



**MINUTES OF THE 232<sup>nd</sup> MEETING  
 OF THE JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT**

**DATE**

June 11, 2024

**LOCATION**

Hybrid (Videoconference and Québec City)

**PRESENT**

Graeme Morin, Cree Nation Government (remote)  
 Melissa Saganash, Cree Nation Government  
 Manon Cyr, Québec  
 Brigitte Goulet, Québec (remote)  
 Jean-Philippe Marcoux, Québec  
 Mélanie Savoie, Québec  
 Madeleine Green, Canada

Jean-Olivier Roy, Canada  
  
 Michèle Leduc-Lapierre, Executive Director  
 Sarah Flibotte, Environmental Analyst  
 Dominique Havel, Environmental Analyst

**ABSENT**

Marc Dunn, Cree Nation Government  
 Tina Petawabano, Cree Nation Government

**OBSERVERS**

Georgina Braoudakis, Fisheries and Oceans Canada  
 Benoit Péloquin, Environment and Climate Change Canada

**GUEST**

Céline Létourneau, Ministère des Ressources naturelles et des Forêts (pour le point de 13h30)

**WELCOME AND ADOPTION OF THE AGENDA**

The Chair welcomes the members.

On a motion by Manon Cyr, seconded by Melissa Saganash, the agenda (see appendix 1) is adopted with the addition of "Nature Plan" in the "Files" item.

**ADMINISTRATION**

***Follow-up on actions from the 231<sup>st</sup> meeting***

The Executive Director follows up on the actions from the 231<sup>st</sup> meeting. With regard to the website, the Administrative Committee prepared a recommendation for members, which will be discussed under "Follow-up on implementation of the strategic plan". A letter of thanks was sent to the Federal Administrator to thank him for meeting with us. No progress was made on the residual waste issue, and the Executive Director will try to prepare an action plan and organize a meeting of the subcommittee in the near future. Finally, a letter was sent to the federal government concerning the Order in the Caribou file.

***Next meetings***

The 234<sup>th</sup> meeting will be held in Gatineau during the week of November 11, 2024.

***Follow-up on finances***

The Executive Director reminds members that the information is available on the cloud and presents the financial statements, reviewing the budget items. She explains that the 2023-2024 financial year ended with a surplus, given

the changes in personnel, and that a few more expenses than forecast in 2024-2025 are to be expected for the repatriation of the server to the office and the redesign of the website.

### ***Teleworking policy***

The Executive Director presents the policy, which was developed from a document prepared by the human resources firm and adjusted following discussions by the Administrative Committee.

The telework policy is adopted on a motion by Jean-Philippe Marcoux, seconded by Madeleine Green.

### ***Subcommittees***

The members decide to rename the Fisheries Act subcommittee the Water subcommittee. The members of the Cree party will confirm who will be the member to sit on the subcommittee.

A letter will be sent to the DFO Regional Director concerning the delays for the appointment of Georgina Braoudakis.

Members will send their summer holiday dates to the Executive Director, who will then make the Excel holiday table available to everyone on the cloud.

### **DEBRIEF ON THE CNG REGIONAL CLIMATE FORUM**

A member of the Cree party mentions that the CNG's climate change team is currently touring the north for other meteorological projects, and have put the production of the report on hold for the time being. The JBACE will nevertheless receive a draft of the report for review and comment, and a statement from the Cree on their observations of the climate change situation in the coming weeks. The idea is to create a basis, a regional vision for working on the issue.

The event went well, and the discussions focused not on defining climate change but on actions. We talked about aboriginal leadership, innovative projects and the vision of communities for the next decade. Discussions on the fire situation were also a key element throughout the event.

The Analyst points out that a summary is available on the cloud summarizing the key points discussed at the event. The Analyst and the member of the Cree party mention that, in a second phase, a regional orientation plan would emerge from the discussions between the communities.

### **FOLLOW-UP ON THE IMPLEMENTATION OF THE STRATEGIC PLAN**

The Executive Director reviews the objectives of the strategic plan.

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

The subcommittee was unable to complete its review of the document and validation of the inventory in time for the meeting. The Executive Director will make the revised report (including the preamble) available to all members for review. Members will have until 9 August 2024 to send her their comments and she will then contact Ms. Choquette as necessary before presenting a final version of the report at the September 2024 meeting for adoption. In the meantime, the subcommittee could meet to evaluate the issues it needs to examine in greater depth and discuss the next steps.

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

The Analyst gave a brief presentation of the subcommittee's approach to the parameters that would be used to assess transparency. Two meetings were held on 8 May and 3 June 2024 to draw up a work plan.

The subcommittee began preparatory work, scheduled to continue until March 2025, to define the following basic elements: definition of transparency and understanding, identification of the environmental assessment registers targeted, and identification of the environmental assessment laws and procedures applicable in the Territory.

