



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

Annual Report  
2008-2009



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**September 30, 2009**

The Hon. Jim Prentice  
Minister of the Environment of Canada

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

Grand Chief Matthew Coon Come  
Grand Council of the Crees (Eeyou Istchee)

**Ministers Prentice and Beauchamp:  
Grand Chief Coon Come:**

**I am pleased to present the activity report of the James Bay Advisory  
Committee on the Environment for the year ended March 31, 2009.**

**Respectfully submitted,**

A handwritten signature in blue ink, appearing to read "Ashley Iserhoff". The signature is stylized and cursive.

**Ashley Iserhoff  
Chairman**



## CHAIRMAN'S MESSAGE

The wide-ranging mandate entrusted to the James Bay Advisory Committee on the Environment means taking on important challenges for a territory covering more than 400 000 km<sup>2</sup>. One of the members' primary concerns is the aging environmental assessment procedure. The Committee has striven to modernize the procedure to reflect internationally recognized practices while respecting the sociocultural context of the James Bay territory.



This year, for example, the JBACE took a step in that direction by making recommendations for the review of the lists of development projects subject to and exempt from the Section 22 environmental and social impact assessment and review procedure (schedules 1 and 2). It is now up to the governments of Canada and Québec and the Cree Regional Authority to act on the JBACE's recommendations in order to modernize the environmental and social protection regime.

The Committee also studied current public participation practices under the Section 22 procedure and concluded that they do not meet the recognized standards in public participation. The work carried out to date will enable the JBACE to formulate recommendations toward a public participation framework tailored to the James Bay territory.

In the Committee's opinion, there is an urgent need to innovate and expand the scope of environmental assessment in order to frame strategic issues at the territorial level. To that end, the JBACE also turned its attention to the Northern Plan, an ambitious plan announced by the Premier of Québec to develop the province's northern regions, including James Bay. The Committee is adamant that the communities concerned must be consulted on the Northern Plan. In addition, the JBACE suggested that the government carry out a strategic environmental assessment of the plan to ensure that all of its environmental effects are considered before the government has gotten too far into the plan's formulation.

Lastly, to be effective, the JBACE requires the sustained involvement of all three parties, i.e. Canada, Québec and the Crees. The JBNQA provides for a rotating chairmanship so that Canada, Québec and the Crees take turns in assuming leadership of the Committee. This year, it was Québec's turn to appoint a chairman but, unfortunately, the party was unable to fulfil its obligation. I therefore agreed to continue chairing the Committee on an interim basis; however, it is important to realize that the JBACE counts on the committed involvement of all three parties in order to fully assume its responsibilities as official advisory body to the governments on all matters relating to the environmental and social protection regime of the JBNQA.

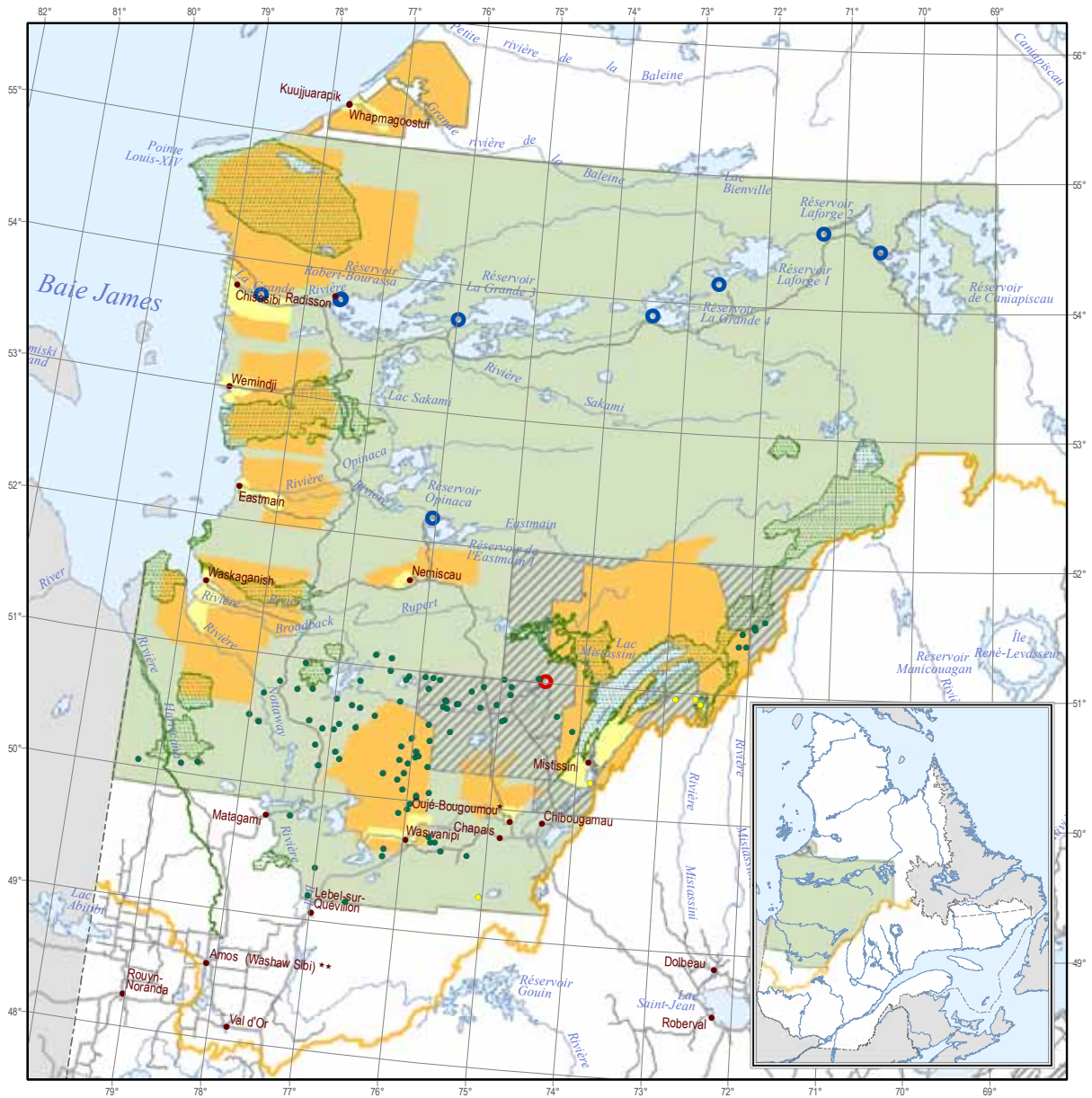
**Ashley Iserhoff**  
**Chairman**

September 30, 2009





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



- Territory covered by the regime <sup>1</sup>
- Cree Category I lands
- Cree Category II lands
- Southern limit of JBNQA Territory
- Interprovincial border
- Active mine site
- Hydroelectric power station
- Exceptional forest ecosystem
- biological refuge
- Protected area
- Wildlife sanctuary

<sup>1</sup> The Crees do not recognize the southern limit of the regime territory as defined on this map  
 \* Oujé-Bougoumou Category I and II lands are under negotiation  
 \*\* The Washaw Sibi Eeyou Association is temporarily based in Amos

**Sources**  
 Land Division, wildlife area and mine site MRNF 2009  
 Protected area MDDEP 2009  
 Hydroelectric infrastructures Hydro-Québec 2006

**Produced by**  
 Direction générale de l'information géographique  
 Ministère des Ressources naturelles et de la Faune, mars 2009

**Metadata**  
 Map Projection Lambert Conic Conformal with two true-scale parallels maintained (46<sup>th</sup> et 60<sup>th</sup>)





# JBACE ACTIVITIES IN 2008-2009

## Introduction

The James Bay and Northern Québec Agreement (JBNQA) is a treaty enshrined in the Canadian Constitution. It established an environmental and social protection regime specifically for the James Bay territory (“Eeyou Istchee” in Cree) for the purpose of, among other things, protecting Native rights during the formulation of environmental and social laws, regulations and policies as well as during development activity in the territory. These objectives can be achieved through implementation of the regime (Section 22 of the JBNQA).

