



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 52ND MEETING

Meeting of the James Bay Advisory Committee on the Environment

(DRAFT)

- DATE:** June 27, 1990
- LOCATION:** Institut national de la recherche scientifique
2635, Hochelaga, 6th Floor
Sainte-Foy, Québec
- PRESENT:** Hubert Marcotte, Chairman, Canada
Jean-Guy Charest, Canada
Marie Lessard, Québec
Gilles Frisque, Québec
Alain Soucy, Québec
Alan Penn, CRA
Paul Wilkinson, CRA
Willie Iserhoff, CRA
Bernard Labonté, HFTCC
Claude Gignac, Researcher, JBACE
Hervé Chatagnier, Secretary, JBACE
- ABSENT:** Robert Daigneault, Québec
Louis-Edmond Hamelin, Canada
Yvan Vigneault, Canada
James Bobbish, CRA

1. OPENING OF THE MEETING AND ADOPTION OF THE AGENDA

The Chairman called the meeting to order at 10:30 a.m. The following agenda was proposed by Alain Soucy, seconded by Jean-Guy Charest and adopted unanimously.

1. Adoption of the agenda
2. Adoption of the minutes of the 49th and 50th meetings (English version) and of the 51st meeting
3. Tabling of documents
4. Business from previous meetings
 - 4.1 Public hearings on electricity in Québec
 - 4.2 Environmental authorization of the Great Whale project
 - 4.3 The Green Plan - roundtable
 - 4.4 Conseil de la conservation et de l'environnement
5. Commission d'enquête sur les déchets dangereux: adoption of a committee document
6. Five-year forest management plans: adoption of the consultant's report and formulation of a document for MER
7. Public-land management plans - southern James Bay region
8. Internal management:
 - 8.1 Program for 1990-1991
 - 8.2 Program for 1991-1992
 - 8.3 Administrative agreement with MENVIQ
 - 8.4 1991-1992 budget proposal
 - 8.5 1989-1990 Annual Report
 - 8.6 1986-1989 Annual Report
9. Professional recognition of biologists and microbiologists
10. Bill C-78: An Act to establish a federal environmental assessment process
11. Date and location of next meeting

2. ADOPTION OF THE MINUTES OF THE 49TH AND 50TH MEETINGS (ENGLISH VERSION) AND OF THE 51ST MEETING

The English translations of the minutes of the 49th and 50th meetings were adopted following minor amendments by the Cree delegation. The minutes of the 51st meeting were also adopted with minor changes following a motion by Marie Lessard, seconded by Alan Penn and approved unanimously.

3. TABLING OF DOCUMENTS

- #52.3.1 Letter from André Trudeau, Deputy Minister, to the Chairman regarding the Committee's budget, dated April 30, 1990.

- #52.3.2 Letter from Marc Toupin, of the subcommittee on forestry, to the Chairman acknowledging receipt of the Committee's letter of April 16, 1990, dated May 9, 1990.
- #52.4.1.1 Report on the Committee brief presented to the Commission parlementaire sur l'économie et du travail in the context of the public hearings on electricity in Québec.
- #52.4.1.2 "Hydro-Québec et l'Environnement et Bilan socio-économique et environnemental de la phase 1 du complexe de La Grande, Baie James", Hydro-Québec brief presented to the Commission parlementaire sur l'économie et du travail in the context of the public hearings on electricity in Québec.
- #52.4.1.3 Minutes of the June 19, 1990 working session of the Commission parlementaire sur l'économie et du travail.
- #52.4.2.1 Letter from the Chairman to Pierre Paradis, Minister of the Environment, concerning separate authorization for access facilities and development options for the Great Whale complex, dated June 19, 1990.
- #52.4.2.2 Letter from Bill Namagoose, of the Grand Council of the Cree, to the Chairman forwarding copies of the legal proceedings filed against the federal and provincial governments, dated May 3, 1990.
- #52.4.4.1 "Les éléments d'une stratégie québécoise de conservation en vue du développement durable", nine sector-based briefs, Conseil de la conservation et de l'environnement.
- #52.5.1 Letter from the Chairman to Yvon Charbonneau concerning the Committee's representations to the Commission d'enquête sur les déchets dangereux, dated June 1, 1990.
- #52.5.2 Committee's draft memorandum to the Commission d'enquête sur les déchets dangereux.
- #52.5.3 Letter from Matthew Coon Come, of the Grand Council of the Cree, to Yvon Charbonneau, dated June 11, 1990.
- #52.5.4 Letter from Jimmy Johannes, Chairman of the CRA, to Yvon Charbonneau, dated April 20, 1990.

