



Navigation Protection Program (NPP)
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Our file #: 2017-300258

June 10, 2021

Impact Assessment Agency of Canada / Government of Canada Quebec Regional Office

To the attention of : Ms Véronique Lalande Project Manager

By email: veronique.lalande@canada.ca

Subject: Transport Canada Final Expert Advice - *Canadian Navigable Waters Act* - Rose Lithium-Tantalum Project - Northern Quebec, Province of Quebec

Madam,

This advice replaces the expert advice of April 14, 2020, and takes into account the comments received from the Cree community, specifically from the tallyman of the RE-01 trapline, who confirmed that all the watercourses within the study area of the above-mentioned project have been used, are used and will be used occasionally for navigation purposes. There was an error in the number of watercourses that would require an exemption.

For several of the rivers, beaver dams and seasonal climatic variations influence their navigability, which explains their occasional use for travel with a boat. Since we have confirmation that there is indeed use of these streams for navigation, even if it is occasional, it is now confirmed navigation, whereas in the previous expert opinion, we referred to **actual navigation**¹.

As a result of this confirmed use, the proponent will be required to obtain an exemption from the Governor in Council under the *Canadian Navigable Waters Act* (CNWA) for watercourses where the water level will decrease to the point of making navigation impractical, as this contravenes section 23 of the CNWA. The Proponent will also be required to obtain approvals or have a resolution process for all works to be constructed in, on, under or across watercourses within the study area (Section 10(1) of the CNWA).

According to the information received from the proponent, forty (40) watercourses are located within the project study area. Considering the confirmed use by Cree community of these watercourses, twenty-eight (28) watercourses will require an exemption.

¹ Navigation deemed possible on the basis of the characteristics of a watercourse but without evidence of their use for navigation.

Below is a table showing the forty (40) watercourses located within the project study area, with the characteristics of each (width, length, depth), their confirmed navigability status, anticipated changes, and their navigability status once the Rose Lithium-Tantalum Project is in the construction and operation phases. The twenty-eight (28) watercourses listed above are identified in a shaded cell in the table.

Name of the watercourse	Width approx. (m)	Approx. length (m)	Approx. depth (m)	Confirmed navigability	Anticipated changes	Anticipated navigability
Lake1	100	625	1,2	Navigable	Drainage	Non-navigable
CE-L	3,0	30	N.D.	Navigable	Drainage	Non-navigable
CE-A	1,7	4032	0,3	Navigable	Dewatering upstream and increase in water level downstream of the mine effluent	Non-navigable upstream and navigable downstream of the mine effluent
Lake 2	115	475	2,8	Navigable	Drainage	Non-navigable
CE-B	0,7	693	0,3	Navigable	Drainage	Non-navigable
CE-K	0,5	150	0,1	Navigable	Drainage	Non-navigable
Lake 3	80	2 150	3,6	Navigable	Low lowering of the water level	Navigable
CE-E	3,6	466	0,5	Navigable	Low water level decrease	Navigable
CE-G	1,0	100	N.D.	Navigable	Decrease water level	Non-navigable
CE-H	1,0	170	0,1	Navigable	Significant decrease in water level	Non-navigable
CE-I	0,5	N.D.	0,1	Navigable	Low water level decrease	Non-navigable
CE-J	1,0	50	0,1	Navigable	Small decrease water level	Non-navigable
Lake 4	350	900	3,4	Navigable	Low change	Navigable
Lake 6	115	320	0,9	Navigable	Increase in water level	Navigable
Lake 7	60	490	1,0	Navigable	Increase in water level	Navigable



L7-CE-1	1,0	35	N.D.	Navigable	Low change	Non-navigable
CE-F	2,0	1520	0,3	Navigable	Increase in water level	Navigable
L8-CE-1	1,0	200	N.D.	Navigable	Drainage	Non-navigable
Lake 8	75	130	N.D.	Navigable	Drainage	Non-navigable
Lake 9	135	150	N.D.	Navigable	No effect envisaged	Navigable
Lake 10	100	260	N.D.	Navigable	No effect envisaged	Navigable
Lake 11	114	653	N.D.	Navigable	Drainage	Non-navigable
L11-CE-1	1,0	488	N.D.	Navigable	Drainage	Non-navigable
L12-CE1	0,5	649	N.D.	Navigable	Drainage	Non-navigable
Lake 12	123	225	N.D.	Navigable	Drainage	Non-navigable
L13-CE1	0,5	300	N.D.	Navigable	Drainage	Non-navigable
Lake 13	47	237	N.D.	Navigable	Drainage	Non-navigable
Lake 14	120	500	1,6	Navigable	Low change	Navigable
CE-C	7,5	3973	0,3	Navigable	Increase in water level	Navigable
Lake 15	75	215	0,6	Navigable	Drainage	Non-navigable
L15-CE-1	0,5	400	N.D.	Navigable	Drainage	Non-navigable
L15-CE-2	0,5	180	N.D.	Navigable	Drainage	Non-navigable
CE-C'	0,7	662	0,1	Navigable	Drainage	Non-navigable
Lake 16	100	650	0,5	Navigable	Increase in water level	Navigable
Lake 17	125	400	N.D.	Navigable	Increase in water level	Navigable
Lake 18	30	190	0,2	Navigable	Drainage	Non-navigable
L18-CE-1	1,0	200	N.D.	Navigable	Drainage	Non-navigable
CE-N	1,4	3 956	0,3	Navigable	Drainage	Non-navigable
CE-M	3,9	3 664	0,3	Navigable	Drainage	Non-navigable
Lake 19	180	400	1,5	Navigable	Drainage	Non-navigable



We note that the proponent considers in its assessment that "the project would not result in any change to the navigation activities of the Cree Nations", and that "the bodies of water that would be affected are not currently used to travel on the territory, with the exception of lakes 2 and 3 used for fishing". It was also noted that access to the territory is also done by snowmobile, autoquad, or snowshoes. Furthermore, the proponent proposes, in consultation and after agreement with the tallyman, the relocation of the camp on trapline RE01. In view of the elements stated above, Transport Canada deems the measures proposed by the proponent and the potential conditions of the Impact Assessment Agency of Canada to be adequate and has no additional mitigation measures to propose.

If you have any questions, please do not hesitate to contact the undersigned by phone at 418-928-2921 or by email at serge.belanger@tc.gc.ca.

Sincerely,

<Original signed by>

Serge Bélanger NPP Officer
Transport Canada
Programs Group
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SB/cg

Documents and information consulted²

² WSP Technical Note of 18 December 2018, Aerial photos inspection of 16 October 2019, WSP Technical Note of 26 October 2020, Map 2 and Tables 4-7 of January 2021, Clarifications obtained from the promoter by email in November 2020, Google Earth, Meeting of 10 December 2020 with the tallyman of the RE-01 zone