



la Convention  
de la Baie James  
et du Nord québécois

**Comité d'examen des répercussions  
sur l'environnement et le milieu social**

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**MINUTES OF THE  
412th MEETING OF THE REVIEW COMMITTEE  
(Adopted)**

<b>DATE:</b>	March 29, 2023
<b>PLACE:</b>	Video conference (Teams)
<b>PRESENT:</b>	Luc Lainé, Chairman Daniel Berrouard, Québec Robert Joly, Québec Lucas Del Vecchio, CNG John Paul Murdoch, CNG Sophie Cooper, Executive Secretary
<b>GUESTS:</b>	Marie-Josée Lizotte, Provincial Administrator Catherine Giguère, Executive Assistant Vanessa Chalifour, MELCCFP

**1) Call to order and adoption of the agenda**

The agenda was adopted as presented.

**2) Adoption of the minutes of the 411th meeting**

The minutes of the 411th meeting were adopted as presented.

**Action: Translate and file the 411th meeting minutes**

**3) Correspondence and follow-up action**

Correspondence and follow-up action from February 16 to March 29, 2023 are presented in Appendix A.

**4) James Bay Lithium Mine Project, Galaxy Lithium (Canada) Inc.**

**Ref. No.: 3214-14-055**

- a) Environmental and social impact assessment
- b) Additional information (answers to questions and comments)
- c) Additional information (answers to questions and comments)
- d) Additional information (answers to questions and comments)
- e) Additional information (answers to questions and comments)
- f) Supplementary information
- g) Public hearings
- h) Submissions
  - For recommendation

Following the public hearings on Galaxy Lithium's James Bay Lithium Mine Project, held on January 24 and 25, 2023, the COMEX secretariat received two written submissions from "Climat Québec" and "Eau Secours" regarding the project. The COMEX members went over the submissions and their comments will be taken into consideration in the review report. The submissions were published on COMEX's website and a letter was sent to the proponent notifying them that the briefs were available online.

COMEX is waiting to receive supplementary information on one aspect of the project before continuing its review.

**5) Meeting with the Provincial Administrator**

The COMEX members met with Marie-Josée Lizotte, Provincial Administrator of Chapter 22 of the James Bay and Northern Québec Agreement (JBNQA), to discuss the following:

1. Optimization of the process for northern projects

*a) Incomplete requests or answers from proponents*

In the last few years, COMEX has noted that proponents provide incomplete information in their impact assessments and their responses to requests for additional information. Consequently, COMEX must repeatedly send questions and comments to the Provincial Administrator, who then forwards them to the proponent, to obtain the information needed to continue reviewing the project. It is also not uncommon for proponents to take several months to respond to COMEX's questions and comments. The Review Committee pointed out that any significant delay in the project review process or the implementation of a project once it has been authorized is likely to result in dissatisfaction and a degree of cynicism not only among the communities concerned, but also among the population in general.

To minimize delays during analysis, COMEX suggests that the proponents need to be better informed about the environmental and social impact assessment and review procedure set out in Chapter 22 of the JBNQA, particularly the importance of submitting fully defined projects and a complete impact assessment. COMEX also wants proponents to be notified of the timeframe for reviewing projects subject to impact assessment and regular reminders of the fact that COMEX can hold public hearings and consultations at its discretion.

The Provincial Administrator assured COMEX that the MELCCFP is working on measures to:

- 1) Obtain complete applications, by raising proponent awareness prior to project submission.
- 2) Avoid continuing to review a project if a proponent refuses to respond or submits a project that is not fully defined.

In the case of mining projects, the MELCCFP meets with the proponent at the start of the procedure to emphasize the importance of providing complete information. The same thing could be done for all other projects automatically subject to the impact assessment in order to fully explain the environmental assessment procedure, the normal timeframes for analysis involved and the public hearing mechanism. On request, preliminary timelines are provided to proponents so that they can visualize the steps involved in the procedure and where there could be delays. This approach could be applied systematically.

*b) Organization of public hearings*

COMEX's mandate includes holding public hearings where necessary, in Cree communities, Jamésien municipalities and sometimes elsewhere within the province of Québec. All hearings are organized by the COMEX's executive secretary who has the task of reserving meeting rooms, hiring caterers and audiovisual firms, arranging air and land

transportation, hiring translators, etc., which entails considerable back and forth between representatives at MELCCFP and can sometimes slow or complicate the steps initiated by COMEX. The northern context and the unique circumstances of this type of event require a degree of flexibility on the part of both the organizers and MELCCFP (e.g. tailored to the communities' needs and demands, work with firms or translators that are familiar to the Cree communities and often the only suppliers in the region). COMEX would like the MELCCFP to be more flexible in the organization of public hearings (e.g. ease the administrative rules for choosing suppliers and contractors) to make the executive secretary's job easier and leave her more time to focus on the objectives of the hearings.

The Provincial Administrator informed COMEX that the DGÉES is currently educating the MELCCFP stakeholders about the issues raised. COMEX's executive secretary will be contacted for a follow-up.

