



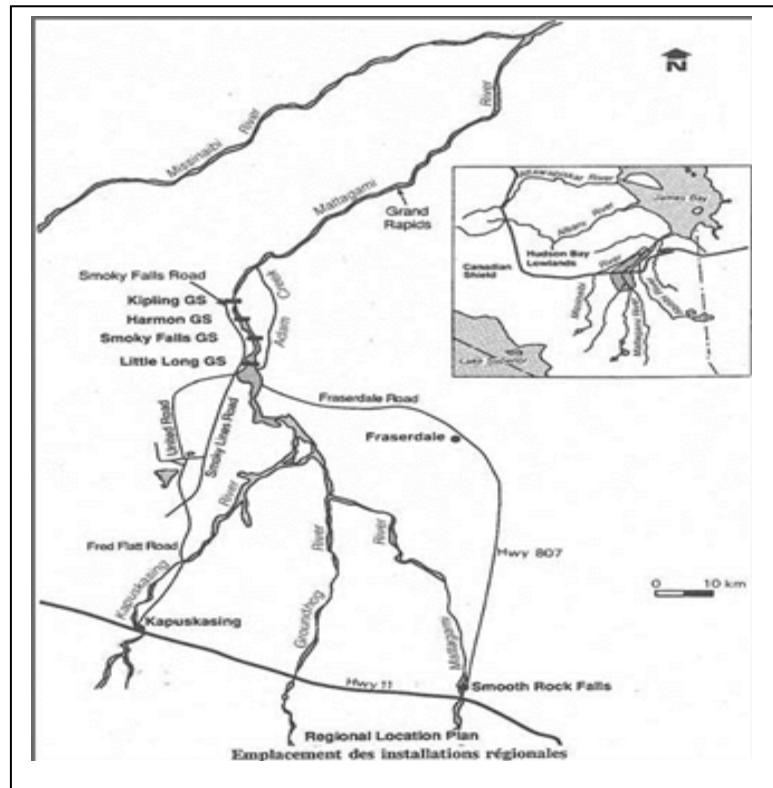
## **MATTAGAMI EXTENSIONS COORDINATING COMMITTEE**

### **ANNUAL REPORT 2015**

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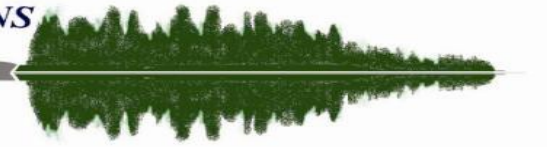
## 1. Background

Ontario Power Generation Inc. (OPG) is currently implementing the extensions to its hydroelectric generating stations on the Lower Mattagami River. The Lower Mattagami Complex (LMC) is located approximately 70 kilometres (km) northeast of the Town of Kapuskasing and consists of four hydroelectric generating stations: Little Long Generating Station (GS), Smokey Falls GS, Harmon GS and Kipling GS, and the Adam Creek Control Structure (Figure 1).



The extensions project is referred to as the Lower Mattagami River Project (LMRP or the “Project”) and will consist of the following:

- Addition of a third turbine and generator unit at Little Long GS, Harmon GS and Kipling GS.
- Expansion of the Smokey Falls GS site through the construction of a new 3-unit, 270-Megawatt powerhouse and retirement of the existing powerhouse.



Little Long GS June 2014



Harmon GS January 2015





Kipling GS January 2015



Smokey Falls GS January 2015

Following development of the LMRP, all four stations will have similar discharge capacities and could be operated in step, with each station discharging the same quantity of water to the next station downstream. This in turn will provide increased power generation and more efficient use of the water as well as improved operational flexibility.

At the end of 2015, the construction phase of the project is almost complete. The Rehabilitation work at the Kipling, Little Long and Harmon sites is also complete with the rehabilitation work at the Smokey Falls site slated for completion, according to OPG, by June of 2016.

## **2. MECC Membership in 2015.**

As per the EA Terms and Conditions, the MECC is composed of four members, an alternative for each member to act in the absence of the member, and an independent chair.

Independent Chair	Paul Bagordo
Moose Cree First Nation	Member: John Turner Alternate: Jocelyn Cheechoo
Taykwa Tagamou Nation	Member: Gabriel Archibald Alternate: John Archibald
MoCreebec Eeyoud	Member: Jean-Pierre Chabot Alternate: Michael Jolly
OPG	Member: Jamey Deforge Alternate: Ed Naval

## **3. Summary of Community Working Relationships**

The Moose Cree First Nation (MCFN) is located on Moose Factory Island approximately 175 kilometers downstream from the Lower Mattagami River Project (LMRP). A working partnership agreement between OPG and the MCFN has been established through the AMISK-OO-SKOW Agreement to address MCFN interests in the LMRP.



