

ANNUAL REPORT

2003 - 2004

**JAMES BAY ADVISORY COMMITTEE ON
THE ENVIRONMENT**

KAWIISHUWAITEKWA ISTCHEE WIISHUWEWIN

This report is available on the Committee's Web site at the following address:

www.ccebj-jbace.ca

Copies are also available at the JBACE secretariat:

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September 16, 2004

The Hon. Stéphane Dion
Minister of the Environment (Canada)


The Hon. Thomas Mulcair
Minister of the Environment (Québec)

Dr. Ted Moses
Grand Chief
Grand Council of the Crees (Eeyou Istchee)

Dear Sirs:

I am honoured to present the activity report of the James Bay Advisory Committee on the Environment for the year ended March 31, 2004.

Respectfully submitted,

A black rectangular box containing a white handwritten signature, which appears to be "Diom Romeo Saganash".

Diom Romeo Saganash

Chairperson

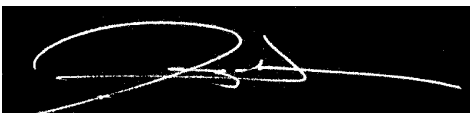
CHAIRPERSON'S MESSAGE

I am happy to have had the opportunity to chair the JBACE in 2003-2004 and am proud of several of the Committee's accomplishments this past year. For one, the JBACE commissioned a legal opinion on the Crees' regulatory power with respect to drinking water quality, which confirmed that the communities have the power to adopt by-laws in this area. In informing the Cree communities, the JBACE reminded them of their responsibility to meet environmental and health standards.

The JBACE also commented heavily on the new approach to public land use planning. Hopefully, these comments will enable the Ministère des Ressources naturelles, de la Faune et des Parcs to formulate land use plans that take greater account of the rights and interests of the James Bay Crees.

In August 2003, I signed an administrative agreement with Deputy Minister of the Environment Madeleine Paulin on the operation of the JBACE secretariat. The agreement ensures stable funding of the Committee, thereby giving it the means to properly fulfil its mandate.

However, the smooth operation of the Committee depends as much on effective working tools as on financial resources. That is why the members appointed by the Cree Regional Authority drafted a strategic plan setting priorities for the JBACE for the coming years. Expected comments from the other parties will help enhance the proposed strategic plan and make it operational. The JBACE's future performance will depend on the members' conscientiousness in seizing these opportunities to work together.



Diom Romeo Saganash
Chairperson

September 16, 2004



**JAMES BAY ADVISORY COMMITTEE ON THE
ENVIRONMENT**

KAWIISHUWAITEKWA ISTCHEE WIISHUWEWIN

COMMITTEE MANDATE

The James Bay Advisory Committee on the Environment (JBACE) was created in 1978 pursuant to the James Bay and Northern Québec Agreement (JBNQA). The JBACE's primary role is to advise the responsible governments regarding administration and management of the environmental and social protection regime established by Section 22 of the JBNQA.

The JBACE should be consulted by all levels of government (federal, provincial, regional and local) on any proposed laws, regulations, policies or plans relating to the environmental and social protection regime applicable to the James Bay territory (the "Territory"), including land use regulations. The JBACE may recommend changes to bring them in line with the provisions of Section 22 of the JBNQA, which set out the special status and involvement of the Cree people in the application of the regime. The regime also provides for the protection of the rights and guarantees established in favour of the Crees under Section 24 of the JBNQA and in this respect, a member of the Hunting, Fishing and Trapping Coordinating Committee (HFTCC) sits on the JBACE. These provisions are part of the guiding principles of the regime, which are to be given due consideration by the responsible governments and committees.

The JBACE is responsible for the administrative supervision of the Evaluating Committee (COMEV – see appendices 4 and 5). The Evaluating Committee studies development projects and, depending on whether or not they will have a significant impact, recommends that they be either subject to or exempt from the impact assessment and review procedure provided for in the environmental and social protection regime. As needed, COMEV issues directives regarding the scope and extent of impact assessment and review. The assessment and review procedure aims to minimize the negative impacts of development on the Native people and wildlife resources (JBNQA; Subsection 22.2.2b).

The JBACE also provides organizations representing the James Bay Crees with information and data that it obtains from the governments. It informs the governments, government corporations operating in the Territory and the committees established by the JBNQA of its decisions and recommendations. Every year, the JBACE submits a report of its activities to the Québec Minister of the Environment for tabling in the National Assembly.

JBACE ACTIVITIES IN 2003-2004

The JBACE was very active in land use planning issues this year. In addition to submitting a brief to the Ministère des Ressources naturelles, de la Faune et des Parcs (MRNFP) during the consultations on the new approach to public land use planning, the Committee continued to be involved in matters relating to the granting of public land leases. Forest management also remained a major topic of discussion, in light of the work initiated by the bodies established by the Agreement Concerning a New Relationship between Le Gouvernement du Québec and the Crees of Québec (so-called "Peace of the Brave"). These are just some of the aspects of protecting the James Bay environment and Cree society in which the JBACE played a role during 2003-2004.

1. Public land use planning

In September 2003, the JBACE was invited to comment on the new approach to public land use planning proposed by the MRNFP. The aim is to develop public land use plans (PLUP) for each of Québec's administrative regions, including Northern Québec.

In order to obtain more information on the MRNFP proposal, a JBACE subcommittee met with the associate deputy minister for the Territory, Louise Ouellet, on November 13, 2003. Ms. Ouellet and her team explained that the purpose of PLUPs is to set forth the government directions relating to rights, licences,

permits and limitations governing the use of public lands. These directions are implemented through, among other things, the regional public land development plan (RLDTP - PRDTP) for the granting of vacation leases and the establishment of protected areas.

To facilitate the development of PLUPs, the MRNFP will be preparing a portrait of each region. Interested organizations can consult and comment on the related data to ensure that the PLUP meets their expectations.

The JBACE's comments adopted in December 2003 stressed the importance of taking the Cree system of land ownership into account in all land use planning. In addition, a range of cultural practices based on routes and sites of interest need to be more fully documented so as to avoid overlapping with projects that are incompatible with these practices. Lastly, the JBACE encouraged the MRNFP to consult the Crees, Jamesians and their representative organizations from the start of the land use planning process so that they may contribute to the process in a meaningful manner.

Finally, the JBACE suggested implementing a communication strategy in order to better inform the public regarding the objectives of the various consultations undertaken by the MRNFP as well as the possible interactions between each consultation: PLUPs, PRDTPs, forest protection and development objectives, and forest management were the subject of consultations carried out by the ministry in the fall

of 2003¹. In so doing, the MRNFP could underscore the preponderant role of land use plans, which guide the carrying out of other initiatives.

