



## **Federal Court of Canada dismisses second application for judicial review of Lower Churchill Hydroelectric Generation Project**

April 25, 2013, St. John's, NL – Yesterday, the Federal Court of Canada released its judgment in favour of Nalcor Energy in the case of Conseil des Innus de Ekuanitshit vs. Nalcor Energy, Attorney General of Canada et al, a case in which the Innu of Ekuanitshit challenged the lawfulness of, and sought judicial review of, the decision by the Government of Canada to release the Lower Churchill Hydroelectric Generation Project from environmental assessment.

Among other things, the applicant asked the Court to declare that the Innu of Ekuanitshit were not adequately consulted, the Government of Canada lacked the information necessary to properly assess the effects of the project on the Innu of Ekuanitshit and the overall economic benefits and justification for the project, and that Nalcor had changed the project evaluated for environmental assessment. The scope of the Lower Churchill Hydroelectric Generation Project environmental assessment was also challenged on the grounds that the Labrador-Island Transmission Link was not included in the scope of the generation project assessment.

In dismissing the case, the Honourable Mr. Justice Scott concluded: “this application is dismissed because the Applicant was adequately consulted, mitigation measures addressed its concerns with respect to its usage of the territory in the Project area.”

The Court also dismissed the complaint in relation to the scope of the project for environmental assessment and found that the Government of Canada, “reasonably justified its decision to proceed in this instance after having weighed the benefits against the negative environmental impacts from its national perspective.”

“We are pleased that the Federal Court has again confirmed the lawfulness of the environmental assessment of the project and the decisions made by the Government of Canada releasing the project from environmental assessment,” said Gilbert Bennett, Vice President, Lower Churchill Project, Nalcor Energy. “We are also pleased the Court

addressed issues relating to aboriginal consultation and accommodation, and concluded that mitigation measures proposed by Nalcor and the Joint Review Panel satisfied the federal government's duty to consult and accommodate."

-30-

Media Contact(s):

Janine McCarthy  
Communications Advisor  
t.709.737.4255 c.709.631.0056  
janinemccarthy@nalcorenergy.com