



Environmental Law in the James Bay Territory

– Preamble –

In the territory covered by Section 22 of the James Bay and Northern Quebec Agreement (JBNQA) (hereinafter referred to as the “Territory”), a number of federal, provincial and local environmental laws and regulations apply simultaneously. Given the specific land regime established by Section 5 of the JBNQA, and the new applicable provisions arising from subsequent governance agreements, it is sometimes difficult to have a complete and clear picture of the legal framework governing environmental protection on the Territory. This complexity can have a negative impact on local stakeholders and lead to some confusion.

At the 224th meeting of the CCEBJ, held on June 16, 2022, the members adopted a resolution to hire Catherine Choquette, professor at the Université de Sherbrooke's Faculty of Law and director of *the Groupe de recherche sur les stratégies et les acteurs de la gouvernance environnementale*. Ms. Choquette was commissioned to produce a portrait of the legislative and regulatory framework (hereinafter “portrait”) applicable to the Territory. For the JBACE, the portrait will enable a better understanding of the dynamics between the laws and regulations that apply on the Territory. In cases where the committee must issue comments or make recommendations, it will allow a better understanding of the potential interactions between our positions and the legislation and regulations already in place. The portrait will also be a source of information for governments, project promoters and other actors operating in the territory.

The report presents an inventory of federal and provincial laws and regulations applicable to the environmental and social protection regime of Section 22 of the JBNQA. This inventory is preceded by a description of the legislative and regulatory framework, according to the categories of land in the Territory. The research work was completed in the summer of 2024. As legislation and regulations are constantly evolving, disparities between the inventory presented here and the laws and regulations in force may become apparent as the report is read.