

NunatuKavut Community Council Comments

NunatuKavut Community Council Comment	Environmental Assessment Committee Comment and Nalcor Response
<p>“Many of the studies which are relied upon were conducted by Innu based companies and associations between 1998 and 2010. It is clear from recent written comments made to the Joint Review Panel by Innu Nation that they do not recognize rights and titles of Inuit-Metis people. This is an admitted bias and the results of studies carried out by Innu based organizations should at least be suspect of that bias.”</p>	<p>The Province has reviewed the Historic and Heritage Resources Component Study and concludes both that the studies were carried out by experienced, well qualified and reputable archeologists, and that there is no bias in the methodology and techniques used to undertake these investigations. The Province further concludes that the studies used to inform the component study are adequate to satisfy the archaeological work required to find sites of both Innu and Inuit ancestry.</p>
<p>Figure 1.1 still includes the possibility of electrodes at Lake Melville. Recent design changes, as we understand them, does not include either of these options.</p>	<p>Comment accepted.</p> <p>Recent design changes have committed Nalcor to not installing electrodes at Lake Melville. The third paragraph of the Preface to this component study provides an explanation for the Lake Melville information remaining in the component study, i.e. <i>“The report also includes information on historic and heritage resources for the originally identified Labrador electrode line corridor alternatives from the lower Churchill River to the north and south sides of Lake Melville, which were being considered when the Project’s EA and this study were initiated. Although these electrode lines are no longer under consideration by Nalcor Energy, this information has been retained in the report as it provides additional and relevant background information, and because the study’s Archaeological Research Permit and its associated reporting requirements pertain to this work as well.”</i></p>
<p>Project overview mentions only by vague inference the possibility of an accompanying wooden pole line from Muskrat Falls to the Straits. As we presently understand the project there will be a 400km+ wooden pole line to accommodate the ground electrode. These added structures may very well increase the footprint, especially in areas of high archaeological potential such as the Straits Study area.</p>	<p>A wooden pole line is planned from Muskrat Falls to the Straits. The Guidelines require the environmental effects (including “cultural heritage and social context”) of the proposed project (including transmission and wooden-pole lines) to be to be addressed in the EIS.</p> <p>Recommendation The proponent be required to develop contingency plans and procedures to follow in the event cultural heritage resources are accidentally discovered during all phases of the project. These plans and procedures to be included in the EIS.</p> <p>This is addressed in the EIS.</p>

<p>Page 8. There are several places where the proposed transmission line crosses what appear to be the inflows in the headwaters of the St Lewis River, in addition to the others listed.</p>	<p>Recommendation This be brought to the attention of Nalcor to confirm, either in a revised component study or in the EIS, whether the corridor passes through the inflows in the headwaters of the St. Lewis River.</p> <p>Review of large-scale mapping suggests that this is not so. And in any case, it has no material effect on the potential mapping, since waterways are assigned potential ratings based on their topographic attributes, whether or not they are known to have served as axes of travel.</p>
<p>From the Muskrat Falls site to the juncture with the Trans Labrador Highway, no field work has been undertaken in this part of the study area. We request that the proponent is directed to do field work in this 20 kilometre section.</p>	<p>Comment rejected</p> <p>The Province has confirmed that the archaeological assessment of the 20km section is satisfactory for purposes of the EA. (see page i of the Component Study – Supplementary Report 2011).</p> <p>Recommendation The Proponent be required to describe in the EIS reasonable mitigation measures, including monitoring to be undertaken during construction.</p> <p>Yes, mitigation measures are presented in the EIS.</p>
<p>We recommend that further underwater testing is done for significant sites in the Strait of Belle Isle (Caractucchuac).</p>	<p>Comment rejected.</p> <p>Current underwater investigations have been confirmed by the Province to be adequate.</p> <p>Recommendation The Proponent employ reasonable mitigation measures, including monitoring during excavation along shoreline. This will be included in the EIS.</p> <p>Yes, mitigation measures are presented in the EIS.</p>
<p>Page 6 of the Supplementary Study (February 18th, 2011) gives a discussion of contemporary land uses leading to historic travel routes and possible pre-contact sites. This is a reasonable line of thought. However, NunatuKavut was never consulted on contemporary land uses by their membership for the present Component Study. It is probably both evident and reasonable</p>	<p>Comment rejected</p> <p>The Province does not agree that there is “an error or, at the very least, a data gap” in the component study. The Province concludes that the studies used to inform the component study are adequate to satisfy the archaeological work required to find sites of both Innu and Inuit ancestry. Furthermore, contemporary land</p>

to think that present day Innu travel and activities into the interior could be related to pre-contact sites. The very same can be said for Inuit descent peoples, and it is not unreasonable to think that; (1) Inuit descent trappers in the eighteenth and nineteenth centuries (often referred to in the report as Settlers) would have travelled similar routes as their aboriginal ancestors, (2) that their ancestors hunted caribou in the interior and (3) it is well documented that historically Innu and Inuit peoples avoided one another. It is therefore reasonable to surmise that if information was not gathered from Inuit descent peoples, then it should be considered either an error or, at the very least, a data gap.

use, often referred to in the component study as “Settler,” is documented sufficiently for the development of the predictive models which are employed in the archaeological investigations.

The proponent advises that attempts to collect contemporary land use information from NCC members are ongoing and that this information, if available to the proponent, will be used to further inform the Environmental Impact Statement (EIS). NCC is encouraged to participate in consultations with the proponent in accordance with the Crown’s Duty to Consult, where an Aboriginal government or organization is expected to make all reasonable efforts to engage in good faith in consultations with the Crown or a delegated-proponent to ensure that all relevant information and knowledge is provided in respect of the project’s potential impacts upon the asserted rights of NCC members.

