



Comité consultatif pour l'environnement de la Baie James
James Bay Advisory Committee on the Environment
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JBACE

ANNUAL REPORT

2007 – 2008



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ANNUAL REPORT 2007 – 2008

**James Bay Advisory Committee
on the Environment**

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June 5, 2008

The Hon. John Baird
Minister of the Environment of Canada

The Hon. Line Beauchamp
Québec Minister of Sustainable Development,
Environment and Parks

Grand Chief Matthew Mukash
Grand Council of the Crees (Eeyou Istchee)

**Ministers Baird and Beauchamp:
Grand Chief Mukash:**

I am pleased to present the activity report of the James Bay Advisory Committee on the Environment for the year ended March 31, 2008.

Respectfully submitted,



**Ashley Iserhoff
Chairman**



CHAIRMAN'S MESSAGE

A lot of people are not really aware of the role played by the James Bay Advisory Committee on the Environment (JBACE) in the James Bay and Northern Québec Agreement (JBNQA). A year ago, I was one of them, yet I accepted—apprehensively—to chair the Committee. Moreover, I knew that the members had important issues on the table and, today, I am proud to say that the JBACE accomplished the mandates expected of it in 2007-2008.

Our committee could not claim to play its role if its actions did not make a difference for the inhabitants of the James Bay Territory. The JBACE's recommendations following the review of the lists of development projects subject to and exempt from impact assessment aim to, among other things, exempt projects that are already adequately governed by regulations and by-laws, including the environmental protection by-law adopted by Cree First Nations. If the signatory parties to the JBNQA approve our recommendations, it will streamline the authorization process for such projects.

In the area of forest management, the Committee reminded the minister and agreement holders of the importance of consulting tallymen during the preparation of general forest management plans for the James Bay Territory. Given that a third of the 15 plans filed were deficient in this regard, we hope that the companies concerned will make the improvements recommended by the JBACE when carrying out their forest management activities.

I am especially encouraged by the progress made in establishing waste recovery and recycling programs in James Bay. Although the Québec government has not yet published its draft regulation, this is a good example of a government measure that is liable to improve the quality of life of people living in remote regions. Moreover, I admire the people who have begun recovering residual materials in their respective communities instead of waiting for government programs to be put in place.

In another area, the JBACE took the initiative of submitting a report on the anticipated impacts of climate change in the James Bay Territory. We intend to work closely with our partners in the coming years to implement measures to both fight and adapt to climate change.

In closing, I would like to thank all of the JBACE members for their support, particularly those who sat on the different subcommittees to carry the JBACE's projects through to a successful conclusion. Their efforts, along with the collaboration received from our partners, make environmental and social protection of the James Bay Territory not just a phrase, but a reality.

Chairman

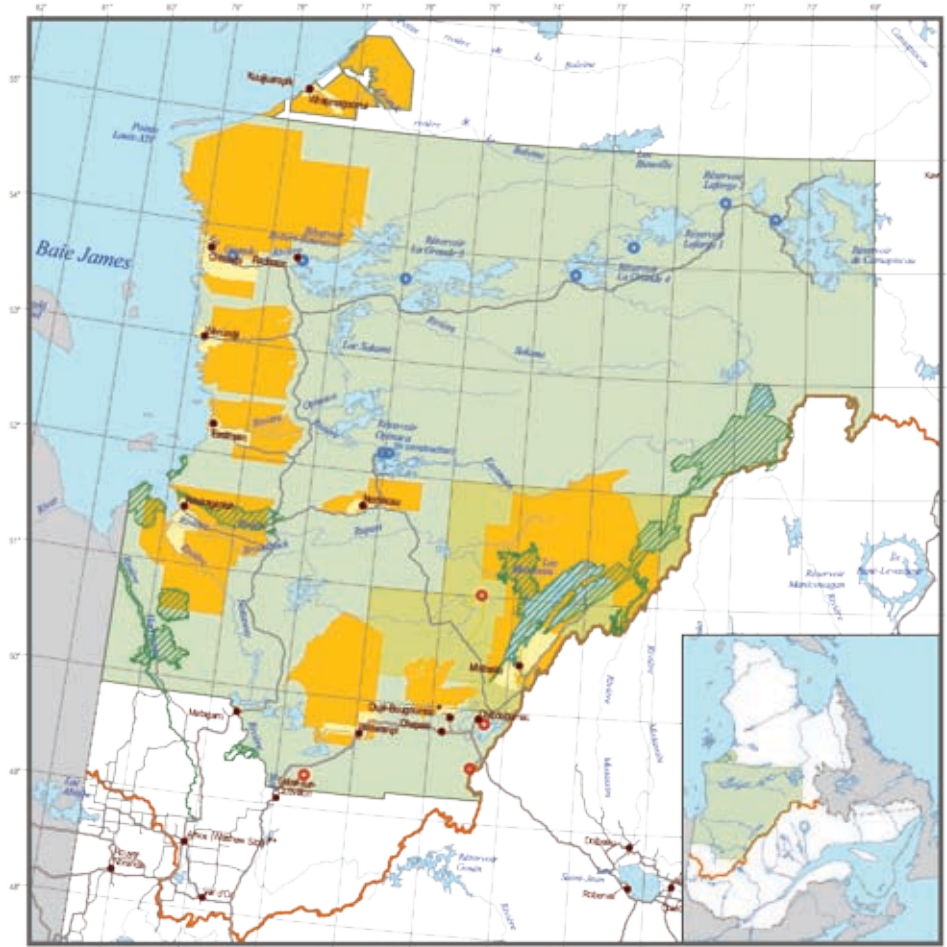
A handwritten signature in blue ink, appearing to read 'Ashley Iserhoff', written in a cursive style.

Ashley Iserhoff

June 5 2008

TERRITORY COVERED BY THE ENVIRONMENTAL AND SOCIAL PROTECTION REGIME (SECTION 22)

Territory covered by the environmental and social protection regime



- Territory covered by the regime
- Cree Category I lands
- Cree Category II lands
- Southern limit of JINCA Territory
- Interprovincial border
- Oujé-Bougouville Category I and II lands are under negotiation
- The Mushkegeth 5th Eeyou Association is temporarily based in Arisa

- Hydroelectric power station
- Active mine site
- Wildlife sanctuary
- Protected area

Sources
 Land Division, wildlife area and mine site MRNF 2007
 Protected area MDDFP 2007

Produced by
 Direction générale de l'information géographique
 Ministère des Ressources naturelles et de la Faune, May 2007

Metadata
 Map Projection Lambert Conic Conformal with two false-gate parallels maintained (42° and 80°)

0 100 km





HIGHLIGHTS

INTRODUCTION

The James Bay and Northern Québec Agreement (JBNQA) is a treaty enshrined in the Canadian Constitution. Section 22 establishes an environmental and social protection regime specific to the James Bay Territory ('Eeyou Istchee' in Cree). One of the purposes of this regime is to protect the rights of Native people when environmental or social laws, regulations or policies are proposed as well as when development projects are planned in the Territory. These objectives can be attained through application of the regime.

The James Bay Advisory Committee on the Environment (JBACE) is a consultative body to governments and, as such, is the preferential and official forum during the formulation of laws and regulations relating to the environmental and social protection regime. The Committee also oversees administration and management of the regime. It recommends measures to the governments when problems arise in administration of the regime or when improvements are warranted. The JBACE may also make recommendations relating to administration of the environmental and social impact assessment and review procedure for development projects.

In 2007 – 2008, the JBACE devoted a great deal of time and effort to updating the impact assessment and review procedure as well as to addressing a number of problems encountered during its application. In addition, the Committee reviewed and made recommendations regarding the 15 general forest management plans for some 85 000 km² of the James Bay Territory. In the area of land use planning, the JBACE remains concerned about the regional governance proposal of the Ministère des Ressources naturelles et de la Faune (MRNF) given the serious problems in aligning it with the JBNQA and the provisions of the Agreement Concerning a New Relationship Between Québec and the Crees (ANRQC), particularly the adapted forestry regime established for the Territory.

