MINUTES OF THE 229th MEETING OF THE JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

<u>Date</u> <u>Location</u>

September 6, 2023 Hybrid (Videoconference & Maison de la littérature

– Québec)

PRESENT

Marc Dunn, Cree Nation Government Graeme Morin, Cree Nation Government

Tina Petawabano, Cree Nation Government

(remote)

Melissa Saganash, Cree Nation Government

Vanessa Chalifour, Québec Manon Cyr, Québec

Brigitte Goulet, Québec (remote)

Mélanie Savoie, Québec Alexandre-Guy Côté, Canada Madeleine Green, Canada Jean-Olivier Roy, Canada

Michèle Leduc-Lapierre, Executive Director Mathilde Butler, Environmental Analyst Eva Wolf, Secretariat Officer (remote)

OBSERVER

Benoit Péloquin, Environment and Climate Change Canada (remote)

GUEST

Marie-Josée Lizotte, Provincial Administrator and Deputy Minister of the MELCCFP (afternoon)

WELCOME AND ADOPTION OF THE AGENDA

The Chairperson welcomes the members.

On a motion by Alexandre-Guy Côté, seconded by Manon Cyr, the agenda (see appendix 1) is adopted.

After the adoption of the agenda, Vanessa Chalifour announces that this will be her last participation at the meeting as a member of the JBACE.

ADMINISTRATION

Adoption of the minutes of the 228th meeting

On a motion by Vanessa Chalifour, seconded by Graeme Morin, the minutes are adopted with minor corrections.

Follow-up on actions from the 228th meeting

The Executive Director follows-up on the actions from the 228th meeting.

The Executive Director mentions that she had inquired about the procedures for sending the Annual Report to the Administrators before it was tabled in the Assemblée nationale. She says that current legislation does not allow the report to be shared with the federal and Cree Administrators until it has been tabled. There could be a legislative provision that the committee could request to correct the situation, but a bit more research would be needed. As this is not a major issue for the time being and there are other higher-priority issues that the secretariat needs to address, the matter has been set aside for the time being.

Follow-up on the budget

The Executive Director reminds members that the information is available on the cloud and presents the financial statement as of August 31, 2023. Four items are higher than expected due to the translation and printing of the Annual Report and Strategic Plan, as well as the acquisition of a new audio system for meetings and professional

fees following the hiring of the new Analyst. The Executive Director will start work on the budget and funding request for 2024-2025, with the possibility of it also being for 2025-2026. The 2024-2025 budget will be adopted at the next meeting in November 2023.

Next meeting

The 230th meeting will be held in Mistissini on November 13-15, 2023. The Executive Director will get in touch with the contacts in Mistissini to organize the meeting. Members taking the Air Creebec flight on Monday morning are required to notify the Executive Director as soon as possible so that she can reserve a vehicle for transport to the meeting. Members participating by videoconference are to notify the Executive Director as soon as possible so that she can release any rooms that will not be used at the Lodge.

The Executive Director will confirm the participation of the Cree Administrator.

The 231st meeting will be held on March 13, 2024. The Administrative Committee will evaluate the possibility of holding a workshop on waste material management in conjunction with the meeting.

Subcommittees update

The members decide that there are no changes to be made to the list of subcommittees.

The Quebec members will share Vanessa Chalifour's subcommittees while waiting for the person who will replace her. The Canadian members will cover Madeleine Green's sub-committees during her absence

IMPLEMENTATION OF THE STRATEGIC PLAN

The Executive Director presents a table summarizing the implementation of the Strategic Plan, including all the objectives, the subcommittee concerned, the actions already taken and those still to be completed. She reviews the objectives, focusing on actions for 2023-2024.

Objective 1.1 Evaluate the legislative framework of the environmental and social protection regime

The aim is to publish the document in November if everything is completed. The legislative portrait remains to be finalized, including writing the preface and validating the inventory. The members confirm that validation of the laws and regulations for each of the parties is in progress. One member mentions that he would be sharing a CNG document dating from 2005 concerning the legislative framework.

Objective 1.2 Evaluate the transparency of the environmental and social impact assessment and review process

To achieve this objective, a plan will first have to be drawn up by the environmental assessment subcommittee. The Analyst will be in charge of this file.

Objective 1.3 Evaluate the follow-up and monitoring of authorized projects

There are no actions planned for 2023-2024 for this objective.

Objective 1.4 Provide recommendations for the consideration of cumulative effects in the environmental and social impact assessment and review process

The Analyst presents this objective. The action plan includes four action items, with the aim of developing a strategy and making recommendations for each one. The data strategy has already been adopted and implementation has begun. The analyst has drafted a strategy for regional planning, which she will shortly present to the subcommittee for adoption. Regional policy and guidelines are the last two action items where strategies will need to be developed over the next few years

Objective 2.1 Strengthen the JBACE's network with the community and the Territory

The Executive Director mentions that there is still a meeting to plan with the Federal Administrator, who could be invited to the March 2024 meeting in Montreal.

