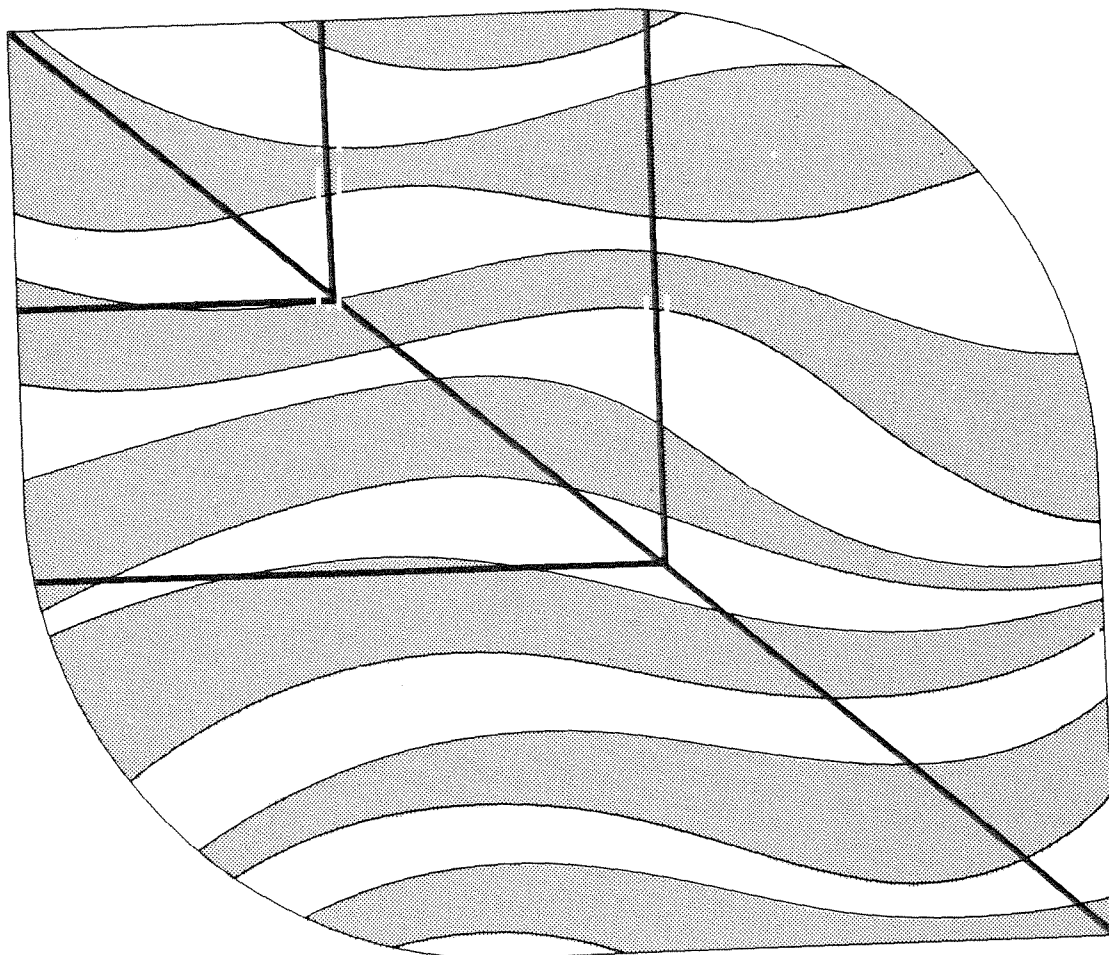


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the James Bay  
and Northern  
Québec Agreement



**The James Bay  
Advisory Committee  
on the Environment**

Annual Report 1985-1986

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Québec 

**ANNUAL REPORT  
1985-1986**

**THE JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT**

**GAWESHOUWAITEGO ASGEE WESHOUWEHUN**

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Mr. Clifford Lincoln  
Minister of the Environment  
Parliament Buildings  
Québec City, Québec

Dear Sir:

I have the honour to submit the report of the activities of the James Bay Advisory Committee on the Environment for the year ending March 31, 1986.

Yours very truly,

Pierre P. Marchand  
Chairman of the Committee

Mr. Pierre Lorrain  
Speaker of the National Assembly  
Parliament Buildings  
Québec City, Québec

Mr. Speaker:

I have the honour to submit the report of the activities of the James Bay Advisory Committee on the Environment for the year ending March 31, 1986.

Yours respectfully,

Clifford Lincoln  
Minister of the Environment

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## MESSAGE FROM THE PRESIDENT

The year 1985-1986 saw a major turning point in the development of the James Bay territory when the impact study procedure for two large-scale developments was initiated. Those developments are the construction of an additional hydro-electric power plant on the La Grande River and construction of a direct current electric power transmission line extending across the James Bay territory up to the Canadian-American border.

In the face of irregularities in the application of the environmental and social impact assessment and review procedure, the Committee acted to ensure prompt submission of those development projects for environmental authorization.

The installation of an additional hydro-electric power plant (LG-2A) on the La Grande River has raised several problems related principally to changes in the river's hydrological system that may have repercussions on its estuary and on the eastern shore of James Bay. Those repercussions and the high mercury levels found in fish from the reservoirs prompted the Committee to undertake a study of federal water conservation and management policies.

