

Meeting 232 (June 2024)

The Executive Director confirms that the 232nd meeting will be held in Wemindji on June 10-12, 2024. The chosen transportation option is to book a charter flight from Quebec City, and members departing from Montreal will travel on a commercial flight via Air Creebec. The Executive Director will take care of confirming the hotel and booking the charter flight.

Joint meeting

The Executive Director proposes the idea of a joint meeting between the JBACE, the HFTCC and the KEAC, to be held in the fall of 2025 in the Territory. Members agree to hold the event, and discussions with the other committees will be held to develop the agenda.

Subcommittees

The Executive Director mentions that an update is needed for the federal party.

Members agree to merge the wildlife and ad hoc biodiversity subcommittees. The merger will take place after the current wave of mobilization for Québec's 2030 Nature Plan, and the members concerned will decide who will sit on the subcommittee. The Executive Director will send an email to validate the subcommittees.

FOLLOW-UP ON THE STRATEGIC PLAN

Legislative and regulatory portrait (1.1)

The revised report was received last October, and the subcommittee needs to complete some work (inventory validation, text and preamble revision), before making the document available to members for adoption. According to the established work schedule, the report will be available by May 29, 2024, with the objective of adopting the report at the June 2024 meeting. Thereafter, certain elements will need to be finalized, such as translation of the report into English, creation of a cover page for publication of the report on the Internet, and identification of activities for dissemination of the report. The JBACE then has the next four years to evaluate the legislative and regulatory framework. In 2024-2025, the subcommittee will begin to identify areas requiring further investigation.

Environmental Assessment (1.2)

The Analyst presents a progress report and a list of ongoing tasks. We need to measure the scope of the dossier, draw up a list of preliminary players with whom to discuss, and evaluate the registers and their criteria.

Discussion among members raises various points, such as the importance of remaining focused on the registers specific to Chapter 22 (COMEV, COFEX, COFEX-Sud, Federal Register), and of simplifying the process with a lighter analysis to verify transparency. A meeting of the subcommittee should be scheduled to define the next steps in the project. It is recommended that thought be given to transparency, ease of understanding the process, the scope of comments and the target audience, as well as to respecting the limits of the mandate. Members agree that emphasis should be placed on raising awareness and popularizing (e.g. with a graphic representation) the provisions of Section 22. A member mentions that the MELCCFP has produced a visual of the evaluation and review process. The Executive Director will share the Internet link with members once the member has sent it to her.

Evaluate the monitoring and follow-up on projects (1.3)

The JBACE had decided not to start this objective in 2023-2024, in order to concentrate on the other elements. There are two possible options: to begin the preparatory work in 2024-2025 as planned in the Strategic Plan, or to see how the other objectives evolve over the first few months and to postpone the objective until the following year.

Cumulative effects (1.4)

The Analyst reports on the progress made by the Secretariat and points out that validation of this work will be required by the subcommittee. She also presents the tasks that remain to be made, mainly review the regional planning strategy, continue the inventory of the databases and follow-up on meetings with stakeholders.

Strengthening the JBACE's relations with the community and the Territory (2.1)

The target was met. The committee met with four strategic partners, the three Administrators and the Deputy Chief of Mistissini. The CCEBJ should be able to do the same next year.

Communications (2.2)

The JBACE had planned to produce a communications plan during 2023-2024, but the objective was postponed.

At the September 2023 meeting, the committee decided to focus on the website, even though the communications plan had not yet been developed. The JBACE website was completely redesigned in 2015, but for the past few years, updates have been limited to news items. Revising the content requires more thought. Several options have been considered, such as simply updating the information, reorganizing the blocks and pages while retaining the site's current template, or creating a new website. The first two options do not involve any monetary investment other than the time invested by the secretariat, but the fact remains that the current website structure is cumbersome using a platform that is not obvious, and does not give access to precise site usage statistics.

Members therefore agree to opt for the creation of a new website. The communications subcommittee and the administrative committee Board of Directors will prepare the website redesign project.

CREE NATION'S FORUM ON CLIMATE CHANGE

The JBACE has been invited by the CNG to collaborate on the Cree Nation Government's Climate Change Forum to be held April 9-11, 2024 in Ouje-Bougoumou. The members agree that the Executive Director and the Analyst will participate.

Members discuss the importance of following up on current climate change developments, focusing on the forest fire issue and clarifying the role of the JBACE. The CNG will develop the content, which will then be shared with the committee. The list of invited members and the agenda have yet to be finalized.

DEBRIF ON THE MARCH 2024 WORKSHOPS

Mining workshop

The Executive Director summarizes the presentations made at the mining workshop held the previous day. She then presented a summary of the JBACE's recent actions on mining issues, as well as upcoming government initiatives. Finally, she puts forward a few proposals for potential action by the JBACE.