Objective 2.2 Improve the visibility and communications of the JBACE

The Executive Director provides an update on this file, which was put on hold because of the pandemic. The aim this year is to develop a communications plan with a view to adopting it in March 2024. Pending the development of the communications plan, the subcommittee could meet in October to start thinking about updating the website.

FILES

Climate change

The Executive Director recalls that following the discussions on the forest fire situation at the June 2023 meeting, two major points emerged: the environmental impact of the fires on the territory and the short-term impact on consultation processes in the Territory.

She proposes planning a meeting of the subcommittee before the next meeting to discuss the JBACE's role in the climate change and to propose courses of action. This proposal will then be shared with the members.

The issue of forest fires will also be discussed with the Provincial Administrator at the afternoon meeting.

It is also proposed that Chief Petawabano be asked to speak about the impact of climate change and forest fires during his address at the November meeting in Mistissini.

Legislative and regulatory portrait

This item was treated during the discussion on the implementation of the strategic plan.

Public Land Use Plans (PLUP or PATP in French)

The Executive Director says that the JBACE has until October 20, 2023 to indicate its intention to comment and until January 17, 2024 to submit its observations and proposed modifications. The subcommittee met on September 1, 2023 and it was decided that the JBACE would not comment on the content of each of the zones, but rather on the process and the way in which the specific characteristics of the Territory were taken into account. Members will be kept informed of developments.

Fisheries Act

The Analyst mentions that the 3rd wave of engagement had begun and explains the various initiatives involved. She points out that the ministerial documents, the summary document, the preliminary briefing notes and the draft letters are available on the cloud. She adds that she drafted a letter for the Policy and Guidelines on offsetting and habitat banking, and that a further meeting with the subcommittee was planned to discuss it. Comments are due in October and November 2023.

Cumulative effects

This item was treated during the discussion on the implementation of the strategic plan.

Caribou

The Executive Director asks the members if there had been any developments on this issue, particularly the Quebec strategy. The Cree side confirms that there were no drafts or official news to date.

PAFIT

The Executive Director reviews the discussions that the members had had on whether or not the JBACE should continue to review the PAFITs. She adds that in developing a document on the history of the JBACE's

involvement, she noted that the same discussion had taken place in 2007. The members agree that this issue is taking up an enormous amount of time and resources, which could be invested in the other objectives of the strategic plan.

Some members discuss the value of talking to the relevant bodies (CQFB, MRNF) as part of the reflection process. Whether or not discussions take place during the evaluation of the file, it will be important to communicate the JBACE's decision if the members decide to opt for a new role in the dossier.

The Executive Director will convene the forestry subcommittee to discuss the matter

Harmonious development of mining activities

The Executive Director confirms that a meeting between the MRNF and the organizations and nations located on the JBNQA territory would be held on the afternoon of September 21, 2023. She will schedule a meeting of the subcommittee to prepare for the meeting, and members interested in attending these two meetings will also be invited.

The Executive Director also informs members that the draft *Regulation to amend the Regulation respecting mineral substances other than petroleum, natural gas and brine* was published in the Gazette officielle du Québec on September 6, 2023, and the JBACE has 45 days to comment. She will analyze the file and contact the members of the subcommittee for a follow-up.

Regulation respecting the water property in the domain of the State

The Executive Director mentions that the JBACE sent a letter on July 14, 2023 as part of the consultations for the revision of the *Regulation respecting the water property in the domain of the State*. She asks whether it would be possible to officially share the letter with the HFTCC, which wishes to share it with its members. The JBACE members agree.

A meeting with the MELCCFP could be held between now and the end of September to discuss the particularities of the territory. The Executive Director will inform the MELCCFP of the availability of JBACE members.

Biodiversity

For Quebec's 2030 Nature Plan, the Analyst mentions that a general comment letter was sent on July 14, 2023. The JBACE received an invitation to attend the national forum to be held in Quebec City on September 27, 2023, and the Analyst will be attending. She will be meeting with the subcommittee shortly to discuss the matter. A member suggests planning a CNG presentation on the impact of fires on biodiversity at a future JBACE meeting.

Waste material management

The members discuss the complexity of the issue and the difficulties encountered it in the territory. It is proposed to organize a workshop bringing together representatives of the three parties, similar to the one organized in March 2023 on climate change. This workshop could be held in conjunction with the March 2024 meeting in Montreal.

The Executive Director plans to meet with the Cree Nation Government's residual materials coordinator the week after the meeting to learn about current initiatives and invites members to submit any questions they may have.

Meeting with the Provincial Administrator

The meeting begins with a roundtable of introductions.

The Administrator emphasizes the unique nature of the work carried out by the northern committees and the difference between southern Québec and the territories covered by the agreements, both in terms of authorization processes and concerns.