- #52.5.5 "Brief presented to the Commission of enquiry into toxic wastes by the Naskapi Band of Quebec", May 9, 1990.
- #52.6.1 Letter from Rémy Girard, MER, to the Chairman acknowledging receipt of the preliminary report on the analysis of the five-year forest management plans, dated May 23, 1990.
- #52.6.2 Minutes of a meeting of the subcommittee on forestry held on June 1, 1990.
- #52.6.3 "Rapport d'analyse des plans quinquennaux forestiers touchant le territoire de la Baie James", Del Degan, Massé et Ass., June 1990.
- #52.7.1 Letter from Monique Léonard, MER, to the Secretary forwarding the proposed land management plan for public lands in the southern James Bay region, dated June 19, 1990.
- #52.7.2 Letter from Yvon Picotte, Minister of Municipal Affairs, to Matthew Coon Come, Chairman of the CRA, concerning the proposed land development plan, dated June 5, 1990.
- #52.8.1 Proposed committee program for 1991-1992.
- #52.8.2 Draft budget proposal for the Committee for 1991-1992.
- #52.8.3 Draft Committee 1989-1990 Annual Report.
- #52.9.1 Letter from Thomas Mulclair, Office des professions du Québec, to the Chairman, dated May 10, 1990.

4. BUSINESS RELATING TO THE PREVIOUS MEETING

4.1 Public hearings on electricity in Québec

The Committee read the report of the June 19, 1990 working session which took place during the public hearings on electricity in Québec organized by the Commission parlementaire sur l'économie et du travail (#52.4.1.3) and noted that the Commission plans on visiting the James Bay region sometime during the last two weeks of August. The Committee also noted that the report's conclusions do not fully take the recommendations made by the Committee during the hearings into account. As a result, the Committee

decided to write to the chairman of the Commission to inform him of its reactions to the report's conclusions and to suggest that Commission representatives meet with the Committee during the James Bay trip to discuss the ecological and social issues at stake in the major hydroelectric development projects.

4.2 Environmental authorization of the Great Whale project

The Committee asked about recent developments regarding possible collaboration between the federal and provincial governments on the environmental and social impact assessment and review of the Great Whale project. After being approached by the federal government to standardize the various assessment procedures applicable to the project, the Committee submitted its recommendations to both governments. As there had been no follow-up to these recommendations, it was agreed to write to the federal and provincial ministers of the Environment to remind them of the importance of the Committee's being consulted once a more detailed draft agreement has been drawn up.

4.3 The Green Plan - roundtable

In Louis-Edmond Hamelin's absence, the Chairman informed members about the Committee's contribution to the roundtables on the federal government's action plan entitled "The Green Plan, A National Challenge." The purpose of the public consultation was to become aware of public environmental concerns and attempt to find a solution to such problems, with a view to formulating a federal environmental action plan. The Committee was represented by Louis-Edmond Hamelin. As there were no workshops on the North, Mr. Hamelin attended a workshop on environmental decision-making and future prospects held during the hearings in Québec City on June 1 and 2, 1990.

4.4 The Conseil de la conservation et de l'environnement

Alain Soucy informed the Committee of the outcome of his recent meeting with the chairman of the Conseil de la conservation et de l'environnement. The object of the Conseil is to advise Québec's Minister of the Environment on all issues relating to conservation and the environment. It would seem that the two agencies (JBACE and Conseil) should meet to discuss their mandates and, particularly, briefs issued with respect to energy. The Conseil recently issued a sector-based brief on this matter. The Committee

decided to write to the chairman of the Conseil to propose a meeting between the two agencies, in either September or October.

For information purposes, the Secretary tabled copies of the nine sector-based briefs issued by the Conseil in spring 1990.

5. COMMISSION D'ENQUETE SUR LES DÉCHETS DANGEREUX: ADOPTION OF A COMMITTEE DOCUMENT

The Chairman explained the circumstances preventing the Committee from presenting a brief at the public consultations held by the Commission d'enquête sur les déchets dangereux in Val d'Or last June 7 and 8.

The Cree delegation shared certain reservations in relation to the draft brief submitted to the Committee. In their opinion, the following points should be expanded upon:

- the implications of the Cree-Naskapi (of Québec) Act for the Charbonneau Commission's mandate in Category 1A lands;
- the importance to be placed on mercury contamination resulting from Domtar's kraft mill in Quévillon. This is one of the most serious cases of mercury contamination in Canada and is the only site of a mercury cell no longer in use which was not systematically depolluted;
- the importance of ensuring adequate monitoring mechanisms so as to assess the extent of problems caused by the disposal of tailings;
- the need to review the policy prohibiting the spreading of used oil in small communities, taking into account the advantages (dust reduction, for example) and disadvantages of this policy.

Finally, shortcomings were noted in the brief's formulation. It was agreed that the Cree delegation would make changes to the content before submitting it to the Secretary, who will do a linguistic revision.

6. FIVE-YEAR FOREST MANAGEMENT PLANS: ADOPTION OF THE CONSULTANT'S REPORT AND FORMULATION OF A DOCUMENT FOR MER

Consultant Bruno Del Degan's report (#52.6.3) was tabled by the Secretary. Alan Penn, from the subcommittee on forestry, explained that the report was designed to be

integrated into a Committee document containing his recommendations. This partial analysis will be completed once data for the last three years of the five-year plans have been received. According to MER, the Committee should receive these data toward year-end.

