



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 101st MEETING
OF THE JAMES BAY ADVISORY COMMITTEE
ON THE ENVIRONMENT**

(ADOPTED)

- DATE :** December 15-16, 1997
- LOCATION :** Cree Regional Authority (CRA)
277 Duke St.
Montréal, Québec
- PRESENT :** Luc Bouthillier, Québec
Paul Chénard, Canada
Yves Désilets, Canada
Susanne Hilton, CRA
Willie Iserhoff, CRA
Ginette Lajoie, CRA, Vice-Chairperson
Jacques Lefebvre, Québec
Carol Martin, Canada
Diom Romeo Saganash, CRA, Chairperson
- Denis Bernatchez, Secretary
- GUEST
PARTICIPANTS :** Christian Dubois, Assistant Deputy Minister, Nord-du-Québec
region
Nathalie Zinger, WWF
Robert Beaulieu, CRA





1. CALL TO ORDER AND ADOPTION OF THE AGENDA

The Chairperson welcomed the members and called the 101st meeting of the JBACE to order.

The following agenda was adopted.

1. Call to order and adoption of the agenda
2. Adoption of the minutes of the 100th meeting
3. Business arising from the 100th meeting
4. JBACE secretariat
5. Forestry issues
6. Discussion with Christian Dubois
7. Sub-agreement on Canada-wide environmental harmonisation
8. Discussion with Nathalie Zinger
9. Review of Section 22 of the JBNQA
10. Tabling of documents
11. Varia
12. Date and location of next meeting

2. ADOPTION OF THE MINUTES OF THE 100th MEETING

The minutes of the 100th meeting were adopted with minor changes.

3. BUSINESS ARISING FROM THE 100th MEETING

The follow-up discussion on the 100th meeting began with the memo dated October 20, 1997.

4. JBACE SECRETARIAT

The Chairperson pointed out that MEF has not yet responded to the JBACE's brief on its status and operations or to its draft administrative agreement. He reminded those present that Denis Vandal, regional director for Nord-du-Québec, had confirmed that he had been mandated by MEF to negotiate an administrative agreement with the JBACE. According to Mr. Vandal, Cabinet is preparing a report to obtain additional resources for the JBACE. MEF wants the MRN to be involved in this funding request. Mr. Vandal's preliminary evaluation estimates the JBACE's annual budgetary requirements at approximately \$350 000, including the

federal portion. The Chairperson feels that Mr. Vandal would do well to use the JBACE's budget submission for his calculations.

Denis Vandal also stated that he saw no reason why the JBACE should not be independent from an administrative standpoint and sees no need for an administrative agreement if the JBACE receives an annual operating subsidy.

A member representing the federal party informed those present that the question of a service agreement with the Hunting, Fishing and Trapping Coordinating Committee (HFTCC) will be discussed at a future meeting of the HFTCC's administrative working group.

Following a discussion of the merging of JBACE and HFTCC services, the members adopted the following resolution :

JBACE RESOLUTION 97-12-15-01 REGARDING THE RELOCATION OF THE JBACE SECRETARIAT

Whereas the JBACE has for years sought to change the nature of its ties to the Ministère de l'Environnement et de la Faune (MEF) in order to achieve administrative independence;

Whereas MEF has stated that it is open to having the JBACE secretariat become **autonomous** with its budget allocated as an annual operating subsidy;

Whereas the JBACE considers there to be economic and organisational advantages to associating its secretariat and that of the Evaluating Committee (COMEV) with the secretariat of the Hunting, Fishing and Trapping Coordinating Committee (HFTCC);

It is hereby unanimously resolved :

- that the JBACE agrees in principle to grouping its and the Evaluating Committee's (COMEV) secretariat with that of the Hunting, Fishing and Trapping Coordinating Committee (HFTCC) as of April 1, 1998;
- that the JBACE insists that the JBACE and COMEV secretariats be independent of the HFTCC's secretariat, although organisational and administrative ties may exist in order to reduce operating costs;

- that the JBACE mandates its administrative agreement subcommittee to explore the terms and conditions governing this grouping of secretariats and to prepare a draft administrative agreement to this effect;
- that the JBACE requests that the administrative agreement subcommittee report back by the end of January, at which time it could be given a new mandate.

