



Government of Newfoundland and Labrador
Department of Environment and Climate Change
Office of the Minister

OCT 18 2016

COR-2016-1386

President Johannes Lampe
Nunatsiavut Government
PO Box 70
Nain NL A0P 1L0

Dear President Lampe;

Re: Muskrat Falls Flooding, Mitigation Measures, Monitoring Program, and Oversight Roles

I wish to provide an update on activities that our Government has been working on these past weeks, following the August 4, 2016, expert workshop in Happy Valley - Goose Bay, and following the discussions held when the Nunatsiavut Government met with Premier Ball on September 26.

The meeting in September was productive, and concluded with our agreement to a number of action items. Government agreed to immediately establish a new water quality monitoring program, one which builds upon existing monitoring activities; and agreed that a role for the Nunatsiavut Government in monitoring was needed. We also discussed the potential for an Independent Expert Advisory Committee on which you would participate. Recognizing that the concerns are not unique to the Nunatsiavut Government and their membership, participation of the Innu Nation and the NunatuKavut Community Council (NCC) in monitoring and in an Independent Expert Advisory Committee (IEAC) is also important.

We have heard the call for further mitigation measures to address concerns around methylmercury. While a partial clearing scenario was accepted by the previous Government, our Government as an immediate action will require Nalcor to remove as much forest cover as possible. This will entail ongoing and continued removal of accessible forest cover in the area to be flooded this month and further removal of accessible forest cover in the area between the 25 metre and 39 metre mark. Of note, Nalcor's current clearing process already includes the removal of otherwise inaccessible forest cover that will be recovered through ice pressures and trash racks. We will ask Nalcor to amend the Environmental Protection Plan (EPP) regarding protection of the riparian zone, and we will also pursue any necessary permitting changes if needed in order for Nalcor to achieve this further clearing. As per our Aboriginal Consultation Guidelines you will be consulted on any permitting changes and/or EPP changes that may be necessary to facilitate this objective.

Work on all these areas of action has begun. In that regard, I am pleased to provide you with the following important documents:

- 1) Methylmercury Monitoring Plan: This plan augments water quality monitoring already conducted by the Department of Environment and Climate Change (ECC), and also augments methylmercury monitoring in biota that is being conducted as part of Nalcor's Aquatic Environmental Effects Monitoring Plan. Nalcor has started to implement this plan so as to ensure that baseline sampling is done prior to the initiation of this first phase of flooding.
- 2) Draft Framework for an Independent Expert Advisory Committee (IEAC): This framework includes a role for the Nunatsiavut Government, Innu Nation and the NunatuKavut Community Council. **I invite your comments on the framework, which would be appreciated by November 1, 2016**, as we feel it is vitally important to establish this Committee as quickly as possible so that they may begin their important work. We also welcome your input on scientific representatives and an appropriate individual to serve as the independent Chair. Your nomination as to who will represent your organization on this Committee is also invited at this time.
- 3) The Final Report from the Expert Workshop: This summary document was received from the independent facilitator late September. This is being sent to all workshop participants today. Mr. Thistle has advised the department that he considered all participant comments on his earlier draft, including consideration of the transcript provided by the Nunatsiavut Government, and feels this is an accurate summary of the workshop discussions. We have committed to making this report publically available, and will be fulfilling that commitment. We anticipate the report being released sometime after October 19, 2016.

In addition to the above, following discussions with your officials and Dr. Sunderland, Government will be requiring Nalcor to fund a further study valued at \$100,000, to be conducted by Dr. Sunderland's research laboratory at Harvard University. The study design has been developed by Dr. Sunderland. As neither Government nor Nalcor is participating in the development of the study design, respecting the right of Dr. Sunderland to set the terms of her research, the funding of this work does not represent an endorsement of the study design or methodology. As such, this funding is subject to only one condition – that the IEAC, as one of its roles, will be provided the results as the study progresses, so that they may advise the relevant parties on its findings and relevancy to the Muskrat Falls project. This is similar to the manner in which the IEAC will review the findings from the above noted Methylmercury Monitoring Plan as well as other environmental monitoring plans being implemented by Nalcor.

Government has taken the concerns expressed very seriously. We have taken action, as noted above, that clearly demonstrate our commitment to strengthen and enhance measures which ensure we are best positioned to protect human health and the environment. It is my hope that in implementing a new monitoring program, financing further research by Dr. Sunderland, and providing a role for your organization in the IEAC it is evident that we welcome your voice

and your input in guiding our actions as the results of the monitoring activities and future research become available.

Sincerely,

A handwritten signature in blue ink, appearing to read "Perry Trimper".

PERRY TRIMPER, MHA
District of Lake Melville
Minister

cc: Honourable Dwight Ball, Premier
Honourable John Haggie, Minister of Health and Community Services
Honourable Siobhan Coady, Minister of Natural Resources
Mr. Randy Edmunds, MHA, Torngat Mountains District
Ms. Lisa Dempster, MHA, Cartwright-L'Anse au Clair District
Mr. Graham Letto, MHA, Labrador West District

Attachments (3)