The JBACE played an active role in the management of residual materials in the Territory, especially through its residual materials working group. It expects to see tangible results soon with respect to the application of recycling programs in James Bay and life cycle assessment of residual materials management scenarios for the Territory's communities. Lastly, the Committee continues to be involved in the establishment of protected areas and the fight against climate change.

1 ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT AND REVIEW PROCEDURE: A NEED FOR RENEWAL

Last year, the JBACE gave priority to reviewing the lists of development projects automatically subject to and exempt from impact assessment (schedules 1 and 2 of Section 22 of the JBNQA). The Committee was able to finish updating the lists thanks to a remarkable effort on the part of its members and partners. The JBACE is also supporting a research project on Cree participation in the environmental and social impact assessment and review process, which is too often seen as being limited to the appointment by Cree authorities of members to the evaluating and review committees/panels. As well, the JBACE started following up on past recommendations to governments relating to the procedure's application to Category I lands¹. And lastly, the JBACE took steps to ensure adequate impact assessment of certain development projects.

a) Review of the lists of development projects

The lists of projects contained in schedules 1 and 2 of Section 22 are of major importance in that they determine whether a project planned in the James Bay Territory, or a project that could have impacts on the Territory and its Cree population, will require an impact statement. However, these lists of projects automatically subject to and exempt from impact assessment have not been updated since the JBNQA was signed in 1975. Over time, this has resulted in needless environmental assessment of projects that are already subject to a regulatory framework that ensures complete environment protection. The review focused in particular on the pertinence of expanding the exclusion list (Schedule 2) by adding the relatively large number of projects hitherto falling into the "grey-zone," that is, projects included in neither Schedule 1 (subject to assessment) nor Schedule 2 (exempt from assessment). To date, grey-zone projects have been repeatedly exempted from impact assessment on recommendation by the Evaluating Committee (COMEV).

Roughly, the JBACE recommended a few changes to Schedule 1 and numerous additions to Schedule 2². As provided for in the JBNQA, these recommendations were made in light of technological changes and experience with the assessment and review procedure. Moreover, the JBACE had three objectives in mind when reviewing the lists:

- Make it easier for proponents and the public to understand the impact assessment and review mechanisms.
- Ensure Cree involvement in the environmental and social impact assessment process;
- Streamline the process taking the regulatory framework into account and exempting projects that will have a minor impact.

The JBACE formed a working group³ to oversee the data collection and analysis work entrusted to an intern and a consultant, who documented the impacts of projects carried out, identified decision-making factors where possible and helped draft recommendations for updating the lists. Acknowledging the utmost importance of engaging all of the players involved in the assessment and review procedure, the JBACE invited the signatory parties and the committees established by Section 22 to a workshop on the draft recommendations; the turnout was high. The workshop resulted in a consensus on a large majority of the project categories discussed, while underscoring the need to compile more information on the impacts of certain projects and the added value of impact assessment.

¹ Category I lands are lands set aside for the exclusive use of the Crees.

² For additional information, the report of recommendations can be consulted on the JBACE Web site, under "Publications": www.ccebj-jbace.ca.

³ The members of the working group are listed in Appendix 1

PRINCIPAL CHANGES RECOMMENDED SCHEDULES 1 & 2

| ADDITIONS OF DEVELOPMENT PROJECTS | |
|---|--|
| <p>Schedule 1 (automatically subject to impact assessment)</p> | <p>Wind farms of a capacity of 10 MW or over</p> <p>Livestock production and processing on an industrial scale</p> |
| <p>Schedule 2 (exempt)</p> | <p>Outfitting facilities and expansion of such facilities</p> <p>Decontamination of contaminated soil</p> <p>Remote landfills serving a maximum of 50 people</p> <p>Drinking water supply systems and treatment plants</p> <p>Domestic wastewater collection and disposal systems</p> <p>Biological control of insects</p> <p>Snowmobile and all-terrain vehicle trails for the purposes of exercising the right to harvest guaranteed to the Cree people</p> <p>Boat ramps intended for the purposes of exercising the right to harvest guaranteed to the Cree people</p> |

Although the JBNQA provides for review of the project lists every five years, it is a long and exacting process: documenting and analyzing data and consulting partners took over a year. However, much will be gained if the signatory parties to the JBNQA approve the recommended changes and the impact assessment and review procedure is made more effective because of them. If the recommended changes had been made to the lists of development projects at the beginning of the period covered by the review, 69 projects, or 40% of the projects submitted between 1991 and 2005, would most likely have been automatically exempted from impact assessment.

b) Cree participation in the environmental and social impact assessment process

During its review of the impact assessment and review procedure, the JBACE stressed in its Strategic Plan the need to make the consultation procedure more predictable. Currently, the JBNQA does not provide for a specific consultation mechanism relating to development projects. It is up to the evaluating or review committees/panels, if they so decide, to hold consultations in the Cree communities on the directives or impact statement for a given project.

That is why the JBACE is supporting a research project on the development of a consultation model adapted to James Bay communities. The Committee approached Professor Pierre André of the Université de Montréal, a renowned expert on public participation, about the project, which is being led by Kelly LeBlanc, a Master's candidate in geography at the same university. A steering committee⁴ was also set up to help select the four development projects that would be examined for public participation. The project leader met with the stakeholders in these four projects. The examination should make it possible to compare current practices with the generally accepted rules or principles of good practice in public participation⁵. The JBACE hopes this will improve the consultation process during environmental assessment and make consultation systematic. Unlike in southern Québec, there is no set rule or procedure for consultation in northern Québec.

c) Application of the procedure to Category I lands

In 2006, the JBACE formulated recommendations for improving application of the environmental and social impact assessment and review procedure to projects on Cree Category I lands. The issue had been addressed at the request of the Federal Review Panel (COFEX-South), which had encountered problems in reviewing two projects on Category I lands: decisions made by the local government, the project proponent, apparently limited the scope of COFEX-South's review of the project.

The JBACE's recommendations were aimed at, among other things, improving project planning and strengthening local authority⁶. A JBACE delegation met with the Council-Board of the Grand Council of the Crees (GCC), which is composed of all the chiefs of the local Cree governments, to present the recommendations and discuss their implementation. The Cree representatives underlined the importance of updating the lists of development projects subject to and exempt from impact assessment, feeling that it would improve application of the procedure to Category I lands. The advisability of making measures to mitigate the impact of major projects on the Cree people subject to impact assessment and review was also discussed during the meeting with the Council-Board. The GCC members asked the JBACE to consider exempting snowmobile trails and boat ramps intended to improve access to hunting grounds. Not long after, the JBACE wrote to the chiefs of the Cree communities to give them a progress report.

⁴The members of the committee are listed in Appendix 1.

⁵In particular, the Aarhus Agreement and the assessment grid used by the International Association for Impact Assessment (IAIA).

⁶For additional information, the recommendations are available on the JBACE Web site under "Publications": www.ccebj-bace.ca.

d) Problematic handling of certain projects

In the context of its mandate to oversee administration of the impact assessment and review procedure, the JBACE was notified of projects that apparently should have been submitted to environmental assessment under Section 22. The JBACE wrote to the MDDEP regional office to find out the terms and conditions of the projects' authorization or the planned measures for those that were not duly authorized. Moreover, the JBACE emphasized the obligation to consult the Cree communities concerned before authorizing a project, notably with regard to the exercising of the Crees' right to harvest wildlife⁷.

The JBACE gave special attention to the proposed Robert-Boyd commemorative park. This project was not submitted to impact assessment, even though proposals for parks are automatically subject to the Section 22 procedure. Visitors to the park hinder the ability of the Cree family that owns the adjacent trapline to exercise their hunting rights. The JBACE called on the Provincial Administrator, in this case the Deputy Minister of Sustainable Development, Environment and Parks, to put remedial measures in place to ensure the Crees are able to exercise the rights guaranteed to them by the JBNQA. The JBACE intends to continue its representations to the Provincial Administrator to more clearly define the criteria for submitting this type of project to impact assessment: whereas the JBNQA defines "parks" in general terms, the Administrator seems to apply a much more restrictive definition. The definition of "park" needs to be clarified for application of the impact assessment and review procedure to this type of project.



