

The Canadian Wildlife Service (CWS) manages a recovery strategy outlining the recovery measures needed for the recovery of Woodland Caribou per the *Species at Risk Act* (SARA). The SCF has published a series of documents on the species at risk online registry over the past 2 years. The Service has also published a progress report on the implementation of the recovery strategy (referred to as the '5-year report'). The said report mentions that although a number of activities have been undertaken regarding Woodland Caribou, the situation is degrading in the majority of areas where they are found.

In February 2018, the SCF published a final version of a Woodland Caribou action plan setting out the intended recover measures that should be implemented moving forward. These measures focused on three main themes – protection, knowledge exchange, and specific recovery actions. The Service is currently working to update the critical habitat recovery strategy for Saskatchewan because they did not have sufficient data in previous years.

A report of the state of unprotected critical habitat for Woodland Caribou was published in April 2018 (such reports need to be produced every 180 days), and made several findings. A second report evaluated habitat measures that were implemented as well as measures implemented to address certain problems. A third report will be published in June 2019 and will include activities undertaken by Aboriginal communities and organizations, among other things.

Regarding critical habitat protection, the April 2018 report outlines the current state of legislation across Canada and how that legislation protects habitat. It noted that despite the wealth of existent legislation to protect habitat, there are still certain deficiencies concerning legal protection. The law obligates Canada to protect habitat on federal lands and a protection order has been issued on federal lands, with the exception of reserve lands. On reserve lands, the federal government has made progress in terms of collaborating with band councils and local managers to set out the best mechanisms to manage habitat. There are only small parcels of federal lands in the James Bay Territory (e.g. airports, communication towers), and these lands are largely unsuitable habitat for Woodland Caribou.

The CWS intends to establish forums for knowledge exchange. In June 2019, the Service launched the National Boreal Caribou Knowledge Consortium. The first meeting, a smaller conference, occurred in June with national organizations. They are identifying the best ways to work with local communities to share information and to identify the themes and information gaps that should be prioritized in order to be more effective. The North American Caribou Workshop was also held in Ottawa in October 2018. And, a federal-provincial working group was established to evaluate the socio-economic associated the species' recovery. This working group is looking at how to standardize the calculation of the socio-economic impacts of recovery measures, in order to facilitate economic development while also protecting the species.

SARA allows for the signing of agreements with the provinces, and the SCF is thus also in the process of negotiating with all the other Canadian jurisdictions. Agreements already exist with Saskatchewan and the Northwest Territories, and negotiations are being pursued with other jurisdictions. For Quebec, the discussions for an agreement on the recovery of Woodland Caribou fall under a collaborative agreement on species at risk (not under SARA).

Federal financing has also been made available for the implementation of species protection measures. The Grand Council of the Crees (GCC) has received financing to that effect and, across Canada, several hundred projects regarding Caribou protection have been submitted to date.

Ministère des Forêts, de la Faune et des Parcs – Hugo Jacqmain and Sonia Légaré

Mr. Jacqmain mentions that he will discuss the Gouvernement du Québec strategy for Woodland and mountain Caribou. A recovery team made its recommendations in 2013. Of the fourteen items cited, the main priority is to work at the landscape scale on disturbance rates (at an areal scale of 5000 km²). The challenge is to ensure quality habitat in order to facilitate recovery. They analyzed the options and developed a two-phased approach that was eventually set out in the government's action plan in April 2016. As a first step, immediate actions to protect the critical habitats would be implemented. Thereafter, a long-term caribou habitat management strategy would be developed that also recognizes the need to work with partners and assess the socio-economic impacts of proposed recovery measures.

The Gouvernement du Québec established a governance structure regarding the file. A steering committee is managed at the highest level (Deputy Minister, Associate Deputy Minister), and works with a Liaison Committee where the MELCC, the MERN and the SAA are present. A stakeholders table (with representatives from government, forestry industry, municipal, union, environmental groups, and aboriginal communities) and a Quebec-First Nations table (where ECCC is an observer) were also created. The Cree are represented on each of the said tables. The Gouvernement du Québec are also communicating with the federal government and the other provinces to stay aware of progress made elsewhere. An expert committee is in place to discuss habitat and population management aspects, socio-economic aspects and to validate approaches. Internally, there are six major committees working on specific facets of the file: habitat management, population management measures, socio-economic aspects (i.e. see the possible effects of the strategy), protection of populations, population monitoring, and involvement of indigenous communities in the development and deployment of the strategy. A Cree-Québec table on Woodland Caribou is also in operation.

