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November 4, 2011

Mr. Bob Warren  
Commissioner  
Chairperson  
c/o Regional Planner for RPA for LISA  
Confederation Building, West Block  
PO Box 8700  
St. John's, NL  
A1B 4J6

Dear Mr. Warren:

Thank you for the opportunity to comment on the 'Draft Regional Land Use Plan for the Labrador Inuit Settlement Area'. We note the revisions that have occurred in the Plan since the previous draft and are pleased with these adjustments.

We have reviewed the revised draft Land Use Plan and are submitting the following response. In this submission we identify matters that are of concern to Aurora because of the manner in which they would affect our specific operations and those of the mining industry in general.

#### **1. The relationship of the LISA LUP to Environmental Assessment**

In Section 5.12 it is stated that developments may be required to undergo "Environmental Assessment." Environmental Assessment is defined in Section 10 as being those processes required under existing Nunatsiavut, Newfoundland and Labrador and/or Canadian federal legislation. Several references to "Environmental Assessment" (capitalized) throughout the document are taken to refer to Section 5.12 and the relevant definition. In a number of cases, however, the words "environmental assessment" are not capitalized possibly indicating a different meaning for them in the particular context. These instances occur at:

- Page 54, Section 6.5(4)(c)
- Page 56, Section 6.6
- Page 57, Section 6.6(3)(c)
- Page 60, Section 7.0(2)
- Page 75, Section 10.4(5).

For greater clarity these incidences should be capitalized to indicate that all references in the LUP refer to the applicable legislation.



There are a number of places in the document where the Environmental Assessment process(es) could be helpful in ensuring efficient reviews for implementing certain aspects of the LUP. For efficiency it would be best to use existing administrative processes, where they exist to make the environmental determinations required under the plan. Determinations are required regarding:

- Sections 3.a, and 3.b - mining and milling as a discretionary use is permitted if it is determined to be "appropriate" by governments
- page 47 - water quality is assessed using Canadian standards for recreational and aquatic life guidelines
- cumulative effects
- socio-economic effects.

In each of these cases an appropriately scoped and executed Environmental Assessment process can evaluate these matters to a reasonable level of assurance and permit the provincial and Nunatsiavut governments to make their individual decisions based upon the results of the Environmental Assessment.

## **2. How will the plan be implemented?**

The plan provides a number of actions necessary for the governments to carry out to ensure the provisions of the plan are adhered to. In Section 2.1 it is stated that "The Plan is to be implemented by permits, licenses, agreements, or written authorizations issued by the appropriate government." Whether these administrative mechanisms are those that exist currently is not stated. Existing mechanisms include the current land use permit system operated by Nunatsiavut on LIL, the exploration permitting process operated by the province or the Environmental Assessment process contemplated by three levels of government. A clarification in the Plan as to whether existing mechanisms are sufficient to accomplish the implementation, or whether new and additional structures are needed, is not stated. Such a statement would add clarity to the proposed implementation process. This could be accomplished by modifying the last sentence in the fourth paragraph of Section 2.1 as follows: "The Plan is to be implemented by permits, licenses, agreements or written authorizations issued by the appropriate government using processes that occur in existing legislation."

## **3. Regarding section 6.6(6)"closure and restoration plan(s)."**

The provision to return disturbed land to "as near a natural condition as it was prior to construction" is an unrealistic provision. When restoration standards are considered, they are commonly related to establishing conditions that are safe, capable of similar land uses (or a minimum of land being alienated from previous land use) and to minimize environmental discharges for the long term. Long term monitoring and repair bonds may also be required. Returning to "natural" pre-construction conditions is unreasonably onerous.

## **4. Protected areas**

Section 5.11 states "Protected areas may be established in all land use designations." This appears to be an ability to designate land as unavailable for development without a clear process for doing so. Section 6.6(4) indicates that "there are" environmentally significant areas



in the General Use designation. Since these have not yet been identified or mapped, the language could usefully be modified to say "there may be environmentally significant..." The section appears to suggest using Environmental Assessment to evaluate such areas. This would be desirable as it affords a useful opportunity to use existing Environmental Assessment structures to assist in determining significant and "Protected" areas. A clear statement as to the Plan's preferences would be helpful.

