that this new access threatened the viability of their operations, given that the roads facilitated greater ability to harvest wildlife in areas adjacent to outfitting lodges. Furthermore, outfitters were also concerned that this access compromised the overall client experience, given the access roads detracted from the sense of remoteness previously afforded by these outfitting operations.
- These concerns, and the fact that such access roads can cause other environmental impacts, resulted in certain conditions being attached to approval of the LIL Environmental Assessment (EA) Specifically, *Newfoundland and Labrador Regulation 87/13 (LIL Undertaking Release Order)*, required Nalcor to implement an Access Decommissioning Plan in areas where LIL roads created new access, in order to mitigate negative impacts on outfitting operations.
- Nalcor advises that the only area currently subject to decommissioning is a section of the LIL access road on the Northern Peninsula in the Long Range Mountains that runs between Brian's Pond in the north and Eagle Mountain River in the south – essentially the northern and southern “entrance” to the Long Range Mountain.
- Nalcor advises that consultation with outfitters in the area resulted in a decision to install gates at the two points referenced above. In July, 2018 Nalcor placed signage on two bridges in the LRM notifying individuals in the area that access into the LRM would be restricted by gates. Nalcor has advised the Department of Natural Resources (NR) that it intended to install permanent locked gates prior to the fall hunting season.
- Nalcor advises that a group of individuals opposing the restrictions have started an online petition opposing the restrictions.

Analysis:

- Objections to restricting use of access roads are common occurrences in Newfoundland and Labrador. A similar situation is currently unfolding with regard to the access roads for the recently-constructed transmission line between Bay d'Espoir and the Western Avalon (TL267).

- Relatively extensive infrastructure exists throughout the Province that was developed to support, primarily, the electricity and forestry sectors. Despite the intended use of these roads, other recreational users also take advantage of this infrastructure. Accordingly, when there is no longer an operational need to maintain such infrastructure, or there is some requirement to decommission it, this tends to be opposed by recreational users.
- Nalcor advises that during construction of the LIL, security personnel were posted on the access road into the Long Range Mountains to restrict public access. This practice ceased at the end of 2017 when the contractor for the LIL demobilized. Therefore, it has only been since this time that recreational users would have had an opportunity to use this road.

Action Being Taken:

- Nalcor advises that following engagement with Newfoundland and Labrador ATV (a group representing recreation ATV users in the area) and the Newfoundland and Labrador Outfitters Association it has reached a compromise whereby the gates restricting access to the LRM will be locked during hunting season, but will be open outside of that time to allow ATV access.
- Nalcor advises its contractor will begin work on August 15th on gate installation in order to complete installation by August 27th. The contractor has been ready to begin work for several weeks.
- Nalcor has received a media inquiry from the Western Star regarding the recent status of the gates installation and intends to respond to the Western Star on August 15th advising that a solution has been found; the contractor has been mobilized and will begin installation of the work to ensure the broad public is aware of the next steps. Nalcor will also provide a public notification of this solution.

Prepared by/Reviewed by: M. Janes / C. Snook/J. Cowan
Ministerial Approval: Received from Hon. Siobhan Coady

August 15, 2018