Quebec's approach differs from the federal government's approach, which works at the range scale. Québec's approach operates at the landscape scale (5000 km²). As such, the distribution of the populations must be delimited. In areas subject to forest management, Québec must make an evaluation of the landscape(s) and propose management solutions. Choices must then be made with a focus on the critical elements of available habitat.

Internal tools have been developed based on the concept of preferential habitat. Multi-criteria analyzes lead to identifying the areas that Woodland Caribou prefer and that present better quality habitat. Québec will also undertake an analysis of existing rights to avoid cases of expropriation. The province will also seek to incorporate economic values (e.g. forest value) to target habitats that will have less negative impacts on the forest industry.

Several solutions are being implemented. The province is taking into consideration the contribution of the limit of the commercial forests and of large protected areas. Québec has developed three major concepts: large Expanses of Suitable Habitat (ESH – JBACE translation of "*vastes espaces propices*"), Restoration Habitat Zones (RHZ – JBACE translation of "*zones d'habitat en restauration*") and Connectivity. For ESHs, it is a question of maintaining quality habitat; it is a concept developed internally but validated by the committee of experts. For the RHZs, habitats that are more than 35% disturbed, but that Caribou still use, will be brought back to optimal conditions within 50 years. ESHs and RHZs were established according to forest cover and habitat quality (not via population studies using collars).

A new operational approach regarding forest management is being put in place. Now, when entering an area where there has not been much intervention, forest management will seek to minimize long-term impacts. In order to ensure favourable areas for caribou while having also minimizing the degree of forest as loss possible, less residual forest cover (from 30% to 10%) will remain after forestry interventions, but forest operations will no longer return to such areas. Forest access roads will also be closed.

This is an adaptive approach to ensure sustainability and self-sufficiency that operates under the pretext that Woodland Caribou can survive in areas subject to forest management south of the northern limit of commercial forests. The present context is one of habitat management in concert with forest management activities. Efforts to ensure connectivity are also being made in order to avoid a situation like that faced in Val d'Or. The ministry has received funding for Caribou recovery activities (\$ 7M over 3 years) and has deployed a population tracking program (includes telemetry) to target efforts in the right places and to ensure that efforts made have the desired effects. In this vein, the action plan was developed after analyzing three scenarios (i.e. minimum effort, maximum effort, intermediate) based on Caribou indicators and the socio-economic aspects of the effect of the measures. The map presenting the action plan was made public in April 2019. In total, more than 80% of the preferential habitat will be covered by the plan: 53% via the northern limit of commercial forest and the protected areas, 27% by the ESHs, and an extra 3% by the RHZs.

By the time the next generation of tactical integrated forest management plans for 2023-2028 come out, the recovery strategy should be fully operational. The objective is that there is no reduction in forest attributions with the advent of the strategy so as not to have an impact on the industry and forest workers. The ministry wants to work with partners to achieve this. Here, the Minister will commence a tour of the regions and will then establish operational working groups for deployment of the strategy (these groups will include representatives from the industry and from Indigenous communities). Following the Minister's tour, these operational groups will work for 1 year and the solutions developed by them will then need to be accounted for. The recovery strategy is currently being prepared. Consultations will occur, and it should be completed by 2021, with full implementation by 2023. Meanwhile, the precautionary principle remains. The MFFP is currently working with the MERN on mining and recreational development ("villgiature"), and with Hydro-Québec to determine how to account for major projects into the strategy. There are also discussions ongoing with the Cree, given that the *Paix des Braves* prescribes mosaic cutting for the James Bay Territory which differs from the government's afore-mentioned approach for forest management.

In anticipation of the Minister's tour and the establishment of operational groups, a webinar was made available on the MFFP website for information purposes.

