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**281th MEETING OF THE PROVINCIAL REVIEW COMMITTEE
(COMEX)**

DATE: August 31, 2011

PLACE: Hotel Harricana
1000 3rd Street
Chibougamau (Québec)

PRESENT: Pierre Mercier (P.M.), Chairperson, Québec
Daniel Berrouard (D.B.), Québec
Robert Lemieux (R.L.), Québec
Brian Craik (B.C.), ARC
Philip Awashish (P.A.), ARC

Nathalie Girard (N.G.), Executive Secretary

1. CALL TO ORDER AND ADOPTION OF THE AGENDA;

The meeting was called to order at 9:30 a.m. and the following agenda was adopted:

- 1) Call to order and adoption of the agenda;
- 2) Business arising from the 280th meeting and correspondence;
- 3) Opinaca Mines - Eleonore mining project:
 - 3.1 Progress report update from Pierrette Vincent;
 - 3.2 Request for a winter road, modification to CA, sent;
Request to receive further information, sent;
 - 3.3 Justification for the request to expand the C-05 quarry to 12 hectares
 - 3.4 Tailings site: opinion issued by the regional office (MDDEP)
 - 3.5 Cooperation Agreement (Opinica Mines & the Wemindji Band Council)
Documents received
 - 3.6 Cooperation Agreement with Hydro-Québec for the use of roads and
infrastructure – Planned actions
 - 3.7 Documents received from Goldcorp.
 - 3.8 Projected schedule
- 4) Troilus Mine closure:
 - 4.1 Change in the position of the MNRF
 - 4.2 Receipt of additional documentation
 - 4.3 Actions required to close the file
- 5) Route 167-Nord:
 - 5.1 Update on Mistissini public hearings
 - 5.2 Special concerns re the Chibougamau hearings
- 6) Albanel-Témiscamie-Otish park project:
 - 6.1 Letter of Notice from Mistissini Band Council
 - 6.2 Position of park services re modification of the park boundaries
 - 6.3 Approach regarding the Band Council and public hearings if needed
- 7) Forest roads:
 - 7.1 Letter received from Deputy Ministers at MDDEP and MRNF & reply sent
 - 7.2 Information and interpretation from B. Craik
- 8) Eastmain 1-A and Rupert project:
 - 8.1 Report on visit of August 23 -24, 2011
 - 8.2 Notice to HFTCC regarding road between KP280 and KP290
 - 8.3 Receipt of documents connected to the monitoring program, for information
purposes:
-2010 report on a longitudinal survey of Cree workers, June 2011

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- 2010 report on a survey of relations between Cree communities and neighbouring camps, July 2011
 - Letter from the SEBJ to update on the situation regarding Condition 6.38 of the CA (authorization for interventions in the Gorge, Oatmeal and Smokey Hill rapids.
 - Monitoring report on anadromous lake cisco, reference state, June 2011
 - Monitoring report on anadromous lake cisco, 2009-2010 activity report, June 2011
- 8.4 Final reports submitted for information following authorization of monitoring program:
- Monitoring of saltwater intrusion into Rupert Bay and Pontax River, review report, 2010;
 - Monitoring the integrity and utilization of multi-species spawning grounds in the Rupert diversion bays.

- 9) Other business;
- 9.1 Projects expected in autumn

- 10) Date and place of next meeting

2. BUSINESS ARISING FROM THE 280TH MEETING AND CORRESPONDENCE;

Correspondence:

- Received August 3, 2011, acknowledgment of receipt from MDDEP concerning the COMEX letter of August 2 transmitting its recommendation to the provincial administrator. **Matoush Project.**
- Received August 8, 2011, letter from Diane Jean and Robert Sauvé on the subject of **forest roads.**
- Received August 17, 2011, responses to COMEX's questions and comments regarding the planned **extension of 167 nord** to the Otish Mountains.
- Received August 18, 2011, copy of the letter and report from the Canadian Nuclear Safety Commission to Ashley Iserhoff, President of the JBACE regarding the **Matoush Project.**
- Received August 18, 2011, copy of a letter from the JBACE to the provincial administrator, the federal administrator and the Canadian Nuclear Safety Commission regarding the **Matoush Project.**
- Received August 19, 2011, letter from Jean-Francois Coulombe to France Trépanier requesting additional information. **Eleonore Project, Opinaca Mines.**

