

TRANSLATION

File N°: L010-C047-201-150148-00018

February 4, 2013

Conseil des Innus de Ekuanitshit
35, Manitou St
Postal Box 420
Mingan, Quebec
G0G 1V0

Dear Chief Piétacho:

Since the beginning of our works on the Lower Churchill project, Nalcor Energy has regularly consulted with all stakeholders. As we begin the work of construction we will respect all commitments undertaken during the environmental evaluation and we will continue our consultations on various areas of interest.

In its response to the Joint Enquiry Commission, the government of Newfoundland and Labrador (government) affirmed its commitment to ensure consultations with Indigenous groups, collectives and other relevant stakeholders to answer the concerns of the public and communicate the follow-up results. The government has also confirmed that Nalcor will create a committee that is responsible for providing comments and advice to Nalcor and the government on the effects of the project.

In accordance with the government's response, Nalcor Energy commits to creating a Community Liaison Committee (CLC) for the stakeholders of the Upper Lake Melville region. The goal of the CLC is to encourage transparency in communications with regional stakeholders and Indigenous groups to provide a means to present comments on questions related to the development of the hydroelectric project in the lower course of the Churchill River. The CLC is governed by a mandate, which you will find in draft form attached to this letter, which describes the goal, objectives, composition, as well as roles and responsibilities of its members.

Nalcor would also like to bring your attention to the fact that the CLC is not the only avenue for consultation; we continue to be receptive to other mechanisms or approaches which may be more efficient or useful for the Innus de Ekuanitshit. Currently available mechanisms include:

- (i) Direct contact with Nalcor representatives on issues of interest, either by teleconference or in meetings
- (ii) Participation in the authorization process and commenting put in place by the government
- (iii) Participation in the CLC

As indicated above, Nalcor will also consider suggestions by the Innus de Ekuanitshit made through other forums of consultation.

If the Innus de Ekuanitshit wish to send a representative to participate in quarterly CLC meetings, we encourage them to do so. Committee participation is voluntary and participants must pay all related expenses associated with participation. CLC meetings will be held in English, as will all meeting summaries and documents connected to the Committee. The minutes and agendas will be published online following the meetings. To this end, a website will be created shortly.

Up to date information on activities, the calendar and possibilities of employment and other business related to the construction are equally available on the project's website.

To summarize, while the Innus de Ekuanitshit are encouraged to participate in all activities of consultation and community engagement related to the project, other approaches, like direct contact for specific questions, may be more useful and productive for the community. We would love the opportunity to discuss this further, whether that involves issues that the community would like to discuss, or the best methods to participate in the process.

Sincerely,

Gilbert J Bennett, P. Eng.
Vice-President, Lower Churchill Project

cc. David Schulze



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Conseil des Innus de Ekuanitshit
 35, rue Manitou
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 Mingan, Quebec
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Monsieur le Chef Piétacho :

Depuis le début de nos travaux sur le projet Lower Churchill, Nalcor Energy a régulièrement consulté avec toutes les parties prenantes. Comme nous amorçons les travaux de construction, nous allons respecter les engagements pris tout au long de l'évaluation environnementale et nous allons continuer nos consultations sur divers domaines d'intérêt.

Dans sa réponse au rapport de la Commission d'examen conjoint, le gouvernement de Terre-Neuve-et-Labrador (gouvernement) a réaffirmé son engagement à assurer des consultations avec les groupes autochtones, les collectivités et les parties prenantes concernés pour répondre aux préoccupations du public et communiquer les résultats du suivi. Le gouvernement a aussi confirmé que Nalcor mettra sur pied un comité chargé de fournir des commentaires et des conseils à Nalcor et au gouvernement sur les effets du projet.