⁷The hunting, fishing and trapping rights guaranteed to Native people are set out in Section 24 of the James Bay and Northern Québec Agreement.

2 SUSTAINABLE FOREST MANAGEMENT

In addition to overseeing administration of the impact assessment and review procedure, the JBACE examines government measures that might affect the environmental and social protection regime. The JBNQA provides that forest management plans must be submitted to the JBACE for its consideration and comments before the responsible minister approves the plans. The Committee has 90 days to make its comments known (paragraph 22.3.34).



a) Review of general forest management plans (GFMPs)

Québec's forest regime provides for the preparation of forest management plans every five years. However, the review of GFMPs for the period 2008-2013 is special in that this is the first time the bodies created in 2002 pursuant to the adapted forestry regime provided for in the Agreement Concerning a New Relationship Between Québec and the Crees (ANRQC) have a voice in the matter. These bodies are the Cree-Québec Forestry Board and the joint working groups established in the five Cree communities affected by commercial forestry.

Among other responsibilities, these bodies ensure direct participation by the Crees in forest planning as well as compliance with the new requirements for protecting the Crees' hunting, fishing and trapping rights. As much as possible, the JBACE took the work carried out by these bodies into account in order to avoid duplication. Obviously, the JBACE shares many of the same concerns as the Cree-Québec Forestry Board with regard to consulting and involving the Cree people and protecting their rights.

A subcommittee was formed to oversee the work carried out by the consultants hired to review the 15 GFMPs for the James Bay Territory. However, the review process is impeded by the late transmission of documents by the Ministère des Ressources naturelles et de la Faune (MRNF). For example, the reports on Cree participation contained in the GFMPs had been deemed non-compliant by the MRNF, and the JBACE received the compliant reports just two weeks before the deadline for making its comments known. This created a huge pitfall considering the importance the JBACE gives to the quality of Cree participation in its assessment of GFMPs.

It was concluded that 5 of the 15 plans did not satisfy the criteria adopted by the JBACE. The Committee's recommendations initially dealt with the MRNF's Instructions for Preparing Forest Management Plans: evidently, the guidelines regarding Cree land use were not clear enough, since all of the GFMPs were deficient in this regard. Furthermore, the JBACE considered that some of the plans showed inadequate consultation of and economic benefits for the Cree communities.

In reviewing GFMPs, the JBACE considers not only the content of the plans, but also numerous interviews conducted in the Territory with timber supply and forest management agreement holders and Cree members of the joint working groups⁸.

⁸Unfortunately, the MRNF representatives on the joint working groups refused to grant interviews.



SUMMARY OF THE RECOMMENDATIONS MADE TO THE MINISTER OF NATURAL RESOURCES AND WILDLIFE REGARDING FOREST MANAGEMENT PLANS⁹

- Review the requirements regarding the description of the social context and Cree land use.
- Require mandataries of five GFMPs to complete the Cree participation process.
- Ensure adequate consultation of Cree tallymen about the location of forest protection and development objectives (wildlife habitat, biological refuges, etc.).
- Ask the mandataries to clarify the means they intend to use to promote economic benefits for the Crees.
- Revise the Instructions for Preparing General Forest Management Plans to require a more detailed description of the Cree participation process.
- Encourage mandataries to use planning tools (Family Planning Maps developed by the CRA and communities).
- Ensure that criteria based on environmental and social protection for the Crees are included in the mechanisms used to monitor GFMP implementation and acquire knowledge for the preparation of future GFMPs.

⁹The recommendations report is available on the JBACE Web site under “Publications”: www.ccebj-bace.ca

b) Consultation on environmental and forest performance criteria

In conjunction with its consultation on GFMPs, the MRNF also conducted a consultation on criteria and indicators for evaluating the performance of timber supply and forest management agreement (TSFMA) holders during the period 2008-2013. These criteria make it possible, at the end of the application period, to determine whether, and to what degree, the measures contained in a GFMP were applied. During the consultation, the JBACE stressed the need to establish criteria specific to the James Bay Territory so as to measure compliance with the provisions of the adapted forestry regime of the ANRQC and the guiding principles of the JBNQA environmental and social protection regime. For reference purposes, the Committee enclosed with its submission a copy of the analysis grid containing its criteria for reviewing the GFMPs for 2008-2013.

c) Bill to amend the Forest Act

Delivering on its promise to give TSFMA holders greater leeway in managing the forest resource, the Québec government tabled a bill amending the Forest Act. Because this consultation was held at the same time as the two consultations mentioned above, the JBACE did not examine the bill in detail. However, it did endorse the proposed amendment to include biological refuges¹⁰ in Québec's protected areas network.

For maximum environmental gain while acknowledging that biological refuges and sites of special interest have different objectives, the JBACE recommended that biological refuges not overlap, under any circumstances, sites of special interest identified pursuant to the adapted forestry regime of the ANRQC¹¹. The objective of biological refuges is to conserve biodiversity, while the objective of sites of special interest is to favour the practice of Cree traditional pursuits. Of course, it is assumed that sites of special interest identified by the Crees harbour quality wildlife habitat. The bill was passed at the end of 2007.

The JBACE gives importance to forest issues, both in the southern part of James Bay subject to commercial forestry as well as in the entire territory of over 450 000 km² where the Crees engage in many forms of land use. However, there is an issue that concerns all of the resources occurring in the territory which we will now discuss.

3 REGIONAL GOVERNANCE PROGRAMS

The Ministère des Ressources naturelles et de la Faune (MRNF) expressed a desire to give the regions more responsibilities in managing their natural resources. To that end, it introduced programs to create regional forestry commissions and regional natural resource and land commissions. The programs provide funding to regional conferences of elected officers that want to assume these new responsibilities. The James Bay Regional Conference of Elected Officers (JBRCEO), which represents non-Aboriginal municipalities, used the program to develop a regional forestry commission proposal.

¹⁰ Biological refuges cover 2% of the total area of each forest management unit.

¹¹ Sites of special interest identified by the tallyman cover 1% of the total area of a trapline.





The JBACE considered this initiative unacceptable for two reasons:

- first, the Crees were not involved in the development of the forestry commission proposal; and
- second, it is not certain that the proposal meshes with the mechanisms of the adapted forestry regime of the ANRQC or the JBNQA.

The JBACE invited the MRNF to present its regional governance programs to the ANRQC's Standing Liaison Committee¹². The ministerial authorities were open to the idea, but the Liaison Committee never raised the matter at its meetings.

According to the JBACE, this issue goes beyond the role of the JBRCEO and the development of a regional forestry commission: it highlights the lack of land use planning mechanisms for ensuring Cree involvement.

The JBACE intends to continue its efforts, reminding the players of the following obligation of JBNQA signatories:

"A special status and involvement for the Cree people over and above that provided for in procedures involving the general public through consultation or representative mechanisms wherever such is necessary to protect or give effect to the rights and guarantees in favour of the Native people established by and in accordance with [this] Agreement." (paragraph 22.2.2c)

4 INTEGRATED MANAGEMENT OF RESIDUAL MATERIALS

Among the environmental and social issues impacting the James Bay Territory, residual materials management is of growing importance, and understandably so: the generation of residual material is increasing with the rapid population growth of Cree communities. The opening of a landfill site can have an impact on the activities carried out on adjacent traplines. Inspired by the Québec Residual Materials Management Policy, the JBACE wants to contribute to the achievement of recovery targets that are compatible with the realities of the Territory and its communities. The long-distance hauling of waste and small size of communities are unquestionably major factors that need to be considered.

That is why the Cree communities are looking at alternatives. The community of Wemindji opted for incineration combined with local recycling. In fact, Wemindji's recycling program, supported by the JBACE, earned the community a Phénix de l'environnement award. Other communities have begun recovering hazardous waste, although these are isolated initiatives given that Recyc-Québec programs do not extend to the James Bay Territory because transportation costs are too high¹³.