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

In 2008-2009, the JBACE spent a large share of its time on measures relating to forest management. It also asked to be consulted on the Québec government’s Northern Plan, announced in 2008, and examined other government measures, including the establishment of protected areas.

The functions of the JBACE include examining impact assessment and review mechanisms and recommending ways to improve them. In 2008-2009, the Committee completed its recommendations for renewing the lists of development projects automatically subject to and exempt from impact assessment. It also continued its work to determine how mineral exploration projects should be handled in the context of the assessment procedure. As well, the Committee drew the responsible administrator’s attention to a number of projects that it feels will have a major impact and therefore should have been submitted to the assessment procedure. Lastly, the JBACE collaborated on a research project on Cree involvement in the environmental and social impact assessment and review of development projects. Known for its potential world-class ore deposits, the James Bay territory has experienced an explosion in mineral exploration in recent years. Mindful of the impacts of this type of development, the JBACE considers it imperative that environmental management requirements be enhanced and, especially, that the process be transparent for proponents and communities.

In sum, the JBACE’s activities in 2008-2009 targeted four main goals: 1) Strengthen the environmental assessment process by reviewing the lists of development projects and examining public participation in the process; 2) Examine the relevance and contribution of environmental assessment to mining development (exploration and extraction); 3) Ensure full participation of the Cree people in forest planning and management and that they derive economic benefits from forestry operations; and 4) Keep a close watch on development activity in the territory, in particular by monitoring the government measures taken in response to the failure of the tailings dike at the old Opemiska mine, which spilled thousands of tonnes of tailings into the aquatic environment.



# 1. SUSTAINABLE FOREST MANAGEMENT

## 1.1 REVIEW OF REVISED GENERAL FOREST MANAGEMENT PLANS

In addition to overseeing the impact assessment and review procedure, the JBACE is responsible for examining government measures that may affect the environmental and social protection regime. To that end, the James Bay and Northern Québec Agreement provides that forest management plans must be submitted to the JBACE for its consideration and comments before the plans are approved by the minister. The Committee has 90 days to make its comments known (par. 22.3.34).

The James Bay territory is the site of major forestry activity. Forest resources cover over 65 000<sup>1</sup> square kilometres and generate significant economic spinoffs for the region as well as for the province as a whole.

Forestry activity is also carried out in most of the territory of five of the nine James Bay Cree communities recognized by the JBNQA. Some 119 Cree traplines (family hunting grounds), or over one third of the total number, are affected by forestry. Apart from the direct impacts of logging and other silvicultural treatments on the hunting, fishing and trapping practices of the Cree people, one must also consider the consequences of the construction of roads, camps, bridges and sandpits required for forestry operations.

This is the context in which the JBACE carries out its mandate relating to the protection of Native peoples' right to harvest wildlife, the protection of Native societies and economies, and the minimizing of the negative impacts of development on Native people and the land.

### 1.1.1 Opinion on revised forest management plans

In November 2007, the JBACE sent the Minister of Natural Resources and Wildlife its recommendations regarding the general forest management plans (GFMP) for 2008-2013. Among other things, the Committee recommended that approval of 5 of the 15 plans be deferred until the Cree participation process has been fully implemented. Not only did the plans fail to meet the JBACE's criteria for Cree participation, which were founded on the guiding principles of the environmental and social protection regime, but they also failed to satisfy the terms and conditions of the adapted forestry regime established by the Agreement Concerning a New Relationship Between le Gouvernement du Québec and the Crees of Québec (ANRQC).

In May 2008, the Chief Forester announced the final allowable cuts for the 15 forest management units in James Bay, which reduced the allowable cut in the territory by an additional 9%. However, because this decrease affected management units to varying degrees, with some even seeing a slight increase in the allowable cut, all of the GFMPs for the James Bay territory had to be revised to account for the new calculations.

To facilitate comparison and determine the progress made, the JBACE used the same evaluation criteria to study the plans as it did for the GFMPs studied in 2007. Although the 12 revised GFMPs<sup>2</sup> made greater use of the forest planning aid maps prepared with help from tallymen, the inadequacies of the process for Cree participation observed in 2007 still existed for most of the plans, to the point that the JBACE recom-



<sup>1</sup> 65 000 km<sup>2</sup> is the total surface area of the 15 FMUs, as described in the GFMPs, i.e. 6 496 956 hectares.

<sup>2</sup> As of March 31, 2009, the JBACE had not yet received 3 of the 15 revised GFMPs for James Bay.

mended that approval of 3 of the 12 revised GFMPs be deferred.<sup>3</sup>

Cree land use was not sufficiently documented in any of the plans and the Crees need to derive more economic benefits from forest management activities in terms of training, jobs and contracts.

Lastly, the Committee informed the Minister of Natural Resources and Wildlife of its concerns regarding the fact that the GFMPs include over 4000 km of forest roads and a large number of bridges and borrow pits that are not subject to environmental assessment. These new roads would provide access to many traplines. This is all the more surprising given the reduction in annual allowable cuts.

The JBACE's recommendations are aimed at, among other things, ensuring better consultation during the preparation of the next generation of GFMPs (2013-2018). To that end, the JBACE intends to work with officials from the Ministère des Ressources naturelles et de la Faune as well as stakeholders from the territory to ensure that greater consideration is given to environmental and social concerns in forest planning. This approach is entirely in keeping with the guiding principles of Section 22 of the JBNQA. Furthermore, the adapted forestry regime of Section 30A of the JBNQA established mechanisms for Cree involvement in forest planning and, concerned about transparency and credibility, the JBACE interviewed stakeholders to ensure that Cree participation is genuine and meaningful.

## **1.2 PROPOSED REFORM OF THE FORESTRY REGIME**

The Québec government undertook to overhaul the province's current forest regime. In February 2008, the Minister of Natural Resources and Wildlife tabled a Green Paper entitled *Forests: Building a Future for Québec*, which proposed directions for reforming Québec's forest regime. They include offering a portion of the available volumes of timber through auctions, transferring some forest management responsibilities to regional players, and dividing public forests into three separate categories: intensive silvicultural zones, ecosystemic management zones and protected areas.

