



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 74th MEETING
OF THE JAMES BAY ADVISORY COMMITTEE
ON THE ENVIRONMENT
(ADOPTED)**

DATE: November 19, 1992

LOCATION: Institut national de la recherche
scientifique (INRS)
2635 boul. Hochelaga
6th floor, suite 640
Sainte-Foy, Québec

PRESENT: Robert Daigneault, Chairman, Québec
Marie Lessard, Québec
René Boudreault, Canada
Jean-Guy Charest, Canada
Phillip Awashish, CRA
Willie Iserhoff, CRA
Alan Penn, CRA
Paul F. Wilkinson, CRA
Éric Chainé, Technical Advisor, JBACE
Hervé Chatagnier, Secretary, JBACE

ABSENT: Pierre Marchand, Canada
Hubert Marcotte, Canada
Gilles Frisque, Québec
Alain Soucy, Québec

OBSERVER : Ian Juniper, Hunting, Fishing and Trapping
Coordinating Committee



1. CALL TO ORDER AND ADOPTION OF THE AGENDA

The Chairman called the meeting to order at 9:15 a.m. and the following agenda was adopted.

1. Call to order and adoption of the agenda
2. Adoption of the minutes of the 73rd meeting
3. Business related to the 73rd meeting
 - 3.1 Correspondence sent or received since the last meeting
 - 3.2 Route du Nord
 - 3.3 EM-1 and LA-1
 - 3.4 Regulation respecting wildlife habitats
 - 3.5 MLCP park development policy
 - 3.6 Progress report on the activities of the standardization committee for the ecological monitoring of hydroelectric development projects
 - 3.7 JBACE budget for 1993-1994
4. Adoption of the 1991-1992 Annual Report
5. JBACE newsletter
6. Review of Section 22 of the JBNQA
7. Internal management and JBACE priorities
 - 7.1 JBACE operating problems
 - 7.2 Issues to be dealt with before March 31, 1993
 - 7.3 Departure of Éric Chainé and his replacement
 - 7.4 Letter from André Harvey, MENVIQ, in response to JBACE's request regarding possible administrative arrangements for the secretariat
8. Date and location of next meeting.

2. ADOPTION OF THE MINUTES OF THE 73rd MEETING

The minutes of the 73rd meeting were adopted with minor amendments.

3. BUSINESS RELATED TO THE 73rd MEETING

3.1 Correspondence sent or received since the last meeting

The secretariat tabled the documents which had been sent out or received since the last meeting and explained their content.

3.2 Route du Nord

The Secretary brought the members up to date on the application of the various impact assessment and review procedures pertaining to this project, particularly the federal procedure established under Section 22 of the JBNQA and the Federal Environmental Assessment and Review Process (FEARP). He tabled a letter addressed to COMEV Chairman Billy Diamond, dated August 28, 1992, from Federal Administrator Michel Dorais. This letter set the federal process under Section 22 in motion. Also tabled was the initial environmental assessment report prepared by Transport Canada as part of the FEARP. The report concludes that, under the FEARP, there is reason to approve the project, as long as it provides for mitigation measures designed to minimize any negative environmental impact.

After discussing the matter, the Committee agreed to monitor activities related to this issue in the context of the federal procedure under Section 22 of the JBNQA.

3.3 EM-1 and LA-1

Alan Penn tabled a memorandum, dated November 16, 1992, entitled "Status Report on the LaForge 1, LaForge 2, Eastmain 1 and the Sarcelle/Boyd-Sakami/Sakami Bridge and Eastmain 2 Projects."

Mr. Penn explained the content of the memorandum, which is intended to inform JBACE members on the status of the various hydro-electric projects in the James Bay region. Questions were asked on this topic, and the Committee subsequently agreed to write to Transport Canada requesting information on any decisions which may have been made regarding application of the FEARP to the LA-2 project.

3.4 Regulation respecting wildlife habitats

As agreed at the last meeting, Alan Penn informed the Committee of the results of his examination of the draft regulation respecting wildlife habitats. Mr. Penn tabled a memorandum, dated November 16, 1992, entitled "Draft Regulation: Wildlife Habitats (An act respecting the conservation and development of wildlife)." The Committee asked Mr. Penn to prepare a brief on the subject as soon as possible. The proposed government regulation was published in the July 15, 1992 edition of La Gazette officielle for consultation purposes.

3.5 MLCP park development policy

Members were reminded that the MLCP recently made public its action plan respecting parks. In particular, the Department published a document entitled "La nature en héritage : plan d'action sur les parcs," which announces that 18 territories north of the 50th parallel are slated to become parks.

It was agreed that the members would familiarize themselves with the contents of the action plan, and the Secretary was asked to place the issue on the agenda of the next meeting.

3.6 Progress report on the activities of the standardization committee for the ecological monitoring of hydroelectric development projects

Alan Penn tabled a third memorandum, also dated November 16, 1992, entitled "The Committee to Coordinate Environmental Monitoring (Comité d'harmonisation des réseaux de suivi écologique) : Status." Mr. Penn suggested that the Committee could possibly take steps to ensure that environmental monitoring programs are aimed more at users. Furthermore, it was suggested that the Committee could at the same time remind Hydro-Québec of the importance of planning a monitoring program for the Great Whale project that will make it possible to effectively monitor project impact.

3.7 JBACE budget for 1993-1994

The Secretary tabled a budget proposal for 1993-1994 which, following discussion, was adopted unanimously. The Chairman was asked to forward the budget proposal to the

federal and provincial ministers of the Environment as soon as possible.

