

2011 PROVINCIAL ELECTION - NEWFOUNDLAND AND LABRADOR

ENVIRONMENTAL POLICY RECOMMENDATIONS

August 29, 2011

There are a number of environmental issues in Newfoundland and Labrador, which are affecting the sustainability and well-being of our communities and economy. These issues include rising greenhouse gas emissions, degradation and loss of natural habitat (in both the marine and terrestrial environments), and loss of biological diversity.

Environmental organisations do not have all the solutions to these problems, but are actively engaging with the public, governments, aboriginal groups, and industry sectors to seek common ground and make progress. In that spirit, this document presents policy recommendations to address a number of environmental issues in our province: climate change, offshore oil pollution, protected area establishment, forestry management, mining, and wildlife protection. These recommendations should not be interpreted as “set in stone”, but rather a starting point for dialogue.

The contributors are member organisations and partners of the Newfoundland and Labrador Environment Network, a provincial network of non-governmental, non-profit environmental groups. The issues addressed are viewed as priorities for action by the contributing organisations. Please note as well that the document does not attempt to address *all* environmental issues and concerns in Newfoundland and Labrador.

Feedback on the recommendations contained in this document is welcome. Contact information of all contributors is listed on the final page.

CONTRIBUTING ORGANISATIONS:

Canadian Boreal Initiative

Mining Watch Canada

Nature Newfoundland and Labrador

Protected Areas Association of Newfoundland and Labrador

Sandy Pond Alliance for the Protection of Canadian Waters

Sierra Club of Canada – Atlantic Chapter

COMPILED BY:

Newfoundland and Labrador Environment Network

Policy Area 1: Protected Areas

Issue: Ecologically diverse areas are not adequately protected.

Policy Recommendation for preserving biodiversity in ecologically rich areas of NL:

1. Publish and implement the provincial Natural Areas System Plan to bring us in line with the other provinces of Canada, all of whom have a plan.
2. Develop and implement a marine protected areas plan.
3. Reach the national standard of 12% terrestrial protected areas and strive to meet the Convention on Biological Diversity targets of 17% protection for terrestrial areas and 10% protection for marine and coastal areas.
4. Make an equivalent budget allocation to establish the Eagle River Waterway Provincial Park in Labrador, as a companion to the \$5.5M federal government budget commitment to establish the Mealy Mountain National Park Reserve. Park establishment should be informed by community consultation and the guidance of a steering committee including representatives of Aboriginal and local communities, environmental organizations and the public.
5. Significant efforts in Land Use Planning in Labrador (including the LISA land use plan, Labrador Conservation Blueprint and future land use planning by Innu Nation) should be well-supported and highlighted as ways of meeting the protected areas targets.
6. Expand ecological reserves network to provide adequate protection for woodland caribou populations.
7. Finalize the establishment of the Little Grand Lake and Lawn Islands Ecological Reserves.

Contributing organisations:

Canadian Boreal Initiative
Nature Newfoundland and Labrador
Protected Areas Association of Newfoundland and Labrador

Policy Area 2: Climate Change

Issue: Newfoundland and Labrador has had a 10% increase in greenhouse gas emissions since 1990 and is the 5th highest per capita emitter in Canada.

Policy recommendations to reduce greenhouse gas emissions in the province:

1. Introduce feed-in tariff renewable electricity system to reduce the province's reliance on non-renewable energy sources, such as Holyrood.
[Note: The largest contributor to greenhouse gases in NL is related to power generation and large industrial companies.]
2. Establish a regional public transportation system for the Avalon Peninsula.
[Note: 51% of the population of NL reside on the Avalon Peninsula.
Furthermore, a large percentage of NL's greenhouse gas emissions come from automobile usage.]
3. Develop a greenhouse gas emission reduction strategy.
4. Initiate bio-gas electricity generation program to accommodate existing bio-gas infrastructure.
5. Conduct an inventory of existing green local energy products and where appropriate commence using such products.
6. Initiate a five year plan to conduct energy assessments on all dwellings and commercial, industrial, and institutional buildings in the province.
7. Develop a provincial peatland stewardship policy. The carbon storage in the soils and peatlands of Newfoundland and Labrador is equal to 118 years of all of Canada's emissions at 2006 levels!
8. Commit to establishing a network of permanent sample plots to track the impacts of climate change on the Province's forests.