In keeping with its mandate, the JBACE focused on the proposed directions that could have an impact on the environmental and social protection regime established by the James Bay and Northern Québec Agreement. The Committee concluded that the Green Paper contained no guarantees that the provisions of the JBNQA regarding special involvement for the Cree people would be respected in implementing the directions, including in transferring responsibilities to the regions. This particular issue was all the more critical given that the recently created regional natural resource and land commission for James Bay has no Cree representatives. The Grand Council of the Crees and the Cree-Québec Forestry Board expressed the same concerns.

To clarify the directions proposed in the Green Paper, the MRNF published a document entitled "The Occupation of Forest Land in Québec and the Constitution of Forest Management Corporations" in June 2008. In actual fact, this document sheds little light on the questions raised with regard to transferring forest management responsibilities to regional players. However, the government ensures that upholding Aboriginal and treaty rights will continue to be its responsibility.

With the reform of the forest regime having been delayed, the JBACE will continue to follow developments in the coming year.

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<sup>3</sup> The opinion on the revised GFMPs submitted to the Minister by the JBACE is available on the Committee's Website under "Publications – Forestry Plans" ([www.ccebj-jbace.ca](http://www.ccebj-jbace.ca)).



## 2. ANTICIPATED CONSULTATION ON THE NORTHERN PLAN

Northern Québec harbours an abundance of natural resources with huge mining, energy and forestry potential. Although the government's Northern Plan was first announced in 2008, the scope of this initiative is largely unknown.

The Northern Plan proposes to increase the pace of economic development projects in the vast area north of the 49th parallel, in a concerted, structured manner that respects the environment and northern populations. The plan would encompass the territories covered by the JBNQA and the Northeastern Québec Agreement as well as cover a large swath of the Saguenay-Lac-Saint-Jean and Côte-Nord administrative regions. A total of 12% of the area covered by the plan would receive protected area status and within 38% of the area covered by the plan, only recreation and tourism development and the promotion of our natural heritage would be allowed.

The scale of the plan and its anticipated economic, social and environmental impacts are such that the JBACE fears that applying the environmental and social impact assessment and review procedure of Section 22 of the JBNQA individually to each development project would make it impossible to frame strategic issues. This concern is shared by the Kativik Environmental Advisory Committee.

The treaty governing part of the territory covered by the Northern Plan affirms the key role of the Crees and Inuit in development and protection of the territory and its resources. It was in this context, and in keeping with its mandate, that the JBACE took new steps to make the Québec government aware of the importance of consulting the Committee before implementing, and even while formulating, the Northern Plan. Among other things, it proposed conducting a strategic environmental assessment of the plan, being of the mind that a more strategic approach to assessment is required, which means assessing the impacts of the plan as a whole well before conducting an individual environmental assessment of each project; the latter approach too often places excessive restrictions when the project rationale is being addressed. Strategic environmental assessment is now common practice in various parts of the world, particularly Europe.

## 3. NEW PROTECTED AREAS

Establishing protected areas is a preferred means of conserving the environment. In the James Bay region, great strides have been made in this regard since 2003, including the setting aside of 11 874 km<sup>2</sup> for the proposed Albanel-Témiscamie-Otish park. In 2008-2009, the Québec government assigned protected status to the proposed Paakumshumwaau-Maatuskaau biodiversity reserve, which was put forward by the Wemindji First Nation, and in May 2008, to the area of Lac Burton, Rivière Roggan and Pointe-Louis-XIV. Together, these protected areas cover over 13 000 km<sup>2</sup>.

In light of the Northern Plan's objective of protecting 12% of Québec's northern region, the JBACE again called for a protected areas implementation strategy for James Bay. To be developed in partnership with regional and local stakeholders, such a strategy would help identify conservation priorities based on existing or proposed developments.



The JBACE also feels it is important to consider protected area proposals by Cree First Nations and therefore supports the Waswanipi First Nation's proposal to create an aquatic reserve at Waswanipi Lake.

The JBACE received confirmation that the wildlife harvesting rights of Native people will be maintained in protected areas and ensures that the applicable laws and regulations are respected in this regard. Whether or not the Crees are directly involved in the management of these protected areas has not been properly ascertained and warrants some reflection, in particular by drawing on models implemented elsewhere.

## **4. UPDATING OF THE IMPACT ASSESSMENT AND REVIEW PROCEDURE**

### **4.1 RECOMMENDATIONS REGARDING THE REVIEW OF SCHEDULES 1 AND 2**

The JBNQA explicitly provides that the developments listed in schedules 1 and 2 of Section 22 of the JBNQA "shall be reviewed by the parties every five (5) years and may be modified by mutual consent of the parties as may be necessary in the light of technological changes and experience with the assessment and review process" (paragraphs 22.5.1 and 22.5.2).

In July 2008, the JBACE sent the parties to Section 22 of the JBNQA its recommendations regarding the review of projects automatically subject to and exempt from impact assessment, i.e. schedules 1 and 2 respectively. The JBACE initiated the process in 2006 and reviewed the schedules taking into account the approach adopted by the Evaluating Committee (COMEV) in its directives, technological changes and the regulatory framework created since the signing of the JBNQA in 1975. The JBACE's aim is to make the impact assessment and review procedure more transparent by ensuring Cree involvement and reducing the number of projects not covered by either Schedule 1 or Schedule 2<sup>4</sup>, so-called grey-zone projects that are assessed by COMEV on a case-by-case basis.

The Deputy Minister of Sustainable Development, Environment and Parks informed the JBACE that the MDDEP had begun working with the other departments concerned based on the Committee's recommendations. For its part, Indian and Northern Affairs Canada supported the JBACE's recommendations. The Grand Chief of the Crees said he would initiate talks with the other parties on renewing schedules 1 and 2. During the coming year, the JBACE will be monitoring implementation of its recommendations.

### **4.2 HANDLING OF MINERAL EXPLORATION PROJECTS**

In its recommendations regarding changes to schedules 1 and 2, the JBACE indicated that a more thorough study of mineral exploration projects was needed before determining whether or not they should be subject to or exempt from impact assessment. Under the current regime, mineral exploration is not listed in either Schedule 1 or 2, which means it is up to COMEV to recommend whether or not a development project should be subject to impact assessment. As a rule, the administrator follows COMEV's recommendation.

Although nearly all mineral exploration projects are exempted from impact assessment, exploration activity involving extensive stripping, drilling and trench digging can have significant environmental and social impacts. Since more than 250 mineral exploration projects were carried out in James Bay between 2004 and 2007, it is also important to consider the cumulative impacts of these projects.

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4 The report of recommendations is available on the JBACE Website under "Publications – Updating Section 22."



The JBACE undertook an in-depth examination of the matter in order to more clearly define the issues relating to mineral exploration, such as access to project-related information, the regulatory framework, land use and consideration of social impacts. The initial conclusions reveal that establishing a threshold above which mineral exploration would be subject to impact assessment is worthwhile, but not enough, and that it might be pertinent to consider strengthening the regulatory framework and introducing mechanisms for taking the cumulative environmental impacts of projects into account and ensuring information dissemination to Cree communities.

### **4.3 EXEMPTION OF PROJECTS WITH A MAJOR IMPACT**

In keeping with its mandate to oversee the administration of the impact assessment and review procedure, the JBACE decried decisions that it deems go against the environmental and social protection regime.

