



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

332nd MEETING OF THE REVIEW COMMITTEE

(adopted)

DATE:	August 26, 2015
PLACE:	COMEX office 201 President-Kennedy Ave, Suite PK-2840 Montréal (Québec) H2X 3Y7
PRESENT:	André Boisclair, Chairman, Québec Philip Awashish, outgoing member Daniel Berrouard, Québec Brian Craik, CNG Robert Joly, Québec Paul John Murdoch, CNG
Executive Secretary:	Marie-Michèle Tessier

1) WORD OF WELCOME TO NEW MEMBER – SIGNING OF THE CODE OF ETHICS

The Cree Nation Government passed resolution 2015-55 appointing Paul John Murdoch as Philip Awashish's replacement on COMEX effective August 17, 2015.

Mr. Awashish's commitment to COMEX's work was underscored, as was his involvement in the negotiations leading up to the signing of the groundbreaking James Bay and Northern Québec Agreement (JBNQA) in 1975. The JBNQA has remained virtually unchanged since then and the fact that the committees established pursuant to Section 22 still function smoothly and effectively is a testament to the agreement's visionary character.

The members welcomed the new member and explained how the Committee works. Mr. Murdoch adheres to and signed COMEX's code of ethics.

2) ADOPTION OF THE AGENDA

The agenda was adopted as presented.

3) ADOPTION OF THE MINUTES OF THE 331ST MEETING

The minutes were adopted as written.

Action: File the minutes of the 331st meeting

4) CORRESPONDENCE AND FOLLOW-UP ACTION

Correspondence received and sent between July 16 and August 26, 2015 is listed in Appendix A.

5) Forest road projects

- *for discussion*

WHEREAS Barrette-Chapais ltée submitted projects to build forest access roads "L209 North" and "E West" (respectively 3214-05-072 and 3214-05-074) and Matériaux Blanchet Inc. submitted a project to build forest access roads "H - Section West" and "I" (3214-05-075);

WHEREAS sections 30 and 31 of the Agreement to Resolve the Baril-Moses Forestry Dispute Between the Cree Nation of Eeyou Istchee and the Gouvernement du Québec read as follows:

30. The Grand Council of the Crees (Eeyou Istchee) and the Cree Nation Government shall not oppose the environmental authorization of the Access Roads outside the proposed Broadback River Protected Area, provided that Québec does not proceed or allow third parties to proceed with the authorization, construction or operation of any forestry access roads inside the proposed Broadback River Protected Area shown on the map appended in **Schedule A**.
31. For greater certainty, nothing in section 30 shall affect or restrict the independence of the environmental assessment committees, Cree individuals and other Cree entities with regard to the environmental assessment of the Access Roads.

WHEREAS certain communities that would be affected by the forest road projects want to create protected areas in their territories;

The forest road projects are still under review and may be the object of public consultations in fall 2015.

6) BlackRock Metals mining project

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

WHEREAS draft questions for the proponent were submitted to the members, the document will be reworked and submitted for adoption at the next meeting.

7) Bachelor Lake mining project

- a) Annual Report 2014
 - *for information*
- b) Measures and action plan to meet the EDOs
 - *for information*

WHEREAS COMEX received the annual report for 2014 as well as the report *Intervention et plan d'action pour atteindre les objectifs environnementaux de rejet* concerning the Bachelor Lake mining project;

WHEREAS COMEX has the following questions and comments for the proponent:

- QC – 1.** The proponent must specify whether its sprinkler system is still effective in reducing total particles (TSP) and fine particles (PM_{2.5}) to below the air quality standards fixed in the *Clean Air Regulation*.

