



la Convention
de la Baie-James
et du Nord québécois

Comité consultatif
pour l'environnement
de la Baie-James

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MINUTES OF THE 64TH MEETING
OF THE JAMES BAY
ADVISORY COMMITTEE ON THE ENVIRONMENT

ADOPTED

DATE : July 9, 1991

LOCATION : Indian and Northern Affairs Canada
390 Saint Joseph St. East
Québec, Québec

PRESENT : Paul Wilkinson, Chairman, CRA
Alan Penn, CRA
James Bobbish, CRA
Hubert Marcotte, Canada
Gilles Frisque, Québec
Jean-Guy Charest, Canada
Pierre Marchand, Canada
Louis-Edmond Hamelin, Canada
Robert Daigneault, Québec
Hervé Chatagnier, Secretary, JBACE
Éric Chainé, Technical Advisor, JBACE

ABSENT : Marie Lessard, Québec
Alain Soucy, Québec
Willie Iserhoff, CRA
Roméo Saganash, HFTCC

PARTICIPANTS: Ginette Lajoie, CRA



1. PRELIMINARIES AND ADOPTION OF THE AGENDA

The Chairman called the meeting to order at 10:30 a.m. and the following agenda was proposed by Gilles Frisque, seconded by Robert Daigneault and adopted unanimously:

1. Preliminaries and adoption of the agenda;
2. Adoption of the minutes of the 63rd meeting;
3. Internal management;
 - 3.1 Lending of JBACE Secretary to COMEX and the KEQC;
 - 3.2 Creation of an executive sub-committee;
4. Five-year forest management plans: Adoption of document drafted by Ginette Lajoie;
5. Creation of a model forest in the James Bay territory;
6. Public hearings on the forest protection strategy;
7. Update on the Great Whale file;
8. Functioning of the Provincial Review Committee (COMEX);
9. Route du Nord;
10. Amendments to the Act respecting ecological reserves;
11. Language policy for the environmental protection regime;
12. Québec forum on sustainable development;
13. Draft management policy for rare and endangered species;
14. A government policy on Native issues;
15. Federal Bill C-13;
16. Eastmain-1 project;
17. Date and location of the next meeting.

2. ADOPTION OF THE MINUTES OF THE 63RD MEETING

As the minutes of the 63rd meeting were not available, this item was carried over to the agenda of the next meeting.

3. INTERNAL MANAGEMENT

3.1 Lending of JBACE Secretary to COMEX and the KEQC

The Committee reviewed the situation regarding its lending of the Secretary to the KEQC and COMEX, particularly as concerns the fact that the KEQC and COMEX recently cancelled the scheduled public hearings on the planned road and airports for the Great Whale complex. At the request of Québec's Deputy Minister of the Environment, the Committee loaned its Secretary to COMEX and the KEQC precisely to help organize these public hearings.

After the members were given a chance to express their views on this matter, the Committee decided to write the Deputy Minister informing him of its intention to have the Secretary resume his duties with the JBACE as of August 8 and that no extension would be granted.

3.2 Creation of an executive sub-committee

After discussing the possible composition of the executive sub-committee, the Committee settled on four (4) members, including two (2) representatives from the CRA party, one (1) from the Québec party and one (1) from the federal party. The Chairman will automatically be a member of the sub-committee. The quorum for the executive sub-committee was set at three (3) members, including one from each party with the possibility of a proxy.

The Committee discussed the sub-committee's potential mandate, that is, whether it should be of a decision-making or an administrative nature. The majority of the members felt that it should be administrative. The executive sub-committee's main mandate, then, will be to ensure, in conjunction with the secretariat, the organization of and follow-up to JBACE meetings and, where necessary, submit recommendations regarding certain files. Committee members agreed, however, that the sub-committee's mandates will be reviewed in six (6) months.

The following resolution was adopted by the Committee:

Resolution 91.64.1

That an executive sub-committee be composed of four (4) members, two (2) of which shall be appointed by the CRA party, one (1) by the Québec party and one (1) by the federal party. The Chairman is automatically a member of the executive sub-committee;

That the quorum for the sub-committee be three (3) members, one from each of the member parties;

That all members of the sub-committee be allowed to delegate, by proxy, another member from the JBACE to take their place;

That this resolution (91.64.1) replace and annul Resolution 81.21.59;

That this mandate be reevaluated in six (6) months.