#### **4.3.1 Robert-Boyd park**

In 2007, the JBACE wrote to the provincial administrator recommending that the proposed Robert-Boyd commemorative park be submitted to the Section 22 impact assessment and review procedure. Located on the edge of the LG-2 reservoir, the park pays tribute to the many people who have worked at the hydro-electric complex since the early 1970s. The hiking trails in the park would pose a problem because Crees with traplines adjacent to the park cannot exercise their right to hunt when the trails are open for hiking.

In July 2008, the provincial administrator informed the JBACE that the MDDEP had prepared a legal opinion which affirms her position that the Robert-Boyd park is not a conservation park and therefore does not fall within the types of park projects automatically subject to impact assessment. Her position raises the question of the JBACE's role as an advisory body in determining projects that are subject to assessment. In the case of the Robert-Boyd park, the department unilaterally decided that the park was exempt from impact assessment.

The JBACE continues to believe that it is important to adequately assess all projects that will have a major environmental and/or social impact and reiterates its suggestion to form a multipartite working committee to implement remedial measures. In September 2008, the Committee asked the Hunting, Fishing and Trapping Coordinating Committee for its opinion regarding the impact of the Robert-Boyd park on the right to harvest guaranteed to Aboriginal people under the Section 24 regime.

#### **4.3.2 Forest roads**

The natural resources coordinator for the Cree Regional Authority (CRA) met with the JBACE in September 2008 to request that a planned forest road be submitted to the Section 22 impact assessment and review procedure. The proponent, Les Chantiers Chibougamau Ltée, wanted the road so it could transport timber to its mill. The 150-km road would run through six Cree traplines: the company would be building 24 km of new road and repairing an existing road approximately 125 km long. Even though Chantiers Chibougamau stated that it had consulted the tallymen concerned in accordance with the ANRQC, the Cree Nation of Oujé-Bougoumou asked that the conflict resolution process provided for in Schedule C of the ANRQC be applied.





The provincial administrator exempted the road project from environmental assessment, arguing that it is part of a forest management plan and therefore exempt under Schedule 2 of Section 22. In November 2008, the JBACE's CRA-appointed members wrote to the provincial administrator reminding her that "major access roads built for extraction of forest products" are automatically subject to assessment under Schedule 1 of Section 22. If this forest road was not considered a major access road, then it would not be covered by either Schedule 1 or 2 and it would be up to the Evaluating Committee to review the project and recommend whether or not it should be submitted to the impact assessment and review procedure. The CRA members also pointed out that the planned road, which Chantiers Chibougamau presented as an amendment to its general forest management plan, was not submitted to the JBACE for its consideration and comments as required by the JBNQA.

The Grand Council of the Crees and the Cree Nation of Oujé-Bougoumou filed a lawsuit and, in December 2008, the courts ordered Chantiers Chibougamau to stop work on the road until hearings were held into the matter.

#### **4.4 RESEARCH PROJECT ON CREE PARTICIPATION IN ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT**

The JBACE partnered with the Université de Montréal's department of geography, which holds world-class expertise, to study Cree involvement in decisions under the environmental and social impact assessment and review procedure. The research project aimed to compare current consultation practices for the Section 22 procedure with the recognized rules for meaningful public participation.

Cree participation in the impact assessment and review procedure was analyzed by comparing four selected projects according to internationally established principles for public participation. The analysis was based in particular on interviews with 36 stakeholders: members of the evaluating and review committees and government, First Nations and proponent representatives.

The recommendations contained in the report include adopting public consultation rules for the James Bay territory, creating an environmental assessment registry and producing a code of good practice on public participation aimed at proponents. In the coming year, the JBACE will examine the recommendations and determine the best follow-up. In sum, the report highlights the need to strengthen Cree involvement in the environmental assessment process; unlike in southern Québec, there are currently no clear and transparent rules in this regard.

## **5. MINIMIZING THE NEGATIVE IMPACTS OF DEVELOPMENT**

Minimizing the negative environmental and social impacts of development on Native people and Native communities is one of the guiding principles set out in Section 22 of the JBNQA. This principle applies as much to reviewing laws and regulations as it does to assessing and reviewing the impacts of development projects. This is the spirit in which the JBACE worked on the issues of climate change, contaminated mine sites and sustainable management of residual materials.



## **5.1 FOLLOW-UP TO CLIMATE CHANGE WORK**

Climate change will have a significant impact on Cree communities and wildlife harvesting practices. With a view to documenting these issues more effectively, the JBACE published a report in 2008 on the state of knowledge of climate changes affecting the James Bay territory. The report presents long-term climate predictions and discusses current studies on the foreseen effects of climate change on waterways, forests and wildlife. The JBACE intends to follow its report up with work based on Cree observations of changes in the territory. To that end, a poster summarizing the report's data was sent to the communities, which were asked to suggest ways to continue this work. In addition, the Committee gave presentations at a meeting of the local environment administrators in December 2008 and at the environment conference held in Chisasibi in February 2009. To determine how its work could be meshed with government programs, the JBACE familiarized itself with Québec's Climate Change Action Plan.

### **5.1.1 Proposal by the Cree Trappers' Association**

The Cree Trappers Association's special projects coordinator approached the JBACE about partnering in a research project on climate change impacts and adaptation. The project would revolve around workshops held in Cree communities. Because the project meets the JBACE's goals of identifying Cree perspectives and priorities in relation to climate change, the Committee agreed to support the project by, among other ways, sharing its expertise and the resources of its secretariat. The CTA applied for funding for the project under Indian and Northern Affairs Canada's climate change adaptation program.

## **5.2 DIKE FAILURE AT THE OPÉMISKA MINE AND PORTRAIT OF MINE SITES**

On June 23, 2008, following a period of heavy rain, a tailings dike at the old Opémiska mine near Chapais failed, releasing nearly 1 million cubic metres of water and 50 000 cubic metres of suspended fine debris. The strong flow of wastewater washed out a section of highway 113 and ran into Slam Creek, a tributary of the Waswanipi River. MRNF officials acted swiftly to minimize the spill's impacts on human health and the environment, while MDDEP officials participated in studies to monitor water quality, particularly metal levels, in Slam Creek and Waswanipi and Obatogamau rivers.

In December 2008, the JBACE wrote to the associate deputy minister of mines to request that Cree communities liable to be affected by the Opémiska spill be kept better informed, particularly with regard to their hunting, fishing and trapping practices. The JBACE was echoing Waswanipi residents' concerns about the spill's impact on aquatic wildlife.

In January 2009, two MRNF representatives met with the JBACE to explain the monitoring measures put in place following the spill and present a portrait of contaminated mine sites in the James Bay territory under the MRNF's responsibility. The representatives explained the improvements in monitoring of these sites following the Opémiska dike failure and how the inspection framework was adapted on the basis of site-related risks.



The JBACE followed up on the above presentation by asking the MRNF to let it know the actions taken to inform the communities of Waswanipi and Oujé-Bougoumou about the monitoring measures and address any concerns they may have. The Committee also requested information on the inspection and monitoring framework for all contaminated mine sites in the territory. Lastly, the JBACE offered to help produce a complete portrait of contaminated mine sites in the territory, whether under the responsibility of the MRNF, MDDEP or a mining company.

