



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 112TH MEETING
OF THE JAMES BAY ADVISORY COMMITTEE
ON THE ENVIRONMENT
(ADOPTED)**

DATE: September 23, 1999

LOCATION: Confortel hotel, Val d'Or

PRESENT: Yves Désilets, Canada
Carole Garceau, Québec
Ginette Lajoie, CRA, Vice-Chairperson
Claude Langlois, Canada
Jacques Lefebvre, Québec
Harm Sloterdijk, Canada

Denis Bernatchez, Secretary

ABSENT: Susanne Hilton, CRA
Willie Iserhoff, CRA
Jacques Robert, Canada
Diom Romeo Saganash, CRA, Chairperson

GUEST PARTICIPANTS: Claude Saint-Charles, Environment Canada



NOTE: The workshop on the criteria and indicators to be integrated into the five-year forest management plans was held on September 21-22, 1999 at the Confortel hotel.

1. CALL TO ORDER AND ADOPTION OF THE AGENDA

In the Chairperson's absence, the Vice-Chairperson welcomed the members, particularly the new members for whom this was the first meeting, and then called the 112th 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 111th meeting of the JBACE
3. Business arising from previous meetings
4. Criteria and indicators workshop
5. Public consultation on water management
6. Presentation by Claude Saint-Charles
7. Review of Section 22 of the JBNQA
8. Forest map of the Territory
9. Draft legislation amending the Environment Quality Act and other legislative provisions governing waste management
10. Varia: JBACE documents;
INRS-Culture et Société application for NSRC grant;
\$100 000 MRN subsidy;
June 28, 1999 letter from Forêt Québec
11. Date and location of next meeting

2. ADOPTION OF THE MINUTES OF THE 111TH MEETING OF THE JBACE

The Chairperson wishes to make changes to the minutes of the 111th meeting. Since he was absent, he will forward his comments to the Secretary, who will forward them to all of the members. The minutes will be adopted at the next regular JBACE meeting.

3. BUSINESS ARISING FROM PREVIOUS MEETINGS

The Secretary reviewed the elements requiring follow-up from the last meeting, referring to the memorandum of June 7, 1999.

4. CRITERIA AND INDICATORS WORKSHOP

The Vice-Chairperson asked the members for their impressions of the workshop held on September 21-22. On the whole, the members felt that the workshop went well and that its outcome was satisfactory. However, the head moderator's lack of experience and the fact that the moderators did not meet before the workshop did not go unnoticed. On several occasions, planning meetings had to be held just minutes before certain workshop sessions. The instructions given moderators were not always clear. The members of the workshop follow-up committee agreed that they were partly to blame for the situation since Jamal Kazi was given very little guidance over the summer. Jamal was left to his own devices during the critical workshop organization phases, which coincided with the annual summer holidays of several members. Working in both languages created additional problems in certain workshop sessions.

In terms of participation, the workshop was not a rousing success. As the Chairperson pointed out in his opening remarks, the participation of Native people and TSFMA holders was very low. While this is unfortunate, it was to be expected given the legal proceedings instituted by the Grand Council of the Crees with regard to forestry operations. Certain members had heard the Chairperson compare the JBACE process to the government passing draft legislation in an interview he granted TQS. This made several members uneasy and they felt that this attitude would hinder collaboration. Consensus was unanimous, however, that MRN representatives' participation in the workshops was highly satisfactory. These individuals are all convinced of the importance of integrating criteria and indicators into the forest management plans.

The time has come to prepare the workshop report. Jamal will submit his report to the moderators, incorporate their comments, and then forward it to all members. The report will be adopted in a conference call in late October, and then sent to the Minister of Natural Resources, asking that the MRN complete the grid accompanying each indicator selected.

The members were unanimous in their feeling that the JBACE must update the criteria and indicators, reduce their number and group them by target group or organism. Clearly, the initial authors of the criteria and indicators document had a vision that was much broader than forestry alone. The members proposed forming a working group to study the list of criteria and indicators in order to make it simpler and more specific. It was suggested that the following participate in the working group: Jacques Robert (or Claude Langlois), Susanne Hilton (or Ginette Lajoie) and Carole Garceau, who will chair the working group. Jacques Lefebvre will write up a draft mandate for the group. The members asked that a letter of thanks be sent to all participants and that they be kept informed of activities related to this exercise.