Publication by the Gouvernement du Québec of a consultation document on research and development in the sector of the environment entitled "Valoriser le futur" gave the Committee the opportunity to bring to the fore some of its concerns about the technical and scientific exactness of current impact studies and the improvement of environmental monitoring. Examination of the circumstances surrounding the Caniapiscau River caribou drownings, which occurred in the year preceding this report, has also shown the importance of monitoring major works after they are built.

The Committee pursued its study of regional development within the James Bay territory. In that context, it participated in a study of the possible establishment of regional county municipalities in the territory. The file has particular significance for the Committee in the perspective of logging operations in the region eventually being integrated into a regional land use plan.

The file on logging operations has become more pressing since the publication of the White Paper entitled "Bâtir une forêt pour l'avenir". The new policy would change the current method of forest management and have a direct effect on the Committee's terms of reference. Meetings with the Ministère de l'Énergie et des Ressources have enabled the Committee to grasp the various implications of the policy more fully.

ANNE-MARIE AWASHISH



**FOREWORD**

The James Bay Advisory Committee on the Environment is a body that was set up pursuant to Chapter 22 of the James Bay and Northern Québec Agreement and Divisions I and II of Chapter II of the Environment Quality Act (R.S.Q., c.Q-2). Its main responsibilities are defined in section 140 of the Environment Quality Act. The Committee may act as the preferential and official forum and is consulted when the governments of Québec and of Canada, the Cree Regional Authority, the Cree village corporations, the Bands, the Regional Zone Council and the municipalities, each within its respective jurisdiction, draw up laws and regulations regarding environmental and social protection in the James Bay territory. It is also the Committee's duty, through free exchange of views and information, to oversee the application of Chapter 22 of the Agreement and to ensure administrative supervision of the Evaluating Committee.

The head office of the Advisory Committee is at Baie-du-Poste, Lac Mistassini. Administrative support for its secretariat in Québec City is provided by the Ministère de l'Environnement du Québec. The budget of the Committee's secretariat must be approved each year by the Minister and is financed by the National Assembly. The Minister is authorized to claim funds from the Government of Canada which provides half of the budget (s.139). The Advisory committee also provides the necessary secretariat services to the Evaluating Committee (s.150).

Four of the thirteen members of the James Bay Advisory Committee on the Environment are appointed by the Cree regional Authority, four by the Government of Canada and four by the Gouvernement du Québec. In addition, the Chairman of the Hunting, Fishing and Trapping Coordinating Committee, or its Vice-Chairman in certain cases, is an ex officio member of the Advisory Committee (s.135).

The Cree Regional Authority assumed the Chairmanship and Vice-Chairmanship of the Committee for 1985-1986.

The Advisory Committee, which is in its eighth year of activity, held four regular meetings and one special meeting in 1985-1986. The Evaluating Committee held three meetings.

The first chapter of this document describes the main activities of the James Bay Advisory Committee on the Environment in 1985-1986 and the second chapter, those of the Evaluating Committee for the same period.

CHAPTER I

THE JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

GAWESHOUWAITEGO ASGEE WESHOUWEHUN

## CHAPTER I

### THE JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT GAWESHOUWAITEGO ASGEE WESHOUWEHUN

#### 1.1 ROLE AND DUTIES OF THE JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

The James Bay Advisory Committee on the Environment (JBACE) is consulted as the preferential and official forum by the governments of Québec and of Canada, the Cree Regional Authority, the Cree village corporations, the Bands, the Regional Zone Council and the municipalities in the territory when they draw up laws and regulations each within its respective jurisdiction, concerning environmental and social protection in the James Bay territory (s. 175 of the Environment Quality Act). The Committee is also consulted on major issues regarding the implementation of the environmental and social protection regime and land use measures.

The Committee may make any recommendation it deems appropriate and communicates its decisions and recommendations to the governments and administrations concerned for their attention, consideration and appropriate action, as the case may be.

It is the Committee's duty to oversee, through free exchange of views and information, the application of Chapter 22 of the Agreement and to ensure the administrative supervision of the Evaluating Committee. For that purpose, it may, in particular:

- a) recommend the adoption of laws, regulations and other measures designed to improve the protection of the environment and of the social milieu (s. 140);
- b) consider and formulate recommendations concerning laws, regulations and administrative procedures dealing with the environment, the social milieu and land use (s. 140);

- c) consider and formulate recommendations concerning environmental and social impact assessment and review mechanisms and procedures (s. 140);
- d) transmit its comments, if any, within ninety days in regard to the management and development plans for public forests on Cree territory governed by the Agreement that the Minister of Energy and Resources must transmit to the Advisory Committee for consideration and comment before their approval (s. 144);
- e) upon request, put at the disposal of the Cree village corporations and the Bands the information, technical or scientific data and the advice and technical assistance it obtains from time to time from a government or a government agency (s. 146).

In 1979, the Committee adopted rules of internal management to govern its operation (R.R.Q., 1981, c. Q-2, r. 21). The rules were published in the Gazette officielle du Québec in 1982. The Committee also retains the services of specialists whose advice or expertise may be required.

