

**Ministerial Decision on Nalcor’s HHRA Plan within the Muskrat Falls
Environmental Effects Monitoring Program
Communications Plan**

Issue: The announcement of the Minister of Environment and Conservation’s decision on Nalcor’s Human Health Risk Assessment (HHRA) Plan for the Muskrat Falls Project. The plan is one of the final steps in Nalcor’s Environmental Effects Monitoring Program as required under the Environmental Assessment Process.

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| <p>Consulted with: Paul Carter, lead Environmental Scientist, ENVC Bas Cleary, Director, ENVC Martin Goebel, ADM, ENVC Colleen Janes, DM, ENVC Ian Murphy, Executive Assistant to Minister Trimper Kevin Guest, Director of Communications, Labrador and Aboriginal Affairs Aubrey Gover, DM, Labrador and Aboriginal Affairs Diana Quinton, Director of Communications, Natural Resources</p> | <p>Date Drafted: Drafted May 10, 2016 Revised May 16, 2016 Revised May 18, 2016 Revised May 26, 2016</p> | <p>Anticipated announcement: June 2016</p> |
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Communications Analysis:

Public Environment

- The Nunatsiavut Government (NG) has raised the issue of methylmercury in unsuccessful litigation in both the Supreme Court of Newfoundland and Labrador and Federal Court of Canada, in its applications to quash the provincial Department of Environment and Conservation’s authorization to *Alter a Body of Water* with respect to the Muskrat Falls hydroelectric project and a federal Department of Fisheries and Oceans permit respectively.
- The NG announced on September 9, 2014 that it would be conducting a study through the Harvard School of Public Health to examine the issue of methylmercury exposure. In a September 10, 2015 Telegram article “Nunatsiavut and Nalcor at odds over mercury” the findings of the study were outlined and a NG official called for “...a sincere, public conversation around methylmercury and the project...” The study was also referenced in a Canadian Press article “Clean hydroelectric power poses northern methylmercury threat: study” on September 8, 2015, which was carried by the Telegram, CTV, and the Winnipeg Free Press. A blog post by Ed Hollett (The Sir Robert Bond Papers) on November 23, 2015, referenced the study and stated that “The methylmercury issue is a powerful incentive to halt the project...”

- During the 2015 provincial election the NG launched a petition, website and ad campaign titled “Make Muskrat Right”. The campaign called on all three party leaders to commit the Provincial Government to require Nalcor to clear the entire reservoir area, establish an impact management agreement with the NG, establish an independent expert advisory committee of recognized academic experts, and grant Inuit joint decision making authority over downstream environmental monitoring and management of the Lower Churchill Project.
- NunatuKavut Community Council (NCC) supported the Make Muskrat Right campaign. NCC also has criticisms of both the Muskrat Falls and transmission line projects surrounding alleged lack of Aboriginal consultation and lack of an Impacts and Benefits Agreement. NCC has commenced unsuccessful litigation in relation to the projects.
- Amnesty International issued a news release and an open letter to all three party leaders on November 9, 2015, supporting the campaign and calling on the three leaders to commit to working with the NG to address its concerns.
- Then-MHA–Elect Perry Trimper, the current Minister of Environment and Conservation, in a CBC radio interview on December 3, 2015, stated that technical experts on both sides of the issue should meet to come to an agreement on the results of the studies that have been done to date.
- The Independent published an article on November 29, 2015, detailing an account of the effects of methylmercury contamination in humans.
- Environmental assessment joint review panel member, Meinhard Doelle, in November 2015 called for immediate government action on the Muskrat Falls project to address the risk of methylmercury contamination, as well as legislative reform on environmental assessment follow-up. In part, comments in his Dalhousie University-hosted blog, quoted in a NG news release, state: “It seems clear from the 2015 (Harvard) study that the predictions made by Nalcor with respect to methylmercury have now been shown to be inaccurate...What is troubling is that there does not appear to be a mechanism in place to ensure an effective adaptive management response.”
- In a CBC report on December 1, 2015 “Mercury levels from Muskrat Falls pose threat, says environmental panelist” Cathy Jong, a member of the Joint Review Panel, stated that consumption advisories are not sufficient to mitigate the risks of methylmercury consumption and urged the Provincial Government and Nalcor to ensure full and proper monitoring of Lake Melville. She also urged Nalcor to reconsider clearing the entire reservoir area.
- On December 16, 2015, Nalcor released a letter to participants of its baseline dietary survey and hair sampling program to inform them the report on the baseline survey

was complete and available online. With the letter, Nalcor also distributed two one-page info sheets on methylmercury and the data collection results.

