



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 122nd MEETING
OF THE JAMES BAY ADVISORY COMMITTEE
ON THE ENVIRONMENT
(ADOPTED)**

DATE: July 11, 2001

PLACE: 400 Youville, Montréal

PRESENT: Yves Désilets, Canada
Sam Etapp, CRA
Marian Fournier, Québec
Willie Iserhoff, CRA
Claude Langlois, Canada
Jacques Lefebvre, Québec
John Paul Murdoch, CRA, Vice-Chairperson
Jacques Robert, Canada
Diom Romeo Saganash, CRA, Chairperson

Denis Bernatchez, Executive Secretary

ABSENT: Carole Garceau, Québec
Pierre Moses, Québec
Harm Sloterdijk, Canada

GUESTS: Ginette Lajoie, CRA
Audrey Wu, Observer

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

The Chairperson welcomed the members and called the 122nd meeting of the JBACE to order. The following agenda was adopted.

1. Call to order and adoption of agenda
2. Follow-up to 120th meeting
3. Approval of minutes of the 118th, 120th and 121st meetings of the JBACE and of the meeting with the Federal Administrator
4. JBACE secretariat
5. BAPE report on water management
6. Discussion of the form of JBACE meeting minutes
7. JBACE annual reports for 1999-2000 and 2000-2001
8. Forestry
9. Other business
10. Date and place of next meeting

2. **FOLLOW-UP TO 120th MEETING**

Follow-up to the 120th meeting was carried out based on the February 19, 2001, memorandum. Claude Langlois told the members that he had not prepared the text on protected areas. Should one be needed, he is willing to draft it.

3. **APPROVAL OF MINUTES OF THE 118th, 120th AND 121st MEETINGS OF THE JBACE AND OF THE MEETING WITH THE FEDERAL ADMINISTRATOR**

The minutes of the 118th and 120th meetings were approved with changes. The minutes of the 121st meeting were approved as tabled. Following a discussion, the members decided that the JBACE's meeting with the Federal Administrator would be considered as a regular meeting, to be numbered 121-A so as not to have to shift the numbering of meetings. The minutes of the 121-A meeting were approved with changes.

4. **JBACE SECRETARIAT**

The members asked the executive secretary to prepare, in consultation with the moving subcommittee, a draft memorandum of understanding between the JBACE and HFTCC. This MOU should be simple, flexible, equitable, based on equal cost-sharing (50/50 basis) and reviewed annually. Thus, the cost of services for the months of August and September (\$1200) as well as the costs of any leasehold improvements should be shared equally between the two committees.

A JBACE secretariat moving subcommittee composed of Ginette Lajoie (CRA), Marian Fournier (Québec) and Claude Langlois (Canada) was formed to solve any working problems that may arise, in keeping with the above principles of the MOU. The subletting process is moving along smoothly; an agreement is expected to be reached shortly. The designated representatives of the two committees should be signing the lease sometime soon.

In terms of human resource requirements, the members consider that the JBACE needs a full-time executive secretary, a full-time analyst, and a secretary/receptionist to be time-shared with the HFTCC. Given that mandates change over time, we need to think about hiring generalists rather than specialists. Until the new staff members are hired, a transition period with the executive secretary is needed so that the secretariat can continue to operate normally. It was therefore decided to write to the Deputy Minister of the Environment to request that the executive secretary's collaboration be extended.

The secretary will prepare job descriptions for the secretariat staff members and submit them to the moving subcommittee.

5. **BAPE REPORT ON WATER MANAGEMENT**

A Cree member brought up the letter the JBACE wrote to the Abitibi-Témiscamingue regional office of MENV on November 28, 2000, requesting a status report on drinking water systems in the Cree communities and information about the existing administrative agreement on water quality management. The letter was written in response to a request from the operations managers of the Cree communities. The members agreed that the reply received from the regional director, Jocelyn Roy, was unsatisfactory and that the JBACE should take the matter up again with MENV. The Drinking Water Regulation has been amended, and the communities need to know the legal, technical and financial implications.