Contributing organisations:

Sierra Club of Canada – Atlantic Chapter
Canadian Boreal Initiative

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Background Information:

Other jurisdictions have implemented feed-in tariff policies: e.g. Ontario, Nova Scotia.

- [Renewable energy in Canada](#)
- [Ontario Power Authority: feed-in tariff program](#)
- [Nova Scotia feed-in tariff program](#)

Other jurisdictions have implemented regional transport policies: e.g. Calgary, Alberta; Nanaimo, British Columbia; Windsor, Ontario.

- [Calgary's Regional Transportation Plan](#)
- [Nanaimo Regional Transit System](#)

Other jurisdictions such as Manitoba have implemented peatland stewardship strategies.

- [*"The Carbon the World Forgot"*](#)

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Policy Area 3: Offshore Oil Pollution

Issue: Lack of oversight on the environmental impacts of the offshore oil sector.

Policy recommendations to strengthen oversight of the environmental impacts of the offshore oil sector:

1. Implement recommendations from the Report of the Terra Nova Development Project Environmental Assessment Panel (1997), specifically:
 - a. Operators of offshore oil projects fund basic research such as Department of Fisheries and Oceans research on the mechanisms and processes by which chemicals produced in the water may have impacts on the biological community.
 - b. Establish a zero tolerance policy for oil spills.
 - c. Establish clear responsibilities for government agencies that deal with and handle oil spills.
 - d. Require that all offshore oil rigs carry independent trained observers to monitor activities in offshore exploration and production.
2. Establish a robust protocol for seabird surveys by independent observers of all offshore platforms.

Contributors:

Sierra Club of Canada – Atlantic Chapter
and

Dr. Bill Montevecchi, University Research Professor, Memorial University of Newfoundland

Background Information:

- [Report of the Terra Nova Development Project Environmental Assessment Panel – Recommendations](#)

Additional Information:

- [A Framework for Effective Environmental Regulation in Newfoundland and Labrador's Offshore Oil and Gas Sector: Applying Lessons from the Offshore Helicopter Safety Inquiry](#)

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Policy Area 4: Forestry

Issue: Creating a more sustainable forest industry in Newfoundland and Labrador.

Policy recommendations to improve forest management:

1. Implement the Provincial Sustainable Forest Management Strategy (2003) and long overdue Ecosystem-based Forestry Management system including an emphasis on old growth forests and species at risk habitats.
2. Defer new logging and road building on the Island of Newfoundland within intact forest landscapes until the 5-year caribou management strategy is completed, and publicly peer reviewed along with the proposed Department of Natural Resources – Department of Environment and Conservation 5-year Caribou Adaptive Management Research Study.
3. Implement a Land Use Planning Process guided by ecological and cultural principles.
4. Conduct broad public consultations on future land uses for the former Abitibi tenures in Central Newfoundland.
5. Develop a high conservation value forest process and request input from both environmental non-government organizations and the public.
6. Identify and map riparian areas (biological diversity hotspots) and establish a 100 metre buffer around the areas, including ephemeral or intermittent streams where reach-in is currently allowed.
7. Commit to Forest Certification (preferably Forest Stewardship Council) of all forest management districts.
8. Commit to establishing a network of permanent sample plots to track the impacts of climate change on the Province's forests.

Contributing organisations:

Canadian Boreal Initiative

Nature Newfoundland and Labrador

Background Information:

- [Provincial Sustainable Forest Management Strategy](#)
- [Background on High Conservation Value Forest](#)
- [Riparian Areas](#)

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Policy Area 5: Mining

Issue 1: Public health and environmental risks associated with abandoned mine and mineral processing sites.

Policy Recommendation:

1. Establish a mining reclamation program to remediate and restore natural habitats at abandoned mine, quarry, and processing sites in NL.
2. Catalogue decommissioned and orphaned mines and investigate the environmental problems associated
3. Establish a Mining Recovery and Reclamation Fund from the annual mining royalties collected; 25% of the annual mining royalties should be allocated to the Fund. Once established, the Fund should:
 - a. Identify and catalogue abandoned mine sites in the province;
 - b. Conduct environmental assessments of sites to determine the nature and extent of contamination;
 - c. Establish a priority reclamation and restoration list based on the actual and potential detrimental effects to the natural environment and human health;
 - d. Develop and implement containment and remediation programs for the sites.