- On December 16, 2015, Sarah Leo, then-President of the NG, appeared on CBC radio's Crosstalk to discuss methylmercury and the Muskrat Falls Project. Gilbert Bennett, vice president of the Lower Churchill Project, also participated. Most callers were critical of Nalcor and the Provincial Government.
- In a December 17, 2015 Globe and Mail article about Muskrat Falls Project cost over-runs titled "Muskrat Falls becoming an over-budget burden on Newfoundland," there was a reference to the study by Harvard researchers: "Carbon pricing was supposed to make Muskrat Falls a no-brainer, and it may yet improve the project's economics. But the clean-energy marketing pitch was hurt by a recent peer-reviewed study by Harvard University scientists who looked at the effects of dams built at Muskrat Falls. It found that 'methylmercury concentrations from flooding for hydroelectric development will be far greater than those expected from climate change,' threatening local Innu populations."
- On December 21, 2015, Premier Ball and the Honorable Siobhan Coady, Minister of Natural Resources, announced the Provincial Government would undertake an independent review of the cost, schedule and associated risks for the Muskrat Falls project. In media coverage, (CBC.ca/nl December 21) Premier Ball was noted as saying the comprehensive review will focus on schedule and cost, not methylmercury concentrations or the North Spur stabilization.
- Then-President Sarah Leo used Twitter just prior to the announcement questioning whether the announcement would address the methylmercury issue.
- On February 23, 2016 Minister Trimper met with the NG in Happy Valley-Goose Bay to hear their perspectives on the methylmercury research. A researcher from Harvard University (Dr. Elsie Sunderland) participated via conference call and provided information regarding the previously released study as well as new research findings that were pending release. During this meeting, Minister Trimper reiterated his intent to convene a workshop of scientific experts, noting that participation of the NG and the researchers from Harvard would be valuable.
- On March 10, 2016 the NG formally informed the Minister via correspondence that it would not attend any workshop and issued a press release stating "The workshop being proposed by Minister Trimper would be of no added value to the Nunatsiavut Government as it will not change any of the facts".
- On March 22, 2016 a workshop was held in St. John's titled "Methylmercury and Muskrat Falls: Sharing and Understanding Our Varied Perspectives". The workshop attendees included scientific experts from: Environment and Conservation, Health and Community Services, Health Canada, Fisheries and Oceans Canada and Nalcor Energy along with their environmental/health expert consultants.

- On April 18, 2016 the NG along with Dr. Sunderland held a press conference in St. John's to release the findings of a NG report on methylmercury work entitled "Lake Melville: Avativut, Kanuittailinnivut (Our Environment, Our Health)" (Durkalec et al 2016). The report predicts the levels of methylmercury will rise in Lake Melville beyond the predictions in the Environmental Impact Statement modelling for downstream effects.
- The presentation made the following recommendations in keeping with the "Make Muskrat Right" campaign, and the requests in correspondence to the Government of Newfoundland and Labrador:
 - Full clearing of the Muskrat Falls reservoir of wood, brush, vegetation and topsoil;
 - Negotiation of an impact-management agreement with the Nunatsiavut Government;
 - Establishment of an independent expert advisory committee for monitoring downstream impacts; and,
 - Granting joint decision-making authority over down-stream environmental monitoring and management.
- National and local media covered the event including the Canadian Press, VOXM, CBC, the Telegram and NTV.
- Nalcor Energy responded to media inquiries indicating they do not expect any change to existing project design. They noted they have been closely studying methylmercury and will continue to monitor the downstream effects from the reservoir created by the Muskrat Falls dam.
- The Department of Environment and Conservation responded to media requests from CBC's On the Go and CBC's Labrador Morning Show stating that the Minister would soon make a decision on Nalcor's HHRA Plan, and that the Minister will be informed by the new information presented from the NG, information provided by Nalcor and the various agencies consulted on the proposed plan, including Fisheries and Oceans Canada, Health Canada and the provincial Department of Health and Community Services, as well as the outcomes of the expert workshop. These two reporters were advised they would be contacted for an interview when a decision was made.
- CTV ran a story on its website titled "Labrador dam could expose hundreds of Inuit people to toxic mercury: study". The piece stated that a "new study says a hydroelectric dam currently in the works in Newfoundland and Labrador could expose more than 200 Inuit people to excessive levels of methylmercury, the most toxic form of mercury."

- The CTV story also attributes the following to the study: “The study also called Nalcor’s plan to issue consumption advisories, as a way to mitigate exposure, is a flawed health-protection strategy. It added that current impact monitoring plans are inadequate.”
- CBC.ca/nl coverage included the statement, “Inuit leaders said Monday they are prepared to consider ‘all options,’ including a legal challenge, to force Nalcor into action.”
- In coordination with the NG event, on April 18 the MUN Gazette ran an editorial by academic lead on the project, Dr. Trevor Bell, Memorial University. From that piece: “The results of the methylmercury research led by Harvard University not only substantiate the Joint Review Panel’s skepticism of Nalcor’s claims of ‘no measurable effects’ downstream, they also indicate that under the current Nalcor plan for reservoir clearing, there will likely be significant bioaccumulation of methylmercury in the Lake Melville food web. Because of their reliance on fish, seals and other wild foods for their diet, hundreds of Labrador Inuit living on Lake Melville will be exposed to methylmercury above regulatory guidelines.”
- On April 19, Amnesty International again weighed in with a news release titled “Federal government and government of Newfoundland and Labrador must act immediately to address serious health threats to Inuit families living downstream of the Muskrat Falls Dam.” Amnesty’s position was covered by the Telegram.
- On April 20, NCC President Todd Russell issued a statement on the NG’s research: “...We support the findings on the serious impacts to Lake Melville and the significant exposure to methylmercury as a result of the Muskrat Falls hydroelectric project. The report concludes that methylmercury levels could rise by 1500%, cause serious food insecurity and disrupt a way of life that is heavily dependent on the land and the water.”
- The statement continued: “Nalcor is already refuting the report’s findings and, while their response is disappointing and dangerous, it is not unexpected. The company’s refusal to recognize the irreparable harm to those who depend on the ecosystem as a way of life further demonstrates their disregard for the rights and title of the Southern Inuit and all peoples impacted. We, the Southern Inuit of NunatuKavut, will continue to fight for our health and well-being and we will not allow our way of life to be so negatively affected.”
- On April 27, 2016, Minister Shiwak wrote Minister Trimper, urging full consideration of the research recently highlighted in the news conference in his future decision making. In the letter, Minister Shiwak noted that “Any increase in methylmercury exposure to Inuit, therefore, is a significant impact and it is unethical to unilaterally impose such an increase upon Inuit or require them to modify their culture in order to attempt to avoid this.”

