

MINUTES OF THE
315th MEETING OF THE REVIEW COMMITTEE

(Adopted)

DATE: February 6, 2014

PLACE: Cree Nation Government
277 Duke St., Suite 100
Montreal, Québec H3C 2M2

PRESENT: Philip Awashish, CRA
Daniel Berrouard, Québec
Brian Craik, CRA

Executive Secretary: Mélanie Chabot

1. CALL TO ORDER AND ADOPTION OF THE AGENDA

The meeting was called to order at 9:10 a.m. Mr. Berrouard informed the other members that the chairperson, André Boisclair, would be absent. Robert Lemieux had sent the Administrator a letter in late 2013 saying that he would be leaving the Review Committee at the end of January 2014. Therefore, he will no longer be attending COMEX meetings. A new member has to be appointed by Cabinet decree.

The proposed agenda (Appendix 1) was adopted.

2. ADOPTION OF THE MINUTES OF THE 312th AND 314th MEETINGS

The minutes of the 312th and 314th meetings were unanimously adopted.

3. FOLLOW-UP ON CORRESPONDENCE

The secretary went over the correspondence received and sent by the Review Committee since the last meeting (Appendix 2).

4. PROJECT TO OPERATE QUARRY CA-02, OVER 3 HA IN SIZE, FOR DEVELOPMENT OF A HIGH GROUND PARK AT CHISASIBI

In preparation for the meeting, the members received and read a document the proponent had sent to COMEV, along with the additional information provided to round out the information COMEX used as the impact statement. The members noted that the community of Chisasibi is waiting for this project and that the tallyman concerned has no problem with it. After reviewing the project-related information, the COMEX members unanimously decided to recommend that the Regional Administrator authorize operation of the requested quarry with no conditions. It was agreed to write to Mr. Voyageur as soon as possible because some of the work has to be carried out while the ground is still frozen.

5. EASTMAIN-1-A/SARCELLE/RUPERT PROJECT

a. Follow-up reports received and request to amend the certificate of authorization with regard to the environmental follow-up program

On January 27, 2014, COMEX received a consolidated update of the environmental follow-up program. The updated version underlies an amendment to the certificate of authorization for the project. The members agreed to finish reviewing the new program in time for the next meeting so that a recommendation can be drafted taking into account the latest follow-up reports

received. Each of the reports will be examined, giving priority to the final reports and the reports on more sensitive issues such as cisco or the spawning grounds of lake sturgeon.

b. Dummy of the public consultation report and transmission to the Administrator

The members made only a few comments, including putting a photo of the pristine river on the back cover. Also, because the graphic design of the document seems somewhat avant-garde, it was agreed to contact the communications department to make sure it complies with MDDEFP's publishing rules. The edited version of the report will be sent to the Provincial Administrator.

c. Presentation by Karine Dubé on inputs from post-project consultation and thematic content analysis

The presentation took place at 1:30 p.m. and was the last item discussed at the meeting. Ms. Dubé will be giving the same presentation next week at the AQEI congress. Following the presentation, the need to be careful in interpreting the representativeness of opinions expressed during consultations was discussed. However, the thematic content analysis method used made it possible to synthesize the considerable qualitative data collected as objectively as possible.

6. BACHELOR LAKE MINING PROJECT

a. Analysis of the cyanide destruction test results

The proponent submitted the test results for cyanide destruction as a requirement under Condition 1 of the amended certificate of authorization for the start-up of the cyanide destruction system. The members noted that only half of the planned installations are in operation, that the test results are partial and that the tailings pond appears to be full, even though the proponent recently raised the dams. Daniel Berrouard tabled an analysis document to enable the members to complete their review. It was agreed to finalize the questions and comments in time for the next meeting, after which they will be sent to the Administrator.

b. Report received: Annual Report 2012

The members noted that the proponent has begun its first year of operation following authorization of the project and does not have a lot to report. The annual report for 2012 mostly contains raw data. It was agreed to send the Administrator a missive stating that future annual reports must contain a results analysis, describe the conditions under which sampling was conducted and mention any accidents that occurred during the year.