The files pertaining to the Committee's terms of reference require expertise in several fields. Subcommittees have consequently been set up to examine questions related to municipal infrastructures, regulations, forestry and ecological monitoring. The subcommittees are composed of Committee members and, as the case may be, resource-persons who are not Committee members but who have expertise in the field in question. Subcommittees submit their recommendations to the Plenary Committee. Follow-up on Committee decisions and the administration of current business are ensured by the Executive Subcommittee, which is

composed of the Chairman and at least one member appointed by each of the two other parties.

**1.2 COMPOSITION OF THE JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT FOR 1985-1986**

The Chairman and the Vice-Chairman for 1985-1986 were designated by the Cree Regional Authority.

At the beginning of the current year, members were as follows:

Chairmen:            Mr. Thomas Coon (until November 1985)  
                         Cree Regional Authority

                         Mrs. Anne-Marie Awashish (from December 1985)  
                         Cree Regional Authority

Vice-Chairman:    Mr. Alan Penn  
                         Cree Regional Authority

Secretary:         Mr. Marc-Alain Côté

Members:           Mrs. Jeannine Auger  
                         Gouvernement du Québec

                         Mr. Philip Awashish (until December 1985)  
                         Cree Regional Authority

                         Mr. James Bobbish (from December 1985)  
                         Cree Regional Authority

                         Mr. Jean-Claude Dubé  
                         Government of Canada

                         Mr. Sam Etapp  
                         Cree Regional Authority

Mr. Antonio Flamand  
Gouvernement du Québec

Mr. Peter Foggin  
Gouvernement du Québec

Mr. Louis-Edmond Hamelin  
Government of Canada

\*Mrs. Ginette Lachance  
Government of Canada

Mr. Yves Leclerc  
Government of Canada

Mr. Charles Martijn  
Gouvernement du Québec

Mr. George Lameboy (from December 1985)  
2nd Vice-Chairman of the Hunting, Fishing and  
Trapping Coordinating Committee

\*Mr. Pierre Marchand replaced  
Mrs. Lachance from June 1985

**1.3 ACTIVITIES OF THE JAMES BAY ADVISORY COMMITTEE ON THE  
ENVIRONMENT IN 1985-1986**

**1.3.1 MONITORING THE ENVIRONMENTAL PROTECTION REGIME IN THE  
JAMES BAY TERRITORY**

As mentioned above, the James Bay Advisory Committee on the Environment has been mandated to ensure the proper operation of procedures related to the application of the environmental and social protection regime in the James Bay territory.

In this perspective, the Committee must keep abreast of the methods of operation of the Evaluating Committee, the Provincial Review Panel and the Federal Review Panel. The latter is involved when the projects submitted fall under federal jurisdiction.

Since certain development projects are likely to have an impact on the hunting and fishing activities of Native people, the links between the bodies mentioned above and the Hunting, Fishing and Trapping Coordinating Committee, provided for in Chapter 24 of the Agreement, may be especially important.

#### 1.3.1.1 Municipal infrastructures in Cree Villages

The James Bay Advisory Committee on the Environment met with the acting regional director of the Ministère de l'Environnement at Radisson to analyze the community infrastructure inspection report that its Regional Branch drew up for the Cree communities in the summer of 1985.

The Committee endorsed several recommendations in the inspection report, particularly those regarding the improvement of water chlorination systems and solid waste management procedures.

The Regional Branch of the Ministère de l'Environnement at Radisson and the Cree Regional Authority will continue their examination of existing municipal infrastructures in Cree villages with a view to recommending to the Federal Review Panel that certain steps be taken so that such infrastructures may be authorized by local administrators.

### 1.3.1.2 Additional equipment of LG-2

Adding a hydro-electric power plant (LG-2A) to increase current capacity by approximately 2000 MW was the subject of a notice of intention sent by the Société d'Énergie de la Baie-James to the Ministère de l'Environnement du Québec in August 1979. At that time, the provincial administrator had informed the Crown Corporation that it would be required to submit its project for authorization as soon as the details of the project were settled.

During the summer of 1985, the Advisory Committee learned from documents Hydro-Québec tabled in the National Assembly when submitting its equipment program that the construction of LG-2A would begin shortly, since Hydro-Québec would be in a position to produce electricity by 1992-1994.

Concerned about compliance with environmental procedures, the James Bay Advisory Committee on the Environment immediately asked the Minister of the Environment to ensure that Hydro-Québec submits its application for authorization of the project as soon as possible, so that an environmental and social impact assessment and review can be carried out as the procedure provides.

The impact assessment procedure began in the fall of 1985. Hydro-Québec then tabled the impact study prepared by the Société d'Énergie de la Baie-James. That text served as the basis for assessing the project. Additional information and studies requested by the Ministère de l'Environnement following recommendations from the Evaluating Committee were added to it. The chief environmental concerns the project raised are related to the significant increase in the flow of the La Grande River in winter, the rapid daily fluctuation in water level resulting from variations in the amount of water turbinated according to peak hours

of power demand and the consequences for the downstream part of the La Grande River, its estuary and the eastern shore of James Bay.

For the Committee, this project evokes still-fresh memories of Hydro-Québec's tendency, which was noted in the study of the Grande Baleine project and is apparently unchanged, to carry out unilateral impact studies before the Ministère de l'Environnement issues directives. The way Hydro-Québec proceeds does not respect the spirit of the environmental procedures put in place by the James Bay Agreement and the Environment Quality Act.

