



## MINUTES OF THE 228<sup>th</sup> MEETING OF THE JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

### **DATE**

June 13, 2023

### **LOCATION**

Hybrid (Videoconference and Montréal)

### **PRESENT**

Marc Dunn, Cree Nation Government  
Tina Petawabano, Cree Nation Government  
(remote)  
Melissa Saganash, Cree Nation Government  
Vanessa Chalifour, Québec (remote)  
Brigitte Goulet, Québec (remote)  
Mélanie Savoie, Québec

Alexandre-Guy Côté, Canada  
Madeleine Green, Canada  
Jean-Olivier Roy, Canada (remote)  
Michèle Leduc-Lapierre, Executive Director  
Mathilde Butler, Environmental Analyst  
Eva Wolf, Secretariat Officer (remote)

### **ABSENT**

Manon Cyr, Québec

### **OBSERVER**

Benoit Péroquin, Environment and Climate Change Canada

### **WELCOME AND ADOPTION OF THE AGENDA**

The Chairperson welcomes the members.

On a motion by Vanessa Chalifour, seconded by Alexandre-Guy Côté, the agenda (see [appendix 1](#)) is adopted with the addition of the items "Revision of the Regulation respecting hazardous materials", "Public Land-Use Plan" and "Forest fires".

### **ADMINISTRATION**

#### ***Adoption of the minutes of the 227<sup>th</sup> meeting***

On a motion by Alexandre-Guy Côté, seconded by Mélanie Savoie, the minutes are adopted with minor corrections.

#### ***Follow-up on actions from the 227<sup>th</sup> meeting***

The Executive Director follows up on actions from the 227<sup>th</sup> meeting. One member recommends that the names of people mentioned in the document should henceforth be listed in full, so that they can be used as a reference and source of information if necessary. The Executive Director will update the document.

#### ***Follow-up on budget and funding***

The Executive Director presents the financial statement as of May 31, 2023. She notes that the request for an increase has been accepted and that the grant has been received in a single instalment. Members discuss the possibility of improving the funding request process.

#### ***Production of the 2022-2023 Annual Report***

The Executive Director informs members that the Annual Report has been completed and thanks them for their participation. The report will be sent to the Provincial Administrator by the end of June. Only after the report has been tabled in the *Assemblée nationale*, will it be shared with the Cree and federal Administrators. The Executive Director asks members if this item could be put on the agenda for the meeting with the Provincial Administrator in September. The members suggest that the Executive Director should first check on the legal

framework for tabling the report and sharing it with the Administrators, prior to tabling it at the National Assembly. The need to discuss this point with the Provincial Administrator will then be assessed.

### ***Next meetings***

The Executive Director confirms that the meeting with the Provincial Administrator will be held during the next meeting (September 6, 2023) in Québec City. The Executive Director will draft an agenda and discuss it during the next Administrative Committee meeting scheduled during the week of June 19, 2023.

The 230<sup>th</sup> meeting will be held in Mississauga in November 2023. The members discuss different options for travel and would like to evaluate the possibility of using a charter flight. The Executive Director will request quotes and share the information with members.

The 231<sup>st</sup> meeting will be held on March 13, 2024, in Montréal.

### ***Updates on Subcommittees***

The Executive Director reviews the list of subcommittees. Members decide to remove the “Policy with Aboriginal Nations (MFFP)” and “Mission” subcommittees from the list. The “MAMH Strategy” subcommittee is renamed “Land-Use Planning” and the “Caribou” subcommittee is renamed “Wildlife”. The “Legislative Portrait” subcommittee is added.

The list of members for each subcommittee is updated.

The item “Subcommittees” will be added to the agenda of each upcoming meeting for regular updates. If no changes are required, we will simply move to the next item.

### ***Strategic Plan***

The Executive Director summarizes the steps for the development of the Strategic Plan and presents a summarized version.

On a motion by Alexandre-Guy Côté, seconded by Vanessa Chalifour, the Strategic Plan is adopted.

