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<b>DATE:</b>	September 29, 2016
<b>PLACE:</b>	Waskaganish
<b>PRESENT:</b>	Suzann Méthot, Chairperson, Québec Daniel Berrouard, Québec Robert Joly, Québec Brian Craik, CNG Paul John Murdoch, CNG
<b>Executive Secretary:</b>	Mélanie Chabot

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

The following items were added to “Other business”:

- chairperson’s meeting with the administrator
- follow-up of conditions stipulated on the certificate of authorization

**2) ADOPTION OF THE MINUTES OF THE 345TH MEETING**

The minutes of the 345th meeting were adopted.

**3) CORRESPONDENCE AND FOLLOW-UP ACTION (APPENDIX A)**

Correspondence received and sent between August 25 and September 26, 2016 is listed in Appendix A.

**4) Quarry CA-2 in Chisasibi**

- a) Request to transfer the CA from SEBJ to Chisasibi Cree First Nation

WHEREAS Quarry CA-2 is located on Chisasibi Category I land, is 9.9 ha in size and has an extraction area of 7.1 ha, and a certificate of authorization (CA) to operate the quarry was issued to the SEBJ by the Regional Administrator in February 2014;

WHEREAS, following discussions, the SEBJ and the Chisasibi Band Council agreed that Chisasibi wished to continue operating the quarry and be the holder of the certificate of authorization and the two parties consented to the change;

WHEREAS the date on the CA issued to the SEBJ in 2014 is incorrect, being “February 10, 2013” instead of “February 10, 2014”;

WHEREAS the COMEX members note that the operating period stipulated on the CA expired in 2015;

CONSEQUENTLY, the COMEX members decided:

*#2016-0929-01: to recommend to the Regional Administrator that the CA be transferred to Chisasibi. However, the Regional Administrator must inform the band council that, after the CA has been transferred, the band council will be bound by everything contained in the related documents and must request, as soon as possible, an amendment to the CA to change the operating period for the quarry.*

N.B. In order to speed up the process of amending the CA, the proponent should provide COMEX with more detailed information on the following elements:

- how long it plans to use the quarry;
- social impacts, in particular on the tallyman;
- noise and dust;
- restoration.

**Action:** Write to the Regional Administrator recommending that the CA be transferred.

**5) Eastmain-1-A/Rupert project, Hydro-Québec**

- a) Request to amend the CA concerning management of spring flow release structures in the Lemare and Nemiscau rivers

WHEREAS the purpose of this request for amendment, submitted to the Administrator, is to simplify Cree use of the area for goose hunting;

WHEREAS the request is not related to public safety and is not made on environmental grounds;

WHEREAS the spirit of the original certificate of authorization was to keep water levels in line with natural fluctuations for ecological reasons;

WHEREAS the COMEX members think it would be premature to alter the spirit of the original certificate of authorization, that there is not enough hindsight to make a decision on the requested amendment and that it would be better to wait until at least ten years of experience have been gained before reviewing the matter again;

WHEREAS a similar request could be submitted in a few years and, with a view thereto, the proponent should document spring hunting in the area, the number of users affected and flow monitoring;

CONSEQUENTLY, COMEX decided:

*#2016-0929-02: to recommend to the Provincial Administrator that she not authorize the requested amendment at this time.*

**Action:** Write to the Provincial Administrator recommending that she not authorize the amendment.

- b) Reports on cisco

*- NISKAMOON CORPORATION AND HYDRO-QUÉBEC PRODUCTION. Eastmain-1-A and Sarcelle generating stations and Rupert diversion – Voluntary Anadromous Cisco Catch Registry – 2013 Program – Crees of the Waskaganish First Nation – Final Report, by the Crees of the Waskaganish First Nation, June 2015, 22 pages plus 1 appendix;*

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- NISKAMOON CORPORATION AND HYDRO-QUÉBEC PRODUCTION. Eastmain-1-A and Sarcelle generating stations and Rupert diversion – Voluntary Anadromous Cisco Catch Registry – 2014 Program – Crees of the Waskaganish First Nation – Final Report, by the Crees of the Waskaganish First Nation, December 2015, 23 pages plus 1 appendix;

- HYDRO-QUÉBEC PRODUCTION. Eastmain-1-A and Sarcelle generating stations and Rupert diversion – Follow-up program on anadromous cisco in Rupert River – Report on 2013 Program, by Consortium Waska-GENIVAR, March 2014, 25 pages plus 3 appendices (to be officially received soon);

- HYDRO-QUÉBEC. Eastmain-1-A and Sarcelle generating stations and Rupert diversion – Report on environmental follow-up program on anadromous cisco – Spring 2014, by Consortium Waska-Génivar, August 2015, 42 pages plus 23 appendices.

WHEREAS the follow-up program shows that cisco occur in the river but that the species' usage patterns have changed since the diversion;

WHEREAS Cree users must now exert a greater fishing effort per fish caught than prior to the diversion;

WHEREAS, today, Cree users of the Smokey Hill fishing site use nets more and the traditional scooping method not nearly as much anymore;

WHEREAS, unlike under pre-diversion conditions, the Smokey Hill area seems more passable for cisco, with numerous fish swimming as far up as KP 33;

WHEREAS requests have been made to Niskamoon to set up infrastructure(s) enabling access to, and fishing at, KP 33;

WHEREAS the 2014-2015 reports will be the last ones COMEX will receive;

CONSEQUENTLY, COMEX would like the final follow-up report for 2014-2015 to include a comprehensive summary providing:

- an overall description of the measures and monitoring carried out since the start of the work on cisco;
- a data analysis of the cisco's usage patterns in the river compared to the traditional fishery;
- a retrospective of the achievement of set objectives;
- a list of references consulted.

