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 6.6  $C^1$  և  $C^2$   
 6.7

**DATE:** November 20, 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  
Paul John Murdoch, CNG

**Executive Secretary:** Marie-Michèle Tessier

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

The agenda was adopted as presented.

**2) ADOPTION OF THE MINUTES OF THE 333RD AND 333RD-B MEETINGS**

The minutes were adopted as written.

**Action: File minutes of the 333rd and 333rd-B meetings**

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

Correspondence received and sent between September 25 and November 19, 2015 is listed in Appendix A.

**4) CONSTRUCTION OF FOREST ROAD “E-WEST”**

- a) Review of the impact statement
  - *For recommendation*

WHEREAS Barrette-Chapais Ltée wishes to build a non-standard forest road approximately 40 km long to provide access to an unlogged area of forest management unit (FMU) 2665. The road, which will run parallel to Highway 113, will also provide access to the Nabakatuk sawmill in Waswanipi, from which Barrette-Chapais intends to obtain part of its supply in accordance with the new forest regime. The road's construction would require construction of a bridge on Chibougamau River and the installation of six culverts;

WHEREAS COMEX considers that, so far, the proponent has been unable to demonstrate that the proposed project is the alternative with the least environmental and social impact, especially given that other options exist that would avoid crossing wetlands or enable culverts to meet the standards governing encroachment into watercourses. The company must demonstrate that the proposed project is the best alternative based not only on financial considerations, but also on environmental and social considerations in keeping with the principle of sustainable development. To that end, COMEX is requesting the following clarifications:

- QC-1 Will the use of Highway 113 and trucks able to use that highway significantly affect the company's profitability?
- QC-2 What makes using outsized trucks the only possible option for hauling timber?

- QC-3 Does the elimination of the tax credit for road construction call into question the rationale for building forest road E-West?
- QC-4 The proponent cites economic reasons for building forest road E-West, whereas other options exist for hauling timber, such as transporting it via Highway 113, converting the old CN railway line into a forest road or building Class 3 and 4 roads to access logging areas. The proponent must examine the different options taking into account environmental and social considerations and comparing the impacts of building forest road E-West against those of using Highway 113, converting the old CN railway line into a forest road and building Class 3 and 4 roads.
- QC-5 The proponent must provide a location map of the areas that will be logged during the 2013-2018 plan.
- QC-6 The proponent must indicate whether a timber supply agreement has been signed with the Nabakatuk sawmill. If no such contract has been signed, does the rationale for building the road still stand?
- QC-7 Using wildlife species distribution maps, the proponent must draw up a list of species liable to use the study area based on their preferred habitat.
- QC-8 On the basis of distribution maps, the proponent must specify rare or threatened animal and plant species that could be found in the study area (global and immediate) based on their preferred habitat.
- QC-9 Based on MFFP data, the proponent must provide an appropriate-scale map showing woodland caribou occurrence in the region. The maps must indicate the most important annual and seasonal ranges.
- QC-10 Using the same model as Rudolph et al. (2012) or another valid model for the region, the proponent must map the probability of occurrence of woodland caribou within the study area.
- QC-11 To establish the current quality of woodland caribou habitat, the proponent must determine the rate of disturbance of the species' habitat using the method developed by Environment Canada (2011). The data and scale to be used to calculate the disturbance rate must be validated with experts at the MFFP and the Cree Nation Government.
- QC-12 Taking into consideration the parameters set out in Appendix 4 of the guide entitled *Identification et délimitation des milieux humides du Québec méridional*, posted on the MDDELCC website, the proponent must re-analyze the mapping data by extracting all ecological polygons representing wetlands.
- QC-13 The proponent must specify how sites of special interest (1%) and sites of wildlife interest (25%) were taken into account when planning the road corridor. The proponent must share any comments from tallymen regarding the road's encroachment into such sites.
- QC-14 The proponent must submit the report on archaeological potential to the Administrator.

- QC-15 The proponent must provide a map showing the road it will use to connect its mill to the section of road it plans to build and indicate the main features.
- QC-16 Along the existing section of road it will use, the proponent must indicate the location of tallymen's camps or areas used to practise different activities, vacation cottages or any other rights to use.
- QC-17 The proponent must provide updated figures for Table 8.1 in the document containing its responses to questions and comments to reflect current construction and maintenance costs. For the project alternative consisting in using Highway 113, the proponent must specify the cost-amortization period.
- QC-18 The proponent must indicate the impacts of encroaching more than 20% into a watercourse, including the consequences for hydrology and aquatic habitats.
- QC-19 The proponent must explain how using 100-tonne+ trucks is the only option for hauling timber. Why can't smaller trucks be used and thereby comply with the maximum 20% encroachment into watercourses?
- QC-20 Based on the information requested in QC-7 and QC-8, the proponent must identify the surface area of preferred habitat affected by the project.
- QC-21 The proponent must assess the impact of traffic not only on the section of road it plans to build, but also on the existing section of road it will use to get to the Barrette-Chapais sawmill. In particular, the proponent must specify whether increased traffic on the existing road is anticipated. The proponent must assess the project's impacts on Cree and non-Aboriginal land use and settlement.
- QC-22 The proponent must explain how tallymen's comments were taken into account in designing the road corridor and how it intends to implement the two recommendations made in subsection 6.4 of its impact statement. It must report on the outcome of its discussions with the users concerned. Furthermore, given the comments expressed by tallymen and the recent dispute over converting an old railway line into a non-standard road, the proponent must explain how it intends to balance the concerns of all parties;

