



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

### 331st MEETING OF THE REVIEW COMMITTEE

(adopted)

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**DATE:**

July 29, 2015

**PLACE:**

COMEX office  
201 President-Kennedy Ave, Suite PK-2840  
Montréal (Québec) H2X 3Y7

**PRESENT:**

André Boisclair, Chairman, Québec  
Daniel Berrouard, Québec  
Brian Craik, CNG  
Robert Joly, Québec

**ABSENT:**

Philip Awashish, CNG

Executive Secretary:

Marie-Michèle Tessier

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**1) CALL TO ORDER AND ADOPTION OF THE AGENDA**

The agenda was adopted as presented.

**2) ADOPTION OF THE MINUTES OF THE 330TH MEETING**

The minutes were adopted as written.

**Action: File the minutes of the 330th meeting**

**3) CORRESPONDENCE AND FOLLOW-UP ACTION**

Correspondence received and sent between June 11 and July 16, 2015 is listed in Appendix A.

On July 28, 2015, COMEX received a letter from the Provincial Administrator informing it that the MTQ had withdrawn its application for changes to the decontamination work on the spills at the Km 99 camp (Lot B) for the Route 167 North extension project. COMEX therefore considers this file to be closed.

**4) Route 167 North extension project, MTQ**

- a) Fish habitat compensation plan
  - *for approval*

WHEREAS, following authorization of the Route 167 North extension project on December 1, 2011, the MTQ sent the Provincial Administrator its fish habitat compensation plan for approval, in accordance with Condition 20 of the certificate of authorization;

WHEREAS, although the documents are more or less complete and the projects allow for unimpeded fish movement, the following elements should nevertheless be verified or clarified:

- 1- MTQ mentions that certain work sites need to be accessible to machinery in winter. The proponent must specify whether soil protection measures are required to prevent degradation of wetlands with low load-bearing capacity on sites C2 and C3, where work is planned.
- 2- One of the proposed shoreline revegetation methods is hydroseeding. The amount of fertilizers in the mixture used should be low to prevent fertilizing runoff.
- 3- The proposed shoreline revegetation methods also include moss harvesting. Moss should be harvested with caution to prevent alteration of harvesting sites. Only small amounts should be harvested from small surface areas and no moss should be harvested from wetlands or peatlands. Moss must be harvested from spruce-moss stands only.

- 4- Enhancement work on sites C2 and C3 should be carried out between July 1 and August 31, 2015 so that brook trout can complete their full reproductive cycle, unless the proponent can show that this species is not found in the watercourses targeted by enhancements and that there are no fragile habitats 500 m downstream from the planned work.
- 5- A follow-up program for existing and planned enhancements must be submitted after the final work has been completed to ensure that compensation work is sustainable. Because northern habitats are fragile (short annual growing season, thin soil subject to erosion, etc.), tighter monitoring than for equivalent projects in southern Québec is required.
- 6- The proponent must resume consultations with the Hunting, Fishing and Trapping Coordinating Committee, as stipulated in Condition 20 of its certificate of authorization;

WHEREAS the proponent should be advised that bridging made using wood supplied by the MTQ must comply with the development measures provided for in the *Regulation respecting the standards of forest management*;

CONSEQUENTLY, the COMEX members decided:

*#2015-0729-01: to write to the Provincial Administrator to request the abovementioned clarifications.*

**Action: Send a letter to the Provincial Administrator**

- b) Follow-up report on the economic spinoffs from the project
  - *for information*

WHEREAS the members have questions regarding certain information contained in the follow-up report submitted by the proponent, the information will be verified.

