

**DIONNE
SCHULZE**S.E.N.C.
AVOCATS • ATTORNEYS507 Place d'Armes # 1100
Montréal, Québec
Canada H2Y 2W8
TEL 514-842-0748
FAX 514-842-9983
www.dionneschulze.ca

dschulze@dionneschulze.ca

COURTESY TRANSLATION

January 23, 2012

BY FAX TO 902-426-6550
AND BY EMAIL TO <Labrador-
Island.TransmissionLink@ceaa-acee.gc.ca>BY FAX TO 709-729-5518
AND BY EMAIL TO <pmarrie@gov.nl.ca>Bill Coulter, P. Eng.
Project Manager
Canadian Environmental Assessment
Agency
1801 Hollis Street, Suite 200
Halifax, Nova Scotia B3J 3N4Pat Marrie
Environmental Assessment Chair
Department of Environment and Conservation
4th Floor, West Block, Confederation Complex
C.P. 8700
St. John's, Newfoundland and Labrador A1B 4J6**Re:** Labrador Island Transmission Link Project
CEAR no. 10-03-51746; our file #7550/005

Dear Sirs,

Introduction

This is in response to your letter dated December 22, 2011 regarding our client's comments on Nalcor's "Socioeconomic Environment: Aboriginal Communities and Land Use Component Study" in the above-mentioned assessment. In fact, your letter only acknowledges our first letter on the subject, dated August 5, 2011 and not our second, dated September 13, 2011. This omission is surprising, especially given the significant delay in your reply.

Capacity and Comment Periods

Our first letter outlined the ongoing concerns of our client, the Conseil des Innus de Ekuanitshit (the Council), regarding both the lack of capacity to participate in the environmental assessment (EA) process and the insufficiency of the periods for commenting on the Component Studies. Your response to these concerns fails to recognize or address the challenges faced by



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our client in this process. Rather than acknowledging the potentially serious impact this project may have on the Innu of Ekuanitshit, you describe the need to keep this EA process moving forward in a timely manner. Had the Council been granted adequate funding at the beginning, it would have been better positioned to keep pace with your desired progress.

You sought, moreover, to undermine the sincerity of our client's concerns by suggesting that though we state the 35-day comment period is insufficient, we have made "aucune demande" [translation: "no request"] for an extension. Your comment entirely misses our point. No amount of additional time will enable our client to participate without increased capacity: the two are intrinsically linked. Until the Council has access to the scientific expertise necessary to interpret the Component Studies, additional time will not cure the problem.

Comments on Component Study

Despite your assertion to the contrary, if you had read our second letter responding to the Aboriginal Component Study you would have noted that we did indeed provide comments. We stated that the Study is incomplete, as it does not contain sufficient information regarding the historic and contemporary use of resources that may be affected by this project. Specifically, Nalcor has almost entirely excluded the Innu of Ekuanitshit from this EA process and as a result their interests are not being considered. By definition, baseline studies must be as complete as possible, otherwise the environmental assessment built upon them will be inaccurate.

We also discussed our client's concerns regarding the impact the transmission link may have on the Atlantic salmon migratory routes. The proposed cable crossing travels under the Strait of Belle Isle, where the Atlantic salmon to which the Innu have fishing rights migrate. Fish and caribou are fundamental to the Innu's way of life and anything that may negatively affect these resources threatens the livelihood of the Innu of Ekuanitshit.

Aboriginal Funding Envelope

In your most recent letter, you outline the process by which Aboriginal communities may receive financial aid to participate in environmental assessment processes. We are aware of the Aboriginal Funding Envelope, and indeed, are already participants in the program. The amount of funding provided, however, was insufficient to allow our client to participate effectively in this review process. It is unclear what purpose your explanation serves as the email by Simon Lavière to which you refer explains the fund "a été distribué en totalité aux différentes communautés participantes. Conséquemment, il n'y a pas de fonds supplémentaires disponibles" [translation: "has been completely distributed to the different participant communities. Consequently, there are no supplementary funds available"].



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Proposed Consultation

Your letter reiterates your desire to help the Innu of Ekuanitshit participate in the EA process. Specifically, you offer to facilitate discussions between the federal government, the Province, and the community on the proposed Project and the EA process. You refer to Mr. Laverdière's email, in which he states:

"le plan de consultation prévoit des occasions de collaboration avec les différents intervenants des ministères participants à l'évaluation environnementale. Cela peut comprendre des échanges avec des scientifiques qui se penchent sur les différents rapports du promoteur. Ce type de collaboration pourrait permettre à la communauté d'avoir un certain accès à du savoir technique sans avoir besoin d'employer du personnel." [translation: "the consultation plan provides opportunities for collaboration with the different representatives of ministries participating in the environmental assessment. This may include discussions with scientists looking at the various reports of the proponent. This type of collaboration could allow the community to have some access to technical knowledge without the need to hire staff."]

You also mention the possibility of holding meetings and teleconferences to resolve concerns and provide technical assistance. Given our client's inability to retain independent scientific expertise to assist with the EA, access to government scientists would be beneficial. In order to progress beyond mere generalities of possible collaborations and meetings, we will propose the following strategy.

As mentioned above, the Innu of Ekuanitshit are most concerned about the well-being of the migratory fish and the caribou. Our client would welcome the opportunity to receive presentations from government scientists on the Component Studies discussing these two topics in particular. Thereafter, our clients and the community would be better positioned to make more specific inquiries regarding technical issues of concern. Once these presentations take place, meeting the 35-day comment period would be more reasonable. We invite you to propose dates when your scientific representatives would be available to visit the community.

Conclusion

The concerns expressed in our first letter, dated August 5, 2011, persist. The comments regarding the Aboriginal Component Study outlined in our second letter, dated September 13, 2011, remain unanswered. In order to overcome the impasse in which we find ourselves, we have proposed herein to determine and agree on a date on which your government scientists would be able to make presentations to the Innu of Ekuanitshit. Of particular interest is the impact the proposed transmission link may have on the fish and caribou populations. We believe this



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consultation strategy would allow for both the increased capacity and additional time necessary for the Conseil des Innus de Ekuanitshit to respond to the Component Studies.

Yours,

DIONNE SCHULZE

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ORIGINAL SIGNED BY

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David Schulze

cc : Chief Jean-Charles Piétacho
Conseil des Innus de Ekuanitshit
BY FAX TO 418-949-2085

Mr. Yves Bernier
Corporation Nishipiminan
BY FAX TO 418-949-2177

Mr. Simon Laverdière
Canadian Environmental Assessment Agency
BY EMAIL TO <Simon.Laverdiere@ceaa-acee.gc.ca>