#### 1.3.1.3 Roadside rest areas on the LG-2-Matagami road

In 1985, the municipality of James Bay developed roadside rest areas along the Matagami-Radisson road between Matagami and Rivière Rupert.

The development of those roadside rest areas has not yet been authorized under Chapter II of the Environment Quality Act. Descriptions of the project were submitted to the Ministère de l'Environnement du Québec for assessment. The Evaluating Committee recommended that development of areas be considered part of the more encompassing project of making Radisson a permanent city and of making access to the James Bay territory possible by opening the Radisson-Matagami road to the public. The latter projects will be subject to an environmental and social impact study by the Ministère des Affaires municipales which is acting as promoter. The recommendation was accepted by the provincial administrator.

The Advisory Committee's opinion that the development of such roadside rest areas could impact on the outfitting regime govern-

ing the territory was transmitted to the acting regional director of the Ministère de l'Environnement at Radisson, as part of a solution-seeking process leading to the application of Divisions I and II of the Environment Quality Act.

#### 1.3.1.4 Assinica Wildlife Preserve Regulation

On June 26, 1985, the Ministère du Loisir, de la Chasse et de la Pêche, acting as promotor, caused Order in Council 1312-85 amending the name and status of the Assinica Wildlife Preserve to be adopted. At first sight, the Committee believes that the project is covered by item (m) of Schedule A to the Environment Quality which lists the projects that must be subject to the procedure. The project should therefore be subject to the environmental and social impact assessment and review procedure as described in Chapter II of the Environment Quality Act. The Committee is of the opinion that the project modifies the legal status of a reserve and that it is, at the least, a project that falls within a grey area. The Committee will bring this issue to the attention of the administrator so that he may take the necessary measures.

#### 1.3.1.5 Regulations in Cree communities

The Committee pursued its consideration of the management of solid waste in the North. The Cree Regional Authority, for its part, began to draw up inventories of solid waste production in Cree communities in order to make adequate regulations governing the management of solid waste. The results of the inventories will be submitted to the Committee when available.

The Cree regional Authority, in collaboration with the Cree Bands, is developing a system for issuing environmental permits based on sections 22 and 32 of the Environment Quality Act, for

Category 1A lands. This initiative, which was undertaken pursuant to the regulatory powers granted by the Act respecting Cree, Inuit and Naskapi Native persons, aims at providing the Bands with flexible tools that would enable them to manage projects that do not require formal impact studies. A model of the permit issuing system will be submitted to the Advisory Committee for its opinion and comments as soon as it is available.

#### 1.3.1.6 Ecological monitoring of the La Grande Complex

Toward the end of the current year of activity, the James Bay Advisory Committee on the Environment received the reports that the Société d'Énergie de la Baie-James prepared on the ecological monitoring system for the La Grande Complex between 1978 and 1984. Those documents will be closely examined so that recommendations can be made to Hydro-Québec so that it can take them into consideration in drawing up its ecological monitoring program for 1987 and subsequent years.

### 1.3.2 ACTIVITIES RELATED TO FORESTRY

#### 1.3.2.1 Review of Chapter 6 of management plans for management units

The Ministère de l'Énergie et des Ressources submitted its "silvicultural plan", or forest management program, to the Advisory Committee for comment. It first submitted Chapter 6 of the management plan for the Chibougamau management unit and then submitted the plan for the Quévillon management unit later in the year.

The James Bay Advisory Committee on the Environment, in collaboration with the Centre multi-régional de recherche en sciences et technologie forestière, evaluated and commented on the silvicultural

tural program for the Chibougamau management unit. Those comments were sent to the Ministère de l'Énergie et des Ressources together with a request that it clarify the status of forest management plans of which the silvicultural plan is a part.

The Committee emphasized to the Ministère de l'Énergie et des Ressources that it does not consider that the information it received about the department's silvicultural program for management units is a review of management plans within the meaning of section 22.3.34 of the James Bay and Northern Québec Agreement.

#### 1.3.2.2. Québec forest policy

The Committee examined the Government's White Paper entitled "Building a Forest for Tomorrow" which was published in June 1985.

That forest policy project could bring about major changes in the present-day forestry regime in the James Bay territory. In particular, the system of supply contracts the policy project proposes suggests that the forest industry assume responsibility for the silvicultural management of territories that are granted to it to guarantee supply. That system challenges the role of management plans as defined in section 22.3.24 of the James Bay and Northern Québec Agreement and consequently the role of the Advisory Committee in the territory.

In December 1985, following the change of Government, the Committee held a special meeting on forestry issues with Mr. Gilbert Paillé, Associate Deputy Minister for Forests. The Committee was able to obtain precise details on the interpretation of the policy and its implementation within the James Bay territory.

The Committee has therefore decided to pursue its research on the environmental and socio-economic repercussions of logging operations in the James Bay territory in the light of the new policies. It will take action when the Act, regulations and directives implementing the policy are presented.

#### 1.3.2.3 Logging operations on Category II Cree lands

This subject was brought to the Committee's attention following a change made in the supply territory of the Barrette-Chapais company for its Chapais sawmill.

The Ministère de l'Énergie et des Ressources has offered to grant the company a part of the 700 000 m<sup>3</sup> of timber it requires annually from a territory of about 400 km<sup>2</sup> west of Lac Mistassini and largely on Category II lands of the Mistassini Crees. The company also has a supply territory on Category II lands east of Lac Mistassini.