The Executive Director will coordinate the translation in English and in Cree, and she will contact the graphic designer.

### ***Summer vacation***

The Executive Director asks members to send along their vacation dates for the summer.

## **FILES**

### ***Legislative and regulatory portrait***

The Executive Director reminds members that the committee hired Catherine Choquette and her research group, from *Université de Sherbrooke*, to prepare an inventory of federal and provincial laws and regulations that apply to the Territory, in relation with the JBACE mandate. A progress report was presented in November 2022. The report was submitted to the JBACE in February, 2023. It also includes an explanation of the legislative framework, mainly from a governance perspective.

The subcommittee met and agreed that certain components should be modified in the report:

- Emphasize the popularization of the report by adding summary tables;
- Validate the list of laws and regulations that were compiled by Ms. Choquette’s team;
- Add a preface by the JBACE to explain the context and objectives of the report.

The report should be finalized during the summer, in order to be adopted in September.

### **Caribou**

The Executive Director informs members that on the federal side, the Governor in Council had decided not to go ahead with an Order in Council and that discussions between the parties were continuing. On the provincial side, Quebec's strategy has not yet been presented.

### **Mining activities**

The Executive Director explains that as part of the consultation on the harmonious development of mining activities in Quebec, the MRNF organized a virtual, half-day meeting with First Nations to discuss the issues. The JBACE participated. There were also regional videoconference meetings, including one for the Nord-du-Québec region. The Executive Director participated, but the Cree Nation Government was not invited. There were few participants. A brief was subsequently sent to the MRNF, in May 2023.

The Executive Director will send the brief to the members and follow-up with the MRNF.

### **Fisheries Act**

The Executive Director summarizes the file. The third wave of engagement has begun. As with the first two waves, an analysis table presenting all current components to engage with will be prepared to identify priorities and courses of action. Comments on the various initiatives should be sent during the fall of 2023 (October-November, depending on the initiative). The Executive Director and the Analyst will be working on this.

The Executive Director points out that the HFTCC is also working on this issue. It would therefore be appropriate to organize a joint meeting between members of the JBACE, the HFTCC and the DFO to obtain more information. The Executive Director will contact the Analyst at the HFTCC to coordinate a meeting with DFO.

### **PAFIT**

The Executive Director summarizes the file and the role of the JBACE to date. The JBACE hired an external firm, *Le groupe CAF*, to conduct the review. The report was finalized and sent to the MRNF in February 2023. The committee is awaiting feedback from the MRNF. The report will then be translated and sent to collaborators, as well as published on our website.

Members then discuss the role of the JBACE in the matter. The situation has changed since the JBNQA was signed. The arrival of the CQFB has also changed the context somewhat, as the CQFB also reviews PAFITs. For the JBACE, this is an exercise that requires considerable financial and human resources. It would be appropriate for the Secretariat to carry out a historical review of the JBACE's involvement in the review of PAFITs to assess its role in the future

### **Charges payable for the use of water – regulatory modifications (Québec)**

The Executive Director explains that the JBACE has received invitations to comment on two proposed regulatory modifications: the *Regulation respecting charges payable for the use of water* and the *Regulation respecting the declaration of water withdrawals*. The deadline for comments was May 27, 2023. At first glance, the regulatory modifications did not appear to be of interest to the JBACE, but further analysis will be required. A request for a presentation could be made to the MELCCFP if necessary.

### **Regulation respecting the water property in the domain of the State (Québec)**

The Executive Director explains that the JBACE has been asked to comment as part of the preliminary consultations for the revision of the *Regulation respecting the water property in the domain of the State*. Deadline for comments is June 30, 2023. The Analyst mentions that the material is highly technical. It therefore remains difficult to identify the elements that directly impacts Section 22. A meeting with people in charge at the MELCCFP would be appropriate to better guide the comments.

The members decide to create a subcommittee comprised of Marc Dunn, Jean-Olivier Roy and Vanessa Chalifour to work on the analysis. The Executive Director will prepare an info note that she will share with the subcommittee as soon as possible.