Lake Melville District

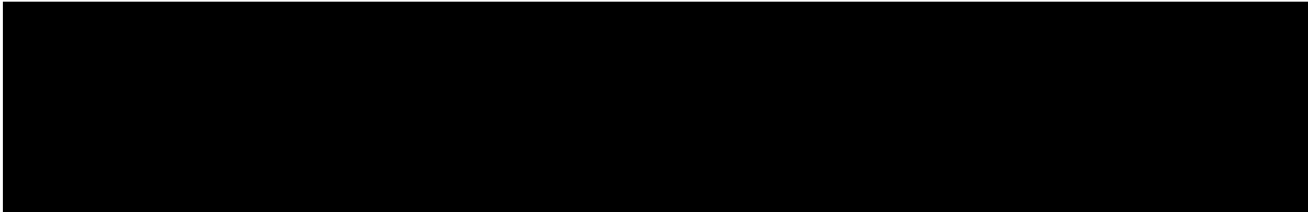
- Minister Trimper is the MHA for Lake Melville, where he regularly hears from constituents who are concerned about the methylmercury issue. The department has been advised that the group, the Grand River Keepers Inc, has led much of the public discourse on the matter via social media. As well, the department has been advised there are a few individuals that post about the issue on Facebook approximately once a week.
- A misconception that methylmercury is a type of discharge or effluent being added to Lake Melville from the project, has been communicated to Minister Trimper. It is important to provide information on what methylmercury is, and how it accumulates in the environment in the materials for the announcement.

Strategic Considerations

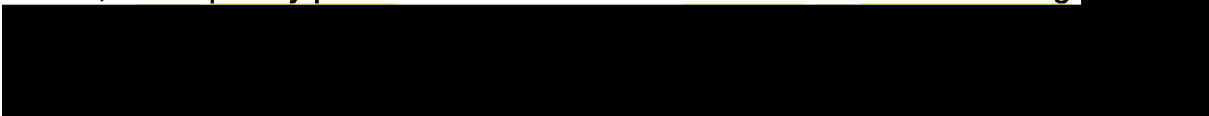
- On November 9, 2015 (during the fall 2015 caretaker period) the NG wrote ENVC requesting a meeting to discuss the potential for the Muskrat Falls hydroelectric dam to cause serious harm to downstream Inuit communities. In that letter, the NG requested that the Government of Newfoundland and Labrador direct Nalcor Energy to:
 - Fully clear the Muskrat Falls reservoir;
 - Negotiate an Impact Management Agreement;
 - Establish an independent Expert Advisory Committee; and,
 - Grant Inuit joint decision-making authority over downstream environmental monitoring and management of the Lower Churchill Project.
- A response to the letter must be provided to the NG in keeping with consultation guidelines for Aboriginal Governments. The Provincial Government has not yet replied to NG with respect to these four requests.
- The Environmental Assessment Division will notify Nalcor by correspondence of the decision on the HHRA plan, as is procedure. This will occur prior to a public announcement. It is recommended the deputy Minister of ENVC call Gilbert Bennett, vice president of Nalcor Energy, prior to the announcement to let him know what will take place.
- The Joint Review Panel report on the Muskrat Falls Project includes the following recommendation: *If the Project is approved and the outcome of the downstream mercury assessment (Recommendation 6.7) indicates that consumption advisories would be required for Goose Bay or Lake Melville, Nalcor enter into negotiations prior to impoundment with the parties representing – as appropriate – Goose Bay and Lake Melville resource users. Depending on where the consumption advisories would apply, these could include Aboriginal groups, the Town of Happy Valley-Goose Bay, Mud Lake Improvement Committee, the Town of North West River and the community of Rigolet. The purpose of the negotiations would be to reach agreement regarding further mitigation where possible and compensation measures,*

including financial redress if necessary. This recommendation would also apply later in the process if the downstream mercury assessment indicated that advisories were not likely, but monitoring subsequently required their application.”