Ms. Légaré mentioned that, in March 2018, a subcommittee was set up to develop guidelines for Caribou. There had already been discussions with the CNG per Chapter 3 of the *Paix des Braves* for the development of a Wildlife Habitat Management Directive; Caribou had been set aside at that time given that it was a large and complex file. The purpose of the subcommittee is to discuss the issues, the approach regarding ESHs, management objectives, connectivity, and all that that entails for species that are important to the Cree (other than Caribou). One of the current challenges is that mosaic cutting is not compatible with the Woodland Caribou strategy. Trappers' concerns must also be addressed while maintaining Caribou habitat over the long term. The subcommittee is thus working to identify what elements are incompatible and to find possible solutions. Eight meetings between CNG specialists (Nadia Saganash, Isaac Voyageur) and the MFFP have occurred to date, and the work has progressed such that may now be necessary to expand the work's scope in order to include the opinions of Cree trappers.

To facilitate discussions with Cree trappers, the subcommittee organized a forum to discuss Caribou habitat, management options, acceptability of solutions, and how to integrate traditional knowledge. This forum will take place in late May 2019. Subsequently, the subcommittee will use this information to adapt the recovery measures based on the trappers' insights in order to devise a mutually-acceptable approach that also limits the socio-economic impacts of the measures. The forum will also allow for exchanges on the perceived impacts of the measures from the industry perspective and from the perspective of the communities.

During the question period, a member asks if there are examples of measures that can be shared and points out that there seems to be different management approaches for Caribou and for Moose. The presenters

respond that this is one of the issues that will need to be addressed and that it will be a matter of scale and of available space. Certain members voice their concerns regarding Caribou recovery.

A member asks how development projects and forest management activities will tangibly align with Caribou protection measures. For example, how to consider the cumulative effects of multiple projects, or the impacts of a specific development project in the recovery strategy. The presenters mention that major projects are only responsible for 0.06% of the disturbance on the herds. The strategy will improve predictability for proponents, such that development sectors will know that there is a concern. The approach to treat development projects will be one of compensation and mitigation rather than project refusal. Forestry activities will have temporary impacts, except for roads that represent permanent disturbances. In the case of this industry, efforts will be made in this regard (e.g. determine how to develop a primary access road network to avoid opening too many roads), and the development of the road network will be subject to consultation.

Discussion on the work of the JBACE on caribou

The analyst summarizes what was discussed by the subcommittee (i.e. to determine what actions are occurring prior to deciding what the JBACE should do). The JBACE has the habit of considering Caribou habitat in its comments made in the context of its work files and also normally issues comments on recovery strategies and action plans, but does not generally comment on specific habitat management or population recovery measures given that other groups are better positioned to do so. Members noted that there is nothing to comment on for the moment and that the JBACE should wait for consultations to begin. Because the members of the JBACE and the organizations they represent are already on the working groups, and in light of the JBACE's mandate and current workload, it is decided that the JBACE stay informed for the moment and comment when at opportune times. The JBACE should thus keep abreast of the ongoing work regarding Woodland Caribou.

Action:

- The Secretariat will send a thank-you letter to the presenters that will also reiterate the JBACE's willingness to remain informed of developments made regarding the issue.

Status update – review of the PAFIT

The analyst mentioned that the filing of the PAFITs is postponed to January 2020. The Subcommittee is discussing how to inform Le groupe CAF regarding this postponement, and whether to propose the termination of the current contract (and to create a new contract at the time of filing), or to propose the suspension of the current contract. The subcommittee may then make a recommendation to the members, so that the secretariat may contact Le groupe CAF to advise them of the postponement of the filing of the PAFITs.

Action:

- The Secretariat will communicate with Le groupe CAF to advise them of the postponement of the filing of the PAFITs.

Recap of Carrefour Forêt 2019

A member summarized the three-day event, held from April 2nd to April 4th 2019, which brought together nearly 1,800 participants. Symposia, workshops and trainings were held, including ones on relating to climate change, industrial development, forest management and caribou. The content of the presentations will be available shortly on the Carrefour Forêt website. It was the fourth such event and there will be another one in two or three years. The JBACE may wish to participate in the next one, scheduled for 2023.

INTERNAL COMMUNICATION AND DECISION-MAKING

Members discussed the effectiveness of decision-making processes put in place since the last meeting. Some members mentioned that they prefer to receive an e-mail per file instead of having all the information in the weekly reviews (i.e. the “bilan” emails). The secretariat will evaluate the best way to communicate information while minimizing the number of emails. When a file is processed by a subcommittee, the subcommittee members will decide whether it is worth going through all the members for final approval or if they can go directly to the Chairperson.