## **WSER**

The Executive Director summarizes the file and says that the JBACE has not submitted any comments during previous consultations. A meeting was held on June 8, 2023, the content of which was very operational and technical. Members decide not to comment.

### ***Biodiversity (Québec's 2030 Nature Plan and 2030 Biodiversity Strategy for Canada)***

In the case of Québec's 2030 Nature Plan, the Executive Director points out that the deadline to submit comments is July 14, 2023. Consultation on the guidelines and draft plan is scheduled for the fall of 2023. The objective is to adopt a plan in spring 2024. The JBACE attended an information meeting on June 7, 2023, and the Executive Director will share an info note with the members, including the Analyst's comments and those of the members. One member pointed out that the deadlines are very ambitious.

Regarding the 2030 Biodiversity Strategy for Canada, the Executive Director says that there was a workshop on May 15, 2023, during which ECCC announced that there will be targeted engagement sessions, work to be carried out with Indigenous communities. The JBACE has until July 31, 2023 to submit comments. The strategy should be ready for consultation in the first quarter of 2024.

Members decide to create a subcommittee to work on both files. It will be comprised of Graeme Morin, Mélanie Savoie and Madeleine Green.

### ***Draft policy on imminent threat***

The Executive Director explains that the JBACE has been approached as part of the consultation process to develop a policy on assessing imminent threats under Sections 29 and 80 of the *Species at Risk Act*. There are no planned amendments to the Act, but the aim of the policy is to ensure consistency in the interpretation of imminent threat(s) and its application. The deadline to submit comments is July 14, 2023. The Executive Director mentions that she aims to gather more information from the HFTCC Analyst, who is in contact with Marie-Hélène Dickey from ECCC. After discussion, members agree to simply keep abreast of the situation. The Executive Director will send an email to Ms. Dickey to inform her of the JBACE's decision not to comment.

### ***Cumulative effects***

The Executive Director summarizes the file. The members adopted an action plan with four components to work on. As found in the 2023-2028 Strategic Plan, the aim is to develop a strategy for each of these four courses of action and to make recommendations. The data strategy has already been adopted and it now needs to be implemented by the committee. The regional planning strategy is currently being developed. Regional policy and directives are the last two courses of action where strategies will need to be developed. The Analyst will be engaging with the file over the summer to get the work underway again.

### ***Revision of the Regulation respecting hazardous materials***

The Executive Director informs members that the JBACE has been asked to comment as part of the pre-consultation for the draft revision of the dangerous goods regulations. The original deadline for comments was May 31, 2023, but it has been confirmed that it is still possible to comment even though pre-consultation has ended. The Executive Director will check whether this applies to the Territory and she will share the document she received with the members.

### ***Public Land-Use plan (PLUP or PATP in French)***

A member presents the status of the file. The forest fire situation has slowed down the process, but only final approvals have been missing. The JBACE should receive news in the next few weeks. The member will keep abreast of progress and pass on the information to other members.

### ***Forest fires***

The members discuss the forest fire situation in Quebec, which is proving to be the most critical yet. They agree that this issue should be included in the climate change file.

Following the discussions amongst members, the Executive Director summarizes two areas on which the JBACE could focus: the environmental aspect (history and study of fires in the region) and the short-term impact on consultation processes in the region.

On that matter, members are of the opinion that the JBACE plays a role in this context of gathering information and stakeholders to highlight the issues related to forest fires, and other climatic hazards (e. g. floods, landslides) that are direct consequences of climate change. The climate change subcommittee will be looking into the question.

***Waste material management***

Members discuss the relevance of following up on the 2022 BAPE on the status and management of final waste with the Provincial Administrator. The Executive Director will assess whether it is possible to obtain a follow-up on the conclusions of the BAPE report before raising the issue with the Provincial Administrator.

**ADJOURN**

***Prepared by Eva Wolf, Secretariat Officer and Michèle Leduc-Lapierre, Executive Director  
Adopted on September 6, 2023***

