



## MINUTES OF THE 196th MEETING OF THE JAMES BAY ADVISORY COMMITTEE ON THE ENVIRONMENT

*(ADOPTED)*

- DATE:** February 25, 2016
- PLACE:** Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques (MDDELCC), Salle 08B, Édifice Marie-Guyart, Québec.
- PRESENT:** Andy Baribeau, Cree Nation Government (CNG)  
François Boulanger, Canada  
Manon Cyr, Québec  
Pascale Labbé, Québec  
Ginette Lajoie, CNG  
Jean-Pierre Laniel, Québec  
Jean Picard, Canada  
Melissa Saganash, CNG, Chairperson  
Jean-Yves Savaria, Canada  
Monique Lucie Sauriol, Canada  
  
Marc Jetten, Executive Secretary  
Graeme Morin, Environmental Analyst
- ABSENT:** Kenneth Gilpin, ex-officio member, Hunting, Fishing and Trapping Coordinating Committee (HFTCC)  
Chantal Otter Tétreault, CNG, Vice-Chairperson  
François Provost, Québec
- OBSERVER:** Annie Déziel, Senior Policy Advisor, Policy Analysis Division, Canadian Environmental Assessment Agency
- GUESTS:**
- For Item 7:** Christyne Tremblay, Deputy Minister, MDDELCC  
Marie-Josée Lizotte, Assistant Deputy Minister, Water, Analysis and Environmental Assessment, MDDELCC
- For Item 8:** Robert Sauvé, President and Chief Executive Officer, Société du Plan Nord  
Joanne Laberge, Director, Assembly of Partners  
Jean-Luc Bugnon, strategic advisor  
Alexandre Baillargeon, Executive Assistant, Vice-President, Assembly of Partners

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

On motion by Manon Cyr, seconded by Ginette Lajoie, the agenda was adopted as amended.

### **2. ADOPTION OF THE MINUTES OF THE 195TH MEETING (DECEMBER 9, 2015)**

On motion by Jean-Pierre Laniel, seconded by Monique Lucie Sauriol, the minutes of the 195th meeting (December 9, 2015) were adopted as amended.

### **3. PRIORITIES FOR 2015-2017**

#### **a. *Promotion of strategic environmental assessment***

The subcommittee on strategic environmental assessment (SEA) suggested several changes to the report prepared by Michel A. Bouchard following the JBACE workshop on December 8, 2015. The revised report will be sent to the members for approval. The report's recommendations will inform the JBACE's written submission on the anticipated bill to modernize the environmental authorization regime under the *Environment Quality Act*. The analyst will draft a summary of the recommendations regarding SEA.

#### **b. *Cumulative effects study***

The study consists in determining the consideration given to cumulative effects in a sampling of seven projects submitted to the Section 22 impact assessment and review procedure: a researcher is assisting the JBACE by examining directives, impact statements and certificates of authorization from that perspective. The draft report is expected by the end of March.

Based on the researcher's preliminary analysis, the consideration given to cumulative effects varies from one project to the next. However, the researcher noted that these effects are considered at the directives and impact statement stages, but very little during the decision-making process.

#### **c. *Approach for reviewing forest development plans***

The JBACE had held its workshop on the review approach the previous day. The members were satisfied with the workshop, particularly the quality of the presentations. In light of the discussions, the JBACE's forestry subcommittee is tasked with identifying issues that need to be considered before the 2018-2023 tactical plans for integrated forest development (IFDP-Ts) are drawn up.

### **4. ADMINISTRATION**

#### **a. *Operation of the Administrative Committee***

A member explained the problems encountered by the Administrative Committee, such as with new files for recently appointed members of this subcommittee. The members pledged to give the Administrative Committee all the support it needs.

#### **b. *New office space for the HFTCC and JBACE secretariats***

The HFTCC and JBACE secretaries updated the criteria for choosing new, bigger office space for the two committees. The members recommended going through a commercial real estate broker to get a range of options. The secretary will enquire as to whether the HFTCC is willing to split the cost of a broker.

#### **c. *Appointment of a chairperson and vice-chairperson***

A member said that the Québec government process for appointing a JBACE chairperson for the fiscal year starting April 1, 2016 is running its normal course. The Government of Canada representatives will enquire about the progress in appointing a vice-chairperson.