- The province’s response to that recommendation was “*The Government of Newfoundland and Labrador accepts the intent of this recommendation. If consumption advisories are required as a result of the downstream mercury assessment, then Nalcor should consult with downstream resource users on further mitigation measures, including the potential for compensation.*”
- While Nalcor’s position has always been that if they are responsible for an effect they will be responsible for addressing it, including the need for compensation, the Provincial Government’s response does not bind Nalcor to negotiate and reach a final compensation agreement in the event consumption advisories are issued, and no such condition was included in the initial release of the project.
- ENVC is currently considering that as part of the approval of the HHRA Plan/Environmental Effects Monitoring Plan, a condition be imposed on Nalcor as follows: “Should downstream methylmercury monitoring identify the need for consumption advisories as a result of the project, Nalcor shall consult with relevant parties representing Goose Bay and Lake Melville resource users. Based on the location of the consumptions advisories these users could include Aboriginal Governments and organizations as well as other stakeholder groups. Following consultation, Nalcor shall provide reasonable and appropriate compensation measures to address the impact of the consumption advisory.”



- Nalcor has been fully engaged with ENVC, participated in the workshop, and continues to indicate it intends to consult and negotiate should consumption advisories be necessary. Nalcor is aware of the possible new condition and have expressed no concerns.
- It is anticipated that the NG and NCC will view the Minister’s decision negatively and react publically. [redacted] The objective of this communications plan is to clearly explain the Minister’s decision, and the counter points to the public discourse on methylmercury and Muskrat Falls to the media, with a priority pro-active interview offered to CBC Labrador Morning. [redacted]



- As outlined previously, it is the NG's position that it is opposed to the use of consumption advisories as a matter of principle, preferring to eliminate the risk altogether as opposed to having to monitor the risk and issue an advisory should a risk manifest itself.
- It is anticipated that the group the Grand River Keepers will also respond negatively, and will garner media coverage.
- Once approved, the HHRA plan will be posted with all other project documents the department's website (and a link to the video of the conference can be placed here as well) -
http://www.env.gov.nl.ca/env/env_assessment/projects/Y2010/1305/index.html
- A conservative calculation is that based on a flooded area of 41 square kilometres (km²,) with soil depth of approximately 25 cm¹, approximately 5 million cubic metres of soil would have to be removed to meet the request of the NG to remove all soil from the reservoir prior to flooding. Not counting any trees or shrubs, the removed soil would create a pile of soil one kilometre in diameter and 20 metres high.
- In a letter dated May 2, 2016, Federal Minister of Fisheries and Oceans wrote Minister Shiwak, cc'ing Minister Trimper advising that the information provided from Harvard University led him to direct staff:
 - To ensure modifications are made to the downstream methylmercury monitoring program being carried out by Nalcor Energy and that departmental personnel engage with the NG to seek its views on these modifications; and,
 - to create a liaison committee on downstream methylmercury monitoring, providing an ongoing mechanism to ensure that the concerns of the NG and other parties are considered.

Muskrat Falls Project

- It is the position of the Government of Newfoundland and Labrador that the project must be re-baselined, meaning the costs and schedule for the project must be updated. Stan Marshall was appointed CEO of Nalcor in April, 2016 and is currently reviewing all aspects of the Muskrat Falls Project.
- It is also the position of the Provincial Government that decisions on the Muskrat Falls Project will be made in the best interest of the people of Newfoundland and Labrador and will consider contractual obligations of \$6.6 billion, legal obligations to Emera and Nova Scotia, and the federal loan guarantee.
- Minister Trimper is the Minister responsible for the Office of Climate Change and Energy Efficiency, and has spoken about the positive aspect of the Muskrat Falls Project reducing the province's greenhouse gas emissions by 10 per cent and

¹ Joint Review Panel Information Requests Responses – IR# JRP.33

leading to 98 per cent renewable energy once complete. However, advocating the benefits of the project is not his role as regulator of the project from an environmental perspective, which is the perspective from which he will be making this announcement. The renewable energy aspect of the project can be addressed should a question come from media, but will not be pro-actively included in the presentation materials for this announcement.

- The Joint Review Panel's report recommended that should the project be approved, Nalcor be required to take all reasonable steps to ensure that power from the project is used to displace energy from high greenhouse gas emission sources and does not displace demand management, conservation, efficiency, and the generation of power from renewable, low greenhouse gas emission energy sources. The Provincial Government accepted this recommendation.
- Also as part of the Joint Panel Review, it was recommended Nalcor carry out air quality monitoring programs including tracking the displacement of greenhouse gas emissions in the various markets for project power and report annually. The Provincial Government accepted this recommendation.