### **5.3 LIFE CYCLE ASSESSMENT OF RESIDUAL MATERIALS MANAGEMENT SCENARIOS**

The JBACE is continuing to work with the Interuniversity Research Centre for the Life Cycle of Products, Processes and Services (CIRAIG) to study residual materials management scenarios for Cree communities. The study aims to provide communities with accurate data on the environmental and social impacts of management options such as landfilling, incineration or recycling based on a product life cycle approach. The results are expected in 2009 and should provide a valuable decision-support tool for Cree First Nations.

## **6. INSTRUMENTS FOR FULFILLING THE JBACE'S MANDATE**

The JBACE uses various instruments to fulfil its mandate, including human and financial resources, member participation and action planning.

### **6.1 ANALYSIS WORK**

If necessary, and if it has the capacity to do so, the JBACE can study and comment on environmental and social impacts affecting the James Bay territory. To enhance that capacity, the JBACE carried out a competition to fill a new analyst position. The successful candidate has been working on a number of major files since July 2008, including the impact of mineral exploration and expansion of the forest road network into Cree traplines.

### **6.2 SUSTAINED FUNDING**

To function effectively, the JBACE also requires adequate and sustained funding from the responsible parties, i.e. the Canadian Environmental Assessment Agency and the MDDEP<sup>5</sup>. Due to a lack of resources, the Committee called on the funding parties to restore its annual subsidy to the 2005-2006 level of \$251 000; otherwise, the JBACE would have to go into debt or abandon activities that are crucial to its mandate.

Since 2006, the Agency and MDDEP have withheld a portion of the JBACE's annual funding so that the Committee could use up its accumulated surplus. When its funding for 2008-2009 was cut to \$100 000, the JBACE requested that the amount be raised back to the original annual amount and that the Agency, MDDEP and CRA enter into talks to ensure the Committee receives adequate funding starting in 2010-2011. At the same time, the JBACE reminded the funding parties of its financial obligations resulting from the hiring of an analyst and the use of forestry consultants to help study general forest management plans.

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5 As of 2002, the Cree Regional Authority contributes half of the MDDEP's share of funding.





### 6.3 THE ENGAGEMENT OF THE THREE PARTIES

The JBACE is composed of members equally appointed by the parties responsible for implementation of the environmental and social protection regime, namely, the Government of Canada, the gouvernement du Québec and the Cree Regional Authority (CRA)<sup>6</sup>. Its composition gives the Committee credibility because positions are reached through consensus among the three parties. On the other hand, this requires the parties' steadfast involvement.

More than once, the JBACE has asked the Minister of Sustainable Development, Environment and Parks to ensure sustained participation by the Québec members. That first required filling the party's vacant seat. In keeping with the rotating chairmanship of the Committee, it was also Québec's turn to appoint the chairman for 2008-2009. The Minister never acted on the JBACE's requests; rather, the Deputy Minister of MDDEP wrote to the Grand Chief of the Crees asking him to extend the mandate of Ashley Iserhoff, the previous year's chairman.

Since sustained and equal participation by all three parties is vital to the JBACE's smooth operation, the Committee will continue its efforts to make sure that each party fills all of its seats and sees to it that all of its members participate fully in Committee activities.

### 6.4 STRATEGIC PLAN

The JBACE adopted its first-ever strategic plan in 2005. Built on consensus between the members, the plan defined the JBACE's priority actions and helped it plan its actions more effectively.

In 2008-2009, the members initiated the process of updating the Strategic Plan. The first step consists in identifying issues that have become more important since 2005, such as climate change. Planned reviews of federal and provincial laws and regulations must also be taken into account. The governments are required to invite the JBACE to take part in the review process, but since they do not always do so, the JBACE must constantly keep an eye out for developments so that it can examine the issues and, as need be, make its comments known. That is the only way the Committee can fully play its role as advisor to the responsible governments concerning the formulation of laws and regulations that might have an environmental or social impact in the James Bay territory.

<sup>6</sup> The 13th member of the JBACE is an ex-officio member appointed by the Hunting, Fishing and Trapping Coordinating Committee.



## Conclusion

Many environmental issues affect the James Bay territory. The architects of the 1975 James Bay and Northern Québec Agreement had the foresight to incorporate social aspects into environmental issues, notably the maintenance of a land regime based on hunting, fishing and trapping.

Forest management was one of the biggest issues dealt with last year owing to the potential impact on the environment and the Crees' wildlife harvesting rights. In addition to reviewing changes made to forest management plans, which is part of its mandate, the JBACE studied the planned reform of the forest regime because it would transfer responsibilities to regional players.

In addition, the JBACE submitted comments on the Northern Plan announced by the Premier of Québec. Given the scope of the projects proposed under the plan, the Committee encouraged the Premier to submit the plan to strategic environmental assessment. Furthermore, the JBACE reminded Mr. Charest of the importance of officially consulting the bodies that represent Aboriginal people on the directions and content of the Northern Plan.

When the environmental and social impact assessment and review procedure was established back in 1975, it was innovative; today, it is outdated and needs to be renewed. While keeping the guiding principles relating to such things as special involvement for the Cree people, the JBACE recommended changes to the lists of development projects subject to and exempt from assessment in light of the Evaluating Committee's experience, technological changes and the existing regulatory framework. Now it is up to the three parties to begin discussing how to respond to the JBACE's recommendations.

In 2008-2009, the JBACE also undertook to give itself the means to fulfil its mandate with regard to the environmental and social protection regime, including by hiring an expert in environmental analysis and calling on the responsible parties to grant the Committee sufficient funding to carry out the activities required by its mandate.

Armed with these means, the JBACE will continue working to see that government measures comply with the JBNQA environmental and social protection regime. It will also continue to monitor the administration of the impact assessment and review procedure in order to formulate recommendations, as need be, to ensure protection of Native rights and minimize the negative effects of development.



# APPENDIX 1

## COMPOSITION AND MEETINGS OF THE JBACE

### 1.1 Composition of the JBACE

#### **Members appointed by the Cree Regional Authority (CRA)**

Glen Cooper, CRA  
Ashley Iserhoff, CRA, Chairman  
Ginette Lajoie, CRA  
Chantal Otter Tétreault, CRA

#### **Members appointed by the Government of Canada**

Annie Déziel, Canadian Environmental Assessment Agency  
Maryse Lemire, Fisheries and Oceans Canada, Vice-Chairwoman  
Denise Morasse, Indian and Northern Affairs Canada (since January 2009)  
Sarah Szirtes, Indian and Northern Affairs Canada (up until December 2008)

#### **Members appointed by the Government of Québec**

Josée Brazeau, Ministère du Développement durable, de l'Environnement et des Parcs (since July 2008)  
Guy Demers (up until August 2008)  
Joanne Laberge, Ministère des Transports, Service du développement durable  
Pierre Moses, James Bay Municipality

### 1.2 Composition of subcommittees

#### 1.2.1 ADMINISTRATIVE COMMITTEE

Josée Brazeau, Québec  
Ginette Lajoie, CRA  
Maryse Lemire, Canada



Presentation from the Chief Forester, Mr. Pierre Levac, to the JBACE on June 6, 2008.