2. Granting of public land leases

In signing the Peace of the Brave in February 2002, the Québec government undertook to consult the Cree Regional Authority (CRA) regarding all new applications for a private vacation lease situated in the Territory. This provision aims to alleviate the concerns of Cree trappers regarding leaseholders' construction of shelters on sites of interest situated on Cree traplines. Rough shelter leases cause the greatest problem: they allow the holder to build a shelter with no electricity or running water for hunting and fishing purposes. There are apparently over 1000 such shelters in the James Bay Territory.

During the JBACE's September 2003 meeting held in Waswanipi, the chief of Waswanipi explained the tension created by rough shelter leases, despite the provisions of the Peace of the Brave. Cree trappers have apparently complained about threats received from the owners of rough shelters, some of which are being built illegally, i.e. without a lease from the MRNFP. In addition, Jamesians who have applied for leases are frustrated over the slowness of the granting process since the signing of the Peace of the Brave.

The JBACE wrote to Rémy Girard, Associate Secretary General of the Secrétariat aux affaires autochtones and member of the Standing Liaison Committee established by the Peace of the Brave, to inform him of this troubling situation. In its letter, the JBACE asked to be kept abreast of the work carried out by the coordination table established to circumscribe issues concerning access to the Territory, especially as regards the establishment of criteria for granting vacation leases.

Mr. Girard responded by sending the JBACE a copy of the report submitted by the coordination table in July 2003, along with the minutes of a meeting held under the coordination table's second mandate. This table has called for the creation of a working group, made up of representatives of the MRNFP and the Crees, to establish a lease allocation process and criteria that satisfy both parties. Such an approach would help attenuate the land use conflicts that have resulted from the random granting of leases while maintaining public access to the territory.

In December 2003, Normand Laprise, regional director of the MRNFP's land division, presented the consultative approach to adopting a regional public land development plan (PRDTP) for Northern Québec. As the PRDTP governs the issuance of authorizations, permits, licences and leases, Mr. Laprise was of the opinion that it will enable more harmonious management as regards the granting of vacation leases for the James Bay Territory. However, he

¹ At the same time, the MENV held a consultation, in collaboration with the MRNFP, on the creation of protected areas and their conservation plan.

proposed almost no measures for removing existing irritants, such as the illegal construction of camps on sites of special interest to the Crees.

3. Monitoring of forestry practices

The Cree-Québec Forestry Board and joint working groups for five Cree communities were established to ensure the preparation, adoption and monitoring of forest management plans in accordance with the Peace of the Brave. As the Forestry Board and joint working groups began operating in late 2003, the JBACE reiterated its interest in monitoring implementation of the Peace of the Brave.

At a JBACE meeting in December 2003, Jean-François Gravel, native affairs coordinator for the forestry division of the MRNFP and member of the Cree-Québec Forestry Board, reported on the progress in implementing the forestry component of the Peace of the Brave.

According to Mr. Gravel, tremendous strides have been made in delimiting traplines and identifying sites of interest: henceforth, the family trapline is the territorial reference unit for the purpose of preparing forest management plans (FMPs). Moreover, Cree tallymen can identify sites of interest free from logging and sites of wildlife interest where special felling conditions will apply.

In addition, tallymen can henceforth comment on proposed forest roads, and Cree forest companies will be able to obtain, over the short term,

additional volumes of timber as stipulated under the Peace of the Brave.

As well, by virtue of paragraph 22.3.34 of the JBNQA, the JBACE must continue to study and comment on forest management plans.

In early 2004, the chairpersons of the Cree-Québec Forestry Board and JBACE discussed the relevance of signing a memorandum of understanding regarding information exchange and the harmonization of forestry-related work, with a view to avoiding unproductive duplication and overlapping. Since the memorandum of understanding must take effect before the deadline for submitting forest management plans, i.e. April 2006, talks will continue.

4. Environmental and social impacts of mine effluent

For years, the Oujé-Bougoumou Cree population has been concerned about the effects of effluent and tailings ponds on their land. Two major studies were conducted to assess the environmental and human health impacts of three local mines. The JBACE invited the authors, Denis Laliberté of the Ministère de l'Environnement du Québec (MENV) and Evert Nieboer of McMaster University in Ontario, to its December 2003 meeting to present the results of their studies.

Mr. Laliberté measured heavy metal concentrations in effluent, sediment and fish from Aux Dorés, Chibougamau, Obatagama and

Waconichi lakes. The results indicate that the effluent concentrations of six metals included in Directive 019 were within the allowable limits. However, a bioassay showed toxic levels in excess of the limits stipulated in the Directive.

The heavy metal content² of sediment collected from Chibougamau and Aux Dorés lakes is abnormally high in comparison with naturally occurring levels: it is likely that this can be detrimental to benthic organisms³. The three species of fish examined had a higher mercury content than the levels set by Health Canada for marketing fishery products.

The MENV study was unable to establish a causal link between these high levels and mining activities. As a precaution, however, Mr. Laliberté advised against eating fish viscera.

Evert Nieboer adopted a different approach for his study. Exposure to contaminants in the Cree community of Oujé-Bougoumou was determined through interviews and a health survey.⁴

The study results indicated that the high heavy metal and organochlorine levels observed in Cree hunters and fishers may be the result of their regular consumption of piscivorous

fish (e.g. northern pike, lake trout) and the liver of wild animals. It is possible that the high contaminant levels are an indirect impact of mining activities.

However, the fact remains that eating fish or wild meat is beneficial to health.

According to Mr. Nieboer, there is a pressing need to tailor fish and wild meat consumption standards to the Aboriginal peoples that are culturally and economically dependent on such meat.

5. Tire and other residual material recycling projects

The JBACE has expressed its interest in managing residual materials on numerous occasions, particularly during consultations⁵ conducted in conjunction with the Bureau d'audiences publiques sur l'environnement (BAPE) in the James Bay Territory in 1996. Little progress has been achieved since then.

However, the 1998 Québec Residual Materials Action Plan has contributed to greater awareness of recycling issues. Moreover, amendments to the Environment Quality Act promoted consideration of these issues at a regional level (1999). The JBACE has geared its action towards aligning recycling in the James Bay Territory with the programs in effect in southern Québec.

² Arsenic, copper, nickel and zinc. For additional information, see Denis Laliberté and Gaby Tremblay: *Teneur en métaux, en BPC et en dioxines et furanes dans les poissons et les sédiments de quatre lacs du Nord du Québec en 2001*, Ministère de l'Environnement du Québec, 2002.

³ Idem, p. 35-36.

⁴ See Éric Dewailly and Evert Nieboer, *Exposure and Preliminary Health Assessments of the Oujé-Bougoumou Cree Population to Mine Tailings Residues*, Report of the Survey (Draft), August 28, 2003.