Target Audiences

Internal

- Premier's Office
- Members of the House of Assembly
- The Environmental Assessment Division of Environment and Conservation
- Department of Natural Resources
- Department of Health and Community Services
- Labrador and Aboriginal Affairs

External

- Media
- Nunatsiavut Government (NG)
- Nunatukavut Community Council (NCC)
- Innu Nation
- Grand River Keepers Inc.
- Nalcor
- Residents of Lake Melville communities
- Health Canada
- Department of Fisheries and Oceans
- Opposition parties
- Public
- Town of Happy Valley-Goose Bay

Consultation

Nalcor

- Throughout the life of the project, Nalcor has consulted with the NG on various issues. All environmental effects monitoring plans required as per the release order were provided to the NG for review and comment, and clarification provided and revisions made as necessary.
- In January 2014, the NG approached Nalcor to provide funding for its baseline dietary survey and human bio-monitoring program. Nalcor offered to assist, however the offer was rejected in July 2014. Nalcor conducted its own research in communities in the project area later that year, but did not receive approval from the NG to conduct the research in Rigolet as planned.
- Prior to conducting the dietary and hair sampling study, Nalcor held public information sessions in North West River, Happy Valley-Goose Bay, Sheshatshiu, Churchill Falls, and Mud Lake to provide information to residents about methylmercury and Nalcor's HHRA plan. As noted above, Nalcor also requested to host a public information session and conduct the dietary and hair sampling survey in the community of Rigolet but did not receive approval from the NG
- The HHRA plan is available on Nalcor's Muskrat Falls Project website, as well as the report on results of the Baseline Dietary Survey and Human Biomonitoring Program, a summary of the report and key findings, and an information sheet about methylmercury related to the project. Levels of methylmercury are currently found in the livers of older ringed seals. Information about current mercury levels in the project area is available on the website.
- In addition to the HHRA plan public information sessions, Nalcor has held numerous community meetings and public information sessions in the region to discuss all aspects of the project.
- Nalcor sent an invitation to the NG in 2013 and 2014 requesting their participation in the Lower Churchill Project Upper Lake Melville Community Liaison Committee (a committee formed as required under the terms and conditions of environmental assessment release.) To date, the NG has not responded to Nalcor's letters or appointed a member to sit on the committee. A seat on the committee remains open if the NG decides to participate.

Environment and Conservation

- The Department of Environment and Conservation, following the Aboriginal Consultation Guidelines for the Lower Churchill Hydroelectric Project, shared Nalcor's proposed HHRA plan with the following Aboriginal groups:
 - Nunatsiavut Government
 - NunatuKavut Community Council
 - The Innu Nation
 - Council of the Innu of Ekuanitshit
 - Council of the Innu of Pakua Shipu
 - Council of the Innu of Unamen Shipu

- Innu Nation of Matimekush-Lac John
 - Innu of Nutashkuan
 - Uashat mak Mani-Utenam First Nation
 - Naskapi Nation of Kawachikamach
- The NG was the sole respondent, outlining “Our review suggests that Nalcor's responses justify a path already taken rather than modifying plans in order to have a more protective human health environmental effects monitoring plan, especially as it relates to sensitive (especially aboriginal) populations.”
 - While Nalcor responded to this correspondence, the NG requested in August 2015 the Provincial Government respond directly to its concerns. It is the intent of the department to respond after its evaluation of the HHRA plan is complete, and the response will be done in consultations with Labrador and Aboriginal Affairs to ensure obligations under the Aboriginal Consultation Guidelines are fulfilled.
 - Officials within the Environmental Assessment division hosted the expert workshop March 22, 2016 titled A Scientific Workshop “Methylmercury and Muskrat Falls: Sharing and Understanding Our Varied Perspectives.” Technical experts met in St. John's, to constructively review:
 1. The Human Health Risk Assessment Plan originally submitted by Nalcor Energy in 2014 to satisfy one of the regulatory requirements for the Lower Churchill Hydroelectric Generation Project; and,
 2. The study completed by *Schartup et al. (2015)* titled: “Freshwater discharges drive high levels of methylmercury in Arctic marine biota” on behalf of the Nunatsiavut Government.
 - The Office of Public Engagement assisted with organizing and implementing this workshop and a “What We Heard Document” was produced, which is recommended to be released as part of the announcement. The document outlines the biographies and expertise of the individual participants and highlights the variety of expert agencies represented. The document also has key outcomes from the workshop, which supports the decision of the Minister.
 - In May 2016, as preparations were being made for an announcement on the Minister's decision on the HHRA Plan, the Department of Natural Resources consulted with Nalcor on Minister Trimper's condition of release. As indicated previously, Nalcor has no concerns.

Communications Objectives

- To communicate the Minister's decision as regulator to accept Nalcor's HHRA Plan with a condition of release; “Should downstream methylmercury monitoring identify the need for consumption advisories as a result of the project, Nalcor shall consult with relevant parties representing Goose Bay and Lake Melville resource users. Based on the location of the consumption advisories these users could include

Aboriginal Governments and organizations as well as other stakeholder groups. Following consultation, Nalcor shall provide reasonable and appropriate compensation measures to address the impact of the consumption advisory”;

- To show why removing the soil from the reservoir is not appropriate;
- To show how the modeled levels of methylmercury compare to CCME (Canadian Council of Ministers of the Environment) guidelines;
- To ensure understanding about what consumption advisories will mean and how important country food is to health;
- To communicate to the NG answers to their four requests posed in correspondence;
- To acknowledge the importance of the new information provided from the NG in the Harvard report and share what the department learned in the expert workshop of March 22, 2016; and,
- To create awareness of the thorough environmental assessment process and the fulsome environmental oversight on this project, including the environmental affects monitoring program.