5. PUBLIC CONSULTATION ON WATER MANAGEMENT

For the public consultation on water management in the James Bay territory, the JBACE created the three-member NIBI Commission, which held the public hearings jointly with the two-member BAPE Commission. The hearings were co-chaired by Romeo Saganash and André Beauchamp, and held in the following three communities: Oujé-Bougoumou (Sept. 15), Chisasibi (Sept. 16) and Whapmagoostui (Sept. 17). Specialists from various government departments and agencies who were on hand to answer participants' questions, since Part One of the hearing was designed to provide information. Local authorities had delegated representatives, who raised local water-related concerns. The debate could deal with any aspect related to water: drinking water, wastewater, bottled water, hydroelectric facilities, river diversions, the effects of forestry operations on water, watercourse crossings, etc. A regional picture touching on various water-related aspects had been prepared by the Ministère de l'Environnement.

Hearing scheduling was not ideal since the time chosen coincided with the hunting season. While this meant a lower participation rate, several dozens of people did take part in the public consultation. The event was well organized and the BAPE had hired local translators. Local authorities stated that they appreciated the hearing.

The members of the NIBI Commission noted that water was a prime concern for the three communities visited. In fact, links were drawn between water and the health problems experienced by the Crees and the changes to their traditional way of life over the years. Aspects that were raised included dam safety and changes in caribou migration routes that have led many of them to drown in lakes and streams. Several elders took the floor to explain their viewpoints on water, the traditional activities that are difficult to maintain, etc. Part Two of the hearing (submission of briefs) will be held in Radisson on October 13-14, 1999.

The commissions will have to decide whether Part Two of the hearing will be held in the Territory or elsewhere in Québec. It will be recalled that the draft protocol had not been signed by BAPE Commission chairman André Beauchamp. In this regard, the members feel that they have lost control of the protocol's whereabouts and content to some extent. Consensus was reached on the fact that Part Two of the hearing, during which briefs and reports are tabled, should be held in the Territory. The most appropriate community is Chisasibi. There was also consensus on the fact that Romeo Saganash should continue to chair the NIBI Commission, should its mandate extend beyond March 31, 2000, when the JBACE chairmanship changes. The members asked that these changes be made to the draft protocol to be discussed with André Beauchamp. The JBACE Secretary will accompany Romeo Saganash.

We are still uncertain whether the Crees will decide to produce briefs and whether they would prefer to present them in Montréal rather than Chisasibi, in order to get better press

coverage. At this point, we have no indication as to what the Crees intend to do. It would be a good idea for the JBACE Secretary to write to the local environment administrators to give them information on the various hearing phases and to find out whether they are interested in submitting a brief in either location. Before returning to the Territory, we must be certain that the Crees will participate.

The members agreed that a separate chapter on the North should be drafted jointly for inclusion in the consultation report. This would allow us to use the BAPE analysts, who have a great deal of experience in the area and would not prevent the JBACE from producing its own consultation report or even a brief.

6. PRESENTATION BY CLAUDE SAINT-CHARLES

Claude Saint-Charles is the Chief of Environmental Assessment (Environment Canada's regional office). Mr. Saint-Charles thanked that JBACE for inviting him to give a presentation on the Northern ecosystem initiatives (NEI). The goal of his presentation was to give members a good idea of what the NEI, which are in the development phase, are. To obtain funding, target groups will be defined and invited to take part in the program. The JBACE could be on the list of organizations invited to participate. Mr. Saint-Charles indicated that he hoped to get the JBACE's comments, opinions and suggestions in order to better define the NEIs and that he would like to receive them by October 15, 1999. A member appointed by Québec believes that Québec was not consulted on this subject and, consequently, that she must stick to Québec's position (Québec is asking for the right to opt out with compensation) and abstain from commenting on the NEIs.

