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(APPROVED)

DATE: October 18, 2011

PLACE: Conference room at the James Bay Advisory Committee on the Environment office
383, rue Saint-Jacques, Bureau C-220

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

Nathalie Girard (N.G.), Executive Secretary

1. CALL TO ORDER AND ADOPTION OF THE AGENDA

The meeting was called to order at 9:00 a.m. and the following agenda was adopted:

- 1) Call to order and adoption of the agenda**
- 2) Opinaca Mines – Eleonore mining project**
 - 2.1 Preparatory discussion for the meeting with Goldcorp representatives- Guy Belleau, Eleonore General Manager
 - 2.2 Technical meeting with Goldcorp representatives, in particular on the social considerations arising from the agreement entered into between the company and the Wemindji Band Council
- 3) Adoption of the minutes of the 282nd meeting**
- 4) Business arising from the 282nd meeting and correspondence**
- 5) Opinaca Mines – Eleonore mining project**
 - 5.1 Review report
 - 5.2 Direction of the recommendation
- 6) Route 167 Nord project**
 - 6.1 Receipt of the Transport Québec documents promised during the September 22 technical meeting
 - 6.2 Draft conditions prepared by Brian Craik
 - 6.3 Progress on the analysis report being prepared by MDDEP experts
 - 6.4 Direction of the recommendation
- 7) Albanel-Temiscamie-Otish park project**
 - 7.1 Review report
 - 7.2 Recommendation
- 8) Forest roads**
 - 8.1 Deputy ministers' replies to COMEX's letter of late August 2011
- 9) Eastmain 1-A/Rupert**
 - 9.1 Receipt of documents on the follow-up program, for information purposes
 - 9.2 Developments regarding the planned meetings in Eastmain and Chisasibi
 - 9.3 Consultation tour in 2012
- 10) Troilus**
 - 10.1 Recommendation
- 11) COMEX website – internal policy and code of ethics**
- 12) Other business**
- 13) Date and place of the next meeting**

2. OPINACA MINES – ELEONORE MINING PROJECT

- 2.1 Preparatory discussion for the meeting with Goldcorp representatives- Guy Belleau, Eleonore General Manager

The preparatory discussion did not take place because the guests arrived at the start of the COMEX meeting.

2.2 Technical meeting with Goldcorp representatives, in particular on the social considerations arising from the agreement entered into between the company and the Wemindji Band Council

The members welcomed Jean-Paul Murdoch, Guy Belleau, Jean Gagné and Mark Wadden, representatives of Goldcorp and the Grand Council of the Crees. P.M. explained that the purpose of the meeting was to exchange information and possibly use the collaboration agreement, especially its social considerations, as a model for other projects. The Goldcorp representatives went over the content of the agreement, except for the section on financial matters, which is confidential.

The Opinagow Collaboration Agreement was signed on February 21, 2011, after five years of negotiation. It consists of eight sections:

- *Section 1: General Provisions*

This section sets forth the purpose of the agreement and explains the creation of committees as well as operations, including the establishment of an implementation officer for the agreement.

- *Section 2: Training and Employment*

This section provides for the establishment of a Cree training and employment program, more specifically targeted at Crees from Wemindji, that is mutually beneficial to all parties and is aimed at enabling Crees to work at the mine and move up the employment ladder.

- *Section 3: Business Opportunities*

This section provides for economic development by fostering opportunities for Cree businesses and, more specifically, for Crees from Wemindji. The aim is to support sustainable economic development by hiring as many Cree businesses as possible during the construction and operation phases. To that end, a list of Cree businesses will be drawn up and kept up to date by a committee tasked with giving preference to Cree businesses by carefully evaluating every job opportunity for each contract to be awarded. The committee will also be responsible for explaining to Cree businesses, for every contract, why their bid was admissible or refused.

- *Section 4: Education Awards and Scholarships*

The section provides for the establishment and implementation of programs to promote education to Crees, particularly Crees from Wemindji.

- *Section 5: Social and Cultural*

The purpose of this section to ensure Cree culture is respected, protected and promoted during the construction and operation phases. For example, a cultural site will be built to maintain certain Cree cultural activities on the mine site.

- *Section 6: Environmental Matters and Closure*

This section provides for measures to involve the Cree parties concretely in decisions on environmental management programs made during the development and operation phases. A joint committee will be formed and consist of four members: two representatives of Cree bodies and two representatives of Opinaca Mines.

- *Section 7: Financial Matters*

The provisions of this section were not discussed during the meeting, because both parties wish to keep the information confidential.

