



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 84th MEETING
OF THE JAMES BAY ADVISORY COMMITTEE
ON THE ENVIRONMENT
(ADOPTED)**

DATE: November 4, 1994

LOCATION: Lapointe, Rosenstein
1010 Sherbrooke St. West
Montréal, Québec

PRESENT: Diane Morneau, Chairman, Canada
Philip Awashish, CRA
Paul Wilkinson, CRA
Pierre Lauzon, Canada
Pierre Paulhus, Canada
Louis Archambault, Québec
Robert Daigneault, Québec
Denis Bernatchez, Secretary

ABSENT: Gilles Frisque, Québec
Alan Penn, Vice-Chairman, CRA
Hervé Chatagnier, Technical Advisor



1. **CALL TO ORDER AND ADOPTION OF THE AGENDA**

The Chairman called the meeting to order at 10:15 a.m. and the following agenda was adopted.

1. Call to order and adoption of the agenda
2. Adoption of the minutes of the 83rd meeting
3. Business related to the 83rd meeting
4. Forestry issues:
 - 4.1 Conference on aboriginal peoples and integrated resource management
 - 4.2 Mandate of forest engineer
5. Consultation on Hydro-Québec's Development Plan 1996-1998
6. Internal management
 - 6.1 Administrative agreement and Committee budget
 - 6.2 Planning of JBACE activities
 - 6.3 Planning of future meetings
7. Approval of 1993-1994 Annual Report
8. COMEV, COMEX and COFEX-South activity report
9. Tabling of documents
10. Varia
11. Date and location of next meeting

2. **ADOPTION OF THE MINUTES OF THE 83RD MEETING**

The minutes of the 83rd meeting were adopted with minor changes.

3. **BUSINESS RELATED TO THE 83RD MEETING**

Denis Bernatchez informed Committee members of the various letters received and sent by the Secretariat since the last meeting.

Paul Wilkinson read a text by Alan Penn bringing the members up to date on the steps taken to contact Louise Roy of Hydro-Québec regarding the consultation on the utility's proposed regional development plan and means of generation.

Following Hydro-Québec's presentation on its integrated enhancement policy on September 9, 1994, the Committee wrote to André Laporte on October 7, 1994 with its comments and suggestions regarding the policy's application. Since the Committee had not yet received an answer to this letter, the

members asked that another letter be sent to Mr. Laporte requesting confirmation as to whether or not Hydro-Québec intends to consider the Committee's comments and requesting answers to the questions raised by the Committee during the presentation of the policy.

After consulting with Alan Penn, Mr. Wilkinson voiced the opinion that Hydro-Québec's integrated enhancement policy raises numerous questions which were not addressed at the meeting on September 9. He suggested that this item be placed on the agenda of the next meeting.

4. FORESTRY ISSUES

4.1 Conference on aboriginal peoples and integrated resource management

The members asked the Secretary to send all information on the above conference, which is to be held in Hull on November 10, 1994, to all interested parties.

4.2 Mandate of forest engineer

The Committee wrote to Pierre Lefebvre on November 18, 1994, informing him of the mandate it established for the forestry dossier. The members gave their views on the letter and agreed to write to Mr. Lefebvre again reminding him that the government already agreed to the Committee's request for the services of a forest engineer in a letter from the Minister dated September 14, 1993. It was agreed that the Committee's letter should also make mention of the financial and administrative difficulties experienced by the Committee in fulfilling its mandates under the James Bay and Northern Québec Agreement (JBNQA) and the Environment Quality Act (EQA). The loan of a forest engineer would help the Committee meet some of its obligations. Finally, it was suggested that Pierre Lefebvre be invited to the next meeting to discuss the above issues.

5. CONSULTATION ON HYDRO-QUÉBEC'S DEVELOPMENT PLAN 1996-1998

Diane Morneau attended a meeting on Hydro-Québec's regional development plan and procurement policy. She informed the members of the issues discussed and of the outcome of this meeting.

6. INTERNAL MANAGEMENT

6.1 Administrative agreement and Committee budget

It was unanimously moved that the JBACE Chairperson meet with those in charge of the Committee's finances and administration on an informal basis to discuss the problems faced by the Committee and to ask that government employees be seconded to the Committee so it can better fulfil its obligations under the Environment Quality Act and the James Bay and Northern Québec Agreement. It was also suggested that the Committee should be able to apply for and receive operating ad hoc amounts of money.

It was decided that these informal meetings should be held as soon as possible and Louis Archambault proposed attending the meetings along with the Chairperson if the Chairperson was agreeable to this.

The members further suggested writing to the Deputy Minister of MEF, Jean Pronovost, the Grand Chief of the Cree Regional Authority, Matthew Coon-Come, and the Federal Administrator, Michel Dorais, to inform them of the financial and administrative difficulties faced by the JBACE and to invite them to the next meeting scheduled for December 15, 1994.