The Taykwa Tagamou Nation (TTN) is located approximately 145 km southeast of the project. The TTN interests in the LMRP are addressed through the Community Impact/Reciprocal Agreements.

MoCreebec Eeyoud is also located on Moose Factory Island and finalized their agreement with OPG in December 2015.

An environmental assessment (EA) of the LMRP (Ontario Hydro, 1990) was approved in 1994 by the Minister of the Environment along with numerous EA Terms and Conditions of approval (MOE, 1994). In 1994, the MCFN, TTN and MoCreebec Eeyoud were significantly involved in negotiating and establishing the Provincial EA Terms and Conditions of Approval.

The LMRP has also undergone a federal environmental assessment. The Comprehensive Study Report (CSR) was completed and Federal approval was received in April 2010.

The Mattagami Extensions Coordinating Committee (“MECC”) was established pursuant to Term and Condition 1 of the Provincial EA Terms and Conditions and the May 14, 2010 letter from the Minister of the Environment. The MECC is intended to be an oversight body acting on behalf of the Minister to ensure that the Terms and Conditions of the EA Approval for the LMRP are met and completed.

The primary role of the MECC is to facilitate the successful implementation of the Terms and Conditions of EA Approval and to act as a forum for the exchange and making available of information among the OPG and the TTN, MCFN and MoCreebec communities with respect to the LMRP.

#### **4. Summary of MECC Mandate:**

By appointment of the Minister of Environment, the Mattagami Extensions Coordinating Committee (MECC) was established in May 14th 2010.

Key Core Functions of the MECC are:

- Environmental Oversight
- Ensuring that the EA Terms and Conditions are completed
- Communications with communities and general interested parties
- Development of Archival/historical information regarding the lands and peoples surrounding the LMRP and the Lower Mattagami River Basin

- The objective of MECC shall be to reach consensus and resolution among the members with respect to matters that arise in the exercise of its mandate. Consensus means reaching unanimous decisions.

The Core Authority Descriptions are:

- In recognition of MECC's role as an expert technical advisory committee of the LMRP, the recommendations that MECC provides to the relevant Approval Authority for review will be held in high esteem. Although the Approval Authority will make the final decisions concerning the LMRP, due respect and weight will be allotted to the MECC's decision-making process and recommendations.
- If the relevant Approval Authority does not give effect to the recommendation of MECC as per this Section, then the relevant Approval Authority may be asked to provide an explanation of its decision to the MECC and provide the MECC with an opportunity to discuss the matter.
- Relevant Approval Authority means the approval authority responsible for making a decision with respect to a permit, licence, approval or, any other requirement necessary to give effect to the Terms and Conditions of the EA Approval. If there is no other relevant Approval Authority, the Minister of the Environment will be the Approval Authority.
- MECC recognizes that the Minister of the Environment formed the MECC in a letter dated May 14, 2010 and MECC understands and accepts that nothing in the Terms of Reference binds or affects the statutory decision making authority of government officials. This applies to decision making on permit/approval applications, and to decision making in other contexts.

## **5. Summary of MECC Activities in 2015**

**During 2015, the MECC:**

- Noted the completion of the construction at all four generating stations
- Noted and observed the completion of rehabilitation at the Harmon, Little Long, and Kipling Sites and identified the outstanding rehabilitation work at the Smokey Falls GS.
- Signed off on 27 of the EA Terms and Conditions (*see appendix*)
- Received the drafts or final drafts of the following reports.