- *Section 8: Final Provisions*

Final provisions were made to ensure that the agreement binds the mine and not Goldcorp in order to protect the agreement in the event that the mine is sold. The agreement is worded such that all Cree communities will share in the profits generated by successful mining operations.

The members had questions about the decision-making process and asked to receive a progress report on the agreement's implementation at the end of three years, possibly in writing. The purpose would be to ensure that the commitments made in the agreement are respected and that the project is running smoothly.

3. ADOPTION OF THE MINUTES OF THE 282nd MEETING

Deferred.

4. BUSINESS ARISING FROM THE 282nd MEETING AND CORRESPONDENCE

Below is the correspondence received since COMEX's 282nd meeting:

- Received September 29, 2011, for information purposes, a report addressing Condition 5.1 entitled: *Suivi de l'hydrologie, de l'hydraulique et du régime thermique en milieu continental – 2010. Unité conception des aménagements de production, hydraulique et géotechnique d'Hydro-Québec*, May 2011. **Eastmain-1-A/Sarcelle powerhouses and Rupert diversion project.**
- Received September 29, 2011, for information purposes, a report addressing Condition 1 entitled: *Suivi de la qualité de l'eau brute à la prise d'eau de Waskaganish-année 2010- Note technique*, dated May 2011. **Eastmain-1-A/Sarcelle powerhouses and Rupert diversion project.**
- Received September 29, 2011, for information purposes, a report addressing Condition 5.1 entitled: *Suivi de l'intégrité et de l'utilisation des frayères à esturgeon jaune dans le bief Rupert amont- suivi environnemental 2010 en phase d'exploitation*. Environnement

Illimité inc. February 2011. **Eastmain-1-A/Sarcelle powerhouses and Rupert diversion project.**

- Received October 3, 2011, from the Deputy Minister of the MDDEP, Diane Jean, a letter in reply to COMEX's letter of August 25, 2011 concerning **forest roads** in the James Bay Territory requiring an impact statement.
- Received October 7, 2011, from the Deputy Minister of the MDDEP's office, an acknowledgement of receipt of COMEX's letter concerning the construction of a temporary winter road – Quarry C-05 –Eleonore gold deposit – Request to amend the certificate of authorization.
- Received October 7, 2011, from the Deputy Minister of the MDDEP's office, an acknowledgement of receipt of COMEX's letter concerning the construction of a temporary winter road – Dike OA-2 –Eleonore gold deposit – Request to amend the certificate of authorization.
- Received October 7, 2011, from Sténographie Officiels Riopel, Gagnon, Larose et Associés, transcripts (French and English) of the public hearings held by COMEX on the project to extend Route 167 Nord.
- Received October 11, 2011, for information purposes, in compliance with Condition 6.24, Nautical charts (3) dated May 2011. **Eastmain-1-A/Sarcelle powerhouses and Rupert diversion project.**

5. OPINACA MINES – ELEONORE MINING PROJECT

5.1 Review report

D.B. informed the members that the file is progressing and that the MDDEP is preparing a complete review report.

Alan Penn of the Grand Council of the Crees sent the MDDEP the results of his review of the project so that the department's analysts could take note of certain concerns, in particular as regards tailings management, the project's impacts on lake sturgeon, and regional development relative to the development of Wemindji. The members discussed these concerns.

Also, D.B. reminded the members that COMEX should draft a condition to the effect that COMEX wants to obtain a copy of the final agreement between Hydro-Québec and Opinaca Mines.

B.C. supported this proposal, adding that the proponent should finalize the agreement and inform the Administrator within 90 days.

Before closing the discussion, the members went over the conditions and decided to add another condition requiring the proponent to obtain authorization from the Administrator if, in a few years, it wants to establish a residual materials disposal site on the Eleonore property.

5.2 Direction of the recommendation

The MDDEP is aiming to submit an analysis report to COMEX on October 25 for its comments and, ideally, a recommendation on October 31 or thereabouts.

6. ROUTE 167 NORD PROJECT

6.1 Receipt of the Transport Québec documents promised during the September 22 technical meeting

COMEX received the Transport Québec documents promised during the technical meeting held on September 22. The documents contain clarifications to the questions COMEX asked during that meeting.

6.2 Draft conditions prepared by Brian Craik

The members discussed the conditions prepared by B.C., which essentially pertain to the project's impact on woodland caribou. They agreed to approve the project on certain conditions, in particular conditions that help protect woodland caribou, such as not allowing vacation development and forestry permits to be issued until the woodland caribou recovery plan has been released. The goal is to limit and align vacation and forest development with the caribou recovery plan. A condition will be worded to that effect.

B.C. underscored the importance for the Crees that conditions addressing their social concerns be included.

