



MINUTES OF THE 205th MEETING OF THE JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

ADOPTED ON SEPTEMBER 26TH 2018

- DATE:** November 27th 2017
- PLACE:** Ville de Québec (Hôtel Chateau Laurier, 1220 Place Georges V Ouest, Salle du Manège)
- PRESENT:** Caroline Girard, Canada
Kelly LeBlanc, Cree Nation Government (CNG)
Chantal Otter Tétreault, CNG
Jean Picard, Canada
François Provost, Québec
Melissa Saganash, CNG, Chairperson
Jean-Yves Savaria, Canada
Mélanie Veilleux-Nolin, Québec
- Amira Elgiheny, Secretariat Officer
Graeme Morin, Environmental Analyst
- ABSENT:** Andy Baribeau, CNG
Manon Cyr, Québec
Pascale Labbé, Québec

1. ADOPTION OF THE AGENDA

With the replacement of the word 'Adoption' for 'Acceptance' in Points #8 and #11 of the agenda, the amended agenda is adopted on motion by Annie Déziel, seconded by Chantal Otter Tétreault.

2. ADOPTION OF MINUTES (203RD AND 204TH MEETINGS OF THE JBACE)

Annie Déziel suggested a minor clerical change to the text of Point #9c of the minutes of the 203rd meeting. The amended minutes are adopted on motion by Caroline Girard, seconded by Mélanie Veilleux-Nolin.

Kelly LeBlanc suggests several textual changes to Point #2, #3, #5c and #5d of the minutes for the 204th meeting. Accounting for these changes, the minutes are adopted on motion by Caroline Girard, seconded by Mélanie Veilleux-Nolin.

3. DRAFT BUDGET FOR 2018-2019, STRATEGIC PLANNING, INSURANCE FOR EMPLOYEES

Draft Budget for 2018-2019

The members concur that more work is required before adopting a budget for the 2018-2019 fiscal year. It is thus agreed that the Analyst and Secretariat Officer will prepare a new draft of the budget including background information on expenses and resubmit it to the Administrative Committee for discussion. It will then be provided to the members for commentary and adoption before December 18th 2017.

Strategic Planning

The members agree that a new Strategic Plan for 2018-2023 should be developed. Thereafter, a five-year budget forecast should be drafted to complement the plan. The members agree that a workshop should be held to discuss the matter once the necessary material is ready.

Insurance for employees

The Analyst presented the quote provided by the insurance broker. More discussion is required before action can be taken. The Administrative Committee is tasked with the file.

4. FOLLOW-UP ON FILES N° 1

a. Regulations for the implementation of the revised Environment Quality Act (EQA)

The Analyst confirmed that the JBACE sent its comments to the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques (MDDELCC) on October 13th 2017, while also providing a brief overview of the nature of the JBACE's comments. He then confirmed that the draft regulations for the implementation of the revised EQA will be published in the coming months in the Gazette officielle du Québec. Upon their being published, he will inform the Subcommittee tasked with the file in order to discuss courses of action.

b. Comments on the Fisheries Act

The Analyst confirmed that the JBACE sent its comments to the Minister of Fisheries, Oceans and the Canadian Coast Guard and to the Chair of the Standing Committee on Fisheries and Oceans regarding the Government of Canada's *Environmental and Regulatory Reviews: Discussion Paper*, on October 20th 2017. He mentioned that the Department of Fisheries and Oceans has confirmed receipt of the comments. The members agree that JBACE must track the file and react accordingly once the anticipated parliamentary process regarding proposed legislative changes to the Act commences.

c. Comments on the Canadian Environmental Assessment Act

The JBACE sent its comments to the Minister of Environment and Climate Change Canada (ECCC) and to the Section 22 Federal Administrator regarding the Government of Canada's *Environmental and Regulatory Reviews: Discussion Paper*, on October 20th 2017. As was the case with the previous discussion point on the *Fisheries Act*, the JBACE must track the file and

react accordingly once the anticipated parliamentary process regarding proposed legislative changes to the Act commences.

d. Advice n° 2 for the Eeyou Istchee James Bay Region Government (EIJBRG) on the Regional Plan for Integrated Land and Resource Development (RPILRD – ‘PRDIRT,’ in French)

The Analyst confirmed that the said advice was sent to the EIJBRG on October 24th 2017 and that he successfully presented it to the EIJBRG during a council meeting in Chibougamau on November 22nd 2017. He mentioned that the question period following the presentation was an opportunity to clarify certain elements in the advice; namely, that the RPILRD is a plan devised by the region, for the region. He also stated that the presentation served also to reassure the EIJBRG’s planners that the drafting of the RPILRD can proceed in a manner that respects the guiding principles of the JBNQA while also meeting their respective planning objectives. In response to the Analyst’s sentiment that the advice took some time to produce, the members confirm that the timeline required to produce it was reasonable given the complexity of the matter.

e. Review of tactical integrated forest management plans (PAFITs) 2018-2023

The Analyst confirmed that the Secretariat just received the renewed versions of the PAFITs for the 2018-2023 period from the Ministère des Forêts, de la Faune et des Parcs (MFFP), on November 16th 2017, and that the newly-received plans were unchanged from those already in hand and commented on by the JBACE in April 2013.