## 5. Wetlands

Section 5.7(4)(a) states that development in wetlands should be avoided. Nowhere in the document is there a definition of what constitutes a "wetland." To better manage wetlands and the possibility of development impacts upon them requires a clear definition.

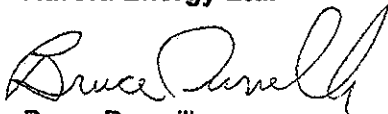
The geography of LISA is characterized by large areas of peat bogs and other types of water bearing topography that may be considered wetlands, depending upon the definition chosen. In the case of large scale developments, such as mines, a provision such as 5.7(4) could unreasonably constrain or even preclude beneficial developments that could affect any wetland. Mining developments are routinely designed with a great deal of care to avoid or minimize the impacts on wetlands. Existing regulatory structures, such as the Environmental Assessment process can be used to determine the appropriateness of the proposal in protecting wetlands and other important land forms. This section can be improved by adding language that permits developments to be assessed to ensure that impacts on wetlands are unavoidable and minimized to a level acceptable to governments.

The suggestions above are made in a spirit of constructive improvement to the Plan, in the interest of the future of Nunatsiavut and the development of a robust mining sector within the territory. We would be pleased to provide additional clarification, if required.

Once again we thank you for the opportunity to participate in this important process for Nunatsiavut.

Sincerely,

**Aurora Energy Ltd.**



Bruce Dumville,  
President and CEO





November 4, 2011

Mr. Bob Warren, Commissioner, Regional Land Use Plan for LISA  
c/o Regional Planner for RPA  
Confederation Building, West Block  
PO Box 8700  
St. John's NL A1B 2J6  
Tel: 709.729.4981  
Fax: 709.729.0477  
E-mail: rpa@lisaplan.ca

**Subject : Written Comments on LISA (N/Réf. : 0521591)**

Dear Mr. Warren:

With the support of the AECOM Consultants Inc. (AECOM) team, Quest Rare Minerals Ltd. (QRM) wishes to submit the following written comments on the *Draft of the Regional Land Use Plan for the Labrador Inuit Settlement Area*, dated June 2011, by the LISA Regional Planning Authority (LISA Plan).

QRM is involved in mining exploration and development in the vicinity of the Québec-Labrador border, for properties located approximately due west from Nain. As part of a pre-feasibility study for QRM, AECOM is currently examining alignment options for a single-purpose road to transport supplies and mining product to and from the coast. In particular, Anaktalak Bay is being considered as a possible option for developing a port facility. Consequently, to the west of the Voisey's Bay Exclusion Area (also on the LISA plan), we have concerns regarding the Salmon and Char Rivers Traditional Use Designation (SPA 3), whereby infrastructure - such as roads, bridges, transmission lines - would be prohibited as a Discretionary Land Use.

Having reviewed the SPA-3 boundaries based upon digital mapping provided, and based also upon our understanding of its intent of protecting 1 km on either side of the river's edge (a more precise boundary), we have attempted to identify possible east-west road options, from the Quebec border to the Labrador coast, that aim to stay out of this fish habitat protection zone. From our initial work, we have found that complete avoidance of SPA-3 forces our road engineers to consider terrain with much greater elevation differences and increased slopes, which translates into increased earthworks (i.e. cut/fill; blasting). The resulting multiplication of costs is currently considered to be significant, even at this early stage of design, and could even threaten the financial viability of QRM's mining development project as a whole, or at least force QRM to re-assess other transportation options. Of particular concern is a portion of SPA-3 along Ikadlivik Brook, west of the Voisey's Bay Exclusion Area, as indicated in the enclosed

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map (Schedule A) where economically viable road options to the coast appear to be extremely limited.

