



## **MINUTES OF THE 188th MEETING OF THE JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT**

*(ADOPTED)*

- DATE:** October 15, 2014
- PLACE:** Salle Saint-Laurent, Embassy Suites Hotel, 208 rue Saint-Antoine, Montréal
- PRESENT:** Melissa Brousseau Saganash, Cree Nation Government (CNG)  
Line Choinière, Canada (by phone)  
Manon Cyr, Québec (by phone)  
Anne-Marie Gaudet, Canada  
Jean-Pierre Laniel, Québec, Vice-Chairperson  
Marie-Josée Lizotte, Québec  
John Paul Murdoch, CNG  
Chantal Otter Tétreault, CNG  
Jean Picard, Canada, Chairperson  
Monique Lucie Sauriol, Canada  
  
Marc Jetten, Executive Secretary  
Graeme Morin, Environmental Analyst
- ABSENT:** Caroline Girard, ex-officio member, Hunting, Fishing and Trapping Coordinating Committee (HFTCC)  
Guy Héту, Québec  
Ginette Lajoie, CNG
- GUEST:**
- For Item 6:** Catherine Lussier, resource person for the JBACE Commission on uranium issues

### **1. ADOPTION OF THE AGENDA**

On motion by Marie-Josée Lizotte, seconded by Anne-Marie Gaudet, the meeting agenda was adopted as amended.

### **2. ADOPTION OF THE MINUTES OF THE 187th MEETING (JUNE 4, 2014)**

On motion by Chantal Otter Tétreault, seconded by Marie-Josée Lizotte, the minutes of the 187th meeting were adopted as amended.

### 3. **ADMINISTRATION**

#### a. ***Adoption of resolution regarding the creation of a permanent analyst position and the applicable pay revision***

An Administrative Committee member tabled a draft resolution for the creation of a permanent analyst position and associated pay revision for the next three years. The pay proposal takes into account the remuneration for comparable government positions. The same as for its other permanent employees, the JBACE will make a contribution to the analyst's RRSP equal to 4% of the analyst's gross salary.

#### **JBACE Resolution 2014-10-15-01 creating a permanent analyst position and establishing the associated pay revision:**

- WHEREAS the analyst plays an important role in supporting the JBACE's work;
- WHEREAS the JBACE expressed a willingness to create a permanent position when the analyst's current contract expires, i.e. as of November 1, 2014;
- WHEREAS the proposal made by the Administrative Committee takes into account the salaries paid for comparable positions within the governments of Canada, Québec and the Cree Nation;
- WHEREAS said proposal provides for an annual pay increase of 2% over the next three years, as well as an annual catch-up pay increase of 1%, for a total pay increase of 3% per year.

*On motion by Jean-Pierre Laniel, seconded by Anne-Marie Gaudet:*

**It is unanimously resolved to create a permanent analyst position as of November 1, 2014, and to implement the pay increase proposed by the Administrative Committee in 2014-2015, 2015-2016 and 2016-2017.**

#### b. ***Competition for the part-time secretariat officer position***

The JBACE and the Hunting, Fishing and Trapping Coordinating Committee (HFTCC) have shared the services of a secretariat officer 50/50 since 2002. However, the HFTCC now wants to hire the current secretariat officer four days a week. The members agreed. They also consented to opening up a part-time secretariat officer position at the JBACE.

**JBACE Resolution 2014-10-15-02 creating a part-time secretariat officer position and proposing an amendment to the memorandum of understanding between the JBACE and HFTCC:**

- WHEREAS the Hunting, Fishing and Trapping Coordinating Committee (HFTCC) proposes to terminate the HFTCC's and JBACE's sharing of a secretariat officer;
- WHEREAS the JBACE wants to consider the HFTCC's needs while giving itself enough time to hire a part-time secretariat officer for itself;
- WHEREAS terminating the sharing of a secretariat officer requires an amendment to the memorandum of understanding signed between the two committees;
- WHEREAS the JBACE wishes to hire a human resources firm to advertise the position and screen candidates, and has received bids for that purpose;