PREPARATION FOR THE MEETING WITH THE PROVINCIAL ADMINISTRATOR

The Executive Director provided the members with the documents that were submitted for the meeting and that will also be presented to the Provincial Administrator. The members discussed important points to be made during the meeting and agreed to modify the agenda by adding a specific point on the funding of the JBACE. The Executive Director will attempt to forward the new agenda to the Administrator prior to the meeting.

COMMUNICATIONS AND MEETING WITH OTHER NORTHERN COMMITTEES

The Executive Director reiterated that the action plan provides for a meeting with the other northern committees and that there appears to be interest from the other committees. It is mentioned that the president of provincial review committee (COMEX) is no longer in office and that we do not know the person who will replace her. Following the appointment of the new COMEX Chairperson, the JBACE members will discuss a possible meeting.

FILES

Strategic environmental assessment

The minutes of the meeting of January 29th 2019 and the follow-up document have been approved by the subcommittee and are ready for mailing to the MELCC. It is also expected that the ministry will provide guides and guidance material for Administrations wishing to produce SEAs. The JBACE will have the opportunity to comment on all these documents before they are published. The publication of the draft regulation is scheduled for May 2019.

Action:

- The Secretariat will transmit the approved documents to the MELCC.

Sectoral co-creation tables

The Analyst and the Executive Director summarize the status of the development of regulations for the implementation of Québec’s *Environment Quality Act* (EQA); namely, the lists of negligible and low risk activities. To facilitate this task, the MELCC set up sectoral co-creation tables in which the JBACE participated, first as an observer for the agricultural and forestry and industrial and mining tables, then as an active participant for the table for northern committees. For the next meeting of the table for the northern committees, scheduled for June 14th 2019 in Quebec City, the JBACE will produce a document presenting its comments regarding the lists.

The analyst also points out that there may be an impact of regulations on access to land and on traditional hunting, fishing, and trapping activities, which will inevitably lead to the involvement of other committees such as the Hunting, Fishing and Trapping Coordinating Committee (HFTCC).

Guide on public participation

The Analyst confirms that we are awaiting a decision regarding the map of Cree traplines before finalizing the guide. One member mentioned that a new version of the disclaimer note would be provided shortly; once it is approved by all, the Secretariat may then finalize the guide.

Actions:

- Maud Ablain will provide a disclaimer note for the map of Cree traplines;
- The Cree party will validate the disclaimer note;
- Once the modifications for the guide are completed, the Secretariat will coordinate its circulation.

Presentation for the Association québécoise pour l'évaluation d'impact (AQEI) conference

The presentation for the upcoming AQEI conference is 30 minutes long. The Analyst confirms that the focus will not be on the environmental assessment process but on the importance of public participation and engagement throughout the project life cycle.

Consultation – draft regulation related to Bill C-69

The Executive Director notes for the members that the JBACE was made aware via the First Nations of Québec and Labrador Sustainable Development Institutes' (FNQLSDI) mailing list that consultation documents on two draft regulations related to the *Impact Assessment Act* are available for commentary (deadline is no later than May 31st 2019). The final regulations will be published in the Canada Gazette, Part II (not available for comment). The Analyst mentioned that he will send to the subcommittee an analysis and draft letters addressed to the Minister of Environment and Climate Change, Catherine McKenna, and the President of the Canadian Environmental Assessment Agency, Mr. Ron Hallman.

ADJOURN FOR THE DAY

DAY 2

HUMAN RESOURCES POLICY (PERSONNEL GUIDE) AND CODE OF ETHICS

The Executive Director outlines the different options for calculating statutory holidays, specifying the advantages and disadvantages of each (costs, time required for management). Members adopt the following option: a statutory holiday that does not coincide with a normally worked day can be moved to a day immediately before or after (e.g. a holiday on Sunday is moved to Monday). For part-time employees, a statutory holiday that is not normally scheduled as a work day is also moved to a day before or after (e.g. a statutory holiday on a Monday, may be moved to Tuesday, if a part-time employee is not normally scheduled to work on Monday).

On a motion proposed by Jean-Yves, seconded by Melissa Saganash, the Human Resources Policy is adopted.

Actions:

- The Executive Director will make the changes regarding statutory holidays and will circulate the document for information purposes.

