

**CARTWRIGHT JUNCTION TO HAPPY VALLEY-GOOSE BAY**  
**TRANS LABRADOR HIGHWAY**  
**ENVIRONMENTAL IMPACT STATEMENT ADDENDUM**  
**SUPPLEMENTARY DEFICIENCY STATEMENT**

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- The Guidelines required discussion of the Akamiupishk<sup>u</sup>/ Mealy Mountain National Park Study Area and the Feasibility Study for potential establishment of a national park, including size, geographic area, ecological integrity and wilderness character. The Guidelines further required consideration of cumulative effects of the highway on the Feasibility Study and potential establishment of a National Park. The Deficiency Statement reiterates those requirements and a response has been provided that the presence of a road is not considered to result in significant effect if the road were within the boundaries of the national park, and that a national park can be considered a mitigative measure. Description provided for four of the five ecoregions and Natural Region 21 has been cursory. Park boundaries have not yet been finalized and consultations may indicate that a highway through the National Park is not advisable or desirable. The possibility exists that any future boundaries of a national park may be designed to avoid a highway. Given that possibility, provide a more comprehensive discussion of the potential cumulative effects to ecological integrity of the five ecoregions and Natural Region 21 if the preferred route is constructed and a Mealy Mountains National Park boundary was designed to exclude the highway from the National Park. In the discussion use the description of the ecological characteristics of the five ecoregions and Natural Region and use each of the two route scenarios to describe a potential Mealy Mountains National Park that excludes a highway. Compare the ecological integrity of a potential national park that excludes the preferred route and the ecological integrity of a potential national park that excludes the alternative route and compare each of the potential parks' size, geographic area and conservation targets, wilderness character, wilderness core and wilderness values.
- The Guidelines require an analysis of environmental effects for each Valued Ecosystem Component (VEC) with one of the criteria for evaluation to be level of certainty. The Deficiency Statement indicates that the level of confidence contained in Table 6.9 for the environmental effects summary for caribou from the preferred route is High for a Not Significant (Minor) environmental effect and a response is provided that habitat use by radio-collared animals is consistent with historic patterns, considerable literature exists on reaction of caribou to linear development, and the experience of the study team allows for a high level of confidence. The information provided in the Caribou Component Study Addendum is still limited in scope (few caribou were observed). The available literature on caribou reaction to linear development provides conflicting conclusions. Describe the conflict within the available literature and apply the conclusions of each type of the literature to caribou species at risk, such as the Mealy Mountains Caribou Herd, for which information is still limited. Describe whether a Not Significant (Minor) environmental effect can be predicted with a High level of confidence for caribou species at risk for which information available is still limited, under each conflicting conclusion presented in literature.

- The Guidelines required a description of environmental compliance and monitoring programs. The EIS indicates that collared caribou will continue to be monitored during construction. The Deficiency Statement advises that a monitoring program must be developed to evaluate the effects predictions generated in the EIS and that, at a minimum, evaluation of habitat use must be made during caribou calving and post-calving for both construction and post-construction. In addition, caribou should be monitored to assess the ability of animals to cross the highway once constructed. A response has been provided that no environmental effects monitoring is proposed and that additional work was conducted to provide information on calving and post-calving periods in 2003. The additional work conducted is useful information for pre-construction but does not contribute to the testing of effects predictions during construction and for post-construction. A monitoring program will still be required for this caribou population for which available information is currently limited and which is listed as a species at risk. Describe this monitoring program.
- The Guidelines required that technically and economically feasible mitigative measures shall be described and discussed. The EIS indicates that no unique or extraordinary mitigation measures apply with regard to protecting fish and fish habitat. The Deficiency Statement advises that construction personnel must not fish while on site since fish survey work by Inland Fish and Wildlife is ongoing to determine pre-access fish population inventory. The response provided questions the authority under which a no fishing policy can be enforced and advises that the proponent is not able to commit to a no fishing policy for construction personnel. Access to waterways along the highway route is currently limited and difficult. The purpose of Inland Fish and Wildlife's ongoing fish survey is to determine a characterization of fish population prior to construction and increased access. The baseline information to be collected will form the basis of discussions with Fisheries and Oceans Canada on management options to mitigate effects of increased access on fish populations. The fish survey being conducted is based on the assumption that pre-construction fishing activity provides the baseline information necessary for effects prediction and that there will be limited access and fishing as each section is constructed, particularly in more remote areas. Fishing by construction personnel will therefore affect the results of the fish survey. The proponent is required to develop and implement a no fishing policy for construction personnel and contract workers. Describe the no fishing policy, which is to form part of the Environmental Protection Plans and to be used as part of the environmental awareness training for such personnel and workers.
- Table 2.7 of the EIS Addendum compares the factors associated with each of the possible routes. Table 2.2 provides the proposed crossing structure type for each route. It is unclear whether the savings associated with reduced sizes and types of crossing structures is reflected in the construction costs for the Outfitter route. The Outfitter Route requires two fewer bridges and nine fewer pipe arches but 31 additional culverts. Information should be provided on the relative cost of each bridge structure and the relative cost for pipe arches and culverts. The relative total cost should then be

provided to compare the relative cost increase or savings attributed to crossing structures for each alternative route.