Recommendation

The proponent be directed to include contemporary land use information in the EIS and be required to submit its detailed Aboriginal consultation record.

Recommendation

The proponent be required to develop contingency plans and procedures to follow in the event cultural heritage resources are accidentally discovered during all phases of the project. These plans and procedures be included in the EIS.

YES, MITIGATION MEASURES, INCLUDING RESPONSES TO ACCIDENTAL DISCOVERIES, ARE ADDRESSED IN EIS.

The study looked at some archival sources as a means of directing the work. The earliest archival source mentioned for the Lake Melville area is the establishment of a trading post at North West River sometime after 1743 by Louis Fornel. Mention is made of the presence of Innu in the area at the time and used in the Component Study as a means to verify Innu historic presence. What the author does not point out is that several sections of the archival correspondence refers to the fact that armaments and fortifications were put in place at North West River to ward off attacks by the Inuit. Fornel, by that time, having entered into many instances of guarded trade with Inuit, was well aware of their ‘presence’.

Comment accepted.

Recommendation

The comment be passed to the proponent for its information and incorporation, as appropriate, in the EIS.

The EIS is too general a document for us to incorporate this specific fact, but brief reference to Inuit in southern and central Labrador, and the lower North Shore has been incorporated into the EIS Section 5.2, 3rd and 4th paragraphs as follows:

After approximately 500 BP, Labrador and the Lower North Shore of Québec also became the focus for European activities, initially whaling by Basques in the 16th century (Tuck and Grenier 1989), and fishing, sealing and fur-trading by people from other European countries (Kennedy 1995; McAleese 1991). Trading

	<p>contact between Europeans on the one hand, and Innu and Inuit on the other, began in earnest with the establishment of the Postes du Roy and the Seigneurie de Mingan on the Québec Lower North Shore in the 17th century, and Fornel's post at Kissessakiou (Hamilton Inlet) in the 18th century (Zimmerly 1975; Mailhot 1997; Trudel 1978).</p> <p>Through most of the fur trade period, the Innu spent most of each year moving through central and southern Labrador interior hunting and trapping grounds. Throughout this period, the interior remained remote and relatively unknown to Europeans. In Hamilton Inlet in the 18th century, and continuing through most of the 19th, the parties involved in the fur trade consisted primarily of European traders on the one hand and Innu hunters and trappers on the other. However, by the closing years of the 19th century, the Settler population (the term used until recently to describe people of mixed Aboriginal (usually Inuit but sometimes Innu) and European ancestry) became increasingly involved in fur trapping for trade, and by the early 20th century had largely usurped Innu trapping grounds along the Churchill, Kenamu, Naskaupi rivers and elsewhere (Kennedy 1995; Goudie 1991; Davis 1987; Burt 1980; Rich and Palliser 1980; Ames 1977; Tanner 1977, 1947; McGee 1961).</p> <p><u>References:</u></p> <p>Mailhot, J. 1997. The People of Sheshatshit. ISER, St. John's, NL.</p> <p>Trudel, F. 1978. The Inuit of Southern Labrador and the development of French sedentary fisheries (1700-1760). Pp. 99-121. In: R.J. Preston (ed.). Papers from the Fourth Annual Congress, Canadian Ethnology Society, 1977, National Museum of Man Mercury Series, Canadian Ethnology Service Paper No. 40, Ottawa, ON.</p> <p>Zimmerly, D.W. 1975. Cain's Land revisited: Culture change in central Labrador 1775-1972. Newfoundland Social and Economic Studies, 16. ISER, St. John's, NL.</p>
<p>Perhaps the most striking aspect of the work is the map showing the clusters of archaeological sites in the Straits part of the study area (Figure 3-2). We recommend that before any construction work is begun that more intensive archaeological survey work is carried out in the Straits area.</p>	<p>The Province agrees that this is an issue for any future Conditions of Release, the Environmental Protection Plan and/or contingency plans and procedures to be developed and implemented in the event cultural heritage resources are accidentally discovered during all phases of the project.</p>
<p>We also recommend that 'on site' monitors with experience in the field of archaeology are used during construction and that no construction proceed</p>	<p>Governments will consider whether to recommend this comment for consideration in the determination of any future Conditions of Release.</p>

<p>without them in the Straits area, should this project proceed.</p>	
<p>General The Aboriginal and Traditional knowledge of the NCC has not been included to date into any of these Component Studies for the Labrador – Island Transmission Link. Traditional Knowledge of NunatuKavut’s people, coupled with an integration of related land claims research and historic use and occupancy data, can provide CEAA and the Minister with a better understanding of concerns with the project, potential impacts, and potential or recommended accommodations.</p>	<p>NCC is encouraged to participate in consultations and engagements by the proponent to ensure that all relevant information and knowledge is provided in respect of the project’s potential impacts upon the asserted rights of NCC members.</p> <p>The proponent advises that its attempts to collect Aboriginal and Traditional Knowledge (ATK) from the NCC are ongoing and that if ATK is made available to the proponent by NCC members, it will be used to inform the EIS.</p> <p>The proponent will be directed to provide a detailed Aboriginal consultation record.</p> <p>We also understand that on January 19, 2011 the proponent signed a phase II community engagement agreement with NCC to replace the agreement that expired in March 2010. The January 2011 agreement is still in effect. The Guidelines recognize that ATK may be essential to the assessment of project effects, and “shall be an integral part of the [Environmental Impact Statement] (EIS), to the extent that it is available to the Proponent” (Guidelines, section 2.3).</p> <p>Recommendation The proponent be required to incorporate Aboriginal and traditional knowledge and land use and occupancy information received from NunatuKavut into the Historic and Heritage Resources component study and/or the EIS</p> <p>To the extent that it was available, the EIS does incorporate Aboriginal and Traditional Knowledge as presented in the NCC report.</p>