Beyond this, the Analyst confirmed that no significant internal developments have occurred in the file since the last meeting. The remaining work entails the integration of the draft text on the criteria and indicators for the review into the call for tenders for consultants to conduct the review. The Analyst confirmed that this will be completed shortly and that he will then reconvene a meeting of the Subcommittee to finalize the draft call for tenders. Thereafter, the said material will be submitted to the JBACE for adoption, and then circulated in order to retain a firm for the review.

The analyst mentioned that a ‘trial review’ could be commissioned in order to prep and to hone the subsequent official review once the draft PAFITs are made available for review by the MFFP in the winter-spring of 2019. A member confirmed, however, that this ‘trial review’ will not be required.

Several members stated that the JBACE should inform itself of the evolution of the Local Integrated Land and Resource Management Panels (LILRMPs – ‘TLGIRTs’ in French), and that the revision of the call for tenders could benefit from outside help.¹ With this in mind, the members concurred that a more formal line of communication with the LILRMPs / TLGIRTs should be established, but that the Subcommittee should first rework the call for tenders and discuss the course of action regarding the establishment of a more formal means of communicating with the LILRMPs / TLGIRTs, before proceeding.

¹ It was also suggested that a forestry engineer for the CNG may be able to assist in the revision of the call for tenders and in the development of a line of communication with the LILRMPs / TLGIRTs.

f. *Comments on the federal recovery action plan for Woodland Caribou and on provincial recovery planning*

Given that federal and provincial initiatives for the recovery of Woodland Caribou are inherently linked, the JBACE prepped and sent a single letter to the attention of the Minister of ECCC and the Minister of the MFFP on November 2nd 2017. The letter sets out the JBACE views regarding the interplay between the federal recovery and provincial responsibilities in the matter.

The JBACE will actively pursue its reflection on the matter, tooled with a report commissioned by the JBACE (see below), through its Subcommittee on Woodland Caribou.

5. PRESENTATION ON THE WOODLAND CARIBOU REPORT COMMISSIONED BY THE JBACE

Following an introductory roundtable, the presenter started by confirming that the integration of the members' comments into the earlier draft served to produce a more straightforward document. He then presented the contents thereof: a knowledge synthesis of the status of Woodland Caribou (WC) in the Territory and suggestions on future recovery actions. In concluding, he provided a summary of various actions required to assist in the recovery of the herds in the Territory.

6. ACCEPTANCE OF THE WOODLAND CARIBOU REPORT COMMISSIONED BY THE JBACE AND DISCUSSION ON FUTURE JBACE ACTIONS

The report raises several conclusions and proposes a number of courses of action regarding provincial recovery planning efforts; namely, relating to the potential for attaining federally-recognized disturbance thresholds and the closure of access roads and other linear infrastructure. It is understood that these conclusions should serve as the basis for the JBACE's own internal reflections on its future interventions regarding federal and provincial recovery efforts and its review of forest management plans. The JBACE subcommittees on Woodland Caribou and on Forestry will use the document to help determine future courses of action and as a potential source for secondary deliverables.

The document was commissioned by the JBACE, for the JBACE. It is thus confirmed that the document will be accepted by the Committee and that the contract may be closed. The Analyst is instructed to confirm this for the expert.

7. ACCEPTANCE OF OURANOS' REPORT ON CLIMATE CHANGE

Following a discussion on the need to ensure that future contracts for outside reports should more clearly outline the details of wanted deliverables as well as the required timelines for their production, the members concur that the report respects the contract in terms of content and provides much useful information regarding the state of knowledge in the Territory regarding climate change and adaptation in light thereof.

It will be important that the major messages in the report are extracted for the purposes of dissemination in the communities; namely, from the first few sections. It will be important that these deliverables are easily understood and that the information resonates with community members. A certain level of interactivity should also be sought. The Analyst is

instructed to investigate the possibility of developing interactive online tools in this regard. The members agree that this will be an interesting project for the JBACE moving forward.