Moved by : Ginette Lajoie
Seconded by : Carol Martin

5. **FORESTRY ISSUES**

Robert Beaulieu, a forest engineer with the CRA, explained the process used to map site disturbance in the James Bay territory. A preliminary version of the synthesis map, along with a preliminary report, was submitted to the JBACE back in January 1997. A new report is being prepared for submission with the latest synthesis map.

This new synthesis map was presented with a diagram, entitled "Preparation Processes and Data Base Reliability," is colour-coded to indicate the reliability of the data collected.

Mr. Beaulieu also presented a table entitled "Proposed Deforestation Ranges and Their Levels of Conformity With Sustainable Yield Concept," which shows the percentage of productive forest and annual deforestation rates for 1997-1999 in conformity with the MNR indicators on forest sustainable yield. The presentation was followed by a question period.

6. **DISCUSSION WITH CHRISTIAN DUBOIS**

The Chairperson welcomed Christian Dubois and thanked him for coming. He briefly explained the JBACE's role and mandate under the JBNQA.

Mr. Dubois thanked the JBACE for inviting him and said he had been hoping for such a meeting himself.

His mandate is to create synergy between the local and government administrations. The Nord-du-Québec region does not have a Regional Administrative Conference (RAC), something Mr. Dubois hopes to rectify in

1998. Presided over by the assistant deputy minister of the Secrétariat au développement des régions, the RAC will bring together the government players in the region. It will be the key structure to help form an integrated and coherent vision of government action in the regions. It will work towards elaborating the government's position in view of negotiating the general development agreements and specific agreements. The RAC's mission will be especially important for harmonising departmental activities and services and coordinating government expenditures which, on the basis of the overall objective of the government, will be addressed to the same clientele. It will periodically inform the regional minister and the region's political representatives at the National Assembly (MNAs) as to how the region issues are progressing.

Natural Resources Minister Guy Chevrette has agreed that the Nord-du-Québec region will be organised differently than the rest of Québec.

Mr. Dubois considers the three committees established by the JBNQA (JBACE, COMEV, COMEX) to be extremely important and would like to see Québec fill one of the vacant positions on the JBACE with a non-Native from the territory. He has noted a sense of distrust between Natives and non-Natives. Appointing a non-Native to the Committee would help bring the JBACE closer to the other communities living in the territory.

Mr. Dubois said he has also noted an uneasiness between proponents and Native people when it comes to development projects. He feels that social and environmental concerns should not be confused with development issues. In his opinion, the committees responsible for the application of the impact assessment and review procedure established by Section 22 should not use lobbying to negotiate with the governments or proponents.

Mr. Dubois remarked that the members of various councils and commissions reflect the prejudices that exist between the different James Bay communities. There are 20 000 non-Natives living in the territory, but in the eyes of the northern committees, it is as if there were none. Similarly, non-Natives see no connection between them and the JBNQA.

In response to a member's comment that administrative structures [regional environment councils] are established in the territory without consulting the JBACE, Mr. Dubois said that the councils are changing. These regional roundtables manage the business assistance and regional consultation funds. The government has agreed to have a single regional environment council for the territory of Radissonie.

Although the Crees delegated the CRA as their representative for the territory, Mr. Dubois said they have shown little interest in participating in the roundtables. Radissonie will be responsible for administering the sums allocated for development in the territory. The budgets will be modest to begin, but will increase over time.

In response to a member's comment regarding Mr. Dubois's statement that environmental protection and development are two separate issues and that the JBACE needs to look at the bigger picture, Mr. Dubois reiterated that, as far as he is concerned, development and environmental protection are two different things. He acknowledges that the committees established by the JBNQA have a necessary role to play, but disapproves of people using them to a political end. Development projects must respect the traditional hunting, fishing and trapping rights of the Crees. Decentralized administrative structures will be created in the form of local development councils.

Mr. Dubois said he saw a very clear distinction between the protection of traditional hunting, fishing and trapping rights and development. Members of the Advisory Committee said they would be interested in pursuing this discussion so that Mr. Dubois can explain exactly what that distinction is.

In closing, Mr. Dubois stressed the need to strengthen relations between Native and non-Native people living in the territory. He hopes the JBACE and the executive committee of the Radissonie council will meet so they can start forging ties. Mr. Dubois offered to act as intermediary in planning the meeting.