6.2 Planning of JBACE activities

Paul Wilkinson informed the members that Alan Penn is preparing a document concerning the review of Section 22 of the JBNQA. He has completed approximately one-third of the document and hopes to have it ready for the next meeting.

With respect to the implementation of the North American Free Trade Agreement (NAFTA), Diane Morneau asked the members whether they felt it was really necessary to monitor this issue on a regular basis in order to determine any impacts the Agreement may have on the territory covered by the JBNQA. The members agreed that the Committee does not have the resources. Robert Daigneault said that he receives NAFTA WATCH and will pass it on to the Secretary, who can send members any information deemed relevant to the situation in the North.

Regarding the planning of JBACE activities, the Chairperson informed the members of an incident which took place in October. After a letter had already been signed by the Chairperson and sent to the addressee, one of the Committee members contacted the Secretary saying that, in his opinion, the letter was not

appropriate and that he wished to make changes. The Secretary was able to recover the original letter, as it had been sent to Pierre Lefebvre of MEF. The member then rewrote the letter, making changes to the enclosed document. The new version was signed by the Chairperson then sent to Mr. Lefebvre.

The members were unanimous in denouncing this type of action. Committee decisions are taken as a group and no one has the authority to unilaterally change a decision, nor make changes to a signed document. The Chairman and the Secretary enjoy a certain degree of leeway in the implementation of Committee decisions; however, the Committee would like to discuss this situation at the next meeting in the presence of the member concerned (the latter was not present at the November 4 meeting).

Regarding document processing, Diane Morneau proposed that a reasonable deadline be set for consulting members, when such consultation has been deemed necessary by the Committee, so that documents can be processed faster. The Committee decided to leave it up to the Secretary to determine what "reasonable" means in each case. The members agreed that, generally speaking, two weeks should be sufficient. After this time, it will be considered that members have no comments and that the appropriate action can be taken.

Paul Wilkinson asked that any official correspondence (letters and documents signed by the Chairman) be drafted in both English and French. He suggested that, when assigning staff, a bilingual person who could translate be hired.

6.3 Planning of future meetings

The members agreed on the need to plan Committee meetings in the North in order to maintain close contact with local administrators and Northern communities. The members are in contact with the federal and provincial administrators, but not enough with the communities located in the territory covered by the JBNQA. It was deemed worthwhile for the Secretary to contact the local administrators to get a better idea of the specific problems affecting the region.

Since these meetings are difficult to plan, it was suggested that the meeting in the North be planned for the meeting after the next regular Committee meeting. Since members are pressed for time, the best solution would be to charter a plane so that they could come back the same day, or would only have to stay over one night. Their stay could be extended if specific activities were organized in the region. Without setting a minimum, the members

agreed that at least one meeting a year should be held in the North. The Committee unanimously appointed Philip Awashish to take the necessary steps to see that the Committee is invited to hold a meeting in the North.

7. **APPROVAL OF 1993-1994 ANNUAL REPORT**

The members commented on the draft version of the annual report prepared by Hervé Chatagnier. The Secretary will pass these comments on to Mr. Chatagnier so that he can incorporate them into the final report. The members have until November 11 to submit any last comments. The document will subsequently be translated into English and sent to the Cree members for their comments. Once the English version has been approved, the publication process (linguistic revision, translation, printing) will begin.

Philip Awashish will forward the letter from the Chairperson to the Secretary as soon as it is ready.

8. **COMEV, COMEX AND COFEX-SOUTH ACTIVITY REPORT**

COMEV discussed the following projects at its 143rd meeting:

- Construction of a wharf and access road bordering the Témiscamie River (exempt);
- Project to mine lithium in the Broadback River area (subject);
- Laforge-1 project: request for authorization to operate an in-trench disposal site - Hydro-Québec permanent housing (project referred to COMEX);
- Proposed mining exploration on the Corner Bay holding: request for exemption from the impact assessment and review procedure (exempt);

As concerns the proposed Great Whale hydroelectric project, Philip Awashish explained the role of the various committees which have met since September. Public consultations were held from February 15 to July 24, 1994. Ninety briefs were submitted. The committees are to table a single final report, after agreeing on its content, by the end of October 1994.

Robert Daigneault requested that the JBACE obtain a list of projects being studied by COMEV and COMEX to make it easier to keep up with developments.

9. **TABLING OF DOCUMENTS**

The Secretary had already sent the members a list of the documents received since the last meeting.

10. **VARIA**

No one had any further issues to discuss.

11. **DATE AND LOCATION OF NEXT MEETING**

The next meeting is to be held in Québec City on December 15, 1994. If possible, the Committee will meet with the federal and provincial administrators, or their representatives, to discuss the issue of forestry and the administrative and financial difficulties experienced by the Committee. The Committee could also discuss the latest developments in the review of Section 22 of the JBNQA and the integrated enhancement policy adopted by Hydro-Québec.



DENIS BERNATCHEZ
Secretary