

February 20, 2008

Mr. Louis Germain, Director
Direction des politiques en milieu terrestre
Ministère du Développement durable,
de l'Environnement et des Parcs
Édifice Marie-Guyart, 9^e étage
675, boulevard René-Lévesque Est
Québec (Québec) G1R 5V7

**Subject: Comments on the draft framework regulation
respecting extended producer responsibility**

Dear Sir:

The James Bay Advisory Committee on the Environment (JBACE) wishes to thank you for inviting us to participate in the advance consultation on the draft framework regulation respecting extended producer responsibility. The JBACE favours this approach, which allows for our involvement in the formulation of laws and regulations, as stipulated in the environmental and social protection regime of the James Bay and Northern Québec Agreement (par. 22.2.2c and 22.3.24).

We approve of the proposed territory of application of the framework regulation, which includes the remote regions of Québec. For several years now, the JBACE has been stressing the need to extend waste recovery programs to the James Bay region, considering that the region's inhabitants pay for the costs of recovery and recycling programs the same as people living in southern Québec.

Where remote regions are concerned, the regulation proposed by your department provides for the signing of territorial agreements between producers and regional authorities to define the terms and conditions for recovering designated products. In the JBACE's opinion, the government should give special attention to identifying the regional authorities for James

Bay so as to ensure full participation of the Cree people. To that end, we propose that the Cree Regional Authority be invited to represent the Cree communities during future talks on the territorial agreement provided for in the framework regulation. Non-Aboriginal James Bay communities could also designate representatives for such talks.

We also recommend that the government establish guidelines for territorial agreement negotiations to ensure that producers do not fall back on inexpensive recovery programs that cannot be easily adapted to the James Bay region. Due to the low population density, attaining recovery objectives for designated products will necessarily cost more in James Bay than in other regions of Québec. Consequently, the JBACE recommends that program costs be shared equally among all of Québec producers and primary suppliers, as they are for existing extended producer responsibility programs.

Lastly, we feel it is important to underline that the NorthWest Company, through its "Northern" stores, is the primary supplier of many products in most Cree communities. These stores could be promoted as collection centres for designated products during talks leading to the signing of a territorial agreement for James Bay.

We would appreciate being kept abreast of the formulation, adoption and implementation, as the case may be, of the framework regulation respecting extended producer responsibility.

Sincerely,

Ashley Iserhoff
Chairperson

cc Matthew Mukash, Grand Chief, Grand Council of the Crees
James Bay Municipality
Michael Barrett, Chair, Kativik Environmental Advisory Committee