- LMRP Component Environmental Management Plan – Rock and Aggregate Management (Final Draft)
  - “Looking After The Land That has Always looked After Us” LMRP Post-Construction Monitoring Plan (Final Draft)
  - Adam Creek – Significance To the People of the Taykwa Tagamou Nation  
(Final Draft - pending review of TTN Chief, Council & members)
  - EWG Collaborative Review to Address the Cost Benefit Analysis of Mitigating and Reducing Spill in the Adam Creek
  - A Sample Presentation of the Content and Context of the Document *“The People of The Moose River Basin”*
  - A report to identify the approach that was taken to satisfy Term & Condition 9 – Employment, Training, and Contracting for the EA First Nations
- Hired a new chairman and a new Administration Assistant.
  - Held 12 meetings including meetings in Moose Factory, Timmins, Kapuskasing, and in Cochrane.
  - Began a transition plan from working with OPG Projects to working with the Northeast Operations Group.
  - Had a site visit to view the end of construction, the rehabilitation work already completed, the outstanding rehabilitation work to be done at Smokey Falls and the final stages of the decommissioning of the camp.
  - Developed a work-plan and workbook to track the work needed to complete the outstanding EA Terms and Conditions.
  - Began the process of Incorporating as a Not-for-Profit Organization
  - In Dec. 2015, welcomed the signing of a Community Impact Agreement between The MoCreebec Eeyoud and OPG.

## **6. Chair's Message**

The four members of the MECC; Moose Cree First Nation, Taykwa Tagamou Nation, MoCreebec Eeyoud, and Ontario Power Generation hired Paul Bagordo as the independent Chair of the MECC in June 2015. At that time the MECC had been without a chair for several months.

I wish to make note of the generosity of spirit I have encountered as the new chair. Also I have witnessed that same generosity of spirit among all of the people involved in this complex project, including the MECC members, the Environmental Working Group (EWG) members, the representatives of the Proponent partners OPG and Moose Cree First Nation and their many contractors, the consultants, and the observers from various ministries.

It is noteworthy also to recognize the important work of the Environmental Working Group (EWG) particularly regarding all aspects of the Long Term Monitoring Plan and the Heritage preservation and presentation components of EA Terms and Conditions. The EWG formally ends with the end of the AMISK-OO SKOW Agreement but all parties are creating ways for their work to continue contributing their expertise.

The role of the independent chair is clearly defined in the original EA Terms and Conditions as established by the Minister of the Environment and also defined in the MECC Terms of Reference, which were developed by the three MECC members in April 2010.

The MECC chair:

- Shall use all reasonable mechanisms to facilitate the reaching of consensus by the members of MECC, pursuant to Term and Condition 1(d)(iii)(3) of the Terms and Conditions of EA Approval.
- Shall have Knowledge of the hydroelectric industry;
- Shall have Experience working with commercial projects involving First Nations
- Shall have a strong understanding of First Nations culture
- Shall have proven and demonstrated abilities as a facilitator and chair of consensus style meetings.
- Shall have a term of two years; such term could be renewed, at the pleasure of the MECC members.
- Termination of the Chair is to be by consensus.
- Must work toward meeting the MECC mandate

The Chair of the MECC is responsible for:

- Preparing, in consultation with the members of MECC, a proposed annual budget for MECC, based on the work plans provided by the Proponent and MECC members.
- That budget shall be approved by the Proponent.
- Establishing scheduled dates, times and locations of meetings as well as the preparation of an agenda to be distributed prior to each meetings and ensuring minutes are completed and distributed after each meeting.
- Facilitating the reaching of consensus (including on budget) among the members of the MECC using all reasonable mechanisms;
- Bringing LMRP reports, data, plans, information to MECC members in a timely and planned way
- Exercising discretion to declare an impasse in the event of a failure of the membership to reach consensus.
- In such case, the Chair will then initiate the Impasse Resolution Mechanism in Section 8 of the Terms of Reference and as per the EA T&C's
- Liaising and consulting with the Environmental Working Group (EWG) and the Custodial Body to ensure they know the work required for completion and the schedule for that work to be ready to report to MECC

The huge amount of work done to date by the MECC members, the Environmental Working Group members, the consultants and contractors during the construction phase is quickly changing. The construction phase is almost complete. OPG estimates a final completion of site rehabilitation at Smokey Falls to be June 2016.

The MECC is now in a time of transition as it changes from a construction monitoring function to that of environmental monitoring and oversight. As per the EA Terms and Conditions, starting June 2016, the MECC will begin a five-year period of ensuring that the monitoring of the long-term environmental impacts of the LMRP is implemented and effective as per the EA Terms and Conditions.

There is still much work for the MECC in order to fulfil the remaining outstanding EA Terms and Conditions. One of the MECC accomplishments this year has been to organize a structure and method for addressing the work ahead.

## **7. MECC Meetings in 2015**

The MECC has held regular monthly meetings in 2015. As a result of some uncertainty with OPG vacating the MCFN Office Building and questions about

MCFN's continuing possession of the building, the MECC relocated it's main office to Matheson, ON, where the chair has his office.