MOVED BY: Paul F. Wilkinson
SECONDED BY: Hubert Marcotte
ADOPTED UNANIMOUSLY

The Chairman requested that all parties appoint members to the executive sub-committee as soon as possible.

4. FIVE-YEAR FOREST MANAGEMENT PLANS: ADOPTION OF DOCUMENT DRAFTED BY GINETTE LAJOIE

Ginette Lajoie informed the Committee that, as agreed at the last meeting, a second version of a draft recommendation on the five-year forest management plans incorporating the members' comments has been formulated.

The Committee decided to adopt the draft recommendation and asked the Chairman to forward it to the Minister for Forests, Albert Côté, immediately. The Committee also requested that the Chairman reiterate its request for a meeting with Mr. Côté's officials to determine what steps should be taken to solve the problems set forth in the recommendation.

The Forestry Sub-committee was directed to identify the priorities of the recommendations contained in the Committee's report and to set deadlines for their implementation.

5. CREATION OF A MODEL FOREST IN THE JAMES BAY TERRITORY

The Committee was informed of a meeting that was recently held by the Canadian Council of Forest Ministers, at which the federal Deputy Minister of Forests was open to the idea of creating a model forest in the James Bay territory. The creation of such forests is one of the initiatives set forth in the federal government's Green Plan.

In this regard, the Committee decided to adopt the following resolution:

WHEREAS the Green Plan for a sound environment provides for a series of initiatives targeting rational forest management practices put forward by the Government of Canada;

WHEREAS under The Green Plan, the government, in conjunction with the provinces and companies operating in the country's major timberlands, will encourage the creation of up to eight model forest pilot projects as viable models of sustainable development;

WHEREAS Forestry Canada will provide important financial aid to the accepted applicants of this program;

WHEREAS the James Bay Advisory Committee on the Environment (JBACE) feels the time is right to seek means to reconcile logging in the James Bay territory with the protection of traditional uses of the territory by the James Bay Cree;

IT IS RESOLVED that the JBACE unanimously support the principle of a model forest being created in the James Bay territory in conjunction with the Cree with a view to assessing to what extent the needs of logging companies and those of the Cree can be reconciled.

MOVED BY: Gilles Frisque
SECONDED BY: Hubert Marcotte
ADOPTED UNANIMOUSLY

6. PUBLIC HEARINGS ON THE FOREST PROTECTION STRATEGY

A copy of the brief presented by the Grand Council of the Crees at the BAPE hearings on the forest protection strategy was tabled.

Mr. Penn tabled a draft brief that the Committee could submit to the BAPE. Given that the briefs must reach the BAPE within the next few days, it was decided that the following steps would be taken: Mr. Penn will forward his brief to the BAPE immediately, but as a member of the JBACE. The remaining Committee members will read the brief in the next few of days and, if applicable, will adopt it by means of a conference call at 10:00 a.m. July 16.

7. UPDATE ON THE GREAT WHALE FILE

7.1 Developments with the COMEX

Mr. Penn and the Secretary informed the Committee of the latest developments regarding the COMEX's review of the Great Whale project. On May 8, the Minister of the Environment stated that the review had been completed and granted the COMEX ninety (90) days to undertake public consultations and make its recommendation. For reasons already known, the COMEX will not be

holding formal public consultations. The case involving reviewing project components separately should be heard before the courts on September 16.

Finally, the Committee was given an update on the file's developments with the COMEV. Following a request by the Minister of the Environment for the COMEV to recommend impact study guidelines for the hydroelectric complex, the Chairman of the COMEV, who had been appointed by the Government of Canada, refused to put this item on the agenda since under the Canada-Québec agreement, this type of mandate should be entrusted to a Chairman appointed jointly by both levels of government. A new chairman, Billy Diamond, has since been appointed by the CRA and the request remains on the agenda.

7.2 Invitation to a meeting with the Honourable Jean J. Charest, federal Minister of the Environment

The Chairman informed the Committee that he had recently been invited to a meeting with Mr. Charest, representatives from the Kativik Environmental Advisory Committee (KEAC), and Cree and Inuit representatives on July 10. The purpose of the meeting is to inform the Committee of the federal government's plans regarding the review of the Great Whale project. The Chairman was mandated to attend the meeting on behalf of the Committee and a request was made for this item to be put on the agenda of the next meeting.

