

NUNATSIAVUT ASSEMBLY

IL 2021-01

Inuit Communities Quarries Act, 2021

AN ACT TO AUTHORIZE THE NUNATSIAVUT GOVERNMENT TO ISSUE SEPARATE LEASES TO THE NAIN INUIT COMMUNITY GOVERNMENT, POSTVILLE INUIT COMMUNITY GOVERNMENT AND RIGOLET INUIT COMMUNITY GOVERNMENT TO DEVELOP AND OPERATE QUARRIES ON LABRADOR INUIT LANDS PARCELS LIL-05C, LIL 13-C AND LIL-21, RESPECTIVELY.

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WHEREAS the Nain Inuit Community Government has applied to the Nunatsiavut Government for access to a 2.894 hectare piece, parcel or lot of Labrador Inuit Lands within Parcel LIL-05C (shown in Appendix B-1 Part 1 and Map 55 of the Labrador Inuit Land Claims Agreement Appendices) for purposes of operating a sand quarry;

AND WHEREAS the Postville Inuit Community Government has applied to the Nunatsiavut Government for access to a 7.573 hectare piece, parcel or lot of Labrador Inuit Lands within Parcel LIL-13C (shown in Appendix B-3 Part 1 and Map 88 of the Labrador Inuit Land Claims Agreement Appendices) for purposes of operating a sand quarry;

AND WHEREAS the Rigolet Inuit Community Government has applied to the Nunatsiavut Government for access to a 7.139 hectare piece, parcel or lot of Labrador Inuit Lands within Parcel LIL-21 (shown in Appendix B-5 Part 1 and Map 106 of the Labrador Inuit Land Claims Agreement Appendices) for purposes of operating a quarry;

AND WHEREAS the Nunatsiavut Executive Council has approved each of the

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applications pursuant to subparagraph 2.11(1)(c) of the *Labrador Inuit Lands Act*;

AND WHEREAS the Minister of Lands and Natural resources has obtained all necessary clearances with respect to the applications pursuant to subsection 2.28(1) of the *Labrador Inuit Lands Act* and made the determinations required under section 5.3 of the *Labrador Inuit Lands Act*;

AND WHEREAS the Nain Inuit Community Government has, with the consent of the Minister of Lands and Natural Resources, petitioned the Assembly pursuant to Part 5 of the *Labrador Inuit Lands Act* for an Act authorizing access to Labrador Inuit Lands Parcel LIL-05C for purposes of operating a sand quarry;

AND WHEREAS the Postville Inuit Community Government has, with the consent of the Minister of Lands and Natural Resources, petitioned the Assembly pursuant to Part 5 of the *Labrador Inuit Lands Act* for an Act authorizing access to Labrador Inuit Lands Parcel LIL-13C for purposes of operating a sand quarry;

AND WHEREAS the Rigolet Inuit Community Government has, with the consent of the Minister of Lands and Natural Resources, petitioned the Assembly pursuant to Part 5 of the *Labrador Inuit Lands Act* for an Act authorizing access to Labrador Inuit Lands Parcel LIL-21 for purposes of operating a quarry;

NOW THEREFORE BE IT ENACTED by the Nunatsiavut Assembly as follows:

Short Title

1. This Act may be cited as the *Inuit Communities Quarries Act, 2021*.

Interpretation

2. In this Act:
 - (a) "Assembly" means the Nunatsiavut Assembly;
 - (b) "lessee" means:
 - (i) in Part 1, the Nain Inuit Community Government;
 - (ii) in Part 2, the Postville Inuit Community Government; and
 - (iii) in Part 3, the Rigolet Inuit Community Government;
 - (c) "Minister" means the member of the Nunatsiavut Executive Council responsible for the department of lands and natural resources and the *Labrador Inuit Lands Act*,

Part 1 - Nain

Approval of petition and waiver of impacts and benefits agreement

3. The Assembly hereby:

- (a) affirms that it has, by resolution, approved the petition of the Nain Inuit Community Government for access to a 2.894 hectare lot of Labrador Inuit Lands within Parcel LIL-05C for purposes of operating a sand quarry, subject to section 4 of this Act; and
- (b) pursuant to paragraph 2.11(1)(e) of the *Labrador Inuit Lands Act*, waives the requirement for an impacts and benefits agreement in respect of the development proposed by the Nain Inuit Community Government.

Minister authorized to issue lease

- 4. The Minister is authorized to lease a 2.894 hectare piece, parcel or lot of land in Labrador Inuit Lands Parcel LIL-05C, identified on Map Sheet 55, to the Nain Inuit Community Government for a term of 5 years under section 4.11 of the *Labrador Inuit Lands Act* on such terms as the Minister deems necessary or advisable subject to the following:
 - (a) the lessee shall pay an annual rent of One dollar (\$1.00);
 - (b) the lease shall prohibit the lessee from using the land for any purpose other than as outlined in the work plan required in subsection (e) or other such work plan approved by the Minister;
 - (c) the lessee shall take all steps and precautions necessary to prevent risk of accidents or harm to persons or property at the site of the quarry or as a result of quarry operations including, without limitation, by the posting of multi-lingual warning signs and notices and the erection of fences and barriers;
 - (d) the lessee and its agents and permittees must obtain from the provincial government all necessary permits and authorizations and comply with all applicable regulations for the development and operation of a quarry and must maintain all such permits and authorizations in good standing at all times during the term of the lease;
 - (e) the lessee must submit for the Minister's approval a work plan detailing the proposed development and operation of the quarry in the leased Labrador Inuit Lands, which work plan shall be in a form satisfactory to the Minister and substantially in compliance with the consultation draft of proposed quarry standards provided to the Nain Inuit Community Government;
 - (f) the lessee shall comply with any terms, conditions or arrangements for the protection of archaeological material or archaeological sites that may be prescribed by the Minister following completion of an archaeological impact assessment by the Nunatsiavut Archaeology Office; and
 - (g) other terms and conditions as required by the Minister.