The majority of the MECC meetings were still held at the MCFN Office in Timmins; however the MECC has also held meetings within stakeholder communities.

In addition to the MECC members and the Chair, MECC meetings also included Observers, who have been invited to attend MECC meetings as well provide input during MECC proceedings when appropriate. Those invited to MECC meetings included members of the Environmental Working Group, representatives from the provincial government (Ministry's of the Environment and Natural Resources), experts in related fields and community elders and representatives who have direct interest and concerns regarding the impacts of the LMRP.

• January 22	MCFN Timmins Office
• February 19	MCFN Timmins Office
• March 25	Cochrane
• April 8	MCFN Timmins Office
• May 13	MCFN Timmins Office
• June 17	MCFN Timmins Office
• August 11	MCFN Timmins Office
• Sept 15 & 16	Kapuskasing (Site Visit Sept.16)
• October 21	Moose Factory
• November 18	MCFN Timmins Office
• December 18	MCFN Timmins Office

## **8. Communication**

A website (<http://www.lowermattagami-mecc.com>) was established in August 2011. The website provides a good communication tool to anyone interested in what the MECC is doing. The website provides the following information:

- Background and purpose of the MECC.
- Outlines the mandate of the MECC and provides information about each of its members.
- Provides a meeting schedule including past meeting agendas and meeting minutes.
- Reference documents used by the MECC (MECC Terms of Reference, EA Terms and Conditions, presentations given to the MECC).



- Copies of any Newsletters created by the MECC.
- Information about the Environmental Working Group and its members, as well as the EWG monthly reports, which include up to date information on EWG activities, any environmental issues encountered on site (spills, sediment pond objective exceedances) and construction updates.
- Information about the MECC partners, OPG, Moose Cree First Nation, Taykwa Tagamou Nation and MoCreebec Eeyoud.

MECC members also have accesses to a 'MECC Members Only' portion of the website. This portion of the website acts as an information database for MECC members to use as a resource for reference material associated with the review of EA Terms and Conditions. This includes draft reports intended to fulfil EA Terms and Conditions and literature referenced in those draft reports.

The website also provides a direct email address to Paul Bagordo, MECC Chair, for any additional questions or information requests.

## **9. MECC Meeting Schedule for 2016**

• January	20	Timmins Office
• February	16/17	Timmins Office
• March	10	Cochrane
• April	6	Timmins Office
• May	18/19	Kapuskasing includes site visit
• June	15	Moose Factory
• July	13	Timmins Office
• August	17	Timmins Office
• September	21	Timmins Office
• October	18/19	Kapuskasing includes site visit
• November	9	Timmins Office
• December	14	Timmins Office

## **10. Summary**

The MECC is facing a year of transition. With the end of the Construction Project, our work in 2016 is to establish the infrastructure necessary for ensuring effective and comprehensive long term monitoring processes according to the EA Terms and Conditions. Also this year's plan includes facilitating the development of a framework for the Heritage and archival components of the EA Terms and Conditions. Also Incorporation in some form will occur this year.



Early meetings with the Northeast Operations Group reveal a common commitment to focus on the long-term well being of the Mattagami/Moose River system. There is a shared desire to ensure effective monitoring and, if needs be, remediation of problems over the long term.

Consistent with MECC's historical relationships, a spirit of collaboration and inclusion continues to guide the work ahead of us.

Respectfully submitted  
Paul Bagordo – MECC Chair

#### **MECC Contact Information**

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## **11. Appendices**

### **a. Signed-off EA Terms and Conditions as of Dec 31, 2015**

<b>b. Term and Condition</b>	<b>Summary/Description</b>	<b>Sign Off M/Y</b>
General (1.a)	Development of Mattagami Extensions Coordinating Council (MECC)	09-15
General (1.c)	Aboriginal Self Government	11-15
General (1.d.ii)	Composition of MECC	09-15
General (1.d.iii)	Powers and Decision-Making Authority	09-15
General (1.d.iv)	MECC Representative Substitutions	09-15
General (1.d.v)	Meeting Quorum	09-15
General (1.d.vii)	Restructuring of MECC if required	11-15
General (1.d.viii)	MECC office location	09-15
General (1.d.ix)	Ontario Hydro Funding of MECC	09-15
General (1.d.xiii)	Language at Meetings	09-15
General (1.d.xv)	All MECC members participate in good faith	09-15
Visual and Esthetics Impacts (3.c)	Ontario Hydro to design the new Smokey Falls	09-15
Visual and Esthetics Impacts (3.d)	Ontario Hydro to consult with First Nations and minimize effects	09-15
Hydrology, Fish and Aquatic Habitats (4.a)	Ontario Hydro shall table a report, to MECC, describing the methods that it uses to optimize the present operating regimen of the Mattagami Complex...	09-15
Hydrology, Fish and Aquatic Habitats (4.d)	Ontario Hydro shall maintain a daily average flow of 100 cms below Kipling....	09-15

