



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

320th MEETING OF THE REVIEW COMMITTEE

(Adopted)

DATE: August 7, 2014

PLACE: Cree Nation Government office
277 Duke St., room 100
Montréal, Québec H3C 2M2

PRESENT: Brian Craik, CNG
Daniel Berrouard, Québec
Robert Joly, Québec
André Boisclair, Chairman, Québec
Philip Awashish, CNG (by phone, items 1 to 8)

Cree analysts: Jessica Labrecque, CNG

Executive Secretary: Mélanie Chabot

1) Call to order and adoption of the agenda

The agenda was adopted as presented.

2) Adoption of the minutes of the 319th meeting

The minutes of the 319th meeting were adopted as presented.

3) Correspondence and follow-up action (Appendix A)

No items were added to the table of correspondence included in the agenda.

4) Access to information agreement

The COMEX secretariat will receive Access to Information requests and inform the members of their receipt. The Cree members are free to inform the Cree Nation Government.

Action: Email Lynda Roy to inform her that the members approve the agreement and ask her to go ahead with the Commission d'accès à l'information.

5) Principale mine site restoration project

• *for recommendation*

COMEV recommended that this project undergo impact assessment owing to its scope, the local interest it's garnering and a number of social issues warranting closer examination. The project was put on the agenda of today's meeting at the Cree party's request with a view to saving time. The formal request from the Provincial Administrator will be received soon.

The preliminary information plus the responses to COMEV's questions will constitute the impact statement. After going over the documents received, the members unanimously agreed that the project is acceptable and that a recommendation for authorization could be made. The discussion focused more on the conditions of the authorization.

First, as regards the biophysical component, the members want to be kept abreast of the results of the environmental monitoring and follow-up program conducted during the restoration work and post-closure until such time as the Committee is satisfied.

Second, as regards the social component, COMEX is familiar with the obligations under Section 28 of the James Bay and Northern Québec Agreement (JBNQA) and notes that the proponent intends to seek an exemption from the government rules for awarding contracts in order to foster economic opportunities at the local level and address the request from the communities of Oujé-Bougoumou and Chibougamau. The members want to make sure that the necessary efforts are made to ensure that local communities derive socioeconomic benefits from

the project and that the oversight currently provided by the steering committee continues. For that purpose, it was proposed that monitoring of regional economic spinoffs and status reports on steering committee discussions be a condition stipulated in the certificate of authorization. In fact, in the members' opinion, the proponent should be required to inform and consult the steering committee and the latter should continue to play a meaningful role throughout the project.

Consequently, the members decided to write to the Administrator recommending that the project be authorized on the above two conditions once the secretariat has received the formal request from the Administrator.

Action: Write to the Administrator: authorize project with conditions

6) Renard Diamond Project

- a) Fish habitat compensation program
 - *for recommendation*

COMEX had sent the Administrator a question about a potentially hydrocarbon-contaminated site covered by the fish habitat compensation program. COMEX received the proponent's response on July 30. The Québec party is currently verifying information and would like to discuss the matter again at the meeting in September.

A copy of a letter from Mireille Paul of MDDELCC to Mr. Boisclair was also distributed to the members. The letter forwarded a request to amend a certificate of authorization covering eight aspects, the biggest one being the replacement of the diesel generators by natural gas generators. It was proposed that the various aspects be dealt with in an orderly fashion. Simple things, such as the change in monitoring program deadlines, can be dealt with in September. The more complex aspects require thorough examination.

7) Bachelor Lake mining project

- a) Intervention and action plan to achieve EDOs
 - *for recommendation*

A meeting between the Cree and Québec analysts and environmental discharge objective (EDO) experts from the Direction du suivi de l'état de l'environnement will be scheduled soon. It was agreed to take care of the logistics as soon as possible. Several technical details will be discussed at the meeting. COMEX can continue discussing the action plan after the meeting takes place.

Action: Schedule the meeting on EDOs

- b) Letter transmitting information on the cyanide destruction system
 - *for recommendation*

The members noted that the cyanide destruction testing will begin in mid-August, once the entire system is operational. They thus decided to authorize the proponent's request to submit its report on the testing results at the end of October 2014.