#### **d. *Executive secretary and secretariat officer salary reviews***

The members passed the resolution regarding the executive secretary's salary revision for fiscal 2016-2017.

The members want to verify some information before passing the resolution regarding the secretariat officer's salary revision.

## **5. REVIEW OF JBACE OPERATIONS AND ORGANIZATIONAL ASSESSMENT PROPOSAL**

The members called for an external assessment to improve the way the Committee functions. . The assessment needs to cover the role played by the members and staff as well as the effectiveness of communications. Members suggested asking the JBACE's partners for their views. One member thought that an internal assessment by the JBACE members and staff would be beneficial as well.

## **6. FILE UPDATE**

### **a. *Implementation of the recommendations regarding public participation***

The implementation table was sent to the evaluating and review bodies for their comments. After incorporating the comments received from the Federal Review Panel (COFEX-South), the JBACE posted the table on its website. The Provincial Review Committee (COMEX) plans to look at the table soon.

### **b. *Guidance document for proponents in the self-assessment process under the Fisheries Act***

The analyst will organize a conference call for the subcommittee on implementation of the *Fisheries Act* to discuss Fisheries and Oceans' comments on the guidance document for proponents of projects in the Eeyou Istchee James Bay territory.

### **c. *MERN's Aboriginal Community Consultation Policy***

According to an official from the Ministère de l'Énergie et des Ressources naturelles (MERN), an information session for the JBNQA bodies will be held in April. MERN wants to consult Aboriginal communities directly first.

### **d. *MERN Green Paper on social acceptability***

The JBACE will inform MERN that it wants to comment on the Green Paper during the special parliamentary committee hearings this spring. The analyst will go over the document and draft comments.

### **e. *Sustainable Mobility Plan for Northern Québec***

The secretary will see if the director of Transport Québec's Northern Québec coordination office (Bureau de coordination du Nord-du-Québec) is available to attend the JBACE's next meeting to present the sustainable mobility plan.

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

The MDDELCC regional office plans to present the results of the Cape Jones characterization study (Phase I) to the community of Chisasibi in April. The secretary will see if the JBACE can get a copy of the study report.

## **7. MEETING WITH CHRISTYNE TREMBLAY, DEPUTY MINISTER OF MDDELCC**

The following issues were discussed with the Deputy Minister: the JBACE's recommendations on public participation, the consideration given to the cumulative effects of development projects, and the framework for strategic environmental assessment provided for in the bill modernizing the *Environment Quality Act* (see meeting summary in Appendix 1).

**8. MEETING WITH ROBERT SAUVÉ, PRESIDENT AND CHIEF EXECUTIVE OFFICER OF THE SOCIÉTÉ DU PLAN NORD**

Mr. Sauvé explained the Société du Plan Nord's priority actions and discussed various matters with the members, including knowledge acquisition, consideration of the cumulative effects of development projects, social acceptability and strategic environmental assessment (see meeting summary in Appendix 2).

**9. ASSESSMENT OF THE INQUIRY AND CONSULTATIONS ON URANIUM INDUSTRY ISSUES**

The members went over the post-mortem report prepared by the resource person for the JBACE Commission on uranium industry issues. The secretary and analyst will use the report to formulate recommendations, which will be sent to the Minister of MDDELCC and copied to the Bureau d'audiences publiques sur l'environnement (BAPE). The recommendations must guide future joint consultations in the Eeyou Istchee James Bay territory.

**10. NEXT MEETING**

The JBACE plans to hold its next meeting in Eastmain, on June 8 and 9, 2016.



Marc Jetten  
Executive Secretary  
July 26, 2016

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**APPENDIX 1: SUMMARY OF MEETING WITH CHRISTYNE TREMBLAY,  
DEPUTY MINISTER OF MDDELCC<sup>1</sup>**

In response to a proposal from the Deputy Minister made by way of a letter, the JBACE analyst presented the JBACE's priorities for implementing its recommendations regarding public participation. According to the analyst, in the short term, a guidance document regarding best practices in public participation could be prepared for the benefit of project proponents. Ms. Tremblay offered her department's collaboration. Marie-Josée Lizotte, Assistant Deputy Minister, mentioned that the MDDELCC has published a number of guides, including for the Section 22 and 23 procedures (JBNQA), that could serve as references. The analyst said that the JBACE will detail the initiative soon, including the MDDELCC's contribution.