## 2. Monitoring of the cumulative impacts of transportation

Many of the projects reviewed by COMEX are mining projects. The review process and the public hearings held in the communities concerned have brought to the fore, among other things, safety issues or perceived risks associated with transporting supplies to mine sites and hauling the products of mining activities off site. In addition to user safety, other issues of concern include nuisances, dust raised by vehicles on unpaved roads, noise, deterioration of air quality and premature damage to the road infrastructure.

It is COMEX's hope that a coordinated vision of transportation, built on data provided by proponents for every mining project, will help guide the actions of all stakeholders (MTMD, MRNF, SDBJ, etc.) and control vehicular traffic to ensure that the territory's roads are safe for all users. COMEX suggests setting up a committee to promote networking between the different regional players involved in road management and maintenance as well as government experts in heavy transport, road safety and standards for each type of road, and share expertise on the cumulative impacts of transportation. COMEX would like to contact the various stakeholders to gauge their interest in participating in such a committee or networking exercise. If it is not possible for COMEX to set up such a committee, it wants to know if the government could set one up.

The Provincial Administrator replied that the concerns raised by COMEX are valid and that discussions between the various stakeholders should indeed be enhanced. To that end, and considering that the stakeholders are government bodies, it was proposed that the MELCCFP see to facilitating information exchange between the stakeholders mentioned above. Naturally, COMEX will be kept abreast of developments in the matter.

3. Compensation for adverse effects on wetlands and bodies of water in territories under agreement

COMEX always takes the adverse effects on wetlands and bodies of water into consideration when assessing the impacts of a project. However, in northern regions, where peat bogs and other wetlands abound, compensation for temporary or permanent impacts on these environments cannot easily be applied in accordance with the steps and terms set out in the *Regulation respecting compensation for adverse effects on wetlands and bodies of water*, since the Regulation does not apply to territories under the JBNQA. In addition, the ecological value of wetlands and bodies of water is still not clearly defined.

In recent years, COMEX has authorized or reviewed the compensation measures proposed by the operators of several mines: financial contribution to research projects on the characteristics of northern wetlands, restoration of abandoned borrow pits and road segments, assisted migration and restoration of ecosystem services, among others. However, it will take years to assess the usefulness and effectiveness of such measures. COMEX is also concerned about the consistency and fairness of proponents' compensation measures.

COMEX wants to see thought given to best practices in compensation for wetlands and bodies of water in the unique context of territories under the JBNQA.

The Provincial Administrator told COMEX that a working committee was set up this winter (2023) to address this concern. The primary mandate of the committee is to identify short- and medium-term solutions for compensating adverse effects on wetlands and bodies of water north of the 49th parallel and ultimately establishing administrative parameters that are coherent and fair. As part of its mandate, the committee will consult the review and evaluating bodies created by chapters 22 and 23 of the JBNQA, particularly COMEX, to share its thoughts and suggestions with a view to establishing administrative parameters for compensation for adverse effects on wetlands and bodies of water in territories under agreement.

The meeting with the Provincial Administrator was well-appreciated and COMEX hopes there will be more in the future.

**6) Processing of gold ore from the Barry and Moroy projects at the Bachelor site and increase in the milling rate**

**Ref. No.: 3214-14-027**

- a) Environmental and social impact assessment
- b) Additional information (geochemical characterization report)
- c) Additional information (answers to QC01)
- d) Additional information (information missing from the answers to QC01)
- e) Additional information (Addendum – answers to QC01)
- f) Additional information (answers to QC02)
  - For recommendation

WHEREAS on December 18, 2019, the Review Committee (COMEX) received, for its recommendation, the environmental and social impact assessment for the project to process gold ore from the Barry and Moroy projects at the Bachelor site and increase the milling rate. On February 5, 2020, COMEX received the geochemical characterization report for the Bachelor Mine project, and subsequently sent a series of questions and comments to the proponent in May 2020. The proponent sent its answers to the questions and comments, as well as an addendum, on November 26, 2020 and April 19, 2021, respectively. On November 11, 2022, COMEX received the answers to another series of questions and comments sent to the proponent in November 2021.

WHEREAS the COMEX members reviewed the documents submitted by the proponent and COMEX would like the proponent to clarify certain aspects, a document containing questions and comments as well as commitment requests for the proponent will be enclosed with the letter to the Provincial Administrator.

**#2023-0329-01:** *write to the Provincial Administrator to inform her that the COMEX members reviewed the documents submitted by the proponent and would like additional information on various aspects of the project that they believe need to be clarified (questions and comments in the letter).*

**Action: Write to the Provincial Administrator**  
**Send questions and comments**

## **7) Other business**

- a. **Eastmain-1-A and Rupert diversion project** - Monitoring of bank and island dynamics in the La Grande estuary – 2017

In consideration of information that members of the Cree Nation shared with COMEX, the committee decided to postpone reviewing this report until fall 2023.

b. **Forest roads H and I: Under review**

On March 23, 2023, COMEX received the report entitled *Développement d'un plan d'aménagement, de protection et de restauration de l'habitat des populations boréales de caribous des bois fréquentant le territoire Eeyou Istchee* prepared by Martin-Hugues St-Laurent and his colleagues. The report was submitted to COMEX for information purposes.