Consultation with the registries, discussions and a survey are planned. A meeting of the subcommittee will be held on 17 September 2024.

The members then discuss a number of issues, in particular concerns about the duplication of impact assessment and review procedures and consultations.

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

No action was planned in 2023-2024 for this objective, but the committee is keeping open the possibility of starting work this year if the other dossiers are well advanced and time permits, bearing in mind that the secretariat team will be complete.

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

A meeting of the subcommittee was held on May 15, 2024 to update the discussion paper and identify stakeholders for discussion. The Secretariat is responsible for identifying databases and planning tools. The selected stakeholders will also need to be contacted to schedule meetings by late summer 2024 or early fall.

DFO should be considering cumulative effects in their assessment for their authorizations and the position statement on cumulative effects is being drafted. Quebec management is looking to improve the way cumulative effects are taken into account, and to incorporate Indigenous knowledge into the assessment of cumulative effects. The Analyst will add DFO to the list of stakeholders to be met.

***Objective 2.2: Improve the visibility and communications of the JBACE***

Website

At the March 2024 meeting, the committee decided to go ahead with a new website and the proposal recommended by the Administrative Committee for work on the new website was adopted. The Secretariat Officer has done the preliminary work, held discussions with potential suppliers and processed the requests for quotations. The Administrative Committee has evaluated the quotes and recommends working with Verteb Solutions Web. The members agree.

An initial meeting with the supplier to work out the administrative details should be held very soon. The communications subcommittee will then meet on June 25, 2024 to discuss the first steps (choice of content and documents to be shared, website structure, general design), develop a work schedule and establish everyone's decision-making limits (Secretariat, subcommittee, all members).

Presentation at the AQEI conference

The theme of this year's conference is "*Indigenous Peoples and Environmental Assessment*". This is an opportunity to talk about the Section 22 procedure under the JBNQA, and the JBACE is in the best position to do so given its mandate. The JBACE will therefore make a proposal for a presentation on Section 22 at the AQEI conference.

**METING WITH CÉLINE LÉTOURNEAU (MRNF)**

A round table is held to introduce the members present.

Ms. Létourneau then provides an update on the legislation applicable to abandoned mining exploration sites. She says that, at present, section 216 of the Mining Act stipulates that the claim holder must remove everything belonging to him within 30 days of exploration work ceasing. However, claim holders can renew their claims over several years without necessarily returning to the field. Sometimes, the company no longer exists, and this leads to abandoned sites. This is the current problem, hence the agreement signed with the Eeyou Istchee James Bay Regional Government, the Cree Nation Government and the Cree Restor-Action Fund to clean up abandoned mining exploration sites in the Territory. There are currently about 430 abandoned sites in the Territory, which must be verified as mining sites, and 52 of these sites are being considered for clean-up under the agreement.

The participants then hold a discussion on the camps. There is currently no authorization required for exploration camps. However, there will be changes to the Mining Act, which could require some form of authorization. The application would be made annually, and would include the coordinates of the camp in order to locate it. A justification will be required to renew an authorization. A draft directive is expected next fall.

Following Ms. Létourneau's presentation, the members discuss a number of points, including the ambiguous boundary between exploration and exploitation, clarification of the concept of abandoned sites and responsibility for cleaning up the camp, and the process for obtaining authorizations for impact activities and camps.

Ms. Létourneau points out that the bill should be studied in the fall of 2024.

Finally, the members thank Ms. Létourneau for her participation in the meeting.

### **DEBRIEF ON THE MEETING WITH THE MRNF AND DISCUSSION ON BILL 63**

The members discuss the meeting. They mention that the meeting was very useful in gaining a better understanding of the situation regarding abandoned sites. One member points out that there is a website where you can consult the list of abandoned sites, which contains a wealth of information. Another member mentions that the clean-up of the sites is progressing, but there is a concern about the coordination and complementarity of the work of the different governments. The project in general is laborious and has presented many challenges in recent years, such as COVID and forest fires. The difficulty of identifying sites, their accessibility and the availability of manpower are strategic issues in the inventory and clean-up process.

A member says that before looking into authorizations for camps, Bill 63 would first have to be analyzed.

Finally, the analyst mentions that she will prepare a summary of the information obtained by the JBACE with the various stakeholders concerning abandoned mining exploration sites and make it available to the members.

### **FILES**

#### ***Caribou***

The Executive Director explains that the Quebec government presented a partial strategy in April 2024. The public consultation ends on July 30, 2024.

The Executive Director stresses that nothing affects the populations of the Territory and asks whether it would be relevant for the JBACE to comment on the absence of a strategy/movement for the Territory. The members discuss the subject. It is decided that the wildlife subcommittee will meet as soon as possible to look into the possibility of sending a letter as part of the consultations on the pilot projects.

