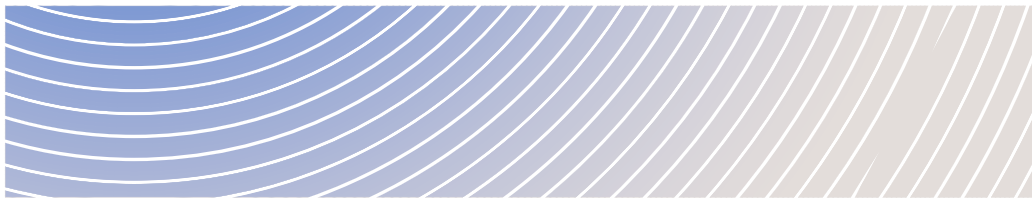


Cooperation Plan



STRANGE LAKE RARE EARTH MINING PROJECT

November 8, 2024



Agence d'évaluation
d'impact du Canada

Impact Assessment
Agency of Canada

Canada



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1. Introduction

1.1 Purpose

Under the *Impact Assessment Act* (IAA), the Impact Assessment Agency of Canada (IAAC) is required to develop a cooperation plan for the impact assessment of any project subject to a federal impact assessment, specifying how IAAC will cooperate with other jurisdictions. The purpose of the cooperation plan is to define the following for each assessment phase:

- How jurisdictions will cooperate;
- Opportunities to participate and general timelines;
- Roles and responsibilities of participants in the assessment.

This cooperation plan outlines the approach IAAC intends to take with the Province of Newfoundland and Labrador (NL) and the Kativik Environmental Quality Commission (KEQC) for the Strange Lake Rare Earth Mining Project (the Project). It sets out IAAC's intentions for a collaborative assessment process that meets the requirements of the federal impact assessment and of the other jurisdictions' processes.

The cooperation plan is intended to be flexible and high-level. IAAC may modify the approach set out in this plan in response to any changes that may occur during the assessment process. The impact assessment process led by IAAC and the environmental impact assessment process led by the provinces will be applied to meet their respective legislation.

1.2 Project background

Torgat Metals Ltd. is proposing the construction, operation, decommissioning and abandonment of an open-pit rare earth mine, located approximately 235 kilometers northeast of Schefferville, Quebec. The mine would have a production capacity of up to 36,000 tonnes per day and a lifespan of 30 years. As proposed, the project would include at the mine site a 1,500-metre-long airstrip, a new metal mill with an ore input capacity of 17,000 tonnes per day, waste rock and tailings piles, and associated buildings. The project would also include a road of about 170 kilometers between the mine site and the new port facilities on the Labrador coast.

On June 6, 2024, IAAC determined that an impact assessment was warranted for the Project. On June 20, 2024, amendments to the IAA came into force. On August 9, 2024, the Project was brought under the amended IAA as per the transition provisions.

1.3 Legislative background

In addition to the federal impact assessment, the Project or some of its components, trigger two other assessment processes. In Labrador, the road between the mine site and the coast of Labrador is subject to NL's environmental assessment process under the *Environmental Protection Act* (EPA). On

December 14, 2023, the provincial Minister of Environment and Climate Change determined that an environmental impact statement was required for the Project. On December 22, 2023, an environmental assessment committee was appointed to advise the provincial Minister on technical and scientific matters and to prepare NL guidelines which contains requirements for the proponent's environmental impact statement.

In Quebec, the Project is subject to an environmental assessment under Annex 1 of Section 23 of the *James Bay and Northern Quebec Agreement* (JBNQA) and under the *Environment Quality Act* (EQA). Under the JBNQA, the KEQC is responsible for implementing the environmental and social impact assessment and review process for projects north of the 55th parallel. In October 2023, the KEQC sent the proponent a directive specifying the nature and scope of the environmental impact statement that the proponent must prepare.

2. Approach to cooperation

2.1 Opportunities for cooperation

To date, IAAC and NL have coordinated aspects of the assessment process, including the development of joint guidelines, which outline the information required in the impact statement. IAAC and NL have also coordinated public comment periods and shared all comments submitted during the planning phase to reduce consultation fatigue and increase efficiency. IAAC and NL intend to continue harmonizing the next phases of the assessment process, while respecting the requirements set out in their respective legislation. IAAC and NL have agreed to undertake their respective assessments in a cooperative manner such that key milestones and activities are aligned where possible. Each jurisdiction retains its decision-making power and will make its decision under its legislation.