⁵ Annual Report of the JBACE, 1996-1997, p. 14 to 16.

A full 85% of scrap tires are recycled in Québec—an exemplary rate. However, used tire programs do not exist in the James Bay region, despite the fact that its residents pay the environmental levy charged on the sale of new tires to cover the cost of used tire recycling.

The Committee has therefore solicited the collaboration of a major player: Recyc-Québec. At the JBACE meeting of December 11, 2003, Marc Bélanger and Pierre Racine of Recyc-Québec told the Committee that an initial attempt at recovering used tires for recycling purposes had been carried out in the Cree community of Chisasibi and nearby town of Radisson.

Thus far, a number of factors have hindered the application of Recyc-Québec programs north of the 49th parallel. However, the organization could extend the tire program to other communities if the populations, haulage distances and tire storage conditions made it possible. The JBACE collected and provided Recyc-Québec with such data. Moreover, with the collaboration of the Cree Regional Authority, people from Recyc-Québec met with the communities' local environment administrators in early 2004.

According to the Recyc-Québec representatives, it would also be possible to recover waste paint and used oil in the Cree communities if the material were dropped off at a pick-up point, where it could be collected and hauled to a recycling firm in southern Québec in accordance with the applicable regulations. Most Cree villages have waste oil storage

facilities, but the disposal costs are high.

As for paper, plastic and glass, each First Nation must set up its own recycling system. The material would be stored at a central depot and then transported to a processing centre. Feasibility studies still need to be done: a concerted approach by the James Bay communities is vital.

6. Drinking water by-laws

The Cree-Naskapi (of Québec) Act, establishes the terms for the local administration of Category 1A lands pursuant to the provisions of Section 9 of the JBNQA. This Act confers on Cree local governments the power to regulate in several fields. In December 2002, the Eastmain First Nation availed itself of this power by passing a by-law on the quality of drinking water.

The JBACE requested a legal opinion to verify if this regulatory power indeed applied to drinking water quality. In January 2004, this opinion confirmed the regulatory power of local governments with respect to drinking water. The JBACE informed all Cree First Nations of this opinion. The Committee underscored the importance of complying with the most stringent water quality standards, in particular those advocated by the governments of Québec and Canada.

7. Environmental assessment of the Eastmain 1-A/Rupert diversion project

For the purposes of the Eastmain 1-A and Rupert diversion project, the governments of Canada and Québec and the Cree Regional Authority signed, in April 2003, an agreement providing for the coordination and harmonization of the impact assessment and review processes stipulated in the JBNQA and the *Canadian Environmental Assessment Act*.⁶

During the public consultations held by the Evaluating Committee (COMEV) in May 2003 on the draft directives for the impact statement to be prepared for the project, a number of testimonies raised the question of whether COMEV had the power to subpoena a project proponent to disclose information that is crucial to project assessment.

The JBACE feels this is an important question because, if COMEV does not have such power, its credibility as an independent review body would be undermined. In November 2003, the JBACE wrote to the federal and provincial administrators of the environmental and social protection regime to ask for their positions on the subpoena authority of the assessment and review committees established by the JBNQA. The federal administrator is taking a long time to reply, while the provincial administrator transmitted the letter to the associate deputy minister of

environmental assessment and coordination (MENV).

8. Assessment and review of local projects

In December 2002, the JBACE received a letter from the chair of the federal Review Panel (COFEX) informing it of the problems encountered during the review of local development projects situated on Category I lands: in two instances, proponents went ahead with their projects before COFEX could play its role, thereby limiting the scope of its review, according to the Review Panel. In one of these cases, the proponent had gone ahead and ordered equipment for the project to avoid potential construction delays.

In September 2003, the JBACE formed a subcommittee, which the chair of COFEX was invited to join, to study the impact assessment and review procedure as applied to local projects. In March 2004, the subcommittee proposed mandating an independent expert to study the needs and views of everyone involved in the process (proponents, financial contributors, assessment and review committees, administrators, etc.) for the purpose of making recommendations for improving the impact assessment and review of projects situated on Category I lands.

⁶ *Agreement Concerning the Environmental Assessments of the Eastmain-1-A and Rupert Diversion Project*, April 2003.

CONCLUSION

The JBACE participated significantly in issues such as public land use planning, by submitting a brief during the consultations, and tire recycling, by building bridges between partners. The fact that little headway was made on other issues demonstrates the need for improvement. In December 2003, the CRA members of the JBACE proposed a strategic plan that is currently under discussion. A soon-to-be-adopted plan that establishes priorities of action should enable the JBACE to adopt a more dynamic approach that is likely to pave the way for modernization.

APPENDIX 1

COMPOSITION OF THE JBACE, SUBCOMMITTEES AND SECRETARIAT

JBACE

Members appointed by the Cree Regional Authority (CRA):

Glen Cooper, Consultant

George L. Diamond, Cree Board of Health and Social Services

Ginette Lajoie, CRA (Vice-Chairperson)

Diom Romeo Saganash, CRA (Chairperson)

Members appointed by Canada:

Michel Blondin, Indian and Northern Affairs Canada (as of January 2004)

Jean Comtois, Environment Canada

Claude Langlois, Environment Canada

Élise Racine, Indian and Northern Affairs Canada (until January 2004)

Jacques Robert, Canadian Forest Service (until December 2003)

Members appointed by Québec:

Marian Fournier, Ministère des Ressources naturelles, de la Faune et des Parcs

Carole Garceau, Ministère de l'Éducation

Pierre Moses, James Bay Municipality

Denis Vandal, Société de la Faune et des Parcs (FAPAQ)

Ex-officio member appointed by the Hunting, Fishing and Trapping Coordinating Committee:

Simeon Pash, Cree Trappers' Association

Subcommittees

Administrative Committee

Jean Comtois, Canada
Carole Garceau, Québec
Ginette Lajoie, CRA (Vice-Chairperson)

Subcommittee studying the new approach on land use planning

Jean Comtois, Canada
Ginette Lajoie, CRA (Vice-Chairperson)
Pierre Moses, Québec

Subcommittee studying impact assessment and review of local projects

François Boulanger, Canada
Ginette Lajoie, CRA (Vice-Chairperson)
Pierre Moses, Québec
Benoît Taillon, Chairperson, federal Review Panel (COFEX)

Secretariat

Louise Bélanger, secretariat officer
Marc Jetten, executive secretary

APPENDIX 2

JBACE MEETINGS

131st meeting April 2, 2003 (conference call);

132nd meeting July 3, 2003 (JBACE secretariat, Montréal);

133rd meeting September 30, 2003 (Youth Center, Waswanipi);

134th meeting December 11, 2003 (JBACE secretariat, Montréal);

135th meeting February 25, 2004 (Loews Le Concorde hotel, Québec City).