The text of Mr. Saint-Charles's presentation is enclosed with this set of JBACE minutes.

7. REVIEW OF SECTION 22 OF THE JBNQA

The JBACE had already formed a working group to work on the review of Section 22 of the JBNQA. The group had made some headway but its work came to a sudden standstill when two of its three members left. Since the federal government is reviewing the Canadian Environmental Protection Act and given the existence of the Vennat-Moses committee for implementing the Government of Canada's obligations under the JBNQA, a member of the JBACE wondered whether it would not be a good idea to reinstate the review of Section 22. Ginette Lajoie and Pierre Moses indicated that they were interested in participating in this committee. One member felt that the JBACE absolutely must receive the answers to the questionnaire that was sent out on the review of Section 22. To date, only the Québec representatives of COMEV and COMEX have given their feedback. It is important that all comments be received and analyzed before going any further in this file. Discussions on this issue will resume after the Christmas holidays.

8. FOREST MAP OF THE TERRITORY

On October 12, 1998, the JBACE wrote to Marc Ledoux to get an up-to-date summary map on the forest situation in the James Bay territory. In his December 21, 1998 letter, Rémy Girard mentioned the costs involved in acquiring maps for the JBACE. The JBACE wants to reiterate its request that it receive, free of charge, recent summary maps showing disturbances and regeneration. These maps are indispensable for commenting the forest management plans submitted for our comments under paragraph 22.3.34 of the JBNQA.

9. DRAFT LEGISLATION AMENDING THE ENVIRONMENT QUALITY ACT AND OTHER LEGISLATIVE PROVISIONS GOVERNING WASTE MANAGEMENT

During summer and fall 1999, the Ministère de l'Environnement tabled a bill amending the Environment Quality Act in order to be able to implement its waste reduction policy. The JBACE was not informed of or consulted on the changes MENV wants to make to the EQA. Given the scope and importance of these amendments, the Secretary has been mandated to study the draft legislation to determine whether the measures it contains could affect the territory governed by the JBNQA.

A member of the JBACE tabled a letter sent to Charles Bogue of the Committee on Transportation and the Environment, asking him to designate regional organizations representing the Jamesians and the James Bay Crees that will enable implementation of the new waste management provisions the government wishes to adopt.

10. VARIA

JBACE documents: One member felt that it was difficult to manage the documents sent by the JBACE Secretary since the same documents are often sent by e-mail and by fax in both French and English. After a brief discussion, the members agreed that this situation is inevitable given that the members are asked for their opinion on many different documents. All agreed that it is each member's responsibility to manage the documentation received as adequately as possible.

INRS-Culture et Société application for NSRC grant: The JBACE was informed that INRS-Culture et Société has submitted a research project on "Native knowledge and sustainable development: a new approach to decision-making". The JBACE is very pleased about this initiative and would like to support this project, whose findings will, no doubt, prove useful not only for the JBACE, as a decision-making element in processing the files of a social and environmental nature that it must study by virtue of its mandate, but for all

organizations interested in the Crees in the territory governed by the JBNQA. A letter of support will, therefore, be sent to the Social Sciences and Humanities Research Council for the Community-University Research Alliances Program.

\$100 000 MRN subsidy: Since the JBACE has still not received the \$100 000 funding required to comment the forest management plans, the members agreed to write to Jacques Brassard, Minister of Natural Resources, to remind him of his commitments in this regard.

June 28, 1999 letter from Forêt Québec: A member read the letter sent to the JBACE by Rémy Girard, Associate Deputy Minister, Forêt Québec, in which he discusses the comments on an amendment to the five-year forest management plan for common area 83-87 North. The Secretary answered the members' questions on this subject and all agreed that it would not be necessary to reinitiate the file, since the JBACE has received confirmation from the TSFMA holder (DOMTAR) that the MRN was informed of the special processing of this urgent amendment.

11. DATE AND LOCATION OF NEXT MEETING

The next JBACE meeting will be held in Montréal on December 7, 1999 at the Biosphère (to be confirmed).



DENIS BERNATCHEZ
Secretary

00-02-15