4. ADOPTION OF THE 1991-1992 ANNUAL REPORT

The Secretary tabled a second draft of the 1991-1992 Annual Report. At the previous meeting, the members had requested that the secretariat draft a second, shorter version of the annual report. After discussion and a few amendments, the proposed text was adopted unanimously.

MOVED BY: Marie Lessard
SECONDED BY: Jean-Guy Charest

ADOPTED UNANIMOUSLY

5. JBACE NEWSLETTER

As agreed at the 73rd meeting, the secretariat tabled two draft newsletters. The first discusses the Committee and its functions, and the second describes JBACE activities during summer and fall 1992. After making a few changes, the members adopted both newsletters, and the secretariat was asked to send them out as soon as possible.

6. REVIEW OF SECTION 22 OF THE JBNQA

The secretariat informed the members of the correspondence received from various parties in response to the Committee's invitation to submit comments and suggestions regarding possible amendments to the environmental and social protection regime established under Section 22 of the JBNQA.

On July 17, the Committee wrote to various parties concerned (government agencies, proponents, Native organizations, etc.) for their views.

According to the responses received, several parties would like additional information regarding the objectives and aims of the Committee's intended review of the regime. In addition, it was noted that several organizations appeared reluctant to consider amending the JBNQA, especially in light of the current situation (legal proceedings, etc.). Finally, it was

pointed out that neither the Grand Council of the Crees nor the Cree Regional Authority had responded.

The Committee decided to write to the parties informing them that it is currently studying the comments and suggestions submitted and expects to receive further comments in the coming weeks. At the same time, clarifications on the nature and scope of the review will be provided.

7. INTERNAL MANAGEMENT AND JBACE PRIORITIES

7.1 JBACE operating problems

Alan Penn tabled a memorandum, dated November 16, 1992, entitled "Is There Justification for Continuing the Operations of the James Bay Advisory Committee on the Environment (JBACE)?"

The members discussed the problems related to Committee operations, raising the following issues:

- too many items are placed on the agenda, sometimes with no clear purpose;
- members are not provided with enough summary documents containing concise information on the issues to be discussed;
- not enough follow-up is given to Committee recommendations;
- the federal and provincial governments seem to show little interest in the work carried out by the JBACE.

The CRA-appointed members also pointed out several basic problems which they feel prevent the Committee from operating properly, i.e.:

- the Cree party feels it is essential that working relations be established with the federal and provincial governments so that the Committee does not end up working alone;
- it also feels that it is important that Committee members have some experience in northern affairs as well as a certain degree of influence with their appointing bodies.

Following discussion, Alan Penn was asked to prepare a draft letter addressed to the proper government authorities informing them of the Committee's views on the perceived lack of government interest in the Committee.

7.2 Issues to be dealt with before March 31, 1993

In light of suggestions made by the secretariat and Executive Sub-Committee, the Committee agreed to give priority to the following issues until March 31, 1993:

- Hydro-Québec's development plan: Paul Wilkinson and Alan Penn were mandated to study the new Hydro-Québec development plan and draft a memoire in this respect. It is agreed that the Committee's memoire will contain two parts : The first part will be drafted by Alan Penn and contain comments on the development plan per se. The second part will discuss alternative approaches to energy planning and will be prepared by Paul Wilkinson. The secretariat informed the Committee that parliamentary commission hearings will be held in February 1993 in relation to the development plan, and that the Committee must submit its brief on the subject to the parliamentary commission's secretariat before February 1;
- Regulation respecting standards of forest management for forests in the public domain: the secretariat tabled a proposed amendment to the Regulation which was forwarded by MENVIQ but which has not yet been officially submitted to the Committee by the Ministère des Forêts. The Committee agreed to read the proposed amendment and asked the Sub-Committee on Forestry to prepare any comments or recommendations;
- forest management plans: the forest management plans for the James Bay region should be ready by spring 1993. Given that the Committee is in charge of analyzing these plans, it was decided that getting outside help would be advisable. The Sub-Committee on Forestry is to formulate a mandate for a \$15 000 contract for studying the plans, to be awarded to a consultant. A request for financing will be submitted to MENVIQ;
- Regulation respecting wildlife habitats: see item 3.4.

7.3 Departure of Éric Chainé and his replacement

Éric Chainé submitted his resignation to the Committee because he has accepted a position at the Ministère de l'Énergie et des Ressources. The Chairman joined all Committee members in thanking Mr. Chainé for his dedication as technical advisor over the past two years.

The Committee asked the Secretary to take steps to find a replacement for Mr. Chainé as soon as possible.

7.4 Letter from André Harvey, MENVIQ, in response to JBACE's request regarding possible administrative arrangements for the secretariat

The Secretary tabled a draft letter from Mr. Harvey in response to the JBACE's request of June 30 last. According to the Secretary, the Committee should be receiving a signed copy of the letter in the near future.

In its letter of June 30, the JBACE asked Mr. Harvey for a descriptive analysis of various options pertaining to the Committee's administration.

In reading Mr. Harvey's proposals, several members expressed their disappointment at the content. However, it was decided to wait to receive an official version of the proposals before studying the issue.

8. DATE AND LOCATION OF NEXT MEETING

The Committee decided to hold its next meeting in either Montréal or Québec City sometime in late January 1993.

HERVÉ CHATAGNIER
Secretary

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