**5) Langlois mining project**

- a) Application to amend the CA: Removal of the life of the operation and monitoring of the receiving environment
  - *for recommendation*

WHEREAS the proponent submitted an application to amend the certificate of authorization to remove two conditions relating to the life of the operation and monitoring of the receiving environment;

WHEREAS, as regards monitoring of the receiving environment, the proponent maintains that it is required by the *Fisheries Act* to also comply with the *Metal Mining Effluent Regulations* (MMER) and that the MMER requires owners of metal mines to conduct environmental effects monitoring studies (EEMS) to assess the impact of metal

mining effluent on the fish population, fish habitat and use of fishery resources. Accordingly, the proponent's EEMS consist, in particular, in:

- harvesting fish upstream of the site on Wedding River and downstream of the final-effluent discharge point;
- conducting laboratory analyses of biological parameters and metal concentrations in the harvested fish;
- assessing the impact of final effluent on benthic communities;
- monitoring water and sediment quality;
- toxicity testing of effluent;

WHEREAS the condition stipulated on the certificate of authorization can be replaced so as to request that the proponent send a copy of the reports required under the MMER to the Administrator for information purposes to enable ongoing assessment of the effects of mining effluent on receiving waters as well as monitoring of water and sediment quality and the status of fish populations, while stipulating that the reports must include the results of quarterly monitoring of contaminants (particularly arsenic, cadmium, copper, lead and zinc) and chronic toxicity;

WHEREAS, since the anticipated 12-year operating life of the Langlois Mine has ended, and since the proponent wishes to continue operating the mine in the coming years, it is advisable to correct the situation. Before authorizing the amendment, the proponent should be asked to clarify the following matters:

- The proponent must indicate, based on a realistic scenario, the number of years it intends to operate the mine and explain the analysis used to arrive at that number.
- The proponent must specify whether the existing facilities (e.g. waste rock pile and tailings site) can support continued operation of the mine or if additional facilities will be necessary.
- The proponent must specify whether extending the life of the mine will have environmental and social impacts and whether any changes will be required, in particular to monitoring/follow-up programs. In addition, the proponent must explain how it intends to continue informing local players (Cree and non-Cree) about the project's impact;

CONSEQUENTLY, the COMEX members decided:

*#2015-0729-02: to write to the Provincial Administrator to recommend that the condition regarding monitoring of the receiving environment be replaced and request the abovementioned clarifications regarding the life of the project.*

**Action: Send a letter to the Provincial Administrator**

**6) BlackRock Metals mining project**

- a) Application to amend the CA: Addition of titanium concentrate  
• *for recommendation*

WHEREAS the project review is ongoing, discussion of this item was deferred to the next meeting.

**7) Bachelor Lake mining project**

- a) Proponent's responses to questions and comments regarding the restoration plan  
• *for approval*

WHEREAS, in February 2013, Metanor Resources submitted an updated restoration plan in response to Condition 15 of the certificate of authorization issued on July 4, 2012. Condition 15 stipulates that the proponent must submit its final rehabilitation and restoration plan for the Bachelor Lake mill and related facilities to the Administrator for approval. COMEX sent four series of questions and comments on the restoration plan;

WHEREAS COMEX reviewed the final restoration plan for the Bachelor Lake mine site as well as the proponent's responses to its questions and comments and deems the updated, enhanced restoration plan satisfactory on seven conditions:

**Condition 1:** The proponent must ensure that all safety signage on the mine site (danger and warning safety signs, etc.) is in French, English and Cree.

**Condition 2:** Following the dismantling of buildings and infrastructure, during revegetation of bare land, the proponent must incorporate multispecies plant arrangements if they are in keeping with the community's expectations for future use of the site. The multispecies plant arrangements must be designed to attract diverse wildlife species back to the area and create ecological linkages with the host environment as soon as the land permits, particularly within the footprints of the industrial site (mill and related infrastructure) and work camp. This condition does not apply to the tailings pond, whose restoration is the subject of research into revegetation of mine tailings. The proponent must submit its plan to the Administrator, for information purposes, six (6) months prior to its implementation.

**Condition 3:** The proponent must submit its post-operation environmental monitoring program to the Administrator, for approval, six (6) months before mining activities end. It must submit its post-restoration environmental monitoring program to the Administrator six (6) months prior to the program's implementation. In addition to the monitoring required under Directive 019 (mining industry), these programs must include surface

water and sediment monitoring in water bodies receiving final effluent and in Bachelor Lake.

**Condition 4:** The proponent must submit annual reports on environmental monitoring and follow-up and agronomic monitoring to the Administrator for information purposes. It must also provide a status report on restoration of the mine site and the borrow pit used to extract material for restoration work. The report must discuss results in relation to the restoration objectives. In addition, the annual inspections of on-site protective measures required under section 106 of the *Regulation respecting mineral substances other than petroleum, natural gas and brine (Mining Act)*, including impoundment structures, must be conducted by a third party and discussed in the annual monitoring and follow-up report during restoration and post-restoration.