Furthermore, while we endorse and fully understand the importance of protecting fish habitat, both in terms of biodiversity and traditional use, the net environmental impacts of the proposed SPA-3 may even be increased in terms of potential erosion and sedimentation impacts on watercourses, because of increased earthworks, by adhering to a blanket prohibition on infrastructure development.

In particular, for the area indicated in the enclosed map, the current SPA-3 protection zone appears to result in more than the desired objective of fish habitat protection : it would severely limit road development outside of its limits on the basis of technical challenges and greater financial requirements.

We understand that, due to the level of detail of the data available to create the map outlines, the SPA-3 boundaries as proposed are approximate and/or subject to interpretation (as suggested in the LISA plan, sect. 8.2), and indeed further work will no doubt be required to identify the full extent of salmon/char habitat (i.e. high water mark, floodplain - considering meander and braided channel patterns, etc.).

Nevertheless, it is our opinion that a more flexible, multiple-use, approach is required in order to be coherent with the overall objective of the LISA Plan in allowing for various levels of sustainable development that respects all environmental objectives across the territory of concern.

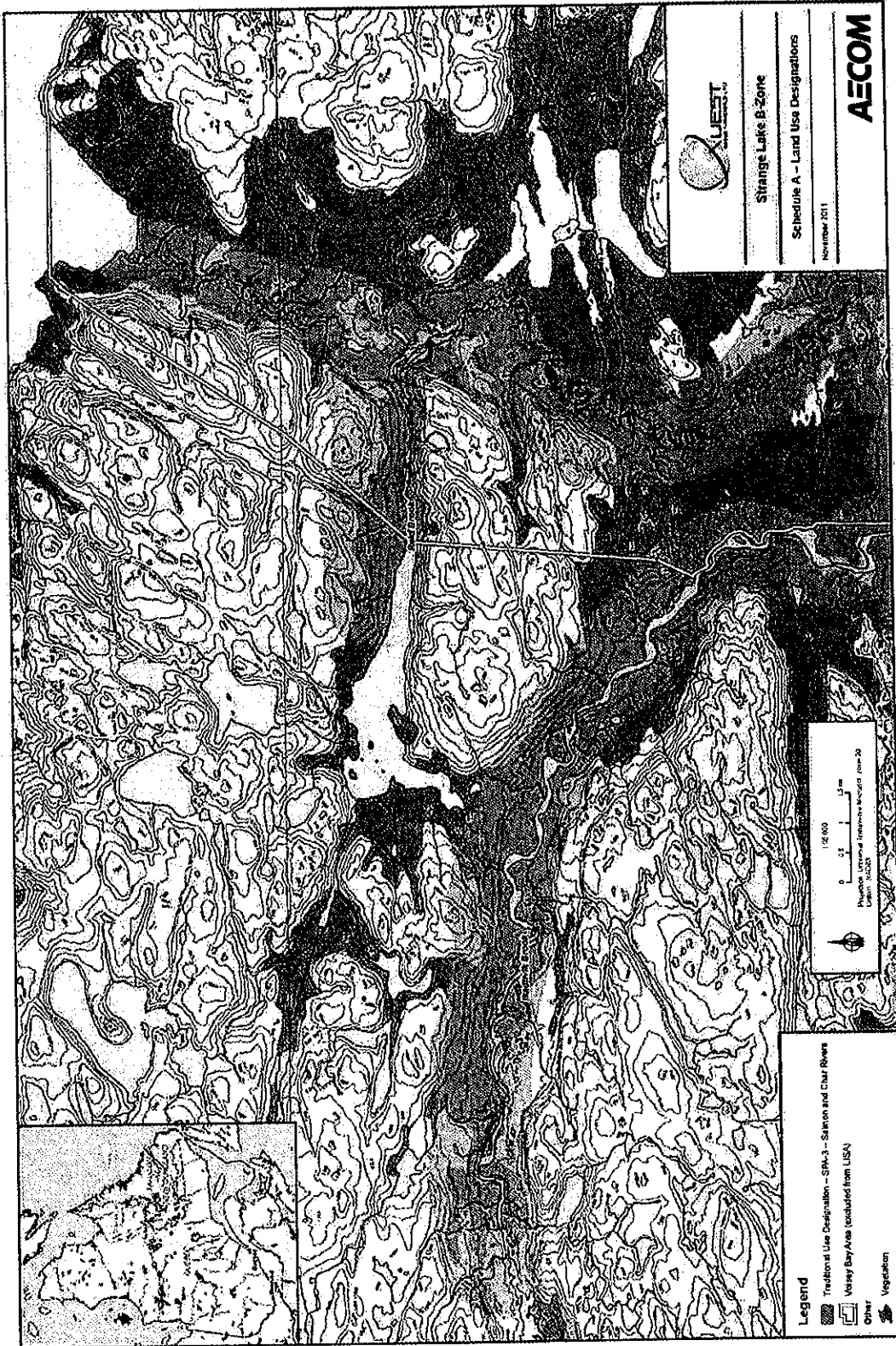
Alternatively, appropriate mitigation measures could be implemented to protect the main river channel and any sensitive feeder tributaries (ie. 2nd, 3rd, 4th order streams, etc.). In mountainous areas of many other North American jurisdictions with migratory salmon, vegetation buffers of less than 500 meters have been found to be adequate on steeper slopes, with additional or complementary protection to limit certain types of infrastructure (but not all) relative to meso-topographical features such as natural slope breaks or top-of-slope, or even to protect landscape views for traditional users.