Action: Write to the Administrator: grant the request

- c) Response to question on the restoration plan
 - *for discussion*

A question was sent to the Administrator to find out if the submitted restoration plan is final. The proponent's response was received on July 16. The proponent states that, for now, the plan is final but that exploration is ongoing.

The Québec party's assessment, which incorporates the Cree party's comments, was sent to all the members on July 8. The matter will be discussed at the next meeting to give the members time to read the document.

8) Extension of Route 167 North (MTQ)

- a) Response to questions and comments sent in April 2014: protocol for monitoring unimpeded fish passage, environmental monitoring program, environmental monitoring: operation of borrow pits less than 75 m from lakes and watercourses
 - *for recommendation*

The Cree party completed its review and has no further comments. At the last meeting, it was agreed that the proponent had addressed most of the questions adequately, but that certain aspects were worth putting into perspective to ensure that the monitoring programs respect the proponent's commitments and the conditions of authorization, especially as regards monitoring of borrow pits and false mountain willow. The members therefore decided to authorize the monitoring programs, but with comments and suggestions.

Action: Write to the Administrator: comments

- b) Woodland caribou monitoring program
 - *for discussion*

COMEX received the Ministère des Transports du Québec's report on July 11, 2014. The MTQ has invested resources in woodland caribou monitoring, but considers the Wildlife branch, not the MTQ, to be responsible for the resource's management.

COMEX took note of the report. However, in the members' view, woodland caribou is a much broader issue and the members cannot fully grasp the potential impact of Route 167 North on the species without knowing the Québec government's planned overall policy for Eeyou Istchee.

9) Troilus mining project

- a) Annual report of activities under the post-closure environmental monitoring and inspection program for 2013; 2013 annual report on characterization of water quality, sediment and benthic communities; integrated analysis of tests to determine acid generation potential
 - *for information*

The Crees submitted their comments and all but one, i.e. monitoring contaminants in fish meat, were incorporated into the analysis tabled at the last meeting. Because of the need to sample fish, the proponent stopped monitoring fish several years ago because it was likely having a greater impact than no monitoring. Besides, fish contamination wasn't a problem.

The members think that the implementation committee should remain active. The members decided to write to the Administrator with some comments.

Action: Write to the Administrator: comments

10) Langlois mine in James Bay (Nyrstar)

- a) Transmission of final report on surface water and sediment monitoring for winter 2014
 - *for information*

The report is being reviewed. The opinion of the MDDELCC regional office was sought, as it sees what's happening on the ground. Discussion of this item was therefore deferred to the meeting in September.

11) Whabouchi project (Nemaska Lithium Inc.)

- a) Updated noise study

According to the study results received, noise is not a major issue. A few studies are yet to come, including two very important ones: the air quality modelling study and the effluent plume delineation study. The latter study will not be available until October.

Since COMEX traditionally does not hold consultations until it deems a file to be complete, the members agreed to write to the Administrator to say that COMEX is willing to hold public hearings but all of the proponent documents must be available at least 30 days before the hearings begin.

The members note that the consultation process for the James Bay region is not defined comprehensively in the James Bay and Northern Québec Agreement. The members agreed that a model process should be developed to ensure a certain degree of foreseeability. The process could be adopted at the next meeting and posted on COMEX's website. A working committee was formed to work on the issue.

Action: Develop a public participation process for the James Bay region and write to the Administrator

12) Eastmain-1-A/Rupert project

- a) 2013 monitoring to ensure the integrity of the protection structure and slopes next to the Waskaganish water intake
 - *for information*

The integrity of the protection structure and slopes next to the Waskaganish water intake was one of the issues in the Eastmain-1-A project. The monitoring results show adequate maintenance of the integrity of the protection structure, despite small stall areas upstream and downstream.

- b) 2013 monitoring of hydrodynamics at the mouth of five tributaries of Rupert River
 - *for information*

No major impact was noted. Consequently, the members agreed to write to the Administrator to say that they have no comments on items a) and b).

Action: Write to the Administrator: no comments

13) COMEX website

The contract with Verteb will be signed soon and work is to begin next week. The mock-up and final design will be submitted to the members for their comments.

The need to obtain an exemption from the government visual identification program was mentioned.

Action: Obtain an exemption from the government visual identification program

14) Other business

No items were added.

15) Date and place of the next meeting

The next meeting will be held on September 3, in Montréal.