**Condition 5:** The proponent must submit the research findings on tailings pond restoration to the Administrator, for information purposes, either when the findings are published or as soon as they are available if the agreements entered into with the research group so permit. Furthermore, the proponent must explain how Crees were involved in the research project.

**Condition 6:** The proponent must consult the Cree community of Waswanipi and, especially, the band council when preparing the detailed restoration plan, not just at the end of mining operations, to ensure that the plan reflects the community's values and meets its expectations regarding future use and occupation of the site. The proponent must ask the community what it would like to see done with the existing infrastructure. It must also verify the community's interest in participating in site restoration, monitoring and follow-up activities. The proponent must report on the consultations held with the Cree First Nation of Waswanipi on the development plan. The report must be submitted to the Administrator, for information purposes, six (6) months prior to the plan's implementation.

**Condition 7:** The proponent must maintain the relations built with the Cree community of Waswanipi until dismantling and follow-up operations have been completed. The proponent must submit to the Administrator, for information purposes, annual reports on its discussions with the Cree First Nation of Waswanipi regarding the dismantling of facilities, follow-up results, the emergency measures plan and maintenance of certain uses of the current mine site.

In addition, at the end of mining operations, the Committee expects to receive:

- the results of the final biological monitoring studies required under the *Metal Mining Effluent Regulations* (Environment Canada), prior to closure of the mine;

- a report on the outcome of consultations with the community of Waswanipi regarding the restoration plan.

COMEX also expects the proponent to meet the restoration objectives in full, particularly the objective of returning disturbed areas as close as possible to their original state before the mine was created. Accordingly, revegetation, even experimental, must achieve the anticipated results.

Lastly, in a document sent to COMEX on July 8, 2014, the proponent confirmed that the restoration plan it submitted was the final rehabilitation and restoration plan, as requested in Condition 15 of the certificate of authorization issued on July 4, 2012. Should significant changes be made to the restoration plan reviewed by COMEX, the proponent must submit an application for amendment of the CA to the Administrator so that COMEX can review the changes.

CONSEQUENTLY, the COMEX members decided:

*#2015-0729-03: to write to the Provincial Administrator to recommend that the restoration plan for the Bachelor Lake mine site be approved on the abovementioned conditions.*

**Action: Send a letter to the Provincial Administrator**

- b) Cyanide destruction system
  - *for information*

WHEREAS the proponent was unable to conduct validation tests on the cyanide destruction system in November 2014, they will be conducted in spring 2015. The proponent plans on submitting the test results to the Administrator. Given that Metanor Resources is the only company in Canada to use ozone to destroy cyanide compounds, testing the destruction system's effectiveness is crucial;

**QCIII - 1.** The proponent must submit the results of the most recent cyanide destruction tests by September 30, 2015. Based on the test results, the proponent must indicate the anticipated effluent concentrations of total cyanide, free cyanide and weak-acid dissociable cyanide. It must also discuss its analysis of planned use of the cyanide destruction system.

WHEREAS the proponent mentions that the best available treatment technologies for metals, suspended matter and ammonia nitrogen identified in the Hatch report are not economically feasible for this project;

**QCIII - 2.** The proponent must explain why the available treatment technologies for parameters other than cyanide are not economically feasible for this project. It must also justify the fact that it cannot meet its long-term objective of attaining the EDOs determined for the project.

**QCIII - 3.** The proponent must identify the main intermediate effluent causing exceedance of EDOs and then propose solutions for limiting exceedances (treatment of intermediate effluent, management of contributions to final effluent, etc.).

**QCIII - 4.** The proponent must determine whether the Directive 019 final-effluent discharge standards could be exceeded in future if the proponent does not install a physicochemical treatment system before the effluent discharge point.