It is thus confirmed that the document is accepted by the Committee and that the contract may be closed. The Analyst is instructed to confirm this for Ouranos.

While on the topic of climate change, a member takes the opportunity to provide a brief overview of a project to occur in the Cree Nation of Mistissini regarding community-based adaptation to climate change. The JBACE should stay informed of the project.

8. DISTRIBUTION PLAN FOR THE GUIDANCE DOCUMENT ON PUBLIC PARTICIPATION FOR PROPONENTS

The Analyst mentioned that a draft distribution list for the dissemination of the said guidance document, once complete, was circulated to the members for their comments. He urged the members to provide their suggestions regarding potential addressees of the guidance material at their leisure, given that the latter is still being finalized.

9. FOLLOW-UP ON FILES N° 2

a. Study on cumulative effects (best-practices for regional assessments)

It is decided that the Analyst will reanimate the Subcommittee tasked with the file, and will also approach the principal researcher retained for the JBACE's earlier work on the subject, in order to organize the commencement of the said study in 2018.

b. Recommendations concerning the revision of Schedules 1 and 2 of Section 22

The Analyst confirmed that the letter requesting an update on the revision of the schedules was sent out on August 14th 2017, and that the MDDELCC issued a response on September 25th 2017. Both the federal government and the Cree Nation Government have yet to issue their own respective responses.

e. 'Update meeting' with the Section 22 evaluating and review committees in the fall of 2018

The members confirm their interest in holding such an event, but must defer it to the next year given current resources and workloads.

f. Annual meetings with the Administrators

The members confirm their interest in holding such events, but must defer them to the next year given current resources and workloads.

10. VARIA

a. Collaboration / preparation of the "Cree Youth Strategic Action Plan" in 2018

Last meeting, the Chairperson had advised the members that the CNG will be implementing a strategy for the involvement of Cree youth. It will be important that this strategy for Cree youth be kept in mind by the members of the JBACE Subcommittee tasked with the development of the JBACE's Strategic Plan for the 2018-2023. For example, it may be very

relevant that the JBACE's new Strategic Plan allow for initiatives to better inform the public of its role and mandate.

b. Webinar for the International Association for Impact Assessment (IAIA)

The members note that it may be an interesting opportunity to increase the JBACE's visibility, but must defer it to the next year given current resources and workloads.

c. Proposal for collaboration from the Canadian Wildlife Federation (aquatic habitats) in 2018

The Analyst described the nature of the proposed collaboration received by the Secretariat on October 6th 2017. The members reviewed the proposal and noted that the JBACE must decline the request given that the initiative falls outside of the JBACE's mandate, and that the CNG may be a better-placed organization to collaborate therein. The Analyst is instructed to draft a letter to that effect.

d. JBACE comments on the CNG's draft by-law on drinking water

The JBACE received a request from the CNG for comments on the above-mentioned draft by-law. A member provides some background information on the drafting process of the by-law, its content, and on the request made to the JBACE. The Analyst is instructed to analyze the draft by-law and to prepare a letter with relevant comments for the CNG. Given the absence of a JBACE Subcommittee on drinking water, the letter will be vetted collectively by the JBACE members.

e. Invitation to participate in the DFO's initiative on aquaculture

On November 24th 2017, the Secretariat received a request from the DFO to participate in an Aboriginal Engagement Strategy for Aquaculture and in an engagement initiative on the potential development of an Aquaculture Act.

The members confirmed that, at this stage, the JBACE would rather be kept informed of the potential development of an Aquaculture Act (i.e. track the file) and would comment thereon if and when the Act is drafted. They also affirmed that the CNG would be a better-placed organization to participate in the Aboriginal Engagement Strategy for Aquaculture given the tri-partite nature of the Committee and its mandate. The Analyst is instructed to draft a letter to that effect.

f. MDDELCC's public consultation guide for proponents

The Analyst affirmed that the MDDELCC published a guide for proponents entitled "*L'information et la consultation du public dans le cadre de la procédure d'évaluation et d'examen des impacts sur l'environnement,*" on November 23rd 2017. The JBACE was not solicited for comments prior to its publishing, and the document focuses primarily on the environmental assessment procedure for southern Québec.

The Analyst will analyze the document in order to inform the members and to determine if links can be made between the guide in question and the guidance document that is currently being drafted by the JBACE.

11. NEXT MEETING

The members confirmed that the next meeting will occur in either in the last week of February, or during the first or second week of March. The members will set out their availabilities, as well as the desired location (Québec City or Montreal), via email. The Analyst will confirm the exact date and location thereafter.

Graeme Morin
Environmental Analyst