¹² The mandate of the Liaison Committee is to, among other things, find mutually acceptable solutions to disputes between the Crees and Québec arising from the implementation of the ANRQC and the JBNQA.

¹³ With the exception of the used-tire collection program, which removes scrap tires from stockpile sites in James Bay.

To examine this issue more closely, the JBACE and MDDEP's residual materials branch formed a working group on integrated residual materials management in James Bay. Partners such as Recyc-Québec, the Cree Regional Authority, James Bay Municipality and the Société d'énergie de la Baie James were invited to participate in the working group's activities¹⁴.

a) Portrait of the Management of Residual Materials in James Bay

Keenly aware of the importance of possessing accurate data on the types and volume of residual material produced in the Territory, the working group mandated a consultant to prepare a portrait of residual materials management in James Bay¹⁵. The document describes the Territory and its inhabitants, the volume of residual material generated and the existing management facilities. These data will enable the working group to identify priority areas of action.

b) Framework regulation respecting extended producer responsibility

Hand in hand with its involvement in the working group, the MDDEP's residual materials branch is developing a draft framework regulation respecting extended producer responsibility (EPR). Under the EPR principle, the manufacturers and distributors of products share the cost of recovering and recycling their products. The principle is already applied in southern Québec for containers, packaging, printed matter, used oil and waste paint. The proposed regulation would apply to the entire territory of Québec and cover used oil, waste paint, electronic products, batteries and mercury lamps.

Having been invited to participate in the advance consultation, the JBACE noted the progress made in applying the regulation to northern regions. However, since the terms and conditions of product recovery are to be defined during talks between producers and regional authorities, the JBACE invited the MDDEP to give attention to this aspect during the drafting and implementation of the final regulation; it must ensure adequate Cree representation within the designated regional authorities for the James Bay Territory.

¹⁴ The names of the working group members are listed in Appendix 1.

¹⁵ The Portrait and other support tools for managing residual materials are available for consultation on the JBACE Web site.





c) Regulation respecting the landfilling and incineration of residual materials (RLIRM)

The Québec government adopted the RLIRM in 2006 with a view to improving, among other things, the management of trench landfills. For example, the regulation prohibits burning in these sites. According to the JBACE, the prohibition on burning should not apply to the James Bay Territory because there are no alternative means of reducing the volume of residual materials, especially recycling programs. The Committee is thus proposing that the prohibition on burning be suspended until the Territory has access to such programs. In the meantime, it is encouraging the Cree local governments to do all they can to introduce these new management practices by incorporating them into their by-laws for Category I lands.

d) Life cycle assessment of management scenarios

The JBACE hired the Interuniversity Research Centre for the Life Cycle of Products, Processes and Services (CIRAIG) to conduct a life cycle assessment (LCA) of residual materials management scenarios. LCA evaluates all of the environmental impacts a product or service will have throughout its life cycle, from the extraction of raw materials until the final disposal of residual materials. The main goal of this method is to lessen the environmental impacts of products and services by guiding the decision-making process¹⁶.

The LCA conducted by CIRAIG aims to compare the respective impacts of landfilling, burning, incineration and recycling; some scenarios under study consist in using a combination of management methods. Based on the results, the JBACE intends to advise the different governments (local, provincial and federal) on integrated management of residual materials suited to the realities of the North. This will make it easier to tailor programs to Northern Québec

¹⁶ For additional information, consult the CIRAIG Web site: www.polymtl.ca/ciraig.

5 DEVELOPMENT OF THE PROTECTED AREAS NETWORK

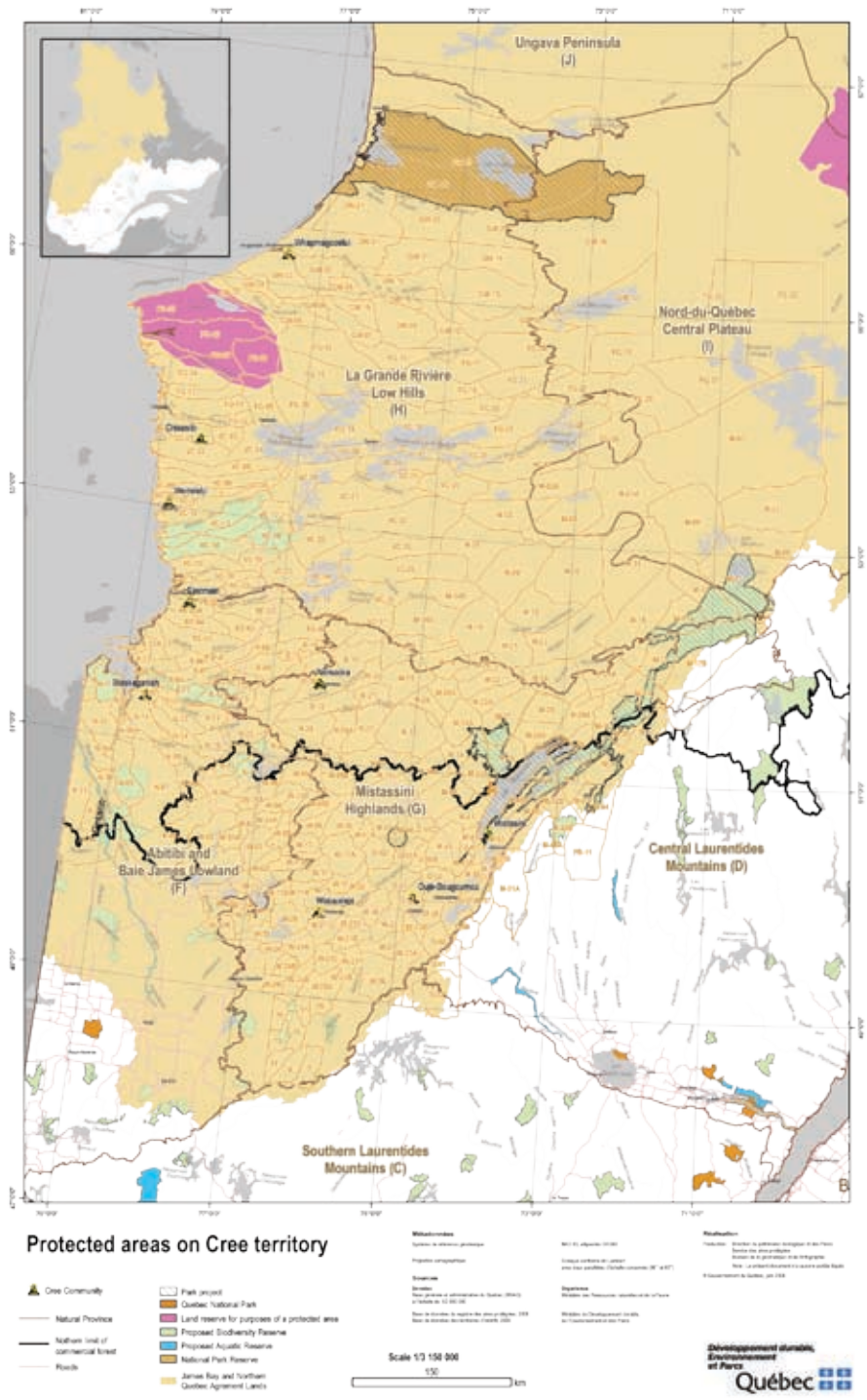
The JBACE continues to promote the development of the protected areas network in James Bay, while stressing the need to involve the Crees in the establishment and management of protected areas.

The Québec government currently has plans to establish one park, seven biodiversity reserves and two aquatic reserves in the James Bay region. The JBACE appointed one of its members to the committee formed by the MDDEP to promote Cree participation in the protected areas establishment process. The committee primarily deals with the preparation of impact statements for proposed protected areas and the incorporation of Aboriginal traditional knowledge. After the impact statements have been completed, public hearings are held to determine the final protection status.