*On motion by Melissa Brousseau Saganash, seconded by Jean-Pierre Laniel:*

**It is unanimously resolved:**

- **To approve the HFTCC's proposal to terminate the sharing of a secretariat officer;**
- **To submit a proposal to the HFTCC to amend the memorandum of understanding binding the two committees to account for the termination of shared services of a secretariat officer;**
- **To create a part-time secretariat officer position and hire a human resources firm to advertise the position and screen candidates.**

**c. *Adoption of the revised budget proposal (accounting for the activities of the uranium commission)***

The JBACE received a \$70 000 grant from Aboriginal Affairs and Northern Development Canada to support the activities of the JBACE Commission on uranium issues. The Administrative Committee recommended revising the budget proposal for 2014-2015 to account for this new funding and the expenses associated with the Commission.

On motion by Line Choinière, seconded by Manon Cyr, the revised budget proposal was unanimously adopted.

**d. *Bid selection for revamping the website***

The JBACE wants to make its website more attractive, more functional and mobile-ready. The secretary went over the bids received and the members selected the one that seemed to best meet the needs while remaining affordable.

e. ***Draft explanatory note for subcommittee resource persons***

The members made some changes to the draft explanatory note intended for resource persons. The secretary will submit the final version to the members for validation.

4. **IMPLEMENTATION OF THE STRATEGIC PLAN**

a. ***Follow-up on the report of recommendations on mineral exploration projects under the impact assessment and review procedure***

The analyst will make the final verifications before sending the recommendations report to the representatives of the signatory parties to Section 22 of the JBNQA.

The members asked if the material produced during this work could be used to advance other files. The analyst will submit proposals at the JBACE's next meeting.

b. ***Areas for follow-up on the literature review of Cree environmental and social concerns***

The secretary presented the results of the literature review on Cree environmental and social concerns submitted in August. The members want to follow up on the review by, for example, validating the results at a workshop in Cree territory or formulating a more accurate description of "social milieu," "social acceptability" or community "consent" to a project. The possibility of proposing an update of Schedule 3 of Section 22 is also being considered. The secretary will think of areas for follow-up based on this discussion and submit them at the JBACE's next meeting.

c. ***Creation of a working group to follow up on the workshop on acquisition and dissemination of environmental and social knowledge (March 2014)***

The members suggested clarifying the JBACE's role before forming a multipartite working group to implement the proposals made at the workshop. The JBACE can take the initiative of forming a working group and coordinating its activities at the beginning, but the group will have to operate independently after that. The working group would oversee the creation of a mechanism for rendering the results of research on the territory and its communities accessible. It would also be responsible for helping guide research toward issues identified by the territory's communities.

The JBACE is setting up a subcommittee to clarify its role in this multipartite initiative.

d. ***Initiative to improve the public participation process***

The analyst expects to submit a draft recommendations report to the subcommittee soon. A member suggested that the Eeyou Istchee James Bay Regional Government also be considered a player in the environmental and social impact assessment and review procedure.

**e. *Work of the subcommittee on implementation of the Fisheries Act***

In August, the JBACE sent Fisheries and Oceans Canada (DFO) its recommendation to establish an information-exchange program enabling proponents and the affected Cree communities to discuss projects in or near water bodies. A reply from the Regional Director of DFO is expected soon. The JBACE subcommittee is to prepare a supporting document for proponents of projects in or near water bodies.

**5. FILE UPDATE**

**a. *Presentation on fish habitat studies in the Opemiska tailings dike failure impact area***

The director of mine site restoration at the Ministère de l'Énergie et des Ressources naturelles (MÉRN) agreed to a presentation in Waswanipi on the results of fish habitat studies and restoration work. The purpose of these initiatives was to assess the environmental impact of the tailings spill at the old Opemiska mine and restore the most affected sites.

The members suggested that the presentation be given to the JBACE first to make sure that it is not too technical and that it addresses the Crees' concerns. The secretary will find out if the MÉRN could give the presentation at the meeting on November 25, 2014. A member suggested that the presentation be given to the residents of Chapais as well.