7. HYDRO-QUÉBEC POWER SUPPLY FOR BLACKROCK MINING FACILITIES (161-kV POWER LINE)

a. Request for a certificate of authorization

The project review is nearly completed. Daniel Berrouard tabled an analysis and recommendations document for the purposes of the review. The Cree members said that some information needs to be rounded out, such as road and bridge features and information on watercourse crossings. As well, an issue needs to be resolved with the tallyman. The members agreed to complete the review process in time for the next meeting so that a recommendation can be drafted.

8. ELEONORE MINING PROJECT

a. Request for an amendment to the certificate of authorization for enlargement of sandpit A-01

Sandpit A-01 has already been authorized and already been enlarged once before. One thing that concerns the members about this new enlargement is the fact that, in the request, the proponent mentions the presence of peregrine falcon and bald eagle in the area, but neglects to say where they occur exactly or what mitigation measures are planned should they be affected by the project. The members agreed to recommend that the Administrator authorize the requested amendment to permit the sandpit's enlargement on the condition that the proponent submits a mitigation plan if the aforementioned species occur within a specified radius (to be determined). COMEX will contact MDDEFP's wildlife branch in this regard.

b. Report received: Follow-up program on Cree land use

The proponent proposed a follow-up program on Cree land use in compliance with Condition 6.1 of the certificate of authorization. The members agreed to recommend authorization with the stipulation that any new version of the program must be submitted to the Administrator and that the proponent must submit annual assessments. A recommendation will be drafted and circulated among the members before being sent to the Administrator.

9. ROUTE 167 NORD EXTENSION (MTQ)

a. Approval of follow-up programs

Further to the analyses conducted, the members had a number of questions and comments regarding the lack of information on the frequency of field trips, the impact of landslides, impacts on the water table, fish movement through culverts, the hydrological conditions during sampling, fish species covered by the report and how to tell how healthy they are, and the absence of photos in the report. The review will be completed in time for the next meeting so that a recommendation can be discussed.

b. Approval of environmental follow-up of operation of borrow pits between kilometres 0 and 143

This report was received in September. Given the urgency of the matter, it was agreed to compile the members' comments into one written document that will be sent to the members by email for validation and then sent to the Administrator as soon as possible.

10. RENARD DIAMOND PROJECT (STORNOWAY)

a. Recommendations

The members agreed to finish reviewing the project in time for the next meeting.

b. Modification of schedule for complying with conditions

Deferred to the next meeting.

c. Report received

Deferred to the next meeting.

11. FOREST ROADS AND REQUEST FOR A MEETING FROM GUY HÉTU TO DISCUSS MRN'S PRECAUTIONARY APPROACH

To be discussed at the next meeting when Mr. Boisclair is present.

12. REQUEST FOR INFORMATION

Tyler McCreary, a doctoral student in geography at McMaster University, is a research assistant for Dr. Suzanne Mills. Dr. Mills is conducting research on how socioeconomic aspects, more specifically employment, are considered in the environmental assessment process. They would like to have access to COMEX's report on the Renard Mine. The members agreed that COMEX should grant their request.

13. JBACE QUESTIONNAIRE ON PUBLIC PARTICIPATION

The members agreed to invite Graeme Morin, who is in charge of the JBACE questionnaire, to the next COMEX meeting so they can answer the questions together and orally.

14. TRANSMISSION OF COMEX MEETING MINUTES TO THE JBACE

COMEX stopped sending its meeting minutes to the JBACE in 2011. The JBACE recently asked for the missing sets of minutes, along with all future minutes. The members agreed to grant the request. The missing minutes will be sent to the JBACE's secretary following their adoption and the 45-day wait period for releasing information, stipulated in the code of ethics. The JBACE may also post the minutes on its website.

15. JBACE WORKSHOP ON ACQUISITION AND DISSEMINATION OF ENVIRONMENTAL AND SOCIAL KNOWLEDGE

The members would like to know more about the workshop program before deciding whether they will participate. The secretary will ask the JBACE for more information and send it to the members.