Terrestrial Ecology (5.a)	During construction period, in consultation with MECC, Ontario Hydro shall ensure that restrictions on hunting and fishing and on disturbing animals or habitats are respected.	09-15
Terrestrial Ecology (5.c)	Ontario Hydro shall hire First Nations individuals to complete 5a.	09-15
Employment and Contracting (9.a)	Promote and provide meaningful and sustainable employment and contracting benefits to First Nation	09-15
Employment and Contracting (9.b)	Price preference for FN contracts	09-15
Employment and Contracting (9.e)	Failure to complete implementation plan...	
Decommissioning (11.a)	Present decommissioning plan to MECC	09-15
Permit Review and Compliance Monitoring Protocol (14.a.1)	FN shall participate in monitoring...	09-15
Permit Review and Compliance Monitoring Protocol (14.a.ii)	FN shall participate in pre consultation for planned developments	09-15
Permit Review and Compliance Monitoring Protocol (14.c.)	Protocol to be completed within 12 months...	09-15
Duration of Approval (15)	Approval of the undertaking within 5 years...	09-15
Approval of Phasing (16)	Approval to construct within 5 years of commencement	
Noise Control (18)	Ontario Hydro shall comply with "Protocol for Community Noise Control, 1981"	09-15
Domestic Wastes (19)	Ontario Hydro ensure that domestic wastes are collected and disposed of at an approved waste management facility	09-15
Contractors (20)	Ensure Contractors abide by rules	09-15



## b. Proposed OPG Work Plan for 2016

2015	October	Request the MECC to review EA T&C Compliance Plan and update the MECC EA Term and Condition Priority List. Present the completed "Collaborative Review to Address the Cost Benefit Analysis of Mitigating and Reducing Spill in Adam Creek" (EA T&C 4c).	*Refer to the red shaded rows of the outstanding EA T&Cs tab.
	November	Based on the MECC EA T&C priority list OPG will provide a presentation on the status of EA T&Cs*.	OPG to provide history and documents that will help with MECC decision Making
	December	OPG to provide a presentation on the status of remaining EA T&Cs*.	Provide details on what has already been presented and provide the MECC with any materials that will assist the MECC in making decisions.
2016	January	OPG and MCFN to provide update on the implementation of the Post-Construction Monitoring Plan, with a focus on roles and responsibilities.	Provide the MECC details on monitoring activities that will be conducted in 2016 (when monitoring will occur and when reports will be available).
	February	OPG to provide a presentation on the status of remaining EA T&Cs*.	Provide details on what has been presented or will be presented and provide the MECC with any materials that will assist the MECC in making decisions.
	March	Present and provide the MECC with the Smoky Falls Rehabilitation Plan, including proposed timing of activates.	Provide any comments back to KAP.
	April	Provide the MECC with the Finalised Smoky Falls Rehabilitation Plan. Provide and update on monitoring plan activates, and provide status of any outstanding EA Term and Conditions*.	See Post-Construction Monitoring Activities in 2016 tab.
	May	OPG to accompany MECC on LMRP Site Visit that will focus on SFs Site Rehabilitation Activates, monitoring of completed rehabilitation activates (LL, Hn and Kp).	
	June	Update on Post-Construction Monitoring Activities. Discuss any outstanding EA T&Cs if required*.	
	July	Provide the MECC with an update on Smoky Falls Rehabilitation Activities. Discuss any outstanding EA T&Cs if required*.	
	August	Provide an update on the status of post-construction monitoring activates to date and upcoming.	
	September	Provide update on completed SF Rehabilitation Activates and site demobilization	
	October	Present Monitoring Plan Reports (if available)	See Post-Construction Monitoring Activities 2016-2020 tab.
	November	Present Monitoring Plan Reports (if available)	See Post-Construction Monitoring Activities 2016-2020 tab.
	December	Present Monitoring Plan Reports (if available)	See Post-Construction Monitoring Activities 2016-2020 tab.