Sincerely,



Reno Pressacco, M.Sc.(A), P.Geo.  
Vice President Operations  
Quest Rare Minerals Ltd.  
Reno.Pressacco@questrareminerals.com

cc. Peter Cashin, President & CEO, Quest Rare Minerals Ltd.  
Eric Léger, AECOM Project Manager  
Christen Audet, AECOM Environmental Coordinator  
Robert Griffiths, Regional Planner, LISA







Strange Lake B-Zone

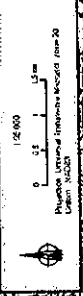
Schedule A - Land Use Designations

November 2011

**AECOM**

**Legend**

-  Traditional Use Designation - SPA-3 - Saxon and Char Rivers
-  Waiyey Bay Area (excluded from LISA)
-  Other
-  Vegetation





Friday, November 4, 2011

Robert Griffiths, MCIP  
Regional Planner – Labrador Inuit Settlement Area  
Department of Municipal Affairs  
Government of Newfoundland and Labrador  
Confederation Building, West Block, 1st Floor  
PO Box 8700  
St. John's NL A1B 4J6

**Re: Torngat Wildlife and Plants Co-Management Board Comments on the Draft Regional Land Use Plan**

Mr. Griffiths,

The Torngat Wildlife and Plants Co-Management Board (TWPCB) is established by the Labrador Inuit Land Claims Agreement, with its powers and responsibilities defined in Part 12.9.

The TWPCB has reviewed the Draft Regional Land Use Plan and offers the attached comments.

Sincerely,  
Bruce Roberts  
Chairman  
Torngat Wildlife and Plants Co-Management Board



TORNGAT  
**WILDLIFE  
PLANTS &  
FISHERIES**  
SECRETARIAT

1) The RLU Plan does not allow transmission and transportation corridors to cross salmon and char bearing rivers. The prohibition effectively denies all five Nunatsiavut communities road-access and grid power. Although we share your concerns, in this instance negative impacts can be effectively mitigated. The Board recommends that this requirement be modified to allow for river crossings that incorporate appropriate mitigation.