After reading the report, the Committee decided to mandate the subcommittee on forestry to prepare a draft letter to the deputy minister of MER. The letter will set forth the Committee's recommendations and will be submitted to members for their comments.

7. PUBLIC-LAND MANAGEMENT PLANS - SOUTHERN JAMES BAY REGION

The Secretary tabled a copy of the proposed management plan for public lands in the southern James Bay region. The proposal was formulated by MER in conjunction with the other government departments concerned. It defines the sites and territorial units and determines their use. The management plan was also submitted to the Cree Regional Authority and other municipal authorities concerned. Under the Act respecting the lands in the public domain, the authorities have 180 days to submit their comments to the MAM.

After discussing the possible approaches to analyzing the plan, the Committee retained two: it could analyze the plan as part of its analysis of the five-year forest management plans or it could do a more general analysis of the management problem (lack of RCM, management plans, etc.) for the James Bay territory. A subcommittee composed of Marie Lessard and Alan Penn was created to follow up on this issue. To begin with, the subcommittee will attempt to gather information on land management practices elsewhere in Canada. It will also attempt to gain an understanding of the Cree's concerns in this regard.

The Hunting, Fishing and Trapping Coordinating Committee told the Committee what it knew about the MLCP's plans to establish several parks in the James Bay territory. Given that these projects are subject to the environmental and social impact assessment and review procedure, it was agreed to meet with MLCP representatives to discuss the Department's parks proposal and how the projects would be processed under the assessment and review procedure. It was also agreed to meet with MER representatives for clarifications on the management plan for public lands. Finally, it was decided that expert advice should be sought from the federal government with regard to land management within the James Bay territory.

8. INTERNAL MANAGEMENT

8.1 Program for 1990-1991

The following activities are planned for this year:

- monitoring of forest operations (analysis of five-year plans);
- analysis of public-land management plan;
- start of in-depth study of the impact assessment procedure's functioning;
- start of critical analysis of Hydro-Québec's environmental monitoring program;
- preparation of a comprehensive document situating the Committee and detailing its aims.

8.2 Program for 1991-1992

The Secretary tabled a document (#52.8.1) setting forth a draft program for the Committee for 1991-1992 which includes the following activities:

- forestry: the Committee should continue to meet short-term demands under section 144 of the Environment Quality Act (analysis of five-year plans, etc.);
- completion of study of the impact assessment procedure's functioning;
- completion of critical analysis of Hydro-Québec's environmental monitoring mechanisms.

It was decided to wait until the study of the impact assessment procedure's functioning is completed before publishing a brochure explaining the steps to be taken by a project proponent to obtain environmental authorization.

8.3 Administrative agreement with MENVIQ

In spring 1990, the Committee informed MENVIQ of its intention to review the administrative agreement on the Secretariat's operation. While the Committee still plans on reviewing the agreement, it was decided to postpone discussion of this issue until the next meeting.

8.4 1991-1992 budget proposal

The Secretary tabled a draft budget proposal for 1991-1992, which must be submitted to the federal and provincial ministers of the Environment before August 5, 1990. The Committee made several amendments before adopting the budget proposal (\$250 000) following a motion by Jean-Guy Charest, seconded by Paul Wilkinson.

8.5 1989-1990 Annual Report

Committee members proposed several amendments to the draft 1989-1990 Annual Report. After incorporating these amendments, the Committee adopted the report unanimously following a proposal by Marie Lessard, seconded by Alan Penn. The Secretary was asked to have the report translated and published as soon as possible.

8.6 1986-1989 Annual Report

This item was postponed until the next meeting.

9. PROFESSIONAL RECOGNITION OF BIOLOGISTS AND MICROBIOLOGISTS

The president of the Office des professions du Québec requested that the Committee issue an opinion regarding the professional recognition of biologists and microbiologists. The purpose of the request is to set up a professional corporation of biologists and microbiologists.

After discussing the matter, the Committee decided there was no reason to issue an opinion of this kind given that it does not fall within its mandates.

10. BILL C-78: AN ACT TO ESTABLISH A FEDERAL ENVIRONMENTAL ASSESSMENT PROCESS

The Chairman informed the Committee about Bill C-78, which concerns the creation of a federal environmental assessment process (FEAP). The aim of the bill is to entrench a number of FEAP reforms in one act.

The Secretary was asked to send the members a copy of the draft bill and put it on the next meeting's agenda.

11. DATE AND LOCATION OF NEXT MEETING

It was agreed to hold another meeting in late August or early September. The exact date and location will be decided based on the steps undertaken to: 1) meet with the Commission parlementaire sur l'économie et du travail in James Bay, 2) arrange a meeting with the Conseil de la conservation et de l'environnement and 3) arrange a meeting with MER and MLCP representatives to discuss the land management plan.

HERVÉ CHATAGNIER
Secretary