Despite these initiatives, the Québec government is well below its goals of protecting 8% of the total area of each natural province in Québec. To date, this goal has been achieved in only one of the four natural provinces in the James Bay region (the Abitibi and James Bay Lowlands). That is why the JBACE supports designating new protected areas, particularly proposals that have the support of the Cree communities. For example, the Committee invited the government to immediately designate the proposed Lac-Waswanipi aquatic reserve as a protected area.

| PROPOSED PROTECTED AREAS | | | |
|--------------------------|---|--------------------------------|-------------------------|
| Name | Status | Natural Province ¹⁷ | Area (Km ²) |
| Albanel-Témiscamie-Otish | Proposed biodiversity reserve (national park of Québec) | Mistassini Highlands | 10 935 |
| Boatswain Bay | Proposed biodiversity reserve | Abitibi and James Bay Lowlands | 109 |
| Ministikawatin Peninsula | Proposed biodiversity reserve | Abitibi and James Bay Lowlands | 895 |
| Muskuuchii Hills | Proposed biodiversity reserve | Abitibi and James Bay Lowlands | 801 |
| Missisicabi Plain | Proposed biodiversity reserve | Abitibi and James Bay Lowlands | 761 |
| Taibi Lake | Proposed biodiversity reserve | Abitibi and James Bay Lowlands | 266 |
| Niquet Stream | Proposed biodiversity reserve | Abitibi and James Bay Lowlands | 165 |
| Waskaganish | Proposed biodiversity reserve | Abitibi and James Bay Lowlands | 1063 |
| Upper Harricana | Proposed aquatic reserve | Abitibi and James Bay Lowlands | 177 |
| North Harricana River | Proposed aquatic reserve | Abitibi and James Bay Lowlands | 251 |

¹⁷ In addition to the two natural provinces mentioned in the table, the Grande-Rivière Low Hills and the Nord-du-Québec Central Plateau also overlap the James Bay Territory.



While the James Bay Territory is conducive to the designation of protected areas because of the ecosystems it harbours and its size, assigning protection status to certain areas has been put off owing to potential development, including hydroelectric, mining and recreational tourism. The JBACE hopes to take part in the interdepartmental talks on the status assigned to an area to ensure that greater consideration is given to the Cree viewpoint.

6 FIGHT AGAINST AND ADAPTATION TO CLIMATE CHANGE

The JBACE addressed the issue of climate change last year, notably because of the growing concern among Cree communities in this regard. To date, the study of climate change in Québec has focused on more northern latitudes than the James Bay region. The Committee thus called on someone from Laval University's Centre d'études nordiques to write a summary document on the state of knowledge of climate change in James Bay¹⁸. The Centre contributes to the work of the Ouranos Consortium on regional climatology and adaptation to climate change.

The report begins with an overview of global and Canadian climate change and then goes on to describe the anticipated impacts on vegetation, wildlife resources and water if the average temperature were to rise by 4°C by 2050, as forecast. For example, based on modelling, a doubling of CO₂ concentrations would result in a northern migration of the boreal ecoclimatic zone and, consequently, expansion of the mixed forest and thereby a sharp increase in deciduous species. An increased risk of forest fires in the James Bay Territory is also predicted, although the actual occurrence is uncertain given the forecasted increase in precipitation. Increased precipitation, however, could translate to a considerable rise in hydroelectricity production, which is of significance in that nearly half of Québec's current electricity production comes from the La Grande complex in James Bay. Long-term climate projections are cautious given that an unexpected change in a single factor can modify the forecasted scenarios considerably.

The JBACE wants to follow up on its report by inviting communities and other partners to pool their knowledge about climate change and its impact on the Cree way of life and land use. For example, the Crees are increasingly concerned about travelling to their traplines by snowmobile because of the early ice melt in spring. An action plan and awareness program could eventually be developed.

¹⁸The summary document is available for consultation on the JBACE Web site





CONCLUSION

In 2007-2008, the JBACE addressed a variety of issues ranging from environmental assessment to forest and natural resource management to management of residual materials. This great diversity of issues reflects the two thrusts of the JBACE's mandate, namely overseeing the environmental and social impact assessment and review procedure and formulating recommendations relating to government measures that might affect the environmental and social protection regime.

Environmental and social impact assessment

Aware of the need to advance the impact assessment and review procedure, the JBACE is recommending that the signatory parties adopt the revised lists of development projects subject to and exempt from impact assessment (schedules 1 and 2 of Section 22) as soon as possible to make the procedure more effective, more efficient and more transparent. During the coming year, the JBACE will draw on past experience to advise the governments on public participation mechanisms to be incorporated into the project planning stage and the impact assessment and review procedure.

Forest and natural resource management

As regards its mandate to examine government measures, the JBACE devoted most of its attention to general forest management plans (GFMP) by developing guidelines and an analysis grid and by reviewing the actual plans. As steward of the environmental and social protection regime, the JBACE takes a more holistic approach than the bodies established by the ANRQC. The GFMPs may very well have to be reviewed anew in light of the Chief Forester's recent recommendation to reduce the allowable cut for the James Bay region. If this is the case, the plans will clearly have to be improved in terms of knowledge about Cree land use and economic benefits for the Cree communities. The key will be better consultation of the Cree people.

Residual materials management, protected areas and climate change

The JBACE remains convinced that the regulations respecting residual materials management need to be aligned with the provisions of the JBNQA and adapted to the reality of the James Bay Territory. The Committee will continue to work toward that end in collaboration with the government authorities. Life cycle assessment is a new initiative that will reinforce our actions during the coming year. It is in this same spirit that we also submitted comments on the draft framework regulation respecting extended producer responsibility. The Committee finds the draft regulation interesting, but is worried about which regional authority will be responsible for negotiating the terms and conditions of recovery with producers. The regulation needs to be adjusted to ensure full and meaningful participation of Cree communities and their regional bodies, in accordance with the JBNQA.

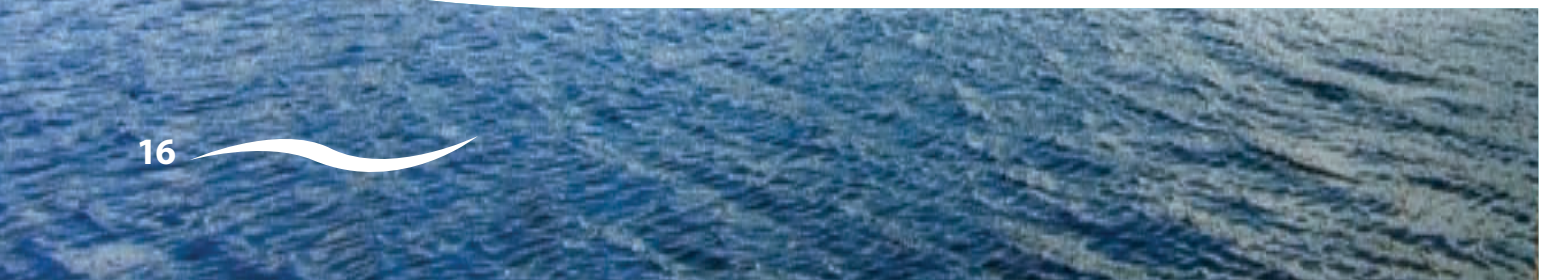
On the issue of protected areas, the JBACE encourages the Québec government to designate new biodiversity or aquatic reserves in the James Bay Territory, particularly those that have the support of the Aboriginal community concerned. Lastly, the Committee is submitting a summary document presenting the current state of knowledge on climate change in the Territory and is opening the door to collaboration in incorporating Aboriginal knowledge and thereby developing a better action plan to meet the needs and expectations of Cree communities and the Cree trappers who travel throughout the Territory and manage its wildlife resources.

Collaboration from government authorities

To fulfil the mandate conferred on it by the JBNQA, the JBACE must be able to count on the support and collaboration of all government authorities, whether local, provincial or federal. The JBACE counts on these authorities to communicate proposed policies, laws and regulations as early as possible in the decision-making process. Although it still happens too often that the Committee is brought into the process too late to give worthwhile advice and contribute to the proposal's implementation, it does laud the efforts made by the MDDEP and Environment Canada in this regard.