WHEREAS the available space for wastewater in the tailings pond decreases as tailings are deposited in the pond and the discharge rate has been increasing over the years;

WHEREAS the proponent must demonstrate that the holding capacity of the tailings pond and polishing basin is sufficient to meet the requirements of Directive 019, particularly in terms of:

- the occurrence of a 1:2000 year flood;
- the capacity of the emergency spillway;
- the discharge standards;

WHEREAS, for maximum natural cyanide destruction, the proponent is going to install new sprinklers specially designed for cyanide destruction in addition to the existing sprinklers that reduce wind erosion;

**QCIII - 5.** However, the proponent must provide more information on natural cyanide destruction in the tailings pond, including an assessment of the effectiveness of the new sprinklers for destroying cyanide compounds (cyanide reduction rate, use in winter conditions, etc.) and the current holding time for tailings pond water to achieve the measured cyanide concentrations.

WHEREAS even though installing new sprinklers to increase natural cyanide destruction is worthwhile, COMEX does not think it will be enough to ensure adequate removal of cyanide from tailings pond water. In fact, the amount of mine tailings accumulated in the pond no longer allows as much flexibility to adjust the water holding time until an acceptable cyanide concentration is achieved;



**QCIII - 6.** To come as close as possible to the free-cyanide EDO, the proponent must evaluate the feasibility of using the effluent treatment system for cyanide destruction all the time, starting from when tailings pond water is released. The evaluation must include an economic analysis.

**QCIII - 7.** The proponent may also revise the trigger criterion for cyanide destruction based on the current cyanide concentration of 2 mg/L. According to previously submitted test results for treatment levels, the cyanide destruction system removes between 57% and 73% of free cyanide. Given that free cyanide represents approximately 35% to 42% of total cyanide, the concentration of total cyanide triggering the cyanide destruction system could be 0.022 mg/L to come as close as possible to the free-cyanide EDO (0.005 mg/L).

**QCIII - 8.** The proponent must answer all of these questions no later than September 30, 2015.

CONSEQUENTLY, the COMEX members decided:

*#2015-0729-04: to send the Provincial Administrator COMEX's recommendations regarding the restoration plan for the Bachelor Lake mine site.*

**Action: Send a letter to the Provincial Administrator**

## **8) Planned forest roads in the territory**

- *for information*

COMEX received a letter from Provincial Administrator Christyne Tremblay informing the members that the review of forest road projects may be resumed further to the agreement on woodland caribou protection reached between the MRNF and the Cree Nation Government. Since the MDDELCC expects to receive updates to the documents submitted by the proponents for the five projects COMEX is reviewing, these files will be reactivated.

**9) Eastmain-1-A/Rupert diversion project**

- a) Voluntary Anadromous Cisco Catch Registry – 2011 Program – Crees of the Waskaganish First Nation, January 2014;
- b) Voluntary Anadromous Cisco Catch Registry – 2012 Program – Crees of the Waskaganish First Nation, January 2015;

WHEREAS the proponent submitted the above reports in accordance with Condition 5.1 of the CA issued on November 24, 2006 and Condition 1 of the amended CA issued on July 28, 2008;

WHEREAS these reports were submitted to the Monitoring Committee composed of representatives of the communities of Mistissini, Nemaska, Waskaganish, Eastmain, Wemindji and Chisasibi, the Niskamoon Corporation and Hydro-Québec/Société d'énergie de la Baie-James.

- c) 2014 report on mitigation and enhancement measures agreed upon with tallymen affected by the project, June 2015.

• *for information*

WHEREAS the 371 mitigation and enhancement measures affecting 33 traplines are designed to facilitate and enable tallymen to continue their traditional hunting, fishing and trapping pursuits during the construction and operation phases of the project, each of the 34 tallymen (Trapline M-33 in Mistissini has two tallymen) received letters of commitment to that end in summer 2007. At the end of 2013, eight mitigation and enhancement measures still had to be implemented. In 2014, the proponent finished implementing three of the eight measures, which means that the measures have been fully implemented on 32 of the 33 traplines affected by the project;

WHEREAS in reading the documents submitted to it, COMEX notes that the proponent does not explain why the five remaining measures have not been implemented yet. Furthermore, in its most recent letter, the proponent indicates that five measures are left and will be implemented in 2015 or later;

CONSEQUENTLY, the COMEX members decided:

*#2015-0729-05: to write to the Provincial Administrator to inform her that COMEX has no comments on cisco monitoring and that it expects to receive more information on the mitigation and enhancement measures agreed upon with tallymen once they have been implemented.*

**Action: Send a letter to the Provincial Administrator**

**10) OTHER BUSINESS**

COMEX was informed that the Cree Nation Government intends to replace Philip Awashish on the Review Committee.

