



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 347th MEETING OF THE REVIEW COMMITTEE (Adopted)

DATE:	October 26, 2016
PLACE:	Québec
PRESENT:	Suzann Méthot, Chairperson, Québec Daniel Berrouard, Québec Robert Joly, Québec Brian Craik, CNG Paul John Murdoch, CNG (by phone)
Executive Secretary:	Mélanie Chabot

Minutes - COMEX
347th Meeting

1) CALL TO ORDER AND ADOPTION OF THE AGENDA

One item was added to “Other business”:

- Follow-up to the caribou issue

2) ADOPTION OF THE MINUTES OF THE 346TH MEETING

The minutes of the 346th meeting were adopted with minor corrections.

Action: Correct, translate and file CR 346.

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

Correspondence received and sent between September 27 and October 25, 2016 is listed in Appendix A.

COMEX website

The French and English versions of the questions sent to the proponent by the Administrator for forest road projects “E West” and “L-209” were posted online.

Management of the website has become burdensome due to numerous bugs in WordPress. The members agreed to have the content management system cleaned and updated.

Action: Contact Verteb to have the website content management system cleaned and updated.

4) EASTMAIN-1-A/RUPERT DIVERSION, HYDRO-QUÉBEC

- a) Planned remedial work on the weir at KP 170 (Rupert)
 - *Status report*

WHEREAS the MDDELCC learned through communications with the Direction de la sécurité des barrages of the Centre d’expertise hydrique du Québec (CEHQ) that the work at KP-170 is not deemed urgent from a safety standpoint;

WHEREAS in the context of the discussions between Hydro-Québec and the MDDELCC, a letter clarifying the situation at KP-170 is being drafted and will be sent to the Administrator shortly;

WHEREAS the work did not begin as scheduled, Hydro-Québec must apply to the Provincial Administrator to amend the CA. COMEX will be able to put questions to the proponent during its review of the application for amendment;

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WHEREAS the community of Nemaska is concerned about the fact that it receives little information about the situation at KP-170 and that changes may have been made to the weir design;

CONSEQUENTLY, COMEX agreed to ask the responsible analyst at the MDDELCC to inform the proponent that its letter to the Administrator should contain the following information:

- the new schedule of work;
- whether changes were made to the weir design and, if so, explain them;
- how the proponent consulted or will consult the community of Nemaska on changes to schedules and/or design;
- whether the community supports the project.

It was also agreed to recommend that Hydro-Québec send its letter to the Administrator before November 30, 2016, the date of COMEX's next meeting.

5) PROPONENTS' PUBLIC CONSULTATIONS

- a) COMEX expectations
 - *For discussion*

WHEREAS the members unanimously approve the content of the document, but a few minor corrections are required before it is a final version;

CONSEQUENTLY, the members decided:

#2016-1027-01: to adopt the document entitled Consultations Conducted by the Proponent: Expectations of the Review Committee.

Action: Send the final version to all of the members for final approval, have the document translated, post the French and English versions online, send a copy to the Administrators and, in the cover letter, suggest when to consult the document (when sending directives, questions and comments involving consultations by the proponent, etc.).

WHEREAS the minutes of the 346th meeting stated that:

A paragraph could be included in the standard cover letter from the responsible department stating the importance of translating documents for local communities.

WHEREAS the document on COMEX's expectations is already clear on the need for translation;

CONSEQUENTLY, it was agreed not to include a paragraph in the standard cover letter just yet, given that the matter is addressed in the document on COMEX's expectations. The Committee will see with time if that is enough or whether a paragraph should be added to the cover letter.

b) Action Plan

- *For discussion*

WHEREAS the members reviewed the corrected document and approved the content;

WHEREAS the wording of Action 2.3 will be modified slightly to read: “improve our performance regarding translation of COMEX documents”.

CONSEQUENTLY, the members decided:

#2016-1027-02: to adopt the 2016-2017 Action Plan

Action: Have the final action plan translated, post it online and send a copy to the Administrators.

Action: Write an article for *The Nation* on COMEX’s efforts to make the consultation process more transparent and effective. (The chairperson will write the article and submit it to the members for their approval.)

6) EXPERT PANEL – REVIEW OF FEDERAL ENVIRONMENTAL ASSESSMENT PROCESSES

a) COMEX participation in the technical briefing session on November 2,

- *For discussion*

WHEREAS on October 11, COMEX received an invitation from the chair of the Expert Panel reviewing federal environmental assessment processes to attend a technical briefing session;

COMEX will not attend the session. However, the JBACE is submitting a brief in the context of the review.

