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Grand Council of the Crees (Eeyou Istchee)
Grand Conseil des Cris (Eeyou Istchee)

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Cree Nation Government
Gouvernement de la Nation Crie



Agence d'évaluation d'impact du Canada
Impact Assessment Agency of Canada

Quebec City, January 6, 2020

BY EMAIL

Jean-Sébastien Lavallée
President and Chief Executive Officer
Corporation Éléments Critiques
505 Maisonneuve Boulevard West, Suite 906
Montreal, Quebec, H3A 3C2

Dear Mr. Lavallée:

SUBJECT: Rose Lithium-Tantalum mining project – Responses to the June 27, 2019, information request

On December 19, 2019, the Joint Assessment Committee (the Committee) received the responses to the June 27, 2019, information request concerning the above-named project. Responses are presented in the following document:

WSP, 2019. Lithium-Tantalum Rose Project – Answers to the Questions and Comments received from the Canadian Environmental Assessment Agency. Report produced for Critical Element Lithium Corporation. 221 pages.

After reviewing the document, the Committee, in collaboration with environmental assessment federal experts, has determined that the following information must be provided so that the analysis of the Environmental Impact Statement (EIS) can proceed.

No new information other than that provided in the December 2012 *Final Guidelines for the Preparation of an Environmental Impact Statement* and in the June 27 correspondence is requested in this letter. The proponent can refer to the June 27, 2019, correspondence for the background and further details on each question.

Question CEEA-1

Scope of project – Inclusion of workers' camp

C) In the assessment, the proponent must include the environmental effects (non-cumulative) of the workers' camp and the associated services and structures (landfills, drinking water, wastewater management, etc.). If the location of the

camp has not yet been determined, the proponent can conduct this assessment for each of the options under consideration, i.e., a camp 25 km or 4 km from the mine site.

Question CEAA-19

Project description – Water management during each phase

The proponent must provide the water management and treatment plan for the close-out phase and the restoration phase.

Question CEAA-47

Surface water and sediment quality – Rates of exfiltration through the various water control structures

A) The proponent must provide the results of the exfiltration rate calculations for all the pits.

Question CEAA-76

Air quality – Monitoring of fine particulate matter

The proponent must specify which elements are fine particulate matter (PM_{2.5}).

Question CEAA-81

Project description – Water management during each phase

A) The proponent mentions in its answers that an offsetting plan is “possible.” It also mentions in its answers 82 A) and B) that the offsetting plan will be used as a mitigation measure and relied upon to assess the intensity of the impact as well as the residual cumulative impact. The proponent must do more than state that an offsetting plan is possible; it must specify whether an offsetting plan for the loss of wetlands is still required and, if so, specify the type of offsets.

Question CEAA-120

Current use by Indigenous peoples – Mitigation measures minimizing the effects on traditional food harvesting activities

The proponent presents measures that it will implement to mitigate the effects of the project on traditional food harvesting activities, but it has not reassessed the effects of the project once those measures are implemented. The proponent must review its assessment of the project’s effects on traditional food harvesting activities, taking into account the proposed mitigation measures. For example, the proponent can explain how the proposed mitigation measures will reduce the effects on traditional food harvesting activities.

Question CEAA-122

Current use by Indigenous Peoples – Human environment study area and zone of influence

A) The proponent must provide documents indicating the dates of the consultations on the human environment study area, the comments and concerns raised during the consultations, and how they influenced the choice of the study area.

E) The proponent must provide maps showing all the traplines, i.e., RE1, R16, R19 (Nemaska) and R10 (Waskaganish), including the locations of areas valued for hunting, fishing and gathering, as well as the precise locations of the camps. The precise trajectory of the final mine effluent in the Waskaganish trapline must be shown on the appropriate maps. These maps must show the location of future land and resource use areas proposed by the tallymen and the camp relocation areas currently known by the proponent. Ask the tallymen what level of confidentiality is required, and submit their responses confidentially to the Agency, if need be.

The proponent can obtain this information by consulting with the Nemaska and Waskaganish tallymen and their family members.

Question CEAA-123

Current use by Indigenous Peoples – Cree income security and monitoring programs and tallymen governance

A) The proponent must indicate, on Map 8-4 of the impact statement, the camps used by the Cree Income Security Program (ISP) participant(s) in the human environment study area. It must assess these participants' ability to continue to depend on the resources during the various phases of the project. Lastly, it must propose mitigation measures if necessary, even though an impact and benefits agreement has been signed.

Question CEAA-129

Current use by Indigenous peoples – Moose and goose hunting

B) At this phase of the environmental impact assessment process, the proponent must assess whether it would be possible to suspend extraction activities during the goose hunting period and change the operation calendar to accommodate those intensive periods of land use, after consulting with the tallymen who are impacted by the project. If such a suspension is possible, the proponent must specify the changes that will be made to the extraction activities and the operation calendar. If it is not possible, the proponent must explain why not.

C) At this phase of the environmental impact assessment process, the proponent must assess whether it would be possible to suspend, limit or consolidate activities related to the transportation of ore concentrate, mine supplies, hazardous materials and domestic waste during the four weeks of moose and goose hunting, or to establish a special traffic management plan during those periods. If that is possible, the proponent must specify the changes that will be made to the transportation activities and the operation calendar. If it is not possible, the proponent must explain why not.