APPENDIX 3
FINANCIAL STATEMENTS

[TRANSLATION]

JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

**FINANCIAL STATEMENTS AND
REVIEW ENGAGEMENT REPORT**

AS AT MARCH 31, 2004

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Supplementary Information Operating Expenditures	SCHEDULE A

RUEL GIROUX DORION
Chartered Accountants

[TRANSLATION]

REVIEW ENGAGEMENT REPORT

To the members of the
JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

We have reviewed the balance sheet of the JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT as at March 31, 2004, and the statements of financial activities and accumulated surplus for the year then ended. These financial statements were prepared in accordance with Canadian generally accepted accounting principles regarding differential reporting by non-publicly accountable enterprises, as mentioned in Note 2 of the financial statements. Our review was made in accordance with Canadian generally accepted standards for review engagements and accordingly consisted primarily of enquiry, analytical procedures and discussion related to information supplied to us by the Committee.

A review does not constitute an audit and, consequently, we do not express an audit opinion on these financial statements.

Based on our review, nothing has come to our attention that causes us to believe that these financial statements are not, in all material respects, in accordance with Canadian generally accepted accounting principles.

[ORIGINAL SIGNED]

RUEL GIROUX DORION
Chartered Accountants

Victoriaville,
June 10, 2004

[TRANSLATION]

**BALANCE SHEET
AS AT MARCH 31, 2004
(Unaudited)**

	2004	2003
ASSETS		
CURRENT ASSETS		
Cash	\$49 540	\$29 933
Receivables (Note 5)	8 448	3 926
Prepaid expenses	459	-
	<u>58 447</u>	<u>33 859</u>
INVESTMENTS (Note 6)	401 138	326 760
FIXED ASSETS (Note 7)	10 492	11 107
	<u>\$470 077</u>	<u>\$371 726</u>
LIABILITIES		
CURRENT LIABILITIES		
Accounts payable and accruals (Note 8)	\$91 954	\$92 895
MEMBERS' EQUITY		
Accumulated surplus	378 123	278 831
	<u>\$470 077</u>	<u>\$371 726</u>

DIRECTOR'S SIGNATURE

[ORIGINAL SIGNED]

_____, Director

[TRANSLATION]

**STATEMENT OF FINANCIAL ACTIVITIES
FOR THE YEAR ENDED MARCH 31, 2004
(Unaudited)**

	2004	2003
INCOME		
Subsidy	\$252 593	\$251 000
OPERATING EXPENDITURES (SCHEDULE A)	159 637	186 512
	<hr/>	<hr/>
SURPLUS	92 956	64 488
	<hr/>	<hr/>
OTHER FINANCIAL ACTIVITIES		
Interest income	1 485	1
Other income	4 851	9 285
	<hr/>	<hr/>
	6 336	9 286
	<hr/>	<hr/>
SURPLUS FOR THE YEAR	\$99 292	\$73 774
	<hr/> <hr/>	<hr/> <hr/>

[TRANSLATION]

**STATEMENT OF ACCUMULATED SURPLUS
FOR THE YEAR ENDED MARCH 31, 2004
(Unaudited)**

	NON ALLOCATED	ALLOCATED TO THE FORESTRY FUND	ALLOCATED TO THE SECTION 22 REVIEW FUND	TOTAL 2004	TOTAL 2003
ACCUMULATED SURPLUS, BEGINNING OF YEAR					
Previous balance	\$171 643	\$107 188	\$ --	\$278 831	\$206 738
Adjustment to previous years (Note 4)	--	--	--	--	(1 681)
Adjusted balance	171 643	107 188	--	278 831	205 057
SURPLUS FOR THE YEAR	49 292	--	50 000	99 292	73 774
ACCUMULATED SURPLUS, END OF YEAR	\$220 935	\$107 188	\$50 000	\$378 123	\$278 831

**NOTES TO FINANCIAL STATEMENTS
AS AT MARCH 31, 2004
(Unaudited)**

1. GOVERNING STATUTES AND NATURE OF OPERATIONS

The James Bay Advisory Committee on the Environment was established by Section 22 of the James Bay and Northern Québec Agreement (JBNQA) and Chapter II of the Environment Quality Act (R.S.Q., c. Q-2) for the primary purpose of reviewing and overseeing the administration and management of the environmental and social protection regime established by and in accordance with Section 22 of the JBNQA.

2. ACCOUNTING POLICIES

Differential Reporting

By unanimous consent of its administrators, the Committee has prepared its financial statements in accordance with Canadian generally accepted accounting principles, following the differential recording rules for non-publicly accountable enterprises:

Financial Instruments

The Committee has chosen not to disclose information on the fair value of financial assets and liabilities where the value is not readily obtainable. The fair value of other assets and liabilities is reported as follows:

The fair value of cash, amounts receivable, notes payable, bank borrowings, accrued expenses and dividends payable corresponds to their book value given their maturity.

Investments

Investments are recorded at cost.

Fixed Assets

Fixed assets are recorded at cost and depreciated over their estimated useful life according to the following methods and rates:

Furniture and equipment	Diminishing balance	20%
Computer equipment	Diminishing balance	30%

3. STATEMENT OF CASH FLOW

A statement of cash flow is not presented, as it would not provide any new, useful information to facilitate the understanding of the changes in cash position during the fiscal year.

[TRANSLATION]

**NOTES TO THE FINANCIAL STATEMENTS
AS AT MARCH 31, 2004
(Unaudited)**

4. ADJUSTMENT TO PREVIOUS YEARS

The Committee disclosed that the amount owed the Ministère de l'Environnement, as calculated in 2002, was underestimated. Consequently, the balance of retained earnings as at April 1, 2002 was reduced by \$1 681 and the financial statements for 2003 were adjusted. Accounts payable and accruals as at March 31, 2003 were increased by \$1 681 to account for this adjustment.