**b. *Characterization study of the Cape Jones (Pointe Louis XIV) contaminated site***

The MDDELCC's Nord-du-Québec regional directorate plans to issue a call for tenders this fall for a characterization study of the Cape Jones (Pointe Louis XIV) contaminated site north of Chisasibi. Since this is a former National Defence site, the MDDELCC will apply to the federal department for funding.

**c. *Analysis of tactical and operational forest management plans***

The JBACE will write to Gilbert Paillé, the new chairman of the Cree-Québec Forestry Board, to request a meeting to discuss the review of tactical and operational plans for integrated forest development. The two bodies would be able to get a better grasp of the issues associated with the integrated forest development plans (IFDP) for 2014-2018 and, as much as possible, avoid duplication of activities.

The JBACE Chairperson will contact the person responsible at the Ministère de la Forêt, de la Faune et des Parcs (MFFP) to ask that the tactical and operational IFDPs submitted to date be sent to the JBACE to help it determine the approach it will take in reviewing them. The secretary will see if the IFDPs are available on the MFFP website, given that they are public documents.

## **6. PROGRESS REPORT ON THE WORK OF THE JBACE COMMISSION ON URANIUM ISSUES**

The members of the JBACE Commission on uranium issues explained the preparatory work for the third phase of consultations in the James Bay Territory. Hearings are planned in Chisasibi, Chibougamau and Mistissini from November 11-13, 2014. The hearings will give organizations and inhabitants of the Territory a chance to express their opinions and submit briefs. Taking the views expressed throughout Québec into consideration, the BAPE commissioners will prepare their report to the Minister of Sustainable Development, Environment and the Fight Against Climate Change.

Catherine Lussier, the resource person for the JBACE Commission, gave an overview of the Phase I hearings held in the Territory in June 2014. The purpose of the hearings was to get the public's questions and concerns. Most of the submissions made by Crees advocated a precautionary approach considering the little experience with uranium exploration and mining in Québec. Others questioned the relevance of the hearings considering the Crees' clear opposition to this type of development. Participants in Chibougamau had a more favourable opinion, among other reasons because of their experience with the mining industry and technological advances.

The chair of the JBACE Commission was satisfied with the conduct of the Phase II hearings. He believes that the two young Crees invited to give an expert opinion on their culture had a significant impact by raising all commissioners' awareness of the social impact of future uranium development on the Cree people.

Under the protocol signed between the BAPE and JBACE commissions, the JBACE can comment on the sections of the BAPE's preliminary report dealing with the territory covered by Section 22 of the JBNQA. Some members think that it may not be easy for the JBACE Commission members to comment on the BAPE's preliminary report if they have access to only parts of the report. The two commissions need to discuss this issue, as well as how disagreements over the content of the report, if any, will be dealt with. The JBACE Commission and the Kativik Environmental Advisory Committee (KEAC) Commission agreed during a conference call to share information on the matter.

A member suggested holding post-mortem discussions after the commissions have completed their work with a view to improving the conduct of future joint consultations by the JBACE and BAPE. The conclusions drawn during the discussions could be included in a JBACE report of recommendations. For example, the commissioners know that social acceptability is crucial, but have not arrived at an adequate description. The JBACE could define "social acceptability" for the purposes of future consultations.

## **7. PREPARATION OF THE MEETING WITH THE PROVINCIAL ADMINISTRATOR (DEPUTY MINISTER OF THE MDDELCC): PROPOSED AGENDA**

The members made changes to the proposed agenda for the November 25 meeting with the Deputy Minister of Sustainable Development, Environment and the Fight Against Climate Change.

## **8. OTHER BUSINESS**

### **a. Plan Nord**

The JBACE will invite Robert Sauvé, Associate Secretary General of the Secrétariat au Plan Nord, to its November 25 meeting to outline the new plan.

**b. People copied on emails to members**

The secretary explained why people are copied on JBACE emails. Some members had asked that JBACE emails be copied to their assistant to facilitate file update.

**9. NEXT MEETING**

The dates and places of JBACE meetings up to fiscal year-end are as follows:

- Québec City, November 25, 2014
- Montréal, January 19, 2015
- Gatineau, March 18, 2015



Marc Jetten  
Executive Secretary  
December 2, 2014