

# MINUTES OF THE 215<sup>th</sup> MEETING OF THE JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

DATE February 26, 2020 LOCATION Montréal

**PRESENT** Melissa Saganash, CNG, Chair Chantal Tétreault, CNG, Vice-Chair Marc Dunn, CNG Kelly Leblanc, CMG Suzie Boudreau, Canada Alexandre-Guy Côté, Canada

Madeleine Green, Canada Maud Ablain, Québec Mélanie Chabot, Québec Manon Cyr, Québec Michèle Leduc-Lapierre, Executive Director Graeme Morin, Environmental Analyst

# **OBSERVER**

Caroline Chabot, Québec

#### **GUESTS**

Susan Winger, Marcelle Chabot and Benoît Dubreuil, Impact Assessment Agency of Canada (item #6) Gail Haarsma and Rebecca Shewfelt, Environment and Climate Change Canada (via teleconference, item #7)

#### WELCOME AND ADOPTION OF THE AGENDA

On a motion by Manon Cyr, seconded by Chantal Tétreault, the agenda was adopted (see appendix 1).

#### **ADMINISTRATION**

#### Minutes 214

The Executive Director explained that there was a delay in the preparation of the minutes and that they will be completed before the next meeting. She mentioned that the Secretariat will adopt a new approach in the future and draft the minutes immediately after the meetings in order to ensure that they are ready for the following meeting. The minutes from meeting 214 and those from meeting 215 will be ready for adoption at the meeting 216.

#### Follow-up on budget and funding

The Executive Director reminded members that the comparative statements are available on the website at the end of each month. She then presented the status of the finances as of January 31, 2020. The members discussed the remaining expenses for the rest of the fiscal year (ending on March 31, 2020) and decided to move forward with the implementation of a new email system because the funds are available and the Secretariat had problems with the emails at the beginning of the year.

The Executive Director had a discussion with the person responsible for reviewing the funding request at the MELCC and the process is underway. She will inform the members of any developments.

#### Map of the territory

The members discussed the possibility of updating the map once every five years to minimize expenses. They debated the potential uses of the map (e.g. an interactive map on the website). They decided to hold a

communication subcommittee meeting to identify criteria and objectives for the development of the map. They also decided to use the available services of our partners (e.g. CNG, MELCC) to produce the map. If a new map is not ready for this year's Annual Report, last year's map will be used.

# Implementation of the cloud for the members

The Executive Director mentioned that the Secretariat will send each member the information to access the JBACE's cloud. Members will be able to test their access and see if there are security measures that would prevent them from accessing it. The use of the cloud will allow members to access documents for meetings and subcommittee work, and will also allow them to save documents in the shared folders. The Executive Director will also develop an events calendar that will be available for the members.

#### Follow-up on vacant member positions

The nomination of Alexandre-Guy Côté (Canada) will be formalized shortly, as well as Caroline Chabot's one (Québec). One member from Canada will remain to be confirmed (the procedures have been initiated).

# Next meetings

The Executive Director reminded the members that the next two meetings will be held on the territory, one at the beginning of June (meeting 216) and a second one in September (meeting 217). The members discussed potential locations for the 216<sup>th</sup> meeting, to be held from June 1-3, and suggested Wemindji, with Chibougamau as an alternative. The Executive Directory will contact people recommended by the members to inquire about the possibility to hold the meeting there. For the 217<sup>th</sup> meeting, that will be held in Waskaganish, the members discussed potential dates and suggested the use of a Doodle poll to identify the best dates. The Executive Director will follow-up on these two meetings.

# **FILES**

#### Mines and mining development

The MERN held a consultation throughout the province of Québec from November 19, 2019, to February 7, 2020 on Québec's role in the development of critical and strategic minerals (CSMs). The JBACE participated in the information sessions that were held on December 16, 2019 in Montréal, and on January 23, 2020 in Oujé-Bougoumou. The members discussed the different issues related to training, transformation, transport and the involvement of the communities in the development of CSMs. It will also be important to consider links between climate change, the ECCP, and mining development. The Executive Director described the comments that were sent to the MERN.

The Analyst also reminded the members that the JBACE participated in the preliminary work for the revision of the Mining Act in 2019.