CLIMATE CHANGE

Presentations

Environment and Climate change Canada – Frédéric Beauregard-Tellier

Mr. Beauregard-Tellier provided an overview of ECCC's actions in this file. He gave a brief summary of the knowledge gained in recent years and found in the Canada's Changing Climate report published in April 2019. He described some recent national and international decisions, and presented reports published in recent years, including the report on the implementation of the Pan-Canadian Framework and the report on the changing climate. He discussed federal initiatives to help Canadians adapt to climate change.

Mr. Beauregard-Tellier then presented some activities and tools related to the JBACE strategic plan that can help increase knowledge and the dissemination of information: Canadian Center for Climate Services, Climate Atlas of Canada, ECCC sites and reports, Climate action map, funding opportunities, Climate Change Geoscience Program, and Canada's Climate Change Adaptation Platform. He concluded the presentation by discussing next steps, particularly the continued implementation of the Pan-Canadian Framework.

Ministère de l'Environnement et de la lutte aux changements climatiques – Annie Roy and Sandra Garneau

Ms. Roy began by describing the latest changes to the EQA with emphasis on new climate change provisions (i.e. reducing GHG emissions and considering climate change issues in projects). She went on to speak about the *Regulation respecting the environmental impact assessment and review of certain projects* (REEIE in French), where requirements for GHG considerations are specified. Subsequently, she presented the draft *Regulation respecting ministerial authorizations and declarations of compliance in environmental matters* (RAMDCME in French), which will now include four tiers of activities (depending on the risk) and the introduction of the Climate Test. Ms. Roy described how the Climate Test will be used in the project environmental authorization procedure.

Subsequently, Ms. Garneau discussed the adaptation component of the REEIE and the associated directives for projects subject to environmental assessments in southern Québec. She mentioned that a guide for proponents is in preparation¹ and will contain information to assist them in developing projects. Ms. Garneau then discussed best practices for consideration of climate change that suggest a complete and accurate understanding of the context throughout the life cycle of a project as well as approaches to address vulnerability through to risk.

Finally, the presenters reiterated the importance of the Climate Test, which represents a structuring tool, presents a balanced approach, makes it possible to optimize projects as soon as they are developed, and helps reduce the vulnerability of projects to climate change.

Cree Nation Government – Kaitlyn Lloyd

Ms. Lloyd talked about the Regional Forum that was held in Eastmain in November 2018 where community members, as well as representatives of governments and organizations, discussed climate change issues in Eeyou Istchee. The participants obtained a number of presentations about the state of knowledge. Breakout sessions were then held to discuss specific topics. A report and a video on the forum should be available soon.

Participants noted several manifestations of climate change that are affecting wildlife, plants, food security, health, economic development, and employment. Three main areas of interest were identified: 1) biodiversity, harvesting activities and the land; 2) Cree culture, education and research; and 3) health, quality of life, housing and technologies. Subsequently, participants discussed priorities and actions to be undertaken in the area of biodiversity and wild food, Cree knowledge, improved safety, intensified Cree research, development of new educational programs, ensuring water and food quality, improvement of housing quality, and implementation of

¹ Note that the JBACE already commented on a draft of the guide.

green technologies. In short, it is essential to improve resilience to climate change while maintaining a connection to the land and cultural activities.

Summary of discussions

Following the presentations, members and presenters held a discussion that highlighted some areas that deserve further thought or should be put forward. Below you will find a summary of the discussions, according to the main themes that emerged.

Coordination and inclusion/linkage between the different governments

- There are several actions and programs within the different governments, but there does not seem to be any link between them. The Canadian Council of Ministers of the Environment (CCME) is an intergovernmental forum where there are discussions among the provincial environment ministers, but it stays at the council level. There is a need for more coordination between the different governments, which is not visible at this time (e.g. within the funding programs).
- The federal government can learn a lot from the provinces, and a good example is the carbon exchange, which was originally a provincial initiative that is now pan-Canadian.
- The CNG will produce a report following the Eastmain Forum, and in this report we will find the priorities and actions to be undertaken according to the participants. This report could serve as a starting point for the JBACE's work, but also as a reference for governments on what needs to be done in the Territory. It could also serve as a tool to prioritize the actions of the governments (and the JBACE's action as well?).