- Received August 19, 2011, additional documents from Goldcorp following the technical meeting of June 29, 2011. **Eleonore Project, Opinaca Mines.**

- Received August 22, 2011, Transcript of the public hearings (French and English versions in both paper and electronic format) on the Eleonore mining project from Opinica Mines held June 14 and 16, 2011. **Eleonore Project, Opinaca Mines.**

- Received August 22, 2011, for information, the monitoring report on the integrity and utilization of multi-species spawning grounds in the diversion bays – Study report – Spring and Fall 2010. **Eastmain-1-A/Sarcelle powerhouses and Rupert diversion Project, Hydro-Québec.**

- Received August 22, 2011, for information, the 2010 report on a longitudinal study of Cree workers, June 2011. **Eastmain-1-A/Sarcelle powerhouses and Rupert diversion Project, Hydro-Québec.**

- Received August 22, 2011, for information, the 2010 report on a survey of relations between Cree communities and neighbouring camps. July 2011. **Eastmain-1-A/Sarcelle powerhouses and Rupert diversion Project, Hydro-Québec.**

Received August 22, 2011, for information, a letter addressed on August 8, 2011 to the Deputy Minister at MDDEP by the proponent to inform of the situation regarding Condition 6.38 of the C.A. (authorization for interventions in the Gorge, Oatmeal and Smokey Hill rapids). **Eastmain-1-A/Sarcelle powerhouses and Rupert diversion Project, Hydro-Québec.**

- Received August 22, 2011, for information, the monitoring report on anadromous lake cisco, reference state, June 2011. **Eastmain-1-A/Sarcelle powerhouses and Rupert diversion Project, Hydro-Québec.**

- Received August 22, 2011, for information, the monitoring report on anadromous lake cisco, 2009-2010 activity report, June 2011. **Eastmain-1-A/Sarcelle powerhouses and Rupert diversion Project, Hydro-Québec.**

- Received August 23,, additional information (complete technical reports, final review, plans and specifications signed and sealed including addenda 1 and 2) for recommendation to the Deputy Minister regarding the closure of the **Troilus Mine.**

- Received 24, 2011, transmission copy of the modification to the CA to re-open the road for the 2011-2012 winter season and to carry out improvements to the load capacity for sections of the road. **Eleonore Project, Opinaca Mines,** construction of a temporary winter road to the Eleonore camp.

3. OPINACA MINES - ELEONORE MINING PROJECT;

3.1 Progress report update from Pierrette Vincent

D.B. reported that the MDDEP received the documents promised by Goldcorp mining company at the technical meeting of last June 29 (received in electronic format in July

and paper version in mid-August). Opinions of the analysts involved in this file should be available by the end of September. The table of contents of the analysis will be supplied to members soon, and the report will be distributed for comments as the document progresses.

3.2 Winter road request, modification to CA , sent; Request to receive further information has been sent;

N.G. informed members that she had sent the letters recommending changes to the CA for the winter road and the letter requesting additional information.

3.3 Justification for the request to expand the C-05 quarry to 12 hectares

COMEX had not yet received the additional information requested. All indications are that this information should be available by mid-December.

3.4 Tailings site: choice of alternative C

D. B. reiterated that COMEX needs the advice of experts from the MDDEP regional office to analyze the options for the tailing site. The analysts are handling this subject with great care due to environmental safety concerns. D. B. added that cyanide residues are involved, and that the site in its natural state must be sufficiently impermeable. This problem is compounded by the proximity of the Opinaca reservoir, and by the fact that the Opinaca River is known for harbouring the only lake sturgeon spawning ground in the Opinaca reservoir.

3.5 Cooperation Agreement (Opinica Mines & the Wemindji Band Council)
Documentation received

Again it was noted that COMEX had only been supplied with partial information on this agreement.

3.6 Cooperation Agreement with Hydro-Québec and Opinaca Mines

Members were of the opinion that Opinica Mines should be asked to make an advance agreement with Hydro-Québec with particular respect to using the access road and crossing infrastructures and land belonging to or made available to Hydro.