5. RECEIVABLES

	<u>2004</u>	<u>2003</u>
Deposit receivable	\$365	\$ --
Taxes	8 083	\$3 926
	<hr/>	<hr/>
	\$8 448	\$3 926
	<hr/>	<hr/>

6. INVESTMENTS

Term deposit, 1.8%, matured in September 2003	\$ --	\$50 000
Term deposit, 2.6%, maturing in May 2004	111 000	--
Term deposit, 1.8%, maturing in April 2004	50 000	--
Term deposit, 1.8%, maturing in November 2004	50 138	--
Term deposit, 1.8%, maturing in November 2004	50 000	--
Term deposit, 2.25%, maturing in December 2004	140 000	--
National Bank Fund	--	276 760
	<hr/>	<hr/>
	\$401 138	\$326 760
	<hr/>	<hr/>

[TRANSLATION]

**NOTES TO THE FINANCIAL STATEMENTS
AS AT MARCH 31, 2004
(Unaudited)**

7. FIXED ASSETS

	Cost	Accumulated depreciation	2004 Net book value	2003 Net book value
	_____	_____	_____	_____
Furniture and equipment	\$7 764	\$2 751	\$5 013	\$6 266
Computer equipment	9 375	3 896	5 479	4 841
	_____	_____	_____	_____
	\$17 139	\$6 647	\$10 492	\$11 107
	=====	=====	=====	=====

8. ACCOUNTS PAYABLE AND ACCRUALS

	<u>2004</u>	<u>2003</u>
Suppliers	\$294	\$525
Owed to the Ministère de l'Environnement	87 402	87 402
Owed to the HFTCC	4 258	4 968
	_____	_____
	\$91 954	\$92 895
	=====	=====

9. FINANCIAL INSTRUMENTS

Interest Rate Risk

The Committee manages its investment portfolio based on its cash-flow needs in such as way as to maximize its interest income.

10. COMPARATIVE FINANCIAL STATEMENTS

Certain comparative figures from the previous fiscal year have been reclassified to conform to the presentation adopted in 2004.

[TRANSLATION]

SCHEDULE A

**NOTES TO FINANCIAL STATEMENTS
AS AT MARCH 31, 2004
(Unaudited)**

	2004	2003
OPERATING EXPENDITURES		
Salaries, wages, benefits	\$65 517	\$79 829
Telecommunications	2 245	4 156
Rent (office space)	19 820	17 005
Travel expenses	3 001	8 484
Translation	12 651	13 583
Photocopying	3 483	3 976
Messenger services, postage	1 359	1 658
Office supplies, furniture and computer equipment	3 339	3 261
Expert opinions, meeting expenses	1 100	1 579
Moving expenses of executive secretary	--	4 736
Taxes, licences, permits	--	1 929
Insurance	615	543
Dues, fees, memberships, conferences	242	552
Professional fees	1 398	--
Advisory expenses	7 147	--
Training	1 530	1 074
Internet	2 760	--
Interest, bank charges	357	138
Amortization	3 073	3 574
	<u> </u>	<u> </u>
	\$129 637	\$146 077
Expenditures attributable to COMEV	30 000	37 829
	<u> </u>	<u> </u>
	159 637	183 906
Common administrative expenses	--	2 606
	<u> </u>	<u> </u>
	\$159 637	\$186 512
	<u> </u>	<u> </u>

APPENDIX 4

COMPOSITION AND MEETINGS OF THE EVALUATING COMMITTEE

At fiscal year-end 2003-2004, the Evaluating Committee was composed of the following members:

Members appointed by Québec

Daniel Berrouard
Mireille Paul

Members appointed by the Cree Regional Authority (CRA)

Brian Craik
Philip Awashish

Members appointed by Canada

Éric Giroux
Jacques Grondin⁷

During 2003-2004, the Evaluating Committee held 10 meetings, on the dates and at the places indicated below:

<u>MEETING</u>	<u>PLACE</u>	<u>DATE</u>
194	Montréal	2003-04-01 to 03, 2003-04-09 and 2003-04-23
	Chibougamau	2003-04-24
195	Québec	2003-05-06
196	Montréal	2003-05-20
197	Montréal	2003-05-28
198	Montréal	2003-06-18
199	Gatineau	2003-07-15 to 17
200 ⁸	Québec	2003-09-26
201	Québec	2003-10-31
202	Montréal	2003-11-20
203	Montréal	2004-03-31

⁷ Jacques Grondin replaced Jean Crépault, who was a member of COMEV from June 1, 2003 to the beginning of March 2004, after replacing Marie-France Therrien.

⁸ Meeting with Deputy Minister of the Environment Madeleine Paulin and Assistant Deputy Minister Louis Roy (minutes enclosed).

APPENDIX 5

PROJECTS REVIEWED BY THE EVALUATING COMMITTEE

1. Eastmain-1-A power station and Rupert diversion, Société d'énergie de la Baie James;
2. Albanel-Témiscamie-Otish park, Société de la faune et des parcs du Québec (FAPAQ);
3. In-trench disposal site, Tournemine camp, Les Chantiers de Chibougamau ltée;
4. Barette-Chapais sawmill, disposal of wood waste in the sawmill yard;
5. Development of a quarry in Whapmagoostui, Cree Nation of Whapmagoostui;
6. Establishment of an artillery test site in Northern Québec, SNC Technologies inc.;
7. Micro-power station, Pourvoirie Mirage inc.;
8. Northern Québec agri-food project to produce and process natural pork, Chapais Economic Development Corporation;
9. Establishment of five protected areas in natural province F, Direction du patrimoine écologique et du développement durable, Ministère de l'Environnement;
10. Exploration of the Fenelon "A" property, International Taurus Resources Inc.;
11. Mechanical stripping of outcroppings, Clearwater project 2003, Eastmain Resources Inc.;
12. Installation of four weather stations, Société de protection des forêts contre le feu (SOPFEU);
13. Lake Bachelor mine dewatering project, Wolfden Resources Inc.;
14. Restoration of three contaminated sites, Hydro-Québec;
15. Mineral exploration program 2003-2004-2005, Foxtrot property, SOQUEM inc.

1. EASTMAIN-1-A POWER STATION AND RUPERT DIVERSION, SOCIÉTÉ D'ÉNERGIE DE LA BAIE JAMES (SEBJ)

Building on the work carried out in early 2003 to draft directives for the impact statement to be prepared for this project, the Committee continued refining the directives based on the comments expressed during the public consultations held in Montréal and the communities of Mistissini, Waskaganish, Chibougamau, Nemaska and Chisasibi.

On July 31, 2003, in accordance with section 258 of the *Environment Quality Act* and paragraph 22.5.4 of the James Bay and Northern Québec Agreement, the Evaluating Committee sent the provincial administrator, Madeleine Paulin, its recommendations regarding the scope of the environmental and social impact statement to be prepared by the proponents. In accordance with the administrative agreement concerning the environmental assessments of this project, which provides for coordination of the assessment and review processes, the Evaluating Committee also sent its recommendations to federal Environment Minister David Anderson.

2. ALBANEL-TÉMISCAMIE-OTISH PARK, SOCIÉTÉ DE LA FAUNE ET DES PARCS DU QUÉBEC (FAPAQ)

In December 2002, the Evaluating Committee received the preliminary information on the proposed establishment and development of a Québec national park representative of the boreal forest in the area of Lake

Albanel, Témiscamie River and the Otish Mt. The project is being conducted in partnership with the Cree community of Mistissini. COMEV met with the representatives of the proponent and Mistissini Crees on April 24, 2003, in Chibougamau, to gain a better understanding of the background to this project and discuss the state of knowledge, the provisional master plan and the project timetable. On July 11, 2003, the Committee received additional information on the anticipated developments in the years following the park's creation.