- QC - 2.** In its next annual report, the proponent must explain how these recommendations have been implemented.
- QC – 3.** The proponent must employ the approach set out in the *Guide d'information sur l'utilisation des objectifs environnementaux de rejet relatifs aux rejets industriels dans le milieu aquatique*, published by the MDDELCC, in determining whether all of the environmental discharge objectives have been met. If they have not been met, the proponent must determine the reasons using individual monitoring data (not averages).
- QC – 4.** The proponent must produce cumulative tables presenting the concentrations for each sample, including environmental discharge objectives (EDOs), Directive 019 discharge standards (mining industry) and previous-year results, such that it is easy to ascertain exceedances and year-over-year changes in the quality of effluent released into the receiving environment. The table must indicate the type of samples taken (with or without tailings pond water, with or without use of the cyanide destruction system, etc.) and the collection dates.
- QC – 5.** The proponent must adjust the two tables entitled “*Comparaison OER versus effluent final*” as follows (“OER” is the French acronym for “EDO”):
- The proponent must correct the value entered as “Critères (OER)” for metals where the EDO (OER) must be divided by 2, as indicated by a star (*) in the EDO table (Ba, Cr, Co, Fe, Mn, Mo, Ni, Se, U, Zn).
 - The proponent must identify the EDOs for which the detection limit is used because it is higher than the EDO (e.g. they could be represented by grey cells). Note that for mercury, the EDO is deemed to be exceeded as soon as mercury is detected, because the EDO is much lower than the best possible detection limits. The same applies to lead and copper.
 - The value entered for silver, cadmium, selenium and thiocyanate concentrations and a few chromium concentrations is “0”. The proponent must specify if this is the measurement result for the parameter in question and explain what the value means.
 - The proponent must indicate the pH levels for each sample where available. So far, only the results of the three-month final effluent characterization have been provided and used.
 - The proponent must round out the table by adding a column indicating the detection limits for the analysis methods used for each measurement. It must specify if the 2014 values for petroleum hydrocarbons correspond to the detection limit divided by 2.
- QC – 6.** Acute and chronic toxicity test results should be analyzed the same day as the results for all other parameters with an EDO, the aim being to provide information on possible causal contaminants and help the proponent focus on contaminants of greatest concern.
- QC – 7.** The proponent must confirm the detection limit (the value).

- QC – 8.** The proponent must expound on the potential environmental impacts of exceedances for ammonia nitrogen, nitrites, nitrates and available cyanide, in particular the related toxicity for aquatic organisms.
- QC – 9.** The proponent can add uranium, mercury, barium and copper to its list of parameters for dewatering characterization, as they exceed the EDOs in final effluent. Analyses of nitrites, nitrates, fluoride and hydrocarbons C10-C50 must be conducted at the same frequency as monitoring of the other parameters. The proponent may not cease conducting hydrocarbon analyses without prior approval from COMEX.
- QC – 10.** In accordance with Directive 019 governing the mining industry (section 2.3.2.4), the results of groundwater quality analyses must be compared against previous-year results.
- QC – 11.** New sampling points should be located much closer to the final effluent discharge point, particularly in receiving watercourses. Currently, the sampling point in the receiving watercourse is nearly 3 km from the discharge point. If possible, a sampling point should be located before any junction with another watercourse so as to determine the magnitude and extent of potential impacts related to contaminants in final effluent that exceed the EDO.
- QC – 12.** Water quality monitoring results should be presented in the same form as in the proponent's Environmental Effects Monitoring Studies (EEMS) so as to have cumulative tables of all the parameters requested by COMEX. The proponent must indicate which parameters exceed the applicable surface water quality criteria, not the EDO.
- QC – 13.** The hardness value used to calculate certain quality criteria, especially metals, should be the same as the value used for control zone #1 (22 mg CaCO₃/L).
- QC – 14.** All available data since 2012 for pH, hardness, chlorine, dissolved organic carbon and suspended solids in control zone #1 should be submitted to COMEX so that it can determine if EDOs need to be revised.
- QC – 15.** In its next annual report, the proponent must identify potential sources of contaminants. For example, are metal concentration exceedances caused by tailings from this project or from previous projects? Are nitrogen compound exceedances in final effluent the result of blasting? Once the causes have been identified, the proponent can assess solutions for reducing those contaminants at the source, such as using explosives that are less harmful to the environment or intermediate treatment of effluent.

CONSEQUENTLY, the COMEX members decided:

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#2015-0826-01: to write to the Provincial Administrator informing her that COMEX is satisfied with most of the proponent's responses to its questions and that, in the Committee's opinion, the 2014 annual report meets the requirements. However, the Committee is making the above comments so that the proponent can incorporate them into its 2015 annual report in order to, in particular, improve effluent quality.

Action: Send a letter to the Provincial Administrator

8) COMEX's 2014-2015 activity report

- *For adoption*

WHEREAS a draft report on COMEX's activities during 2014-2015 was submitted to the members;

CONSEQUENTLY, the COMEX members decided:

#2015-0826-02: to send a copy of COMEX's 2014-2015 activity report to the Provincial Administrator and the Regional Administrator for information purposes.