A meeting with the JBACE was requested to discuss the Section 22 assessment and review bodies' resources for public participation. The meeting could take place at the next meeting.

**11) DATE AND PLACE OF THE NEXT MEETING**

The next meeting will be held on August 26, in Montréal.

**Appendix A**  
**Correspondence and follow-up action: June 11 to July 16, 2015**

PROJECT	FROM	TO	DOCUMENT	DATE	COMMENTS	ACTION
Whabouchi mining project 3214-14-052	André Boisclair COMEX	Christyne Tremblay Provincial Administrator	Recommendation to authorize project	Sent: June 18, 2015	Acknowledgement of receipt: July 6, 2015	- <i>for information</i>
	Mireille Paul MDDELCC	André Boisclair COMEX	Additional information – Assessment of source contribution to receiving environments where TSS standards are exceeded	Received: June 16, 2015		
Eastmain-1-A/Rupert hydroelectric development project 3214-10-017	André Boisclair COMEX	Christyne Tremblay Provincial Administrator	Comments on hydrology monitoring to the effect that an application to amend the CA must be submitted if a date is set to return to spring flows in Lemare and Nemiscau rivers	Sent: June 18, 2015	Acknowledgement of receipt: June 25, 2015	- <i>for information</i>
Eleonore mining project 3214-14-042	André Boisclair COMEX	Christyne Tremblay Provincial Administrator	Comments on the application to amend the CA to salvage the surface pillar	Sent: June 18, 2015	Acknowledgement of receipt: June 25, 2015 Copy of comments sent to the proponent: June 30, 2015	- <i>for information</i>
	Mireille Paul MDDELCC	André Boisclair COMEX	Document on pre- and post-membrane framework for the tailings pond, in accordance with Condition 2.4 of the CA	Received: June 22, 2015		- <i>for information</i>
Renard Diamond Project 3214-14-041	André Boisclair COMEX	Christyne Tremblay Provincial Administrator	Application to amend the CA to move the site of the mine wastewater treatment plant	Sent: June 18, 2015	Acknowledgement of receipt: June 25, 2015 Copy of amended CA: July 8, 2015	- <i>for information</i>

**Minutes - COMEX**  
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PROJECT	FROM	TO	DOCUMENT	DATE	COMMENTS	ACTION
Eastmain water supply project 3214-11-99B	André Boisclair COMEX	Isaac Voyageur Regional Administrator	Recommendation to authorize the project	Sent: June 18, 2015	Copy of authorization: July 9, 2015	- for information
Route 167 North Extension Project, MTQ 3214-05-077	André Boisclair COMEX	Christyne Tremblay Provincial Administrator	Recommendation regarding the application to amend the CA for decontamination work on spills that occurred at the Km 99 camp	Sent: June 18, 2015	Acknowledgement of receipt: June 25, 2015	- for information
	André Boisclair COMEX	Christyne Tremblay Provincial Administrator	Recommendation regarding the application to amend the CA for the decommissioning and restoration program for sites affected by work at Lot A – Rock ridge km 64 and 70	Sent: June 18, 2015	Acknowledgement of receipt: June 25, 2015 Copy of amended CA: July 16, 2015	- for information
	André Boisclair COMEX	Christyne Tremblay Provincial Administrator	Recommendation regarding the requested change to permanent camps	Sent: June 18, 2015	Acknowledgement of receipt: June 25, 2015	- for information
Forest road projects	Christyne Tremblay Provincial Administrator	André Boisclair COMEX	The review of planned forest roads may resume and updates to submitted documents are to be received	Received: July 13, 2015 (by email)		- for information
	Mireille Paul MDDELCC	André Boisclair COMEX	Abandonment of forest roads “H, eastern sector” and “J”	Received: July 16, 2015		- for information