2) The location and spatial extent of the George River Caribou calving grounds vary from year to year. Further, the location and spatial extent of the calving grounds varies in relation to the methodology used to define it. Although recent data is still being analyzed, the Board recommends:

- i. that the calving grounds, as identified, be extended to the north side of Ikadlivik Canyon.
- ii. The Regional Land Use Plan be responsive to new/more recent information on the location/spatial extent of the George River Caribou calving grounds, and new understandings of potential impacts and mitigation strategies as they emerge.

3) As this document will be routinely and widely interpreted and applied, the Board recommends that it include a more complete definition of Labrador Inuit Lands and the Labrador Inuit Settlement Area.

4) The Airfield at Saglek Fiord should be added to Schedule B.

5) The Board appreciates that the Regional Land Use Plan is to be effective for ten years, with a review period after five. The Board further acknowledges a detailed amendment process intended to incorporate new information as it is gathered and new understandings as they emerge. The landscape, and our understanding of it, is in a constant state of change. Without detracting from the identified process, the Board reiterates the importance of ecological feedback.

6) The Board recognizes that access corridors, as they are developed, are typically followed by unpermitted development. The Board recommends a 15km buffer along corridors to specifically prohibit development.

We, the undersigned are expressing our disappointment, disillusionment and dissatisfaction regarding the Land Use Plan as it stands (June 2011). We demand that the land use plan be changed to protect the rights of those people who have traditionally used and lived on the land. We wish to express our displeasure at having our community singled out and have limits put on areas that we have traditionally used. We protest the unacceptable treatment of those who have used and survived on the land for generations. We demand the right for our generation and our future generations to live on the land in the same lifestyle as we have traditionally done, this includes to construct places to live (cabins, tilts etc), as every other beneficiary who resides in the Labrador Inuit Homeland. We protest the perception that this document portrays that only those who have traditionally lived on, hunted, fished and trapped in: are people who need to have regulations placed on them that limits their activities while no where else in the USA is this displayed. Nunatsiavut Government is supposed to support and promote the rights of beneficiaries; not put limits on which will effectively drive the people from their own land!

The signatures below, clearly demonstrate that we want to be consulted by a minimum of family matriarch or patriarch in areas affected by the land use plan.

Jim Williams  
Melara Williams  
Naomi Williams  
Chantelle Williams  
Leann Wolgrey  
Shawn Pette  
Ruth Pette  
Tom Williams Malek  
Maal Allen  
Boulah Allen  
CARL PALLISER  
Louisa Palliser  
Ryan Shurlock

Rigolet  
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*[Signature]*  
 Jerald Allen  
 Joyce Allen  
 James Shigah  
 Ken Pitt  
 Thomas Patten  
 Peter Pitt  
 Connor Flowers  
 Samantha Cud  
 Berturde Pallasin  
 Ethel Campbell  
 Homan Campbell  
 Sam Williams

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 Rigolet In. Aop 1po  
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Tray Campbell  
Esther Campbell  
Pamela Campbell  
Victoria Allen  
Sylvia Pottle  
Susan Pottle  
Fraser Rich  
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**Inbox: LISA Regional Planning Authority: rivers (33 of 64)**

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Date: Tue, 18 Oct 2011 10:04:05 -0400 [18/10/11 10:04:05 AM EST]  
 From: "Glen Sheppard" <glensheppard@hotmail.com>  
 To: "LISA Regional Planning Authority" <rpa@lisaplan.ca>  
 Reply-To: "Glen Sheppard" <glensheppard@hotmail.com>  
 Subject: LISA Regional Planning Authority: rivers

Email received from the contact form of LISA Regional Planning Authority.

Date: Tuesday, October 18, 2011, 11:34 AM

From: Glen Sheppard (glensheppard@hotmail.com)

Message:

As per our discussion on the land use plan Oct 17/11 in Postville, the issue of char, salmon rivers not being identified raised some concern, the rivers/brooks in particular are, English river, south brook, salmon brook, beaver river, libby's brook, alkami brook and Kiapokok river. In addition lakes/ponds that would be considered as salmon, char lakes are, salmon pond, english river pond, south brook pond, beaver river pond, east micmac, west micmac, trout pond near Jocko's bight, morgans pond, libby's brook ponds, alkami pond, little river and little river pond. bird nesting areas need to be identified as well, such as areas, which would include all islands adjacent to Postville including Kiapokok River and many other inland areas such as lakes with islands, in some cases the areas mentioned would include sensitive areas as well such as a gathering places for migratory birds during nesting season.