#### 1.2.2 WORKING GROUP ON THE REVIEW OF SCHEDULES 1 AND 2 OF SECTION 22

Guy Demers, Québec  
Ginette Lajoie, CRA  
Annie Déziel, Canadian Environmental Assessment Agency  
Maryse Lemire, Fisheries and Oceans Canada





### 1.2.3 WORKING GROUP ON RESIDUAL MATERIALS MANAGEMENT

Ginette Lajoie, JBACE-CRA  
Cameron McLean, CRA  
Josée Brazeau, JBACE-Québec  
Marthe Côté, MDDEP  
Philippe Chénard, Recyc-Québec  
France Brûlé, Société d'énergie de la Baie James

### 1.3 Secretariat

Marc Jetten, executive secretary  
Claude Péloquin, environmental analyst  
Louise Bélanger, secretariat officer



June 5, 2008 meeting. From left to right:  
Ginette Lajoie, Maryse Lemire, Chantal  
Otter-Tétreault, Joanne Laberge, Sarah  
Szirtes, Ashley Iserhoff.

### 1.4 JBACE meetings

The Committee held five meetings in 2008-2009:

- 153rd meeting Montréal, April 16, 2008
- 154th meeting Montréal, June 5, 2008
- 155th meeting Mistissini, September 18, 2008
- 156th meeting Conference call, October 28, 2008
- 157th meeting Québec City, January 15, 2009



The JBACE met in Mistissini on Sept. 18,  
2008



## **APPENDIX 2**

### **FINANCIAL STATEMENTS 2008-2009**

JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

FINANCIAL STATEMENTS AND  
REVIEW ENGAGEMENT REPORT

AS AT MARCH 31, 2009



**JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT**

**FINANCIAL STATEMENTS AND  
REVIEW ENGAGEMENT REPORT**

**AS AT MARCH 31, 2009**

Review Engagement Report	1
Balance Sheet	2
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Notes to Financial Statements	5 - 8
Supplementary Information Operating Expenditures	SCHEDULE A

**RUEL GIROUX**  
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, 2009, 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]*

Gaétan Ruel, CA auditor

Victoriaville,  
June 18, 2009.

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6180, avenue Doucet, Québec (Québec) G1H 5M8 • Téléphone : (418) 648-8741 – Télécopieur : (418) 648-0955

**Société en participation**



## JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

[TRANSLATION]

BALANCE SHEET  
AS AT MARCH 31, 2009  
(Unaudited)

	2009	2008
<b>ASSETS</b>		
<b>CURRENT ASSETS</b>		
Cash	\$12 274	\$77 729
Receivables (Note 5)	102 710	11 626
Prepaid expenses	342	881
Investments that can be liquidated in the next fiscal year (Note 6)	<u>124 369</u>	<u>-</u>
	239 695	90 236
<b>INVESTMENTS (Note 6)</b>	-	272 641
<b>FIXED ASSETS (Note 7)</b>	<u>6 166</u>	<u>6 763</u>
	<u>\$245 861</u>	<u>\$369 640</u>
<b>LIABILITIES</b>		
<b>CURRENT LIABILITIES</b>		
Accounts payable and accruals (Note 8)	\$17 420	\$17 823
<b>COMMITTEE'S EQUITY</b>		
Accumulated surplus	<u>228 441</u>	<u>351 817</u>
	<u>\$245 861</u>	<u>\$369 640</u>

**CONTRACTUAL COMMITMENT (Note 9)**

DIRECTOR'S SIGNATURE

*[ORIGINAL SIGNED]*

\_\_\_\_\_, Director

RUEL GIROUX  
Chartered Accountants

## JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

*[TRANSLATION]*

**STATEMENT OF FINANCIAL ACTIVITIES  
FOR THE YEAR ENDED MARCH 31, 2009  
(Unaudited)**

	2009	2008
<b>INCOME</b>		
Subsidy	\$191 000	\$191 000
<b>OPERATING EXPENDITURES (SCHEDULE A)</b>	<u>341 020</u>	<u>303 506</u>
<b>OPERATING SURPLUS (DEFICIT)</b>	<u>(150 020)</u>	<u>(112 506)</u>
<b>OTHER FINANCIAL ACTIVITY</b>		
Interest income	<u>26 644</u>	<u>7 341</u>
<b>SURPLUS (DEFICIT) FOR THE YEAR</b>	<u><u>\$(123 376)</u></u>	<u><u>\$(105 165)</u></u>

**RUEL GIROUX**  
Chartered Accountants





## JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

*[TRANSLATION]*

**STATEMENT OF ACCUMULATED SURPLUS  
FOR THE YEAR ENDED MARCH 31, 2009  
(Unaudited)**

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	NON ALLOCATED	ALLOCATED TO THE FORESTRY FUND	TOTAL <u>2009</u>	TOTAL <u>2008</u>
<b>ACCUMULATED SURPLUS, BEGINNING OF YEAR</b>	\$334 086	\$17 731	\$351 817	\$456 982
<b>SURPLUS (DEFICIT) FOR THE YEAR</b>	<u>(105 645)</u>	<u>(17 731)</u>	<u>(123 376)</u>	<u>(105 165)</u>
<b>ACCUMULATED SURPLUS, END OF YEAR</b>	\$228 441	\$ -	\$228 441	\$351 817
	=====	=====	=====	=====

RUEL GIROUX  
Chartered Accountants



**NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED MARCH 31, 2009  
(Unaudited)**

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## **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 environment and social protection regime established by and in accordance with Section 22 of the James Bay and Northern Québec Agreement.

## **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, investments, and accrued expenses corresponds to their book value given their maturity.

#### **Financial Instruments**

Financial instruments are measured at fair value on initial recognition. Subsequent measurements and the reporting of changes in fair value depend on the classification of the financial instrument.

The Committee has elected to classify its financial instruments as follows:

Cash and investments are classified as held-for-trading financial assets and are measured at fair value. Gains and losses arising from remeasurement at the end of each period are reported in the statement of financial activities.

Accounts receivable are classified as loans and receivables and initially measured at fair value. Subsequent measurements are reported at amortized cost using the effective interest rate method. For the Committee, the measured amount generally corresponds to cost.

Accounts payable and accrued expenses are classified as other financial liabilities and initially measured at fair value. Subsequent measurements are reported at amortized cost using the effective interest rate method. For the Committee, the measured amount generally corresponds to cost.

**RUEL GIROUX**

**Chartered Accountants**



## JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

[TRANSLATION]

**NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED MARCH 31, 2009  
(Unaudited)**

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**2. ACCOUNTING POLICIES (continued)****Investments**

Investments are accounted for as financial assets held for trading. They are measured at fair value and the gains and losses resulting from remeasurement at the end of each period are recorded in the statement of financial activities.