- Additional information to be supplied for compliance with the Supplementary Deficiency Statements for the Tourism and Recreation and Fish and Fish Habitat Component Study Addenda will enable the proponent to provide more baseline information with respect to fish population and characteristics, the outfitting industry and the fishery upon which the industry has been established, after the proponent has undertaken the necessary consultation with the outfitting industry. Provide a renewed perspective of the effects of the highway upon the fishery, upon the fish resource for the outfitting industry and upon the outfitting industry as each of those might be affected by both the preferred and alternate routes.
- The proponent's contention that enforcement agencies have adequate resources in place to monitor fishing activities has not been corroborated with enforcement agencies as the proponent has claimed. Provide the references necessary to confirm the proposition that resources are adequate to enforce fisheries management and enforcement, or indicate whether Appendix E of the EIS Addendum should be considered to constitute the predicted environmental effects of the undertaking.
- The proponent has still not acknowledged that there is a distinction between resident and non-resident angling and the fly in lodge based outfitting industry. Additional information to be supplied for compliance with the Supplementary Deficiency Statements for the Tourism and Recreation and Fish and Fish Habitat Component Studies will assist the proponent in illustrating the differences between the two fishing experiences. With that additional information, and in consideration of proximity of the highway to the existing outfitting industry and the documented tripling of angling in Labrador, provide a renewed perspective on the predicted potential effects of each highway routeing based on proximity of fly in fishing lodges to the highway, the predicted potential effects of improved access afforded by the highway to the fishery upon which the outfitting lodges are based and upon the sustainability of the fishery upon which the outfitting industry relies. As part of that discussion provide an assessment comparing the effects that might be localized to an area of high fishing potential with how stocks throughout a watershed might be affected by overutilization of a resource in a localized area.
- Big Game Hunter Surveys and Auto Exit Surveys demonstrate that there are differences by orders of magnitude in tourism expenditures between the two markets. Use the additional information to be supplied for compliance with the Supplementary Deficiency Statements for the Tourism and Recreation and Fish and Fish Habitat Component Study Addenda to provide comparisons of the tourism potential of existing fly in based outfitting operations with the tourism potential of automotive visitors who might displace clients of outfitting operations if those operations are jeopardized by construction and operation of the highway. Also use the additional information to provide an assessment of effects on fish stocks resulting from displacement of the

outfitting fishery with a fishery based upon automotive anglers. In addition, use the additional information to compare the employment associated with fly in based fishing lodges and the employment associated with automotive visitors.

- While the proponent has encountered no studies on lodge closures as a result of improved access to resources upon which a lodge was based there exists ample anecdotal information about the relationship between improved access and sustainability of resources. The lack of scientific study should not be used to discount that a possible relationship exists. Anecdotal information can provide a logical link, admittedly not scientifically documented, which can be used to form the basis of a professional judgement. The proponent is required to investigate past experience with the effects of improved access on resources which, though perhaps not scientifically defensible as cause and effect, may contribute to making an informed decision as to a relationship between the two. Once this relationship is projected measures should then be proposed to suggest appropriate planning and enforcement, so that the necessary agencies can be alerted to the need for any additional planning initiatives and the need for any additional resources.
- The EIS Addendum contains a proposition that resource management agencies should consider a cooperative management or regional land use planning approach. Provide past experience on how such an approach might be developed, what might be included in the approach, who would be responsible for management and planning, what role the proponent would be expected to assume if such an approach were to be implemented and how the success of the approach could be evaluated.
- The Deficiency Statement required conclusions and recommendations of the Labrador Innu Land Use Component Study to be incorporated into the effects assessment to provide an integrated and comprehensive evaluation of effects and allow further incorporation of conclusions and findings into the Environmental Protection Plans. This has not been done and as a result there are exclusions of discussion or consideration of mitigation of impacts on Innu land use within the proponent's proposed mitigation. This is also the case in the proponent's monitoring and follow-up commitments and the conclusions with respect to residual environmental effects. Review the effects assessment and incorporate the conclusions and recommendation of the Labrador Innu Land Use Component Study to provide an integrated environmental effects assessment.
- The proponent's discussion of Innu concerns with the alternative route is described as incomplete and inaccurate. The Addendum acknowledges the (outfitter's) alternative route was not part of the consultations conducted by Innu Nation in 1992 as a consequence of the Process Agreement between Innu Nation and the Department of Works, Services and Transportation. The EIS does not acknowledge that Innu Nation has subsequently expressed support for the alternate route indicating that, of the alternatives presented to the community during the 2002 consultations, the community members identified what became the preferred route as the route believed to have the

least impact on Innu land use. It is suggested, however, that the proponent revised the routeing of the highway from that previously agreed during Innu consultations and the alignment now proposed in the vicinity of Uunikush lake would not meet the objective of ensuring the highway does not provide access to major lake systems used by Innu. Innu Nation has made representation that the preferred route is not acceptable and that the alternative route appears to offer significant advantages for protecting Innu land use. They also suggested that the proponent has misconstrued Innu concerns with “headwaters” and that Innu Nation’s concern is for the road to be designed from the outset to maximize opportunities for protection of ecological and cultural integrity of the region. Consult with Innu Nation to confirm their views on the preferred route as described in the EIS and the alternate route described in the EIS Addendum. Clarify how the EIS and its Addendum’s discussion of Innu concerns with the alternate route could be described as incomplete and inaccurate. Clarify Innu concerns with “headwaters” as those concerns may affect routeing of the alternative route.

- The EIS assessment of impacts on resource use and users is described as minor (not significant) and appears to display some inconsistency with the Labrador Innu Land Use Component Study which assesses those impacts as significant (minor to major) depending on the adequacy of mitigation measures. Review the effects assessment and incorporate the conclusions and recommendations of the Labrador Innu Land Use Component Study to provide an integrated environmental effects assessment on resource use and users.
- Tallyman observations are based on extensive observation and expertise and the proponent’s characterization of those observations as anecdotal information and opinion is disrespectful and dismissive of aboriginal knowledge.