Although the JBACE does not have the power to force government authorities to act on its advice and recommendations, it follows up on its recommendations within the departments and agencies concerned. While follow-up can be ensured by the members appointed by each party within their respective governments, it would be preferable if the departmental authorities themselves were made more aware of the need for follow-up and implementation mechanisms.

For example, the government authorities need to determine, as soon as possible, the response to be given the revised lists of development projects subject to and exempt from impact assessment. The JBNQA provides that the lists may be reviewed every five years and modified by mutual consent of the parties (paragraphs 22.5.1 and 22.5.2). There is therefore good reason to believe that the modifications will be made in a flexible and simple manner. In our opinion, after 30 years, updating this aspect of the impact assessment and review procedure is the thing to do.



APPENDIX 1

COMPOSITION AND MEETINGS OF THE JBACE

Composition of the JBACE

Members appointed by the Cree Regional Authority (CRA)

Glen Cooper, CRA (since October 2007)

George L. Diamond (until October 2007)

Ashley Iserhoff, CRA, Chairman

Ginette Lajoie, CRA, Vice-Chairperson

Chantal Otter Tétreault, CRA (since October 2007)

Members appointed by the Government of Canada:

Annie Déziel, Canadian Environmental Assessment Agency (CEAA)

Sarah Szirtes, Indian and Northern Affairs Canada (since February 2008)

Maryse Lemire, Fisheries and Oceans Canada

Claude Saint-Charles, Environment Canada (until November 2007)

Members appointed by Québec

Guy Demers

Joanne Laberge, Ministère du Développement durable,
de l'Environnement et des Parcs (MDDEP)

Pierre Moses, James Bay Municipality

Composition of subcommittees

Administrative Committee

Guy Demers, Québec

Ginette Lajoie, CRA

Claude Saint-Charles, Canada

Working group on the review of schedules 1 and 2 of Section 22

Guy Demers, Québec
Ginette Lajoie, CRA
Annie Déziel, CEAA
Maryse Lemire, Fisheries and Oceans Canada
Claude Saint-Charles, Environment Canada

Forestry subcommittee

Julie Hébert, MDDEP
Jacques Robert, Canadian Forest Service
Nadia Saganash, CRA

Steering committee for the research project on Cree participation in environmental and social impact assessment

Éric Giroux, CEAA
Robert Joly, MDDEP
Ginette Lajoie, CRA

Working group on integrated residual materials management

Ginette Lajoie, CRA
Cameron McLean, CRA
Mario Bérubé, MDDEP
Josée Brazeau, MDDEP
Marie Dussault, MDDEP
Marthe Côté, MDDEP
Guy Demers, Government of Québec
Claude Saint-Charles, Environment Canada
Martin Comeau, Recyc-Québec
Régis Fortin, James Bay Municipality
France Brûlé, Société d'énergie de la Baie James

Secretariat

Marc Jetten, executive secretary
Louise Bélanger, secretariat officer



The JBACE at the Maurice-Lamontagne Institute in Mont-Joli.
From left to right: Maryse Lemire, Annie Déziel, Joanne Laberge,
Claude Saint-Charles, Guy Demers and Ginette Lajoie

JBACE meetings

The JBACE held four meetings in 2007-2008:

149th meeting Montréal, May 16, 2007

150th meeting Mont-Joli, September 12, 2007

151st meeting Montréal, November 22, 2007

152nd meeting Montréal, February 12, 2008

APPENDIX 2 FINANCIAL STATEMENTS 2007 – 2008

[TRANSLATION]

JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

FINANCIAL STATEMENTS AND REVIEW ENGAGEMENT REPORT

AS AT MARCH 31, 2008

| | |
|---|------------|
| Review Engagement Report | 1 |
| Balance Sheet | 2 |
| Statement of Financial Activities | 3 |
| Statement of Accumulated Surplus | 4 |
| Notes to Financial Statements | 5 - 8 |
| 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, 2008, 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 organizations, 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,
May 16, 2008

79, Notre-Dame Est, Victoriaville (Québec) G6P 3Z4 - Téléphone: (819) 758-6236 - Télécopieur~ (819) 758-9274
5385, 1^{ère} Avenue, Charlesbourg (Québec) GIH 2V5 Téléphone: (418) 648-8741 -Télécopieur: (418) 648-0955

Société en participation

JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

**BALANCE SHEET
AS AT MARCH 31, 2008
(Unaudited)**

[TRANSLATION]

| | 2008 | 2007 |
|---|----------------|----------------|
| ASSETS | | |
| CURRENT ASSETS | | |
| Cash | \$77 729 | \$76 100 |
| Receivables (Note 4) | 11 626 | 12 924 |
| Prepaid expenses | 881 | 461 |
| Investments that can be liquidated in the next fiscal year (Note 5) | -- | 172 728 |
| | <u>90 236</u> | <u>262 213</u> |
| INVESTMENTS (Note 5) | 272 641 | 201 000 |
| FIXED ASSETS (Note 6) | 6 763 | 8 981 |
| | <u>369 640</u> | <u>472 194</u> |
| LIABILITIES | | |
| CURRENT LIABILITIES | | |
| Accounts payable and accruals (Note 7) | \$17 823 | \$15 212 |
| COMMITTEE'S EQUITY | | |
| Accumulated surplus | 351 817 | 456 982 |
| | <u>369 640</u> | <u>472 194</u> |

CONTRACTUAL COMMITMENT (Note 8)

DIRECTOR'S SIGNATURE

(Original signed)

_____, Director

RUEL GIROUX DORION
Chartered Accountants

JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

**STATEMENT OF FINANCIAL ACTIVITIES
FOR THE YEAR ENDED MARCH 31, 2008
(Unaudited)**

[TRANSLATION]

| | 2008 | 2007 |
|--|-------------|------------|
| INCOME | | |
| Subsidy | \$191 000 | \$191 000 |
| OPERATING EXPENDITURES (SCHEDULE A) | 303 506 | 241 801 |
| | ————— | ————— |
| OPERATING SURPLUS (DEFICIT) | (112 506) | (50 801) |
| | ————— | ————— |
| OTHER FINANCIAL ACTIVITY | | |
| Interest income | 7 341 | 2 690 |
| | ————— | ————— |
| SURPLUS (DEFICIT) FOR THE YEAR | \$(105 165) | \$(48 111) |
| | ===== | ===== |

RUEL GIROUX DORION
Chartered Accountants

JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

STATEMENT OF ACCUMULATED SURPLUS
FOR THE YEAR ENDED MARCH 31, 2008
(Unaudited)

[TRANSLATION]

| | NON ALLOCATED | ALLOCATED TO THE FORESTRY FUND | TOTAL 2008 | TOTAL 2007 |
|---|------------------|--------------------------------------|---------------|---------------|
| ACCUMULATED SURPLUS, BEGINNING OF YEAR | \$354 929 | \$102 053 | \$456 982 | \$505 093 |
| SURPLUS (DEFICIT) FOR THE YEAR | (20 843) | (84 322) | (105 165) | (48 111) |
| ACCUMULATED SURPLUS, END OF YEAR | \$334 086 | \$17 731 | \$351 817 | \$456 982 |

RUEL GIROUX DORION
Chartered Accountants

JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

NOTES TO FINANCIAL STATEMENTS
AS AT MARCH 31, 2008
(Unaudited)

[TRANSLATION]

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 members, 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, and accrued expenses 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.