Conformément à la réponse du gouvernement, Nalcor Energy entreprend de créer un Comité de liaison avec les communautés (CLC) pour les parties prenantes de la région d'Upper Lake Melville. L'objectif du CLC est de favoriser la transparence dans les communications avec les parties prenantes de la région et les groupes autochtones, et de leur fournir un moyen de présenter des commentaires sur les questions communautaires, environnementales, économiques et d'autres relatives au développement du projet de centrale hydroélectrique dans le cours inférieur du fleuve Churchill. Le CLC est régi par un mandat, dont vous trouverez ci-joint l'ébauche, qui décrit plus en détail le but, les objectifs, la composition, les rôles et les responsabilités de ses membres.

Nalcor appelle également votre attention sur le fait que le CLC n'est pas la seule voie de consultation; nous restons réceptifs à d'autres mécanismes ou approches qui peuvent être plus efficaces ou utiles pour les Innus de Ekuanitshit. Les mécanismes actuellement disponibles sont :

- (i) Contact direct avec les représentants de Nalcor sur les questions d'intérêt, soit par des conférences téléphoniques soit par des réunions, selon les besoins
- (ii) Participation au processus d'autorisation mis en place par le gouvernement et formulation de commentaires



(iii) Participation au CLC

Comme indiqué ci-dessus, Nalcor tiendrait compte également des suggestions des Innus de Ekuanitshit véhiculées par d'autres mécanismes de consultation.

Si les Innus de Ekuanitshit souhaitent envoyer un représentant pour participer aux réunions trimestrielles du CLC, nous les encourageons à le faire. La participation au comité est volontaire et le participant doit déboursier tous les frais qui y sont associés. Les réunions du CLC se tiendront en anglais, tout comme la rédaction du compte-rendu et tous les documents connexes. Les procès-verbaux et les ordres du jour seront aussi disponibles en ligne à la suite des réunions. À cette fin, un site Internet sera créé prochainement.

Des renseignements à jour sur les activités, le calendrier et les possibilités d'emploi et d'affaires liés à la construction sont également disponibles sur le site Web du projet.

Pour récapituler, alors que les Innus de Ekuanitshit sont encouragés à participer à toutes les activités de consultation et d'engagement communautaire relatives au projet, d'autres approches, comme les contacts directs concernant des questions particulières, peuvent être plus utiles et productives pour la communauté. Nous serions ravis d'en discuter davantage, soit des problèmes que la communauté voudrait aborder, soit de la meilleure façon de participer.

Je vous prie d'agréer, Monsieur le Chef, mes salutations distinguées.

Gilbert J. Bennett, P. Eng.

Vice-président, Projet Lower Churchill

cc. David Schulze

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**LOWER CHURCHILL HYDROELECTRIC GENERATION PROJECT
COMMUNITY LIAISON COMMITTEE
TERMS OF REFERENCE
DRAFT**

Lower Churchill Project

The Lower Churchill Project is comprised of two proposed installations on the lower Churchill River - Gull Island and Muskrat Falls for a combined generating capacity of over 3,000 megawatts.

Background – Community Liaison Committee

Nalcor Energy (**Nalcor**) is committed to open communication and ongoing consultation with the public. To better facilitate this and understand local interests as they relate to the Lower Churchill Hydroelectric Generation Project (**Project**), Nalcor is establishing a Community Liaison Committee (**Committee**) in the Upper Lake Melville region. The purpose of the Committee is to promote open communication with area stakeholders and provide them with an avenue to bring forward feedback on community, environmental, economic or other matters relating to the development of the Project. The Committee will facilitate communication between Nalcor and area residents, Aboriginal groups, municipal representatives and community stakeholders.

1. Purpose

The Committee is an advisory group that provides feedback, knowledge, and suggestions to Nalcor on Project-related issues.

The purpose of the Committee is to ensure the healthy, two-way flow of information between Nalcor and the constituent communities and organizations represented on the Committee. Nalcor will provide the Committee with timely and accurate information about the Project. Committee Members will serve as a sounding board for Nalcor, providing a representative cross-section of community views and feedback on the Project.

It will not be a decision making forum, and the Committee will interact with Nalcor in relation to the Project.