The Chairperson then offered an overview of the Grand Alliance, an agreement signed the preceding week, and discussed the objectives and implications thereof.

#### **Cumulative Impacts**

The Analyst discussed the Indigenous Forum on Cumulative Effects that was held in Calgary on February 4-6, 2020. He explained that the objective of the Indigenous Centre for Cumulative Effects is to build and strengthen the capacities of Indigenous communities in the matter of evaluation, monitoring and management of cumulative impacts. The forum was attended by about 500 participants from around 270 communities; 90% of the participants coming from Western Canada. He summarized what he learned during the event. The members then discussed the information from the presentations attended by the Analyst and suggested avenues for actions to

undertake. The members of the subcommittee agreed on meeting on March 26, 2020 to exchange on the future actions of the JBACE in this file and then plan a meeting with COMEX.

# PAFIT

A preliminary report was presented on the previous day during a subcommittee meeting with the consultant. The interviews that are underway should be completed by mid-March. On April 2, the report and recommendations (in French) will be submitted to the members for their adoption before being sent to the ministry by April 10, 2020 which is the deadline to submit comments. The translation will be made afterwards and the subcommittee will then determine a strategy to disseminate the information.

#### Federal Impact Assessment Act

Ms. Susan Winger and Marcelle Chabot from the IAAC presented an overview of the Act. They described the principles (fostering sustainability; integrating scientific information and Indigenous knowledge; meaningful public engagement; reconciliation and partnership with Indigenous Peoples; one-project, one-assessment; and predictability, transparency and timeliness) and the key elements (one Agency to manage impact assessments, early engagement, broader scope of assessment, coordination of Crown consultation activities, expanded regional and strategic studies, and decisions made in the public interest). They also described the type of projects that will be subject to the Act, the regulations for the implementation of the Act, the types of assessments and the main steps in the process. They also mentioned that several guides and other orientation materials are already available on the Agency's website and that these tools will revised in the coming months.

Then, they focused on the aspects of the Act that relate to participation, beginning with the elements that will be advancing reconciliation with Indigenous peoples and the consideration of impacts on Indigenous peoples and their rights. They described how Indigenous peoples may participate in impact assessments through cooperative and collaborative approaches (e.g. Aboriginal jurisdictions will have greater means to undertake certain tasks related to assessments through coordination mechanisms). They also described how Indigenous knowledge will be integrated in the assessments. Finally, they presented the actions that will help with establishing relationships and increase communities' capacity to participate in assessments.

After the meeting, the Executive Director will share the presentation and other relevant information with the members.

#### **Climate change**

#### Presentation of the Federal Sustainable Development Strategy

Ms. Gail Haarsma and Rebecca Shewfelt from Environment and Climate Change Canada presented the new federal sustainable development strategy via teleconference. They first described issues related to the strategy and its foundational principles. They then described the consultation efforts that were put into place to develop the strategy. The team received comments from provincial, territorial and Indigenous governments, business and industrial organizations, NGOs, universities and individual Canadians. More than 500 comments were submitted during the 120 day public consultation period. More than 40 presentations and webinars reaching more than 1000 participants were also realized.

The presenters summarized the comments that they received and that will help focus the sustainable development priorities for the government: urgent action on climate change; renewable energy with a just transition for workers; zero-emission vehicles; awareness and education; balancing economic growth and ecological protection; linking agriculture to land use and human health; conserving ecosystems; sustainable urban planning; water management; support for reconciliation; and advancing the circular economy. On the basis of these comments, they added a target on zero-emission vehicles, revised their Sustainable Food goal to highlight action on competitiveness and health, strengthened targets across the strategy, expanded the suite

of indicators and performance measures used to track progress, and clarified linkages between targets, indicators and action plans.

Finally, they explained that the amendments to the *Federal Sustainable Development Act* will come into force in December 2020, amendments that will improve collaboration and communication, and will increase transparency measures while also maintaining an ongoing dialogue with the population.

The Executive Director will share the information with the JBACE members after the meeting.

