

la Convention
de la Baie-James
et du Nord québécois

Comité consultatif
pour l'environnement
de la Baie-James

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NOTICE OF MEETING

129th Meeting of the James Bay Advisory Committee on the Environment (JBACE)

The 129th meeting of the JBACE will be held on **Wednesday, November 20, 2002**, in the René-Lévesque boardroom, 26th floor, Édifice Marie-Guyart (formerly the «Complexe G»), 1035, rue de la Chevrotière, Québec City. The meeting will begin at **9:30 a.m.**¹

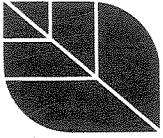
Proposed agenda:

1. **Call to order and adoption of the agenda**
2. **Approval of Minutes of the 128th Meeting**
3. **Follow-up to the 128th meeting**
4. **10:00 Presentation from France Brûlé, Geneviève Corfa, Anne Lussier, Philippe Mora and Jean-Jacques Fournier, all of the SEBJ, outlining the Eastmain 1 and Eastmain 1A/Rupert projects as well as the environmental monitoring of Eastmain 1 (see the enclosed document prepared by Réjean Gagnon)**
5. **12:30 Lunch in the company of Denis Bernatchez, former executive secretary, at the «Paris-Brest» restaurant**
6. **Adoption of 2001-2002 financial statement**
7. **Adoption of 2002-2003 budget proposal**
8. **Adoption of 2000-2001 Annual Report**
9. **JBACE Action Plan**
10. **Modifications to forestry management plans**
11. **The Nionatta Project on Native forestry**
12. **Other Business**


Marc Jetten
Executive secretary

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¹ A proxy form can be faxed, if necessary, to members who won't attend.



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**MINUTES OF THE 129th MEETING
OF THE JAMES BAY ADVISORY COMMITTEE
ON THE ENVIRONMENT**

(ADOPTED)

- DATE:** November 20, 2002
- PLACE:** Édifice Marie-Guyart, Québec City
- PRESENT:** Jean Comtois, Canada
Louise Labrie, Canada
Claude Langlois, Canada, Chairperson
Jacques Robert, Canada
Marian Fournier, Québec
Carole Garceau, Québec, Vice-Chairperson
Pierre Moses, Québec
Denis Vandal, Québec
Glen Cooper, CRA
Alan Penn, CRA, Advisor
Marc Jetten, Executive Secretary
- ABSENT:** Sam Etapp, CRA
Willie Iserhoff, CRA
- SEBJ GUESTS (afternoon):** France Brûlé
Geneviève Corfa
Jean-Jacques Fournier
Anne Lussier
Philippe Mora

1- **Call to order and adoption of agenda**

The Chairperson welcomed the members. At Philippe Mora's request, the SEBJ presentation will take place in the afternoon. The following items were added to "Other business":

- Letter from COFEX-South
- Eastmain drinking water by-law
- Natural Heritage Conservation Act

2. **Adoption of minutes of the 128th meeting**

The minutes were adopted with the requested changes.

3. **Follow-up to 128th meeting**

Item 5: Metal mining effluent regulations

The Chairperson was not satisfied with the draft letter to Environment Canada reminding it of the JBACE's role. The letter will be revised and then sent to the federal environment minister.

Item 6: Regulation respecting the elimination of residual materials

Following the regulation's planned adoption, René Binette will be invited to meet with the JBACE to explain how MENV intends to enforce the regulation in the James Bay region.

Item 8: Mailing list for adopted minutes

The Kativik Environmental Quality Commission (KEQC) will be added to the mailing list. The secretary will contact Hydro-Québec and the SDBJ (Société de développement de la Baie James/James Bay Development Corporation) to ask whom the adopted minutes should be sent to.

4. **Adoption of 2001-2002 financial statements**

"Cash in hand" as at March 31, 2002, will be added to the financial statements, which were adopted with that change.

At its next meeting, the JBACE will discuss the use of the \$100 000 subsidy received from the MRN in December 1999.

5. Adoption of budget forecast for 2002-2003

The amounts in section 1.3 will be specified, i.e. \$30 000 for COMEV secretariat expenses and salaries, and \$12 000 for the expenses of the Cree representatives on COMEX and COFEX-South.

The following items were revised downwards:

- Printing: \$10 000
- Web site: \$ 2 000
- Professional services: \$ 5 000

The budget forecast, totalling \$247 000, was adopted with the above changes.

6- Adoption of 2000-2001 Annual Report

The 2000-2001 Annual Report was adopted as tabled.

7- Action plan

Only the CRA representatives submitted their comments to the secretariat in writing. The members for Québec and the members for Canada wish to meet before discussing the action plan at the JBACE. *Following those meetings, each party will appoint a delegate to the subcommittee in charge of revising the draft action plan according to the common priorities.*

8- Changes to forest management plans

Marian Fournier, of the MRN's forestry division, said that the JBACE's April 2002 proposal received a favourable response; in fact, the Department is preparing to send an official reply. A number of changes to forest management plans continue to be submitted to the JBACE, however, because they do not result from implementation of the forestry provisions of the Cree-Québec Agreement.