It was therefore decided to have the related letters translated and to inform the operations managers of the action the JBACE intends to take. The JBACE will write to the Deputy Minister of the Environment about the matter, and will ask Indian and Northern Affairs Canada for its financial support.

It would also be important to determine the cost of the work to be carried out. The executive secretary will contact Martin Desgagné (CRA), an expert in the field, to request a cost estimate. The results will be sent to MENV and DIAND.

During the discussion, there was a difference of opinion over the JBACE's responsibility under paragraph 22.3.33 of the JBNQA. Some felt that if the JBACE is unable to obtain the requested information from the government, then it should obtain the information at its own cost.

Others felt that the JBACE's role is limited to requesting information from the government and that if the government does not want to provide the information, the JBACE should not have to pay to obtain it. According to these members, that would be setting a dangerous precedent. The JBACE has limited financial resources as it is. Responsibility for controlling the quality of drinking water falls to the communities themselves.

The executive secretary informed the members that the \$30 000 earmarked to comment on the BAPE report on water management is no longer available as of March 31, 2001. A Québec member thought it would be useful to ask the Québec government for its legal opinion on the meaning of 22.3.33 of the JBNQA. He will take care of it himself.

Discussion of the BAPE report was carried over to the next meeting.

6. DISCUSSION OF THE FORM OF JBACE MEETING MINUTES

Opinions were divided on this issue as well. Some members felt that the minutes are too detailed and should be limited to recommendations and decisions. Approval of the minutes has become complicated and is taking longer all the time. Some suggested recording the meetings to avoid disputes. Others felt that the minutes are appropriate and help understand the exchanges that take place during meetings. Since the JBACE was established as a forum for discussion, it would not be right to limit the minutes to decisions.

The matter of identifying who said what in the minutes was also discussed. It was decided that only those members who ask to be named in the minutes will be identified. Otherwise, the current rule applies, i.e. only the party to which the member belongs will be indicated. The executive secretary will try and make the minutes shorter.

7. **JBACE ANNUAL REPORTS FOR 1999-2000 AND 2000-2001**

The members decided to discuss only the 1999-2000 annual report.

The Chairperson said that all of the members received a copy of Ginette Lajoie's comments on the draft 1999-2000 annual report. This version has been approved by the Cree party. The federal and Québec members felt that the annual report drafted by the executive secretary was fine and that minor changes would have been sufficient. They disagreed with the changes made by Ginette Lajoie, deeming that she completely rewrote the text.

The members decided to form an annual report subcommittee composed of John Paul Murdoch, Pierre Moses and Claude Langlois. The working group is scheduled to meet on September 6, 2001, in Montréal. The annual report prepared by the executive secretary will serve as the baseline document for discussion.

8. **FORESTRY**

The executive secretary went over the highlights of this issue. The JBACE received a subsidy in the amount of \$100 000 to comment on forest management plans, which has not been spent yet.

The forestry subcommittee had proposed a mandate, which the JBACE was to approve. Last spring, the Cree party seemed hesitant to approve the proposed mandate. The subcommittee members had wanted to improve the situation, enlighten the debate and examine the problems existing between the Cree communities and forest companies. The proposed mandate was submitted to the JBACE members a second time for review and comment.

A new forestry subcommittee was formed. Its members are: Marian Fournier, John Paul Murdoch (chair), René Dion, Jacques Robert and Denis Bernatchez. It was agreed that the subcommittee members would submit the mandate to their respective colleagues for comment. The document will then be submitted to the JBACE for approval, after which it will be translated.

The working group is to meet on August 14, in Montréal. Since the secretary will be on holidays then, the chair of the subcommittee is charged with organizing the meeting.

9. **OTHER BUSINESS**

No items were added to the agenda.

10. **DATE AND PLACE OF NEXT MEETING**

The next meeting of the JBACE will be held on October 4 and 5, in Mistissini. Sam Etapp agreed to contact the Band Council to arrange the meeting.



Denis Bernatchez
Executive Secretary

2002-01-24