CONSEQUENTLY, the COMEX members decided:

*#2015-1120-01: to write to the Provincial Administrator to request the above-mentioned clarifications.*

**Action: Write to the Provincial Administrator**

**5) BACHELOR LAKE MINING PROJECT**

- a) Request to amend the monitoring program
  - *For recommendation*

WHEREAS further clarifications were requested with regard to the monitoring activities and parameters the proponent will be continuing and those it might stop, further explanations are required before COMEX can make a recommendation;

**6) ROUTE 167 NORTH EXTENSION PROJECT, STORNOWAY**

- a) Environmental follow-up program and report
  - *For approval*

WHEREAS a document entitled *Route d'accès au site Renard – Certificat de terminaison de la route 167* was sent to the COMEX members;

WHEREAS the document was presented as being a report on the attestations of compliance and trafficability of the road, the fish habitat compensation program, watercourse crossings, road signs, operation and closure of borrow pits and environmental follow-up;

WHEREAS COMEX wishes to point out that the various authorizations issued to the proponent stipulated several conditions requiring the proponent to submit follow-up and compensation programs for approval, that, in this case, the proponent submitted a document that is more akin to a follow-up report whereas the follow-up program was not approved by the Administrator, and that the documents were submitted two years after the project was authorized, that is, one year after the deadline;

WHEREAS after reviewing the document, the Committee is requesting additional information to clarify various aspects of the project, namely:

- 1- The proponent must submit a copy of the final report on compliance of crossing structures with the *Regulation respecting standards of forest management for forests in the domain of the State* (condition 4) mentioned in Appendix 7 of the document. The proponent must also submit, for information purposes, a copy of the follow-up reports on watercourse crossings and installations, as stipulated in section 4.3.2 of the authorization issued by Fisheries and Oceans Canada under the *Fisheries Act* (authorization no. 2013-002) to ensure the installations meet the requirements.
- 2- For installations C-22 and C-23, the proponent does not mention if the restricted work period was respected. If it was not respected, the proponent must specify what mitigation measures were put in place to minimize the impacts on fish fauna.

- 3- Page 8: It says that the substrate for stream-simulation culverts generally consists of pebble stone and gravel upstream and sand and organic matter downstream, the same as in natural streams. The proponent must specify whether sand and organic matter were in fact used downstream, as they could erode during high-water periods.
- 4- Page 8: Normally, the culvert at km 229+256 is supposed to be a stream-simulation culvert, but there is no substrate. The proponent must explain why there is no substrate in this culvert.
- 5- Page 8: It says that fish can move unhindered through all of the culverts because the water depth inside the culverts is over 0.1 m. The bridge and culvert guidelines for forested sites<sup>1</sup> says that the depth or nappe of the flow inside the pipe must be sufficient to enable the biggest fish to swim through the culvert. If the stream is inhabited by big fish, the water should be at least 20 cm deep or equal to the depth of water downstream of the pipe. The Fisheries and Oceans Canada guidelines call for a minimum water depth of 0.2 m above the natural streambed at all times in embedded culverts. The proponent must specify if this depth (0.2 m) is respected at all times.
- 6- Appendix 7: The proponent must send a copy of the technical note prepared by a biologist and ecology expert following a field visit (note referred to in condition 4) attesting that none of the crossings affect fish spawning in the sectors not covered by the original corridor proposed by the Ministère des Transports du Québec.
- 7- Appendix 7: Condition 5 on the certificate of authorization stipulates that the proponent must submit an environmental follow-up program wherever necessary to ensure the fish habitat compensation measures are effective. The proponent must specify whether the implemented measures have been or will be assessed and, if so, how? If not, the proponent must state the reasons for its decision.
- 8- Appendix 7: As regards condition 6 on the certificate of authorization, the proponent must carry out and submit a follow-up report on the dismantling of temporary bridges and culverts and habitat restoration and rehabilitation, including photos.
- 9- Appendix 7: As regards condition 7 on the certificate of authorization, even if the proponent claims that the Ministère des Transports is responsible for dismantling temporary bridges, it must nevertheless submit a follow-up report on dismantling work.
- 10- Appendix 7: As regards condition 15 on the certificate of authorization, the proponent's environmental and social management plan for the mine, which covers the mining road as well, must be expanded to include inspection of the various installations to ensure stability, effectiveness and maintenance needs (e.g. stability of culverts, ditches, pits, revegetation to prevent erosion, sedimentation ponds, where necessary) in order to prevent suspended matter from being transported into watercourses and wetlands as well as erosion.