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**Inbox: LISA Regional Planning Authority: Environmentally Sensitive Areas and cabins (35 of 64)**

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Date: Wed, 19 Oct 2011 18:20:47 -0400 [19/10/11 06:20:47 PM EST]

From: "JOHN ANDERSEN" <john\_andersen3@hotmail.com>

To: "LISA Regional Planning Authority" <rpa@lisaplan.ca>

Reply-To: "JOHN ANDERSEN" <john\_andersen3@hotmail.com>

Subject: LISA Regional Planning Authority: Environmentally Sensitive Areas and cabins

Email received from the contact form of LISA Regional Planning Authority.

Date: Wednesday, October 19, 2011, 7:50 PM

From: JOHN ANDERSEN (john\_andersen3@hotmail.com)

Message:

Thank you for the opportunity to give input into the draft Land Use Plan. At a public meeting held in Makkovik October 18, we became aware that areas near Makkovik have been given the designation of Environmentally Sensitive Areas. And as a result, no new cabins are allowed to be built in these areas. I would like to ask that this restriction be lifted.

Firstly, the areas shaded in green on the map are not such sensitive areas. Few of the islands are actual nesting areas. Some consultation is needed to identify the location of very sensitive islands offshore.

Secondly, we have had a tradition of camping out there. During the commercial salmon fishery, my family had a cabin on the Adlavik Islands from where we carried on the fishery. The cabin no longer stands, but in the near future, we would like to once again build on the site of this traditional homestead.

For these reasons, we would like the designation of the Environmentally Sensitive Areas to be given a second look.

Sincerely,  
John Andersen  
Makkovik

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## Regional Land use plan for Labrador Inuit Settlement Area

Fr Jack Shiwak

Rigolet

I was one of the participants who attended the community information session in Rigolet. Now that I have time to sit back and think about what was said and proposed, I do have questions and some points of interest I wish to make.

First of all I think it is a good idea to have such a plan, not so much that it restricts the activities of the general population but rather that it will be a significant tool that can be used to ensure that development of the land is done in an environmentally and safe process.

My main concern is with some of the sensitive areas where there is a restriction on building of cabins. What dangers do cabins propose threats to? Since free movement, camping, hunting and fishing is allowed I fail to see the purpose, for many generations the people of this area made a living from these areas, mainly fishing and trapping as a source of income and the gathering of wild game for their diet. During this period of time the sensitivity of the land was much more important than it is today, very few if any people lead this lifestyle anymore, a guaranteed cash income is the main focus within today's world, regardless of how some try to portray their lifestyles.

If an area is so sensitive that the building of cabins is prohibited, then existing cabins perhaps should be removed. I do however have a problem with the number of cabins that can be owned by one person, there are those who own four or five cabins, maybe this is a more important area to look at, why so many?

The only area I have ever known to be protected by an unwritten law of our elders was an area within the Goose Brook area. This area was known to be of significance to the Canada goose population, it was a nesting and feeding area for geese, regardless of how poor the hunting season was, no one regardless of their

needs was allowed to hunt in this area during the closed season for geese or during the hunting season.

With the restriction that is being place on the activities within some of the proposed areas maybe these areas should become part of the proposed Mealy Mountain Park, my understanding is that traditional land use will be allowed and in a nutshell that is what is happening with the Land use proposal.

Finally, I have to say, maybe there is more I would like to say, but I have to be very careful, being in the position of Nutatsiavut Electoral Officer I am suppose to take a neutral position on any matter regarding government affairs. Voting on proposals is a possibility and I have to be seen as not taking sides one way or another.

Thank you