Marian is willing to meet with Alan Penn, of the CRA, to determine whether the changes should continue to be submitted to the JBACE and, if not, determine the best way to inform those concerned.

9- SEBJ presentation on Eastmain 1 and Eastmain 1-A/Rupert¹

Philippe Mora outlined the Eastmain 1 project, for which the Nadoshtin Agreement was signed between the Grand Council of the Crees, the chiefs of four Cree communities, Hydro-Québec and the SEBJ. This agreement establishes the Nadoshtin Compane, whose board of directors is composed of a majority of Crees, to supervise the environmental aspects of the project and ensure that the Cree communities receive the predicted economic benefits. The agreement also a technical and environmental committee, which reports to the Compane and is specifically mandated to oversee the environmental studies conducted in relation to EM 1.

The government authorizations required for Eastmain 1 were issued in 1993. Given that the characteristics of the project have changed since then, the SEBJ applied to the MENV regional office to amend the certificates of authorization. Construction of the access road and other infrastructures will begin in spring 2003. The EM 1 reservoir will be 600 km² in size and affect five traplines. The power plant will begin operations in 2008.

According to Mr. Mora, the EM 1 project complies not only with the Nadoshtin Agreement, but also with the JBNQA, Québec and federal laws and regulations, and Hydro-Québec standards. The Crees and Hydro-Québec both sit on all working groups, but consult the government departments or agencies involved as needed. The environmental monitoring protocol, among other things, is always submitted to the governments for approval.

The EM 1 draft-design provides for five studies on the ice regime, floating bogs, deforestation by natural agents, benefits for Cree enterprises, and hunting and fishing by construction workers. The first three studies are also provided for in the Nadoshtin Agreement, in addition to a fourth study, on erosion downstream from the spillway.

Environmental monitoring of EM 1

1 Documents available at the secretariat:

- Printed copy of the PowerPoint presentation
- Brief guide to road construction (Environmental Protection) (in French)
- Construction activities, 2002-2008: General guidelines for workers (in French)
- Remedial action monitoring: Cree Construction and Development Company (in French)
- Environmental requirements: Cree Construction and Development Company (in French)
- Environmental monitoring: EM-1 work camps and services, Phase I (in French)
- Authorization conditions implementation management (in French)
- Accidental spill contingency plan (in French)

France Brûlé is currently the only person assigned to environmental monitoring of the EM 1 project. Additional staff will be hired in spring 2003, when the work becomes more extensive. Ms. Brûlé's job is to ensure that subcontracted work complies with Hydro-Québec's environment code and the draft-design guidelines. In the event of non-compliance, she may contact the contract administrator who, if necessary, orders work to be stopped. Mr. Mora said that the register of infraction notices issued by the administrator can be consulted at the construction site.

The fact that the Engineering and Environment divisions are under the same roof at the SEBJ facilitates the integration of mitigation measures into plans and specifications.

Eastmain 1-A/Rupert draft-design impact studies²

Geneviève Corfa explained that the draft-design impact studies could build on the numerous data collected during phases I and II of the La Grande complex and on the studies conducted for the NBR project. However, updating and completing data banks requires new research. Modelling measures will be put in place for Rupert River and Bay, both of which will be affected by reduced flow rates.

The SEBJ is putting together an inventory of the activities of all land users, i.e. the Crees, Jamesians and tourists. An inventory of archeological sites will also be conducted. So far, 43 such sites have been identified.

Questions

A member for Québec asked if the James Bay Municipality would be consulted on the development plans for EM 1 and the disposal of residual and hazardous materials. Mr. Mora said it was possible. Ms. Brûlé explained that subcontractors ship hazardous substances to other regions for disposal, after obtaining the required transportation and disposal permits.

In reply to a question concerning mercury concentrations in reservoirs, Mr. Mora said that the SEBJ is considering various scenarios for removing part of the biomass prior to flooding, including intensive fishing and burning. Either of these methods would mitigate decomposition in the new reservoir and thereby reduce mercury levels in the water. The goal is to minimize mercury exposure from fish consumption.

2 For additional information, see the minutes of the SEBJ information and exchange table meetings on Eastmain 1-A/Rupert sent to the members by the executive secretary.

Deforestation will have no effect on mercury levels. The majority of cutting will be carried out near riverbanks and lakeshores and in drawdown zones so as to facilitate boat access. Due to the difficult access, the timber is not commercially valuable and so will be burned or recovered by the Crees for household use.

In response to a question, Mr. Mora was unable to say which organization the impact statement for the Eastmain 1-A/Rupert project would be submitted to. Talks are currently under way between the governments, and the final agreement, if one is reached, will determine the involvement of the committees established by Section 22 of the JBNQA.

The meeting was adjourned. *The remaining items on the agenda will be discussed at the Committee's next meeting, which will be held on January 15-16, 2003, in Waskaganish.*



Marc Jetten

Executive Secretary

November 25, 2002