The Chairperson said he was pleased with the meeting and would also have liked to pursue the discussion regarding the distinction between development and environmental protection. He confirmed his recent appointment as director of relations with Québec.

7. SUB-AGREEMENT ON CANADA-WIDE ENVIRONMENTAL HARMONIZATION

On October 17, 1997, Avrim Lazar, Assistant Deputy Minister of Policy and Communications for Environment Canada, sent the JBACE a document on the above sub-agreement for consultation. This initiative was in response to the interest shown by Cree-appointed members of the Advisory Committee at a previous meeting with Mr. Lazar.

The members discussed the relevance of commenting on the sub-agreement given that it does not at all affect the rights and treaties concerning Native people and does not apply to the James Bay territory.

Members agreed to write to the federal Environment Minister to remind her that the James Bay territory has its own environmental and social protection regime and impact assessment and review procedure under the JBNQA and that this must be taken into account in the national environmental harmonisation exercise.

8. **DISCUSSION WITH NATHALIE ZINGER**

In February 1997, the CRA, MEF and World Wide Fund for Nature (WWF) jointly published a document entitled *Conservation Parks in Cree Territories*, penned by James Morrison (WWF).

Because the matter of parks development in the James Bay territory is of extreme importance to the JBACE, it decided to invite Nathalie Zinger of the WWF to come and discuss endangered species and their protection. The Chairperson welcomed Ms. Zinger and thanked her for coming.

Photocopies of the overheads used in her presentation have been enclosed with the minutes.

Based on what Nathalie Zinger said, it is possible to protect an area without forfeiting Native rights. The JBNQA provides an operational framework and establishes guiding principles which must be taken into consideration when governments decide to set aside an area for conservation or recreation purposes.

It is clear that both Native and non-Native peoples need to be sensitized to the issues involved in creating parks in the James Bay territory. The JBACE will forward its comments on the February report to the governments mentioned above.

9. **REVIEW OF SECTION 22 OF THE JBNQA**

The Section 22 working group has met twice, once in Hull on October 29, 1997, and once at the CRA office on December 12, 1997. It was pointed out that Québec is the only party not represented and should have a member on the working group since some dossiers are under Québec's jurisdiction.

So far, the working group has defined five priorities divided into the following themes :

- (1) fulfilment of the JBACE's role and mandate;
- (2) identification of legislative and regulatory needs requirements for the territory;
- (3) information and public awareness;
- (4) updating of the environmental assessment procedure;
- (5) land-use planning in the territory.

The JBACE prepared a questionnaire on the Section 22 review, which it sent to the committees responsible for the procedure's application and to all JBNQA administrators.

The members agreed that the brief on the review should be short (under 20 pages). Since the documents used to draft the brief will no doubt be longer than this, they can be annexed to the brief.

The working group now has to determine the resources needed to elaborate on the priorities it has defined. It will apply to the provincial and federal administrators for funding, indicating that additional resources may be required. A Cree-appointed member felt that the other northern committees and BAPE could be invited to sit on the JBACE working group.

Some members felt that before going too far in the review process, the JBACE needs to demonstrate the need to revise Section 22 and determine how the brief will be received by the signatories of the JBNQA. All three parties should be contacted, informed of the proposed review, and asked for their reaction to the JBACE proposal.

Finally, the JBACE had asked Robert Daigneault to adapt the brief on the JBACE's status and operations for submission to the federal Environment Minister. In its cover letter, the JBACE will inform the Minister that she will be receiving the work plan for the Section 22 review.

10. TABLING OF DOCUMENTS

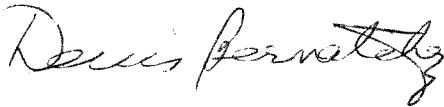
A Cree representative tabled a joint MEF/MRN report on integrated resource management entitled "Projet interministériel de développement de la gestion intégrée des ressources du milieu forestier" (Interdepartmental project for developing integrated management of forest resources) (dated November 17, 1997). It is important that the members read this report.

11. VARIA

No discussion.

12. DATE AND LOCATION OF NEXT MEETING

The JBACE will hold its next meeting at a Cree hunting camp in Waswanipi on March 11-12, 1998.



DENIS BERNATCHEZ
Secretary