On November 27, 2003, after studying all of the information provided by the proponent, COMEV sent the provincial administrator its recommendation on the scope of the environmental and social impact statement to be prepared by the proponent.

3. IN-TRENCH DISPOSAL SITE, TOURNEMINE CAMP, LES CHANTIERS DE CHIBOUGAMAU LTÉE

At its 194th meeting, COMEV studied this project to establish and operate an in-trench disposal site to manage solid waste from the new Tournemine logging camp. The camp, which lodges 150 people, was built in fall 2002 for the salvage harvesting of timber burned during forest fires the previous summer. After requesting and obtaining information on another in-trench disposal site in the same area of Témiscamie River that was authorized in 1994 and withdrawn by the proponent after learning that the site was located in an area set aside as a proposed park, COMEV recommended that the project be exempted from the environmental and social impact assessment and review

procedure. In its letter to the administrator, the Committee recommended that steps be taken to revoke the authorization certificate issued in 1994 to ensure that two disposal sites are not established. It also stressed the importance of the proponent's informing the tallyman whose trapline may be affected by the project.

4. BARRETTE-CHAPAIS SAWMILL, DISPOSAL OF WOOD WASTE IN THE SAWMILL YARD

This "grey area" project involves the establishment of a disposal site for wood waste from the yard of one of Barrette-Chapais's sawmills. The 10 000-m² disposal site would be located 120 m north of the sawmill and be able to receive 2 000 m³ of waste per year for 25 years. The proponent plans on installing three observation wells and diverting surface water to a forested area via a ditch dug around the disposal site. The access road will be developed in such a way as to minimize views of the site from the forest road. After studying the information contained in the project notice, COMEV recommended that the project be exempted from impact assessment. It also stressed the importance of the proponent's continuing its talks with the local tallyman to ensure that the project meets the parties' respective expectations.

5. DEVELOPMENT OF A QUARRY IN WHAPMAGOOSTUI, CREE NATION OF WHAPMAGOOSTUI

This project, carried out under the authority of the local environment

administrator, consisted in developing a quarry on Whapmagoostui Category IA lands for the purpose of establishing a gravel reserve for other projects in the community. Three hectares in size, the quarry is located 1 km from the water intake and over 600 m from the nearest house. There is also an access road 100 m away from the site. The Evaluating Committee recommended that the project be exempted from impact assessment, but stipulated that the project must be carried out in accordance with accepted standards as well as the *Regulation respecting pits and quarries* (R.R.Q., c. Q-2, r.2).

6. ESTABLISHMENT OF AN ARTILLERY TEST SITE IN NORTHERN QUÉBEC, SNC TECHNOLOGIES INC.

COMEV learned of this project in April 2003. The project entails the development and operation of an artillery test site southwest of Chapais, in an area roughly 400 km² (10 km x 40 km) in size under the jurisdiction of the municipality of James Bay. The proponent will gate off 9 km² surrounded by a firebreak, which will include a 1.5-km² impact zone. The proponent will cut down all the trees in the impact zone and remove stumps to maximize visibility and facilitate recovery of spent shells. Trees will also be cut down in a 500-m wide strip around the impact zone, as well as on the sites of observation towers and firing positions (8). Short access roads to the observation towers, firing positions and impact zone will be built using existing logging roads. Testing will take place during two 5-day periods each month, for a total of 10 days per month. Each testing period will consist of 3 days of firing and 2 days of setting up and

taking down firing facilities. Access to the site will be controlled only on firing days and the public will be informed of the firing schedules. There will be no testing during hunting season or when there is an elevated risk of forest fires.

After reviewing the project, COMEV recommended that it undergo environmental and social impact assessment. In accordance with section 158 of the *Environment Quality Act*, the Committee sent the provincial administrator its recommendation regarding the nature and scope of the impact statement to be prepared by the proponent.

**7. MICRO-POWER STATION,
POURVOIRIE MIRAGE INC.**

This project involves the construction of a 150-kW hydroelectric micro-station designed on a diversion scheme to replace existing generating plants. The project is located on the left bank of the La Grande River, to the right of rapids and downriver from the Polaris Bridge. In addition to construction of the power station to house the turbogenerators and their electrical control systems, the project includes the excavation of a roughly 50-m-wide diversion channel upriver, as well as a tailrace channel. A 4-km-long overhead power line to be built between the power station and the outfitting establishment will require the installation of 100 poles.

After studying the project information, COMEV recommended that the project undergo impact assessment. In accordance with section 158 of the *Environment Quality Act*, the Committee sent the provincial

administrator its recommendation regarding the nature and scope of the impact statement to be prepared by the proponent.

**8. NORTHERN QUÉBEC AGRI-FOOD
PROJECT TO PRODUCE AND
PROCESS NATURAL PORK, CHAPAIS
ECONOMIC DEVELOPMENT
CORPORATION (CEDC)**

This project, located partly in the municipality of Chapais and partly in the municipality of James Bay, consists in building a factory hog farm for the purpose of producing and processing natural pork (no antibiotics, hormones, etc. past weaning). The complex would have 15 fattening units with a total capacity of 35 000 pigs, 8 nurseries with a capacity of 17 500 piglets, 3 farrowing units with a capacity of 4 800 sows, a mill, a raw manure treatment system and a slaughterhouse. After studying the documents submitted by the proponent, COMEV recommended that the project undergo environmental and social impact assessment. This decision was in line with a recommendation contained in the report of the environmental hearings board (BAPE) regarding sustainable hog farming, namely, an environmental and social impact review process for all hog farming projects submitted to the Ministère de l'Environnement for the purposes of obtaining an authorization certificate.

COMEV's recommendation to the provincial administrator regarding the nature and scope of the impact statement to be prepared by the proponent constituted the first time in Québec that an environmental and social impact study would be required for a project to build a factory hog farm.

9. ESTABLISHMENT OF FIVE PROTECTED AREAS IN NATURAL PROVINCE F: MUSKUUCHII HILLS, BOATSWAIN BAY, MINISTIKAWATIN PENSINSULA, MISSISICABI PLAIN AND NORTH HARRICANA RIVER, DIRECTION DU PATRIMOINE ÉCOLOGIQUE ET DU DÉVELOPPEMENT DURABLE, MINISTÈRE DE L'ENVIRONNEMENT

This project was submitted to COMEV in summer 2003 and consists in the establishment of five protected areas in natural province F, i.e. the Abitibi and James Bay lowlands. The land set aside for the purpose of protecting and conserving biological diversity and the associated natural and cultural resources, includes four proposed biodiversity reserves and one aquatic reserve covering a total of 2658.4 km². In accordance with section 29 of the *Natural Heritage Conservation Act*, the proposed protected areas have been assigned temporary protection status for four years as of May 7, 2003, and a conservation plan has been established for each area. The project was submitted to COMEV under the James Bay and Northern Québec Agreement with a view to assigning permanent protection status to the areas.