COMEX will continue reviewing the project to extend forest roads H and I in future meetings.

**c. Annual Report 2022-2023**

The executive secretary will update the factual information to be contained in the annual report for 2022-2023. Luc Lainé will write the chairman's message. The members proposed several issues that could be discussed in the annual report, including a summary of the meeting with the Provincial Administrator.

**d. Projects on the agenda for the meetings scheduled in April and May 2023**

- James Bay Lithium Mine Project, Galaxy Lithium Inc.
  - Drafting of the review report
- Eastmain-1-A and Rupert diversion project
- Whabouchi Mine – Restoration Plan, environmental and social monitoring in 2021
- Renard Diamond Project – Environmental and social monitoring in 2021
- Windfall mining project (submission of the environmental impact statement – spring 2023)

**8) Next meetings**

The next meetings of COMEX will be held on April 27 and May 24, 2023, by video conference.

**Appendix A**  
**Correspondence and follow-up: February 16 to March 29, 2023**

<b>Project</b>	<b>From</b>	<b>To</b>	<b>Document</b>	<b>Date</b>	<b>Action - Comments</b>
Invitation to the 412th COMEX meeting	Luc Lainé COMEX	Marie-Josée Lizotte Deputy Minister MELCCFP	Invitation	Sent: February 16, 2023 Acknowledgement of receipt: February 16, 2023	
	Marie-Josée Lizotte Deputy Minister MELCCFP	Luc Lainé COMEX	Acceptance of the invitation	Sent: March 8, 2023 Received by COMEX: March 9, 2023	
James Bay Lithium Mine Project, Galaxy Lithium (Canada) Inc. Ref. No.: 3214-14-055	Patrick Ney Climat Québec	Sophie Cooper COMEX	Written submission	Sent: February 27, 2023 Received by COMEX: February 28, 2023	
James Bay Lithium Mine Project, Galaxy Lithium (Canada) Inc. Ref. No.: 3214-14-055	Émile Cloutier-Brassard Eau Secours	Sophie Cooper COMEX	Written submission	Sent: February 28, 2023 Received by COMEX: February 28, 2023	
Establishment of a quarry over 3 ha in size near the La Grande-3 power station, Hydro-Québec Ref. No.: 3214-03-045	Mélissa Gagnon MELCCFP	Mathieu Bolullo Hydro-Québec	Request for additional information	Sent: February 28, 2023 Received by COMEX: February 28, 2023	<i>For recommendation</i>
Eastmain-1-A and Rupert diversion project, Hydro-Québec Ref. No.: 3214-10-017	Luc Lainé COMEX	Marie-Josée Lizotte Deputy Minister MELCCFP	Follow-up and consultations with Cree users	Sent: March 9, 2023 Acknowledgement of receipt: March 9, 2023	<i>For information</i>
Eastmain-1-A and Rupert diversion project, Hydro-Québec Ref. No.: 3214-10-017	Luc Lainé COMEX	Marie-Josée Lizotte Deputy Minister MELCCFP	Monitoring of granular blankets installed in the estuary of the La Grande River, 2017	Sent: March 9, 2023 Acknowledgement of receipt: March 9, 2023	<i>For information</i>



**Appendix A**  
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<b>Project</b>	<b>From</b>	<b>To</b>	<b>Document</b>	<b>Date</b>	<b>Action - Comments</b>
Eastmain-1-A and Rupert diversion project, Hydro-Québec Ref. No.: 3214-10-017	Luc Lainé COMEX	Marie-Josée Lizotte Deputy Minister MELCCFP	Monitoring of granular blankets installed in the estuary of the La Grande River, 2017	Sent: March 9, 2023 Acknowledgement of receipt: March 9, 2023	<i>For information</i>
Eastmain-1-A and Rupert diversion project, Hydro-Québec Ref. No.: 3214-10-017	Marie-Josée Grimard Hydro-Québec	Marie-Josée Lizotte Deputy Minister MELCCFP	Follow-up on conditions of the certificate of authorization and amendments to the certificate of authorization (Monitoring of the multispecies spawning ground at KP 170 on Rupert River, Monitoring of eelgrass beds on the north shore of James Bay)	Sent: February 8, 2023	<i>For information</i>
	Mélissa Gagnon MELCCFP	Luc Lainé COMEX		Sent: March 8, 2023 Received by COMEX: March 9, 2023	
Eastmain-1-A and Rupert diversion project, Hydro-Québec Ref. No.: 3214-10-017	Luc Lainé COMEX	Marie-Josée Lizotte Deputy Minister MELCCFP	Monitoring of navigation conditions, 2015 and 2018	Sent: March 15, 2023 Acknowledgement of receipt: March 15, 2023	<i>For information</i>
James Bay Lithium Mine Project, Galaxy Lithium (Canada) Inc. Ref. No.: 3214-14-055	Luc Lainé COMEX	Denis Couture Galaxy Lithium Inc.	Follow-up on the public hearings	Sent: March 22, 2023	