The analyst also mentioned the JBACE's longer-term intention to develop a strategy to raise public awareness about the Section 22 procedure and public participation. The evaluating and review bodies will be asked to collaborate on both the guidance document and the public-awareness strategy.

The Deputy Minister of MDDELCC brought the members up to speed on the public registry of projects submitted to the authorization or environmental assessment process. According to Ms. Tremblay, the registry is one of the components of the bill to modernize the *Environment Quality Act* (EQA) authorization regime that will be tabled this spring. The registry will facilitate access to information and reduce the number of requests handled by MDDELCC staff. Ms. Tremblay pointed out that some information relating to the Section 22 assessment and review procedure (JBNQA) is already available on COMEX's website.

A JBACE member explained the work under way on consideration of cumulative effects in the Section 22 impact assessment and review procedure. The JBACE wants to examine this issue in the light of recognized principles. It is studying the consideration given to cumulative effects in Evaluating Committee directives, impact statements and certificates of authorization. Several of the projects chosen for the cumulative effects study also underwent environmental assessment under the *Canadian Environmental Assessment Act* procedure, making it possible to compare the consideration given to cumulative effects. The Deputy Minister asked to be informed of the study results, because consideration of cumulative effects is a challenge when applying the EQA authorization regime at the regional level.

A JBACE member briefly explained the outcome of the JBACE workshop on strategic environmental assessment (SEA) held the previous evening. The members discussed the kinds of policies, plans and programs for which an SEA would benefit the territory from an environmental and social perspective. Land use planning initiatives are a perfect example. The Deputy Minister affirmed the MDDELCC's willingness to include an SEA application framework for Québec in the bill modernizing the EQA.

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<sup>1</sup> The meeting took place in the COMEX meeting room in the Marie-Guyart building.

**APPENDIX 2: SUMMARY OF MEETING WITH ROBERT SAUVÉ,  
PRESIDENT AND CHIEF EXECUTIVE OFFICER OF THE SOCIÉTÉ DU PLAN NORD**<sup>2</sup>

The JBACE chairperson explained that the Committee wished to know more about the Société du Plan Nord and its priorities for action. The JBACE also wanted to present its initiatives related to the environment and social milieu in the Eeyou Istchee James Bay territory, which lies within the area covered by the Plan Nord. A JBACE member explained the Committee's work on cumulative effects, which, at the moment, are given little consideration in individual projects. Generally speaking, proponents do not have access to the environmental baseline data needed to take past, current and future impacts of a project into account. According to a member, access to these data is of utmost importance for proponents who want to foresee potential risks arising from their project.

Robert Sauvé explained the Société du Plan Nord's structure and priority actions. He pointed out that the Plan Nord respects agreements entered into with Aboriginal peoples, including the JBNQA. The cornerstone of the Plan Nord is sustainable development. He gave the example of the plan to replace fossil fuels by renewable energy sources to generate power in northern communities. Furthermore, Mr. Sauvé said he was interested in working with the JBACE to address any deficiencies in the Plan Nord.

With regard to data acquisition, Mr. Sauvé thinks it is important that proponents, the public and other players have a common scientific basis to be able to discuss the advantages and disadvantages of a project on equal footing. He gave the example of the government's commitment to protect 20% of the area covered by the Plan Nord and dedicate another 30% to non-industrial purposes: building knowledge as part of the ecological planning process is key to delivering on that commitment. To ensure maximum spinoffs, the Société takes a matrix approach so that data acquired in a given sector benefits other sectors as well (e.g. forest or mining development). Furthermore, Mr. Sauvé thinks that the recently created Institut nordique du Québec can play an important role in data acquisition and dissemination.

Social acceptability is a vital aspect of the Plan Nord, according to Robert Sauvé. The Société du Plan Nord is working hard upstream of development projects to ensure the involvement of affected communities and raise proponents' awareness. On the matter of strategic environmental assessment (SEA), Mr. Sauvé finds the JBACE's latest proposal to submit certain kinds of policies, plans and programs to SEA is more focused and more likely to be implemented. Mr. Sauvé concluded by saying that this meeting bodes well for future collaboration, while stressing that the Société du Plan Nord is still in its infancy.

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<sup>2</sup> The meeting took place at the Société's offices (900, boul. René-Lévesque Est, Québec, Suite 720).