Part 2 - Postville

Approval of petition and waiver of impacts and benefits agreement

5. The Assembly hereby:
 - (a) affirms that it has, by resolution, approved the petition of the Postville Inuit Community Government for access to a 7.573 hectare lot of Labrador Inuit Lands within Parcel LIL-13C for purposes of operating a sand quarry, subject to section 4 of this Act; and
 - (b) pursuant to paragraph 2.11(1)(e) of the *Labrador Inuit Lands Act*, waives the requirement for an impacts and benefits agreement in respect of the development proposed by the Postville Inuit Community Government.

Minister authorized to issue lease

6. The Minister is authorized to lease a 7.573 hectare piece, parcel or lot of land in Labrador Inuit Lands Parcel LIL-13C, identified on Map Sheet 88, to the Postville Inuit Community Government for a term of 5 years under section 4.11 of the *Labrador Inuit Lands Act* on such terms as the Minister deems necessary or advisable subject to the following:
 - (a) the lessee shall pay an annual rent of One dollar (\$1.00);
 - (b) the lease shall prohibit the lessee from using the land for any purpose other than as outlined in the work plan required in subsection (e) or other such work plan approved by the Minister;
 - (c) the lessee shall take all steps and precautions necessary to prevent risk of accidents or harm to persons or property at the site of the quarry or as a result of quarry operations including, without limitation, by the posting of multi-lingual warning signs and notices and the erection of fences and barriers;
 - (d) the lessee and its agents and permittees must obtain from the provincial government all necessary permits and authorizations and comply with all applicable regulations for the development and operation of a quarry and must maintain all such permits and authorizations in good standing at all times during the term of the lease;
 - (e) the lessee must submit for the Minister's approval a work plan detailing the proposed development and operation of the quarry in the leased Labrador Inuit Lands, which work plan shall be in a form satisfactory to the Minister and substantially in compliance with the consultation draft of proposed quarry standards provided to the ~~Nain~~ Inuit Community Government;
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- (f) the lessee shall comply with any terms, conditions or arrangements for the protection of archaeological material or archaeological sites that may be prescribed by the Minister following completion of an archaeological impact assessment by the Nunatsiavut Archaeology Office; and
- (g) other terms and conditions as required by the Minister.

Part 3 - Rigolet

Approval of petition and waiver of impacts and benefits agreement

7. The Assembly hereby:
- (a) affirms that it has, by resolution, approved the petition of the Rigolet Inuit Community Government for access to a 7.139 hectare lot of Labrador Inuit Lands within Parcel LIL-21 for purposes of operating a quarry, subject to section 4 of this Act; and
 - (b) pursuant to paragraph 2.11(1)(e) of the *Labrador Inuit Lands Act*, waives the requirement for an impacts and benefits agreement in respect of the development proposed by the Rigolet Inuit Community Government.

Minister authorized to issue lease

8. The Minister is authorized to lease a 7.139 hectare piece, parcel or lot of land in Labrador Inuit Lands Parcel LIL-21, identified on Map Sheet 106, to the Rigolet Inuit Community Government for a term of 5 years under section 4.11 of the *Labrador Inuit Lands Act* on such terms as the Minister deems necessary or advisable subject to the following:
- (a) the lessee shall pay an annual rent of One dollar (\$1.00);
 - (b) the lease shall prohibit the lessee from using the land for any purpose other than as outlined in the work plan required in subsection (e) or other such work plan approved by the Minister;
 - (c) the lessee shall take all steps and precautions necessary to prevent risk of accidents or harm to persons or property at the site of the quarry or as a result of quarry operations including, without limitation, by the posting of multi-lingual warning signs and notices and the erection of fences and barriers;
 - (d) the lessee and its agents and permittees must obtain from the provincial government all necessary permits and authorizations and comply with all applicable regulations for the development and operation of a quarry and must maintain all such permits and authorizations in good standing at all

times during the term of the lease;

- (e) the lessee must submit for the Minister's approval a work plan detailing the proposed development and operation of the quarry in the leased Labrador Inuit Lands, which work plan shall be in a form satisfactory to the Minister and substantially in compliance with the consultation draft of proposed quarry standards provided to the ~~Nain~~ Inuit Community Government; mgj
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- (f) the lessee shall comply with any terms, conditions or arrangements for the protection of archaeological material or archaeological sites that may be prescribed by the Minister following completion of an archaeological impact assessment by the Nunatsiavut Archaeology Office; and
- (g) other terms and conditions as required by the Minister.

Part 4 - Miscellaneous

Coming into effect

9. This Act comes into effect upon its registration pursuant to the *Nunatsiavut Laws Registration Act*.