Action: Send a letter to the Provincial Administrator and the Regional Administrator

9) JBACE meeting on public participation

In response to the JBACE's request for a meeting to discuss the assessment and review committees' resources for public participation, a meeting will be planned for October 2, 2015.

10) OTHER BUSINESS

No items were added.

11) DATE AND PLACE OF THE NEXT MEETING

The next meeting will be held on October 2, in Montréal.

Appendix A
Correspondence and follow-up action: July 16 to August 26, 2015

PROJECT	FROM	TO	DOCUMENT	DATE	COMMENTS	ACTION
JBACE	Melissa Saganash JBACE Chairperson	André Boisclair COMEX	Letter inviting COMEX to discuss the Section 22 evaluating and review committees' resources for public participation	Received: July 17, 2015	A meeting could be held in September depending on the availability of members	- <i>Future meeting</i>
	Marc Jetten JBACE	André Boisclair COMEX	JBACE's report of activities for 2014-2015	Received: August 11, 2015		- <i>For information</i>
Route 167 North Extension Project, MTQ 3214-05-077	Mireille Paul MDDELCC	André Boisclair COMEX	Copy of the letter cancelling the request to make changes to the cleanup of spills at the km 99 camp	Received: July 28, 2015		- <i>For information, request withdrawn</i>
	André Boisclair COMEX	Christyne Tremblay Provincial Administrator	Additional questions regarding the fish habitat compensation plan	Sent: August 4, 2015	Acknowledgement of receipt: August 6, 2015	- <i>Waiting for response</i>
Construction of forest access roads "E West" and "L-209" North, Barrette-Chapais 3214-05-072 and 3214-05-074	Mireille Paul MDDELCC	André Boisclair COMEX	Impact study conducted in 2009	Received: August 3, 2015		- <i>For recommendation (project authorization)</i>
Construction of forest access roads "H-West" and "I" Matériaux Blanchet 3214-05-075	Mireille Paul MDDELCC	André Boisclair COMEX	Impact study conducted in 2010	Received: August 3, 2015		<i>For recommendation (project authorization)</i>

PROJECT	FROM	TO	DOCUMENT	DATE	COMMENTS	ACTION
Renard Diamond Project 3214-14-041	Mireille Paul MDDELCC	André Boisclair COMEX	Application to amend the CA (LNG): additional information on atmospheric modelling	Received: August 4, 2015		<i>- For recommendation (amendment of CA)</i>
	Mireille Paul MDDELCC	André Boisclair COMEX	Application to amend the CA: Environmental and social monitoring program	Received: July 28, 2015		<i>- For recommendation (amendment of CA)</i>
	Mireille Paul MDDELCC	André Boisclair COMEX	Annual report on estimated GHG emissions	Received: August 7, 2015		<i>- For information, correspondence to be sent</i>
Bachelor Lake mining project 3214-14-027	André Boisclair COMEX	Christyne Tremblay Provincial Administrator	Approval of updated restoration plan	Sent: August 4, 2015	Acknowledgement of receipt: August 6, 2015	<i>- For information</i>
	André Boisclair COMEX	Christyne Tremblay Provincial Administrator	Questions and comments on the validation of cyanide destruction test results	Sent: August 4, 2015	Acknowledgement of receipt: August 6, 2015 Copy of questions sent to the proponent: August 14, 2015	<i>- For information</i>
Eastmain-1-A/Rupert hydroelectric development project 3214-10-017	André Boisclair COMEX	Christyne Tremblay Provincial Administrator	Monitoring reports on cisco (no comments) and results of mitigation measures (5 measures to be implemented)	Sent: August 4, 2015	Acknowledgement of receipt: August 6, 2015 Copy of comments sent to the proponent: August 7, 2015	<i>- For information</i>
Langlois mining project 3214-14-026	André Boisclair COMEX	Christyne Tremblay Provincial Administrator	Withdrawal of condition to monitor the receiving environment and questions regarding the life of the mine	Sent: August 4, 2015	Acknowledgement of receipt: August 6, 2015 Copy of the amended CA for monitoring of the receiving environment: August 17, 2015	<i>- For information</i>