RUEL GIROUX DORION
Chartered Accountants

JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

NOTES TO THE FINANCIAL STATEMENTS
AS AT MARCH 31, 2008
(Unaudited)

[TRANSLATION]

| | <u>2008</u> | <u>2007</u> |
|------------------------|-----------------|-----------------|
| 4. RECEIVABLES | | |
| Subsidy receivable | \$ -- | \$3 616 |
| Taxes | 10 660 | 7 082 |
| Advance to the HFTCC | 966 | 1 518 |
| Advance to the parties | -- | 708 |
| | <u>\$11 626</u> | <u>\$12 924</u> |

5. INVESTMENTS

| | | |
|--|------------------|------------------|
| Term deposit, 3.33%, maturing in September 2008 | \$71 641 | \$ -- |
| Term deposit, 3.43%, maturing in August 2008 | 90 000 | 90 000 |
| Term deposit, 3.5%, maturing in May 2009 | 111 000 | 111 000 |
| Term deposit, 2.8%, maturing in November 2007 | -- | 50 000 |
| Term deposit, 3.05%, maturing in July 2007 | -- | 122 728 |
| | <u>272 641</u> | <u>373 728</u> |
| Investments that can be liquidated in the next fiscal year | -- | 172 728 |
| | <u>\$272 641</u> | <u>\$201 000</u> |

6. FIXED ASSETS

| | Cost | Accumulated depreciation | 2008 Net value | 2007 Net value |
|-------------------------|-----------------|-----------------------------|-------------------|-------------------|
| Furniture and equipment | \$11 451 | \$ 7 639 | \$ 3 812 | \$ 4 765 |
| Computer equipment | 12 817 | 9 866 | 2 951 | 4 216 |
| | <u>\$24 268</u> | <u>\$17 505</u> | <u>\$6 763</u> | <u>\$8 981</u> |

RUEL GIROUX DORION
Chartered Accountants

JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

**NOTES TO THE FINANCIAL STATEMENTS
AS AT MARCH 31, 2008
(Unaudited)**

[TRANSLATION]

7. ACCOUNTS PAYABLE AND ACCRUALS

| | <u>2008</u> | <u>2007</u> |
|-------------------|-------------------|-------------------|
| Suppliers | \$12 369 | \$10 869 |
| Owed to the HFTCC | 5 454 | 4 343 |
| | <u> </u> | <u> </u> |
| | <u>\$17 823</u> | <u>\$15 212</u> |

8. CONTRACTUAL COMMITMENT

The governments of Canada and Québec and the Cree Regional Authority¹ grant an annual subsidy of \$251 000 to the JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT. Given the accumulated surpluses, only \$191 000 will be granted on a provisional basis. Of this amount, the JBACE must transfer \$30 000 to the Evaluating Committee (COMEV) to cover the costs of operating its secretariat in the offices of the Ministère du Développement durable, de l'Environnement et des Parcs. The JBACE is not required to cover the amount of expenditures in excess of \$30 000. During the year, COMEV incurred the following expenditures for the JBACE:

| | |
|---------------------------|-------------------|
| Salaries, wages, benefits | \$30 000 |
| Translation | 7 404 |
| Food and lodging | 722 |
| Transportation | 1 075 |
| Office supplies | 126 |
| | <u> </u> |
| | <u>\$39 327</u> |

¹ In conformity with paragraph 10.5 of the ACNRQC:

“For the period of April 1, 2002 to March 31, 2052, the Cree Regional Authority will contribute half of Québec’s shares of the funding for the regular and normal secretariat services of the James Bay Advisory Committee on the Environment and of the Evaluating Committee provided for in Section 22 of the JBNQA (...)”

JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

NOTES TO THE FINANCIAL STATEMENTS
AS AT MARCH 31, 2008
(Unaudited)

[TRANSLATION]

9. FINANCIAL INSTRUMENTS

Interest Rate Risk

The Committee manages its investment portfolio based on its cash-flow needs in such a way as to maximize its interest income. During the year, the effective interest rate on long-term investments varied between 3.33% and 3.5% (2007, 2.8% and 3.5%)



JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

NOTES TO FINANCIAL STATEMENTS
AS AT MARCH 31, 2008
(Unaudited)

[TRANSLATION]

| | 2008 | 2007 |
|--|------------------|------------------|
| OPERATING EXPENDITURES | | |
| Salaries, wages, benefits | \$88 316 | \$88 169 |
| Telecommunications | 5 888 | 4 249 |
| Rent (office space) | 23 940 | 22 221 |
| Travel expenses | 4 400 | 4 886 |
| Translation | 31 393 | 24 868 |
| Photocopying | 6 191 | 6 300 |
| Messenger services, postage | 1 170 | 1 455 |
| Office supplies, furniture and computer equipment | 4 832 | 3 987 |
| Expert opinions, meeting expenses | 1 303 | -- |
| Insurance | 584 | 554 |
| Dues, fees, memberships, conferences | 381 | 967 |
| Professional fees | 1 508 | 1 489 |
| Advisory expenses | 15 388 | 43 552 |
| Advisory expenses – Forestry fund | 84 322 | 5 135 |
| Training | 1 275 | 1 007 |
| Internet | 161 | 214 |
| Interest, bank charges | 236 | 179 |
| Amortization | 2 218 | 2 569 |
| | <u>273 506</u> | <u>211 801</u> |
| Expenditures attributable to COMEV | 30 000 | 30 000 |
| | <u>\$303 506</u> | <u>\$241 801</u> |

RUEL GIROUX DORION
Chartered Accountants

APPENDIX 3

COMPOSITION AND MEETINGS OF THE EVALUATING COMMITTEE (COMEV), THE PROVINCIAL REVIEW COMMITTEE (COMEX) AND THE FEDERAL REVIEW PANEL (COFEX-SOUTH)

| COMMITTEE | | MEMBERS | | MEETINGS | | |
|---------------------|----------------------|---|------------|-------------|--------------|--|
| COMEV | Appointed by: | | No. | Date | Place | |
| | CRA | Philip Awashish Brian Craik | 216 | 2007-05-16 | Montréal | |
| | | | 217 | 2007-06-06 | Québec | |
| | Canada | Éric Giroux Élizabeth Boivin | 218 | 2007-07-20 | Montréal | |
| | | | 219 | 2007-09-20 | Montréal | |
| | Québec | Daniel Berrouard Mireille Paul | 220 | 2007-10-26 | Montréal | |
| | | | 221 | 2007-11-08 | Montréal | |
| | Executive Secretary | Michael O'Neill | 222 | 2007-12-13 | Montréal | |
| | | | 223 | 2008-01-17 | Montréal | |
| | | | 224 | 2008-02-13 | Montréal | |
| COMEX | Appointed by: | | No. | Date | Place | |
| | CRA | Philip Awashish Brian Craik | 238 | 2007-05-08 | Montréal | |
| | | | 239 | 2007-06-13 | Montréal | |
| | Québec | Daniel Berrouard Bernard Harvey Clément Tremblay | 240 | 2007-09-28 | Québec | |
| | | | 241 | 2007-10-26 | Montréal | |
| | Executive Secretary | Michael O'Neill | 242 | 2007-12-14 | Montréal | |
| | | | 243 | 2008-01-06 | Montréal | |
| | | | 244 | 2008-02-12 | Montréal | |
| | | | 245 | 2008-03-13 | Montréal | |
| | | | 246 | 2008-03-20 | Montréal | |
| 247 | | | 2008-03-28 | Québec | | |
| COFEX-South | Appointed by: | | No. | Date | Place | |
| | CRA | Philip Awashish Ginette Lajoie | | 2007-04-18 | | |
| | | | | 2007-09-19 | | |
| | Canada | Benoît Taillon Michel A. Bouchard Claude E. Delisle | | | | |
| | | | | | | |
| Executive Secretary | Éric Giroux | | | | | |

APPENDIX 4

TABLE OF PROJECTS SUBMITTED TO THE EVALUATING COMMITTEE (COMEV), THE REVIEW COMMITTEE (COMEX) AND THE REVIEW PANEL (COFEX-SOUTH)