Specific areas where IAAC and NL have collaborated or are currently collaborating on include the following:

- Development of joint impact statement guidelines in a single coordinated document setting out the information that the two jurisdictions require from the proponent;
- Alignment of public comment periods and sharing of all comments submitted;
- Development of joint communications, such as official letters;
- Joint follow-up and update meetings with the consulted Indigenous groups; and
- Guidance and support to the proponent through the development of the impact statement.

IAAC will share information with NL and KEQC respectively and as appropriate, in a timely manner. In its cooperation with NL, where possible, information will be shared to optimize discussions with the proponent and to facilitate public and Indigenous participation in the assessment processes. This will allow for a more efficient assessment process and increased certainty for all participants. When sharing or publishing information, IAAC will comply with confidentiality and privacy requirements, including the protection of Indigenous Knowledge.



2.2 Assessment process

During the impact statement phase, IAAC and NL will collaborate to provide guidance to the proponent and answer questions regarding the joint guidelines. IAAC and NL will work with their respective authorities and share information with one another when reviewing preliminary sections of the proponent's Impact Statement. IAAC and NL may conduct another joint consultation period on the Impact Statement.

During the impact assessment phase, IAAC will lead the development of the Impact Assessment Report. IAAC and NL will explore opportunities to collaborate during this phase.

Recognizing that each jurisdiction retains its decision-making power and will make its decision under its legislation, IAAC and NL will consider options to continue the alignment of key steps in the processes and the sharing of relevant information.

Where appropriate, IAAC will share information with NL and/or KEQC respectively regarding potential conditions that may be imposed on the proponent in relation to the Project to promote consistency and efficiency in the implementation of regulatory obligations.

3. Public participation and participant funding

Public participation is an essential part of an open and informed assessment. The different impact assessment processes have varying steps and approaches for public participation. IAAC and NL will provide participants with the opportunity and necessary information to participate in an informed manner, as well as the opportunity to participate in both processes simultaneously. Opportunities for public participation will be designed with the diverse needs and interests of participants in mind. Views heard throughout the process will be taken into account and will inform the decision-making phase.

Funding to support public participation is available from IAAC. For more information, consult IAAC's [National Program Guidelines](#) on the Participant Funding Program (including the Program process as well as the activities and expenses eligible for funding). Further information on public participation and engagement activities can be found in the [Public Participation Plan](#).

4. Indigenous consultation and engagement

4.1 Opportunities for consultation and engagement

Crown consultation will be conducted by all jurisdictions as per their respective legislation. IAAC and NL will coordinate, to the extent possible, to continue aligning consultation periods and the sharing of submitted comments to reduce consultation fatigue. The two jurisdictions will also explore the possibility of conducting joint consultation activities with affected Indigenous groups when appropriate.



Further information on IAAC's Indigenous community consultation and participation activities can be found in the [Indigenous Engagement and Partnership Plan](#).

4.2 Labrador Inuit Land Claims Agreement

Section 11.2.3 of the *Labrador Inuit Land Claims Agreement*¹ (LILCA) states that:

if a project is subject to more than one environmental assessment, the relevant authority and the Nunatsiavut Government shall [...] negotiate an agreement or arrangement for the coordination and harmonization of the applicable environmental assessment processes so as to avoid unnecessary overlap and duplication while also meeting their respective decision-making needs with respect to the Project.

IAAC has been in discussions with NL and the Nunatsiavut Government since the beginning of the impact assessment processes. Discussions will continue to ensure efficiency of the environmental assessment processes.

5. Interpretation

This cooperation plan is not a legal document and does not change any existing Indigenous, federal or provincial constitutional, legislative or regulatory jurisdiction, right, power, privilege, prerogative or immunity, nor does it create any new legally binding power, duty or obligation.

6. Contact information

The following is IAAC office responsible for administering the impact assessment process for the Project:

Quebec Regional Office
Impact Assessment Agency of Canada
901-1550 D'Estimauville Avenue
Québec, Quebec G1J 0C1
Telephone: 418-649-6444
Email: StrangeLake@iaac-aeic.gc.ca

The following is the contact information for the Government of Newfoundland and Labrador office:

Environment and Climate Change
P.O. Box 8700
St. John's, NL A1B 4J6
Email: ECCInfo@gov.nl.ca

¹ <https://www.rcaanc-cimnac.gc.ca/eng/1293647179208/1542904949105>



If you wish to reach the Kativik Environmental Quality Commission, please contact:

Kativik Environmental Quality Commission

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