**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. CHANGES IN ACCOUNTING POLICIES**

On April 1, 2008, the Committee adopted Chapter 3855, *Financial Instruments – Accounting and appraisal*, and Chapter 3861, *Financial Instruments – Information to be provided and presentation*, of the CICA Handbook. These chapters establish the standards of accounting and evaluation of financial assets and liabilities and non-financial derivative instruments. The adoption of these chapters had no significant impact on the Committee's financial statements.

**4. 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.

**5. RECEIVABLES**

	<u>2009</u>	<u>2008</u>
Subsidy receivable	\$91 000	\$ -
Taxes	11 296	10 660
Advance to the HFTCC	<u>414</u>	<u>966</u>
	\$102 710	\$11 626
	<u>=====</u>	<u>=====</u>

RUEL GIROUX

Chartered Accountants



## JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

[TRANSLATION]

NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED MARCH 31, 2009  
(Unaudited)

	<u>2009</u>	<u>2008</u>
<b>6. INVESTMENTS</b>		
Term deposit, 3.33%, liquidated in July 2008	\$ -	\$71 641
Term deposit, 3.43%, liquidated in September 2008	-	90 000
Term deposit, 3.5%, liquidated in May 2008	-	111 000
Term deposit, 2.3%, maturing in July 2009	<u>124 369</u>	<u>-</u>
	124 369	272 641
Investments that can be liquidated in the next fiscal year	<u>124 369</u>	<u>-</u>
	\$ -	\$272 641
	<u><u>          </u></u>	<u><u>          </u></u>

**7. FIXED ASSETS**

	<u>Cost</u>	<u>Accumulated depreciation</u>	<u>2009 Net value</u>	<u>2008 Net value</u>
Furniture and equipment	\$11 451	\$8 401	\$3 050	\$3 812
Computer equipment	<u>14 053</u>	<u>10 937</u>	<u>3 116</u>	<u>2 951</u>
	\$25 504	\$19 338	\$6 166	\$6 763
	<u><u>          </u></u>	<u><u>          </u></u>	<u><u>          </u></u>	<u><u>          </u></u>

	<u>2009</u>	<u>2008</u>
<b>8. ACCOUNTS PAYABLE AND ACCRUALS</b>		
Suppliers	\$6 396	\$12 369
Owed to the HFTCC	6 600	5 454
Salaries and deductions at source	<u>4 424</u>	<u>-</u>
	\$17 420	\$17 823
	<u><u>          </u></u>	<u><u>          </u></u>

RUEL GIROUX  
Chartered Accountants



**JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT**

*[TRANSLATION]*

**NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED MARCH 31, 2009  
(Unaudited)**

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**9. CONTRACTUAL COMMITMENT**

The governments of Canada and Québec and the Cree Regional Authority<sup>1</sup> grant an annual subsidy of \$251 000 to the JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT. Given the Committee's accumulated surpluses, only \$191 000 was allocated for fiscal year 2008-2009. 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	7 275
Food and lodging	1 197
Transportation	1 265
Office supplies	<u>69</u>
	<u>\$39 806</u>

<sup>1</sup> In accordance with section 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 (...)”

**10. 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 2.3% and 3.5% (2008, 3.33% and 3.5%).



## JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

[TRANSLATION]

**SUPPLEMENTARY INFORMATION  
FOR THE YEAR ENDED MARCH 31, 2009  
(Unaudited)**

	2009	2008
<b>OPERATING EXPENDITURES</b>		
Salaries, wages, benefits	\$124 121	\$88 316
Telecommunications	3 865	5 888
Rent (office space)	26 034	23 940
Travel expenses	6 655	4 400
Translation	26 803	31 393
Photocopying	9 706	6 191
Messenger services, postage	1 075	1 170
Office supplies, furniture and computer equipment	4 853	4 832
Expert opinions, meeting expenses	959	1 303
Insurance	595	584
Dues, fees, memberships, conferences	890	381
Professional fees	1 533	1 508
Advisory expenses	67 536	15 388
Advisory expenses – Forestry fund	32 115	84 322
Training	2 134	1 275
Internet	53	161
Interest, bank charges	260	236
Amortization	<u>1 833</u>	<u>2 218</u>
	311 020	273 506
 Expenditures attributable to COMEV	 <u>30 000</u>	 <u>30 000</u>
	 \$341 020	 \$303 506
	<u><u>          </u></u>	<u><u>          </u></u>

**RUEL GIROUX**  
Chartered Accountants



# APPENDIX 3

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

COMMITTEE	MEMBERS		MEETINGS		
COMEV	<b>Appointed by:</b>		<b>No.</b>	<b>Date</b>	<b>Place</b>
	CRA	Philip Awashish Brian Craik	225	2008-05-30	Montréal
			226	2008-07-22	Montréal
	Canada	Élizabeth Boivin Annie Déziel	227	2008-09-19	Gatineau
			228	2008-10-14	Montréal
	Québec	Daniel Berrouard Mireille Paul	229	2008-11-18	Montréal
			230	2008-12-17	Montréal
Executive Secretary	Michael O'Neill	231	2009-01-16	Montréal	
232	2009-02-26	Montréal			
COMEX	<b>Appointed by:</b>		<b>No.</b>	<b>Date</b>	<b>Place</b>
	CRA	Philip Awashish Brian Craik	248	2008-05-28	Montréal
			249	2008-06-11	Montréal
	Québec	Daniel Berrouard Bernard Harvey Pierre Mercier	250	2008-08-06	Montréal
			251	2008-08-06	Montréal
			252	2008-08-27	Montréal
	Executive Secretary	Michael O'Neill	253	2008-09-19	Gatineau
			254	2008-10-16/17	Waskaganish
			255	2008-11-13	Montréal
			256	2009-01-19	Montréal
257			2009-02-25	Montréal	
COFEX-South	<b>Appointed by:</b>		<b>No.</b>	<b>Date</b>	<b>Place</b>
	CRA	Philip Awashish Ginette Lajoie			
	Canada	Benoît Taillon Michel A. Bouchard Claude E. Delisle			
Executive Secretary	Benoît Théberge				



## APPENDIX 4

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

Energy projects					
PROJECT	PROPONENT	COMEV RECOMMENDATION	SUBJECT TO IMPACT ASSESSMENT	COMEX RECOMMENDATION	COFEX-South RECOMMENDATION
Mini hydroelectric power station	Mirage Outfitter	Directives issued	Yes	Impact statement not received	—
Eastmain-1-A powerhouse/Rupert diversion hydroelectric project (amendments to certificate of authorization)	Hydro-Québec/SEBJ	COMEV processed 3 requests relating to this project	--	COMEX processed 29 requests arising from requirements of the certificate of authorization	—
Chute Rouge hydroelectric project	James Bay Energy Committee	Directives 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 Equipement	Directives issued	Yes	Authorize project subject to 6 conditions	—
Construction of 120-kV power line from Eastmain-1 to Eleonore mine Application to amend certificate of authorization for transshipment sites for barges and access routes	Hydro-Québec Equipement	Directives issued	Yes	Authorize project Authorize amendment to certificate of authorization	—
Brisay wind energy project	Yuddin Energy Inc.	Directives issued	Yes	Waiting for additional information to impact statement	—
Chisasibi wind energy project	Yuddin Energy Inc.	Directives issued	Yes	Impact statement not received	—
Mistissini wind farm	Eenou Wind-corp Inc.	Directives issued	Yes	Impact statement not received	—