3.7 Documentation requested from Goldcorp.

Goldcorp still had not sent the documents.

3.8 Projected schedule

Before issuing its recommendation, COMEX must first come to a decision about the tailing site. It must also address the issue of the 12-hectare C-05 quarry. Moreover, the agreement with Hydro-Québec has to be finalized. Given all this, COMEX believed that ideally, it could submit its recommendation to the administrator in October, although November would be a more realistic target date.

4 TROILUS MINE CLOSURE;

4.1 Change in the position of the MRNF

As mentioned at the last meeting, the position of the MRNF has changed in that they are now ready to consider integration of a pond into the rehabilitation plan for the tailings site. In light of the new documents submitted by the proponent, more analysis is needed.

4.2 Receipt of additional information documents

COMEX received documents containing additional information to explain changes that the company will bring to the rehabilitation plan in order to take into account concerns related to dam safety, hydraulicity and wildlife management, among other things.

4.3 Actions required to complete the file

Barring a turnaround, COMEX should go ahead with a recommendation regarding this element of the rehabilitation plan. It hoped to receive the necessary advice so that the letter of recommendation could be prepared at the next meeting.

5 ROUTE 167-NORD;

5.1 Update on Mistissini hearings

Members heard a report from MDDEP analyst Raymond Houle on the subject of responses and comments received in connection to this project. Questions remained concerning stream and borrow pit crossings in the northern sector, among other things. COMEX was concerned that the proponent tended to believe that some decisions could be deferred until later on the grounds that they could be sent to the regional office, which is not in fact the case.

Following these remarks, P.M. proposed holding a technical meeting with the proponent in order to speed up the answers to questions COMEX had raised and that were still pending.

B.C. proposed that instead of a technical meeting, it might be worthwhile to relay another series of questions to the proponent. He added that the MTQ should ask other departments to get involved to seek clear answers. For example, B.C. said that the MTQ should seek expert opinion from the MRNF on the subject of protection of woodland caribou to date. This issue is unclear.

Finally, members agreed to hold a technical meeting as soon as possible. This meeting would focus on Mr. Houle's findings and on the concerns raised in the report from the Mistissini Band Council following the public hearings of August 30 in Mistissini.

5.2 Special concerns regarding the Chibougamau hearings

Given the smooth functioning of the Mistissini public hearings, nothing special appeared necessary for the Chibougamau hearings.

6 ALBANEL-TEMISCAMIE-OTISH PARK PROJECT;

6.1 Letter of Notice from Mistissini Band Council

A letter from Chief Shecapio to Deputy Minister Diane Jean never arrived due to an address error. However, the letter was sent via email to the COMEX secretariat. Thus the members knew of the letter but could not react further because the letter was not addressed to them. The contents of the letter were aimed at moving the current boundaries of the park area in order to allow for the development of an iron mine in the south-east end.

6.2 Position of park services with respect to modification of park boundaries

D.B. explained that he had approached park services at MDDEP to find out what steps they had taken after receiving this letter. The response was that they had no intention of changing the proposed park boundaries. This decision was based, among other things, on ascertaining the position of the MRNF, which leans in the same direction.

6.3 Approach regarding the Band Council and new public hearings if needed

The letter from Chief Shecapio put the idea of public hearings back on the table. Based on a briefing last June, members had concluded that the community of Mistissini supported the project. The arrival of this letter raises the idea that some people still want to be heard.

P.A. expressed surprise at this revelation from Chief Shecapio, since, like other chiefs, he had always supported the park project.

B.C. thought that perhaps Shecapio was under pressure from members of his community and that his recent appointment as chief might explain the fact that he had not made any representation to COMEX members or to Park services staff before writing the letter.

Members requested that a letter be drafted to the provincial administrator stating that COMEX had received a copy of Chief Shecapio's letter about reopening the issue of the park boundaries, and that it proposes verifying this with the MRNF. Also, the letter should say that in light of the information it has, COMEX does not think it necessary to hold public hearings on this project.