Reduction of GHG

- In Québec, we have reached the Kyoto reduction targets (6%), but the government has given itself 20% instead of 6% and we are on track to reach it.
- In Canada, the 2020 target will be very difficult to reach, but there are measures in place that will reduce emissions by 2020.
- Because of the lifetime of the gases in the atmosphere, even if we reach the reduction targets, the temperature will still continue to increase and there will be impacts (temperature change, change in the hydrological regime) and we have to put more effort in adaptation.
- Projects in the north are different and the reality is different (e.g. demand for fossil fuels for some resources). GHG reduction and carbon emissions are different in the north compared to the south because of the lack of certain technologies and resources.

Adaptation and project funding

- There is no prioritization system for projects in the north, whereas this is where the impacts are most noticeable and significant.
- Adaptation measures in the north are different than those in the south. For example, in the north, the lack or unpredictability of ice is a major problem that will threaten traditional hunting, fishing and trapping activities. For example, families hunting on Charlton Island now have to go by helicopter, which is very expensive. But can the use of a helicopter be considered as adaptation within the meaning of funding programs? They are fortunate to have Niskamoon's funding for now, but this is not the case for everyone. The inability to engage in traditional activities for food will have several major impacts on health and increase the burden on communities. Ice (and especially how to adapt practices in light of its absence) is a major element that will have to be looked at.
- Impacts on the ice regime cannot be assigned to a single development project and therefore it is difficult to find project-related funding for impact mitigation.
- We should avoid making a 'grocery list' of impacts that could also apply to other problems and ultimately make the problem trivial. Instead of looking at everything, we should focus on a few things, and prioritize.

A major problem is the impact of the change in ice regime on health and safety, which can also bring about other problems.

- The Northern context is different and the programs should be adapted to its context. It takes long-term funding, not just ad hoc or project by project financing.
- Access to the resource is essential for food security and health, we must invest in this area.

Impact assessment and review procedures

- Project-by-project approach:
 - o Legislation prescribe impact assessment and review procedures on a project-by-project basis rather than considering the cumulative effects of projects. In Quebec, legislation prescribes project-by-project evaluation, but the proponent must demonstrate how the project ‘fits’ with the government’s GHG reduction targets and how it plans to reduce its emissions. The Minister also has the power to ask the proponent to illustrate mitigation measures for his proposed project.
 - o Generally speaking, we are still in the project-by-project approach and we don’t look at cumulative effects. We should be working to help people who are experiencing change on the front line.
- Inclusion of climate change in impact evaluation
 - o The Directives could provide a means to include climate change considerations in the procedure. Normally, Schedules 1-2 should be revised every five years, which is not done, but it may be possible to include climate change in Schedule 3.
 - o The impact assessment and review committees are evolving their practices. For example, the members from the MELCC table the elements developed by the ministry to the COMEV and they can also be integrate in Directives. In so doing, the impacts of climate change are taken into consideration by COMEV and by COMEX (i.e. although it is not in Schedule 3, it is taken into consideration and incorporated in the Directives).

Role of the JBACE

- The JBACE is the privileged forum on the Territory and the consultation body par excellence for governments. The committee can serve as a tool for coordination and inclusion between the various actors working in the Territory.
- If action plans are developed, we are always open to comment on the documents, we have all the necessary resources to do so.
- By consulting the JBACE, all parties can share information in order to avoid back and forth exchanges if it lacks elements (e.g. north-south distinction in the guide).

Other items

- There is a long way to go to make ‘mentality’ changes (e.g. in the area of transportation), so perhaps information for the layman should be available.
- There has been a lot of work done in the Arctic, but a lot less in the subarctic regions and there is little data. We need to benefit from local knowledge and work in partnership with communities (e.g. ice monitoring) to have a better portrait.

Actions:

- The Secretariat will send a thank-you letter to the presenters;
- The Secretariat will prepare a proposal for next steps and will schedule a meeting to discuss it;
- Once a plan is established, the Secretariat will provide Mr. Croteau, Provincial Administrator, with a copy thereof.

NEXT MEETING AND ADJOURNMENT

Actions:

- The Executive Director will get informed of the Cree Regional Administrator's potential availabilities for an upcoming meeting;
- Once available dates are confirmed, the Executive Director will provide the members with a Doodle to confirm their respective availabilities.

Michèle Leduc-Lapierre, Executive Director and Graeme Morin, Environmental Analyst

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