## Mining projects

PROJECT	PROPONENT	COMEVI RECOMMEN- DATION	SUBJECT TO IMPACT ASSESS- MENT	COMEX RECOMMENDATION	COFEX- South RECOM- MEN- DATION
Development of Lake Doré vanadium deposit and a metallurgical complex	McKenzie Bay Resources Ltd.	Directives issued	Yes	Waiting for second batch of additional information	--
Fenelon mining project	American Bonanza Gold Corp.	Directives issued	Yes	Waiting for additional information	--
Mining of copper deposit on Corner Bay/Inner Block property	6479499 Canada Inc	Directives issued	Yes	Impact statement not received	--
Bachelor Lake mining project:  Remediation plan  Applications to amend certificate of authorization:  1) Increase in milling rate  2) Construction of cyanide destruction system using hydrogen peroxide	Metanor Resources Inc.	Directives issued	Yes	Authorize project subject to 8 conditions  Approve plan (8 conditions)  1) Authorize amendment to certificate of authorization subject to 7 conditions  2) Authorize amendment to certificate of authorization subject to 1 condition	--
Eleonore mining project	Opinaca Mines Ltd.	Directives issued	Yes	Impact statement not received	Impact statement not received
Mineral exploration project entailing construction of a secondary road network	Opinaca Mines Ltd.	--	No	--	--
Temporary airstrip	Opinaca Mines Ltd.	--	No	--	--
Advanced exploration, with drilling of exploratory holes	Opinaca Mines Ltd.	--	No	--	-



Mining projects					
PROJECT	PROPONENT	COMEVI RECOMMENDATION	SUBJECT TO IMPACT ASSESSMENT	COMEX RECOMMENDATION	COFEX-South RECOMMENDATION
Exploration of 5 borrow pits	Opinaca Mines Ltd.	--	No	--	--
Working of 11-hectare quarry	Opinaca Mines Ltd.	Directives issued	Yes	Impact statement not received	--
Construction of temporary winter road	Opinaca Mines Ltd.	COMEX considers the project information already provided by the proponent to take the place of an impact statement	Yes	Authorize project subject to 12 conditions	--
Construction of landing strip and access road north of Opinaca reservoir	Following an agreement, the Cree Nation of Wemindji transferred responsibility for this project to Opinaca Mines Ltd.	Directives issued	Yes	Provincial administrator asked COMEX to drop the review of this project	--
Matoush uranium exploration project	Strateco Resources Inc.	Directives issued	Yes	Impact statement not received	Impact statement not received--
1) Underground exploration		Directives issued	Yes	Impact statement not received	
2) Repair of access road to mining camp					
Application to amend certificate of authorization for sandpit near trench landfill	Inmet Mining Corp.	--	--	Authorize amendment to certificate of authorization	--
Development of a copper/molybdenum deposit	Western Troy Capital Resources	Directives issued	Yes	Impact statement not received	--



<b>Mining projects</b>					
PROJECT	PROPONENT	COMEVI RECOMMENDATION	SUBJECT TO IMPACT ASSESSMENT	COMEX RECOMMENDATION	COFEX-South RECOMMENDATION
Chevrier mineral exploration project – excavation of a trench and bulk sampling	Tawsho Mining Inc.	Additional information requested	No	--	--
Mineral exploration project on the Discovery property	Ressources Cadiscor inc.	Additional information requested	No	--	--
Mineral exploration through bulk sampling and upgrading of an existing road on the Clearwater property	Eastmain Resources	Additional information requested	No	--	--
Development of a winter road, Renard diamond project	Stornoway Diamond Corporation / SOQUEM	Directives issued	Yes	Impact statement not received	--

<b>Borrow pits</b>					
PROJECT	PROPONENT	COMEVI RECOMMENDATION	SUBJECT TO IMPACT ASSESSMENT	COMEX RECOMMENDATION	COFEX-South RECOMMENDATION
Working of quarry CA-OA-11 to extract material for protection of dam OA-11 and a jetty	SEBJ	--	No	--	--

<b>Management of residual materials</b>					
PROJECT	PROPONENT	COMEVI RECOMMENDATION	SUBJECT TO IMPACT ASSESSMENT	COMEX RECOMMENDATION	COFEX-South RECOMMENDATION
Expansion of Chibougamau sanitary landfill site	Ville de Chibougamau	Directives issued	Yes	Authorize project (5 conditions)	--
Wemindji landfill site	Cree Nation of Wemindji	Directives issued	Yes	--	Under review



<b>Transportation</b>					
PROJECT	PROPONENT	COMEVI RECOMMENDATION	SUBJECT TO IMPACT ASSESSMENT	COMEX RECOMMENDATION	COFEX-South RECOMMENDATION
Broadback access road	Abitibi Consolidated of Canada	Directives issued	Yes	Impact statement not received	--
Reuse of Eastmain mine winter road (winter 2008-2009)	Strateco Resources Inc.	Ensure compliance with Environment Quality Act and regulations respecting environmental protection and decommissioning/ redevelopment of mineral exploration sites	No	--	--
Winter access road to "L" mining property	Ressources Abitex inc.	Additional information requested	No	--	--
Road, bridge and 2 quarries on Cat. I and II lands	Cree Nation of Mistissini	--	Yes	Impact statement not received	--
Extension of forest road L-209 Nord	Barrette-Chapais Ltée	Directives issued	Yes	Impact statement not received	--
Environmental follow-up program for Waskaganish road	Cree Nation of Waskaganish	--	--	Authorize program for Category II and III lands (6 conditions)	Comments submitted

<b>Protected areas</b>					
PROJECT	PROPONENT	COMEVI RECOMMENDATION	SUBJECT TO IMPACT ASSESSMENT	COMEX RECOMMENDATION	COFEX-South RECOMMENDATION
Albanel-Témiscamie-Otish park	MDDEP	Directives issued	Yes	Impact statement not received	--
Establishment of 9 protected areas	MDDEP	Directives issued	Yes	Impact statement not received	--



## Miscellaneous projects

PROJECT	PROPONENT	COMEV RECOMMENDATION	SUBJECT TO IMPACT ASSESS- MENT	COMEX RECOMMENDA- TION	COFEX- South RECOM- MEN- 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	Directives issued	Yes	Impact statement not received	--
Pork production and processing	Chapais Economic Development Corporation	Directives issued	Yes	Waiting for additional information to impact statement	--
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	Eastmain Cree First Nation	Directives issued	Yes	Impact statement not received	--
Construction of a new drinking water plant on Cat. I and III lands	Waskaganish Cree First Nation	Additional information requested (prov. and local admin.)	No	--	--
Renovation of 2 pumping stations in Waskaganish's sewer system, Cat. I land	Waskaganish Cree First Nation	--	No	--	--
Establishment of a snowfall measuring station, Cat. 1B lands of Mistissini	Hydro-Québec Production	--	No	--	--
Change to drinking water supply	Ville de Chapais	--	No	--	--
Installation of a gauging station, Cat. 1A lands of Chisasibi	Hydro-Québec Production	--	No	--	--