Contributing organisations:

Mining Watch Canada

Sierra Club of Canada - Atlantic Chapter

Issue 2: Lack of coherence in balancing mineral exploration's need for access to land and environmental protection.

Policy Recommendations:

1. Encourage government to implement the Natural Areas Systems Plan, including a list of new and planned protected areas, to provide clarity for resource development planning.
2. Develop regional land-use plans, and defer significant exploration until the plans are adopted. Prospecting is acceptable if it receives community consent in advance.

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3. Adoption of the Precautionary Principle as an integral part of the new Minerals Strategy.
4. Require a 'best practice' governmental policy to minimize impacts on the environment and to encourage innovation. Developments should not be allowed to proceed where no environmentally sound approach is yet available.
5. End the "free-entry" system of mineral exploration on public lands and impose a permitting systems with adequate environmental safeguards. The government must be given greater authority to reject proposals for exploration and mining activities if they are not socially and environemtnally responsible/ acceptable.
6. Legal requirements for responsible exploration as are currently required in Nunatsiavut should be applied throughout NL.
7. Prioritize planning and creation of protected areas where there is currently no or little ecological representation and where there is high potential for mineral development.
8. Prevent future conflicts by giving landowners the right to withdraw their properties from staking.

Contributing organisations:

Mining Watch Canada

Nature Newfoundland and Labrador

Protected Areas Association of Newfoundland and Labrador

Issue 3: Destruction of whole freshwater aquatic ecosystems and contamination of natural bodies of water by mining companies.

Policy Recommendation:

1. The use of natural water bodies for tailings and mill waste disposal should not be permitted by the province. Environmentally-sound methods of disposal should be required.

Contributing organisations:

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Issue 4. Environmental assessments of mining and petroleum projects do not always include an assessment of their contribution to sustainable development.

Policy recommendation:

1. The NL Environmental Assessment Regulations should be amended to include a requirement for non-renewable resources projects to include an analysis of their contribution to sustainable development that includes:

- a. intergenerational effects
- b. community and provincial interests, values and development goals
- c. distribution of costs and benefits
- d. impacts on ecosystem functions
- e. impacts on biodiversity

This recommendation is meant to move environmental assessment beyond just minimizing or mitigating negative impacts towards promoting sustainable options for development.

Contributing organisation:

Mining Watch Canada

Issue 5: The Mineral Act currently does not include a provision to consult communities and Aboriginal populations at the exploration stage.

Policy Recommendations:

1. Update mechanisms under its Mineral Act to specifically to address Aboriginal consultation issues, and to provide mechanisms for dispute resolution.
2. Generalize key provisions of the *Mineral Exploration Standards Regulation* for Labrador Inuit Lands so that they may be applicable elsewhere within the Province. Advance permit and work planning requirements would allow issues of concern to be raised by affected communities, and comments to be provided to the proponent, who may then choose to modify the proposed scope or schedule of work and resubmit the application for reconsideration while also seeking support and consent from the concerned community. Where fundamental objections are raised and

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consent has not been reached, there should be options for the regulators not to allow the project to proceed until those issues are addressed.

3. Ensure Aboriginal rights are protected and that agreements are mutually agreed upon as per the UN Declaration on the Rights of Indigenous Peoples and the International Labour Organization's Convention 169 regards Free Prior and Informed Consent of Indigenous people on whose traditional territories projects are proposed.

Contributing organisations:

Canadian Boreal Initiative

Mining Watch Canada

Policy Area 6: Wildlife

Issue 1: Newfoundland Island caribou have experienced significant declines.

Policy Recommendations:

1. Adopt a “no new disturbance” policy in all core occupancy kernels and buffers.
2. Defer clearcutting and new roadbuilding within intact forest landscapes until the 5 year caribou management strategy is completed.

Issue 2: Labrador woodland caribou are at risk, the George River herd has experienced a rapid and steep decline.

Policy Recommendations:

1. Promote a comprehensive planning process for Labrador’s caribou that involves Aboriginal governments fully, and recognizes the need for significant investments in this process and for the development of capacity of Aboriginal governments and organizations to ensure meaningful participation.

Contributing organisation:

Canadian Boreal Initiative

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