16. WEBSITE

Several bids for designing COMEX's website were received. COMEX wants to have a website to inform the public about its activities. To start with, the website could probably include five sections or pages, namely:

- 1) a homepage: general information about COMEX, plus a "News" section describing new projects COMEX is working on;
- 2) a page explaining the review procedure;
- 3) a dynamic web page containing the minutes in PDF;
- 4) a dynamic web page containing a table showing the stage each project is at in the procedure and hyperlinks to documents available on other sites (e.g. certificates of authorization on the MDDEFP website);
- 5) a "Contact" page containing the list of COMEX members, the address and phone number of the Secretariat, and maybe the Secretariat's email address that people can click on if they have questions or comments.

The bids received range from \$1000 to \$5000, primarily based on the quality of the site and the services provided once the site is built. Because COMEX won't have that kind of budget until the new fiscal year, it was agreed to postpone further discussion until after April 1, 2014.

17. OTHER BUSINESS

a. JBACE recommendations regarding mining projects in relation to the assessment and review procedure

The members agreed to send their individual comments, if any, to the secretary no later than February 18.

b. Development of natural aggregate deposits by the Crees of Waskaganish First Nation

The Administrator sent the directives for the impact statement to the proponent. COMEX will thus be involved from this point on.

18. DATE AND PLACE OF THE NEXT MEETING

The next meeting will be held in Montréal on either March 13 or April 9, 2014, depending on Mr. Boisclair's availability.

Appendix 1
Agenda

- 1) Call to order and adoption of the agenda**
- 2) Adoption of the minutes of the 312th and 314th meetings**
- 3) Follow-up on correspondence**
- 4) Development of a high ground park at Chisasibi: operation of a quarry over 3 ha in size**
 - a) Request for a certificate of authorization
- 5) Eastmain-1-A/Sarcelle/Rupert project**
 - a) Follow-up reports received:
 - *Suivi des frayères aménagées aux PK 203 et 207 de la rivière Eastmain – Suivi 2012*, in accordance with conditions 5.6 and 5.33 of the C.A.
 - *Suivi environnemental en phase exploitation – Suivi des activités récréotouristiques*, in accordance with Condition 6.29 of the C.A.
 - *Suivi de la chasse et de la pêche sportives des travailleurs – Saison 2012 et bilan 2007-2012*, in accordance with Condition 6.25 of the C.A.
 - *Suivi des conditions de navigation de la rivière Rupert – Consultation des utilisateurs cris - 2012*, in accordance with Condition 5.1 of the C.A.
 - *Mise à jour des prévisions relatives à l'évolution du déboisement par les agents naturels et à la production des débris ligneux flottants ou dérivants*, in accordance with Condition 5.1 of the C.A.
 - *Suivi de la couverture de glace pendant l'hiver 2012-2013*, in accordance with Condition 5.1 of the C.A.
 - *Suivi de l'intégrité et de l'utilisation des frayères à touladi aménagées dans les anciens lacs RP062, RP030 et Cabot du bief Rupert amont – Rapport d'étude - 2012*, in accordance with Condition 5.6 of the C.A.
 - *Correction des frayères d'omble de fontaine au tributaire du PK 41 de la rivière Rupert*, in accordance with Condition 5.24 of the C.A.
 - *Suivi environnemental du cisco anadrome – Rapport d'étude 2011-2012*, in accordance with conditions 5.18 and 5.20 of the C.A.

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- *Suivi environnemental en phase exploitation – Suivi du déroulement de la fraye du doré jaune, des meuniers et du grand corégone aux sites modélisés des PK 216 et 218 de la rivière Rupert*, in accordance with conditions 5.18 and 5.25 of the C.A.
 - b) Dummy of the public consultation report and transmission to the Administrator
 - c) Request to amend the certificate of authorization with regard to the environmental follow-up program
 - d) Presentation by Karine Dubé on inputs from post-project consultation and thematic content analysis

6) Bachelor Lake mining project

- a) Analysis of the cyanide destruction test results
- b) Report received:
 - *Annual Report 2012*