**Action:** Write to the Provincial Administrator informing her of the more detailed information COMEX would like to see in the 2014-2015 report.

c) Planned remedial work on the weir at KP 170 (Rupert)

- *Status report*

WHEREAS Hydro-Québec informed the MDDELCC on September 22, 2016 that the planned remedial work on the weir at KP 170 was not begun in September 2016 as stipulated in the CA;

WHEREAS Hydro-Québec is unable to confirm at this time whether the work will be postponed to next year;

WHEREAS, due to significant erosion, the community of Nemaska is worried about the potential impact of another spring flood;

CONSEQUENTLY, COMEX would like to know from the CEHQ if the community's fears are valid. COMEX can continue discussing the matter once Hydro-Québec has clarified its intentions.

**Action:** Ask that CEHQ be contacted to find out if the community's fears are valid.

**6) Proponents' public consultations**

a) COMEX expectations

The members commented on the draft document setting out COMEX's expectations with regard to public consultations held by proponents. It was agreed that Robert would prepare a new version and submit it at the next meeting.

b) Letter to proponents

COMEX generally does not write to proponents directly. A paragraph could be included in the standard cover letter to the responsible department stating the importance of translating documents for local communities.

c) Action plan

The members commented on the draft action plan. It was agreed that Suzann would prepare a new version of the document and submit it at the next meeting.

**7) Cumulative effects workshop**

a) Feedback

The COMEX members attended the cumulative effects workshop held by the JBACE on September 21 and got a chance to reiterate the suggestion that an integrated regional development plan might provide a more appropriate framework for taking cumulative impacts into account.

**8) Forest road L-209**

- a) Addition of a question on the potential of non-timber forest products

The members do not think that non-timber forest products are a major issue in the project and they feel that this is a matter for the Cree-Québec Forestry Board.

**Action:** Contact the Cree-Québec Forestry Board to request a meeting.

## **9) EQA reform**

- a) Presentation on the consequences for Northern Québec

**Action:** Organize a presentation, to be given to COMEX, on the modernization of Chapter I of the EQA and the potential consequences for the northern regime.

## **10) Annual Report**

- a) Translation notes

The members agree with the changes proposed by the translator. The French and English versions will be corrected.

**Action:** Correct the French and English versions, post them on the COMEX website and send them to the administrators and JBACE.

## **11) Other business**

- a) Meeting with the Provincial Administrator

The COMEX Chairperson met with the Provincial Administrator on Friday, September 23, 2016. As decided at the 344th meeting, the two discussed the key issues facing COMEX members, including woodland caribou and regional development plans in the context of cumulative impacts assessment.

- b) Follow-up of conditions stipulated on the certificate of authorization

The Chairperson is concerned about the follow-up given to conditions included in certificates of authorization and suggested initiating a process of reflection on the subject. Lessons could be drawn from that exercise for the benefit of future project reviews, such as what has been learned from conditions related to project follow-up and whether the assumptions made in relation to follow-up conditions turned out to be correct or not.

## **12) Coming meetings**

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The next three meetings will be held on:

- October 26, 2016
- November 30, 2016
- January 18, 2017

**Appendix A**  
**Correspondence and follow-up action: August 25 to September 26, 2016**

PROJECT	FROM	TO	DOCUMENT	DATE	COMMENTS	ACTION
<b>Route 167 North, MTQ 3214-05-077</b>	Mireille Paul MDDELCC	Suzann Méthot COMEX	Environmental monitoring report – decommissioning and restoration of sites affected by work on lots A and B	Received: September 15, 2016		<i>For info</i>
<b>EM1A 3214-10-17</b>	Mireille Paul MDDELCC	Suzann Méthot COMEX	Follow-up program on birds of prey, 2015	Received: August 24, 2016	In response to condition 5.1 of the CA and condition 1 of the amend. of 28/07/2008	<i>For info</i>
	Mireille Paul MDDELCC	Suzann Méthot COMEX	Follow-up program on the Short-Eared Owl, Great Grey Owl and Bonaparte's Gull, 2015	Received: August 24, 2016	In response to condition 5.1 of the CA and condition 1 of the amend. of 28/07/2008	<i>For info</i>
	Mireille Paul MDDELCC	Suzann Méthot COMEX	Follow-up program on water quality in Rupert and Nemiscau rivers, 2015	Received: September 21, 2016	In response to condition 6.6 of the CA and condition 1 of the amend. of 28/07/2008	<i>For info</i>
	Mireille Paul MDDELCC	Suzann Méthot COMEX	Follow-up program on navigation conditions – Rupert sector – Lot 2 at 5 and 7 – 2014 – Final report  Follow-up program on navigation conditions – Rupert sector, 2014 – Lot 6: Consultation of non-Cree users – Final report	Received: September 21, 2016	In response to conditions 6.19 and 6.21 of the CA and condition 1 of the amend. of 28/07/2008	<i>For info</i>



PROJECT	FROM	TO	DOCUMENT	DATE	COMMENTS	ACTION
Whabouchi project, Nemaska Lithium Inc. 3214-14-052	Mireille Paul MDDELCC	Suzann Méthot COMEX	Atmospheric modelling	Received: September 20, 2016	Follow-up of condition 3 of the comprehensive CA	<i>For approval</i>
Quarry CA-2	Isaac Voyageur Regional Admin.	Suzann Méthot COMEX	Request for Transfer of the CA	Received: September 2, 2016	-	<i>For recommendation</i>