#### ***Québec's Water Strategy***

The Executive Director recalls that the 2018-2030 Quebec Water Strategy was published in 2018 and was accompanied by the 2018-2023 Action Plan. The time has now come to develop the second action plan, which will be called the Water Plan. The JBACE has been asked to take part in consultations to identify priority issues. Comments are expected via an online questionnaire, which must be completed by 12 July 2024 at the latest.

The Executive Director mentions her participation in an information meeting held the day before, on June 10, 2024. She adds that she had invited the Ministry's representatives to meet with us during our meeting in Quebec City, but that they were not available to come and meet with us. They did, however, indicate their willingness to discuss the matter with us at a later date if we so wished.

The members discuss the JBACE's interest in contributing to this issue and decide not to send any comments for the time being but to keep an eye out for further developments. The Executive Director will prepare a letter stating the Committee's intention not to comment and will send it to the President for approval and signature.

## ***Legislative and regulatory omnibus***

### *Regulatory*

The Analyst reports that the JBACE was invited by the MELCCFP to comment on a draft omnibus regulation proposing amendments to fifteen regulations, two of which do not apply in the Territory. An information note was shared with the members in which it was recommended not to comment.

The Analyst highlighted questions related to certain specific proposed amendments, as well as to major issues such as the applicability of certain regulations in the Territory, the situation regarding water withdrawals and drinking water in the Territory, and the situation regarding contaminated soils and the reclamation of these soils in the Territory. She adds that it would be interesting to deepen our knowledge of water issues. The JBACE has already worked on various water-related issues, but the proposed amendments raise a number of questions that would benefit from meetings with the Ministry and the CNG.

### *Legislative*

The Analyst points out that the MELCCFP is proposing a legislative omnibus for which consultations were held in the winter of 2024 and an information session was held on 18 April 2024. At the meeting, five topics were discussed: the reconcilability of provincial and municipal regulations, the proposed amendments concerning wetlands and bodies of water, the proposed amendments to the *Act respecting threatened or vulnerable species*, the proposed amendments to the environmental impact assessment and review procedure in southern Quebec (EIARP) and the proposals concerning sectoral or regional environmental assessment (SREA). A summary of this session was sent out in May and there is no opportunity to comment at this time. One member mentions that the changes to the EIARP are not relevant to the JBACE because the EIARP does not apply in the Territory. The ÉESR will not apply in the Territory either, but could be of interest because it could help to take cumulative effects into account.

The JBACE was approached by KEAC Analysts to discuss the two elements of the draft legislative omnibus that do not apply in the Territory, and a discussion took place on May 23, 2024. The Secretariat has also spoken to a number of members to assess the relevance of looking into these issues. There does not appear to be any interest in the EIARP. On the other hand, at the SREA level, it would be interesting to have a reflection and make an analysis. The SREA could indeed be an interesting avenue (e.g. for taking cumulative effects into account). If the JBACE wishes to make recommendations, it will not be necessary to align our work with the legislative omnibus timetable, since nothing is planned for the territories covered by the agreements. The members agree to look into possible recommendations concerning the SREA. The Secretariat will conduct an initial review and work with the subcommittee on this issue.

Finally, a meeting is scheduled with the MELCCFP on June 18, 2024 to discuss certain aspects of the modifications. The invitation will be sent to all members who wish to attend.

### ***ZEV Norm***

The Executive Director explains that Bill 102, which has been in place since spring 2022, amended section 53 of the EQA to allow the Quebec government to regulate the use, sale and lease of certain motor vehicles.

The ZEV (zero-emission vehicle) standard was adopted in September 2023. This means that 100% of cars and light trucks (including SUVs and minivans) will have to be zero-emission vehicles by 2035. The law stipulates that the regulations for implementing the standard must be adopted by December 31, 2024.

The JBACE has had two meetings with the MELCCFP on this subject. During the last meeting on May 27, 2024, it was mentioned that the draft regulation should be published by mid-July at the latest. The Executive Director will contact available members when the draft regulation is published for consultation.

### ***Nature Plan***

The Analyst mentions that the subcommittee is currently working on drafting a comment letter on the Nature Plan action plan. Comments are due by June 20, 2024 at the latest. She explains that the documentation available contained only six of the targets for an action plan, which would also be flexible and would only present examples of action in anticipation of the reallocation or enhancement of funding. In order to finalize the analysis, questions concerning protected areas and invasive alien species need to be answered. The Analyst has contacted the Cree Nation Government for information on the current situation and is awaiting a response. A meeting should be scheduled to discuss these issues.

The members discuss various points concerning invasive alien species (IAS) in the Territory. An observer suggests contacting the DFO IAS team for a preliminary discussion. This point raise discussions on the importance of washing boats and potential assistance from DFO.

### **ADJOURNMENT**

On a motion by Manon Cyr, seconded by Melissa Saganash, the meeting is adjourned.

***Prepared by Eva Wolf, Secretariat Officer, and Michèle Leduc-Lapierre, Executive Director  
Adopted on September 10, 2024***