7) Hydro-Québec power supply for BlackRock mining facilities

- a) Request for a certificate of authorization

8) Eleonore mining project

- a) Request for an amendment to the certificate of authorization for enlargement of sandpit A-01
- b) Report received:
 - *Programme de suivi de l'utilisation du territoire par les Cris*

9) Route 167 Nord Extension (MTQ)

- a) Approval of follow-up programs
- b) Approval of environmental follow-up

10) Renard Diamond Project (Stornoway)

- a) Recommendations
- *Rapport de caractérisation écologique des milieux humides et son plan de compensation*, in accordance with Condition 2.1
- *Programme de compensation de l'habitat du poisson*, in accordance with Condition 2.12

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- *Demande de révision des objectifs environnementaux de rejets*, in accordance with Condition 2.4
 - b) Modification of schedule for complying with conditions
 - c) Report received:
 - *Inventaire archéologique*

11) Forest roads and request for a meeting from Guy Héту to discuss MRN's precautionary approach

12) Request for information

13) JBACE questionnaire on public participation

14) Transmission of COMEX meeting minutes to the JBACE

15) JBACE workshop on acquisition and dissemination of environmental and social knowledge

16) Website

17) Other business

- a) JBACE recommendations regarding mining projects in relation to the assessment and review procedure
- b) Development of natural aggregate deposits by the Crees of Waskaganish First Nation

18) Date and place of the next meeting

**Appendix 2
Correspondence and follow-up action**

Eastmain-1-A/Sarcelle/Rupert

COMEX received the 10 follow-up reports listed in the agenda.

COMEX sent the Administrator its recommendation to authorize the request to amend the C.A. for bank stabilization work along the left bank of the La Grande River.

COMEX received the updated consolidated version of the environmental follow-up program for 2007-2023.

Bachelor Mine

The questions in the additional information requested from the proponent were sent to the Administrator. The proponent replied that its responses would be included in the updated mine site remediation plan.

COMEX received the report containing the results of the cyanide destruction tests.

The annual report got 2012 was also received.

Hydro-Québec 161-kV power transmission line (BlackRock)

COMEX received the additional information requested from the proponent.

Underground exploration on the Matoush property

A refusal to issue a certificate of authorization was sent to the proponent.

Route 167 Nord (MTQ)

COMEX wrote to the MTQ regarding the request to amend the C.A. for construction in the bed of a watercourse at km 141 and km 735. COMEX informed the MTQ that it would not be making a recommendation because the work has already been carried out and the watercourse was not diverted.

The following documents were received (in accordance with conditions 24 and 29 of the C.A.):

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- Letter to Mr. Vandal regarding woodland caribou monitoring and wildlife resource management
 - CD containing additional information on the environmental follow-up program
 - Environmental follow-up program
 - Protocol for monitoring unimpeded movement in culverts and structures abutting watercourses harbouring fish habitat.

High ground at Chisasibi

COMEX received the responses to COMEV's questions regarding operation of Quarry CA-2.

BlackRock mining project

The Administrator sent the proponent the C.A. for mining the iron deposit in the Lac Doré Geological Complex.

Eleonore mining project (Opinaca Mines Ltd.)

COMEX recommended that the Administrator authorize the residual materials management project under the stipulated condition. An amendment was sent to him.

COMEX received a request to amend the certificate of authorization (enlargement of Sandpit A-01) and the follow-up program on Cree land use.

Gasification plant in Waskaganish

The directives regarding the scope of the impact statement to be prepared for this project were sent to the proponent.

Precautionary approach to woodland caribou recovery

COMEX received a letter from the MRN requesting a meeting with Mr. Boisclair to discuss caribou-related issues in relation to the forest roads being reviewed by COMEX.

Renard Diamond Project (Stornoway)

COMEX received the following documents:

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- Report on the ecological characterization of wetlands and the compensation plan (Condition 2.1)
 - Compensation program for fish habitat losses (Condition 2.12)
 - Request to review the environmental discharge objectives (Condition 2.4)
 - Archeological inventory (Condition 2.11)

New requests for amendments stemming from environmental and economic optimisation have been announced.