2. Objectives

2.1. The objectives of the Committee are:

- (a) to facilitate open communication between Nalcor and area residents, Aboriginal groups, municipal representatives and community stakeholders of the Upper Lake Melville region;
- (b) to bring forward feedback from area stakeholders about the Project to Nalcor;
- (c) to act as a liaison between area stakeholders and Nalcor;
- (d) to help Nalcor better understand local interests of the residents and organizations of the Upper Lake Melville region.

3. Guiding Principles

3.1. The following principles will guide the operations of the Committee:

- (a) **Respect and Dignity:** the Committee will uphold the highest level of integrity, recognizing and respecting the opinion, knowledge, culture and abilities of Members.
- (b) **Honesty and Trust:** the Committee will be factual and sincere when sharing Project information and addressing priorities, interests and concerns.
- (c) **Open Communication:** the Committee will encourage the public to express opinions and foster a supportive environment where all ideas can be shared respectfully.

4. Membership

4.1. **Composition.** The Committee shall be composed of a maximum of 13 members (**Members**) invited from Nalcor, local communities, Aboriginal groups and the community at large as follows:

- (a) One Member from each of the communities of Happy Valley-Goose Bay, North West River, Sheshatshiu, and Mud Lake (collectively, the **Communities**, and each a **Community**), appointed as follows:
 - i. a resident of Happy Valley-Goose Bay appointed by the Town of Happy Valley-Goose Bay.
 - ii. a resident of Northwest River appointed by the Town of Northwest River.
 - iii. a resident of Sheshatshiu appointed by the Sheshatshiu Band Council.
 - iv. a resident of Mud Lake appointed by the Mud Lake Improvement Committee.
- (b) One Member from each of Innu Nation, Nunatsiavut Government, and NunatuKavut Community Council (collectively, the **Aboriginal Communities**, and each an **Aboriginal Community**), appointed as follows:

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- i. a Labrador Innu resident in one of the Communities appointed by Innu Nation.
 - ii. a Labrador Inuit resident in one of the Communities appointed by the Nunatsiavut Government.
 - iii. a NunatuKavut Member resident in one of the Communities appointed by the NunatuKavut Community Council.
- (c) Four Members-at-Large. Members-at-Large shall be appointed by a majority decision of the Members representing the Communities, Aboriginal Communities, and Nalcor. Appointments shall be made from a list of residents of the Communities who have responded to a public Expression of Interest (EOI) to serve on the Committee. Consideration for broad representation from all Communities shall be given when Members-at-Large are appointed.
- (d) Up to two Members appointed by Nalcor; and
- (e) A Secretary to the Committee appointed by Nalcor.
- 4.2. Vacancy. If a Community or Aboriginal Community does not appoint a Member to the Committee, the position will remain vacant until an appointment is made. Vacant positions will not affect the operation of the Committee or be considered in the total number of Members for the purpose of calculating a quorum of the Committee. At the end of each calendar year, the Committee may call for an EOI to fill any vacancies in the Member-at-Large positions.
- 4.3. Term of Membership. Each Nalcor, Community or Aboriginal Community Member shall be appointed at the discretion of the appointing entity. Members-At-Large will be appointed for a two-year term and may be reappointed for successive terms.
- 4.4. Chairperson and Vice-Chairperson. The Committee will elect the Chairperson and Vice-Chairperson for a two-year term from among all voting Members. At any time, either the Chairperson or Vice-Chairperson shall be a Member representative of Nalcor. The Chairperson shall preside over the meetings of the Committee and the Vice-Chairperson will be the Chairperson's designate in the event the Chairperson cannot attend a Committee meeting.
- 4.5. Continuity. Members-At-Large, the Chairperson or the Vice-Chairperson whose term has expired shall continue to serve until a vote has been held to appoint a successor.
- 4.6. Secretary. The Secretary will be a non-voting member of the Committee.
- 4.7. Funding. Nalcor will be responsible for the costs associated with the effective operation of the Committee, including funding for any required support resources and the cost of hosting Committee meetings. No funding will be made available for invited groups or other individuals to attend a meeting.