The new supply territory west of Lac Mistassini was not included in the management plan submitted by the Ministère de l'Énergie et des Ressources and reviewed by the Advisory Committee. Under the terms of the Act, those logging operations, which are not included in a management plan, would be subject to an environmental and social impact study. The company anticipates setting up a logging camp on Category II lands, which further complicates the file.

The interested parties -the Ministère de l'Énergie et des Ressources, the Ministère de l'Environnement, the Mistassini Band and the Barrette-Chapais company- have acknow-

ledged that an agreement governing logging operations, endorsed by the Ministère de l'Environnement, would best achieve the objectives of a formal impact study.

This step may set a significant precedent, for logging operations are expected to extend to the Category II lands of the Waswanipi Crees in the near future. This kind of bilateral agreement could prove highly relevant during future management contract negotiations which are part of the changes prescribed by the new forest regime.

The Advisory Committee will follow the results of negotiations closely and take them into consideration when drawing up recommendations on the implementation of the new forest policy.

#### 1.3.2.4 Forest fire protection

The agreement with the Société de conservation du Nord-Ouest, which aimed at ensuring forest fire protection during the construction of the La Grande Complex, expired at the end of 1985, although Hydro-Québec continued through 1986 to defray the costs of keeping the Société de conservation on the territory.

The Société de conservation prepared a proposal designed to protect forests in the territory from fire in 1986 and subsequent years. The proposal was submitted to the Secrétariat des activités gouvernementales en milieu amérindien et inuit (SAGMAI) and then to the Advisory Committee. The Société de conservation essentially proposed that Hydro-Québec and the James Bay Crees share fire protection costs and that the Ministère de l'Énergie

et des Ressources assume responsibility for the planes required for firefighting. The details of the program were subject to further negotiation, with SAGMAI acting as coordinator. The Committee supported the initiatives, but it noted in a letter to SAGMAI that the proposed protection program failed to cover a large part of the territory including much of the Category II lands of Mistassini that experienced major fires in 1983.

The Committee would like to see the protection extended over the entire territory and include the protection of construction site communities, ecological elements and wildlife resources development.

#### 1.3.2.5 Development plan for the James Bay territory

The new forest policy provides for drawing up land use plans that would be used to define the territories intended for logging operations. The plans would ordinarily be integrated into development plans for regional county municipalities.

Given the special characteristics of the municipality of James Bay and the absence of regional county municipalities in the region, the Committee undertook a study of the appropriate means of establishing the equivalent of a development plan for the territory, thereby ensuring the collaboration required to draw up a land use plan.

The Committee intends to identify the zones or sites which, in its opinion, will warrant special attention when a land use plan or development plan is drawn up. The Committee wishes to make it clear that it in no way intends

to act for the various communities in the region. It is they who will define the future vocation of lands and their resources.

1.3.3 DRAWING UP AND SENDING NOTICES TO  
THE GOVERNMENTS CONCERNED

1.3.3.1 Consultation Committee for the James Bay  
territory

In February 1985, Décret 314-85 proposed the creation of a Consultation Committee to examine the possibility of creating regional county municipalities within the James Bay territory. It was the Committee's duty to evaluate the project designed to divide the James Bay territory north of the 50th parallel and to create one or more regional county municipalities between the 49th and the 50th parallels. The Committee is also mandated to examine the possibility of preserving the municipality of James Bay, but with changes in its legal structure that would make it possible to increase the representation of resident citizens, both Native and non-Native people, on the Municipal Council.

Shortly before completing its report, the Consultation Committee met with the Advisory Committee which submitted a memorandum. In May, the Consultation Committee published a report in which it recommended:

- a) that, as a temporary measure, the municipality of James Bay be restructured to enable the mayors of "enclave" municipalities in the southern part of the territory to participate in the administration of the municipality of James Bay; and

- b) that the James Bay and Northern Québec Agreement be revised to give the four southern municipalities a larger role in the administration of the James Bay territory.

The report included other recommendations regarding municipal administration in the southern part of the James Bay territory.

The Advisory Committee had serious reserves regarding the content of the Consultation Committee's report and therefore sent a letter to Prime Minister René Lévesque. The Committee noted that consultation with the Crees was clearly insufficient when the report was being prepared, that the Consultation Committee did not respect its terms of reference under Décret 314-85, and that the solutions proposed do not take into account the James Bay and Northern Québec Agreement and the special interests of the Cree communities of the region.

#### 1.3.3.2 "Valoriser le futur"

The Advisory Committee examined the document entitled "Valoriser le futur" which was published by the ministère de l'Environnement within the framework of public consultation bearing on research and development in environmental matters.

In a memorandum addressed to Mr. Adrien Ouellette, Minister of the Environment, the Committee supported several of the documents recommendations. It felt, however, that the document had a limited outlook on environmental concerns, particularly on the level of the social and economic

repercussions of development. The Committee also pointed out the importance of the link between environmental research and improvement in the quality of impact studies as well as the importance of the role of environmental monitoring as an integral part of such studies. The Committee shares the concerns of the document's authors with regard to the necessity of ensuring that environmental monitoring programs are based strictly on verifiable working hypotheses and reliable basic data.