P.M. reiterated the suggestion that the Administrator send a copy of the review report to the Société du Plan Nord so that it can address these important concerns.

D.B. suggested that the letter to the Administrator invite the latter to pass the Crees' concerns on to the departments concerned (Sécurité publique, Santé et Services sociaux, Société du Plan Nord etc.), stating the importance of these concerns, which have been raised several times, including during the public hearings on the Route 167 Nord project.

6.3 Progress on the analysis report being prepared by MDDEP experts

In keeping with the previous discussions, D.B. and his team will amend the analysis report and should be able to submit a new version to COMEX within the next few days.

6.4 Direction of the recommendation

D.B. thinks COMEX should be able to send a letter to the Administrator on October 31.

7. ALBANEL-TEMISCAMIE-OTISH PARK PROJET

7.1 Review report

D.B. went over the conditions proposed in the review report, giving the reasons for each. Then he read the letter Mr. Shecapio (chief of the Mistissini Band Council) wrote to the MDDEP regarding the project.

7.2 Recommendation

A few changes will be made to the review report, after which the Committee will write to the Administrator recommending that the project be authorized.

8. FOREST ROADS

8.1 Deputy ministers' replies to COMEX's letter of late August 2011

A reply was received from Diane Jean, Deputy Minister of the MDDEP. However, COMEX is still waiting to receive a reply from the Deputy Minister of the MRNF, Robert Sauvé.

9. EASTMAIN 1-A/RUPERT

9.1 Receipt of documents on the follow-up program, for information purposes

- Received September 29, 2011, for information purposes, a report addressing Condition 5.1 entitled: *Suivi de l'hydrologie, de l'hydraulique et du régime thermique en milieu continental – 2010. Unité conception des aménagements de production, hydraulique et géotechnique d'Hydro-Québec*, May 2011. **Eastmain-1-A/Sarcelle powerhouses and Rupert diversion project.**
- Received September 29, 2011, for information purposes, a report addressing Condition 1 entitled: *Suivi de la qualité de l'eau brute à la prise d'eau de Waskaganish-année 2010- Note technique, datée de mai 2011*. **Eastmain-1-A/Sarcelle powerhouses and Rupert diversion project.**
- Received September 29, 2011, for information purposes, a report addressing Condition 5.1 entitled: *Suivi de l'intégrité et de l'utilisation des frayères à esturgeon jaune dans le bief Rupert amont- suivi environnemental 2010 en phase d'exploitation*. Environnement Illimité inc. February 2011. **Eastmain-1-A/Sarcelle powerhouses and Rupert diversion project.**
- Received October 11, 2011, for information purposes, in compliance with Condition 6.24, Nautical charts (3) dated May 2011. **Eastmain-1-A/Sarcelle powerhouses and Rupert diversion project.**

9.2 Developments regarding the planned meetings in Eastmain and Chisasibi

The members went over the logistics for the planned visits to Eastmain and Chisasibi. The members and the secretary made sure that the visits are clearly understood and that some of the information will be sent to Hydro-Québec to ensure efficient travel plans for the meeting on the results of the mitigation measures for the Eastmain 1-A/Sarcelle/Rupert project that COMEX will be attending the same week.

9.3 Consultation tour in 2012

As it stands, the consultation tour will take place from the last week in May to the third week in June 2012. Details will be provided at the next meeting with Hydro-Québec employees, scheduled for the end of October.

10. TROILUS

10.1 Recommendation

D.B. informed the members that the MRNF recently changed its mind and has gone back to its initial decision to the effect that it doesn't want the Troilus mine tailings pond to remain a pond after the mine is closed because the department doesn't want to be responsible for managing the pond after the land on which the mine is located is reassigned to the MRNF.

P.M. moved that the MRNF justify its reasons for thinking that managing the new pond would cause problems.

The members approved the motion. A meeting with the MRNF will be organized in the coming weeks.

11. COMEX WEBSITE – INTERNAL POLICY AND CODE OF ETHICS

The executive secretary shared the results thus far of her research into creating a COMEX website. She should be able to provide a complete picture at the next meeting. The members encouraged her to continue her research.

Discussion of COMEX's internal policy and code of ethics was deferred to a future meeting.

12. OTHER BUSINESS

P.M. moved that the MDDEP and the Crees try and draft their opinion on the Mistissini bridge project by the end of November if possible.

13. DATE AND PLACE OF THE NEXT MEETING

The next meeting will be held in Montréal between November 30 and December 2, 2011, depending on the meeting with Hydro-Québec employees.

Nathalie Girard
Executive Secretary