In accordance with section 158 of the *Environment Quality Act*, the Evaluating Committee sent the provincial administrator its recommendation regarding the scope of the environmental and social impact statement to be prepared by the proponent.

10. EXPLORATION OF THE FENELON "A" PROPERTY, INTERNATIONAL TAURUS RESOURCES INC.

This project to operate an underground mine in the township of Fenelon, near the southern limit of the JBNQA territory, is the latest in a series of gold exploration projects begun in 2001 by the same proponent and which COMEV recommended be exempted from the environmental and social impact assessment and review procedure. Given the significant volume of material that was to be extracted during the last exploration campaign, COMEV stipulated in its recommendation to the provincial administrator that any future projects planned by the proponent in the same area be subject to impact assessment. This latest exploration project provides for a 740-m-long ramp, 75 m of risers and 223 m of adits for the purpose of extracting nearly 138 000 tonnes of ore. The ore will be transported to a mill in Matagami. The proponent plans on starting as soon as reserves determined through sampling are confirmed.

After studying all of the information submitted by the proponent and in accordance with section 158 of the *Environment Quality Act*, COMEV sent the provincial administrator its recommendation regarding the scope of the environmental and social impact statement to be prepared by the proponent.

11. MECHANICAL STRIPPING OF OUTCROPPINGS, CLEARWATER PROJECT 2003, EASTMAIN RESOURCES INC.

COMEV received the preliminary information for this project in July 2003.

This mineral exploration project is the continuation of three similar projects for which COMEV recommended exemption in 2000, 2001 and 2003. This fourth project involves mechanical stripping on the Clearwater property, or a total of 17 strippings 1 m x 10.4 km. Site remediation will be carried out when exploration is completed.

After studying the project information and in accordance with section 157 of the *Environment Quality Act*, COMEV recommended that the project be exempted from the environmental and social impact assessment and review procedure.

The Committee stressed to the Ministère de l'Environnement the importance of the proponent's maintaining good relations with the tallymen whose traplines will be affected by the strippings and continuing to hiring Cree workers for certain aspects of the project.

12. INSTALLATION OF FOUR WEATHER STATIONS, SOCIÉTÉ DE PROTECTION DES FORÊTS CONTRE LE FEU

At its 202nd meeting, COMEV studied this project to build four automatic weather stations to assess forest dryness. Each station requires the installation of a 10-m-high tower, the removal of trees in a 75-m radius and the installation of instruments for measuring precipitation, temperature, relative humidity, and wind direction and speed. Energy will be supplied by solar panels with accumulators. The proponent also required approval from the Ministère de l'Environnement to apply for a land lease from the Ministère

des Ressources naturelles, de la Faune et des Parcs (MRNFP).

After studying the application, COMEV recommended to the provincial administrator that the project be exempted from environmental and social impact assessment and review.

The Committee informed the Ministère de l'Environnement of the importance of the proponent's informing the tallyman whose trapline will be affected by the project and considering hiring Cree workers for certain aspects of the project.

13. LAKE BACHELOR MINE DEWATERING PROJECT, WOLF DEN RESOURCES INC.

At its 200th meeting, COMEV studied this mining exploration project involving the dewatering of an existing underground gold mine for the purpose of drilling boreholes from the last level developed or, if the possible, from an exploration ramp that could be developed from this level. The initial underground gold mining project was authorized back in February 1982 and the mine operated up until 1989. Furthermore, the first dewatering application was authorized in 1997 for the Société minière Espalau inc.

After studying the preliminary information, the Evaluating Committee asked for and received clarifications regarding, in particular, the dewatering process, development of access ramps, mine effluent and the potential for acid mine drainage. Satisfied with the answers it received, COMEV recommended to the provincial administrator that the project be

exempted from the environmental and social impact assessment and review procedure. In making its recommendation, the Committee stressed the importance of the proponent's informing the local tallyman, considering using Cree workers for certain aspects of the project and being reminded of the creation of the Cree-Québec Mineral Exploration Board.

Lastly, the proponent must also comply with the requirements of mining directive 019 published by the Ministère de l'Environnement.

14. RESTORATION OF THREE CONTAMINATED SITES, HYDRO-QUÉBEC

This project was submitted to COMEV in October 2003. It involves the restoration of three decommissioned sites jointly operated by Hydro-Québec and the Société d'énergie de la Baie James (SEBJ) during various phases of the feasibility studies conducted for the Nottaway-Broadback-Rupert (NBR) and the La Grande hydroelectric development projects. For two of the sites, the proponent plans to excavate contaminated soil and transport it to an authorized centre for treatment. For the third site, the proponent is considering in-situ decontamination using a process under development. The Evaluating Committee recommended that the project be exempted from impact assessment, with the understanding that the work is to be carried out in accordance with the requirements of the Ministère de l'Environnement. COMEV stipulated that it wanted to be informed of the in-situ decontamination process proposed for the third site.

15. MINERAL EXPLORATION PROGRAM 2003-2004-2005, FOXTROT PROPERTY, SOQUEM INC.

This exploration project, located approximately 275 km from Mistissini, aims to assess the diamond-bearing potential of the Foxtrot mining property by drilling through ice to take bulk samples of hundreds of tonnes of mineralized rock. The project requires the development of a 4 000-ft. landing strip on ice and the expansion of two existing prospecting camps to increase their capacity from 60 to 100 people. The proponent also plans to build two access roads: one to facilitate transportation of drilling equipment and the other to ensure a land link between the two mining camps. The work was to begin in December 2003 and continue through 2004 and 2005.

After studying all of the information submitted by the proponent and in accordance with section 157 of the *Environment Quality Act* and paragraph 22.5.13 a) of the James Bay and Northern Québec Agreement, COMEV recommended to the provincial administrator that the project be exempted from the environmental and social impact assessment and review procedure.

As with the other mining exploration projects previously discussed, the Evaluating Committee stipulated in its recommendation that the proponent must maintain ties with the local tallyman, consider hiring Cree workers and comply with mining directive 019. COMEV also stressed the importance of reminding the proponent that an authorization certificate is required for any drilling in lakes, under section 22 of the *Environment Quality Act*.