Action: Reply to the chair of the Expert Panel saying that COMEX will not be attending the technical briefing session on November 2.

Action: Send the JBACE’s brief to the members when it becomes available.

7) FOLLOW-UP ON RECOMMENDATIONS/AUTHORIZATIONS

WHEREAS it is sometimes difficult to follow up on:

- the many amendments to certificates of authorization issued for certain projects;
- the progress of proponents’ work in general and in relation to authorization conditions;

WHEREAS asking proponents to provide a plan for implementing and updating follow-up conditions is an option;

CONSEQUENTLY, it was agreed to continue the reflection and submit proposals at the next meeting.

Action: Continue the reflection until the next meeting.

8) Method for posting documents on the COMEX website

For greater clarity and consistency in the follow-up of project-related documents posted online, it was agreed to list the documents according to the different steps in the review procedure rather than by author.

Action: Continue updating the website.

9) Reform of the EQA (1:30-3:00 p.m.)

a) Presentation by Yves Rochon and Mireille Paul

Yves Rochon, director general of environmental and strategic assessment, and Mireille Paul, director of environmental assessment for northern and mining projects, gave a presentation on the modernization of the environmental authorization scheme under Bill 102.

The presentation revealed that:

- Even though the modernization applies only to Chapter I of the EQA, it will have spillover effects on the environmental protection regime applicable to Northern Québec. Some may be positive, whereas others merit some reflection.
- Certificates of authorization for projects in James Bay will continue to be issued by the Administrator under section 164 (Chapter II). After that, however, at the Northern Québec regional office, projects in the territory will be subject to a single authorization under section 22 (Chapter I). The revised section 22 will group the majority of authorizations currently required under different sections (22, 32, 48, 65, etc.).
- Certain elements of the modernization process, such as the climate test, strategic environmental assessment and the consolidated, updated CA will likely be positive changes that could be applied in the North if the experience in southern Québec is conclusive.
- Certain projects that henceforth will be automatically subject to or exempt from a declaration of compliance under the new measures based on the risk for the environment will no doubt receive greater attention during assessment by COMEV and/or review by COMEX.
- Although the process raises questions of a procedural nature in the North, strategic environmental assessment would be advantageous in the northern context for such issues as woodland caribou recovery, the Plan Nord, forestry operations and access to the Territory.

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The JBACE is currently drafting a brief for submission to the parliamentary committee studying Bill 102.

Action: Send a copy of the presentation to the members.

Action: Send a copy of the JBACE's brief to the members when it becomes available.

10) Other business

Follow-up on the caribou issue

WHEREAS the MFFP's future woodland caribou recovery strategy and all measures affecting the species are crucial to the review of numerous projects;

The best way to continue following up on this file will be to discuss the issue during a meeting COMEX hopes to hold with the Cree-Québec Forestry Board.

11) Coming meetings

The next two meetings will be held on November 30, 2016 and January 18, 2017.

Appendix A

Correspondence and follow-up action: September 27 to October 25, 2016

PROJECT	FROM	TO	DOCUMENT	DATE	COMMENTS	ACTION
Forest roads “H-West and I” 3214-05-075	Isaac Voyageur Director of Environment and Remedial Works Department, CNG	Rock Plusquellec Matériaux Blanchet Inc.	Letter concerning follow-up of CA conditions	c.c.: October 20, 2016 (letter dated October 13, 2016)	Sent directly to Suzann Méthot. Letter copied to “Representatives of COMEX”	-
	Rock Plusquellec Matériaux Blanchet Inc.	Isaac Voyageur Director of Environment and Remedial Works Department, CNG	Reply from Matériaux Blanchet Inc. to Isaac Voyageur	c.c.: October 20, 2016	-	-
EM1A 3214-10-17	Mireille Paul MDDELCC	Suzann Méthot COMEX	2015 follow-up of Rupert River shoreline dynamics (volumes 1 and 2)	Received: September 27, 2016	In response to condition 5.1 of the CA and condition 1 of the amendment dated 28/07/2008	<i>For info</i>
Annual Report	Suzann Méthot	Marie-Renée Roy Provincial Admin. Isaac Voyageur Regional Admin. JBACE (by email)	COMEX report of activities 2015-2016	Sent: October 14, 2016	Acknowledgement of receipt from the MRR received October 18, 2016 Acknowledgement of receipt of IV received October 25, 2016	-