After welcoming the Administrator, the Chair says that the JBACE's mandate can be quite broad, and that the committee tries to find the right angles to tackle the various issues. She presents the JBACE's new strategic plan. She says that the plan may seem short, but its objectives are ambitious and there will be a lot of work involved in implementing it. She points out that the actions set out in the strategic plan must be carried out in parallel with the government initiatives for which the JBACE is being called upon. One member also stresses the importance of working within the committee's mandate, adopting a more technical than political approach. The members and the Administrator then discuss the contents of the plan. The latter expresses her appreciation of the document and congratulates the members on the work they had done to draw up the plan.

The members then discussed the following points with the Administrator:

Funding over several years

The Chair points out that this discussion began with the previous Administrator. The idea was to explore the possibility of funding over several years instead of on an annual basis. This would not prevent the Activity Report from being submitted each year. The Administrator says that this was a legitimate request. She will have to check internally to see if and how this would be possible. She will keep the JBACE informed.

Climate change and forest fires

In her introductory speech, the Chair says that we had to find ways of using the JBACE structure to find ways of working together to find solutions for adapting to climate change. We need to build resilience, and we need to do it together.

One member presents an overview of the impact of forest fires throughout the territory. He adds that all communities have been affected and that nearly 60% of traplines have been impacted.

The members and the Administrator then discuss the JBACE's role in climate change. The Administrator raises a number of issues for discussion, including how to prevent the effects of climate change throughout the territory, what the priorities are, and how to help communities recover from the effects of climate change

Members stress the importance of knowing the processes and systems in place in the event of fires or other major climatic events. It is vital that communities are better equipped to protect themselves against bad weather. There is a lot to learn from communities and their know-how. Community members are reflecting on their habits and a dialogue is needed with them. Developing local collaboration on knowledge is therefore necessary.

The Administrator announces that a consultation is planned for the fall to discuss this new reality of fires and other severe weather conditions in greater depth.

Québec's strategy for caribou

The Administrator informs members that the process is well advanced. The strategy is being finalized, and there should be developments in the fall.

Northern conservation territories

One member points out that this was a good example of an issue on which the JBACE had been consulted at an early stage. In September 2021, a representative of the *Direction des aires protégées* came to present the mechanism for designating conservation areas. The JBACE was then invited to take part in a pre-consultation on the mechanisms, but was waiting for the official consultation before making any comments. The committee has not been contacted since and there has been no update on this issue. The Administrator explains that the work had been slowed down but that it was planned to relaunch the project in the winter of 2024.

2030 Nature Plan

A member mentions that the JBACE would be participating in the September 2023 forum to be held in Quebec City.

The Administrator mentions that the Nature Plan will make it possible to work together more closely to protect the territory. She confirms that the JBACE would be involved in more targeted consultations.

Waste material management

The members and the Administrator discuss issues related to waste materials management and the recommendations from the 2022 BAPE on the status and management of final waste. The Administrator mentions that roadmaps are being prepared to determine the actions to be prioritized. Resources are currently focused on the process of implementing the modernization of the deposit and selective collection systems, which represents a major challenge.

The Executive Director mentions that it would be a good idea to organize a workshop on waste materials management and to invite all the stakeholders involved in this issue to discuss how to work together to implement solutions in the Territory.

Following the discussions, the members thank the Administrator for her participation.

Debrief from the meeting

The Executive Director will prepare a thank-you letter for the Administrator in which she will address the three issues that were of interest during the discussion: climate change, caribou and waste management. The secretariat will follow up on the request for multi-year funding.

ADJOURN

As this is Vanessa Chalifour's last meeting, the members thanked her for her work and underlined her commitment. Afterwards, the meeting is adjourned.

Prepared by Eva Wolf, Secretariat Officer and Michèle Leduc-Lapierre, Executive Director Adopted on March 19, 2024

Téléphone: (514) 286-4400 Télécopieur : (514) 284-0039

Site web: www.ccebj-jbace.ca



229th meeting of the JBACE

September 6, 2023, Québec City

Maison de la littérature: 40, rue Saint-Stanislas, Québec, G1R 4H1

https://us06web.zoom.us/j/86400641080 or 438-809-7799, meeting ID: 864 0064 1080

- 9:00 Welcome and adoption of the agenda 9:15 Administration
 - Adoption of the minutes from the 228th meetings and follow-up on actions
 - Follow-up on budget
 - Next meetings:
 - o Preparation for the meeting with the Cree Administrator (November 2023)
 - Subcommittees update (if necessary)
- Implementation of the Strategic Plan 10:30 Break 10:45 Files (the items not discussed in the morning will be in the afternoon)
 - Climate change potential actions for the JBACE
 - Legislative and regulatory portrait
 - PLUP (PATP in French)
 - Fisheries Act
 - Cumulative impacts
 - Caribou
 - PAFIT

9:45

- Harmonious development of mining activities
- Regulation respecting the water property in the domain of the State (RRWPDS)
- **Biodiversity**
 - Québec's Nature 2030 Plan
 - Canada's 2030 Biodiversity Strategy

11:30	Lunch
13:30	Meeting with the Provincial Administrator
15:00	Break
15:15	Debrief on the meeting with the Provincial Administrator
15:30	Files (continued)
16:30	Adjournment