**MEETING WITH MADELEINE PAULIN,
DEPUTY MINISTER OF THE
ENVIRONMENT AND PROVINCIAL
ADMINISTRATOR, AND ASSISTANT
DEPUTY MINISTER LOUIS ROY**

During its 200th meeting, the Evaluating Committee got a chance to meet with Madeleine Paulin. She was accompanied by Louis Roy and Robert Joly.

Ms. Paulin began by saying how much she appreciated the Committee's work, which she considers benefits all Quebecers. She said that, over time, she has witnessed the range of issues dealt with by the Evaluating Committee, the involvement of its members and the level of expertise they bring to the different types of projects. She assured COMEV that it has her support and that she considers its work to be very professional. Mr. Roy agreed with Ms. Paulin and asked that the Deputy Minister's words be recorded in the meeting minutes.

Daniel Berrouard gave a brief history of the work carried out by the Committee since its creation in 1978. The Deputy Minister asked for more information on the types of projects reviewed by the Committee, the geographical area covered by its mandate and where the Committee holds its meetings. COMEV Chairperson Philip Awashish thanked Ms. Paulin for her words and said that he appreciated the fact that the Québec government is collaborating with the Crees in discussing development of the territory, as well as the government's regard for informing the Crees about its development goals. He also told the Deputy Minister that Jamesians appreciate the way the government does things. By way of conclusion, Ms. Paulin

informed the Committee that the Ministère de l'Environnement is happy to be involved in the development of Northern Québec and said it was her privilege to have been invited to speak to the Committee at its 200th meeting.

APPENDIX 6

**TABLE OF PROJECTS SUBMITTED TO
THE EVALUATING COMMITTEE (COMEV)
AND THE REVIEW COMMITTEE (COMEX)⁹**

PROJECT	PROPONENT	SUBJECT TO IMPACT ASSESSMENT	COMEV RECOMMENDATION	COMEX RECOMMENDATION
Eastmain 1-A/ Rupert diversion	Hydro-Québec	Yes	-	Pending
Environmental follow-up of the La Grande complex	Hydro-Québec	-	-	<ul style="list-style-type: none"> • Continue long-term monitoring of hydrology, ice regime and bank dynamics • Finish the monitoring reports on water quality and the social milieu
Micro-power station	Pourvoirie Mirage	Yes	-	Pending
Albanel- Témiscamie- Otish park	FAPAQ	Yes	-	Pending
Five protected areas	Ministère de l'Environnement	Yes	-	Pending
Factory hog farm	Chapais Economic Development Corporation	Yes	-	Pending
Artillery test site	SNC Technologies	Yes	-	Pending public consultation
Mining exploration	Eastmain Resources	No	Use Cree workers	-

⁹ No projects were submitted to the federal Review Panel (COFEX-South) in 2003-2004.

PROJECT	PROPONENT	SUBJECT TO IMPACT ASSESSMENT	COME V RECOMMENDATION	COMEX RECOMMENDATION
Mining exploration	Wolfden Resources	No	<ul style="list-style-type: none"> • Inform tallyman and hire Cree workers; • Comply with mining directive 019 	-
Mining exploration	SOQUEM	No	<ul style="list-style-type: none"> • Inform tallyman and hire Cree workers; • Comply with mining directive 019 • Apply for authorization to drill in lakes 	-
Gold exploration	International Taurus Resources	Yes	-	Prepare supplementary information document
Remediation of mine site	Inmet Mining Corporation	Yes	-	Monitor acid mine drainage, cyanide use, tailings pond, length of operations, etc.
Experimental fishing in relation to mining project	Breakwater Resources Ltd.	-	-	Maintain conditions of 1998 authorization certificate
Restoration of contaminated sites	Hydro-Québec	No	<ul style="list-style-type: none"> • Comply with existing requirements; • Inform COMEV of new decontamination process 	-
In-trench disposal site	Chantiers Chibougamau	No	Revoke authorization issued in 1994	-

PROJECT	PROPONENT	SUBJECT TO IMPACT ASSESSMENT	COME V RECOMMENDATION	COMEX RECOMMENDATION
In-trench disposal site	SEBJ (Eastmain-1 camp)	Yes	-	Authorize project with requirements regarding optimization of site's useful life
Disposal of wood waste in sawmill yard	Barrette-Chapais	No	Consult tallyman	-
Broadback access road	Abitibi-Consolidated	Yes	-	Pending consultation of proponent and community of Waswanipi
Quarry	Whapmagoostui First Nation	No	Comply with <i>Regulation respecting pits and quarries</i>	-
Weather stations	Société de protection des forêts contre le feu	No	Inform tallyman and hire Cree workers	-

APPENDIX 7

TERRITORY COVERED BY SECTION 22 OF THE JBNQA

APPENDIX 8

LEGISLATIVE PROVISIONS CONCERNING ENVIRONMENTAL AND SOCIAL PROTECTION IN THE JAMES BAY REGION

Québec statutes

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

Act to amend the Environment Quality Act and other legislative provisions with regard to land protection and rehabilitation (Bill 72, 2002, chapter 11);

James Bay and Northern Quebec Native Claims Settlement Act (S.C. 1976-1979, c. 32);

Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R-13.1);

The Cree Villages and the Naskapi Village Act (c. V-5.1);

Act to amend the Forest Act and other legislative provisions (Bill 136, 2001, c. 6);

Natural Heritage Conservation Act (Bill 129, 2002);

Act to ensure the implementation of the Agreement Respecting a New Relationship Between le Gouvernement du Québec and the Crees of Québec (R.S.Q., c. M-35.1.2).

Federal statutes

Cree and Naskapi (of Québec) Act: An Act respecting certain provisions of the James Bay and Northern Quebec Agreement and the North-eastern Quebec Agreement relating principally to Cree and Naskapi local government and to the land regime governing Category 1A and Category 1A-N land (1984, c. 18);

Canadian Environmental Protection Act: An Act respecting pollution prevention and the protection of the environment and human health in order to contribute to sustainable development (1999, c. 33);

Canadian Environmental Assessment Act: An Act to implement the federal environmental assessment process (1992, c. 37).

Fisheries Act (R.S. 1985, c. F-14)

Québec regulations and other measures

Regulation respecting certain bodies for the protection of the environment and social milieu of the territory of James Bay and Northern Quebec [O.C. 433-79, 14 February 1979, Environment Quality Act (1972, c. 49, s. 124 and 240 a 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, Environment Quality Act (R.S.Q., c. Q-2)];

Rules of internal management of the James Bay Advisory Committee on the Environment [c. Q-2, r. 21, Environment Quality Act (R.S.Q., c. Q-2, s. 140)];

Environmental Assessment and Review Process Guidelines Order (P.C. 1984-2132, 1984).