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REUNION DU CCEBJ # 124
COMPTE RENDU

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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 124th MEETING
OF THE JAMES BAY ADVISORY COMMITTEE
ON THE ENVIRONMENT
(ADOPTED)**

DATE: January 23, 2002

PLACE: Marie-Guyart building
Québec City

PRESENT: Yves Désilets, Canada
Marian Fournier, Québec
Carole Garceau, Québec
Willie Iserhoff, CRA
Pierre Moses, Québec
Alan Penn, Vice-Chairperson
Jacques Robert, Canada
Diom Romeo Saganash, CRA, Chairperson

Denis Bernatchez, Executive Secretary

ABSENT: Sam Etapp, CRA
Claude Langlois, Canada
Jacques Lefebvre, Québec
Harm Sloterdijk, Canada

GUEST: Ginette Lajoie, CRA

1. CALL TO ORDER AND ADOPTION OF AGENDA

The Chairperson welcomed the members and called the 124th meeting of the JBACE to order. The following agenda was adopted:

1. Call to order and adoption of agenda
2. Follow-up to 122nd meeting
3. Approval of minutes of the 122nd and 123rd meetings
4. JBACE annual reports for 1999-2000 and 2000-2001
5. Forestry, RNI
6. Signing of agreement between the JBACE and HFTCC
7. Administrative agreement with MENV
8. Other business: Bill C-19
JBACE administrative committee
9. Date and place of next meeting

2. FOLLOW-UP TO 122nd MEETING

Follow-up to the 122nd meeting was carried out based on the July 18, 2001 memo. The following items were discussed:

- Organization of material resources in the Montréal office: The executive secretary went over the work that has been completed: carpets have been changed, offices have been painted, computers have been purchased, meeting room has been furnished, new telephone system has been installed. Work remaining: finish furnishing the executive secretary's office, buy filing cabinets and a laser printer, and install the mini-networking system. All of this will be done in the coming weeks.
- Office staff: A secretariat officer was hired and started work at the beginning of January 2002. Her name is Louise Bélanger. She was recruited through the human resources firm ADECCO.
- ADECCO's services were also hired to recruit a new executive secretary. The subcommittee prepared a job description and staff interview questionnaire, and the position was posted in various electronic media and in *La Presse*. ADECCO screened the job applicants and conducted the first set of interviews. The subcommittee then interviewed two potential candidates and decided on Marc Jetten. The executive secretary will contact Mr. Jetten to offer him the job if he is still interested. If so, the Chairperson will write a letter formally offering Mr. Jetten the job and stipulating the initial employment conditions. Initially, these conditions will be based on the HFTCC's human resources policy; however, the JBACE needs to adopt its own policy. ADECCO guarantees the people it recruits

for a period of four months. The JBACE members agreed on a maximum probation period of 12 months. It was suggested that the Committee follow the same procedure in recruiting an analyst. The executive secretary will draft a job description and submit it to the responsible parties.

At the end of the discussion, the members asked that the JBACE pass a resolution sanctioning the candidate chosen by the subcommittee.

James Bay Advisory Committee on the Environment (JBACE) Resolution 2002-01-23-01 regarding the hiring of a new executive secretary and his authority to sign cheques and other bank instruments on behalf of the JBACE.

CONSIDERING that a subcommittee was formed to hire a new executive secretary for the JBACE;

CONSIDERING that the subcommittee prepared a job description and hired the human resources firm ADECCO to recruit candidates and assist the subcommittee in its mandate;

CONSIDERING that, following the interviewing process and a reference check, the subcommittee considered Marc Jetten to have the profile and qualifications required to fill the executive secretary position;

CONSIDERING that the HFTCC adopted a human resources policy that can temporarily serve to define the executive secretary's employment conditions;

CONSIDERING that the JBACE intends to establish its own human resources policy very soon;

It is hereby unanimously resolved to hire Marc Jetten as the JBACE's executive secretary. Mr. Jetten will begin on February 11, 2002, at a starting salary of \$40 000 per year. For the moment, his employment conditions will be based on the HFTCC's human resources policy. The maximum probation period will be one year.

It is further resolved to authorize Marc Jetten to sign cheques and bank instruments on behalf of the JBACE.

Moved by: Yves Désilets

Seconded by: Carole Garceau

- Water management: Indian and Northern Affairs Canada has nearly completed its report on water management in the Cree communities. It was suggested that the JBACE invite Martin Desgagné (CRA) to its next meeting to share his expertise on the matter.

3. APPROVAL OF MINUTES OF THE 122nd AND 123rd MEETINGS

The minutes of the 122nd and 123rd meetings were approved as tabled.

4. JBACE ANNUAL REPORTS FOR 1999-2000 AND 2000-2001

A subcommittee composed of Claude Langlois, Alan Penn and Pierre Moses was formed to propose a final text for the 1999-2000 and 2000-2001 annual reports. The subcommittee will meet on February 20, 2002, in the JBACE's new Montréal offices.

5. FORESTRY, RNI

Marian Fournier and Romeo Saganash participated in the negotiation of the forestry agreement between the Québec government and the Crees. The JBACE members invited them to outline the agreement, which has been submitted to the James Bay Cree communities for consultation.

Briefly, the main elements of the agreement are: the forest system will be the same for the Territory as for the rest of Québec, but with special provisions; the forest system will be adapted to the Territory; a Cree-Québec joint committee will be set up in each community to foster cooperation and information exchange; a Cree-Québec forestry committee will be created and composed of five members appointed by the Crees, five members appointed by Québec, and a chairperson; A new complementary agreement to the JBNQA will be introduced; the agreement proposes major improvements for settling disputes and implementing better forest harvesting and management rules in the Territory.