Key Messages

The release of the HHRA plan with a condition

- This is an important topic and the Government of Newfoundland and Labrador understands residents have concerns. This issue has had our full attention for many months.
- As regulator of the environmental assessment process, there was abundant and high quality information available to me in making a decision.
- Some key points for me included:
 - *Schartup et al (2015)* and Nalcor’s modelling predicted similar results for mercury and methylmercury going downstream.
 - Both predicted the same volume of organic carbon would be present in the reservoir that will flow downstream to produce methylmercury. There were differences, however, in terms how far the effects would be detected downstream.
 - Removing all soil from the reservoir area is not practical as it would mean removing in excess of 5 million cubic metres of soil and the environmental impacts and subsequent potential effects on people are unknown.
- Scientific monitoring of the environment, of species such as fish and seals, is the key tool we have to ensure people have the necessary knowledge about the country food they harvest.

- Country foods harvested from the Lake Melville area are important for a healthy diet, and both the food and activities associated with harvesting are of great importance to those who live in the region.
- Monitoring will ensure Health Canada is aware of when methylmercury levels are reaching the Health Canada threshold, enabling them to determine of consumption advisories are needed to ensure the protection of human health.
- As Minister, I find it vital that should consumption advisories become necessary as a result of the project, appropriate compensation be available to address the loss of those country food items.
- As such, I am taking the additional step of imposing a condition of release for the HHRA plan. That condition is as follows:
 - Should downstream methylmercury monitoring identify the need for consumption advisories as a result of the project, Nalcor shall consult with relevant parties representing Goose Bay and Lake Melville resource users. Based on the location of the consumptions advisories these users could include Aboriginal Governments and organizations as well as other stakeholder groups. Following consultation, Nalcor shall provide reasonable and appropriate compensation measures to address the impact of the consumption advisory.

The environmental assessment

- On March 15, 2012, Nalcor's Lower Churchill Generation Project was released from environmental assessment after a comprehensive independent Joint (federal-provincial) Review Panel process.
- The Joint Review Panel report remains available online for the public to view.
- The project was released subject to an extensive list of terms and conditions that required Nalcor to complete and submit:
 - A variety of environmental protection plans;
 - environmental effects monitoring plans;
 - a socio-economic benefits plan; and,
 - the establishment of an Environmental Monitoring and Community Liaison Committee.
- Nalcor was required to do multiple monitoring plans related to methylmercury that include monitoring the aquatic environment, water quality, methylmercury in the water, methylmercury levels in country foods, and human health.
- Nalcor submitted the HHRA plan we are discussing today, as part of meeting these

requirements.

Methylmercury in the environment (POSSIBLE INFO GRAPHIC)

- Mercury is naturally found in our environment including in soil and water.
- Methylmercury is created when naturally occurring mercury is converted to methylmercury by **microbes**. ~~flooded and decaying vegetation.~~
- This can happen by natural flooding, but it is also an effect associated with the hydro dams around the world.
- Methylmercury bio-accumulates – that is to say when it is ingested by animals or humans, it remains in the body.
- Health Canada sets limits on the amount of methylmercury that can be consumed in country foods (e.g. fish and seals).
- Appropriate monitoring and testing can enable detection of when such levels in any given species are reached so that measures to protect human health such as consumption advisories can be taken.
- The Department of Environment and Conservation continues to monitor water quality of Lake Melville, including for total mercury.

CCME guidelines (POSSIBLE INFOGRAPHIC)

- The Canadian water quality guideline of methylmercury for the protection of aquatic life, as set by the Canadian Council of Environment Ministers (CCME) is 4 ng/L (nanograms per litre.)
- The highest projected increase of methylmercury in Lake Melville without full clearing of the reservoir was presented to the department by the NG, to be 0.06 nanograms per litre.
- 380 per cent of a small number is still a small number.
- This is 66 times less than CCME guideline.

The workshop

- The Nunatsiavut Government has done extensive work, with high caliber researchers. I was pleased to receive a presentation from them in February on their most recent report, which they released April 18 in St. John's.

- Fisheries and Oceans Canada, my department, and the Department of Health and Community Services have also been presented with an overview of this information from the Nunatsiavut Government.
- In March, my department held a scientific workshop in which we came to understand there was common ground in many perspectives.
- I am very pleased that Fisheries and Oceans Canada, Health Canada, Health and Community Services, Nalcor, my department and environmental and health experts participated in that workshop.
- It was an excellent opportunity to convey perspectives, and to ask questions of each other.
- The workshop found that the *Schartup et al. (2015)* study, referred to commonly as the Harvard study, is noteworthy in providing insight into mercury cycling in an estuarine fjord environment.
- Participants concluded that *Schartup et al. (2015)* and Nalcor used the same model inputs for mercury production. The two approaches forecast a similar amount of mercury that would be produced in the reservoir and exported downstream.
- Based on the *Schartup et al. (2015)* study, DFO recommended the monitoring area be expanded and additional sampling for fish and seals occur in the eastern part of Lake Melville.
- This additional sampling site further downstream would help determine the spatial extent of downstream effects in the Lake Melville estuary.