April 2008

| Energy | | | | | |
|---|----------------------------|----------------------|------------------------------|---|----------------------------|
| PROJECT | PROPONENT | COMEV RECOMMENDATION | SUBJECT TO IMPACT ASSESSMENT | COMEX RECOMMENDATION | COFEX-South RECOMMENDATION |
| Mini hydroelectric power station | Mirage Outfitter | Directive issued | Yes | Impact statement not received | — |
| Eastmain -1-A / Rupert diversion hydroelectric project (changes to certificate of authorization) | Hydro-Québec/ SEBJ | Directive issued | Yes | COMEX processed 21 requests arising from requirements of the certificate of authorization | |
| Chute Rouge hydroelectric project | James Bay Energy Committee | Directive issued | Yes | Impact statement not received | — |
| Construction of 161-kV power line and 161/25-kV substation at Mistissini (project on Category 1B, II and III lands) | Hydro-Québec Équipement | Directive issued | Yes | Impact statement not received | — |
| Construction of 120-kV power line from Eastmain-1 to Eleonore mine | Hydro-Québec Équipement | Directive issued | Yes | Impact statement not received | — |
| Brisay wind energy project | Yuddin Energy Inc. | Directive issued | Yes | Waiting for additional information to impact statement | — |

Energy

| PROJECT | PROPONENT | COMEVI RECOMMENDATION | SUBJECT TO IMPACT ASSESS- MENT | COMEX RECOMMENDATION | COFEX- South RECOMMEN- DATION |
|-------------------------------|---------------------|--------------------------|--|-------------------------------|--|
| Chisasibi wind energy project | Yuddin Energy Inc. | Directive issued | Yes | Impact statement not received | — |
| Mistissini wind farm | Eenou Windcorp Inc. | Directive issued | Yes | Impact statement not received | — |

Mining projects

| PROJECT | PROPONENT | COMEVI RECOMMENDATION | SUBJECT TO IMPACT ASSESS- MENT | COMEX RECOMMENDATION | COFEX- South RECOMMEN- DATION |
|--|----------------------------------|--------------------------|--|--|--|
| Development of Lake Doré vanadium deposit and a metallurgical complex | McKenzie Bay Resources Ltd. | Directive issued | Yes | Waiting for reply to second request for additional information | — |
| Fenelon mining project | American Bonanza Gold Corp. | Directive issued | Yes | Impact statement not received | — |
| Mining of copper deposit on Inner Block/Corner Bay property | 6479499 Canada Inc. | Directive issued | Yes | Impact statement not received | — |
| Bachelor Lake mining project | Metanor Resources Inc. | Directive issued | Yes | Authorize project on 8 conditions | — |
| Eleonore mining project | Goldcorp Inc. Opinaca Mines Ltd. | Directive issued | Yes | Impact statement not received | — |
| Mining project entailing construction of a trunk of road in peatland | Goldcorp Inc. Opinaca Mines Ltd. | — | No | — | — |
| Construction of landing strip and access road north of Opinaca reservoir | Cree Nation of Wemindji | Directive issued | Yes | Waiting for additional information to impact statement | Waiting for additional information to impact statement |

Mining projects

| PROJECT | PROPONENT | COMEVI RECOMMENDATION | SUBJECT TO IMPACT ASSESSMENT | COMEX RECOMMENDATION | COFEX-South RECOMMENDATION |
|---|--|--|------------------------------|--|----------------------------|
| Operation of two borrow pits for maintenance and enhancement of Eleonore camp | Opinaca Mines Ltd. | Notify tallyman of work schedule | No | — | — |
| Development of Zone 5, Gonzague Langlois mine (amendment to certificate of authorization) | Breakwater Resources | Directive issued | Yes | Authorize amendment, stressing importance of continuing work of Liaison Com. COMEX wishes to receive minutes of meetings | — |
| Gonzague Langlois mine, application to amend certificate of authorization to permit construction of new access road | Breakwater Resources | Directive issued | Yes | Authorize amendment | — |
| Mineral exploration through bulk sampling and upgrading of existing road on Clearwater property | Eastmain Resources | Additional information requested | — | — | — |
| Mineral exploration at Windfall Lake | Noront Resources Ltd. | COMEV takes compliance with Directive 019 for granted (acid mine drainage) | No | — | — |
| Development of Lac Rocher nickel deposit | Victory Nickel Inc. | COMEV takes compliance with Directive 019 for granted | No | — | — |
| Development of winter road for exploration of Renard cluster | Stornoway Diamond Corporation / SOQUEM | Directive issued | Yes | Impact statement not received | — |

Borrow Pits

| PROJECT | PROPONENT | COMEVI RECOMMENDATION | SUBJECT TO IMPACT ASSESS- MENT | COMEX RECOMMENDATION | COFEX- South RECOMMEN- DATION |
|---|---|--------------------------|--|-------------------------|--|
| Reopening of two borrow pits, LG-3 sector | Hydro-Québec Production Direction La Grande Rivière | — | No | — | — |
| Temporary use of gravel pit in Mistissini, Category 1A land | Council of the Cree Nation of Mistissini | — | No | — | — |

Management of residual materials

| PROJECT | PROPONENT | COMEVI RECOMMENDATION | SUBJECT TO IMPACT ASSESS- MENT | COMEX RECOMMENDATION | COFEX- South RECOMMEN- DATION |
|---|---|--------------------------|--|-------------------------------|--|
| Expansion of Chibougamau sanitary landfill site | Ville de Chibougamau | Directive issued | Yes | Impact statement under review | — |
| Wemindji landfill site | Cree Nation of Wemindji | Directive issued | Yes | — | Under review |
| Matoush project, landfill site | Strateco Resources Inc. | — | No | — | — |
| Closure of dry materials disposal site at LG-3 | Hydro-Québec Production Direction La Grande Rivière | — | No | — | — |

Transportation

| PROJECT | PROPONENT | COMEVI RECOMMENDATION | SUBJECT TO IMPACT ASSESS- MENT | COMEX RECOMMENDATION | COFEX- South RECOMMEN- DATION |
|---|--------------------------------|--|--|--|--|
| Broadback access road | Abitibi Consolidated of Canada | Directive issued | Yes | Impact statement not received | — |
| Reuse of Eastmain mine winter road (winter 2007 – 2008) | Strateco Resources Inc. | Ensure compliance with Environment Quality Act and regulations respecting environmental protection and decommissioning/ redevelopment of mineral exploration sites | No | — | — |
| Follow-up program for Waskaganish road | Cree Nation of Waskaganish | — | — | Authorize proposed follow-up for Category II and III lands on 6 conditions | Comments submitted |

Protected Areas

| PROJECT | PROPONENT | COMEVI RECOMMENDATION | SUBJECT TO IMPACT ASSESS- MENT | COMEX RECOMMENDATION | COFEX- South RECOMMEN- DATION |
|------------------------------------|---|--------------------------|--|-------------------------------|--|
| Albanel-Témiscamie-Otish park | Ministère du Développement durable, de l'Environnement et des Parcs (MDDEP) | Directive issued | Yes | Impact statement not received | — |
| Establishment of 9 protected areas | MDDEP | Directive issued | Yes | Impact statement not received | — |

Miscellaneous Projects

| PROJECT | PROPONENT | COMEVI RECOMMENDATION | SUBJECT TO IMPACT ASSESS- MENT | COMEX RECOMMENDATION | COFEX- South RECOMMEN- DATION |
|---|---|---|--|-------------------------------|--|
| Construction and operation of new water pipe in Mistissini (project on Category I and II lands) | Council of the Cree Nation of Mistissini | — | No | — | — |
| Development of high ground park in Chisasibi | SEBJ | Directive issued | Yes | Impact statement not received | — |
| Soil decontamination on Troilus mine site | G.E.S.S.T. | Asked for copy of the follow-up report given the experimental nature of the project | No | — | — |
| Pork production and processing (factory hog farm) | Chapais Economic Development Corporation | Directive issued | Yes | Impact statement not received | — |
| Boat ramp on Waswanipi Lake (Miquelon sector) | James Bay Municipality | Additional information requested | No | — | — |
| Development of traditional fishing sites on Eastmain and Eau Froide rivers | Cree Nation of Eastmain | Directive issued | Yes | Impact statement not received | — |
| Moose hide tanning and fir basket production | Cree Nation of Wemindji and Investing in Traditional Skills Group | — | No | — | — |