#### 1.3.3.3 Caniapiscau River caribou drownings

The Committee pursued its examination of the circumstances surrounding the drowning of caribou in September 1984. After considering the report SAGMAI prepared, the Committee sent its comments to the Prime Minister. It pointed out that that report did not take into account Cree interest in establishing its methods of operation for the La Grande Complex or the Crees' occupation of lands where the development is located. The Committee supported the proposal to set up a group including the Crees to collaborate on the operation of the hydro-electric complex. The Committee also commented on the explanation of hydrological events presented in SAGMAI's report.

#### 1.3.3.4 Water protection problems under federal jurisdiction

The Committee devoted most of its final meeting of the year to reviewing federal policies on water management and the protection of fish habitats. The Committee considered the recommendations of the Pearse Report entitled "Inquiry on Federal Water Policy", Fisheries and Oceans Canada po-

lity on marine conservation in the Arctic and its research budgets in that field, and the new policy on the protection of fish habitats.

#### 1.3.3.5 Archaeological resource conservation

The Committee undertook a study of ways to preserve archaeological resources during logging operations and when assessing the repercussions of others kinds of development projects.

The Committee is of the opinion that the implementation of the new forest policy should take assessment of archaeological potential and the protection of high-potential sites into consideration.

In the Committee's opinion, study of the environmental impact of development projects should also include assessment of archaeological potential in areas likely to be disturbed by development and of archaeological digs. The ways of dealing with repercussions on archaeological resources in the administrative systems of southern Québec and of the James Bay territory should be brought into harmony.

These objectives should be pursued with the departments concerned and with the Cree Regional Authority.

#### 1.3.3.6 World conservation strategies

The Committee took the occasion of the International Union for Conservation of Nature and Natural Resources conference in Ottawa in May 1986 to provide Environment Canada

and the ministère de l'Environnement du Québec with texts on Northern Québec's conservation problems which pointed out that institutions have been put in place to solve those problems. The Committee noted, however, that documents prepared for the conference did not discuss Northern Québec. The Committee feels that it was consulted tardily.

#### 1.3.4 SECRETARIAT OF THE ADVISORY COMMITTEE

The Advisory Committee continues to experience difficulty in operating its secretariat which has not been endowed with a research officer's position and is entitled to only partial administrative support services. The Committee now considers it very urgent that the level of service available at the secretariat be improved. It will continue to make the efforts required to correct the situation.

CHAPTER II

EVALUATING COMMITTEE

GAWESHOUWAITAGO DAN DJEIS NANDOU TSHEYTAKNUCH ASGEE JE' ESPEICH

## CHAPTER II

### EVALUATING COMMITTEE

#### GAWESHOUWAITAGO DAN DJEIS NANDOU TSHEYTAKNUCH ASGEE JE' ESPEICH

##### 2.1 ROLE AND DUTIES OF THE EVALUATING COMMITTEE

The Evaluating Committee (COMEV) is a tripartite body (Québec-Canada-Crees) created under section 148 of the Environment Quality Act and section 22.6.1 of the James Bay and Northern Québec Agreement. The services of the Evaluating Committee's secretariat are provided by the secretariat of the James Bay Advisory Committee on the Environment, which is why this Annual Report includes a section on the Evaluating Committee's activities. The Evaluating Committee deals with projects referred to it by the provincial administrator, the federal administrator or local administrators of each of the eight Cree communities in the territory each within its respective jurisdictions.

The environmental and social protection regime in the James Bay and Northern Québec Agreement provides an environmental and social impact assessment and review procedure similar to that of the James Bay Advisory Committee on the Environment previously described.

Prior to carrying out work, promoters of development projects within the James Bay territory must obtain authorization with regard to their project's impact on the environment and the social milieu.

Promoters of such projects must therefore indicate their intention and provide relevant information to the administrator concerned so that the Evaluating Committee can define the nature and scope of the impact studies required in terms of the scale of the proposed project.

For projects that must be subject to the assessment and review procedure prescribed by Chapter 2 of the Environment Quality Act, the Advisory Committee sets guidelines for the impact study and determines whether a preliminary study, a detailed study or both will be carried out.

For projects in grey areas, namely those that are neither subject to nor exempt from the procedure, the Advisory Committee recommends in the light of the project's possible repercussions that it be subject to or exempt from the impact assessment procedure.

When completed, the impact study is sent to the Review Panel which takes it under consideration and recommends the acceptance or refusal of the project and the terms and conditions for its authorization, if applicable.

In every case, the committees act in an advisory capacity to the administrator concerned.

## 2.2 COMPOSITION OF THE EVALUATING COMMITTEE IN 1985-1986

Alan Penn  
Acting Chairman

Cree Regional Authority

Michel Mongeon\*  
Vice-chairman

Cree Regional Authority  
(until December 17, 1985)

Roderick Pachano

Cree Regional Authority  
(from December 17, 1985)

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Mr. Mongeon was mandated to replace Mr. R. Pachano in his absence.