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<sup>1</sup> [http://www.mffp.gouv.qc.ca/publications/forets/entreprises/amenagement\\_ponts.pdf](http://www.mffp.gouv.qc.ca/publications/forets/entreprises/amenagement_ponts.pdf) (French only)

- 11- Appendix 10: In section IV.1 of the environmental and social management plan, the proponent mentions that the environment coordinator must submit a monitoring report to DFO discussing the results of the compensation measures, including data, photographs, relevant documents as well as recommendations for remedial measures where necessary. This report must also be submitted to the Administrator for information purposes;

CONSEQUENTLY, the COMEX members decided:

*#2015-1120-02: to write to the Provincial Administrator to request the above-mentioned clarifications.*

**Action: Write to the Provincial Administrator**

**7) PROJECTS TO BUILD FOREST ROADS “H SECTION WEST” AND “I”, MATERIAUX BLANCHET**

- a) Public hearing in Waswanipi
  - *For discussion*

WHEREAS the public hearing in the Cree community of Waswanipi will be held on December 8, the Hunting, Fishing and Trapping Coordinating Committee has notified the secretariat that it plans to submit a brief.

**8) OTHER BUSINESS**

No items were added.

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

The next meeting will be held on December 18, in Montréal. In the meantime, COMEX will hold a public hearing in Waswanipi on December 8.

**Appendix A**  
**Correspondence and follow-up action: September 25 to November 19, 2015**

PROJECT	FROM	TO	DOCUMENT	DATE	COMMENTS	ACTION
<b>Route 167 North Extension Project, MTQ 3214-05-077</b>	André Boisclair COMEX	Christyne Tremblay Provincial Administrator	Economic impact report	Sent: October 5, 2015	Acknowledgement of receipt: October 7, 2015 Copy of letter sent to proponent: October 19, 2015	- <i>For information</i>
<b>BlackRock mining project 3214-14-050</b>	André Boisclair COMEX	Christyne Tremblay Provincial Administrator	Questions regarding the request to amend the CA to include production of titanium concentrate	Sent: October 5, 2015	Acknowledgement of receipt: October 7, 2015 Copy of questions: October 14, 2015	- <i>For information</i>
<b>Troilus mining project 3214-14-025</b>	André Boisclair COMEX	Christyne Tremblay Provincial Administrator	Questions regarding the annual environmental monitoring and inspection report	Sent: October 5, 2015	Acknowledgement of receipt: October 7, 2015 Copy of comments: October 14, 2015	- <i>For information</i>
<b>Construction of forest access roads “H-Section West” and “I” 3214-05-075</b>	André Boisclair COMEX	Christyne Tremblay Provincial Administrator	Additional questions	Sent: October 5, 2015	Acknowledgement of receipt: October 7, 2015 Copy of questions: October 14, 2015	- <i>Pour information</i>
<b>Renard Diamond Project 3214-14-041</b>	André Boisclair COMEX	Christyne Tremblay Provincial Administrator	Recommendation to approve the request to amend the CA – Atmospheric dispersion	Sent: October 8, 2015	Acknowledgement of receipt: October 14, 2015 Copy of amendment to CA: October 22, 2015	- <i>For information</i>



PROJECT	FROM	TO	DOCUMENT	DATE	COMMENTS	ACTION
<b>Eleonore mining project 3214-14-042</b>	Mireille Paul MDDELCC	André Boisclair COMEX	Environmental monitoring and follow-up report	Received: October 22, 2015		- <i>For information</i>
<b>Bachelor Lake mining project 3214-14-027</b>	Mireille Paul MDDELCC	André Boisclair COMEX	Request to amend the CA: extraction and processing of additional 600 000 tonnes of ore	Received: October 22, 2015		- <b><i>For recommendation</i></b>
<b>Eastmain 1A/Rupert hydroelectric development project 3214-10-017</b>	Mireille Paul MDDELCC	André Boisclair COMEX	2014 follow-up of navigation conditions in Rupert diversion bays	Received: October 21, 2015		- <i>For information</i>
	Mireille Paul MDDELCC	André Boisclair COMEX	2014 follow-up of small wildlife species	Received: October 21, 2015		- <i>For information</i>
	Mireille Paul MDDELCC	André Boisclair COMEX	Follow-up of ice cover in winter 2013-2014	Received: October 21, 2015		- <i>For information</i>