Reservoir clearing: (POSSIBLE INFOGRAPHIC)

- It is important to point out the reservoir clearing plan proposed by Nalcor will result in effectively the same reductions of methylmercury as the “full” clearing scenario which was studied in the project’s environmental review.
- All vegetation will be cleared where it is safe to do so. This will see removal of approximately 70 to 75 per cent of vegetation.
- As regulators, experts in Environment and Conservation accept that this clearing plan is the most practical and safe option.
- Full clearing of the timber raises significant safety issues due to steep terrain. Mechanical harvesters and skidders are not capable of working on steep slopes.
- Scientists at the March 22 workshop concluded that removal of vegetation from a partial clearing versus a full clearing scenario would reduce methylmercury by an

estimated **10% (with the level of accuracy possible for predictions)**. ~~2 per cent (8 per cent vs 10 per cent respectively).~~

Soil removal (POSSIBLE INFOGRAPHIC)

- The participants in the March workshop felt that removing all the soil from the reservoir as a means to reduce methylmercury is not considered practical.
- In response to a Joint Review Panel information request, the amount of soil in the both the Gull Island and Muskrat Falls reservoirs would measure approximately 25 centimeters deep and measure approximately 16 million cubic metres.
- Based on the area of the reservoir for Muskrat Falls, the amount of soil that would have to be removed from that area alone is estimated to be approximately 5 million cubic meters.
- This is a conservative estimate. It would form a pile one kilometre **in diameter** wide and 20 metres high and would take approximately 150,000 dump truck loads to move.
- Removing all soil would also create possible environmental effects such as:
 - Impacts on fish and their habitat with the creation of a fish bowl effect, or sterilization of the reservoir;
 - Impacts on water quality by the elimination of a vegetated buffer zone which would leave no protection of the Churchill River; and,
 - The impact of the displaced soil that would create additional environmental impacts.

Secondary messages:

Renewable energy benefit

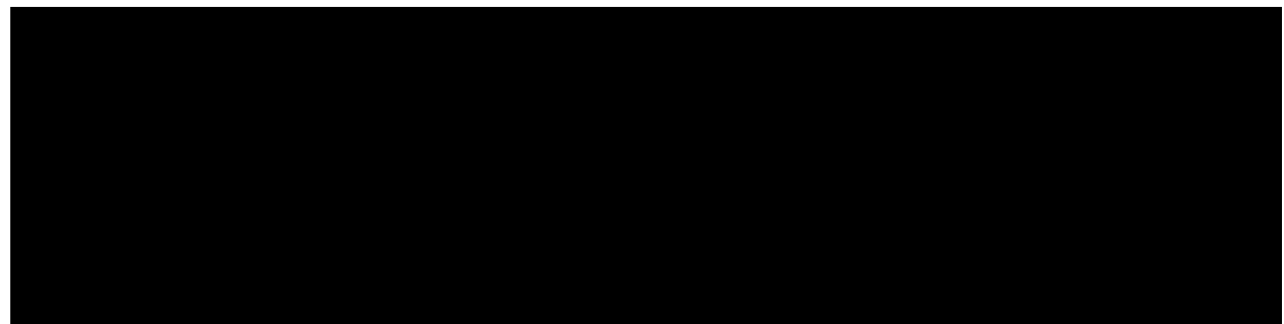
- As part of the release of the project from Environmental Assessment, Nalcor was directed to use the energy generated from Muskrat Falls Project to displace energy from high greenhouse gas emission sources.
- It was recommended Nalcor carry out air quality monitoring programs including tracking the displacement of greenhouse gas emissions in the various markets for project power.
- Muskrat Falls Project will reduce the Newfoundland and Labrador's greenhouse gas emissions by 10 per cent and lead to 98 per cent renewable energy once complete and the Holyrood Thermal Generating Station is shuttered.

- The Muskrat Falls Project will meet our province's growing demands for electricity with a supply that is clean and renewable.
- Once the Labrador Transmission Assets, the Labrador Island Link and the Maritime Link are completed, the Island portion of the province will be fully connected with the North American grid for the first time.
- Interconnection will enable exports and imports to achieve greater value from provincial electrical generation and enable improved electric system reliability.

The Announcement (and activities)

Roll out of response to the Nunatsiavut's Government's four questions and communicating the Minister's decision on Nalcor's HHRA Plan will occur in close sequence:

1. A news conference hosted by Minister Trimper will address two of the NG requests – complete reservoir clearing and whether to negotiate an Impact Management Agreement – in addition to the acceptance of the HHRA Plan. The news conference will communicate:
 - a. That the Minister considered all information from the NG and the discussions of the workshop in making his decision.
 - b. What he learned from the NG and the workshop;
 - c. Some of the discussion highlights at the workshop;
 - d. That the department has accepted Nalcor's HHRA plan;
 - e. That the Minister has taken the additional measure of releasing with a condition of release;
 - f. That the NG's proposal of removing all soil from the reservoir is not appropriate;
 - g. The low levels of projected methylmercury in the flooded reservoir versus CCME guidelines; and,
 - h. What consumption advisories mean for people, and the importance of country food.