The members then discuss what's next for the JBACE. The draft regulations for impact exploration work have been published in the Gazette and will come into force at the beginning of May. In addition, the action plan resulting from the work on the harmonious development of mining activity is in preparation. A member mentions that the CNG is organizing an internal preparatory meeting on March 18, 2024, and a bilateral meeting with the MRNF on March 22, 2024, to clarify certain concerns related to authorization (proponent consultation process) and harmonious development. Members stress the importance of authorizations undergoing the Section 22 procedure prior to authorization. Exploration activities are in the grey zone, and there is still talk of using the mechanisms provided for in the JBNQA to determine subjection.

A revision of the *Mining Act* is in preparation and the JBACE will comment at that time.

In addition to commenting on the revised Mining Act, members agree that the JBACE should become more involved in the issue by seeking out contacts in the mining sector to better answer questions about abandoned camps and sites. The committee will therefore contact the appropriate people for this purpose and compile information concerning responsibility for cleaning up abandoned sites.

Waste material management workshop

The Executive Director summarizes the presentations made at the workshop on residual materials management held the previous day. She then presents a summary of the issues and potential actions.

Members discuss the desire to adopt a more regional approach and to highlight the JBACE's role as a liaison by organizing a meeting between EIJBRC, the federal, provincial and Cree governments, and Jamesian communities. Governance issues will need to be addressed, and the roles and powers of each player will need to be determined during the meeting. The Executive Director proposes to draw inspiration from the workshop on climate change and will mandate the Secretariat to compile information on the roles and powers of the various players in the Territory. The subcommittee will then work on the next steps, including the organization of a small-scale workshop

MEETING WITH THE FEDERAL ADMINISTRATOR

Introductions

The JBACE President welcomes Mr. Hubbard, Federal Administrator and President of the Impact Assessment Agency of Canada (IAAC), and Ms. Élisabeth Gill, IAAC Regional Director. The members and employees of the Secretariat then introduce themselves.

The meeting begins with some introductory remarks by the Administrator.

Supreme Court of Canada decision on the Impact Assessment Act (IAA)

The Administrator offers clarifications and validations regarding future amendments to the IAA, which will focus on the decision-making sections. He confirms that the consultative process and the opportunity to comment will continue after publication in the Canada Gazette.

In response to a member's question about upcoming changes for northern territories, considering that the JBNQA already defines jurisdictions for impact assessments, he explains that there will be changes to the IAA, as the Court has circumscribed what IAAC can take into account, so attention will need to be paid to projects that trigger federal assessment in territories under the JBNQA. He calls for collaboration and discussion between partners to ensure that projects are fully assessed in the future, ideally through a single process.

Members stress the issues involved in double impact assessments in the Territory.

The Administrator raises the question of whether, for projects requiring a double assessment on the Territory, federal requirements could be met through the work carried out by the province and the Crees within the framework of COMEX, and concludes that a discussion on this subject should take place. One member stresses that the federal thresholds are so high that holding a federal assessment exclusively is not a feasible scenario. Another member adds that the thresholds imposed by COMEX and COMEV are quite clear.

Drafting of the new legislation is scheduled for April. The JBACE will see the amendments in the Canada Gazette when it is published.

2030 Biodiversity Strategy

A summary of the JBACE's work in this area was presented, stressing the importance of knowing where this initiative will go. The Administrator mentions that this is a priority for the Ministry and that it is an initiative that requires partnerships. He encourages the parties to continue the conversation. A member stresses the importance of synergies with the Quebec Nature Plan, and of seeing tangible effects in the field.

Climate change

A member presents an update on the forest fire situation in the Territory. He highlights the intensity of forest fires in the summer of 2023 and their significant negative impact on communities, as well as traplines and protected areas. The Regional Director asks about provincial funding for prevention in the coming summer.

The Chair mentions that climate change is a cross-cutting issue in the JBACE's mandate. The committee has modified its writing style to reiterate in its letters the need for climate change to be taken into account in government initiatives. The Administrator supports this JBACE priority. He points out the many challenges posed

by climate change, and recalls the numerous events arising from it, which are having an impact on the Territory. He stresses IAAC's efforts in this area.

Nominations

The Chair stresses that the Committee is awaiting confirmation of certain appointments. The Administrator replies that he will pay close attention to this, so as not to create a gap in the work.

Plan stratégique du CCEBJ

The Executive Director presents the JBACE Strategic Plan. She explains the various focus areas and objectives, stressing that the plan reflects only part of the work, as the committee must respond to requests and consultations as they arise.

The Administrator sees a number of similar alignments and priorities between the strategic plan and the work of the IAAC, notably concerning the consideration of cumulative effects in their processes, as well as transparency. He opens the door to a discussion on these two subjects. Communication in this highly technical field, and the ability to provide feedback, represents a challenge for AÉIC. There is some thought being given to creating a feedback loop to achieve meaningful engagement.

The JBACE is interested in feedback, as the consideration and integration of the committee's comments into government initiatives is not always well defined. Feedback is a priority for the IAAC.

