
1. CALL TO ORDER AND ADOPTION OF THE AGENDA

In the Chairperson's absence, the Vice-Chairperson welcomed the members and called the 102nd 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 101st meeting
3. Business arising from the 101st meeting
4. Budgetary proposal submitted to MEF
5. Forestry issues
6. JBACE secretariat
7. Tabling of documents
8. Varia
 - 8.1 Consultation on Québec river classification
 - 8.2 Conservation parks in northern Québec
9. Date and location of next meeting

N.B.: A summary of the meeting with Jane Gull, Jackie Gull, Mario Lord and Abraham Ottereyes is included at the end of these minutes.

2. ADOPTION OF THE MINUTES OF THE 101st MEETING

The minutes of the 101st meeting were adopted with minor corrections.

3. BUSINESS ARISING FROM THE 101st MEETING

The follow-up discussion on the 101st meeting began with the memo dated January 12, 1998.

It was agreed to write to Grand Chief Matthew Coon Come to request resources for the Section 22 review and ask him if he feels the review is warranted.

The members of the Section 22 subcommittee are to meet with Michel Bourgon and Denis Vandal to discuss project developments.

4. BUDGETARY PROPOSAL SUBMITTED TO MEF

After going over the 1998-1999 budgetary proposal, the members agreed to postpone consulting the nine James Bay Cree communities on the Section 22 review until next year. The Committee also decided to wait until next year to assess the environmental impacts of forestry in the James Bay territory. The budgetary proposal will be adjusted accordingly and submitted to the Minister as soon as possible.

The following resolution was passed :

JBACE Resolution 98-03-12-01 regarding the 1998-1999 budgetary proposal.

After being duly moved and seconded, it is hereby resolved to approve the proposed budget of \$874 140 for the JBACE for fiscal 1998-1999.

Moved by: Ginette Lajoie, CRA

Seconded by: Jacques Lefebvre, Québec

5. FORESTRY ISSUES

5 a) Allocation of a TSFMA to Donohue for the forest reserve

A CRA representative tabled a letter from Chief William Mianscum (Mistissini) to the JBACE Chairperson dated March 10, 1998. The letter states the Mistissini Band Council's position regarding the proposed allocation of timber in the James Bay forest reserve to Donohue, i.e. that harvesting would affect the traplines of Crees from Mistissini.

The Band Council is totally against the allocation and wants the JBACE to ask the MRN to turn down the project.

In response to Chief Mianscum's letter and to the changes to Donohue's forest management plan, it was agreed to state the JBACE's opposition to the allocation of timber in the forest reserve in the letter addressed to Henrico Laberge of the MRN.

JBACE's arguments against the allocation of a TSFMA in the forest reserve are that:

1) As mentioned at the meeting, granting land and an additional volume of wood to Donohue goes against JBACE's request for a moratorium.

2) It is impossible to understand and assess the adverse effects of logging on Cree hunting lands based on the documents submitted to the JBACE.

3) It is impossible to determine, from the documents provided, what consultations were held with the Mistissini community and the Cree hunters whose lands will be affected. In addition, the JBACE is unable to understand how the concerns of the community and hunters have been integrated in the proposed management plan. Similarly, it is unable to grasp where these concerns have gone when examining the steps taken by the Ministère to grant additional volumes and land.

4) All job opportunities are to the advantage of the Lac-Saint-Jean region and nothing seems to indicate that the Cree will gain by this.

5) All additional forestry work resulting from the allocation of the new land appears mainly located in the southern portion of the TSFMA. We must therefore understand the impact of the absence of forestry work in the northern portion.

5 b) Expansion of Waswanipi sawmill's stacking area

The Waswanipi sawmill (Nabakatuk project) has requested an amendment to its authorization certificate with a view to expanding its stacking area.

The Local Environment Administrator (LEA) has asked the JBACE what the normal procedure is in this case so he can decide whether the request should be reviewed by COMEX (MEF's position) or COMEV (position held by Michel Bourgon of the federal government).

Given that this is a legal matter, the JBACE decided to ask Robert Daigneault to draft a legal opinion on the matter. The Secretary was asked to contact Mr. Daigneault to make the necessary arrangements.

As soon as the opinion is received, the JBACE will forward it to the LEA.

5 c) Participation of an HFTCC member on the JBACE forestry subcommittee

Given the shared concerns of the HFTCC and JBACE, particularly because of the connection between logging and wildlife, the JBACE would like to see someone from the HFTCC attend the meetings of the forestry subcommittee.

Paragraph 22.2.2 d) of the JBNQA clearly establishes a relation between sections 22 and 24 of the JBNQA in stating that the regime established by Section 22 provides for "The protection of the rights and guarantees of the Cree people established by and in accordance with Section 24". The JBACE will approach the HFTCC about delegating someone to the subcommittee.

5 d) Meeting with Jean-Pierre Jolivet, Minister for Forests

Given that its numerous attempts to meet with Natural Resources Minister Guy Chevrette have been unsuccessful, the JBACE decided to try its luck with the Minister for Forests, Jean-Pierre Jolivet. The Committee wants to inform the Minister of its decision to recommend that forestry development be subject to impact assessment. The procedure established by the JBNQA to enable the JBACE to study and comment on forest management plans is not enforced due to a lack of technical and financial resources.