#### Follow-up on the ECCP

The Executive Director informed the members that a teleconference is scheduled, for the following Friday, with the person responsible at the MELCC to discuss the completion of the report of the consultation that was held in November 2019 on Oujé-Bougoumou. The planning committee and the members who attended will also be asked to contribute to the drafting of the report. The members decided that the Secretariat will continue to work with the MELCC to finalize the report in order to make it available as soon as possible.

# Fact sheets

The Executive Director explained that the objective was to make the information (note: from the report published in 2018) more accessible to the public on the territory. The challenge is to find the right approach and the right support that will be focused on the reformulation of the information into simple terms and the use of good visual support. A proposal was submitted by an external firm. The Executive Director shared with the members the option to ask for the *Association des communicateurs scientifiques du Québec* to share the request for proposals with its members. JBACE members who may have suggestions of firms or individuals who could undertake this sort of work were asked to send their ideas to the Secretariat.

#### **Environment Quality Act**

#### Draft regulation on oversight of activities according to their impact on the environment

The Analyst reminded the members that the JBACE participated in the development of this regulation from the beginning. A 60-day consultation period was established for the draft regulation that was published on February 19, such that the JBACE has to send its comments by April 19. The Subcommittee will meet on March 13 in Montreal to exchange on the draft regulation, as well as the potential for a meeting with the Centre de contrôle environnemental du Québec and the Abitibi-Témiscamingue and Nord-du-Québec regional office of the MELCC.

#### Meeting with the regional office

The objective of the meeting with the regional office will be discussed with the subcommittee during the March 13 meeting.

#### Strategic environmental assessment

The Analyst asked the members if they were aware of any developments in this file. For now, there is nothing new, and the committee will keep following up on the matter in order to stay informed.

#### Bill 46

The Analyst mentioned that the analysis of the bill is completed and that he has only to finalize the info-note that will be sent to the members. He shared his suggestions for comments; namely, the need to emphasize the creation of a single centralized register, instead of multiple different registers, in order to facilitate navigation and ease access for citizens. He also suggested that the MELCC should develop a document that explains the relation between different current initiatives (e.g. Québec policy on wildlife sanctuaries, Plan Nord, Québec's role in the development of critical and strategic minerals, etc.) and the improvement of the Québec's protected areas

network per the provisions of Bill 46. The JBACE will be ready to send its comments in due time and once the bill arrives in the National Assembly, but for now, the focus is the *Draft regulation on oversight of activities according to their impact on the environment* and the PAFITs for which we have tight deadlines.

#### Adjourn

Prepared by Michèle Leduc-Lapierre, Executive Director Reviewed by Graeme Morin, Environmental Analyst Adopted on June 3, 2020



# 215<sup>th</sup> Meeting of the JBACE

Wednesday, February 26, 2020 – Québec (1550, avenue D'Estimauville, 7<sup>th</sup> floor, Stadaconné room)

# **Provisional agenda**

- **1.** 9:45 Participants arrival
- 2. 10:00 Welcome and adoption of the agenda
- 3. 10:05 Administration
  - a) Adoption of the minutes from meetings 214 and follow-up from last meeting
  - b) Follow-up on budget and funding request
  - c) Implementation of the "cloud"
  - d) Follow-up on open member positions
  - e) Next meetings
- 4. 10:45 Files
  - a) Mines and mining development
    - Review of Critical and Strategic Minerals
    - Discussion
  - b) Cumulative impacts
    - Debrief on the Calgary Forum
    - FNQLSDI project
  - c) PAFIT
- **5.** 11:45 Lunch (on site)
- 6. 13:00 Impact Assessment Act
  - a) Presentation from the Impact Assessment Agency of Canada Susan Winger, AEIC
  - b) Questions and discussion
- 7. 14:00 Climate change
  - a) Presentation on the Federal Sustainable Development Strategy (via videoconference) Gail Haarsma et Rebecca Shewfelt, ECCC
  - b) Follow-up-PECC
  - c) Fact sheets
- 8. 15:15 Files (continued)
  - a) Environmental Quality Act
    - Draft regulation on oversight of activities according to their impact on the environment (*Règlement sur l'encadrement d'activités en fonction de leur impact sur l'environnement*)
    - Strategic Environmental Assessment
  - b) Bill 46: An Act to amend the Natural Heritage Conservation Act and other provisions
- 9. 16:00 Adjourn