Before closing this discussion, P.A. wanted to know the progress of negotiations on the subject of a draft agreement on park management. D.B. replied that this is still in negotiations and he had no additional details.

7 FOREST ROADS;

7.1 Letter received from Deputy Ministers of MDDEP and MRNF & reply sent

B.C. and P.A. were both aware of a letter Mr. Mercier sent on August 25 to the attention of Mme Jean and Mr. Sauvé. This letter was intended as a response to the letter dated August 5 from Mr. Sauvé and Mme Jean on this matter.

On August 29 Mr. Namagoose sent a letter to Mme Jean and Mr. Sauvé to clarify a misunderstanding that had arisen. Among other things, this letter said that the Cree are in

agreement with hiring experts to analyze projects but this does not necessarily mean they agree that the projects should go ahead.
COMEX is awaiting further discussion on this topic.

7.2 Information and interpretation from B. Craik

B.C. believes that this was a misunderstanding because after checking with Cree representatives, it appears that the Cree had not concurred with the statements in the letter from the two Deputy Ministers. On the other hand, B.C. reminded members that the Cree representatives do not have a mandate to negotiate such an agreement.

8 EASTMAIN 1-A RUPERT PROJECT;

8.1 Report on visit of August 23 -24 2011

B.C. took the floor to report that during an August 23 visit to the Sakami and Boyd lakes sectors up to the LG2 reservoir, the area had made an astonishing recovery towards its natural state. For example, driftwood did not seem to be a big problem and the structure for controlling the reservoir discharge seemed to work well.

D.B. continued in the same vein, noting that after 30 years, the area seemed to have recovered well. He stressed that the tables and summary Hydro-Québec developed have several benefits and now comply with his expectations.

P.M. added that these summary contain some information that is extremely interesting and useful to COMEX and also the population at large.

B.C. thought the PowerPoint presentation of the summary would be better if combined with video footage showing completed work and mitigation measures.

It was suggested that Hydro-Québec be asked to add video sequences to the presentation, especially in preparation for the tour to be made through the communities in 2010.

The members suggested proposing to Hydro-Québec the following structure for the presentation: Start with a report of the mitigation measures common to all the communities, and follow this with the particular measures for each village. To ensure that the contents are appealing, members suggested that the presentation should begin with a video of Cree workers working on various mitigation measures.

Finally, the members discussed various logistical aspects of upcoming meetings with Hydro-Québec.

8.2 Notice to HFTCC regarding road between KP280 and KP290

COMEX received the opinion requested from the HFTCC concerning construction of an ATV road between KP280 and KP290 leading to a lake sturgeon spawning area. The opinion from the HFTCC was in favour of constructing the trail. In view of this, D.B. proposed a recommendation for construction of the ATV trail.

Members agreed to write a letter to the administrator recommending in favour of construction of the ATV trail in question. In addition, members agreed to thank the HFTCC for their cooperation in this matter and to inform them that the recommendations from COMEX would take the same direction.

COMEX decided to recommend construction of the road.

8.3 Receipt of documents connected to the monitoring program, for information purposes:

- 2010 report on a longitudinal survey of Cree workers, June 2011
- 2010 report on a survey of relations between Cree communities and neighbouring camps, July 2011
- Letter from the SEBJ to update on the situation regarding Condition 6.38 of the CA (authorization for interventions in the Gorge, Oatmeal and Smokey Hill rapids.
- Monitoring report on anadromous lake cisco, reference state, June 2011
- Monitoring report on anadromous lake cisco, 2009-2010 activity report, June 2011

8.4 Final reports submitted for information following authorization of monitoring program:

- Monitoring of saltwater intrusion into Rupert Bay and Pontax River, review report, 2010;
- Monitoring the integrity and utilization of multi-species spawning grounds in the Rupert diversion bays.

D.B. stressed that particular attention should be paid to the report on saltwater intrusions in the Rupert diversion bays.

9. OTHER BUSINESS;

9.1 Projects expected in autumn

Members expected to receive projects regarding the Stornoway diamond mine and the Blackrock iron mine.

10. DATE AND LOCATION OF NEXT MEETING.

The next COMEX meeting will be held September 28 in Montreal.

Nathalie Girard, executive secretary