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Forestry

Evaluation of the JBACE's role in the review of PAFITs

The Executive Director explains that members have begun to wonder about the JBACE's role in the ITFAP review. The subcommittee met to discuss options, but before preparing a recommendation, it is preferable to discuss with certain external entities, such as the CQFB, the MRNF and the CNG. The subcommittee doesn't think it's a good idea for the JBACE to abandon the review altogether, but we'll have to look again at how it can make a significant contribution, and what will emerge from the MRNF's process of reflection on the future of the forest. The Executive Director will work on recommendations for submission to the subcommittee.

Reflection tables on the future of the forest

The Executive Director mentions that on September 5, 2023, the Chief Forester recommended that the Quebec government undertake a reflection on the management of Quebec's public forest. This was prompted by concerns about the impact of climate change in response to the forest fires that occurred in the summer of 2023. Subsequently, on November 17, 2023, the Quebec government announced the establishment of a process to reflect on the future of the forest, with activities to be held in the winter of 2024. The JBACE took part in a meeting for aboriginal communities on February 15, 2024. A meeting for the territories under the JBNQA should be held in the coming weeks, the date of which has yet to be determined. A participant's workbook, including five themes for reflection, has been made available to the JBACE. The deadline for submitting comments is April 12, 2024. The subcommittee will begin by listing issues in order to answer questions and follow up.

FNQLSDI workshop on forestry

The Executive Director explains that she attended the event held on February 27-28, 2024 in Quebec City. Several nations were present, including representatives of the CNG and some Cree communities, with whom she was able to exchange views. She also took the opportunity to speak with CNG representatives about the JBACE's role in the review of PAFITs and forestry in general. She will share these points at the next meeting of the subcommittee.

Mining activity

The Executive Director summarizes the progress made since the adoption of Bill 102 in 2022 and the development of the draft regulations for the new authorization for impact exploration work. She adds that the JBACE is awaiting publication of the bill to amend the *Mining Act*. The Order-in-Council to enact the regulation to amend the *Regulation respecting mineral substances other than petroleum, natural gas and brine* was published on February 7, 2024, and will come into force on May 6, 2024. A guide for promoters is available in French only, but the JBACE has not been notified.

Right to a Healthy Environment

The Analyst explains that it's a matter of integrating the right to a healthy environment (establishing a framework) within the context of the Canadian Environmental Protection Act (CEPA). The framework must specify three principles: environmental justice, non-regression and intergenerational equity.

The consultation period on the draft is from February 8 to April 8, 2024. The members discuss the interest of the dossier and decide that the JBACE will not study it any further. The Secretariat will, however, find out why the initiative has been launched and what its objective is.

Climate change

The Executive Director mentions that, on March 6, 2024, she and the Analyst attended a meeting of the *Groupe d'experts en adaptation aux changements climatiques* devoted to northern communities. The purpose of the meeting was to exchange views with the group's representatives, with a view to improving the potential recommendations they could make to the Quebec government in the area of climate change adaptation. Participants represented the *Groupe d'experts* as well as organizations working in the territories under JBNQA. The discussion focused on northern communities' satisfaction with the integration of measures into the current GEP and implementation plan, as well as on how the Quebec government could better support climate change adaptation in northern communities.

The Executive Director mentions that she limited her intervention to general comments related to the JBACE's mandate: impacts of climate change on the Territory, reminder of the land regime, importance of consulting all relevant stakeholders, multiplicity of programs and initiatives of different levels of government requiring better coordination, etc.

She also points out that she has not addressed specific issues concerning the CNG, as she does not wish to speak on their behalf. She adds that the JBACE has until the end of the month to transmit further comments if necessary.

Caribou

The Analyst mentions that the JBACE has been invited to answer questions posed by ECCC are in the event that the Minister deems that there are imminent threats to the survival of caribou and their habitat and recommends an Order in Council.

Members discuss on whether it is the JBACE's role to comment. It would be possible not to answer the questions, but to reiterate that the provisions of Section 22 of the JBNQA must be respected if an Order in Council is adopted. After discussion, the members decide that the JBACE will not respond directly to the questions posed by ECCC, but will share comments related to the mandate and guiding principles, inspired by the July 2022 letter. The Secretariat will prepare a comment letter to be sent by March 28, 2024.

Québec's 2030 Plan Nature 2030

The Analyst informs members of the information meetings to be held in French and English on March 20 and 21, 2024. She reminds members that Phase 2 meetings were held on October 31 and November 2, 2023. The JBACE did not submit any comments during this phase; the last comments date back to July 2023.

Act respecting the conservation and development of wildlife

The Analyst informs members that amendments will be made to the *Act respecting the conservation and development of wildlife* and that comments are due by April 12, 2024. The Analyst suggests the creation of a subcommittee to evaluate the JBACE's position on this issue. A member points out that these are essentially clarifications of content, and that the overall changes will have little impact on the Territory. Members are therefore in favor of waiting to see what would emerge from the meeting on the Nature 2030 Plan before deciding whether or not to comment.

AJOURNEMENT

Before adjourning, the members thank the outgoing Chair for her work during the year. They also highlight the departure of the full-time Analyst, who will be leaving at the end of the month.

The meeting is then adjourned.

***Prepared by Eva Wolf, Secretariat Officer and Michèle Leduc-Lapierre, Executive Director
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