Question CEAA-131

Current use by Indigenous peoples – Valued moose and goose hunting grounds

A) The proponent must specify whether Cree camps within the Nemaska traplines (R19) that are mainly used for moose hunting will be relocated, and whether the users, whether they would be relocated or not, have already been consulted about this issue (provide a summary of discussions held with users) or when they are consulted. The proponent must specify if and when the Nemaska traplines users have been consulted and whether they want the camps to be relocated or not.

Question CEAA-132

Current use by Indigenous peoples – Traditional use of caribou and cumulative effects

A) The proponent must provide a picture of past, current, and expected use of caribou (woodland and migratory) on the traplines (Eastmain: RE1; Nemaska: R16 and R19; Waskaganish: R10). It must indicate the approximate annual harvest rates over the last several decades and use the temporal boundaries recommended by the Cree users of this land. The proponent can obtain this information through consultations with the tallymen or their family members.

C) The proponent must re-examine the program for monitoring use of the land for traditional activities (see question 123), based on the information obtained in B) concerning the annual harvest rates of migratory and woodland caribou.

Question CEAA-134

Current use by Indigenous peoples – Traditional use of caribou and cumulative effects

A) The proponent must consult the Eastmain, Nemaska and Waskaganish tallymen regarding land users' travel movement patterns on roads during goose and moose hunting periods – for example, the time of day when they usually leave camp or the village to hunt – and assess whether it would be possible to modify its transportation of ore, supplies, hazardous materials, etc., to reduce impacts during the hunting periods. If the transportation activities can be modified, describe the specific measures/modifications, among all the proponents' mitigation measures, which will be implemented. The proponent must specify the travel movement patterns of all land users (not only those of the tallymen themselves) on all the roads being considered for transportation related to the project.

B) The proponent must specify the measures that will be implemented during the two weeks of goose hunting in the spring and the two weeks of moose hunting in the fall to mitigate the effects of road transportation on land users' activities. If the proponent plans to modify its operations during the hunting periods to reduce road traffic, it must explain how those operations will be adjusted.

Question CEAA-137

Health and well-being of Indigenous peoples – Effects of road transport on air quality and noise

The proponent must assess the potential effects (acoustic environment and air quality) related to the increase in traffic on the road network at an appropriate distance from the potential project (offsite and during construction and operation) on the health of Indigenous peoples.

Question CEAA-138

Health and well-being of Indigenous peoples – Impacts of road transportation and proposed mitigation measures

The proponent must determine the increase in road traffic that will be caused by the project on the Eastmain 1 road. As needed, provide current, pre-project traffic data. If no data are available, specify what resources have been consulted and why the proponent cannot provide any baseline data.

Question CEAA-140

Indigenous socio-economic conditions – The project's socio-economic impacts on the Cree

A) The proponent must specify the number of jobs reserved for members of each of the Cree communities.

D) The proponent must assess the positive and negative impacts of the project on the different subgroups of the Indigenous population from the Eastmain, Nemaska and Waskaganish communities (namely women, youth, and elders) and propose appropriate mitigation measures. Otherwise, it must provide justification for the absence of such measures. Assess the possibility of conducting a follow-up on these subgroups under the community well-being and human health monitoring program (section 8.4.8 of the EIS). Provide details about this component of the community well-being and human health monitoring program if it were to be carried out. If this is not possible, explain why not.

Other notes

To enable the Committee and the experts to continue their analysis of the effects of the overburden on water quality, the preliminary results of the testing for acid-generation potential planned for spring 2020 must be sent to us as soon as they are available.

In its answer to Question ACEE-46 B), the proponent states that the results are provided in the report entitled *Caractérisation de l'eau de surface et des sédiments en vue d'établir l'état initial du milieu avant l'implantation du projet – Rapport d'activité 2018 et 2019 de septembre 2019* in Annex ACEE-46 [Surface water and sediment characterization to determine the initial environmental condition before the project implementation – Activity report 2018 and 2019, September 2019]. That report does not present the results for all the parameters – including radium, mercury and thallium – that were measured for Watercourse A during the September 2019 spring sampling campaign. The proponent must provide, as soon as possible, the report or reports containing all of the results.

The proponent should also explain why it was unable to characterize those three elements during the spring 2019 sampling campaign, even after being informed in May 2019 that it would be asked to do so.

Next steps

The Committee will soon coordinate a meeting with the proponent and any of the expert departments that are involved in the above-mentioned issues, to discuss the information that must be provided to enable the Committee and these departments to continue their analysis of the EIS. If need be, explanations can be provided to specify what is expected. The time taken by the proponent to submit this information is not included in the timeline for conducting an environmental assessment. Note that the Committee plans to submit another information request later to obtain more information about certain answers.

If you require further information, please contact Véronique Lalande by telephone at 418-455-4116 or by email at veronique.lalande@canada.ca.

Sincerely,

John Paul Murdoch
Co-Chair, Joint Assessment Committee
Cree Nation Government

Anne-Marie Gaudet
Co-Chair, Joint Assessment Committee
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