- In accordance with guidelines regarding Aboriginal consultation, correspondence will be drafted from Minister Trimper to the NG outlining the department's response to

the NG's concerns on the HHRA Plan. This letter will also respond to two of the four requests which will be also addressed in a news conference (Reservoir clearing and to negotiate an Impact Management Agreement).

- Consideration can be given to providing the NG with the media advisory announcing the time, place and subject matter, in advance of the announcement date. This would allow travel time should the NG wish to be present at the announcement, but also risks compromising the announcement. Another option is to advise the NG of the decision one hour prior to the announcement. Minister Trimper has close professional relationships with Aboriginal Governments and organizations in Labrador. In consultation with his executive and Labrador and Aboriginal Affairs, a decision will be made on how to brief these groups prior to the announcement.
- Minister's Constituency Assistant can have communications materials such as a brochure or one-pager fact-sheets available at the constituency office.
- Having the announcement recorded and broadcast on the Provincial Government Youtube channel can be considered. This would allow the Minister to link to it on his Facebook page, and for the ENVC twitter account to tweet it. It would also allow a link to the full conference be added to the news release on the government website.

Event scenario for news conference

- Location: Confederation Building Media Centre.
- Set up: PowerPoint presentation, which will include infographics specific to the CCME guidelines and a dump truck graphic for the soil discussion (A similar graphic was used in Budget 2016 materials. The department can engage creative team in using information to design infographics for the presentation.)
- A technical briefing prior to the announcement will be provided to media only. A similar PowerPoint presentation will be used, but without the infographics reserved for the news conference presentation. This will ensure media have access to a robust discussion of the issue with the department.
- Head table for technical briefing:
 - Martin Goebel, ADM, Environment Branch, ENVC
 - ~~Gregory Kaminski, Health Canada workshop participant, TBC. (As public health is not the mandate of the Department of Environment and Conservation, yet it is a critical aspect of the methylmercury narrative, the department is exploring having the Health Canada representative at the head table for the technical briefing for media. After the technical briefing, he will return to the audience for the public portion of the event, where he will be identified and remain available for questions. Mr. Kaminski was identified as a credible spokesperson for several reasons: Health Canada can be seen as a~~

~~third party, as opposed to a representative from the Department of Health and Community Services which lies within the Provincial Government; as senior environmental health assessment specialist with Health Canada, he has over 25 years experience in the areas of human health risk assessment and is responsible for assessing effects of proposed development projects on human health; he has direct experience working with Inuit-owned Makivik corporation as a biologist assessing effects of pulp and paper mill effluents on fish; and his participation and contribution to the discussions at the scientific workshop of March 22 was positive and constructive.~~

- Following the technical briefing for media, the event then opens to remaining attendees.
- Head table for public portion of the event: Minister Trimper, Martin Goebel, ADM, Environment Branch, ENVC.
- Minister delivers remarks using presentation;
- Questions from media.
- ~~Present in the audience, available for media thereafter to speak to what consumption advisories mean and the importance of country food will be a health official [Gregory Kaminski, Health Canada workshop participant, TBC]~~
- Handouts: media kits which include:
 - o News release;
 - o Copy of public presentation including infographics (the technical presentation can be supplied upon request); and,
 - o Copy of the What We Heard document from March workshop.

Invite list:

- TBC

Ministerial Involvement

- Minister of Environment and Conservation will be the lead spokesperson. He will give the presentation and media interviews.

Interdepartmental Involvement

- Labrador and Aboriginal Affairs will take the lead on the letter to the NG from the Premier.

Briefing of Members of the House of Assembly

- Minister Trimper can brief members of the Labrador Caucus in a meeting.

Internal Communications

- A Questions and Answers document is being developed.

Follow-up Activities

- Pro-active interview with CBC Labrador Morning.
- Pro-active interview with CBC On The Go.
- While the Telegram will cover the announcement, a pro-active interview with the Labradorian will be sought.
- Pro-active call to VOXM Nightline as this host has most been interested in this topic.
- A meeting with department officials will be offered to both opposition parties to offer more in depth information on the issue and Minister's decision. Technical briefing materials will be used.
- The department will live-tweet the announcement including facts from the presentation and infographics.
- Monitor traditional media and social media.
- Minister Trimper can link to the YouTube video on his Facebook page.
- He can also share facts from the PowerPoint presentation on his Facebook page and twitter.
- Responding to any media requests as required.

Evaluation Criteria

- The department will monitor media coverage to ensure key messages are translating into media coverage and public discourse.
- The department will monitor correspondence from Aboriginal governments subsequent to the announcement.
- The duration of coverage of this issue for traditional media is expected to be thorough but not in excess of two concurrent news cycles. Any extension of this timeline will require a re-evaluation of key messages and follow up interviews to clarify points with media.
- Seek viewing data for YouTube news conference video.
- Evaluated shares of information on social media.

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May 26, 2016

Approved by:

Colleen Janes, DM

The Honourable Perry Trimper, Minister of Environment and Conservation