8. FUNCTIONING OF THE PROVINCIAL REVIEW COMMITTEE (COMEX)

Mr. Penn proposes to the JBACE that it study the subject of the quorum of the Review Committee in order to determine if the presence of at least one member appointed by the CRA is necessary. This question was raised during the review of the Great Whale access infrastructure project. The JBACE decides to invite Mr. Moisan, Chairman of the Review Committee, to its next meeting in order to review this question.

9. ROUTE DU NORD

The Committee was informed of project developments in terms of the environmental and social impact assessment and review procedure. On June 25, the COMEX forwarded its final recommendation to the Deputy Minister of the Environment, André Trudeau. On May 29, the attorneys for the Grand Council of the Crees and the Cree Regional Authority wrote to Québec's Minister of the Environment requesting the immediate suspension of the project review. The reasons for the request are as follows:

- 1) the project has not been subject to an appropriate review by the Federal Administrator under Section 22 of the JBNQA; and
- 2) a number of problems still remain as to the consequences of opening a road up to the general public.

Mr. Penn proposed that problems stemming from the opening up of the territory as a result of this public road be discussed in further detail at the next meeting.

10. AMENDMENTS TO THE ACT RESPECTING ECOLOGICAL RESERVES

The Committee examined the comments made by various government bodies and departments following the first phase of consultations on the planned amendments to the Act respecting ecological reserves. The MENVIQ had previously submitted draft amendments to the Committee.

Committee members once again raised the problem of the compatibility of an ecological reserve with the traditional hunting, fishing and trapping activities of the Cree. After discussing the matter, the Committee decided to write to the director of the Direction de la Conservation et patrimoine écologique, Léopold Gaudreau, asking where the MENVIQ stands on this issue.

11. LANGUAGE POLICY FOR THE ENVIRONMENTAL PROTECTION REGIME

A draft letter addressed to the Grand Chief of the Grand Council of the Crees had been drafted and tabled by Louis-Edmond Hamelin at the last meeting. The letter proposed a compromise that he felt could be acceptable to all parties and which dealt with the translation of documents produced in relation to the environmental protection regime established under Section 22 of the JBNQA.

The Chairman shared the comments of the CRA-appointed Committee members regarding the draft letter. After discussing the issue and making a few changes, it was agreed that the letter and an English translation would be sent to the Grand Chief as soon as possible.

12. QUÉBEC FORUM ON SUSTAINABLE DEVELOPMENT

Due to a lack of time, discussion of this item was carried over to another meeting.

13. DRAFT MANAGEMENT POLICY FOR RARE AND ENDANGERED SPECIES

The Committee read the draft policy, which is currently the subject of a consultation headed by the conservation and ecological heritage branch. The draft was sent to the Committee on March 15.

Given that this matter falls more under the jurisdiction of the Hunting, Fishing and Trapping Coordinating Committee (HFTCC), it was decided they should be the ones to study the draft policy.

14. A GOVERNMENT POLICY ON NATIVE ISSUES

The Committee examined the Government of Québec's decision to formulate and adopt a government policy on Native issues. The government is to begin consultations throughout the province. The draft policy should be made public in winter 1992.

The Committee decided to write to the Minister for Native Affairs, Christos Sirros, requesting a meeting in an attempt to obtain more information on the formulation of a policy on Native issues.

15. FEDERAL BILL C-13

The JBACE was informed that Bill C-13 is currently being studied by a House of Commons committee. This is essentially the same bill that was the subject of consultations last year and regarding which the Committee submitted a brief containing recommendations. This bill deals with the implementation of the federal environmental impact assessment process.

After discussing the matter, the Committee decided to mandate a sub-committee composed of Robert Daigneault, Alan Penn and Hubert Marcotte to study the bill, particularly the schedule identifying out the categories of projects which will be subject to assessment. The sub-committee will report to the Committee on their study.

16. EASTMAIN-I PROJECT

Due to a lack of time, this item was placed on the agenda of the next meeting.

17. DATE AND LOCATION OF THE NEXT MEETING

The next meeting will be held at Cape Jones, north of Chisasibi, on September 9, 10 and 11.



Hervé Chatagnier
Secretary