6. JBACE SECRETARIAT

The Secretary was informed that Denis Vandal was to meet with Diane Gaudet, Deputy Minister of the Environment and Wildlife, to discuss the relocation and budget of the JBACE secretariat, among other matters.

The members of the administrative agreement subcommittee who were to meet with Mr. Vandal prior to his meeting with the Deputy Minister decided to postpone the meeting pending results of the steps taken by the acting regional director. Moreover, the JBACE was

in the process of finalizing its budget proposal. Meeting with Mrs. Gaudet once the proposal was completed was deemed preferable.

7. TABLING OF DOCUMENTS

The Secretary tabled the list of correspondence received since the last meeting.

In relation to Hydro-Québec's strategic plan, the members asked the Secretary to identify the sections pertaining to the James Bay territory. This way, if the JBACE deems it relevant, a proposal can be developed at a later date.

8. VARIA

8.1 Consultation on Québec river classification

The Québec government's proposed river classification and its heritage river program were submitted to the JBACE for consultation and comments. The members will read the document and submit their comments to the Secretary during the week of March 16. The proposed classification must respect the JBNQA provisions regarding special status for the Cree people.

The members comments will be submitted to the three ministers who signed the letter sent to the JBACE.

A CRA representative read the May 15, 1998, letter Kenny Blacksmith, Vice-Chairman of the GCCQ, sent to Premier Lucien Bouchard asking his government not to authorize the project. The importance of consulting the organizations concerned by the Agreement was emphasized by the representative.

8.2 Conservation parks in northern Québec

A CRA representative briefly went over the question of parks in the James Bay territory. She reminded the members that, in January 1997, MEF, the CRA and the World Wide Fund for Nature had tabled a comprehensive report entitled "Conservation Parks in Cree Territories." The member felt it important that all members read the report so the Committee can make recommendations.

The members agreed to submit their comments by mid-April.

9. DATE AND LOCATION OF NEXT MEETING

The JBACE will hold its next meeting in the faculty of forestry at Université Laval on May 20-21, 1998. Pascale Martineau and Martin Pelletier will talk to the members about greenhouse gases and a collaborative learning process for Native people and the forest industry, respectively.

Discussion between JBACE members and Jane Gull, Jackie Gull, Mario Lord and Abraham Ottereyes

The JBACE had wanted to meet with Cree hunters and trappers to discuss their traditional activities and find out what impact they think logging has on the Cree way of life. Discussions were informal and participants were free to jump into the discussion at any time.

The members got the rare opportunity to spend a few days in a Cree trapper's camp and would like to thank their hosts for their generous hospitality and availability. Acquiring a greater understanding of the Territory and the problems affecting the Cree way of life should be a concern of the JBACE, as well as remaining in contact with local bodies on a regular basis.

Although the JBNQA gives the JBACE a sweeping mandate, the Committee has very few means to rectify the problems often encountered. The Committee does everything it can to see that the provisions of Section 22 are enforced in compliance with the guiding principles set forth therein.

The issues addressed with the Cree hunters and trappers are summarized below.

- The Cree's eating habits have changed over time. Years ago, families got all their food from hunting, fishing, trapping and gathering. Today, these traditional pursuits barely provide 70% of their yearly diet.
- They say there is considerable forestry development in their territories and that logging is carried out with no respect for the set rules or limits (cutting beside watercourses and housing). The fine for riparian cutting is only \$500, which is nothing compared to the amount of money obtained for the wood. Negotiating with forest companies is extremely hard, particularly since the connection between the companies and logging crews is not terribly clear. The companies never respect the agreements (financial compensation, purchase of equipment, etc.) reached with Native people, even when contracts have been signed. Certain companies are worse than others.
- Intensive logging pushes the forest back and destroys the habitat of small game which, as a result, is becoming increasingly rare. When small game is displaced, it must change its diet, which changes its taste. A solution would be to log during winter, when there are fewer animals, and bird and small-mammal habitats would be less affected. Summer logging destroys the forest and chases animals far from the normal hunting grounds and traplines. The farther away the game, the more it costs to hunt and bring home. The vehicles used to get to hunting grounds and traplines deteriorate faster and have to be replaced more often, thereby costing Cree hunters and trappers more money, which they don't necessarily have given their low income and the failure of forest companies to pay financial compensation.
- The Waswanipi River fish population is declining and dead fish are often found along the river. The Cree hunters and trappers present at the meeting think that air and water pollution from mining operations could be the cause. Animal skins seem to be thinner and more fragile than before. Beaver and moose have less fat because they have to travel farther in search of

food. The meat therefore provides fewer calories for consumers. As the Native population grows, traplines are often divided up so more family members can benefit.

- The future looks bleak. Before, the abundant food supply was an incentive to take the whole family hunting and fishing, but now young people go to school to learn other things. Tradition is no longer handed down like it used to be and young people are becoming less and less interested in subsistence hunting and fishing. They only go into the forest for a few weeks each year, which is not enough to learn how to hunt and trap according to Cree custom.



DENIS BERNATCHEZ
Secretary