The proposed Cree-Québec agreement will not take the form of a regulation, but will override the provincial regulations.

Consultations, which last two days in each community, should be completed sometime around January 29, 2002. All Cree communities will be consulted.

Since the agreement is to be signed on February 7, it will be important for the JBACE, whose mandate is to oversee enforcement of the environmental and social protection regime in the Territory, to get Ottawa's position on the issue.

Forestry subcommittee: A member requested a report on the forestry subcommittee's activities. The two subcommittee members present at the meeting briefly explained the work carried out. The last meeting was held on August 14, 2001. The subcommittee prepared a proposal for the JBACE's mandate to comment on forest management plans (par. 22.3.34, JBNQA) and submitted it to John Paul Murdoch for comment; his comments have not been received yet. There have been no developments since then. It is important to mention, however, that the draft Cree-Québec agreement on forestry reflects the openness expressed in the mandate prepared by the forestry subcommittee. The subcommittee members consider that

they have completed their mandate. Should the subcommittee be needed to study other issues, it will be up to the JBACE to make it active again.

RNI: The MRN had invited the JBACE to comment on proposed amendments to the Regulation respecting standards of forest management for forests in the public domain (RNI). The Chairperson prepared a letter expressing the JBACE's views; however, given the draft forestry agreement between the Crees and the Québec government, the members feel it is no longer useful or even relevant for the JBACE to comment on the draft regulation. Consequently, the letter prepared by the Chairperson will not be sent, and the RNI file is closed.

6. **SIGNING OF AGREEMENT BETWEEN THE JBACE AND HFTCC**

James Bay Advisory Committee on the Environment (JBACE) Resolution 2002-01-23-02 regarding the signing of a memorandum of understanding between the JBACE and the HFTCC.

CONSIDERING that the JBACE has taken steps to have its secretariat share offices with the HFTCC;

CONSIDERING that an administrative agreement needs to be signed with regard to the grouping of the two secretariats;

CONSIDERING that the JBACE and the HFTCC both formed subcommittees to prepare a draft administrative agreement;

CONSIDERING that the proposed memorandum of understanding deals with the basic principles to be respected, the costs assumed by each committee, composition of the administrative subcommittee, dispute settlement, and amendment of the MOU;

CONSIDERING that the parties agreed on a final version that is to the satisfaction of both committees;

It is hereby unanimously resolved to authorize the JBACE Chairperson to sign the memorandum of understanding between the JBACE and the HFTCC signed by the chairperson of the HFTCC's administrative committee on December 11, 2001.

Moved by: Pierre Moses

Seconded by: Jacques Robert

7. **ADMINISTRATIVE AGREEMENT WITH MENV**

In response to the JBACE Chairperson's letter of December 7, 2001, the Québec Environment Minister sent the JBACE a draft administrative agreement concerning the maintenance and operation of the JBACE and COMEV secretariats. The document was submitted the morning of the day of the meeting, which did not leave

the members enough time to comment on it. MENV undertook to have the draft agreement translated. The English version will be sent to the Cree members as soon as it is available.

An administrative committee was formed (see Item 8 below) to study the draft agreement and possibly prepare a counter-proposal.

8. OTHER BUSINESS

Bill C-19: In March 2000, the JBACE submitted its comments on the five-year review of the Canadian Environmental Assessment Act (CEAA) to the federal Environment Minister. The House of Commons Standing Committee on Environment and Sustainable Development is now getting ready to study amendments to Bill C-19. Ginette Lajoie proposed that the JBACE submit the same brief it prepared in March 2000 given that none of its recommendations were acted on. Ms. Lajoie stressed the urgency of requesting a hearing given that the hearings have apparently already begun, or are about to begin. The Chairperson agreed to go to Ottawa to meet with the House of Commons Standing Committee. The hearings are to be held in February.

Alan Penn was against the proposal and asked that his dissent be recorded in the minutes. The initial consultation was for the five-year review of the CEAA, whereas now it deals with amendments to the Act. These are two totally different exercises.

The Québec members see no reason to submit a brief on the CEAA amendments. In principle, they are against any federal intrusion into areas of provincial jurisdiction, especially the environment.

Following the discussion, and considering the urgency of the matter expressed by Ginette Lajoie, the executive secretary was asked to contact the House of Commons to arrange for the JBACE Chairperson to present the Committee's brief under the review of the CEAA amendments. Claude Langlois will be invited to accompany the Chairperson to Ottawa.

JBACE administrative committee: A representative of Canada proposed that the JBACE form an administrative committee to deal with day-to-day business such as human resources management, personnel evaluation, purchases of goods and furniture, and budget management.

**James Bay Advisory Committee on the Environment (JBACE)
Resolution 2002-01-23-03 regarding the creation of an administrative
committee**

CONSIDERING the JBACE secretariat's move to Montréal and the resulting administrative and financial autonomy for the Advisory Committee;
CONSIDERING that the structure of the JBACE is relatively unwieldy when it comes to solving routine management problems;

It is hereby unanimously resolved to form an administrative committee composed of representatives of each of the member parties of the JBACE, namely Carole Garceau, Claude Langlois and Romeo Saganash. Any party may change its representative by notifying the other parties.

Moved by: Yves Désilets

Seconded by: Alan Penn

The administrative committee will hold its first meeting on February 13, in Québec City. Marc Jetten will be invited to attend. The committee is to discuss the administrative agreement with MENV, the JBACE's human resources policy, and staffing of the analyst position.

9. DATE AND PLACE OF NEXT MEETING

The JBACE will hold its next meeting on March 13, 2002, in the meeting room (C-220, mezzanine) of the new Montréal office, 383 rue Saint-Jacques, at 9:30.

Denis Bernatchez
Executive Secretary

2002-01-24

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