Guy Gilbert	Government of Canada
Hubert Marcotte	Gouvernement du Québec
Michel Beaulieu	Gouvernement du Québec
Jacques Giguère	Gouvernement du Québec

Secretary: Marc-Alain Côté

## **2.3 ACTIVITIES OF THE EVALUATING COMMITTEE IN 1985-1986**

### **2.3.1 LIST OF PROJECTS AND SUBJECTS DEALT WITH BY THE COMMITTEE**

1. Permanent access road to the village of Nemiscau - BJ-097
2. Hydro-electric power plant LG-2A - BJ-144
3. Development of yellow pike spawning grounds on Lac Yasinski - BJ-305
4. Constitution of the city of Radisson - BJ-340
5. Site development. Road side rest areas on the Matagami-Rivière Rupert road - BJ-347
6. Forest roads - BJ-352
  - a) Extension of road L-209 north (46 km)
  - b) Construction of road L-230
7. Thermal plant. Scierie Barrette-Chapais Ltée - BJ-353
8. Construction of an access road to Lac Tilly and operation of two sand pits - BJ-354
9. Forest access road. Road L-230 - 16 km. Barrette-Chapais company - BJ-352
10. Access road to Lac Tilly. Changes - BJ-354
11. Establishment of a new community site for the Oujé-Bougoumou Band - BJ-368
12. Reopening of the Waskaganish winter road on the Matagami-LG-2 road - BJ-373
13. Construction of a bridge over the Waswanipi River - BJ-379

2.3.2 FILE TRANSMISSION PROCEDURES FOR 1985-1986

TITLE OF PROJECT	RECEIVED BY COMMITTEE	COMMITTEE'S RECOMMENDATION TO THE ADMINISTRATOR
Permanent access road to the village of Nemiscau	May 2, 1985	June 4, 1985
Additional equipment for La Grande 2 LG-2A plant	July 7, 1985	October 10, 1985
Restoring yellow pike spawning grounds on Lac Yasinski	July 2, 1985	September 9, 1985
Constitution of the city of Radisson	July 16, 1985	July 31, 1985 August 27, 1985
Site development. Roadside rest areas on the Matagami-Rivière Rupert road	February 22, 1985	April 4, 1985
Forest road. Extension of road L-209 North (46 km)	June 5, 1985	June 7, 1985
Construction of road L-230	September 6, 1985	September 9, 1985
Thermal plant. Scierie-Barrette-Chapais Ltée	April 11, 1985	May 10, 1985
Construction of an access road to Lac Tilly and operation of two sand pits	April 22, 1985	May 10, 1985
Forest access road Road L-230 (16 km) Barrette-Chapais company	December 16, 1985	February 10, 1986

2.3.2 FILE TRANSMISSION PROCEDURES FOR 1985-1986  
(cont'd

TITLE OF PROJECT	RECEIVED BY COMMITTEE	COMMITTEE'S RECOMMENDATION TO THE ADMINISTRATOR
Access road to Lac Tilly. Changes	February 10, 1986	February 26, 1986
Establishment of a new community site for the Oujé-Bougoumou Band	February 16, 1986	February 28, 1986
Reopening of the Was-kaganish winter road-Matagami LG-2	November 26, 1985	December 12, 1985
Construction of a bridge over the Waswanipi River	February 10, 1986	February 28, 1986

## APPENDIX I

### LEGAL PROVISIONS RESPECTING PROTECTION OF THE ENVIRONMENT AND THE SOCIAL MILIEU IN THE JAMES BAY REGION

The Environment Quality Act, sections 131 to 167, 205 to 214 and Schedules A and B (R.S.Q., c. Q-2).

Regulation respecting certain bodies for the protection of the environment and social milieu of the territory of James Bay and Northern Québec (O.C. 433-79, 14 February 1979), The Environment Quality Act (1972, c. 49, s. 124 and s. 240a and b).

Regulation respecting the environmental and social impact assessment and review procedure applicable to the territory of James Bay and Northern Québec. (O.C. 3452-79), The Environmental Quality Act (R.S.Q., c. Q-2).

Règles de régie interne du Comité consultatif pour l'environnement de la Baie-James (c. Q-2, r.21), The Environment Quality Act (R.S.Q., c. Q-2, s.140).

**APPENDIX II**

CALENDAR OF MEETINGS OF THE JAMES BY ADVISORY COMMITTEE  
ON THE ENVIRONMENT IN 1985-1986

Thirty-eighth meeting	June 19 and 20, 1985 at Lac Hélène, James Bay
Thirty-ninth meeting	November 6 and 7, 1985 at Chibougamau
Fortieth meeting	February 19 and 20, 1986 at Baie-du-Poste, Lac Mistassini
Forty-first meeting	March 25 and 26, 1986 at Sainte-Foy
Special meeting on forestry	November 18, 1985 in Montréal Office of the Regional Branch of the Ministère de l'Environnement

**APPENDIX III**

CALENDAR OF MEETINGS OF THE EVALUATING COMMITTEE IN 1985-1986

Seventy-seventh meeting	April 3, 1985 in Québec City
Seventy-eighth meeting	May 8, 1985 in Québec City
Seventy-ninth meeting	August 26, 1985 in Québec City

Some files were finalized through telephone calls following personal contacts or the exchange of correspondence, but the three parties were always consulted for final decisions. Some files were dealt with when the Review Panel met since the majority of Evaluating Committee members are also members of the Review Panel.

The slowdown of major works in the James Bay region resulted in a decrease in the number of times the Evaluating Committee met during the last fiscal year. We anticipate an increase in activities during the coming year.

