



April 14, 2011

Provincial Minerals Strategy

Department of Natural Resources
P.O. Box 8700
St. John's, NL A1B 4J6
Email: mineralstrategy@gov.nl.ca

The Newfoundland and Labrador Environment Network (NLEN) appreciates the opportunity to provide input on the discussion paper *A Minerals Strategy for Newfoundland and Labrador*. We wish to congratulate the government on its proactive effort to engage the public on the development this strategy.

Our comments address two issues raised in the discussion paper: access to land and the use of freshwater bodies as tailings impoundments.

The discussion paper alludes to the conflict between the industry's need for access to land, and the goal of establishing a network of protected areas (or natural areas system plan) representative of each ecoregion in the province. Inter-departmental government conflict and concerns from the private sector – including the mining sector – have prevented the public release and delayed the implementation of our natural areas system plan for many years. Sadly, we remain the only province in Canada without a publicly accessible natural areas system plan. The lack of clarity and transparency surrounding protected area planning creates uncertainty for the mining industry and frustration for all citizens who want action on protection of our natural heritage.

We believe it is critical that the minerals strategy explicitly endorse, in principle, the establishment of a network of protected areas, as defined in the Canadian Biodiversity Strategy (1995) and outlined in the provincial Department of Environment and Conservation's Strategic Plan (2008-2011). This is an important step towards aligning the province's mining industry with the broader governmental and societal goal of sustainable development. The provincial Forestry Branch – housed under the same department as Mines Branch – has made this step in its Provincial Sustainable Forest Management Strategy (2003), which states: "the Newfoundland Forest Service will encourage completion of the natural areas systems plan and investigate a provincial protected areas network at the landscape level".

We note that the Whitehorse Mining Initiative (1994) provides guidance on this long-standing conflict, recognising broad national consensus on the need for protected area networks *and* the mining industry's legitimate claims to land access. It states that "protected area networks are essential contributors to environmental health, biological diversity, and ecological processes...". The document also sets important goals for decision-making processes affecting land-use, e.g. "To make land-use and

land-access policy and decision-making processes accessible to all stakeholders whose interests are affected". We encourage Mines Branch to work collaboratively with all levels of government, Aboriginal peoples, and communities around the province to develop *public* processes to guide land use decision-making (e.g. integrated land-use planning), including decisions on protected area proposals and all exploration and development proposals related to mining.

The discussion paper provides a brief overview of the issue of use of freshwater bodies for tailings impoundments. As your department is aware, there has been a significant public outcry concerning this practice due to the permanent destruction of freshwater ecosystems and the inadequacy habitat compensation plans. We suggest that a thorough review and justification of this practice be carried out, taking into account an examination of alternative options for the storage of mine tailings. It should be noted that the province of Quebec, a competing mining jurisdiction facing similar challenges in regards to long-term mine waste storage, has developed regulations that prohibit the dumping of mine tailings into freshwater bodies within its provincial boundaries (Directive 019 Sur L'Industrie Minière, 2005).

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in blue ink that reads "Christopher Hogan". The signature is written in a cursive style.

Christopher Hogan
Executive Director

Documents referenced:

Canadian Biodiversity Strategy (1995):

<http://www.biodivcanada.ca/default.asp?lang=En&n=560ED58E-1>

Department of Environment and Conservation, *Strategic Plan 2008-2011* (2008):

http://www.env.gov.nl.ca/env/publications/departmental_pubs/strategic_plan_2008_11.pdf

Directive 019 Sur L'Industrie Minière (2005):

http://www.mddep.gouv.qc.ca/milieu_ind/directive019/index.htm

Provincial Sustainable Forest Management Strategy (2003):

http://www.nr.gov.nl.ca/nr/forestry/manage/prov_sustain.html

The Whitehorse Mining Initiative, Leadership Council Accord Final Report (1994):

<http://www.nrcan.gc.ca/mms-smm/poli-poli/pdf/accord-eng.pdf>