Appendix A
Correspondence and follow-up action: July 8 to August 4, 2014

| PROJECT | FROM | TO | DOCUMENT | DATE | COMMENTS | ACTION |
|--|-----------------------|------------------------------------|--|------------------------------|---|------------------------------------|
| Eleonore gold project in James Bay, Opinaca Mines Ltd. | Mireille Paul MDDELCC | France Trépanier Goldcorp | Question regarding the final design of the tailings pond | Received: (cc) July 8, 2014 | - | <i>Waiting for a reply</i> |
| | André Boisclair COMEX | Gilbert Charland Provincial Admin. | Letter to the Administrator: no comment on the start-up water supply strategy | Sent: July 30, 2014 | - | - |
| | André Boisclair COMEX | Gilbert Charland Provincial Admin. | Letter to the Administrator: recommendation to authorize the comprehensive environmental monitoring program with conditions | Sent: July 30, 2014 | - | - |
| Whabouchi project, Nemaska Lithium Inc. 3214-14-052 | Mireille Paul MDDELCC | André Boisclair COMEX | Additional information on the impact statement: updated noise study | Received: July 9, 2014 | - | For recommendation (comprehensive) |
| Extension of Route 167 North, MTQ 3214-05-077 | Mireille Paul MDDELCC | André Boisclair COMEX | Woodland caribou monitoring program | Received: July 11, 2014 | - | For recommendation |
| | Mireille Paul MDDELCC | Philippe Lemire | CA issued to the proponent: decommissioning program for Lot B | Received: (cc) July 21, 2014 | - | - |
| BlackRock Metals project to mine the | Mireille Paul MDDELCC | André Boisclair COMEX | Proponent's responses to conditions 3, 4, 10, 16 and 29 of the CA | Received: July 11, 2014 | In response to conditions 3, 4, 10, 16 and 29 of the CA | For recommendation |

| PROJECT | FROM | TO | DOCUMENT | DATE | COMMENTS | ACTION |
|--|-----------------------------|---|--|------------------------------------|--|----------------------------|
| iron deposit in the Lac Doré geological complex 3214-14-050 | André Boisclair COMEX | Gilbert Charland Provincial Admin. | Questions regarding the responses to conditions 6 and 8 | Sent: July 30, 2014 | - | <i>Waiting for a reply</i> |
| Eastmain/Matagami- Radission intersection redevelopment project, MTQ 3214-05-012 | Mireille Paul MDDELCC | Philippe Lemire MTQ | CA | Received: (cc) July 16, 2014 | - | - |
| Extraction and processing of 900 000 tonnes of gold ore from the Bachelor mine site, Metanor Resources Inc. 3214-14-027 | Mireille Paul MDDELCC | André Boisclair COMEX | Letter transmitting information on the cyanide destruction system and the response to the question regarding the restoration plan | Received: July 16, 2014 | Request to extend the deadline for submission of the report on cyanide destruction testing to the end of October | For recommendations |
| Eastmain-1- A/Rupert project 3214-10-017 | Mireille Paul MDDELCC | Philippe Mora SEBJ | Amendment to the CA: alignment of a snowmobile trail | Received: July 21, 2014 | - | - |
| | Mireille Paul MDDELCC | André Boisclair COMEX | Monitoring results: 2013 monitoring to ensure the integrity of the protection structure and slopes next to the Waskaganish water intake | Received: July 29, 2014 | - | For information |
| | Mireille Paul MDDELCC | André Boisclair COMEX | Monitoring results: 2013 monitoring of hydrodynamics at the mouth of five tributaries of Rupert River | Received: July 29, 2014 | - | For information |

| PROJECT | FROM | TO | DOCUMENT | DATE | COMMENTS | ACTION |
|---|-----------------------|-----------------------|---|-------------------------|----------|--------------------|
| Langlois Mine in James Bay, Nyrstar 3214-14-026 | Mireille Paul MDDELCC | André Boisclair COMEX | Final report on surface water and sediment monitoring for winter 2014 | Received: July 21, 2014 | - | For information |
| Renard diamond project, Stornoway | Mireille Paul MDDELCC | André Boisclair COMEX | Responses to questions regarding the fish habitat compensation program | Received: July 30, 2014 | - | For recommendation |