APPENDIX IV

ALLOCATIONS TO THE JAMES BAY ADVISORY COMMITTEE ON THE  
ENVIRONMENT IN 1985-1986

Salaries

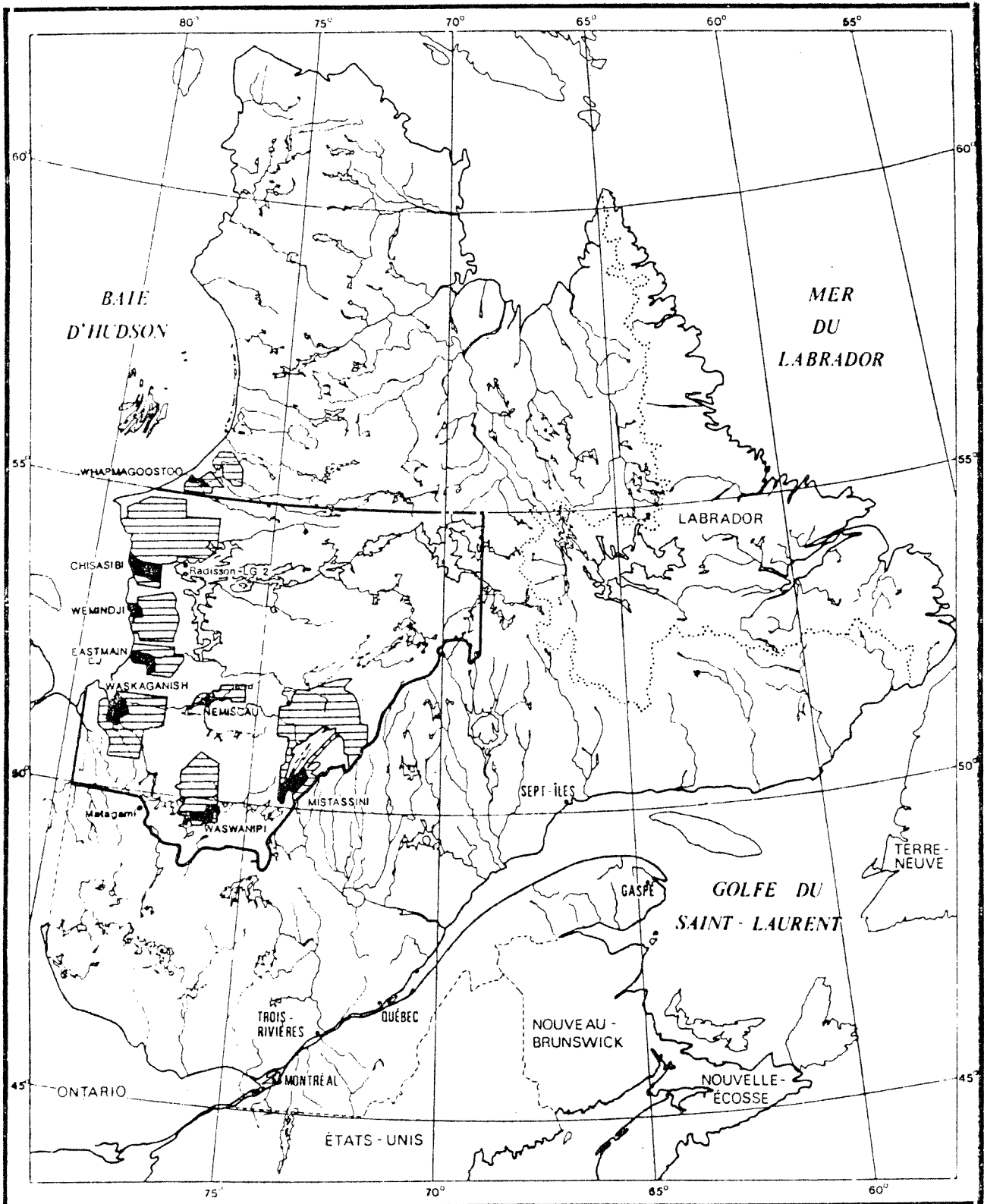
Secretary	\$ 41 731.00	
Staff of the secretariat	\$ 18 953.66	
Fringe benefits	\$ 10 940.44	
 SUB-TOTAL A:		\$ 71 724.90

Other expenditures

Translation development	\$ 2598.36	
Travel expenses	\$ 4392.43	
Office space	\$ 3382.95	
Printing and photocopying	\$ 3579.37	
Telephone	\$ 1920.72	
Supplies	\$ 140.80	
Conference room rental	\$ 248.88	
 SUB-TOTAL B:		\$ 16 263.51
 GRAND TOTAL C;		<u>\$ 87 988.41</u>

APPENDIX IV

MAP OF THE TERRITORY COVERED BY THE REGIME



TERRITOIRE D'APPLICATION DE LA SECTION I DU CHAPITRE II DE LA LOI  
SUR LA QUALITE DE L'ENVIRONNEMENT ET DU CHAPITRE 22 DE LA CBJNQ

TERRES CATEGORIE	(LANDS) (CATEGORY)
I . . . . .	■ . . . . . I
II . . . . .	▨ . . . . . II
III . . . . .	▩ . . . . . III

— LIMITES D'APPLICATION DU CHAPITRE 22