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- 4.8. Participation by Members. Participation on the Committee is voluntary and members will not be compensated for their time. Committee Members will be reimbursed by Nalcor only for expenses incurred to attend Committee meetings from their residences within the Communities. Expense eligibility and reimbursement will be in accordance with Nalcor's corporate travel policies.

5. Term of the Committee

- 5.1. Term. The Committee shall operate in accordance with these Terms of Reference throughout the construction phase of the Project and for the first 10 years that the Project is in operation, at which point Nalcor, in consultation with the Committee, the Communities, the Aboriginal Communities, and the Government of Newfoundland and Labrador, shall determine whether the term of the Committee should be extended.

6. Meetings

- 6.1. Meetings. The Committee shall meet at least four times per year on a quarterly basis, with additional meetings scheduled as required and as agreed by the Members.
- 6.2. Location. Meetings shall be held at a suitable location in Happy Valley-Goose Bay as determined by Nalcor. Meetings may be held by teleconference or by other electronic means as appropriate and as agreed to by the Members.
- 6.3. Scheduling. The date and time of each meeting will be scheduled annually by a decision of the Committee at the beginning of each calendar year.
- 6.4. Agenda. The Secretary shall be responsible for preparing and distributing meeting agendas. Any Member can request a matter to be placed on the Agenda for the next meeting by communicating the necessary information to the Secretary no later than five business days prior to the meeting at which the matter is to be discussed.
- 6.5. Designates. Community, Aboriginal Community and Nalcor can send a designate in their place and should notify the Secretary in advance of the meeting.
- 6.6. Quorum. The quorum for a meeting of the Committee is 50% of all Members, and shall include one Nalcor Member. Any decision of the Committee will be determined by a majority of the Members present.
- 6.7. Minutes. The minutes of each meeting of the Committee shall be prepared by the Secretary or designate and distributed to the Members within 15 business days of that meeting.

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- 6.8. Recommendations. The Committee may make recommendation to Nalcor for its consideration.
- 6.9. Technical Resources. If required, Nalcor subject matter experts will be made available to the Committee.

7. Roles and Responsibilities of Committee Members

- 7.1. Roles and Responsibilities. The Members shall:
- (a) bring forward feedback from area stakeholders about the Project to Nalcor;
 - (b) provide feedback and offering suggestions or recommendations to Nalcor including potential ways to mitigate impacts on individuals and communities and ways to ensure Project-related community relations and communications efforts are being effectively implemented;
 - (c) act as a liaison between area stakeholders and Nalcor;
 - (d) disseminate information to the Communities or Aboriginal Communities as may be required by the Committee; and
 - (e) facilitate achieving the objectives of the Committee.

8. Roles and Responsibilities of the Chairperson or designate

- 8.1. The Chairperson or designate will:
- (a) guide development of meeting agendas based on input from the Committee, ensuring that agenda items support the Committee's objectives;
 - (b) facilitate discussion to ensure a balance of views and concerns is maintained;
 - (c) ensure the roles and responsibilities of Committee members is maintained; and
 - (d) ensure Committee meeting protocols are maintained.

9. Roles and Responsibilities of Nalcor

- 9.1. Nalcor shall:
- (a) provide accurate, timely and comprehensive information to the Committee, including information relevant to Project mitigation, impacts monitoring, adaptive management, and social and economic impacts;
 - (b) respond in a timely manner to questions and reasonable requests for information from the Committee;
 - (c) distribute relevant input received from the Committee in relation to the Project to the Project team, where appropriate;
 - (d) provide administrative or other support or resources to the Committee, as requested or required;

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- (e) make publically available information related to the operation of the Committee;
and
- (f) disseminate minutes and other information from the Committee to the public and other stakeholders.

10. Expectations of Committee Members

10.1. All Members are expected to be:

- (a) aware of Nalcor's Values, business code of conduct, safety policies and guidelines and operate the Committee in a safe manner;
- (b) respectful of the views and opinions of the other Committee Members; and
- (c) respectful of the confidentiality of other Members.